

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

**FOLEY:** Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the forty-eighth day of the One Hundred Sixth Legislature, Second Session. Our chaplain for today is Senator Lindstrom. Please rise.

**LINDSTROM:** If we could please, please bow our heads. Heavenly Father, thank you for the opportunity you've given us to come together today. Thank you for the opportunity to love our families, to appreciate our friends, and for every good thing in life which you have given us. Thank you, too, for the struggles that make us stronger and the trials and tribulations that help us grow into people capable of bringing honor to you. Give us the humility to put aside our differences and personal quarrels so that we may overcome the obstacles we face as legislators and come together to serve the people of Nebraska in a way that is worthy of the divine love you show us everyday. Amen.

**FOLEY:** Thank you, Senator Lindstrom. I call to order the forty-eighth day of the 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:** No corrections.

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

**CLERK:** New study resolution, Mr. President, by Senator Halloran, LR378, that'll be referred to the Executive Board. The weekly requirement about posting of reports filed on the legislative website, as well as the weekly lobby report, Mr. President, to be inserted in the Journal. That's all that I have.

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

**SCHEER:** Thank you, Mr. President. Colleagues, just something for you earlier this-- or earlier I got to thinking, you know, times have changed. The Governor will be speaking this morning. He will be escorted in, however, our customary handshake with the Governor coming in and out, I would ask you to dispense with. Certainly out of respect to the office of the Governor of Nebraska when he is introduced, I

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believe we should be standing upon his entry and his leaving, but please forgo the customary handshake and so forth. I think out of health purposes, I think that would be the best for everyone. So if you would just bear that in mind when our guest arrives, I'd appreciate it. Thank you, Mr. President.

**FOLEY:** Thank you, Mr. Speaker. Members, we're gonna move into Final Reading. I need all of you to be-- please be at your desks pursuant to the rules. Members, we'll now commence to Final Reading. First bill, Mr. Clerk, is LB911A.

**CLERK:** Mr. President, Senator Quick would move to return the bill for a specific amendment, AM3148.

**FOLEY:** Senator Quick, you're recognized for your motion.

**QUICK:** Thank you, Mr. President, and good morning, colleagues. LB-- or AM3148, we need to move the appropriations bill back to Select File to update-- or correct a date that was originally in the-- in the original amendment-- or original bill. It was in the fiscal year of 2019-20-- 2019-2020 fiscal year, which is closed out. So this amendment updates the fiscal year to 2021. I would appreciate your green vote and thank you for your support.

**FOLEY:** Thank you, Senator Quick. Is there any discussion of Senator Quick's motion? I see none. Senator Quick, you're recognized to close on your motion. He waives closing and the question for the body is to return the bill to Select File for a specific amendment. Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

**CLERK:** 39 ayes, 0 nays, Mr. President, on the motion to return the bill.

**FOLEY:** The bill has been returned to Select File. Mr. Clerk.

**CLERK:** Senator Quick would offer AM3148.

**FOLEY:** Senator Quick, you're recognized to open on AM3148.

**QUICK:** Thank you, Mr. President. And I guess I previously explained the amendment so please support this to move on. Thank you.

**FOLEY:** Thank you, Senator Quick. Any discussion of Senator Quick's amendment? I see none. Senator Quick's recognized to close. He waives

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close and the question for the body is the adoption of AM3148. Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

**CLERK:** 42 ayes, 0 nays on the adoption of the Select File amendment.

**FOLEY:** Thank you, Mr. Clerk, Is there anything further on the bill?

**CLERK:** Nothing further.

**FOLEY:** Senator Slama for motion.

**SLAMA:** Mr. President, I move that LB911A be advanced to E&R for engrossing.

**FOLEY:** That's a debatable motion. Senator Chambers, you're recognized.

**CHAMBERS:** Thank you. Mr. President, members of the Legislature, human beings become creatures of habit very quickly. It has become my, I won't say habit, but custom to have something to say at the beginning of almost every session. I'm not going to be here when the Governor comes. I would not be in the presence of somebody for whom I have no respect when he's allowed to come and take over this Chamber when he shows so little respect for the Legislature as a whole also. I will not do or say anything while he's here, naturally, because this is collectively our house. And when somebody is invited to be a guest, that guest should not be subjected to the kind of things I would say were I to speak honestly and forthrightly based on what my views are. The main reason I'm speaking is because I'm having handed out the transcript of a trial that I told you all yesterday I would do. I have to make a fast turnaround on many things down here that I do. One thing I hope you all will pay attention to if you read it before you tear it up and throw it away. I was on private property when this took place where I worked. Nothing that I did was on public property. I should be able to look at a police car or anything else that is going on, except I'm a black man and this is what you all do not understand. These things wouldn't happen to you, so you wouldn't even give it a thought. We have to think when we go out on our own property. If a cop is there, are we going to face arrest? You don't believe it. You have no idea of how hard it is for me to show restraint when I spend time here instead of being out in the community, or as you all would say, out in the street rallying people to do something. I believe in action. That is why I periodically engage in what are called one-man demonstrations. I've done it in front of the police station where all

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of my enemies are and they are my enemies. I didn't say I'm their enemy. I've never harmed a cop in any way ever in my life. But they've tried to do harm to me. The second thing, in addition to my being on the step of the place where I work and had worked, both of these cops said they had worked in that area for a little over a year and had never seen me. Then they must have had blinders on. But nevertheless, they've been trained to lie and especially on the witness stand. Both of them were liars. I had seen their cruiser in the area before and I often stood outside the barbershop not only to watch what was going on, to get a little fresh air, but so that people who wanted to talk to me would not have to come in the shop and take up space. It was not a large room. The third thing. I was charged with interfering with an officer.

**FOLEY:** One minute.

**CHAMBERS:** Under cross-examination of the officer, my lawyer asked, what were you doing that he interfered with? Without an objection being made by the prosecutor, the judge injected himself and said, that's argumentative. We won't go into that. That was exactly what I was charged with. I'm in court. You all's white people's court where there's supposed to be justice, where you got an inscription that says, Equality Before the Law. I'll continue when I'm recognized. Thank you.

**FOLEY:** Thank you, Senator Chambers. You're recognized for your second opportunity.

**CHAMBERS:** Thank you, Mr. President. So I'm in court, not misbehaving, just sitting next to my lawyer. And he is cross-examining the officer. I'm watching. I'm listening. And my lawyer's proceeding as he ought to. Since this is the crime with which his client is charged, he is justified and he would be guilty of malpractice if he did not ask about the circumstances that constituted the crime. So the judge said, that's argumentative. We won't go into that. So the officer doesn't have to explain what I was doing. But on the way down to the station, I asked him, when he said I was disturbing the peace, what did I do that was disturbing the peace? He said, well, you disturbed my peace. You'll read where his partner said I was argumentative. I'm not afraid of the police. I was outnumbered two to one. They had guns. They could have taken me anywhere they wanted to and done to me what they had been doing to black men at that time, but I had no fear of them. I cannot walk around in fear. I'd rather leave this place doing what I believe, even when there's nobody to see it except the ones who are

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trying to victimize me, then give in and let them take my dignity. When Whitney Houston sang a song, she said, no matter what they do to me, they can't take away my dignity, and that's all a black man can have. And my dignity for me is not based on what other people think. It's based on what I know about myself. And there's no way I could take low in a police car with two cops who are driving me to jail. Also, the cop didn't place me under arrest until we were on the way downtown. And I asked him, am I under arrest? He said no. I said, then take me back where you picked me up. He said, well, you're under arrest. That's the way you all's white cops deal with black people. Well, now you're under arrest. For what? And I'll let you read-- I don't want to take away all the mystery and spoil it for you. That's when I was placed under arrest. And you can read in there the nature of the conversation as they presented it, because I was not called to testify. My lawyer at the end of all that, moved for a dismissal and it was granted. But you'll also read where it said the judge admonished the counsel and all parties included. That would include me. And I didn't say a word in the courtroom. He admonished me. I'm the victim of police harassment, a false arrest. And what did he admonish me for? I guess because I didn't hold my head down and look meek and humble and frightened. You all know around here, I'm not afraid. I will stand on this floor and say what I've got to say when you all might have similar thoughts, but you're afraid to say things. And you all can be grateful that I'm handing this out this morning, because you won't have to hear me talk about the sleazy, slimy, Slama saga.

**FOLEY:** One minute.

**CHAMBERS:** The racism there. But I will say this, she injected me in white folks' mess. She took my picture. She placed my picture next to a white woman. And then drew conclusions that were totally false. And she knew it. And if she can say, well, I didn't know it when it happened, well, she found out when she saw it and she said nothing about it. And to this day will not acknowledge how wrong it was. And you all will defend her. Well, let me tell her and the rest of you something when I'm recognized the next time. Thank you, Mr. President.

**FOLEY:** Thank you, Senator Chambers. You are recognized for your third opportunity.

**CHAMBERS:** If you harrow hell, you may rake up the devil. And not every black man is gonna sit and let some white woman misuse him and inject him into some white folks' mess and not talk about it. Fortunately,

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the lady is beginning to fight back. I handed out something to you all. And I'm not gonna go into all that today, but next week, look out. Mucky-mucks and the "Repelican" Party who had nothing to do with putting that thing out, I presume. Welch is the chief executive officer, president, or whatever they call the head of their Ku Klux Klan klavern, that he apologized to the lady. He said that thing went over the line. He said they're checking their machinery to make sure it doesn't happen again. Why didn't he say, and we should not have misused the image of Senator Chambers. Because I'm a nonperson, an unperson like any other object you use for the background. You've never seen me clip pictures of a white person and a black person and put them together in the way those rats did with me. My name means something to me. I don't care what white people think about me at all. And black people would just be outraged of what was done, but they know white people. They work for white people. What they wonder is how I could have existed and function for over four decades down here with these white people without losing my mind. And even at the end, I'm 83 years old and my head may be bloody but unbowed. Invictus: Out of the night-- well, you don't want to hear that, that covers me, / Black as the pit from pole to pole, / I thank whatever gods there be / For my unconquerable soul. / In the fell clutch of circumstance / I have not winced nor cried aloud. / Under the bludgeoning of chance / My head is bloody, but unbowed. / It matters not how strait, s-t-r-a-i-t, it matters not how strait the gate, / How charged with punishments be the scroll, / I am the master of my fate, / I am the captain of my soul. And I am the man that many of you wish you could be. Which you could be, which you should be, which you have an obligation to be. And if Senator Slama and her other clan members knew this was a Legislature with any integrity, which she and they have none of, they would not have done that with one of your colleagues. See, she talks about her colleague. I'm you all's colleague, too, except in reality, I'm not. I'm here. I'm in this Legislature, but I'm not of this Legislature. Some news outlets take little snippets and present everything based the way-- on the way Senator Slama misrepresents it. She said she's never been so ashamed to be in this Legislature. Well, she ought to be ashamed for what she did with that lying flier. It was a lie and she knew it. And all liars shall have their part in the lake of fire. That's what the "Bibble" says.

**FOLEY:** One minute.

**CHAMBERS:** I'm going to do something as a show of collegiality this morning. I'm not going to take my entire minute and I'm not going to

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ask for silence to do away with the rest of it. Thank you, Mr. President.

**FOLEY:** Thank you, Senator Chambers. Members, the motion before you is to advance LB911A to E&R for engrossing. Those in favor say aye. Those opposed say nay. LB911A advances. Members, we're gonna-- gonna take a brief at ease for a moment or so and then we'll take up a motion to appoint an escort committee. Stand at ease for a moment. Senator Brandt, you're recognized for a motion.

**BRANDT:** Thank you, Mr. Lieutenant Governor. I move that a committee of six be appointed to escort the Governor of the state of Nebraska to the Legislative Chamber with any message he may have for the Legislature.

**FOLEY:** Thank you, Senator Brandt. Members, you've heard the motion. Those in favor say aye. Those opposed say nay. The motion is adopted. Speaker Scheer, you're recognized.

**SCHEER:** Thank you, Mr. President. I appoint the following members to be the escort committee: Senators Lindstrom, McDonnell, Hughes, Crawford, Linehan, and Dorn. Thank you.

**FOLEY:** Thank you, Mr. Speaker. Would the escort committee please retire to the rear of the Chamber for purposes of escorting the Governor into the Chamber. Sergeant at Arms. Chair recognizes the Sergeant at Arms.

**SERGEANT AT ARMS:** Mr. President, your committee now escorting the Governor of the great state of Nebraska, Governor Pete Ricketts.  
[APPLAUSE]

**FOLEY:** Members of One Hundred Sixth Legislature, I present you the Governor of the great state of Nebraska, Governor Pete Ricketts.  
[APPLAUSE]

**GOVERNOR RICKETTS:** President Foley-- oh, everybody please sit down. Not that this is gonna be a long speech, it's not gonna be long. But President Foley, Speaker Scheer, members of the Legislature, friends, fellow Nebraskans, good morning.

\_\_\_\_\_ : Good morning.

**GOVERNOR RICKETTS:** Welcome back and congratulations on the resumption of the Second Session of the One Hundred Sixth Nebraska Legislature.

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Much has changed in the four months since the work of this body was interrupted by the pandemic that has swept our state, nation, and indeed the entire world. And much work remains in the 13 days of the session to be done. But before I get to that, I'll address the pandemic. On March 6, Nebraska recorded the first case of Coronavirus. Thanks to early action, we have not been as impacted as other states have been. For example, Superintendent Mark Shepard in Fremont went to spring break three days early on March 9, well ahead of New York schools closing on March 15. Dr. Logan in Omaha and Dr. Joel here in Lincoln took similar action. Still thousands of Nebraskans have been directly impacted by the Coronavirus including folks in this Chamber. Senator Moser, thank you for sharing your story of your fight with the Coronavirus. We're grateful to see you recovered and glad to see you back here in the Chamber. [APPLAUSE] Over 300 families in our state have suffered the loss of a loved one including Senator Vargas' family. Again, Senator Vargas, please accept my deepest condolences on the loss of your father. And thank you for the work that you've done in our community and to educate people on the importance of wearing masks. [APPLAUSE] This has been perhaps the greatest challenge our state has faced in a generation. But with typical Nebraska grit and determination, our people have risen to the challenge. When we've asked them to stay home and follow other restrictions, they have. They've sewn masks for their friends. They've supported food pantries. The staff of a skilled nursing facility in Greeley moved into the facility to be able to provide care and protect them from the spread of the virus. This Legislature sprung into action and provided over \$83 million to the state to fight the pandemic. Our local public health officials have worked around the clock to keep people safe. And as always, our heroes in the Nebraska National Guard have stepped up to serve their fellow citizens, just as they did during the flooding to be able to deliver much needed supplies and crucial testing. At the state, we've been able to rely on the great resources we have at UNMC. And our own public health department folks have done yeoman's work to combat this virus. And in particular, I would like to recognize our Chief Medical Officer, Dr. Gary Antone, and members of his team, Felicia Quintana-Zinn and Ashley Newmyer for their great work. [APPLAUSE] We've used Cares Act money to help recover and respond, providing aid to our small businesses and livestock producers, child care facilities and nonprofits, providing resources to expand rural broadband, and to help with educational opportunities. We must remember that this pandemic is not over. And we still need Nebraskans to continue to exercise their personal responsibility and civic duty to fight it. To continue to keep that six-foot distance between you



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and somebody else in public. To wear a mask when you go to the store, wash your hands often. If you see a crowded bar or restaurant, turn around and go someplace else. We must continue to focus on keeping the virus in check. Because the sacrifices Nebraskans have made, we've been able to provide that hospital capacity, that hospital bed, that ICU bed, or that ventilator to anyone who needs it when they need it throughout this pandemic. And we've put together a plan to be able to continue this fight. It involves six pillars. The first, is testing. And we are testing more in Nebraska on a per capita basis than some of our surrounding neighbors like Colorado, Kansas, and Missouri. Contact tracing. We now have 959 people trained. And we are making contact attempts 90 percent of the time on the first day we get information about somebody testing positive. We're providing lodging to our first responders and healthcare workers, food processing workers. And quarantine space for members of the general public who find that it's not safe for them to go back and quarantine at home. Our fourth pillar revolves around having appropriate personal protective equipment for our first responders and our healthcare workers and we've got 90-day supply on hand. Our fifth pillar is working with at-risk communities, like our long-term care facilities to put together plans to keep those residents safe. And finally, we issued our directive health measures implementing nonpharmaceutical interventions to be able to slow the spread of the virus. And as I said, we've been successful in preserving that hospital capacity with our plan. And as we've allowed Nebraskans to return to a more normal life, we've seen that we've got one of the lowest unemployment rates in the country. That according to the Bureau of Economic Analysis, our state GDP, our state economy, has been the least impacted of any state in the country. We finished up our fiscal year, June 30, by putting \$10.6 million into the cash reserve despite the fact that we moved significant portion of our income tax revenues from April to July. And yesterday's Forecasting Board meeting underscored the strength and resiliency of Nebraskans and our economy and our ability to do the people's work in the remaining days of the session. And now just as Nebraskans have stepped up to serve their community to meet the challenge of this pandemic so we, too, must step up to the challenge in the remaining days of the session to put the people's work first and focus on their priorities and accomplish them in the remaining days of the session. As we work through this pandemic, we've got to work to get Nebraska growing again. We've got to lay the foundations for that continued growth. There are four key priorities that we must accomplish in the remaining days of the session. The first is property tax relief. The number one issue people talk to me about as I travel around this state. LB1106

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will allow us to provide schools with more resources to be able to reduce valuations and therefore property tax bills and avoid future spikes in property taxes. That's number one. Number two, our incentives expire at the end of this year. They've helped create thousands of jobs for Nebraska families. LB720 will be vital to renew so that we can remain competitive with other states and continue to create those jobs. We've been recognized nationally for our work in economic development, receiving three Governor's Cups and two Silver Shovel awards. We know how to do this, we need to have the tools. Number three, the next project from UNMC. This will create thousands of jobs and allow UNMC to respond to future pandemics and other natural and manmade disasters. And number four, LB153, our veterans tax relief package. This will allow us to be competitive with other states that surround us so that we can retain our veterans here who add so much to our communities and contribute so much to our state. Now, I am not saying these things are gonna be easy. There's gonna be passionate opinions about how to accomplish these and differences on how to do it. But just like Nebraskans who have stepped up to serve their communities in this pandemic, so, too, we must work together to accomplish the people's work to lay that groundwork for future growth of our state, to get Nebraska growing. Thank you. Thank you for being our citizen legislators. Thank you for your service to the people of Nebraska, especially during these trying times. And thank you for your work here in this Chamber. God bless you. God bless your work. And God bless the great state of Nebraska. [APPLAUSE]

**FOLEY:** Thank you, Governor Ricketts. Would the committee please escort the Governor from the Chamber. Members, we'll now return to Final Reading. Pursuant to the rules, please be at your desk for Final Reading. Continuing Final Reading, LB534. Mr. Clerk.

**CLERK:** Mr. President, with respect to LB534. Senator Cavanaugh, first of all, AM2996 is to be withdrawn. Is that right, Senator? Thank you. Mr. President, Senator Cavanaugh would move to return the bill for a specific amendment. That amendment being AM3160.

**FOLEY:** Thank you, Mr. Clerk. Senator Cavanaugh, you're recognized to open on your motion.

**CAVANAUGH:** Thank you, Mr. Lieutenant Governor. Good morning, colleagues. This was a bill that we passed on to Final Reading before we adjourned last year and it now requires a date change. But additionally, since that time, the federal government has changed regulations-- language. And so this is also now a cleanup amendment

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that changes the date and makes sure that the language is harmonized with the federal language. I've worked with all of the parties involved. They actually asked me to make those changes. And so I encourage you to return this to Select and to move it forward again. Thank you.

**FOLEY:** Thank you, Senator Cavanaugh. Any discussion on the motion? I see none. Senator Cavanaugh, you're recognized to close on your motion. She waives closing. The question for the body is whether or not to return the bill to Select File for a specific amendment. Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

**CLERK:** 35 ayes, 0 nays on the motion to return the bill, Mr. President.

**FOLEY:** The bill has been returned to Select File. Mr. Clerk.

**CLERK:** Senator Cavanaugh would offer AM3160.

**FOLEY:** Senator Cavanaugh, you're recognized to open on AM3160.

**CAVANAUGH:** Please vote for AM3160. Thank you.

**FOLEY:** Thank you, Senator Cavanaugh. Is there any discussion on the amendment? I see none. Senator Cavanaugh, you're recognized to close on your amendment. She waives closing. The question for the body is adoption of A1-- AM3160. Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

**CLERK:** 38 ayes, 0 nays on the adoption of the Select File amendment.

**FOLEY:** AM3160 has been adopted. Is there anything further on the bill, Mr. Clerk?

**CLERK:** Nothing further, Mr. President.

**FOLEY:** Senator Slama for motion.

**SLAMA:** Mr. President, I move that LB534 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. LB534 advances. Per the agenda, we'll now move to General File state claims bill.

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**CLERK:** Mr. President, LB927 was a bill originally introduced by Senator-- excuse me, by the Business and Labor Committee and signed by its members. It's a bill for an act relating to claims against the state; provides for payment of the claims; authorize agencies to write off certain claims. Introduced on January 10 of this year, referred to the Business and Labor Committee. The bill was advanced to General File. There are committee amendments as-- as there is an amendment to those committee amendments, Mr. President.

**FOLEY:** Thank you, Mr. Clerk. Senator Matt Hansen, you're recognized to open on the-- on the bill, LB927.

**M. HANSEN:** Thank you. Thank you, Mr. President. And good morning, colleagues. The Business and Labor Committee is assigned the responsibility of handling the state claims bill. I will provide a background on the process for these claims and then go through each claim in the bill. As you know, the state of Nebraska employs thousands of people and sometimes their actions cause injury or problems to others that results in lawsuits against the state. The state is subject to liability under the State Tort Claims Act or the Miscellaneous Claims Act. Claims against the state pass through the State Risk Manager's Office. These claims can either be settlements or court judgment. Also included are workers' compensation claims when an employee of the state is injured on the job. As I said, all of these claims go through the Risk Manager's Office and any claim exceeding \$50,000 has to go through the Legislature for approval. In those situations, the Risk Manager pays the claim below \$50,000 and-- and all of those amounts above \$50,000 are being the ones included in the bill. Just for your understanding, the amounts of the bill have already been agreed to by settlements or court judgment, reviewed or litigated by the Attorney General's Office or relevant state agency. And the numbers in the bill come from those decisions and not anything decided by myself or the Business and Labor Committee. Also included in the state claims are agency write-offs. These are any uncollectible debts that agencies have that have not been able to collect. As such, we have-- we are asked to written them off to keep the books balanced. I will now go through the claims and provide your brief explanation to each of them, starting with the green copy. Section 1 of the bill contains tort claims. There's only one tort claim in the bill as introduced. It is a settlement for a lawsuit by a patient at the Lincoln Regional Center for \$335,000, alleging she was denied necessary medical care and diagnostic testing while committed at the Lincoln Regional Center. Section 2 of the bill contains workers'

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compensation claims. There are two payments arising out of the same facts. The first is an annuity payment of \$116,898.88 to American General Annuity Services Corporation for an employee at the Nebraska State Penitentiary who was injured when he was punched in the head by an inmate on two separate occasions. The second amount is \$140,834.84, payable directly to the same injured employee for the same workers' compensation claim. Section 3 authorizes the director of Administrative Services to pay the claims in the bill, and then Section 4 contains the agency write-offs. They include \$8,045.21 from the Nebraska Public Employees Retirement System of payments to retirees that passed away and efforts to recover the overpayments were unsuccessful. It contains \$1,469,717.55 from the Department of Health and Human Services, in which agency made an overpayment to a client or performed a service which was not reimbursed. Ninety-nine percent of these involved debt that was either passed the statute of limitations already discharged in bankruptcy, or from someone who has subsequently died and there was either no estate or insufficient funds to pay the claim. There is a claim for \$113,813.12 from the Department of Veterans Affairs of unpaid fees after members of the veterans' homes passed away. There is a claim for \$112,695.24 from the Department of Transportation relating to uncollectible debt relating to state property damage. Nine hundred and ten thousand dollars to the Nebraska State Patrol due to an accounting issue with federal grants that were paid in arrears. Sixty-three million three hundred and eighty-six thousand six hundred and forty-four dollars and sixty-eight cents from the Department of Labor, which is writing off uncollected on unemployment insurance tax. This one's a little larger and a little bit more complicated. So I'll clarify that the department has never written off uncollected agency unemployment insurance taxes. So this amount includes everything going back to 1937 and onward. Of this amount, only about \$11 million is the actual underlying taxes that were unpaid and the additional \$51 million is interest on that debt. Again, going back to 1937. These debts are for businesses that either have had their debts discharged in bankruptcy, or frankly, just no longer exist. No debt of an active business is being written off. Five thousand nine hundred and fifty-two dollars and eighty-nine cents from the Nebraska Game and Parks Commission for uncollectible checks, permit payments, and vendors that failed to pay. Seven hundred and sixty dollars from the State Fire Marshal for unpaid annual registration fees. Eighty-three thousand one hundred and seventy-four dollars and twenty-four cents from the Department of Motor Vehicles for uncollectible checks for the internal registration plan. And finally, \$4 from the Nebraska Workers' Compensation Court for unpaid

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transcript fees. With that, I'll conclude my opening on LB927 and I'll be able to address the amendments.

**FOLEY:** Thank you, Senator Matt Hansen. You now may proceed on the committee amendment.

**M. HANSEN:** All right. Thank you, Mr. President. The committee amendment, AM2822 adds the following claims that were settled after the introduction of the bill and by the committee hearing. The first is a settlement of one hundred seven thousand dollars-- a two hundred-- \$107,243.21 for an inmate who sued the Department of Corrections for failing to adequately treat medical needs. A treatment plan has now been agreed to and the settlement is for attorneys' fees. The second is a new tort claim of \$850,000, payable jointly to two women who were injured at their apartment by escaped-- escaped inmates from the Lincoln Correctional Center. The third, fourth, and fifth new claims are all arising out of separate motor vehicle accidents involving state employees. This includes-- this includes \$90,000 to a woman arising out of a motor vehicle accident involving an employee of the Department of Corrections, \$112,000 to a trust account arising out of a different motor vehicle accident involving a state employee, and \$323,846.79 to, again, a third motor vehicle accident involving a different state employee. The sixth and final new claim in the committee amendment is a \$25,000 for a workers' compensation claim for a state employee who was injured while raking asphalt. And then finally, the committee amendment also makes a couple changes to agency write-offs. First, it changes the Departments of Veterans Affairs write-offs from \$113,819.12 down to \$110,998.88 based upon their new numbers. Also, after further reviewing the numbers, the Department of Labor changed their write-off from \$63,386,644.68 to \$63,342,441.64. And finally, the Workers' Compensation Court collected \$1 and, therefore, changed their agency write-off from \$4 to \$3. And that concludes my opening on the committee amendment.

**FOLEY:** Thank you, Senator Matt Hansen. Mr. Clerk.

**ASSISTANT CLERK:** Mr. President, AM3053. Senator Hansen, I have a note you wish to withdraw. In that case, Mr. President, Senator Hansen would move to amend with AM3152.

**FOLEY:** Senator Matt Hansen, you're recognized to open on AM3152.

**M. HANSEN:** Thank you, Mr. President. AM3152 is one more claim the State Risk Manager asked us to incorporate in between our four-month

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recess. AM3152 involves a claim relating to \$50,628.87, which is-- which is a bill for self-insured liability for attorneys' fees and costs of which there was insufficient agency funding against the State Racing Commission. The State Racing Commission had to hire outside legal representation in the lawsuit, and this claim is for those legal costs. With that, that's my closing on the state claims bill, and I would encourage the body to adopt the two amendments and advance LB927. Thank you, Mr. President.

**FOLEY:** Thank you, Senator Hansen. Debate is now open on the bill and the pending amendments. Senator Hilgers.

**HILGERS:** Thank you, Mr. President. Good morning, colleagues. I appreciate Senator Hansen's work on LB927. I understand the state has an obligation to pay these various settlements, and so I-- I'm trying to unpack a little bit and I-- I would-- well, some of this appears very dry and Senator Hansen did a great job of going through it all, but I did want to unpack it a little bit just to kind of understand what the state of play here is. So would Senator Hansen yield to a question or two?

**FOLEY:** Senator Matt Hansen, would you yield, please?

**M. HANSEN:** Yes.

**HILGERS:** Thank you, Senator Hansen. Thank you, again, for your work on this. I just-- I just-- I'm reading AM3152 and I understand you withdrew AM3053. Can you-- they look very similar. Can you explain the differences between those two amendments?

**M. HANSEN:** Yes. Sorry, AM3152 is virtually the same, except the original amendment referenced two court cases in Lancaster County District Court, and one of them was actually in Hall County Court. And so that's the change between the two amendments. Otherwise, they should be the same, but we referenced the wrong court.

**HILGERS:** OK. Oh, I see. OK, thank you. So those-- so as I understand it, there was a-- there was a public hearing on LB927. And at that hearing, these various settlements are-- are submitted to the Business and Labor Committee through maybe the Attorney General's Office, Risk Management, and some other entities. Is that right?

**M. HANSEN:** Yes.

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**HILGERS:** And, and I saw on the committee statement there was no opposition at the public hearing as to those settlements.

**M. HANSEN:** Um-hum.

**HILGERS:** And those settlements are in LB927, right?

**M. HANSEN:** Correct.

**HILGERS:** OK. And then AM2822, and I guess AM3152 are settlements that occurred after that hearing?

**M. HANSEN:** Correct.

**HILGERS:** And by the way, these-- these are my understanding and I'm not leading questions because I know what the answer is. I just-- I think I might know what the answer is. I just want to make sure the record's clear and that everyone understands what's going on. So the AM2822, who-- which entity or entities submitted those settlements for claims? Was it the Attorney General, Risk Management, or others?

**M. HANSEN:** On AM3152?

**HILGERS:** AM3152 and AM2822.

**M. HANSEN:** Sure. We primarily work with Allen Simpson, the State Risk Manager, who kind of coordinates on behalf of the relevant state agencies and/or Attorney General's Office.

**HILGERS:** How does-- and that was for all of the claims in AM2822 as well as AM3152?

**M. HANSEN:** Yes. So the-- so the process is the State Claims Board reviews, reviews and prepares the documents, all of the numbers presented here, all numbers kind of taken directly and presented to us directly by the State Claims Board. And as again said, Mr. Simpson, who's the State Risk Manager, who's our point person.

**HILGERS:** Got it. Just for my own edification, maybe for the body's as well, this-- is it right that the Business and Labor Committee doesn't actually weigh in on the amounts of the settlements or as part of the negotiation of the settlements, is that right?

**M. HANSEN:** Correct. So for, especially for the attorneys' fees, these are all either settlements agreed to by the Attorney General's Office



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or ordered by a relevant court. And so we are just presenting the numbers to the body as we were-- received them from the State Risk Manager and the Attorney General's Office.

**HILGERS:** And so these, these-- by the way, Mr. President, how much time do I have?

**FOLEY:** 1:40.

**HILGERS:** Thank you, Mr. President. Thank you again, Senator Hansen, for walking through this with me this morning. So are these-- all these settlements already agreed to with the other side? In other words, is there a binding obligation pending approval of the state or are they-- are any of these still in negotiations?

**M. HANSEN:** Yes, these are all final negoti-- final agreements. Obviously, based on our statutes, the Risk Manager can only pay out claims less than \$50,000. So these are all represented claims over \$50,000, which per our statute do need final legislative approval. But in terms like the nuts and bolts, the actual amounts have already been negotiated or ordered by the two sides or the court.

**HILGERS:** OK. Thank you. And then in terms of-- so the Business and Labor Committee isn't involved--

**FOLEY:** One minute.

**HILGERS:** Oh, one minute. OK. Thank you, Mr. President. So then I understand and that makes perfect sense, the Business and Labor Committee wouldn't be involved in the actual settlement discussions. But does the Business and Labor Committee determine, or at least proposed in the first instance, the place from which the funds will be drawn? In other words, General Funds versus some other fund?

**M. HANSEN:** No, that is, that is all done according to kind of preexisting statute, is my understanding.

**HILGERS:** OK. So are all of the fund-- are all of the settlements in the amendments being drawn from the General Fund?

**M. HANSEN:** Not all of them, I don't believe. We have a variety of self-assured funds and-- and different ones. The AM3152 is being drawn from the General Fund because this was a specific instance where the agency, frankly, spent more in legal fees than they had to cover--

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**FOLEY:** That's time, Senators. But, Senator Hilgers, you're next in the queue, you may continue.

**HILGERS:** Thank you, Mr. President. Senator-- do I need to "resee" if Senator Hansen will yield?

**FOLEY:** Senator Hansen, continue please.

**HILGERS:** Renew my request?

**M. HANSEN:** Yes, of course.

**HILGERS:** And I think you're were the middle of speaking, Senator Hansen, if you wouldn't mind finishing that answer.

**M. HANSEN:** Yes. So, so it's a variety. And I suppose we could look at each individual one. So, for example, the newest one that we were presented and it's presented in AM3152 is coming out of the General Fund. And that was the specific case in which outside legal counsel was appointed. And the-- at the end of the case, the-- the State Racing Department did not have the ability-- did not have the funds to pay the entire legal fee, that they ended up inquiring because they could not be represented by the Attorney General's Office. And therefore, we had a provision that allowed them to apply for those costs via the State Risk Manager and our State Claims Board, which brought me this amendment over the recess.

**HILGERS:** Got it. So, in fact, that's one of the-- so to be very transparent, these questions really primarily are-- are designed just to ensure I am understanding the flow. But there was a question that I was gonna ask you about the source of the funds on the Racing Commission. I have not investigated or researched that piece, but I understand at least there might have been a question as to whether the source of their funds from being from the General Fund was appropriate. So if we could just dig into that for a minute, if you would, so if-- if I heard you correctly there, there is a separate rate-- state racing fund, is that right?

**M. HANSEN:** Yeah, well-- thank you. Excuse me, sorry. I'm trying to process your question a little bit. I guess they are an agency, so they do have their own budget and existing funds within kind of our usual appropriation structure.

**HILGERS:** And so thank you for that. And so if I-- if I heard you correctly there-- there is a fund. This settlement was in excess of

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the funds that would be available within that fund. And that is why this settled-- this particular claim is drawing on General Funds, is that right?

**M. HANSEN:** Yes, that's-- that's my understanding. So this was-- this was in excess-- in excess of what they had on hand to pay for their outside legal fees. Ordinarily, it's my understanding that the attorney-- these costs would be more-- would also impact the Attorney General. But this was a specific case in which the Attorney General decided they could not represent the State Racing Commission. So the counsel had to be outside counsel, separately appointed.

**HILGERS:** So these are-- so this-- just so I'm clear, these funds are for counsel that was retained-- that were retained by the state because the-- the Attorney General was conflicted out. Are these actually a settlement for a payment to another party's attorney's fees?

**M. HANSEN:** This is for the counsel representing the State Racing Commission.

**HILGERS:** OK, gotcha. And I'm just-- I'm curious, this question may not have come up, but it does seem a little odd that no one would have tried to ensure that the attorneys' fees were within the funds available to the State Racing Commission that were within its specific fund for that purpose. Did that question come up at all?

**M. HANSEN:** Personally, yes. I think there's probably a larger discussion to be had about attorneys' fees incurred by the state. This was a particular instance in which I believe the State Racing Commission had the-- the-- the authority and obligation to-- to retain outside counsel. I think kind of like other departments occasionally have to in which the Attorney General's Office is conflicted and just the ensuing cost of the lawsuit goes up. I would say some scrutiny and oversight of the State Racing Commission would probably be very appropriate, and I appreciate you bringing up this discussion.

**HILGERS:** Thank you, Senator Hansen. My last question then is-- and this has just been something that was raised with me. But I've, I've-- as I said a few minutes ago, I have not researched this. I've not investigated it. But I would be curious as to whether this is an issue that was brought to your attention and if it is and, in fact, an

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issue, might as well get it on the record now while we're having the conversation.

**FOLEY:** One minute.

**HILGERS:** Thank you, Mr. President. Is there-- has there been any concern raised to you at all about the potential constitutionality of pulling these funds from the General Fund? Not suggesting that there is, but there's at least been some suggestion and I-- and I haven't looked into it so I wanted to get your take.

**M. HANSEN:** No, I actually have not had a discussion on the constitutionality of these funds. We did-- I will say privately, we did have some discussion among me and committee staff of whether or not this would be appropriate to reserve for the maybe next year's claim bill to have a process. But it seemed that the State Risk Manager and the State Claims Board had kind of checked all the boxes and jumped through all the hoops that they need to, to draw these funds. And so we thought it was appropriate to bring an amendment at this time.

**HILGERS:** OK. Thank you. Thank you, Senator Hansen. Am I-- I think I'm in the queue next, am I?

**FOLEY:** Yes, you may continue for another five minutes, Senator.

**HILGERS:** OK. Thank you. Mr. President, I won't take all that time. I appreciate Senator Hansen's discussion with me this morning. I think it's important to sort of get some of these things on the record and unpack what's going on in these amendments. I appreciate what the Business and Labor Committee and Senator Hansen have to do for the claims bills. It's a-- it's a necessary part of the work that we do in the Legislature to be able to approve these settlements. I'm sure it's not a lot of fun on a lot of different ways. No one ever wants to pay attorneys, that's for sure. But I certainly do appreciate what he has done. I-- I do intend to vote for the underlying claims bill, I-- in light of at least some of the questions and I-- I want to be clear to the body I'm not suggesting there's a constitutional issue. This is something I just was looking at right beforehand. So I wanted to get it on the record, at least let Senator Hansen know and have the benefit of-- of some of my thinking at the-- at right now. These-- these agreements, I think, have been agreed to contingent on legislative authority so-- or legislative approval. So will-- I will vote for the underlying bill. I'm gonna be present, not voting--

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voting on the amendments, which isn't a suggestion that they're wrong or that something-- something incorrect has happened or that I view that substantively on the merits that they should be voted down. But I just want to do a little bit further research into the question, some of the questions that I've raised. So thank you again, Senator Hansen. And thank you, Mr. President.

**FOLEY:** Thank you, Senator Hilgers. Is there any further discussion on the amendment? I see none. Senator Matt Hansen, you're recognized to close on AM3152.

**M. HANSEN:** Thank you, Mr. President. And to-- first off, let me say I do really appreciate Senator Hilgers' comments on this question. I know he's done some work with the legislation in the past related to the state claims process and State Claims Board. Fundamentally, the-- taking a step back, fundamentally, the state claims bill is obligations we as a state have kind of made for ourselves and we're in this provision where past Legislatures can't necessarily bind us to pay full-- so past Legislatures have subjected the state to liability through like the State Tort Claims Act. But at the same time, although those past Legislatures can bind-- bind us to a liability, they can't force us to appropriate monies. And so that is kind of the annual process of the state claims bill, is to come back and kind of look at bills due over the past year for the most part, and pay them off as a state. We're also self-insured for workers' comp. And that wasn't necessarily the issue in this most-- this lowest amendment. I'm happy to work with any stakeholders, including loop in the State Claims Board and the Risk Manager to kind of explain their thought process on this claim. Kind of the thought process here was this was a valid claim that had gone through the process and we had an opportunity to address it here at this time, this now. As I said on the microphone with Senator Hilgers, I had some debate and discussion myself on whether or not this would be appropriate to include in this year's claim bill or hold for a future hearing. I ultimately thought it was appropriate to bring to the body this year, because if it is a valid judgment, if it-- sorry, if it is basically a valid bill, it is a bill the state has to pay, we are basically just delaying paying somebody we owe money to for potentially, you know, nine months, a year, if we do not advance it this time. We have the opportunity now between General and Select to discuss it. And fundamentally, the reason we do this in an open process, in an open procedure, is to kind of examine these things. I think some of the things that occasionally we've had in past years have engaged more scrutiny because in theory we should

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entrust our state agencies to be good stewards of the state and minimize their liability and minimize their access to tort. So that's a long way of saying please vote for the two amendments on the board and advance the state claims bill and I am happy to work with committee counsel and bringing in the State Claims Board and the State Risk Manager to address any concerns that we have. Kind of fundamentally, this is a budget bill that trails the budget bills and is a duty of the committee. So with that, I'll close on AM3152 and ask for your green vote.

**FOLEY:** Thank you, Senator Hansen. Members, you heard the debate on AM3152. The question for the body is the adoption of the amendment. Those in favor vote aye; those opposed vote nay. Have you all voted who care to? Record, please.

**ASSISTANT CLERK:** 36 ayes, 1 nay on the adoption of the amendment.

**FOLEY:** AM3152 is adopted. Continuing discussion on the bill or the pending committee amendment. I see none. Senator Matt Hansen waives closing on the committee amendment. The question for the body is the adoption of AM2822 committee amendment. Those in favor vote aye, those opposed vote nay. Have you all voted? Record, please.

**ASSISTANT CLERK:** 35 ayes, 0 nays on the adoption of the committee amendment.

**FOLEY:** AM2822 has been adopted. Any further discussion on the bill as amended? I see none. Senator Hansen, you're recognized to close on the bill.

**M. HANSEN:** Thank you, Mr. President. And real briefly, this is the, at least for the moment, the last Business and Labor bill that I believe we'll have for the year. And I think I would just be remiss if I didn't go out of the way to thank committee members: Senator Hansen, Senator Slama, Senator Halloran, Senator Chambers, Senator Lathrop, and Senator Crawford. We've had a very productive year and have, I feel, worked on a lot of good things together, as well as specifically to recognize committee staff: Tom Geen-- Green-- excuse me, Tom Green and Keenan Roberson, who have been a-- great assets to both myself and the committee. With that, I would ask the body to advance the state claims bill.

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**FOLEY:** Thank you, Senator Hansen. The question before the body is the advance of LB927 to E&R Initial. Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

**ASSISTANT CLERK:** 40 ayes, 0 nays on the advancement of the bill.

**FOLEY:** LB927 advances. Items for the record, please.

**ASSISTANT CLERK:** Thank you, Mr. President. New legislative resolutions, LR380, introduced by Senator Brewer. That'll be referred to Exec Board. Additionally, LR379, introduced by Senator Geist. That will also be referred to the Exec Board. That's all I have at this time, Mr. President.

**FOLEY:** Thank you, Mr. Clerk. Proceeding on the agenda and on to General File 2020 Speaker priority bill. Mr. Clerk.

**ASSISTANT CLERK:** Mr. President, LB966, introduced by Senator DeBoer is a bill for an act relating to decedents' estates; adopts the Uniform Wills Recognition Act. The bill was read for the first time on January 13, 2020, and referred to the Judiciary Committee. That committee reports the bill to General File with committee amendments.

**FOLEY:** Thank you, Mr. Clerk. Senator DeBoer, you're recognized to open on LB966.

**DeBOER:** Thank you, Mr. President. And good morning, good-- yeah, good morning. We're still in morning, colleagues. First, I would very much like to thank the Speaker for designating my bill, LB966, to adopt the Uniform Wills Recognition Act as a Speaker priority bill this year and thank the members of the Judiciary Committee for passing this bill out of committee on a 7-0 vote with one member present not voting. LB966 adopts the Uniform Wills Recognition Act that provides a process for the recognition of international wills. This act provides standards for when an international will can be valid, such a will could then be used to probate property in one of the foreign countries that has signed on to the Uniform Wills Convention upon the person's death. Eighteen U.S. states and the District of Columbia have adopted this act. This bill streamlines the process of probate for real estate in certain foreign countries and provides Nebraska estate planning attorney-- attorneys an additional tool in service to their clients. And this bill, I should note, was brought to me by the Bar Association, Nebraska Bar Association, and I'm happy to-- to bring this bill on their behalf. Senator Lathrop will discuss the committee

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amendment which incorporates some other probate measures and related measures introduced by a few others. I'm happy to include all of these other bills, which are good bills, and I support them all. And I believe all of them came out in their hearings with absolutely no opposition so good bills. I would like to point out that the amendment removes Section 10 of my original bill, which would have required the Secretary of State to establish a registry system. Removing this section will remove any cost to the General Fund of implementing this bill. I also want to thank some of my colleagues. I've had interest in recent days from folks asking questions about this bill. And I have to say I'm a nerd because I really enjoyed having the opportunity to talk about probate law with some of my friends here in the body. And so I appreciate the questions. I'm happy to take any additional questions that people have. It kind of is a-- a nice, fun break. So thank you for your consideration of LB966, and I encourage your green vote on both the committee amendments and the underlying bill. Thank you, Mr. President.

**FOLEY:** Thank you, Senator DeBoer. As the Clerk indicated, there are amendments from the Judiciary Committee. Senator Lathrop, as Chair of the committee, you're recognized to open on the committee amendment.

**LATHROP:** Thank you, Mr. President, and colleagues, good morning. LB966 and the committee amendment, AM2947, form a package that addresses probate and a related issue. LB966 and AM2947 were both advanced on 7-0 votes with one member abstaining. AM2947 is a white copy amendment that contains the bills making up a package. Included in this package are LB966, LB895, LB1031, LB964, and, finally, LB1115. I would note that there were no opponents to any of these bills at the respective public hearings. Senator DeBoer's LB966 will adopt the Uniform Wills Recognition Act. This act provides a process for giving effect to wills that are initially executed in a foreign country. The bill establishes standards that the will must meet in order to be recognized in Nebraska. LB2947 [SIC AM2947] makes one change to the LB966 green copy by delete-- deleting Section 10 that would have required a registry to be developed within the Secretary of State's Office. Also included is LB895, which makes changes to the uniform probate court-- pardon me, Uniform-- Uniform Probate Code to prohibit a person who is related to the decedent by two lines of relationship from receiving more than one share of the estate. The bill also prohibits a parent whose rights have been terminated from receiving the share of the child's estate. LB1031, which is also in this amendment, makes changes to the probate process to allow the court to



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develop an electronic filing process. This is simply bringing the probate filing process to the same place other lawsuits are in terms of electronic filing. The measure allows a copy to be-- a copy of the will to be filed initially with the original file within ten days of the initial filing. Again, just allows you to start a probate proceeding through the electronic filing process, which all other types of lawsuits and filings can be done at this time. And finally, Senator McDonnell's LB964 is included. It allows for a biological mother's name to be placed on a child's birth certificate when there is a different biological and birth mother. The birth certificate will reflect the biological mother upon completion of an acknowledgment by both the biological and the birth mother. And the last bill included is LB1115, which makes changes in the Uniform Real Property Transfer on Death Act. The changes made will protect a bona fide purchaser of property when the owner passes away prior to the filing of the transfer on death deed. I thank you for your attention to these probate changes and I'll try to answer any questions you may have. I will note for your benefit that when probate bills come before the Judiciary Committee, they have been vetted by the House of Delegates. Now, the House of Delegates is the House of Delegates of the Bar Association made up of lawyers who come and review legislation. The Bar Association also has specialty groups. So there is a probate specialty group that deals with estate matters, real estate matters. They scrub these bills before they're presented to the Judiciary Committee. That's true with these with the exception of Senator McDonnell's piece of the amendment. All of these have been scrubbed by the practice areas at the Bar Association, the House of Delegates, which explains why when they are introduced they are relatively or generally, and in this case, without controversy because they've been scrubbed by people who would have a variety of interests in the practice of law. I think they are good additions to the probate code. I would encourage your support and I'd be happy to answer any questions. I will note that Senator McDonnell's bill, which is not exactly probate, but it does deal with a new problem that is developed with science. So you can have a woman who cannot have a child without a surrogate. Her egg-- fertilized egg is implanted into a surrogate mother. And the-- what we found at the hearing and what we heard is that that biological mother, the person who provided the egg to the surrogate mother, has to adopt her own child unless we make these changes. There is nothing nefarious about this. It is-- and no one's trying to get somebody to recognize something that, that I'll just say pro-lifers are gonna have a problem with. This is simply-- this is simply an accommodation in that narrow circumstance and a process to

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have what everybody understood to be the mother on the birth certificate without the biological mother having to adopt the child. I'm happy to answer questions about that. I know Senator McDonnell is as well, and we would appreciate your support of both the amendment and the underlying bill. Thank you.

**FOLEY:** Thank you, Senator Lathrop. Debate is now open on the bill and pending committee amendments. Senator Clements.

**CLEMENTS:** Thank you, Mr. President. As I look through this bill, I did notice LB964, the birth mother, biological mother section, and would Senator Lathrop yield to a question?

**FOLEY:** Senator Lathrop, would you yield, please?

**LATHROP:** Yes, I'd be happy to.

**CLEMENTS:** Was there a reason that this section would be put into this particular bill? It seems not really related to probate and wills.

**LATHROP:** Well, to be honest with you, we deal with 250 bills every 2 years in the Judiciary Committee. We have so many vehicles coming to the floor. This was all noncontroversial. The amendment includes noncontroversial bills and that's why it was included. And-- and Senator McDonnell asked if we could find a vehicle and this seemed to be the closest way to deal with that problem.

**CLEMENTS:** And I had heard-- I've heard about situations like this in other states a number of years ago. Was-- did testimony say that Nebraska has not dealt with this in the past?

**LATHROP:** No, and I think Senator McDonnell can talk to this, but he had somebody come in and testify about the process. It might have been a sister or something. She and her husband had an egg that was fertilized, placed into what would become the birth mother. And then when the child was born, they went to, you know, fill out the forms to create the birth certificate and they put the birth mother on the birth certificate and the biological mother had to initiate an adoption proceeding to get her name on the birth certificate. And that's-- this is a couple of forms. And it doesn't happen unless both women agree to it and sign the requisite form.

**CHAMBERS:** Thank you, Senator Lathrop. Would Senator McDonnell yield to a question?

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**FOLEY:** Senator McDonnell, would you yield, please?

**McDONNELL:** Yes.

**CLEMENTS:** Senator McDonnell, would you go into more explanation of why this is needed and if you did find that Nebraska law, no where else deals with this situation?

**McDONNELL:** Yes. Thank you for the question. The-- how this began was a woman from my district approached me and told me her story. And her story was that through a number of miscarriages, she finally went to her sister and said, would you help me? Her sister carried the child for her, but the sister genetically was not connected with the child, but she became the birth mother. At that point not knowing about how vital statistics work and the birth certificates and filling out the paperwork, they began to fill out the paperwork and they found out at that time the biological mother could not be with the child at that moment unless the father was there or the birth mother. She asked what was my options? What do I do at this point? Well, after waiting six months, because you have to wait a minimum of six months, you're gonna go ahead and go through the process of hiring an attorney and you're gonna adopt your own child. And after that, then we'll put your name on the birth certificate. You will have legal right based on your own child. Now, in between that six months waiting, and then hiring the attorney and the expense and going through the process when that child has to go to the doctor, she's not going to be able to take that child to the doctor. And what happens if her husband, the biological father, dies? At that point, you go back to the birth mother who is legally now the mother of the child. So the biological mother--

**FOLEY:** One minute.

**McDONNELL:** --has no rights to that child. What this is doing at the moment of that child being born, just like when the father walks in and the mother says, this is the father. At that point, the mother-- the person that is actually carrying the child versus the genetic mother is gonna be able to say at that moment in time, I'm carrying the child, but this is the mother. This is the genetic-- the genetic mother. This is the biological mother. That's what this is doing with the paperwork. It's changing it so six months later that person doesn't have to hire an attorney and adopt their own child.

**CLEMENTS:** Thank you, Senator McDonnell. And thank you, Mr. President.

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**FOLEY:** Thank you, Senator Clements and Senator McDonnell and Senator Lathrop. Senator Clements, you're next in the queue if you want to continue.

**CLEMENTS:** Yes. Would Senator McDonnell yield to another question?

**FOLEY:** Senator McDonnell, would you yield, please?

**McDONNELL:** Yes.

**CLEMENTS:** I think I'm all right with this. I just wanted to have a little bit more information about it because it's a pretty sensitive family situation. It does say that the Department of Health and Human Services will prepare a form to have these two women acknowledge who the legal mother will be. Is the birth mother required then to sign that form? Is it mandatory that they do that? How does that work?

**McDONNELL:** If your question is, Senator, if the birth mother at that time could say, no, I'm not going to sign this form and recognize the biological mother.

**CLEMENTS:** Yes, that's the question.

**McDONNELL:** Yes, that could happen.

**CLEMENTS:** Excuse me. Go ahead.

**McDONNELL:** Yes, that could happen.

**CLEMENTS:** It could happen.

**McDONNELL:** Like, right now, there's not an option. When I give the example of the woman that came to me from my-- my district, other women had come also to-- to meet when we start talking about what we could do to help them. And throughout the state, different parts of the state. And the agreements they've made and-- and the-- the pain and suffering they've gone through, but also the commitment of the birth mother and what they're doing for that person to help them to have-- have their child, I don't think, Senator Clements, when someone makes that kind of commitment at the time of signing paperwork, they're gonna say no. But I believe legally they could.

**CLEMENTS:** I see, it's-- and likely I was just wondering about that situation. But, yeah, I agree that it would be unlikely. I just hope that this does help and doesn't have any unintended consequences, and

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I can't think of any right now. Thank you, Senator McDonnell. Thank you, Mr. President, that's all I had about this bill.

**FOLEY:** Thank you, Senator Clements and Senator McDonnell. I see no one else in the queue at this point. Senator Lathrop, you're recognized to close on the Judiciary Committee amendment.

**LATHROP:** Thank you, Mr. President, and thank you, colleagues, for the discussion this morning. Once in a while-- I'll just make this point. Once in a while, we have people come into Judiciary Committee. We get 250 bills a year. But once in a while, every so often, we have somebody come in and we say that's something I think we can fix pretty easily. We did it with Senator Bostelman's bill dealing with breaking into a car and providing some immunity for people that break into a car if they see a child there sitting in the hot sun. This falls kind of into that category. Is it affecting a lot of people? Probably not a lot of people, but it's affecting some people in a way that Senator McDonnell very well described. So I would appreciate your-- I appreciate the dialog. I appreciate your support of the amendment as well as the underlying bill. Thank you.

**FOLEY:** Thank you, Senator Lathrop. Members, you heard the discussion on the committee amendment. Those in favor of voting or advancing-- or excuse me, adopting the committee amendment vote aye; those opposed vote nay. Have you all voted? Record, please.

**ASSISTANT CLERK:** 36 ayes, 0 nays on the adoption of the committee amendments.

**FOLEY:** AM2947 committee amendment has been adopted. Is there any further discussion on the bill as amended? I see none. Senator DeBoer, you're recognized to close on the advance of the bill.

**DeBOER:** Thank you, Mr. President. I just want to thank everybody for the discussion today and that we've had outside of these conversations even as Senator Lathrop said, it is nice when we see a problem and we see a solution. It's not a controversial solution. It's just a solution. So I think we can all feel good about doing this sort of thing today. The bills that we have in here, these options not gonna affect a lot of people. But isn't it great when we get to do something that everybody agrees is gonna help somebody? So I hope you press your green button and you press it with pride knowing that we're doing something to help people today. Thank you.

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**FOLEY:** Thank you, Senator DeBoer. The question for the body is the advance of LB966 to E&R Initial. Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

**ASSISTANT CLERK:** 39 ayes, 0 nays on the advancement of the bill.

**FOLEY:** LB966 advances. Per the agenda, we'll move to General File 2020 committee priority bill. Mr. Clerk.

**ASSISTANT CLERK:** Mr. President, LB1053, introduced by the Health and Human Services committee, is a bill for an act relating to the Medical Assistance Act; requires rules and regulations for hospital and nursing facility reimbursement rates; harmonizes provisions; and repeals the original section. The bill was read for the first time on January 21 of this year, referred to the Health and Human Services Committee. That committee placed the bill on General File with committee amendments.

**FOLEY:** Senator Williams, I recognize-- I recognize you to open on the bill.

**WILLIAMS:** Thank you, Mr. President, and good morning, colleagues. LB1053 deals with what many would say would be a crisis with nursing homes surrounding Medicaid reimbursement rates. I would remind you again that LB1053, is cosponsored by all members of the HHS committee, and the hearing was held on February 12. LB1053 would require the Department of Health and Human Services to adopt and promulgate rules and regulations related to the rate methodology used to calculate the amount of reimbursement nursing facilities and hospitals receive for the care of people insured through Medicaid. Last year, the department announced its intention to remove Medicaid reimbursement rate methodology for both nursing facilities and hospitals from rules and regulations in conjunction with its massive revision of nearly all of its rules and regulations. At the same time, the department also announced it had developed a new flat rate methodology that was intended to be used to calculate Medicaid reimbursement amounts for nursing facilities. Consequently, many of our offices were flooded with calls not only from nursing home administrators but also from hospital administrators who were extremely concerned that the removal of the rate methodologies without their involvement would lead to unintended consequences. We were told that not having the rate methodology implemented through formal public process introduced too much uncertainty in managing their business plans. And many nursing facilities questioned whether they would be able to continue to accept

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Medicaid patients, which would accomplish-- actually compound the problems the state was already having trying to manage care with these vulnerable adults. LB1053 simply requires the rate methodology used to calculate reimbursements to nursing facilities and hospitals for the care of Medicaid patients be promulgated through the normal rules and regs procedure. What they have been doing for years. The bill ensures timely notification of and a public hearing for any proposed changes to a rate methodology, thereby allowing nursing facilities, hospitals, and other stakeholders to have a voice at the table and a time to adapt their business plans if necessary, and modify their own administrative processes and procedures to make this happen. Pleased to announce that in the spring of 2019, the department proposed those new rate methodologies and at the same time the long-term care facilities countered with their own rate methodology. And starting last fall, the department and the Health Care Association, LeadingAge, and representatives from individual nursing homes all across the state agreed to meet and schedule a series of biweekly meetings. They identified areas of agreement and discussed their differences, reached a compromise, and together developed a methodology that is by far more equitable than that methodology previously used. A big thank you goes out to Jeremy Brunson and Lance Njos from the Department of Health and Human Services for their involvement and also for the individuals that donated their time to find that process. At this point, I would encourage all of you to support this. This was supported and again cosigned by all members of the HHS committee. And I would ask for your green vote on LB1053. Thank you, Mr. President.

**FOLEY:** Thank you, Senator Williams. As the Clerk indicated, there are amendments from the Health Committee. Senator Howard, you're recognized to open on the committee amendment.

**HOWARD:** Good morning, colleagues. Thank you, Mr. President. Before I get started on the amendment, I just want to thank Senator Williams for all of his work on LB1053. He put an incredible amount of labor into making sure that this language was correct and worked and got us to the-- the-- the language that we needed to ensure that the rate methodology would be transparent for providers and hopefully prevent nursing home closures in the future. And so Senator Williams has done an incredible amount of work and an incredible job on LB1053. Committee amendment AM2806 incorporates two other nursing home related bills, LB833 and LB1043. Senator Crawford's LB833 can be found in Sections 3 through 13 and Section 20 of AM2806 on pages 1 through 4 and 12 through 13. LB833 is Senator Crawford's bill relating to

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programs of all inclusive care for the elderly or PACE programs. The term PACE provider and PACE programs are defined to incorporate federal statutes as they existed on January 1, 2020. And in Section 7-- 6 and 7 on page 2, LB833, defines a PACE center as both a healthcare facility and a healthcare service. In Section 13 on page 4 under current law, PACE centers are required to have one license for each healthcare service and each healthcare facility they operate. Previously, they had to have multiple licenses. And so the committee, their original suggestion was that they would be exempt from licensure and the committee really felt as though they did need to still have a license and so this-- we've modified LB833 to consolidate them into one license. AM2806 includes LB1043, Senator Ben Hansen's bill relating to nursing home receivership. This was brought on behalf of the Attorney General's Office and can be found in Sections 14 through 19, on pages 4 through 12 of the committee amendment. In Sections 14 and 15, pages 4 and 5, LB1043 changes provisions to allow the Department of Health and Human Services to petition the Lancaster County District Court or the court where the healthcare facility is located for the appointment of a receiver. This is when a nursing home goes out of business or is going bankrupt and they need a receiver to manage their closure. Section 15, page 5, states that no receiver could be appointed for more than six healthcare facilities at one time unless the receiver is approved by the court. Section 17 and 18 on page 10 amends the language about termination of the receivership. Currently, a court has 12 months to order the facility to be closed or sold after the final hearing and this bill would change the 12 months to 6 months. In Section 19 on pages 10 and 11, the bill clarifies the relationship between the Attorney General and the receiver in the event of a lawsuit. LB1053, as amended by AM2806, was advanced unanimously out of the committee. And I would urge you to vote green on AM2806 and LB1053. Thank you, Mr. President.

**FOLEY:** Thank you, Senator Howard. Debate is now open on LB1053 and the pending committee amendment. I see no discussion. Senator Howard, you're recognized to close. She waives closing. The question for the body is the adoption of AM2806, Health Committee amendment. Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

**ASSISTANT CLERK:** 34 ayes, 0 nays on the adoption of the committee amendments.



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**FOLEY:** The committee amendment has been adopted. So for the debate on the bill as amended, Senate Groene.

**GROENE:** I stand in support of the bill, but I'm gonna take this moment for a little point of privilege. Normally, I keep quiet about attacks on me. First, I want to address the continued attacks by Senator Chambers on what I said about the YRTC, about the young people there. This is the quote from the transcripts from Senator Groene: "What I understand about Geneva and a couple others, we just can't find staffing. We need to address the fact that these young people are violent criminals, many of them," but a qualifier. "All it takes is one person, one individual that walks into that place with the wrong attitude. Unless you can instantly instill programming...to change who they are and their character, we're always going to have these instances." That was at 1:31. Eighteen minutes later, this is what Senator Chambers said. "I was kind of miffed, but he has a right to say whatever he wants to on the floor. When Senator Groene referred to these young" ladies-- girl-- "young girls as violent criminals." I said people. I was talking about Kearney and Geneva and Lincoln. All right. Then he goes on to say, "I'm not surprised that somebody would call all these young girls violent criminals." But really, what I had to straighten out was how he said later, I, I know-- "I knew how to listen and hear what people say and take greater note of what they say than they themselves said because they speak without thinking. But I listen because we're on the record. And I'm going to come back and show that I paid more attention than the speaker did." I'm the speaker. I said we need to address the fact that these young people are violent criminals, many of them. I had to correct the record. Anybody doubt some of them are violent? They tore, broke windows, broke drywall, there had to be somebody in there violent. In Kearney, two of the social workers were beat up when they tore a bed apart. My comments were correct. Second issue. Senator Pansing Brooks and I are on political opposites of the world. In the six years we have served together, we have gone toe to toe many times on issues. We're both very passionate people and believe in the issues. An incident that happened again on the floor the other day between her and I. It happens. That's fine. We both agreed to leave it go, to not talk in the press about it because it'd be he said, she said. Then one of your colleagues, I used to think he was my colleague. This individual wants to be a county attorney of a major county prejudged, did not see anything, did not witness anything, tweeted out within minutes about what he had heard and that Groene missed-- hit a new low. So now I have been assaulted by the 20 or 30 people that's on his tweet list

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about something that was between me and Senator Pansing Brooks, if it happened or not. I am getting vicious emails, continued attacked. I had the news media come in because of somebody's comment and tell me that I attacked Senator Pansing Brooks's sexuality, which we all know I didn't. I did not do that. Senator Pansing Brooks never accused me of that. But this-- the record needs to be straight-- straightened out. We had a debate over a very-- I don't know if there's a more passionate issue than what LB814 was.

**FOLEY:** One minute.

**GROENE:** And it was, we disagree, Senator Pansing Brooks and I agree 100 percent on that issue-- disagree, but we went on to the next issue. But one of my colleagues did not. He spread a vicious rumor about me saying I reached a new low in a tweet. You know what? I don't agree on my President tweeting. I don't agree with any politician tweeting. We should be more mature than that. But that's where I stand, folks. I have gotten hundreds of emails from people across the country. What I said that night about protecting the unborn, they agreed with me 100 percent. I won't go into why I said shut up to Senator. It had nothing to do, which is spread out there about what she had said previously. It was what was going on at that moment.

**FOLEY:** That's time.

**GROENE:** Thank you.

**FOLEY:** Thank you, Senator Groene. In the speaking queue are Senators Pansing Brooks and Morfeld. Senator Pansing Brooks, you're recognized.

**PANSING BROOKS:** Well, I wasn't going to discuss this at all because I don't think-- I-- I think it's important to have collegiality. But-- and I think that you'll see that I-- I did speak. You guys, just a second. Sorry. If I could get a gavel. There-- I've never been-- had that obscene gesture so aggressively pointed at me. And yes, maybe a lot of you didn't see it. I know that a couple did because a couple raised their eyebrows when they saw that. So I don't know about the he said, she said, I know that I've worked with Senator Groene in the past. I have tried to work on LB147 with him when he started in on-- on the bill, to-- to talk about that I am a disgusting person that I am not a Christian. I then said-- and when he then went onto say this is all about what's in the bedroom, why do you care so much about what's going on in the bedroom? I finally had had enough and said, you're the one that cares about what's going on in the bedroom. And so

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I've now been told by the Speaker that I was chiding him at that point and that that was inappropriate. And maybe it was, but that's chiding. It's all a matter of who's chiding whom, because I was getting called names. I was being told I was disgusting. I was being told I was unchristian. And so it's a matter of who threw the first stone. And I was willing to let it go. I was willing to move on. I sat-- Senator Groene first said shut up. And then he sat down after it and then he said, and you call yourself a Christian, Amen. And then he sat down and he just glared at me with the most horrible look and-- and just held his finger up in his lap for-- to me, seemed a long time. I-- I was undone by it, but I decided to move on. This is not something I think is appropriate. It is not something I've ever had done to me before. And I don't know why we're talking about it all of a sudden, except that it was brought up. I was horrified. I've talked to many former senators who said they are blown away that nobody came to me and said, we support you. I'm sorry that happened to you, that this wasn't made more of a deal. But, you know, I guess I understand, because sometimes when-- when people are outspoken, as I am and as Senator Groene is, that everybody just thinks, oh well, no problem. But it is a problem. It's a problem in this body to allow somebody and to go on and expect that it's just in the normal course. What's the next step? If I chided, and that was his reaction, what should my reaction have been? Mine is to sit down and be quiet. That's what I'm being told, that what I experienced really wasn't that important. It didn't-- it-- it didn't affect the rest of everybody. So I'm supposed to sit down and be quiet about the fact that I was insulted, my family was insulted. My-- my whole integrity was insulted. Has anyone ever heard of this happening on the body of this floor ever in the history of the Nebraska Legislature, ever? The senators contacting me say that has never happened--

**FOLEY:** One minute.

**PANSING BROOKS:** --and that would never be allowed on the floor of the Legislature. But it's to one of the most progressive senators in the body. So I guess that's really OK by one of the most conservative senators in the--in the Legislature. I was not going to bring this up. I hadn't brought it up. You saw what happened to-- on the floors of Congress. So I guess we're just miring down into this. What is my reaction supposed to be when somebody does that? Should I have gone and pushed him? Would that have been OK? Because he was chiding me by

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that gesture. What would have been my appropriate reaction? My reaction is supposed to be to sit down and be quiet.

**FOLEY:** That's time, Senator.

**PANSING BROOKS:** I was doing that.

**FOLEY:** Thank you, Senator Pansing Brooks. In the speaking queue are Senators Morfeld, Slama, and Groene. Senator Morfeld.

**MORFELD:** Thank you, Mr. President. Colleagues, you know, for me, that evening I saw how upset Senator Pansing Brooks was by that. And I will tell you that in the last six years that I've served in the body with Senator Groene, I've served all six years in the Education Committee, four years as him as Chairman. And I'll be honest with you, we put up not necessarily with the middle finger a lot in that committee from Senator Groene, but with a lot of verbal abuse. And, you know, listen, we're all adults. We all get upset every once in a while. But I'll tell you what, particularly in Executive Committee, in that committee, it's tough to deal with sometimes. And at that point in the evening, I had asked Senator Pansing Brooks for permission to say something publicly, even though she did not want to say something publicly. And I did so because I think that that stuff needs to be brought to light. I think people need to know because otherwise Senator Groene can get away with flipping people off anytime he wants in the floor of the Legislature and there not be consequences to what happened. He has not denied it. Senator Pansing Brooks saw it. I trust her. Apparently, one or two other senators probably saw it as well. And I think it needs to be addressed. And it's been addressed. I addressed it. I wasn't gonna bring it up on the floor. But I think people need to know what happens when people that are in positions of leadership, particularly the Education Committee, when those things happen. I'm not going to pursue it any further. I've made people aware of it because I think it's important for people to be made aware of it. Senator Groene clearly doesn't think that it was his finest moment, otherwise he wouldn't be addressing it. But at the same time, I don't think anybody should be treated on the floor that way. I think we can all have passionate debate. But when it comes to derogatory things like that, I think that there's a difference between passionate debate and getting upset and making obscene gestures to people. There's a clear distinction. There's a clear line. Thank you, Mr. President.

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**FOLEY:** Thank you, Senator Morfeld. In the queue, Senators Slama, Groene, and Matt Hansen. Senator Slama.

**SLAMA:** Thank you, Mr. President. Like everybody else in the body, I am a little bit surprised that this got brought up today. But I do think it's fair that if we're up on the mike talking about verbal abuse and derogatory comments, it seems to me to be a little bit hypocritical to clutch our pearls about Senator Groene. Senator Groene's comments from Tuesday night without any reference to what happened on Monday with Senator Chambers referencing his evident rape fantasy with me and his continued sexual harassment of me on the floor of this Legislature. In my mind, that is of far-- that's far more problematic than what's being discussed here. Was telling a colleague to shut up on the mike inappropriate? Yes. Was heckling the person who was on the mike also inappropriate? Yes. And to Senator Groene's credit, he was one of the very few senators who stood up and actually had the guts to stand up to Senator Chambers and call him out for his comments on Monday. And no one else has referenced it since. I find it very interesting that some of the self-avowed feminists on this floor let that fly without a single comment. So if we're gonna talk about conduct unbecoming on the floor of this Legislature, I think it's time to talk about what really happened on Monday and the underlying issues surrounding it, especially if we're gonna be offended at somebody telling someone else to shut up. Thank you, Mr. President.

**FOLEY:** Thank you, Senator Slama. Senator Groene, then Senator Matt Hansen. Senator Groene.

**GROENE:** Thank you. Well, let me tell you what happened all day. I was heckled. Everybody heard it. Senator Pansing Brooks kept making comments that were heard by lots of senators. I was totally distracted. I will admit the one mistake I did. I should have gaveled for silence instead of saying shut up. Anything else was not on the record. Had nothing to do with the record, was not on TV. I gave her a universal sign to be-- to desist and quit harassing me. She was staring me down. I went like this. Look it up. Look it up what that signals means. All right. That turned into other things. I'm not gonna go into Education Committee and what happened in Committee on Committees and the "uncollegiality" about positions and-- and-- and LB147, how two senators voted for a committee statement and then committee to be advanced and then turned around and wouldn't advance the bill out. I won't go into that. Now, that's collegiality, folks. That's how we get along here. As Senator Morfeld said, he wants to be

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a county attorney and he's prejudging things by sending out tweets. I don't know if that's gonna work real well in a position which he is acq-- trying to rece-- accede to. But that's fine. No, I am-- I came here to get things done and defend rights and people. And I am getting viciously attacked. It don't mind-- I don't mind. I know who they are. They're the real left-wing Bernie-ites, or whatever you want to call it on something that all generated from gossip by a senator who's seen nothing and sent out a tweet. Please, my conservative friends, never send anything out in my behance-- my behalf. I'll do it myself. Oh, good, Senator Chambers comes and if he wants to debate about Geneva, I'm welcome to do that because I have the transcripts here, but I'm tired of it. Take on the strong, conservative, the straw dog and try to bring him down. Send a message to everybody else. Don't say what you believe because we're gonna act pious and take the guy down. Well, it ain't going to happen to Senator Groene. Not at all. The only reason I stood up because this is getting back to my constituents and becoming fact and they don't know the whole story about the heckling, this senator insulted me sexually for two years by calling me "sunshine." Is that respectful? Finally, I had to confront the issue and say that is not collegial, that is not-- my name is Senator Mike Groene. So let's go where it's at. People try to bring people down by belittling them, bring them down to their level, it didn't happen and it won't happen with Senator Groene. But I had to stand up because I am being defamed, attacked, claiming I said things on the mike that I didn't say. I will admit I should have gaveled, but I was totally distracted by the heckling that was going on. Any of these senators around the area heard it and they were all turning about the time I said that trying to figure out where all that noise was coming from. I've never in six years seen anybody heckled on the mike like I was. So let's leave it at that. Senator Pansing Brooks are never gonna be friends. We had an Exec this morning. We were collegial. We got along. That's-- that's as far as it's gonna go, because philosophically, when I'm out of here in eight years, I'll never see the person again and she'll never see me.

**FOLEY:** One minute.

**GROENE:** That's the way it should be here, actually. Friendships get in the way of what you should do. I stood up for life and I've gotten tons of emails what I said was accurate. If you want to know who Mike Groene is, I'm a family man. I'm married happily. I've been successful in business, been successful at this. You want to know about anything personal about me, it's none of your business. And I'm never gonna

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define myself that way. That's the comments that we're making on the floor. Define yourself by your soul, not your flesh. And you might end up in heaven. That's my point. That was my point the other night. Now, tear that apart if you want, but that's the belief, I think, an awful large number Nebraskans believe. So if you want to go to petty personal attacks, Senator Morfeld, you go right ahead, If that's who you are and that's how you gain political clout within your 30 or 40 people who follow you on Tweet, go ahead.

**FOLEY:** That's time, Senator. Speaker Scheer, you're recognized.

**SCHEER:** Thank you, Mr. President. Colleagues, our conversation today has disintegrated into a level that I do not find appropriate for this body. At some point in time, we have to learn to respect each other, respect other's comments. We need to pay attention to what is being said on the floor. As I said yesterday, if you don't listen, how do you know what's being said. Enough is enough. I asked a week-- the beginning of this week, that we would have some decorum, that we would have some respect for each other. You don't have to like each other, but you have to respect each other on this floor. I'm no longer gonna let this be a place to disintegrate individual senators. If you don't like something, go talk to them off the mike. If you've got a problem, do that. This is not the place or the time for those discussions by anybody. I have signed an adjournment because I think we need some time just to sit back and evaluate ourselves and our actions and how we're going to move forward from this point. Please, do that. Look in the mirror. Not everyone's guilty, but a lot of us are. And you notice I said us because I'm probably as guilty as some. We need to start holding each other accountable. Accountable for the institution. We can no longer sully it. It is important. You are elected representatives. We need to start acting like it. We have a lot of work to do. I'm sorry to do this, but I'm not going to let this disintegrate even farther down the slope this morning. I know several have lights on. I don't care. Enough is enough. Let's think about it. Let's come back refreshed after the weekend and do the people's business. Thank you, Mr. President.

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

**CLERK:** Mr. President, a new A bill, LB1004A, by Senator Lathrop, appropriates funds to implement LB1004. Senator Matt Hansen offers LR381, it's a study resolution. Revenue Committee will meet upon

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recess in Room 1113. And finally, Mr. President, Senator-- Speaker Scheer would move to adjourn the body until Monday, July 27, at 9:00.

**FOLEY:** A roll call vote has been requested on the motion to adjourn. Mr. Clerk, when you're prepared, please call the roll on the motion to adjourn.

**CLERK:** Senator Albrecht, excuse me.

**ALBRECHT:** Yes.

**CLERK:** Voting yes. Senator Arch.

**ARCH:** Yes.

**CLERK:** Voting yes. Senator Blood. Senator Bolz. Senator Bostelman.

**BOSTELMAN:** Yes.

**CLERK:** Voting yes. Senator Brandt.

**BRANDT:** Yes.

**CLERK:** Voting yes. Senator Brewer.

**BREWER:** Yes.

**CLERK:** Voting Yes. Senator Briese.

**BRIESE:** Yes.

**CLERK:** Voting yes. Senator Cavanaugh. Senator Chambers.

**CHAMBERS:** Not voting.

**CLERK:** Not voting. Senator Clements.

**CLEMENTS:** Yes.

**CLERK:** Voting yes. Senator Crawford.

**CRAWFORD:** Yes.

**CLERK:** Voting yes. Senator DeBoer.

**DeBOER:** Yes.



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**CLERK:** Voting yes. Senator Dorn.

**DORN:** Yes.

**CLERK:** Voting yes. Senator Erdman.

**ERDMAN:** Yes.

**CLERK:** Voting yes. Senator Friesen.

**FRIESEN:** Yes.

**CLERK:** Voting yes. Senator Geist.

**GEIST:** Yes.

**CLERK:** Voting Yes. Senator Gragert.

**GRAGERT:** Yes.

**CLERK:** Voting yes. Senator Groene.

**GROENE:** Yes.

**CLERK:** Voting yes. Senator Halloran.

**HALLORAN:** Yes.

**CLERK:** Voting yes. Senator Ben Hansen.

**B. HANSEN:** Yes.

**CLERK:** Voting yes. Senator Matt Hansen.

**M. HANSEN:** Yes.

**CLERK:** Voting yes. Senator Hilgers. Senator Hilkemann. Senator Howard.

**HOWARD:** Not voting.

**CLERK:** Not voting. Senator Hughes.

**HUGHES:** Yes.

**CLERK:** Voting yes. Senator Hunt.

**HUNT:** No.

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**CLERK:** Voting no. Senator Kolowski.

**KOLOWSKI:** Yes.

**CLERK:** Voting yes. Senator Kolterman.

**KOLTERMAN:** Yes.

**CLERK:** Voting yes. Senator La Grone.

**La GRONE:** Yes.

**CLERK:** Voting yes. Senator Lathrop.

**LATHROP:** Yes.

**CLERK:** Voting yes. Senator Lindstrom.

**LINDSTROM:** Yes.

**CLERK:** Voting yes. Senator Linehan.

**LINEHAN:** Yes.

**CLERK:** Voting yes. Senator Lowe.

**LOWE:** Yes.

**CLERK:** Voting yes. Senator McCollister.

**McCOLLISTER:** Yes.

**CLERK:** Voting yes. Senator McDonnell.

**McDONNELL:** Yes.

**CLERK:** Voting yes. Senator Morfeld.

**MORFELD:** Yes.

**CLERK:** Voting yes. Senator Moser. Senator Murman.

**MURMAN:** Yes.

**CLERK:** Voting yes. Senator Pansing Brooks.

**PANSING BROOKS:** Not voting.

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**CLERK:** Not voting. Senator Quick.

**QUICK:** Yes.

**CLERK:** Voting yes. Senator Scheer.

**SCHEER:** Yes.

**CLERK:** Voting yes. Senator Slama.

**SLAMA:** No.

**CLERK:** Voting no. Senator Stinner.

**STINNER:** Yes.

**CLERK:** Voting yes. Senator Vargas.

**VARGAS:** Yes.

**CLERK:** Voting yes. Senator Walz.

**WALZ:** Yes.

**CLERK:** Voting yes. Senator Wayne. Senator Williams.

**WILLIAMS:** Yes.

**CLERK:** Voting yes. Senator Wishart. 37 ayes, 2 nays, Mr. President, to adjourn.

**FOLEY:** We are adjourned.