

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate January 24, 2020

FOLEY: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the eleventh day of the One Hundred Sixth Legislature, Second Session. Our chaplain for today is Pastor Tyler Hauptmeier of St. Paul's Lutheran Church in Doniphan, Nebraska, Senator Halloran's district. Please rise.

PASTOR HAUPTMEIER: Let us pray. In the name of the Father and of the Son and of the Holy Spirit, amen. Almighty and most merciful God, your holy word teaches that all authority begins and ends with you. And so you are the divine author of Earthly Governance. Your word reveals that you do this as you employ men and women for service within the three estates of the church, the family, and the government not lifting anyone in these to a position of self-privilege and tyranny, but setting them to the task of humility given for the well-being of those they serve. Faithful God, move all attending to the work of this body to no such humility, and by it to love these three estates. As their work would meet with the church, let them be one seeking to pre-- to preserve religious liberty, desiring to maintain the freedom to live according to the doctrines of faith. Hinder all attempts to burden godly consciences with unjust laws that forsake the word of your truth. And as these senators observe the estate of family, a father and mother and children, cause them to admire the institution not only as honorable but as a society's most powerful agent for stability. Let holy marriage, as you have designed it, to be held in high regard and let all children be cherished both in the womb and out as all human life is sacred, according to your word. Convert and convince all leaders away from such atrocities born of radical individualism, which is the worship of self as the first and last of all things, a false liberty, declaring each person free to do whatever he or she wants or feels, and do so without consequence. Being the embodiment of the estate of government, grant these senators wisdom to seek legitimate impartiality according to objective truth born from natural law and to protect all who desire to remain in stride with biological truth from the threat of punishment, with the labeling of bigotry. Hear us as we pray and help us, Dear Lord. Cast the bright lights of your love and wisdom into their hearts and strengthen us, the citizens of Nebraska, with the resolve to stand firm alongside senators in the truth and pit us mightily against those who do not. All of this we petition with contrite hearts, confident that you hear us and mindful that you work for the good of those who love you, who are called according to your purpose. Through the merits and mediation of the son of God, Jesus Christ, the only savior from sin and the one

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way to eternal life, who lives and reigns with you and the Father and the Holy Spirit, one God now and forever. Amen.

FOLEY: Thank you, Pastor Hauptmeier. I call to order the eleventh day of One Hundred Sixth Legislature, Second Session. Senators, please record your presence. Roll call. Mr. Clerk, please record.

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

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

CLERK: I have no corrections.

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

CLERK: Mr. President, Reference reports referring legislative bills 11, or excuse me, LB1053-LB1162 (also LR297 and LR298) signed by Senator Hilgers as Chair of Reference. Enrollment and Review reports LB734 and LB734A to Select File. Senator Gragert would like to introduce LR303. That will be laid over, Mr. President. Lobby report inserted in the Journal as required by state law, as well as acknowledgement of agency reports that have been filed and available to members on the legislative website. That's all that I have.

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

SCHEER: Thank you, Mr. President. Colleagues, it is Friday, last day of the week, so I will let you know what we have planned for next week. We will continue to debate the nonprioritized carryover bills on General File and any 2020 priority bill that may be designated and is ready for floor debate. On Friday, it will be my intent to schedule the available Select File bills again as we are doing this morning. Additionally, next week I will be special ordering LB880, which is Senator Groene's bill to change the certification and distribution dates, the state aid to schools. This is a change in dates and we need to ensure the bill passes early enough to be effective. In relationship to priority bills, the sooner that we start thinking very strongly about that, the better. It is a short session and we will run out of time eventually. To that end, I ask the senators to consider what bill they plan to prioritize. So maybe give a think over the weekend about what you're really serious about and speak to the Chair of that committee to see about trying to get up sooner than later so

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that-- I don't want people again and it will-- I said this last year, and I will say it again this year-- there will be somebody that will prioritize a bill and it will not get out of committee. So I, I suggest your first conversation would be with your committee Chair that it's going to be coming out of and they should be able to help you in relationship to if they believe that bill will come out of committee as well. That's your first spot just to talk to as far as I'm concerned. However, having said that, it is unfair for you to go ask three different Chairmen on three different bills and say you're gonna prioritize all three of those. You get one priority. So let's do one at a time. And if one senator, if one of the Chairmen said, OK, you know, we're gonna work with you, we'll get that out, then you're done. Don't try to manipulate the system because everybody else is trying to get the same things done. We have to work together for everyone to be able to get things done in a timely manner. So I would ask you again to think about that very seriously this weekend, because the sooner that we can get priority bills out of committee, the sooner we can start discussing them on the floor. If we get an earlier start on that, then we have time as we move forward. As a side which was brought up this morning at our Chairmen's meeting, some of you have asked about consent agenda. I am not making a commitment on a consent agenda at this time. My priority to you is to get the priority bills, both individual, the committee priority bills, on the floor and hopefully across the line. The consent agenda usually is somewhere between 20 and 30 bills. It will take up a full Friday on General File. It may only take a half hour or 40 minutes on Select, but depending upon the bills on Final Reading, that could take a half to two thirds of a day on Final Reading, 25 bills. So in order for me to be able to know that, I have to know what bills are gonna be coming forward. So if you really have an idea, if you're gonna be utilizing a bill that's already in existence, you know, please let that person know and please notify me. We'll get it up right away for you. But in order for us to be able to get all of this accomplished and if indeed you are looking at items that could be on a consent agenda, I can only do that if we have enough time to do that. So I'm not saying no. I'm not saying yes. It's all going to be based on how we move along during the session. Any questions as usual, please come back and talk to me or contact the office. They might be able to help you as well. Other than that, have a good weekend. Thank you.

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FOLEY: Thank you, Mr. Speaker. We'll now proceed to the agenda, Select File. Members, this does require voice votes, ask you to please be attentive. Select File, Mr. Clerk, the first bill.

CLERK: Mr. President, the first bill, Senator Slama, LB740. I have no amendments to the bill.

FOLEY: Senator Slama for a motion.

SLAMA: Mr. President, I move that LB740 be advanced to E&R for engrossing.

FOLEY: That's a debatable motion. Senator Chambers.

CHAMBERS: Mr. President, this will not be one of those mornings when I have a lot to say. But I had a nightmare and it seemed so real that a little song suggested itself to me. Legislators want a tax, E-I-E-I-O. Everything they want to tax, E-I-E-I-O. Here a tax, there a tax, everywhere a tax, tax. Legislators want a tax, take their tax and go. Thank you very much.

FOLEY: Thank you, Senator Chambers. Members, you heard the motion to advance the bill. Those in favor say aye. Those opposed say nay. LB740 advances. Next bill, Mr. Clerk.

CLERK: LB741, Senator, I have no amendments to the bill.

FOLEY: Senator Slama.

SLAMA: Mr. President, I move that LB741 be advanced to E&R for engrossing.

FOLEY: Members, you heard the motion to advance the bill. Those in favor say aye. Those opposed say nay. LB741 advances. Proceeding now to Select File 2009, excuse me, 2020 senator priority bill. Mr. Clerk.

CLERK: LB582, Senator, does have Enrollment and Review amendments.

FOLEY: Senator Slama.

SLAMA: Mr. President, I move that the E&R amendments to LB582 be adopted.

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

CLERK: Nothing further on the bill, Senator.

FOLEY: Senator Slama.

SLAMA: Mr. President, I move that LB582 be advanced to E&R for engrossing.

FOLEY: Members, you heard the motion to advance the bill. Those in favor say aye. Those opposed say nay. LB582 advances. Proceeding now to Select File 2019 carryover senator priority bill. Mr. Clerk.

CLERK: LB153, Senator, does have Enrollment and Review amendments.

FOLEY: Senator Slama.

SLAMA: Mr. President, I move that the E&R amendments to LB153 be adopted.

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

CLERK: Nothing further on the bill, Senator.

FOLEY: Senator Slama.

SLAMA: Mr. President, I move that LB153 be advanced to E&R for engrossing.

FOLEY: The motion is to advance the bill. Those in favor say aye. Those opposed say nay. LB153 advances. Select File, first bill, Mr. Clerk.

CLERK: LB30, Senator, does have Enrollment and Review amendments.

FOLEY: Senator Slama.

SLAMA: Mr. President, I move that the E&R amendments to LB30 be adopted.

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

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CLERK: Nothing further on the bill, Senator.

FOLEY: Senator Slama.

SLAMA: I move that LB30 be advanced to E&R for engrossing.

FOLEY: The motion is to advance the bill. Those in favor say aye. Those opposed say nay. The E&R amendment, excuse me, the bill advances. Next bill, Mr. Clerk.

CLERK: LB93, Senator, does have Enrollment and Review amendments.

FOLEY: Senator Slama.

SLAMA: Mr. President, I move that the E&R amendments to LB93 be adopted.

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

CLERK: Nothing further on the bill, Senator.

FOLEY: Senator Slama.

SLAMA: Mr. President, I move that LB93 be advanced to E&R for engrossing.

FOLEY: The motion is to advance LB93. Those in favor say aye. Those opposed say nay. LB93 advances. Next bill.

CLERK: LB230, Senator, does have E&R amendments.

FOLEY: Senator Slama.

SLAMA: Mr. President, I move that the E&R amendments to LB230 be adopted.

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

CLERK: Senator Pansing Brooks would move to amend with AM2121.

FOLEY: Senator Pansing Brooks, you're recognized to open on your amendment.

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PANSING BROOKS: Thank you, Mr. Lieutenant Governor. Members of the body, AM2121 makes an important fix to LB230. I want to thank Senators Arch and Slama for bringing this issue to our attention since the county somehow missed it in the hearing. But anyway, I promised to work on this issue between General and Select File. So I'm happy to bring this important amendment today, which with-- on which I worked with Senator Arch. AM2121 strikes the phrase "or by any county that houses youth under the age of majority" on page 5, lines 28 to 29 of the amended bill, AM450. The elimination of this language clarifies that this bill does not include county jails. We have worked with the Nebraska Association of County Officials on the language change and have satisfied their concerns through this amendment. Also by removing the phrase "age of majority" the bill clarifies that we are talking about juveniles. Unfortunately, the language created some confusion with the Department of Corrections because the age of majority is 19, whereas a juvenile as defined applies to those under 18. This bill only covers juveniles, those under 18. And with that, I also wanted to point out that the fiscal note on this bill has been entirely eliminated due to the previous committee amendment. I ask for your green vote on AM2121 and the underlying LB230. Thank you, Mr. Lieutenant Governor.

FOLEY: Thank you, Senator Pansing Brooks. Debate is now open on the amendment. Senator Slama.

SLAMA: Thank you, Mr. President. I'll be very brief. I just wanted to take the time to thank Senator Pansing Brooks for working with Senators Arch and I on this amendment and look forward to a green light vote on LB230.

FOLEY: Thank you, Senator Slama. Senator Bostelman.

BOSTELMAN: Thank you, Mr. President. I wonder if Senator Pansing Brooks would yield to a question.

FOLEY: Senator Pansing Brooks, would you yield, please?

PANSING BROOKS: Yes, I will.

BOSTELMAN: Sorry, I didn't talk to you off mike. I didn't have time this morning. On the committee statement on Section 2 it requires use of room-- requires notice of the use of room confinement to the juvenile's parents and attorneys. What's the current process that that happens? Is that-- and the reason why I'm asking this timing on that

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and is that going to be something that is, is that something that's added in that-- that-- that's not being done now? Or could it be the timing could be critical on that, because if they have an incident happen they need take care of that rather than contacting parents and/or-- and it says-- it says staff would be required to continuously mon-- oh, sorry. Goes back and says "This section would also provide requirements for the rooms used for room confinement and the juvenile's access to medical and mental health services, educational programming, meals, and contact with parents, guardians, and attorneys while in room confinement. Staff would be required to continuously monitor juveniles in room confinement." So I'm just curious, is this something with, with the contact with parents and guardians, is that something new? Is that a timing thing?

PANSING BROOKS: No.

BOSTELMAN: Could you explain that to me.

PANSING BROOKS: Yeah, I'm happy to. As I said in the-- in my opening on General, the cont-- at first I said continuous monitoring and some of the counties thought that I meant that that meant placing somebody there. So they put somebody-- they put a large fiscal note originally on it until we clarified. Lancaster County monitors or checks in every 15 minutes or so. I think that's appropriate. You know, it's-- those places that have videos, that's fine. And the discussion about the notification of parents, there was no objection whatsoever with the 24-hour.

BOSTELMAN: I mean, I would think that it's normally done, it has been done before or not. Is this--

PANSING BROOKS: Yes, yes but some, but some places did not. And so people wanted to clarify that parents will be notified when their child's been placed--

BOSTELMAN: And that's within a certain amount time period, you said.

PANSING BROOKS: Yes.

BOSTELMAN: OK. All right. Thank you.

PANSING BROOKS: Thank you.

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FOLEY: Thank you, Senator Bostelman and Senator Pansing Brooks.
Senator Arch.

ARCH: Thank you, Mr. President. Senator Pansing Brooks, I just have another question for you if you would.

FOLEY: Senator Pansing Brooks, will you yield, please?

PANSING BROOKS: Sure.

ARCH: First of all, thank you very much for working with us on that county issue and-- and taking care of that. As I listened to the debate yesterday and as I was speaking with Senator Wayne, trying to understand right now the process and-- and how does a-- how does a juvenile in this age-- in this age bracket come to understand that they have-- that they have that right? I guess one of the questions that popped into my mind is-- is rather than requiring that everybody receives an attorney automatically assigned, which could put a burden on parents and could-- could stress the system where there aren't attorneys within proximity, all of that, why-- why have we not simply put in a system that would-- that would make sure that that juvenile is informed that they have this right? If we believe that the juvenile has the wherewithal and the judge can determine that they-- that they-- that they understand enough to waive the right, do we also believe that they have that wherewithal and understanding that they can-- that they can also decide? Yes. Thank you for informing me of that. And I don't know what that process would be or where in that process. As Senator Wayne was talking yesterday, you know, the judge standing there and advising. Maybe that process needs to occur earlier before that juvenile steps in front of the judge to make sure that that juvenile understands. But I understand in your bill, you also struck some language regarding that. And I'd just like you to talk about your thinking on that and why you believe that we have to assign this attorney versus making sure that the juvenile understands that they have the right.

FOLEY: Senator Pansing Brooks, will you yield, please?

PANSING BROOKS: Yes, I will.

ARCH: Thank you.

PANSING BROOKS: Thank you, Senator Arch. Thank you for that question. I'm hoping that you will bring that exact question up during the

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debate on the right to counsel. This is the solitary confinement bill, so.

ARCH: I apologize.

PANSING BROOKS: No, I appreciate that so--

ARCH: I was thinking about it all night. So thank you.

PANSING BROOKS: I know. Thank you. So actually, it's good because I can be ready to try to answer that question at that time. But and again, just-- just so you know, the constitution does require knowing, voluntary, and intelligently waiving counsel. So just because they know about the right to counsel doesn't mean that they are intelligently understanding that right and what the ramifications are. Thank you for that question.

ARCH: Thank you. We can-- we can continue that discussion at the right bill.

PANSING BROOKS: OK. Thank you.

FOLEY: Thank you, Senators. Senator Pansing Brooks, you're recognized to close on your amendment. She waives close. The question before the body is the adoption of AM2121. Those in favor vote aye; those opposed vote nay. Have you all voted who care to? Record, please.

CLERK: 33 ayes, 0 nays on the adoption of Senator Pansing Brooks's amendment.

FOLEY: AM2121 is adopted. Mr. Clerk.

CLERK: Nothing further, Senator.

FOLEY: Senator Slama.

SLAMA: Mr. President, I move that LB230 be advanced to E&R for engrossing.

FOLEY: Members, the motion is to advance LB230 to E&R for engrossing. Those in favor say aye. Those opposed say nay. LB230 advances. Members, we're now going to move to Final Reading. Ask all of you to please be at your desk for Final Reading pursuant to the rules.

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Members, please be at your desk for Final Reading. Final Reading, LB4, Mr. Clerk.

CLERK: First of all, Mr. President, Senator Stinner, I have AM893, but I have a note you wish to withdraw that.

FOLEY: Senator Stinner.

STINNER: Yes.

CLERK: Mr. President, Senator Stinner would move to return LB4 to Select File for an amendment, the amendment being AM1981.

FOLEY: Senator Stinner, you're recognized to open on your motion to return the bill.

STINNER: Thank you, Mr. President. Members of the Legislature, I have offered the motion to pull LB4 back to Select File for AM1981 to make a few needed changes to the bill. First, I'd like to give you a little bit of a briefing on LB4. LB4 changed filing fees for appeals or petitions to the Tax Equalization and Review Commission based on the value of parcels of real property and to allow for mileage and expense reimbursements for commissioners. I'd like to point out that there is no filing fee required for an appeal by the county assessor, the Tax Commissioner or Property Tax Administrator acting in his or her official capacity, or a county board of equalization acting in its official capacity. The second component to this legislation authorized the reimbursement of-- for mileage expenses. The idea was to accommodate commissioners from the Third District who may live hundreds of miles from Lincoln. It should be noted that since 2003, no commissioner has been appointed who lived more than 92 miles from the State Office Building in Lincoln. Next, I'd like to lay out the provisions of AM1981. The first is to repeal the statute 77-5015.01; TERC originally requested that this section be adopted nearly ten years ago, but it produced subsequent unintended consequences, making some hearings more difficult and time consuming for taxpayers to attend. With the adoption of AM1981, the appellant and app-- appellee, usually the taxpayer and county board, will be required under general rules of civil procedure to notify TERC of any other interested parties to the appeal. An interested party is one who may be affected by the outcome of the litigation, usually having some responsibility for payment of property tax. The second component is intended to accommodate administrative implementation of LB4. In order to

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accomplish this, an emergency clause will, will be needed. Without an emergency clause, taxpayers would have a much shorter notice of the new filing fees for 2020 should they decide to appeal a county board decision after protest. And finally, AM-- and most importantly AM1981 will take all expenditures from the Tax Equalization and Review Commission cash fund, which would remove it out of the General Fund. I would urge you, colleagues, to vote yes on AM1981 and subsequently LB4. Thank you, Mr. President.

FOLEY: Thank you, Senator Stinner. Senator Stinner, did you care to close on your motion? Oh, excuse me. It's a debatable motion. Senator Erdman.

ERDMAN: Thank you, Lieutenant Governor. I would ask Senator Stinner a question or two.

FOLEY: Senator Stinner, will you yield, please?

STINNER: Yes, I will.

ERDMAN: So, Senator, thank you for that. So all the other fees that are in LB4 are going to stay the same. The only change you're making here is transferring from the cash fund-- from the General Fund to the cash fund.

STINNER: And adding an emergency clause also. And then I'm trying to strike and go back to an administrative court procedures for--- for notification. Those are three things. Yes.

ERDMAN: All right. OK, thank you. I just wanted to be clear on that. Thank you.

FOLEY: Thank you, Senator Erdman and Senator Stinner. Senator Stinner, did you care to close on your motion to return the bill? He waives close. The question before the body is return the bill to Select File. Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

CLERK: 39 ayes, 1 nay on the motion to return the bill.

FOLEY: The bill has been returned to Select File.

CLERK: Senator--

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FOLEY: Now, Senator Stinner, if you care to introduce AM1981.

STINNER: I'm sorry, Mr. President, would you--

FOLEY: I think you've already spoken to it, but if you care to speak to AM1981 you may do so.

STINNER: I'll pass.

FOLEY: You'll waive that opportunity. Is there any discussion on AM1981? I see none. Senator Stinner, do you care to close on that amendment? He waives that. The question before the body is the adoption of AM1981. Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

CLERK: 38 ayes, 0 nays on the adoption of Senator Stinner's amendment.

FOLEY: AM1981 has been adopted. Anything further on the bill, Mr. Clerk?

CLERK: Nothing further.

FOLEY: Senator Slama.

SLAMA: Mr. President, I move that LB4 be advanced to E&R for engrossing.

FOLEY: Members, the motion is to advance the bill to E&R for engrossing. Those in favor say aye. Those opposed say nay. LB4 advances. LB4A, Mr. Clerk.

CLERK: Mr. President, LB4A. Senator Stinner, again, I have an amendment for AM1863 from last year with a note you want to withdraw that, Senator? OK. Thank you. Mr. President, Senator Stinner would move to return the bill for AM1990.

FOLEY: Senator Stinner, you're recognized to open on your motion to return the bill.

STINNER: LB4A, actually, we're returning it to modify it so that the expenditures are taken out of the cash fund instead of the General Fund. And I would urge you to vote green, please.

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FOLEY: Thank you, Senator Stinner. The motion before you is to return the bill to Select File. Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

CLERK: 36 ayes, 0 nays on the motion to return the bill.

FOLEY: The bill has been returned to Select File. Senator Stinner, did you have anything further to offer on AM1990? He waives that opportunity. Is there any discussion? I see none. Senator Stinner, do you want to close on the amendment? He waives that. The question before the body is the adoption of AM1990. Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

CLERK: 33 ayes, 0 nays, Mr. President, on the adoption of the Select File amendment.

FOLEY: AM1990 has been adopted. Anything further on the bill, Mr. Clerk?

CLERK: Nothing further, Mr. President.

FOLEY: Senator Slama.

SLAMA: Mr. President, I move that LB4A be advanced to E&R for engrossing.

FOLEY: Members, the motion is to advance the bill to E&R for engrossing. Those in favor say aye. Those opposed say nay. LB4A advances. We're now off of Final Reading. General File, Mr. Clerk.

CLERK: Yes, Mr. President, thank you. LB231 was a bill by Senator Pansing Brooks relating to juveniles. It provides legal counsel for indigent juveniles; requires reports; requires a juvenile indigent defense filing fee; changes provisions relating to appointment of counsel for juveniles and standards for guardians ad litem. Senator Pansing Brooks presented her bill yesterday, Mr. President. There were-- there are two motions pending. Senator Groene had filed a motion to return LB231 to committee. Senator Chambers filed a priority, a higher priority motion with respect to the bill, that is to bracket the bill. That is the motion pending.

FOLEY: Thank you, Mr. Clerk. Members, we were just on this yesterday; but if Senator Pansing Brooks and Senator Groene and Senator Chambers

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would like a minute each just to refresh us and then we'll go right to the debate. Senator Pansing Brooks, you're recognized.

PANSING BROOKS: Thank you, Mr. Lieutenant Governor. As a reminder, In re Gault, Justice Fortas said the condition of being a boy doesn't justify a kangaroo court. A kangaroo court is a court that ignores recognized standards of law or justice and often carries little or no official standing in the territory in which it resides. The term may also be used to apply to a court held by a legitimate offic-- judicial authority which intentionally disregards the court's legal or ethical obligations. The defendants in such course-- courts are often denied access to legal representation and in some cases, proper defense and the right of appeal. Faretta v. California says not only the right to counsel, it must also be knowing, intelligent, and voluntarily waived. Any child can waive right to counsel, but they have to not only be told they have the right, they must understand that right and what the ramifications are. Right now, only 14- to 18-year-olds outside of the largest three counties remain unprotected. Justice by geography. Children, if you're listening, ask for counsel. You do not know enough to handle yourself in a court of law. I will read more later from the judges from whom I've received letters. And thank you, Mr. Lieutenant Governor.

FOLEY: Thank you, Senator Pansing Brooks. Senator Groene, would you like a minute to refresh us?

GROENE: Thank you, Mr. President. Yes. I'd like to remind everybody, Nebraskans, that children, everybody in America has a right to counsel. Every child, teenager between the ages of 14 and [INAUDIBLE] walks into a court. The first thing that he can do is when a minor requests, he can ask for an attorney. The judge will ask him, do you want counsel? He can ask for it. The second fail safe is if he doesn't ask for it or she doesn't ask for it, the parents can request an attorney, number two. Number three, as I don't need to repeat what Senator Pansing Brooks says, then the judge looks at the situation and says, is this child competent to make that decision? Then the judge can appoint an attorney. We have safeguards in our system that also protect your right to counsel. And that right is to have counsel or not to have counsel. This bill takes away a juvenile's right not to have a counsel, period.

FOLEY: Thank you, Senator Groene.

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GROENE: Thank you.

FOLEY: Senator Chambers, if you'd like a minute to refresh us on your motion, you're welcome to it.

CHAMBERS: Mr. Chairman, I would withdraw that motion.

FOLEY: Thank you, Senator Chambers. That motion is withdrawn. We'll now proceed to the speaking queue, long list of senators in the queue. Senator Lathrop, you're first.

LATHROP: Thank you, Mr. President. Colleagues, good morning. I was thinking about this last night when I drove home and I thought about the line from Shakespeare. And I'm not a huge fan of Shakespeare, but you've all heard this line. Dick the butcher in Henry VI says, the first thing we need to do is kill all the lawyers. And I feel like that's a little bit of what's happening on the floor in this debate. You should understand that lawyers are an important part of a functioning judiciary. And you should also understand that the children that Senator Pansing Brooks is talking about come into a courtroom that they are unfamiliar with. They are children. Their parents, more often than not, are not sophisticated. And the prosecutor is a lawyer. The state, we don't have a bill that says the-- the clerk of the juvenile court should represent the state. We have a lawyer, a prosecutor, a county attorney representing the interests of the state. The judge is a lawyer. Everybody in the room knows the law but the juvenile who's about to face a proceeding. And you should also understand that that first appearance where waivers happen, where pleas take place, that sets the stage and it opens the door to all kinds of additional hearings, all kinds of additional requirements. You can be put on probation. If you fail probation, you know, they escalate these steps. You can end up at the YRTC in Kearney for-- essentially incarcerated-- for months based on a plea to something as simple as stealing a pack of gum at the Walgreen's. Senator Pansing Brooks's bill here today for your consideration just levels the playing field. It allows juveniles to have a lawyer, just like the state does, in that courtroom that tells them this is what you're looking at. And by the way, you may have a defense. Our judicial system, colleagues, is dependent upon strong advocacy from the prosecution and strong advocacy from the, from the accused. That's where we find the truth. Allowing these young people to be informed by a lawyer ensures that the process is fair, that justice is done, and that kids don't go, this isn't a big deal. Mom and dad don't go. This

isn't a big deal. Don't worry about it. Because when you get taken off to the YRTC or when you're ordered to certain terms of probation or even some cases confinement, it's too late to ask for a lawyer. All you can talk about at that point is the decision to send you to the YRTC. You can't go back and relitigate whether you were guilty of this offense in the first place. It's important that we have lawyers involved in the process. I'll stand up and defend lawyers on this floor and that-- the need for advocacy that happens on both sides-- the county attorneys and defense lawyers both arguing for their clients and having a disinterested, independent judiciary to make a call.

FOLEY: One minute.

LATHROP: But the kids deserve the same benefit of legal counsel, of legal advice that the state has because they have a lawyer in the room every time. And it's not the state's job to tell the juvenile or her parents or his parents the way things are gonna go. They're not likely to tell him the worst-case scenario, which the juvenile deserves to know before they make decisions during this first hearing. I really would encourage you to vote against the-- the motion to recommit and in support of Senator Pansing Brooks's LB231. Thank you.

FOLEY: Thank you, Senator Lathrop. Senator Morfeld.

MORFELD: Thank you, Mr. President. Colleagues, I want to reiterate some of the things that Senator Lathrop and Senator Pansing Brooks have said. I listened to the debate yesterday. And I just want to emphasize that our legal system, particularly our criminal justice system, is based on an adversarial system. It's an adversarial system where the rights of the state, the people are being represented. But then also you need to have the counteracting balance of a defense, a strong and vigorous defense. That's important. That's what our legal system is. It's an adversarial system. And if you don't have balance in that adversarial system, you have injustice. And that's why it's important to ensure that these juveniles have all of the resources that the state has as well available to them. That's why we make sure that adults who are charged with serious crimes who cannot provide a defense for themselves because of financial resources has a vigorous defense with our public defenders and attorneys appointed by the state, by the county to defend them because an adversarial system requires balance. It requires equal resources to counteract the power of the state. And I just find it so ironic that Senator Groene and

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some other folks on this floor who often advocate for freedom, individual freedom, are advocating against people being able to counteract the power of the state when they are accused of a crime. I don't-- I don't understand it. It's so hypocritical. It's hard to even sit here and listen to it. If you're going to advocate for freedom and freedom from the power of the state, as you often do, and I'm looking at you, Senator Lowe, then you should be also advocating for people to have a vigorous defense against the state. And I get that these are juveniles, but because they are juveniles only means that they should have more resources available to them to be able to counteract that. That's what this bill does. It ensures that people who are the most vulnerable have all of the access to the resources to have a fair trial at their most vulnerable point in their life. It is so incredibly important, colleagues, that in our system we have these types of resources available because, listen, I think that we should have a vigorous prosecution because that keeps our community safe. But I also think that we have to have a vigorous defense. Because if you don't have a vigorous defense system, then the power of the state can overreach and justice not be done. That's why this bill is important. And for everybody that gets up like Senator Groene all the time and talks about freedom and the American way and the Nebraska way and all that stuff, then they should be in support of resources to ensure that the power of the state does not overstep its bounds and that we have a fair justice system. And part of having a fair justice system is having accesses-- access to resources to ensure that. That's what this does. What happens when we have juveniles that get into the system, whether they should be in the system and they have been found to be guilty or they shouldn't be in the system because they didn't have a vigorous defense, what happens when they are juveniles shapes the rest of their life. Because once they get into the system and there's plenty of studies that show this, you are more likely to be in the system for the rest of your life. So that's a whole nother issue that we need to address. But that being said, we particularly do not want to have juveniles going into the system that shouldn't be there in the first place. And while I do have a great deal of regard for our--

FOLEY: One minute.

MORFELD: --judges and for our judicial branch, they should not be and they are not equipped to be and they are not supposed to be the ones that are advocating for the interests of the juvenile. Nor is the prosecutor. They should be doing the right thing and exercising their authority justly and judiciously. But they don't always have the same

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interests in mind for the juvenile that a defense attorney would have in the vigorous defense of their client. Colleagues, this is a bill that makes sense. This is a bill that ensures access to justice. And this is a bill that ensures that we have balance when it comes to the power of the state. I urge you to advance it and I urge you to vote for it. Thank you, Mr. President.

FOLEY: Thank you, Senator Morfeld. Senator Cavanaugh.

CAVANAUGH: Thank you, Mr. Lieutenant Governor. Good morning, colleagues. I listened to the debate yesterday and didn't get in the queue because I thought there were a lot of excellent points being made. I'm not a lawyer. I'm related to about 50 million lawyers, but I'm not a lawyer. I was too smart to take on that debt. But I have spent a bit of time with our justice-involved youth over the past year. And some of their greatest allies and advocates for their future have been lawyers. And I would encourage Senator Groene, if he hasn't already, to go and talk with some of these youth and their lawyers. These are not high-paid individuals. They are public servants, usually. They're court appointed. Some of them have a private practice, but are appointed by the courts and they are not paid a hefty sum for that work. They do it because they care about children, not because they are trying to line their pockets. These kids that are involved in the justice system oftentimes we know have a parent who is also justice involved. And by not allowing them counsel, we are perpetuating the preschool to prison pipeline. We're putting kids in the justice system who don't know any better than to not get into the justice system on their own and can't navigate a complicated court system. So I am grateful to Senator Pansing Brooks for bringing this bill and to the Judiciary Committee for bringing it out of committee and bringing it to the floor. This is another really excellent thing that we can do for the children of Nebraska to give them advocates, to give them a voice in the courtroom. I know that if I were in front of a judge for any reason, I would never want to be there without a lawyer. And so I don't think that a 14-year-old should either. And with that, I would yield the remainder of my time to Senator Pansing Brooks.

FOLEY: Thank you, Senator Cavanaugh. Senator Pansing Brooks, two minutes and a half.

PANSING BROOKS: Thank you, Mr. Lieutenant Governor. Thank you, Senator Cavanaugh. To continue, I want to say that the fact is there were good

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questions yesterday during the debate. But no good argument, in my opinion, has been made against this bill. I keep hearing the words, well, it's not necessary. I asked, not necessary for whom, exactly? It's clearly necessary for the kids. Senator Groene brought LB147 before this body. And I keep hearing all kinds of people say that this bill isn't necessary. But Senator Groene argues that all he is doing with LB147 is putting what the Nebraska Supreme Court already decided in the Daily case into the Nebraska statute. Well, that's all we are doing with LB231, colleagues. We're ensuring our statutes meet with U.S. Supreme Court decisions. So if LB147 comes back before us, Senator Groene will be arguing his bill is necessary. And he'll be frustrated when people in the body tell him it is not. I am still supporting AM1850, as I said on that bill, and I stand by that. But that bill has been changed significantly. When people say LB231 isn't necessary, they seem to be saying that a few judges don't like it, that perhaps it isn't necessary for those judges. And maybe a few judges don't think it's necessary for them. And maybe those judges are doing exactly as they should and making sure that the kids are waiving right to counsel with understanding, with intelligence, and with knowing-- knowing facts. There are many, probably most, who do. But the judge isn't--

FOLEY: One minute.

PANSING BROOKS: --the child coming into the court alone facing the dire actions and consequences for their actions. The child is the one with the most at stake in the courtroom by far. And for them, this bill is not only necessary, it is critical. I'll save time for later. Thank you.

FOLEY: Actually, you're next in the queue, Senator Pansing Brooks. You may continue.

PANSING BROOKS: OK. Thank you, Mr. Lieutenant Governor. So yesterday Senator Gragert said, let kids be kids. Kids make mistakes. I could not agree more, Senator Gragert. I thought you were making my argument for me. I was so happy because they do make mistakes. But in this case, when they don't have counsel, that mistake follows them the rest of their lives. When we were younger, yeah, you could go into court, the judge would sort of take on the mantle of the parent and say, you shouldn't be doing this or else. Well, now the kid has to plead. And that plea can follow them the rest of their lives. Senator Groene talked about the fact that-- that kids get counsel automatically if

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they go to-- have to go to YRTC. But what I'm arguing about is they come in without counsel, make their plea, and assuming that they're gonna get a lighter sentence by pleading guilty to something, as Senator Lathrop said, stealing a piece of gum or having an MIP or, sure, more significant offenses. But then they leave and they come back and then is when they get an attorney. They've already pled. Too late. I'd like each of you to think about going into a courtroom yourselves and go in there with some sort of criminal charge and make the plea and then think about hiring the attorney before you-- before you're going to hear what the disposition of-- of the case is. Nobody in their right mind would do it, nobody in their right mind, which includes children. Children we know are particularly vulnerable. So, yes, let kids make a mistake. Let the attorney argue that this is a mistake. If the kid wants to try to argue it themselves because they're capable enough to understand what's needed and necessary, then yes, the child should be able to do it. But children are facing out of home detention, unlike in adult court, for every single action that they-- that brings them before the court. And the role of the-- of the county attorney is to-- to advocate as fiercely for the state as they can. That does not mean that they're contemplating the good of the child. They are to contemplate the good and the safety of the state. So, again, I-- we're costing more money if we're going to use the courts for disciplinary purposes. Think of that. I passed out a sheet that-- that talks about diversion and results found that 70 percent of juveniles do not have any law violations two to three years after completing a diversion program. While each court appearance costs \$300 to \$400, a youth served through the juvenile diversion program costs only a few dollars per day. Nebraskans, listen to this. Talk to your senators. Of course, no one is receiving a call from a child. I did bring the mayor of-- of Boys Town here to tell you how he sat-- sat in jail for three and a half weeks without any understanding, any knowledge of why, what his repercussions would be. But unfortunately, other than a couple in here-- and I want to thank Senator Hilkemann and Senator Ben Hansen and Senator Arch-- many of you just argued with the young man, argued about his experience, invalidated what he was saying to you. He went home discouraged that you wouldn't listen to him, discouraged and upset, and decided, I'm done talking to the senators. They don't want to listen. Again, those that I just mentioned, Senators Arch, Ben Hansen, and Hilkemann, did kindly listen and-- and gave him credit for what he was saying. Whether they agreed

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or not, they listened kindly. I ask that we all do that the next time somebody pulls you out and--

FOLEY: One minute.

PANSING BROOKS: --tells you their story. I have letters. I have letters from judges to read to you. Senator Groene said that, you know, I've polled a few judges. I've passed the letters out to you. I have them highlighted. Senator-- juvenile justice-- Juvenile Court Judge of Lancaster County Heideman wrote: I wanted to share with the committee how these provisions have impacted my courtroom. On a whole, I have been pleased with the changes I have seen. And looking at our county budget, the increase in appointment rate has not negatively impacted our budget. We are still early in the process. He said, further, in my experience under the old system, there were many times when I would ask the youth if they wanted an attorney; and the first thing they do is look at their parents. If their parents shake their head no, they would say they didn't want an attorney. I then had--

FOLEY: It's time.

PANSING BROOKS: Thank you.

FOLEY: Thank you, Senator Pansing Brooks. Senator Vargas.

VARGAS: Thank you very much, Lieutenant Governor. I'm just getting myself situated. Haven't spoken on this yet, not-- for a variety of different reasons. One is I'm not a lawyer. And though many people have said that before, I don't think that necessarily disqualifies anybody's views here, as many proponents and opponents on both sides have spoken, not having experience in the juvenile court system or have been lawyers themselves. I know we often are debating here and I am looking at some of my colleagues. Not everybody's here. I hope those that are still con-- that are still considering this bill. Sometimes we view things from a very black and white light. We think it's very binary. Either there's too much regulations; we shouldn't have any regulations; we should have more free market; we should have less; we should have more funding; we should be cutting spending. I-- I truly believe that this bill does not operate in this light entirely. We're being asked to judge whether or not there's a good reason to ensure that due process applies for everyone. And that-- that is more than just important. We've been debating this several, several years now. I know there's some people that are just gonna be

against this, and that's fine. If they're gonna be against it and they've been somewhat consistent and-- and they've engaged with their communities, that is part of what we do. But for those of you that maybe are still on the fence, I know there are some of you that are on the fence, I ask you to consider that this is not just a policy decision we're making in a vacuum. Some of you know this because maybe I've shared on the mike a few times and some of you may not, we use this term intergenerational poverty and disproportionate minority contact constantly. And the-- so disproportionate minority contact is just this-- this term that is saying that in our justice system, individuals of color and individuals from low-income backgrounds are more likely to end up and be affected by the system. That's not an interpretation. That is a fact. OK, that's one. The second is intergenerational poverty. It exists whether or not you want to agree it does or does not. I'm-- I am one-- one proof that it is possible to get out of intergenerational poverty. My parents came to this country when they were 19, and I'm fortunate enough that they sacrificed a lot. They didn't have beyond a high school education, and I got to go to public school and-- and go to college. But what-- what I'm really trying to communicate to you is throughout my entire career, I was on the free and reduced lunch program. I was a Pell Grant recipient. My family lived in-- we were considered low income. Now statistics tend to show us that when students are children and juveniles end up in our system, they're more likely than not gonna continue to end up in poverty. And this-- this generational con-- continues to carry on. So what I'm asking you to consider is not whether or not we're just saying this is right for rural or urban Nebraska or we should mandate this, but whether or not we're actually having a positive economic impact and we're trying to get ahead of some of the social ills that happen when poverty continues to pass, generation to generation. We're talking about trying to make sure that we're not having more individuals that are overly reliant maybe on public assistance programs. If we truly don't want that, we need to make sure that individuals and juveniles like people in my own family don't end up in the criminal justice system. Right to counsel seems like a very simple, well-meaning policy. So I'm asking you and for those that are not here, that are listening to me through their TVs in their office, or if you are here, I'm asking you to consider that when you're making the decision on this bill, do not think of it as binary. Think of it as are we doing something that's gonna help the next generation of poverty that we are trying to desperately--

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FOLEY: One minute.

VARGAS: --curtail in some way, shape, or form so that people have greater economic wealth and prosperity. And this is one way to ensure to do that. With that, I will yield the remainder of my time. Oh, OK. Never mind. OK. I'll yield the remainder of my time to Senator Pansing Brooks and thank everybody and hope you will support LB231.

FOLEY: Thank you, Senator Vegas. Roughly a half minute, Senator Pansing Brooks.

PANSING BROOKS: How long?

FOLEY: Half minute.

PANSING BROOKS: OK, I'll finish reading. So when the-- this is with Senator or with Judge Heideman's letter, he said that the-- the kids would look at the parents and the kids would shake their heads no. They said they didn't want an attorney. I then as judge had the responsibility to explain the you-- to the youth and the parents that this was the youth's right and not the decision of the parents. Whether you like this or not, this is the law, the constitutional law. This would create a tense environment in the courtroom and some parents would be upset. The early appointment in the process has created a smoother system--

FOLEY: That's time.

PANSING BROOKS: --wherein youth can make an informed decision about the waiver of counsel. Thank you, Mr.--

FOLEY: Thank you, Senator Pansing Brooks. Senator Groene.

GROENE: Thank you, Mr. President. I'm clear the record. Senator Pansing Brooks gave an example of a young man who the judge said you cannot-- did you realize because you pleaded guilty to a drug conviction you cannot get federal aid? That is absolutely false. Your records are sealed. If you had a drug conviction, at-- at the age of 16, you fill out FAFSA form, you get federal aid. There is only one small area where you will lose your federal aid. If you are receiving it and you are convicted, you lose your federal payments until you complete probation or the drug treatment and-- or take two tests-- drug tests by a reputable drug treatment company. And then you contact your financial aid office at your school and your federal forms money

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comes back. That is absolutely false. Whatever that judge-- and it might have been 20 years ago. Things have changed. But you do not lose access to federal grants for education. Number two, Senator Pansing Brooks, would you take a question?

FOLEY: Senator Pansing Brooks, would you yield, please?

PANSING BROOKS: Sure.

GROENE: Why are you giving authority over this fund to the-- what's the name of it-- the Public Advocacy? Why?

PANSING BROOKS: Because that is the group that does public advocacy for adults. That group was created to handle indigent adults as well so.

GROENE: Well, I have checked and almost all other grants were handled by the Crime Commission, for example, Violence Against Women Act Fund--

PANSING BROOKS: The Crime Commission preferred this.

GROENE: You answered my question.

PANSING BROOKS: I, I--

GROENE: Community-based juvenile services fund. That kind of fits in there. Why would we give a fund to a group that is not used to working with the courts in this manner, with the grants when the Crime Commission is-- is the one that does it? Anyway, that-- I want to remind everybody in this room-- oh, one more thing I'm gonna ask Senator Lathrop a question if he'd answer.

FOLEY: Senator Lathrop, will you yield, please?

LATHROP: I'd be happy to.

GROENE: According to this bill, parents who can afford it are forced to pay the legal bills. Can you tell me another instance in our court system where a second party is forced to pay the legal bills of the defendant?

LATHROP: I'm not sure what your question is.

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GROENE: Is there another instance in law where that second party is forced to pay the legal bills of a defendant in criminal court?

LATHROP: I'm not sure what you mean by second party.

GROENE: The parents.

LATHROP: Oh, oh, oh. Well, we have statutes-- we have statutes in place that make parents responsible for certain deliberate acts of their children.

GROENE: I understand. Thank you.

LATHROP: So for property damage [INAUDIBLE]--

GROENE: There is no other place in law where a second party is forced to pay the legal bills of the defendant. That's what we're doing here. I'm gonna remind everybody we have a fail-safe system. We protect the person's constitutional rights to counsel or not to have counsel. The juvenile is asked, do you want counsel? Yes or no? The guardian or the parents are asked. Yes or no? Do you want counsel for this child? The parent-- the child can then refuse counsel. The parents cannot. Third, the judge sits there and sees the dispute between the parents and the child or sees that there's a problem here. The judge then says, no, you're having an attorney. The system is fail-safe. We have very good--

FOLEY: One minute.

GROENE: --lawyers. We have very good judges in the system. They look after the welfare of the child, what is best for the child. We don't know why a judge all decided to send a child to the Y-- to Kearney. The youth, might have been a very good reason, very good reason. But I don't think it's to punish them. It's to rehabilitate them. And the-- and they had an attorney. Folks, this is a problem. This is an answer looking for a problem. And by the way, I apologize to used car salesmen yesterday for comparing them to lawyers. And I apologize to good lawyers for even bringing the comparison. But anyway, [INAUDIBLE] two groups at once. But anyway, the problem is this: Always remember, the legal system is a free market system.

FOLEY: That's time. Thank you, Senator Groene. Senator Hunt.

HUNT: Thank you, Mr. President. This isn't an answer looking for a problem. If this is a problem for one child, let alone hundreds of children, which we know it is, then it's a problem. And I want all of you to ask yourselves, especially if you think that you're supporters of children, how many children have to be put into this system before we say now there's enough children that we think it's a problem? Now there's a reason for us to do something. What really got me onboard with this bill and feeling much more passionately about supporting it were the stories of kids going through the juvenile court system who just wanted to get through it. They just wanted to waive everything. I just want to be done. I don't want to be here. And then they end up having consequences for the rest of their life that maybe they weren't really even aware could happen. Now you can't get financial aid for college. Now you're system involved forever. And there's all of these things that follow you throughout life. And we know that. We also know that kids of color are more likely to be impacted by these systems. And people have made points about that that I think are very important for you to think about. I spoke to several of you off the mike over the last couple of days about my own behavior as a teen. I was a shoplifter and I got caught and I went to juvenile court and I could have very easily been one of these kids who got involved in this system if it weren't for my parents. My white, middle-class parents got me a lawyer. They said, my kid's not gonna be one getting lost in the system. And now I'm a state senator. So, I mean, and a lot of you that I talked to have similar stories, too, I'll add, because this is like a very common thing is making a mistake when you're young. And many of you who are in opposition to this bill have also talked about, well, kids have the right to make a mistake. They should be able to make some mistakes and they shouldn't have to throw their whole life away for it. And at the same time, you kind of seem to be able to say, but these kids need to pull themselves up by their bootstraps and defend themselves in a court of law by themselves. If they want to be a lawyer, they can go to law school. People make choices. People have rights to defend themselves. It's like we're talking about kids. That sounds crazy to me. That sounds very wild, because you only have to see in the news that justice is not applied equally to everybody. Not every child has the right to make a mistake. You just have to see the black teenagers and brown teenagers who are shot by police. They didn't have the right to make a mistake. And in most cases, they didn't even make a mistake. Look at the immigrant children at the border who are detained, separated from their parents, adopted out to white families and families overseas. You can read stories about this.

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They don't have equal access to justice either. So do we support kids or not? In this body with this particular cadre of colleagues, it always depends on which kids. It's not black and brown kids. It's not poor kids. So ask yourself which kids you're standing for. I think some great points have been made about diversion, how that really lowers the cost to the state. I think this is gonna be a cost-saving bill for the state. It's gonna just bring justice to kids, which is a good enough reason on its own. Senator Wishart had some interesting points, and so I'll yield the remainder of my time to her.

FOLEY: Thank you, Senator Hunt. Senator Moser, excuse me, Senator Hunt. Excuse me. Senator Wishart, 2:00.

WISHART: Thank you, Mr. President. Colleagues, I wanted to give you an example. I-- I was talking with-- with one of the legal counsels through a potential situation that I think would resonate with you and definitely resonates with me why it's very important that youth are given the tool and their parents are given the tools to navigate a complicated judicial system. So in 2018, the Legislature passed LB990, which resulted in any juvenile who's adjudicated of a felony in a Nebraska juvenile court, meaning they lose their ability to possess a firearm until they're 25 years old. So if they between the time that they've committed that felony and they're adjudicated, if they are caught with a firearm, it's a felony. I mean, think about that. That's a-- that's a youth's Second Amendment rights that are impacted--

FOLEY: One minute.

WISHART: --by not being able to navigate this complicated judicial system. And if they had had a lawyer that could help them figure out if they could plead to a misdemeanor, that could change something that would haunt them for a long time in their life. That's their Second Amendment rights. So all of us who are talking about the importance of our constitutional rights, it is critical that youth are given the same kind of route-- right to counsel so that they are-- they're able to navigate a court system and not lose those rights. Thank you.

FOLEY: Thank you, Senator Wishart. Senator Moser.

MOSER: Thank you, Mr. President. Good morning, colleagues. I oppose LB231 for the following reasons. The problem I don't believe in greater Nebraska is large enough compared to the cost and the extra time that is required to follow this bill. I talked to our county

attorney in Platte County and the deputy county attorney who handles the juvenile cases. And I also talked to a defense lawyer who has represented clients in the county court and-- in Platte County, and they don't see the problem that requires every youth to have an attorney. They feel that the judges are fair. And if there's any potential for jail time or possible assignment to the youth treatment center that attorneys are given, but they didn't feel like the one size fits all was a good idea. They also said that there would be extra cost, which we've talked about before, but they also said that it would increase the time in court because the attorneys are going to drag the process out to try to represent their client. In my opinion, parents are the first line of responsibility for raising their children, not the state. Hiring an attorney to challenge a charge when the juveniles are guilty sends the wrong message. It says that the commission of the crime is not a problem. The focus shifts away from teaching juveniles to obey the law and toward trying to avoid punishment. So it's not a matter of don't commit the crime. It's helping them get away with it. As long as you can duck the charge, then you're-- you're all right. I think LB231 extrapolates the problems in the bigger counties to the rest of greater Nebraska. And I-- I've traveled this whole state and I've been in Omaha. I've been in Lincoln. I've been way out to the west border, to the north border, the south border. Nebraska is not all the same. The things you see in the bigger counties you don't always or ever see in a lot of those other counties. You know, Platte County is different than Lancaster County. Custer County, Arthur County, Blaine County, those counties are different. The problems there are not the same. Let's keep the focus on encouraging good behavior in our juveniles, not in getting away with bad behavior. If we wanted to bring a bill to solve this problem, maybe we should require a course in high school about the consequences of breaking the law and not how to get away with it. If I have any time remaining, I'd give that to Senator Groene. Thank you.

FOLEY: Thank you, Senator Moser. Senator Groene, you've got about two minutes.

GROENE: Thank you. I wanted to-- I hadn't brought this up before, but in a debate in 2018, you might have thought this were-- were an outlier in Nebraska that we don't do this. Only six states, six states, have enacted legislation like this. So we're not an outlier that we're taking rights away from children. We are-- we are maintaining their rights that they may or may not have an attorney if they wish, and their parents. And the judge is the always the backstop

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to say, no, you shall have an attorney. The other thing is, Senator Cavanaugh said us conservatives should go talk to these kids that have been in the system. I come from a hard core, blue collar, small farm background, put myself through college in a foundry, worked, got my hands dirty. I lived it. Kids get in trouble. They come to me all the time, young people said-- said, you know, I got in trouble. Yeah, fine. Go on with your life. America. You've lived the American dream. It's there. Just work hard and--

FOLEY: One minute.

GROENE: --keep your nose clean. It's still there. Big government wants to protect them from everything. There are consequences to freedom. There's cost to freedom. If you step outside the boundaries, we need to-- youth need to understand you must conform to certain things in a free society, not that there's always a way out. Also about Senator Cavanaugh said, have you talked to attorneys. My public defender elected, Bob Lindemeier, been there 30 years, about as far left as I am right. He has encouraged me over, over on this to stop this because he does his job. And he also says we need to let the system work. We try to encourage the kids, all of them, to go to diversion. This is bad. This is bad for his office.

FOLEY: It's time.

GROENE: Thank you.

FOLEY: Thank you, Senator Groene. Speaker Scheer.

SCHEER: Thank you, Mr. President. We are now at our three-hour threshold, so we'll move forward to the next bill. Thank you.

FOLEY: Thank you, Mr. Speaker. Mr. Clerk. Items for the record, please.

ASSISTANT CLERK: Mr. President, I have notice of committee hearing from the Health and Human Services Committee and from the Revenue Committee. Next bill, Mr. President, is LB287, which was introduced by Senator Quick. It's a bill for an act relating to Game and Parks to permit fees, adoption, promulgation of rules and regulation, issuance of orders; change provision relating to lifetime, multiple-year, and annual stamps and fees; change annual permit fees and temporary permit; provide for resident and nonresident fees for preference points or bonus points; change provisions for motorboat registration;

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Aquatic Invasive Species Program; and harmonize provisions. Bill was considered previously on January 13 of this year. At that time, the committee amendments were adopted, as well as an amendment to the committee amendments from Senator Hughes. Body is now considering a motion to return the bill to committee, that offered by Senator Hughes.

FOLEY: Thank you, Mr. Clerk. Senator Quick, the bill has been on the floor previously; but if you'd like to take a couple of minutes to refresh us and I'll offer the same to Senator Hughes for a couple minutes, then we'll proceed to the debate. Senator Quick.

QUICK: Thank you, Mr. President, and good morning, colleagues. Yes, LB287, it provides several changes to statute that have been requested for by the Game and Parks Commission. Many of the change in this bill are focused on taking a customer centric approach and trying to meet some of the customer needs and trying to build and recruit new customers. Some of the changes were not raised-- it's not raising the boat registration fee, but incorporating the aquatic invasive species fee into that registration fee. Another one would raise the nonresident caps for permits to \$55 from \$45. It doesn't raise any of the resident fees. It also gives flexibility to offer permits for combinations of temporary reduced rates or at temporarily reduced rates for specific time frames and events in conjunction with other permit sales. It also allows for options for hunter-- hunters and fishers to set out a draw permit, but still allow them to purchase-- purchase a preference point. It also will determine by regulations the application of hunter orange for other hunting seasons. It also would give options to include promotional materials or items in addition to information for-- for the public of outdoor recreation opportunities in Nebraska. And last, it would also allow for elimination of several fees charged for replacing lost or damaged permits. I would like to take the time or take this time also to thank Senator Hughes, Senator Erdman, Senator Stinner. We all were able to sit in a meeting with Game and Parks with some of the commissioners and-- and the directors to work on some things. And I think it was a good meeting to hear some of the concerns that had been expressed earlier. So I just wanted to take that opportunity to thank everybody. Thank you, Mr. President.

FOLEY: Thank you, Senator Quick. Senator Hughes, if you'd like a couple of minutes, you may do so, and then we'll proceed to the speaking queue. Senator Hughes.

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HUGHES: Thank you, Mr. President. Good morning, colleagues. I do wish to withdraw my motion to recommit. Through this process, I want to thank Senator Quick for helping me to have an opportunity to sit down with Game and Parks' commissioners and personnel. And we have come to an agreement. There's a bill that's coming up later on the agenda that I will discuss more about how that agreement came to pass. So my objection to this bill has gone away. You know, part of the negotiating process that we're going through and I was trying to be very clear about that up front with Senator Quick before I began elaborating on Game and Parks issues. So I do want to thank him publicly for helping me and the Game and Parks come together and resolve some issues and open the lines of communication much better. So I appreciate that. With that, I will be voting for the bill. Thank you, Mr. President.

FOLEY: Thank you, Senator Hughes. The motion to recommit has been withdrawn. We'll now proceed to the speaking queue, debate on LB287. Senator Chambers.

CHAMBERS: Mr. President, members of the Legislature, I did not have the opportunity this morning to speak on Senator Pansing Brooks's bill. But as I listened to things on this floor, I've stated time and again I hear sense and nonsense. There's one thing I want to correct. It's a misapprehension that a lot of people have about the statement that Senator Lathrop made. First thing we do, let's kill all the lawyers. In order to understand that statement, now somebody like Senator Groene would say, that's right, kill him because he likes that idea. But somebody like me would want to look behind those words, see who is saying them, why they are being said. And Senator Groene doesn't mind being the example. He talks about lawyers, you know, like they got a tail and any other group he doesn't like, he comes down on them like a ton of bricks. So he's got to be able to take it. I can take it and I'll give it back. This was a situation, to make a long story short, Senator Moser, because you lose your concentration. That's how I make people listen. I'm going to proceed the rest of the session in a-- in a leisurely way, because you all don't have concern about the issues that are of concern to me, so I'll reciprocate and not have a great amount of concern about the interests that you have. But there was a group of men who were of-- to use the quaint language of the "Bibble"-- of the baser sort. They were interested in what would be called insurrectional activity. And they felt that the biggest obstacle to their plans to disrupt society would be the lawyers. Their view was that the lawyers stood between them and them

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achieving what they wanted, which was to disrupt society. It was not somebody who had studied the work that lawyers do and found it to be so reprehensible that anybody just by virtue of being a lawyer should be killed. It was a statement made by people who wanted to do away with lawful society to the extent they could. And they were of the opinion that the impediment would be lawyers. Lawyers would stand against what they are doing. Lawyers would marshal the resources of the law to make sure that these nefarious activities would not succeed. So the rest of you, when you use that term, don't let it be in the sense that Senator Groene was speaking when he made some very negative comments about all lawyers. Understand, I criticize him as Chair of the Education Committee, but I really should criticize those who put him there. A lot of people want a badge or a title, whether they earn title to wear it, sport it or not. But when it's in the hands of other people to bestow or withhold it, the ones who bestow it are the ones to be faulted. We should have when we talk about education--

FOLEY: One minute.

CHAMBERS: --a philosophy that can be presented and the ultimate aim would be to persuade those who are in need of education that it's something which will benefit them, help carry them where they want to go instead of saying you're in the classroom and when you're in the classroom, you're gonna do what we tell you to do. And if you don't, we're gonna have the guard come in here and take you down to the principal's office who may call the police and put you in the criminal justice system. And that's the way a lot of these so-called counselors in these schools operate. Schools are not viewed as friendly places. You all forget that you have young people in this Chamber who are going to school now and they're listening to you. They're listening to those who are supposed to be the best society can produce. They're wondering where all of that intelligence that they have drummed into them is necessary. Where is it on the floor of the Legislature?

FOLEY: Time, Senator.

CHAMBERS: Thank you, Mr. President.

FOLEY: Thank you, Senator Chambers. Senator Erdman.

ERDMAN: Thank you, Lieutenant Governor. Thank you. Good morning. I listened to Senator Hughes this morning with his comment of

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withdrawing recommit. I understand that. I was in that meeting with Game and Parks and the director and some of the board members and they were cooperative. And I did appreciate that. We're going to solve some of those issues that have been nagging us for a long time. But I think the directors now understand that they weren't getting all the information they needed to make the correct decisions. And I appreciated their op-- appreciated the opportunity to sit down and visit with them. One of the things that I would like to address and this bill doesn't do that is we need to raise the fees for visiting our parks by out-of-state people. That number needs to be raised. For example, in Colorado, if you live in Colorado and you go to a recreational area in Colorado, it costs you \$81 to go to that recreational spot in Colorado; come to Nebraska, costs you \$41. So there's a disconnect there. And with the extra burden we put on our taxpayers, especially around Ogallala, to pay for those services we have to provide because of the extra people to come, I think the majority of that burden should be bore by those people who come out of state. And so going forward, I think Senator Gragert has a bill coming up to deal with fees, and we may have to address it there. But I agree with Senator Hughes's comments and I will be voting for LB287 as well. Senator Quick, I want to thank you for bringing this and for the opportunity to have us with you at the meeting when we met with the commissioners. I appreciate that. Thank you.

FOLEY: Thank you, Senator Erdman. Senator Chambers.

CHAMBERS: Thank you, Mr. President, members of the Legislature. To continue, we were talking about basic fundamental rights that exist in a so-called democracy, in reality, a democratic republic. When these principles are put into the constitution, they are deemed to be basic and fundamental to the health of the commonwealth. When I listen to these senators talk first about the price tag of protecting a right found in the constitution, I figure they don't know the front end of a horse from the back end or they don't know the business end of a snake from the harmless end. And as somebody said, they know the cost of everything and the value of nothing. The first thing these outstate senators want to yap about is what's happening to the farmers. I hear them yap about free market. Senator Groene even talked about something being free market. They don't mean that. Free market means to let the market determine. You got farmers raising corn and they're raising Cain because they want the federal government to compel big oil to mix a certain amount of ethanol into their product. They want the government to control that market. They say they're against government

regulation. They want the government to regulate big oil and compel them to help the farmers who say they believe in the free market. They believe in the free market when it comes to people who need help getting it. But if it's the farmer, the only thing that you ever see on them is the palm, because it's always up saying gimme, gimme, gimme. I saw where the Governor of this state and a woman named Ernst in Iowa want to talk to whoever is head of the Department of Agriculture or somebody, the Energy Department, to make big oil mix a certain number, billions of gallons of ethanol into their product. Why are you going to interfere with those who own a private business and compel them by government fiat to change the way they do business to benefit a certain sector of society? That's what these farmers here want. They are hypocrites or they're dumbbells or they're stupid or they think everybody else is. But I watch them. I listen to them. They talk about they don't like big government. Well, what is manifested in the way of big government any more than the power of the government being directed at a privately owned business and compelling them to alter the way they operate in order to benefit somebody else who's got a business in competition with them? Do you think these senators on this floor are that dumb? I used to didn't, but I think they are. They don't know what socialism means. Your Governor talks about creeping socialism and he wants the government to intervene in this issue of ethanol and how much big oil ought to be compot-- compelled to do for these people that the Governor likes. That's what I see. And that's why I call you all hypocrites.

FOLEY: One minute.

CHAMBERS: Would you rather be called a hypocrite or a dumbbell and a fool? I can read and I can understand what I read. And I know how-- how to formulate judgments. And the people on this floor and others who speak for farmers should be judged very harshly. Because if we talk about making medical care available to those who are poor and have sick children or family members, they say creeping socialism. Oh, but by the way, we-- I raise corn and the price of corn is not what it needs to be. So I need the government to let more of my corn be turned into ethanol. Then the government compel big oil to mix my ethanol in their product so that I can better compete against them. That's the free market system? These kids who sit here and listen know you all sound like fools. If what you manifest--

FOLEY: Senator Chambers, Senator Chambers.

CHAMBERS: Yes.

FOLEY: You may-- you may continue on your third opportunity.

CHAMBERS: Thank you, Mr. President. If what you show by your conduct and your words is to be an example of what education is, you all would quit school right now, wouldn't you? Because you're smarter than that. Now you were smarter than that before you step into the university. If we are going to dictate on the one hand certain things, try to persuade on the other hand of other things, our conduct should be such that whatever we say would at least be listened to because we show that we have some understanding, that we have some intelligence, that we know what is meant by cause and effect. And we know that just because A precedes B does not mean that A caused B. But if you look at the way things are done on this floor, they say this happened prior to that therefore it caused it. They don't know the difference between an existentially subordinated series of subordinated causes and a potentially limitless series of accidentally subordinated clause-- causes. They don't even know what those words mean. They don't even know if I'm talking sense or nonsense, but it's probably nonsense to them. There was a poet. He said: To a maid without learning. Do not of learning speak, for she thinks you conjure when you speak Greek. Those who are ignorant are not going to understand things. So either my colleagues are very ignorant or they are very duplicitous. You all had your way with Senator Pansing Brooks's bill. Now it's time to put the shoe on the other foot. And we will see how it feels when you wear it. When these simple-minded senators put changes in the Rule Book to try to stop me, they never can do it. And I'll tell them the reason I'll beat you because I can think and you cannot. If you create a rule that's supposed to pinch my foot, it's gonna pinch yours too. But I know how to get out from under it. Do you understand and realize that unless we're dealing with a cloture motion that has been made, I can jump to the head of the line whenever I want to. And since I'm going to show you at some point, I'll tell you how I'll do it. Bracketing a bill to a time certain is one of the top priority motions. It doesn't trump cloture. So you all are rambling and making no sense like you were on Senator Pansing Brooks's bill so I offer a motion--

FOLEY: One minute.

CHAMBERS: --to bracket to a specific day. And I am recognized immediately when the person then speaking sits down because I got a priority motion. So I speak my ten minutes. Then you know what I do? I

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withdraw that motion. Don't even take a vote on it. Then you all ramble and scramble. And then I get tired of listening to you so I offer that same motion, a priority motion, again. And we don't take a vote on it. And I jump to the head of the line. I can do that all session. And if you want to change the rules to try to stop me from doing that, it's going to stop you. But I'm like water. Wherever there is an opening, I'll find a way to go through it. And you won't because you're not smart. You're used to always having the majority, always having things your way. You listen to the nonsense of Senator Groene and you won't call him to task so you sound as dumb as what he says sounds.

FOLEY: Time, Senator.

CHAMBERS: Thank you, Mr. President.

FOLEY: Thank you, Senator Chambers. Mr. Clerk.

ASSISTANT CLERK: Mr. President, Senator Chambers move-- would move to, excuse me, to indefinitely postpone LB287.

FOLEY: Senator Quick, at this point, pursuant to the rules, you have the option of laying over the bill or taking up the motion.

QUICK: Take up the motion.

FOLEY: We'll take up the motion. Senator Chambers, you're recognized to open on your motion.

CHAMBERS: Thank you, Mr. President. And I knew Senator Quick would. Now I get ten minutes to open. Then I can talk two times. Then I can have another motion and another. And if you think I cannot do this for the rest of this session, you don't know anything about me. And if you want to find out, talk to the Speaker. Now when your Governor and some of these other hypocrites on this floor talk about Nebraska being a pro-life state and when it's cold, they have thousands of people out there walking in the cold, you know who they're walking for? A zygote. That's when two cells have met; an embryo, an early stage of development; a fetus, a later stage of development. But at no stage is that a full-fledged human being any more than an acorn is an oak tree. If you go to a restaurant, you order scrambled eggs and ham. Why don't you offer chicken-- ask for chicken and ham? If a human embryo is a full-fledged human being or a human zygote is a full-fledged human being, then an egg is a chicken. Don't go to the restaurant and order

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ham and eggs. Go to the restaurant and order chicken and ham, ham and chicken. People on this floor, many of them, are so bigoted and they hate people they describe as homosexuals, well then they've got to change the language, change the language. What is a human being? Homo sapiens. They like heterosexuals so you're a hetero sapiens. You're not a Homo sapiens. These geniuses create the language, don't they? They tell you what it means and they apply it in the way they want to. And they want to be insulting when they want to be disparaging. Christians know how to do that better than anybody else. They're the most hateful people you can find. And you know why? Because they spend so much time reading about evil, thinking evil, envying people who can openly be evil when they got to sneak around, put on disguises, go down into the bad part of town where nobody knows them, pull their coat up around their head. And another kind of Christian you'll have is one who-- let's say theoretically you got a guy he's a preacher and he wants to be a big shot, but he can't be. So the next best thing is to be around big shots. Well, to him a state senator is a big shot, biggest shot he'll ever be around. So he decides that he's gonna have a little Bible class with these senators and teach them about the word of God. God said do this. But if you don't do it, I can tell you a way to get out from under the punishment that you'll confront. But that man who's teaching others is an exemplification of the words in a song called Hajji Baba. Nat King Cole sang it. Hajji, Hajji, Hajji Baba, Hajji Baba. He was in love, so in love. Then he sings the song. Then he says, Deep in each soul, carefully hidden, Lies a desire to be indiscreet, Hajji has said, 'When love is forbidden, Love is so sweet, love is so sweet.' So these Hajji Baba kind of preachers talk to the senators and say, you must be born again. But he's got some attitudes about people who may belong to the groups and the individuals identified by the letters LGBTQ. And some people add a plus sign afterward. Now if people listen carefully to what I say, they will not attribute something to me that I didn't say. Now one of these slicksters might be up here praying over you all, preaching at you. The one you had this morning. I didn't have time to listen to him because I was doing some things in my office preparatory to speaking on Senator Pansing Brooks's bill. But I know he went over the two minutes that you tell these preachers they ought to respect. That's how much they respect you. I read that stuff. When they talk about what-- what the rules are to be a chaplain here, pray over you all, I read that stuff. They even have a place for them to park. But they're not supposed to park their carcass up there more than two minutes and they disregard it. The ones who are going to tell you obey the law.

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Let's talk about these estates. The government is one of the estates. We respect the government. The government was instituted by God. The government is an instrumentality of God. Then when he wants to come before the government and avail himself of the opportunity of praying over their worthless carcasses, the rule says two minutes. And don't talk about anything that is before the Legislature. Well, they can't tell time or they can disregard what you tell them because they have no respect for you. They have no respect for your rules. But they're the ones who want to tell everybody else how to live and how to do. I probably live a life so Spartan, if you use that term, that the life of a true Spartan would seem lavish. But because there are things that I don't want, do not lead me to tell other people that you shouldn't want it. I make decisions for me. I don't want to wear a suit, so I don't wear one and they can't make me. They tried to embarrass me at first in my early days into wearing a suit. I can this morning, by the way, I can digress because I have taken over this morning. So I listened to them. And you know what led to that? I didn't think they should be smoking in this Chamber and I said so, that there are people who don't want to be in the presence of that smoke. So to get at me, they're gonna say, well, we can't smoke then you got to wear a suit. Make me. They don't buy my clothes. And I told them that before I came here I barbered, and I still do. At that time, I was barbering. This is what I wear when I'm barbering, when I'm a working man, which none of you all do. And if the clothes that I wear are good enough for the people who give me my living, they're good enough for anybody. And if you don't like the way I look, don't look at me. And if you-- that's why you can swivel your head. Your neck allows you to swivel your head. So if you don't like what's over here, just look over there. And if you got a stiff neck, why do you think you got eyelids? So you can drop those eyelids and you don't have to look. But what I did and I still have it, got a packaged little child's shirt, little boy's shirt and put a little clip-on bow tie on that shirt. And I put it on my desk and it had a note: For all of you to whom clothing means so much, talk to the shirt. And then when you get tired of talking to the shirt and you want to talk to the man, you talk to me. There was no more talk about a dress code in the Legislature. But I also talked about the way I observe things; and when it's real hot, I said I noticed that under your arms there's kind of a white semicircle--

FOLEY: One minute.

CHAMBERS: --and that's usually a result of perspiration, which was in a liquid form. But then you let it dry and it whitened up. So when you

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raise your arm, I see that you've been sweating. I see how some of you apparently cannot afford it or you're too lazy to do it, to get your pants creased. So when I use my analytical eyes, I see two creases side by side. So when you try to iron the britches, you didn't follow the crease. You put another crease in them. Oh, and by the time I got through talking about them and the way they dress and why they wear those big old coats that they might not even button because it won't cover their girth, I said that's why you all wear these coats to hide that big old gut. Oh, I was a mean guy when I was younger. But as I've aged--

FOLEY: That's time.

CHAMBERS: Thank you, Mr. President.

FOLEY: Thank you, Senator Chambers. Senator Quick waives his opportunity to respond. Senator Chambers, you're recognized.

CHAMBERS: Thank you, Mr. President. [SINGING] Ol' man river. That ol' man river. He must know something. But he don't say nothing. He just keeps rolling, he keeps on rolling along. So I'm like Ol' man river. There's some things about a river that should be emulated. And one is the ability to just keep rolling along. And you all in your mind saying to each other, you and me. We sweat and strain down there; our bodies all aching and racked with pain. And then there's Chambers just rolling along, ignoring our pain. You know, why I ignore your pain? Because you are so comfortable in the presence of other people's pain, pain that we have the wherewithal and the obligation to ameliorate. We have that in our hands every single day we come here. But you'll march for the fetuses, the zygotes, and the embryos. But how about when whatever that potentiality for a human being is passes through the birth canal and is acknowledged by everybody to be a person in being, fully fledged, why all of a sudden do you no longer care? This is a child, the one that Jesus said, before you harm that child, think on this. Anybody, anybody who offends against one of these, my little ones, it were better for him that a millstone be hung about his neck and he be drowned in the depth of the sea. That's what your Jesus told you. Then we have a situation where there's a system operated by the state that abuses these children, that does not see that justice is done toward and for them. And we have people standing up here talking about, well, it costs too much. I didn't read where Jesus said you put a price tag on mercy, on compassion, on forgiveness. That's the first thing you all talk about here. And you wonder why I make fun of your

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religion. You make fun of it. And you supposedly believe it because you don't practice it. You practice it then talk to me about it. It's not good enough for you. Why should it be good enough for me? You're the one who knows it. You're the one who's been spoken to by Jesus and God and you tell both of them to go to hell. Well, what do you expect of me? And I don't even use that kind of language, but you Christians do. I never use God's last name. But you all do constantly. It starts with d; it ends with n. And you am in the middle of it, you religious people. You ought to stop that hypocritical praying that you do every morning. Do you think that I cannot do every day what I'm doing right now? You're gonna have to change your rules to stop me. And when you change the rules to stop this train, no train can get on the track and move. And if you try to pass a rule, as you've done in the past--

FOLEY: One minute.

CHAMBERS: --that's directed at me, you may as well put my name on it. But if you tried to do that, that would be unconstitutional because you have no right to deprive people of their representation, which happens to be embodied in me. So if you can't do it by statute, you can't do it by rule. But you all don't know that. So you do stupid things and you have to be embarrassed. But you're so lacking in intelligence, you don't even know that you've been embarrassed. Thank you, Mr. President.

FOLEY: Thank you, Senator Chambers. You may continue on your third opportunity.

CHAMBERS: Thank you, Mr. President. I decided that that little rendering I gave this morning of that tax that these people were talking about wasn't sufficient-- sufficiently long so I got to do another version. [SINGING] Legislators want a tax E-I-E-I-O. Everything they want to tax E-I-E-I-O. With a tax tax here and a tax tax there. Here a tax, there a tax, everywhere a tax tax. Legislators want a tax. They should take their tax and go. Then as Santa Claus would say, ho, ho, ho. Aren't we having fun this morning? Are you a lot like the child in the car? Are we there yet? And as John Paul Jones said, I have not yet begun to fight. And that's why they were losing, by the way. And the men around him said, well, J.P., start fighting. We're in trouble. He said that was a figure of speech. Well, you'll get there when I decide to let you get there. And you know why I can do this? Because I learn your rules. I'm just doing what your rules allow me to do. I always play by the rules-- always. But the

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difference between me and some of you is that you're gutless. You will not do what needs to be done, what you know to be done. Brothers and sisters, because you are my brothers and sisters, we're not always proud of our relatives, are we? But that doesn't stop them from being our relatives. If you are born of a man and a woman, then you are my brother if you're a male; you're my sister if you're female. And I am my brothers' and my sisters' keeper. And today I'm gonna keep you here for as long as I want to. And all you need to do is stand up and talk back to me. But you're not gonna do that. I had told you all the other day that there's some issues I'll take Senator Groene to task on because he put himself in a position to be taken to task. And if he can't stand the heat, you know what they say to do. But what I would not do is take him into an arena where he did not place himself. Then try to embarrass and ridicule him because he is not learned in that area. That would be unfair. And I won't be unfair to anybody. But if I see him do that to somebody, then I'll give it to him. And I won't do it around the corner and in a back room. I'll do it in front of his face. You know what got me upset with Senator Groene in the first place? And I'm not saying it because he's not here. He's watching. He used to sit where Senator B. Hansen is sitting now, not over there under the balcony, but that seat assigned to Senator B. Hansen. He challenges me for the amount of time he does not spend sitting in that seat. But I'm not sitting in my seat because I'm standing here. There's someplace else he'd rather be. But Senator Pansing Brooks was discussing something, and Senator Groene, because he used to bullying people where he came from, they scared him. He hollered across the room at her and I took him to task immediately and said, don't holler at her, holler at me.

FOLEY: One minute.

CHAMBERS: That's the way these cowards do. They bully people. He would not go to a group of strong men and talk the nonsense he does here to you all or even strong women because they would show him a thing or two. And sometimes you can tell the kind of childhood somebody had by how mean and hateful they are and how they want everybody else to suffer instead of letting their suffering-- I'll wait until I get to close.

FOLEY: Thank you, Senator Chambers. Senator Hunt.

HUNT: I'll yield my time to Senator Chambers.

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FOLEY: Thank you, Senator Hunt. Senator Chambers, 5:00.

CHAMBERS: Thank you, Senator Hunt. Thank you, Mr. President. I would not want even white kids to go through and feel what I felt when I was a child in school. I know how I felt and I didn't want anybody to feel that way. Let me tell you what I did with a little white boy. East Omaha is where poor white people live. White people call them river rats, white people do. Well, this little white boy came to school and he had a birthday and his parents didn't have much of anything because they lived in east Omaha. But the child didn't know that. And he had a pair of bib overalls. Do you all know what bib overalls are? I don't know if you wear those anymore. Now farmers used to wear. But now they wear either Hickey Freeman suits, Brooks Brothers suits. They wear Stacy Adams shoes, Florsheim shoes. They don't wear Frankenstein boots like me. You didn't know I could put my foot up that high, did you? But I was gonna tell you all why Frankenstein had to wear big boots the other day. You think we old people forget things, but we save it for when we want to make the point. Frankenstein was a monster, and I talked about how these monsters have a different nature put in them and act in accord with it. How frightened would you be of Frankenstein if he's coming towards you with flip flops, sandals, saddle shoes, wing tip shoes and you're gonna be scared of him? You'd do what Senator Lowe is doing right now-- trying to contain your laughter. But at any rate, this child had something that was new. But for those white kids in the school that I attended, bib overalls, however new they are, are not attire that should make you proud. So they laughed at him and he didn't understand why. And it bothered me and I'd been laughed at when that teacher read the story of Little Black Sambo and let those white kids laugh at me. So you know what I did? I made them stop laughing at one of their own kind. And there was a formula that I put together at that time. You've laughed at him before, but today you got two of us that you have to laugh at and one of us will change that laugh and take that laugh symbol off your face. And, you know, they stopped laughing at that little white boy. And maybe they laughed at him more, but they didn't laugh at him when I was there. But if I'd been like Senator Groene and some of these other white people, I'd have said, good enough for him. They laughed at me. Now they get a chance to see how it feels. But how does that make it right if it's wrong to laugh at me? I was reared in a church and I believed all that stuff when I was young. If it's wrong to laugh at me, then it should be doubly wrong to laugh at two of us. So my job is to make sure they don't laugh at either one of us. The white people didn't stop that.

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And there was a white boy named Donald Gibson. And if there's anybody still alive who went to school at Lothrop when we were there,--

FOLEY: One minute.

CHAMBERS: --they'll know that I'm telling the truth and who Donald Gibson was. He was an albino. He was-- there-- his skin was not white like this piece of paper, but it was very, very pale, very pale. And if you touched him and pressed, when you moved your hand you'd see the blood coming back into that space where it was. And he had pink eyes. His eyelashes were white, his eyebrows were white, his hair was white. And he-- his eyes danced all the time, back and forth, always like he's trying to see. And they called him Bunny Rabbit. And I didn't know that, that bothered him because he's white and they're white. But then one day I saw that it did bother him. And I told them, you're not going to call him Bunny Rabbit anymore. I'm black. They treat me like dirt. And God has taken--

FOLEY: That's time, Senator.

CHAMBERS: Thank you, Mr. President.

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

CHAMBERS: Thank you. God has taken the simple things of this world to confound the wise. The stone that the builders rejected became the head stone of the corner. I often refer to Billy Joel song because a part of it takes me back to when [SINGING] I wore a younger man's clothes. But I was a better man when I was a child than most of what's walking around here in britches on the floor of this Legislature. That child that I was then would put you so-called men to shame. You're bold and brave when you're in the majority, when you've got things going your way and you talk that mess, but there are poor people in your community that you don't help. We know there are sick people in this state, physically and mentally. Do you know what your Pope has done? Your Pope has gone to prisons and washed the feet of prisoners. He went to prisons where there were women and washed their feet. Your Pope, the one you all call God's vicar, the Holy Father and you wouldn't give somebody who's thirsty and pour a drink of water. And you're gonna be up there praying. Let me go on with my story about this guy who was up there praying. He doesn't like people who were designated either L, G, B, Q, or plus. So he put out some emails, email, hateful, like these Christians are. They're evil. They're going

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to hell, all the usual things that Christians throw out at other people. That's what I was talking about. And you know why I know it? Because some of the Christians who were going to his prayer meeting brought me these emails and showed them to me and they wanted me to do something about it. I said, I fight other people's battles, but I'm not gonna fight your battles. That's one of your kind. If it's offensive to you, you go confront him. You go talk to the Speaker. You go talk to those who let him have that space in this Capitol building and you all go down there and pray and whatever else you do with him. I don't know what they did down there. I never went. That's what I was talking about. And I'm sure there are some senators who saw those emails other than the one who brought it to me. And the sucker didn't mind it being known because he put it out there. I'd rather be me a thousand times over than the best so-called Christian I ever met in my life. I said, so-called. Now there are some people whose lives manifest what they say it is, they believe. You know why I whip you all with the Bible? Because I use your manual. I don't tell you I'm gonna set the standard for you. I take the standard you supposedly live by and show you you don't live up to it. Did Jesus say go out here and stand on the street corners and pray? He said, no, don't stand on the street corners like the hypocrites and pray. Or should you tell people how holy you are? What Jesus said, let your light so shine before men that they may see your good works and glorify your father who is in heaven.

FOLEY: One minute.

CHAMBERS: You said time?

FOLEY: One minute.

CHAMBERS: Oh. Then-- and I will have to wait before I can continue but I will stop. And then if no time is given to me, I will take my lumps and offer a motion. Thank you, Mr. President.

FOLEY: Thank you, Senator Chambers. Members, you've heard the debate on the IPP motion. The question before the body is the adoption of the motion. Those in favor vote aye; those opposed--

CHAMBERS: Call of the house and a roll call vote.

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

ASSISTANT CLERK: 14 ayes, 2 nays to go under call, Mr. President.

FOLEY: The house is under call. All senators please return to your desk and check in. The house is under call. All senators please return to the Chamber. Check in. The house is under call. Senator Bolz, will you check in. Senator Groene and Senator Stinner, please return to the Chamber and check in. The house is under call. All unexcused members are now present. The question before the body is the adoption of the motion to indefinitely postpone the bill. A roll call vote has been requested. Mr. Clerk.

CLERK: Senator-- Senator Albrecht.

ALBRECHT: No.

CLERK: Voting no. Senator Arch.

ARCH: No.

CLERK: I'm sorry, Senator.

ARCH: No.

CLERK: Voting no. Thank you. Senator Blood.

BLOOD: No.

CLERK: Senator Bolz.

BOLZ: No.

CLERK: Voting no. Senator Bostelman.

BOSTELMAN: No.

CLERK: Voting no. Senator Brandt.

BRANDT: No.

CLERK: Voting no. Senator Brewer.

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BREWER: No.

CLERK: Voting no. Senator Briese.

BRIESE: No.

CLERK: Voting no. Senator Cavanaugh.

CAVANAUGH: No.

CLERK: Voting no. Senator Chambers.

CHAMBERS: Not voting.

CLERK: Not voting, Senator Clements.

CLEMENTS: No.

CLERK: Voting no. Senator Crawford.

CRAWFORD: No.

CLERK: Voting no. Senator DeBoer.

DeBOER: No.

CLERK: Voting no. Senator Dorn.

DORN: No.

CLERK: Voting no. Senator Erdman.

ERDMAN: No.

CLERK: Voting no. Senator Friesen.

FRIESEN: No.

CLERK: Voting no. Senator Geist.

GEIST: No.

CLERK: Voting no. Senator Gragert.

GRAGERT: No.

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CLERK: Voting no. Senator Groene.

GROENE: No.

CLERK: Voting no. Senator Halloran.

HALLORAN: No.

CLERK: Voting no. Senator Ben Hansen.

B. HANSEN: No.

CLERK: Voting no. Senator Matt Hansen.

M. HANSEN: No.

CLERK: Voting no. Senator Hilgers.

HILGERS: No.

CLERK: Voting no. Senator Hilkemann.

HILKEMANN: No.

CLERK: Voting no. Senator Howard.

HOWARD: No.

CLERK: Voting no. Senator Hughes.

HUGHES: No.

CLERK: Voting no. Senator Hunt.

HUNT: Not voting.

CLERK: Not voting. Senator Kolowski.

KOLOWSKI: No.

CLERK: Voting no. Senator Kolterman.

KOLTERMAN: No.

CLERK: Voting no. Senator La Grone.

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La GRONE: No.

CLERK: Voting no. Senator Lathrop.

LATHROP: No.

CLERK: Voting no. Senator Lindstrom.

LINDSTROM: No.

CLERK: Voting no. Senator Linehan.

LINEHAN: No.

CLERK: Voting no. Senator Lowe.

LOWE: No.

CLERK: Voting no. Senator McColister.

McCOLLISTER: No.

CLERK: Voting no. Senator McDonnell. Senator Morfeld. Voting--

MORFELD: No.

CLERK: Thank you, Senator, voting no. Senator Moser.

MOSER: No.

CLERK: Voting no. Senator Murman.

MURMAN: No.

CLERK: Voting no. Senator Pansing Brooks.

PANSING BROOKS: No.

CLERK: Voting no. Senator Quick.

QUICK: No.

CLERK: Voting no. Senator Scheer.

SCHEER: No.

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CLERK: Voting no. Senator Slama.

SLAMA: No.

CLERK: Voting no. Senator Stinner.

STINNER: No.

CLERK: Voting no. Senator Vargas.

VARGAS: No.

CLERK: Voting no. Senator Walz.

WALZ: No.

CLERK: Voting no. Senator Wayne. Senator Williams.

WILLIAMS: No.

CLERK: Voting no. Senator Wishart.

WISHART: No.

CLERK: Voting no. 0 ayes, 45 nays on the motion.

FOLEY: Motion is not adopted, I raise the call. Mr. Clerk.

CLERK: Mr. President, Senator Chambers would move to reconsider that vote.

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

CHAMBERS: Thank you, Mr. President and members of the Legislature. This is just a foretaste. I don't even care about this bill. So you'll understand the way I operate. If this bill were on the verge of passing the amount of time allotted and it would have to come off the agenda, I would stop. I'm not upset with that bill anymore than any other bad bill that Game and Parks has. But if it was a bill that I didn't like, I would do to that bill what you all did to Senator Pansing Brooks's bill. And there was an expression: Remember the Maine. I don't know if you all know what that referred to. But when you all get one of these bad bills and you're eager to get a vote on it and I won't let you get on it, I'll say: Remember the Pansing

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Brooks. Remember the Pansing Brooks. You did it to her bill. You ran out the clock. I can run out the clock on every bill. All of you who think I can not run out on the-- run out the clock on every bill, raise your hand. As usual, I'm alone.

_____ : No, there's one over there, Ben Hansen.

CHAMBERS: Oh. Senator Hansen, Ben Hansen threw a challenge. He thinks I cannot run out the clock. But here's what Senator Hansen knows because Senator Hansen is an intelligent man. I will not run out the clock on every bill simply to show you that I can and because I said that I might. There is work that this Legislature needs to do. There is work that we're going to do. But you all don't take seriously enough the work that we do or the nature of the Legislature as an institution. You all are the ones who make it the butt of jokes by everybody. I can hardly go anyplace in the public without people complimenting me about what I do to keep those-- and then they use words that I don't use-- in line. I don't hear them praising other senators. But you conduct your affairs the way you want to conduct yours. I conduct mine the way that I have to. And when I say I have to, that construction indicates a certain type of coercion or compulsion. Mine is a self-imposed obligation. But I said I want to talk to you this morning a little bit about your "Bibble." You all are hypocrites. You don't believe the "Bibble." They have in some courts and some woman ran around and got them to put in every court in this state "In God We Trust." You don't trust God. You make people take an oath. You make them put their hand on the book, the "Bibble" and swear. They don't say swear or affirm, but swear to tell the truth, the whole truth and nothing but the truth. You say so help you God. But what you're really saying is I'll tell the truth, the whole truth, and everything but the truth. And if God helps me, God is going to help me not to tell this truth. I didn't understand, Mr. President. Oh, I thought you told me time.

FOLEY: No.

CHAMBERS: Oh. But I'll turn my light on just in case. The "Bibble" says don't swear at all. Don't swear by heaven because it's God's throne. Don't swear by Jerusalem because it's his footstool. Don't swear by your head because you cannot make one hair white or black. Swear not at all. So what do you do? You take the book with that admonishment that says don't swear at all and you make the people put their hand on it and swear, flying in the face of God. You don't like

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God. You don't believe in God. You don't trust God. And you disobey God. In your courts when you put that slogan up there for him, "In God We Trust." Then stop making people swear. Stop making them put their hand on the book that says don't swear at all. That's what Jesus said in that book that I refer to as the "Bibble." When I go up there to take what they call that oath for the Legislature, the constitution says that if you don't take the oath, you can't take the seat. But your Chief Justice has read what the constitutional oath is and he reads it the way it should, I swear or do you swear or affirm. You all don't read anything so you don't know anything. You play in the weeds, the big things you don't see. The little things, the peewee things you all will go to war over. Then the very thing your Jesus told you don't do is what you do. He said, don't give public prayers. That's what Jesus said. He said, go in your closet. And you pray to your God in secret, Jesus told you to pray to your God in secret. Oh, that's right. Your God is not the God of the Bible. So you don't have to believe-- obey that. But he told you something else. Then that God to whom you pray in secret will reward you openly. Then he says, don't be like the heathen with your vain repetitions. What religion is it that has vain repetitions? Be not as the heathen are uttering vain repetitions, for they think they shall be heard because of their much speaking. What religion is it that repeats over and over and over? I used to listen to him on the radio when I was a kid. It was the Catholic hour. Now you're gonna get mad at me. I'm just quoting what the Bible said. Vain repetitions-- it must be vain because it doesn't bring a result of any kind that's wholesome. It doesn't even change you. People say when I go to Congress, I'm gonna change such and such. You cannot change your neighbor's mind. You cannot change your own mind. You're not going to change anything. And people know that you're lying. You know you're lying. You won't stand up for what you believe. You're gonna find out which way the wind is blowing and that's the direction you're going to move. And you wonder why people are not influenced. You know what influenced people? Your example. If you see somebody who's hungry and you have plenty of food, your job is not to preach to other people about giving this person something or lecture that person, now if you had a job and worked hard, you wouldn't be here hungry because you this, that, and the other. And maybe you don't know that man has fourth stage pancreatic cancer, M.S., Parkinson's. You don't know, but you're judging. And Jesus told you, don't judge another man's servant. In fact, who are you who judges another man's servant? And the same judgment you judge with it shall be meted unto you. He told you don't judge. Let the wheat and the tares grow

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together. Then there will come a time of separation, and the head man is gonna do the separating, not you. But Christians don't feel any better than when they're condemning and damning everybody, especially if they're members of the LGBTQ+ community.

FOLEY: One minute.

CHAMBERS: Preachers love to gang up on them. I remember old Senator Foley up there when he was a senator, when I was talking about the mis-- the sexual misconduct in the Catholic Church, he said what I said was vile. He said it on this floor. And Jon Bruning was gonna run for lieutenant-- for Attorney General and Jon came running up here and joined what I said. And then Senator Foley told him, you're not gonna get votes if you keep saying that kind of stuff. So Jon apologized. And now what happens? Everybody in the world knows they're doing what I said all those years ago they were doing. And I had evidence of it and presented it. There was a priest in my neighborhood who was doing it, and I ran him out. And you know how I ran him out? I was going to Creighton then, and I was invited by some nuns to address them at Creighton. And I told them, one of your number, except he's a man, down there at St. Benedict is having sexual-- taking sexual liberties with young black girls.

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

HUNT: Thank you, Mr. President. Would Senator Chambers yield to a question?

FOLEY: Senator Chambers, would you yield, please?

CHAMBERS: Yes.

HUNT: Are you aware, I think you're aware, of this part in statute that says public school teachers must take an oath which includes some of the following language. They have to swear that they are not a member of any political party or organization that advocates the overthrow of the government or the United States or of this state. And that during such time as I am in this position of a public school teacher, I will not advocate nor become a member of any political party or organization that advocates the overthrow of the government of the United States or of this state, so help me God?

CHAMBERS: No. That's in the statutes?

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HUNT: Yeah.

CHAMBERS: I got work to do. Thank you, my child. I can be taught.

HUNT: Well, I-- well, I-- I introduced a bill this year to get rid of that and to say that public school teachers wouldn't have to say that anymore. And I thought, is this really a problem? Like I'm from Omaha and I don't hear a lot of public school teachers telling me that this is a problem in Omaha. But then I learned that there are still school districts in Nebraska that make their teachers say this. Did you know that?

CHAMBERS: No, I didn't. And I--

HUNT: I think that's pretty wild. I'm gonna yield the rest of my time to Senator Chambers.

FOLEY: Thank you, Senator Hunt. Senator Chambers, 3:30.

CHAMBERS: Thank you, Mr. President. Thank you, Senator Hunt. And I'm gonna get on that. Now that's what Senator Groene ought to be concerned about. You gonna make a teacher take a loyalty oath, so help them God? Now the senators who hear that you ought to be outraged, but you're not. This is what I mean about your hypocrisy. That should not be in the statute. I've said many times I do not read every page in the statute books. But when I'm out of the Legislature, they ought to hire me to start with volume 1, page 1 and just read them all and weed out the stuff that's-- that shouldn't be there. But that, that is horrendous. And I'm going to try to get something done about that. And it probably will surface as and offered a proposed amendment to some of these bills around here. And it can be ruled nongermane. Then I'll challenge the Chair and I'll do it again and again and again and again and again. And as a matter of fact, I'm going to get that statute and I'm going to copy it and I'm going to read it at least once a day. I'm gonna read it. If it is good enough for the teachers, ain't it good enough for the sinister senators? Don't get upset because I say ain't. I hear people around here saying ain't. I have always said if I hold to a position, no matter how strenuously and sincerely, if you can show me facts that demonstrate that I'm in error, I will not get angry. I will thank you for improving my education. And I herewith thank, Senator Hunt, for improving my education and the education of everybody in here if they will allow theirs to be improved. But you all don't even care about that kind of trash in your statute books.

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You probably think it should be there. You probably think there should be a loyalty oath to be in this Legislature. You all don't like me to call that fabric and because it upsets some of you all so much, I won't call it a rag. Oops. But I was saying what I won't call it. I won't call it a rag on its own but that might creep in. I wonder if, Senator Moser--

FOLEY: One minute.

CHAMBERS: --understands that when it comes to the proper display of the flag and my good friend Senator Clements, who probably wears a flag, it is never to be unfurled horizontally, ever. And what do they do at these big football games? They get military people and cops and everybody else to unfurl that flag horizontally. And they're not to do that. When you are facing the flag and the flag is facing the viewer, what they call the union or the field of stars is always to be to the left of the one looking at it. Military uniforms--

FOLEY: That's time, Senator.

CHAMBERS: --have the flag on their sleeve backward.

FOLEY: That's time, Senator, but you may continue on your next opportunity.

CHAMBERS: I'm up on my own time now?

FOLEY: Yes, sir.

CHAMBERS: Thank you. Did you all know that your government makes uniforms and the flag is backward? That flag on their sleeve and I showed it to Senator Brewer on a uniform he had and he acknowledged it. The flag was backward. I've got a photograph from some big old American plane that still had propellers. And I don't know if it's in a museum, but they keep it someplace and display it and the flag is backward. When you're looking at that flag, the field of stars is on the right of the beholder. That's backward. You all love the flag. You don't love the flag. You get upset with me. You don't trust that thing. How many of you all knew that Fran-- Francis Scott Key was a slaveholder? You know, wave that thing that you all worship, that I call a rag. Francis Scott Key wrote your Star Spangled Banner and he was a slaveholder and wrote the land of the free and the home of the brave. And he was holding other men and women in slavery. That's why I hate your songs. It's why I have contempt for it and the rag. The one

who wrote it was a slaveholder, my people enslaved. How many of you think that a Jew who had relatives who died in the Holocaust would want to be asked to worship the swastika? That flag represented and protected slavery. And these white men raped black women. A man named Frederick Douglass is now known even by some white people because he was such a dynamic speaker that some of his speeches are used for the purpose of teaching how to speak. He had a searing, undying hatred of slavery. His mother was a slave and his father was a white man. And Frederick Douglass said the greatest curse of a black slave woman is beauty. He watched while they took this black woman who resisted this racist sexual overtures. They tied her hands, her wrists together and put a rope through that under that rope that was tying her wrist together. And they threw it over the limb of a tree and they pulled it until she was stretched out naked from the waist up and he beat her bloody. And Frederick Douglass talked about what it did to him to watch this racist devil, this blue-eyed devil beating this woman bloody because she would not voluntarily open her legs to him and he's a Christian. And you all think I should feel about this trash the way you all feel about it. You're out of your mind. And if I was weak minded, I'd be out of my mind and I'd go do to some of you all what your white people do when they get upset with somebody. There was a white boy. He went to a black church. Black people welcome white people. They had a prayer meeting with him, invited him there, and he prayed with them. Then he preyed on them. He murdered nine of them and injured others in their--

FOLEY: One minute.

CHAMBERS: --church after being invited to pray. Your kind of people and it's your kind of people who go out here and multitudes kill these people, attack these Jewish synagogues. And then there are the Israelis treating-- mistreating the Palestinians in such a way that the Israelis can be referred to as neo-Nazis when it comes to the mistreatment of the Palestinians. Their land is being stolen. Jewish settlements are being built on that land contrary to international law and a ruling by the United Nations. But Trump, the Christian, says, go on and do it because Trump hates black people. I ought to use the word on this floor that he used to describe African countries, but I won't. But it starts with s, ends with t and has h-i between the s and the t and he put the hole on it--

FOLEY: That's time, Senator.

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CHAMBERS: --the blank hole African countries.

FOLEY: Senator Hunt, you're recognized.

HUNT: Thank you, Mr. President. In the research that I was doing about the oaths that city, state, county, township, municipal appointed officers, anybody has to take to hold office in Nebraska and realize that public school teachers are also included under this statute, I discovered another part of statute, Chapter 79, that they also have to take in terms of an oath. Would Senator Chambers yield to a question?

FOLEY: Senator Chambers, will you yield, please?

CHAMBERS: Yes, I will.

HUNT: Would you like to hear it?

CHAMBERS: Yes, I would.

HUNT: I'm gonna hand you a copy of my bill. So this oath says all persons engaged, well, this is the statute says: all persons engaged in teaching in the public schools in the state of Nebraska and all of their employees paid from public school funds-- so that's nurses, janitors, cafeteria workers-- shall sign the following pledge: I, state your name, do believe in the United States of America as a government of the people, by the people, for the people whose just powers are derived from the consent of the governed; a democracy in a republic; an indissoluble nation of many sovereign states; a perfect union, one and inseparable; established upon those principles of freedom, equality, justice, and humanity for which American patriots sacrificed their lives and their fortunes. I acknowledge it to be my duty to inculcate in the hearts and minds of all pupils in my care, so far as it is in my power to do an understanding of the United States Constitution and of the Constitution of Nebraska. So we are working on all that civics education stuff, but it sounds like that's already included in here in this oath-- a knowledge of the history of the nation and of the sacrifices that have been made in order that it might achieve its present greatness, a love and devotion to the policies and institutions that have made America the finest country in the world in which to live, and (4) opposition to all organizations and activities that would destroy our present form of government. If we believed in a lot of these things, we would be having some different outcomes for the bills on the floor like the one from Senator Pansing Brooks that just guarantees the right for children

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going through our justice system to have legal representation. And not have to stand up in front of a judge like we make the little two- and three-year-olds on the border who are facing deportation do. There's dozens of children in Omaha who are in that situation. And you might say, well, this is a solution in search of a problem because teachers aren't required to take this oath. This is a First Amendment problem. This is outdated. This is from McCarthyism and the Red Scare in the '50s. But this does still happen in districts in the state. And people have reached out to me about that. And that's why I think that's something that we need to repeal to reflect the reality of modern times, of the freedom and justice that we say we stand for, which includes freedom of speech and access to justice. And I'll yield the rest of my time to Senator Chambers.

FOLEY: Thank you, Senator Hunt. Senator Chambers, one and a half minutes.

CHAMBERS: Thank you, Mr. President. Thank you, "Professor" Hunt. You are instructing me this morning, and I will be instructed. And when I become convinced of something, I feel an obligation to act on it. When a government compels speech, the government is stepping outside its bounds. Some governments will compel speech, but this government is the one that condemns them. The Supreme Court, the Israeli Supreme Court has ruled in the past that the segregation and discrimination directed toward Africans who come to Israel because they deemed themselves Jews has to come to an end. Their court has found the Israeli government guilty of segregation and discrimination based on race. Then they want to talk about anti-Semitism directed against them. But here's where I'm different from other people. Netanyahu is as close to Hitler as anybody I've read about. But not every Israeli is Netanyahu. And Netanyahu, as some call him, is not every Israeli. But before he and those who run that government start putting on shows like they did yesterday, I believe it was, to commemorate the liberation of the people at Auschwitz.

FOLEY: That's time, Senator.

CHAMBERS: You said time?

FOLEY: Yes, sir.

CHAMBERS: Thank you.

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FOLEY: Thank you, Senator Chambers. Senator Pansing Brooks.

PANSING BROOKS: Thank you, Mr. Lieutenant Governor. Good morning, Nebraskans. Our state's unique motto is "Equality before the law." So know that whoever you are, wherever you are on life's journey and whomever you love, we want you here. You are loved. I wanted to state my preamble, which I got discombobulated this morning as we had-- as I had two different bills actively being worked on the floor today. And I wanted to also pass out something from the League of Human Dignity. Again, this-- these are a group of vulnerable people in our community. But they have a wonderful-- they represent a wonderful group of people in our community, many of whom are children, many of whom have trouble representing themselves in-- in front of a court of law. But I want you to know that the League of Human Dignity is out there doing great work for our straight-- state. They are working with people with disabilities to live independently since 1971 and were founded by people who experience disability. And a majority of the League staff are people with disabilities. So I wanted you to all take a look at the work, the important work that they do for our state. And former Senator Jim Pappas is out there and-- and said too often people don't realize what this important organization does. He asked me to pass it out on behalf of the organization. And again, I want you to understand people that are in need, people that need advocates, people that we have to work for to love in our state and to protect. And I thank you for that time. And I will give the remainder of my time to Senator Chambers. Thank you, Mr. Lieutenant Governor.

FOLEY: Thank you, Senator Pansing Brooks. Senator Chambers, 3:00.

CHAMBERS: Thank you, Mr. President. Thank you, Senator Pansing Brooks. I don't think that all Jewish people should be judged by what the Israeli government is doing. And I'm gonna show you how rotten Netanyahu is. He wants governments to formulate a definition of anti-Semitism. And you know what he wants included? Criticism of the Israeli government. He wants criticism of Israel to be considered anti-Semitism so you cannot express your views. Well, I'm very upset with what they're doing to the Palestinians and have done to the Palestinians ever since they stole their land. And if they didn't have the backing of the United States, Israel would have been driven into the sea by now. Israel was born from terrorism. You all got these gadgets. Look up King David Hotel. Look it up. Let's see the significance of it. Netanyahu knows that he's bringing hatred and attacks against Jewish people all over the world. He knows that. But

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it strengthens his hand politically in Israel because he right now is facing corruption charges and he wants to be held immune, just like your President Donald Trump, who feels he can do no evil. If you all swore an oath to uphold this government, then you ought to get rid of Donald Trump because he's a dictator and he has overturned the rule of law in this country without firing a shot. But you all are hypocrites when it comes to religion, when it comes to politics. Anybody who tells me he or she is a "Repelican" then I automatically have a notion in my mind of what--

FOLEY: One minute.

CHAMBERS: --that person is about. I won't mistreat him, but I wouldn't discuss anything with him. I wouldn't change their mind I know, and they have nothing to say that I care to hear. That's just the reality of life. But I don't mistreat people, even those whose philosophy I find to be abhorrent unless they do something to me. Then I'm not mistreating them. I'm giving them their just desserts. But if I didn't talk about what I'm talking about, you all wouldn't have any idea about what happens to black people and how we feel about it, because you don't see us as human beings. I'm supposed to sympathize if something happens to your little child, but I'm not supposed to be upset when something happens to my child. And you look at me with puzzlement. Your child has ADHD, well, so what? And your child got an earache and you want everybody to be concerned.

FOLEY: That's time, Senator, but may continue on your third opportunity.

CHAMBERS: Thank you, Mr. President. Being a black man who is conscious is hard in this country. You all get upset when I say that flag is a rag, but you don't understand. You don't-- you want to play like you don't understand. When I talk about the discrimination we face in housing, employment, zoning laws, in school, at home, at work, at play, and we're not supposed to get upset. And then I say that flag is a rag and you all explode, your head blows up, and you don't even practice what the blag-- the flag supposedly stands for. One nation under God, indivisible. That's a lie. It is divided. Everybody says is more divided than ever. And you all stand up here every morning and say, one nation, indivisible, you're lying through your teeth. Or are you telling me this country is not divided? I hear you all say that there's too much-- you all call it partisanship. You lie when you say that. There is not liberty and justice for all. We won't even pass the

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law to make sure that people cannot be discriminated against on the basis of their orientation, sexual orientation or perceived sexual orientation. We won't even pass a law to protect them in the workplace. And who are the ones committing the sexual improprieties in the workplace? White male Christians, heterosexual Christians pass a law against them. I see these things. They resonate with me. I cannot pretend they're not happening like you all can, sitting up here looking all sanctimonious and holy and praying every morning and saluting the rag. It doesn't mean anything to you. If it means liberty and justice for all, why aren't you out there fighting to make sure that everybody enjoys liberty, everybody is entitled to justice? You don't even want your children to have justice by having legal representation when they're in the courts of your laws. All of your courts saying "In God We Trust" and you don't even want the child to have legal representation. That's what I look at. That's why I call you a bunch of hypocrites. You stand up here and Senator whatever-- Senator Erdman. I don't like to say something when somebody is not here. He was upset because I said some things about Senator Groene. Mr. President, do I have a motion pending?

FOLEY: Yes, you do.

CHAMBERS: I pull that motion.

FOLEY: The reconsideration motion is pulled. Continue discussion on the bill. Senator Wayne.

WAYNE: Thank you, Mr. President. I had court this morning, actually juvenile court, so I wasn't here for the debate. But I do want to make a point that kind of what Senator Arch and I talked about and Senator Moser and I hope Senator Geigert-- Gragert and Senator Scheer are listening about why this is important, because we had conversations over the last two years. And I want to give an example. When you walk into juvenile court, you get a notice of your charges. The first 20 minutes, an attorney can tell whether the case is good, bad, or at least probable cause. At that point, you become adjudicated. Why is that important? Because most people in here do not know the difference between adjudication and a conviction. And I can tell you that most parents don't know the difference between adjudicate-- adjudication and a conviction. Adjudication is civil in nature. But the reality is, is when that 16-year-old goes to McDonald's and fills out an application, it says, have you been convicted of a crime? And they check the box yes. And most parents will tell them to check the box

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yes. But here's why you need an attorney. If I am charged with stealing a Snickers theft, a 16-year-old cannot get a job at most McDonald's around the state because insurance does not want somebody who has a theft conviction using cash. That is a huge insurance risk. But a good attorney will look at that theft and, one, it's an adjudication, not a criminal conviction. So they shouldn't even check the box. But more importantly, they look at the facts. And typically what happens in a case is somebody gets charged with or they're walking out of the store. They get caught. They shrug their shoulder and they kind of get loud. That's what kids do. They don't want to get caught. Well, that meets the definition of disorderly conduct. So as an attorney, I negotiate immediately with the prosecutor to get the theft charge dropped and we will admit. We don't plead guilty. We admit to disorderly conduct. Disorderly conduct is anything from playing your speakers too loud to actually causing a problem such as a physical altercation. But it looks completely different on your record. It looks completely different when somebody pulls your report. But here's the thing. If it was criminal, they're both the same charges. They both carry the same sentence. But how society deems them are completely different. So a good attorney will always try to move theft out of adjudication or criminal, because you can use disorderly conduct or some other charges that somebody can still go get a job. Now, that isn't explained the first day by a judge in the hearing whether you want to waive counsel or not. But unless you know those consequences, which most parents don't and most people who operate outside of the legal world don't, you'll say just walk in and take your punishment. You shouldn't have stole the Snickers. And so for that next three years, that kid is checking convicted. And actually, corporations are getting smarter now. They say convicted or adjudicated and they check that box and that kid will never be able to work the register at a McDonald's. That kid will never be able to work in an industry that has insurance or for a big corporation where cash is exchanged. That is why you need that advice up front. Hey, here's what you're charged with. Here are some options. If you don't want me as counsel, fine. But understand your options because that theft carries with you the rest of your life. And most of the time, a kid who turns 19 and may even have his record sealed will still check the box. He was convicted because he doesn't know any different or she doesn't know any different and the parents don't know any different because most of you in here probably thought it was the same. Juvenile

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law is civil in nature. It's not criminal. That's why they can't sentence a kid to jail. Probation is supposed to be therapeutic and--

FOLEY: One minute.

WAYNE: --rehabilitative, not as a punishment. But nobody knows that because you're not in, you're not in that world where you understand the difference. That's why it's important for that first hearing. You talk to somebody who isn't a judge who can explain to you your charges, your consequences, and some options. And if you want to waive them, waive them. But at least at that point, you made an informed decision because otherwise most parents who walk in and say, buck up, kid, you did wrong, say OK, I'll plead guilty. The judge is going to say, well, we don't do a guilty plea. We do an admission. It's called you admit. After that, he thinks he pled guilty and is stuck with that conviction for the rest of his life, not knowing that there's a record that can be sealed, not knowing that it's an adjudication and you don't have to check that box. That is the basic thing that people don't understand about juvenile law when you first walk in. And I hope Senator Pansing Brooks gets 33 so we can have more conversation because--

FOLEY: That's time, Senator.

WAYNE: Thank you.

FOLEY: Thank you, Senator Wayne. Senator Quick, you're recognized to close on the advance of your bill.

QUICK: Thank you, Mr. President. I just want to remind you that LB287 is a Game and Parks bill to do some updates for Game and Parks, and I would appreciate your green vote on LB287. Thank you.

FOLEY: Thank you, Senator Quick. The question before the body is the advance of LB287 to E&R Initial. Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

CLERK: 35 ayes, 1 nay on the advancement of the bill, Mr. President.

FOLEY: LB287 advances. Items for the record, please.

CLERK: Mr. President, Enrollment and Review reports LB266 to Select File. Hearing notices from Business and Labor and Nebraska Retirement Systems Committees. Senator Vargas would like to print an amendment to

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LB283. Senator Lowe offers LR304. That will be laid over. A series of name adds: Senator Hunt, LB518; Blood, LB534, Matt Hansen, LB777; Murman, LB825; Lathrop, Crawford, LB1019; Kolowski, LB1072; Lowe, Crawford, Kolowski, LB1084; and La Grone, LB1203. Mr. President, Senator Dorn would move to adjourn the body until Monday morning, January 27, at 9:00 a.m.

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