

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Floor Debate
January 11, 2016

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SENATOR COASH PRESIDING

SENATOR COASH: GOOD MORNING, LADIES AND GENTLEMEN. WELCOME TO THE GEORGE W. NORRIS LEGISLATIVE CHAMBER FOR THE FOURTH DAY OF THE ONE HUNDRED FOURTH LEGISLATURE, SECOND SESSION. OUR CHAPLAIN FOR TODAY IS SENATOR KINTNER. PLEASE RISE.

SENATOR KINTNER: (PRAYER OFFERED.)

SENATOR COASH: THANK YOU, SENATOR KINTNER. I CALL TO ORDER THE FOURTH DAY OF THE ONE HUNDRED FOURTH LEGISLATURE, SECOND SESSION. SENATORS, PLEASE RECORD YOUR PRESENCE. MR. CLERK, PLEASE RECORD.

CLERK: I HAVE A QUORUM PRESENT, MR. PRESIDENT.

SENATOR COASH: THANK YOU, MR. CLERK. ANY CORRECTIONS FOR THE JOURNAL?

CLERK: MR. PRESIDENT, ON PAGE 152, LINE 14, STRIKE THE WORD "COUNTY" AND INSERT THE WORD "COUNTRY." THAT'S ALL THAT I HAVE.

SENATOR COASH: THANK YOU. ANY MESSAGES, REPORTS, OR ANNOUNCEMENTS?

CLERK: I DO, MR. PRESIDENT. A SERIES OF THE LOBBY REPORT AS REQUIRED BY STATE LAW TO BE INSERTED IN THE JOURNAL ON THE FOURTH LEGISLATIVE DAY. PRIORITY BILL DESIGNATION: SENATOR KRIST HAS SELECTED LB18 AS HIS PRIORITY BILL. THAT'S ALL THAT I HAVE, MR. PRESIDENT. (LEGISLATIVE JOURNAL PAGES 193-215.) [LB18]

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SENATOR COASH: THANK YOU, MR. CLERK. SPEAKER HADLEY, YOU'RE RECOGNIZED.

SPEAKER HADLEY: MR. PRESIDENT AND MEMBERS OF THE BODY, JUST A QUICK ANNOUNCEMENT. I'VE BEEN ASKED BY A NUMBER OF SENATORS, WITH THE PRESIDENT OF THE UNITED STATES COMING TO SPEAK IN OMAHA ON WEDNESDAY AFTERNOON, WE WILL BE ADJOURNING AT NOON ON WEDNESDAY FOR THOSE SENATORS WHO WISH TO GO TO HEAR THE PRESIDENT SPEAK. SO THAT WAS THE ONLY ANNOUNCEMENT I HAD, MR. PRESIDENT. THANK YOU.

SENATOR COASH: THANK YOU, SPEAKER HADLEY. (DOCTOR OF THE DAY INTRODUCED.) MR. CLERK, WE'LL GO TO THE NEXT ITEM ON THE AGENDA.

CLERK: MR. PRESIDENT, NEW BILLS. (READ LB853-858 BY TITLE FOR THE FIRST TIME.) THAT'S ALL THAT I HAVE AT THIS TIME, MR. PRESIDENT. (LEGISLATIVE JOURNAL PAGES 215-216.) [LB853 LB854 LB855 LB856 LB857 LB858]

SENATOR COASH: MR. CLERK, NEXT ITEM ON THE AGENDA.

CLERK: MR. PRESIDENT, I HAVE A MOTION WITH RESPECT TO THE PERMANENT RULES. SENATOR GARRETT, AS CHAIRMAN OF THE RULES COMMITTEE, WOULD MOVE TO ADOPT THE PERMANENT RULES FOR THE ONE HUNDRED FOURTH LEGISLATURE, SECOND SESSION. PURSUANT TO THAT ACTION, MR. PRESIDENT, I HAVE THREE RECOMMENDATIONS FROM THE RULES COMMITTEE AS WELL AS A FOURTH MOTION. MR. PRESIDENT, I MIGHT INDICATE TO THE MEMBERSHIP COPIES OF THE RULES CHANGES AS PROPOSED WILL BE FOUND ON YOUR DESK. YOU WON'T FIND THEM ON YOUR LAPTOP. THEY'LL BE IN HARD COPY ON YOUR DESK. THEY HAVE BEEN DISTRIBUTED. MR. PRESIDENT, SENATOR GARRETT, THE FIRST CHANGE I HAVE WITH RESPECT TO THE PERMANENT RULES IS A PROPOSAL INVOLVING RULE 4, SECTIONS 1 AND 2, SENATOR.

SENATOR COASH: SENATOR GARRETT, YOU'RE RECOGNIZED.

SENATOR GARRETT: THANK YOU, MR. PRESIDENT. COLLEAGUES, THE RULES COMMITTEE MET ON 7 JANUARY TO CONSIDER A TOTAL OF TEN PROPOSED RULES CHANGES. THE COMMITTEE CHOSE TO ADVANCE THREE OF THOSE PROPOSED RULES CHANGES, WHICH HAVE BEEN PROVIDED AND PRINTED OFF TO EACH OF YOU FOR YOUR REVIEW. SPEAKER HADLEY, SENATOR COASH, AND

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CLERK OF THE LEGISLATURE, PATRICK O'DONNELL, SUBMITTED THE THREE PROPOSED RULES CHANGES THAT WE'LL BE CONSIDERING. SENATOR HADLEY'S PROPOSED RULES CHANGE IS TO LIMIT LEGISLATIVE RESOLUTION INTRODUCTIONS TO A MAXIMUM OF EIGHT TO HELP SAVE IN DRAFTING COSTS. SENATOR COASH, HIS PROPOSED RULES CHANGE IS TO DECREASE THE TIME TO VOTE...THAT A VOTE IS HELD OPEN ON FINAL READING FROM THREE MINUTES TO ONE MINUTE. AND, FINALLY, THE CLERK OF THE LEGISLATURE, PATRICK O'DONNELL, BROUGHT A RULES...PROPOSED RULES CHANGE TO ALLOW COSPONSORS TO SIGN ELECTRONICALLY. WITH THAT, I'D LIKE TO YIELD MY TIME TO SPEAKER HADLEY TO TALK ABOUT HIS PROPOSED RULES CHANGE.

SENATOR COASH: SPEAKER HADLEY, YOU'RE RECOGNIZED.

SPEAKER HADLEY: MR. PRESIDENT, PRIOR TO 2010, THE LEGISLATURE, BY RULE, LIMITED SENATORS TO INTRODUCING ONLY EIGHT RESOLUTIONS PER SENATOR. THIS LIMIT DID NOT APPLY TO RESOLUTIONS TREATED AS BILLS, CONSTITUTIONAL AMENDMENTS, NOR DID IT APPLY TO INTERIM STUDY RESOLUTIONS. THE RULES CHANGE ADOPTED IN 2010 PUT AN EIGHT RESOLUTION RESTRICTION ON ONLY RESOLUTIONS REFERENCED TO COMMITTEE FOR A HEARING THAT REQUIRED ONLY ONE VOTE. THIS RESTRICTION EXCLUDED CONSTITUTIONAL AMENDMENTS, INTERIM STUDY RESOLUTIONS, AND HONORARY RESOLUTIONS. MY PROPOSED RULES CHANGE WILL RETURN US TO THE EIGHT RESOLUTION LIMIT THAT EXISTED PRIOR TO THE 2010 SESSION. THIS LIMIT APPLIES TO RESOLUTIONS A SENATOR INTRODUCES AS A PRINCIPAL INTRODUCER. THE TOTAL NUMBER OF RESOLUTIONS HAS DRAMATICALLY INCREASED SINCE THE RULE WAS CHANGED IN 2010. IN FACT, IN 2009 OR 2008, WE HAD 72 TOTAL RESOLUTIONS. THIS PAST YEAR WE HAD 284 RESOLUTIONS. WHILE THESE RESOLUTIONS GENERALLY DO NOT TAKE UP FLOOR TIME EXCEPT TOWARD THE END OF THE SESSION DUE TO THE ADOPTION WITHOUT DEBATE RULE, WHAT NEEDS TO BE CONSIDERED IS THE COST OF THE BILL DRAFTING TIME AND THE PRINTING COSTS FOR THE NUMEROUS COPIES REQUIRED TO BE PRINTED. EACH RESOLUTION IS RECORDED IN ITS ENTIRETY IN THE DAILY JOURNAL AND THESE PRINTING COSTS ADD UP. I BELIEVE EIGHT IS A SUFFICIENT NUMBER OF RESOLUTIONS TO ALLOW SUCH SENATORS TO INTRODUCE. ADDITIONALLY, I WOULD SUGGEST A CERTIFICATE OF RESOLUTION IS A BETTER WAY TO PROVIDE CONGRATULATIONS TO THE NUMEROUS EAGLE SCOUTS, BIRTHDAYS, AND WEDDING ANNIVERSARIES CELEBRATED BY THE CITIZENS. I HAVE GIVEN YOU A COPY OF THREE POTENTIAL TYPES OF THINGS THAT CAN BE USED. THE FIRST ONE IS ONE THAT IS USED...CAN BE USED AND IT'S A CERTIFICATE OF RESOLUTION RECOGNITION

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FOR THE PERSON AND IT'S SIGNED BY THE LEGISLATOR, THE SPEAKER, AND THE CLERK. IT'S EASILY DONE, CAN BE DONE ALL YEAR LONG. THE SECOND ONE IS ONE THAT THE SENATOR CAN ACTUALLY USE FOR JUST THEMSELVES TO SIGN AND SEND ON TO A PERSON THAT THEY WISH TO RECOGNIZE. AND THE THIRD ONE IS THE ONE I USE OUT OF MY OFFICE, THAT IF A PERSON WANTS TO HAVE THE SPEAKER SIGN A LETTER OF RECOGNITION, THAT IT'S SENT THROUGH. I WOULD APPRECIATE YOUR VOTE YES ON CHANGING THIS RULE. THANK YOU, MR. PRESIDENT.

SENATOR COASH: THANK YOU, SPEAKER HADLEY. YOU'VE HEARD THE OPENING TO THE RULES CHANGE NUMBER 1. MR. CLERK, YOU HAVE AN AMENDMENT.

CLERK: I DO, MR. PRESIDENT. SENATOR CHAMBERS WOULD MOVE TO AMEND SENATOR HADLEY'S PROPOSED RULES CHANGE BY STRIKING EIGHT AND INSERTING FIVE.

SENATOR COASH: SENATOR CHAMBERS, YOU'RE RECOGNIZED TO OPEN ON YOUR AMENDMENT.

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, I WOULD LIKE TO LOWER THE NUMBER EVEN MORE, BUT THAT'S NOT GOING TO HAPPEN, AND MAYBE THIS WON'T BE ADOPTED. BUT I'VE BEEN HERE A GOOD LONG TIME. I'VE HAD THE OPPORTUNITY TO REVIEW INNUMERABLE RESOLUTIONS. MANY OF THEM ARE NOT WORTH THE PAPER THEY'RE WRITTEN ON. MANY HAVE BEEN USED FOR POLITICAL PURPOSES. THERE WAS ONE PERSON WHO WAS GOING TO RUN FOR THE ATTORNEY GENERAL AND HE PUT IN A HOST OF STUDY RESOLUTIONS, SO THE PROCESS CAN BE MISUSED FOR POLITICAL PURPOSES. I DON'T KNOW THAT THERE WOULD BE A REASON FOR A SENATOR TO OFFER MORE THAN FIVE RESOLUTIONS. AND SINCE THIS IS IN THE RULE, IT'S A NUMBER THAT IS APPROPRIATE. AND IF THERE WERE A RESOLUTION REALLY OF GREAT SIGNIFICANCE, I'M SURE THAT PERSON COULD OBTAIN A VOTE TO SUSPEND THE RULES TO OFFER THAT SPECIFIC RESOLUTION. EIGHT, I THINK, IS EXCESSIVE. AND NOW I WILL LISTEN TO HEAR WHAT OPPOSITION MIGHT BE RAISED TO WHAT I'M OFFERING AND MAYBE MY MIND CAN BE CHANGED. THANK YOU, MR. PRESIDENT.

SENATOR COASH: THANK YOU, SENATOR CHAMBERS. MEMBERS, YOU'VE HEARD THE OPENING TO THE CHAMBERS AMENDMENT. SENATOR HADLEY, YOU'RE RECOGNIZED.

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SPEAKER HADLEY: MR. PRESIDENT, WE DID DISCUSS IN THE RULES COMMITTEE THE NUMBER THAT WAS APPROPRIATE FOR THIS, THE NUMBER OF RESOLUTIONS. AND AT ONE TIME WE WERE UP TO 12; SOMEBODY WANTED 10; 8. AND SO I WOULD SUGGEST IT IS A NUMBER THAT WE PICKED, BUT THERE WAS A RATIONALE BEHIND THE NUMBER. AND THAT RATIONALE WAS THIS WAS THE NUMBER WE HAD HAD IN EFFECT UNTIL WE MADE THE CHANGE. WHILE THIS MAY NOT BE AN OVERWHELMING REASON TO DO IT, WE HAVE HAD EXPERIENCE WITH EIGHT BEING THE NUMBER OF RULES. AND I DO HAVE THE DATA AND FOUND THAT SENATORS DID NOT ABUSE THE EIGHT LIMIT AT THAT POINT IN TIME. THANK YOU, MR. PRESIDENT.

SENATOR COASH: THANK YOU, SENATOR HADLEY. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED.

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. GOOD MORNING, COLLEAGUES. I WAS THE ONE THAT ATTEMPTED TO PUT THE NUMBER AT 12. I THOUGHT ONE A MONTH WAS A REASONABLE NUMBER. WE DISCUSSED IT. THE NUMBER EIGHT WAS AGREED ON IN THE RULES COMMITTEE. I THINK THAT IS A GOOD NUMBER. I PERSONALLY WOULD HAVE LIKED 12 BETTER; I'M CONTENT WITH 8. I THINK LOWERING IT BEYOND THAT PROBABLY IS NOT THE BEST IDEA IN THE WORLD AT THIS TIME. SO I WILL BE OPPOSING SENATOR CHAMBERS' AMENDMENT AND SUPPORTING THE CHANGE AS IT STANDS. THANK YOU.

SENATOR COASH: THANK YOU, SENATOR BLOOMFIELD. SEEING NO OTHER MEMBERS WISHING TO SPEAK, SENATOR CHAMBERS, YOU'RE RECOGNIZED TO CLOSE ON YOUR AMENDMENT TO THE RULE.

SENATOR CHAMBERS: MR. PRESIDENT, SINCE I HAVE BIGGER NUTS TO CRACK THAN THIS ONE, THERE HAS BEEN OPPOSITION OFFERED TO MY PROPOSAL. SO RATHER THAN EVEN TAKE A VOTE, I WILL WITHDRAW THAT.

SENATOR COASH: AMENDMENT IS WITHDRAWN.

SENATOR COASH: SENATOR GARRETT, YOU'RE RECOGNIZED TO CLOSE ON THE ADOPTION OF RULES CHANGE NUMBER 1.

SENATOR GARRETT: I THINK...THANK YOU, MR. PRESIDENT. I THINK SPEAKER HADLEY'S PROPOSED RULES CHANGE IS GOOD. WE HAD SOME SPIRITED DEBATE

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ON THE COMMITTEE. AND WITH THE CERTIFICATE OF RECOGNITION, POINTING THAT OUT TO A LOT OF THE MEMBERS, I THINK THAT'S GOING TO TAKE THE PLACE OF A LOT OF THE LEGISLATIVE RESOLUTIONS THAT WE USED TO BRING. SO WITH THAT, I ENCOURAGE THE BODY TO VOTE FOR THE PROPOSED RULES CHANGE NUMBER 1. THANK YOU.

SENATOR COASH: THANK YOU, SENATOR GARRETT. MEMBERS, YOU'VE HEARD THE CLOSING TO RULES CHANGE NUMBER 1. THE QUESTION FOR THE BODY IS, SHALL RULES CHANGE NUMBER 1 BE ADOPTED? ALL THOSE IN FAVOR VOTE AYE; OPPOSED VOTE NAY. RECORD, MR. CLERK.

CLERK: 37 AYES, 0 NAYS, MR. PRESIDENT, ON ADOPTION TO PROPOSED RULES CHANGE NUMBER 1.

SENATOR COASH: RULES CHANGE NUMBER 1 IS ADOPTED.

CLERK: MR. PRESIDENT, THE RULES COMMITTEE...THE SECOND PROPOSAL AS OFFERED BY THE RULES COMMITTEE INVOLVES A CHANGE TO RULE 8, SECTION, EXCUSE ME, RULE 6, SECTION 8.

SENATOR COASH: SENATOR GARRETT, YOU'RE RECOGNIZED TO OPEN ON RULES CHANGE NUMBER 2.

SENATOR GARRETT: THANK YOU, MR. PRESIDENT. RULES CHANGE NUMBER 2 SIMPLY DECREASES THE AMOUNT OF TIME WE HOLD A VOTE OPEN ON FINAL READING FROM THREE MINUTES TO ONE MINUTE. AS YOU KNOW, WE ARE...TIMING IS CRITICAL AND WE'D LIKE TO SAVE AS MUCH TIME AS POSSIBLE. AND REDUCING FROM THREE MINUTES TO ONE MINUTE WE FELT WAS AN ADEQUATE AMOUNT OF TIME TO HOLD THE VOTE OPEN, SO I WOULD ENCOURAGE THE BODY TO VOTE YES ON THE PROPOSED RULES CHANGE NUMBER 2. THANK YOU, MR. PRESIDENT.

SENATOR COASH: THANK YOU, SENATOR GARRETT. MEMBERS, YOU'VE HEARD THE OPENING TO RULES CHANGE NUMBER 2. SENATOR LARSON, YOU'RE RECOGNIZED.

SENATOR LARSON: THANK YOU, MR. PRESIDENT. I RISE IN SUPPORT OF THIS RULES CHANGE. I THINK WE'VE ALL SAT THERE THOSE THREE MINUTES AND

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WONDERED A LOT WHY WE'RE SITTING THERE THAT LONG. SO I THINK THREE MINUTES TO ONE MINUTE WILL BE A GOOD THING. ON A LIGHTER NOTE, I HOPE EVERYBODY'S READY FOR A LOT OF TYSON TO BEGIN THIS SESSION. I KNOW I GOT TWO BILLS COMING ON EARLY, AND I THINK THEY'RE GOING TO BE A LOT OF FUN. I'M SURE EVERYONE IS GOING TO BE AWFUL INTERESTED IN THEM, JUST AS INTERESTED AS I AM. AND I KNOW I CAN THANK CHARTER SCHOOLS FOR THAT LAST YEAR, SO I'M REALLY LOOKING FORWARD TO IT. AND LASTLY, UNFORTUNATELY, I HAVE TO HAVE AN ADMISSION: TODAY I AM WEARING THIS NICE CRIMSON TIE WITH MY FAVORITE PACHYDERMS ON THEM, WITH A NICE BIG A. I LEARNED A LESSON THIS FALL: YOU DON'T BET AGAINST ALABAMA. AND AS MUCH AS I'D LIKE TO CHEER FOR THE CRIMSON TIDE TODAY OR THE CLEMSON TIGERS TODAY, I DO HAVE TO WEAR THIS ALABAMA TIE. AND THEY WERE KIND ENOUGH TO BUY ME ONE WITH MY FAVORITE REPUBLICAN ELEPHANTS ON IT. SO, AS PART OF THAT, I WILL HAVE TO SAY ROLL TIDE TONIGHT. THANK YOU.

SENATOR LARSON: THANK YOU, SENATOR LARSON. SEEING NO OTHER MEMBERS WISHING TO SPEAK, SENATOR GARRETT, YOU'RE RECOGNIZED TO CLOSE ON RULES CHANGE NUMBER 2.

SENATOR GARRETT: THANK YOU, MR. PRESIDENT. AGAIN, THIS IS AN EFFORT TO SAVE TIME. AND I DON'T THINK IT'S AN ONEROUS REQUEST AND I ENCOURAGE THE BODY TO VOTE FOR THE PROPOSED RULES CHANGE NUMBER 2. THANK YOU, MR. PRESIDENT.

SENATOR COASH: THANK YOU, SENATOR GARRETT. MEMBERS, YOU'VE HEARD THE CLOSING ON RULES CHANGE NUMBER 2. THE QUESTION FOR THE BODY IS, SHALL RULES CHANGE NUMBER 2 BE ADOPTED? ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK.

CLERK: 37 AYES, 1 NAY, MR. PRESIDENT, ON THE ADOPTION OF PROPOSED RULES CHANGE WITH RESPECT TO RULE 6, SECTION 8.

SENATOR COASH: RULES CHANGE NUMBER 2 IS ADOPTED. NEXT ITEM, MR. CLERK.

CLERK: MR. PRESIDENT, THE THIRD RULES CHANGE IS AS OFFERED BY THE RULES COMMITTEE INVOLVES AN AMENDMENT TO RULE 5, SECTION 4.

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SENATOR COASH: SENATOR GARRETT, YOU'RE RECOGNIZED TO OPEN ON RULES CHANGE NUMBER 3.

SENATOR GARRETT: THANK YOU, MR. PRESIDENT. RULES CHANGE NUMBER 3, QUITE SIMPLY, IS JUST TO ALLOW US, AS SENATORS, TO COSPONSOR LEGISLATION ELECTRONICALLY SO WE DON'T HAVE TO DO A HARD COPY. THIS WOULD ALSO SAVE A LOT OF TIME AND EFFORT AND ALLOW US TO DO THINGS MORE EFFECTIVELY AND EFFICIENTLY. SO I ENCOURAGE THE BODY TO SUPPORT THE PROPOSED RULES CHANGE NUMBER 3. THANK YOU, MR. PRESIDENT.

SENATOR COASH: THANK YOU, SENATOR GARRETT. YOU'VE HEARD THE OPENING TO RULES CHANGE NUMBER 3. SENATOR KRIST, YOU'RE RECOGNIZED.

SENATOR KRIST: THANK YOU, CHAIR. I WOULD JUST...MR. PRESIDENT, I'M SORRY. I WOULD JUST LIKE TO EMPHASIZE THE FACT THAT IN A WORLD WHERE WE CONTINUE TO TRY TO PRESS AND GO TO A PAPERLESS SYSTEM, THIS WILL, AGAIN, AID US IN TERMS OF COST AND IN FLEXIBILITY, SO I'D ASK YOU TO SUPPORT. THE CLERK HAS THOUGHT THIS OUT VERY CAREFULLY. OUR STAFF AND OUR I.T. STAFF ARE READY TO MOVE FORWARD. IF WE VOTE THIS RULE IN, BEGINNING IN THE NEXT FEW DAYS, YOU'LL BE ABLE TO DO THIS ELECTRONICALLY. SO PLEASE SUPPORT...VOTE GREEN ON THIS RULES CHANGE. THANK YOU.

SENATOR COASH: THANK YOU, SENATOR KRIST. SEEING NO OTHER MEMBERS WISHING TO SPEAK, SENATOR GARRETT, YOU'RE RECOGNIZED TO CLOSE ON RULES CHANGE NUMBER 3.

SENATOR GARRETT: THANK YOU, MR. SPEAKER. COLLEAGUES, I ENCOURAGE YOU TO VOTE FOR THIS PROPOSED RULES CHANGE. IT'S GOING TO MAKE THINGS MORE EFFECTIVE AND EFFICIENT FOR US ALL. THANK YOU, MR. PRESIDENT.

SENATOR COASH: THANK YOU, SENATOR GARRETT. MEMBERS, YOU'VE HEARD THE CLOSING TO RULES CHANGE NUMBER 3. THE QUESTION FOR THE BODY IS, SHALL RULES CHANGE NUMBER 3 BE ADOPTED? ALL THOSE IN FAVOR VOTE AYE; OPPOSED VOTE NAY. RECORD, MR. CLERK.

CLERK: 42 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF PROPOSED RULES CHANGE NUMBER 3, AS OFFERED BY THE RULES COMMITTEE.

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SENATOR COASH: RULES CHANGE 3 IS ADOPTED.

CLERK: MR. PRESIDENT, THAT COMPLETES THE RULES COMMITTEE OFFERING. SENATOR KINTNER WOULD MOVE TO AMEND THE PERMANENT RULES WITH...SENATOR, IT'S YOUR RULES CHANGE WITH RESPECT TO RULE 1, SECTION 1 AND OTHER ACCOMPANYING SECTIONS.

SENATOR COASH: SENATOR KINTNER, YOU'RE RECOGNIZED TO OPEN ON YOUR PROPOSED RULES CHANGE.

SENATOR KINTNER: WELL, THANK YOU, MR. PRESIDENT. YOU KNOW, IF THOSE OF YOU WHO REMEMBER LAST YEAR, I HAD A BILL ON TRANSPARENCY ON LEADERSHIP VOTES AND SENATOR McCOY PRIORITIZED THAT BILL. WE HAD A HEALTHY DEBATE ON THAT, AND SEVERAL SENATORS INDICATED TO ME THAT THAT PROBABLY WASN'T THE TIME AND THE PLACE TO DO THAT. THAT NEEDED TO GO THROUGH THE RULES COMMITTEE. WELL, WE SENT IT TO THE RULES COMMITTEE AND HERE WE ARE WITH AN AMENDMENT. IT NEEDS TO BE PART OF THE RULES THAT WE ADOPT, NOT SOMETHING THAT WE LEGISLATE. SO, OKAY. THE HEARING THAT WE HAD ON THIS, THERE WAS A LOT OF TALK ABOUT PARTISANSHIP AND CHANGING KIND OF THE WAY WE DO BUSINESS, NOT TOO MUCH ON HARD FEELINGS, THOUGH, WHICH WAS BROUGHT UP LAST YEAR. BUT I FIRMLY BELIEVE THAT ANYTHING WE DO AS A BODY, WE DO BETTER UNDER THE SUNLIGHT OF THE SECOND HOUSE, THE DAYLIGHT OF THE SECOND HOUSE. WE DO NOT HAVE A SECOND HOUSE HERE TO BALANCE US, TO COUNTERBALANCE US, TO MAYBE PICK UP THINGS THAT WE MISSED. WE HAVE A SINGLE HOUSE. THE PEOPLE ARE THE SECOND HOUSE. THEY'RE TO WATCH US, THEY'RE TO BE ENGAGED WITH US. IF THEY'RE TO WATCH US AND BE ENGAGED TO US, THEY NEED TO KNOW WHAT WE'RE VOTING ON. SO IF WE HAVE SECRET VOTES IN THIS BODY, WELL, HOW IN THE HECK ARE THEY GOING TO BE ABLE TO SEE WHAT WE'RE DOING SO THEY CAN WEIGH IN AND KEEP AN EYE ON US, TO HOLD US ACCOUNTABLE FOR OUR VOTES? SO TRANSPARENCY IS ALWAYS GOOD. ANYTIME YOU HAVE PEOPLE DOING THINGS IN SECRET IT MAY TURN OUT OKAY, BUT BAD THINGS CAN HAPPEN. THE EYES OF THE PUBLIC AND THE EYES OF THE PRESS ARE ALWAYS A GREAT DISINFECTANT IN POLITICS. AND THAT'S WHAT I'M SEEKING TO DO HERE IS TO COMPLETE THE JOB. YOU KNOW, WE PRIDE OURSELVES ON BEING TRANSPARENT. WE PRIDE OURSELVES ON BEING DIFFERENT THAN OTHER BODIES, BUT WE'RE NOT TRANSPARENT. WE ARE TRANSPARENT TO THE POINT ON EVERYTHING WE VOTE ON BUT THIS AND THIS IS GOING TO FINISH THE JOB. AND WHEN WE PASS THIS--AND WE WILL AT SOME POINT--THEN WE WILL BE TOTALLY TRANSPARENT IN EVERYTHING WE DO. AND

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THAT'S SOMETHING THAT WE CAN BE VERY, VERY PROUD OF. I WOULD ENCOURAGE MY COLLEAGUES TO SUPPORT THIS. AND THANK YOU FOR YOUR TIME.

SENATOR COASH: THANK YOU, SENATOR KINTNER. MEMBERS, YOU'VE HEARD THE OPENING TO KINTNER RULES CHANGE TO RULE 1, SECTION 1. THE FLOOR IS NOW OPEN FOR DEBATE. SENATOR GROENE, YOU'RE RECOGNIZED.

SENATOR GROENE: THANK YOU, SENATOR COASH. MY NAME IS ON THIS RULES CHANGE. IF YOU REMEMBER BACK, THIS WAS AN ISSUE I RAN ON. AND I WAS ELECTED IN MY DISTRICT BECAUSE WE HAD A PAST SENATOR WHO THOUGHT HE WAS GOING TO HAVE A CHAIRMANSHIP, AND WE ALL THOUGHT HE DID, AND MOST OF THE PEOPLE IN THE LEGISLATURE THOUGHT HE DID. AND TRANSPARENCY DIDN'T HAPPEN, SO SOME INDIVIDUALS WERE ABLE TO SAY THEY WERE GOING TO VOTE FOR THE CHAIRMANSHIP OF THAT INDIVIDUAL AND THEN VOTE THE OTHER WAY. AS I SAID WHEN WE DEBATED THIS IN THE RULES COMMITTEE, WE DON'T HAVE RULES, WE DON'T HAVE LAWS FOR THOSE WHO HAVE MORAL CHARACTER, THOSE WHO FOLLOW RULES AND ARE OPEN. I DON'T THINK ANYBODY, EVEN AS A ROOKIE LAST YEAR, WHO WAS RUNNING FOR A SEAT KNEW WHO I WAS GOING TO VOTE FOR. AND I KEPT MY WORD. AND I EVEN PUT IT ON MY WEB SITE WHO I VOTED FOR. AND IT'S NOT A PERSONAL THING, IT'S USUALLY OVER AN ISSUE. IT'S OVER SOMETHING WHERE YOU KNOW IF THAT PERSON IS CHAIRMAN THEY'RE GOING TO PUSH CERTAIN ISSUES THROUGH THAT COMMITTEE. AND I DISAGREE WITH THOSE ISSUES. THAT'S NOT DISAGREEING WITH THE PERSON, THAT'S NOT BEING PERSONAL, THAT'S TRYING TO MAKE SURE CERTAIN THINGS DON'T GO THROUGH COMMITTEE OR NOT HAVE AN ADVANTAGE THROUGH COMMITTEE, WHICH HAPPENS. WE ALL KNOW THAT AND THAT'S THE POWER OF THE CHAIRMANSHIP. TRANSPARENCY IS WHAT OPEN GOVERNMENT IS ALL ABOUT. THERE'S NO COMPARISON HERE BETWEEN THE PRIVACY OF THE CITIZEN IN THE ELECTION BOOTH AND VOTING FOR WHO THEY CARE TO BE ELECTED. WE ARE EMPLOYEES OF THE PEOPLE. EVERY VOTE WE MAKE SHOULD BE PUBLIC. AND I AM PROUD OF WHO I VOTE FOR, FOR CHAIRMANSHIPS. I WOULD NEVER DREAM OF TRADING A VOTE FURTHER DOWN MY POLITICAL CAREER HERE FOR ONE CHAIRMANSHIP VOTE FOR ANOTHER ONE. THAT'S DISGUSTING TO ME. I WOULD NEVER TRADE A VOTE FOR AN ISSUE, KNOWING THAT HOPING SOMEBODY...TELLING SOMEBODY IF YOU VOTE FOR ME CHAIRMANSHIP NEXT YEAR, I WILL HELP YOU ON THIS VOTE, BUT WE ALL KNOW THAT'S POLITICS. THAT'S THE ONLY REASON FOR SECRECY. THIS HAS NOTHING TO DO WITH PARTISANSHIP. I LOVE THIS NONPARTISAN BODY. IT IS THE CORRECT WAY TO DO IT. AN OPEN VOTE IS NONPARTISAN. I DON'T CARE WHAT

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OUTSIDE GROUPS THINK OR THEIR OPINION OF THIS IS. THAT'S THEIR OPINION. MY OPINION IS AN OPEN VOTE IS NONPARTISAN. THANK YOU.

SENATOR COASH: THANK YOU, SENATOR GROENE. SENATOR CHAMBERS, YOU'RE RECOGNIZED.

SENATOR CHAMBERS: MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, I WOULD LIKE TO ASK SENATOR KINTNER A QUESTION.

SENATOR COASH: SENATOR KINTNER, WILL YOU YIELD?

SENATOR KINTNER: CERTAINLY.

SENATOR CHAMBERS: SENATOR KINTNER, IN THIS PROPOSAL, IT SAYS AT (a), "AT THE COMMENCEMENT OF EACH REGULAR SESSION IN ODD-NUMBERED YEARS, THE LEGISLATURE SHALL NOMINATE FROM THE FLOOR AND ELECT" AND BASED ON YOUR LANGUAGE "BY ROLL CALL VOTE" THEN THIS LANGUAGE "WITH EACH MEMBER INDICATING THE CANDIDATE HE/SHE IS SUPPORTING." SUPPOSE THE PERSON IS NOT SUPPORTING EITHER ONE OF THEM?

SENATOR KINTNER: PRESENT NOT VOTING WOULD BE THE VOTE.

SENATOR CHAMBERS: IT DOESN'T ALLOW FOR THAT IN THIS RULE, THOUGH, DOES IT? YOU ALL DIDN'T CONSIDER THAT, DID YOU? YOU WERE KIND OF SHORTSIGHTED BECAUSE YOU DIDN'T THINK THE ISSUE WOULD BE RAISED. IS THAT WHY YOU SAID, EACH MEMBER INDICATING THE CANDIDATE? WHY WAS THAT LANGUAGE NECESSARY AT ALL?

SENATOR KINTNER: YOU NEVER CAN FORBID ANYBODY FROM NOT VOTING. THAT CAN'T BE DONE.

SENATOR CHAMBERS: SO WHY DO YOU HAVE THIS LANGUAGE, "VOTE WITH EACH"...WELL, STARTING WITH THE WORD "WITH." WHY DO YOU HAVE THIS LANGUAGE, "WITH EACH MEMBER INDICATING THE CANDIDATE HE OR SHE IS"? WHAT IS THE PURPOSE OF THAT LANGUAGE? IT SERVES NO PURPOSE, DOES IT? IT'S SUPERFLUOUS. IT HAS NO IMPACT OR EFFECT. ISN'T THAT TRUE?

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SENATOR KINTNER: NO, IT DOES, BECAUSE YOU HAVE TO INDICATE WHO YOU'RE GOING TO VOTE FOR. IT JUST STATES THAT. I MEAN, THERE'S A NUMBER OF WAYS TO WRITE A BILL OR WRITE AN AMENDMENT AND THAT'S HOW WE CHOSE TO DO IT. IT WORKS.

SENATOR CHAMBERS: AND I THINK THIS WAS A VERY POOR, SLAPDASH WAY TO DO IT, BUT THAT'S MY OPINION. I WANT TO ASK YOU ANOTHER QUESTION. WHEN YOU VOTE BY SECRET BALLOT, YOU'RE NOT RESTRICTED TO VOTING JUST FOR THE PEOPLE WHOSE NAME MAY HAVE BEEN PLACED IN NOMINATION, ARE YOU? YOU CAN WRITE IN ANOTHER NAME, CAN'T YOU?

SENATOR KINTNER: ABSOLUTELY. NOBODY WOULD KNOW.

SENATOR CHAMBERS: BUT THIS DOESN'T ALLOW FOR THAT, DOES IT?

SENATOR KINTNER: RIGHT. RIGHT. YOU HAVE TO STAND BY WHO YOU VOTE FOR.

SENATOR CHAMBERS: SO YOU'RE RESTRICTING WHAT A PERSON IS ALLOWED TO DO, AREN'T YOU, BY THIS RULE?

SENATOR KINTNER: YES. YES, JUST LIKE ON A BILL. YOU CAN VOTE YES, NO, OR PRESENT NOT VOTING.

SENATOR CHAMBERS: THANK YOU. MEMBERS OF THE LEGISLATURE, THESE FEW QUESTIONS AND THE RESPONSES SHOULD SHOW THAT THIS WAS VERY POORLY WRITTEN, THE SYNTAX IS ATROCIOUS. AND I'M NOT EVEN GOING TO SPEND A LOT OF TIME ON IT, BECAUSE I HOPE THE LEGISLATURE ADOPTS IT. THEN IT ENABLES ME TO GO OUT AND HOLD THIS UP AND SHOW HOW SILLY THE LEGISLATURE IS. THE LEGISLATURE CANNOT DRAFT SOMETHING WHICH A HIGH SCHOOL STUDENT IN AN ENGLISH CLASS WHO HAS TAKEN EIGHTH GRADE GRAMMAR WOULD BE ABLE TO DO. BY THE TIME YOU GET THROUGH EIGHTH GRADE AND HAVE STUDIED GRAMMAR--AT LEAST IN THE OLD DAYS--YOU REALLY KNOW ENOUGH GRAMMAR TO MAKE IT THROUGH THE WORLD. YOU CAN WRITE CORRECT SENTENCES. YOU KNOW THE DIFFERENCE BETWEEN SUBJECT, PREDICATE, DIRECT OBJECT, ADVERBS, VERBS, PRONOUNS, PREPOSITIONS, AND SO FORTH. BUT WHEN YOU READ THIS, AND IT WOULD BE ADOPTED BY THOSE WHO ARE MAKING LAWS, I WILL HAVE A FIELD DAY. YOU HAVE HEARD SENATOR KINTNER TELL YOU...

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SENATOR COASH: ONE MINUTE.

SENATOR CHAMBERS: ...THAT THIS THAT HE IS GETTING YOU TO ADOPT WILL RESTRICT AND LIMIT WHAT YOU CAN DO. YOU HAVE SO LITTLE RESPECT FOR THE BODY AS AN INSTITUTION, SO LITTLE RESPECT FOR YOURSELF THAT YOU WILL ADOPT A RULE RESTRICTING WHAT YOU CAN DO SO THAT YOU CANNOT VOTE FOR ANYBODY OTHER THAN THE NAMES PLACED ORALLY IN NOMINATION. THAT IS SO SILLY. I'M GOING TO TURN ON MY LIGHT ONE MORE TIME SO I CAN REGALE YOU WITH A SERENADE.

SENATOR COASH: THANK YOU, SENATOR CHAMBERS. SENATOR COOK, YOU'RE RECOGNIZED.

SENATOR COOK: THANK YOU, MR. PRESIDENT, AND GOOD MORNING, COLLEAGUES. ONE OF MY FAVORITE PARTS ABOUT SERVING HERE IN THE LEGISLATURE OVER THE LAST EIGHT YEARS HAS BEEN THE OPPORTUNITY TO BECOME EDUCATED ON THE HISTORY OF THE UNITED STATES AND THE HISTORY OF THE IDEALS THAT WE HOLD DEAR AND ON HISTORY IN GENERAL. AND I WANTED TO TAKE A FEW MINUTES TO TALK ABOUT THE CONCEPT OF THE SECRET BALLOT. ONE OF THE THINGS THAT THE SECRET BALLOT PROVIDES FOR EACH OF US, WHETHER THAT'S US VOTING IN HERE OR VOTING IN THE VOTING BOOTHS WHEN WE GO TO THE POLLS, IS AN OPPORTUNITY FOR US TO NOT BE INTIMIDATED OR FOR OTHERS TO NOT BE INTIMIDATED IN THEIR CHOICES. I, AS ALL OF YOU DID, WENT DOOR TO DOOR IN A CAMPAIGN, AND I WOULD--WHAT THE HECK?--BOLDLY WALK RIGHT PAST YARD SIGNS FOR SOME OF MY OPPONENTS, RING THE DOORBELL, ASK FOR A VOTE. OH, YEAH, I WENT TO SCHOOL WITH THAT PERSON. I ALREADY VOTED FOR YOU. SO IT'S ALSO KIND OF A FACE-SAVING OPPORTUNITY AND IT HELPS US MAINTAIN GOOD RELATIONSHIPS AND PROMOTE CORDIAL RELATIONSHIPS WHEN THEY AREN'T ALWAYS AS EASY TO MAINTAIN AS THE WEEKS GO BY HERE TOGETHER. ANOTHER THING WE NEED TO REMEMBER AS WE'RE CONSIDERING THIS PROPOSAL, WHICH I WILL BE VOTING AGAINST, IS THAT EACH OF US WAS ELECTED AS SOMEONE WHO IS ABLE TO MAKE A GOOD DECISION BASED ON THE FACTORS THAT WE BECOME AWARE OF IN THE ROLE. IT'S NOT ABOUT BEING LEANED ON, IT'S NOT ABOUT, OH BOY, 100 PERCENT OF THE TIME I THINK THAT ALL 100 PERCENT OF MY CONSTITUENTS WOULD SUPPORT THIS VOTE. WE ARE RELYING ON OUR JUDGMENT AND THE INFORMATION WE GET TO MAKE VOTES AND MAKE DECISIONS AND PROVIDE LEADERSHIP FOR OUR DISTRICTS AND FOR OUR STATE WHEN WE VOTE. ONCE AGAIN, I WILL BE VOTING AGAINST THIS PROPOSAL, AND I INVITE EACH OF YOU TO CONSIDER VOTING AGAINST IT AS

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WELL. WITH THAT, I WILL YIELD THE BALANCE OF MY TIME TO THE CHAIR.
THANK YOU.

SENATOR COASH: THANK YOU, SENATOR COOK. SENATOR SCHEER, YOU'RE
RECOGNIZED.

SENATOR SCHEER: GOOD MORNING, COLLEAGUES. THANK YOU, MR. PRESIDENT.
I RISE IN SUPPORT IN PRINCIPLE OF THIS BILL. I DID LAST YEAR AS WELL. I
REALLY DON'T DISTINGUISH IN MY MIND THE ACCOUNTABILITY PROCESS. IF I
GIVE SOMEONE MY COMMITMENT TO VOTE FOR THEIR BILL, I'M HELD
ACCOUNTABLE. IT'S ON THE BOARD. EVERYONE IS ABLE TO TELL IF I SUPPORTED
WHAT I SAID I WOULD SUPPORT OR NOT. MY PHILOSOPHY DOESN'T CHANGE,
REGARDLESS IF I'M VOTING FOR A CHAIRMANSHIP OR A SPEAKER. IF I MAKE A
COMMITMENT TO SOMEBODY, I SHOULD KEEP IT, AND IT DOESN'T BOTHER ME
TO BE HELD ACCOUNTABLE. NOW, I WILL READILY ADMIT THAT WE ALL HAVE
THE OPPORTUNITY TO VOTE FOR BILLS, AND THAT IS DIFFERENT THAN VOTING
FOR PERSONS. WHEN WE VOTE IN THE ELECTION PROCESS DURING THE
POLITICAL PROCESS, WE INDEED ARE VOTING IN A SECRET BALLOT AND WE ARE
VOTING FOR PEOPLE. I UNDERSTAND BOTH SIDES OF THIS ISSUE. HOWEVER, I
WOULD SUSPECT THAT THE VAST MAJORITY OF US WHEN WE MAKE A
COMMITMENT TO VOTE FOR SOMEBODY, WE INDEED FOLLOW THROUGH. AND
FROM THAT PERSPECTIVE, I DON'T KNOW WHAT THE DIFFERENCE WOULD BE IF
IT BECAME TRANSPARENT AND EVERYONE WAS ABLE TO TELL WHO IT WAS
THAT SUPPORTED SOMEONE AND WHO DIDN'T. I DON'T KNOW THAT IT SHOULD
MAKE A DIFFERENCE TO A LOT OF US. THAT'S CERTAINLY EVERYONE'S
PERSONAL PREROGATIVE. BUT I THINK SOMETIMES WE MAKE TOO MUCH OF
TOO LITTLE TO THE EXTENT THAT I BELIEVE, IF NOT ALL, MOST OF US
CERTAINLY ARE ALREADY FOLLOWING THE PARAMETERS OF WHAT THIS WOULD
SET OUT TO BE. BUT I ALSO UNDERSTAND THE SECRET BALLOT AND ITS
IMPORTANCE TO THIS COUNTRY, THE STATE, AND THIS BODY. SO I SEE HOW
PEOPLE COULD VOTE BOTH WAYS. BUT PERSONALLY, I DON'T HAVE A PROBLEM
HAVING THE WORLD KNOW IF I'M A MAN OF CHARACTER AND IF I FOLLOW
THROUGH WITH MY COMMITMENTS. ALL OF US LOOK AT THINGS DIFFERENTLY.
THAT'S SIMPLY MY APPROACH, HOW I LOOK AT IT. OTHERS WILL CERTAINLY
LOOK AT IT DIFFERENTLY. BUT I BELIEVE WE PROBABLY, IF WE'RE HONEST WITH
OURSELVES, ARE ALL DOING THIS AND IT REALLY HAS RELATIVELY LITTLE
IMPACT FROM A PUBLIC STANDPOINT. THANK YOU, MR. PRESIDENT.

SENATOR COASH: THANK YOU, SENATOR SCHEER. SENATOR KINTNER, YOU'RE
RECOGNIZED.

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SENATOR KINTNER: WELL, THANK YOU, MR. PRESIDENT. SENATOR CHAMBERS, YOU'VE ENTERTAINED US MANY TIMES WITH RHYMES AND SONG AND PUT-DOWNS AND JUST GOOD POINTS AND BAD POINTS. AND I THINK WHAT YOU JUST SAID ABOUT HOW POORLY WRITTEN THIS WAS, WAS SOME OF THE SILLIEST VERBIAGE I'VE HEARD COME OUT OF YOU AT THE MIKE IN A LONG TIME. YOU THINK YOU'RE RIPPING ON ME, BUT MY AIDE POINTED OUT TO ME THIS IS WRITTEN BY THE CLERK'S OFFICE FOR US TO MAKE SURE WE GOT DONE WHAT WE WANT TO DO. SO YOU THINK YOU'RE RIPPING ON ME, BUT YOU'RE RIPPING ON THE CLERK'S OFFICE ON THIS. AND I TRUST THEM TO ADVISE US ON THE CORRECT WAY TO WORD SOMETHING. I THINK IT DOES WHAT WE SAY IT'S GOING TO DO. AND I THINK YOU'RE STICKING A STRAW MAN UP HERE AND YOU'RE BASHING IT. AND YOU'RE FIGURING, WELL, IN CASE SOMEONE'S THINKING THIS MIGHT BE A GOOD IDEA TO LET THE PEOPLE KNOW ACTUALLY WHAT WE'RE DOING DOWN HERE, MAYBE I CAN CHANGE THEIR MIND BY ATTACKING THE WAY IT'S WRITTEN AND SAYING IT'S POORLY WRITTEN AND ALL THAT. IF...I THINK IT GETS DONE WHAT WE NEED TO HAVE DONE HERE. THE OTHER THING I WOULD SAY IS THAT I'M REPRESENTING AND WE'RE ALL REPRESENTING OUR CONSTITUENTS BY THIS VOTE. WE'RE NOT REPRESENTING OURSELVES, WE'RE NOT VOTING OURSELVES, WE'RE NOT HERE TO AMUSE OURSELVES. OUR VOTE IS REPRESENTING OUR DISTRICT AND THE PEOPLE THAT SENT US HERE. WE NEED TO REMEMBER THAT. THIS IS NOT SOME PRIVATE LITTLE CLUB WHERE WE VOTE WHAT WE FEEL LIKE DOING AND IT'S JUST FOR OUR OWN AMUSEMENT. SO WE NEED TO ALWAYS REMEMBER THAT WE'RE DOWN HERE TO VOTE FOR THE PEOPLE. AND IF THE PEOPLE DON'T KNOW HOW WE'RE VOTING, THEY'RE NEVER GOING TO HOLD US ACCOUNTABLE. LET ME TALK ABOUT SOMETHING ELSE. THE SENATOR JUST STOOD UP AND SAID WE COULD BE INTIMIDATED IF PEOPLE KNOW HOW WE VOTED. REALLY? I'VE BEEN HERE THREE YEARS. HAS ANYBODY EVER SEEN ME INTIMIDATED? IF YOU'RE INTIMIDATED BY SOMEBODY, THAT'S YOUR PROBLEM. BY THE WAY, I HAVE NEVER SEEN SENATOR CHAMBERS EVER INTIMIDATED. THERE'S A NUMBER OF PEOPLE I CAN POINT TO; SENATOR BLOOMFIELD, I'VE NEVER SEEN HIM INTIMIDATED. SO IF YOU'RE EVER INTIMIDATED BY SOMEONE, THAT'S YOUR PROBLEM AND MAYBE YOU TOOK TOO MUCH MONEY FROM THE WRONG PERSON OR THE WRONG GROUP OR THE WRONG UNION. BUT THE ONLY WAY YOU CAN BE INTIMIDATED IS TO LET SOMEONE INTIMIDATE YOU. THERE'S NO ONE THAT'S GOING TO INTIMIDATE ME. THERE'S NO ONE THAT'S GOING TO TELL ME HOW TO VOTE. AND I ANSWER TO THE CITIZENS OF MY DISTRICT AND I'M HAPPY TO DO THAT. I HAVE PUT EVERY...SINCE I'VE BEEN HERE, I'VE POSTED EVERY VOTE THAT I'VE EVER TAKEN, EVERY FINAL VOTE. I HAVE POSTED WHO I VOTED FOR, AND I'M STILL WAITING FOR THE BLOWBACK. THE PEOPLE IN MY DISTRICT...AS A MATTER OF FACT, I PUT

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IT INTO A COLUMN I WROTE SO THEY DON'T READ IT ON-LINE. THEY COULD HAVE READ IT IN THE PLATTSMOUTH JOURNAL WHO I VOTED FOR, FOR LEADERSHIP. I'M UP-FRONT WITH WHO I VOTED FOR, I'LL DEFEND WHO I VOTED FOR, AND I THINK YOU SHOULD DO THAT. SO I THINK THAT THIS IS THE RIGHT WAY TO GO. I THINK THIS IS IN KEEPING WITH THE SPIRIT OF WHAT WE DO. AND DON'T LET ANYONE INTIMIDATE YOU. JUST DO THE RIGHT THING AND YOU'LL NEVER HAVE A PROBLEM WITH YOUR CONSTITUENTS. MR. PRESIDENT, I YIELD THE REMAINDER OF MY TIME TO SENATOR CHAMBERS, SINCE I MENTIONED HIM.

SENATOR COASH: SENATOR CHAMBERS, YOU'VE BEEN YIELDED TIME AND YOU ARE NEXT.

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, I APPRECIATE ANYBODY YIELDING ME TIME, BUT SENATOR KINTNER HAS BEEN INTIMIDATED ON THIS FLOOR JUST AS SENATOR McCOY HAD BEEN INTIMIDATED, BOTH OF THEM BY ME. THEY HAD TAKEN POSITIONS AND ARTICULATED THEM ON THE FLOOR; AND WHEN I SOUGHT TO ENGAGE THEM IN DISCUSSION, BOTH OF THEM SAID, I WILL NOT ANSWER ANY QUESTIONS. NO, I WILL NOT YIELD. THAT SMACKS OF INTIMIDATION TO ME, BECAUSE THEY'RE AFRAID TO LET IT BE KNOWN WHAT THEY THINK OR BE SHOWN THAT THEY HAVE NOT THOUGHT. IT'S ONE THING TO SAY YOU ASKED THE CLERK TO HELP YOU FASHION LANGUAGE TO DO WHAT YOU WANT TO DO AND ANOTHER THING TO SUGGEST THAT BECAUSE THAT WAS DONE THERE'S SUPPORT FOR THE IDEA. THERE HAVE BEEN ATTEMPTS IN THE PAST TO OFFER RESTRICTIONS IN THE RULES THAT WOULD AIM DIRECTLY AT ME. AND ON MORE THAN ONE OCCASION, I HAD TO TALK TO THOSE WHO WERE DRAFTING THE RULE TO SHOW THEM THAT BASED ON WHAT THEY SAID THEY WANTED TO DO, THE LANGUAGE THEY SELECTED WOULD NOT DO THAT. AND I OFFERED AN AMENDMENT TO GIVE THEM WHAT THEY SAID THEY WANTED TO DO. AND THE AMENDMENT WAS ADOPTED AND SHAMEFACEDLY THEY THANKED ME FOR BEING MORE CIRCUMSPECT WITH WHAT THEY WERE OFFERING THAN WHAT THEY HAD BEEN IN OFFERING IT. THEN WHEN I WAS APPROACHED BY SOME PEOPLE IN THE MEDIA AS TO WHY I WOULD HELP PEOPLE DRAFT A RULE THAT WAS DESIGNED TO RESTRICT ME, I SAID, LET ME ASK YOU A QUESTION. IF I WERE A LION AND SOMEBODY ASKED ME HOW A CAGE COULD BE CONSTRUCTED AND I HELPED THAT PERSON CONSTRUCT A CAGE, DO YOU THINK I WOULD HELP THEM CONSTRUCT A CAGE THAT WOULD CONFINE ME? THEIR RULE WOULD NOT DO ANYTHING, SO I HELPED THEM DO IT. THIS IS A PEEWEE ISSUE. THE PEOPLE WHO SENT ME DOWN HERE WANT ME TO DEAL WITH WEIGHTIER MATTERS THAN THIS. THEY DON'T CARE WHO I VOTE FOR, FOR A LEADERSHIP POSITION. THEY

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DON'T EVEN KNOW WHO THE PEOPLE ARE. IT MATTERS NOT TO THEM ONE WHIT. BUT IF YOU REPRESENT PEOPLE WHO HAVE A LOT OF TIME ON THEIR HANDS, CANNOT ENGAGE IN NUANCED THINKING, THEY'RE JUST WAITING WITH BATED BREATH TO SEE WHO YOU VOTED FOR, FOR AN INTERNAL POSITION IN THE LEGISLATURE. IT'S DIFFICULT IF YOU'RE SUPPORTING SOMETHING LIKE THIS TO FRAME AN ARGUMENT OF SUFFICIENT WEIGHT AND MERIT TO RECOGNIZE IT AS A LEGITIMATE PARTICIPATION IN A MATURE, ADULT DISCUSSION. ANYTHING CAN BE DISCUSSED ON THIS FLOOR. AND WE KNOW THAT. BUT NOW TO REGALE YOU WITH THAT LYRIC. AND I WANT YOU TO PAY ATTENTION TO THE PART ABOUT ROUND AND ROUND I GO, BECAUSE THAT SIGNIFIES CONFUSION. (SINGING) DOWN AND DOWN I GO, ROUND AND ROUND I GO, IN A SPIN, LOVING THE SPIN I'M IN, UNDER THAT OLD REPUBLICAN MAGIC CALLED PARTISANSHIP. (END OF SINGING) THAT'S ALL THAT THIS IS ABOUT; EVERYBODY KNOWS IT. I WOULD NOT DEMEAN THE SUBJECT OF THE IMPORTANCE OF HAVING A SECRET BALLOT IN A LEGISLATIVE PROCEEDING BY DISCUSSING IT IN THE CONTEXT OF SOMETHING WHICH, AS I SAID BEFORE, IS POORLY WRITTEN. SENATOR KINTNER HAS ALREADY TOLD ALL OF YOU THAT IT WILL RESTRICT AND LIMIT WHAT YOU CAN DO. THAT'S WHAT HE TOLD YOU. HE WOULDN'T HAVE TOLD YOU THAT IF I HADN'T QUESTIONED HIM, BECAUSE IT PROBABLY NEVER OCCURRED TO HIM. IF I SAY THAT SOMETHING IS LEVEL, THEN I MIGHT START BY SAYING IT'S A FLAT PLANE OR A CIRCLE, A GEOMETRIC...WELL, FORGET ALL OF THAT. THERE ARE DEFINITIONS THAT CAN BE CONTRIVED WHICH, IF YOU READ IT,...

SENATOR COASH: ONE MINUTE.

SENATOR CHAMBERS: ...YOU WILL NOT BE ABLE TO UNDERSTAND WHAT IS BEING DESCRIBED IF YOU DON'T ALREADY KNOW IT. FOR EXAMPLE, A CIRCLE IS A CURVED LINE, EACH PART OF WHICH IS EQUIDISTANT FROM THE CENTER. THE ONLY WAY THAT CAN HAPPEN IS IF THE CURVED LINE IS JOINED. IT'S A CONTINUOUS LINE. AND TO BE EQUIDISTANT FROM THE CENTER, IT CAN'T BE AN OBLONG. IT HAS TO BE A CIRCLE. BUT IF YOU JUST GAVE THE DEFINITION, PEOPLE MAY NOT KNOW WHAT YOU'RE TALKING ABOUT. SO I LIKE TO GIVE MY COLLEAGUES THE OPPORTUNITY TO REVEAL WHAT IT IS THEY'RE TALKING ABOUT. AND IF YOU ADOPT THIS, AS I STATED, IT DOESN'T MAKE ME ANY DIFFERENCE. THEY CAN'T DETERMINE WHAT I'M GOING TO VOTE FOR OR WHOM I'M GOING TO VOTE FOR. WE KNOW THE WAY SENATOR KINTNER'S GOING TO VOTE ON EVERY ISSUE ANYWAY, SO WHAT DIFFERENCE DOES IT MAKE? AND IF SENATOR SCHEER WANTS THE WORLD TO KNOW WHAT HE VOTED FOR OR WHOM HE VOTED FOR, HE CAN TELL THEM AS YOU DO RIGHT NOW. BUT BECAUSE THEY DO THAT, DOESN'T MEAN I'LL DO IT. THEY MIGHT BE LIKE PEOPLE ON SOCIAL

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MEDIA WHO WILL TELL YOU WHAT UNDERWEAR THEY WORE OR WHETHER THEY'RE WEARING UNDERWEAR.

SENATOR COASH: TIME, SENATOR.

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT.

SENATOR COASH: THANK YOU, SENATOR CHAMBERS. SENATOR BRASCH, YOU'RE RECOGNIZED.

SENATOR BRASCH: THANK YOU, MR. SPEAKER, AND GOOD MORNING, COLLEAGUES. I DO RISE IN SUPPORT OF SENATOR KINTNER'S RULES CHANGE TO RULE 1, SECTION 1, E-T S-E-Q OR ZERO; IT'S HARD TO SEE FROM HERE. THIS IS NOT A NEW SUBJECT. IT BROUGHT...IT WAS BROUGHT TO THE RULES COMMITTEE BACK IN 2010 WHEN I WAS FIRST ELECTED. AT THAT POINT, SOME OF THE SENATORS WHO HAD BEEN HERE WHO ARE NOW TERM LIMITED HAD ALSO BROUGHT THAT RULE FORWARD WANTING COMPLETE TRANSPARENCY-- COMPLETE TRANSPARENCY. WE ARE OFTEN MISUNDERSTOOD OR NOT...SOMETIMES NOT TRUSTED BY THOSE WHO ELECTED US THINKING THAT WE ARE KEEPING SECRETS, THAT THE LOBBY MAY HAVE CONTROL. I HAVE HEARD NUMEROUS, NUMEROUS DIFFERENT ISSUES AND CONCERNS RAISED BY NOT JUST CONSTITUENTS I REPRESENT, BY OTHERS ACROSS THE STATE. I'VE ALSO SEEN AFTER ELECTIONS OF CHAIRMANSHIP WHERE THOSE INDIVIDUALS SEEKING AN OFFICE MAY HAVE KEPT A COUNT SHEET, WANTED TO HAVE SO MANY SENATORS BACK THEM UP AND THAT DIDN'T HAPPEN. AND THEN I SAW HOW MISTRUST DEVELOPED WHERE THE ISSUE WAS THEY WERE LIED TO OR IT WAS MASKED. AND I THINK BY JUST HAVING OPEN ELECTION WHERE THE CONSTITUENTS, WHERE ALL SENATORS SEE THAT WE QUICKLY GET OVER THINGS, THAT WE DON'T LINGER AND PONDER ON HOW A BILL WAS SUPPORTED OR LACK OF SUPPORT BECAUSE WE HAVE A LOT OF BILLS THAT ARE INTRODUCED AND BUSINESS TO ATTEND TO. OUR GOOD SENATOR CHAMBERS SEES PROBLEMS WITH THE WRITING FORMAT. THOSE THINGS CAN ALSO BE ADDRESSED READILY. BUT, FOR THE RECORD, ONCE AGAIN, I DO STAND IN SUPPORT OF HAVING TRANSPARENCY ACROSS THE BOARD AND WOULD SUPPORT IT TO TAKE PLACE ON LOCAL LEVELS, IN ALL ELECTIONS WHERE WE ARE ELECTED FOR PUBLIC TRUST, ACCOUNTABILITY. AND TRANSPARENCY IS A PART OF THAT. THANK YOU, MR. PRESIDENT, AND THANK YOU, COLLEAGUES.

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SENATOR COASH: THANK YOU, SENATOR BRASCH. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED.

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. COLLEAGUES, I WASN'T GOING TO SPEAK ON THIS, BUT IT'S GOTTEN TO THE POINT WHERE I THINK I PROBABLY SHOULD. THIS IDEA WAS BROUGHT TO THE RULES COMMITTEE LAST YEAR, WAS DEFEATED IN RULES COMMITTEE, CAME TO THE FLOOR, WAS DEFEATED ON THE FLOOR. IT CAME TO THE FLOOR AGAIN AS A BILL, WAS AGAIN DEFEATED ON THE FLOOR. IT CAME BACK TO THE RULES COMMITTEE THIS YEAR, DIDN'T EVEN GET MOVED FORWARD FOR A VOTE. IT WAS AGAIN DEFEATED IN COMMITTEE. AS FAR AS IT BEING THE IDEA THAT THIS IS A REPUBLICAN ISSUE AND THAT THE REPUBLICAN PARTY IS TRYING TO TAKE OVER IN HERE, I HAVE NOT BEEN CONTACTED BY THE REPUBLICAN PARTY ON THIS. FOUR, IF I COUNT CORRECTLY, OF THE FIVE MEMBERS ON THE RULES COMMITTEE THAT DID NOT VOTE TO MOVE THIS OUT DID NOT GIVE IT A SINGLE VOTE ARE, IN FACT, REPUBLICANS. I DON'T SEE ANY GREAT CONSPIRACY IN THIS BY THE REPUBLICANS TO TAKE CONTROL OF ANYTHING. I JUST DON'T THINK IT'S A GOOD IDEA AT THIS TIME. AGAIN, IT HAS BEEN DEFEATED SEVERAL TIMES. MY GOOD CONSERVATIVE COLLEAGUES HAVE BROUGHT IT FORWARD AGAIN, AND I WILL AGAIN HAVE TO OPPOSE IT AS I HAVE IN RULES COMMITTEE AND ON THE FLOOR IN THE PAST. IT JUST SIMPLY ISN'T NEEDED. THANK YOU.

SENATOR KRIST PRESIDING

SENATOR KRIST: THANK YOU, SENATOR BLOOMFIELD. SENATOR HADLEY, SPEAKER HADLEY, YOU'RE RECOGNIZED.

SPEAKER HADLEY: MR. PRESIDENT AND MEMBERS OF THE BODY, I WAS LUCKY ENOUGH THIS PAST SUMMER TO GO TO A NUMBER OF NATIONAL MEETINGS TO REPRESENT YOU AND THE STATE OF NEBRASKA IN VISITING AND TALKING AND INTERACTING WITH ALL OTHER 50 STATES WITH THEIR LEGISLATURES. AND, OF COURSE, THEY ALWAYS ASK ABOUT NEBRASKA AND HOW WE DO THINGS. AND I MADE THE COMMENT THAT WE ELECT OUR LEADERSHIP BY SECRET BALLOT. AND THEY LOOKED AT ME LIKE, ARE YOU CRAZY? AND I SAID, WELL, WHAT DO YOU MEAN? WELL, HOW IN THE WORLD DO YOU KEEP PEOPLE UNDER CONTROL IF YOU DON'T HAVE A CAUCUS OR A CONFERENCE OF THE MAJORITY PARTY TO PICK THE LEADERSHIP? AND I SAID, THAT ISN'T HOW WE DO IT IN NEBRASKA. HOW DO YOU DO IT IN YOUR STATE? THERE WERE TWO CONSISTENT ANSWERS. THE FIRST ANSWER IS, WE HAVE A CAUCUS OR A CONFERENCE WHERE WE

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PICK...THE MAJORITY PARTY PICKS THE LEADER AND THAT LEADER PICKS ALL LEADERSHIP POSITIONS AND PICKS ALL PEOPLE AND WHAT COMMITTEE THEY'RE GOING TO BE ON. SO THERE'S NO OPENNESS, IT'S DONE IN A CLOSED ROOM. THE SECOND WAY IS, THEY MEET IN THE CLOSED CONFERENCE OR CAUCUS, THEY DECIDE ON THEIR SLATE, AND THEN THEY GO OUT ON THE OPEN FLOOR AND VOTE FOR THAT SLATE. AND THE MAJORITY PARTY VOTES FOR THE SLATE THAT THE SPEAKER OR THE PRESIDENT PRO TEM HAS TOLD THEM. SO I DON'T REALLY BELIEVE IN THE OTHER 49 LEGISLATURES THERE'S SUCH A THING AS TRANSPARENCY, BECAUSE THE DECISIONS ARE MADE BEHIND CLOSED DOORS. AND THEY ARE ABSOLUTELY AMAZED THAT WE DO IT BY SECRET BALLOT. AND I SAID, THAT'S CONSISTENT WITH A NONPARTISAN LEGISLATURE. THAT'S CONSISTENT WITH THE WAY WE DO IT. I'LL FINISH BY TELLING YOU THE STORY OF ONE MAJORITY LEADER FROM A SOUTHERN STATE. AND I WAS TALKING TO HIM AND I SAID, HOW DO YOU MAKE SURE THAT EVERYBODY VOTES THE RIGHT WAY? HE SAID, I CONTROL THE MONEY. I RAISE THE MONEY FOR REELECTION BY ALL OF THE MAJORITY PARTY SENATORS. AND IF YOU DON'T VOTE THE RIGHT WAY, YOU JUST DON'T GET ANY MONEY AND YOU DON'T GET ANY PARTY SUPPORT. SO I THINK THE WAY WE'RE DOING IT NOW IS CONSISTENT WITH THE WAY THE NEBRASKA LEGISLATURE, WHICH IS A NONPARTISAN, UNICAMERAL LEGISLATURE, FUNCTIONS. I THINK THE WAY WE'RE DOING IT WOULD NOT BE CONSISTENT WITH THE STATE OF IOWA, FOR EXAMPLE, THAT HAS MAJORITY AND MINORITY PARTIES, AND THEY PICK THEIR LEADERSHIP DEPENDING ON WHETHER YOU'RE IN THE MAJORITY OR MINORITY. THEY PICK THEIR COMMITTEE CHAIRS BY EITHER BEING IN THE MAJORITY OR THE MINORITY, BUT WE DON'T HAVE THAT KIND OF SYSTEM. SO I WOULD CERTAINLY VOTE AGAINST THIS AMENDMENT, BECAUSE I THINK THE SYSTEM IS WORKING RIGHT NOW. AND I'LL BE HONEST, MOST OF THE PEOPLE IN KEARNEY, NEBRASKA, REALLY DON'T CARE WHO THE CHAIR OF GOVERNMENT AFFAIRS IS. OR MAYBE THEY DO. MAYBE SENATOR MURANTE HAS A LOT OF FRIENDS OUT THERE THAT CARE. BUT THAT JUST ISN'T HIGH ON THEIR RADAR LIST. THEY CONSIDER THAT AN INTERNAL FUNCTION OF THE LEGISLATURE. THANK YOU, MR. PRESIDENT.

SENATOR KRIST: THANK YOU, SPEAKER HADLEY. MR. CLERK.

CLERK: MR. PRESIDENT, SENATOR CHAMBERS WOULD MOVE TO AMEND SENATOR KINTNER'S PROPOSAL.

SENATOR KRIST: SENATOR CHAMBERS, YOU'RE RECOGNIZED.

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SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT AND MEMBERS OF THE LEGISLATURE, IF YOU'RE INSISTENT ON DOING THIS, AND I HAVE NO WAY OF BEING SURE WHAT YOU'RE GOING TO DO, DIGRESSING: WHAT INTEREST WOULD THERE BE IN LIFE IF THERE WERE NOT SOME MYSTERY? AND THE MYSTERY IS BEING WOVEN THIS MORNING. WILL THEY DO IT OR WON'T THEY? HERE IS WHAT MY AMENDMENT WOULD DO. ON THE FIRST PAGE OF SENATOR KINTNER'S PROPOSAL, IN THE FIRST PARAGRAPH, IN LINE 3, AFTER THE WORD "VOTE" I WOULD STRIKE THIS LANGUAGE, "WITH EACH MEMBER INDICATING THE CANDIDATE HE/SHE IS." THEN ON THE FOLLOWING PAGE OR MAYBE IT'S THE THIRD PAGE, YES, WHERE THEY ATTEMPT OR PURPORT TO RULE...TO AMEND RULE 3, SECTION 8. AGAIN, IN THE FIRST PARAGRAPH AFTER THE WORD "VOTE", MY AMENDMENT WOULD STRIKE THE FOLLOWING LANGUAGE, "WITH EACH MEMBER INDICATING THE CANDIDATE HE/SHE IS SUPPORTING." THAT LANGUAGE DOESN'T NEED TO BE THERE, BECAUSE IF YOU VOTE, THAT WILL INDICATE FOR WHOM YOU'RE VOTING. SOME THINGS NEED NOT BE STATED EXPLICITLY. AND BY REMOVING THIS LANGUAGE, IT MAKES IT CLEAR THAT A PERSON IS NOT EXPECTED, BECAUSE OF THE WAY THE RULE IS WRITTEN, TO VOTE ONE WAY OR THE OTHER RATHER THAN NOT VOTING AT ALL. WE CANNOT BE COMPELLED TO VOTE ANYWAY ON THIS FLOOR, ALTHOUGH SOME OF US ALLOW CERTAIN TYPES OF PRESSURE TO MOVE US IN A CERTAIN WAY. BUT NOTHING IN THE LAW OR THE CONSTITUTION REQUIRES OR PERMITS OUR BEING COMPELLED TO VOTE. NOR CAN WE BE PROHIBITED FROM VOTING IF WE CHOOSE TO VOTE. I'M BEING VERY BASIC, FUNDAMENTAL, AND ELEMENTAL BECAUSE I'M GETTING IN THE SPIRIT OF THE METHODOLOGY AND THE LEVEL OF SOPHISTICATION MANIFESTED BY THE CONSTRUCTION OF WHAT WE'RE BEING PRESENTED WITH THIS MORNING. ALSO, I WANT YOU TO KNOW--AND MY AMENDMENT DOES NOT DEAL WITH THAT--SENATOR KINTNER AND HIS COHORTS WANT TO RESTRICT OR LIMIT WHAT YOU CAN DO. SENATOR BRASCH THINKS YOU SHOULD NOT BE ABLE TO VOTE FOR ANYBODY OTHER THAN THE ONES WHOSE NAMES ARE PLACED IN NOMINATION. SENATOR GROENE FEELS THE SAME WAY. AND TO MY SHOCK AND AMAZEMENT, SENATOR EBKE AGREES. HERE I SPEND A LOT OF TIME TALKING ABOUT THE INTEGRITY OF THE LEGISLATURE, ITS STATUS AS ONE OF THE THREE BRANCHES OF GOVERNMENT, AND HOW LEGISLATORS MAKE A MISTAKE GRIEVOUS IN NATURE BY DOING ANYTHING THAT UNDERMINES THE INTEGRITY AND DIGNITY OF THIS BODY AS AN INSTITUTION. AND WHAT TO MY WONDERING MIND SHOULD APPEAR, BUT A PROPOSAL TO LIMIT AND RESTRICT WHAT WE CAN DO BY THOSE WHO ARE TALKING ABOUT TRANSPARENCY. BROTHERS AND SISTERS, FRIENDS, ENEMIES, AND NEUTRALS, THERE'S A DIFFERENCE BETWEEN TRANSPARENCY AND "BUSYBODYISM." PURITANS WERE BUSYBODIES. A PURITAN'S CONCEPT OF HELL

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IS TO BE IN A PLACE WHERE HE OR SHE IS PROHIBITED FROM NOSING IN SOMEBODY ELSE'S BUSINESS. NOTHING MAKES A PURITAN MORE MISERABLE THAN THE THOUGHT THAT SOMEBODY SOMEWHERE ON THIS PLANET IS ENJOYING HIMSELF OR HERSELF. WELL, WE HAVE AT LEAST A QUASI-PURITANICAL APPROACH THIS MORNING. YOU ARE TO BE RESTRICTED AND LIMITED IN HOW YOU'RE GOING TO VOTE. I KNOW THIS THING IS NOT GOING ANYWHERE, BUT I BELIEVE THAT THE BEST WAY TO TEACH A BODY SUCH AS THIS--AFTER I'VE BEEN HERE THIS LONG AND KNOW HOW SHALLOW THE THINKING IS, IF IT CAN EVEN BE CALLED THINKING--THAT YOU MUST GIVE EXAMPLES TO MAKE THE POINT. WE HAVE PROPOSED, WE ADOPTED, AND I VOTED YES, A CHANGE TO THE RULES WHICH WOULD REQUIRE US TO SIT FOR ONE MINUTE IF A BILL IS NOT GOING TO BE VOTED ON, BUT THEY READ IT AND THEN WE WAIT. THE ARGUMENT WAS THAT IT'LL SAVE US TWO MINUTES AND WE NEED TO SAVE TIME WHEREVER WE CAN. I DIDN'T NEED THAT AS AN ARGUMENT. I JUST FELT THAT IF WE PAY ATTENTION THEN WE HAVE AN IDEA WHAT THE BILL IS. IF WE WANT TO CRAFT AN AMENDMENT, WE CAN HAVE DONE THAT, AS I'VE DONE ON NUMEROUS OCCASIONS. AND I THINK OTHERS CAN DO THE SAME THING. AND IF WE SEE SOMETHING THAT WE THINK OUGHT TO BE AMENDED BUT WE DON'T HAVE TIME TO CRAFT IT, WE CAN DO THAT CATCHALL BY MOVING TO RETURN THE BILL TO SELECT FILE TO STRIKE THE ENACTING CLAUSE. AND THAT GIVES US THE OPPORTUNITY IN DISCUSSING THAT AMENDMENT TO CALL THE BODY'S ATTENTION TO SOMETHING IN THE BILL THAT MAY CONSTITUTE A DEFECT. AND DURING THE DEBATE ON THAT MOTION TO RETURN, THE ISSUE THAT A MEMBER MAY SEE AS A POSSIBLE DEFECT CAN BE DISCUSSED IN TOTALITY. IF THE BODY IS IN AGREEMENT, THEN AN AMENDMENT CAN BE CRAFTED TO RETURN THE BILL TO SELECT FILE TO ADOPT THE SPECIFIC AMENDMENT WHICH WILL HAVE BEEN DRAFTED, AND THAT REPLACES THE MOTION TO STRIKE THE ENACTING CLAUSE. AND NOW INSTEAD OF RETURNING IT TO STRIKE THE ENACTING CLAUSE, YOU RETURN IT FOR THE FOLLOWING SPECIFIC AMENDMENT. THAT'S THE WAY YOU OPERATE. BUT MY COLLEAGUES LIKE SENATOR BRASCH, SENATOR EBKE, SENATOR GROENE, SENATOR KINTNER TAKE THE SIMPLISTIC WAY AND SAY, WELL, I WANT TRANSPARENCY, SO WE'RE GOING TO MAKE YOU SAY WHO YOU VOTED FOR EVEN IF IT MEANS RESTRICTING AND LIMITING WHAT YOU CAN DO. I WON'T GO FOR THAT. I WILL NOT. AND I PRESUMED--MISTAKENLY, OBVIOUSLY--THAT THE PEOPLE IN MY DISTRICT WANT ME TO DEAL WITH WEIGHTY MATTERS, NOT WHO GETS A POSITION OF LEADERSHIP IN THE LEGISLATURE. BUT I CAN SEE SENATOR BRASCH'S CONSTITUENTS, SENATOR KINTNER'S CONSTITUENTS, SENATOR GROENE'S CONSTITUENTS...AND SENATOR EBKE HAS DISAPPOINTED ME SO MUCH; SOMEBODY KNOWS HOW TO HYPNOTIZE AND SHE'S UNDER A SPELL. BUT

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AT ANY RATE, THEIR CONSTITUENTS ARE WATCHING US FROM GAVEL TO GAVEL. AND THEY TELL THE CHILDREN WHO ARE NOT IN SCHOOL, SH! BE QUIET, BE QUIET, GO TO YOUR ROOM. THEY'RE HAVING THE VOTE ON WHO'S GOING TO BE A CHAIRPERSON OR HAVE A POSITION IN THE LEGISLATURE, SO I DON'T WANT YOU TO SAY ANYTHING. AND IF IT'S A MAN, HE SAYS, WIFE, TEND TO YOUR HOUSE. SHE SAYS, HUSBAND, I AM TENDING TO MY HOUSE. HE SAYS, WIFE, WELL, TEND TO YOUR HOUSE WITH LESS NOISE, BECAUSE I NEED TO HEAR FOR WHOM THE LEGISLATURE IS GOING TO VOTE. WIFE SAYS, FOOL, THAT'S WHY OUR MARRIAGE IS ON THE ROCKS. YOU'RE SPENDING ALL YOUR TIME WITH THIS NONSENSE. AND SHE PICKS UP THE SKILLET AND THROWS IT THROUGH THE TELEVISION SCREEN. THE MAN GOES INTO CATATONIC SHOCK. AND SHE'S DEBATING WHETHER SHE OUGHT TO DIAL 911 OR LET NATURE TAKE ITS COURSE. BUT BEING A GOOD WOMAN, HAVING SUFFERED WITH THIS IDIOT ALL THESE YEARS,...

SENATOR KRIST: ONE MINUTE.

SENATOR CHAMBERS: ...AND THE CHILDREN DO HAVE A RESPECT FOR HIM BECAUSE HE PLAYS AT THEIR LEVEL. SO SHE CALLS 911. THEY HAUL HIS UNCONSCIOUS CARCASS TO WHEREVER THEY TAKE CARCASSES IN THAT CONDITION, REVIVE HIM, AND BRING HIM BACK HOME. BUT I'LL TELL YOU ONE THING, HE WON'T BE TELLING HER BE QUIET BECAUSE THEY'RE ELECTING SOMEBODY TO A POSITION OF LEADERSHIP IN THE LEGISLATURE. SO BROTHERS, SISTERS, FRIENDS, ENEMIES, I'VE OFFERED MY AMENDMENT. DO WITH IT WHAT YOU WILL. BUT I'M HAVING SO MUCH FUN HERE THIS MORNING ITS GOT TO BE A SIN. THANK YOU, MR. PRESIDENT.

SENATOR KRIST: THANK YOU, SENATOR CHAMBERS. YOU'VE HEARD THE OPENING ON SENATOR CHAMBERS' AMENDMENT. AND SENATOR CHAMBERS, YOU'RE NEXT IN THE QUEUE.

SENATOR CHAMBERS: NEXT IN THE WHAT?

SENATOR KRIST: THE QUEUE, AND WE'VE DISCUSSED THIS MATTER BEFORE.

SENATOR CHAMBERS: OH, THAT'S RIGHT. YOU LEARN FRENCH IN THIS BODY ALSO. AND I'VE LEARNED SOMETHING, SO IF SOMEBODY ASKS ME, PARLEZ-VOUS FRANCAIS? I SAY, MAIS NON. THAT MEANS NO. BUT IF I TRIED TO SAY SOMETHING, THEY WOULD SAY, YOU DON'T SPEAK FRENCH, DO YOU? I SAY,

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WELL, I THOUGHT I WAS. AND THAT REMINDS ME OF A STORY ABOUT AN INDUSTRIALIST NAMED ARMAND HAMMER. HE WAS ON A VERY CORDIAL BASIS WITH RUSSIA, EVEN DURING THE COMMUNIST REGIME AND HE HAD DEALINGS. SO HE WAS INVITED TO GIVE A TALK AND HE WAS GOING TO TRY TO SPEAK IN RUSSIAN. SO HE WAS SITTING ON THE STAGE AND HE STOOD UP AND, AS AMERICANS DO, ANGLICIZED THE WORDS IN RUSSIAN TO TRY TO PRONOUNCE THEM THE BEST HE COULD. AND WHEN HE GOT THROUGH AND SAT DOWN, EVERYBODY APPLAUDED. AND SO ARMAND HAMMER LOOKED AT HIS HOST, HE SAID, HOW DID I DO? THE HOST SAID, MR. HAMMER, THEY DID NOT UNDERSTAND A WORD THAT YOU SAID. ARMAND HAMMER SAID, WELL, YOU HEARD THE APPLAUSE. HOW DID THEY KNOW TO APPLAUSE? HE SAID, WELL, WHEN YOU GOT THROUGH AND SAT DOWN THEY FIGURED YOU WERE THROUGH AND BEING COURTEOUS AND POLITE THEY APPLAUDED. SO WHEN WE ATTEMPT TO SPEAK A DIFFERENT LANGUAGE, WE SHOULD STUDY IT TO THE POINT WHERE THOSE WHOSE LANGUAGE IT IS WILL UNDERSTAND WHAT WE'RE SAYING. I HAVE BEEN IN DISCUSSIONS WITH PEOPLE, AND THEY WILL GET IRATE BECAUSE I DISAGREE WITH THEM AND THEY'LL SAY, ERNIE, DON'T YOU UNDERSTAND ENGLISH? I SAY, I CERTAINLY DO WHEN I HEAR IT SPOKEN. ON THE STREET IT'S ALL RIGHT TO SAY, THIS HERE, THAT THERE, THEM THERE. IT'S ALL RIGHT TO SAY WHENEVER YOU WANT TO. THE PURPOSE OF COMMUNICATION IS TO BE UNDERSTOOD. SO IF YOU USE SLANG AND PEOPLE UNDERSTAND WHAT YOU'RE TRYING TO SAY, YOU HAVE COMMUNICATED. BUT IF YOU'RE IN WHAT THEY CALL POLITE COMPANY, THERE'S MORE TO IT THAN MERELY BEING UNDERSTOOD. THERE'S A CERTAIN SOPHISTICATION, A CERTAIN ELEGANCE, A CERTAIN LEVEL AT WHICH YOU OUGHT TO SPEAK IF YOU'RE IN POLITE COMPANY. BUT BECAUSE I HOLD TO THE PHILOSOPHY OF THE GREATEST PHILOSOPHER PRODUCED BY AMERICA, WHICH IS POPEYE THE SAILOR MAN, AND HIS MANTRA IS: I YAM WHAT I YAM AND THAT'S ALL THAT I YAM. I AM SO COMFORTABLE WITH MYSELF AND WHAT I KNOW AND MY ABILITY TO MATCH MY UNDERSTANDING OF ENGLISH WITH ANYBODY, THAT I DELIBERATELY...I SPLIT INFINITIVES, I'LL LEAVE DANGLING MODIFIERS, ALL THE THINGS THAT VIOLATE THE RULES OF GRAMMAR. AND THEN I WANT SOMEBODY TO TRY TO CORRECT ME AND THEN I CORRECT THE CORRECTOR. SO THERE ARE DIFFERENT LEVELS AT WHICH COMMUNICATION WILL OCCUR. UNFORTUNATELY IN THIS LEGISLATURE, THE LEVEL, IN MANY INSTANCES AND CASES, DOES NOT REACH VERY HIGH, SO I WANT TO BE UNDERSTOOD.

SENATOR KRIST: ONE MINUTE.

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SENATOR CHAMBERS: AND I'M TRYING TO TAKE MY TIME, WHETHER ANYBODY IN HERE LISTENS OR NOT, BECAUSE EVERYTHING WE SAY IS RECORDED AND WRITTEN. AND I WANT PEOPLE TO KNOW WHATEVER ACTION TAKEN BY THIS LEGISLATURE, I STATE FOR MYSELF MY VIEW OF IT SO THAT THEY CAN SAY, WHY IN THE WORLD WHEN THEY HEARD SUCH INTELLIGENT, LOGICAL ARGUMENT DID THEY IGNORE IT? WELL, I THEN QUOTE THE BIBLE--AND THIS ONCE I'M PRONOUNCING THE BIBLE THE WAY SENATOR HILKEMANN WANTS ME TO PRONOUNCE IT; I WON'T SAY "BIBBLE," EXCEPT TO LET YOU KNOW HOW I'M NOT PRONOUNCING IT--I THEN QUOTE FROM THE BIBLE TO EXPLAIN WHY THEY DON'T RESPOND AFFIRMATIVELY TO LOGICAL, RATIONAL, PROBATIVE ARGUMENT. JESUS SAID, THEY WILL NOT BELIEVE THE ONE CAME BACK FROM THE DEAD.

SENATOR KRIST: TIME, SENATOR.

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT.

SENATOR KRIST: THANK YOU, SENATOR CHAMBERS. SENATOR PANSING BROOKS, YOU'RE RECOGNIZED.

SENATOR PANSING BROOKS: THANK YOU, MR. SPEAKER. I JUST WANTED TO QUICKLY RISE AND I'M CERTAINLY NOT GOING TO ARGUE WITH SENATOR CHAMBERS ABOUT ANY DANGLING MODIFIERS, BUT I DID WANT TO JUST RECOUNT A QUICK STORY. THIS SUMMER I WENT TO AN EMERGING LEADERS CONFERENCE AND THIS IS FOR THE BENEFIT OF ALL OF THE FIRST-YEAR GROUP THAT WE ALL CAME TOGETHER. AT THE END OF THIS CONFERENCE THAT I WENT TO WITH ABOUT 50 TO 60 NEW SENATORS AND REPRESENTATIVES FROM AROUND THE NATION, WE WENT AROUND AND EVERYBODY TOLD ABOUT WHAT THEY HAD DONE THIS PAST YEAR. AND THIS SORT OF FOLLOWS ON THE TAIL OF WHAT SENATOR HADLEY HAD SAID. AND AS THEY WENT AROUND TALKING ABOUT WHAT EFFECT AND WHAT THEY WERE ABLE TO DO THIS PAST YEAR, EVERY ONE OF THEM SAID, WELL, I GOT TO WORK ON A BILL FOR THE MINORITY WHIP COMMITTEE. AND SOMEBODY ELSE SAID, OH, WELL, I WORKED ON TWO BILLS THAT THE SPEAKER WANTED THAT WERE FOR THE MAJORITY WHIP COMMITTEE. AND IT CAME TO ME AND I WAS ABLE TO SAY, WELL, I HAD 10 BILLS THAT I PUT IN, 5 OF THEM PASSED AND I COSPONSORED 20. AND THEY ALL LOOKED AT ME AND SAID, WELL, THAT'S, OF COURSE, BECAUSE THE SPEAKER LET YOU. AND I SAID, NO. IN THE NEBRASKA LEGISLATURE IN THE UNICAMERAL, WE ALL HAVE OUR OWN ABILITY TO REPRESENT OUR CONSTITUENTS. WE GET TO BRING

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FORWARD OUR BILLS NO MATTER HOW GOOD OR HOW BAD, AND WE ARE ABLE TO MAKE A DIFFERENCE IN THE SHORT TERMS THAT WE ARE HERE. AND THEY WERE ALL BLOWN AWAY. AND I JUST TELL THIS STORY TO REMIND US ABOUT THE MAGIC OF THIS LEGISLATURE AND OF THIS UNICAMERAL. AND WHILE WE MAY DISAGREE WITH CERTAIN THINGS, I DO NOT WANT TO HAVE MY PARTY COMING DOWN TO ME TO TELL ME HOW TO VOTE ON CERTAIN COMMITTEE CHAIRS. AND WE KNOW THAT THAT WILL HAPPEN. AND WHETHER OR NOT SOMEBODY WAS BROUGHT...HAS BEEN CONTACTED, I HAVEN'T BEEN CONTACTED BY MY PARTY EITHER. BUT THAT'S, OF COURSE, BECAUSE THEY KNOW THAT WE'RE INDEPENDENT ON THIS AND WE GET TO REMAIN SO. AND IF WE WANT TO TURN IT INTO CONGRESS WHERE NOBODY GETS ANYTHING DONE AND WHERE PEOPLE HAVE TO LISTEN TO THE PARTY TO DETERMINE HOW TO MOVE FORWARD, PEOPLE THAT AREN'T ABLE TO THINK ON THEIR OWN, I GUESS. I TRUST EACH OF YOU HERE TO BE ABLE TO MAKE A DECISION, TO BE ABLE TO VOTE YOUR CONSCIENCE, AND TO MAKE AS GOOD A DECISION AS YOU THINK YOU ARE MAKING FOR YOUR CONSTITUENCY. AND I WOULD HOPE TO BE ABLE TO DO THE SAME. SO, AGAIN, WE ARE A GEM IN THE MIDDLE OF THE UNITED STATES. I BELIEVE WE ARE THE EXAMPLE OF DEMOCRACY AND I COULD NOT BE MORE PROUD TO SERVE HERE. AND THIS RULE MEANS NOTHING COMPARED TO THE IMPORTANCE OF FORWARDING OUR DEMOCRACY. THANK YOU, MR. PRESIDENT.

SENATOR KRIST: THANK YOU, SENATOR PANSING BROOKS. SENATOR GROENE, YOU'RE RECOGNIZED.

SENATOR GROENE: THANK YOU, SPEAKER...SENATOR KRIST. TO MY GOOD FRIEND, SENATOR BLOOMFIELD, I AGREE THIS ISSUE HAS BEEN HEARD LAST YEAR. IT WAS HEARD, SENATOR BRASCH SAID, IN 2010. AND I WANT TO THANK MY MENTOR, SENATOR CHAMBERS, BECAUSE WITHOUT HIS ABILITY TO STAND UP AND SPEAK, I, AS A FRESHMAN SENATOR, WOULDN'T BE ABLE TO DO THESE ISSUE THINGS LIKE I DO. SOMEBODY WOULD HAVE A THUMB ON ME. SOME TRIED. BUT I ALSO TELL MY CONSTITUENTS WHEN THEY SAY, OH, IT WILL NEVER PASS. IT WILL NEVER WORK. WHY DON'T YOU GIVE UP? I POINT OUT SENATOR CHAMBERS' SUCCESS WITH HIS BILL ON THE DEATH PENALTY LAST YEAR. FORTY YEARS THE MAN WORKED ON IT. FORTY YEARS HE NEVER GAVE UP. IF YOU BELIEVE IN AN ISSUE, YOU KEEP COMING WITH IT. SENATOR KINTNER HAS. THAT IS GOOD GOVERNMENT. YOU DO NOT DISMISS IT BECAUSE WE TALKED ABOUT IT LAST YEAR. YOU PUT IT IN THE PUBLIC EYE. TWENTY-FIVE SEATS IN THIS CHAMBER ARE UP NEXT YEAR; 12 ARE TERM LIMITED, 13 ARE REELECTION BIDS. I WOULD LIKE TO SEE THE PUBLIC...THANKS, GOD, FOR NETV,

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FOR THE INTERNET. THE PUBLIC IS WATCHING. EVERY SINGLE DEBATE THAT TAKES PLACE IN THOSE ELECTIONS, I WOULD LIKE TO SEE A CITIZEN WALK IN AND SAY, DO YOU THINK THERE SHOULD BE SECRET BALLOTS IN OUR LEGISLATURE? AND I WOULD LIKE TO SEE THAT ANSWER, BECAUSE I KNOW WHAT IT WOULD BE. NOBODY CAN DEFEND SECRET BALLOTS. WHEN YOU GOT THE PRESSURE OF THE PUBLIC...AND THAT IS WHY I STAND HERE. I WANT SOMEBODY IN EVERY DISTRICT UP FOR ELECTION TO GO TO A DEBATE AND SAY...STAND UP AND ASK THAT QUESTION TO THE CANDIDATES. DO YOU BELIEVE IN SECRET BALLOTS? DO YOU BELIEVE YOUR ELECTED OFFICIALS SHOULD HAVE SECRET BALLOTS? YOUR EMPLOYEE AT THE LEGISLATURE SHOULD BE ALLOWED TO HAVE SECRET BALLOTS? WE BRING AN ISSUE AND WE BRING IT BACK TILL THE PUBLIC IS INVOLVED TO THE POINT WE KNOW WHAT THE PUBLIC WANTS TO DO. THAT IS WHY I STAND HERE. I WANT THE PUBLIC INVOLVED IN THIS ISSUE. AS FAR AS PARTISANSHIP, I REMEMBER SLIGHTLY THAT THERE WAS A TIME IN THIS BODY THAT THERE WAS PUBLIC VOTES IN LAST YEAR'S DEBATE. I'M NOT SURE ON THAT, MY AIDE WAS LOOKING INTO THAT. I'M SURE AT THAT TIME THERE WAS PARTISAN ISSUES OF ONE PARTY OVER ANOTHER SAYING, WE HAVE TO HAVE SECRET VOTES, WE NEED SECRET VOTES, AND THEY WON. THEY CHANGED THE PRACTICE THAT WE HAVE HERE. IT'S GOVERNMENT. IT'S DEMOCRACY. THAT'S WHAT WE DO HERE. NOBODY SHOULD BE CASTIGATED BECAUSE THEY BRING AN ISSUE. NO ONE SHOULD BE MADE FUN OF BECAUSE THEY BRING AN ISSUE. THIS IS THE PUBLIC'S BODY. IT IS NOT THE SENATORS' BODY. A LOT OF PICTURES ON THAT WALL. MOST OF THEM ARE FORGOTTEN OF WHO SAT IN THESE CHAIRS. BUT THE PUBLIC IS ALWAYS THERE AND THE PUBLIC SHOULD ALWAYS BE INVOLVED. SO, THEREFORE, I WOULD ASK MY CONSTITUENTS, THOSE WHO ARE UP FOR ELECTION NEXT TIME, I WANT TO ENCOURAGE IN YOUR DISTRICTS, SOMEBODY ASKS YOU IN A DEBATE, BUT YOU WILL BE ON RECORD HERE AND, HOPEFULLY, YOUR OPPONENTS ARE WATCHING NOW. AND THEY SAY, WELL, MAYBE I OUGHT TO TAKE AN ISSUE WITH THAT. THAT IS WHY I STAND HERE--DEMOCRACY, PUBLIC DEBATE, BRING THE PUBLIC INTO IT. AND I THANK YOU, SENATOR SPEAKER, BUT I WOULD URGE MY COLLEAGUES TO VOTE NO ON SENATOR CHAMBERS' AMENDMENT AND TO VOTE YES ON SENATOR KINTNER'S.

SENATOR COASH PRESIDING

SENATOR COASH: THANK YOU, SENATOR GROENE. SENATOR SMITH, YOU'RE RECOGNIZED.

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SENATOR SMITH: THANK YOU, MR. PRESIDENT. AND I'M GOING TO JUST SPEAK ON THE UNDERLYING PROPOSAL BY SENATOR KINTNER. AND AT THE CONCLUSION OF MY REMARKS, I'M GOING TO YIELD MY TIME TO SENATOR KINTNER TO MAYBE ANSWER SOME OF MY QUESTIONS AND SOME OF MY CONCERNS. LIKE SENATOR HADLEY AND MANY OF YOU, AS YOU TRAVEL AROUND YOU MEET WITH REPRESENTATIVES FROM OTHER STATES. WE DO HAVE A UNIQUE, VERY UNIQUE FORM OF GOVERNMENT IN NEBRASKA. SOMETHING ELSE VERY UNIQUE THAT GEORGE NORRIS BROUGHT NEBRASKA WAS PUBLIC POWER. AND EVEN WHEN I WAS IN THE ENERGY INDUSTRY FOR MANY YEARS, THE QUESTION WAS, HOW DOES THAT EXACTLY WORK IN NEBRASKA WITH PUBLIC POWER? AND IT'S UNIQUELY NEBRASKA, AS IS THE UNICAMERAL IS UNIQUELY NEBRASKA. IT MAY NOT WORK IN OTHER STATES, BUT IT SEEMS TO WORK VERY WELL IN NEBRASKA. IT'S NOT WITHOUT ITS FLAWS, THAT IS FOR CERTAIN, AND WE CAN PROBABLY LIST THOSE OFF. BUT, AGAIN, WE HAVE SOME THINGS THAT ARE UNIQUELY NEBRASKA IN THIS STATE THAT WE SHOULD BE VERY PROUD OF AND EMBRACE. BUT WITH THAT SAID, WHAT I WANT TO TRY TO UNDERSTAND FROM SENATOR KINTNER IS, HOW MUCH OF THE FABRIC OF THE UNICAMERAL IS THE NONTRANSPARENT VOTE? SO I GUESS...AND MAYBE THERE'S SOME HISTORY OF IT WHERE THERE WERE TIMES IN HISTORY WHERE IT WAS TRANSPARENT, WHERE IT WAS NOT TRANSPARENT. I DON'T THINK WE'RE TALKING ABOUT THROWING OUT THE UNICAMERAL SYSTEM HERE. I THINK WE'RE TALKING ABOUT SOMETHING THAT'S AROUND THE EDGES, PERHAPS, BUT I'D LIKE TO HAVE A LITTLE BIT MORE DISCUSSION ON THAT. I THINK IT'S INTERESTING WHEN WE TALK ABOUT WHETHER THE TRANSPARENCY OF A VOTE OR NOT AFFECTS HOW SOMEONE'S GOING TO MAKE THEIR DECISION, I THINK WE NEED LOOK NO FURTHER THAN LAST SESSION WHEN THERE WERE A LOT OF VERY PUBLIC VOTES THAT DID NOT GO THE WAY THAT SOME PEOPLE WOULD HAVE WANTED THEM TO HAVE GONE. BUT YET THE UNICAMERAL AND THE MEMBERS OF THIS LEGISLATURE SHOWED INDEPENDENCE ONE WAY OR THE OTHER. AND I THINK MAYBE THAT'S WHY SENATOR GROENE WAS BEGINNING TO GO DOWN THAT PATH. BUT LOOK NO FARTHER THAN LAST SESSION TO SEE THAT PEOPLE ARE GOING TO VOTE THEIR OWN MIND WITHOUT FEAR, IN MY OPINION. SO...AND I THINK ALSO AS SENATOR SCHEER WAS TALKING ABOUT EARLIER ABOUT KEEPING YOUR WORD, I THINK THAT'S THE PROBLEM THAT WE HAVE, OF COURSE, BEYOND THE WALLS OF THIS INSTITUTION, IS KEEPING YOUR WORD, STAYING GOOD TO YOUR HANDSHAKE. AND I WOULD LIKE TO YIELD THE REMAINDER OF MY TIME TO SENATOR...ACTUALLY, I HAVE A QUESTION FOR SENATOR MURANTE. SOMETHING IS JUST KIND OF EATING AWAY AT THE BACK OF MY MIND HERE. NOW I THINK SENATOR HANSEN HAS DONE A FANTASTIC JOB AS ENROLLMENT AND REVIEW. AND IF SENATOR KINTNER WERE TO HAVE HIS

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WAY WITH HIS CHANGE UP THERE, WOULD IT HAVE IN ANY WAY AFFECTED THE OUTCOME OF THAT ELECTION, SENATOR MURANTE?

SENATOR COASH: SENATOR MURANTE.

SENATOR MURANTE: SENATOR SMITH, AS YOU KNOW, I PREVIOUSLY SERVED AS CHAIRMAN OF THE ENROLLMENT AND REVIEW COMMITTEE. I THINK IT'S A VERY IMPORTANT COMMITTEE. WHEN I WAS ELECTED, I WAS ADVISED THAT IN THE HISTORY AND TRADITIONS OF THE NEBRASKA UNICAMERAL LEGISLATURE, E&R CHAIRS WOULD GO ON EITHER TO SERVE IN LEADERSHIP OR WOULD END UP IN JAIL. AND I TOOK THAT ADMONITION TO HEART. AND I CAN THINK OF SENATOR HANSEN IN REGARDS TO HIS TALENTS, THAT HE IS UNIQUELY QUALIFIED AMONG HIS CONTEMPORARIES TO SERVE AS CHAIRMAN OF ENROLLMENT AND REVIEW. AND I CANNOT THINK OF A METHOD OF ELECTION WHICH WOULD HAVE CHANGED THE OUTCOME OF HIS ELECTION.

SENATOR SMITH: THANK YOU, SENATOR MURANTE, BECAUSE...

SENATOR COASH: ONE MINUTE.

SENATOR SMITH: THANK YOU. I MAY NOT HAVE ENOUGH TIME FOR SENATOR KINTNER, BUT HE'S NEXT IN THE QUEUE ANYWAY. SO HE CAN MAYBE ADDRESS MY CONCERNS, IF YOU DON'T MIND. BUT, AGAIN, I WOULD NOT WANT TO DO ANYTHING THAT WOULD HAVE JEOPARDIZED THE ELECTION OF SENATOR HANSEN TO HIS POSITION AS CHAIR OF ENROLLMENT AND REVIEW. WITH THAT, THANK YOU, MR. PRESIDENT. AND ANY REMAINING TIME I'LL YIELD TO SENATOR KINTNER.

SENATOR COASH: SENATOR KINTNER, 30 SECONDS AND YOU'RE NEXT IN THE QUEUE.

SENATOR KINTNER: WELL, THANK YOU, MR. PRESIDENT. THANK YOU, SENATOR SMITH. YES, WE HAVE AT TIMES DONE THIS BY OPEN BALLOT. AND IN 1971 WE WENT TO SECRET BALLOT AND THAT'S WHERE WE SIT RIGHT NOW. SO I AIM TO GO BACK TO THE WAY THINGS WERE IN 1970 WHEN WE HAD OPEN BALLOTS OR NO SECRET BALLOTS AT LEAST. NOW WE...PEOPLE HAVE SAID, THIS IS INTERNAL POLITICS, INTERNAL STUFF. NOBODY CARES ABOUT IT. IT'S JUST NOT THAT IMPORTANT. WHY ARE WE WASTING TIME? WELL, IF IT'S NOT SO IMPORTANT,

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WHY IS EVERYONE SO WORKED UP? WHY ARE SO MANY PEOPLE SPEAKING OUT AGAINST IT IF IT'S JUST NOT THAT IMPORTANT? IT'S JUST LITTLE STUFF THAT NOBODY CARES ABOUT. WELL, YOU GUYS SURE SEEM TO CARE ABOUT IT. IT KIND OF REMINDS ME OF YOU'RE KIND HANGING OFF THE LEDGE AND WE'RE STOMPING ON YOUR HANDS AND EVENTUALLY YOU'RE GOING TO HAVE TO LET GO. IF NOT TODAY, IT'LL BE IN THE FUTURE. BUT WE...OUR SPEAKER TALKED ABOUT SOME OF THE OTHER STATES. AND I'VE JUST GOT A LITTLE LIST OF HOW SOME OF THE OTHER STATES DO THINGS. NORTH CAROLINA, ROLL CALL VOTE. EXCUSE ME, OHIO, ROLL CALL VOTE, NOT NORTH CAROLINA; TEXAS, ROLL CALL VOTE. LET'S SEE, A COUPLE MORE HERE. I CAME UP WITH ABOUT FOUR DIFFERENT STATES THAT ARE DOING THE ROLL CALL VOTES. AND, OF COURSE, THEY'RE NOT IN MY HAND RIGHT NOW. SO ANYWAY, WE CAME UP WITH FOUR VOTES, THERE'S TWO OF THEM. SO THERE'S DIFFERENT WAYS OF DOING IT. AND...BUT WE'RE DIFFERENT. WE'RE THE UNICAMERAL. WE DO THINGS DIFFERENTLY THAN ANYBODY ELSE. AND, OBVIOUSLY, WE DON'T GET TOO INTIMIDATED BY ANY PARTIES BECAUSE WE DO WHAT WE DARN WELL PLEASE, SOMETHING SOMETIMES TO THE CONSTERNATION OF OUR CONSTITUENTS. BUT, YOU KNOW, THAT'S WHAT ELECTIONS ARE FOR. AND IF WE WANT PEOPLE TO MAKE INFORMED DECISIONS IN THOSE ELECTIONS, THEY HAVE TO KNOW WHAT WE'RE DOING. OF COURSE, IF WE DON'T WANT THEM TO MAKE INFORMED DECISIONS, WE NEED TO HIDE WHAT WE'RE DOING. WE DON'T WANT THEM TO SEE WHAT WE'RE DOING, AND THEN IT WILL BE TOUGHER FOR THEM TO MAKE AN INFORMED DECISION ABOUT ARE WE DOING THE RIGHT THINGS? NOW I DON'T THINK THAT THIS ONE VOTE RIGHT HERE IS GOING TO GET ANYBODY UNELECTED BY ITSELF, BUT I THINK THE ONLY INTIMIDATION YOU MAY FEEL AT SOME POINT IS FROM THE VOTERS OF YOUR DISTRICT. AND IF YOU CROSS THEM TOO OFTEN, THAT COULD BE A PROBLEM. OF COURSE, WHEN YOU'RE DOWN HERE IN THE ECHO CHAMBER, YOU'RE ALWAYS BEING TOLD, YOU KNOW, SENATORS NEVER LOSE; REELECTION RATE OF 90-PLUS PERCENT. THE LOBBY IS OUT THERE TELLING YOU, MAN, YOU'RE GOLDEN, WE'LL TAKE CARE OF YOU. YOU DON'T HAVE ANYTHING TO WORRY ABOUT. SECRET BALLOTS, NO SECRET BALLOTS, YOU'RE GOING TO BE JUST FINE. INCUMBENTS DON'T LOSE. OF COURSE, I GOT HERE BY BEATING AN INCUMBENT, SO, YES, THEY DO LOSE. AND IF YOU VOTE WRONG ENOUGH TIMES AND YOU HAVE A GOOD CANDIDATE RUNNING AGAINST YOU, YOU HAVE TO GO BACK AND DEFEND THOSE VOTES. SO I THINK WHAT WE LOOK AT TODAY IS, DO THE PEOPLE HAVE A RIGHT TO KNOW WHAT WE'RE DOING? PEOPLE KEEP TELLING ME, NO, THEY HAVE NO RIGHT TO KNOW WHAT WE'RE DOING. THIS IS OUR STUFF, IT'S OUR INSIDE BASEBALL. WELL, WE'RE GOING TO FIND OUT. BUT I DO APPRECIATE SENATOR SMITH ASKING THOSE QUESTIONS. AND, ONCE AGAIN, IT WAS 1971 IT WAS CHANGED.

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BEFORE THAT WE HAD OPEN BALLOTS AND I WOULD LIKE TO RETURN US TO THAT. AND I THINK IT BEST SERVES THE PUBLIC AND BEST SERVES THIS INSTITUTION. THANK YOU, MR. PRESIDENT.

SENATOR COASH: THANK YOU, SENATOR KINTNER. THOSE STILL WISHING TO SPEAK: SENATORS EBKE, HILKEMANN, KRIST, CHAMBERS, McCOLLISTER, AND OTHERS. SENATOR EBKE, YOU'RE RECOGNIZED.

SENATOR EBKE: THANK YOU, MR. PRESIDENT. WHILE I DO, OF COURSE, SUPPORT THE UNDERLYING AMENDMENT SENATOR KINTNER HAS BEEN SPEAKING ON, I ALSO SUPPORT CLARITY IN LANGUAGE AND THOUGHT. SO I WONDER IF SENATOR CHAMBERS WOULD HELP ME CLARIFY HERE FOR JUST A MOMENT.

SENATOR COASH: SENATOR CHAMBERS, WILL YOU YIELD?

SENATOR CHAMBERS: YES, BUT I DIDN'T HEAR THE QUESTION. I WILL ANSWER.

SENATOR EBKE: SENATOR CHAMBERS, I WONDER IF YOU COULD JUST CLARIFY YOUR AMENDMENT. RULE 1, SECTION 1, THE KINTNER, EBKE, AND GROENE AMENDMENT, YOU WOULD DELETE THE LANGUAGE BEGINNING WITH, "WITH EACH MEMBER INDICATING THE CANDIDATE HE/SHE IS SUPPORTING." CORRECT? ON PAGE 1.

SENATOR CHAMBERS: YES, THAT IS THE ONLY THING I'M DOING. I'M NOT TOUCHING THE WORDS, "ROLL CALL VOTE," BUT JUST THAT SURPLUSAGE, AS I SEE IT.

SENATOR EBKE: OKAY. AND THE SAME THING ON PAGE 3, WHERE IT WOULD BE A PERIOD AFTER "ROLL CALL VOTE"?

SENATOR CHAMBERS: YES.

SENATOR EBKE: THEN I WOULD CONCLUDE BY SUPPORTING THE CHAMBERS AMENDMENT TO THE KINTNER AMENDMENT.

SENATOR COASH: THANK YOU, SENATOR EBKE. SENATOR HILKEMANN, YOU'RE RECOGNIZED.

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SENATOR HILKEMANN: THANK YOU, MR. SPEAKER. AS I RECALL, I THINK THIS WAS THE FIRST VOTE WE DEALT WITH LAST YEAR AS AN INCOMING SENATOR. AND I KNEW THAT VOTE WAS COMING AND SO I TOOK THE TIME TO CALL ABOUT FOUR OR FIVE FORMER STATE SENATORS WHO I TRUSTED AND DISCUSSED THIS SITUATION WITH THEM AND WHERE I SHOULD BE ON THAT BALLOT. AND EACH OF THEM--AND THEY WERE WELL-RESPECTED MEMBERS OF THIS BODY WHEN THEY WERE HERE--SAID, KEEP IT THE WAY IT IS. AND THAT'S HOW I CHOSE TO VOTE LAST YEAR. I WAS KIND OF SURPRISED WHEN I GOT DONE WITH THE SESSION THIS YEAR. SOME OF THESE DIFFERENT GROUPS COME UP WITH THE LISTS OF YOUR VOTES AND I WAS KIND OF SURPRISED TO SEE THAT ONE OF THE REASONS THAT I'M NOT A CONSERVATIVE ANYMORE IS, IS THAT I DIDN'T VOTE FOR THE TRANSPARENCY AND THAT CONCERNED ME. AND I THINK IT CONCERNS...SHOULD CONCERN US TODAY. WHENEVER I HAVE THE OPPORTUNITY TO TALK ABOUT THIS BODY TO THE PEOPLE OR I'M ASKED TO TALK, I SAY...ONE OF THE FIRST THINGS I'LL SAY IS, THE THING THAT IMPRESSES ME THE MOST IS THE QUALITY OF THE 49 PEOPLE WHO HAVE BEEN ELECTED TO SERVE THEM IN THE LEGISLATURE. I THINK SOMETIMES PEOPLE THINK WE'RE ALL A BUNCH OF...THERE'S A BUNCH OF WHACKOS DOWN THERE IF THEY DON'T AGREE WITH WHAT WE'VE DONE OR ONE THING OR ANOTHER LIKE THAT. AND I'M SITTING HERE TODAY, AND I'M STILL TORN ON IT, BECAUSE I UNDERSTAND VERY MUCH, SENATOR KINTNER, THE IDEA OF THE OPEN BALLOT, WHO I SHOULD VOTE FOR. I CAN UNDERSTAND WHY PEOPLE WANT THAT, BUT I'M ALSO CONCERNED ABOUT THE INTEGRITY OF THIS BODY. AND I JUST WANT TO MAKE CERTAIN THAT THE PERSON THAT IS ELECTED AS A CHAIRMAN OF A COMMITTEE IS THE VERY BEST PERSON THAT WE HAVE AVAILABLE FOR THAT COMMITTEE THAT HAS STEPPED FORWARD TO BE A PART OF IT. AND I'M AFRAID SOMETIMES THAT SOME OF THESE OUTSIDE ORGANIZATIONS, NOT KNOWING BECAUSE THEY HAVEN'T WORKED WITH US IN OUR COMMITTEE WORK AND THINGS OF THIS SORT, THEY MAY GET SOMEBODY OUT THERE ON THE OUTSIDE THAT THEY THINK SHOULD BE THE COMMITTEE CHAIR. ARE WE GOING TO SIT ON OPENING DAY NEXT YEAR AND BE INUNDATED BY GROUPS? ARE YOU GOING TO VOTE FOR X FOR CHAIRMAN OF TRANSPORTATION OR ARE YOU GOING TO VOTE FOR...AND I'M CONCERNED THAT WE'RE GOING TO START POLITICIZING THIS PROCESS. AND I...HAVE THERE BEEN PROMISES MADE TO PEOPLE AND NOT CARRIED OUT? ABSOLUTELY. AND FOR THAT...THAT GOES BACK TO SENATOR SMITH'S COMMENT, THERE'S PEOPLE...YOU HAVE TO HAVE THAT INTEGRITY WITH IT. AND IF YOU'VE PROMISED SOMEONE YOU'RE GOING TO VOTE FOR THEM AND YOU DIDN'T, THAT'S AN INTEGRITY ISSUE. BUT THOSE ARE MY THREE CONCERNS, MR. SPEAKER, IS: ARE WE GOING TO CONTINUE TO ELECT THE PERSON THAT'S BEST QUALIFIED TO BE THE SPEAKER? ARE WE GOING TO TURN THIS INTO A

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PARTISAN-TYPE BODY OR A POLITICAL BODY? AND THEN, ARE WE GOING TO HAVE ORGANIZATIONS CALLING US AND E-MAILING US AND SAYING, WE THINK SENATOR McCOLLISTER...

SENATOR COASH: ONE MINUTE.

SENATOR HILKEMANN: ...OUGHT TO BE SUCH AND SUCH OR WE THINK SENATOR WILLIAMS. ARE YOU GOING TO...LET'S KEEP THIS CHAIRMANSHIP HERE IN THIS BODY. THANK YOU, MR. SPEAKER.

SENATOR COASH: THANK YOU, SENATOR HILKEMANN. SENATOR KRIST, YOU'RE RECOGNIZED.

SENATOR KRIST: THANK YOU, MR. PRESIDENT. AND AS SENATOR HUGHES HAS JUST TAUNTED ME OR REMINDED ME, HE KNEW I COULDN'T KEEP MY MOUTH SHUT ON THIS ISSUE, SO HERE I AM. SORRY TO SEE...I DON'T THINK SENATOR FOX IS IN THE CHAMBER RIGHT NOW. I THINK SHE'S THE ONLY ONE THAT MAY OR MAY NOT HAVE HAD AN OPPORTUNITY TO VOTE ON THIS ISSUE MULTIPLE TIMES. AND, SENATOR GROENE, I COMPLETELY AGREE WITH YOUR ASSESSMENT. NO MATTER HOW MANY TIMES WE NEED TO BRING THINGS UP IF WE BELIEVE IN IT STRONGLY ENOUGH OR WE HAVE A PASSION FOR SOMETHING, IT IS OUR RIGHT. IT IS ONE OF 49. IT FOLLOWS RIGHT IN LINE WITH WHAT SPEAKER HADLEY AND WHAT SENATOR PANSING BROOKS HAVE TALKED ABOUT AND THE DIFFERENCE BETWEEN US AND OTHER STATES AROUND THIS GREAT UNITED STATES IN TERMS OF HOW THEY DO BUSINESS. BUT FOR THOSE WHO HAVE NOT ENGAGED IN THIS DEBATE BEFORE, AND FOR THE LEGISLATIVE RECORD, I JUST WANT MY CONSTITUENTS AND MY PARTY AND THE OTHER PARTY TO UNDERSTAND WHERE I STAND ONCE AGAIN. IF ANYONE SHOULD HAVE THE DRIVE TO MAKE THIS AN OPEN DEBATE AND AN OPEN VOTE, TRANSPARENT VOTE, IT SHOULD BE ME. I RAN AGAINST SENATOR BILL AVERY MY SECOND YEAR IN THE LEGISLATURE. AND I SWEAR TO YOU THAT THOSE WHO LOOKED ME IN THE FACE--MANY OF YOU NOT HERE, MANY OF YOU HERE--TOLD ME THAT THEY WERE GOING TO VOTE FOR ME. AND I SWEAR THAT I HAD 26 VOTES GOING INTO THAT ELECTION. YOU KNOW HOW MANY I ENDED UP WITH? SEVEN. SO IF THAT ARGUMENT IS TRUE, THEN I SHOULD STAND UP HERE TODAY AND SAY, I CAN'T TRUST YOU, MY FELLOW BROTHERS, SISTERS, TO TELL THE TRUTH. BUT I LEARNED A LOT FROM THAT EXPERIENCE. I LEARNED A LOT. THAT WAS A LIFE EXPERIENCE I WILL TAKE WITH ME. I DIDN'T ASK THE RIGHT QUESTIONS. I DIDN'T LOOK INTO THAT MAN OR THAT WOMAN'S EYES AND MAKE SURE THAT I

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HAD THEIR SUPPORT. IT WAS MY MISTAKE. I LEARNED A LOT FROM THAT. I LEARNED A LOT FROM THE LAST FEW ELECTIONS THAT I'VE BEEN INVOLVED WITH AND FROM PEOPLE ASKING ME FOR THEIR VOTE. I WAS SO TAINTED, SO JILTED, SO BEFUDDLED THAT I ACTUALLY BROUGHT THIS TO THE LEGISLATURE FOR THE FIRST TIME IN VERY MANY YEARS. AND THAT TIME FRAME WAS 2011. FIRST TIME IT CAME UP WHEN I BROUGHT IT UP. AND I THOUGHT SPEAKER FLOOD WAS GOING TO HAVE MY HEAD ON A PLATTER. YOU WANT TO DO WHAT? ARE YOU KIDDING ME? I BELIEVE STRONGLY IN THIS. WELL, YOU SHOULD BELIEVE STRONGLY IN THIS BECAUSE YOU WERE BEFUDDLED AND EMBARRASSED BY THAT ELECTION. BUT LET ME TELL YOU WHAT'S IMPORTANT. THE INTEGRITY OF THIS INSTITUTION IS IMPORTANT. AND WHAT'S GOING TO HAPPEN WHEN YOU STAND ON THIS STAGE AND YOU DEBATE THE ISSUE...ON ANY ISSUE, AND THERE'S A LEGISLATIVE RECORD MADE IS YOU WILL BE CHALLENGED BASED UPON YOUR VOTE. NOW LET ME ASK YOU THIS QUESTION. DO YOU WANT US TO HAVE A DEBATE AND LET EVERYONE TALK ABOUT WHO'S GOOD AND WHO'S BAD AND WHY I'M BETTER AND ALL THAT? DO YOU WANT TO HAVE THAT LEGISLATIVE RECORD ESTABLISHED BEFORE YOU TAKE A VOTE FOR...AN OPEN VOTE FOR THE CHAIRMAN OF ALL THESE STANDING COMMITTEES AND OTHERS? THAT RANG TRUE FOR ME IN MANY WAYS. WE ARE WEIGHED, MEASURED, AND JUDGED WITH EVERY VOTE WE TAKE IN HERE WITH THE EXCEPTION OF ONE, AND THAT IS WHO I THINK IN MY HEART IS THE BEST LEADERSHIP. AND NO MATTER WHAT I DO, IF I HAVE TO DEFEND WHY I WANT JIM SCHEER TO BE THE CHAIR OF BANKING AND INSURANCE AND SOMEBODY ELSE WANTED SOMEONE OF THE OPPOSITE PARTY, I WOULD HAVE TO GO BACK AND SAY HOW GOOD OR BAD HE OR SHE WAS.

SENATOR COASH: ONE MINUTE.

SENATOR KRIST: AND I DON'T WANT TO BE PUT IN THAT POSITION. MANY OF YOU KNOW THAT THE REPUBLICAN PARTY HAS TRIED TO TAKE MY CARD AWAY, MAKE ME PAY EXTRA DUES, AND CENSURE ME OVER THE YEARS. AND I WILL STAND FOR EVERY VOTE I HAVE MADE, BECAUSE THE DEBATE IS THERE. I'M ASKING YOU NOT TO VOTE FOR SENATOR CHAMBERS' AMENDMENT, BECAUSE IT IS, IN FACT, A RULES CHANGE THAT IS NOT REQUIRED; AND NOT TO SUPPORT SENATOR KINTNER IN HIS ATTEMPT TO MAKE THIS AN OPEN BALLOT AND BEHOLD THE TRADITION THAT IS SET IN THIS LEGISLATURE, NOT FOR WHAT I AM TELLING YOU, FOR WHAT YOU BELIEVE IN IS THE TRADITION OF THIS LEGISLATURE. THANK YOU.

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SENATOR COASH: THANK YOU, SENATOR KRIST. SENATOR CHAMBERS, YOU'RE RECOGNIZED.

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, THE LAST TIME I SPOKE I MENTIONED SOMETHING ABOUT AN OBJECT LESSON. THAT'S PARTLY WHAT I'M DOING HERE. WE VOTED TO SAVE TWO MINUTES ON INDIVIDUAL BILLS ON FINAL READING. WE HAVE ERASED ALL THOSE SAVINGS THIS MORNING. YOU CAN TAKE SOMETHING LIKE THIS, WHICH IS GOING NOWHERE, WHICH HAS NO MERIT WHATSOEVER, AND TALK ABOUT IT FOREVER. SINCE I'M GOING TO BE HERE 60 LEGISLATIVE DAYS TALKING ABOUT SOMETHING, I WILL TALK ABOUT WHATEVER YOU WANT TO TALK ABOUT. AND THEN YOU'LL TALK ABOUT WHATEVER I WANT TO TALK ABOUT. AND IF YOU WON'T TALK ABOUT IT, YOU'LL LISTEN TO ME TALK ABOUT IT. YOU TALK ABOUT KEEPING YOUR WORD. A LOT OF PEOPLE IN HERE SAY THEY'RE CHRISTIANS. THEY DON'T KEEP THEIR WORD TO GOD. YOU HEAR WHAT I'M SAYING? YOU'RE WORRIED ABOUT KEEPING YOUR WORD TO A MAN AND YOU DON'T KEEP YOUR WORD TO GOD? THAT'S WHY I JUDGE YOU, BECAUSE OF WHAT YOU SAY. WHEN YOU ARE NOT IN THIS LEGISLATURE, YOU SPEAK FROM IGNORANCE WHEN YOU TALK ABOUT THE DYNAMICS. YOU DON'T EVEN KNOW WHAT THEY ARE. AFTER YOU GET HERE, YOU BEGIN TO LEARN AND REALIZE THIS IS THE TYPE OF WORLD UNLIKE ANY YOU'VE BEEN IN BEFORE AND THAT YOU'LL EVER BE IN AGAIN. AND AS YOU LEARN, IF YOU HAVE ANY INTELLIGENCE, YOU SHOULD MODIFY YOUR CONDUCT AS YOU GET A GREATER AND DEEPER UNDERSTANDING ABOUT WHAT IT IS YOU'RE DOING. IF YOU CAME HERE THINKING THE WORLD IS FLAT AND PROFESSOR SCHUMACHER EXPLAINED WHY IT'S ROUND, AND ALTHOUGH HIS ARGUMENTS WERE IMPECCABLE, AND YOU SAY, WELL, I'D STILL SAY IT'S FLAT BECAUSE I SAID IT WAS FLAT WHEN I CAME HERE AND I TOLD THE PEOPLE WHO VOTED FOR ME, I'LL SAY THE EARTH IS FLAT. I DON'T CARE WHAT. SO ALTHOUGH SENATOR SCHUMACHER MIGHT BE RIGHT, I SAID WHEN I WAS RUNNING AND IGNORANT THAT THE EARTH IS FLAT, AND BY GOD, I'M GOING TO VOTE LIKE AN IGNORAMUS, BECAUSE I REPRESENT IGNORAMUSES. AND IGNORAMUSES HAVE A RIGHT TO SELECT WHOM THEY PLEASE. AND IF WE REFLECT OUR CONSTITUENCY, I DON'T NEED TO LABEL PEOPLE BECAUSE THEIR CONDUCT AND THEIR WORDS LABEL THEM. AND YOU CAN IGNORE ANYTHING I SAY. IT MATTERS NOT TO ME. WE'RE TAKING TIME, TIME, TIME. WHEN I SAY THAT, I THINK OF EDGAR ALLEN POE. SEE HOW YOU CAN JUMP FROM ONE THING TO ANOTHER WHEN YOU'RE JUST TALKING. KEEPING TIME, TIME, TIME,/ IN A SORT OF RUNCIC RHYME,/ TO THE TINTINNABULATION THAT SO MUSICALLY WELLS/ FROM THE BELLS, BELLS, BELLS, BELLS,/ BELLS, BELLS, BELLS--/ FROM THE JINGLING AND THE TINKLING OF THE BELLS. ONE THING MAKES YOU THINK OF

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ANOTHER AND IF ALL YOU'RE DOING IS TALKING, YOU CAN CONTINUE. I HAVE SAID THAT PEOPLE HAVE THE RIGHT TO SEND AN IGNORAMUS HERE AND THEY DO. I'VE OFTEN SAID, IF THEY WANT TO SEND A MULE SKINNER, THEY CAN DO THAT. A MULE SKINNER IS NOT ONE WHO LITERALLY TAKES THE HIDE OFF A MULE DEAD OR ALIVE, IT'S A MULE DRIVER, SOMEBODY WHO SITS ON A SEAT AND MULES ARE ATTACHED TO IT AND HE TRIES TO GET THEM TO GO WHERE HE WANTS THEM TO GO. AND IF THEY'RE OF A MIND TO DO SO, THEY DO IT. WELL, ONE OF THE PEOPLE WHO WOULD PROBABLY DO VERY WELL IN THIS LEGISLATURE FIGURED HE'S GOING TO MAKE THE MULE MOVE. SO WHAT HE SAID HE WAS GOING TO DO WAS BUILD A FIRE UNDER THIS MULE AND MAKE HIM PULL THIS WAGON. SO, SENATOR GROENE, WHAT HE DID, HE BUILT THE FIRE. BUT WHAT THE MULE DID WAS WALK FAR ENOUGH JUST SO THE WAGON IS OVER THE FIRE. AND THE WAGON BURNED UP AND THE MULE WAS SMARTER THAN THE ONE WHO THOUGHT HE WAS SMARTER THAN THE MULE. BUT THERE'S A SONG, THE MULE SKINNER'S ANTHEM. I LIKE ALL KIND OF MUSIC. (SINGING) I'M AN OLD MULE SKINNER, YES, I AM. DOWN FROM OLD KENTUCKY WAY.

SENATOR COASH: ONE MINUTE.

SENATOR CHAMBERS: I'LL MAKE ANY MULE LISTEN OR I WON'T ACCEPT YOUR PAY, HEE. THEN HE SAYS, HEY, WATER BOY. FETCH THAT WATER BOY. JUST BRING THE BU, BU, BUCKET DOWN, WHACK WHACK. HAHAHAHAAAA. IF YOU DON'T LIKE YOUR JOB, JUST PUT THE BU, BU, BUCKET DOWN, HOO. (END OF SINGING) NOW, THE ONLY TIME I REQUIRE COURAGE IS WHEN I SING. COURAGE EXISTS ONLY WHEN YOU DO SOMETHING THAT YOU'RE AFRAID TO DO.

SENATOR COASH: TIME, SENATOR.

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT.

SENATOR COASH: THANK YOU, SENATOR CHAMBERS. SENATOR McCOLLISTER, YOU'RE RECOGNIZED.

SENATOR McCOLLISTER: THANK YOU, MR. PRESIDENT, AND GOOD MORNING, COLLEAGUES. YOU KNOW, THE DISCUSSION HAS BEEN, IS THIS AN ISSUE REALLY

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WORTH FIGHTING ABOUT EVERY YEAR? AND APPARENTLY IT IS. WE KNOW THAT THIS ISSUE WILL SURFACE LIKE SPRING COMES IN THE...IN MARCH, SO WE KNOW IT'S COMING. DO MY CONSTITUENTS CARE HOW I VOTE IN THIS PARTICULAR ISSUE? I HAVEN'T HAD MANY CONSTITUENTS ASK ME ABOUT THIS. AND THE ONLY PEOPLE THAT HAVE BEEN INTERESTED IN MY VOTE ON THIS ISSUE IS THE REPUBLICAN PARTY. AND, OF COURSE, ON THE REPUBLICAN-CONSERVATIVE SCORE CARD, I DIDN'T DO WELL ON THIS PARTICULAR ASPECT. THE QUESTION IS, DO WE WANT TO GIVE THOSE FOLKS ANY LEVERAGE OVER STATE SENATORS WHEN THEY VOTE ON THIS ISSUE? I DOUBT IT. IT'S NOT GOOD FOR THE LEGISLATURE AND IT'S NOT GOOD FOR NEBRASKA. I FAVOR TRANSPARENCY IN GOVERNMENT. IN FACT, I'M WORKING ON A BILL WITH TREASURER STENBERG TO IMPROVE TRANSPARENCY ON OUR WEB SITE. WE'LL BRING IN ABOUT 25 QUASI GOVERNMENTS AND WE WILL ADDRESS THAT ISSUE. SO TRANSPARENCY IS A GOOD THING IN GOVERNMENT, BUT I MAINTAIN THAT THIS PARTICULAR ISSUE IS NOT ABOUT TRANSPARENCY. IT'S AN INTERNAL DECISION WE MAKE TO GOVERN OUR BODY AND MOVE FORWARD ON THE ISSUES. I WANT TO MAINTAIN THAT WE ENCOURAGE NONPARTISANSHIP IN THIS BODY. IT WORKS WELL. IT SERVES THE LEGISLATURE WELL. IT SERVES NEBRASKA WELL, SO LET'S NOT MOVE AWAY FROM THAT. SO I WOULD ENCOURAGE NEGATIVE VOTES ON BOTH THE CHAMBERS AMENDMENT AND THE OVERRIDING BILL. THANK YOU, MR. PRESIDENT.

SENATOR COASH: THANK YOU, SENATOR McCOLLISTER. MR. CLERK, DO YOU HAVE SOME BILLS?

CLERK: I DO, MR. PRESIDENT, THANK YOU. NEW BILLS. (READ LB859-889 BY TITLE FOR THE FIRST TIME.) NEW RESOLUTION, LR394CA BY SENATOR HUGHES. IT'S A PROPOSED CONSTITUTIONAL AMENDMENT THAT INVOLVES AN AMENDMENT TO ARTICLE VIII, SECTION 12 OF THE NEBRASKA CONSTITUTION. MR. PRESIDENT, PRIORITY BILL DESIGNATIONS: SENATOR SCHILZ, LB176; SENATOR JOHNSON, LB136; SENATOR LINDSTROM, LB471. MR. PRESIDENT, COMMITTEE REPORTS: HEALTH AND HUMAN SERVICES COMMITTEE CHAIRED BY SENATOR CAMPBELL REPORTS LB147 TO GENERAL FILE, LB471 TO GENERAL FILE WITH AMENDMENTS. AND JUDICIARY CHAIRED BY SENATOR SEILER REPORTS LB212, LB244, LB297, LB354, LB592, LB606 ALL INDEFINITELY POSTPONED. AMENDMENTS TO BE PRINTED: SENATOR KUEHN TO LB471; SENATOR COOK TO LB510. NAME ADDS: SENATOR KOLTERMAN, LB467; SENATOR WATERMEIER TO LR35; SENATOR KUEHN TO LB47; SENATOR SCHILZ TO LR388 AND TO LB824. MR. PRESIDENT, REFERENCING WILL MEET UPON RECESS IN ROOM 2102. (LEGISLATIVE JOURNAL PAGES 219-229.) [LR394CA LB859 LB860 LB861 LB862 LB863

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LB864 LB865 LB866 LB867 LB868 LB869 LB870 LB871 LB872 LB873 LB874 LB875
LB876 LB877 LB878 LB879 LB880 LB881 LB882 LB883 LB884 LB885 LB886 LB887
LB888 LB889 LB176 LB136 LB471 LB147 LB212 LB244 LB297 LB354 LB592 LB606
LB510 LB467 LR35 LB47 LR388 LB824]

SENATOR MURANTE WOULD MOVE TO RECESS THE BODY UNTIL 1:30 P.M.

SENATOR COASH: MEMBERS, YOU'VE HEARD THE MOTION TO RECESS. ALL THOSE IN FAVOR SAY AYE. OPPOSED, NAY. WE ARE IN RECESS.

RECESS

SPEAKER HADLEY PRESIDING

SPEAKER HADLEY: GOOD AFTERNOON, LADIES AND GENTLEMEN. WELCOME TO THE GEORGE W. NORRIS LEGISLATIVE CHAMBER. THE AFTERNOON SESSION IS ABOUT TO RECONVENE. SENATORS, PLEASE RECORD YOUR PRESENCE. ROLL CALL. MR. CLERK, PLEASE RECORD.

CLERK: I HAVE A QUORUM PRESENT, MR. PRESIDENT.

SPEAKER HADLEY: THANK YOU, MR. CLERK. DO YOU HAVE ANY ITEMS FOR THE RECORD?

CLERK: I DO. I HAVE A REFERENCE REPORT REFERRING LEGISLATIVE BILLS LB813 THROUGH LB852. TWO NEW RESOLUTIONS: SENATOR HILKEMANN OFFERS LR395 AND LR396; BOTH OF THOSE WILL BE LAID OVER AT THIS TIME. THAT IS ALL THAT I HAVE, MR. PRESIDENT. (ALSO SENATOR SCHNOOR DESIGNATES LB289 AS HIS PRIORITY BILL, LEGISLATIVE JOURNAL PAGES 230-232.) [LR395 LR396 LB289]

SPEAKER HADLEY: THANK YOU, MR. CLERK. WE WILL PROCEED TO THE FIRST ITEM ON THIS AFTERNOON'S AGENDA.

CLERK: MR. PRESIDENT, ADOPTION OF PERMANENT RULES: SENATOR KINTNER WOULD OFFER TO CHANGE; SENATOR CHAMBERS HAD MOVED TO AMEND IT. THAT MOTION IS PENDING.

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SPEAKER HADLEY: SENATOR FRIESEN, YOU ARE RECOGNIZED.

SENATOR FRIESEN: THANK YOU, MR. SPEAKER. WHY I THINK IT IS GOOD TO BE BACK. AND WE KIND OF STARTED OFF THIS SESSION THE WAY WE BEGAN THE LAST ONE, AND I THINK MOST OF US ARE PROBABLY ENJOYING PARTS OF THIS AND PARTS OF IT NOT SO MUCH. I PROMISE NOT TO SING AS SENATOR CHAMBERS DID FOR THE BENEFIT OF ALL OF YOU. BUT I DO RISE IN SUPPORT OF SENATOR CHAMBERS' AMENDMENT. I DO THINK THIS MAKES IT A BETTER BILL. AND AS FAR AS THE UNDERLYING BILL, I REALLY DON'T CARE. I AM NOT EVEN SURE QUITE HOW I'M GOING TO VOTE YET. BUT I'VE OPERATED ON DIFFERENT BOARDS UNDER...DIFFERENT WAYS OF DOING THINGS. I HAVEN'T HAD A PROBLEM EITHER WAY. AND I HAVE A FEELING THAT A DAY FROM NOW WHEN WE'VE GOT THIS PASSED OR EVEN NEXT YEAR, NO ONE WILL EVEN REMEMBER WE DID THIS. WE'LL JUST PROCEED ON AS WE ALWAYS HAVE. AND WE WILL ENJOY EVERY MINUTE OF IT. IF THIS BILL, YOU KNOW, IF I COULD GET SOME COMPASSION GOING OR SOME REAL PASSION GOING, I GUESS, ABOUT THIS BILL, IF IT WAS DEALING WITH PROPERTY TAXES OR SOMETHING LIKE THIS, I COULD STAND UP HERE AND REALLY GET EXCITED ABOUT IT. AND I JUST WANT TO TELL PEOPLE THAT, YOU KNOW, TIMES ARE TOUGH. AND WE'VE GOT A LOT OF ISSUES TO DEAL WITH. AND SO I LOOK FORWARD TO THE PROPERTY TAX DEBATE AND LET'S JUST WORK OUR WAY THROUGH THIS AND LET'S HAVE A GOOD TIME. THANK YOU, MR. CHAIRMAN.

SPEAKER HADLEY: (VISITORS INTRODUCED.) SENATOR BRASCH, YOU ARE RECOGNIZED.

SENATOR BRASCH: THANK YOU, MR. SPEAKER, AND GOOD AFTERNOON, COLLEAGUES. THIS IS THE SECOND TIME I HAVE STOOD TODAY IN SUPPORT OF SENATOR KINTNER'S RULE TO CHANGE RULE 1, SECTION 1. AND THROUGHOUT THE COURSE OF THE MORNING, WE HAVE HEARD ABOUT FEAR; FEAR THAT WE WILL BE BOMBARDED WITH PHONE CALLS, E-MAILS BY OTHER PARTIES WHO...AND PARTIES BEING INDIVIDUALS, ENTITIES, GROUPS WANTING TO PARTICIPATE IN CHOICE OF A CHAIRMAN. I THINK SHOULD THAT HAPPEN, THAT WOULD BE A GOOD THING. THE WATCHFULNESS OF THE CITIZEN IS THE SALVATION OF THE STATE. IT SAYS SO RIGHT OUTSIDE OUR FRONT DOOR HERE AT THE STATE CAPITOL. WE HAVE CITIZENS BEING WATCHFUL TODAY, WATCHING ON THE BROADCAST, LISTENING. THEY WILL READ THEIR NEWSPAPERS TOMORROW. THEY WILL READ ON-LINE. IT MAY BE SOMETHING THAT THEY SEE IN A TWEET, ON FACEBOOK, BUT I ENCOURAGE CITIZENS TO BECOME MORE ENGAGED, BECAUSE THIS IS YOUR...YOU ARE THE SECOND HOUSE. WE ARE

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YOUR REPRESENTATIVES. I BELIEVE THAT TRANSPARENCY IS A GOOD THING, THAT THE CITIZENS REALIZE THAT THE PUBLIC DOES HAVE A SAY AND THEY CAN PARTICIPATE AND THEY CAN HAVE AN OPEN DIALOGUE WITH 49 SENATORS OR WITH THEIR ELECTED REPRESENTATIVE. WE DO GET E-MAILS; WE GET PHONE CALLS. WE DO GET COMMUNICATION, AND THAT IS A VERY GOOD THING TO HAVE TAKE PLACE. AND HAVING IT MORE SO ON THE LEADERSHIP WITHIN OUR UNICAMERAL CAN ONLY MAKE THINGS BETTER HERE. IT TOOK PLACE UP UNTIL 1970. SO WHAT CHANGED FROM '70 ON? WHY IS IT NOT GOOD TO BE COMPLETELY TRANSPARENT? I ALSO WONDER ABOUT THE METHOD WE'RE PRESENTING THIS ON THE FLOOR TODAY FROM THE WORD "FEAR" AND THEN WE HAD SOME GOOD HUMOR. HUMOR NEVER HURTS. AND THEN WE HAD MOCKERY IN THE FORM OF A SERENADE ON THE FLOOR, I BELIEVE, EARLIER TOO. WHATEVER WAY WE NEED TO COMMUNICATE THAT WE SERVE THE SECOND HOUSE, WE ARE REPRESENTATIVES, WE ARE TRANSPARENT. I WOULD ENCOURAGE ALL OF OUR NEW COLLEAGUES HERE--HOLD YOUR TOWN HALL MEETINGS. HAVE THEM AND LISTEN TO THE CONSTITUENTS DIRECT IF YOU DO HAVE A CONCERN ABOUT PHONE CALLS OR E-MAILS; MEET THEM FACE TO FACE. MEET IN THE COFFEE SHOPS, MEET AT THE COMMUNITY CENTERS, ON MAIN STREET IN YOUR LOCAL STORES. BUT DO ENCOURAGE PARTICIPATION BY OUR SECOND HOUSE. SO ONCE MORE, THIS IS NOT A NEW SUBJECT. IT CAME HERE WHEN I FIRST CAME HERE BACK IN 2010 AND IT WILL CONTINUE UNTIL WE RESOLVE THE ISSUE OF TRANSPARENCY COMPLETELY, COMPLETELY THROUGH OUR ENTIRE PROCESS. SENATOR KRIST MENTIONED HIS EXPERIENCE. HE IS ONLY ONE SENATOR THAT I AM AWARE OF THAT WAS COMPLETELY SURPRISED, DISILLUSIONED, DISAPPOINTED. AND, I BELIEVE, BY JUST OPENING IT TO COLLEAGUES OF LIKE-MINDEDNESS THAT WE VOTE. THOSE VOTES ARE SEEN AND THEN WE GET ON WITH THE PEOPLE'S BUSINESS. I BELIEVE TODAY THAT IS WHAT WE MUST DO IS TO DECIDE TO GET ON WITH THE OTHER BUSINESS AND GIVE EVERYONE ADEQUATE TIME TO VOICE THEIR SUPPORT.

SPEAKER HADLEY: ONE MINUTE.

SENATOR BRASCH: THANK YOU, MR. PRESIDENT. THANK YOU, COLLEAGUES.

SPEAKER HADLEY: SENATOR JOHNSON, YOU ARE RECOGNIZED.

SENATOR JOHNSON: THANK YOU, MR. SPEAKER. I WILL MAKE A FEW COMMENTS. AS YOU KNOW, A YEAR AGO I RAN FOR CHAIRMAN OF THE AG COMMITTEE. THE CLOSEST VOTE THAT YOU CAN HAVE ON A COMMITTEE VOTE

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AND THAT IS 25-24. GOING INTO THE SESSION, I THOUGHT I HAD A COUPLE, THREE MORE VOTES. KIND OF LIKE WHAT SENATOR KRIST COMMENTED ON EARLIER, YOU DON'T KNOW FOR SURE. AND AT THIS POINT, I HAD SOME PEOPLE THAT I THOUGHT WERE PROBABLY ON MY SIDE THAT MAYBE SWITCHED. I DIDN'T CHALLENGE ANYTHING. I DIDN'T GO ASK ANYBODY. I DID NOT WANT TO KNOW AT THAT POINT WHO MIGHT BEEN ON THE OTHER SIDE. THEY MIGHT HAVE BEEN PEOPLE, AS I ENDED UP BEING THE WINNER OF THAT RACE, MIGHT BE PEOPLE ON MY COMMITTEE. AND I DIDN'T WANT TO HAVE ANY FEELINGS TOWARDS THEM AS WE WALKED THROUGH...OR WENT THROUGH THE COMMITTEE PROCESS. SO I THINK IT COULD HURT SOME RELATIONSHIPS, NOT THAT WE SHOULDN'T HAVE TRANSPARENCY, BUT I FEEL THAT IT IS WORKING OKAY. I'VE BEEN ELECTED TO DIFFERENT LEADERSHIP POSITIONS ON SECRET BALLOT, NOT AT THE HIGH LEVEL THAT WE ARE AT HERE, BUT I THINK THE SYSTEM IS WORKING OKAY. OKAY, A LOT OF PEOPLE WHEN I TALKED TO THEM, THEY SAY NEBRASKA IS A LITTLE BIT DIFFERENT WITH THE UNICAMERAL. AND SOME OF THOSE DIFFERENCES I AM VERY COMFORTABLE WITH AND SOME OF THEM I LIKE. SO I WILL NOT BE NOT SUPPORTING THE KINTNER RULE, HOWEVER IT MIGHT BE AMENDED. THANK YOU, MR. PRESIDENT.

SPEAKER HADLEY: THANK YOU, SENATOR JOHNSON. SEEING NO ONE IN THE QUEUE, SENATOR CHAMBERS, YOU ARE RECOGNIZED TO CLOSE ON YOUR AMENDMENT.

SENATOR CHAMBERS: MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, YOU ALL MAKE FUN OF ME. YOU MOCK ME WHEN I SING TO YOU. WELL, SOMEBODY CALLED MY OFFICE AND SAID THAT I OUGHT TO GET ON AMERICA'S GOT TALENT. AND IN ADDITION TO THAT, MENTIONED THAT PEOPLE WHO MAY BE UNINFORMED SHOULD KNOW THAT THAT SONG IS CALLED "MULE SKINNER BLUES." AND IF YOU LOOK ON YOUR COMPUTER, YOU WILL FIND IT'S SUNG BY DOLLY PARTON, MERLE HAGGARD, AND SOME OTHER PEOPLE WHOSE NAMES YOU WOULD RECOGNIZE. AND THE INDIVIDUAL ADDED THAT IF THEIR RECOLLECTION IS SUFFICIENT, THEY WILL SEE THAT YOU WERE RIGHT ON THE MONEY. BUT I WOULDN'T TRY TO MAKE IT AS A SINGER BECAUSE NOT MODESTY, LACK OF COURAGE. AND SINCE WE'RE JUST TALKING HERE TODAY AND PASSING TIME, I HAVE OTHER AMENDMENTS. AS SENATOR GROENE POINTED OUT, PEOPLE CAN BRING SOMETHING AS MANY TIMES AS THEY WANT TO, BUT I WOULD ADD A CAVEAT. THERE IS NO WAY THIS THAT WE'RE DOING CAN BE EQUATED WITH MY STRUGGLE TO ABOLISH THE DEATH PENALTY. THIS THING DOES NOT RISE TO THAT LEVEL OF SERIOUSNESS. HOWEVER, ONCE SOMETHING IS BROUGHT BEFORE US AND PUT ON THE FLOOR, MEMBERS ARE ENTITLED TO DEAL WITH IT

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IN ANY WAY MEMBERS CHOOSE. AND SINCE THERE ARE THOSE WHO LIKE THIS SO MUCH, I THINK WE OUGHT TO KEEP IT BEFORE US FOR A GOOD LITTLE CHUNK OF TIME UNTIL THEIR LITTLE HEARTS AND SOULS ARE SATISFIED. THIS IS NOT GOING ANYWHERE. BUT I WANT SENATOR KINTNER, SENATOR EBKE, SENATOR GROENE KNOW THAT I'M GOING TO GIVE AS MUCH TIME TO THIS AS I WOULD ANY OTHER MATTER THAT I WAS TAKING 100 PERCENT SERIOUSLY. ALTHOUGH THE PROPOSITION ITSELF, IN MY MIND, IS NOT A SERIOUS, WORTHWHILE OFFERING, WHAT WE'RE DOING IS VERY SERIOUS. THIS IS KNOWN AS THE SHORT SESSION BECAUSE IT COMPRISES 60 LEGISLATIVE DAYS RATHER THAN 90. AND THE MORE TIME WE TAKE ON EVERY OTHER ISSUE, THE LESS TIME REMAINS FOR THE BAD THINGS THAT I DON'T LIKE, ESPECIALLY ALL THAT GUN STUFF. JUST KIND OF SERVING NOTICE. THOSE OF YOU WHO WATCH FOOTBALL KNOW THAT IN THE LAST FEW MINUTES, AND ESPECIALLY THE LAST TWO MINUTES, THEY HAVE WHAT THEY CALL THE TWO-MINUTE DRILL. EVERYBODY PLAYS MORE FRANTICALLY AT A HIGHER LEVEL. THE TEAM THAT IS AHEAD IS GOING TO TRY TO RUN AS MUCH TIME OFF THE CLOCK AS POSSIBLE TO KEEP THE TEAM THAT IS BEHIND FROM, PERHAPS, WORKING A MIRACLE. THE TEAM THAT IS BEHIND IS GOING TO TRY TO TERMINATE ANY PLAY BY THE TEAM THAT IS AHEAD AS QUICKLY AS POSSIBLE, AND IF THEY HAVE TIME-OUTS, CALL A TIME-OUT. IF A PLAYER ON THAT TEAM THAT IS AHEAD IS THROWING A PASS, TRY TO MOVE THE RECEIVER TOWARD THE SIDELINE SO IF YOU KNOCK HIM OUT OF BOUNDS, THE CLOCK STOPS. YOU NEED TIME ON THE CLOCK IF YOU ARE BEHIND. IF YOU ARE AHEAD, YOU WANT TO RUN TIME OFF THE CLOCK. IT REVERSES ITSELF IN THE LEGISLATURE. IF YOU ARE ON THE SHORT END OF THE STICK, OR ANOTHER ALLUSION, LIFTING THE HEAVY END OF THE LOG AND THEREFORE IN A MINORITY POSITION, NO REFERENCE TO RACE OR ETHNICITY, TIME IS ON YOUR SIDE WHEN YOU CAN RUN OUT ENOUGH THAT THE...

SPEAKER HADLEY: ONE MINUTE.

SENATOR CHAMBERS: ...AGENDA GETS BACKED UP. THEN SENATORS BECOME MORE REASONABLE IN LOOKING AT OTHER THINGS. SO WE'RE GOING TO RUN SOME TIME OFF THE CLOCK TODAY. AND I WANT TO SET A TONE IN THE SAME WAY THAT A TONE HAS BEEN SET FOR ME. THIS IS NOT THE END OF DEALING WITH SENATOR KINTNER'S PROPOSITION. THE ONLY WAY HE CAN END IT IS TO WITHDRAW IT, WHICH HE IS NOT GOING TO DO. AND I SEE SO MANY OPPORTUNITIES TO OFFER AMENDMENTS. AND I'VE GOT A COUPLE MORE ON THE DESK RIGHT NOW. BUT I LIKE THIS ONE SO MUCH THAT IF IT IS REJECTED, I'M JUST GOING TO MOVE TO RECONSIDER. AND WHAT DO YOU ALL CARE? YOU'RE NOT GOING TO ACCEPT THIS PROPOSAL ANYWAY. SO ACCEPT MY

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AMENDMENT SO IN CASE IT GETS ADOPTED YOU DON'T HAVE THAT SURPLUSAGE.

SPEAKER HADLEY: TIME, SENATOR.

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, I WILL ASK FOR A CALL OF THE HOUSE AND A ROLL CALL VOTE.

SPEAKER HADLEY: THERE'S BEEN A REQUEST TO PUT THE CALL UNDER HOUSE. THE QUESTION IS, SHALL THE HOUSE GO UNDER CALL? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK.

CLERK: 37 AYES, 0 NAYS, MR. PRESIDENT, TO PLACE THE HOUSE UNDER CALL.

SPEAKER HADLEY: THE HOUSE IS UNDER CALL. SENATORS, PLEASE RECORD YOUR PRESENCE. THOSE UNEXCUSED SENATORS OUTSIDE THE CHAMBER PLEASE RETURN TO THE CHAMBER AND RECORD YOUR PRESENCE. ALL UNAUTHORIZED PERSONNEL PLEASE LEAVE THE FLOOR. THE HOUSE IS UNDER CALL. SENATOR BURKE HARR, SENATOR KRIST, SENATOR KINTNER, AND SENATOR GROENE. SENATOR CHAMBERS, HOW WOULD YOU LIKE TO PROCEED?

SENATOR CHAMBERS: ROLL CALL VOTE.

SPEAKER HADLEY: REGULAR ORDER?

SENATOR CHAMBERS: YES.

SPEAKER HADLEY: MR. CLERK, A ROLL CALL VOTE IN REGULAR ORDER.

CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGE 232.) 36 AYES, 7 NAYS, MR. PRESIDENT, ON THE AMENDMENT TO THE AMENDMENT.

SPEAKER HADLEY: THE CHAMBERS AMENDMENT IS ADOPTED. RAISE THE CALL.

CLERK: MR. PRESIDENT, SENATOR CHAMBERS WOULD MOVE TO AMEND SENATOR KINTNER'S PROPOSAL. SENATOR, I HAVE THE ONE THAT ADDS THE LANGUAGE: "NO PROVISION SHALL BE ALLOWED FOR WRITE-INS."

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SPEAKER HADLEY: SENATOR CHAMBERS, YOU ARE RECOGNIZED TO OPEN ON YOUR AMENDMENT.

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, THAT AMENDMENT WAS FOR THE PURPOSE OF GIVING ME THE OPPORTUNITY TO SPEAK MORE. THAT LAST VOTE TOOK THE WIND OUT OF MY SAILS. THERE IS NO WIND BENEATH MY WINGS. I AM ACCUSTOMED TO PEOPLE THROWING STONES AT ME, SLINGS AND ARROWS OF UNKIND FATE; BUT IF SOMEBODY WERE TO WALK UP TO ME AND OFFER ME A FLOWER, I REALLY WOULD NOT KNOW HOW TO RESPOND. BUT IN KEEPING WITH THE SPIRIT OF THE ISSUES THAT WE WILL BE DEALING WITH SOON, AND I WILL NOT SING IT, I WILL QUOTE FROM KENNY ROGERS: YOU GOT TO KNOW WHEN TO HOLD 'EM, KNOW WHEN TO FOLD 'EM. I DO NOT BELIEVE THAT SENATOR KINTNER'S PROPOSITION HAS ANY CHANCE OF SUCCEEDING. BUT WHEN YOU'VE BEEN IN THE LEGISLATURE AS LONG AS I HAVE, YOU NEVER KNOW WHAT MIGHT HAPPEN. BUT AT LEAST IF IT SHOULD SUCCEED, THE EXTRA LANGUAGE THAT YOU VOTED TO TAKE OUT WHEN YOU ADOPTED MY AMENDMENT WOULD AT LEAST SIMPLIFY WHAT HIS PROPOSAL SAYS AND WE'RE DEALING ONLY WITH SUBSTITUTING A ROLL CALL VOTE FOR A SECRET BALLOT. THIS OTHER STUFF ABOUT TELLING HOW...WELL, ANYWAY, YOU KNOW WHAT THE LANGUAGE WAS THAT YOU TOOK OUT. I WILL HAVE MORE AND OTHER OPPORTUNITIES TO TAKE TIME. BUT HERE IS THE OBJECT LESSON THAT I HAD REFERRED TO AT THE OUTSTART. WE WILL BE TWO MINUTES WISE AND EIGHT OR MORE HOURS FOOLISH. AND THAT IS A PARAPHRASE--A PENNY WISE AND POUND FOOLISH. WHEN THESE KINDS OF THINGS COME BEFORE US AND PEOPLE DISCUSS IT IN A WAY THAT GIVES ME THE IMPRESSION THAT THEY ARE TAKING IT SERIOUSLY, I HAVE NO ALTERNATIVE OTHER THAN TO DO EVERYTHING I CAN TO DEFEAT IT. WHEN I FIRST SAW THAT THIS WAS GOING TO COME BEFORE US, MY INITIAL INTENT WAS TO SAY NOTHING AND LET IT FALL OF ITS OWN WEIGHT. BUT THEN I THOUGHT OF WHAT HAPPENED IN A FOOTBALL GAME YESTERDAY. NEBRASKA IS A FOOTBALL STATE. THEY UNDERSTAND FOOTBALL WHEN THEY DON'T UNDERSTAND ANYTHING ELSE. THE WEATHER IN MINNEAPOLIS WAS SO COLD THAT THE MEN ON THE SIDELINE...I SAW THEM DOING THIS, (MADE HAND GESTURE) WHATEVER IT MEANS. AND I WANTED TO FIND OUT WHAT IT WAS BECAUSE GOD IS NOT GOING TO INTERVENE TO HELP YOU BEAT ANOTHER TEAM. HE SAID, NO, I WAS PRAYING THAT I COULD DIE RIGHT NOW AND GO TO HELL, IT'S SO COLD; THREE DEGREES BELOW ZERO. THE WIND CHILL MADE IT EVEN COLDER SO IT WAS A LOW-SCORING GAME. SEATTLE HAD COME ALL THE WAY FROM WASHINGTON TO MINNESOTA. WHICHEVER TEAM WON WOULD MOVE FORWARD IN THE PLAYOFFS, AIMING FOR THE SUPER BOWL. THE TEAM THAT

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LOST WOULD GO HOME, LICK THEIR WOUNDS, CRY ABOUT THE THINGS THAT COULD HAVE BEEN, MIGHT HAVE BEEN, SHOULD HAVE BEEN, BUT WERE NOT. SO SEATTLE FOUND ITSELF IN THE LATTER SITUATION. THEY WERE AHEAD BY TWO POINTS. A FIELD GOAL GIVES YOU THREE POINTS. THREE POINTS ARE MORE THAN TWO POINTS UNLESS YOU ARE DEALING WITH QUANTUM PHYSICS. AND IT MAY BE AND IT MAY NOT BE AT THE SAME TIME. BUT AT ANY RATE, WE WERE NOT DEALING WITH QUANTUM PHYSICS BUT ORDINARY FOOTBALL. SO THE TIME HAD RUN DOWN ON THE CLOCK. THERE WOULD BE JUST ENOUGH TIME TO KICK A FIELD GOAL AND SEATTLE WOULD HAVE LOST THE GAME. SO BOTH TEAMS LINED UP. MINNESOTA LINED UP. THE FANS IN MINNESOTA WERE ECSTATIC. SEATTLE WAS ABOUT TO BE SENT HOME TO CRY AND WEEP UNTIL NEXT YEAR. AND THEIR FIELD GOAL KICKER LINED UP AND SIGHTED ON THE GOALPOST. THE HOLDER IS THE MAN WHO RECEIVES THE BALL FROM THE CENTER AND HE LAYS IT ON THE GROUND ON THE POINT. AND FOR THIS KICKER...NOBODY IS LISTENING. ANYWAY...OH, YES, YOU ARE. I JUST HAD TO BE SURE. THE STRINGS WERE FACING THE KICKER...EVERY OTHER KICKER WANTS THE STRINGS TO BE FACING AWAY. SO EVERYTHING WAS READY FOR THIS DRAMATIC ENDING. THE BALL WAS SNAPPED, THE KICKER MADE HIS USUAL APPROACH TO THE BALL. HE SWUNG HIS LEG FORWARD, MADE CONTACT WITH THE BALL, IT ROLLS THROUGH THAT COLD, COLD AIR HEADING TOWARD THE GOALPOST AND WAS TOO WIDE TO THE LEFT. HE MISSED IT. SEATTLE WON. AND MINNESOTA CRIED, THE WHOLE STATE. THERE WAS NO JOY IN MINNESOTA FOR THE FIELD GOAL KICKER HAD MISSED. NOW THAT WAS SOMETHING NOBODY ANTICIPATED. IT COULDN'T HAPPEN, BUT IT DID. THE POINT I AM MAKING IS THAT THERE CAN BE PROPOSITIONS ON THE FLOOR THAT WOULD SEEM TO HAVE NO JUICE, BUT IT WOULD TURN OUT AFTER THE FACT THAT SUCH IS NOT THE CASE. SO I WOULD RATHER UPSET AND IRRITATE MY COLLEAGUES WHO ARE DOING THE JOB THAT THEY WERE SENT HERE TO DO THE WAY THEY FEEL IT SHOULD BE DONE. I HAVE TO DO THE JOB THAT I WAS SENT HERE TO DO IN THE WAY THAT I FEEL IT OUGHT TO BE DONE. SO WHEN I THINK THAT I MUST TAKE TIME, THAT I MUST ARGUE, THAT I MUST DISPUTE, I WILL DO IT. AND SOMEBODY TALKED EARLIER ABOUT THE MOCKERY AND SO FORTH. I AM THE MOCKER. I USE SATIRE, I RIDICULE. SO DOES SENATOR KINTNER. WHY, ONE TIME SENATOR KINTNER GOT SO UPSET THAT HE REFERRED TO EVERYBODY IN HERE AS THE WIMPS HE SERVES WITH. WIMPS, W-I-M-P-S, WIMPS. AND HE WAS UPSET ON ANOTHER OCCASION AND HAD A LARGE SHEATHE OF PAPERS IN HIS HAND, AND IF I HAD DONE THIS SENATOR SCHNOOR AND OTHERS WOULD BE JUMPING UP SAYING I OUGHT TO TENDER MY RESIGNATION. HE TOOK THOSE PAPERS AND HURLED THEM IN MY DIRECTION. HE WASN'T THROWING THEM AT ME, I DON'T THINK, BUT CAME IN MY DIRECTION. NOBODY ON THE FLOOR WAS UPSET.

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NOBODY SAID HE SHOULD APOLOGIZE BECAUSE HE'S A WHITE GUY JUST LIKE THE REST OF YOU ALL. BUT I'M A GENTLEMAN. AFTER WE RECESSED, I PICKED UP ALL THE PAPERS THAT SENATOR KINTNER HAD THROWN ON THE FLOOR IN HIS ANGER. AND I APPROACHED SENATOR KINTNER AND I LOOKED AT HIM WITH COMPASSION IN MY EYES, UNDERSTANDING WHAT HAPPENS WHEN A MAN HAS REACHED THE POINT BEYOND WHICH HE CAN BEAR NO MORE. AND I EXTENDED THE HAND THAT I HELD THE PAPERS IN AND I SAID IN A VERY KINDHEARTED, GENTLE MANNER: SENATOR KINTNER, I THINK THESE BELONG TO YOU; AND RETURNED HIS PAPERS TO HIM BECAUSE I BELIEVE IN OBJECT LESSONS, SETTING AN EXAMPLE. WHEN A PERSON IS NOT IN THIS LEGISLATURE, THERE ARE THINGS THAT WILL NEVER BE UNDERSTOOD. BUT WHETHER ANYBODY UNDERSTANDS ME OR NOT, I DON'T NEED ANYBODY'S APPROVAL, NOT SENATOR SCHNOOR'S, NOT SENATOR KINTNER'S, NOT ANYBODY ELSE'S. AND WHEN THEY COME AFTER ME, THEN THEY CAN EXPECT THE SAME...

SPEAKER HADLEY: ONE MINUTE.

SENATOR CHAMBERS: ...IN RETURN. WHEN PEOPLE TALK ABOUT THEY CANNOT VOTE TO EXTEND MEDICAID AND THEY WANT TRANSPARENCY, I WONDER IF SENATOR KINTNER IS INTERESTED IN ENOUGH TRANSPARENCY TO SHOW THAT THESE PEOPLE WHO HATE THE FEDERAL GOVERNMENT ARE RECEIVING GOVERNMENT SUBSIDIES OVER \$100,000. WHY DON'T THEY MAKE THAT PUBLIC? WHY DON'T THEY LET THE PUBLIC KNOW HOW THEY ARE GETTING FREE STUFF? BUT IT'S LIKE RELIGIOUS PEOPLE WHO SEE THEIR RELIGION AS A SUPERMARKET. I UNDERSTAND THEY ARE CALLED CAFETERIA CATHOLICS BY THOSE IN THE CATHOLIC FAITH; THEY PICK AND CHOOSE WHAT THEY WANT AND REJECT THE REST LIKE THAT MAN WHO'S CALLED THE GOVERNOR. WE'RE ALL GROWN. THANK YOU, MR. PRESIDENT.

SPEAKER HADLEY: SEEING NO ONE ELSE IN THE QUEUE, YOU ARE RECOGNIZED TO CLOSE ON YOUR AMENDMENT.

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, THE REASON I DID NOT WITHDRAW IT RIGHT AWAY, I DON'T WANT TO SAY WHAT I'VE GOT TO SAY AND NOT LEAVE THE OPPORTUNITY FOR A REJOINDER IF ANYBODY WANTS TO DO THAT. BUT ALL OF YOU WHO ARE GETTING GOVERNMENT SUBSIDIES, AND MOST OF YOU ARE THOSE WHO TALK AGAINST PRESIDENT OBAMA, BUT HERE IS SOMETHING I'VE GOT TO SAY. MARCO RUBIO STANDS UP AND SAYS, PRESIDENT OBAMA WON'T DO THIS OR THAT, BUT HE WILL SUPPORT FUNDING FOR PLANNED

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PARENTHOOD. HE CAN'T DESTROY ISIS. AND WHEN SOME PEOPLE ARE KILLED, HE WANTS TO TAKE OUR GUNS. WHAT WE NEED IS A REAL COMMANDER IN CHIEF. AND THEY ALL HAVE SIMILAR TONES. YOU KNOW WHAT I'D TELL THEM IF I WAS THERE? YOU MAKE ME THINK YOU FEEL I'M A FOOL. YOU SAY THAT YOU'RE GOING TO STAND UP TO NORTH KOREA, A NUCLEAR WEAPONS STATE; YOU'RE GOING TO STAND UP TO RUSSIA, SAME THING; YOU'RE GOING TO STAND UP TO ALL OF THESE OTHER COUNTRIES AND GOVERNMENTS, BUT YOU WON'T STAND UP TO DONALD TRUMP. THEY ARE LIKE LITTLE WHIPPED PUPPY DOGS. BUT ALL THESE WHITE PEOPLE, AND THAT'S WHO IS SUPPORTING HIM, DO IS GO ALONG. WHY, SENATOR SCHNOOR SHOULD BE INSISTING THAT DONALD TRUMP SIT RIGHT NOW BECAUSE DONALD TRUMP IS THE ONE WHO SAID THAT PRESIDENT OBAMA AND SENATOR CLINTON CREATED ISIS. I DIDN'T HEAR A PEEP FROM ANYBODY IN HERE ABOUT THOSE SLANDEROUS STATEMENTS ABOUT THE LEADER OF YOUR COUNTRY, AND THEN YOU WANT TO SAY THAT PEOPLE IN OTHER PLACES DON'T RESPECT THIS COUNTRY OR YOUR PRESIDENT. WELL, ALL THEY HAVE TO DO IS LOOK AT WHAT YOU SAY. THERE HAS NEVER BEEN A WHITE PRESIDENT GIVING A STATE OF THE UNION SPEECH AND SOMEBODY HOLLER IN THE AUDIENCE--A MEMBER OF CONGRESS--YOU LIE. WHITE PEOPLE ARE NOT OUTRAGED, THEY SAID AMEN. THEY HATE PRESIDENT OBAMA BECAUSE HE IS BLACK. AS A BLACK MAN, I KNOW WHAT IT IS, AND I KNOW WHAT THEIR PROBLEM IS. THEY DON'T WANT ANYBODY TO TALK ABOUT IT THEN LET THEM SHUT UP WITH THE STUFF THEY'RE TALKING. YOU'VE GOT PEOPLE COMMITTING TREASON. WHEN YOU LEVY WAR AGAINST THE UNITED STATES, WHAT IS THAT? AND WHEN YOU TAKE UP ARMS AGAINST THE UNITED STATES AND WITH FORCE OF ARMS TAKE OVER FEDERAL PROPERTY, WHAT IS THAT IF IT'S NOT TREASON? UH-HUH, YOU GUYS IN THE MILITARY, YOU ARE NOT GOING TO TALK ABOUT THAT. I'M WAITING FOR SENATOR SCHNOOR TO POP UP AND TALK ABOUT HIS INDIGNATION. AND ALL THESE PEOPLE, THE GUN NUTS AND THE GUN NUT SUPPORTERS WHO SAY YOU ARE KEEPING GUNS FROM LAW-ABIDING CITIZENS, WELL, THOSE WHITE GUYS OUT THERE ARE ABIDING BY THE LAW, AREN'T THEY? THEY ARE THE EXAMPLE OF THE LAW-ABIDING WHITE MEN WITH GUNS. THEY'RE ANGRY. THEIR LITTLE FEELINGS ARE HURT. THEY DON'T HAVE THE JOBS THEY ONCE HAD. AND NOW THEY'RE ANGRY. AND THEY DON'T STOP TO THINK ABOUT ALL THE GROUPS AND INDIVIDUALS INCLUDING THEIR OWN WOMEN THAT THEY WALKED ON WHEN THE ECONOMY WAS BETTER AND THEY COULD MOVE FROM ONE JOB TO ANOTHER HORIZONTALLY. THERE ARE OTHER JOBS AVAILABLE FOR THEM, BUT THEY DON'T WANT TO TAKE THOSE KIND OF JOBS. YOU READ THE PAPER LIKE I DO. YOU WATCH THE NEWS LIKE I DO. YOU SEE THEM ALL OUT THERE SAYING, I MAY NOT AGREE WITH WHAT TRUMP SAYS, BUT I LIKE THE FACT THAT HE SAYS WHAT THE OTHERS WON'T SAY. WELL, IF HE

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USED PROFANITY, HE WOULD BE USING LANGUAGE THAT THE OTHERS WON'T USE. HE IS WHAT AMERICA IS. AND THE WHITE, RACIST GROUPS...

SPEAKER HADLEY: ONE MINUTE.

SENATOR CHAMBERS: ...AND THAT IS THE WAY THEY ARE DESCRIBED, SAY THAT HE IS THEIR CANDIDATE. AND THEY KNOW HE DOESN'T WANT THEM TO SAY THAT, BUT HE IS RIGHT IN LEAGUE WITH THEM. HE IS JUST LIKE THEM. THAT IS WHAT THE RACISTS ARE SAYING. AND THEY RECOGNIZE THEIR OWN. AND YOU ALL KNOW IT JUST LIKE I KNOW IT TOO. AND IF ANY OF YOU ALL HAVE ANY CONTACT WITH ANYBODY WHO'S CONNECTED WITH TRUMP, TELL HIM TO USE SOME FACE POWDER THAT IS NOT SO ORANGE. AND TELL HIM DON'T FAIL TO PUT IT AROUND HIS EYES BECAUSE HE LOOKS LIKE A PUMPKIN. TELL HIM IF HE'S GOING TO USE ORANGE POWDER, PUT IT ALL OVER HIS FACE, AROUND HIS EYES TOO. OH, I FEEL GOOD TODAY. I SEE WHY JAMES BROWN SANG THAT SONG, BUT I AM NOT GOING TO SING IT AND I'M NOT GOING TO TRY TO DANCE LIKE JAMES BROWN. WITH THAT, MR. PRESIDENT, I WOULD LIKE TO WITHDRAW BOTH MOTIONS THAT I HAVE ON THE DESK RIGHT NOW.

SPEAKER HADLEY: SO ORDERED. SEEING NO ONE IN THE QUEUE, SENATOR KINTNER, YOU ARE RECOGNIZED TO CLOSE ON YOUR AMENDMENT TO THE PERMANENT RULES.

SENATOR KINTNER: WELL, THANK YOU, MR. PRESIDENT. WE'VE HEARD A LOT OF TALK TODAY. SOMEONE TALKED ABOUT THAT WE'RE POLITICIZING THE PROCESS. WELL, GOD FORBID IF A BUNCH OF POLITICIANS ENGAGE IN POLITICS, ALTHOUGH THIS IS NOT POLITICS, THIS IS JUST GOOD GOVERNMENT. BUT WE HAVE WATCHED PEOPLE ENGAGE IN POLITICS AND POLITICIZE STUFF ALL THE TIME. I THINK WE'LL PROBABLY SEE IT IN THE NEXT COUPLE OF WEEKS. I DON'T THINK THIS WOULD BE IT. BUT LET'S SAY IF IT DID HAPPEN, IT CERTAINLY WOULDN'T BE THE FIRST TIME IN THIS BODY. SENATOR KRIST TALKED ABOUT SOME OF THE STANDS HE HAS TAKEN HAVE LED PEOPLE TO CALL HIM TO BE CENSORED. AND THERE HAVE BEEN SOME PEOPLE THAT HAVE GOTTEN A LITTLE RILED UP AROUND SOME OF HIS VOTES. BUT IT'S JUST BEEN FACEBOOK TALK. AND AS A MATTER OF FACT, I'VE DEFENDED SENATOR KRIST IN HIS VOTES. HE HAS THE RIGHT TO VOTE THAT WAY AND HE SHOULD ANSWER TO HIS CONSTITUENTS AND THAT'S THE WAY IT SHOULD BE. BUT THAT IS JUST TALK. PEOPLE GET RILED UP. PEOPLE GOT RILED UP AT SENATOR GARRETT IN SARPY COUNTY. AND IT DIES DOWN AND HE GOES ABOUT HIS BUSINESS. HE'S GOT

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WORK TO DO. AND I DON'T THINK HE LET IT GET TO HIM. ONE THING I DO KNOW, SENATORS ARE GOING TO DO WHAT SENATORS ARE GOING TO DO. I DON'T THINK WE HAVE TO WORRY ABOUT OUTSIDE GROUPS. IF YOU ARE WORRIED ABOUT BEING INTIMIDATED BY AN OUTSIDE GROUP OR BY ANYBODY, YOU OUGHT NOT TO BE HERE BECAUSE THERE IS AN AWFUL LOT AT STAKE WITH WHAT WE DO; THERE'S AN AWFUL LOT OF MONEY AT STAKE. AND YOU KNOW WHAT? WE'VE GOT TO MAKE THE TOUGH DECISIONS. I THINK THIS IS A RELATIVELY SMALL ONE. I THINK THAT WE'VE TALKED ABOUT THIS ENOUGH. I APPRECIATE THE FULL AND FAIR DEBATE BY EVERYONE IN THIS BODY. I THINK WE'VE BEEN PRETTY CORDIAL, LIKE WE'RE KNOWN FOR DOING. AND I THINK IT IS TIME TO VOTE. I WOULD ENCOURAGE YOU TO SUPPORT THIS FOR TRANSPARENCY...THIS TRANSPARENCY BILL, FOR TRANSPARENCY REASONS AND FOR ACCOUNTABILITY REASONS. THANK YOU, EVERYBODY; THANK YOU, MR. PRESIDENT. OH, MR. PRESIDENT, I WOULD LIKE A...I DON'T THINK WE NEED A CALL OF THE HOUSE. LET'S DO A ROLL CALL VOTE.

SPEAKER HADLEY: THE QUESTION IS...THERE WILL BE A ROLL CALL VOTE. THE QUESTION IS, SHALL THE KINTNER AMENDMENT TO THE RULES BE ADOPTED? MR. CLERK. YOU ASKED FOR A CALL OF THE HOUSE, SENATOR KINTNER?

SENATOR KINTNER: DO WE NEED ONE? YES, WE NEED A CALL OF THE HOUSE, THANK YOU.

SPEAKER HADLEY: THERE'S BEEN A REQUEST TO PLACE THE HOUSE UNDER CALL. THE QUESTION IS, SHALL THE HOUSE GO UNDER CALL? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK.

CLERK: 40 AYES, 0 NAYS TO PLACE THE HOUSE UNDER CALL.

SPEAKER HADLEY: THE HOUSE IS UNDER CALL. SENATORS, PLEASE RECORD YOUR PRESENCE. THOSE UNEXCUSED SENATORS OUTSIDE THE CHAMBER PLEASE RETURN TO THE CHAMBER. AND THOSE UNAUTHORIZED PERSONNEL ON THE FLOOR PLEASE LEAVE THE FLOOR. THE HOUSE IS UNDER CALL. SENATOR SCHEER, MELLO, KRIST, DAVIS, LARSON, McCOLLISTER, KOLTERMAN. SENATORS McCOLLISTER, KOLTERMAN, MELLO, AND LARSON, PLEASE RETURN TO THE FLOOR. THE HOUSE IS UNDER CALL. SENATORS McCOLLISTER AND LARSON, THE HOUSE IS UNDER CALL. SENATOR KINTNER, MAY WE PROCEED?

SENATOR KINTNER: YES.

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SPEAKER HADLEY: THERE'S BEEN A REQUEST FOR A ROLL CALL VOTE IN REGULAR ORDER. MR. CLERK.

CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGE 233.) 17 AYES, 30 NAYS, MR. PRESIDENT, ON THE PROPOSED RULES CHANGE.

SPEAKER HADLEY: THE PROPOSED RULE CHANGE FAILS. RAISE THE CALL. SENATOR GARRETT, FOR A MOTION. OH, WE HAVE ANOTHER...I'M SORRY, I DIDN'T KNOW WE HAD ONE. SENATOR KINTNER, FOR YOUR OPEN ON YOUR...

CLERK: SENATOR KINTNER, THIS IS YOUR PROPOSAL WITH RESPECT TO RULE 3, SECTION 20.

SENATOR KINTNER: YES, THANK YOU, MR. PRESIDENT. THIS RULE HAS TO DO WITH PULLING A BILL OUT OF COMMITTEE. WHAT IT DOES IS ALLOWS ANY SENATOR THAT WANTS TO PULL A BILL THAT GETS 15 SIGNATURES AND ATTACHES A PRIORITY TO HIS BILL, MAKES IT A PRIORITY BILL, HE WILL BE ABLE TO PULL HIS BILL WITH 25 VOTES. AND THAT'S ALL IT DOES. THE TWO KEY THINGS HERE ARE YOU HAVE TO GET 15 SIGNATURES OF FELLOW SENATORS AND YOU MUST ATTACH A PRIORITY TO IT. AND OTHER THAN THAT, AND IF YOU DO THAT THEN YOU CAN PROCEED ON AND GET IT PULLED WITH 25 VOTES. SIMPLE AS THAT. THAT'S ALL IT IS. THANK YOU, MR. PRESIDENT.

SPEAKER HADLEY: SENATOR KRIST, YOU ARE RECOGNIZED.

SENATOR KRIST: THANK YOU, MR. PRESIDENT. SENATOR KINTNER, WOULD YOU YIELD FOR A QUESTION?

SPEAKER HADLEY: SENATOR KINTNER, WILL YOU YIELD?

SENATOR KINTNER: CERTAINLY.

SENATOR KRIST: HOW DO YOU FEEL ABOUT THE COMMITTEE PROCESS? DO YOU LIKE IT? DO YOU THINK IT'S PART OF THE STRUCTURE? ARE YOU NOT IN FAVOR OF IT?

SENATOR KINTNER: I AM FINE WITH IT.

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SENATOR KRIST: OKAY. IS THERE A REASON WHY YOU DIDN'T SUBMIT THIS RULE TO THE RULES COMMITTEE SO THAT WE COULD DISCUSS IT AND THEN YOU COULD ACTUALLY BRING THE SUBJECT MATTER UP AS YOU DID WITH THE ONE YOU DID? I DON'T UNDERSTAND.

SENATOR KINTNER: SENATOR KRIST, THAT WAS AN OVERSIGHT ON MY PART. THIS IS SOMETHING WE TALKED ABOUT DOING AND JUST GOT LOST IN THE SHUFFLE. SO IT WAS AN OVERSIGHT ON MY PART THAT WE DID NOT GET IT IN TIME TO THE COMMITTEE.

SENATOR KRIST: OKAY. AND IS THERE ALREADY A PROVISIO THAT YOU CAN ACTUALLY PULL A BILL OUT OF COMMITTEE?

SENATOR KINTNER: YES. YOU...

SENATOR KRIST: AND WHAT IS THAT PROCESS?

SENATOR KINTNER: YOU MAKE A MOTION TO THE SPEAKER, AND THE SPEAKER WOULD THEN SCHEDULE THE VOTE FROM THERE.

SENATOR KRIST: OKAY. THANK YOU, SENATOR KINTNER, FOR YOUR TIME AND YOUR DILIGENCE AND FOR BRINGING THE ISSUE FORWARD. COLLEAGUES, THERE IS ALREADY A PROVISION THAT ALLOWS US TO DO WHAT SENATOR KINTNER WANTS TO DO. IT IS AN ADDITIONAL STEP, IN MY OPINION, AND NOT WARRANTED IN TERMS OF A CHANGE. AGAIN, I APPRECIATE, AS SENATOR GROENE SAID THIS MORNING, 1 OF 49, HE CAN ASK AS MUCH AS HE NEEDS TO AND BE ABSOLUTELY AS FERVENT AS POSSIBLE ON ANY PARTICULAR ISSUE. AND I ALSO DO APPRECIATE THAT IT WAS AN OVERSIGHT, AS HE ADMITTED ON HIS PART, BUT WE DO HAVE A COMMITTEE PROCESS AND WE ALREADY HAVE A PROVISION TO ALLOW US TO DO THIS. SO I WOULD ASK YOU TO VOTE NO ON RULE CHANGE 3, SECTION 20.

SPEAKER HADLEY: SENATOR CHAMBERS, YOU ARE RECOGNIZED.

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, BEFORE I SAY MUCH, I AM GOING TO TRY TO GET AN UNDERSTANDING OF EXACTLY WHAT IS HAPPENING HERE. MOST OF US KNOW THAT AFTER A CERTAIN NUMBER OF DAYS FOLLOWING A HEARING, IF THE COMMITTEE HAS NOT DONE ANYTHING ON THE

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BILL, THEN YOU CAN MAKE A MOTION TO PULL IT. AND IF A MAJORITY OF THE SENATORS AGREE WITH YOU, THEN YOU PULL IT FROM COMMITTEE. IF YOUR MOTION FAILS, THEN THE BILL DIES. NOW WITH THIS LANGUAGE, IT SAYS "EXCEPT FINAL ACTION BY THE COMMITTEE FOLLOWING A MOTION FILED PURSUANT TO THIS SUBSECTION" SO THAT MEANS YOU FILE YOUR MOTION. THEN WHEN YOU GET TO THE COMMITTEE, "PRIOR TO WHEN DEBATE IS INITIATED ON THE MOTION BY THE LEGISLATURE," THAT MOTION SHALL NOT...WAIT A MINUTE...THE COMMITTEE'S ACTION SHALL NOT TAKE PRECEDENCE OVER SUCH MOTION, I GUESS. "WHEN AT THE TIME SUCH MOTION WAS FILED SAID BILL HAD A PRIORITY DESIGNATION AND HAD AT LEAST FIFTEEN INTRODUCERS." THE ONLY THING I CAN SEE THAT'S BEING DONE HERE THAT'S DIFFERENT, AND IT'S NOT CLEARLY SO, IF A MOTION IS FILED NOW, THE COMMITTEE HAS THE OPPORTUNITY TO TAKE ACTION BEFORE THE LEGISLATURE WILL TAKE UP THAT MOTION. SO IF I FILE MY MOTION TODAY TO PULL FROM COMMITTEE, THEN BEFORE THE SPEAKER SCHEDULES IT THE COMMITTEE DOES TAKE FINAL ACTION, THEN THE COMMITTEE'S ACTION...THIS DOESN'T COMPUTE WITH ME. I'M WONDERING IF IT'S SAYING...OR IF IT INTENDS TO SAY...AND SENATOR KINTNER CAN ANSWER THIS, THAT THIS ALTERS THE PROCESS SO THAT YOUR MOTION CAN HAVE PRIORITY OVER ANYTHING THE COMMITTEE HAS DONE IF YOUR BILL WAS A PRIORITY MOTION...WAS A PRIORITY DESIGNATION AND YOU HAD 15 PEOPLE WHO SIGNED ON YOUR MOTION TO PULL IT. THEN YOUR MOTION TAKES PRIORITY OVER THE COMMITTEE TAKING ACTION BEFORE YOUR BILL IS DISCUSSED ON THE FLOOR. IS THAT WHAT THIS IS DOING? AND IF NOT, WOULD YOU EXPLAIN WHAT IT IS DOING.

SPEAKER HADLEY: SENATOR KINTNER, WILL YOU YIELD TO A QUESTION?

SENATOR KINTNER: I CERTAINLY WILL, AND I'VE GOT THE QUESTION. YOU ARE EXACTLY RIGHT, THAT'S EXACTLY WHAT IT IS DOING. SEE, THE COMMITTEE WOULD NOT BE ABLE TO IPP IT BEFORE...THEIR MOTION WOULD NOT TAKE PRECEDENT OVER THIS MOTION, YES. THAT IS WHAT SOMETIMES HAPPENS. AND SO IF YOU'RE WILLING TO BURN A PRIORITY AND GET 15 SIGNATURES, YOU CAN PREVENT THAT FROM HAPPENING.

SENATOR CHAMBERS: THANK YOU. MEMBERS OF THE LEGISLATURE, I WOULD RATHER LEAVE THIS PARTICULAR ISSUE THE WAY THAT IT IS. ON OCCASION I'VE HAD SUCCESS IN PULLING A BILL. ONE YEAR I EVEN PULLED A DEATH PENALTY ABOLITION BILL FROM COMMITTEE. SO IT HAS BEEN DONE. IT'S NOT OUT OF THE QUESTION. SOME OF THE NEW SENATORS WHO CAME AND THEY WERE CHAIRS

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GOT THE NOTION THAT SOMEHOW COMMITTEES AND WHAT THEY DO SHOULD BE CONSIDERED SACROSANCT AND NOTHING SHOULD BE DONE TO GO AGAINST WHAT THE COMMITTEE DID. BUT THE RULES ARE THERE BECAUSE THERE ARE SITUATIONS WHERE A MEMBER MAY NEED TO HAVE THE WHEREWITHAL TO COUNTERACT WHAT A COMMITTEE IS DOING. AND I DON'T SEE WHERE THAT UNDERMINES THE COMMITTEE SYSTEM. IF THE BODY, WHEN THAT MOTION COMES UP FOR DISCUSSION, THINKS, WHETHER RIGHTLY OR WRONGLY, THAT TO VOTE FOR THIS MOTION TO PULL A BILL FROM COMMITTEE UNDERMINES THE SYSTEM IN THE WAY THEY DON'T WANT IT DONE, THEY WILL VOTE AGAINST ALLOWING IT TO BE PULLED. AND THEN IF A PERSON...

SPEAKER HADLEY: ONE MINUTE.

SENATOR CHAMBERS: ...WANTS TO TAKE WHAT THAT BILL WAS AND PUT...I'M NOT GOING TO TELL YOU TOO MUCH, I'LL LEAVE IT AT THAT AS FAR AS MY EXPLANATION. BUT I'M GOING TO TURN ON MY LIGHT BECAUSE I DO WANT TO HEAR THE DISCUSSION AND I WANT TO PARTICIPATE IN IT IF THERE IS ANY MORE. THANK YOU, MR. PRESIDENT.

SPEAKER HADLEY: THANK YOU, SENATOR CHAMBERS. SENATOR MURANTE, YOU ARE RECOGNIZED.

SENATOR MURANTE: THANK YOU, MR. PRESIDENT. MEMBERS, GOOD AFTERNOON. WOULD SENATOR KINTNER YIELD TO A QUESTION?

SPEAKER HADLEY: SENATOR KINTNER, WILL YOU YIELD?

SENATOR KINTNER: CERTAINLY.

SENATOR MURANTE: THANK YOU, SENATOR KINTNER. I HADN'T SEEN THIS PARTICULAR RULES CHANGE PRIOR TO TODAY, SO I HAVE A COUPLE OF QUESTIONS FOR YOU. FIRST OF ALL, IF A COMMITTEE INDEFINITELY POSTPONES A BILL, THE VOTES TO PULL THAT BILL OUT OF COMMITTEE GO UP TO, I BELIEVE, 30, ALTHOUGH I'M TRYING TO FIND IT IN THE RULE BOOKS RIGHT NOW.

SENATOR KINTNER: THAT IS CORRECT, YES.

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SENATOR MURANTE: THAT IS CORRECT. SO IS IT YOUR INTENT WITH THIS PIECE OF LEGISLATION THAT IF A COMMITTEE INDEFINITELY POSTPONES A BILL THAT THE VOTES NECESSARY TO PULL IT FROM THE COMMITTEE SHOULD BE DOWN TO 25?

SENATOR KINTNER: NO, THEY HAVE ALREADY PULLED IT. YOU HAVE TO DO THIS PRIOR TO.

SENATOR MURANTE: YOU HAVE TO DO THIS PRIOR TO THEM INDEFINITELY POSTPONING. SO WHAT WOULD PREVENT A STATE SENATOR WHO IS AT ALL CONCERNED ABOUT THEIR BILL BEING INDEFINITELY POSTPONED BY A COMMITTEE FROM JUST FILING A PULL MOTION BEFORE THE COMMITTEE HAS TIME TO TAKE ACTION ON IT?

SENATOR KINTNER: WELL, HE'S ONLY GOING TO DO IT ONE TIME AND HE HAS ONLY ONE PRIORITY. SO HE HAS GOT TO FIGURE DOES HE WANT TO BURN HIS PRIORITY. YOU'VE GOT TO USE A PRIORITY AND GET 15 SIGNATURES.

SENATOR MURANTE: RIGHT. BUT STILL, THE OPPORTUNITY WOULD EXIST FOR A PERSON TO OFFER A PULL MOTION BEFORE A COMMITTEE HAS AN OPPORTUNITY TO EVEN TAKE ACTION ON IT, WHICH WOULD LOWER THE THRESHOLD TO PULL IT. THAT IS MY CONCERN IN THIS.

SENATOR KINTNER: YOU COULD. THEY COULD DO IT ONE TIME. YES.

SENATOR MURANTE: OKAY. SENATOR KINTNER, I GENERALLY AGREE WITH YOUR PHILOSOPHY THAT THERE ARE INSTANCES WHERE I THINK THIS RULE OUGHT TO BE APPLIED, THE EXISTING RULE OF THE LEGISLATURE, AND WHERE THE FLOOR SHOULD OUGHT TO BE ENTITLED TO PULL A BILL OUT OF COMMITTEE. MY CONCERN WITH WHAT YOU HAVE DRAFTED HERE IS WE ARE LOWERING A VOTE THRESHOLD, I BELIEVE, IN PRACTICALITY. AND IF A COMMITTEE INDEFINITELY POSTPONES A BILL, I THINK THAT'S THE STANDARD FOR PULLING OUT OF COMMITTEE OUGHT TO BE HIGHER. AND APPARENTLY YOU HAVE SOME COMMENT TO THAT SO I'LL YIELD YOU THE REMAINDER OF MY TIME.

SPEAKER HADLEY: SENATOR KINTNER, YOU ARE YIELDED 2:42.

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SENATOR KINTNER: THANK YOU, SENATOR MURANTE. ONE THING I DID NOT MENTION, YOU DO HAVE TO WAIT THE 20 DAYS. YOU CAN'T DO THIS UNTIL 20 DAYS. SO YOU CAN'T TURN AROUND IMMEDIATELY AND DO THIS. SO THAT WOULD TEND TO SLOW THAT DOWN A LITTLE BIT. THANK YOU, MR. PRESIDENT.

SPEAKER HADLEY: SENATOR CHAMBERS, YOU ARE RECOGNIZED AND THIS IS YOUR SECOND TIME.

SENATOR CHAMBERS: MR. PRESIDENT, IT DOESN'T LOOK LIKE THERE IS GOING TO BE A LOT OF DISCUSSION. BUT THERE ARE COMPLEXITIES IN THIS CHANGE AND WE ARE JUST NOW GETTING IT. I BELIEVE THAT WE OUGHT TO LEAVE THIS THE WAY THAT IT IS NOW. I HAVE SOME BILLS THAT I MAY TRY TO PULL THIS SESSION. AND I THINK, UNLESS I'M MISTAKEN, THAT IF A PERSON MAKES A MOTION TO PULL, THEN ONCE THAT MOTION IS MADE, THE COMMITTEE HAS THE OPPORTUNITY TO TAKE ACTION IF THEY HAVEN'T TAKEN ACTION PRIOR TO THAT. AND WHETHER THAT'S THE WAY IT IS OR NOT, IT WOULDN'T BE HARD TO READ THE RULE BOOK AND DISCOVER IT. BUT I AM NOT LIKE OTHERS IN HERE WHO THINK THAT MERELY BECAUSE A BILL HAS A PRIORITY DESIGNATION IT GETS PRIORITY TREATMENT. NOW FOR THE REST OF YOU THAT MAY BE THE CASE, BUT IT CERTAINLY HAS...IS NOT THE CASE WITH ME. THERE ARE A LOT OF THINGS THAT GO A CERTAIN WAY FOR YOU ALL BECAUSE YOU ALL FEEL YOURSELVES TO BE MEMBERS OF THE SAME FAMILY. BUT THEY DON'T WORK THAT WAY FOR ME. SO I'M NOT GOING TO GIVE YOU ADDITIONAL ADVANTAGES THAT YOU'RE NOT ENTITLED TO. YOU HAVE TO REALIZE THAT THAT PRIVILEGE STATUS THAT YOU HAVE AS A WHITE MAN IS GOING TO GO SO FAR, AND IT MIGHT GO FURTHER OUTSIDE THE LEGISLATURE IN SOME CASES AND MAY NOT. BUT THAT NOTION OF PRIVILEGE ATTACHES TO PRACTICALLY EVERYTHING THAT IS SAID ON THIS FLOOR. I KNOW THOSE THINGS; YOU ALL KNOW THEM TOO. BUT SOMETIMES THE FEELING IS THAT IF YOU AVERT YOUR EYES AND PRETEND SOMETHING IS NOT SO, THEN EVEN THOUGH IT IS SO, IT CEASES TO BE SO. BUT IF THE PRESIDENT SAID THAT THE SUN RISES IN THE WEST AND SETS IN THE EAST, THAT DOES NOT MAKE THE SUN BEHAVE IN THAT FASHION. IF THE PRESIDENT SAYS, VERY WELL, PERHAPS I CANNOT MAKE THE SUN CHANGE THE WAY IT MOVES, I WILL CHANGE THE WAY PEOPLE DESCRIBE THE WAY IT MOVES. AND THAT WON'T WORK EITHER. SO WHEN YOU'RE TRYING TO GET THESE ADDITIONAL PRIVILEGES, I'M GOING TO OPPOSE IT. BUT THE REASON I'M OPPOSING THIS IS THERE'S A COMPLEXITY TO IT, AND I DON'T THINK THAT IT WOULD MAKE SENSE TO CHANGE THE RULES AT THIS TIME. PRIORITIZING A BILL DOESN'T MAKE IT ANY BETTER THAN IT WAS BEFORE. IF IT WAS A BAD BILL, IT'S NOW JUST A BAD BILL THAT HAS BEEN PRIORITIZED. AND THOSE KIND

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COME TO THE JUDICIARY COMMITTEE AND MORE WILL COME THERE. AND I WILL NOT VOTE TO SEND OUT A BAD BILL JUST BECAUSE SOMEBODY SAID IT IS A PRIORITY. IT'S NOT A PRIORITY FOR ME. MY PRIORITY BILLS ARE NOT A PRIORITY FOR ANYBODY EXCEPT ME. AND I'M DEALT WITH IN THAT FASHION. BUT SINCE I'M NOT A WHINER, I'M NOT A REPUBLICAN, I DON'T LOOK FOR ANY OTHER KIND OF TREATMENT THAN TO BE GENERALLY OUTGUNNED AND OUTNUMBERED. AND ANY TIME SOMEBODY WANTS TO ENGAGE ME IN A DISCUSSION ON THIS FLOOR, I HAVE ALWAYS YIELDED. I HAVE ALWAYS ANSWERED QUESTIONS PUT TO ME NO MATTER WHAT THE ISSUE. BUT AS I STATED, SENATOR KINTNER AND SENATOR McCOY REFUSE. AND THE BODY DIDN'T SAY ANYTHING ABOUT THAT. THAT THE ORDINARY COURTESIES THAT WE SHOW AS A PART OF PARLIAMENTARY PROCEEDINGS WERE BREACHED. YOU ALL DIDN'T SAY ANYTHING BECAUSE YOU LOOK OUT FOR EACH OTHER. I MUST LOOK OUT FOR ME. AND I WILL CONTINUE TO DO EXACTLY THAT. AND I HAVE A WAY OF RUNNING THE MEDIA OUT. I WANTED TO SEE HOW LONG IT TOOK THEM TO RUN.

SPEAKER HADLEY: ONE MINUTE.

SENATOR CHAMBERS: BUT THAT HAPPENS, TOO, BECAUSE THE WHITE MEDIA ARE OF, BY, AND FOR WHITE PEOPLE. THERE ARE THINGS THEY KNOW THEY ARE NOT GOING TO PRINT. THEY KNOW THERE ARE THINGS IF THEY WANTED TO DO A STORY, THE EDITOR IS GOING TO SAY, WE'RE NOT GOING TO PRINT THAT. AND I HAVE JUST ONE MORE MATTER I'M GOING TO TOUCH ON ALONG THIS LINE THAT I'M TALKING NOW; I WILL PUT MY LIGHT ON ONE MORE TIME. IT'S MY THIRD TIME ANYWAY, SO I COULDN'T DO IT ANYMORE.

SPEAKER HADLEY: SENATOR CHAMBERS, YOU ARE RECOGNIZED AND IT IS YOUR THIRD TIME.

SENATOR CHAMBERS: YES. I HAVE SELF-DESCRIBED MYSELF AS THE DEFENDER OF THE DOWNTRODDEN. I HAD THREE SISTERS; I HAVE ONE LEFT. I HAVE MANY NIECES. OBVIOUSLY, MY MOTHER WAS A WOMAN. I AM VERY SENSITIVE TO NEGATIVE THINGS THAT HAPPEN TO WOMEN. AND I HAVE SEEN A TELEVISION STATION IN OMAHA DO SOMETHING TO THE MAYOR THAT MAYBE THEY THINK IS A COMPLIMENT TO HER, BUT I DON'T SEE IT THAT WAY. WHEN THEY SHOW HER ACTUALLY TALKING AND THERE IS A CLOSEUP, SHE'S GOT SOME YEARS ON HER LIKE I HAVE YEARS ON ME. YOU SEE ALL THESE WRINKLES IN MY FACE. YOU SEE THESE GROOVES AND GASHES AND MY WHITE HAIR. THAT IS WHAT HAPPENS

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WHEN YOU'VE BEEN HERE A LONG TIME. WHEN THEY SHOW HER TALKING, THEY DO A CLOSEUP. YOU CAN SEE THE CREASES AND CRACKS AND LINES ABOVE HER TOP LIP. YOU CAN SEE THOSE BETWEEN HER BOTTOM LIP AND GOING DOWN TO HER CHIN. UNDER HER NECK, YOU CAN SEE A NECK THAT BEFALLS PEOPLE WHEN THEY GET OLDER. SOME PEOPLE REFER TO IT AS WATTLES; THE FOLDS, THE LINES, THE WRINKLES, THAT'S WHAT YOU SEE. THEN RIGHT AFTER SHE HAS SPOKEN, YOU KNOW WHAT THEY DO? THEY PUT A STILL PICTURE, AN AIRBRUSHED PICTURE OF A MUCH YOUNGER STOTHERT. AND I DON'T KNOW WHY THEY DO THAT, BUT IT IS NOT FAIR. MAYBE SHE LIKES IT, MAYBE NOT. BUT THOSE ARE THE KINDS OF THINGS THAT I THINK SHOW A TOYING WITH FEMALES AND THE IMAGE OF FEMALES WHICH SHOULD NOT BE REQUIRED IN ORDER FOR A FEMALE TO HAVE PROMINENCE AND A TELEVISION INTERVIEW OR WHATEVER SHE IS DOING. THERE ARE SOME MODELS WHO HAVE SAID, I DON'T WANT MY PHOTO AIRBRUSHED IF YOU'RE GOING TO PUT IT ON THE COVER OF YOUR MAGAZINE. I DON'T WANT IT AIRBRUSHED IN ADVERTISEMENTS. AND SOME WILL BE HONEST ENOUGH TO SAY, BECAUSE WHEN PEOPLE SEE ME IN REAL LIFE, THERE'S A BIG COME DOWN. WELL, I TELL YOU WHAT, I DON'T TAKE A GOOD PICTURE. SO WHEN PEOPLE SEE ME, THEY SAY, WOW, YOU LOOK SO MUCH BETTER THAN YOUR PICTURE. I SAY, WELL, YOU KNOW, THAT IS THE WAY IT GOES. BUT AT THE TIME THAT PICTURE WAS TAKEN, I HAD JUST GOTTEN OUT OF A PRISONER OF WAR CAMP AFTER 30 YEARS OF PRIVATION. THEY SAY, OH, YOU LOOK PRETTY GOOD BASED ON THAT. SENATOR HILKEMANN, THAT'S NOT EXACTLY THE TRUTH WHEN I SAY THAT. BUT THE POINT I'M MAKING, AND I HOPE SOMEBODY WILL TAKE IT BACK, CHANNEL 7 IS NOTORIOUS FOR DOING IT. AND YOU LOOK AT THAT AIRBRUSHED STILL PHOTO THAT THEY SHOW. AND IF SHE REQUESTED IT, THEN I INTRUDED INTO SOMEBODY ELSE'S AFFAIRS. BUT THE ISSUE GOES BEYOND MAYOR STOTHERT. SHE AND I DON'T EVEN GET ALONG. BUT I STILL THINK SOME THINGS CAN BE CALLED FAIR AND OTHER THINGS ARE UNFAIR. YOU THINK I WOULD WANT THEM TO AIRBRUSH A PICTURE OF ME, MAKE MY HAIR BLACK, MAKE MY MUSTACHE AND BEARD BLACK, SOFTEN THE WRINKLES AND THE LINES? I CAME BY ALL OF THESE RAVAGES HONESTLY. YOU THINK THE ROCK OF GIBRALTAR OR THE ROCKY MOUNTAINS WOULD WANT TO BE SMOOTHED OUT SO THEY LOOK LIKE GIANT PEBBLES THAT HAD BEEN SMOOTHED BY WAVES AND THE ELEMENTS? TAKING AWAY EVERY HIGH SPOT, FILLING IN EVERY LOW SPOT AND THEY LOOK LIKE A PERFECTLY SMOOTH PEBBLE. YOU DON'T FIND THINGS...

SPEAKER HADLEY: ONE MINUTE.

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SENATOR CHAMBERS: ...IN NATURE THAT LOOK LIKE THAT WHEN YOU'RE TALKING ABOUT MOUNTAINS OR ROCKY OUTCROPPINGS. SO THERE ARE THINGS WE ALL UNDERSTAND. BUT WE WILL PRETEND THAT THESE THINGS ARE NOT SO. BUT I SEE EVERYTHING THAT PASSES WITHIN MY RANGE OF VISION. AND HERE'S THE THING THAT IS MIRACULOUS ABOUT SIGHT, THE EYE THAT BEHOLDS EVERYTHING CANNOT SEE ITSELF. THANK YOU, MR. PRESIDENT.

SPEAKER HADLEY: SENATOR KINTNER, YOU ARE RECOGNIZED TO CLOSE ON YOUR RULE CHANGE TO RULE 3, SECTION 20.

SENATOR KINTNER: WELL, THANK YOU, MR. PRESIDENT. I HAVE TO COMMEND SENATOR CHAMBERS. THERE'S 47 OTHER SENATORS AND HE'S THE ONE THAT GOT TO THE BOTTOM OF THIS THING VERY QUICKLY AND EXPLAINED IT IN A WAY THAT I THINK PROBABLY MOST PEOPLE ARE STARTING TO UNDERSTAND. BUT LET ME JUST LAY IT OUT. THERE'S TWO WAYS THAT YOU CAN PULL A BILL FROM COMMITTEE. YOU CAN USE THE WAY THAT WE HAVE ALWAYS DONE IT, SIMPLY PUT A PULL MOTION IN THE SPEAKER. EVERYTHING GOES LIKE IT'S ALWAYS BEEN. AND THE OTHER WAY IS THE WAY I AM PROPOSING IS AFTER 20 DAYS, IF THERE HAS BEEN NO ACTION TAKEN BY THE COMMITTEE, THEN YOU CAN GET 15 FELLOW SENATORS TO SIGN ON TO YOUR MOTION, AND YOU CAN PUT A PRIORITY TO IT. AND THEN IT WILL MOVE FORWARD FROM THAT POINT ON. SO ALL WE'VE DONE IS WE'VE ADDED A SECOND WAY TO DO A PULL MOTION WHICH WE'VE...I'VE NEVER SEEN ONE IN THREE YEARS, BUT I KNOW THEY USED TO HAPPEN ALL THE TIME. SENATOR CHAMBERS CAN PROBABLY TELL US SOMETIME HOW MUCH THEY USED TO BE USED. SO WHAT WE'RE PREVENTING IS YOU'VE WAITED YOUR 20 DAYS; THEY'VE TAKEN NO ACTION. YOU PREVENT THEM FROM THE MINUTE YOU PUT YOUR PULL MOTION IN FROM GOING AHEAD AND DOING THEIR QUICK EXEC SESSION AND THEN I...INDEFINITELY POSTPONING IT AND THEN THAT JACKS UP THE NUMBER TO 30. SO IF YOU THINK YOU'VE GOT SUPPORT, YOU'RE WILLING TO BURN A PRIORITY, THIS JUST GIVES YOU A SECOND WAY TO PULL A BILL FROM THE COMMITTEE. I THINK THIS IS PRETTY COMMON SENSE. I DON'T THINK THERE'S ANYTHING TOO EXTREMELY CONTROVERSIAL ABOUT THIS. IT HASN'T BEEN USED YET IN MY THREE YEARS. BUT IT'S JUST ANOTHER TOOL IN THE TOOLBOX FOR THE BODY TO USE. AND I THANK YOU FOR YOUR TIME AND YOUR CONSIDERATION. AND I KNOW IT'S BEEN A LONG MORNING AND I APPRECIATE YOUR SUPPORT OF THIS AMENDMENT TO THE RULES. THANK YOU, MR. PRESIDENT. AND I ASK FOR A CALL OF THE HOUSE AND A ROLL CALL VOTE.

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

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SPEAKER HADLEY: THERE HAS BEEN A REQUEST TO PLACE THE HOUSE UNDER CALL. THE QUESTION IS, SHALL THE HOUSE GO UNDER CALL? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK.

CLERK: 29 AYES, 0 NAYS TO PLACE THE HOUSE UNDER CALL.

SPEAKER HADLEY: THE HOUSE IS UNDER CALL. SENATORS, PLEASE RECORD YOUR PRESENCE. THOSE UNEXCUSED SENATORS OUTSIDE THE CHAMBER PLEASE RETURN TO THE CHAMBER AND RECORD YOUR PRESENCE. ALL UNAUTHORIZED PERSONNEL PLEASE LEAVE THE FLOOR. THE HOUSE IS UNDER CALL. SENATORS HANSEN, BOLZ, MELLO, KRIST, DAVIS, SMITH, STINNER, KOLTERMAN. SENATOR BOLZ, THE HOUSE IS UNDER CALL. SENATOR KINTNER, HOW WOULD YOU WISH TO PROCEED?

SENATOR KINTNER: ROLL CALL VOTE, PLEASE.

SPEAKER HADLEY: ROLL CALL VOTE IN REGULAR ORDER, MR. CLERK.

CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGES 234-235.) 5 AYES, 35 NAYS, MR. PRESIDENT, ON THE AMENDMENT.

SPEAKER HADLEY: THE AMENDMENT FAILS. RAISE THE CALL.

CLERK: MR. PRESIDENT, I HAVE NOTHING FURTHER PENDING TO THE MOTION TO ADOPT PERMANENT RULES.

SPEAKER HADLEY: SENATOR GARRETT, YOU ARE RECOGNIZED.

SENATOR GARRETT: THANK YOU, MR. SPEAKER. I MOVE TO ADOPT THE PERMANENT RULES AS AMENDED FOR THE ONE HUNDRED FOURTH SESSION...LEGISLATURE, SECOND SESSION, AND ANY SPECIAL SESSIONS HELD DURING THE 2016 CALENDAR YEAR. THANK YOU, MR. SPEAKER.

SPEAKER HADLEY: YOU'VE HEARD THE MOTION TO ADOPT THE PERMANENT RULES. ALL IN FAVOR VOTE AYE; ALL OPPOSED VOTE NAY. SENATOR CHAMBERS, YOU ARE RECOGNIZED. YES. HE WAS RECOGNIZED TO CLOSE, SENATOR CHAMBERS. THE MOTION IS THE ADOPTION OF THE PERMANENT RULES. ALL

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THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. THERE HAS BEEN A REQUEST FOR A ROLL CALL VOTE. MR. CLERK.

CLERK: (ROLL CALL VOTE TAKEN.) 44 AYES, 1 NAY, MR. PRESIDENT, ON ADOPTION OF PERMANENT RULES.

SPEAKER HADLEY: THE ADOPTION OF THE PERMANENT RULES, THEY ARE ADOPTED. WOULD SENATOR CHAMBERS COME TO THE FRONT, PLEASE. MR. CLERK FOR A MOTION.

CLERK: MR. PRESIDENT, I HAVE A PRIORITY MOTION. SENATOR CHAMBERS WOULD MOVE TO RECONSIDER THE VOTE JUST TAKEN WITH RESPECT TO ADOPTION OF THE PERMANENT RULES.

PRESIDENT FOLEY PRESIDING

PRESIDENT FOLEY: SENATOR CHAMBERS, YOU'RE RECOGNIZED TO OPEN ON YOUR MOTION.

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT, MEMBERS OF THE LEGISLATURE. I'M NOT GOING TO TAKE A LOT OF TIME. AND I WAS ENGAGED IN DISCUSSION AND DID NOT HEAR THAT SENATOR GARRETT, CHAIRPERSON OF THE RULES COMMITTEE, WAS RISING TO CLOSE ON THE ENTIRE MATTER OF AMENDING THE RULES. SO WHAT I WANTED TO SAY IS THE FOLLOWING: I ALWAYS VOTE NO TO ADOPT THE RULES; AND I DO IT FOR A PURPOSE. AS WE PROCEED THROUGH THE SESSION, I POINT OUT, AND ON OCCASION I'VE HAD TO DO IT MORE THAN ONCE, THAT I VOTED AGAINST THE RULES SO THEY'RE NOT MY RULES, THEY'RE YOUR RULES. I HAVEN'T MOVED TO SUSPEND THE RULES. BUT YOU HAVE MOVED TO SUSPEND YOUR RULES THAT YOU ADOPTED. SO I ABIDE BY YOUR RULES MORE CONSISTENTLY THAN YOU DO. BUT ONCE THE RULES HAVE BEEN ADOPTED, THOSE RULES ARE BINDING ON EVERY ONE OF US. MERELY VOTING NO DOES NOT EXCUSE THE NAYSAYER FROM BEING BOUND BY THE RULES. AND WITHIN THE CONTEXT OF THOSE RULES, IF A PERSON THINKS AND PAYS ATTENTION, HE OR SHE CAN FIND A WAY TO SAY WHATEVER HE OR SHE THINKS NEEDS TO BE SAID WITHIN THE RULES. THE RULES ARE NOT LIKE A STRAITJACKET. THEY'RE DESIGNED TO FACILITATE THE ACTIONS AND ACTIVITIES WE ENGAGE IN, IN TRYING TO LEGISLATE. BUT THERE HAVE TO BE GUIDELINES. THERE HAS TO BE A WAY FOR THE ENGINEER TO CONTROL THE MOVEMENT OF THE TRAIN. THE ENGINEER CANNOT CHANGE THE

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CONFIGURATION OF THE TRACKS. BUT THE ENGINEER CAN SLOW THE TRAIN DOWN, CAN SPEED THE TRAIN UP, CAN STOP THE TRAIN. AND SOMETIMES THE LEGISLATURE CAN SEEM TO BE CAREENING OUT OF CONTROL. BUT EVEN IN THOSE SITUATIONS, THERE CAN BE AN APPEAL TO THE RULES. AND SOMETIMES SUCH AN APPEAL IS MADE, NOT THAT THE APPEAL IS GOING TO PREVAIL, BUT IT GIVES EVERYBODY A CHANCE TO SETTLE DOWN, STEP BACK, TAKE A DEEP BREATH, AND MAYBE GET THE TRAIN MOVING IN THE WAY IT SHOULD. SO I AM BEING SHOWN AS NOT VOTING WHEN THE ADOPTION OF THE RULES WAS BEFORE US. HAD I VOTED NO, I COULDN'T MOVE TO RECONSIDER, SO I HAD TO BE NOT VOTING. BUT I'M STILL IN A POSITION TO SAY--ALTHOUGH I DID NOT VOTE FOR THE RULES, VOTE AGAINST THEM, I DID NOT VOTE FOR THEM. BUT WHEN I'M ON THIS FLOOR, I WILL SHOW, UNDER THE RULES, HOW I'M ENTITLED TO DO EVERYTHING THAT I'M DOING. WHEN SENATOR LARSON BRINGS UP HIS GAMBLING BILLS, HE'S GOING TO ARGUE, DISINGENUOUSLY, THAT IT IS NOT GAMBLING WHEN YOU PLAY POKER, BUT A GAME OF SKILL. "SKILL" IS A WORD THAT CAN BE APPLIED TO THIS OR APPLIED TO THAT, BUT GAMBLING IS GAMBLING IS GAMBLING. THE MORE YOU STUDY THE RULES, THE MORE YOU WORK WITH THEM, THE BETTER YOU'RE GOING TO BECOME. NATURE CONSTRUCTED AND ENGINEERED YOUR BRAIN AND YOUR SYSTEM IN THAT FASHION. IF YOU APPLY THE ABILITIES AND TALENTS THAT YOU HAVE, THEY WILL NOT REMAIN STAGNANT. THEY WILL BECOME BETTER; THEY WILL BECOME SHARPER. IF YOU'RE DOING IT PHYSICALLY, YOU WILL BECOME STRONGER. BUT IF YOU ARE INACTIVE, NATURE DOES NOT BELIEVE IN WASTING ENERGY, YOU WILL SOON LOSE THE ABILITY TO MOVE. SO THAT'S WHY PEOPLE WHO ARE VERY ILL AND THEY'RE LYING IN BED, BUT THEY DON'T HAVE THE STRENGTH TO MOVE OR TURN PERIODICALLY, IF YOU HAVE CAREGIVERS THAT CARE AT ALL, SO THEY WON'T DEVELOP BED SORES FROM LYING IN THE SAME POSITION TOO LONG AND EVEN SOME INTERNAL PROBLEMS IF THERE IS NOT SOME BODILY ACTIVITY. SO ON OCCASION MY JOB WILL BE TO SEE THAT WE FOCUS ON WHAT WE'RE DOING. AND EVEN THOUGH I'M GOING TO BE RUN OVER, NEVERTHELESS, I WANT US TO BE AWARE OF WHAT WE'RE DOING BY THAT ACTION. AND HAVING SAID WHAT I CHOSE TO SAY, I WITHDRAW THAT MOTION.

PRESIDENT FOLEY: THANK YOU, SENATOR CHAMBERS. HEARING NO OBJECTION, THE MOTION IS WITHDRAWN. ITEMS FOR THE RECORD, MR. CLERK.

CLERK: MR. PRESIDENT, I HAVE SOME NEW BILLS, THANK YOU. LB397 BY...I'M SORRY. (READ LB890-896 BY TITLE FOR THE FIRST TIME.) LB89...EXCUSE ME, MR. PRESIDENT; NEW RESOLUTION: LR397 IS A RESOLUTION BY SENATOR GLOOR CALLING FOR AN INTERIM STUDY BY THE HEALTH AND HUMAN SERVICES

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COMMITTEE. AND A NEW CONSTITUTIONAL AMENDMENT, LR398CA, BY SENATOR BLOOMFIELD. IT PROPOSES AN AMENDMENT TO ARTICLE V, SECTION 20 OF THE NEBRASKA CONSTITUTION. FINALLY, MR. PRESIDENT, I HAVE A HEARING NOTICE FROM THE URBAN AFFAIRS COMMITTEE THAT'S SIGNED BY SENATOR CRAWFORD AS CHAIR OF THE URBAN AFFAIRS COMMITTEE. THAT IS ALL THAT I HAVE. (LEGISLATIVE JOURNAL PAGES 235-238.) [LB890 LB891 LB892 LB893 LB894 LB895 LB896 LR397 LR398CA]

PRESIDENT FOLEY: THANK YOU, MR. CLERK. PURSUANT TO THE AGENDA, WE'LL NOW MOVE TO GENERAL FILE, 2015 CARRYOVER SENATOR PRIORITY BILL, LB285, MR. CLERK. [LB285]

CLERK: MR. PRESIDENT, LB285 WAS A BILL BY SENATOR RIEPE. (READ TITLE.) THE BILL WAS ORIGINALLY INTRODUCED ON JANUARY 15 OF LAST YEAR. AT THAT TIME IT WAS REFERRED TO THE REVENUE COMMITTEE. THE BILL WAS ADVANCED TO GENERAL FILE. THERE ARE REVENUE COMMITTEE AMENDMENTS PENDING, MR. PRESIDENT. (AM1426, LEGISLATIVE JOURNAL PAGE 1390, FIRST SESSION, 2015.) [LB285]

PRESIDENT FOLEY: THANK YOU, MR. CLERK. SENATOR RIEPE, YOU'RE WELCOME TO OPEN ON LB285. [LB285]

SENATOR RIEPE: THANK YOU, MR. PRESIDENT. GOOD AFTERNOON, FELLOW SENATORS AND NEBRASKANS. I'M EXCITED TO HAVE THE FIRST BILL PRESENTED THIS SESSION, AND IT IS GOOD TO BE HOME. LB285, ABOUT THE NEBRASKA TURNBACK TAX, AND IS MY PRIORITY BILL FROM LAST SESSION. THANK YOU, MR. SPEAKER, FOR ALLOWING ME TO BRING MY PRIORITY AND TO CARRY IT OVER FOR THIS SESSION. FIRST, I WANT TO TALK ABOUT THE TURNBACK TAX. SECOND, I WANT TO TALK ABOUT THE ORIGINAL LANGUAGE OF LB284 AND LB285. WITH CHAIRMAN GLOOR'S PERMISSION, I WILL EXPLAIN AM1426 ON WHICH HE, TOO, WILL COMMENT. LB285 AND AM1426 WAS APPROVED BY THE REVENUE COMMITTEE ON AN 8-0 VOTE. FIRST, I WILL DIRECT YOUR ATTENTION TO HANDOUT NUMBER ONE, AND THAT LOOKS LIKE THIS. HOW DOES THIS TURNBACK TAX WORK IN NEBRASKA? SO WHAT IS THE TURNBACK TAX? IT STARTS WITH THE TURNBACK PROJECT THAT INVOLVES A POLITICAL SUBDIVISION BUILDING A PUBLIC FACILITY SUCH AS THE CENTURYLINK CENTER IN OMAHA, THE PINNACLE BANK ARENA IN LINCOLN, AND THE RALSTON ARENA, WHICH IS LOCATED IN MY DISTRICT. THESE FACILITIES ARE GREAT ECONOMIC DEVELOPMENTS FOR EACH COMMUNITY CREATING JOBS AND

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STIMULATING THE ECONOMY WITH DOLLARS THAT MAY NEVER HAVE COME TO THE STATE IN THE FIRST PLACE. THE SALES TAX GENERATED BECAUSE OF THE FACILITIES IS THEN TURNED BACK IN TO THE POLITICAL SUBDIVISION TO HELP PAY OFF THE BONDS USED TO BUILD THE FACILITIES. FOR RALSTON, THE TURNBACK SALES TAX IS COMPRISED OF TWO BUSINESS CLASSES THAT FALL WITHIN A CERTAIN YARDAGE AROUND THE FACILITY. FOR RALSTON, IT INCLUDES BUSINESSES WITHIN 600 YARDS OF THE ARENA, THE FIRST CLASS OF BUSINESSES SET UP SHOP IN ANTICIPATION OF OR IMMEDIATELY FOLLOWING THE OCCUPANCY OF THE FACILITY. THESE ARE BUSINESSES WHICH HAVE BEEN OPEN TWO YEARS BEFORE OCCUPANCY OF THE FACILITY AND TWO YEARS AFTER OCCUPANCY. THE SALES TAX FROM THESE BUSINESSES WILL BE 100 PERCENT TURNBACK TAX BECAUSE, AS THE THEORY STATES, THE SALES TAX GENERATED FROM THESE BUSINESSES WERE DIRECTLY RELATED TO THE FACILITY'S NEW PRESENCE IN THE COMMUNITY. THE SECOND CLASS OF BUSINESSES ARE THOSE THAT ALREADY RESIDE WITHIN THE YARDAGE SURROUNDING THE FACILITY AND ESTABLISHED AT LEAST TWO YEARS BEFORE OCCUPANCY OF THE FACILITY. A BASELINE IS ESTABLISHED ONE YEAR BEFORE THE FACILITY OPENS AND ANY ADDITIONAL SALES TAX ABOVE THE BASELINE WILL BE TURNED BACK TO THE POLITICAL SUBDIVISION. BECAUSE IN THEORY, THE INCREASE IN TRAFFIC IS GENERATED DUE TO THE FACILITY AND, THEREFORE, ANY INCREASE IN SALES TAX SHOULD BE TURNED BACK TO THE POLITICAL SUBDIVISION. THE TURNBACK TAX IS A 70/30 SPLIT WHICH MEANS 70 PERCENT OF THE TURNBACK TAX IS TRANSFERRED TO THE POLITICAL SUBDIVISION TO SUPPORT BOND PAYMENTS FOR THE FACILITY. THE 30 PERCENT IS TRANSFERRED INTO THE CIVIC AND COMMUNITY CENTER FINANCING FUND, OR THE CCCFF. THE CCCFF SUPPORTS THE DEVELOPMENT OF CIVIC COMMUNITY AND RECREATIONAL CENTERS THROUGHOUT NEBRASKA. AND IN 2015, THE CCCFF AWARDED OVER \$2 MILLION TO PROJECTS THROUGHOUT THE STATE. THE TURNBACK TAX WILL ONLY LAST FOR 20 YEARS OR UNTIL THE BONDS ARE PAID OFF, WHICHEVER OCCURS FIRST. NOW I WILL BRIEFLY TALK ABOUT THE TWO BILLS THAT I INTRODUCED REGARDING CHANGE TO THE TURNBACK TAX. LB284 AND LB285 LOOK TO EXTEND THE TURNBACK TAX FROM TWO YEARS TO TEN YEARS. SO IF A NEW BUSINESS SETS UP SHOP WITHIN TEN YEARS FROM THE DATE OF THE OCCUPANCY OF THE QUALIFYING FACILITY, THE NEW BUSINESS SALES TAX WOULD QUALIFY AS TURNBACK TAX. THE TWO BILLS ALSO LOOK TO EXTEND THE TURNBACK TAX RADIUS FROM 600 YARDS TO 1,000 YARDS IN AN ATTEMPT TO CAPTURE ADDITIONAL SALES TAX TO HELP PAY OFF THE BONDS. THE ORIGINAL LANGUAGE OF LB284 AND LB285 WAS NOT FAVORABLY RECEIVED BY THE REVENUE COMMITTEE. SO I WORKED WITH CHAIRMAN GLOOR AND THE MEMBERS OF THE REVENUE COMMITTEE TO CREATE AN AMENDMENT THAT

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WILL NOT--I REPEAT NOT--CHANGE THE CURRENT STATUTES REGARDING YARDAGE OR TIME FOR THE TURNBACK TAX. AND FOLLOWING MY SHARING OF AM1426 WITH YOU, CHAIRMAN GLOOR WILL SPEAK TO THE COMMITTEE AMENDMENT. I WILL NOW TURN TO AM1426. PLEASE REFER TO THE SECOND HANDOUT WHICH HAS THE BIG CCCFF ON IT. AM1426 CAME OUT OF THE REVENUE COMMITTEE ON AN 8-0 VOTE. THE AMENDMENT WAS DRAFTED SO IT WOULD HAVE NO FISCAL IMPACT--I REPEAT, NO FISCAL IMPACT--TO THE STATE. IF THERE IS NO FISCAL IMPACT TO THE STATE, WHAT IS THE IMPACT? I WAS CONCERNED THAT THE FUNDS IN THE CCCFF IN THE PAST, THE CCCFF HAS BEEN RAIDED BY FUNDING PROJECTS NOT RELATED TO WHY THE FUND TURNBACK TAX STATUTES WERE ORIGINALLY ENACTED. MY THOUGHTS WERE IF EXCESS FUNDS EXIST IN THE CCCFF AND THOSE FUNDS WERE NOT GRANTED, THEN THAT MONEY SHOULD BE RETURNED TO THE POLITICAL SUBDIVISION THAT CREATED THE TURNBACK TAX IN THE FIRST PLACE, WHICH IS EXACTLY WHAT AM1426 ACCOMPLISHES. AM1426 PROVIDES THAT IF THE YEAR-END FUNDING BALANCE OF THE CCCFF HAS NOT BEEN COMMITTED TO GRANTS FUNDED THROUGH THE CCCFF AND THE BALANCE IS MORE THAN \$1 MILLION, THE STATE TREASURER WILL TRANSFER THE EXCESS FUNDS INTO THE POLITICAL SUBDIVISION RECAPTURE CASH FUND. THE NEXT LEGISLATIVE SESSION, THE CASH FUND WILL BE APPROPRIATED AND DISTRIBUTED BACK TO THE POLITICAL SUBDIVISIONS THROUGH THE STATE TREASURER BASED ON THE PROPORTIONAL CONTRIBUTIONS. THE PROPORTIONATE CONTRIBUTIONS ARE BASED ON THE AMOUNT OF TURNBACK TAX REVENUE GENERATED FOR THE CCCFF DURING THE PREVIOUS FISCAL YEAR. AN EXAMPLE WOULD BE IF CENTURYLINK CONTRIBUTES 30 PERCENT, PINNACLE BANK ARENA CONTRIBUTES 34 PERCENT, AND RALSTON ARENA CONTRIBUTES 36 PERCENT TO THE CCCFF, THEN EACH POLITICAL SUBDIVISION CAN EXPECT TO RECEIVE ITS PROPORTIONAL SHARE OF ANY EXCESS FUNDS OVER THE REQUIRED \$1 MILLION MINIMUM BALANCE. AS I CONCLUDE TODAY, I ASK YOU TO VOTE GREEN ON AM1426 AND GREEN ON LB285. THANK YOU, SIR. [LB285 LB284]

PRESIDENT FOLEY: THANK YOU, SENATOR RIEPE. AS THE CLERK STATED, THERE ARE AMENDMENTS FROM THE REVENUE COMMITTEE. SENATOR GLOOR, AS CHAIR OF THE COMMITTEE, YOU ARE RECOGNIZED TO OPEN ON THOSE AMENDMENTS. SENATOR GLOOR. [LB285]

SENATOR GLOOR: THANK YOU, MR. PRESIDENT. SENATOR RIEPE HAS DONE A VERY THOROUGH JOB AND A GOOD JOB, I THINK, COVERING THIS BILL AND THE AMENDMENT. I'M GOING TO DO JUST A QUICK HIGHLIGHT OF SORT OF A BULLET POINT REVIEW. REMEMBER THAT, AS HE POINTED OUT, THE COMMITTEE

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AMENDMENT DOES BECOME THE BILL. WE MADE SOME SIGNIFICANT CHANGES FROM WHAT THE ORIGINAL INTENT WAS, BUT I THINK, HAVE COME UP WITH SOMETHING THAT INDICATES THE REVENUE COMMITTEE WAS ADVANCED OUT OF COMMITTEE. THE PREVIOUS LEGISLATION CREATED THE CONVENTION CENTER FACILITY FINANCING ASSISTANCE ACT AND THE SPORTS ARENA FACILITY FINANCING ASSISTANCE ACT, THAT'S PREVIOUS LEGISLATION. BOTH ACTS ALLOW SALES TAX TURNBACK TO THE CITIES IN WHICH QUALIFIED FACILITY IS BUILT. SALES TAX GENERATED IN THE DESIGNATED ZONE AROUND THE FACILITY BY NEW AND EXISTING RETAILERS IS TURNED BACK TO THE CITY FOR A SPECIFIED PERIOD OF TIME. SEVENTY PERCENT OF THE TURNBACK REVENUE GOES TO THE CONVENTION CENTERS AND SPORTS ARENAS. THIRTY PERCENT GOES TO THE CIVIC AND COMMUNITY CENTER FINANCING FUND WHICH ARE USED FOR COMMUNITY DEVELOPMENT GRANTS TO MUCH SMALLER COMMUNITIES ACROSS OUR STATE. THE AMENDMENT PROVIDES IN THE EVENT THIS FUND MAINTAINS A YEAR-END BALANCE IN EXCESS OF A MILLION DOLLARS, THAT EXCESS SHALL BE DEPOSITED IN THE NEWLY CREATED POLITICAL SUBDIVISION RECAPTURE CASH FUND. THE EXCESS WILL THEN BE RETURNED PROPORTIONATELY TO THE CITIES THAT GENERATED THAT TURNBACK TAX. IN OTHER WORDS, IF THE MONEY IS NOT BEING USED, AS LONG AS WE MAINTAIN A BALANCE OVER A MILLION DOLLARS, IT WILL BE RETURNED TO THOSE ORGANIZATIONS, THOSE ARENAS, FACILITIES THAT GENERATED IT IN THE FIRST PLACE ON A PROPORTIONATE BASIS. AND THAT WAS THE IMPORTANT PART THAT WAS THE CHANGE THAT GOT THIS ADVANCED OUT OF THE COMMITTEE. THANK YOU, MR. PRESIDENT, AND THANK YOU, MEMBERS. [LB285]

PRESIDENT FOLEY: THANK YOU, SENATOR GLOOR. MR. CLERK, IS THERE AN AMENDMENT TO THE COMMITTEE AMENDMENTS? [LB285]

ASSISTANT CLERK: MR. PRESIDENT, SENATOR SCHUMACHER WOULD MOVE TO AMEND THE COMMITTEE AMENDMENTS WITH AM1474. (LEGISLATIVE JOURNAL PAGE 1481, FIRST SESSION, 2015.) [LB285]

PRESIDENT FOLEY: THANK YOU, MR. CLERK. SENATOR SCHUMACHER, YOU ARE WELCOME TO OPEN ON YOUR AMENDMENT. [LB285]

SENATOR SCHUMACHER: THANK YOU, MR. LIEUTENANT GOVERNOR, MEMBERS OF THE BODY. I FILED AM1474 PURSUANT TO AN UNDERSTANDING WITH THE REVENUE COMMITTEE THAT THIS MATTER WOULD BE BROUGHT BEFORE THE BODY ON THE AMENDED VERSION OF THE BILL. I HAD GREAT DIFFICULTY WITH

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THIS PARTICULAR PROPOSITION IN COMMITTEE. I VOTED FOR IT ONLY WITH THE UNDERSTANDING THAT WE'D HAVE THIS DISCUSSION HERE TODAY. GREAT DIFFICULTY WITH IT FOR TWO REASONS: NUMBER ONE, IT VIOLATES A HARD-FOUGHT COMPROMISE OF A PAST LEGISLATURE; AND, NUMBER TWO, IT ESTABLISHES A PRECEDENT FOR LOCAL GOVERNMENT BAILOUTS; SOMETHING THAT WE'RE GOING TO HEAR MORE AND MORE OF AS THE YEARS GO ON IN THIS BODY. THE HARD-FOUGHT COMPROMISE WAS THIS: THIS TURNBACK MECHANISM, WHERE THE SALES TAX MONEY GENERATED WITHIN A ZONE OF THE NEW FACILITY WAS USED THEN TO, BASICALLY, PAY FOR THE NEW FACILITY'S BONDING AND OTHER WAYS OF FINANCING IT. AND OMAHA CAME TO THE LEGISLATURE AND MADE SUCH A REQUEST TO LET US DO THIS. THE RURAL SENATORS SAID, WAIT A MINUTE. SOME OF THAT MONEY GOING INTO THE FUND IS NOT OMAHA MONEY, IT IS FOR PEOPLE DRIVING INTO OMAHA AND SPENDING THEIR MONEY THERE. AND WE NEED TO HAVE SOME OF THAT. IF YOU'RE GOING TO DO A TURNBACK, TURN BACK TO THE MORE RURAL COMMUNITIES. THUS, THE COMPROMISE WAS REACHED, 70 PERCENT WOULD GO TO THESE FACILITIES AND NOW THERE ARE THREE OF THEM, PINNACLE, RALSTON, AND THE QWEST CENTER. AND 30 PERCENT WOULD GO INTO THIS FUND THAT WOULD GO TO COMMUNITY CENTERS, LITTLE MINI CONVENTION CENTER TYPE THINGS IN THE REST OF THE STATE, THE MORE RURAL AREAS. AND THAT MECHANISM WAS AGREED TO AFTER A GREAT DEAL OF DISCUSSION. YOU KNOW THIS WAS A HARD-FOUGHT COMPROMISE BECAUSE IF YOU LOOK AT THE ORIGINAL LAW, YOU'LL SEE WHERE PART OF OMAHA'S MONEY HAS GOT TO GO TO COMBATING GANGS, FOR EXAMPLE. AND I WONDER WHO WOULD HAVE BEEN PART OF REACHING THAT PART OF THE COMPROMISE BACK IN THE LATE 1990s. BUT, AT ANY RATE, THE SMALLER COMMUNITIES WERE A LITTLE SLOW ON THE UPTAKE, AND MORE MONEY WAS GENERATED THAN THEY GOT AROUND TO APPLYING FOR. THE APPLICATION PROCESS, THEY DIDN'T UNDERSTAND; THEY DIDN'T UNDERSTAND THE MECHANISM YOU USED, WHICH, ACTUALLY, WAS QUITE SIMPLE. BUT THEY DIDN'T APPLY FOR ENOUGH OF THE MONEY AND IT STARTED TO BUILD UP. WELL, AS WE ALL KNOW, WHENEVER MONEY BUILDS UP, SOMEBODY IS GOING TO FIGURE OUT A WAY TO SPEND IT. AND THERE WERE EXPANSIONS TO WHAT IT COULD BE USED FOR, ALL IN THE SAME THEME. AND THAT THEME WAS ACTIVITY CENTERS IN RURAL NEBRASKA. THE ACTIVITY CENTERS IN THE ORIGINAL LEGISLATION SAID THE MUNICIPALITIES OUT THERE COULD APPLY FOR THE GRANTS. IT LEFT OUT AGRICULTURAL SOCIETIES WHICH, AS MOST OF US WHO LIVE IN RURAL NEBRASKA KNOW, HOST A LOT OF THAT KIND OF FACILITY. MAYBE IT WAS AN OVERSIGHT, MAYBE IT WAS THE RUSH OF COMPROMISE, WHATEVER, IT WASN'T THERE. BUT THEY'RE THE ONES THAT USE OR COULD USE ASSISTANCE IN MAINTAINING THEIR FACILITIES IN THE COMMON

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THEME OF OUTSTATE FACILITIES FOR COMMUNITY BETTERMENT. IN 2013, THE LAW WAS AMENDED TO ADD CERTAIN THINGS LIKE LIBRARIES AND DEMOLITION PROJECTS AND THINGS LIKE THAT IN A BILL THAT SENATOR DUBAS SPONSORED TO GET MORE UTILIZATION OF THE MONEY. AND ALSO SOME OF THE MONEY WAS PEELED OFF FOR SPORTS COMPLEXES BY SOME OF THE STATE COLLEGES. I'M LED TO BELIEVE THAT SINCE THEN THERE HAS BEEN A LOT MORE ACTIVITY AT TRYING TO GET TO SOME OF THAT MONEY. AND TO A LARGE MEASURE, WHAT WE'RE DISCUSSING TODAY MAY SIMPLY BE MOOT BECAUSE THE MONEY MAY BE BEING USED UP ALREADY BY CITIES AND MUNICIPALITIES FOR THEIR CONVENTION CENTERS. NEVERTHELESS, TO MAKE SURE IT IS MOOT AND THAT MONEY IS USED WITH ITS ORIGINAL INTENT, I INTRODUCED THIS PROPOSAL TO INCREASE THE ENTITIES WHO PROVIDE THOSE FACILITIES AND WHO ARE ELIGIBLE FOR PARTAKING IN THIS MONEY. AND THAT WOULD BE THE AGRICULTURAL SOCIETIES, FAIR BOARDS, THAT KIND OF THING--AGRICULTURAL SOCIETIES THAT HAVE A LOT OF THESE FACILITIES. THEY SHOULD HAVE BEEN INCLUDED TO BEGIN WITH IN THE IDEA THAT THIS WAS SOMETHING TO FACILITATE STATEWIDE COMMUNITY BETTERMENT, COMMUNITY FACILITIES. ADDING THOSE IN WILL VIRTUALLY MEAN THERE IS VERY LITTLE LEFT FOR RALSTON, BECAUSE IT IS ALREADY BEING USED UP AND THIS INCREASED DEMAND ON THE FUNDS WILL MAKE SURE THAT THERE IS AN UPHOLDING OF THE ORIGINAL COMPROMISE OF 70/30. THIS ALSO, SHOULD THIS AMENDMENT FAIL, I'LL RAISE THE POINT OF WHAT...PHILOSOPHICAL ISSUE OF HOW WE SHOULD POSTURE OURSELVES FOR DEALING WITH REQUESTS BY LOCAL GOVERNMENTS TO BAIL THEM OUT OF FINANCIAL PREDICAMENTS THEY GET INTO VOLUNTARILY THROUGH BAD JUDGMENTS AND WHAT MIGHT BE SAID IRRATIONAL EXUBERANCE OF SOME TYPE OF A PROJECT OR SOME TYPE OF AN UNDERTAKING THAT THEY MAKE WITHOUT REALIZING THE RISKS INVOLVED AND DECIDING THEY CAN TAKE THE RISK AND PUT THAT RISK LATER ON INTO A BAILOUT REQUEST FROM THE LEGISLATURE. SO, BASICALLY, WHAT THIS DOES IS GOES BACK TO THE ORIGINAL INTENTION OF THE LEGISLATURE TO GIVE 30 PERCENT TO RURAL AREAS FOR THEIR COMMUNITY-TYPE FACILITIES. AND TO THE EXTENT IT ISN'T BEING USED ALREADY, TO ADD SOMEBODY WHO IT JUST APPEARS WAS FORGOTTEN FROM THE LEGISLATION, THAT IS THE OWNERS OF ONE OF THE MAJOR PARTS OF THOSE KIND OF FACILITIES IN OUTSTATE NEBRASKA AND THAT IS THE AGRICULTURAL SOCIETIES. ADD THOSE BACK IN, WE CAN VIRTUALLY ASSURE THAT THIS ISSUE WON'T EXIST, THAT RALSTON, PROBABLY, WILL GET VERY LITTLE, IF ANYTHING, OUT OF THIS PROPOSAL. IF WE DON'T ADD IT IN AND THERE'S MONEY LEFT OVER, IT IS GOING TO BREAK THAT HARD-FOUGHT COMPROMISE AND IT IS GOING TO ENCOURAGE THE NOTION OF RISK BEING TAKEN ON BY COMMUNITIES WHO MAY NOT DO THEIR DUE

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DILIGENCE. I WOULD ENCOURAGE THE PASSAGE OF THIS AMENDMENT WHICH ADDS IN ELIGIBILITY FOR MUCH OF RURAL NEBRASKA'S CONVENTION AND COMMUNITY CENTER FACILITIES. THANK YOU. [LB285]

PRESIDENT FOLEY: THANK YOU, SENATOR SCHUMACHER. DEBATE IS NOW OPEN ON LB285 AND RELATED AMENDMENTS. SENATOR CHAMBERS, YOU ARE RECOGNIZED. [LB285]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, I DON'T KNOW WHETHER I SEE THE CHAIRMAN OF THE REVENUE COMMITTEE OR NOT. OH, I...HE'S STILL...I'D LIKE TO ASK SENATOR GLOOR A QUESTION OR TWO IF HE WOULD RESPOND. [LB285]

PRESIDENT FOLEY: SENATOR GLOOR, WOULD YOU YIELD, PLEASE? [LB285]

SENATOR GLOOR: I WOULD BE HAPPY TO. [LB285]

SENATOR CHAMBERS: SENATOR GLOOR, CAN YOU TELL ME THE SOURCES OF REVENUE AVAILABLE TO THE STATE? I MEAN, LIKE WE KNOW SALES TAX AND INCOME TAX. [LB285]

SENATOR GLOOR: PROPERTY TAX, INCOME TAX, SALES TAX, CORPORATE TAX, WHICH YOU CAN PUT UNDER INCOME TAX. [LB285]

SENATOR CHAMBERS: NOW WOULD THIS BILL HAVE ANYTHING TO DO WITH THE CORPORATE TAX OR ONLY THE SALES TAX GENERATED BY THESE PARTICULAR FACILITIES WE'RE TALKING ABOUT? [LB285]

SENATOR GLOOR: SALES TAX, SENATOR. [LB285]

SENATOR CHAMBERS: NOW IF WE HAVE 100 PEOPLE WHO ARE PAYING MONEY INTO THE STATE COFFERS, AND WE CAN CALL IT SALES TAX OR THE MONEY THEY ARE PAYING IN, BUT LET'S SAY SALES TAX. AND 10 PERCENT OF THOSE PEOPLE SAY...AND LET'S SAY TO OPERATE EFFICIENTLY, THE GOVERNMENT NEEDS ALL OF THESE 100 TO CONTRIBUTE THE AMOUNT THEY ARE CONTRIBUTING. SO LET'S SAY THE AMOUNT NEEDED IS \$100, BECAUSE I CAN DEAL WITH SOMETHING LIKE THAT, IT IS SIMPLE FOR ME. NOW IF 90 PEOPLE ARE GOING TO PUT IN THEIR DOLLAR AND WE HAVE 90 PERCENT OF IT, AND 10

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PERCENT ARE NOT GOING TO PUT THEIRS IN, BUT WE NEED \$100, AND THE ONLY ONES PAYING ARE THE 90, THEY'RE GOING HAVE TO PUT MORE INTO THAT POT TO BRING IT UP TO \$100, IS THAT CORRECT? [LB285]

SENATOR GLOOR: THAT WOULD BE CORRECT. [LB285]

SENATOR CHAMBERS: SO WITH THIS, WE'RE SAYING SOME ARE NOT GOING TO PAY THEIR FAIR SHARE, BUT OTHERS ARE GOING TO HAVE TO MAKE UP THE DIFFERENCE TO HELP THOSE WHO ARE NOT PAYING THEIR FAIR SHARE. [LB285]

SENATOR GLOOR: I DO NOT BELIEVE THAT THAT METAPHORICALLY IS A CORRECT WAY TO LOOK AT THOSE NUMBERS, SENATOR. [LB285]

SENATOR CHAMBERS: THAT'S ALL I NEED FROM YOU; SIT DOWN, THANK YOU. (LAUGHTER) NO, I KNEW THAT'S WHAT YOU WOULD SAY. BUT HERE'S THE POINT, I WANTED TO GET OUT THERE THE PRINCIPLE THAT I'M WORKING FROM. YOU WOULD NEVER SAY ON THIS FLOOR THAT A PERSON DID WORK TO HIS OR HER HOUSE THAT SAVED ENERGY, THEREFORE, YOU'RE GOING TO REDUCE THEIR PROPERTY TAX. BECAUSE IN THE LARGER SCHEME OF THINGS, THEY'RE NOT CONSUMING AS MANY RESOURCES. IF THEY IMPROVE THEIR PROPERTY, THEY'RE GOING TO PAY MORE TAX. BUT WHEN IT COMES TO THE BIG SHOTS, THIS BODY IS GOING TO BOW DOWN AND KOWTOW TO THEM AS WAS DONE WITH WOODMEN OF THE WORLD. THEY SAY, ONE EXPRESSION--IF YOU SEE A BOOT THEN LICK IT. IF THE BOOT FITS, LICK IT. AND THAT IS WHAT THE LEGISLATURE IS EXPECTED TO DO. THESE BIG SHOTS GET INVOLVED IN ACTIVITIES DESIGNED TO GENERATE MONEY FOR THEM. THEY WANT TO BE GUARANTEED SUCCESS. YOU DON'T WANT TO GUARANTEE ORDINARY PEOPLE THAT. THIS LEGISLATURE DID NOT EVEN WANT TO RAISE THE MINIMUM WAGE AND THAT'S WHY IT HAD TO BE DONE BY PETITION. THIS HARD-HEARTED LEGISLATURE DOES NOT WANT TO RAISE THE HOURLY RATE OF THOSE WHO WORK IN RESTAURANTS. AND IT IS HARD WORKING WITH THE PUBLIC. I'M ON A COMMITTEE WHERE PEOPLE ARE NOT SYMPATHETIC TO THOSE PEOPLE. BUT THEY'LL LINE UP IN DROVES TO SUPPORT THESE BIG SHOTS GUARANTEEING THEM THAT A BAD DECISION IS GOING TO BE BAILED OUT. RALSTON SHOULDN'T HAVE BUILT WHATEVER THEY CALL THAT THING; IT'S TOO CLOSE TO OMAHA. THERE'S NOT ENOUGH ACTIVITY FOR OMAHA AND RALSTON, BUT RALSTON SAID, OOH, I LIKE WHAT I SEE IN OMAHA, WE WANT ONE; GIVE US ONE OF THOSE. AND THEY DON'T EVEN DO THE PROPER PLANNING AND CALCULATING TO SEE WHETHER IT CAN SUCCEED. BUT

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THEY SAY WE GOT 49...OH, (INAUDIBLE) CORRECTED...WE GOT 48 DUMMIES...
[LB285]

PRESIDENT FOLEY: ONE MINUTE. [LB285]

SENATOR CHAMBERS: ...BECAUSE WE FORGET CHAMBERS DOWN THERE IN THAT LEGISLATURE WHO WILL BAIL US OUT. BUT YOU DON'T DO IT FOR THE ORDINARY PEOPLE. THEN WE HAVE OTHER ISSUES NOT RELATED TO THIS DIRECTLY. SENATOR GROENE AND OTHERS TALK ABOUT HOW OUR CONSTITUENTS NEED TO KNOW THIS AND WE OUGHT TO BE TRANSPARENT. THAT'S DISINGENUOUS. BECAUSE WHEN WE GET TO ACTIONS LIKE THIS, THAT'S WHERE WE OUGHT TO LOOK OUT FOR OUR CONSTITUENTS. BUT OUR CONSTITUENCY IS NOT THE ORDINARY PERSON, IT'S THE BIG SHOTS WHO MADE BAD DECISIONS. THANK YOU, MR. PRESIDENT. [LB285]

PRESIDENT FOLEY: THANK YOU, SENATOR CHAMBERS. SENATOR RIEPE, YOU'RE RECOGNIZED. [LB285]

SENATOR RIEPE: MR. PRESIDENT, THANK YOU VERY MUCH. I HAVE TO STAND IN OPPOSITION TO AM1474. AM1426, MY AMENDMENT, IS NOT A BAILOUT. IT IS AN INCENTIVE FOR THE DEPARTMENT OF ECONOMIC DEVELOPMENT TO GRANT OUT FUNDS. THERE ARE A NUMBER OF CITIES ACROSS THE STATE WHO HAVE BENEFITED FROM THIS PARTICULAR LEGISLATION. ALSO WANT TO POINT OUT THAT IN TERMS OF THE PLANNING OF THE BIG SHOTS IN OMAHA AND RALSTON...RALSTON AND OMAHA, SIMILAR SIZED CITIES, I GUESS, BUT THE PLANNING OF THE BAXTER ARENA CAME...WAS ANNOUNCED THEIR INTENT ON THE DAY THAT THE RALSTON ARENA OPENED. SO THERE ARE SOME VARIABLES THAT ONE CANNOT NECESSARILY PLAN FOR IN ADVANCE. BUT, AGAIN, I REPEAT-- THIS IS NOT A BAILOUT. THIS IS AN INTENT TO NOT EXPAND THE PARTICULAR CCCFF KINDS OF AGENCIES THAT CAN RECEIVE THOSE FUNDS INTO THE AG PARKS OR INTO OTHER PIECES. I THINK WHEN SENATOR SCHUMACHER TALKS ABOUT THAT THE RURAL COMMUNITIES WILL BE DENIED, THAT IS SIMPLY NOT TRUE. THE 30 PERCENT IS PROTECTED AND GOES DOWN TO THOSE CITIES. SOME OF THE CITIES THAT ARE INVOLVED, AND YOU HAVE IT IN A HANDOUT HERE, SHOW SOME OF THESE IN THE YEARS 2014 AND 2015. AND FOR HASTINGS AND SENATOR SEILER, THERE WAS \$750,000; FOR SENATOR BLOOMFIELD, THERE WAS \$375,000, PLUS \$10,000 FOR PLANNING; SENATOR BRASCH GOT TWO ISSUES OF \$375,000; SENATOR BAKER'S DISTRICT RECEIVED \$375,000; SENATOR WILLIAMS' DISTRICT RECEIVED \$600,000; SENATOR CRAWFORD, \$1.25 MILLION FOR A

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CONVENTION CENTER. ALSO, SENATOR EBKE'S \$250,000 FOR HER DISTRICT; SENATOR DAVIS HAD \$375,000 IN 2015; AND THE LIST GOES ON AND ON AND ON. AND I DON'T WANT TO RUN OUT OF TIME BEFORE I TALK OF THE CASH FLOW STATEMENT THAT I HAVE AND WE WORKED THROUGH VERY DILIGENTLY. THAT IN THE LAST SESSION, THERE WAS ABOUT \$2 MILLION OF AVAILABLE FUNDS. THROUGH THE CCCFF, FROM THE SMALL RURAL COMMUNITIES THERE WERE APPLICATIONS OF \$8.4 MILLION. THE POINT HERE IS THE PROBABILITY OF PINNACLE AND RALSTON OR ANYONE ELSE GETTING ANY FUNDS IN THE FORESEEABLE FUTURE IS NOT LIKELY. HOWEVER, WE NEED TO SET UP A SITUATION WHERE WE DON'T HAVE EVERYONE COMING IN ON A VARIETY OF THINGS BECAUSE WE WILL HAVE, BY THAT TIME, TOTALLY REDEFINED THE ORIGINAL INTENT OF THE LEGISLATION WHICH WAS IN 1999 AND SET IT OUT TO BE THESE CIVIC RECREATIONAL TYPES OF FACILITIES. SO I ASK YOU TO STAND WITH ME ON THE FACTS. AND THE FACTS ARE THAT WE NEED TO REJECT THE AMENDMENT FROM SENATOR SCHUMACHER AND GO FORWARD WITH AM1426. THANK YOU. [LB285]

PRESIDENT FOLEY: THANK YOU, SENATOR RIEPE. SENATOR BRASCH, YOU ARE RECOGNIZED. [LB285]

SENATOR BRASCH: THANK YOU, MR. PRESIDENT, AND THANK YOU, COLLEAGUES. I STAND IN SUPPORT OF SENATOR RIEPE'S LB285 AND THE UNDERLYING AMENDMENT, AM1426, FROM THE REVENUE COMMITTEE OF WHICH I AM A MEMBER. I DO HAVE QUESTIONS FOR SENATOR SCHUMACHER ON AM1474. WILL YOU YIELD TO A QUESTION, SENATOR? [LB285]

PRESIDENT FOLEY: SENATOR SCHUMACHER, WILL YOU YIELD TO QUESTIONS? [LB285]

SENATOR SCHUMACHER: YES, I WILL. [LB285]

SENATOR BRASCH: I UNDERSTAND...WE JUST BARELY GOT THE CHAMBERVIEWER UP AND RUNNING AND I READ YOUR AMENDMENT. AND I SEE IT IS FOR AG SOCIETIES AND COUNTY FAIRS, YOU'RE WANTING THEM TO BE RECIPIENTS OF THIS AS WELL AS THE OTHER PUBLIC ENTITIES? [LB285]

SENATOR SCHUMACHER: THEY OPERATE FACILITIES VERY, VERY SIMILAR TO CITIES AND VILLAGES WHICH HAVE AUTHORITY TO DRAW ON THE FUND IN

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ORDER TO UPGRADE THEIR FACILITIES. SO, YES, TO THE EXTENT THAT THEY OPERATE THOSE SIMILAR FACILITIES. [LB285]

SENATOR BRASCH: HAVE YOU BEEN APPROACHED BY CERTAIN COUNTY FAIRS SAYING THEY ARE IN NEED OF ADDITIONAL FUNDING FOR OPERATIONS? WE DO FUND COUNTY FAIRS LEGISLATIVELY. THEY DO GET FUNDING. I BELIEVE THE LOTTERY MONEY ALSO GOES TO THE STATE FAIR WHICH FALLS UNDER A HUNDRED...ARE THEY UNDER A HUNDRED THOUSAND...WOULD THEY BE ONE OF YOUR AMENDMENTS FOR AG SOCIETY? [LB285]

SENATOR SCHUMACHER: I THINK LANCASTER COUNTY IS OVER 100,000 POPULATION. [LB285]

SENATOR BRASCH: OKAY, IT'S THE ONLY ONE OVER... [LB285]

SENATOR SCHUMACHER: IN HALL COUNTY...I CAN'T TELL YOU FOR SURE, BUT IT VERY WELL IS...THE CITY OF GRAND ISLAND IS 40,000, 50,000. I DON'T KNOW THE POPULATION OF HALL COUNTY. [LB285]

SENATOR BRASCH: THE FUNDING THAT OUR DISTRICT HAS RECEIVED HAS BEEN FOR COMMUNITY EVENTS WHERE, LIKE THE PUBLIC LIBRARY, WHERE ADMISSIONS ARE NOT CHARGED; ALSO THE COMMUNITY CENTER WHERE EVENTS ARE HELD. IS THERE A SPECIFIC...CAN YOU GIVE ME AN EXAMPLE OF WHY YOU BELIEVE THIS SHOULD BE EXTENDED TO THE COUNTY FAIRS? [LB285]

SENATOR SCHUMACHER: WELL, I WORK WITH A GREAT MANY SMALL COMMUNITIES IN NEBRASKA AND AM FAMILIAR WITH HOW LIFE IS IN RURAL NEBRASKA. AND THAT IS THAT THE AGRICULTURAL SOCIETIES OR COUNTY FAIR BOARDS OPERATE THE FACILITIES FOR COMMUNITY GATHERING. UP IN THE JOHNSTOWN, NEBRASKA, FOR EXAMPLE, JUST NORTH OF TOWN THERE IS A RATHER NICE FACILITY THAT THE LOCAL FOLKS PUT TOGETHER. AND THEY'RE EVERY BIT THE SAME THING AS WHAT'S INSIDE THE CITY LIMITS EXCEPT THEY HAPPEN TO BE OUTSIDE THE CITY LIMITS. AND SO THOSE FACILITIES, WHERE THEY EXIST, AND THEY LOOK THE SAME, FEEL THE SAME, HAVE THE SAME FUNCTION AS STUFF INSIDE OF A CITY LIMIT, THEY SHOULD HAVE ACCESS TO THIS FUND, BECAUSE THAT WAS THE ORIGINAL INTENT OF THIS FUND TO FACILITATE THOSE KINDS OF FACILITIES OUTSIDE OF THE METRO AREA. [LB285]

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SENATOR BRASCH: THANK YOU, SENATOR SCHUMACHER. WHEN I LOOKED AT THE COMMITTEE STATEMENT, I DID NOT SEE THE AG SOCIETIES OR ANYONE COMING THERE TO TESTIFY REQUESTING ASSISTANCE FROM THIS. SO AT THIS POINT, I WILL NOT SUPPORT AM1474. IT WOULD BE SOMETHING THAT I THINK IF AG SOCIETIES ARE LACKING FUNDING TO MAINTAIN OPERATIONS, THAT WOULD BE ANOTHER CONCERN, A SEPARATE ENTITY. I HAVE NO OTHER QUESTIONS. THANK YOU, COLLEAGUES. [LB285]

PRESIDENT FOLEY: THANK YOU, SENATOR BRASCH. SENATOR SCHUMACHER, YOU ARE RECOGNIZED. [LB285]

SENATOR SCHUMACHER: THANK YOU, MR. LIEUTENANT GOVERNOR, MEMBERS OF THE BODY. THE ISSUE THAT SENATOR BRASCH RAISES IS EXACT REASON WHY WE SHOULD DO THIS AMENDMENT. IT TAKES A WHILE FOR WORD TO GET OUT TO RURAL NEBRASKA AS TO WHAT WE DO HERE AND WHAT PROGRAMS WE ADOPT. IT IS PRETTY SLOW GOING IF YOU LOOK AT SENATOR RIEPE'S TIMETABLE HERE WHERE LOCAL COMMUNITIES TO FIGURE OUT WHAT WAS GOING ON AND WHAT MONEY WAS AVAILABLE. LIKewise, WHEN THIS BILL COMES BEFORE THE REVENUE COMMITTEE, THE LITTLE FAIR BOARDS WHO ARE BUSY PLOWING THEIR FIELDS AND TAKING CARE OF THEIR CATTLE AREN'T READING IT AND SAYING, GEE, OUR OX IS BEING GORED HERE IN A RALSTON BAILOUT SITUATION. NO. THAT'S WHY THEY SEND FOLKS LIKE ME HERE AND FOLKS LIKE YOU HERE TO WATCH OUT FOR THEIR INTERESTS AS IT COMES THROUGH. AND IT SEEMS TO ME, KNOWING THE NATURE OF THIS BILL FROM THE VERY BEGINNING, THAT THIS EFFORT TO READJUST THE 70/30 PERCENTAGE IS CONTRARY TO THAT HARD-NEGOTIATED THING. I WATCHED THAT THING BEING NEGOTIATED; WASN'T IN THE LEGISLATURE THEN, BUT I WATCHED VERY CLOSELY. AND YOU'LL NOTICE ON HERE, TWO TOWNS, EARLY ON IN THE PROCESS, CRESTON AND HUMPHREY. I WAS CITY ATTORNEY FOR THOSE TOWNS. I SAID, HEY, THERE'S SOME MONEY DOWN THERE. AND THEY WOULDN'T BELIEVE ME AND I FINALLY CONVINCED THEM, YEAH, THERE WAS SOME MONEY DOWN THERE. AND WE WENT THROUGH AN APPLICATION PROCESS AND THEY'VE GOT VERY NICE FACILITIES, PARTICULARLY THE ONE IN HUMPHREY, AS A RESULT OF CONTRIBUTIONS THAT WERE MADE FROM THIS FUND. IT IS A GOOD THING. BUT IT TAKES A WHILE FOR WORD TO GET OUT AND FOR PEOPLE TO REALIZE THAT MAYBE IT HAS TO BE TWEAKED IN ORDER FOR IT TO BE UTILIZED. AND THAT'S WHAT YOU SEE WHEN YOU GO DOWN THROUGH THE LIST AND SEE THE FREQUENCY STEP UP REALLY BIG TIME IN 2014 AND 2015. THE ADJUSTMENTS MADE BY SENATOR DUBAS' BILL; THE WORD OF MOUTH GOING OUT THERE THAT, HEY, THERE'S SOME MONEY BEING AVAILABLE HAVE NOW WOKE UP. SO THE FACT THAT THE AG SOCIETY IS A

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LITTLE SLOW ON THE UPTAKE AND DIDN'T REALIZE WHAT WAS GOING ON HERE, UNTIL IT WAS IN THE... WELL UNDERWAY IN THE REVENUE COMMITTEE IS JUST A TESTIMONY OF WHY WE NEED TO KEEP THE RATIOS EXACTLY THE WAY THEY ARE. AND, YES, THIS IS A RALSTON BAILOUT. IT ISN'T GOING TO BAIL THEM OUT VERY MUCH. BUT IT SETS THE PRECEDENT THAT YOU GET YOURSELF INTO TROUBLE PLAYING THIS FANCY FINANCES AND WHAT ENDS UP HAPPENING? YOU GO MARCHING DOWN TO THE LEGISLATURE, YOU GO HIRE YOUR LOBBYIST AND YOU SAY, HERE, REFIX THE RULES, REJUGGLE THINGS SO WE DON'T HAVE THE RISK AS MUCH, AND THE REST OF THE PEOPLE IN THE STATE ARE RESPONSIBLE FOR OUR LOSSES IN THE GAME THAT WE PLAY. THIS AMENDMENT SIMPLY ADDS AG SOCIETIES AND FAIR BOARDS, THE PEOPLE OUTSTATE WHO HAVE THE EXACT COLOR AND TYPE OF FACILITIES TO THE LIST OF PEOPLE ELIGIBLE TO APPLY FOR THE INTENDED PURPOSES OF THE ORIGINAL ACT. AND I AGREE WITH SENATOR CHAMBERS. THESE KIND OF THINGS PROBABLY ARE THE KIND OF THINGS WHILE YOU CAN ARGUE THEY'RE GREAT ECONOMIC STIMULUSES, COULD BE DONE IN OTHER WAYS. AND IT WERE MAYBE TAUGHT HERE THAT ONCE WE GO DOWN THIS ROAD OF TRYING TO GIMMICK THINGS WITH TAX CREDITS AND GIMMICK THINGS WITH TURNBACKS AND ALL THOSE FANCY THINGS THE AVERAGE GUY ON THE STREET DOESN'T REALIZE AND DOESN'T UNDERSTAND, WE BEGIN TO DEAL WITH A LOT OF COMPLEXITIES AND MARKET ANOMALIES LIKE ENCOURAGING A SMALL TOWN LIKE RALSTON TO DECIDE IT COULD PLAY WITH THE BIG LEAGUES. AND NOW CRYING AND CRYING AND CRYING AND MAYBE EVEN GOING BANKRUPT BECAUSE IT WAS DUMB ENOUGH TO USE GENERAL OBLIGATION BONDS... [LB285]

PRESIDENT FOLEY: ONE MINUTE. [LB285]

SENATOR SCHUMACHER: ... IN ORDER TO SECURE ITS THING AND TRY PLAYING WITH THE BIG BOYS. THIS IS A SIMPLE PROPOSITION. IT SAYS LET THE ACT BE USED AS IT WAS ORIGINALLY INTENDED AND 30 PERCENT OF THE MONEY STAY IN RURAL AREAS AND LET IT GO FOR THINGS THAT LOOK LIKE COMMUNITY CENTERS AND CONVENTION CENTERS AND FAIR PARK ARENAS. THAT IS WHAT IT WAS INTENDED TO DO. IT SHOULD GO THERE BEFORE IT GOES TO SOFTEN THE CONSEQUENCES OF FINANCIAL LACK OF DUE DILIGENCE LIKE WE SEE IN RALSTON. THANK YOU. [LB285]

PRESIDENT FOLEY: THANK YOU, SENATOR SCHUMACHER. SENATOR RIEPE, YOU ARE RECOGNIZED. [LB285]

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SENATOR RIEPE: THANK YOU, MR. PRESIDENT. I WOULD SUGGEST THAT IF SENATOR SCHUMACHER WANTS TO HAVE A DISCUSSION AS TO WHETHER THE CCCFF SHOULD BE EXPANDED TO INCLUDE COUNTIES AND AG PARKS BEYOND MUNICIPALITIES, HE SHOULD SUBMIT A BILL IN THIS SESSION AND HAVE A PUBLIC HEARING AND TAKE IT BACK THROUGH REVENUE. THE CCCFF WAS CREATED FOR MUNICIPALITIES, NOT COUNTIES, BECAUSE THE LEGISLATURE DEEMED IT TO BE IN THE BEST INTEREST OF THE STATE AND ITS POLITICAL SUBDIVISION TO ASSIST POLITICAL SUBDIVISIONS IN THE FINANCING OF CIVIC CENTERS, COMMUNITY CENTERS, OR RECREATIONAL CENTERS. THE ISSUE HERE IS FUNDAMENTALLY WHAT WAS THE INTENT OF THE ORIGINAL LANGUAGE. I KNOW HE HAS SPOKEN TO THAT. AND MY CONTENTION IS IT WAS NOT WITH THE IDEA TO SIMPLY EXCLUSIVELY HELP WEST AND ALL PARTS OF WEST. IT WAS DIRECTED AT THE MUNICIPALITIES THROUGH WHICH THESE FUNDS WOULD BE DIRECTED FOR PROJECTS. AND THANK YOU, SIR. [LB285]

PRESIDENT FOLEY: THANK YOU, SENATOR RIEPE. SENATOR CRAWFORD, YOU ARE RECOGNIZED. [LB285]

SENATOR CRAWFORD: THANK YOU, LIEUTENANT GOVERNOR. I JUST RISE TO ALSO EXPRESS SOME CONCERN ABOUT AM1474. I THINK THAT WHEN WE'RE LOOKING AT THE LB285 AND THE COMMITTEE AMENDMENTS, WE'RE TALKING ABOUT ONE PART, AN ASPECT OF OUR CCCFF PROGRAM AND HOW IT'S RUN. AND I APPRECIATE THE REVENUE COMMITTEE'S HARD WORK TO PULL BACK AND MAKE THIS SOMETHING THAT IS...BECAME SOMETHING THAT THE REVENUE COMMITTEE COULD GET BEHIND. AM1474 IS REALLY A DIFFERENT QUESTION. IT'S A QUESTION OF WHO CAN QUALIFY FOR THESE FUNDS. AND I APPRECIATE THE CONCERN TO MAKE SURE THAT IT DOES GET OUT THROUGHOUT THE STATE. AND THAT'S WHY I WAS VERY SUPPORTIVE OF SENATOR DUBAS' EFFORTS TO EXPAND THE DEFINITION AND OTHER RURAL SENATORS WHO HAVE WORKED TO MAKE SURE THAT THE DEFINITIONS OF THESE ENTITIES THAT QUALIFY ARE EXPANDED. BUT IT IS CURRENTLY A MUNICIPAL TOOL. AND AM1474 CHANGES THAT. AND THAT'S A FAIR DISCUSSION FOR US TO HAVE, BUT I THINK THAT'S A DISCUSSION OF A MAGNITUDE THAT WOULD REQUIRE A PUBLIC HEARING SO THAT THE AG BOARDS COULD COME TO TALK TO US AND THERE COULD ALSO BE PEOPLE WHO ARE CONCERNED ABOUT THAT EXPANSION AT THAT HEARING TO PROVIDE THEIR PERSPECTIVE. AND SO WHILE I BELIEVE IT'S A FAIR QUESTION FOR US TO DEBATE, I BELIEVE IT'S APPROPRIATE FOR US TO DEBATE IT AS A BILL THAT WOULD HAVE A PUBLIC HEARING WHERE WE COULD GET TO HEAR PEOPLE ON BOTH SIDES OF WHAT THE IMPLICATIONS WILL BE ABOUT CHANGING THIS TOOL IN THIS WAY. SO I AM NOT IN SUPPORT OF AM1474 ON

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THAT PRINCIPLE. I THINK IT'S AN IMPORTANT CHANGE IN THE UNDERLYING POLICY, AND I THINK IT'S AN IMPORTANT CHANGE THAT REQUIRES THE ATTENTION OF A PUBLIC HEARING FOR US TO DECIDE WHAT THE IMPLICATIONS WOULD BE OF MAKING THIS KIND OF CHANGE TO THAT TOOL. THANK YOU. [LB285]

PRESIDENT FOLEY: THANK YOU, SENATOR CRAWFORD. SENATOR GLOOR, YOU ARE RECOGNIZED. [LB285]

SENATOR GLOOR: THANK YOU, MR. PRESIDENT. SENATOR CRAWFORD RAISES SOME GOOD POINTS AND I SUPPOSE I COULD TALK ABOUT THIS ON CLOSING, BUT I'M GOING TO SEE IF SENATOR SCHUMACHER WOULD YIELD TO A QUESTION OR TWO. [LB285]

PRESIDENT FOLEY: SENATOR SCHUMACHER, WOULD YOU YIELD? [LB285]

SENATOR SCHUMACHER: YES, I WILL. [LB285]

SENATOR GLOOR: SENATOR SCHUMACHER, WOULD YOU TELL ME ABOUT YOUR AG SOCIETY IN COLUMBUS? [LB285]

SENATOR SCHUMACHER: THE AG SOCIETY IN COLUMBUS IS A FACILITY THAT HAS BEEN THERE FOR PROBABLY...I REMEMBER IT WHEN I WAS A LITTLE KID. SO IT'S BEEN THERE A LONG, LONG, LONG, LONG TIME. IT IS A FACILITY THAT DOES WEDDINGS, DOES CATTLEMEN'S BANQUETS. IT USED TO OPERATE A RACETRACK, NOW THAT'S BEEN SUBBED OUT AND MINIMIZED IN ITS ROLE TO A PRIVATE CONCERN, COLUMBUS EXHIBITION AND RACING. BUT THE MAIN FACILITY THERE IS USED AS A CONVENTION CENTER. IT HAS AN ENLARGED BANQUET THING AND THINGS FOR LIKE MOTORCYCLE SHOWS AND CAR SHOWS AND THINGS LIKE THAT WHICH NEED TO BE CONDUCTED INSIDE, AS WELL AS THE COUNTY FAIR. [LB285]

SENATOR GLOOR: HAS IT ALWAYS BEEN A SEPARATE ENTITY INTO ITSELF? [LB285]

SENATOR SCHUMACHER: ODDLY ENOUGH, THE CITY OF COLUMBUS GREW UP AROUND IT AND NEVER ANNEXED...AND I'M NOT SURE IF THEY COULD ANNEX...THE ISLAND, WHICH IS PROBABLY...IT'S LESS THAN A MILE IN

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DIAMETER, THAT CONSTITUTES THE AG PARK AREA. SO THE CITY KIND OF GREW AROUND IT; IT'S NOT PART OF THE CITY. [LB285]

SENATOR GLOOR: IS IT, I MEAN, THIS IS A MOOT POINT IF THEY CAN'T MAKE A GOOD CASE FOR THESE MONIES, THEN WE'RE TALKING ABOUT SOMETHING THAT WILL NEVER COME TO FRUITION. ARE THEY STRUGGLING? IS THERE A REASON THAT THEY'D BE ABLE TO MAKE A PITCH THAT WOULD, IN FACT, ASSUMING THAT YOUR AMENDMENT WAS APPROVED AND THE COMMITTEE AMENDMENT AND THE BILL ADVANCED, IS THERE A REASON TO THINK THEY WOULD EVEN GET ANY OF THIS MONEY OR WERE YOU JUST WHISTLING IN THE WIND? [LB285]

SENATOR SCHUMACHER: I WOULD SAY THEY HAD A FAR HIGHER CHANCE OF GETTING THE MONEY THAN HUMPHREY OR CRESTON HAD. AND HUMPHREY AND CRESTON HAD VERY LITTLE DIFFICULTY IN GETTING THE MONEY. THE AG BUILDINGS OUT THERE ARE BEHLEN-TYPE BUILDINGS THAT ARE OLD. I MEAN, THEY'RE '50s AND '60s VINTAGE. THEY NEED REPAIRS. THEY NEED ROOFS. THEY NEED...I THINK THEY HAD A BIG WATER LEAK OR SOMETHING A YEAR OR TWO AGO OUT THERE THAT COST THEM A LOT OF MONEY. IT IS REALLY THE ONLY LARGE CONVENTION FACILITY THAT COLUMBUS HAS GOT. SO, YEAH, IT WOULD BE ONE OF THE THINGS THAT WOULD APPLY FOR FUNDING, AS WOULD MANY OTHERS, I THINK, ACROSS THE STATE. BUT THE AG...IT'S IN MY DISTRICT AND IT CERTAINLY IS IN THE SPIRIT. AND IF WE LOOKED AT THIS THING AS NOT BEING FOR MUNICIPALITIES, BUT FOR COMMUNITY CENTERS, THE AG PARK FACILITY IS CERTAINLY OUR COMMUNITY CENTER. [LB285]

SENATOR GLOOR: THANK YOU, SENATOR SCHUMACHER. MEMBERS, THIS FUND HAS BEEN AROUND FOR ABOUT A DECADE NOW. AND IT HAS BEEN TAPPED INTO AND USED FOR ABOUT A DECADE NOW. AND UNDERSTAND, WE'RE NOT TALKING ABOUT NEW DOLLARS HERE. WE'RE TALKING OF THE 70/30 AND THAT 30 PERCENT POOL. THE FACT THAT THAT POOL HAS NOT BEEN DRAWN DOWN, NOT NEARLY TO THE EXTENT PEOPLE THOUGHT IT WOULD. IN FACT, OUR OWN APPROPRIATIONS COMMITTEE HAS TAPPED INTO A LITTLE BIT OF IT A NUMBER OF TIMES TO SUPPLEMENT OUR BUDGET. AND WHAT HAS BEEN PROPOSED HERE WITH THE COMMITTEE AMENDMENT IS THAT IF THAT FUND CONTINUES TO STAY ABOVE A MILLION DOLLARS, IT ENDS UP BEING A RETURN TO NOT JUST RALSTON BUT ALSO TO CENTURYLINK AND PINNACLE BASED ON THE PRO RATA OF THEIR CONTRIBUTIONS TO IT. SO TO THE EXTENT IT IS A BAILOUT, THOSE DOLLARS GOING BACK TO THE FACILITIES THAT GENERATED THOSE DOLLARS,... [LB285]

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PRESIDENT FOLEY: ONE MINUTE. [LB285]

SENATOR GLOOR: ...THEY'RE NOT BEING USED AT THIS POINT IN TIME. I JUST WANT TO MAKE SURE WE UNDERSTAND THE ISSUES HERE. WHAT SENATOR SCHUMACHER PROPOSED OR LAID OUT FOR US IS CORRECT. THAT IS, HE VOTED IT OUT WITH THE COMMITTEE AMENDMENT AND MADE IT CLEAR THAT HE WAS LIKELY TO PUT THIS AMENDMENT ON ONCE IT CAME TO THE FLOOR. HE IS A GOOD SENATOR, A KIND SENATOR. HE WAS HELPING OUT A FELLOW SENATOR, GETTING HIS PRIORITY BILL OUT. BUT HE'S ALSO A SMART SENATOR AND WOULD RATHER BET ON A HORSE THAT WAS OUT OF THE CHUTE AND RUNNING, AS OPPOSED TO ONE THAT WAS STILL IN THE STARTING GATE. SO, YOU KNOW, HE HAS A PASSION FOR INCLUDING AG SOCIETIES ON HERE FOR REASONS THAT ARE OBVIOUS AND STRAIGHTFORWARD AND HONORABLE, AS FAR AS I'M CONCERNED. THE QUESTION IS, IS IT DIFFERENT ENOUGH SO THAT IT SHOULD HAVE ITS OWN HEARING AND BE ITS OWN BILL THAT COMES FORWARD? I THINK THAT IS REALLY THE QUESTION ON HIS AMENDMENT. THANK YOU. [LB285]

PRESIDENT FOLEY: THANK YOU, SENATOR GLOOR. SENATOR CAMPBELL, YOU ARE RECOGNIZED. [LB285]

SENATOR CAMPBELL: THANK YOU, MR. PRESIDENT. WILL SENATOR SCHUMACHER ENTERTAIN A QUESTION OR TWO? [LB285]

PRESIDENT FOLEY: SENATOR SCHUMACHER, WOULD YOU YIELD? [LB285]

SENATOR SCHUMACHER: I'LL ENTERTAIN A QUESTION OR TWO OR THREE. [LB285]

SENATOR CAMPBELL: THANK YOU, SENATOR. AND THANK YOU, MR. PRESIDENT. SENATOR SCHUMACHER, IF I PULL OUT MY TAX STATEMENT FOR LANCASTER COUNTY, AND I GO DOWN THE LIST, THE LANCASTER AG SOCIETY HAS A PORTION OF THE PROPERTY TAX. AND I HAVE TO TELL YOU I DON'T KNOW IF THAT IS IN ALL 93 COUNTIES. BUT I KNOW IN LANCASTER THE PURPOSE OF THAT IS TO ENABLE THE ONGOING PROGRAMS OF THE AG SOCIETY. TO YOUR KNOWLEDGE, DOES THE AG SOCIETY IN THE COUNTIES RECEIVE...ARE THEY A LINE ITEM ON THE PROPERTY TAX BILL? [LB285]

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SENATOR SCHUMACHER: I CAN'T TELL YOU THAT FOR SURE. I DO KNOW THAT IN PLATTE COUNTY THE AG SOCIETY GETS A LIMITED APPROPRIATION FROM THE COUNTY BOARD AND MAYBE A LIMITED LEVY THAT THEY HAVE. BUT IT IS NOWHERE NEAR WHAT THEY NEED TO MAINTAIN THAT FACILITY. [LB285]

SENATOR CAMPBELL: AND SENATOR SCHUMACHER, I CAN UNDERSTAND THAT. THE POINT HERE BEING, THOUGH, IS THAT IT WOULD SEEM TO ME THAT SENATOR CRAWFORD'S POINT, OR SENATOR GLOOR'S POINT, IN TERMS OF PERHAPS THERE IS A LARGER ISSUE HERE IN TERMS OF LOOKING AT WHAT WE HAVE DESIGNATED UNDER THE PROPERTY TAX, AND THE AG SOCIETIES COME UNDER THE 50-CENT LIMIT OF A COUNTY. AND THERE IS A PORTION OF THAT LIMIT THAT COUNTIES HAVE, AND THE AG SOCIETY GETS A PORTION OF THAT AND THEN THE RURAL FIRE DISTRICTS AND SO FORTH. BUT IT MIGHT BEHOOVE US TO TAKE SOME TIME TO LOOK AT WHAT THAT DESIGNATION IS. AND MY POINT BEING IS THAT I'D HAVE TO SAY THAT THAT'S WHY THEY GET THAT PROPERTY TAX. IF IT IS NOT SUFFICIENT, THEN PERHAPS WE NEED TO DO SOME FURTHER INVESTIGATION BEYOND THIS AMENDMENT. SO THANK YOU FOR TAKING TIME TO ANSWER THAT QUESTION FROM PLATTE COUNTY. AND THANK YOU, MR. PRESIDENT. [LB285]

PRESIDENT FOLEY: THANK YOU, SENATOR CAMPBELL. SENATOR BRASCH, YOU ARE RECOGNIZED. [LB285]

SENATOR BRASCH: THANK YOU, MR. PRESIDENT, AND THANK YOU, COLLEAGUES. WE'VE HAD SOME GOOD DISCUSSION ON THE AG SOCIETIES. I BELIEVE OUR COUNTY FAIRS ARE VERY IMPORTANT. I DO BELIEVE THAT THEY ARE PART OF THE PROPERTY TAX STATEMENTS IN ALL OF OUR COUNTIES. I KNOW THEY ARE IN THE ONES I REPRESENT. AND WE NEED TO LOOK FURTHER AND HAVE A HEARING ON THE QUESTIONS THAT YOU ARE RAISING. YOU MADE THE COMMENT, SENATOR SCHUMACHER, SOMETHING ABOUT COMMUNICATION BEING SLOWER TO THE RURAL COMMUNITIES AND WE HAVE WEEKLY PAPERS. AND MY E-MAILS REFLECT THAT OUR EDITORS ARE RIGHT THERE AT THE SPEED OF LIGHT IF THEY SEE SOMETHING THAT THEY QUESTION. WE ALSO HAD A BILL IN THE REVENUE COMMITTEE WHERE AG SOCIETIES CAME AND TESTIFIED. I DON'T RECALL WHAT NUMBER IT WAS. BUT OUR REPRESENTATIVES STOPPED IN OUR OFFICE ON...FROM A COUPLE OF THE COUNTY FAIRS THAT I REPRESENT. SO THEY ARE IN THE LOOP. I DON'T THINK THEY ARE OUT OF THE LOOP. I DON'T THINK THEY ARE SLOW LOOKING FOR INFORMATION BY SMOKE SIGNALS. THEY USE THE INTERNET. AND SOME OF US EVEN HAVE...NOT EVERYONE, BUT WE'RE LOOKING FOR NICE BROADBAND WIDTH FOR SPEEDIER INTERNET, BUT THERE IS

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COMMUNICATION. AS I SAID, I BELIEVE THIS BILL IS IMPORTANT, NOT NECESSARILY AS A BAILOUT, AS IT'S BEEN REFERRED TO. BUT WHEN ONE COMMUNITY SUFFERS IN NEBRASKA, EVERYONE SUFFERS. IT WORKS TWO WAYS. I THINK WE NEED TO BE ON THE WATCH OF HOW DO WE HELP BUILD SOMEONE UP INSTEAD OF HAVING THE CLOSEOUT THAT HURTS EVERYONE STATEWIDE. AND SO I CONTINUE TO SUPPORT THIS WITH THE AMENDMENT IN THE REVENUE COMMITTEE. AND I HOPE TO HEAR FROM ALL OF THE AG SOCIETIES AND THE COUNTY FAIRS ON LEGISLATION THAT WOULD ASSIST THEM IN A BETTER WAY AND AT A PUBLIC HEARING. THANK YOU, MR. PRESIDENT, AND THANK YOU, COLLEAGUES. [LB285]

PRESIDENT FOLEY: THANK YOU, SENATOR BRASCH. SENATOR FRIESEN, YOU ARE RECOGNIZED. [LB285]

SENATOR FRIESEN: THANK YOU, MR. LIEUTENANT GOVERNOR. AS I UNDERSTOOD THE BILL, AND I...WHEN IT WAS FIRST, I GUESS, CONCEIVED BACK IN THE DAY, YOU KNOW, I PROBABLY WOULD HAVE BEEN OPPOSED TO IT. BUT NOW THAT IT IS UNDERWAY AND COLLECTING REVENUE AND DOING WHAT IT IS SUPPOSED TO DO, I AGREE THAT THERE IS ONE PARTICULAR ARENA WHO IS HAVING PROBLEMS. AND I DON'T LOOK AT THIS AS A BAILOUT, BUT, SENATOR RIEPE, WOULD YOU YIELD TO QUESTIONS? [LB285]

PRESIDENT FOLEY: SENATOR RIEPE, WOULD YOU YIELD, PLEASE? [LB285]

SENATOR RIEPE: YES, I WOULD. [LB285]

SENATOR FRIESEN: SO THE WAY I UNDERSTAND THE BILL IS THAT IF THE CIVIC CENTER FUND REACHES OVER A MILLION DOLLARS, THAT MONEY AT THE END OF THE YEAR WOULD BE BASICALLY TURNED BACK TO THE THREE SPORTS ARENAS THAT CURRENTLY GENERATE THE FUNDS. IS THAT CORRECT? [LB285]

SENATOR RIEPE: THAT'S CORRECT, PROPORTIONATELY TO THE CONTRIBUTION THEY MADE. [LB285]

SENATOR FRIESEN: SO IS IT ALSO CORRECT THAT IF THEIR BONDS WOULD HAPPEN TO GET PAID OFF SOONER, IF SUDDENLY THERE WAS MORE MONEY COMING IN THAN THEY HAD ANTICIPATED AND THOSE BONDS WERE PAID OFF, THEN THE COLLECTION OF THAT TAX CEASES IN THAT ARENA? [LB285]

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SENATOR RIEPE: THAT'S CORRECT. WHICHEVER COMES FIRST, THE 20 YEARS OR IF THE BONDS WERE PAID OFF. [LB285]

SENATOR FRIESEN: SO WHEN YOU LOOK AT THE AMOUNT OF MONEY THAT COULD POSSIBLY EVEN BE GENERATED BY THE WAY THIS BILL IS SET UP, THERE IS NO WAY REALLY TO LOOK AT IT AS A BAILOUT FOR THE RALSTON ARENA. WOULD THAT BE TRUE? [LB285]

SENATOR RIEPE: THAT IS CORRECT. IT IS AN OPPORTUNITY FOR THEM TO EARN THEIR WAY OUT OF THIS THING IN A LOGICAL WAY. BUT IT'S CERTAINLY NOT A BAILOUT BY ANY MEANS. [LB285]

SENATOR FRIESEN: BECAUSE THE AMOUNT OF MONEY GENERATED JUST DOESN'T PRECLUDE THAT TO HAPPENING, BECAUSE THERE'S TOO MUCH DEMAND FOR IT IN OTHER USES. SO THANK YOU, SENATOR RIEPE. [LB285]

SENATOR RIEPE: THANK YOU. [LB285]

SENATOR FRIESEN: I GUESS I LOOK AT THIS AND SINCE IT WAS DESIGNED AS A KIND OF A CITIES COLLECT IT, IT IS OPPORTUNITIES THAT WERE CREATED WITHIN MUNICIPALITIES, I THINK WE NEED TO KEEP THE MONEY THERE. I'D LIKE NOTHING BETTER THAN TO HELP OUT SOME COUNTIES AND LOOK AT IT AS PROPERTY TAX RELIEF FOR SOMETHING LIKE THAT. BUT THIS FUND WAS STARTED WITH A PURPOSE AND I THINK IT NEEDS TO BE KEPT WITH THAT FOCUS. AND WE CAN ALWAYS LOOK AT HOW WE CAN MAYBE HELP MORE MUNICIPALITIES DO DIFFERENT PROJECTS WITH THAT MONEY IF WE SUDDENLY SEE A WINDFALL IN THERE. BUT RIGHT NOW, I GUESS, WITH THE BILL IN ITS CURRENT SHAPE, I DON'T SEE THAT HAPPENING. SO I OPPOSE AM1474 AND I'LL SUPPORT AM1426. THANK YOU, MR. LIEUTENANT GOVERNOR. [LB285]

PRESIDENT FOLEY: THANK YOU, SENATOR FRIESEN. SENATOR CHAMBERS, YOU ARE RECOGNIZED. [LB285]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, I SEE WHAT'S GOING ON HERE IS A SQUABBLE AMONG THE OTHER PART OF THE STATE. AND WHEN THAT KIND OF COMMENT IS MADE, THAT USUALLY MEANS OMAHA IS HERE AND EVERYBODY ELSE IS OVER THERE. BUT THIS SO-CALLED THROWBACK THING WAS ORIGINATED MANY YEARS AGO,

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BEFORE ANY OF YOU ALL EVER THOUGHT ABOUT RUNNING FOR THE LEGISLATURE, PROBABLY, AND I STOPPED IT. AND YOU DON'T BELIEVE ME, SO I'M GOING TO TRY AND FIND AN ARTICLE WHERE I DID. SENATOR ASHFORD WAS IN THE CHAMBER AT THAT TIME; DAVID SOKOL HAD NOT FALLEN OUT OF FAVOR WITH WARREN BUFFETT FOR INSIDER TRADING; ALL OF THESE THINGS THAT PREDATED YOU ALL. AND IT'S WHY TERM LIMITS ARE SO BAD. YOU DON'T KNOW HOW THINGS GOT TO BE HERE. SO SENATOR ASHFORD CAME TO ME, HE SAID, ERNIE, WHAT MUST WE DO TO BE SAVED? OH, THAT'S WHAT THEY SAY IN CHURCH. WHAT MUST WE DO TO GET THIS BILL? I SAID, WELL, BRAD, YOU UNDERSTAND WHITE PEOPLE AND THE BIG SHOTS, SO YOU'RE TRYING TO GET SOMETHING FOR THEM. AND YOU WANT TO TELL ME THAT THESE COMPANIES...AT THAT TIME, IT WAS THE HILTON HOTEL, AND MAYBE THEY WERE TALKING ABOUT THE CONVENTION CENTER IN THE DISCUSSION STAGES. AND I SAID, BUT I DEAL WITH PEOPLE WHO ARE NOT WAY UP THERE IN THE STRATOSPHERE. I DEAL WITH PEOPLE WHO ARE DOWN HERE ON THE GROUND WHO ARE GOING TO ALWAYS HAVE TO PAY TAXES AND HAVE NOTHING TO SAY ABOUT WHICH TAXES ARE PAID, HOW MUCH THEY ARE, OR WHO GETS THE BENEFIT OF THEM. SO AS LONG AS YOU ALL ARE INTERESTED IN THE BIG SHOTS, THEY GOT THE MONEY IN THE FIRST PLACE, YOU'RE NOT GOING TO GET ANYTHING LIKE THAT THROUGH THE LEGISLATURE. AND THIS ARTICLE WILL POINT OUT TO YOU HOW THEY COULDN'T GET IT AROUND ME. YOU ALL DON'T BELIEVE THAT. SO I'M GOING TO BRING IT TO YOU. SO HE SAID, WHAT DO WE HAVE TO DO? I SAID, NORTH OMAHA AND SOUTH OMAHA ARE THE AREAS OF GREATEST NEED IN OMAHA AND THEY'RE PART OF THAT CITY. SOME MONEY HAS TO BE SET ASIDE FOR THOSE AREAS. AND THAT WAS DONE. AND I LET THEM HAVE THEIR BILL. I'M NOT NEARLY AS MEAN TO YOU ALL AS I WAS IN THOSE DAYS. BUT I'M STARTING TO GET THAT FEELING THAT I BETTER BE. AT ANY RATE, THESE PEOPLE WANT TO ARGUE THAT IF THEIR OPERATIONS HAD NOT COME INTO BEING, NO SALES TAX WHATSOEVER WOULD BE GENERATED. SO SINCE THEY CAME INTO BEING AND VARIOUS ACTIVITIES GENERATED SALES TAX FROM PEOPLE COMING OUT OF THEIR POCKET, THESE ENTITIES ARE ENTITLED TO SOME OF IT. PRIVATE ENTITIES DON'T HAVE A RIGHT TO TAX MONEY. TAXES ARE THE MEANS BY WHICH A STATE DERIVES REVENUE. IF I SAY AT THE GROCERY STORE OR GO TO WALMART OR SOMEPLACE ELSE OR THE CAR PLACE AND SAY I WANT TO BUY A CAR AND THEY SELL IT TO ME AND SALES TAX I HAVE TO PAY. THEN I COME TO THE STATE AND I SAY IF I HADN'T BOUGHT THAT CAR NO SALES TAX WOULD HAVE BEEN PAID BY ME AND YOU WOULDN'T HAVE IT SO I WANT YOU TO KICK BACK SOME OF THE SALES TAX THAT I PAID FOR THE CAR. THEY SAY, CHAMBERS, YOU ARE OUT OF YOUR MIND, GET OUT OF HERE. BECAUSE I'M AN ORDINARY PERSON; I'M DOWN HERE ON THE GROUND. THEY

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ALWAYS SAID, ESPECIALLY WHEN I WAS IN THE INFANTRY, THE INFANTRY TRAVELS ON ITS STOMACH, WHATEVER THAT MEANT. WE DIDN'T CRAWL. WE WERE WALKING EVERYWHERE ALL THE TIME. BUT AT ANY RATE, WE'RE THE ONES THAT GET WALKED ON. WE'RE THE LAST STOP ON THE ROAD TO PERDITION. THE BIG SHOTS ARE THE ONES WHO DERIVE BENEFITS FROM ALL OF THIS, AND THEY'RE THE ONES THAT THE LEGISLATURE WILL KOWTOW TO. IN OTHER SITUATIONS, THEY WILL TALK ABOUT SMALL BUSINESSES; HOW IMPORTANT, CRUCIAL, AND CRITICAL THEY ARE TO THE ECONOMY. BUT HERE'S WHAT HAPPENS. WHEN THEY PUT ASIDE THESE PROGRAMS TO ALLOW THESE LARGE COMPANIES, IF THEY GIVE SO MANY JOBS TO PEOPLE TO GET THESE CREDITS... [LB285]

PRESIDENT FOLEY: ONE MINUTE. [LB285]

SENATOR CHAMBERS: ...IN OTHER WORDS, THEY REDUCE THE AMOUNT OF MONEY THAT THE STATE IS GOING TO HAVE. AND HERE'S WHAT THEY DO: THESE BIG STORES LIKE WALMART WILL RUN LITTLE BUSINESSES OUT OF BUSINESS. BUT THESE LITTLE BUSINESSES DON'T GET THE BENEFIT OF THOSE PROGRAMS, SO THEY HAVE TO SUBSIDIZE WALMART THROUGH THEIR TAXES SO WALMART DOESN'T HAVE TO PAY TAXES TO THE EXTENT THEY SHOULD AND BE ABLE TO RUN THESE LITTLE BUSINESSES OUT OF BUSINESS. HOW FAIR IS THAT? WHOEVER TALKS ABOUT THAT ON THIS FLOOR? THE PEOPLE WHO HAVE THESE SMALL BUSINESSES CAN'T AFFORD TO BE HERE. THEY CAN'T LIVE ON A SHOESTRING LIKE I WILL. YOU CAN'T ASK THEM--YOU WOULD, YOU'D INSIST ON IT--THAT THEY LIVE A SPARTAN EXISTENCE, NOT BE ABLE TO PROVIDE WELL FOR THEIR FAMILIES. BUT THE BIG SHOTS, WHO HAVE FAR MORE THAN WHAT THEY NEED, CARRY OUT WHAT THE BIBLE SAYS--TO HIM THAT HATH SHALL BE GIVEN... [LB285]

PRESIDENT FOLEY: TIME, SENATOR. [LB285]

SENATOR CHAMBERS: ...FROM HIM THAT HATH NOT SHALL BE TAKEN EVEN... [LB285]

PRESIDENT FOLEY: TIME, SENATOR. [LB285]

SENATOR CHAMBERS: ...THAT WHICH HE SEEMETH TO HAVE. TIME FOR WHAT? JELLO? I UNDERSTAND. [LB285]

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PRESIDENT FOLEY: THANK YOU, SENATOR CHAMBERS. SENATOR SCHUMACHER, YOU ARE RECOGNIZED. THIS IS YOUR THIRD OPPORTUNITY, SENATOR. [LB285]

SENATOR SCHUMACHER: THANK YOU, MR. LIEUTENANT GOVERNOR. IN REALITY, WORD DOES MOVE SLOWLY INTO RURAL NEBRASKA, AND LARGELY IT IS BY WORD OF MOUTH. LOOK DOWN THE LIST IN THE LITTLE EXHIBIT THAT SENATOR RIEPE PRODUCED. IN TEN YEARS, THERE WAS ONLY 37 APPLICATIONS. AND THEY WERE REASONABLY SMALL IN COMPARISON TO THE LATER ONES. THEN THE LEGISLATURE, UNDER SENATOR DUBAS' LEADERSHIP, BEGAN TALKING ABOUT IT, TWEAKING THE PROPOSAL TO BRING IN MORE, DIFFERENT KINDS OF FACILITIES, THAT WERE FUNCTIONING AS COMMUNITY CENTERS FOR RURAL NEBRASKA. AND IN JUST TWO YEARS, THERE WAS 28 APPLICATIONS FOR CONSIDERABLE AMOUNTS OF MONEY. NOW POSIT THIS: I BELIEVE SOME OF THE CREDIT IS DUE TO THE RURAL COMMUNITIES, TO THE LEAGUE OF MUNICIPALITIES MAKING THE KNOWLEDGE OF THIS PARTICULAR PROGRAM AVAILABLE TO THEM. THE THING OF THE CONFLICT OF INTEREST THAT THEN HAPPENS IF THAT MONEY DOES NOT GO TO RURAL COMMUNITIES AND IT GOES TO RALSTON, LINCOLN, AND OMAHA. WELL, IS THERE GOING TO BE PROMOTION? AS MUCH PROMOTION? NO. BECAUSE WHAT ISN'T TAKEN FROM THE OTHER...WHAT ISN'T USED BY THE OTHER COMMUNITIES WILL BE USED BY RALSTON, LINCOLN, AND OMAHA, WHO ARE BIG PLAYERS. THIS IS NOT ABOUT AID TO CITIES AND MUNICIPALITIES. WHEN THIS WAS STRUCK, IT WAS ABOUT BUILDING SOME TYPE OF CONVENTION FACILITY. AND THERE WAS LARGE RESISTANCE TO WHAT SENATOR CHAMBERS HAS ARTICULATED AND THAT IS THIS MONEY, TAX MONEY, BEING PLOWED BACK INTO ESSENTIALLY PRIVATE HANDS. BUT IT WENT ALONG WITH IT WHEN THE RURAL COMMUNITIES AND OUTSTATE NEBRASKA SAID, FINE, AT LEAST GIVE US A CUT AND HELP US MAINTAIN OUR FACILITIES AND CONVENTION-TYPE THINGS. WHAT WAS LEFT OUT OF THAT EQUATION WAS THE CONVENTION FACILITIES THAT ARE OWNED BY AG SOCIETIES AND FAIR BOARDS THAT ARE TECHNICALLY OUTSIDE OF THE CITY LIMITS, JUST AS BIG A PART OF THE COMMUNITY AS OTHERWISE, THEY'RE LEFT OUT. AND NO, WE DON'T NEED AN EXTRA HEARING IN ORDER TO HAVE THIS ISSUE ADDRESSED ANY MORE THAN THERE NEEDED TO BE AN EXTRA HEARING AFTER THE REVENUE COMMITTEE REJECTED THE BILLS ON WHICH WE HAD HEARINGS BY SENATOR RIEPE AND CAME UP WITH A CONCOCTION OF ITS OWN THAT ADDRESSED THIS ISSUE. THIS PUTS THE MONEY WHERE IT WAS INTENDED TO GO, NOT RECYCLED BACK INTO THE VERY LIMITED AREAS WHERE THESE THREE FACILITIES EXIST. WE'LL TALK MORE WHEN WE GET TO THE DEBATE ON THE BILL ITSELF ABOUT WHETHER OR NOT THIS, IN FACT,

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FUNCTIONS TO ENCOURAGE THE UNACCEPTABLE RISK-TAKING BY CITIES AND WHETHER OR NOT, IN FACT, THIS FUNCTION AS A BAILOUT. THANK YOU. [LB285]

PRESIDENT FOLEY: THANK YOU, SENATOR SCHUMACHER. SENATOR GROENE, YOU'RE RECOGNIZED. [LB285]

SENATOR GROENE: THANK YOU, LIEUTENANT GOVERNOR. I JUST WANT TO MAKE A FEW POINTS HERE ON PROPERTY TAXES. MUNICIPALITIES, THE LARGE ONES, AND ALSO ON SOME OTHER ISSUES. WE QUESTION TAX INCREMENT FINANCING WHETHER TAKING PROPERTY TAXES, THEY TELL US THEY HAVE NO ECONOMIC DEVELOPMENT, ABILITY FOR ECONOMIC DEVELOPMENT PLANS. WELL, THIS LOOKS PRETTY GOOD, THANKS TO SENATOR GLOOR'S REVENUE OFFICE. IN 2011-2012, THERE WAS \$3.3 MILLION-SOME OF PROPERTY TAXES THAT DID NOT GO TO THE STATE TO RUN HHS, TO RUN ALL THE AID TO SCHOOLS. IN '13-14, IT JUMPED TO \$4.9 MILLION, AND REMEMBER 30 PERCENT GOES INTO THIS FUND THAT WE'RE DEBATING, AND 70 PERCENT GOES BACK TO THESE FACILITIES...TO THESE MUNICIPALITIES. IT DOESN'T GO BACK TO RURAL NEBRASKA. LAST YEAR IT JUMPED TO \$8.4 MILLION, THEN 30 PERCENT OF THAT WAS \$2.5 MILLION INTO THIS FUND THAT WE'RE DISCUSSING. I CALL THAT ECONOMIC DEVELOPMENT. I CALL THAT, THE REST OF US, PAYING OUR SALES TAXES AND GOING TO THE STATE FROM RURAL NEBRASKA AND WE DON'T GET TO KEEP ANY OF IT. SO THE 30 PERCENT FUND IS A GOOD IDEAL BECAUSE THAT'S STATE MONEY. AND I UNDERSTAND THAT WAS THE ARGUMENT, AFTER TALKING TO SENATOR GLOOR, WHY THE 30 PERCENT WAS CREATED FOR THE CCCFF FUND. THAT'S A LOT OF MONEY. AND THEN WE WONDER WHY WE CAN'T GET PROPERTY TAX RELIEF. WE KEEP SIPHONING OFF STATE FUNDS TO THESE TYPE OF SO-CALLED ECONOMIC DEVELOPMENT. AND THE CLAIM THAT THIS MONEY WOULDN'T EXIST WITHOUT THE PROJECT IS FOOLHARDY. PEOPLE WANT TO ENTERTAIN THEMSELVES. THEY'RE GOING TO...GOT SO MUCH MONEY FOR ENTERTAINMENT, THEY'RE GOING TO FIND A PLACE TO USE IT AND THEY'RE GOING TO SPEND IT IN NEBRASKA. SO THAT'S NOT A CLAIM. BUT I JUST DON'T SEE THE POINT OF IT HERE. I'M KIND OF LEANING TOWARDS...I'M WONDERING WHY RALSTON MADE A BAD DECISION, A REALLY BAD DECISION. AND SOME OF THEM IN RALSTON AREN'T ADMITTING IT, MOST OF THE TAXPAYERS REALIZE IT WAS A BAD DECISION. I UNDERSTAND SENATOR RIEPE, AND I'M NOT DECIDED HOW I'M GOING TO VOTE A HUNDRED PERCENT YET, BUT, COME ON, FOLKS. HOW MANY TIMES OF THESE GIMMICKS ARE WE GOING TO KEEP DOING THEM? THIS IS A GIMMICK WHERE WE'RE GOING TO...TAXPAYERS ARE SUPPOSED TO BE TAXED TO FUND OUR STATE ARE BEING SIPHONED OFF, THEY CONTINUE TO BE DOING IT. TAX INCREMENT FINANCING IS GETTING COMPLETELY OUT OF CONTROL, THAT

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IT'S ABSOLUTELY DWARFED GROWTH THAT WE RELY ON TO FUND OUR SCHOOLS AND OUR CITIES AND ON... WITH PROPERTY TAX GROWTH. AND THEN WE TURN AROUND AND TELL THE PEOPLE IN RURAL NEBRASKA YOU CAN'T... AND HOMEOWNERS, RESIDENTIAL HOMEOWNERS AND LOYAL BUSINESS FOLKS THAT WE CAN'T GIVE THEM PROPERTY TAX RELIEF. OF COURSE WE CAN'T, IF WE KEEP DOING THIS STUFF. I UNDERSTAND THIS IS EXISTING PROGRAM AND THEY'RE JUST TRYING TO MOVE MONEY AROUND, BUT I KIND OF DON'T SEE ANYTHING WRONG WITH SENATOR SCHUMACHER'S AMENDMENT EITHER. AND SENATOR CAMPBELL MADE A POINT THAT THAT IS FUNDED BY, COUNTY FAIRS, BY PROPERTY TAX. YES, IT'S PROPERTY TAX RELIEF. ISN'T THAT WHAT THE MUNICIPALITIES ARE SAYING WITH THIS? THIS IS PROPERTY TAX RELIEF. YOU DON'T GOT TO PAY IT OUT OF YOUR GENERAL FUND IN YOUR PROPERTY TAX THAT YOU RECEIVE. YOU GET A TURNBACK ON YOUR SALES TAX. WELL, LET'S GIVE... [LB285]

PRESIDENT FOLEY: ONE MINUTE. [LB285]

SENATOR GROENE: ...LET'S GIVE THE LOCAL COUNTY, RURAL COUNTIES ON THEIR COUNTY FAIRS A PROPERTY TAX BREAK TOO. BECAUSE IN LINCOLN COUNTY, WE JUST BUILT A NEW FACILITY AT THE FAIRGROUNDS, A DILAPIDATED OLD WOOD BUILDING. THAT'S ON ME. WHERE OMAHA, LINCOLN, AND RALSTON CAN BUILD THESE FACILITIES FOR THEIR USE, AND THEY GET TO KEEP THEIR SALES TAX. WE DON'T. SO MAYBE SENATOR SCHUMACHER HAS A POINT, AND SO DOES SENATOR RIEPE. IF THE LOCAL PEOPLE DON'T GET STIRRED UP ENOUGH TO CLAIM THIS MONEY WHEN THEY HAVE A CHANCE AND IT'S JUST LAYING THERE, WE MIGHT AS WELL USE IT SOMEWHERE. BUT I SEE NO HARM AT THE END OF THE DAY ON EITHER ONE OF THESE AMENDMENTS. AND, ONE LAST POINT. SENATOR GLOOR, WOULD YOU ANSWER A QUESTION? [LB285]

PRESIDENT FOLEY: SENATOR GLOOR, WOULD YOU YIELD, PLEASE? [LB285]

SENATOR GLOOR: CERTAINLY. [LB285]

SENATOR GROENE: JUST FOR CLARITY, WAS THE COMMITTEE AMENDMENT, DID IT HAVE A PUBLIC HEARING? [LB285]

SENATOR GLOOR: IT DID NOT. [LB285]

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SENATOR GROENE: SO WHEN CLAIMS ARE MADE THAT SENATOR SCHUMACHER'S AMENDMENT HAD NO PUBLIC HEARING... [LB285]

PRESIDENT FOLEY: TIME, SENATOR. [LB285]

SENATOR GROENE: ...NEITHER ONE DID, RIGHT? [LB285]

PRESIDENT FOLEY: SENATOR GROENE, IT'S TIME. [LB285]

SENATOR GROENE: THANK YOU. [LB285]

PRESIDENT FOLEY: SENATOR RIEPE, YOU'RE RECOGNIZED. THIS IS YOUR THIRD TIME, SENATOR RIEPE. [LB285]

SENATOR RIEPE: THANK YOU, MR. PRESIDENT. I JUST WANTED TO POINT OUT, BECAUSE IT'S BEEN IMPLIED THAT THE MUNICIPALITIES ARE OUT THERE ROBBING, IF YOU WILL, FROM THE COUNTY. AND I THINK THAT SENATOR DUBAS, WHO STIMULATED THIS IN ABOUT...I THINK IT WAS IN 2009. AND THIS LAST YEAR IN THE FUND THERE WERE \$2 MILLION THAT WOULD BE GIVEN OUT IN GRANTS. AND THERE WERE \$8.4 MILLION IN APPLICATIONS. SO NO ONE'S BEING ROBBED, IT'S JUST A MATTER THERE JUST AREN'T AS MANY FUNDS IN THERE AS THEY WOULD LIKE, IF YOU WILL. I ALSO HAVE A QUESTION THAT I WOULD LIKE TO...FRIENDLY QUESTION, I WOULD LIKE TO DIRECT TO SENATOR SCHUMACHER IF HE WOULD YIELD. [LB285]

PRESIDENT FOLEY: SENATOR SCHUMACHER, WOULD YOU YIELD, PLEASE? [LB285]

SENATOR SCHUMACHER: YES, I WILL. [LB285]

SENATOR RIEPE: THANK YOU. MY UNDERSTANDING THAT IN THE CITY OF COLUMBUS THAT THE HORSE RACING PARK IS SURROUNDED BY THE CITY OF COLUMBUS. IS THAT CORRECT? [LB285]

SENATOR SCHUMACHER: THE AG PARK FACILITIES, WHICH INCLUDE THE CONVENTION AREA, THE RACETRACK, SOME FAIRGROUND BARNS, AND THINGS LIKE THAT ARE SURROUNDED BY THE CITY OF COLUMBUS, YES. [LB285]

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SENATOR RIEPE: THANK YOU. IS IT ALSO TRUE, SENATOR, IF I MAY ASK YOU A SECOND ONE, THAT THE RACETRACK HAS BEEN INVITED IN BY THE CITY OF COLUMBUS TO BECOME PART OF THE CITY? [LB285]

SENATOR SCHUMACHER: THEY DIDN'T LOOK AT THAT DEAL VERY FAVORABLY. [LB285]

SENATOR RIEPE: THEY DID OR DID NOT? [LB285]

SENATOR SCHUMACHER: DID NOT. [LB285]

SENATOR RIEPE: DID NOT. MY POINT BEING, HAD THEY COME IN, THEN THEY, MORE THAN LIKELY, WOULD HAVE HAD ACCESS TO THE CCCFF FUNDS. THEY CHOSE NOT TO BECAUSE, I'M ASSUMING, THEY WOULD HAVE HAD TO GIVE UP THEIR COUNTY TAX. IS THAT FAIR? [LB285]

SENATOR SCHUMACHER: I DON'T KNOW IF THAT'S A FAIR ASSUMPTION. BUT, BASICALLY, THIS FUND IS NOT TO BE USED TO INCENTIVIZE COUNTY FAIRGROUNDS TO COME WITHIN CITY LIMITS. THAT WAS NEVER ITS PURPOSE. [LB285]

SENATOR RIEPE: NO, MY SENSE WAS IS THEY DID HAVE THE...MY POINT IS, THEY HAD THE OPPORTUNITY TO BECOME PART OF THE CITY AND ELECTED NOT TO. THEY OBVIOUSLY HAD SOME REASON FOR THAT. [LB285]

SENATOR SCHUMACHER: I'M SURE THEY HAD SEVERAL REASONS. [LB285]

SENATOR RIEPE: IT SEEMS LIKE THEY WANT TO HAVE THEIR CAKE AND EAT IT, TOO, IS WHERE I'M COMING FROM. THANK YOU, MR. PRESIDENT. [LB285]

PRESIDENT FOLEY: THANK YOU, SENATOR RIEPE. SENATOR CHAMBERS, YOU'RE RECOGNIZED. THIS IS YOUR THIRD OPPORTUNITY, SENATOR. [LB285]

SENATOR CHAMBERS: MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, WHEN YOU HAVE A BAD SITUATION, AS WAS CREATED WITH THE SO-CALLED TURNBACK, I HEARD SENATOR GROENE TOUCH ON TAX INCREMENT FINANCING. WHAT HAPPENS, IT STARTS WITH THE BIG ONES GETTING IT, THEN THEY MIGHT

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TRICKLE A LITTLE BIT OUTSIDE THAT CIRCLE OF THEIRS. LIKE IF YOU PUT A DROP OF INK ON A BLOTTER; YOUNG PEOPLE DON'T KNOW WHAT AN INK BLOTTER IS ANYMORE, THEY MAY NOT EVEN KNOW WHAT INK IS...THEN IT SLOWLY SPREADS THROUGH THE BLOTTER. SO YOU LET THAT CIRCLE GET A LITTLE BIGGER, BUT THEY DON'T GET MUCH. THEN THE ONES OUTSIDE THAT CIRCLE WILL SAY, WELL, WHEN YOU ORIGINALLY DID THIS, THOSE PEOPLE WERE NOT ALLOWED TO GET IN ON THE FREEBIES, SO WE WANT SOME. SO YOU TRICKLE A LITTLE BIT TO THEM BECAUSE THEY'RE CRYING AND MAKING A LOT OF NOISE. AND MAYBE SOME SENATORS BEGIN TO LISTEN. SO THEN YOU TAKE YOUR...THAT SENATOR'S CONSTITUENCY. THEN SOMEBODY ELSE OVER HERE SAYS, WELL, WE'RE NOT GETTING ANYTHING. PRETTY SOON YOU'RE AWAY FROM WHAT THE ORIGINAL THING WAS, AND YOU HAVE WHAT WE HAVE NOW. THERE NEVER IS ENOUGH OF THE FREEBIES TO GO AROUND, SO THEY ARE SQUABBLING, THEY ARE FIGHTING. THEY'RE NOT LOOKING AT THE MAIN CAUSE WHICH IS THE PROGRAM ITSELF AND THEY'RE FIGHTING EACH OTHER. AT ONE TIME THEY WERE ALLIES. AT ONE TIME THEY MAY HAVE SAID WE'RE LIKE FAMILY. NOW THEY'RE AT EACH OTHER'S THROAT BECAUSE THEY'VE BEEN MADE TO KNOW THAT IN ORDER FOR MR. A TO HAVE SOMETHING, MS. B HAS TO DO WITHOUT. MISS TEA CAN'T GET ANYTHING BECAUSE MR. COFFEE HAS TO GET HIS. AND WE WHO ARE SMALL ARE DOWN HERE FIGHTING FOR CRUMBS AND THE BIG SHOTS ARE RUNNING OFF WITH THE BAKERY. AND THAT'S WHAT'S HAPPENING NOW. CHICKEN FEED WILL CAUSE PEOPLE TO FALL OUT WITH EACH OTHER. THEY WILL FRAGMENT THE STATE. THEY WILL FRAGMENT INTERESTS, DIFFERENT GROUPS, AND THAT'S WHEN YOU'VE GOT WHAT YOU WANT. BECAUSE WHEN YOU DIVIDE THEM, YOU CONQUER THEM. IF THEY ALL COALESCE, IT WOULD BE A DIFFERENT FORCE THAT YOU'RE DEALING WITH. BUT IF YOU'VE GOT A COMPLAINER OVER HERE WHERE SENATOR JOHNSON IS, A COMPLAINER WHERE SENATOR LINDSTROM IS, A COMPLAINER WHERE SENATOR FOX AND SENATOR EBKE ARE, BUT THEY'RE NOT TOGETHER AND UNITED, THEN YOU WANT IT FRAGMENTED. AND LET THEM ALL SQUABBLE, LET THEM ALL HOLLER. THEY NEUTRALIZE EACH OTHER. TAX INCREMENT FINANCING WAS SUCH A GOOD THING THAT SENATOR ADAMS, THE FORMER SPEAKER, HAD BEEN PREVAILED UPON TO BRING A CONSTITUTIONAL AMENDMENT THAT WAS GOING TO CHANGE SOME DEFINITIONS. AND I TOLD HIM, AS MUCH AS I RESPECT YOU, I HAVE TO FIGHT YOU ON THAT, THAT CANNOT BE. EITHER SOMETHING IS BLIGHTED OR IT'S NOT. I'M NOT GOING TO LET WORDS TAKE ON A DIFFERENT ARTIFICIAL MEANING SO THOSE WHO DON'T NEED THIS ARE GOING TO BE ABLE TO TAKE ADVANTAGE OF IT. AS IT TURNED OUT, HE DECIDED NOT TO GO FORWARD WITH IT. I HAVE TO BE A BAD GUY. BUT I WOULD RATHER BE A BAD GUY FOR THE ORDINARY PEOPLE WHO HAVE NO VOICE THAN BE A GOOD GUY

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FOR PEOPLE LIKE MUTUAL OF OMAHA, THE CITY OF OMAHA, OR ANY OF THESE PEOPLE BIG ENOUGH TO TAKE CARE OF THEMSELVES. WHAT DOES IT LOOK LIKE? I AM A SERF, I AM A PEON, I AM AN INDENTURED SERVANT, AND I'M FIGHTING TO PROTECT THE INTERESTS OF THE LORD, THE LANDLORD, OF THE DUKES, OF THE RICH PEOPLE? THERE ARE 400 MULTIBILLION-DOLLAR FAMILIES IN THIS COUNTRY WHO CONSTITUTE THE MOST POWERFUL UNION IN THIS COUNTRY, MAYBE IN THE WORLD, AND THEY HAVE PERSUADED PEOPLE WHO NEED A UNION THAT UNIONS ARE BAD FOR YOU, BECAUSE THE UNION WILL PUT YOU IN A POSITION TO UNITE YOUR NUMBERS AND GET STRENGTH. BUT THEY TELL YOU UNIONS HURT YOU, BUT THEIR UNION--TIGHT, CONTROLLING THINGS, NOT JUST IN THE ECONOMIC REALM. [LB285]

PRESIDENT FOLEY: ONE MINUTE. [LB285]

SENATOR CHAMBERS: NOW THEY'RE PURCHASING GOVERNMENT, AND THEY'RE HAVING THEIR WAY. YOU HAVE TEACHERS AND OTHERS SAYING, SOME OF THEM BEFORE THE U.S. SUPREME COURT NOW, THAT IF I DON'T WANT TO PAY UNION DUES, I SHOULDN'T HAVE TO AND THE STATE SHOULD NOT BE ABLE TO COLLECT THOSE DUES FROM ME. BUT IF THE UNION IS OPERATING AND OTHER PEOPLE ARE PAYING DUES TO KEEP IT GOING, I WANT THE STATE TO BE REQUIRED TO REQUIRE THE UNIONS TO REPRESENT ME, TEACHING THEM TO BE FREELoadERS. ONCE AGAIN, A WAY TO DIVIDE AND CONQUER. SO IF THE ONES PAYING THE FREIGHT HAVE TO PAY FOR THE FREELoadERS, THEY MIGHT SAY WHAT GOOD IS A UNION? WE CAN'T CARRY THEM. THEN THE MULTIBILLIONAIRES HAVE GOT IT THEIR WAY. AND YOU ALL SIT BACK AND WATCH THEM SHARPEN THEIR TOOLS ON BLACK PEOPLE, LATINOS, NATIVE AMERICANS, AND YOU DON'T CARE BECAUSE IT'S NOT YOU. BUT AFTER THEIR TOOLS ARE SHARP, WE'RE NOT THEIR MAIN TARGETS BECAUSE WE'RE NOT THE NUMBERS. THEN THEY TURN THEM ON YOU, AND THAT'S WHAT THEY'RE DOING RIGHT NOW. [LB285]

PRESIDENT FOLEY: TIME, SENATOR. [LB285]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB285]

PRESIDENT FOLEY: THANK YOU, SENATOR CHAMBERS. SEEING NO OTHER SENATORS WISHING TO SPEAK, SENATOR SCHUMACHER, YOU'RE WELCOME TO CLOSE ON AM1474. [LB285]

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SENATOR SCHUMACHER: THANK YOU, MR. LIEUTENANT GOVERNOR, MEMBERS OF THE BODY. THIS WAS A USEFUL DISCUSSION IN TWO DIFFERENT WAYS. ONE, ANOTHER OPPORTUNITY, JUST LIKE WE DID IN 2013, TO CALL THIS TO THE ATTENTION OF THE COMMUNITIES ACROSS NEBRASKA. FOLKS, THERE'S A PILE OF MONEY THERE. IT'S NOT HARD TO GET. IF HUMPHREY CAN GET \$100,000 WITH ME AS THEIR ATTORNEY, AND CRESTON CAN GET \$40,000 FOR FIXING UP THE OLD SCHOOL BUILDING WITH ME AS THEIR ATTORNEY, IT'S GOT TO BE SIMPLE TO GET. YOU CAN GET IN ON THIS MONEY. IT'S YOUR MONEY UNDER WHAT WAS NEGOTIATED WITH THE...BACK IN 1999. AND THIS PROPOSAL SAYS, WELL, GIVE IT TO SOMEBODY ELSE. GET IT FIRST. AND SO IT'S BEEN USEFUL BECAUSE I HOPE THAT MESSAGE GOES OUT TO THE COMMUNITIES ACROSS THE STATE. AND I THINK THAT IT'S ALSO, TO A CERTAIN EXTENT, BEEN A LITTLE BIT OF A, NOT FRUITFUL, IN THAT RIGHT NOW, AT LEAST, AS THE WORD SPREADS, THIS MONEY IS BEING EATEN UP BY THE FOLKS WHO WERE INTENDED TO GET IT TO BEGIN WITH. AND IT'S KIND OF A MOOT DISCUSSION, BECAUSE THIS RECOVERY FUND PROBABLY IS NOT GOING TO HAVE MUCH FOR MONEY IN IT. AND AS MORE COMMUNITIES LEARN ABOUT THIS AVAILABLE POT OF MONEY, THE WORD WILL SPREAD, AND THEY'LL BE ABLE TO APPLY AND GET MONEY FOR THEIR OWN COMMUNITY PROJECTS. YOU'RE FOOLISH IF THEY DON'T. THIS SIMPLY SAYS THE PROVIDERS OF THE COMMUNITY FACILITY IN MANY, MANY AREAS, THE AG SOCIETIES AND FAIR BOARDS, ARE ENTITLED TO APPLY AS THOUGH THEY WERE CITIES. AND THIS IS NOT A DESIGN FOR HELPING MUNICIPALITIES. IT WAS DESIGNED TO HELP COMMUNITY CENTERS OF ALL FLAVORS. AND THIS BRINGS IN TO THE PICTURE THE FOLKS THAT OPERATE MANY OF THOSE ACROSS THE STATE AND LETS THEM GET IN LINE FOR THE MONEY. IT HURT NOTHING TO ADD AG SOCIETIES TO THE LIST OF PEOPLE WHO CAN APPLY. IT WOULD BENEFIT MANY COUNTIES AND MANY FACILITIES. AND, ABOVE ALL, IT WOULD MAKE GOOD USE OF A PROGRAM THAT HAS REALLY QUESTIONABLE PHILOSOPHY BEHIND IT WITH THIS SALES TAX TURNBACK, WHICH IS SUCH A NEAT GIMMICK THAT WE WILL PROBABLY HEAR MORE AND MORE AND MORE ABOUT IT. BUT WE'VE GOT TO BE CONSCIOUS THAT WE'RE STILL REALLY SPENDING THE STATE'S TAX MONEY HERE, ONLY IN A BACKWARD WAY. AND THESE FACILITIES, IF THE MARKET WILL BEAR THEM, WILL BE BUILT ANYWAY. I ENCOURAGE YOU TO VOTE FOR AM1474. THANK YOU. [LB285]

PRESIDENT FOLEY: THANK YOU, SENATOR SCHUMACHER. THE QUESTION IS THE ADOPTION OF AM1474. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. THERE HAS BEEN A REQUEST TO PLACE THE HOUSE UNDER CALL. THE QUESTION IS, SHALL THE HOUSE GO UNDER CALL? ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. RECORD, PLEASE, MR. CLERK. [LB285]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

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CLERK: 28 AYES, 0 NAYS, MR. PRESIDENT, TO PLACE THE HOUSE UNDER CALL.
[LB285]

PRESIDENT FOLEY: THE HOUSE IS UNDER CALL. SENATORS, PLEASE RECORD YOUR PRESENCE. THOSE UNEXCUSED SENATORS OUTSIDE THE CHAMBER PLEASE RETURN TO THE CHAMBER AND RECORD YOUR PRESENCE. ALL UNAUTHORIZED PERSONNEL PLEASE LEAVE THE FLOOR. THE HOUSE IS UNDER CALL. SENATORS PANSING BROOKS AND MURANTE, IF YOU WOULD PLEASE RETURN TO THE CHAMBER AND RECORD YOUR PRESENCE, THE HOUSE IS UNDER CALL. SENATOR SCHUMACHER, HOW DID YOU WANT TO PROCEED ON THIS VOTE?
[LB285]

SENATOR SCHUMACHER: ROLL CALL, REGULAR ORDER. [LB285]

PRESIDENT FOLEY: THANK YOU, SENATOR. MR. CLERK. [LB285]

CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGE 239.) 10 AYES, 27 NAYS, MR. PRESIDENT, ON THE AMENDMENT TO THE COMMITTEE AMENDMENTS.
[LB285]

PRESIDENT FOLEY: THANK YOU, MR. CLERK. THE AMENDMENT IS NOT ADOPTED. THE FLOOR IS NOW OPEN. THE CALL HAS BEEN LIFTED. DEBATE IS NOW OPEN ON LB285 AND THE RELATED COMMITTEE AMENDMENT, AM1426. SEEING NO SENATORS WISHING TO SPEAK, SENATOR GLOOR, YOU'RE WELCOME TO CLOSE ON AM1426. [LB285]

SENATOR GLOOR: THANK YOU, MR. PRESIDENT AND MEMBERS. I'M GOING TO BE BRIEF. I WOULD GUESS SENATOR RIEPE IS ALSO. I WOULD ASK YOU NOT TO STROLL TOO FAR AWAY SO THAT WE DON'T HAVE TO GO THROUGH A CALL OF THE HOUSE AGAIN. MY BREVITY IS THIS--THE COMMITTEE AMENDMENT BECOMES THE BILL. SO IF YOU'RE VOTING FOR THE COMMITTEE AMENDMENT, YOU'RE VOTING FOR LB285. IT'S EARLY IN THE SESSION. WE NEED TO REMEMBER SOMETIMES WHERE WE'RE AT AS WE GO THROUGH THESE VOTES. THE AMENDMENT PROVIDES IN THE EVENT THIS FUND MAINTAINS A YEAR-END BALANCE IN EXCESS OF \$1 MILLION, THE EXCESS SHALL BE DEPOSITED IN A NEWLY CREATED POLITICAL SUBDIVISION RECAPTURE FUND. AND THAT EXCESS WILL THEN BE RETURNED PROPORTIONALLY TO THE CITIES THAT GENERATED THE TURNBACK REVENUE IN THE FIRST PLACE. AND THAT IS THE COMMITTEE AMENDMENT. I WOULD ASK YOUR SUPPORT OF AM1426. THANK YOU. [LB285]

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PRESIDENT FOLEY: THANK YOU, SENATOR GLOOR. THE QUESTION IS THE ADOPTION OF THE COMMITTEE AMENDMENT, AM1426. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED WHO CARE TO? RECORD, PLEASE, MR. CLERK. [LB285]

CLERK: 35 AYES, 2 NAYS, MR. PRESIDENT, ON ADOPTION OF THE COMMITTEE AMENDMENTS. [LB285]

PRESIDENT FOLEY: THE COMMITTEE AMENDMENT IS ADOPTED. DEBATE IS NOW OPEN ON LB285 AS AMENDED. SENATOR SCHUMACHER, YOU'RE RECOGNIZED. [LB285]

SENATOR SCHUMACHER: THANK YOU, MR. LIEUTENANT GOVERNOR, MEMBERS OF THE BODY. THIS BILL IS THE FIRSTLING OF A COMING GENERATION OF BILLS. WE HAVE EMPOWERED MUNICIPALITIES AND LOCAL GOVERNMENT IN THIS STATE TO ENGAGE IN THE PROCESS OF DEBT, TO ENGAGE IN NEGOTIATIONS THAT COMMIT LONG TERM THE OBLIGATION OF THE TAXPAYER, TO GIMMICK WITH THE TAX SYSTEM, AND WE'VE DONE SO WITH VERY LITTLE SUPERVISION FROM THIS LEVEL. AS A RESULT, EVEN THOUGH AT THE LEGISLATIVE LEVEL, WE PAT OURSELVES ON THE BACK SAYING WE DON'T HAVE ANY DEBT, IF YOU LOOK AT THE DEBT OF OUR LOCAL GOVERNMENTS, IT BECOMES PRETTY SIGNIFICANT. AND THEN IT BECOMES REAL SIGNIFICANT THAT SOME OF OUR MAJOR CITIES, ONE IN PARTICULAR, THAT HAS MADE LITERALLY HUNDREDS OF MILLIONS OF DOLLARS OF UNFUNDED PROMISES TO ITS UNIONS. WHAT THIS BILL DOES, EVEN THOUGH THERE'S NOT GOING TO BE MUCH MONEY INVOLVED, IF ANYTHING, BECAUSE, HOPEFULLY, THE SMALLER TOWNS WISE UP HERE, BUT WHAT IT DOES, IT SAYS, HEY, IF THIS RISKY TAKING OF DEBT AND OF UNFUNDED OBLIGATIONS DOESN'T WORK OUT FOR YOU, THE FOLKS IN LINCOLN ARE AMENABLE TO TRYING TO JUGGLE THE RULES AROUND. AND IF YOU DON'T THINK THIS ON THE RAY, LOOK AT THE RESISTANCE THAT WE SEE TO ANOTHER BILL THAT'S AT LEAST ON THE AGENDA, MAYBE WITH OR WITHOUT A PRIORITY AT THIS POINT, IN WHICH THE CITIES, THE LARGE CITIES STEADFASTLY RESIST THE IDEA OF GIVING FIRST PRIORITY TO BONDHOLDERS IN THEIR...IF THEY WOULD DO A BANKRUPTCY. THEY SAY, DON'T WORRY ABOUT IT. WE'LL NEVER DO A BANKRUPTCY. THEN YOU SAY, OH, YEAH? WELL, THEN LET'S TAKE AWAY THE BANKRUPTCY AUTHORITY. AND, OH NO, THEY DON'T WANT TO GO THAT DIRECTION. THIS PARTICULAR KIND OF PHILOSOPHY WE'RE GOING TO DEAL WITH HERE THIS YEAR AND LONG TERM INTO THE FUTURE, BECAUSE RISKS WERE TAKEN. MORAL HAZARD WAS ENGAGED IN, IN ORDER TO MAKE THE SYSTEM WORK AND FLOAT THE BOAT. AND, ULTIMATELY, THOSE CHICKENS ARE

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GOING TO COME BACK TO THIS ROOST, AND WE'RE GOING TO HEAR REQUEST AFTER REQUEST TO GIMMICK THE RULES, TO REDO THINGS IN ORDER FOR SOMEBODY OR ANOTHER TO GET WHAT THEY THOUGHT THEY HAD COMING. AND OVER THE NEXT FEW YEARS, PERHAPS IT'S OUR OBLIGATION TO BEGIN TO LAY DOWN THE RULES AS TO HOW MUCH THESE LOCAL ENTITIES, PARTICULARLY SOME OF THE MUNICIPALITIES, HOW MUCH LATITUDE THEY HAVE TO OBLIGATE THE PUBLIC GENERAL FUND, JUST LIKE RALSTON NEGLIGENTLY DID, TOWARD PROJECTS, TOWARD UNION NEGOTIATIONS, TOWARD THINGS THAT ULTIMATELY WILL LEAVE THEM SHORT OF MONEY AND KNOCKING AT THIS DOOR AND SAYING, YOU GOT TO BAIL US OUT. THIS IS A PRECEDENT-SETTING BILL THAT, YEAH, WE WILL LISTEN TO YOU. WE KNOW THAT WE LET YOU RUN UP THE DEBT. WE KNOW THAT WE DIDN'T LOOK OVER YOUR SHOULDER CLOSE ENOUGH, AND WE'LL LISTEN TO YOU. BUT, FOLKS, THE TAXPAYERS ON THE OTHER SIDE OF THAT EQUATION ARE GOING TO FACE ENORMOUS STRESS THEMSELVES. THESE KIND OF GIMMICKS ARE A BAD IDEA. [LB285]

PRESIDENT FOLEY: ONE MINUTE. [LB285]

SENATOR SCHUMACHER: AND SO VOTE ON THIS PARTICULAR BILL KNOWING THAT PROBABLY AS A PRACTICAL MATTER IT WON'T MAKE A NICKEL'S WORTH OF DIFFERENCE TO RALSTON. BUT THAT YOU ARE SENDING A MESSAGE THAT THERE'S A SAFETY NET FOR RISKY VENTURES, FOR PROMISING THINGS YOU KNOW YOU CAN'T DELIVER TO YOUR HELP, AND THAT SAFETY NET IS IN THE LEGISLATURE WHO HOLDS THE KEY TO THE TAXPAYERS' SAFE. THAT'S A POOR MESSAGE TO SEND. AND IT WILL BE ONE THAT WILL HAUNT THE LEGISLATURE FOR THE NEXT 15 YEARS. THANK YOU. [LB285]

PRESIDENT FOLEY: THANK YOU, SENATOR SCHUMACHER. SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB285]

SENATOR CHAMBERS: MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, I LIVE IN OMAHA, NEBRASKA, A LITTLE SOUTHERN TOWN, SMALL TOWN WAYS, BACKWARD, RACIST, HIDEBOUND, INCONSIDERATE, LACKING IN COMPASSION. THIS TOWN HAS A MAYOR WHO BOUGHT A BUILDING FOR PUBLIC MONEY, \$10 MILLION THAT WAS WORTH \$3 MILLION, THEN GAVE IT TO SOMEBODY FREE. IT'S IN AN AREA OF THE CITY WHICH HAS A LOT OF BUILDINGS THAT SOME PEOPLE THINK ARE IMPORTANT BECAUSE OF THE ARCHITECTURAL...ARCHITECTURE, THE HISTORICAL SIGNIFICANCE AND SO FORTH. WHENEVER AN ATTEMPT IS

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MADE TO KNOCK ONE OF THESE BUILDINGS DOWN TO MAKE WAY FOR WHAT THEY CALL...WHEN I SAY "THEY" THE PEOPLE IN CITY HALL WHO DO THE BIDDING OF THE BIG SHOTS, THEN THERE'S A LOT OF OUTCRY BY THE PUBLIC. THEY CARRY SIGNS. THEY OBJECT. AND SOMETIMES IT'S A LITTLE DIFFICULT, BUT THE CITY ALWAYS GETS ITS WAY. THE OTHER DAY THERE WAS A FIRE AND SOME EXPLOSIONS IN THAT AREA CALLED THE OLD MARKET. WELL, IF THERE WERE AN H.L. MENCKEN, HENRY LOUIS MENCKEN, WHO GOT HIS FAME WORKING FOR THE BALTIMORE SUN, A CRITIC AND A WRITER AND SO FORTH, THAT PERSON WOULD BE VERY SKEPTICAL ABOUT THIS WHOLE THING THAT HAD HAPPENED. AND WHAT HE WOULD BE LIKELY TO SAY IS, WHAT THIS IS DOING IS NULLIFYING THE NEED TO ARGUE ABOUT THESE BUILDINGS ANYMORE. THE FIRE AND THE EXPLOSIONS GOT RID OF ALL OF THEM NOW. YOU HAVE A VIRTUAL WASTELAND IN THAT ENTIRE AREA. NOBODY CAN FIGURE WHY THE EXPLOSIONS OCCURRED. NOBODY CAN FIGURE OUT HOW THE FIRE STARTED. FIREFIGHTERS HAD BEEN THERE FOR OVER 24 HOURS. THEY KEPT THE HOSES GOING POURING WATER INTO THIS CONFLAGRATION BECAUSE IF THEY DIDN'T, THE HOSES WOULD HAVE FROZEN. IT WAS THAT COLD. SO NOW THE PEOPLE WHO WERE OCCUPYING THOSE BUILDINGS DON'T HAVE THE MONEY TO REBUILD. SO NOW WHAT WILL BECOME OF THAT LAND? WELL, IT'S JUST BY COINCIDENCE, STRICTLY COINCIDENCE, IT'S AVAILABLE FOR THE DEVELOPERS WHO COULD NOT HAVE GOTTEN IT ANY OTHER WAY. THEY COULDN'T HAVE GOTTEN THE CITY COUNCIL, THE PLANNING BOARD, OR ANY OTHER ENTITY TO BE SO BRAZENLY DISREGARDFUL OF THE WILL OF THE PEOPLE. THIS KIND OF THING WOULD NEVER HAPPEN. IT'S NATURE'S WAY OF HAVING URBAN RENEWAL. KNOCK IT DOWN FIRST. SOMEBODY HAD A DRONE WITH CAMERAS THAT TOOK PICTURES FROM ABOVE. AND YOU CAN LOOK DOWN INTO THE SHELLS OF THE BUILDING. THERE IS NO WAY FOR THEM TO BE REBUILT, REPAIRED. THEY ARE SO DANGEROUS AND HAZARDOUS NOW THAT YOU'RE GOING TO HAVE TO KNOCK IT ALL DOWN. THEN YOU GOT ALL OF THIS VACANT LAND. AND IT JUST HAPPENS TO BE IN THE AREA WHERE CERTAIN DEVELOPERS WANT TO BE. YOU THINK I'M OVERLY CYNICAL, THAT I'M OVERLY SKEPTICAL, THAT THE ROBBER BARONS OF THE PAST DON'T EXIST NOW. WHEN YOU HAVE BAD GENES, THEY'RE PASSED ON FROM GENERATION TO GENERATION, I DON'T MEAN LITERALLY, NOT BIOLOGICALLY, BUT IN TERMS OF THEIR ATTITUDE, THEIR PHILOSOPHY, THEIR APPROACH TO THINGS. WHEN YOU BEGIN TO SEE HISTORY REPLICATED, IT'S NOT BECAUSE THAT'S THE WAY HISTORY OPERATES IN SOME KIND OF MAGICAL, MECHANICAL FASHION. IT'S JUST THAT PEOPLE WHO TEND TO BE SCHEMERS WILL STUDY WHAT HAS WORKED IN THE PAST. HOW HAVE OTHERS WHO WANTED TO DO WHAT I'M TRYING TO DO NOW MANAGED TO DO IT IN SPITE OF OPPOSITION AND RESISTANCE? [LB285]

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PRESIDENT FOLEY: ONE MINUTE. [LB285]

SENATOR CHAMBERS: AND THEY WILL FIND A WAY. ALWAYS. ALWAYS. AND IN OMAHA, JUST KEEP YOUR EYES OPEN, READ THE NEWSPAPER AND SEE WHAT'S GOING TO HAPPEN. THE FIRST STAGE HAS BEEN TAKEN CARE OF. THE PEOPLE IN OMAHA ARE GOING TO SAY OH, NO, NOBODY WOULD DO THAT. MAYBE NOT. BUT SOMEBODY DID IT. AND I BELIEVE IT WAS NOT ALL ACCIDENTAL. CAN I PROVE IT? THESE PEOPLE KNOW HOW TO COVER THEIR TRACKS. BUT OTHERS, I'M SURE, HAVE SOME WONDERINGS GOING ON, BUT THEY WILL NEVER EXPRESS IT. THANK YOU, MR. PRESIDENT. [LB285]

PRESIDENT FOLEY: THANK YOU, SENATOR CHAMBERS. SEEING NO OTHER SENATORS WISHING TO SPEAK...OH, EXCUSE ME. SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB285]

SENATOR CHAMBERS: JUST WANT TO FINISH THIS ONE THING. PEOPLE HAVE A WAY OF SAYING WHENEVER A CHILD DOES WRONG THAT THE PARENTING IS BAD, THAT THE PARENTS ARE TO FAULT. SOMETIMES THERE ARE CRIME FAMILIES. THERE ARE CRIMINALS IN FAMILIES WHO WILL MISDIRECT THEIR CHILDREN. BUT THE PARENTS OFTEN DON'T KNOW. AND I ALWAYS HAVE TO TELL ABOUT THE RESEARCH I DID ON THE JAMES FAMILY. DO YOU KNOW THAT JESSE'S MOTHER AND FRANK JAMES'S MOTHER WAS ONE OF THE NICEST ELDERLY LADIES YOU COULD FIND? NOBODY WOULD BE ALLOWED TO GO PAST HER LITTLE CLAPBOARD HOUSE WITH THE WHITE PICKET FENCE IN THE SUMMERTIME WITHOUT BEING INVITED IN FOR A COLD GLASS OF WATER OR A COLD GLASS OF LEMONADE. AND EVERYBODY IN THE COMMUNITY LIKED MRS. JAMES. AND SHE HAD THOSE TWO BAD BOYS, JESSE AND FRANK, ALWAYS INTO EVERYTHING. AFTER THEY GREW UP, THEY WOULD COME AND VISIT HER EVERY NOW AND THEN. AND PEOPLE IN THE AREA KNEW WHAT THESE BOYS WERE ABOUT, BUT THEY LOVED MRS. JAMES SO MUCH, THEY WOULDN'T TELL HER. SO THEY WERE HAVING THIS DISCUSSION, AND ALL THE OLD WOMEN AND...WERE SITTING AROUND DOING WHAT THEY DO, AND THEY GOT TO TALKING ABOUT THEIR CHILDREN. THEY SAID, MRS. JAMES, WHATEVER HAPPENED TO JESSE AND WHATEVER HAPPENED TO FRANK? SHE SAID, OH, TWO OF THE NICEST BOYS A MOTHER COULD WANT. OH, THEY'RE SO NICE. THEY SAID, WELL, WHAT ARE THEY DOING? SHE SAID, NOW, YOU KNOW THAT BOY FRANK THAT YOU ALL SAID WOULDN'T AMOUNT TO ANYTHING? THEY SAID, YEAH. SHE SAID, WELL, YOU KNOW, FRANK WORKS ON THE RAILROAD. BUT SHE DIDN'T KNOW THAT FRANK WAS ROBBING TRAINS. AND THEY SAID, AND JESSE? WELL, WHAT'S JESSE DOING? SHE SAID, OH, JESSE'S IN BANKING. ONE'S WORKING ON THE RAILROAD

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AND ONE'S IN BANKING. AND BOTH OF THEM WERE ROBBERS. SHE DIDN'T KNOW. SHE DIDN'T TELL JESSE, GO ROB BANKS. SHE DIDN'T TELL FRANK, GO ROB TRAINS. AND THEY NEVER TOLD HER THAT'S WHAT THEY DID. NOW IS THIS WHAT REALLY HAPPENED? YOU MIGHT SAY, ERNIE, YOU DON'T KNOW IT DID. AND I SAY, AND YOU DON'T KNOW THAT IT DIDN'T. BUT THE POINT THAT I TRY TO GET ACROSS IS THAT WE SHOULD BE CAREFUL AT WHOM WE POINT FINGERS AND WHERE WE LAY BLAME. WE USUALLY WANT TO GO IN THE DIRECTION OF THOSE WHO HAVE NO VOICE AND WHO CANNOT SPEAK UP FOR THEMSELVES, BUT THEY'RE HANDY AS SCAPEGOATS. WELL, RIGHT NOW WHEN THERE ARE PROBLEMS AND YOU'RE SPOTLIGHTING THEM WITH THIS BILL, NOT ENOUGH MONEY, FREE MONEY TO GO AROUND, AND YOU HAVE THE GOVERNOR TALKING ABOUT HE'S GOING TO CUT PROPERTY TAXES. IF SOME PEOPLE DON'T PAY PROPERTY TAXES, WHERE WILL THE MONEY COME FROM THAT THE STATE NEEDS? YOU WANT TO CUT SPENDING? WELL, IF THEY CUT THE SPENDING IN AN AREA WHERE YOU ARE, YOU DON'T LIKE THAT. POLITICIANS NEED TO LEARN HOW TO BE HONEST WITH THE PUBLIC; OR THE PUBLIC NEEDS TO LEARN HOW NOT TO TAKE WHATEVER THE POLITICIANS TELL THEM. IN UNITY THERE IS STRENGTH, IN NUMBERS THERE IS POWER. YOUNG PEOPLE NEED TO REGISTER AND YOUNG PEOPLE NEED TO VOTE. ALL THAT POLITICIANS LOOK AT IS HOW MANY VOTES HAVE YOU GOT? LIKE SOMEBODY ASKED ABOUT THE POPE, HOW MANY DIVISIONS HAS HE GOT, MILITARY DIVISIONS? HE CAN SAY WHATEVER HE WANTS TO. WE NEED BUTTER, BUT WE NEED GUNS MORE. YOU CANNOT SHOOT BULLETS WITH BUTTER. YOU ALL DON'T KNOW WHO SAID THAT. BUT THAT WAS ACTUALLY STATED, AND FROM THAT CAME THE NOTION GUNS ARE BUTTER. HE WAS A GERMAN, AND HE WAS A NAZI. NOT ALL PEOPLE WHO TAKE A DIFFERENT POLITICAL POINT OF VIEW ARE CRAZY LIKE AMERICANS LIKE TO SAY. THEY LIKE TO SAY THAT THE HEAD OF NORTH KOREA IS CRAZY. YEAH, CRAZY LIKE A FOX. HE'S GOT THE WHOLE WORLD SHAKING. EVERYBODY'S TRYING TO FIGURE WHAT KIND OF EXPLOSION THERE WAS THAT TOOK PLACE. [LB285]

PRESIDENT FOLEY: ONE MINUTE. [LB285]

SENATOR CHAMBERS: WAS IT A HYDROGEN BOMB? WHAT DIFFERENCE DOES IT MAKE IF IT'S A NUCLEAR WEAPON AND IF IT CAN BE PUT ON A MISSILE? OKAY, WELL, YOU...THAT THING YOU GOT, THAT WILL ONLY BLOW UP 10 AMERICAN CITIES INSTEAD OF 30. BUT WHAT ABOUT THE DAMAGE THAT CAN BE DONE? AND IT'S EASY FOR PEOPLE WHO DON'T HAVE THE RESPONSIBILITY OF A COUNTRY TO MAKE ALL THESE IRRESPONSIBLE STATEMENTS ABOUT AMERICA CAN BE INSULTED AND WON'T DO ANYTHING ABOUT IT. WHAT CAN THEY DO? IMPRESS MORE YOUNG WOMEN, YOUNG MEN TO GO BLEED SOMEWHERE AND

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SAY YOU'RE FIGHTING FOR THE FREEDOM IN THIS COUNTRY, WHEN ALL THEY'RE DOING IS FULFILLING SOME IDIOTIC PROMISE SOME POLITICIAN MADE? THOSE ARE THE REALITIES THAT NEED TO BE ADDRESSED, BUT THEY'RE NOT. IS THAT MY THIRD TIME, MR. PRESIDENT? [LB285]

PRESIDENT FOLEY: NO, IT IS NOT, SENATOR. [LB285]

SENATOR CHAMBERS: SAY IT AGAIN. [LB285]

PRESIDENT FOLEY: NO, I DON'T BELIEVE THAT IS, NO. [LB285]

SENATOR CHAMBERS: THEN I'M GOING TO TRY ANOTHER SHOT. [LB285]

PRESIDENT FOLEY: THANK YOU, SENATOR CHAMBERS. SENATOR GROENE, YOU'RE RECOGNIZED. [LB285]

SENATOR GROENE: THANK YOU, LIEUTENANT GOVERNOR. SENATOR SCHUMACHER MADE A GOOD POINT, AND IT'S SOMETHING I'VE LOOKED AT AND WORRIED ABOUT OVER THE YEARS, IS WE DON'T ELECT MAYORS ANYMORE WHO TAKE CARE OF POTHOLES AND SEWERS AND DON'T GET A SITUATION WHERE YOUR SEWER GETS IN SUCH BAD SHAPE IT FALLS APART. WE SEEM TO ELECT VENTURE CAPITALISTS. WHEN WAS THE LAST TIME YOU HEARD THE MAYORS OF LINCOLN AND OMAHA TALK ABOUT ANYTHING BUT ECONOMIC DEVELOPMENT? IT'S BORING TO BE ON THE CITY COUNCIL TO DO IT CORRECTLY. YOU'RE SUPPOSED TO FIX THE POTHOLES. YOU'RE SUPPOSED TO MAKE SURE THE SEWERS... YOU'RE SUPPOSED TO MAKE SURE THE PUBLIC SAFETY IS GOOD. WE HAVE AN OBSESSION WITH SOMEHOW GOVERNMENT BUILDING THINGS. OUR PRESIDENT SAID IT AND SAID IT CORRECTLY. YOU DIDN'T BUILD IT. WE CAN'T BUILD ANYTHING IN THIS STATE OR IN THIS COUNTRY UNLESS THE GOVERNMENT'S GOT ITS FINGERS IN IT ANYMORE. SENATOR SCHUMACHER MADE A REAL GOOD POINT. WE BRAG ABOUT WE'RE THIRD OR FOURTH IN THE NATION WITH OUR FISCAL RESPONSIBILITY AT THE STATE LEVEL. OUR SCHOOL DISTRICTS HAVE CLOSE TO THREE BILLION IN BONDED INDEBTEDNESS. THE CITY OF OMAHA IS SITTING THERE IN THE TOP TEN. IT'S BEEN RATED AS MAYBE FISCALLY UNSOUND. WE BUILD FOR THE DAY. WE LIVE FOR THE DAY. WE GET SIX MONTHS OF CONSTRUCTION JOBS BUILDING AN ARENA AND WE GET A ROCK GROUP TO COME IN AND SING AND THE PEOPLE SPEND THEIR MONEY. IT'S CRAZY. WHERE'S IT GOING TO STOP? WE'RE REACHING A POINT IN THIS STATE WHERE OVER HALF, MORE THAN HALF THE PEOPLE LIVE IN TWO

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MUNICIPALITIES. RATE THAT INTO HOW MANY STATE SENATORS ARE FROM THOSE AREAS. ARE WE GOING TO KEEP COMING BACK, 600 YARDS ISN'T ENOUGH, WE NEED TO GO 900, WE NEED TO GO A MILE, WE NEED TO LET THEM KEEP THE MONEY FOREVER AND EVER AMEN, NOT JUST TO PAY THE BOND OFF? WHERE IS THIS GOING TO STOP? WE HAD A DEVELOPER IN THE WESTROADS, BEING...HONEST MAN, HONEST PEOPLE. WE EXPECT THE TAXPAYERS TO PAY 50 PERCENT OF THIS PROJECT. AND WE'RE GOING TO KEEP THE PROFITS. TIF, THEY WANT THIS TURNBACK, SOME KIND OF AN ADDED SALES TAX...CAN'T KNOW THE EXACT TERM FOR IT. NOW THEY WANT ANOTHER PROGRAM ON SALES TAX. YOU BILL THE TAXPAYER AND I PUT THE MONEY IN MY POCKET. I DON'T BLAME THEM ONE BIT. THEY'RE BUSINESSMEN. I'M A BUSINESSMAN, THE BOTTOM DOLLAR. BUT WE'RE FOOLISH ENOUGH TO ELECT PEOPLE WHO COULDN'T RUN A LEMONADE STAND AND ALL OF A SUDDEN THEY GET A BIG HEAD AND THEY'RE VENTURE CAPITALISTS BUILDING HUGE FACILITIES. WE FOUND THAT OUT IN RALSTON THAT MAYBE SOMETHING HAPPENED THERE. THE MAN OUGHT TO RAN A LEMONADE STAND INSTEAD OF BUILDING A CONVENTION CENTER WITH OTHER PEOPLE'S MONEY, TAX DOLLARS. WE'VE GOT TO SLOW THIS TRAIN DOWN. APPARENTLY, WE BELIEVE THE GOVERNMENT BUILDS IT, BECAUSE NOTHING HAPPENS ANYMORE. THERE ISN'T A DEVELOPER OUT THERE THAT DOESN'T WALK INTO ANY MID-SIZE CITY, IT'S GOING ALL THE WAY DOWN TO CITIES OF 1,000, 1,500 PEOPLE, 800 PEOPLE, I'M NOT BUILDING UNLESS YOU TIF IT. SO THOSE OF US THAT ARE GOOD CITIZENS THAT PAY OUR PROPERTY TAXES, DON'T HAVE OUR HAND IN THE TILL, WE PAY MORE. IT'S GOT TO STOP. WE NEED TO SLOW IT DOWN. IT'S JUST BEING ABUSED. SO ANYWAY, IT'S...I UNDERSTAND, AND I'M GOING TO VOTE FOR THIS, BECAUSE I TOLD SENATOR RIEPE I WOULD. IT'S HARMLESS. BUT SENATOR SCHUMACHER MAKES A VERY GOOD POINT. WE NEED TO SLOW THIS TRAIN DOWN. WE ARE NOT VENTURE CAPITALISTS. THANK YOU. [LB285]

PRESIDENT FOLEY: THANK YOU, SENATOR GROENE. SENATOR CHAMBERS, AND THIS IS YOUR THIRD OPPORTUNITY, SENATOR. [LB285]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, ONCE AGAIN I SAY, PEOPLE IN THIS COUNTRY ARE THE VICTIMS OF PROPAGANDA. THEY NEED TO READ ABOUT HITLER. THEY NEED TO READ ABOUT MARTIN BORMANN, HERMANN GOERING, HEINRICH HIMMLER, CARLTON BRUNER, THE ONES WHO WERE CONSIDERED WAR CRIMINALS AND TRIED BECAUSE THEIR SIDE LOST THE WAR. BUT IF YOU LOOK AT WHAT THE AMERICANS AND THE BRITISH DID TO THE CITY OF DRESDEN, THEN YOU'D WONDER. YOU ALL HAVE AN ALLY IN SAUDI ARABIA. AND THEY POINTED OUT

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THAT SAUDI ARABIA IS JUST LIKE ISIS OR ISIL WHEN IT COMES TO BEHEADING, BUT YOU LOOK THE OTHER WAY. AND LAST SESSION, THE PEOPLE ON THIS FLOOR, SOME OF THEM PRETENDED THAT THEY DIDN'T UNDERSTAND WHAT I SAID AND WHAT I MEANT WHEN I SAID THAT WHITE PEOPLE WANT GUNS BECAUSE THEY FEAR ISIS. AND ISIS IS NOT GOING TO BOTHER THEM. I POINTED OUT THE BAD THINGS POLICE DID. AND I SAID THE POLICE ARE MY ISIS. THE FEAR THAT YOU HAVE TOWARD ISIS IS THE FEAR WE HAVE TOWARD POLICE. WHEN THE MEDIA WOULD WRITE IT, THEY SAID I SAID POLICE WERE LIKE ISIS, AND I DIDN'T SAY THAT THE POLICE ARE CUTTING OFF HEADS AND ALL THESE THINGS ISIS IS DOING, BUT THE REPORTERS WOULD WRITE A DESCRIPTION OF WHAT ISIS IS DOING AND GAVE THE IMPRESSION THAT THAT'S WHAT I SAID THE POLICE WERE DOING. BUT POLICE ARE DOING HORRIBLE ENOUGH THINGS, AND THEY GET AWAY WITH IT. PEOPLE ASK ME, WHY ARE YOU SO CONCERNED WHEN THE POLICE KILL BLACK PEOPLE, BUT YOU'RE NOT CONCERNED WHEN BLACK PEOPLE KILL BLACK PEOPLE? I'M CONCERNED WHEN ANYBODY KILLS ANYBODY. BUT HERE'S THE DIFFERENCE. THE BLACK PEOPLE WHO KILL BLACK PEOPLE ARE CRIMINALS; AND WHEN THEY'RE CAUGHT, THEY'RE BROUGHT TO BOOK. WHEN COPS KILL BLACK PEOPLE, NOTHING IS DONE. THEY'RE COVERED FOR, THEY WRITE LYING REPORTS, AND EVERYBODY SAYS THEY'RE ALL RIGHT. THEY ALL DO THAT. AND THE COP WHO SHOT THAT YOUNG BLACK BOY IN CHICAGO 16 TIMES NOT ONLY LIED ABOUT WHAT HE DID, BUT THE COPS WHO WROTE ABOUT IT LIED ALSO. THEN WHEN THE VIDEO WAS SHOWN, THEY SAW WHAT HAPPENED. A FEW DAYS AGO, THE TOP LAWYER IN CHICAGO, THE CITY LAWYER, WAS ALLOWED TO RESIGN. HE SHOULD HAVE BEEN FIRED AND PROSECUTED BECAUSE A JUDGE LOOKED INTO ONE OF THE CASES AND SAW WHERE HE HAD WITHHELD INFORMATION, WITHHELD EVIDENCE IN THE KILLING OF A BLACK PERSON. DOWN IN FLORIDA, A BLACK WOMAN WAS IN A HOSPITAL. THE WHITE PEOPLE GOT TIRED OF HER BEING THERE. THEY SAID GET OUT OF HERE. SHE SAID I CAN'T, I'M HURTING, I CAN'T BREATHE. SHE HAD ONE OF THESE TANKS AND THESE LITTLE PRONGS IN HER NOSE TO BREATHE. SO WHAT DID THE WHITE PEOPLE DO? THEY CALLED THE POLICE. WHAT DID THE POLICE DO? THEY SNATCHED HER UP AND DRAGGED HER OUT OF THE HOSPITAL. AND YOU KNOW WHAT THE COP TOLD HER AS FAR AS THIS BREATHING PARAPHERNALIA, WE'RE GOING TO TAKE THIS OFF. SHE SAID, I CAN'T BREATHE WITHOUT IT, I NEED IT. WE'RE GOING TO TAKE IT OFF. THEN SHE COLLAPSED. AND ALL THESE THINGS CAME OUT LATER. HE SAID FALLING DOWN IS NOT GOING TO HELP YOU. YOU'RE GOING TO JAIL. LET ME PUT THESE HANDCUFFS ON. THEN IN LESS THAN AN HOUR, SHE DIED. THAT'S WHAT THE WHITE COPS DID. AND YOU KNOW WHAT? I DO OWE AN APOLOGY ABOUT ISIS AND THE POLICE. I OWE AN APOLOGY TO ISIS. THEY TELL YOU WHAT THEY ARE. THEY

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DON'T PRETEND TO BE ANYTHING BUT THAT. AND THESE COP CARS GO THROUGH OUR NEIGHBORHOODS TO PROTECT AND SERVE. THEY'RE THE LIARS. THEN SOME OF THESE SILLY PEOPLE IN HERE THINK THEY'RE GOING TO MAKE ME APOLOGIZE. AND IT HAPPENED TO BE A WHITE MAN WHO HAD GOTTEN SHOT IN THE BACK BY THE POLICE THAT LED ME INTO THAT DISCUSSION AND NOW HIS FACE IS SHOWN PROMINENTLY WITH THE COP WHO SHOT HIM IN THE BACK AS A REASON FOR HAVING THE GRAND JURY SYSTEM OPEN IN DOUGLAS COUNTY. AND THESE DUMBBELLS ON THIS FLOOR FOLLOWED SOME MISSTATEMENT BY FOX NETWORK. AND NOW THE VERY ISSUES THAT I WAS RAISING WHEN THOSE STATEMENTS WERE MADE ARE NOW BEING RAISED BY THE DOUGLAS COUNTY ATTORNEY. WHAT ABOUT THAT? THAT'S WHY I DON'T CARE ABOUT WHAT YOU ALL SAY WHEN YOU CONDEMN ME. YOU DON'T KNOW ANYTHING. YOU DON'T TRY TO FIND OUT THE TRUTH. BUT I KNOW WHAT IT IS THAT I'VE GOT TO DO. AND MR. CHAIRMAN, I KNOW THIS IS MY THIRD TIME, SO I WILL NOT REQUIRE YOU TO SAY "TIME." THANK YOU. [LB285]

PRESIDENT FOLEY: THANK YOU, SENATOR CHAMBERS. SENATOR RIEPE, YOU ARE RECOGNIZED TO CLOSE ON LB285. [LB285]

SENATOR RIEPE: MR. PRESIDENT, THANK YOU VERY MUCH; AND THANK YOU TO MY FELLOW SENATORS. I APPRECIATE ALL OF THE DISCUSSION THAT WE'VE HAD TODAY. IT'S BEEN LIVELY AND DIVERSE. MY SIMPLE REQUEST IS YOU VOTED FAVORABLY ON AM1426. I WOULD ASK YOU TO VOTE FAVORABLY ON LB285. [LB285]

PRESIDENT FOLEY: THANK YOU, SENATOR RIEPE. THE QUESTION IS THE ADVANCEMENT OF LB285 TO E&R INITIAL. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED WHO CARE TO? RECORD, PLEASE, MR. CLERK. [LB285]

CLERK: 34 AYES, 3 NAYS, MR. PRESIDENT, ON THE ADVANCEMENT OF LB285. [LB285]

PRESIDENT FOLEY: LB285 ADVANCES. ITEMS FOR THE RECORD, MR. CLERK. [LB285]

CLERK: MR. PRESIDENT, NEW BILLS: (READ LB897-902 BY TITLE FOR THE FIRST TIME.) RESOLUTION, MR. PRESIDENT, LR399CA IS BY SENATOR DAVIS--
CONSTITUTIONAL AMENDMENT PROPOSAL AMENDING ARTICLE VIII, SECTION 12

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

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OF THE NEBRASKA CONSTITUTION. I HAVE AN AMENDMENT TO BE PRINTED:
SENATOR WATERMEIER TO LB47. I HAVE A HEARING NOTICE FROM THE
EDUCATION COMMITTEE SIGNED BY SENATOR SULLIVAN. (LEGISLATIVE
JOURNAL PAGES 239-242.) [LB897 LB898 LB899 LB900 LB901 LB902 LR399CA LB47]

AND, MR. PRESIDENT, A PRIORITY MOTION. SENATOR MELLO WOULD MOVE TO
ADJOURN THE BODY UNTIL TUESDAY, JANUARY 12, AT 9:00 A.M.

PRESIDENT FOLEY: SENATORS, YOU'VE HEARD THE MOTION TO ADJOURN. ALL
THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. WE ARE ADJOURNED.