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Floor Debate
April 05, 2019

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HUGHES: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the fifty-fourth day of the One Hundred Sixth Legislature, First Session. Our chaplain for today is Pastor Melody Newman from the First United Methodist Church, Imperial, Nebraska; my district.

PASTOR NEWMAN: (PRAYER OFFERED.)

HUGHES: Thank you, Pastor Newman. I call to order the fifty-fourth day of the One Hundred Sixth Legislature, First Session. Senators, please record your presence. Roll call.

SCHEER: Please record, Mr. Clerk.

CLERK: There is a quorum present, Mr. President.

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

CLERK: No corrections this morning.

SCHEER: Any messages, reports, or announcements?

ASSISTANT CLERK: Mr. President, I have a report of registered lobbyists for the current week that will be inserted in the Journal pursuant to law. Various agency reports have been filed electronically on the legislative Web site and are available there for legislative use. New resolutions: LR79 and LR80, both by Senator Gragert, those will be laid over. That's all I have at this time.

SCHEER: Thank you, Mr. Clerk. Proceeding to the first item on the agenda.

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ASSISTANT CLERK: Mr. President, the Health and Human Services Committee reports on the appointment of Dannette R. Smith as Chief Executive Officer of the Department of Health and Human Services.

SCHEER: Thank you, Mr. Clerk. Senator Howard, you're welcome to open as Chair of the committee on the confirmation report.

HOWARD: Thank you, Mr. President; good morning, colleagues. This morning I'm bringing you the confirmation report on the recently appointed CEO of the Department of Health and Human Services, Dannette Smith. Her appointment was advanced from Health and Human Services Committee with a unanimous vote. Ms. Smith comes to us from the Virginia Beach Department of Human Services where she served as director for over six years. She has over 25 years experience in the field of human services, including time spent in Seattle and Georgia. She holds a masters degree in social work from the University of Illinois at Chicago-- Mr. President, could I get a gavel? Thank you. --and graduated from Eastern Michigan University for her undergraduate degree in psychology. Serving the most vulnerable people in the state through a public service role has been her calling throughout her career. Among her achievements in Virginia Beach, Ms. Smith helped oversee the integration of the behavioral health, social services, and quality improvement into services that begin with a single entry point. This is something that I'm actually very excited about here in Nebraska. This included same day behavioral health service delivery to children and adults, a home visiting program, and a public dashboard that shared results of these efforts. Ms. Smith did not oversee a public health division, but as a result of the other work she did, she sees it as an integral part of the health and human services system and understands how it affects the public at large. Other accomplishments include being a co-developer of the Virginia Beach Housing Resource Center, author of the city of Seattle's first strategic investment plan, she launched an integrated strategic plan for the city of Virginia Beach Human Services, she designed the Seattle work force reentry program, Career Bridge, for formerly incarcerated persons. As CEO of our Department of Health and Human Services, Ms. Smith will oversee Nebraska's largest state agency that encompasses nearly one-third of state government in terms of numbers of employees, over 4,600, and percentage of the state budget. Comprised of five divisions, seven public facilities, and eight operational areas, divisions include behavioral health, children and family services, also includes economic

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assistance, developmental disabilities, Medicaid and long-term care, and public health. Public facilities are the three regional centers at Hastings, Lincoln, and Norfolk, and the Beatrice State Developmental Center, and the Youth Rehabilitation and Treatment Center in Geneva and Kearney. The Department of Health and Human Services touches every citizen in the state of Nebraska in some way, whether it be in our vital statistics division or through Medicaid and long-term care. When asked what her vision in service to Nebraska would look like, she notes creating capacity for behavioral health and developmental disability services, ensuring that public health addresses social determinant of health, and integrating service delivery of health and human services programs. She also cites maintaining a collaborative relationship with the Legislature as a top priority. It is my hope that Ms. Smith and the department will see the Legislature as an ally to help deliver the very best care for our citizens. I am excited about her confirmation today, and I am hopeful for our collaborative relationship in the future. And with that, I would urge your green vote on this confirmation. And I would be happy to try to answer any questions the body may have about Ms. Smith. Thank you, Mr. President.

SCHEER: Thank you, Senator Howard. Floor discussion? Senator Arch, you're recognized.

ARCH: Thank you, Mr. President. I just wanted to express my support, as well, for this nomination, the confirmation of Dannette Smith. I had a chance to meet with her personally, privately, as well as in the hearing, and I was impressed with a couple of things. One was, first of all, the depth of her experience that she's had, broad experience, both on healthcare side, as well as child welfare, and some of the experience that she's had in other states with reform. We have some large issues that will have to be tackling here in the next year or two with Medicaid expansion, as well as the implementation of the Family First Act, and she is well versed on those, very knowledgeable. And as Senator Howard said, her expressed, and already we have seen it, willingness to work with the committee. And so I stand in strong support for this confirmation. Thank you.

SCHEER: Thank you, Senator Arch. Senator Walz, you're recognized.

WALZ: Thank you, Mr. President. I stand in support of the appointment for Dannette Smith. I also had the opportunity to visit with Dannette on several occasions. She has been very receptive.

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She has a lot of experience. She portrays truthfulness and leadership. And she has shown that she really wants to work together to make Nebraska a better place for everybody. I have a bill coming up on the floor regarding the Olmstead Act. Olmstead is a U.S. Supreme Court case based on American Disabilities Act of 1990. Through the Olmstead Act, the Supreme Court ruled that states are required to provide services to people with disabilities in the most integrated setting appropriate to their needs. Most states have been-- many states have been investigated by the Department of Justice and have been required to create a plan, meaning the Department of Justice came in and told the states how they were going to implement the plan, which is something that costs states millions of dollars. Dannette actually lived in a state, in the state of Virginia, where the Department of Justice came in and required them to implement a plan. She was there during that time and she has a lot of experience. She understands the importance of being proactive and implementing a plan our way as opposed to having to do it the Department of Justice way. I'm really excited to have Dannette here to help us implement this plan and I look forward to working with her in a way that I think we're going to be able to provide a plan to the state that's going to be cost effective and will meet Nebraskans' needs. So with that, again I support the appointment of Dannette Smith. Thank you, Mr. President.

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

WILLIAMS: Thank you, Mr. Chairman; and also as a member of the Health and Human Services Committee, I rise in full support of this nominee. I did also, as all the members had the opportunity to meet with her privately. The thing I was most impressed with, beyond her background and skills, were her listening skills. She sat and was much more concerned about what I had on my mind as issues that were facing our state and the HHS Department than what she was bringing here. And I think that's incredibly important when we look to the future that whoever comes in here recognizes that the state is different. It has uniquenesses. Our form of government is different and has uniquenesses because of that. And her willingness to engage in that thoughtful process was very important to me. So I stand in full support of this nomination and encourage your green vote. Thank you, Mr. President.

SCHEER: Thank you, Senator Williams. Seeing no one else wishing to speak, Senator Howard, you're welcome to close on the confirmation report.

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HOWARD: Thank you, Mr. President. As you can see, Ms. Smith has certainly taken the time to prove her credentials and her willingness to work with the Legislature among the members of the Health and Human Services Committee. She has already been dealing with some thorny issues with us, specifically dealing with the aged and disabled waiver and has hit the ground running in working with us in terms of our oversight role for Medicaid expansion. And so I can only say positive things about her, and so I would urge the body's green vote on her confirmation this morning. Thank you, Mr. President.

SCHEER: Thank you, Senator Howard. The question before us is the adoption of the confirmation report from Health and Human Services. All those in favor please vote aye; all those opposed vote nay. Have all voted that wish to? Please record.

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

SCHEER: The report is adopted. (Visitors and doctor of the day introduced.) Items, Mr. Clerk.

ASSISTANT CLERK: Thank you, Mr. President. Your Committee on Enrollment and Review reports LB270, LB348, LB409, all placed on Final Reading. New resolutions: LR81 by Senator La Grone; that will be laid over. LR82 by Senator Hughes; also will be laid over. That's all I have at this time.

SCHEER: Senator Erdman, for what purpose is your light on? Thank you. Next item, Mr. Clerk.

ASSISTANT CLERK: Mr. President, first bill this morning, LB512 by Senator Linehan. (Read title.) This bill was introduced on January 22; referred to the Revenue Committee. That committee placed the bill on General File with committee amendments attached.

SCHEER: Thank you, Mr. Clerk. Senator Linehan, you're welcome to open on LB512.

LINEHAN: Thank you, Mr. President; good morning, colleagues; good morning, Nebraska. Department of Revenue's-- this bill is the Department of Revenue's housekeeping bill which addresses multiple areas of tax law. Section 1 through Section 9 and 30 repeals Sections 66-739,

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and harmonize nine other sections within the Motor Fuels Tax statutes to reflect this outright repeal. The statute currently requires separation of motor tax-- excuse me, motor fuel tax auditing and collection from the other parts of the department. Motor fuel staff are funded through the Cash Fund as opposed to the General Fund. Repealing this statute would allow auditors and collections personnel to work on more than one tax program and create efficiencies within the department. So instead of two people having to go to the quick shop, you could have one person from the audit, since they sell both fuel and other things. Section 10: current law requires county boards to publish a list delinquent taxpayers and forward the list to the property tax administrator. The bill would require that the list be furnished to the department electronically. So that's just catching up with the times. Contingent fee contracts-- excuse me, Section 11: contingent fee contracts for state agencies require review by the Governor under Section 73-203 or Section 73-204. Section 77-377.02 requires the department to use contingent fees agreements with third parties for delinquent tax collection. The bill would allow the department to enter into collection agreements again without the approval of the Governor. These agreements are small and infrequent and do not need to be reviewed by the Governor. Section 12 and 13: removes redundant language regarding promulgation of rules and regulations by the property tax administrator. Section 77-369 provides comprehensive language for the tax commissioner to promulgate rules and regulations as necessary. Section 14: strikes an unnecessary certification of personal property tax exclusions to the Department of Administrative Services as the Department of Revenue administers all aspects of this program. The certification required under Section 77-1239 is also untimely for budget purposes and requires the department to use estimates rather than actual numbers. Section 15: --and this will be under much discussion today-- provides relief to property taxpayers for damage or destruction due to a natural disaster occurring after January 1 assessment date, which would obviously affect everyone who has been affected by the flooding in Nebraska. We will be talking, I think, quite a bit about that this morning. Section 16 clarifies provisions of last session's LB1090 regarding the new personal exemption credit and the increase in the standard deduction; changes nothing, just clarifies them. Section 17 to 19: current filing requirements for past through entities are confusing and different. And there were some questions on this, so. The bill would harmonize these requirements so that all such entities with Nebraska source income will be required to file a return, even if all the income is Nebraska source income and all owners are Nebraskan residents. Section 20: amends Section 77-2776 so that when a notice of deficiency is issued to a pass-

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through entity, the actions taken by such entities regarding the notice are binding on the owners. This matches federal practice. Section 21 to 23: amends sections of the homestead program as follows: Section 77-3506 to eliminate the annual certification of 100 percent disability or the unremarried before age 50 of the surviving spouse. Section 77-3508 to clarify the definition of a prosthesis for purposes of the disabled homestead exemption by cross referencing the sales tax definition in Section 77-2704.09(ii)(h) and Section 77-3519 to allow homestead exemption claimants who are denied or who have the exemption amount reduced because of a home value to appeal the value by June 30. Section 24 amends Section 77-4111 to eliminate the requirement to adopt regulations governing the Employment and Investment Growth Act, aka, 775, as the program no longer accepts applications. Section 25 amends Section 77-6203 to change from "shall" to "may" the promulgation of regulations for the nameplate capacity tax. The bill contains an emergency clause. Thank you.

SCHEER: Thank you, Senator Linehan. As the Clerk noted, there is committee amendments. Senator Linehan, you're welcome to open on the committee amendments as Chair of the Revenue Committee.

LINEHAN: Thank you, Mr. President and colleagues. This amendment makes two changes. First, it strikes Section 12. The bill as drafted would have removed the requirement for the tax commissioner to promulgate rules and regulations for the educational standards and criteria for the certification of county assessors certificate holders. The requirement remains in statute with this amendment. The second change strikes Section 15 which created rules to address real property assessment due to a major calamity. As I said before, this is where we're going to spend a great deal of the morning, I assume. My understanding is that the Department of Revenue and the counties just can't agree on this; so no surprise. We're going to talk about it on the floor. However, Senator Erdman does have LB482 in our committee, which addresses this issue and we may need to-- and we will be discussing that further given what's happened in Nebraska in the last few weeks. Thank you, Mr. President.

SCHEER: Thank you, Senator Linehan. Mr. Clerk for a motion.

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ASSISTANT CLERK: Mr. President, first amendment I have to the committee amendments from Senator Erdman is [AM]1119, but, Senator, I have a note to withdraw this.

ERDMAN: That is correct, sir.

SCHEER: Without objection, so ordered.

ASSISTANT CLERK: Senator Erdman would offer AM1217.

SCHEER: Senator Erdman, you're welcome to open on AM1217.

ERDMAN: Thank you, Mr. Speaker. Good morning. As Senator Linehan very well described what happened to [LB]482, it was in front of the Revenue Committee a month or two ago. This is a bill that came to my attention several years ago as a county commissioner. There was a lady in my town that her house burned down on January 2. She came to the county board and asked for us to reevaluate her house for that year because it had burned down the day after New Year's. The state statute says that whatever is on your property on January 1, 12:01 a.m. is what you shall pay property tax on for the whole year. So with the statute in place, we could not make an adjustment for this lady. So two years ago, I introduced a bill to try to rectify that and prorate a person's property tax to the day of destruction on their property. I did not know that there would be a flood on March 15 or a blizzard in western Nebraska. That was something that happened and I didn't know that. So what I have done is I've asked Senator Linehan if I could amend my [LB]482 into this bill, [LB]512. So what [LB]482 is is basically the opportunity for someone who has lost their property, whether it be a commercial building, a residential building, a farm building, to a disaster; whether it be a tornado, a flood, a fire, hail storm, whatever it might be that has destroyed their property, that your property tax would be prorated to the day of destruction on this year, 2019, if this is the applicable year. And then if your property was reconstructed and you could again use the property, your property tax would pick up for the rest of the year. The bill also says that after October 1 there would be no proration. So if you lost your property between January 1 and October 1, you'd have an opportunity for a proration. So fast forward to March 15, we had a flood, destroyed many properties in the state of Nebraska. Little did I know how important this bill could be, not only to my district, but to many of the

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districts in the eastern part of the state. For example, Sarpy County; Sarpy County is bordered on two sides, as I understand it, by rivers. They've had a mass amount of flooding. They've had a mass amount of destruction. Some of those people have lost everything. But they're still going to have to pay their property tax. Makes a lot of sense. It doesn't make any sense at all. So what this bill does, it allows them to prorate their property tax to the day of destruction. Let me give you an example of what happened in my county: June 12, 2017, tornado came through my community, destroyed two of my neighbors' houses, completely demolished their house. One neighbor decided to rebuild a stick home, took him a year to get it rebuilt. The other neighbor bought a modular. So on June 12, he had a \$60,000 house on the tax rolls. The tornado wiped out his house. The week before Thanksgiving, he had replaced his house with a modular in the quarter of a million dollars range and he moved in. So in that example, he would have stopped paying taxes on June 12 on a \$60,000 property, but on the 20th of November, he would have started paying taxes on a quarter of a million dollars property. So the taxes collected by the county would have nearly been the same. So what this bill does is only for one year, the year that it's destroyed, and the first of January the next year will be the value of the property based on what's on it that year. This is a one-year exemption. This makes a lot of sense. It's an opportunity for us for once, we can pull up in somebody's yard and say, Senator Brandt, we can get out of our vehicles and say we are from the government and we are here to help you and really mean it. This is a chance. This is an opportunity for all of us to vote to give people a break in something beyond their control. In 2009 or '10, they had a fire out by Ogallala that burned up eight homes. Later on that spring when the county sent out their valuation, those homes had an increase in value because the valuation was made on January 1 and their houses burned down in March and they got a 15 percent increase in value and their houses were gone. That's wrong. This is an opportunity for us to make a difference in people's lives and allow them an opportunity to get out from under this property tax for the amount of time they have left in the year after their property was destroyed. There will be many that will say how are they going to make up the difference? Maybe yesterday you heard Senator Dorn and I had a conversation about how Gage County raised their mill levy to make up-- to pay off the lawsuit. There is room in most of these counties' budgets, I don't think all of them, but there is room in some of those counties' budgets to raise their property tax because they have a tax cycle budget coming up in September. What you're going to hear people say is the county is going to lose revenue to rebuild. Let me help you with that one. The taxes being collected May 1 and September 1 are for '18. They're not for '19. The

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taxes paid the current year we're in is not until next year. So to have somebody come and say the county is going to lose revenue this year to help them rebuild is a false statement. The other question you have to ask yourself, who is going to stand the better chance of getting FEMA and NEMA help the most? The private homeowner or the city or the county? You know the obvious answer is the city and the county. So when they talk about what they're going to lose in revenue, it is minimal compared to the loss these people suffered by losing everything. When they get their valuation back in 2021, once these properties have been rebuilt, their value is going to be significantly higher, significantly higher than it was before it was destroyed. So going forward, those local units of government that collect taxes will have a greater value to collect taxes from than they had previously. So we're talking a slight down turn in their appropriations or their tax collecting and then it will be smooth sailing again as it always is for people who collect taxes. So we will hear the lobbyists who want this bill to go away, do not want this bill to pass because they may lose some tax revenue. But I have never seen the lobbyist in the hallway for the taxpayer. They don't have one. That's who we are. Okay? We need to represent our people and we need to represent them in a way that makes sense. This bill makes total sense. It allows us an opportunity to help people who had their property destroyed. So with that I will yield my time, but I'm here to answer questions if I can. Thank you.

SCHEER: Thank you, Senator Erdman. Senator Erdman, you are next in the queue. Do you still wish to speak?

ERDMAN: I'll pass this time. Thank you.

SCHEER: Thank you, Senator Erdman. Going to the queue for discussion, Senator Clements, you're recognized.

CLEMENTS: Thank you, Mr. Speaker. I apologize for my voice. I've had a sore throat for a couple of days. I always did want to sing bass. If you need a bass in your choir for a couple of days, let me know. [Laughter] I can hit the low ones. Okay, back to a serious subject. I'm standing in support of AM1217 regarding the damaged property. I had a phone call from the Sarpy County Treasurer this morning. His name is Brian Zuger. He said, I'm calling you regarding AM1119, which is now replaced with [AM]1217 to LB512. He said, I've had hundreds

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of phone calls from Sarpy County taxpayers and homeowners about paying property tax on their damaged property. And what are they going to do with destroyed property, having to pay tax on that next year? And he said, I favor AM1119 and our remaining tax base in our county will be able to absorb it. So the county treasurer in Sarpy County where there is a disaster declaration believes that this is a good amendment and encouraged me to support it, which I will. If-- I had a handout passed around, the top of the page, it says-- it's an Excel spreadsheet-- which is about like my right arm, it's titled: Damaged Property Valuation Decrease. I looked at the county in my district, Cass County is where I lived. Cass County also has a disaster declaration because it has rivers on both sides; got the Platte River between Sarpy and Cass, and has the Missouri River on the east. If you look at the county valuation is \$3.5 billion of property. The current levy is .3725, 37 cents at the county level, which means their general fund gets \$13.3 million. The first column-- going down that first column, there are 10,263 houses in Cass County. If 2 percent of them are gone, that would be 205 houses. Then that would reduce-- the valuation damage would be \$24 million if we exempt all those. But that's-- we don't exempt them starting March 15 would be 9.5 months or 80 percent. So \$19.8 million would be reduced from tax rolls next year, a new valuation of \$3.56 billion. So they need a levy increase of-- it ends up being a tax increase of .56 percent. The next section talks about what a house tax would go up in an average house in Cass County is \$120,000 value. That would raise the taxes \$12 a year. And on farm value, the very bottom of the first column, the tax increase on 160 acres would be \$62. I actually think that more than 200 houses are going to be destroyed in Cass County. It's more like either 400 or 600. Let's go to column 3 where it shows 6 percent of the houses are gone. That would be 616 houses. The county would have to raise their value--

SCHEER: One minute.

CLEMENTS: --their levy 1.69 percent, would raise a house in town \$38 for one year. And 160 acres would raise \$188. So 1.7 percent increase on everybody else's property tax, I think people will be willing to pay another 1.7 percent for a year to help out their neighbors whose house is completely gone and have a lot more things to worry about. I wanted to illustrate that. Even if it was the worst, 10 percent of all the houses gone, it would be 2.8 percent increase in tax, which is still affordable, in my opinion. This is just one county. But I believe it would be representative of several of the counties. And I ask for your support of AM1217. I think the rest of the property--

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SCHEER: Time, Senator.

CLEMENTS: Thank you.

SCHEER: Thank you, Senator. Senator Groene, you're recognized. Senator Groene, you're recognized.

GROENE: Thank you, Mr. President. I stand in support of AM1217. I sit on the Revenue Committee. We need to help those folks. It's just fairness issue. I'm in support of AM423 and I'm in support of LB512. I want to make a comment about what happened yesterday, it turned my stomach. I watched in the morning 40 senators support a strictly urban bill-- strictly urban. There was extended debate earlier, never a filibuster; never a filibuster. That bill will never help grow Nebraska. It might hurt us because more property in the urban areas will be TIFed and then more state aid will go to urban and the TEEOSA formula. But then I watched in the afternoon a filibuster by strictly urban senators on a strictly rural bill. That ag land valuation has no effect on any urban district, the property valuations or anything, strictly rural, and we didn't get any help from urban. I've read the headlines of the urban papers about civility. I read the transcripts on LR14CA. Not a single suburban or rural senator said anything negative, all positive comments looking for information. There was never a filibuster. Nobody threatened to amend stuff on to other bills. Senator Erdman has never-- look, checked-- check it, how many amendments he dropped on other bills yesterday to get even, or this morning. None. I am going to ask a couple of senators, if Senator Erdman goes around, I heard it wasn't a filibuster yesterday, it was extended debate. Senator Lathrop, would you answer a question?

LATHROP: I'd be thrilled to right now.

SCHEER: Senator Lathrop, would you--

GROENE: If Senator Erdman comes to you for a cloture vote, would you give it to him on his bill?

LATHROP: Not on this bill, I won't, and it's--

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GROENE: On the one yesterday, [LB]483?

LATHROP: Yes. And I'm going to tell you, if you listen to the questions I had and the concerns that I expressed, I do have constitutional concerns and this does affect urban senators to the extent it ultimately affects TEEOSA and equal [INAUDIBLE].

GROENE: Sir, thank you. Well, I would have liked to got in the queue and helped Senator Erdman yesterday answer his question on your questions, but I couldn't. By the time I got in there, there was 12 strictly urban senators, except Senator Williams, in the queue, which was an hour's amount of time before I got up. That was a textbook filibuster yesterday. And thank you, Senator Lathrop, for teaching me a lesson. Don't raise your voice, just be gentle and ask really concerning questions and take it three hours. We have a problem with the three-hour filibuster rule, folks. And Senator Wayne's bill, that was extended debate. That was not a filibuster. And I'm going to believe Senator Lathrop that that was extended debate, not a filibuster. We are changing statutes and constitution of the state of Nebraska and we have to stop our debate in three hours. And we can't talk about it again unless 33 members-- and I understand why the rule is there, because of the chaos four years ago, and it did speed things up. But it's giving bad legislation, it's stopping debate. It's causing-- you know, if we could have talked to LR14 a little longer, probably the next day wouldn't have happened and then good people on their appointments wouldn't have been drug through the mud the following week.

SCHEER: One minute. One minute, Senator.

GROENE: We have to look at the rules next year. I'm going to have to say something I probably never would have said. Maybe I should have voted with Senator Lathrop's rule last year to go a full six hours this year. Because that three hours caused the grief on what we had this last week. But I am going to help Senator Erdman go around and see if he can get 33 votes for cloture because I was told that that was not a filibuster yesterday. Let's help-- this is good legislation. I think it's been clear. I'm going to go back to it. The Revenue Department for years wanted to do this, for fairness reasons on this distressed property, it's always been the government's spenders, NACO, who has held the floor. It's time to represent the people, not government institutions. We're helping people here, not county government.

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SCHEER: Time, Senator.

GROENE: Thank you.

SCHEER: Thank you, Senator Groene. Senator Halloran, you're recognized.

HALLORAN: Thank you, Mr. Speaker, colleague; good morning, Nebraskans. I want to thank Senator Erdman for first introducing this long before anyone anticipated disaster of historic proportions. I never would have thought Senator Erdman would be clairvoyant, but he didn't anticipate this event happening, but it happened. Since it's happened, we have heard people, and I'm not questioning anyone's sincerity here-- we've all sincerely wished the best for all Nebraskans who have lost their property, lost in many cases their livelihood, and we have sincerely made statements to that effect. We have-- some of us have taken actions in helping cleaning up. But this is an opportunity, I'm fully in support of AM1217. This is an opportunity for us to, in effect, put our actions where our words were. It's a question of whether or not we're going to look out for protection for local unit of government-- the counties. As Senator Clements clearly pointed out on the spread spreadsheet, and God bless bankers for spreadsheets. But as he pointed out, it would be a very nominal impact on the county. But it's 100 percent impact on those that have lost their property. So when you vote on this, I want you to look the camera in the eye, look at your fellow Nebraskans out there and they'll recall your sincere concerns about them, your voiced concerns. But this is an opportunity to vote green on something that actually does something for them. They're watching. They should be watching. And we're all watching how we vote on this issue, because honestly, we can talk all we want about how we care for people, but if you vote contrary to green on this, your actions are expressing where your heart is. Thank you.

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

BRIESE: Thank you, Mr. President; good morning, colleagues. I rise today to support Senator Erdman's AM1217 to LB512. I want to thank Senator Erdman for bringing this and I want to thank Senator Erdman for his relentless commitment to property tax relief. I want to thank him for having the political courage to stand up and do what he believes is right for our taxpayers.

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AM1217 is another example of his commitment to those taxpayers. And this is very timely legislation, as some of the other folks have-- senators have indicated. Nebraskans have suffered an enormous amount of loss from the recent flooding. They need our help. If you've lost your property, you're looking for help, you need help, this is one way we can show them our commitment to them. As for the loss of money to the counties, I have data here that suggests that only one county right now is currently up against their limit. The counties will survive. This bill is simply about fairness to our taxpayers. If your property is destroyed, should you continue to have to pay property taxes on it at the full value? A system that requires that property taxpayer to continue paying taxes after his or her property is destroyed doesn't pass the smell test. I assume we're going to hear a little opposition today and it's possible really that maybe some tweaks could make this a better amendment. But I'll defer to Senator Erdman's judgment on that. If there are legitimate concerns, they can be fixed before Select File. But in any event, it's good legislation. I would urge your support. And I would defer the balance of my time to Senator Erdman if he so chooses.

SCHEER: Senator Erdman, 3:10.

ERDMAN: Thank you, Senator Briese; I appreciate that. One of the things that I may not have made as clear as I could have in my opening on the amendment, I want you to understand that this bill is only going to affect the property value for the year in which the disaster happened. On January 1 of the next year, the value will be what is on the property at 12:01 a.m. January 1. So in this case it would January 1, 2020. The property will never go to zero. The valuation will never go to zero because you have the land is still going to be there and the lot or whatever it is the building was on will still be there and the taxation will continue on that parcel in that regard. But what has been destroyed will be prorated to the day of destruction up 'til October 1. And so that's the situation that we find our self in and that will help those people at least for this year and what they decide to do going forward will be their decision and the county assessor will develop a plan for valuing their property on January 1 of the next year and it will continue on. So that is what I wanted to make sure that people understood. Thank you.

SCHEER: Thank you, Senator Briese and Senator Erdman. Mr. Clerk for a motion.

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ASSISTANT CLERK: Mr. President, priority motion: Senator Chambers would move to bracket LB512 until June 6, 2019.

SCHEER: Thank you, Mr. Clerk. Senator Chambers, you're welcome to open.

CHAMBERS: Thank you. Mr. President, members of the Legislature, in my own inimitable fashion I decided I'd take over the debate this morning on this bill that's helping these rural people whom city people did nothing to harm. They chose where they were going to live. Now they're looking for a handout. They shouldn't have lived there. And that sin, so to speak, carries its own punishment. Jesus told you build your house on a rock so that when the winds blow against it and the floods come, your house will stand. If you foolishly build it on the sand, then the water comes and washes away the foundation, the winds blow the house down. So you be wise, like the one who built the house on the rock. What these rural senators are talking about now, and others, are things that I tried to warn you about when you were talking about your rules. But you don't listen. So I told you I'd rub it in your face when it comes back to bite you. I railed against this three-hour limit from the beginning, but you all think that it's going to stop me, so you went for it even though it hurt our process as a Legislature. We are to be able to debate at length the issues that come before us; 700-and-something bills, far too many. So I've got to now start winnowing them and stopping them. There is a lot of trash legislation in there, but others won't even read the bills. Unfortunately, I do read them. Thank goodness I don't have time to read all of them. I don't make any more money than you all do because I work harder, and I take what the Legislature is about more seriously. And whenever anybody gets up to talk about something serious, the Chamber clears out. So I decided that I'd be the stone that you throw among a covey of quail and they all flap out. So just call me Rocky. Here he comes. Let the quails fly out of here. And you all know that won't stop me at all. And I've got other motions that will let me take over this morning. What are you crying about now? Because there are people you care about who are facing something that you believe ought to be mitigated by others. But when there were people I care about, you didn't care and you talked more than three hours. You filled up what they called the queue so that when somebody called the question, the Chair rightfully said there are 12 or 14 people who want to talk, so that motion is out of order. And without saying it, this bill will go the three hours. It will come off the agenda; get 33 votes or this is the last time you'll see it. Well, now I'm not going to ask you individually. Do you believe the

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Bible? Do you believe it's God's word? Is it infallible? Whether you believe it or not, I'm going to rub it in your face. Rub it in your face and make you like it 'cause there is nothing you can do to me. You cannot stop me, because you're the victim of your own rules, your foolish rules, your stupid rules that you aim at one person. But you cannot stop that person. I've demonstrated it for 40 years, 40-plus years. God is not mocked, Senator Lowe. What a man soweth, that shall he also reap. The way that you treat others is the way it's going to boomerang and come back to you. And this is boomerang time now. I don't know any of those people who lost land due to floods. I don't have to look at them. If they've got little children who are affected by it, I won't hear those children. But I see the ones who are here and I'm well aware of their hardheartedness, their cruelty, their lack of concern for others because it's not the wolf howling on their doorstep or the doorstep of their friends. Well, now, brothers and sisters, friends, enemies and neutrals, that wolf whose baying was far away and all you could say is thank god it's not in my yard. So you have all of your sheep and they're safe. Then you get up the next morning and you go out there and there is some shadows that silently moved through the night onto your land and when you come out, all of your sheep are dead. All your sheep are dead. And the wolves, the wolves you didn't care about who were on somebody else's porch now found your place and it is more desirable. So they laid waste to you as they laid waste to others and while you were saying thank god it's not in my yard, I could say that if I believe like you believe, thank god it's those people and not my people. There were no floods in my neighborhood. I don't allow them. I don't allow floods in my neighborhood. My basement is not flooded. I still got leaves that are dry. And you all down here whining and complaining and crying and there are the majority of you. I heard "Froggy the Gremlin" up here this morning. Excuse me, my voice is-- I got a sore throat. And "Froggy the Gremlin" used to be with the guy called "Smilin' Ed McConnell" and he had a program called "Buster Brown Gang" and Tom McCann shoes, I think, were the ones who covered that program or was the sponsor. And "Smilin' Ed McConnell" would say: plunk your magic twiner, Froggy, and you would hear the clang and then Froggy the Gremlin would talk. It's appropriate that I make that comparison because I see Senator Briese is playing a joke on us. He wants to get you all to vote for a resolution to help somebody named Goldfish. Goldfish. You think there is anybody named Goldfish? He should have said Goldfinger. At least there was a movie about him. If Senator Briese was here, I'd ask him, what did Goldfish do-- Roger Goldfish do that he's retiring from? And if he had a public job of some kind, I'd say then we could say that he carried out his work in a fish bowl, couldn't we? And that's appropriate environment for a

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goldfish. And since Roger was the first name and a critter is the last name, I'd ask him before the session is over, will we get to vote on a resolution to honor Roger Rabbit, another famous personage? I'm going to listen to you all whine; and I told you this day would come. You don't listen to me. So now, you who mocked others, whose feet were about to slip because you thought yours were secure and those you care about had a secure footing, well, now the worm has turned and what was on the plate that you put for other people to eat has been turned around and now you eat it. You eat from the plate that you served up to others. And thank your god that your god is just, because justice means receiving your due. And God said by the same measure you judge, it shall be measured unto you. What you sow you will reap. You don't sow corn and expect to grow wheat. Why should you serve hardheartedness and sow seeds of lack of concern, then expect to reap a crop of sympathy and compassion when time comes for you to go out in the field and reap? My job is to fulfill the scriptures. That's why I'm in this Legislature. Senator Clements, I know you hear me talking. You hear everything. All the rest of you Christians and pretend Bible believers, you have one in your midst who is here to fulfill the scriptures. I want somebody to stand on this floor and prove that I'm lying when the Bible said-- when I say the Bible said, God is not mocked. Whatsoever a man soweth, that shall he also reap. The representation you gave--

HUGHES: One minute.

CHAMBERS: --when you stepped on the back of other people and cruelly said no handout. Well, now you're reaping. You ought to thank God that you are fortunate enough to see the scriptures fulfilled right in front of you. And I'm not through with this bill. I'm not through with this morning's business 'cause you all wouldn't leave me alone. You antagonized me. You provoked me. And now that the bear is out of the lair, we'll see how you fare when all of the air is sucked out of your balloon very soon. Thank you, Mr. President.

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

SCHEER: Thank you, Mr. President. Colleagues, Friday morning, last day of the week, so I thought I would share with you what we're looking at for next week. First, I have received a number of questions about adjournment time for today. And I will let you know that I will

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continue to do what I've done previously in the last two years as we move forward on the last day of the week, my intent would be to try to be done somewhere around noon. That's not a hard time if we're on a bill that I think maybe we can be successful in either passing or not, within a half hour, 45 minutes, maybe we go to 12:30. If we are at 11:20 and I view the bill that's next in line as something that's going to take substantial time, we probably will adjourn early. So it's not a steadfast time. I will just try to tell you that somewhere between the neighborhood of about 12:00 and 1:00 we should be done on the last day of the week as we move forward into all days. Additionally, I did want to give everybody a heads up regarding the late nights. Next Thursday I'll provide you with the memo on the late nights that I will choose to be available to me. Again, that doesn't necessarily mean that every one of those will be utilized. But as you plan, please don't schedule events quite a ways in advance because there may be the need to use some of those additional time periods as we move forward. And last but certainly not least, the bills that we will be adding to the agenda next week, and again in no specific order, so I'm not committing to where they're going to be, but the bills that will be brought forward are LB698 by Senator Bostelman; LB550, Senator Vargas; LB616, Senator Hilgers; LB585 by Senator Friesen; LB641 by Senator McDonnell; LB663 by Senator Friesen; LB138 by Senator Blood; LB538 by Senator Lathrop; LB31 by Senator Kolterman; LB428 by Senator Friesen; and LB638 by Senator Stinner. Again, just the numbers for those at home that were trying to write them down that perhaps I was moving a little too quickly and as usual, Senators, we will be providing you a copy of this list as a handout and will be also e-mailing them. The numbers again, LB698, [LB]550, [LB]616, [LB]585, [LB]641, [LB]663, [LB]138, [LB]538, [LB]428, [LB]31, [LB]638. Enjoy your weekend. I look forward to getting everyone refreshed over the weekend and have a productive week next week. Thank you, Mr. President.

HUGHES: Thank you, Speaker Scheer. Those in the queue are: Senators Bostelman, Bolz, La Grone, Brewer, McCollister and others. Senator Bostelman, you're recognized.

BOSTELMAN: Good morning, colleagues; good morning, Nebraska. I stand in support-- I stand in opposition of the bracket motion and I stand in support of AM1217. I want to talk about a couple of things of why this is important to cities, as well as rural. I remember back in 1980, tornadoes hit Grand Island, Nebraska, and devastated the town. I remember before that, tornadoes hit Omaha, Nebraska, and devastated the town. Hallam has been devastated. Many

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other communities have been devastated as well, along with farms and ranches throughout the state. In my district, specifically in Saunders, Butler, and Colfax County, we've been hit pretty hard by this flooding and we're still being hit by the flooding in town. In Schuyler, Nebraska, right now, there is still water seeping in through the basements, sewage coming back up through the basements. We can't get back into the houses. We can't get them cleaned out. The effect in Schuyler and areas is not a total loss of the houses, but the damage is significant in town, and when you go down by the river on some of the lake community and others, there is houses that burned down in the middle of flood waters. There's houses that burned down in the middle of flood waters. People have lost everything in town or out of town. T-Bone's truck stop south of Columbus, truck stop that's been there for generations, completely wiped out. The truck stop, the gas station there is gone. The restaurant is gone. There is nothing left of it. They have to completely tear down and rebuild. There's cattle piled in fields, in feed lots that have been lost. There are homes that were completely wiped out by these huge icebergs of blocks of ice, three and four foot thick, that came down with the force of the water and just wiped them out, tore them apart completely. There's roads that are gone; there's bridges that are gone. We've lost life. What Senator Erdman is trying to do with this is trying to help anyone wherever you live in Nebraska with the devastation of something where you lost everything-- your business, your home, whatever it might be. It gives them an opportunity to try to recover a little bit, try to give them a reprieve from taxes that they no longer have the business, the home, the property, whatever it is, it's gone. But the bright-- I don't know if you say the bright side, but the thing that comes out of this, remember, is that a lot of those people are going to rebuild and a lot of those homes and those businesses that rebuild are going to be worth more money. They may have had \$180,000 home, ranch home that they had; when they rebuild, it may be \$220,000 home that they rebuild. So the taxes, if we're worried about the taxes, they'll recover. Counties and cities are going to go through a hard time financially, if you will. I appreciate that. But I also appreciate the individuals, the people, the families, the businesses that are going to have significant, significant hardships right now in our state. And it's going to happen again. It's not just with what's happened right now in Nebraska along the Platte River, the Missouri River, the Loup River--

HUGHES: One minute.

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BOSTELMAN: --the Elkhorn River, or in your western part of the state with the blizzard, it's going to happen again. We're going to have tornadoes. We're going to have another flood. People are going to lose everything and that's something that you can't-- you can't move away from. No matter where you live in Nebraska, you have that potential to have some type of a disaster hit where you live, your community, your home. We can't forget that. This is an important amendment. This is something we need to take a real hard look at, and I support it, to help our families, to help our businesses, because it isn't just Schuyler, Nebraska; Bellwood, Nebraska; Linwood, Nebraska. It isn't North Bend, Nebraska; it's Omaha, Bellevue, Norfolk, Fremont. It's the ranchers out west that lost all their cattle. It's everyone in the state.

HUGHES: Time, Senator.

BOSTELMAN: Thank you, Mr. President.

HUGHES: Thank you, Senator Bostelman. Senator Bolz, you're recognized.

BOLZ: Thank you, Mr. President. I appreciate the dialogue this morning and I think all of us on the floor are compassionate souls who are thoughtful about those impacted by the floods this year and I know that people have given from their own pocketbooks. I know that the Appropriations Committee will be deliberating about additional emergency funding, certainly something that I'm supportive of. I know that cities and counties are thinking about the response as well. So I appreciate that we're bringing multiple solutions to the table. And I guess one of the things that I want to say starting off this discussion is that because there are all of these multiple solutions on the table, I don't want debate about this bill to be seen as a black and white, you're helping or you're not helping. I think there are multiple ways to respond to any issue. And I am open minded to this bill, but you do want to understand it better and I do want to make sure we're making thoughtful decisions here on the floor today. So if Senator Linehan would yield to a couple of questions, I do have a couple of questions about the underlying bill and the committee amendment as it was brought to the floor. And as she's finding her way to the microphone, I'll start laying the foundation for what I'm trying to get at. In the fiscal note for LB512, which as I'm reading and understanding it, because it was filed on March 25, I believe it is reflective of the changes made in the committee amendment, which also reflects some of these changes to

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property valuation after damage or an emergency. And the section that I want to talk about first in the fiscal note is that it says provisions related to reassessment of property tax valuation, if property is destroyed, could have an impact on property tax revenue to political subdivisions. However, it is not possible to estimate the amount because the number of parcels affected, the concentration of those parcels in any particular taxing district and the extent of the change on value as calculated by the factors in the bill are all unknown. I think the heart of what I'm trying to get to is while certainly we want fairness and relief when possible for those who are affected by emergencies and these terrible circumstances, we also don't want to tie the hands of the counties who are also helping to recover from the flooding. We don't want to limit the county's abilities to rebuild bridges or contribute the matching funds that are necessary to pull down federal matching funds for disaster recovery. So I was hoping that Chairman Linehan could speak a little bit to how that will impact the ability of counties to continue to be financially stable if they're deeply affected and will have a decrease in revenue. I'm just trying to figure out the whole picture. I hope that question makes sense to you, Senator Linehan. I'd be interested in your response.

HUGHES: Senator Linehan, will you yield?

LINEHAN: Certainly. Thank you. We've already tied the hands of the county. I think that's what Senator Erdman is trying to address here. In his opening statement, the way I understood it, they had a woman, when he was county commissioner, whose house burned down on January 3. She came to the county commissioners to ask for relief and they were unable to give her relief because of the law.

BOLZ: Let me try again. I think maybe I'm not asking my question clearly. I'm relating specifically to the fiscal note filed on March 25 to LB512 and it says provisions related to reassessment of property--

LINEHAN: I'm sorry, I'm sorry, just so I can find that. You tell me what section you're looking at?

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BOLZ: I'm looking at the fiscal note on LB512, the date prepared is March 25. It's on the first page, the second to last paragraph, and I'll read it out loud.

HUGHES: One minute.

BOLZ: Provisions related to reassessment of property tax valuation if property is destroyed could have impact on property tax revenue to political subdivisions. What I'm getting at is that I don't want to decrease the revenue to political subdivisions that have increased responsibilities due to the flooding as well, related to destroyed bridges, matching funds for emergency funds, repairing roads, repairing civic centers, those kinds of things. And maybe my next time on the microphone I'll ask you again, Senator Linehan. But I just want to make sure that we are looking at the global picture of how this all will be impacted. And I don't have a great sense of how insurance and individual emergency funds will help people recover in addition to what we might need to do through the tax code. So I think we need some continued sincere civil debate this morning about the substance of this bill so that we can understand it fully and respond appropriately.

HUGHES: Time, Senator.

BOLZ: Thank you, Mr. President.

HUGHES: Thank you, Senators Bolz and Linehan. Senator La Grone, you are recognized.

La GRONE: Thank you, Mr. President. I rise opposed to the bracket motion and in support of AM1217. I view AM1217 as simply recognizing reality that already exists. I was down at Chris Lake in Sarpy County a couple weekends ago helping some people clean out after the flood. And the devastation there is such that they're taking boats through houses to put stuff into the boat and then take it out to, now the shore where the road used to be, and load it into trucks. And you could see stuff floating by in the water as we're helping do that, and it was clearly items that were valuable to people. You know, you'd have family photos, things like that. This simply recognizes the situation that people are in, that they have lost their home, that they have lost everything. Now our Nebraskans are resilient. We have heard time and time again throughout

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this flood of stories of people rising above the situation to help their neighbors, regardless of the impact they had of themselves. But the last thing they need is to get a tax bill for a house that doesn't even exist anymore. So I think that we need to pass AM1217 simply to recognize reality as it exists, that these properties are no longer there. They no longer do have this value. So I'd encourage your green vote on AM1217. And with that I'd yield my time to Senator Moser.

HUGHES: Excuse me, Senator La Grone, to who?

La GRONE: Senator Moser.

HUGHES: Senator Moser, 3:20.

MOSER: Good morning, colleagues. I rise to offer a couple of points on the underlying bill and the amendment that's been offered. Tornadoes do not discriminate against farmers more so than city people. Floods do not discriminate more against farmers than city people. There were plenty of losses to go around everywhere. I think to try to call this bill and the amendment a benefit to farmers is a misnomer because it affects everybody in the state. There were houses destroyed in Valley. There were houses destroyed in Bellevue. There were houses destroyed in Columbus, and they were not farmers. They're people who work in town. They work in industries. To get into a squabble about farmers versus the city is silly when we're talking about something as important as this. What it comes down to is we're taxing property that's not there. There is no property to tax. And to tax somebody's property when it has been destroyed is wrong. Now, whether that's constitutional or not, I'm not an attorney, but I think if you're trying to tax property that's not there, that just cannot be right, in my estimation. So let's talk about the bill. Let's talk about the facts. Let's get over our hurt feelings and move on. Thank you.

HUGHES: Thank you, Senator La Grone and Senator Moser. (Visitors introduced.) Senator Brewer, you're recognized.

BREWER: Thank you, Mr. President. First off, I probably owe a couple of apologies to Senator Erdman for not being here yesterday. The sword that was carried by General Crook and given to the attorney that represented Chief Standing Bear was on display in the office and I had groups

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there that had asked me to come down and be there to talk to them. And so I wasn't here yesterday to say my part on LB483. I would say that I was shocked and disappointed to see how that was treated, but I guess that becomes the standard from here on out on how we handle things. This morning has been a nonstop rotation down to the office to meet groups from Chadron, Crawford, Stapleton. The combination of history students and FFA students ask a lot of questions, and I told them I needed to get back up here, and I've only been here for a few seconds. So the timing was good there. But the problem I'm wrestling with right now is there is a lot of young men and women that are wearing the blue jackets that you see in the balcony. Our discussion about their future in agriculture was sad and disappointing in that most said that they felt there was no way they could go into agriculture and do what their parents were doing because of the issue of property taxes. And in some cases, the losses in my district are more from the snow storm than it is from the flooding. But when you lose 20 percent of your calf crop and you may only have 8 to 10 percent of that calf crop that might be your profit for the year, that means you're going to work for the next year, not for nothing, you're going to work for the next year to be poorer. And we were on the edge of losing a lot of them already. The bill that we're talking about today, it simply is going to help certain groups that are in that position that may lose their livelihood, not of their own doing, but of the events that have happened. And I know that this should not be a rural against urban, but after the events of yesterday afternoon, I think there is no way that we don't shape that fight to that degree. But I would be remiss with the faces that are here today that have asked me to speak on behalf of them that we not point out that this bill is going to prorate, just for a year, it's not like it's a permanent change. It helps those who are in need right now and it's not asking that much. So with that said, I'd like to yield the remainder of my time to Senator Erdman.

HUGHES: Senator Erdman, 1:55.

ERDMAN: Thank you, Senator Brewer. Senator Chambers, I was trying to listen to your comments and I hope that I have correctly understood them. And if I didn't, you can correct me. I'm sure you will. But I believe that you have thought or you do think that this is a rural issue. It is not. There are many, many people affected by this flood. Some of them live in Senator Wayne's district, some live in Senator Clements' district. And there are many people that live in the urban area that are affected by this flood that this bill would help. This is not an urban versus

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rural bill. This is a commonsense bill that would affect anybody who owns real property. As Senator Bostelman had commented about the truck stop that was washed away, when a dam breaks, and no one expects ever that to happen, when a dam breaks, water goes where it has never been before. And with the ice traveling in front of it, it has total destruction in its path. That is where everything is wiped out. I had introduced this bill long before, long before this disaster happened. But I had made this decision earlier because I think it's something that needed to be fixed. As I see that as I described to you as a county commissioner and I seen it a way to help people who have been damaged by something beyond their control to give some relief to what it is that they're trying to do in recovery. So that's what this is, commonsense bill to help wherever you live, if you live in the city of Omaha, or whether you live in Rushville, Nebraska, if you have property that's destroyed, you get a chance--

HUGHES: Time, Senator.

ERDMAN: Thank you.

HUGHES: Thank you, Senator Brewer and Senator Erdman. Senator Erdman, you are next in the queue.

ERDMAN: Thank you, Senator Hughes, I appreciate that. I listened to Senator Bolz's comments and I understand her concern and I do understand that there will be a slight decrease in revenue if the valuation is drawn down because of disaster. I get that. What they will have going forward is a greater value and they will collect more revenue than they did before. So it's a slight down turn in their revenue for a short period of time. When I became a county commissioner in 2005, one of the first questions I asked is how much reserve does the county have? The answer was zero. We had zero cash reserves with people that were before me decided to run on that mechanism: no cash reserve, no reserve at all. And it was a difficult time for us for about four or five years until we found out a way to cut our spending to build up a reserve for those circumstances beyond our control such as a blizzard or murder trial or some of those things that happen to a county. We made it. So just as an individual has to deal with the destruction of their property and make adjustments to their budget and what they do, the county may have to do the same. The city may have to do the same. But you got to remember that those people that were damaged

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have lost everything. And they're trying to recover, they're trying to make their life again to start over. This property that's going to be on the tax rolls January 1, 2020, if they decide not to rebuild, as I said earlier, will be the value of the land or the lot and that will continue and they'll have to pay the taxes on that. But as far as reconstructing whatever it is was there before, that will be their decision to make. In some of these cases, I believe some of these people will probably not get any help from their insurance company and then they'll have to pay their property tax. One does not have to have money to be liable for property taxes. You just have to own property. So if you spend your money rebuilding or reconstructing or cleaning up or fixing up your house that's been flooded or damaged by a tornado or fire, you may use up the money that you were going to pay your property tax with just to rebuild. So this is a commonsense bill. I would appreciate that we move this bill forward. There is some comments been made by NACO that some of the wording needed to be cleared up and needed to be changed. I'm not sure that the language about making it retroactive 'til January 1 of '19 on line 11, it says on or before January 1. And so in between now and Select, I would be amenable to placing in an amendment that would clarify the point who reports the damaged property, as well as the time that this bill would become law, make it retroactive. So those are things I'd be willing to do. We just need to move the bill forward and then we'll work with the parties that have interest in making adjustments to make the commonsense decision going forward so it works for everybody. Thank you.

HUGHES: Thank you, Senator Erdman. (Visitors introduced.) Senator Dorn, you're recognized.

DORN: Thank you, Mr. President and colleagues. I wanted to rise up and make a few comments. I've been visiting with Senator Erdman and also NACO about this amendment. I'd like to make one comment. I think most people have been making it this morning. We do have an opportunity here to do something that normally in state government you don't get to do when somebody loses their property, Hallam tornado, I know we had tornadoes in Omaha, Pilger, normally we don't get to come back in and do something that could be beneficial for those people. Because of the state statutes we have in place, the value of their property was the value on January 1. Because of the unfortunate circumstance that we had involving the whole state, we do have an opportunity now to maybe do something to help those people. As a county board member, you found out that you could not help somebody if their house burned down on February 1, it still was the whole value. Senator Erdman has been open to some thoughts about changing some dates in there and maybe

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making an amendment to clarify that the county assessor is not the one responsible for figuring out that you lost your property, that it's the clerk. I will stand in support of this amendment and hopefully between now and Select File we can add some amendment and add some wordage to strengthen this bill or refine this bill. Thank you.

HUGHES: Thank you, Senator Dorn. Those in the queue are Senators Friesen, Kolterman, Lathrop, Matt Hansen, and others. Senator Friesen, you're recognized.

FRIESEN: Thank you, Mr. President. I stand in opposition to bracket, but I do support the amendment, AM1217 and the underlying bills. This bill, you know, was brought to us before any of the flood damage happened. This just goes back to the simple premise that it's like wrecking your car. If your car gets totaled out after you bought a license for it, you can take those plates back into the county commissioner or the county offices, they refund your money and the unused portion of that license. Same thing happens here, if your house gets damaged sometime before these certain dates, basically you're just not obligate to pay that tax because that property is no longer there. Yes, it's going to lower the valuation of those areas. But, again, most of those areas are going to be able to make it up with either a levy increase, which I think most of the neighbors of people with destroyed property are more than willing to do. But it gives them at least a small break in that time period when that house, or whatever it is, is not there. If you rebuild that house, if you collect insurance and end up building that house and it's there on January 1, you will be paying again on that new property which will probably have a higher value than what was destroyed and the county again will be able to lower its levy than with that higher valuation. But sometimes if there is numerous houses, if a tornado goes through a large block of Grand Island or something, those houses all won't get rebuilt right away. Some of those property owners are going to be without a home for maybe a couple of years, maybe they move. But again, if that house is destroyed and it's unoccupiable and it sits there for nine months and you're unable to live in it, I don't understand why we'd make them pay property taxes on that location. So this is just a fairness bill. It addresses some issues that I think should have been addressed long ago. It is easy to prorate this. It isn't that difficult to do. And I think it's just something that we should have had in place long ago. With that, thank you, Mr. President.

HUGHES: Thank you, Senator Friesen. Senator Kolterman, you're recognized.

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KOLTERMAN: Thank you, Mr. President; good morning, colleagues. I have a couple of questions I'd like to ask Senator Erdman.

HUGHES: Senator Erdman, will you yield?

ERDMAN: I'd be glad to.

KOLTERMAN: Just for clarification, Senator Erdman, on the white copy that we looked at originally, I believe you had the property owners making the request. Is the amendment so that it now goes to the assessor?

ERDMAN: I don't believe the white copy ever had-- I'm not familiar with your comment.

KOLTERMAN: Or the green copy.

ERDMAN: When you're-- the green copy, what the issue has been-- what the issue has been, on the bottom of page 11, is that where you are where it says it should be the duty of the county assessor to report destroyed property to the County Board of Equalization?

KOLTERMAN: Right.

ERDMAN: Okay. Currently, Senator Kolterman, the way it works now, the county assessor brings all of the assessment issues to the county board.

KOLTERMAN: Okay.

ERDMAN: And that's exactly what that means.

KOLTERMAN: All right.

ERDMAN: So, I just had a text from Larry Dix at NACO and he said we're willing to work with you between General and Select and to clear up that language so if we need to put in there that

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the landowner reports the destroyed property to the assessor and the assessor then gives that information to the board, I'm willing to do that.

KOLTERMAN: Thank you. And also, you have already made it very clear that the land still gets taxed, so I appreciate that. I'd like to talk a little bit about yesterday, [LB]483. I voted that bill out of committee. I supported Senator Erdman on the floor and we changed the classification of land. And I think it's moving us in the right direction. I was 100 percent supportive and I think Senator Erdman would tell you that. But this is a huge shift in what we're going to try and do as stakeholders in the state, landowners. I mean, we're making a huge change here. I had a lot of questions as I was listening to the debate yesterday. I thought the debate was really good and I personally didn't sense that it was an intended filibuster. You can say what you want about that. I guess what I want to say, though, is how do we as 49 senators accomplish what we have to accomplish this year if we're constantly going to be throwing barbs at each other? I'm pretty good at poking the bear over there, and when I poke the bear, I don't yell at him or scream at him or get up on the floor and make loud noises and yell at people. And I took it upon myself this year, Senator Groene and I had kind of a formal-- informal agreement that he asked me if I'd support him and I told him no. And then he said if I change would you support me? I said if you can change, I'll support you. And so I kid him around, but halfheartedly. But at the same time, I don't appreciate that. And he said this morning himself he could learn something from Senator Lathrop because Senator Lathrop didn't yell at anybody yesterday. He asked good questions and I think that's what we're supposed to be doing here. Something as big as what we're trying to accomplish, we've got to ask those questions. Folks, we got a lot to accomplish. We got property tax reform. We got education funding reform. We've got prison reform. We got Medicaid expansion. And let's not forget my incentive bill. The reality is, if we're going to fight each other about what was said or how the process is working, we're not going to get anywhere. We need to get past that. If we're going to accomplish this, we need to work together as 49 senators and bury the hatchet and get on with our work.

SCHEER: One minute.

KOLTERMAN: Thank you, Mr. President. In closing, I'd just like to say you don't hear me talk on this mike very often about issues. I don't try to get involved with a lot on the floor. I work a

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lot behind the scenes, people know that. When I came down here, I came down here with the idea that we'd create good relationships, both sides of the aisle. I think we can do that. One of my favorite verses, and I did it in my personal business, I'm trying to do it here, one of my favorite verses from the Bible is Matthew 5, verse 9 where it says: Blessed are the peacemakers for they shall be called the children of God. Let's make a little peace here. Let's get on with the work that we have to get on with. And I'm still going to poke the bear occasionally, but we do it in jest. And I'll poke at other people as well. Groene and I poke at each other all the time. But we have to get past this nonsense of are we hurting each other or aren't we hurting each other.

SCHEER: Time, Senator.

KOLTERMAN: Thank you very much.

SCHEER: Thank you, Senator Kolterman. Senator Lathrop, you're recognized.

LATHROP: Thank you, Mr. President and colleagues. Let me start by saying I don't have a problem with AM1217 or LB512. I do, I put my light on after Senator Groene made his comments this morning, and mostly because I wanted to have an opportunity to disabuse you of the idea that somehow I was running a filibuster by asking the questions. I had a number of people come up to me before this bill came to the floor with concerns. They were real concerns about a bill that was not easily understood. I will say that if we had six or eight hours like they did when I was here during my first tenure, we probably would have gotten to a vote yesterday. I didn't put up a bunch of amendments to filibuster this bill. I had real concerns 'cause it's a complex piece of legislation that fundamentally changes how we're going to value ag land. Now, when Senator Erdman presented the bill, he told us it wasn't going to affect land valuations. Now people that are upset that it didn't pass tell me that it was actually going to be property tax relief for folks in rural Nebraska. And so that mixed message is part of the reason I was trying to dig down and find out what is this creature? Is it property tax relief or isn't it? Let me just suggest to you that this complex formula that would replace market value has as one of its elements something called the capitalization rate, and you're probably sick of hearing that after yesterday. But when that-- when that number moves-- when that number moves up and down, it affects the value of ag land. I was trying to find out what the cap rate was; assumed to be, currently, is it too

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low? Because if it's going to drift up with the market, then ag land values are going to go down. If it's actually going down, ag land values would get worse for them. Also, if ag land values-- market values go down and commodity prices go up, this is not a good deal for rural Nebraska. Those were fair questions. And I wasn't asking them to stall and I wasn't asking-- this was no urban conspiracy. There were a lot of people that came up to me and said, I don't get this; which is why we were asking questions. The fact that we only had three hours to do it was something I thought was a bad idea before the session even started. That's the rule that we're operating with and I've never been a fan of it and the Speaker knows that and we do it so that everybody gets a chance to have their bill heard. I want to tell you that I've spent my professional life as a trial lawyer. Some of my closest friends are the people that I've spent a week in a courtroom fighting with. I don't take this stuff personally. I expect that people in this body will not take what I do personally 'cause I'm not going to be petty about this. If I don't like a bill, I'll stand up and ask questions. I'll try to get to the bottom of it so that I can explain to my colleagues why I don't like a bill. That's the process. And I think Senator Kolterman is exactly right. This session and this body should not go to the place--

SCHEER: One minute.

LATHROP: --where it's rural versus urban. It should be: bring the next bill up, let's talk about it and decide if it's good policy or not. And when that is over, whether you won or lost, we're on to the next bill. And I promise you, that's the way I conduct myself. You may not know this yet, but that's the way I conduct myself. And I can be for Erdman's amendment on this bill and think the one he had yesterday is nonsense. I don't know if it's nonsense, but I know it's very, very complicated and I'm not sure it's relief for you or whether it's constitutional. And those are real concerns. And it would help, I think, if you trusted that when I have a comment, it's not based upon some urban guy going after a rural guy because there is a division here. It's a real concern. And the body would probably benefit when we listen to one another and recognize that somebody might be making a good point.

SCHEER: Time, Senator.

LATHROP: Thank you.

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SCHEER: Thank you, Senator Lathrop. Senator McDonnell, you're recognized.

McDONNELL: Thank you, Mr. President. I rise in support of LB512, the two amendments, and I oppose the bracket motion. But I want to talk about Tom Bartek. Tom Bartek is a Omaha firefighter and last August he decided to try to help raise money for the Muscular Dystrophy Association. He went to the Sarpy County Fair and he was involved in the bull riding to raise money. At that time, Tom was injured, was in a coma, and had a long recovery, a long battle. He fought back and he returned to the fire station yesterday to start serving the citizens of Omaha again. Now the reason I'm talking about Tom, Tom lives in Senator Cavanaugh's district. Senator Cavanaugh brought this to me. Tom was injured in Senator Clements' district at the Sarpy County Fair raising money for Muscular Dystrophy Association. Tom returned to the fire station yesterday in Senator Vargas' district on 25th and L. This isn't about us as individual senators. Tom is there trying to help raise money for muscular dystrophy. He goes to the fire station and serves people that he's never met, gets ready for the next call, showed great courage fighting back from a coma and where he was eight months ago. This isn't supposed to be rural versus urban. This isn't supposed to be east-west versus-- east versus west; north versus south. We have a legislative district. But we are state senators. We are supposed to be representing the state of Nebraska. And I think we can learn a great deal from Tom Bartek's courage, dedication to the citizens that he serves every day and the people that he tries to help. And I wanted to recognize Tom and make sure that we all take a step back and learn from Tom Bartek. Thank you.

SCHEER: Thank you, Senator McDonnell. Senator Crawford, you're recognized.

CRAWFORD: Thank you, Mr. President.

SCHEER: Excuse me, excuse me, Senator; Mr. Clerk for an announcement.

ASSISTANT CLERK: Thank you, Mr. President. Health and Human Services Committee will hold an Executive Session at 10:45 in Room 2022.

SCHEER: Thank you. My apologies, Senator Crawford. You're recognized.

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CRAWFORD: Thank you, Mr. President. I rise against the bracket motion. I'm very much in support of making sure that we find a way to help those who have been impacted by the flooding. I was on the Revenue Committee, so I know there are some specific process issues that we still need to deal with. And so I was just going to-- and I believe Senator Erdman has spoken on the mike of his commitment to work with the county, work with the assessors between General and Select. And so with that commitment, and I appreciate his willingness to do that, with that commitment I'm very much in support of AM423 and also LB512. Thank you.

SCHEER: Thank you, Senator Crawford. Senator Gragert, you're recognized.

GRAGERT: Thank you, Mr. President. I stand against the motion to bracket and in support of AM1217; just for the simple fact I've been spending, as a lot of senators have, out in their district with the devastation that went on because of the flooding. There has been a lot of people that have been placed out of their homes. There has also been a lot of people, as I'm on the ground in my district doing what I can to coordinate things, asking me how, they're calling me, they're asking me how they can help, you know, donations or whatever. And I just thought, what a better way than this and to know that your help will ultimately get to the people in need. That's all I had. Thank you.

SCHEER: Thank you, Senator Gragert. Those in the queue are Senators Chambers, Hilgers, Murman, DeBoer and others. Senator Chambers, you're recognized.

CHAMBERS: Thank you. Mr. President, members of the Legislature, all this talk about how we ought to behave means nothing to me. I predicted this when you all had it your way. When you were deliberately talking so that bill that I and others were concerned about, cared about, you made sure we couldn't get a vote. I told you the day of the boomerang would come. You didn't accept it. It has come. I've been here 44 years. You think I don't know how this works? I know how it works. I told you the other day. We're now in part two of the session and that's my territory. And you delivered yourselves into my hands. When you were doing your dirt, and that's what it was, I told you you're setting the tone, you're establishing the rule, you let me know how you want the game to be played and I will play it better than you. And you will cry out like a hog with his nose stuck under the gate and I don't even care. You talk about constituency. We have

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different constituencies. You all like those you're talking about. I like those who have no voice. The ones who are thrown away. The unpeople. They live on the fringes. They are on the underside of the garment, the ones you all will walk on and not even look back at. But they're the ones that I care about because they need that help. And as far as this property, Senator Kolterman quoted a verse that he likes. Well there is one that said: A man's life consisteth not in the abundance of the things which he possesses. You all are talking about possessions. I talk about people's lives. I talk about people who need healthcare and they haven't got it, people who cannot feed their children, people who did make mistakes, people who committed-- deliberately committed wrongful acts. And you think they should be punished by not being given food. Then you're the last ones to tell me to help those whose houses I did not flood, whose cattle I did not drown, whose crops I did not destroy. So now, see how you like what you were saying when you had it in your power to do something and you chose not to. You didn't think one black man could bring this whole thing to a halt, did you? And I've been doing it ever since I've been here, but you are so hateful, you won't look at reality, and you think by not looking at it, it will go away and it won't be here. But I'm going to be right here. I am now your reality. I told you when you were doing your dirt, 'cause you had the numbers, that a day is going to come when you're going to want to negotiate with me. There will be no negotiation. There will be none of that. I will not listen. Now, if you want to, you can hasten and get the Rules Committee together over the weekend and try to find a rule that will stop me. But it will stop you, not me. Because I can think and you cannot. When you get angry, your brain turns off. When I get angry, mine accelerates in its ability to analyze, evaluate, and then plot a course in the middle of all of it, and then carry it out. And here you all are ganging up on me again today. Everybody who stood up here said they're against my motion. Well, you're ganging up on me right now; and you want me to be a nice guy. Well, either you're crazy or you think that I am. And as far as this being a farmer issue, I didn't say it was a farmer issue. You don't listen. Here is what I said. You hear what you want to hear. I said now that it has come to yours, you suddenly understand things and I'll say this without fear of contradiction. If it did not involve farmers, you all wouldn't be popping up like jack in the boxes and out of the boxes talking about we must help these people. You mean help your people. Those are the ones you care about. But I care about your people, too. And when your people are catching hell in the bad days of the farm crisis, I was out there in the middle of it. You all were not. I traveled all over this country helping to show farmers they needed unity

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and they need to do look beyond their small narrow circle and they invited me to come talk to them from all over the country, and not one other Nebraska person was invited.

HILGERS: One minute.

CHAMBERS: Because they see Nebraskans as cowardly, selfish, heartless people and they care only when it affects them. So now you're receiving the just recompense of your reward, thus sayeth the "Bibble." Here is what you can say about Senator Chambers: [SINGING} He's making his list, checking it twice, going to find out who's naughty and nice, Santa Claus is coming to town. And he will make the record straight. He will balance the books. All of you all have been weighed in the balance as says the "Bibble," and found wanting. Now, shut me up if you can. Thank you, Mr. President.

HILGERS: Time, Senator. Thank you, Senator Chambers. Senator DeBoer, you are recognized.

DeBOER: Good morning, colleagues. I rise to say that I'm hopeful today. Since March 15, people have been calling me about the flood and saying-- and also the blizzard in western Nebraska, and saying what can we do? This, of course, is a small thing. It won't help them get their lives back, it won't bring back their wedding albums, but it's something that we can do. So I'm thankful for the compassionate leadership of Senator Erdman, Senator Halloran, and Senator Clements, others as well, and I'm hopeful today because I see members of this body coming together to try to help those vulnerable amongst us. The state here is stepping in and essentially spending the tax money from the taxes our counties could bring in in order to help those who are vulnerable throughout the state and need help. So I'm hopeful today because I see that we can step in and help them and I'm glad. I think there are a few technical issues with the bill, but I'm happy to hear Senator Erdman will address. But I support the bill. I support this spirit of compassion for the vulnerable, and I hope we remember this moment of cooperation when we lose our way again. I am both an urban and a rural senator. Both are in my district. And I stand with the urban and rural folks who are dealing with this devastation. So I am against the bracket motion, in support of the amendments, and in support of this bill. Thank you.

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HILGERS: Thank you, Senator DeBoer. Senator Bolz, you are recognized. Senator Bolz on the floor? I don't see her. We'll go to the next in the queue, Senator Wayne, you are recognized.

WAYNE: I-- thank you, Mr. President. I'm just offering my support to this amendment. I think after talking to-- I pushed my button a while ago, actually forgot that I did, and talking to Chairwoman Linehan and others about some of the technical issues that are going to be fixed, I just want to lend my support. And I will yield my time to Senator Chambers.

HILGERS: Senator Chambers, 4:25.

CHAMBERS: Thank you, Mr. President. Thank you, Senator Wayne. I am the one who would reach out to these people before you all would. I've helped people in your districts because they came to me and they said they call your office and they couldn't even get to talk to you because the staff would not let the call go through, and I've got letters and I can show you where they say Senator Chambers, like usual, you're the only one who will listen. I don't think that's so. I think other people will listen, but they see me standing when none of the rest of you will. Senator DeBoer talks about cooperation, compassion. What about when we were talking about hungry people; and Senator Lowe, when you all went along with them. They did wrong. No, they don't deserve the food. Let them go get a job. Let these people dig some trenches downhill and let them drain that water off their land. I'm giving him what he gave. But you all don't care about those people. Compassion? I care about the LGBTQ community. At the time we had the bill, we could help them just be protected on the job, and you all said no. Not only no, you will not get a vote. Well, you're not going to get a vote today. How do you like it? And you think you can stop me? And you think because a day passes, a week passes, I'm going to be like you and I'll come back and I'll say, okay, I forget it, everything is all right. No. You all are treasuring up wrath against the day of wrath and now that the bill comes due, you don't want to pay it. When you had everything your way, when you could have shown some compassion, when you could have shown that people who are trying to work for a living should be allowed to do so without being condemned and discriminated against because of who they are and what they are as you would express it. I know of postings that some senators have put on the Web about me. I know. But it doesn't matter to me. That's silliness. That's childishness. I do mine here. You all need a target like me. One who is big, one who is strong, one you can throw darts at and I'm easy to hit

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because I'm so much bigger than the rest of you all. Take your best shot. Take it. All of you. And you will not see me blink. You will not see me give up. And you will not see me cut and run. And because it's popular to say these are poor people who the floods got. You know who brought that flood? God brought it. What is the insurance call it? An act of God. Y'all have somebody up there praying every day. Let that prayer pray to God and tell God to undo what he did; make right that which you did wrong. But you all know that's BS. It doesn't mean a thing. It doesn't influence your conduct. When the people who are unpopular, the throw-away people, if there were people who had what was called leprosy, you know what you would make them cry out, what the religious people of that day said: draw not nigh unto me for I am unclean. A human being had to tell other human being: I am unclean. That's because the way those other human beings treat that person, that person doesn't feel unclean. That person has been compelled, whipped down, had his or her humanity taken and has to take low and say: I am unclean. If you come close to me, you'll catch something.

HILGERS: One minute.

CHAMBERS: You think that person likes to say that? That person likes to be isolated, no friendship, no respect; nobody who will help him or her, there is tiredness. Nobody who will offer a drink of water? Nobody who will give a crust of bread? You Christians be that way. If I am a son of hell, then that's what I will be. And I will not change what I'm doing to be as low as you Christians are. I want to care about the poor. I want to speak for those who have no voice. I want to try to redeem those who have been thrown away and told they have no value. I believe in the unpeople. I will be an unperson with them, and you all cannot stop me. I challenge this floor to stop me. Use all of your superiority as white people, the master race over this one black man and stop me.

HILGERS: Time, Senator.

CHAMBERS: Control me. Do to me what you do to these poor people who have no voice on this floor.

HILGERS: Time, Senator.

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CHAMBERS: Thank you, Mr. President.

HILGERS: Thank you, Senator Chambers and Senator Wayne. Those wishing to speak are Senator Groene, Williams, Erdman and others. Senator Groene, you are recognized.

GROENE: Thank you. I met some of my fellow senators come on and accuse me of starting all this with my heartfelt comments this morning. Senator Chambers, would you answer a question?

HILGERS: Senator Chambers, would you yield to a question?

CHAMBERS: Yes.

GROENE: Did I stir you up?

CHAMBERS: No.

GROENE: Were you going to do this no matter what today?

CHAMBERS: I didn't come here with the intention, but I heard things that were being said on the floor, not by you, that compelled me to come up here and participate.

GROENE: So other people with softer voices said things and got you riled up?

CHAMBERS: You better believe-- oh, yes.

GROENE: All right, all right. Thank you. Senator--[LAUGHTER] Senator-- believe it or not Senator Chambers and I are friends. We live right next to each other, our offices. But anyway, I asked Senator Lathrop if I riled him up. He said, yes. But then he said I understood where you were coming from, and he was not doing a filibuster. So if there's no filibuster here, except by the man of one, and we can calm him down, which you can't, it is what it is. But I don't want to ever be asked again by any of my fellow senators to change who I am, my tone of voice because that's who I am. I have a loud, Irish voice from a large family that had to speak loud to be heard

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as one of the younger ones. I'm going to say what it is, and I'm going to continue to say what is, and we do get things down here, and we will all get along. Senator Wayne yelled at me; I yelled at him, and we understand each other, I mean a few days ago, but not today. We're friends today. Anyway, everybody stand up and say what you're going to say it and say it honestly and you'll get respect in this body, but don't ever tell me not to do it again. Thank you.

HILGERS: Thank you, Senator Groene. Senator Williams, you are recognized. I don't see Senator Williams on the floor. (Visitors introduced.) Next in the queue is Senator Erdman. Senator Erdman, you are recognized.

ERDMAN: Thank you, Senator Hilgers, I appreciate that. Senator DeBoer, I appreciate your comments. I'm glad-- or I appreciate the fact that people see the intent of what we're trying to do. As I said last time I was on the mike, this will affect the urban people as well as it does rural people. And as we move through the process and we get from General through Select, as I have stated earlier, it is my intent to clean up the language to make sure that NACO is understanding what we're trying to do and determine who needs to make the notification to the county assessor. And as I have alluded to in my previous comments, the county assessor is always the one who then presents the assessment to the County Board of Equalization. That's the way its been in the counties for a long time. It's always been that way that I understand, and now will be the county assessor's job to report to the Board of Equalization. The other provisions in the bill that we haven't spoken about is if one does make an application with the county assessor for destroyed property and one is not happy with the assessment they received, there's an opportunity for them, after the Board of Equalization has met to appeal that decision with TERC. And the bill also gives them a provision on how many days they have for notification and how long they have to file with TERC. It gives them an opportunity to do that. So what we're doing here is we're giving them an opportunity to extend the rules about making applications with TERC on their evaluation changes. TERC would then take up the issue and determine the correct value for that year, which they do on all properties as they are presented today. And moving forward, we'd have an opportunity to make some commonsense decisions based on what property is on their-- what structures are on their property when it was destroyed. If a person loses their property after October 1, there will be no proration. So, in other words, you're going to pay the taxes for the entire year if your property's destroyed on October 1 or thereafter, you will pay the taxes for the

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full year. That was the intent of the bill to make it a little less cumbersome towards the end, and so that is the way the provision is set up. I look forward to working with NACO and others who are going to be affected by this bill in between General and Select. I think it's an opportunity for us to come together and have a commonsense application to what we're doing. In the past, and I would give this information out for those of you who think I may be stubborn or hardhearted or hard headed, over a period of three years, I've worked with the Health and Human Services Committee to draft a bill for massage therapy. The first year I did that, there were several people opposed to the bill. I wrote another bill, revised it the second year. There were people opposed to the bill. I worked with the people who had opposition. I had people who worked-- thank you. I had people who worked with me, the opposition people, and believe it or not I brought a bill for the third time this year, and those people who were opposed to it were in favor of it. And it just was voted out of committee, Senator Williams whispered in my ear, just voted out of committee. So you see, I am flexible and I will work with people to make sure this bill is what it needs to be. Thank you for your help.

HILGERS: Thank you, Senator Erdman. Senator Linehan, you are recognized. I don't see Senator Linehan on the floor. Senator Chambers, you are recognized. This is your second opportunity. Your next is your close.

CHAMBERS: Thank you. Mr. President, members of the Legislature, there's a line in the "Visit of Santa Claus:" When what to my wandering eye should appear; when what to my wandering ears-- or through them do I hear? Somebody equated Senator Halloran with compassion. He's the one who led the fight against raising the minimum wage for tip workers. You all think I forgot what you did on that bill. These are not people who want a handout. They want a decent minimum wage. They want a floor below which they will not be allowed to sink. You all know who you were. And I told you a day was going to come, a day of reckoning. And I want to see you stand as tall and talk as loud and be as preening and strutting like a peacock when your day comes as you did then when you were stepping on the neck of those people who are not respected, who work hard, who make that restaurant industry operate. And you all were against giving them a few nickels by way of an increase in their minimum wage. And now you come in here asking for this? You all will give it because that's what you all are. You do what is popular. Those people who need you the most are the ones you help the least. And that's why I have to

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fight so fiercely. I'll never be with the majority. On occasion, maybe I'll get more votes for than against, but you know what I mean when I make that comment. I'll tell you how you can win me over. Give me what I want. That's reasonable. Give me what I want. And if you give me what I want it will bring you closer to being in line with the teachings of that one you lie to me about every day and pretend that you worship and believe. You will feed the hungry. You will give water to the thirsty. You will see that medical care is available to those who are sick. You'll visit those in prison. But you're not going to do that. So you all are over there and I'm over here. I am one and you all are many. I don't care how many of you there are. Numbers do not make you right. But if you happen to be right, and I happen to be wrong, I'm not going to change until you can give me facts that will move me from the position that I hold. But I don't want to be as cold-hearted and cruel as you are. Why do you think you're due credit when you're saying help these people who everybody in the world would say help. Why don't you reach down for those people who nobody's willing to help? You'd see them coming and you get on the other side of the street. If they're lying on the ground, you'd either kick them or spit on them. That's what you are and I've watched you. I've been among you all for going on seven years now, and I've been with your kind for over 40 years now, and you think I don't know what you are. I observe. I analyze, and I study. I know you better than you know yourself because you didn't know this day would come, but I knew it would and I told you and I knew you wouldn't listen. But since I knew the day was coming, I can say like that song: [SINGING] My day will come when I shall have everything. And that's what I've got now. I've got you all under my thumb. Now, if I was a bunch of white people like you all are, you're the master race, and this inferior guy is going to tell me he's got me under his thumb and he owns me; I'm not going to tolerate that. That ought to be attitude.

HILGERS: One minute.

CHAMBERS: As smart as you all are; as superior as you all are over me, and you can't find with all your superiority a way to stop me? What does that say about you since I'm so inferior? But I'm better than all of y'all when it comes down to using the mind, to finding a way, to rationalize, weigh a situation as I've done. And I told you what I was going to do. I told you this day was coming, but you didn't believe. Oh ye of little faith. Well you believe it now. So here's what you ought to do. You ought to persuade the Speaker to not let you go at noon. You can vote with 30 votes. You can change the Speaker's agenda. You can make me do this until midnight, as I've said

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I'll do. And you can put me to the test and see if I'm full of hot air like you all are. If I will not do what I said I would do, change the Speaker's agenda, I dare you to. If you want to get something done--

HILGERS: Time, Senator.

CHAMBERS: Do that. That's within your power under the rules, your rules.

HILGERS: Time, Senator.

CHAMBERS: Thank you, Mr. President.

HILGERS: Thank you, Senator Chambers. Senator Bolz, you are recognized.

BOLZ: Thank you, Mr. President. I wanted to-- oh good, I wanted to continue the conversation a little bit with Chairman Linehan about fully understanding some of the implications of this bill. And since she's back, I'm hoping she'll yield to a question or two.

HILGERS: Senator Linehan, will you yield?

LINEHAN: Of course, thank you.

BOLZ: Thank you, Senator Linehan. Maybe first things first, you and I talked a little bit about the note on the fiscal note related to the potential impact on TEEOSA. That's just something I'm always going to pay attention to. A couple years from now, if we see a TEEOSA increase, we'll have to manage that through the budget process. Could you share your insights on what you think the impact on TEEOSA will be since it's undetermined in the fiscal note?

LINEHAN: I would be very, very minimal in most cases, I believe, because in-- especially in the situation we're looking at right now, most of the homes that have been destroyed in the last month or have large amount of destruction are the low-income people, and they live in districts, many of them that don't have a high levy. So the amount of property taxes they pay are very

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minimal. Therefore, whatever local effort rate would be reduced in those areas would be very minimal. I can speak to this fairly well since I live in Elkhorn, and Valley and Waterloo have a lot of damage. The houses in Elkhorn that are up on the ridge did not get touched by the flood. The homes around the lakes in Valley and Elkhorn-- excuse me, Valley and Waterloo that are the more expensive homes did not get touched. The people--

BOLZ: That's helpful. I'm sorry so interrupt, just trying to use my time wisely here. That's helpful. Can you clarify for me, is the intention, whether through the underlying bill, the committee amendment, the Erdman amendment, is it the intention that this is the new policy moving forward or is this a time-limited policy affecting just this year's flooding?

LINEHAN: This is the new policy moving forward. This has been the policy that the Department of Revenue has tried to change this for a number of years according to my staff.

BOLZ: And I-- and I think it's a-- yeah, I think it's a really valuable discussion. But in future years, if this is the new policy, it is possible that my district, which has Sheridan Boulevard, could get hit by a natural disaster and that would have a significant impact on property tax valuation-- you know, lots of nice homes in District 29 that would have an impact on Lincoln Public Schools, the TEEOSA formula. Is that a fair way to think about this?

LINEHAN: Well, if Lincoln Public Schools lost 1 percent of their property tax revenue, as you well know the way TEEOSA works, TEEOSA equalization aid would increase 1 percent.

BOLZ: Okay, so in spite of the fact that this year there might be a more minimal impact on TEEOSA, there's at least a possibility that if a natural disaster hit different areas or hit in different ways there could be a potential higher impact on TEEOSA in future years?

LINEHAN: There's impacts on TEEOSA every time we make a decision at the county level. If we TIF a project, there's an impact on TEEOSA.

BOLZ: That's fair, I think sometimes it feels like every time we sneeze there's an impact on TEEOSA.

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LINEHAN: Yeah, I would say so, yes.

BOLZ: I think that's fair. I think some of my concerns can be mitigated by just talking through some of the technical language and thinking through how we make this specifically address the things that we're trying to address. My other concern that we sort of got out on microphone earlier is if you have a small community--

HILGERS: One minute.

BOLZ: --that's hard impacted by calamity, I think Senator Clements' chart about the potential tax increases that would be necessary to counterbalance the lost revenue in a county is really helpful. But if you have more than a 10 percent increase-- more than a 10 percent impact if you have 40 percent of your local community impacted by a flood or a tornado or something, all of a sudden that potential property tax impact on those remaining homes gets bigger. And certainly I think in my district, in my community, in the folks who I know, there are folks who already have a hard time paying their home property tax bill, and while there's generosity and great spirit and people willing to contribute, I'm not sure that that is unlimited, so if 50 percent of your community--

HILGERS: Time, Senator.

BOLZ: Thank you, Mr. President.

HILGERS: Thank you, Senator Bolz and Senator Linehan. (Visitors introduced.) Mr. Clerk, for items.

ASSISTANT CLERK: Thank you, Mr. President. You Committee on Health and Human Services reports an appointment to the Stem Cell Research Advisory Committee. Health and Human Services reports LB312 and [LB]468, both to General File with committee amendments attached. Amendment to be printed to LB720 from Senator Kolterman. Amendments to LB227 from Senator Hughes. Natural Resources reports on appointments to the Game and Parks Commission and the Power Review Board. In addition to that, Natural Resources reports LB126

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and [LB]700 both to General File with committee amendments attached. That's all I have at this time.

HILGERS: Thank you, Mr. Clerk. Continuing debate on the bracket motion. Senator Williams, you are recognized.

WILLIAMS: Thank you, Mr. President. And I first of all apologize that I was passed over. I was in Exec Session with HHS a few minutes ago and missed my opportunity to speak at that time. I don't think it's a surprise to Senator Chambers that I will be standing in opposition to his bracket motion. I know that is of great surprise to him. I also am listening and feel that I will certainly be supportive of Senator Erdman's amendment and also the underlying bill. There has been a lot said this morning, though, not just about the legislation that is in front of us. There's been discussion about other things, and I would remind you the three-hour clock continues to run even while that happens. We have great responsibility in here, my friends, as being a group of 49 that create public policy for this state as we move forward. And it is our responsibility to be able to understand the system, and I hope recognize the difference between what is legitimate extended debate and what is a filibuster. And yesterday on Senator Erdman's [LB]483, I would tell you that the participation that I saw in here was good, solid questioning to find out more about a bill that would be a major shift of public policy. We can never allow ourselves, as the policymakers of this state, to cut ourselves short on the legitimate questioning of those issues. That was not a filibuster. And even though some members have suggested that it was, from any perspective that I have seen in five years here, that was not a filibuster. To show that I am not filibustering or was not filibustering that bill, I have already told Senator Erdman that I will, when given the opportunity, if it happens, I will vote for cloture, even though I am not convinced yet that I will vote for the underlying bill. Why is that important? If that happens, that will be the first time in my experience here where I have chosen to vote differently on a cloture vote than I may end up voting on the underlying bill. But the reason I'm bringing that up because I think, as we move forward and try to move forward efficiently in here, of how we function, we have to think about which issues do we address that rise to the level that they should have a higher standard, a higher bar, meaning 33 votes, and what pieces of legislation should be allowed to have an up and down vote and it is not filibustered simply because you don't like it. We're bigger than that. We're better than that. It is our responsibility to be open to changes in ideas and

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recognize that our voice isn't the only voice in here. We're one of 49. And we have begun a habit, a habit that I hope we can break of choosing to use the filibuster rules to just stop something you don't like. That doesn't mean it's not okay public policy, just you don't like it. I think we should hold ourselves to a higher standard as individuals, and we should communicate better with each other how we do that. I would also suggest that each one of us--

HILGERS: One minute.

WILLIAMS: --needs to go home this weekend-- thank you, Mr. President-- and recognize that we each have our own set of core values. And I would suggest that recognizing the importance of people in our success in here is important; recognizing that we have to get along if we want to accomplish anything. Conducting ourselves with a sense of responsibility is part of what we do and should do and demand of ourselves each and every day and working to achieve our level of success. Those are all things that I challenge each one of us to do each day. We can't get distracted by the big stuff, excuse me, by the little stuff, if we're going to address the big issues that we need to and must come together on: tax policy, school funding, economic development tools for moving forward. Those are the issues that we must join ourselves together.

HILGERS: Time, Senator.

WILLIAMS: Thank you, Mr. President.

HILGERS: Thank you, Senator Williams. Senator Bostelman, you are recognized.

BOSTELMAN: Thank you, President Hilgers, appreciate it. Since we're going to be here for a little bit longer, I thought I'd get back on the mike and talk a little bit more about some of my experiences, things that are happening in my district. After the flood happened, we had the opportunity to assist different ones within my community, within my counties; although, we could not get across the Platte River for quite some time because of the flooding, we did begin to talk with emergency managers, talk with people within the community to start figuring out how to receive donations, financial, food, other type of things. Was in shelters in Bellwood, Nebraska, as they were evacuating people out of homes in that area, trying to call in to the Red Cross to

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find help, financial help for people, so they had a place to go stay, pay for that as they had to basically flee their homes at the time because the water came up so fast. Carrying supplies across with my truck once the bridge opened up to get to Schuyler to bring much-needed supplies into Schuyler, working with the entire community of Schuyler. Schuyler is a very diverse community, and we work very closely with all people in that community to bring supplies, and we continue to do that. We continue to work closely. In fact, just on Wednesday, I met with the president of the relief effort there and talked with her about what their needs are, how we can help, where we can bring more relief in to them, to the entire community, and the need to that. And I talked to FEMA about that as well of what the challenges are in that community and that we needed to bring additional resources into that community to help them. My wife has been helping in the relief centers by receiving food, donations, supplies, making sure those things get to the right places. We've been actively involved, and I'm not saying that for my own benefit; I'm just saying that what we were doing, we see people throughout our community. It doesn't matter who they are; we're all helping each other. I was out at the research site at Mead the other day, and as I was walking in for a meeting on Monday afternoon, there were three trucks in the parking lot with trailers, and they rolled down their window, and they were people from Wisconsin. And they said, where can we go to help people, we're here to help. We don't care where they're at, who they are, we want to help people. There's three truckloads of them there. So, I gave them the names and the contacts for those people in my district that would be the contacts to put them in the right place to help people. So we are doing a lot that we can. There's a lot more that can be done. There's been \$8 million from FEMA distributed to individuals, to household disaster assistance within the state, and I think we can continue to work as a community, continue to work together to strive to make things better for our communities. With that I'd like to yield the rest of my time to Senator Erdman.

HILGERS: Senator Erdman, 1:55.

ERDMAN: Thank you, Senator Bostelman. Thank you, Senator Hilgers. I was wondering if Senator Bolz would yield to a question.

HILGERS: Senator Bolz, would you yield?

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BOLZ: Sure.

ERDMAN: Senator Bolz, do you know what the valuation-- your total valuation is in your district?

BOLZ: I do not.

ERDMAN: It is-- would you say it is significant?

BOLZ: Sure.

ERDMAN: Senator Clements, I believe, in his county was \$3.6 billion or something like that. That is a pretty significant number. So here's what-- here's where I'm going with this. What happens on the TEEOSA formula is the LER is the first thing that's considered when trying to figure the TEEOSA formula, the local effort. And so if the local effort were to go down slightly because of the valuation change from a disaster, TEEOSA would then have to pick that up. The TEEOSA funding is somewhere--

HILGERS: One minute.

ERDMAN: --north of a billion dollars. That's a b, billion. That's a thousand million. So it would have to be a significant loss to your district before TEEOSA was dramatically affected. One of the things that I've read, and I've heard it a couple times, that this disaster that we have now experienced is the greatest disaster, greatest effect on the state in the state's history as far as history is concerned or records have been kept. So we're trying to do this at the worst possible time that we've ever known, and we can make this work now. So I'm not really concerned or have a lot of anxiety over a tornado that hits one area or something because that will not affect the whole state or the whole northern tier of the state or the western part of the state like this catastrophe did. So, I understand your concern, but I think that it's an opportunity for us to work through this and figure out--

HILGERS: Time, Senator.

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ERDMAN: --what is the best method to help people. Thank you.

HILGERS: Thank you, Senator Bolz, Erdman, and Bostelman. Senator Kolowski, you are recognized.

KOLOWSKI: Thank you, Mr. Chairman. I yield my time to Senator Chambers.

HILGERS: Senator Chambers, 4:45.

CHAMBERS: Thank you, Senator Kolowski. Thank you, Mr. President. I made an offer, which nobody accepted. I said, give me what I want, and I'll stop this, and you'll get your vote today. Now, you could, if you had the backbone, vote to alter the Speaker's agenda. But you know that that would sour things down the line, and you all think in those terms-- if I do this today, how much will it hurt me tomorrow, so it might be the right thing to do, but I'd better not do it because of tomorrow. Tomorrow's not promised to you. Let me tell you what I want. I want an increase in the minimum wage for tip, t-i-p, workers, those people who are the invisible people in the restaurants and other eating establishments. They're invisible until you need something or want something or something doesn't go right. They cannot respond as any person would if he or she were insulted, such as somebody popping a finger and saying, hey, you. But the tip people have to swallow dignity, self-respect, get a smile, even if it's only from the teeth out and say, yes, sir; or yes, ma'am; or may I help you, when they feel like if you've got hot coffee picking it up and pouring it on your head and topping it off with a smash of the tray, which they ought to be able to do. But you're strong when you're dealing with the helpless, the defenseless. What's the second thing I want? I want the LGBTQ community to be able to get jobs without being discriminated against because of who they are. So do away with employment discrimination; and you all are supposed to be against employment discrimination anyway. Senator Lowe up there harped all the time about go get a job, there's work out there, but he doesn't want to pass a bill that will protect other people so that they won't be discriminated against and denied that job. So he picks and chooses, as you all do. He's not alone in that. I want the SNAP bill to come back so that we will make food available and the federal government picks up the giant's end of the cost. It's not going to diminish Nebraska's money, but it will put money into Nebraska's economy because the people who need food stamps are going to spend that money, and it goes into the

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economy, and just like oil it circulates, it lubricates the entire engine. Those three things, I think they're reasonable. Will you do it? No, because you're cruel, you're hateful, you have a heart of flint, if you have one at all. You're like Scrooge-- tightfisted, gripping, grasping, stingy old senators. That's what you are. That's what you are. I'm concerned about Tiny Tim and Bob Cratchit and Mrs. Cratchit who has to take care of Tiny Tim and put up with Bob Cratchit who comes home grouchy because the way Scrooge treats him on the job like you all want to treat people over whom you have control and you won't stand up to anybody who is your equal. I'm your even change. Stand up to me; not just today. You do well to think about what the rest of the session is going to be like.

HILGERS: One minute.

CHAMBERS: Think about it over the weekend. I will be back. And as Popeye said: I yam what I yam and that's all that I yam, and that's what I will continue to be. But I put my offer on the table. Give me what I want and not any of it redounds to my personal benefit. But it will ease my troubled mind, because we have the power to do all these things and benefit the people who cannot help themselves, the ones whom we should be willing to help, and it's within our power to do so. And if you have it within your power to help somebody who needs it, and you will not help them, don't look for any consideration from me. I feel good in what I'm doing, because I'm slapping it in this the mouth of those who bully the weak, the powerless, the defenseless, the friendless. They know that they've got one person--

HILGERS: Time, Senator.

CHAMBERS: --whom they probably hate, but who will stand up for them. Thank you, Mr. President.

HILGERS: Thank you, Senator Chambers, Senator Kolowski. Senator Linehan, you are recognized.

LINEHAN: Mr. President, I'm dumbfounded by this conversation this morning. We're talking about people who have lost a great deal if not everything. And our concern is about the counties

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might have to adjust their levy. So we're putting the government-- we're not, because I know we have the votes to pass this on the floor, but the conversation is about the needs of the county, the government entity, verses the needs of the least among us. I now, to add to my confusion, I'm told that we have county assessors telling people in these counties that, well, they would love to do something, but they can't because the Legislature won't let them. You can't have it both ways. You can't tell the constituents that call your office you can't do anything about the problem and then come down to Lincoln and lobby against the answer. It's-- I mean-- and now we've set it up so we have a whole weekend for those who are against this bill to call us on our cell phones and text us and tell us how just dramatically bad this is going to be, when we still have people scooping mud out of their houses, putting treasured family heirlooms in the dumpster, and we can't go home tonight and tell them that we fixed this problem. I'm just-- I can't believe it. This is easy. I don't care, frankly, and I doubt there's anybody in this body that cares if my property taxes go up 3 or 4 cents to help the people who lost everything. That's not who we are. I mean, there have not-- the people in Douglas County and Sarpy County haven't been able to work fast enough to raise money-- I ran into a friend last night, who I will-- on my way home, stop at the quick shop; I was shocked to see them, they were shocked to see me. And he told me that he had gotten a call a couple of weeks ago from a couple. He didn't tell me their names, who had offered \$5,000. They came back this week and gave \$100,000 to the cause. So I don't think we have a lot of property owners out there concerned that their property taxes might go up a few cents for a year or two to cover the people that lost everything. And I hope, since we're going to leave today without a vote, that the counties aren't on the phones calling us, telling us how we can't pass this bill. And I hope we come back Monday and pass it. Thank you.

HILGERS: Thank you, Senator Linehan. (Visitors introduced.) Senator Blood, you are recognized.

BLOOD: Well, thank you, proxy President Senator Hilgers, I appreciate that. I stand against Senator Chambers' bracket and in support of both amendments and Senator Linehan's bill. With that I would ask if Senator Geist would yield to a question.

HILGERS: Senator Geist, would you yield?

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GEIST: Yes, I would.

BLOOD: Senator Geist, how are you today?

GEIST: A little under the weather, but I'm all right.

BLOOD: I'm sorry to hear that. You and Senator Clements need to go over there away from us. Do you happen to know what today is?

GEIST: I do.

BLOOD: Can you tell me what today is?

GEIST: Today is the first day of National Week of Conversation.

BLOOD: Thank you, Senator Geist. Thank you for having that answer. I want to build on that today and say that I encourage my peers, and I encourage Nebraska residents to listen first, to understand the thoughts of others through in-person conversations or virtual conversations, to help address the growing crisis that we have right now in our communities, in our states, and at the federal level when it comes to social polarization and animosity across the divides, and that's the wonderful thing about today. Today is the week of National Week of Conversation Day. Isn't that a good thing, Senator Geist?

GEIST: Yes.

BLOOD: You aren't feeling well. You sat right back down. I'm sorry to hear that. As we move forward through the rest of the session, we have had a lot of great bills that have made it through to the Governor's desk, made it through General, and we are doing that because we are working as a team. I respect all who was on the mike, whether they be filibustering, whether they just be chatting with others, or whether they be sharing some valid points, I respect all who rise. But I just ask that maybe when we leave this weekend and we come back next week that we remember that we're not that different no matter whether we consider ourselves conservative, or I hate this

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word, progressive, or for people like me on the island of lost toys, we have the right to stand and share our thoughts. But we also have a job to do while we're here in this building, and that's let's get stuff done. I was quoted out of context in the "Lincoln Journal Star" the other day because I said it was our job to kick ass and take names. That was the only part that they quoted, which was really odd, but it really is. While we're here it is our job to kick ass and take names. We have a small window of time. We have one house. We have a lot to get done. So I hope we think about that as we move forward. And I hope that we reach across the aisle and we share our thoughts. We don't all have to agree on everything, but we do have to agree that we need to get stuff done. Thank you, proxy President Hilgers.

HILGERS: Thank you, Senator Blood and Senator Geist. Senator Lowe, you are recognized.

LOWE: Thank you, Mr. President. I really didn't think I was going to get a chance to speak today. You know, this is a timely motion, this amendment, AM1217. We have disaster not only in our greater Nebraska area, but in our cities at this time. But we always have small disasters in our cities and our rural areas. There are fires. There are tornadoes. There are things that affect people. Those people need a little bit of relief. And by giving them some property tax relief on something that is no longer there or cannot be used anymore, let's do that. I don't have great power to not make disasters happen, as Senator Chambers said this morning that he has. Senator Chambers, would you yield to a question?

HILGERS: Senator Chambers, will you yield?

CHAMBERS: Yes, I will.

LOWE: Thank you, Senator Chambers. This morning you stated that you have power that you don't allow disasters like this to happen in your neighborhood.

CHAMBERS: Yeah, floods and such things as that.

LOWE: Can you move to my neighborhood, please?

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CHAMBERS: Can I do what?

LOWE: Can you move to my neighborhood, please, because we don't want disasters either.

CHAMBERS: Well, since floods have to go someplace, I just bring floods from Senator Hilgers' district with me to yours because of what I think of you.

LOWE: Well, thank you. I'm glad I need a good cleaning.

CHAMBERS: OK.

LOWE: Senator Chambers, there are disasters everywhere, and they may be large or they may be small. They may be a house in a neighborhood that a heater was left on in the middle of winter and the electrical cords burned and started the house on fire. They may be on a rural pasture ground, a friend of mine, had some pasture. He now has two feet of extra sand on top of his pasture, not able to graze anything upon it. It may be ice chunks as big as Suburbans or semitrucks going through buildings or undermining their foundations. We have disasters everywhere in this state, and it is time now that we must give the citizens in our state some relief. Thank you, Mr. President.

HILGERS: Thank you, Senator Lowe and Senator Chambers. Senator Hunt, you are recognized.

HUNT: Thank you, Mr. President. I rise in support of this amendment and the intentions behind this amendment to provide support and relief for people who have been affected by this flooding in Nebraska. It has been great to hear the messages of support on the floor today for the people affected, and I, today, have especially been thinking about the people in Boyd County in Senator Gragert's district who can't drink the water, who are affected by this natural disaster that we need to find long-term solutions for moving forward. And I think that this is a step in the right direction, and it's something that our Legislature can do. I heard Senator Chambers share his terms for letting bills move forward, and he said they were increasing the minimum wage for tipped workers, LGBTQ protections in the workplace, and allowing people with drug offenses to

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apply for SNAP benefits. To me that sounds like the Senator Hunt slate. It sounds good to me. And so I'd like to yield the rest of my time to Senator Chambers to talk more about that.

HILGERS: Senator Chambers, 3:50.

CHAMBERS: Thank you, Mr. President. Thank you, Senator Hunt. And I'm glad she made an underscoring of what it is that I've said that I want. When you all were talking those bills to death, you didn't have the attitudes you have now because you were stomping your foot on people for whom you have contempt, and that always draws me to their aid. I've mentioned this before. When I went to Lothrop school it was a predominately, overwhelmingly, actually white school. And white kids used to bully each other. Even when I was small I didn't like to see anybody bullied. So, I couldn't deal with every case of bullying, but if there was a particular child whom they bullied more than others, you know what I'd do, Senator Lowe? I'd go stand with that kid, and I said if you're going to whip somebody, you got to whip two of us today; not just him, two of us. And to get to him, you got to get by me first. And miraculously those children that I stood up for never suffered any bullying while I was there. I don't know what happened to them when I wasn't there. I have never been one of those who could watch those who are defenseless ganged on those-- ganged by those who have the strength. And that's what I see when you all summarily dismissed the welfare of the tip workers, the LGBTQ community, and the people who would get food stamps because they had done things you all didn't like because you're superior morally. I'm not putting you in hell. I'm not going to burn you forever. In fact, I wouldn't even do that to Hitler. I wouldn't do it to Adolph Eichmann. I wouldn't do it to the slave holders. I just couldn't bear to see somebody tormented forever. I don't care what they had done. If they had done it to me, I'd be the one to say, let it be. But I don't have that power. I don't have the power to make you all do anything. But under your rules, I have the wherewithal to stop you from doing some of the things you want to do such as getting a vote on a bill like this that you all are praising. Maybe I'd praised it, too, if I didn't have so many of these gloomy thoughts in my mind about how you mistreated and tread upon others who need help.

HILGERS: One minute.

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CHAMBERS: You talk about a disaster. There are people whose lives comprise a continuing disaster because they don't make enough money to take care of themselves and their family because of who they are, they are not allowed the assurance that they will not be discriminated against when it comes to obtaining employment or retaining it once you get it. People who did commit crimes, or at least were convicted of them, would be allowed to have food, if I had my way. And when you're going to allow child rapists to benefit from SNAP, you're going to allow repeat abusers of their spouses, whichever way it goes, to get SNAP--

HILGERS: Time, Senator.

CHAMBERS: Thank you, Mr. President.

HILGERS: Thank you, Senator Chambers and Senator Hunt. (Visitors introduced.) Senator McCollister, you are recognized. Senator McCollister, you're last in the queue. Seeing no one else, Senator Chambers, you're recognized to close.

CHAMBERS: Thank you. Mr. President, I'm going to ask for a roll call vote after I ask for a call of the house. You don't have to give me a call of the house. You don't have to do anything. But I'll get a roll call vote from those who are here. And then I'm going to offer my reconsideration motion. I was reminded that there are people who may be members of the LGBTQ community who are affected by the flood, former prisoners who are not allowed to benefit from the SNAP program, tip workers who cannot get an increase in their minimum wage, so here's the way I see it. You all are concerned about the water in their house because the water is in your house. But after you get the water out of your house, the tip workers will not get that increase in minimum wage. The former prisoners will not get the benefits of SNAP. And the third one will not get the benefit that they ought to have. You all are so hypocritical. It's so crystal clear to me, and I'm not going to let go. I'm not tired at all. In fact, I'm enjoying myself immensely, and do you know why? Because I am punishing those who deserve it. I am punishing those who harmed people who had done nothing to them whatsoever. I'm punishing those toward whom we have a duty and a responsibility as elected officials, and we failed to discharge that duty. So that's why I'm enjoying what I do. And I'm not picking on the weak. I'm outnumbered; I'm outnumbered. I'm outnumbered more than Ali Baba was, he only had to deal with 40 thieves who had more honor,

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by the way, than you all. I've got 40-plus that I have to deal with. But I won't run. I will not stop. You don't want to bargain with me. You do not want to negotiate with me, so there's no reason for me to alter my conduct, and I can go on like this all day. And I can continue it next week. And when Easter time comes, you're going to get a whole lot from me in the way of a homily because I think that's when you say a guy came back from the dead. And you also said that that guy had brought somebody back from the dead. The one who was dead was Lazarus. He had been in a tomb for several days and Jesus said he's going to do something for Lazarus. And because the people in those days spoke Shakespearean language, somebody said, Lord, don't do that. And Jesus said, why not? He said, me thinketh he stinketh. Well, he didn't speak Shakespearean because they didn't know, they didn't even speak English. But they did say he stinketh. So then Jesus said in a loud voice, Lazarus! Scared the devil out of him. Come forth! And Lazarus in his funeral wrappings shuffled out of the tomb, blinked his eyes, couldn't believe what he saw, and they couldn't believe what they saw. Do you all ever stop to analyze those scriptures? Jesus said with a loud voice. Do you think Jesus had to shout so Lazarus would hear him? Jesus didn't even have to say words. All he would have had to do was think and will it--

HILGERS: One minute.

CHAMBERS: --and out would come Lazarus. You know why Jesus spoke in a loud voice? So those around could hear. That's why I speak with a loud voice so that you will hear, you may hear and not understand, you may see and not perceive, but that is nothing, as far as I'm concerned. I have to discharge my duty as an elected official who gave, knowingly, willingly, without reservation, an affirmation that I would do this job and discharge my duties to the best of my ability. It's just that I have a different concept of my duty than you all have of yours. And I will live by my affirmation because when I gave it I said it was without mental reservation, and there was none, and so we're going to continue here today and we'll continue next week.

HILGERS: Time, Senator.

CHAMBERS: Thank you, Mr. President. I'll ask for a call of the house and a roll call vote.

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HILGERS: There's been a request to place the house under call. The question is shall the house go under call? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

ASSISTANT CLERK: 18 ayes, 5 nays to go under call, Mr. President.

HILGERS: The house is under call. Senators, please record your presence. Those unexcused senators outside the Chamber please return to the Chamber and record your presence. All unauthorized personnel please leave the floor. The house is under call. Senator Vargas, please check in. Senator Blood, please check in. Senator Bolz, please check in. Senator Chambers, we're missing Senator Pansing Brooks and Senator Crawford. How would you like to proceed? Senators Crawford and Pansing Brooks, please return to the Chamber, the house is under call. All senators are now accounted for. The question before the body is shall the motion to bracket LB512 be adopted? A roll call vote has been requested. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please call the roll.

ASSISTANT CLERK: (Roll call vote taken.) The vote is 0 ayes, 42 nays, Mr. President on the motion to bracket the bill.

HILGERS: The motion is not adopted. I raise the call. Mr. Clerk for a motion.

ASSISTANT CLERK: Mr. President, Senator Chambers would move to reconsider the vote on the bracket.

HILGERS: Senator Chambers, you're recognized to open on your motion to reconsider.

CHAMBERS: Thank you, Mr. President. And since everybody is here still and you're in rapt attention, I've got a number of motions that I can make, one to recommit. We'll talk about that. And if nobody says anything, then I can consume a little bit of time on that, then the reconsideration motion of that one, then I will move to indefinitely postpone the bill, and then reconsider that, and then I can move to bracket to a day certain without it being reconsideration because I won't be cruel like I did the first time and say bracket it until the last day of the session. I'll go mid way and say bracket it until June 1 or April 1 or any other day. So I have enough

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motions to keep us here long enough, and you have the opportunity to test me and see how strong my resolve is. When-- I have to repeat some things. You had the opportunity to let a vote be taken on bills. You all now want to talk about collegiality, civility, after you've done your dirt, and then there's some blowback. That's when you want to talk about civility. You don't like having done to you what you did to others. So think about what I told you, as you were doing that. What I'm doing now is not a surprise to you. It should not be. I told you this day would come, but you thinking that I'm perfidious like you all are, I would either forget or I lose heart and let it go. But I'm not going to do that. I'm in the mood now to stay with you today. Generally, I don't want to spend time in the company of people for whom I have little regard, but today it is different. I mention the LGBTQ community. What do you all have against them? Are you all closet members of that community? Is that what it is? Sometimes members of that community who are in the closet are the most openly anti-LGBTQ position. Then it turns out that's what they are. So some of you are so strongly against it, I'm beginning to have a sneaking suspicious about you. And now you think that I know about you, don't you. But if I did, I wouldn't tell on you. You wouldn't want to be subjected to what you subject others to, would you? So it behooves those of us who can look beyond these prejudices, these unreasonable fears and recognize that everything born of a man and a woman is a human being endowed with natural, essential human dignity, but you don't know what that word means. If somebody is mistreating you, you don't want that to happen. You feel that it's unfair. If you don't want to say it for yourself because it would seem selfish or you've been so mean and cruel and hardhearted yourself, you know that people will glory in the fact you're getting a little bit of payback, so what do you do? You pick something like this flooding, which God caused. Have you ever stopped to think that it might be a punishment from God for the hatefulness you've shown on this floor? I've seen numerous times when Christian preachers have seen floods or drought or wildfires and say that it is the manifestation of God's anger. And you know why they say God is angry? Because LGBTQ people are shown some consideration, and that makes God angry because God is gay and he doesn't want anybody to know it. You know why we know God is gay? Because my gay friends and my gay enemies were made in the image of God. So if they're made in the image of God and they're gay, God's gay too, isn't that right? If he's not gay, at least he's happy or he's cheerful because he said I will laugh at you in your calamity. So now you know what God is. But there are other attributes which you want to ascribe to God. You all say that God is forgiving, that God is loving. Then why are not you manifesting those traits? I do when I have the opportunity listen

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to the preachers who come here every morning, and you had one this morning that I thought was preaching because I had left one part of my office, went into the other and had done a few things and I came back and that person was still praying. And then I began to listen. And that person was trying to give you all a message, telling you what is wrong with you; how you are not carrying out your duty under the guise she is a praying to God. But mentioning all the things that you all ought to be doing, but she won't say that you are failing here, you are failing there. She'll ask God to help you do these various things: stop being stupid, help them not be hateful, help them not be unreasonably afraid of their brothers and sisters and therefore do things to harm them or withhold things that they need and harm them in that fashion. So when they pray and you all bring them here, those of you all who invite these preachers ought to be ashamed of themselves. You don't believe what they're saying. I understand some of you all have prayer meetings around here. What good does it do? Certainly doesn't help you all. Excuse me, breaking news. How many commandments are there? Somebody said 12. We know what the 11th one is: A "Repelican" shall not speak ill of another "Repelican." That's what the "Repelican" said is the 11th commandment. Now, what is-- getting away from these crazy Republicans-- we know they're hateful, they're anti-black, anti-gay, anti-everything. And by the way, you all have a fool in the White House. He's making these Congress people go along with his stupidity, but he said something that made a guy named Senator Corn-- no, Senator Wheat, Senator Grass, Senator Grassley. Is there somebody named Senator Grassley, and he's a "Repelican." He said what the President said is idiotic. And you know what your stupid President said? He said, the noise from the windmills. He called them windmills, those turbines; some people call them turbines. The noise from the windmills; and he wanted to show you he knows what a windmill is. The noise from the windmills cause cancer. Cause cancer. And some of his friends who try to let him have a modicum of sanity said, well, he probably was joking. He's making a fool out of all you "Repelicans." He'll bluster like you all do in here. I'm going to shut down the border with Mexico. And the President of Mexico picked up the telephone and called, conference call, all of the CEOs of the automakers--

HILGERS: One minute.

CHAMBERS: --and he said, if he shuts down that border, you will shut down your operations within a week because the parts and other things you need from Mexico to keep your auto

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industry working, you will not get and you will shut down in a week. And some of those people grabbed your President, put him in a straight jacket and threw him in a room that had mattresses on the floor and everywhere so he could have his tantrum like crazy people like him do. Then when he got tired, they told him, Mr. President, if you shut down the border, then we'll have to close the auto industry down in a week. What do you mean shut down the border? I'm not going to do anything like that. Why that's crazy. Self confession. So then he comes out and says, well, I'm not going to do that; as though he's somehow granting something. He said, but if they don't do what I want them to do in a year, if they don't stop those drugs from coming in here in a year--

HILGERS: Time, Senator.

CHAMBERS: I'll shut the border. Did you say time?

HILGERS: Time, Senator, yes. Thank you, Senator Chambers. Senator Cavanaugh, you are recognized.

CAVANAUGH: Thank you, Mr. President. Again, it is Sexual Assault Awareness Month and I wanted to just take a few minutes, since we're taking some time this-- well, I guess it's now afternoon-- and talk about another issue related to sexual assault in Nebraska-- untested rape kits. As of December 2018, three in four rape kits collected by Omaha police, which is about 1,500, were still untested, with some dating back to 1998. I'm sorry. I also have the "cold of the Capitol." Number in other jurisdictions is unknown. Omaha police received \$1.9 million grant to work through this backlog. The Women Center for Advancement has a Web site, checkmykit.org, c-h-e-c-k-m-y-k-i-t.org, to allow survivors to check the status of their kit and provide resources. Testing of rape kits is important to the sexual assault kit initiative, which creates a database of DNA samples of attackers and can identify other potential victims. This is-- Senator McCollister had previously asked about the untested sexual assault kits, so I wanted to provide the body with more information. I have some additional information regarding sexual assault awareness, and I'll ask the Chair how much time I have left.

HILGERS: 3:20.

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CAVANAUGH: OK. Then I will go on to the next topic-- missing and murdered Native-American women. More than four in five American Indian and Alaska Native women have experienced violence, and more than one in two have experienced sexual violence. On some reservations, indigenous women are murdered at more than 10 times the national average. Until 2013, Violence Against Women Act, Indian nations were unable to prosecute non-Indians who commit 96 percent of sexual violence against native women. Ninety-six percent of sexual violence committed against native women, and they couldn't prosecute until 2013, that wasn't that long ago. Congress allowed the Violence Against Women Act to expire on February 15, of this year. There is an epidemic of missing and murdered native women in the U.S. and Canada with the exact numbers nearly impossible to determine. Thank you to Senator Brewer for his important legislation, LB154, to help address this problem. And with that I yield the remainder of my time to the Chair.

HILGERS: Thank you, Senator Cavanaugh. Senator Chambers, you are recognized.

CHAMBERS: Thank you. Mr. President, members of the Legislature, I kind of got off the track on these commandments because the "Repelican" question led me astray, but there was a new commandment. In fact, just one commandment that you love one another. Somebody had asked Jesus what is the greatest commandment? And I could say what they said that Jesus said, and maybe I will. But it has something to do with how first of all you got to love God, which is the hardest thing in the world to do. Wait a minute, you all do love God. It came to me like an inspiration, a flash! You all love God. What does the song say, you always hurt the one you love. And you all crucify God every day, so when you crucify God every day you're hurting God, and that's how you show you love him. I don't know why that slipped past me all these years. But if you go back to the traditional, the first one is love God and all the other things. Then love your neighbor as yourself. This is the whole law and the prophets. That's all that they're trying to get you to do. Something like a constitution. It might have three pages of text material. That's the constitution. But then when you look at all the proliferation of statutes, court decisions, Presidential proclamations, all the other things that grow from it. You couldn't even find the constitution if you pile all this stuff on top of it. So there were ten commandments. You've got more laws than that in one volume of your statutes. All God needed was ten. And how many have you all come up with? And you don't stick by any of them because you're wicked. God said

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you're evil and your hearts are far from him. I'm just saying what your God said. If you love God, you have to like what I'm saying. When I went to Creighton, a Jesuit school, they would not say God created evil. Christians don't say God created evil. But evil could not create itself. Nothing exists unless God created it. Does evil exist? If God didn't create it, then there's no such thing as evil. If there's no such thing as evil, there's no such thing as sin. If there's no such thing as sin, then there's no place like hell. And if there's no place like hell, there's no place for Satan to go. And what Satan did when he allegedly tried to form a revolution in heaven, which is the craziest thing I ever heard, but say that it happened, that wasn't a sin. But if it was a sin, God created it. The only being that can create is an infinite being, an all-powerful being--Omnipotent. So anything that exists, God created it. If it creates itself, that would be an impossibility because it would have to be in existence in order to create itself or anything else. But if it's already in existence, it certainly didn't create itself. So can there even be a god? That's for you all to figure out--

HILGERS: One minute.

CHAMBERS: --if you truly believe. But say that there is one, and say that all of these things in the Bible are true, then what you need to do is start shaking in your boots because you're going straight to hell when you die. You know you don't live righteously. Have you told a lie? All liars will have their part in the lake of fire, which is the second death. That quaint language is in the "Bible." So you all come to this Legislature. You have a prayer every day, and then you commit sins. Why do you commit sins? Your biggest sin is lying. Now, when you lie, that shows that you're a coward toward men, but brave toward God. You lied because you fear something that a man can do to you, but you're brave toward God because you don't care what God thinks.

HILGERS: Time, Senator.

CHAMBERS: Thank you, Mr. President.

HILGERS: Senator Chambers, you're next in the queue. You're recognized.

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CHAMBERS: Thank you. So when you do the kind of things that you do, you are showing the ones who are called non-believers, whom you are trying to persuade to come your direction, by your example you're letting them know that they are better than you are already. I've heard you all lie on this floor. I've watched you make promises and break them. You're promise breakers. I wish that you believed what this Jesus you talk about said that you ought to do. And if you did that, we wouldn't need a legislature. We wouldn't need laws. We would not need jails. It may have been James Madison, or one of those little guys, who said that if men were angels then you wouldn't need laws. Are you all aware that every angel, every being described or called angel was masculine? If an angel and every angel is masculine, why do men refer to women as angels? Is it that they don't understand or that they do understand and they're telling a woman, you're just one of the guys. And if they say you're just one of the guys, then all women are guys. But if biologically they are female, then they can't be guys all the way. So everybody is the same thing, and you all ought to go ahead and pass the bill that protects you all from discrimination in the workplace, because under one of the categories you qualify as a member of the LGBTQ community. That's what logic is. But you don't apply logic in the real world, and as a result of that you do things that defy logic. You put somebody like Donald Trump in the White House. And as I said the other day, you are watching that man unravel mentally before your very eyes. He'll say something today, he'll say the opposite tomorrow. If it's called to his attention what he said the other day, he'll say he didn't say that. He told you all that Mexico was going to pay for this wall that he's been talking about. That is an obsession with him. He's talking about taking money from the Pentagon budget. Yet, he wants America to have the strongest military on the face of the earth. Either he has persuaded Congress to throw a lot more money to the Pentagon than is needed, or he's willing, because he wants to ride a certain hobby horse, to take money from the Pentagon's budget, weaken the Pentagon's ability to do its job, guarantee that America is not the most powerful military, and his so-called base will cheer him. I just see Senator Kolterman walking down the aisle bothering nobody, but he said something that caught my attention earlier in the day. He said, he doesn't speak very much on the mike, but paraphrasing, he works behind the scenes. That's good.

HILGERS: One minute.

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CHAMBERS: I am out in the open. Maybe I'm like a tornado. He, wily, clever one is like a termite. You have a penthouse. That's the highest living space in a building. You walk in the front door, next thing you know you're in the basement. That's because people like Senator Kolterman have been doing their work as termites. They have nibbled away, and you didn't even see them working, but they were doing their job. The floors are gone. The joists are gone. The beams are all gone. Everything's weakened, so you turn that key, step in the door, and like I say, you're down in the basement. He's the wily fellow, you need to watch him and he tries to tip you off. But I pay attention to all of you. Those who want to try to be quite and think they'll escape notice,--

HILGERS: Time, Senator.

CHAMBERS: Is that my third time?

HILGERS: No, it was not. Speaker Scheer.

SCHEER: Thank you, Mr. President. We've reached the allotted time on this bill, so when we return on Monday morning we'll start on the next item on the agenda. Thank you.

HILGERS: Items, Mr. Clerk.

ASSISTANT CLERK: Thank you, Mr. President. Your Committee on Enrollment and Review reports LB212, [LB]15, LR14CA and [LB]637 to Select File, some with E&R amendments. Name adds: Senator Slama to [LB]227; Senator Wishart to [LB]611; Senator Quick to [LB]641.

Finally, priority motion: Senator Scheer would move to adjourn until Monday, April 8, 2019, at 9:00 a.m.

HILGERS: Members you've heard the motion. All those in favor say aye. All those opposed say nay. Motion is adopted. We are adjourned.