

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

Floor Debate
April 06, 2016

[LB10 LB89 LB187 LB567 LB677 LB678 LB679 LB680 LB680A LB684 LB694 LB712
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LB813 LB814 LB814A LB816 LB823 LB842 LB865 LB875 LB884 LB901 LB947 LB958
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PRESIDENT FOLEY PRESIDING

PRESIDENT FOLEY: GOOD MORNING, LADIES AND GENTLEMEN. WELCOME TO THE GEORGE W. NORRIS LEGISLATIVE CHAMBER FOR THE FIFTY-SIXTH DAY OF THE ONE HUNDRED FOURTH LEGISLATURE, SECOND SESSION. OUR CHAPLAIN FOR TODAY IS PASTOR ROB HOCKNEY OF THE BROOKSIDE CHURCH IN OMAHA, NEBRASKA, A GUEST OF SENATOR SMITH. PLEASE RISE.

PASTOR HOCKNEY: (PRAYER OFFERED.)

PRESIDENT FOLEY: THANK YOU VERY MUCH, PASTOR HOCKNEY. I CALL TO ORDER THE FIFTY-SIXTH DAY OF THE ONE HUNDRED FOURTH LEGISLATURE, SECOND SESSION. SENATORS, PLEASE RECORD YOUR PRESENCE. ROLL CALL. MR. CLERK, PLEASE RECORD.

ASSISTANT CLERK: THERE'S A QUORUM PRESENT, MR. PRESIDENT.

PRESIDENT FOLEY: THANK YOU, MR. CLERK. ARE THERE ANY CORRECTIONS FOR THE JOURNAL?

ASSISTANT CLERK: NO CORRECTIONS THIS MORNING.

PRESIDENT FOLEY: ARE THERE ANY MESSAGES, REPORTS, OR ANNOUNCEMENTS?

ASSISTANT CLERK: ONE ITEM, MR. PRESIDENT. YOUR COMMITTEE ON ENROLLMENT AND REVIEW REPORTS LB745 AS CORRECTLY ENGROSSED. THAT'S ALL I HAVE THIS MORNING. (LEGISLATIVE JOURNAL PAGE 1495.) [LB745]

PRESIDENT FOLEY: THANK YOU, MR. CLERK. WHILE THE LEGISLATURE IS IN SESSION AND CAPABLE OF TRANSACTING BUSINESS, I PROPOSE TO SIGN AND DO

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HEREBY SIGN THE FOLLOWING LEGISLATIVE RESOLUTIONS: LR606, LR607, LR608, LR609, AND LR610. MR. CLERK, WE'LL NOW PROCEED TO THE FIRST ITEM ON THE AGENDA, GENERAL FILE, 2016 SPEAKER PRIORITY BILLS. MR. CLERK. [LR606 LR607 LR608 LR609 LR610]

ASSISTANT CLERK: MR. PRESIDENT, THE FIRST BILL THIS MORNING IS LB901, INTRODUCED BY SENATOR KOLTERMAN. (READ TITLE.) THE BILL WAS INTRODUCED ON JANUARY 11 OF THIS YEAR. IT WAS REFERRED TO THE HEALTH AND HUMAN SERVICES COMMITTEE. THAT COMMITTEE PLACED THE BILL ON GENERAL FILE WITH COMMITTEE AMENDMENTS. (AM2024, LEGISLATIVE JOURNAL PAGE 563.) [LB901]

PRESIDENT FOLEY: THANK YOU, MR. CLERK. (DOCTOR OF THE DAY INTRODUCED.) SENATOR KOLTERMAN, YOU'RE RECOGNIZED TO OPEN ON LB901. [LB901]

SENATOR KOLTERMAN: THANK YOU, MR. PRESIDENT. FIRST OF ALL, I'D LIKE TO THANK SPEAKER HADLEY FOR MAKING THIS A SPEAKER PRIORITY AND, AGAIN, THANKS FOR BEING SO PERSISTENT IN MAKING SURE THAT ALL THE BILLS THAT WERE PRIORITIZED GOT SCHEDULED, REALLY APPRECIATE THAT. COLLEAGUES, LB901 IS A SCOPE OF PRACTICE BILL FOR DENTAL ASSISTANTS AND DENTAL HYGIENISTS, AND IS AN EXAMPLE OF A HOW SCOPE OF PRACTICE BILL SHOULD WORK. THE NEBRASKA DENTAL ASSOCIATION AND THE NEBRASKA DENTAL HYGIENISTS' ASSOCIATION, THE NEBRASKA DENTAL ASSISTANTS ASSOCIATION ALL CAME TOGETHER AND MET ONCE A MONTH FOR NEARLY FOUR YEARS TO GATHER AND DISCUSS RESEARCH ON PATIENT SAFETY, QUALITY OF CARE, AND COST EFFICIENCY. SO WHEN I WAS APPROACHED ABOUT CARRYING LB901, A LARGE PORTION OF THE WORK HAD ALREADY BEEN COMPLETED. AT THE END OF THOSE FOUR YEARS THE PARTIES HAD NEARLY REACHED AN AGREEMENT ON HOW TO MOVE FORWARD. ONCE CONSENSUS WAS REACHED, THE DENTISTS AND THE DENTAL ASSISTANTS TOOK THE PROPOSED CHANGES THROUGH THE 407 PROCESS AT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES. THEIR APPLICATION WAS APPROVED AT ALL THREE STAGES OF THE 407. LB901 IS THE RESULT OF THE 407 PROCESS. IN ADDITION, THIS PROPOSED MODEL RECEIVED A STAMP OF APPROVAL FROM DHHS CEO COURTNEY PHILLIPS AND THE NEBRASKA BOARD OF DENTISTRY. THE HYGIENISTS HAD A FEW CONCERNS THAT WERE ULTIMATELY WORKED OUT AFTER THE HEARING ON THE BILL. THERE WAS NO OPPOSITION TESTIMONY, AND THERE'S NO OPPOSITION TO THE BILL FROM THE DENTAL COMMUNITY. IT WAS ADVANCED UNANIMOUSLY FROM THE HHS COMMITTEE. THE BILL EXPANDS THE SCOPE OF PRACTICE FOR BOTH DENTAL

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ASSISTANTS AND HYGIENISTS. I HAVE PROVIDED A HANDOUT THAT ILLUSTRATES THE CHANGES TO THE SCOPE OF PRACTICE FOR BOTH DENTAL ASSISTANTS AND HYGIENISTS. AS YOU'LL NOTICE, THE DENTAL ASSISTANTS' POSITION HAS BEEN EXPANDED INTO TWO--DENTAL ASSISTANT AND LICENSED DENTAL ASSISTANT. THIS BILL ALLOWS FOR A VARIETY OF APPROACHES TO THE DELIVERY OF DENTAL CARE. DENTAL PRACTICES CAN CONTINUE AS THEY EXIST TODAY. THEY CAN ADD LICENSED DENTAL ASSISTANTS AND SOME ADDITIONAL DUTIES FOR BOTH ASSISTANTS AND HYGIENISTS. OR DENTAL PRACTICES CAN EXPAND ACCESS AND ALLOW ASSISTANTS AND HYGIENISTS TO BECOME MORE ACTIVE PARTICIPANTS IN THE DELIVERY OF CARE, GIVING THE DENTIST MORE TIME FOR COMPLEX PROCEDURES AND MEDICALLY COMPROMISED PATIENTS, WHICH IS IMPORTANT FOR MANY PRACTICES THAT IS SERVE LARGE MEDICAID POPULATIONS. ALL OF THESE NEWLY DESIGNATED PROCEDURES REQUIRE THAT THE INDIVIDUAL COMPLETE APPROPRIATE EDUCATION AND TRAINING WITHIN ACCREDITED DENTAL EDUCATION PROGRAMS. MANY OTHER STATES HAVE A LONG HISTORY OF USING THIS MODEL TO MAKE DENTAL CARE DELIVERY MORE EFFICIENT. I'D LIKE TO THANK AND COMMEND THE NEBRASKA DENTAL ASSOCIATION, THE NEBRASKA DENTAL HYGIENISTS' ASSOCIATION, AND THE NEBRASKA DENTAL ASSISTANTS ASSOCIATION FOR GETTING TOGETHER AND WORKING ON A COMPROMISE TO BRING TO THE COMMITTEE AND TO THE LEGISLATURE. LB901 IS THE OUTCOME OF THEIR WORK AND WILL PROVIDE LASTING BENEFITS FOR MANY YEARS TO COME. THANK YOU, AND I ASK YOU FOR A GREEN VOTE ON LB901. [LB901]

PRESIDENT FOLEY: THANK YOU, SENATOR KOLTERMAN. AS THE CLERK INDICATED, THERE ARE AMENDMENTS FROM THE HEALTH AND HUMAN SERVICES COMMITTEE. SENATOR CAMPBELL, AS CHAIR OF THE COMMITTEE, YOU'RE RECOGNIZED TO OPEN ON THE COMMITTEE AMENDMENTS. [LB901]

SENATOR CAMPBELL: THANK YOU, MR. PRESIDENT. AM2024 TO LB901 SIMPLY CHANGES THE WORD "GENERAL" TO "INDIRECT" REGARDING THE SUPERVISION BY A DENTIST WHEN A DENTAL ASSISTANT IS TAKING X-RAYS OR PERFORMING CORONAL POLISHING. THIS WAS A COMPROMISE AGREED TO BY DENTAL HYGIENISTS, DENTAL ASSISTANTS, AND DENTISTS. AS SENATOR KOLTERMAN WILL EXPLAIN ON THE NEXT AMENDMENT, MORE CHANGES WERE FOUND THAT ARE NECESSARY, BUT PLEASE VOTE TO ADVANCE THE COMMITTEE AMENDMENT AS THE NEXT AMENDMENT IS WRITTEN TO THIS AM. I'M GOING TO TAKE SOME TIME THIS MORNING BECAUSE, AS MY GOOD COLLEAGUE SENATOR COOK SAID TO ME JUST NOW, YOU HAVE COME FULL CIRCLE. I'VE TOLD THIS STORY TO MANY OF YOU IN THE BODY. MY FRESHMAN YEAR I WAS ASKED TO CARRY A

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BILL; "THIS IS A VERY SIMPLE BILL." AND PEOPLE HAVE TOLD ME THAT IT WAS THE ONLY BILL TO BE FILIBUSTERED IN MY FRESHMAN YEAR. AND AS A FRESHMAN, I WAS MORTIFIED, NOT SURE WHAT I WAS GOING TO DO, COMPOUNDED BY THE FACT THAT THE BILL CAME UP ON THE THURSDAY AFTERNOON BEFORE A FOUR-DAY RECESS FOR EASTER. AND ALL OF MY COLLEAGUES HAD THEIR CARS READY, BAGS PACKED, READY TO GO HOME FOR A FOUR-DAY RECESS. AND A COLLEAGUE STOOD UP AND SAID, MAKE NO MISTAKE, THIS IS A FILIBUSTER. IN THE END, I WITHDREW THE BILL IN ORDER FOR MY COLLEAGUES TO GO HOME THAT WEEKEND TO BE WITH THEIR FAMILIES, KNOWING THAT THE CONTENTIOUS NATURE OF THE BILL I HAD WOULD TAKE SOME TIME TO WORK OUT BETWEEN THE DENTISTS, THE DENTAL ASSISTANTS, AND THE DENTAL HYGIENISTS. HOW WOULD I KNOW THAT THIS COMPROMISE AND ALL OF THIS WORK WOULD TAKE UNTIL MY EIGHTH YEAR IN THE LEGISLATURE? SO FOR ME, WE HAVE COME FULL CIRCLE WITH A GREAT AMOUNT OF WORK FROM THE DENTAL COMMUNITY, SENATOR KOLTERMAN'S STAFF, HHS STAFF TO GET TO THIS POINT. IT WOULD BE EXTREMELY IMPORTANT FOR THIS COMMUNITY THAT SERVES NEBRASKANS ALL ACROSS THE STATE IN THEIR ORAL HEALTH TO SEE THIS BILL PROCEED AND PASS. THANK YOU, MR. PRESIDENT. [LB901]

PRESIDENT FOLEY: THANK YOU, SENATOR CAMPBELL. MR. CLERK. [LB901]

ASSISTANT CLERK: MR. PRESIDENT, I DO HAVE AN AMENDMENT TO THE COMMITTEE AMENDMENTS FROM SENATOR KOLTERMAN, AM2213. (LEGISLATIVE JOURNAL PAGE 657.) [LB901]

PRESIDENT FOLEY: SENATOR KOLTERMAN, YOU'RE RECOGNIZED TO OPEN ON AM2213. [LB901]

SENATOR KOLTERMAN: THANK YOU, MR. PRESIDENT. THIS AMENDMENT MERELY CHANGES THE SCOPE A LITTLE BIT. I'M GOING TO READ PARTS OF THE AMENDMENT. "UPON COMPLETION OF EDUCATION AND TESTING APPROVED BY THE BOARD, A DENTAL ASSISTANT MAY: TAKE X-RAYS UNDER THE GENERAL SUPERVISION OF A LICENSED DENTIST; AND PERFORM CORONAL POLISHING UNDER THE INDIRECT SUPERVISION OF A LICENSED DENTIST." AND THEN: UPON COMPLETION OF EDUCATION AND TESTING APPROVED BY THE BOARD AND WITH A PERMIT FROM THE DEPARTMENT OF THE RESPECTIVE COMPETENCY, AN EXPANDED FUNCTION DENTAL ASSISTANT MAY, UNDER INDIRECT SUPERVISION OF A LICENSED DENTIST, PERFORM RESTORATIVE LEVEL ONE SIMPLE

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RESTORATIONS AND RESTORATIVE LEVEL TWO COMPLEX RESTORATIONS. THIS HAS BEEN AGREED TO BY ALL THREE ASSOCIATIONS, AND I'D LIKE APPROVAL ON THIS AMENDMENT AS WELL. THANK YOU. [LB901]

PRESIDENT FOLEY: THANK YOU, SENATOR KOLTERMAN. MR. CLERK. [LB901]

ASSISTANT CLERK: MR. PRESIDENT, I DO HAVE A PRIORITY MOTION. SENATOR CHAMBERS WOULD MOVE TO BRACKET THE BILL UNTIL APRIL 20. [LB901]

PRESIDENT FOLEY: SENATOR CHAMBERS, YOU'RE RECOGNIZED TO OPEN ON YOUR BRACKET MOTION. [LB901]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, I AM AS SERIOUS AS A PERSON CAN BE WITH THIS MOTION. SENATOR CAMPBELL SAID HAS COME FULL CIRCLE. THE ONLY WAY THAT CAN BE DONE IS TO COME BACK AND END WHERE YOU STARTED. THIS IS NOT THE ONLY BILL. I HAVE AMENDMENTS FOR EVERY SINGLE BILL ON THE AGENDA. I'M NOT GOING TO RELENT. I'M NOT GOING TO BACK OFF. I'M GOING TO CARRY IT THROUGH. THIS BILL WILL NOT BE ON HERE LONG ENOUGH TO GET A CLOTURE VOTE. NONE OF THESE FOUR BILLS, SINCE THEY ONLY HAVE AN HOUR, WILL GO ANYWHERE. AND I WATCHED MY COLLEAGUES AS THEY CUT THE HEART OUT OF OTHER PEOPLE. THAT BILL LAST NIGHT, WITH THOSE CHILDREN IN THIS CHAMBER, WAS MERCILESSLY SLAUGHTERED AT THE BEHEST PRIMARILY OF THE GOVERNOR AND THE ATTORNEY GENERAL. THEY CHOSE TO DO HIS WORK. I AM GOING TO DO WHAT I THINK NEEDS TO BE DONE. THERE ARE TOO MANY TIMES THINGS ARE SAID ON THIS FLOOR AND THEY ARE NOT CARRIED OUT. I TOLD YOU ALL, AS A BEGINNING, WHEN SENATOR McCOY BROUGHT THAT LB10 AND REPUBLICANS TOOK OVER THE CHAMBER, THAT THE REST OF THE SESSION IS MINE. AND I HEARD THEM BACK THERE LAUGHING, GIGGLING BECAUSE THEY THOUGHT I WAS AS WEAK-KNEED AND LILY-LIVERED AS THEY ARE. THEY THOUGHT I WOULD NEED A LOT OF COMPANY ALONG WITH ME. AND IF PEOPLE SHOWED ME THAT THEY WERE UPSET OR OFFENDED, THAT I WOULD NOT GO THROUGH WITH IT. I INTEND TO GO THROUGH IT ON THIS BILL AND EVERY OTHER BILL ON THIS AGENDA WITH THE EXCEPTION OF SOME THAT I THINK OUGHT NOT BE DEALT WITH IN THAT FASHION, AND THAT IS DONE TO SHOW THAT I AM FLEXIBLE, THAT I TAKE CARE OF THE THINGS IN WHICH I HAVE AN INTEREST IN THE SAME WAY THAT OTHERS TAKE CARE OF WHAT THEY HAVE AN INTEREST IN. AND IF THEY HAVE NO INTEREST IN THE BILLS THAT I SHOW AN INTEREST IN, KILL THEM. WE'RE NOT GOING TO BE HERE BUT FOUR OR FIVE

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MORE DAYS, THREE OR FOUR, WHATEVER IT IS, AND YOU ALL WILL GET OVER IT OVER THE SUMMER, OVER THE FALL, OVER THE WINTER. AND THEN WHEN CHRISTMAS COMES YOU'LL HAVE ALL THOSE CHRISTMAS CAROLS. YOU'LL HAVE EGGNOG. YOU WILL HAVE "DECK THE HALLS" WITH BOUGHS OF HOLLY, AND THEN ONE OF MY FAVORITE SONGS, ALTHOUGH I DON'T MEAN IT THE WAY OTHERS DO: SO TOLL THE BELLS, BOTH LOUD AND DEEP. GOD IS NOT DEAD NOR DOTH HE SLEEP. THE WRONG SHALL FAIL; THE RIGHT PREVAIL THROUGH PEACE ON EARTH, GOODWILL TOWARD MEN. ALL OF YOU, EVEN THOUGH YOU'RE FRACTIOUS, EVEN THOUGH YOU'RE HARD-HEADED, EVEN THOUGH YOU'RE CONTRARY, YOU ARE ALL MY BROTHERS AND SISTERS. YOU DON'T CHOOSE YOUR FAMILY. AND BY VIRTUE OF THE FACT THAT I'M A HUMAN BEING, I'LL ACCEPT WHAT I'VE READ IN VARIOUS PLACES: THE "BIBBLE," LITERATURE, WHAT PSYCHOLOGISTS, PSYCHIATRISTS, PALEONTOLOGISTS, ANTHROPOLOGISTS. I COULD SAY ANTHROPOLOGISTS, BUT THOSE WOULD BE CERTAIN ANIMALS AND I DON'T KNOW THAT THEY'VE UNDERTAKEN A STUDY OF SCIENCE, ALTHOUGH SENATOR KUEHN WAS TELLING ABOUT ALL HIS SCIENTIFIC BACKGROUND, BUT NOTHING THAT HE SAID CONVINCED ME THAT HE WAS AN AUTHORITY ON THAT BILL LAST NIGHT THAT HE HELPED KILL. AND HE CARRIES MESSAGES FOR THE GOVERNOR, AS DO OTHERS ON THIS FLOOR. BUT I TOLD YOU WHEN YOU WERE TAKING LEADERSHIP FROM SENATOR McCOY AND SENATOR MURANTE THAT YOU DECIDED THAT THAT REPUBLICAN PARTY BILL WAS MORE IMPORTANT THAN THE REST OF THE SESSION. I TOLD YOU. GO GET, AS SENATOR GROENE SAYS, GO GET THE TRANSCRIPTS. AND I TOLD YOU WHAT WAS GOING TO HAPPEN. TIME WAS GOING TO BE MOVING RIGHT ALONG AS IT DOES, THE CONTINUUM THAT NEVER STOPS, AND THAT AS THAT TIME MOVED ON AND IT COMPRESSES, THERE IS MORE THAT YOU HAVE TO GET INTO THAT TIGHTLY COMPRESSED TIME AND YOU'RE NOT GOING TO BE ABLE TO DO IT. AND YOU IGNORED ME. YOU SCOFFED. YOU LAUGHED. YOU MOCKED. AND I REMINDED YOU THAT HE WHO LAUGHETH LASTEST LAUGHETH BESTEST, AND I KNOW HOW TO LAUGH WHEN THE TIME COMES. IS THIS A LAUGHING MATTER? NOT TO YOU ALL. LAST NIGHT WAS NOT A LAUGHING MATTER TO ME. I DELIBERATELY LEFT THIS FLOOR AND STAYED IN MY OFFICE BECAUSE I KNEW WHAT I WOULD SAY UP HERE WHEN I SAW THE HARDHEARTEDNESS AND WATCHED THE FINGERPRINTS AND THE FOOTPRINTS OF THE GOVERNOR AND THE ATTORNEY GENERAL STOMPING A BILL INTO THE GROUND, AND THESE SENATORS DIDN'T CARE. THEN THEY THINK THAT SOMETHING THAT DOES NOT GO DIRECTLY TO THE WELFARE OF CHILDREN MEANS MORE TO ME THAN THESE CHILDREN? AND IF I CAN CALL YOU ALL MY BROTHERS AND SISTERS, I CAN SAY EVERY CHILD IS MY CHILD. AND YOU SHALL PAY. BUT YOU DON'T HAVE TO PAY AS MUCH AS THOSE FAMILIES WHO WERE HERE LAST NIGHT. YOU MIGHT GET A LITTLE

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HEARTBURN. YOUR LITTLE FEELINGS MIGHT BE HURT. BUT THOSE PARENTS ARE GOING TO GO HOME AND WATCH THOSE CHILDREN WITH THE SEIZURES, WHICH MEANT NOTHING TO YOU ALL. BUT I'M GOING TO SHOW YOU WHAT IT MEANS TO ME. AND I DON'T JUST SAY IT. I WILL NOT JUST SPEAK FORCEFULLY. I AM AN INTEGRATED BEING. I HAVE A MOUTH WITH WHICH TO SPEAK. I HAVE EARS WITH WHICH TO HEAR. I HAVE EYES WHICH NOT ONLY SEE BUT THEY PERCEIVE. AND I HAVE A BRAIN WITH WHICH I THINK, AND I KNOW WHAT I'M DOING WHEN I DO IT. I'D NEVER BE ABLE TO PLEAD INSANITY BECAUSE I'VE ESTABLISHED A RECORD OF HAVING THOUGHT LONG AND DEEP BEFORE I TAKE A VERY SERIOUS STEP. BUT I DIDN'T HAVE TO THINK LONG AND DEEP ABOUT THIS. ALL I NEEDED WAS THE APPROPRIATE PROVOCATION, AND IT CAME. SENATOR BLOOMFIELD TOLD SENATOR McCOLLISTER ON A BILL THAT WAS NOT NEARLY AS IMPORTANT TO ANYBODY AS THAT BILL LAST NIGHT THAT IF HE CAPITULATED TO ME THEN SENATOR BLOOMFIELD WOULD CARRY THE BILL TO CLOTURE. LAST NIGHT YOU ALL CARRIED THAT BILL TO CLOTURE. YOU DID WHAT YOU THOUGHT YOU OUGHT TO DO FOR WHATEVER REASON, AND I AM RECIPROCATING FOR A BETTER REASON. THE WRONG SHALL FAIL; THE RIGHT PREVAIL. AND WE HAVE A RIGHT-WRONG DICHOTOMY TODAY, BECAUSE THE CONCEPT OF GIVING PEACE TO TORTURED FAMILY FAMILIES, SURCEASE OF PAIN TO HELPLESS, LITTLE CHILDREN, AND YOU ALL TURNED YOUR BACK AND SAID NO. I SEE PEOPLE SIGN UP IN DROVES ON BILLS THAT ARE DESIGNED TO SHIELD FETUSES, AND YOU WANT TO TELL ME THAT ONCE CONCEPTION OCCURS, NOT IMPLANTATION, CONCEPTION OCCURS, THAT'S A FULL-FLEDGED HUMAN BEING. AND YOU GET ALL THESE PEOPLE TO SIGN ON TO THESE BILLS, YOU GET ALL THESE BILLS ENACTED AROUND THE COUNTRY FOR THE FETUS. SO WE'RE GOING TO GET A SCALE AND WEIGH THIS. YOU GIVE YOUR ALL FOR THAT ABOUT WHICH THERE IS STILL MUCH DISPUTE AS TO WHETHER THIS CONSTITUTES A FULL-FLEDGED HUMAN BEING. AND THOSE THAT I CARE ABOUT ARE FULL-FLEDGED HUMAN BEINGS BY ANY DESCRIPTION, BY ANY DEFINITION FROM ANYBODY. AND THOSE ARE THE ONES YOU ALL DON'T CARE FOR. NOT ONLY DO YOU NOT CARE FOR THEM, YOU MUST HATE THEM! YOU MUST HATE THESE CHILDREN TO KNOW THAT THEY'RE SUFFERING LIKE THEY ARE AND WITHHOLD FROM THEM THAT WHICH WOULD ALLEVIATE THEIR SUFFERING. ONLY A DEEP-DYED HATRED OR...
[LB901 LB10]

PRESIDENT FOLEY: ONE MINUTE. [LB901]

SENATOR CHAMBERS: ...PERVERSION COULD LEAD TO THAT. AND YOU HAVE A BISHOP REFERRING TO PEOPLE WITH A CERTAIN ORIENTATION AS PERVERSIONS. YOU ALL ARE PERVERTED. YOU HATE CHILDREN, AND YOU DEMONSTRATED IT.

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YOU SAY I JUDGE HARSHLY. WELL, YOU BETTER BELIEVE IT BECAUSE YOU ALL ACTED IN A WAY THAT WAS MORE THAN HARSH. WHAT YOU DID WAS HURT PEOPLE. ALL I'M OFFERING ARE MY WORDS. I'M JUST SPEAKING WORDS. I DON'T DEPRIVE YOU OF YOUR FOOD, NOT EVEN THAT THAT THE LOBBYISTS FEED YOU. AND AFTER BEING SO CRUEL TO OTHERS, YOU, IN GOOD CONSCIENCE, IF YOU HAVE A CONSCIENCE, WILL GO OVER THERE AND SLURP UP FREE FOOD GIVEN TO YOU, WHILE YOU WOULD DENY FOOD TO OTHERS WHO ARE HUNGRY AND HAVE NO SOURCE OF FOOD, AND IT DOESN'T MATTER. TALKING ABOUT A SCIENTIST. ONE THING HE SHOULD KNOW IS THAT WHEN YOU DENY TO PEOPLE MEDICAL COVERAGE,... [LB901]

PRESIDENT FOLEY: TIME, SENATOR. [LB901]

SENATOR CHAMBERS: ...MEDICAL CARE THAT IS AVAILABLE... [LB901]

PRESIDENT FOLEY: TIME, SENATOR. [LB901]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB901]

PRESIDENT FOLEY: THANK YOU, SENATOR CHAMBERS. MEMBERS, YOU'VE HEARD THE OPENING ON LB901, THE COMMITTEE AMENDMENT, THE AMENDMENT TO THE COMMITTEE AMENDMENT, AND THE BRACKET MOTION. WE HAVE SIX SENATORS IN THE QUEUE: SENATOR CHAMBERS TO BE FOLLOWED BY SENATORS CRAWFORD, HOWARD, CAMPBELL, COOK, AND KOLTERMAN. SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB901]

SENATOR CHAMBERS: THANK YOU. AND, MR. PRESIDENT, I'M GLAD THAT PEOPLE ARE GOING TO SPEAK BECAUSE THEY'RE GOING TO HELP ME RUN TIME OFF THE CLOCK. I DON'T NEED TIME ON THIS BILL. YOU KNOW WHAT I'VE DONE? I BROUGHT SOME BOOKS THAT I'M GOING TO READ FROM BECAUSE WE'RE GOING TO BE TALKING ABOUT EDUCATION AND I'M GOING TO BE THE EDUCATOR. AND YOU'RE GOING TO BE LIKE CHILDREN WHO WERE MADE TO GO TO SCHOOL BY YOUR PARENTS AND YOU WISH YOU WERE SOMEPLACE ELSE, BUT YOU'VE GOT TO STAY HERE AND YOU'VE GOT TO LISTEN. THAT'S WHAT I'M GOING TO DO. AND WATCH ME. WATCH ME GET TIRED. I'M ALMOST 80 YEARS OLD. YOU KNOW I'VE GOT TO GIVE OUT AT SOME POINT, DON'T I? OR DO I? MAYBE I'M JUST TOO MEAN TO GET TIRED. SENATOR BLOOMFIELD, I LOOK AT THE OBITUARY EVERY DAY AND I FEEL SORRY FOR ALL THOSE YOUNGSTERS, 70, 75, 78 YEARS OLD WHO DIE--YOUNG! AND YOU KNOW HOW I MUST FEEL ABOUT THOSE WHO ARE EVEN

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YOUNGER, SO MANY YEARS THAT SHOULD BE AVAILABLE FOR THEM. BUT MAYBE THERE'S ONE GREATER THAN ALL OF US THAT YOU ALL PROFESS TO BELIEVE IN WHO THOUGHT OR KNEW THAT IF THEY WERE GIVEN THOSE YEARS ALL THEY WOULD DO IS BRING MORE PAIN AND SUFFERING AND HATRED INTO THE WORLD. SO THERE WILL ALWAYS BE ENOUGH OF THAT, SO THESE ARE JUST CUT DOWN, JUST CUT DOWN. AND THAT'S WHY YOU DON'T NEED TO ASK QUESTIONS WHY SO-AND-SO DIED. YOU DON'T NEED TO KNOW. AND IT'S SOMETHING THAT'S WAITING FOR ALL OF US. BUT I WILL TELL YOU THIS MUCH. WHEN I BELIEVE SOMETHING I AM GOING TO FOLLOW IT WHEREVER IT LEADS ME. AND I'LL HAVE A CHANCE WHEN WE GET TO SOME OF THESE OTHER BIG BILLS THAT ALL THE LOBBYISTS AND THE GOVERNOR AND HIS PEOPLE HAVE BEEN SCURRYING AROUND LIKE RODENTS AND ROACHES TRYING TO GET HANDOUTS FROM THE STATE AND THE TAXPAYERS. I WILL HAVE THE OPPORTUNITY DURING THOSE DISCUSSIONS TO TALK ABOUT TREACHERY, LIES, BROKEN PROMISES, FALSE ASSURANCES. AND YOU ALL KNOW IT BECAUSE SOME OF YOU ALL NOT ONLY HAVE BEEN STUNG BY IT; SOME OF YOU ALL HAVE PARTICIPATED IN DOING THAT. AT 9:00 I'M TOLD WE GOT AN AGREEMENT. AT 9:07 SOMEBODY WHO WAS A PART OF THE NEGOTIATION SAYS, I DON'T KNOW WHAT'S GOING ON, WE CAN'T GET ANYTHING AGREED TO. THAT'S WHY I DON'T GET INVOLVED IN ANY OF THESE SO-CALLED NEGOTIATIONS. I DON'T TRUST YOU! I DON'T TRUST THE PEOPLE HERE. I DON'T THINK THEY TELL THE TRUTH. I THINK THEY ARE LYING WHEN THEY UTTER THE STATEMENT, AND THEY DON'T MEAN TO FOLLOW THROUGH. BUT I'M NOT LIKE YOU ALL. I'M BETTER BECAUSE WHAT I SAY IS WHAT I MEAN. AND I WILL NOT LIE BECAUSE NONE OF YOU ARE IMPORTANT ENOUGH FOR ME TO LIE TO. NOW, I WILL TELL FAIRY TALES AND FABLES AND WEAVE SIMILES AND METAPHORS. BUT YOU OUGHT TO HAVE SENSE ENOUGH TO RECOGNIZE THOSE WHEN YOU HEAR THEM, BUT OBVIOUSLY YOU DON'T. BUT I CANNOT SCALE EVERYTHING THAT I DO TO THE LEVEL OF A NINCOMPOOP. IF YOU ALL DON'T UNDERSTAND, FINE. WHEN I SPEAK, THOSE WHO HAVE EARS TO HEAR WILL HEAR AND UNDERSTAND. THEY WILL HAVE EYES THAT SEE AND PERCEIVE. AND FOR THE REST OF THEM, WHAT DIFFERENCE DOES IT MAKE? THEY ARE AS UNRELIABLE AS A SHARP STAKE... [LB901]

PRESIDENT FOLEY: ONE MINUTE. [LB901]

SENATOR CHAMBERS: ...SITTING NEXT TO YOU, AND YOU NEED SUPPORT SO YOU LEAN ON THAT STAKE AND IT AND PIERCES YOUR PALM. THAT'S WHAT GOES ON AROUND HERE. AND IF YOU WOULD CONVERT THEM TO A PART OF YOUR ANATOMY, AND IT WAS THE LOWER PART OF YOUR ANATOMY WHICH HELPS YOU TO WALK, IT WOULD BE LIKE WALKING ON AN ANKLE THAT'S BROKEN AND A

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FOOT THAT'S OUT OF JOINT. YOU CANNOT RELY ON IT. YOU CANNOT TRUST IT. AND I WANT YOU ALL TO KNOW I DON'T TRUST YOU. YOU CAN PROBABLY TELL THAT ANYWAY, BUT IT NEEDS TO BE SAID. AND IN THE WANING DAYS OF THIS SESSION WHEN SOME OF YOU WILL NOT COME THIS WAY AGAIN, I WANT YOU TO HEAR IT FROM ME. AND IF YOU THINK, WELL, WHAT DO I CARE WHAT HE SAYS? IF YOU DON'T CARE, THEN FORGET IT. THAT'S THE WAY I DO WITH A LOT THAT YOU ALL SAY. BUT THE REASON I PAY ATTENTION, IT'S FUNNY AND IT GIVES ME GRIST FOR MY STORYTELLING MILL. [LB901]

PRESIDENT FOLEY: TIME, SENATOR. [LB901]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB901]

PRESIDENT FOLEY: THANK YOU, SENATOR CHAMBERS. (VISITORS INTRODUCED.) SENATOR CRAWFORD, YOU'RE RECOGNIZED. [LB901]

SENATOR CRAWFORD: THANK YOU, MR. PRESIDENT. GOOD MORNING, COLLEAGUES. I RISE IN SUPPORT OF LB901 AND THE AMENDMENTS, AND AGAIN THANK ALL OF THE PARTIES FOR THEIR HARD WORK IN TRYING TO MAKE SURE WE IMPROVE ACCESS TO HEALTHCARE IN OUR STATE. AND THIS IS AN IMPORTANT BILL TO DO THAT. I WILL SAY, SENATOR CHAMBERS, I CAN APPRECIATE YOUR RIGHTEOUS ANGER THIS MORNING, BUT I ALSO HEARD, AS I WAS LISTENING, TO THAT YOU SAID YOU WERE WILLING TO BE FLEXIBLE AT TIMES WITH A BILL THAT YOU THOUGHT MIGHT BE WORTHY OF THAT. AND I IMPLORE YOU TO HAVE EARS TO LISTEN THIS MORNING TO HEAR THE WAYS IN WHICH THIS BILL IS ONE THAT IS WORTHY OF THAT FLEXIBILITY. THIS BILL HAS BEEN AN IMPORTANT...THIS BILL CREATES VERY IMPORTANT CHANGES IN WHAT DENTAL ASSISTANTS, DENTAL HYGIENISTS, AND DENTISTS ARE ABLE TO DO. AND SENATOR HOWARD, WHO WILL SPEAK AFTER ME, WILL TALK ABOUT HOW IMPORTANT THOSE CHANGES ARE IN TERMS OF MAKING SURE THAT MORE OF OUR CHILDREN ON MEDICAID ARE ABLE TO GET CRITICAL DENTAL CARE. IT'S ALSO THE CASE THAT THIS BILL BUILDS ON THAT IMPORTANT WORK THAT SENATOR CAMPBELL STARTED MANY YEARS AGO IN THAT FATED FILIBUSTER IN MAKING SURE THAT WE HAVE BETTER DENTAL SERVICES FOR OUR MOST VULNERABLE POPULATIONS THROUGH IMPROVING AND INCREASING THE AUTHORIZATIONS FOR OUR DENTAL HYGIENISTS IN TERMS OF THEIR PUBLIC HEALTH AUTHORIZATION. SO WE HAVE ALREADY IN ANOTHER TOUGH SCOPE OF PRACTICE BILL MADE SURE THAT DENTAL HYGIENISTS ARE ABLE TO DO TEETH CLEANING AND PULP VITALITY TESTING AND APPLYING FLUORIDE AND

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SEALANTS. AND THIS BILL, LB901, EXPANDS WHAT THEY CAN DO FOR THAT MOST-VULNERABLE POPULATION. IT EXPANDS AND ALLOWS DENTAL HYGIENISTS TO PROVIDE INTERIM THERAPEUTIC RESTORATION TECHNIQUES, WRITE PRESCRIPTIONS FOR MOUTH RINSES AND FLUORIDE PRODUCTS, AND DO MINOR DENTURE ADJUSTMENTS, WHICH IF YOU THINK ABOUT, YOU KNOW, OUR SENIORS WHO ARE IN THOSE CONVALESCENT CENTERS, IN THOSE WHO ARE OUR MOST-VULNERABLE POPULATION, AND HOW MUCH OF A DIFFERENCE IT WILL MAKE IN THEIR LIFE TO BE ABLE TO GET THESE SERVICES, GET THEIR DENTURES ADJUSTED SO THAT THEY CAN EAT AND SO THAT THEY WILL NOT BE IN PAIN. IT'S A VERY IMPORTANT SERVICE THAT IT PROVIDES FOR THOSE PEOPLE WHO ARE PART OF OUR MOST-VULNERABLE POPULATION. I THINK IT'S ALSO VERY IMPORTANT, AND I APPLAUD ALL GROUPS WHO WORKED ON THIS TOGETHER, TO RECOGNIZE THE IMPORTANCE OF DIFFERENCES ACROSS THE STATE AND BALANCING THE IMPORTANCE OF MAKING SURE THERE'S ACCESS ACROSS THE STATE WITH PUBLIC SAFETY. AND IN LB901, IT RECOGNIZES THOSE DIFFERENCES AND ALSO RECOGNIZES THE IMPORTANCE OF PROVIDING CAREER PATHWAYS FOR PEOPLE IN HEALTH PROFESSIONS. NOT EVERYBODY GOES TO COLLEGE, AND LB901 ENSURES THERE IS A CAREER PATHWAY FOR PEOPLE WHO WANT TO BE INVOLVED IN THE HEALTHCARE SECTOR AND DON'T GO TO COLLEGE. SO IT PROVIDES AN OPPORTUNITY FOR PEOPLE TO START OUT AS A DENTAL ASSISTANT AND THEN THEY HAVE A PATHWAY THEN TO WORK TO THE NEXT STEP WITH ADDED TRAINING TO BECOME A LICENSED DENTAL ASSISTANT AND CONTINUE AS FAR AS THEY WANT TO ADVANCE IN TERMS OF THEIR DESIRE, IN TERMS OF ADDING EDUCATION AND TRAINING. BUT THE BILL RECOGNIZES THE IMPORTANCE OF MAKING SURE THAT WE KEEP THAT LEVEL, THAT BASIC DENTAL ASSISTANT POSITION, AS IT IS... [LB901]

PRESIDENT FOLEY: ONE MINUTE. [LB901]

SENATOR CRAWFORD: THANK YOU, MR. PRESIDENT...SO THAT RURAL AREAS WHERE SOMEONE HAS BEEN TRAINED BY THEIR OWN DENTIST CAN CONTINUE TO HAVE THAT JOB AND PROVIDE DENTAL CARE IN THEIR COMMUNITY, AND SO THAT THOSE WHO WANT TO START THEIR CAREER OR NEED TO START THEIR CAREER TO SUPPORT THEIR FAMILY RIGHT AWAY CAN STEP INTO THIS CAREER AS A DENTAL ASSISTANT AND BEGIN TO SUPPORT THEIR FAMILY AND BEGIN TO HELP PROVIDE DENTAL CARE IN THEIR COMMUNITY AT THAT LEVEL. IT'S A SOPHISTICATED BILL THAT ADVANCES DENTAL CARE TO OUR MOST-VULNERABLE POPULATION AND IT'S AN IMPORTANT BILL THAT PROVIDES CAREER PATHWAYS TO PROVIDE HEALTH CAREERS TO HELP PEOPLE SUPPORT

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THEIR FAMILIES IN OUR COMMUNITIES ACROSS THE STATE. AND I URGE YOUR SUPPORT TO LB901. THANK YOU, MR. PRESIDENT. [LB901]

PRESIDENT FOLEY: THANK YOU, SENATOR CRAWFORD. SENATOR HOWARD, YOU'RE RECOGNIZED. [LB901]

SENATOR HOWARD: THANK YOU, MR. PRESIDENT. I RISE IN SUPPORT OF LB901. AND I WAS JOKING THIS MORNING OVER BREAKFAST THAT I'M CONCERNED THIS FRESHMAN CLASS IS GOING TO THINK THAT SCOPE OF PRACTICE BILLS ARE EASY BECAUSE WE'VE HAD SO MANY COME THROUGH THAT ARE THE PRODUCT OF YEARS OF WORK. I KNOW SENATOR KOLTERMAN TOLD YOU THAT THIS BILL TOOK FOUR YEARS TO CREATE, BUT BY THE TIME LINE OF A TESTIFIER, THEY STARTED WORKING IN 2010. SO THIS HAS TAKEN SIX YEARS TO GET FROM FEBRUARY 2010, WHERE THEY CREATED A TASK FORCE WITH A DENTIST, A HYGIENIST, AND A GROUP OF ASSISTANTS, ALL THE WAY TO 2016 WHEN WE HAD A SUCCESSFUL 407 PROCESS. ALL THREE LEVELS OF THE 407 WERE APPROVED. AND ALL OF THE GROUPS WORKED TOGETHER. THIS IS EXACTLY WHAT WE WANT TO SEE ON A SCOPE OF PRACTICE BILL. WE DON'T WANT TO SEE GROUPS TAKING IT TO THE FLOOR, SO TO SPEAK. AND SO THIS IS VERY EXCITING. ONE THING I WANTED TO TALK ABOUT SPECIFICALLY IS ABOUT HOW THIS WILL INCREASE ACCESS TO CARE FOR CHILDREN WHO ARE LIVING IN POVERTY AND WHO ARE ELIGIBLE FOR OUR MEDICAID AND OUR CHIP PROGRAM. IT'S IMPORTANT TO REMEMBER THAT ALMOST HALF OF THE CHILDREN IN THE STATE OF NEBRASKA RECEIVE THEIR INSURANCE COVERAGE THROUGH MEDICAID OR THE CHILDREN'S HEALTH INSURANCE PROGRAM. THE MOST RECENT DATA THAT WE HAVE FROM 2014 SAYS THAT ONLY HALF OF THOSE CHILDREN WHO ARE RECEIVING MEDICAID RECEIVED ANY PREVENTATIVE ORAL HEALTHCARE. AND SO BY ALLOWING DENTISTS TO DELEGATE THOSE DUTIES WHERE IS A DENTIST'S EXPERTISE ARE NOT NECESSARILY NEEDED, ALLOWS THEM TO BE MORE EFFICIENT IN HOW THEY DELIVER THAT CARE. AND IT'S A MODEL THAT MEDICINE FIGURED OUT DECADES AGO, TO QUOTE JESSICA MEESKE, WHO'S A DENTIST IN HASTINGS AND GRAND ISLAND. AND THE PROPOSAL THAT'S OUTLINED IN LB901 AND THE UNDERLYING AMENDMENTS MAINTAINS THAT THE DENTIST STILL HAS RESPONSIBILITY FOR ALL ASPECTS OF PATIENT CARE BUT ALLOWS THEM TO DELEGATE SOME OF THOSE PROCEDURES AND PROCESSES SO THAT WE CAN INCREASE ACCESS TO CARE, SPECIFICALLY FOR CHILDREN WHO ARE LIVING IN POVERTY. NOW, WHEN I WORKED AT A HEALTH CLINIC IN SOUTH OMAHA, WE HAD A PEDIATRIC ORAL DENTAL UNIT, WHICH WAS BASICALLY A BIG VAN AND IT HAD TWO DENTAL CHAIRS IN IT. AND IT WOULD GO AND IT WOULD PARK AT A SCHOOL FOR TWO WEEKS AT A TIME. AND THE FIRST WEEK

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THEY WOULD JUST DO CLEANINGS. THEY WOULD JUST BRING KIDS OUT OF RECESS OR KIDS OUT OF CLASS. THEY WOULD JUST DO CLEANINGS. AND THEN THE SECOND WEEK THEY WOULD DO MORE INTENSIVE VISITS. AND IT'S A LOGICAL WAY OF DOING THINGS, BECAUSE WHEN CHILDREN HAVE ORAL HEALTH ISSUES, WHEN THEY HAVE CARIES AND CAVITIES, THEY CAN'T PAY ATTENTION IN SCHOOL. AND SO YOU COULD SEE THAT THAT PEDIATRIC DENTAL UNIT REALLY IMPACTED ACADEMIC OUTCOMES IN A THOUGHTFUL MANNER BECAUSE THEY WERE ESSENTIALLY BRINGING THE CARE TO THE KIDS THAT NEEDED IT MOST. I WOULD URGE THE ADOPTION OF LB901 AND THE UNDERLYING AMENDMENTS. AND I APPRECIATE SENATOR CHAMBERS' PASSION FOR KIDS IN THIS STATE, AND I WOULD HOPE HE WOULD CONSIDER SUPPORTING THIS BILL AS WELL. THANK YOU, MR. PRESIDENT. [LB901]

PRESIDENT FOLEY: THANK YOU, SENATOR HOWARD. SENATOR CAMPBELL, YOU'RE RECOGNIZED. [LB901]

SENATOR CAMPBELL: THANK YOU, MR. PRESIDENT. IT'S OFTEN DIFFICULT, WHEN WE START TALKING ABOUT SCOPE OF PRACTICE BILLS, TO SINGLE OUT AN INDIVIDUAL WHO MADE A GREAT AMOUNT OF DIFFERENCE BECAUSE THERE ARE SO MANY PEOPLE OVER THE COURSE OF THE YEARS THAT HAVE WORKED ON THIS. BUT I WOULD LIKE TO HAVE A SINGLE OUT FOR DR. MEESKE. SENATOR HOWARD MENTIONED HER. SHE IS A PEDIATRIC DENTIST IN HASTINGS, AND IT WAS REALLY HER ADVOCACY THAT MADE A GREAT AMOUNT OF DIFFERENCE IN TERMS OF MY LOOKING AT THE NEEDS OF DENTAL CARE ACROSS THE STATE AND THIS SCOPE OF PRACTICE. SHE IS ONE OF THOSE PEOPLE THAT KEEPS TUGGING AND TUGGING ON YOUR COAT SLEEVE SAYING, LISTEN TO THIS, THIS IS IMPORTANT, I NEED YOU TO HEAR THIS. SHE HAS BEEN A TIRELESS ADVOCATE, ENCOURAGING HER COLLEAGUES TO TAKE MORE MEDICAID PATIENTS IN THEIR PRACTICES, AND PARTICULARLY CHILDREN. SHE'S A RECOGNIZED NATIONAL DENTAL LEADER, AND SHE SPENDS A GREAT AMOUNT OF TIME IN HER PRACTICE SERVING MEDICAID PATIENTS AND FAMILIES IN CENTRAL NEBRASKA. SHE REPRESENTS, AND THIS BILL REPRESENTS, WHAT I THINK IS GOING TO HAPPEN IN THE FUTURE IN HEALTHCARE AND THE FACT THAT WE WILL REQUIRE OUR PRACTITIONERS TO PRACTICE TO THE FULL EXTENT OF THEIR SCOPE. AND SENATOR CRAWFORD AND SENATOR HOWARD HAVE OUTLINED FOR YOU QUITE ABLY THE CHART THAT IS IN FRONT OF YOU. WE ARE TRYING TO ENSURE THAT THE PRACTITIONERS WE HAVE IN THIS STATE CAN SERVE MORE PEOPLE AND PROVIDE MORE ACCESS, PARTICULARLY TO A POPULATION OF MEDICAID, WHICH OFTEN WALKS TO A DOOR AND CANNOT BE SERVED OR WILL NOT BE SERVED. THIS BILL ALLOWS US TO ENLARGE THAT

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SCOPE OF PRACTICE. SENATOR GLOOR AND I HAVE SPENT ALMOST OUR ENTIRE EIGHT YEARS HERE TALKING ABOUT THE IMPORTANCE OF LONG-TERM PLANNING IN HEALTHCARE, AND I WOULD IMAGINE WHEN WE LEAVE WE'LL STILL CONTINUE TO BE A VOICE FOR THAT CONCEPT. THIS BILL REPRESENTS A PATHWAY TO THE FUTURE AND I REALLY DO URGE THE PASSAGE OF THE BILL AND, AGAIN, THANK SENATOR KOLTERMAN FOR TAKING UP THIS EFFORT. THANK YOU, MR. PRESIDENT. [LB901]

PRESIDENT FOLEY: THANK YOU, SENATOR CAMPBELL. SENATOR COOK, YOU'RE RECOGNIZED. [LB901]

SENATOR COOK: THANK YOU, MR. PRESIDENT. AND GOOD MORNING, COLLEAGUES. I RISE IN SUPPORT OF LB901 ALONG WITH THE SENATOR, SENATOR KOLTERMAN'S AND THE COMMITTEE'S AMENDMENTS, AND IN FULL UNDERSTANDING OF THE FRUSTRATION THAT SENATOR CHAMBERS HAS EXPRESSED WITH THE WAY THINGS TYPICALLY UNFOLD ON BEHALF OF THOSE I CERTAINLY RAN TO ADVOCATE FOR AND MANY OTHERS OF US REPRESENT IN OUR DISTRICTS, EITHER THROUGH THE FACT THAT THEY LIVE IN YOUR DISTRICT OR THEY WORK IN YOUR DISTRICT. SO WITH THAT, I WOULD LIKE TO TAKE ON AN ANGLE THAT I HAVE BROUGHT UP BEFORE IN THE LEGISLATURE, AND THAT IS THE IDEA THAT PEOPLE WANT TO WORK. AND I THINK THIS BILL OFFERS AN OPPORTUNITY FOR SOMEONE TO START IN AN ENDEAVOR IN THE AREA OF DENTAL ASSISTING, BE ABLE TO BUILD A SKILL, BECOME LICENSED, PERHAPS MOVE UP IN THAT CAREER OR TRANSITION TO ANOTHER CAREER AS A HEALTHCARE PRACTITIONER, BUT BE LICENSED TO PRACTICE AND BUILD SKILL IN THE STATE OF NEBRASKA. CURRENTLY, AS THE INTRODUCERS AND THE ADVOCATES FOR THE BILL HAVE ALREADY EXPRESSED, THE THINGS THAT A DENTAL ASSISTANT IS ALLOWED TO DO ARE SOMEWHAT LIMITED. THERE'S SEVERAL BENEFITS TO THE ASSISTANT FOR THIS ADVANCEMENT THAT WE'RE PUTTING FORWARD IN THE BILL PROPOSAL. THE TIERED APPROACH OFFERS FLEXIBILITY TO THE PERSON IN THE DENTAL ASSISTANT ROLE. AS WE'VE DISCUSSED THROUGH MY WORK IN THE PLANNING COMMITTEE, WE RECOGNIZE INTELLECTUALLY THAT THE NUMBER OF FEMALE, HEAD OF HOUSEHOLD FAMILIES THAT WE, THE TAXPAYERS, ARE SUBSIDIZING, UNFORTUNATELY, SOMETIMES THROUGH PUBLIC ASSISTANCE, OFF AND ON OVER THE YEARS, HERE IS AN OPPORTUNITY FOR SOMEONE TO HAVE THE FLEXIBILITY TO MOVE UP, TO GET EDUCATED, AND TO EXPAND OPPORTUNITIES. IT OFFERS FLEXIBILITY TO THE DENTAL ASSISTANT. THE EXPANDED DUTIES OFFER AN OPPORTUNITY TO THOSE WITH THE ABILITY AND DESIRE TO BECOME AN EVEN MORE PRODUCTIVE MEMBER OF THE DENTAL TEAM. HERE WE GO WITH THE EARNING

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POTENTIAL. YOU JOINED ME EARLIER THIS SESSION IN IDENTIFYING A TAX CREDIT OPPORTUNITY FOR BUSINESSES THAT OFFER SUPPORT SYSTEMS WHILE PEOPLE ARE TRANSITIONING FROM PUBLIC ASSISTANCE. THANK YOU VERY MUCH. PEOPLE WANT TO TRANSITION FROM PUBLIC ASSISTANCE. THEIR EARNING POTENTIAL WILL INCREASE IN PROPORTION TO THEIR VALUE TO THE DENTAL PRACTICE. AND THIS LEADS TO--HERE'S A TOUCHY-FEELY WORD FOR SOME OF MY COLLEAGUES--SELF-ESTEEM OR SELF-EFFICACY, JOB SATISFACTION THAT KEEPS YOU SHOWING UP FOR THE JOB EVEN WHEN IT'S NOT EASY TO GET TO THE JOB AND STAY THERE, AND FINALLY CAREER LONGEVITY, ALWAYS A BENEFIT TO A DENTAL PRACTICE AND CERTAINLY A BENEFIT TO ANY SMALL BUSINESS WHEN YOU'VE GOT SOMEBODY YOU KNOW YOU CAN COUNT ON. AS WE'VE SAID BEFORE, THE CAREER PATH IS CREATED ALONG WITH OPPORTUNITIES TO GAIN FURTHER EDUCATION IN GENERAL AND FURTHER EDUCATION WITHIN THE FIELD OF DENTISTRY. A DENTAL ASSISTANT MAY ADVANCE IN HER OR HIS CAREER WITHOUT LEAVING THAT PROFESSION. IN OTHER WORDS, SHE DOESN'T HAVE TO STOP DEAD, LOSE THAT INCOME, SEND THE HOUSEHOLD INTO A TURMOIL WHILE WE'RE IN TRANSITION, GO BACK FOR A PROGRAM. YOU CAN CONTINUE THIS WHILE YOU ARE STILL IN THE DENTAL ASSISTING ROLE, AND I THINK THAT'S WONDERFUL. [LB901]

PRESIDENT FOLEY: ONE MINUTE. [LB901]

SENATOR COOK: THANK YOU, MR. PRESIDENT. DENTAL ASSISTANT MAY ADVANCE IN HER OR HIS CAREER WITHOUT LEAVING THE PROFESSION, WHICH WILL ALLOW THEM TO KEEP THE TALENT IN THE PRACTICE. DENTAL ASSISTING WILL NOT BE JUST A JOB, LIKE SHIFT WORK, WHICH UNFORTUNATELY MANY YOUNG FAMILIES HAVE TO INVEST THEIR TIME IN, BUT IT IS A CAREER TRACK. SO SOME OF THE THINGS THAT THE LICENSED DENTAL ASSISTANT WOULD LEARN HOW TO DO: IMPRESSIONS, DENTAL IMPRESSIONS; MINOR ADJUSTMENTS FOR DENTURES; TO CEMENT PRIMARY CROWNS; AND TO MONITOR AND ADMINISTER NITROUS OXIDE. THEY USED TO CALL THAT LAUGHING GAS. YOU'RE PROBABLY NOT ALLOWED TO CALL IT THAT ANYMORE. AND SOME OF THE OTHER FUNCTIONS WHICH MAY BE PART OF THAT INCLUDE SINGLE RESTORATIONS, COMPLETE RESTORATIONS, AND CEMENT CROWNS. SO ONCE AGAIN... [LB901]

PRESIDENT FOLEY: TIME, SENATOR. [LB901]

SENATOR COOK: THANK YOU, MR. PRESIDENT. [LB901]

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PRESIDENT FOLEY: THANK YOU, SENATOR COOK. SENATOR KOLTERMAN, YOU'RE RECOGNIZED. [LB901]

SENATOR KOLTERMAN: THANK YOU, MR. PRESIDENT. THIS IS GOOD LEGISLATION. AND AS YOU'VE HEARD, THERE'S BEEN A LOT OF HARD WORK PUT INTO THIS BILL. IT'S UNFORTUNATE THAT IT CAME UP WHEN IT DID, BUT IT'S FORTUNATE THAT IT CAME UP. I REALLY AM HAPPY THAT THE SPEAKER CHOSE TO CONTINUE TO PUT OUR BILLS ON THE DOCKET. I'M GOING TO STEP BACK A LITTLE BIT AND TALK ABOUT THIS BODY. WHAT I LIKE ABOUT THE BODY THAT WE WORK WITHIN, THE 49 SENATORS HERE, IS THAT WE CAN AGREE TO DISAGREE. AND WE'VE DONE THAT ON MANY OCCASIONS. I GO BACK TO LAST YEAR WHEN WE PASSED THE...WE REPEALED THE DEATH PENALTY. I HAD COLLEAGUES OF MINE THAT WERE ON THE OPPOSITE SIDE OF THAT ISSUE COME TO ME AND SAY THEY APPRECIATED EVERYBODY'S DIALOGUE AND SUPPORT AND VALUED EVERYBODY'S OPINION. AND WE LEFT HERE AFTER THAT SESSION NOT UNHAPPY WITH EACH OTHER. WE SUPPORTED EACH OTHER. AND WHAT HAPPENS, HAPPENS IN THAT REGARD. WE'VE HEARD OVER THE LAST FEW DAYS THAT WE'RE FAMILY, WE'RE BROTHERS AND SISTERS, WE'RE ALL WORKING FOR THE SAME PEOPLE--STATE OF NEBRASKA. AND, SENATOR CHAMBERS, YOU'VE TOLD ME ON SEVERAL OCCASIONS NOTHING IN THIS THAT YOU VOTE AGAINST OR YOU TAKE AGAINST IS PERSONAL. I APPRECIATE THAT. I DON'T BELIEVE THAT THIS IS PERSONAL FOR YOU. BUT I'D LIKE TO SAY YOU DO YOUR JOB FOR YOUR CONSTITUENTS, THE STATE OF NEBRASKA, AND THE PEOPLE THAT YOU REPRESENT AND WHAT YOU BELIEVE IS RIGHT. I, TOO, LISTEN TO MY CONSTITUENTS AND TRY TO DO WHAT'S RIGHT. ONCE IN A WHILE WE DISAGREE. ACTUALLY, MANY TIMES YOU AND I DISAGREE. BUT THAT'S WHAT MAKES THIS BODY GREAT--THE FACT THAT WE CAN DISAGREE AND THE NEXT BILL WE CAN AGREE ON SOMETHING THAT'S GOING TO AFFECT DIFFERENT PEOPLE DIFFERENTLY. SO I WOULD APPEAL TO YOU, SENATOR CHAMBERS, TO CONSIDER LETTING US VOTE ON THIS BILL. I KNOW YOU'VE GOT A BRACKET MOTION UP THERE. AND KNOW YOU'RE UNHAPPY ABOUT THE OUTCOMES OF SEVERAL BILLS THIS IS PAST COUPLE WEEKS. I APPRECIATE THAT, SENATOR CHAMBERS. ON THE OTHER HAND, IT ALMOST FEELS LIKE WE'RE ALL BEING HELD HOSTAGE BY ONE PERSON, WHICH IS REALLY UNFORTUNATE FOR THE STATE OF NEBRASKA BECAUSE WE ALL HAVE DEEP-SEATED FEELINGS FOR WHAT WE'RE HERE FOR. AND SO I JUST APPEAL TO YOU TO ALLOW THIS BILL TO GO FORWARD AND THE REST OF THE BILLS THAT ARE BEFORE US. YOU CAN MAKE THAT DECISION; YOU CAN ELECT NOT TO MAKE THAT DECISION. JUST CALL ON YOUR BETTER JUDGMENT. THANK YOU, COLLEAGUES. [LB901]

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PRESIDENT FOLEY: THANK YOU, SENATOR KOLTERMAN. SENATOR FOX. OH, EXCUSE ME. (VISITORS INTRODUCED.) CONTINUING DEBATE, SENATOR FOX, YOU'RE RECOGNIZED. [LB901]

SENATOR FOX: THANK YOU, MR. PRESIDENT. AND GOOD MORNING, NEBRASKANS. I RISE IN SUPPORT OF LB901 AND THE COMMITTEE AMENDMENT. THE INTENT OF LB901 IS TO IMPROVE ACCESS TO SAFE AND AFFORDABLE DENTAL CARE. THIS BILL ALSO EXPANDS FUNCTIONS AND SCOPE OF PRACTICE FOR DENTAL ASSISTANTS AND DENTAL HYGIENISTS, AND IT PROVIDES A PATHWAY TO SKILL ADVANCEMENT AND WAYS FOR INDIVIDUALS TO ADVANCE THEIR CAREERS, AS SOME OF MY OTHER COLLEAGUES HAVE ALREADY STATED. WHILE THOSE OF US IN URBAN AREAS HAVE ACCESS TO NUMEROUS PROVIDERS, LB901 BENEFITS INDIVIDUALS IN RURAL PARTS OF THE STATE WHERE THE POTENTIAL FOR LACK OF PROVIDERS MAY EXIST. I COMMEND THE WORK OF SENATOR KOLTERMAN AND HIS WORK WITH THE DENTISTS, THE DENTAL ASSISTANTS, AND THE DENTAL HYGIENISTS. THIS WAS ONE OF THE FIRST GROUPS I MET WITH AFTER MY APPOINTMENT. THOSE WORKING IN HEALTHCARE ARE OBLIGATED TO NOT INFLICT HARM INTENTIONALLY. AND AS WAS ALREADY STATED BY SENATOR HOWARD, THIS WAS A SIX-YEAR PROCESS. AND BECAUSE OF THE TIME AND DILIGENCE GIVEN TO DETERMINING THE ROLES, THE SCOPE OF PRACTICE OF THE DENTAL TEAM, THE FIRST MEDICAL ETHIC OF DOING NO HARM IS ASSURED. SO, AGAIN, I RISE IN SUPPORT OF LB901 AND THE COMMITTEE AMENDMENT. AND, SENATOR CHAMBERS, I ASK YOU TO RECONSIDER YOUR BRACKET MOTION. THANK YOU. [LB901]

PRESIDENT FOLEY: THANK YOU, SENATOR FOX. SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB901]

SENATOR CHAMBERS: MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, IT'S AMUSING TO ME THAT PEOPLE NOW MAKE AN APPEAL TO ME, SOME WHO WON'T EVEN SPEAK TO ME, BECAUSE THERE'S SOMETHING THEY WANT. I DON'T BUY IT. SOME OF YOU ALL LIKE NUMBERS. RIGHT NOW ON FINAL READING THERE ARE 57 BILLS. ON SELECT FILE THERE ARE 38 BILLS. THAT'S A TOTAL OF 95 BILLS. IF YOU ADD THOSE BILLS UP TOGETHER...I MEANT YOU MULTIPLY THOSE 95 BILLS BY 25 MINUTES, IF I OFFER ONE MOTION ON EACH OF THOSE BILLS THAT WILL GIVE ME A TOTAL OF 1,975 MINUTES. IF I DIVIDE THOSE MINUTES BY 60, TO SEE HOW MANY HOURS THERE WILL BE, THEN I WIND UP HAVING 2.7 12-HOUR DAYS; 2, ALMOST 3 12-HOUR DAYS JUST ON FINAL READING, OFFERING ONE MOTION ON EACH BILL. AND TELL ME I WON'T DO IT. I'VE STOOD HERE. I'VE WATCHED YOU. I'VE LISTENED TO YOU. I'VE SEEN THE ARROGANCE WHEN YOU DID CRUEL

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THINGS TO PEOPLE WHO HAVE NO VOICE ON THIS FLOOR, TO PEOPLE WHO CANNOT HELP THEMSELVES, BECAUSE THE GOVERNOR AND THE ATTORNEY GENERAL TOLD YOU. WELL, NOW CALL ON YOUR MASTERS TO SAVE YOU. TELL THEM, MASTERS, YOU BROUGHT US HERE; YOU TOLD US YOU COULD HANDLE HIM. WELL, NOW HANDLING TIME HAS COME. MASTERS--GOVERNOR, ATTORNEY GENERAL--HANDLE CHAMBERS. MAKE HIM NOT DO WHAT HE SAID HE WILL DO. YOU TOLD US WE COULD CARRY OUT YOUR WILL AND YOU WOULD PROTECT US. PROTECT US NOW. WHEN HAVE YOU ALL EVER MADE AN APPEAL TO ME ON THIS FLOOR ABOUT ANYTHING? BUT NOW THAT THE SHOE IS ON THE OTHER FOOT, NOW THAT THOSE WHO HAVE BEEN DISPARAGED, WHO HAVE BEEN INSULTED, WHO HAVE BEEN DEMEANED, WHO HAVE BEEN DEGRADED, WHO HAVE BEEN TOLD GO TO ANOTHER STATE, GET OUT OF NEBRASKA IF YOU'RE NOT COMFORTABLE HERE, THIS IS THEIR TIME. AND THERE WAS A SONG: "OUR DAY WILL COME" WHEN WE WILL HAVE EVERYTHING. YOU ALL HAD IT YOUR WAY ALL OF THESE DAYS. ALL THE DAYS OF THE SESSION UP UNTIL NOW, YOU HAD IT YOUR WAY. YOU HAD IT TO DO WITH WHAT YOU CHOSE, AND YOU MADE YOUR CHOICE. CONDUCT CARRIES CONSEQUENCES. THIS IS NOT THE TIME TO ASK FOR MERCY, FOR THERE'S NO MERCY HERE. YOU'RE DEALING WITH A MAN WITHOUT A HEART, REMEMBER. I TOLD YOU ALL THAT, DIDN'T I? HOW MANY TIMES DID I TELL YOU THAT? MERCY SPRINGS FROM A HEART. I HAVE NO HEART. HOW MANY TIMES HAVE I TOLD YOU THAT? NOTHING THAT I'M DOING NOW SHOULD SURPRISE YOU BECAUSE I TOLD YOU IN FRONT. I GAVE IT TO YOU AT FIRST AS ADVICE EARLY IN THE SESSION. YOU WOULD NOT ACCEPT IT AS ADVICE. MORE TIME WENT ON, I GAVE IT TO YOU AS A WARNING. YOU REJECTED THE WARNING. THEN I GAVE IT TO YOU AS A THREAT, AND YOU MOCKED AND RIDICULED AND THOUGHT I WAS AS YOU ARE AND THAT I WOULD NOT CARRY IT OUT. YOU ALL ARE THE ONES WHO CHARACTERIZE WHAT I SAY BY DIFFERENT WORDS, BASED ON YOUR PARTICULAR ORIENTATION. [LB901]

PRESIDENT FOLEY: ONE MINUTE. [LB901]

SENATOR CHAMBERS: THEY ARE ALL THE SAME TO ME. SO I'M GOING TO DO WHAT I'M GOING TO DO, AND STOP ME IF YOU CAN. I WOULD SALUTE YOU IF YOU COULD FIND A WAY TO DO IT. GO TELL THE GOVERNOR AND THE ATTORNEY GENERAL THAT IF THEY'LL COME IN THAT ROTUNDA AND FALL DOWN ON THEIR KNEES AND SAY, SENATOR CHAMBERS, WE'RE SORRY, FORGIVE US FOR WE HAVE SINNED, I WILL STOP ALL OF THIS. THAT'S MY OFFER TO YOU. THANK YOU, MR. PRESIDENT. [LB901]

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PRESIDENT FOLEY: THANK YOU, SENATOR CHAMBERS. SENATOR CRAWFORD, YOU'RE RECOGNIZED. [LB901]

SENATOR CRAWFORD: QUESTION. [LB901]

PRESIDENT FOLEY: THE QUESTION HAS BEEN CALLED. DO I SEE FIVE HANDS? I DO. THE QUESTION IS, SHALL DEBATE CEASE? ALL THOSE IN FAVOR OF CEASING DEBATE VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED WHO CARE TO? RECORD PLEASE, MR. CLERK. [LB901]

ASSISTANT CLERK: 26 AYES, 0 NAYS TO CEASE DEBATE, MR. PRESIDENT. [LB901]

PRESIDENT FOLEY: DEBATE DOES CEASE. SENATOR CHAMBERS, YOU'RE RECOGNIZED TO CLOSE ON THE BRACKET MOTION. [LB901]

SENATOR CHAMBERS: MEMBERS OF THE LEGISLATURE, YOU MAY AS WELL HAVE LET IT GO ON BECAUSE AFTER A MINUTE...AN HOUR AND WHATEVER TIME, THESE BILLS ARE COMING OFF THE AGENDA. SO I DON'T CARE HOW YOU VOTE ON THIS. AND YOU ALL HAVE LEARNED THE DRILL NOW. I'LL JUST OFFER A RECONSIDERATION MOTION THAT WILL TAKE US TO THE END. THEN WE GET TO THE BIG BILLS WHERE THE GOVERNOR AND THE ATTORNEY GENERAL, ESPECIALLY THE GOVERNOR, ARE REALLY INVOLVED, BECAUSE HE MADE CERTAIN PROMISES AND REPRESENTATIONS WHEN HE WAS RUNNING AND HE GOT SENATORS OVER HERE IN ORDER TO CARRY OUT HIS WILL TO LIE, TO MISLEAD, AND TO DEAL TREACHEROUSLY. AND YOU ALL MIGHT BE ABLE TO GET CLOTURE ON THESE THREE BILLS THAT ARE COMING UP, BECAUSE I ONLY GET FOUR HOURS ON EACH ONE. AND THAT MEANS YOU ALL JUST SIT HERE AND DON'T SAY ANYTHING ON ANY OF THEM, BECAUSE IF YOU'VE GOT THE DEAL THAT YOU SAY YOU HAVE, YOU DON'T NEED TO SAY ANYTHING. THE VOTES ARE THERE. AND IF YOU TRUST EACH OTHER, THE PROMISES, HAVING BEEN MADE, WILL BE KEPT. SO YOU DON'T NEED TO SAY ANOTHER WORD THIS SESSION. THE BILLS THAT THE SPEAKER SAID HE'S CONCERNED ABOUT WILL PASS DEALING WITH THOSE VARIOUS TAX ISSUES AND EDUCATION. BUT I DON'T THINK THAT BILL TALKING ABOUT THE LEARNING COMMUNITY DEALS WITH EDUCATION. IT DEALS WITH MACHINATION, TREACHERY, FALSE PROMISES. AND YOU MIGHT GET YOUR WAY, BUT YOU'RE NOT GOING TO GET YOUR WAY ON ALL OF THEM PLUS THE OTHER BILLS THAT I'VE JUST MENTIONED THAT CURRENTLY ARE ON FINAL READING AND SELECT FILE. AND IF YOU THINK I DON'T HAVE THE STAMINA TO DO WHAT I'M SAYING, NAMELY, STAY HERE A STRAIGHT 12 HOURS

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FOR THREE DAYS WITHOUT ANY OF YOU SAYING ANYTHING, BUT IF I SAY I'LL ONLY MAKE ONE MOTION ON EACH BILL, IF, THEN THAT MEANS SOME ARE GOING TO BE VOTED ON, DOESN'T IT? BUT MAYBE I WILL OFFER MORE THAN ONE MOTION. AND MAYBE SOMEBODY WILL SEE THE NEED TO SPEAK. THEY JUST CANNOT SIT STILL WITHOUT SPEAKING, WHICH MEANS THEY WILL RISE TO MY BAIT. DON'T RISE TO MY BAIT. PUT ME OUT THERE IN DEEP WATER AND I DON'T KNOW HOW TO SWIM. DON'T SAY ANYTHING WHEN I OFFER THESE MOTIONS. LET ME TAKE ALL THE TIME I CAN GET. I'M TRYING TO GIVE YOU A WAY OUT, WHICH MIGHT WORK AND IT MIGHT NOT BECAUSE I DON'T JUST HAVE THESE KIND OF MOTIONS I CAN MAKE. I CAN OFFER AMENDMENTS TO ALL THESE BILLS. AND I'M GOING TO SEE IF THOSE AGREEMENTS OR SEMIAGREEMENTS WILL HOLD OR WILL THEY FALL APART LIKE A HOUSE OF CARDS. BUT I'VE TOLD YOU WHAT I'M GOING TO DO. AND TODAY IS NOT THE FIRST DAY I TOLD YOU. IF YOU WANTED TO TALK TO ME, YOU SHOULD HAVE TALKED TO ME BEFORE NOW. AND YOU SHOULD HAVE CONDUCTED YOUR BUSINESS DIFFERENTLY. NOW I'M CONDUCTING MY BUSINESS IN THE WAY I SEE FIT. YOU WERE NOT INFLUENCED BY ANYTHING I SAID. WHY SHOULD I BE INFLUENCED BY ANYTHING YOU SAY? THIS IS QUID PRO QUO, MEASURE-FOR-MEASURE, EVEN-STEVEN. THANK YOU, MR. PRESIDENT. [LB901]

PRESIDENT FOLEY: THANK YOU, SENATOR CHAMBERS. MEMBERS, YOU'VE HEARD THE DEBATE AND CLOSING ON THE BRACKET MOTION. THE QUESTION IS THE ADOPTION OF THE MOTION. SENATOR CHAMBERS. [LB901]

SENATOR CHAMBERS: CALL OF THE HOUSE AND A ROLL CALL VOTE. [LB901]

PRESIDENT FOLEY: 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 PLEASE, MR. CLERK. [LB901]

ASSISTANT CLERK: 31 AYES, 1 NAY TO GO UNDER CALL, MR. PRESIDENT. [LB901]

PRESIDENT FOLEY: 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 COOK, SCHNOOR, SULLIVAN, BURKE HARR, HANSEN, McCOLLISTER, KINTNER, GROENE, PLEASE CHECK IN. THE HOUSE IS UNDER CALL. SENATORS BURKE

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HARR AND HANSEN, THE HOUSE IS UNDER CALL. ALL UNEXCUSED MEMBERS ARE NOW PRESENT. THE QUESTION BEFORE US IS THE ADOPTION OF THE BRACKET MOTION. THERE'S BEEN A REQUEST FOR A ROLL CALL VOTE. MR. CLERK, PLEASE CALL THE ROLL. [LB901]

ASSISTANT CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGE 1496.) VOTE IS 0 AYES, 44 NAYS, MR. PRESIDENT. [LB901]

PRESIDENT FOLEY: THANK YOU, MR. CLERK. THE BRACKET MOTION IS NOT ADOPTED. I RAISE THE CALL. MR. CLERK. [LB901]

ASSISTANT CLERK: MR. PRESIDENT, PRIORITY MOTION: SENATOR CHAMBERS WOULD MOVE TO RECONSIDER THE VOTE JUST TAKEN. [LB901]

PRESIDENT FOLEY: SENATOR CHAMBERS, YOU'RE RECOGNIZED TO OPEN ON THE RECONSIDERATION MOTION. [LB901]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. I'LL BET THAT MY ANCESTORS, WHO, PURSUANT TO THE CONSTITUTION OF THE UNITED STATES, WERE CONSIDERED NO BETTER THAN THREE-FIFTHS OF A HUMAN BEING, NEVER THOUGHT THAT THE DAY WOULD COME WHEN ONE OF THEIR DESCENDENTS, STANDING ALONE, WOULD SPEAK IN THE WAY THAT I'M SPEAKING AND NOBODY CAN DO ANYTHING TO STOP ME AND THAT I'M DOING IT ACCORDING TO THEIR RULES. I WAS EDUCATED IN THEIR SCHOOLS AND THEY THOUGHT THEY WERE DEALING WITH A FOOL BECAUSE THEY ALWAYS UNDERESTIMATE US. THOSE OF MY FOREBEARS, WHO WERE ABLE TO SUMMON THE COURAGE AND HAVE THE LUCK TO ESCAPE FROM A SLAVE STATE AND REACH WHAT WAS CALLED A FREE STATE, HAD NO WAY OF KNOWING THAT THEY WOULD HAVE A DESCENDENT. WHILE THEY WERE BEING CAPTURED AND RETURNED TO SLAVERY, A FATE WORSE THAN DEATH, THEY DIDN'T KNOW THAT ONE OF THEIR DESCENDENTS WOULD SPEAK IN THE WAY THAT I'M SPEAKING IN A PLACE SUCH AS THIS, PEOPLED BY SUCH AS YOU ALL. THEY COULD NOT HAVE ENVISIONED THAT. DOWN THROUGH THE YEARS, THOSE WHO DIED BY SAVAGE, BARBARIC, CRUEL MEANS JUST TO VOTE HAD NO WAY OF KNOWING WHAT I'VE TALKED ABOUT AND THAT I WOULD BE HERE TRYING TO FIGHT EFFORTS BY THE SLAVEHOLDERS, THE WHITE SUPREMACISTS' DESCENDENTS, FIGHT THEIR EFFORTS TO DEPRIVE BLACK PEOPLE SUCH AS MYSELF OF THE RIGHT TO VOTE, EVEN THOUGH IT WAS GUARANTEED BY THEIR CONSTITUTION. THEY DIDN'T KNOW THAT, AND I'M SURE THE WHITE PEOPLE DIDN'T KNOW IT EITHER. WHEN

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JESUS WAS RUNNING AROUND DOING WHAT HE DID, SOMEBODY SAID NEVER MAN SPAKE LIKE THIS. AND THAT'S WHAT YOU ALL CAN SAY. AND BECAUSE I TRY TO BE DECENT, POLITE WHEN I'M ALLOWED TO BE, YOU MISTAKE IT FOR WEAKNESS AND FOR A LACK OF UNDERSTANDING. WELL, REMEMBER, THE WORM TURNS NOT INTO A BUTTERFLY. AND MAYBE WHAT YOU THOUGHT WAS A WORM WAS REALLY AN INFANTILE KING COBRA WHO ONCE GROWN TO MATURITY WAS ABLE TO DEAL WITH YOU IN A WAY DIFFERENT FROM ONE WHO IS INFANTILE, JUVENILE, WEAK, FRIENDLESS, HELPLESS. ONE AGAINST ALL AND ALL AGAINST THAT ONE. SO HERE I STAND TODAY, AS I'VE STOOD EVERY DAY OF THIS SESSION, BEING ME, HEARING THE TAUNTS NOT JUST TO ME BUT TO THE PEOPLE THAT I CARE ABOUT--NO VOICE, NO FRIENDS, NO RESPECT, NOT EVEN ACCORDED THE STATUS OF HUMAN BEINGS, INSULTED, DEMEANED. THEIR PROBLEMS ARE DISMISSED AND THEY'RE TOLD, IF YOU DON'T LIKE IT, HERE, GO SOMEPLACE ELSE. AND NOT ONE OF THEM WAS HERE TO SPEAK UP IN HIS OR HER OWN BEHALF. SO SOMEBODY HAS TO DO IT, AND I WILL DO IT AND I'LL DO IT MY WAY. AND I REMIND YOU ALL AGAIN, I TOLD YOU THE WAY THINGS WERE GOING TO PLAY OUT. I TOLD YOU FROM THE BEGINNING. BUT AS MY STORY ABOUT BAMANITIOUS (PHONETIC) YESTERDAY TOLD YOU, WHITE PEOPLE DON'T PAY ATTENTION TO US. THEY SAID WE'RE SUPERIOR TO HIM AND WE WOULDN'T DO THAT, SO WE KNOW ONE WHO IS INFERIOR WILL NOT DO IT. HE'S FULL OF HOT AIR LIKE WE ARE. WE JUST COME DOWN HERE AND BABBLE AND YAMMER AND SAY WHATEVER COMES INTO OUR EMPTY HEAD, AND IT RATTLES AROUND LIKE A BUCKET. SMALL MINDS THINK SMALL THOUGHTS. BUT REMEMBER THIS. IF YOU COME TO THE DANCE, YOU MUST PAY THE PIPER. AND A DAY OF RECKONING ALWAYS WILL COME ONE WAY OR THE OTHER. I DON'T VIEW THIS AS A DAY OF RECKONING. THIS IS JUST ANOTHER DAY IN THE LIFE OF BEING A MEMBER OF THE NEBRASKA LEGISLATURE. YOU'RE NOT RESPECTED. THE GOVERNOR SHOWS NO RESPECT FOR YOU. YOU THINK HE'D POP HIS FINGER AND HAVE ME RUNNING OUT THERE? HE SHOWS NO RESPECT FOR YOU. THEY LAUGH ABOUT YOU. WE CAN MAKE THEM DO WHATEVER WE WANT TO. YOU LET HIM TAKE OVER THIS LEGISLATURE. WHAT ASPECT OF HIS DEPARTMENT, THE EXECUTIVE BRANCH, DO YOU TAKE OVER? THEY SENT SENATOR McCOLLISTER OVER HERE. HE FELT TRIUMPHANT YESTERDAY. THINK OF THOSE MOMENTS OF TRIUMPH YOU HAD AND RELISH THEM. GET ALL THE ENJOYMENT OUT OF THEM YOU CAN. WHEN SENATOR McCOY AND SENATOR MURANTE MANAGED TO GET SOMETHING THROUGH, WITH YOU-ALL'S HELP, TO DEPRIVE PEOPLE OF A MEANINGFUL VOTE, LET THEM ENJOY THAT. BUT DO YOU THINK THEY CARE ABOUT WHAT'S HAPPENING HERE NOW? NO. SENATOR MURANTE HAS GOT A PIZZA PARLOR. SENATOR McCOY WORKS FOR A RICH MAN WHO'S GOING TO MAKE HIM RICH. YOU ALL ARE THE ONES WHO HAVE TO STAY HERE AND DEAL

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WITH ME AND, MY GOODNESS, WILL IT BE ROUGH. THE GOVERNOR AND THE REPUBLICAN PARTY HAVE GOT A GUY IN MY DISTRICT RUNNING FOR ME. WHY DON'T YOU ALL GO FLOOD THE NEIGHBORHOOD, KNOCK ON DOORS AND TELL PEOPLE DON'T VOTE FOR CHAMBERS, HE'S NOT GOOD FOR YOU? SPEND A LOT OF MONEY, KEEP ME FROM COMING BACK HERE. BUT AS RALPH WALDO EMERSON WROTE, QUOTING SOMEBODY ELSE, IF YOU STRIKE THE KING, YOU MUST KILL HIM. WHEN YOU SWING, DON'T MISS. AND IF YOU CONNECT IT BETTER BE FATAL BECAUSE THERE WILL BE A PRICE TO PAY. YOU ALL TALK ABOUT HAVING A LONG MEMORY, BUT IT DOESN'T MATTER. ALL YOU DO IS REMEMBER YOU'RE NOT GOING TO DO ANYTHING ABOUT IT. AND YOU KNOW WHY I TELL YOU ALL THAT I'M NOT MAD AT ANYBODY, THAT I'M NOT ANGRY? I DON'T HAVE TO BE ANGRY FOR THIS. THE KENNEDY FATHER TOLD HIS BOYS, DON'T GET MAD, GET EVEN. SEE? IF I GET MAD ALL YOU MIGHT DO IS BE OFFENDED AT WHAT I SAY AND CLAP WHEN YOU GET THE SPEAKER TO SAY SOME THINGS ABOUT WHAT I SAID, AND THAT MAKES YOU HAPPY. AND I WANT YOU TO BE HAPPY. AND IF THAT'S ALL IT TAKES TO MAKE YOU HAPPY, THEN I'VE PLEASSED MY ENEMIES EVEN. BUT NOW COMES MY TURN TO GET EVEN. AND IN MY COMMUNITY, THIS THAT I'M DOING WOULDN'T BE CONSIDERED GETTING EVEN BECAUSE IT DOESN'T HURT ANYBODY. IT DOESN'T DEPRIVE ANYBODY OF ANYTHING. BUT WHEN YOU KNOW WHAT OTHER PEOPLE VALUE, YOU KNOW HOW TO HIT THEM WHERE IT HURTS WITHOUT LAYING A FINGER ON THEM. AND AT A TIME LIKE THIS WHEN I'M NOT ADVOCATING, I DON'T HAVE TO RAISE MY VOICE. IF I'M THE EXECUTIONER, I DON'T HAVE TO SAY A WORD. I CAN JUST RAISE MY AX AND LET GRAVITY DO THE WORK, JUST LET THE AX OF ITS OWN WEIGHT FALL AND IT SEPARATES YOUR HEAD FROM YOUR BODY,... [LB901]

PRESIDENT FOLEY: ONE MINUTE. [LB901]

SENATOR CHAMBERS: ...AND THE DEED IS DONE. I DON'T HAVE TO SAY A WORD. AND NOW WE'RE AT THAT POINT WHERE IT'S TOO LATE TO ACHIEVE ANYTHING OF VALUE. I WANT SENATOR SCHILZ TO WALK OUT OF HERE HAPPY THAT HE KILLED MY MOUNTAIN LION BILL AGAIN. HE WAS ABLE TO DO IT TWICE IN THE SAME CALENDAR YEAR, SOMETHING NOBODY EVER DID BEFORE. THE FOUR MEMBERS OF THE JUDICIARY COMMITTEE WHO LOCKED UP MY DEATH WITH DIGNITY BILL, LET THEM ENJOY THAT AND BE HAPPY. I WANT YOU TO BE HAPPY. NOW THAT YOU'VE BEEN HAPPY, DON'T YOU WANT ME TO HAVE A LITTLE BIT OF SATISFACTION? DOESN'T MY HAPPINESS MAKE YOU HAPPY? IT OUGHT TO. CHRISTIANS WANT OTHERS TO BE HAPPY. AND TAKING YOU AT YOUR WORD, ALL OF YOU ARE CHRISTIANS. YOU PRAY. BE CHEERFUL. THE END IS NOT YET. THERE

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WILL BE TIMES NEXT SESSION, IF I GET REELECTED AND THE GOVERNOR'S PLAN FAILS,... [LB901]

PRESIDENT FOLEY: TIME, SENATOR. [LB901]

SENATOR CHAMBERS: ...AND YOU CAN GET EVEN. THANK YOU, MR. PRESIDENT. [LB901]

PRESIDENT FOLEY: THANK YOU, SENATOR CHAMBERS. SENATOR RIEPE, YOU'RE RECOGNIZED. [LB901]

SENATOR RIEPE: MR. PRESIDENT, MEMBERS OF THE SENATE, AND THOSE VIEWING FROM HOME, I APPRECIATE THIS OPPORTUNITY TO TALK. MY COMMENTS ARE FUNDAMENTALLY IN SUPPORT OF LB901. I THINK THIS IS A GOOD PIECE OF LEGISLATION. AS MANY OF YOU KNOW, I'M INTERESTED IN HEALTHCARE REFORM AND I'M PARTICULARLY IN BELIEF THAT WE NEED TO HAVE, AS SENATOR CAMPBELL SAID, FOR PEOPLE TO FUNCTION AT THEIR HIGHEST AND BEST-TRAINED SKILLS, IF YOU WILL. I THINK THIS ALSO BENEFITS THE KIDS, AND I THINK THAT THAT'S AN AREA THAT I WANT TO GO TO. I DON'T WANT TO HAVE THIS BE AN APPEAL TO SENATOR CHAMBERS, BUT I DO WANT TO HAVE IT BE A REMINDER THAT AS WE RAISED AND ALL OF YOU PARTICIPATED IN RAISING FOR THE ST. JUDE HOSPITAL, RESEARCH HOSPITAL, A TOTAL OF \$12,100, AND I THINK THAT THAT WAS OUTSTANDING. AND SENATOR CHAMBERS LED THAT AND MADE A SUBSTANTIAL DONATION OUT OF HIS OWN FUNDS. HE WOULD NEVER TELL YOU THAT, BUT I KNOW THAT HE DID. I ALSO AS JUST A LITTLE STORY, BECAUSE I DON'T WANT TO GO OVER EVERYTHING THAT'S ALREADY BEEN DISCUSSED OR MAYBE WILL BE DISCUSSED, BUT IN MY CONVERSATION IN AN INTERVIEW WITH MIKE KELLY, BECAUSE SENATOR CHAMBERS WAS KIND ENOUGH TO ALLOW ME TO PARTICIPATE IN THE PULLING TOGETHER OF THAT MONEY, I SAID TO MIKE KELLY, HE ASKED ME, HE SAID...MIKE KELLY, AS YOU KNOW, IS A REPORTER OF THE OMAHA WORLD-HERALD, SAID...HE SAID, IS SENATOR CHAMBERS, DOES HE HAVE A SOFT SPOT? AND I SAID, WELL, I THINK MAYBE HE DOES BECAUSE I SAID THAT, YOU KNOW, IF I HAD A PIECE OF LEGISLATION THAT WAS REALLY IMPORTANT TO ME, I'D GET ABOUT FOUR KIDS AND I'D WALK DOWN TO SENATOR CHAMBERS' OFFICE AND I WOULD...I WOULD KNOCK ON THE DOOR GENTLY, I MIGHT ADD. AND I SAID I THINK I'D STAND A REASONABLE CHANCE OF GETTING MY LEGISLATION THROUGH BECAUSE THAT IS HIS SOFT SPOT. I CAME BACK TO THE CHAMBER AND I WAS SHARING THAT WITH SENATOR CHAMBERS AND I SAID, I TOLD MIKE

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KELLY THIS. AND HE SAID, DON'T YOU BE TELLING ANYBODY I'VE GOT A SOFT SPOT. BUT I KNOW HE DOES. I KNOW THE KIDS ARE A SOFT SPOT. MY CONTENTION WOULD BE IS THAT LB901 IS AND DOES BENEFIT THE KIDS. IT BENEFITS KIDS ACROSS THE STATE OF NEBRASKA. IT BENEFITS, AS SENATOR HOWARD SAID, KIDS THAT ARE ON MEDICAID. I THINK THIS IS GOOD LEGISLATION. I THINK IT'S GOOD FOR HEALTHCARE, AND I WOULD LIKE TO SEE US BE ABLE TO SUCCESSFULLY MAKE THIS HAPPEN THIS SESSION. THANK YOU, VERY MUCH. IF I HAVE ANY ADDED TIME, I WOULD LIKE TO YIELD THAT TO SENATOR SEILER IF HE WOULD LIKE. APPARENTLY... [LB901]

PRESIDENT FOLEY: THANK YOU, SENATOR RIEPE. [LB901]

SENATOR RIEPE: ...APPARENTLY HE'S NOT HERE, BUT... [LB901]

PRESIDENT FOLEY: OH, OKAY, VERY GOOD. THANK YOU,... [LB901]

SENATOR RIEPE: THANK YOU, SIR. [LB901]

PRESIDENT FOLEY: THANK YOU, SENATOR RIEPE. SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB901]

SENATOR CHAMBERS: MR. PRESIDENT, IF THIS BILL MEANS SO MUCH TO YOU ALL, YOU CAN GET IT ON THE AGENDA AGAIN. WITH A VOTE, YOU CAN CHANGE THE AGENDA. AND I DON'T KNOW WHETHER THE SPEAKER WOULD RESIST YOU. THINK OF...IF I HAVEN'T TAUGHT YOU HOW TO BE RESOURCEFUL, THEN I HAVEN'T TAUGHT YOU ANYTHING. TO TEACH YOU HOW TO FILE A BRACKET MOTION IS NOTHING, A RECONSIDERATION MOTION IS NOTHING. LEARN HOW TO DEAL WITH SITUATIONS WHERE SOMETHING IS AT STAKE, AND UNDER THE RULES YOU CAN CHANGE THE AGENDA. I DON'T HAVE A MOTION TO KILL THE BILL. CHANGE THE AGENDA AND TELL THE SPEAKER, IF YOU CAN PERSUADE HIM, THAT YOU WANT ENOUGH TIME TO GO FOUR HOURS, OR LESS THAN THAT BECAUSE OF THE TIME WE SPENT ON THE BILL ALREADY. BUT WHO KNOWS HOW THAT RULE WOULD BE INTERPRETED. BUT DON'T COME TO ME LOOKING FOR ANYTHING NOW. ALL SESSION I TRIED TO TALK TO YOU, AND YOU SAID NO. NO, WHY SHOULD I? WHO ARE YOU? YOU'VE GOT ONE VOTE. YOU CAN'T DO ANYTHING. AND WHEN YOU ALL CLUMP TOGETHER, YOU'RE RIGHT. UNDER THE RULES, I CANNOT DO ANYTHING EXCEPT THINK, HOW AM I GOING TO CREATE A SITUATION WHERE THEIR NUMBERS CAN BE NULLIFIED AND MY ONE WILL HAVE MORE WEIGHT THAN ALL OF THEIR NUMBERS? AND THAT'S HOW I THINK. AND I

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DON'T CARE WHAT HAPPENS ONE DAY. THERE ARE GOING TO BE DAYS, PLURAL. AND MY DAY WILL COME. AND I'M GOING TO REPEAT IT AND REPEAT IT BECAUSE YOU DIDN'T PAY ATTENTION WHEN IT WOULD HAVE MATTERED. I TOLD YOU HOW IT WAS GOING TO HAPPEN. AFTER FOUR DECADES, YOU THINK I DON'T KNOW HOW TO CALCULATE WHAT IS GOING TO HAPPEN IN A LEGISLATIVE SESSION? EVEN IF THE PEOPLE WHO COME HERE ARE DIFFERENT, THERE ARE DYNAMICS THAT ARE GOING TO TAKE OVER. AND WHOEVER THE INDIVIDUALS ARE, OTHER THAN MYSELF, IT WILL MAKE NO DIFFERENCE. THIS OFFICE IS WHAT YOU MAKE IT, BASED ON THE WILL THAT YOU HAVE TO SUCCEED, TO OVERCOME, AND BE ABLE TO DISTINGUISH THE IMPORTANT THINGS FROM THE UNIMPORTANT THINGS. THIS BILL RIGHT NOW IS IMPORTANT TO YOU ALL, BUT IN THE BROADER SWEEP OF THINGS, THE STRATEGIC MATTER WHICH MEANS SOMETHING TO ME, WHICH IS THE INTEGRITY OF THE LEGISLATURE, THIS BILL IS NOTHING. NO BILL THAT I HAVE IS ANYTHING. AND BEFORE THE INTEGRITY OF THE LEGISLATURE CAN BE ESTABLISHED AND MAINTAINED, YOU HAVE TO TELL THE GOVERNOR, STAY OVER THERE IN THAT OFFICE WHERE HE LIVES; TELL THE ATTORNEY GENERAL THE SAME THING. BUT YOU ALL LET THESE PEOPLE COME OVER HERE AT THE LAST MINUTE AFTER YOU'VE DONE ALL KIND OF WORK AND TURN EVERYTHING AROUND. AND IT GOES UP IN SMOKE BECAUSE THE GOVERNOR AND THE ATTORNEY GENERAL SHOWS NO RESPECT FOR YOU BECAUSE HE OWNS YOU. AND HE'S GOT FLUNKIES IN HERE WHO CARRY WATER FOR HIM AND I KNOW WHO THEY ARE AND THEY KNOW WHO THEY ARE AND THEY KNOW THAT I KNOW WHO THEY ARE. THINK! YOU GOT A BRAIN. BUT YOU HAVEN'T HAD TO. YOU KNOW WHY THE SUPERINTENDENTS COULDN'T GET TOGETHER ON SOME PLAN THAT THEY WERE TALKING ABOUT? BECAUSE IN THEIR OWN INDIVIDUAL BAILIWICKS, THEY ARE THE LAST WORD. AND WHEN THEY COME TOGETHER, THEY THINK EACH ONE CAN BE THE LAST WORD. AND ONE OF THEM CANNOT BE. AND THEY DON'T HAVE WHAT IT TAKES TO REALIZE THAT THEY'RE NOT HERE AS THE SUPERINTENDENT OF A SCHOOL WITH ADMINISTRATORS WHO FEAR THEM, PRINCIPALS WHO FEAR THEM, TEACHERS WHO FEAR THEM, BUT A GROUP OF EQUALS. AND THEY'RE GOING TO HAVE TO GIVE A LITTLE TO GET A LITTLE, AND THEY CAN'T DO IT. INSTEAD OF MELDING AND BLENDING AND COOPERATING,... [LB901]

PRESIDENT FOLEY: ONE MINUTE. [LB901]

SENATOR CHAMBERS: ...THEY BUMP, THEY BUMP. AND THEN THEY GET SENATORS RIGHT IN THE MIDDLE WHO GET SMASHED. AND THAT'S WHY YOU'RE HERE TODAY LIKE YOU ARE. AND THEN THE GOVERNOR HAS BUILT A HOUSE OF CARDS AND INTERLACED THREE BILLS AND THAT WILL GET ALL OF YOU

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TOGETHER SO YOU'LL VOTE AGAINST ME. I DON'T CARE WHAT YOU DO WITH IT. GET YOUR BILLS. BUT I'M STILL GOING TO BE HERE AND I'M GOING TO STILL BE WORKING TO PROTECT THE INTEGRITY OF THE LEGISLATURE AS AN INSTITUTION. BUT YOU ALL CAN'T SEE THAT BECAUSE YOU'RE BLINDED BY THIS ONE BILL AND THE OTHER INDIVIDUAL BILLS. SO YOU LIVE YOUR LIFE YOUR WAY, AND I'LL LIVE MINE, MINE. THANK YOU, MR. PRESIDENT. [LB901]

PRESIDENT FOLEY: THANK YOU, SENATOR CHAMBERS. (VISITORS INTRODUCED.) ITEMS FOR THE RECORD, MR. CLERK? [LB901]

ASSISTANT CLERK: MR. PRESIDENT, NEW RESOLUTION, LR619 OFFERED BY SENATOR DAVIS. THAT WILL BE LAID OVER. THAT'S ALL I HAVE AT THIS TIME. (LEGISLATIVE JOURNAL PAGE 1497.) [LR619]

PRESIDENT FOLEY: THANK YOU, MR. CLERK. MEMBERS, PURSUANT TO THE AGENDA, WE'RE NOW GOING TO MOVE ON TO THE 10:30 AGENDA, LB959. MR. CLERK. [LB959]

ASSISTANT CLERK: MR. PRESIDENT, ON LB959, THERE ARE E&R AMENDMENTS. (ER238, LEGISLATIVE JOURNAL PAGE 1361.) [LB959]

PRESIDENT FOLEY: SENATOR HANSEN FOR A MOTION. [LB959]

SENATOR HANSEN: MR. PRESIDENT, I MOVE WE ADOPT THE E&R AMENDMENTS TO LB959. [LB959]

PRESIDENT FOLEY: MEMBERS, YOU'VE HEARD THE MOTION TO ADOPT THE E&R AMENDMENTS. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. THE E&R AMENDMENTS ARE ADOPTED. MR. CLERK. [LB959]

ASSISTANT CLERK: NOTHING FURTHER...MR. PRESIDENT, I HAVE NOTHING FURTHER PENDING ON THE BILL. [LB959]

PRESIDENT FOLEY: SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB959]

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SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. MEMBERS OF THE LEGISLATURE, TODAY SHOULD BE AN INTERESTING BILL...AN INTERESTING DAY. I WOULD LIKE TO ASK SENATOR SULLIVAN A QUESTION. [LB959]

PRESIDENT FOLEY: SENATOR SULLIVAN, WOULD YOU YIELD, PLEASE? [LB959]

SENATOR SULLIVAN: YES, I WILL. [LB959]

SENATOR CHAMBERS: SENATOR SULLIVAN, DO YOU WANT TO EXPLAIN YOUR BILL OR WOULD YOU RATHER NOT? [LB959]

SENATOR SULLIVAN: I CAN IF YOU'D LIKE. [LB959]

SENATOR CHAMBERS: YES, I WOULD LIKE. [LB959]

SENATOR SULLIVAN: FIRST OF ALL, SENATOR CHAMBERS, FROM...I'M GOING TO HAVE TO REALLY DEFER TO WHAT RESULTED IN THE COMMITTEE AMENDMENT AND THEN WAS PASSED. SO YOU LOOK AT HOW IT WAS ORIGINALLY INTRODUCED, IT'S VASTLY DIFFERENT. AND WHAT WE ENDED UP WITH WERE, REALLY, JUST TWO COMPONENTS. THERE ARE SOME ELEMENTS OF THE FORMULA CALLED THE MINIMUM LEVY ADJUSTMENT AND THE LEVY CRITERIA FOR AVERAGING ADJUSTMENT. AND THIS BILL, AS AMENDED, PROPOSES TO ELIMINATE BOTH OF THOSE. ONE OF THE THINGS THAT I FELT STRONGLY ABOUT IN TRYING TO GET THOSE ELIMINATED IS THAT IT REALLY, AND WE'VE HAD EVIDENCE OF THIS, ENCOURAGES LOCAL SCHOOL DISTRICTS TO LITERALLY LEVY UP SO THEY DON'T LOSE STATE AID. IN THE CASE OF THE MINIMUM LEVY ADJUSTMENT, IF A DISTRICT IS NOT AT 95 CENTS, THEN THEY POTENTIALLY LOSE SOME STATE AID. WE'RE REMOVING THAT WITH...ELIMINATING THAT SO THEY CAN MAKE THE DECISIONS AT THE LOCAL LEVEL--WHAT'S THE APPROPRIATE AMOUNT THEY NEED TO LEVY TO SUPPORT THEIR SCHOOL DISTRICT. THE OTHER ONE CHANGES WHAT IS CALLED QCPUF, AND THAT'S AN ACRONYM FOR QUALIFIED CAPITAL PURPOSES UNDERTAKING FUND. AND WHEN IT WAS IN ITS ORIGINAL FORM, BEFORE WE CHANGED IT UNDER LB959 AS AMENDED, DISTRICTS COULD LEVY UP TO 5.2 CENTS ABOVE THE \$1.05 LEVY LIMIT FOR DEALING WITH THINGS THAT HAD TO DO WITH CAPITAL SITUATIONS, THAT DEALT WITH LIFE SAFETY CODES, THINGS THAT WERE LIFE SAFETY HAZARDS LIKE MOLD, AND IT WAS SUPPOSED TO BE MEANT FOR DEALING WITH THINGS IN EXISTING STRUCTURES. AND WHAT WE FOUND IS THAT SORT OF MELDED INTO SOMETIMES BEING USED FOR NEW CONSTRUCTION. AND SO RIGHT NOW, AS

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LB959 IS AMENDED, QCPUF IS LIMITED TO JUST THREE CENTS ABOVE THE LEVY LIMIT AND IT CAN ONLY...IT CANNOT BE USED FOR NEW CONSTRUCTION; BUT IT CAN STILL BE USED FOR DEALING WITH SOME OF THESE PROBLEMS, AND WE KNOW WE HAVE MANY AGING FACILITIES IN SCHOOL DISTRICTS ALL ACROSS THE STATE, SO IT STILL GIVES THEM THE OPPORTUNITY TO DO THIS, BUT WITH A FEW MORE LIMITATIONS. SO THE BOTTOM LINE, AS FAR AS FISCALLY, THIS ADDS ABOUT...BY ELIMINATING THE MINIMUM LEVY ADJUSTMENT AND ALSO THE LEVY CRITERIA FOR AVERAGING ADJUSTMENT, THAT ADDS ABOUT \$8.5 MILLION TOTAL TO TEEOSA, AND THEN, AS I SAID, LIMITS THE USES OF QCPUF. I THINK IT ACHIEVES, IN MY MIND, SOME ELEMENT OF PROPERTY TAX RELIEF. BUT ALSO GIVES SOME MORE ACCOUNTABILITY AND DECISION MAKING TO LOCAL SCHOOL BOARDS. AND THAT, TO ME, IS TAXPAYER TRANSPARENCY. SO, IN ESSENCE, THAT'S HOW LB959 STANDS NOW. [LB959]

SENATOR CHAMBERS: AND HOW...EXCUSE ME ONE SECOND. HOW WAS THIS AGREEMENT ARRIVED AT, IF YOU DON'T MIND EXPLAINING THAT FOR THE RECORD? [LB959]

SENATOR SULLIVAN: SURE. WELL, ADMITTEDLY, WHEN LB959 WAS INTRODUCED, THERE WERE A LOT MORE ELEMENTS THAT PUT SOME ADDITIONAL CONTROLS ON THE BUDGET AUTHORITY OF SCHOOL DISTRICTS; HOW MUCH UNUSED BUDGET AUTHORITY THEY COULD USE. THERE WERE A LOT OF THINGS IN THERE... [LB959]

PRESIDENT FOLEY: ONE MINUTE. [LB959]

SENATOR SULLIVAN: ...AND WE HEARD, AT THE PUBLIC HEARING, CONCERNS ABOUT THAT. WE SPENT MANY HOURS, THE EDUCATION COMMITTEE DID IN EXECUTIVE SESSION, HAMMERING THIS OUT. WE DIDN'T WANT TO BE A HEAVY HAMMER FOR SCHOOL DISTRICTS, BUT WE WANTED, AS I SAID, SOME TAXPAYER ACCOUNTABILITY AND SOME ELEMENT OF PROPERTY TAX RELIEF. SO AFTER MUCH WORKING THROUGH THIS, AND I'D HAVE TO REALLY GIVE KUDOS TO THE COMMITTEE FOR DOING THIS, THIS IS WHAT WE ARRIVED AT. [LB959]

SENATOR CHAMBERS: WHEN YOU SAY "TAXPAYER ACCOUNTABILITY", WHAT DOES THAT MEAN? [LB959]

SENATOR SULLIVAN: I REALLY SHOULD HAVE SAID TAXPAYER TRANSPARENCY BECAUSE WITH NOT HAVING... [LB959]

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PRESIDENT FOLEY: TIME, SENATORS. THANK YOU, SENATOR CHAMBERS AND SENATOR SULLIVAN. SENATOR BAKER, YOU'RE RECOGNIZED. [LB959]

SENATOR BAKER: THANK YOU, MR. PRESIDENT, MEMBERS OF THE LEGISLATURE. I RISE IN SUPPORT OF LB959. IT HAS SOME PROVISIONS THAT SCHOOLS CAN HANDLE AND THAT IT DOESN'T DAMAGE THEIR ABILITY TO CARRY OUT THEIR MISSION. I WAS SUPERINTENDENT OF THE NORRIS SCHOOL DISTRICT. I'M SPEAKING NOW TO THE MINIMUM LEVY ADJUSTMENT. CERTAIN SCHOOL DISTRICTS ARE IN A POSITION TO BE MORE EFFICIENT THAN OTHERS. NORRIS SCHOOL DISTRICTS ABUTS LINCOLN ON THE SOUTH. IT'S THE LARGEST PRE-K-12 CAMPUS WHERE EVERYTHING IS TOGETHER. IN MANY CONSOLIDATIONS, ONE TOWN ENDED UP WITH PART OF THE PROGRAM, ANOTHER TOWN ENDED UP WITH ANOTHER. AND THANKS TO THE WISDOM OF THE FOREFATHERS OF THE NORRIS SCHOOL DISTRICT, AND THE DISTRICT WAS FORMED BACK IN 1964, THEY DECIDED IT WOULD BE BETTER TO HAVE THE SCHOOL LOCATED IN A CENTRAL LOCATION AND NOT IN ANY ONE OF THE TOWNS. ACCORDINGLY, ALL THE TOWNS GAVE UP THEIR SCHOOL BUILDINGS AND AGREED TO COME TOGETHER. THAT HAS ENABLED THAT DISTRICT TO OPERATE EFFICIENTLY. AND CONSISTENTLY, WE'RE EITHER THE LOWEST SPENDING PER PUPIL SCHOOL DISTRICT IN THE STATE, OR CERTAINLY AMONG THE TOP 5 OR 10 YEAR IN AND YEAR OUT, AND IT'S STILL THAT WAY. SO WHAT...IT ALWAYS SEEMED TO ME BAD PUBLIC POLICY TO SAY, ALL RIGHT, IF YOU LEVY A LITTLE BIT MORE, THEN YOU'LL GET MORE MONEY WHEN WE DIDN'T NEED TO LEVY, YOU KNOW, THE MINIMUM WHEN IT WAS THE...THE LEVY CAP WAS A DOLLAR, WE DIDN'T NEED TO LEVY 90 CENTS. WHEN THE LEVY CAP WENT UP TO \$1.05, WE DIDN'T NEED TO LEVY 95 (CENTS). BUT WE DID BECAUSE OF WHAT I CONSIDER TO BE A BAD PUBLIC POLICY. WE DIDN'T SPEND IT, WE PUT IT IN THE CASH RESERVE; USED IT OUT OF NECESSITY AFTER THE TORNADO IN 2004. AND THE SAME IS TRUE OF THE LEVYING CRITERIA FOR AVERAGING ADJUSTMENT. IT DOESN'T MAKE SENSE TO ME TO SAY IF YOU LEVY A LITTLE BIT MORE THEN YOU QUALIFY FOR MORE EQUALIZATION AID. AS SENATOR SULLIVAN INDICATED, THERE WERE ORIGINALLY A LOT OF ELEMENTS IN LB959 AND WE REACHED OUT. WE HAD A SURVEY SENT TO EVERY SCHOOL DISTRICT IN THE STATE. SO WE TRIED TO SEPARATE OUT THOSE THINGS THAT WERE TRULY HARMFUL AND THOSE THINGS THAT PEOPLE COULD LIVE WITH. THE QCPUF, WILL BE REDUCED FROM 5.2 CENTS PER HUNDRED TO 3 CENTS PER HUNDRED, SEEMED TO BE SOMETHING THAT THE SCHOOL DISTRICT SAID, YEAH, WE CAN LIVE WITH THAT BECAUSE THE INTENT OF QCPUF WAS NEVER TO HELP FUND NEW CONSTRUCTION; IT WAS TO TAKE CARE OF ENVIRONMENTAL CONCERNS, SAFETY CONCERNS, AND THOSE KINDS

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OF THINGS. SO I THINK LB959 IS IN GREAT SHAPE AND I URGE ITS PASSAGE.
THANK YOU. [LB959]

PRESIDENT FOLEY: THANK YOU, MR. BAKER. MR. CLERK. [LB959]

ASSISTANT CLERK: MR. PRESIDENT, SENATOR CHAMBERS WOULD OFFER AM2878
TO LB959. (LEGISLATIVE JOURNAL PAGES 1497-1498.) [LB959]

PRESIDENT FOLEY: SENATOR CHAMBERS, YOU'RE RECOGNIZED TO OPEN ON
YOUR AMENDMENT. [LB959]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE
LEGISLATURE, NOW IT BEGINS, WE'RE GOING TO HAVE FUN; AT LEAST I AM. BUT
BEFORE I TELL YOU WHAT THE AMENDMENT IS AND WHAT IT PURPORTS TO DO,
LET ME TELL YOU SOMETHING ELSE. IF I REALLY WANT TO TOY WITH YOU, I
COULD JUST LET THESE BILLS GO, HUH, WITHOUT SAYING ANYTHING AND THEY
WOULD BE ON FINAL READING AMONG THOSE WHICH ARE GOING TO BE TIED UP
ON FINAL READING LIKE ALL THE OTHERS, THEN YOU'RE GOING TO HAVE TO
TALK TO THE SPEAKER TO SEE IF HE WILL LET YOURS GO FIRST SO THAT AS WE
GO TO CLOTURE ON ALL OF THESE OTHER BILLS, THEN YOURS MAY HAVE A
CHANCE TO MAKE IT ACROSS THE FINISH LINE. BUT THEN THERE MAY BE
OTHERS WHO FEEL JUST AS STRONGLY AS YOU DO TO THAT THEIRS OUGHT TO
HAVE A CHANCE IN CASE BILLS GO TO CLOTURE. IF WE STAY HERE FOR A 12-
HOUR DAY, AND YOU ALL WILL WEAR OUT, BUT THAT'S ONLY ONE DAY, SO LET'S
MAKE THAT DAY LONGER. LET'S START AT 9:00 IN THE MORNING AND 9:00 AT
NIGHT WILL BE 12 HOURS. NINE PLUS THREE WOULD BE 15 HOURS. THE REASON
I USE THREE, BECAUSE YOU CAN ONLY GO TO MIDNIGHT AND THAT ENDS THE
LEGISLATIVE DAY. SO LET'S TAKE A 15-HOUR DAY AND IF YOU MAKE IT 16 SO IT'S
EASY FOR ME TO DIVIDE BY FOUR; OH, WE ONLY GET TWO HOURS PER BILL ON
FINAL READING, SO I'D HAVE TO DIVIDE BY 8. THE JOKE IS ON ME. SO LET'S SAY
THAT EIGHT BILLS ARE READ ON FINAL READING. WHICH EIGHT WILL IT BE?
YOU ALL HADN'T THOUGHT OF CALCULATING LIKE THAT, DID YOU? AND YOU
THOUGHT I'D BE CAUGHT OFF GUARD ON THESE BILLS BECAUSE I SAID SO MUCH
ABOUT THEM AND HOW OPPOSED I AM TO THEM AND WHAT YOU'RE TRYING TO
DO WITH THE LEARNING COMMUNITY. SO THAT MADE YOU DO SOME
CALCULATING AND YOU TALK TO EACH OTHER AND YOU FIGURED THAT I CAN'T
STOP THESE BILLS BECAUSE IF I TAKE ALL THE TIME THAT I CAN ON SELECT
FILE, THAT WOULD ONLY BE 12 HOURS BECAUSE YOU'VE GOT THREE BILLS. AND
EVENTUALLY, THEY'D MAKE IT TO FINAL READING. BUT IF ALL THAT TIME IS

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TAKEN ON THESE BILLS, THEN NO OTHERS NEED TO BE CONSIDERED AT ALL. WHICH WILL BE A BOON FOR ME. BUT IF I CHOOSE NOT TO DO THAT, AND THIS IS SOMETHING ELSE I TOLD YOU ALL, I LEFT WRIGGLE ROOM FOR MYSELF WHEN I SAID WHAT I WAS GOING TO DO SO I COULD DO ANYTHING I WANTED TO AND NOT BE BREAKING FAITH WITH THE PROMISE THAT I MADE BECAUSE I LOOK BEYOND TODAY. I'M SURE THE SPEAKER THOUGHT WE WERE GOING TO BE ON THESE BILLS A LONG TIME. AND I DON'T WANT TO DISAPPOINT THE SPEAKER, SO MAYBE I CAN'T THROW YOU THAT CURVE. BUT LET'S SAY THAT I DID LET THE BILLS GO BECAUSE YOU ALL HAVE GOT A DEAL. LET ME ASK SENATOR SULLIVAN A QUESTION. [LB959]

PRESIDENT FOLEY: SENATOR SULLIVAN, WILL YOU YIELD, PLEASE? [LB959]

SENATOR SULLIVAN: YES, I WILL. [LB959]

SENATOR CHAMBERS: SENATOR SULLIVAN, JUST BEING FRANK, THESE THREE BILLS: LB959, LB1067...OR THESE TWO, AND FORGET THE A BILLS RIGHT NOW, THESE TWO BILLS, AND THEN THE ONE BELOW IT, LB958, ARE MORE OR LESS TIED TOGETHER, AREN'T THEY? [LB959 LB1067 LB958]

SENATOR SULLIVAN: UNFORTUNATELY, THEY ARE. [LB959]

SENATOR CHAMBERS: SO, WHAT ARE YOU ALL WILLING TO OFFER ME IF I LEAVE THEM ALONE? WILL YOU ALL HELP ME GET MY MOUNTAIN LION BILL ATTACHED TO SOMETHING, SAY, SENATOR McCOLLISTER'S BILL? [LB959]

SENATOR SULLIVAN: YOU KNOW, SENATOR CHAMBERS, SOMETIMES I DON'T FEEL I'M A VERY GOOD NEGOTIATOR BECAUSE I LOOK AT THINGS THAT I FEEL NEED TO BE DONE, LIKE LB959. I LOOK AT ALL OF THE NEGOTIATING, AND TO A CERTAIN EXTENT, COMPROMISING THAT I'VE DONE WITH LB1067, WANTING IT TO BE JUST A DISCUSSION OF WHAT'S RIGHT FOR THE LEARNING COMMUNITY. AND THEN I'M TRYING TO LOOK AT THE MERITS OF LB958. SO TO ASK ME WHAT I'M WILLING TO GIVE UP, I FEEL LIKE I'VE GIVEN UP QUITE A LOT ALREADY. [LB959 LB1067 LB958]

SENATOR CHAMBERS: SO, TO PUT IT IN A NUTSHELL, THE TIME HAS PASSED FOR ANY NEGOTIATION. [LB959]

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SENATOR SULLIVAN: WELL... [LB959]

SENATOR CHAMBERS: RIGHT? THAT'S WHAT YOU'RE SAYING, RIGHT? WELL, IF TIME IS NOT PASSED, THEN NEGOTIATION MEANS YOU GIVE UP SOMETHING. YOU ALREADY SAID YOU CAN'T GIVE UP ANYTHING. SO THE TIME FOR NEGOTIATION IS PASSED, BEING REALISTIC, ISN'T IT? [LB959]

SENATOR SULLIVAN: I ALWAYS SAY NEVER SAY NEVER. [LB959]

SENATOR CHAMBERS: SEE...SHE FIRST SAYS THAT SHE HAS NOTHING TO GIVE UP. SO WHY SHOULD I NEGOTIATE WITH YOU WHEN YOU TELL ME IN ADVANCE YOU'RE NOT GOING TO GIVE UP ANYTHING? WHY SHOULD I BE SO ARROGANT AS TO THINK YOU WOULD EVEN WANT TO NEGOTIATE WITH ME? DO YOU THINK I COULD STOP THESE BILLS? [LB959]

SENATOR SULLIVAN: YES, YOU PROBABLY COULD. [LB959]

SENATOR CHAMBERS: FOR FOUR HOURS, THAT'S NOT STOPPING THEM. [LB959]

SENATOR SULLIVAN: BUT THEN YOU'LL TRY AGAIN ON FINAL READING. [LB959]

SENATOR CHAMBERS: THAT'S ONLY TWO HOURS. SO I REALLY CAN'T STOP THEM, CAN I? UNLESS THOSE OTHER FACTORS COME INTO PLAY THAT SOME OF THOSE OTHER 95 PEOPLE ARE CONCERNED ABOUT THEIR BILLS LIKE YOU ARE ABOUT THESE. BUT THEY DON'T CARE. THEY FEEL JUST LIKE YOU. THEY WANT TO DO WHAT'S BEST FOR THE LEARNING COMMUNITY. AND I HAD IT BROUGHT TO MY ATTENTION THAT PEOPLE OUTSIDE OF THE AREA WHERE I LIVE AND THAT I'M CONCERNED ABOUT WANT TO HELP YOU ALL GET RID OF THE LEARNING COMMUNITY. SO I THINK WE'RE KIND OF AT LOGGERHEADS. BUT THAT'S ALL THAT I WILL ASK YOU BECAUSE I DON'T WANT YOU TO JUST HAVE TO STAND THERE WAITING FOR, MAYBE, A QUESTION FROM ME. BUT HERE'S WHAT MY AMENDMENT DOES. I'M NOT TRYING TO ADD AN AMENDMENT TO THIS BILL, I WANT TO TAKE OVER THE BILL. MY AMENDMENT IS DRAFTED TO STRIKE EVERYTHING FROM THIS BILL, TO REMOVE ALL OF THESE PROVISIONS. AND INSTEAD OF THAT, YOU WOULD PUT: "NO PERSON SHALL HUNT ANTELOPE, ELK, OR MOUNTAIN SHEEP" THEN YOU STRIKE, MOUNTAIN LIONS, "UNLESS SUCH PERSON IS AT LEAST TWELVE YEARS OF AGE, AND ANY PERSON WHO IS TWELVE THROUGH FIFTEEN YEARS OF AGE SHALL ONLY HUNT ANTELOPE, ELK, OR

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MOUNTAIN SHEEP" STRIKE, OR MOUNTAIN LIONS, "WHEN SUPERVISED BY A PERSON BETWEEN NINETEEN YEARS OF AGE OR OLDER HAVING A VALID HUNTING PERMIT. NO PERSON SHALL HUNT DEER UNLESS SUCH PERSON IS AT LEAST TEN YEARS OF AGE, AND ANY PERSON WHO IS TEN THROUGH FIFTEEN YEARS OF AGE SHALL ONLY HUNT DEER WHEN SUPERVISED BY A PERSON NINETEEN YEARS OF AGE OR OLDER HAVING A VALID HUNTING PERMIT. A PERSON NINETEEN YEARS OF AGE OR OLDER HAVING A VALID HUNTING PERMIT SHALL NOT SUPERVISE MORE THAN TWO PERSONS WHILE HUNTING DEER, ANTELOPE, ELK, OR MOUNTAIN SHEEP" STRIKE, OR MOUNTAIN LIONS, "AT THE SAME TIME." THEN THERE'S A REPEALER CLAUSE. "THE FOLLOWING SECTION IS OUTRIGHT REPEALED: SECTION 37-473". AND THAT SECTION IS THE ONE THAT GRANTS TO THE DEPARTMENT...NOT THE DEPARTMENT, THE COMMISSION--THE GAME AND PARKS COMMISSION THE AUTHORITY TO ESTABLISH MOUNTAIN LION HUNTING SEASONS. NOW, I HAD OFFERED THIS AS AN AMENDMENT TO SENATOR McCOLLISTER'S BILL. AND ONE OF THE PEOPLE WHO TALKED TO ME ABOUT DOING IT WAS ABSENT WHEN TIME CAME FOR THE VOTE. AND SOME PEOPLE WHO SUGGESTED THAT THEY HAD BEEN TALKING TO SENATOR McCOLLISTER ABOUT IT VOTED NO. SO THAT PUTS IT INTO THIS MIX. AND IT'S VERY REASONABLE. AND HERE'S MY OFFER: IF WE TAKE THIS AMENDMENT, THEN I'LL LEAVE THESE OTHER TWO BILLS ALONE. AND LOOK HOW MUCH YOU'LL GET WITHOUT US TAKING ANYMORE TIME ON THESE BILLS. BUT I KNOW THAT IT CAN'T BE DONE. I KNOW THAT IT WON'T BE DONE. SO, MAYBE, WE SHOULD JUST HAVE A LITTLE FUN PASSING TIME TOGETHER. SOME PEOPLE THOUGHT WE WOULDN'T GET BEYOND THESE THREE BILLS ANYWAY BECAUSE NOTHING ELSE REALLY COUNTS. [LB959]

PRESIDENT FOLEY: ONE MINUTE. [LB959]

SENATOR CHAMBERS: THEY DEAL WITH EDUCATION, AS YOU ALL THINK OF EDUCATION, AND I GUESS THERE'S SOMETHING IN HERE DEALING WITH PROPERTY TAX. I DON'T READ ALL OF THESE BILLS BECAUSE THEY'RE OF NO INTEREST TO ME WHATSOEVER IN TERMS OF TRYING TO MAKE THEM BETTER, TRYING TO MAKE THEM EQUITABLE, OR ANY OF THE THINGS THAT WOULD BRING ME INTO A FRAME OF MIND WHERE I WOULD TRY TO DO SOMETHING WITH THEM BECAUSE THEY HAVE MADE THEIR DEALS WITH THE GOVERNOR. AND THAT POINT IS CLEAR WHEN YOU LOOK AT WHY SOME OF THESE BILLS WERE BROUGHT. THIS BILL WAS BROUGHT AT THE REQUEST OF THE GOVERNOR. AND THEY USE THE WORD "REQUEST" TO BE NICE; BUT THE GOVERNOR DEMANDED IT AND THE GOVERNOR WILL GET WHAT HE WANTS. AND I'M SURE

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HE WILL. BUT I CAN AT LEAST MAKE THEM WORK A LITTLE BIT WHILE I'M WORKING SO HARD. I SAY AGAIN... [LB959]

PRESIDENT FOLEY: TIME, SENATOR. [LB959]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB959]

PRESIDENT FOLEY: THANK YOU, SENATOR CHAMBERS. DEBATE IS NOW OPEN ON LB959 AND THE RELATED AMENDMENT. SENATOR CHAMBERS, YOU'RE FIRST IN QUEUE. [LB959]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, LET ME SAY SOMETHING ABOUT THESE ANIMALS WITHOUT GOING INTO STATISTICS AND ALL THE REST, THOSE THINGS NOBODY HAS INTEREST IN ANYWAY. IF THE STATISTICS OR LET'S SAY THE DATA OR THE FINDINGS OR THE SCIENTIFIC EVIDENCE MEANT ANYTHING, GAME AND PARKS WOULD NEVER HAVE ESTABLISHED A HUNTING SEASON IN THE FIRST PLACE. THE POPULATION OF THE ANIMALS IS TOO SMALL TO MAINTAIN THEIR EXISTENCE. TO HAVE A HUNTING SEASON IS ANOTHER WAY OF SAYING THAT THEY'RE TO BE EXTERMINATED ONCE AGAIN IN THIS STATE. MOUNTAIN LIONS, COUGARS, PUMAS, PANTHERS, CATAMOUNTS, PAINTERS ARE NATIVE TO THIS STATE. BUT WHEN THE EUROPEANS CAME, HAVING A FACILITY FOR AND A PROPENSITY TO KILL AND DESTROY, THEY WERE ANNIHILATED. SOME FELLOW THAT YOU ALL CALL BUFFALO BILL IS LIONIZED BECAUSE...I SHOULDN'T USE THAT TERM, IS PRAISED AND GIVEN ICONIC STATUS BECAUSE OF THE NUMBER OF BUFFALO HE SLAUGHTERED; HONORED FOR KILLING BEASTS WHO HARM NOBODY. AS THESE TYPES OF ANIMALS ARE KILLED, THE BALANCE OF NATURE IS UPSET. WHEN YOU KILL THE PREDATOR WHO IS AT THE TOP OF THE FOOD CHAIN, THEN EVERYTHING GOES HAYWIRE. NEBRASKA, RIGHT NOW, HAS AN OVERABUNDANCE OF DEER. THERE'S NO BIG PREDATOR TO DEAL WITH THEM. SO NOT ONLY DO THEY PROLIFERATE, THEY GET DISEASES, AND SOME OF THESE DISEASES WIND UP BEING PASSED TO DOMESTIC LIVESTOCK. BUT PEOPLE DON'T THINK BEYOND THEIR NOSE AS LEGISLATORS FOLLOW THAT SAME UNWISE PATH. SO SOMEBODY HAS TO STEP IN AND TRY TO SEE THAT MOTHER NATURE'S PLAN MAY HAVE SOME CHANCE OF SURVIVING. SO I DON'T WANT THESE ANIMALS PUT ON THAT LIST WHERE THESE RICH WHITE MEN CAN RUN THEM UP TREES WITH DOGS AND SHOOT THEM AFTER THE MANNER OF GREAT WHITE HUNTERS. THAT'S WHAT I DON'T WANT TO SEE HAPPEN. AND THAT'S WHAT HAS HAPPENED. AND I WAS REALLY PERSONALLY SOMEWHAT SURPRISED WHEN SENATOR McCOLLISTER BECAME SUCH A 110

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PERCENT SUPPORTER OF GAME AND PARKS AND EVERYTHING THAT THEY'RE DOING. BUT IT SHOWS THAT YOU SHOULD NOT COUNT ON ANYBODY DOING ANYTHING. SO, AS I SAID IN THAT STORY ABOUT THE LITTLE RED HEN, I WILL DO IT MYSELF. I HAVE A VERSION OF THIS AMENDMENT DRAFTED FOR EVERY BILL ON THIS AGENDA. AND WHEN WE GET TO FINAL READING, THERE WILL BE ONE ATTACHED TO EVERY BILL ON FINAL READING, WHATEVER ITS FATE TURNS OUT TO BE. IT'S JUST TO TAKE TIME. AND I WILL HAVE OTHER AMENDMENTS THAT I WILL OFFER. BUT FOR THE EDIFICATION OF EVERYBODY WHO MIGHT NOT KNOW HOW IT WORK, WHEN YOU WANT TO DO SOMETHING ON FINAL READING, YOU HAVE TO RETURN THE BILL TO SELECT FILE TO ADD THE AMENDMENT OR TO EVEN DISCUSS THE AMENDMENT AT THAT POINT. [LB959]

PRESIDENT FOLEY: ONE MINUTE. [LB959]

SENATOR CHAMBERS: SO YOU MAKE THE MOTION, AND DURING THE MOTION DISCUSSION, THE AMENDMENT ITSELF USUALLY IS DISCUSSED. SO SINCE IT'S A MOTION, I WILL HAVE 10 MINUTES TO OPEN, TWO TIMES TO SPEAK, AND A TIME TO CLOSE. SO EACH OF THOSE THREE TIMES WOULD BE 15 MINUTES TOTAL, PLUS THE 10 MINUTES TO OPEN, AND THAT'S 25 MINUTES, MINIMUM, IF I OFFER ONLY ONE MOTION TO RETURN. IF I OFFER TWO MOTIONS TO RETURN, THEN I GET 50 MINUTES...OR WE CAN SAY A LITTLE LESS THAN AN HOUR. AND WITH THE WAY THINGS ARE SHAPING UP HERE, I'M PREPARED TO DO THAT. SO IF YOU FIND A WAY TO GO AHEAD AND MOVE THESE BILLS TODAY, I REALLY DON'T CARE,... [LB959]

PRESIDENT FOLEY: TIME, SENATOR. [LB959]

SENATOR CHAMBERS: ...MAKES NO DIFFERENCE TO ME. [LB959]

PRESIDENT FOLEY: TIME, SENATOR. THANK YOU, SENATOR CHAMBERS. SENATOR KRIST, YOU'RE RECOGNIZED. I DO NOT SEE SENATOR KRIST AT THE MOMENT. SENATOR SCHNOOR, YOU'RE RECOGNIZED. [LB959]

SENATOR SCHNOOR: THANK YOU, MR. PRESIDENT. I WOULD LIKE TO CHALLENGE THE GERMANENESS OF THIS AMENDMENT. [LB959]

PRESIDENT FOLEY: THANK YOU, SENATOR SCHNOOR. SENATOR SCHNOOR AND SENATOR CHAMBERS, I WILL ASK EACH OF YOU TO SPEAK BRIEFLY TO THE

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GERMANENESS MATTER AND THEN I WILL ISSUE A RULING OF THE CHAIR.
SENATOR SCHNOOR, YOU'RE RECOGNIZED. [LB959]

SENATOR SCHNOOR: THANK YOU. THE BILL, LB959, BY SENATOR SULLIVAN
TALKS ABOUT CHANGES IN THE TEEOSA FORMULA. SENATOR CHAMBERS'
AMENDMENT TALKS ABOUT HUNTING PROVISIONS, TOTALLY UNRELATED. SO
THAT'S WHY I'M CHALLENGING THE GERMANENESS. [LB959]

PRESIDENT FOLEY: THANK YOU, SENATOR SCHNOOR. SENATOR CHAMBERS.
[LB959]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, THE WAY THIS IS DRAFTED
IS TO STRIKE EVERYTHING FROM THE BILL AND THE AMENDMENTS. SO THERE IS
NO PROBLEM OF TWO SUBJECTS IN THE BILL. THERE WILL ONLY BE ONE
SUBJECT, THIS ONE, SHOULD THE AMENDMENT BE ADOPTED. AND THAT'S ALL I
NEED TO SAY TO MAKE THE CASE THAT I CAN MAKE. THANK YOU. [LB959]

PRESIDENT FOLEY: THANK YOU, SENATOR CHAMBERS. IT IS THE RULING OF THE
CHAIR THAT THE AMENDMENT IS NOT GERMANE. WE'LL MOVE ON TO DEBATE.
SENATOR KOLOWSKI, YOU'RE RECOGNIZED. SENATOR CHAMBERS, FOR WHAT
PURPOSE DO YOU RISE? [LB959]

SENATOR CHAMBERS: I CHALLENGE YOUR RULING. [LB959]

PRESIDENT FOLEY: THE RULE OF THE CHAIR HAS BEEN CHALLENGED.
PURSUANT TO THE RULES, EACH MEMBER IS ALLOWED TO SPEAK ONCE TO THAT
ISSUE. MEMBERS MAY NOT YIELD TIME TO ANOTHER. SENATOR CHAMBERS,
YOU'RE RECOGNIZED TO SPEAK. [LB959]

SENATOR CHAMBERS: AND FOR MY UNDERSTANDING, HOW LONG AM I
ALLOWED TO SPEAK? [LB959]

PRESIDENT FOLEY: THIS IS THE OPENING ON YOUR MOTION, YOU HAVE TEN
MINUTES, SENATOR CHAMBERS. [LB959]

SENATOR CHAMBERS: AND WILL I BE ALLOWED TO CLOSE? [LB959]

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PRESIDENT FOLEY: YES, YOU WILL. [LB959]

SENATOR CHAMBERS: THANK YOU. I'M DOING THAT FOR THE SAKE OF MY COLLEAGUES, MR. CHAIRMAN, NOT TO JUST MAKE YOU WORK. BROTHERS AND SISTERS, HOW MUCH TIME WILL I HAVE ON THIS BILL, EVEN IF SOMEBODY CHALLENGES IT FOR GERMANENESS AND IF THE CHALLENGE IS UPHELD? HOW MANY MINUTES DO I GET? TEN TO OPEN, FIVE TO CLOSE, THAT'S 15 MINUTES. AND I HAVEN'T EVEN STARTED DRAFTING AMENDMENTS TO THE BILL ITSELF. AND ALL I HAVE TO DO, IN THAT REGARD, IS TO MOVE TO STRIKE VARIOUS SECTIONS. SO I'M NOT GOING TO BE OFFENDED IF THE CHAIR'S RULING IS NOT OVERRULED. AND IT JUST GIVES AN IDEA OF WHAT MAY BE LIKELY TO HAPPEN ON FINAL READING, BUT I HOPE YOU ALL DON'T THINK I'M SO NAIVE THAT I WOULDN'T HAVE CALCULATED THAT AS A PART OF MY CONSIDERATION IN HOW I'M GOING TO TAKE TIME. I WILL OFFER MY AMENDMENT. LET IT BE RULED NOT GERMANE. I WILL CHALLENGE THE GERMANENESS. THEN I'LL PROCEED BECAUSE I WILL HAVE BEEN ANTAGONIZED TO OFFER AMENDMENTS THAT ARE GERMANE, WHICH NEED NOT BE ACCEPTED. I WILL RETURN, THEN THE BILL, TO STRIKE THE ENACTING CLAUSE. AND SINCE IT'S A MOTION, I CAN MOVE TO RECONSIDER THAT. AND WE CAN JUST DO LIKE THAT LIKE PLAYING TENNIS ALL DAY. AND ALTHOUGH A DAY HAS ONLY 24 HOURS, SOMETIMES SOME DAYS SEEM LIKE THEY HAVE MORE HOURS THAN THAT. AND I BROUGHT READING MATERIAL WHICH SUGGESTS THAT I INTEND TO TAKE TIME TODAY HOWEVER THE MATTER ULTIMATELY TURNS OUT. SO, JUST TO GIVE YOU MAYBE SOME HINTS, DON'T ENGAGE ME. DON'T TURN ON YOUR LIGHTS. LET ME HAVE MY TEN-MINUTE OPENING, MY TWO TIMES TO SPEAK FIVE MINUTES, THEN MY CLOSING; GIVE ME 25 MINUTES ON EACH ONE OF MY MOTIONS. AND THEY WILL BE AMENDMENTS, FOR EXAMPLE, TO STRIKE SECTION 1, THEN STRIKE SECTION 2 AND THAT'S ALMOST AN HOUR. BUT I'VE GOT TO GET TIRED AND I'VE GOT TO RUN OUT OF THINGS TO SAY THAT YOU HAVE NOT HEARD, SO THAT'S WHY I BROUGHT READING MATERIAL. AND I'M GLAD SENATOR MURANTE GOT HERE BECAUSE ONE ADDRESSES HOW ITALIANS WERE TREATED WHEN THEY CAME TO THIS COUNTRY. AND I WENT TO SCHOOL WITH SOME AT TECH. THERE'S ONE NAMED FRANK MADALINA (PHONETIC), ONE TONY MILONI, AND SEVERAL OTHERS, AND SOME OF THEM WERE UPSET, SAM AMATO, BECAUSE SOME OF THEIR FELLOW ITALIANS THOUGHT THEY WERE WHITE. AND THEY RAN INTO THINGS THAT MINORITY GROUP MEMBERS OFTEN RUN INTO WHERE SOME THINK THAT IF THEY BEHAVE AND ASSIMILATE THAT THEY'RE RESPECTED. BUT THE VERY FACT THAT THEY GIVE UP THEIR IDENTITY ASSURES THAT THEY'RE NOT GOING TO GET ANY RESPECT. BUT AT THAT POINT THEY DON'T NEED THE RESPECT OF THEIR FELLOWS BECAUSE NOW THEY'VE BECOME A MEMBER OF

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THE OTHER SIDE. AND THEY DID SUFFER SOME HORRIBLE THINGS WHEN THEY FIRST CAME HERE AND GOT OFF THE BOAT. SOME PEOPLE HEARD THE NAMES SACCO AND VANZETTI; AND BECAUSE WHEN I TELL A STORY, I TEND TO ELABORATE AND DIGRESS AND MANUFACTURE, I FOUND ONE OF MY BOOKS THAT SUMMARIZES IN A COUPLE OF PARAGRAPHS WHAT HAPPENED TO THEM. AN APPEAL THAT WAS MADE TO THE GOVERNOR OF MASSACHUSETTS BY EDNA ST. VINCENT MILLAY, THE DEMONSTRATIONS THAT BROKE OUT TO TRY TO RESCUE THESE MEN WHO HAD BEEN FRAMED FOR A JOB THEY HAD NOT COMMITTED; A PERSON WAS KILLED AT THE SAME TIME, AND THEY WERE EXECUTED. AND THEY WERE NOT GUILTY BASED ON WHAT THOSE WHO LIVED AT THE TIME AND OTHER RESEARCHERS SUBSEQUENTLY HAD DETERMINED. SO I'M INDICATING THAT YOU CAN HAVE THE RULING SUCCEED THAT MY BILL IS NOT GERMANE TO THIS BILL THAT IS BEFORE US. I'M NOT GOING TO TALK FAST BECAUSE I'M JUST GOING TO TAKE MY TIME. AND I WOULD SUGGEST NOT TELLING THE SPEAKER HOW TO DO HIS BUSINESS THAT HE RUNS THOSE LOBBYISTS OUT OF HERE FOR THESE LAST FEW DAYS AND WE JUST STAY HERE AND JUST GO STRAIGHT THROUGH AND MAKE THE BEST USE OF THE LITTLE TIME WE HAVE. BUT THE SPEAKER WILL DO IT THE WAY HE FEELS HE SHOULD. AND HE KNOWS HOW YOU ALL ARE. YOU'VE BECOME ADDICTED TO THAT FOOD AND YOU'VE GOT TO HAVE IT. I JUST WISH THAT THERE COULD BE CONSIDERATION GIVEN TO THE PEOPLE WHO REALLY NEED THAT CONSIDERATION AND THAT WAS NOT DONE LAST NIGHT. SO IF I SHOULD HAPPEN TO GET TIRED, ALL I HAVE TO DO IS RERUN THROUGH MY MIND WHAT WAS DONE LAST NIGHT ON THAT MEDICAL MARIJUANA BILL AND THINK OF THE CHILDREN WHO COULD HAVE BEEN HELPED BUT WERE NOT AND THAT WILL GIVE ME WHATEVER I NEED TO CONTINUE. WHY DO I THINK THE SPEAKER'S RULING...NOT THE SPEAKER, BUT THE LIEUTENANT GOVERNOR'S RULING SHOULD BE OVERTURNED? BECAUSE WE MAY HAVE NEED TO DO EXACTLY WHAT I'M DOING AS WE PROCEED. YOU MAY HAVE TWO BILLS. YOU'D LIKE TO GET BOTH OF THEM, BUT YOU CAN'T. ONE OF THEM IS IN A POSITION MAYBE TO MOVE. AND YOU'D SACRIFICE THAT ONE FOR THE ONE THAT'S NOT GOING TO HAVE A CHANCE TO MOVE. AND YOU CANNOT SWITCH POSITIONS ON THE AGENDA WITH THOSE BILLS. SO YOUR ONLY ALTERNATIVE WILL BE TO STRIKE ALL ORIGINAL PROVISIONS AND AMENDMENTS AND SUBSTITUTE THAT OTHER BILL WHICH WOULD NOT BE GERMANE IF IT WAS AN AMENDMENT TO THE BILL WITH ITS ORIGINAL PROVISIONS. SO THERE YOU WOULD BE. BUT IT DOESN'T MATTER TO ME WHAT YOU DO. I'M GOING TO DO WHAT I'M GOING TO DO AND I'M IN THE PROCESS OF DOING THAT NOW. IT'S GOING TO BE AN EASY, ENJOYABLE DAY IF YOU ALLOW IT TO UNFOLD IN THAT MANNER. BUT SENATOR SCHNOOR HAS ALREADY SHOWN THAT HE'S NOT GOING TO BE A TEAM PLAYER. HE'S

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GOING TO BE RECALCITRANT; HE'S GOING TO BE AN OBSTRUCTIONIST AS FAR AS WHAT I'M TRYING TO DO. SO IF, AS I STATED AT THE BEGINNING, I THINK ABOUT THINGS BEFORE I DO THEM; I CERTAINLY WOULD HAVE TAKEN THAT INTO CONSIDERATION. AND I DID. BUT THIS BILL OFFERS SO MUCH IN THE WAY OF BEING ATTACKED I DON'T EVEN HAVE TO OPEN MY BOOK AND READ IT. I KNEW IT HAS MORE THAN ONE SECTION. I'LL JUST MOVE TO STRIKE SECTIONS. AND I CAN GET THAT MOTION OFFERED AND THEN A RECONSIDERATION. AND I ASSURE SENATOR SULLIVAN THAT AFTER THE FOUR HOURS ON THIS BILL, SHE SHOULD BE ABLE TO GET A SUCCESSFUL CLOTURE VOTE, IF ALL THESE AGREEMENTS THAT THEY MADE HOLD FIRM. I DON'T KNOW WHETHER THEY WILL OR NOT. BUT ONE OF THE REASONS I'M OPPOSED TO WHAT THEY DID ON THE LEARNING COMMUNITY IS BECAUSE THEY TAKE AWAY ALL THAT COULD OFFER STABILITY AND PREDICTABILITY...DID YOU SAY TIME? OH, THE ONLY THING THEY'LL OFFER STABILITY... [LB959]

SPEAKER HADLEY PRESIDING [LB959]

SPEAKER HADLEY: ONE MINUTE. [LB959]

SENATOR CHAMBERS: THANK YOU...AND PREDICTABILITY AS FAR AS FUNDING IS THAT COMMON LEVY. IF THE COMMON LEVY IS TAKEN, THE FUNDING WILL BECOME A POLITICAL FOOTBALL, AS IS HAPPENING ALREADY, AND THEY WILL TAKE IT AWAY AND YOU THEN HAVE NO LEVERAGE WHATSOEVER. THAT COMMON LEVY IS THE ONLY MEANS BY WHICH THE GOALS AND VISION FOR THE LEARNING COMMUNITY HAVE ANY CHANCE OF BEING CARRIED OUT. AND BY THE WAY, A LEARNING COMMUNITY CAN BE ESTABLISHED ANYWHERE IN THIS STATE. THANK YOU, PRESIDENT. [LB959]

SPEAKER HADLEY: YOU'VE HEARD THE OPENING ON THE OVERRULE OF THE CHAIR. (VISITORS INTRODUCED.) SENATOR KOLOWSKI, YOU ARE RECOGNIZED. [LB959]

SENATOR KOLOWSKI: THANK YOU, MR. SPEAKER. I ALSO STAND IN APPROVAL OF LB959, AS SENATOR SULLIVAN HAS LISTED THAT, SENATOR BAKER HAS SPOKEN TO THAT PARTICULAR BILL AS WELL. AND I THINK IT'S AN IMPORTANT ASPECT OF LOOKING AT WHAT DOES THE COMMITTEE, THE EDUCATION COMMITTEE, WHICH I ALSO SERVE ON AS VICE CHAIR, HAS LOOKED AT, THE MINIMUM LEVEL OF LEVY ADJUSTMENTS THAT WERE TAKEN INTO CONSIDERATION AND THE QCPUF DOLLARS THAT WERE ALSO BEING MODIFIED.

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THOSE WERE VERY SMALL CHANGES THAT WERE MADE TO KEEP SOMETHING ALIVE IN LB959 TO MOVE AHEAD TO TRY TO GIVE A LITTLE BIT OF TAX RELIEF TO DISTRICTS AROUND THE STATE BY THOSE TWO METHODS. WE HAVE THE OPPORTUNITY TO LOOK AT AND WORK WITHIN THIS BILL TO TRY TO MAKE SOME CHANGES THAT WOULD BE LONG TERM OVER TIME THAT, HOPEFULLY, WOULD BE BENEFICIAL TO THE DISTRICTS AS THEY WORK WITH THE CHILDREN OF OUR STATE. SENATOR CHAMBERS AND I HAVE HAD A VERY UNIQUE OPPORTUNITY TO WORK TOGETHER FOR THE LAST EIGHT YEARS. WE WERE TOGETHER WITH THE LEARNING COMMUNITY FOR FOUR YEARS, THE FIRST FOUR YEARS OF THE BODY, OF THE BOARD OF GOVERNORS, DIRECTORS OF THE LEARNING COMMUNITY, AND THOSE WERE VERY BUSY YEARS, SETTING UP AND ESTABLISHING THE EFFORTS AND DIRECTIONS OF THE LEARNING COMMUNITY IN ITS FIRST FOUR YEARS AND PUTTING INTO THE PATHWAY OF EARLY CHILDHOOD EDUCATION, ELL STUDENTS, AND STUDENTS AND FAMILIES IN POVERTY IN THE LEARNING COMMUNITY. SO I'VE HAD THE OPPORTUNITY TO WORK WITH AND HEAR SENATOR CHAMBERS FOR THOSE FOUR YEARS AND FOR THE LAST FOUR YEARS IN THIS BODY. SO WE'VE HAD A LONGER TIME TOGETHER THAN ANYONE ELSE IN THIS BODY. THE COMMON LEVY THAT SENATOR CHAMBERS DESCRIBED HAD A GREAT DEAL OF DIFFICULTY IN OPERATING AND OPERATING CORRECTLY AS IT WAS FIRST DESIGNED IN 2008, PUT INTO LAW, AND THEN AS WE WENT INTO OPERATION. IN JANUARY OF 2009, THE LEARNING COMMUNITY, BASICALLY, EVERYTHING WAS TURNED UPSIDE DOWN. THOSE WHO NEEDED TO GET THE AID FROM THE COMMON LEVY DIDN'T, AND MONEY WENT TO DIFFERENT PLACES THAT IT WASN'T DESIGNED TO GO TO BECAUSE WE WENT THROUGH SOME OF THE WORSE ECONOMIC TIMES SINCE THE GREAT DEPRESSION. SOME OF THAT HAS LEVELED OUT, SOME OF THAT HAS EVENED OUT AND HAS BECOME MORE COMPATIBLE TO SOME OF THE DESIGNS AND DIRECTIONS THAT WE WOULD WANT TO GO. THE MISSING PART ON ALL OF THAT AS TO WHERE THE LEARNING COMMUNITY IS TODAY WITH THE COMMUNICATION, COOPERATION, AND COORDINATION OF EFFORT, COMMON EFFORT BETWEEN ALL 11 OF THOSE SUPERINTENDENTS AND THEIR BOARDS OF EDUCATION, WE HAVE MORE AGREEMENT AND MORE SIMILARITIES AND COMMONALITIES GOING ON TODAY THAN I'VE EVER SEEN IN THAT BODY, KNOWING ALL 11 SUPERINTENDENTS AND MANY OF THEIR BOARDS. THAT'S THE DIFFERENCE FROM WHERE THE COMMON LEVY WAS AND THOSE EFFORTS WITH COMMON MONEY WILL CONTINUE TO HAPPEN WITHIN THE LEARNING COMMUNITY AS THEY MOVE AHEAD. [LB959]

SPEAKER HADLEY: ONE MINUTE. [LB959]

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SENATOR KOLOWSKI: THIS BILL IS NOT ABOUT THE LEARNING COMMUNITY, THE NEXT ONE IS. BUT I WANTED TO STATE IN THERE THAT THEY ARE DOING THE THINGS THAT WE WOULD HOPE THEY WOULD DO WITH THE COMMON LEVY. TAKING THE COMMON LEVY OUT BECAUSE IT HAS BEEN FAULTY IS NOT A PROBLEM IN MY JUDGMENT. I WOULD ASK SENATOR CHAMBERS IF HE WOULD YIELD FOR A QUESTION, PLEASE. [LB959]

SPEAKER HADLEY: SENATOR CHAMBERS, WILL YOU YIELD? [LB959]

SENATOR CHAMBERS: YES. [LB959]

SENATOR KOLOWSKI: SENATOR CHAMBERS, OUR EIGHT YEARS TOGETHER HAVE BEEN FRUITFUL IN MANY WAYS AND I'VE LEARNED A GREAT DEAL FROM YOU AS FAR AS A MASTER ON THIS FLOOR AND HOW YOU'VE OPERATED. DURING THAT TIME, HAVE I EVER LIED TO YOU OR EVER ATTEMPTED TO DECEIVE YOU IN ANY WAY? [LB959]

SENATOR CHAMBERS: NO. [LB959]

SENATOR KOLOWSKI: THANK YOU, SIR. I'M SAYING THE SAME THINGS TODAY AS WE'VE ALWAYS TALKED WITH ONE ANOTHER, AND I WILL CONTINUE TO BE HONEST AND FORTHRIGHT AND DIRECT TO YOU. [LB959]

SPEAKER HADLEY: TIME, SENATOR. [LB959]

SENATOR KOLOWSKI: THANK YOU, SIR. [LB959]

SPEAKER HADLEY: THANK YOU, SENATOR KOLOWSKI. SENATOR KRIST, YOU'RE RECOGNIZED. [LB959]

SENATOR KRIST: THANK YOU, MR. PRESIDENT; GOOD MORNING, COLLEAGUES; GOOD MORNING, NEBRASKA. I WANT TO SPEAK FIRST OF ALL TO MY THRESHOLD, MY JUDGMENT TO CAST A VOTE TO OVERRULE THE CHAIR AND JUST TELL EVERYONE STRAIGHT OUT THIS DOES NOT RISE TO THE LEVEL OF MY THRESHOLD AND I WILL NOT VOTE TO OVERRULE THE CHAIR. HOWEVER, THERE ARE SOME WEIGHTY ISSUES COMING UP, AND I WANT TO SPEAK TO, FIRST OF ALL, LB959 AND THE CORE OF LB959. AND I THINK THE MESSAGE I WOULD LIKE SEND OUT TO ALL COUNTIES, TO ALL SCHOOL BOARDS, AND TO ALL

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SUPERINTENDENTS--TAKE NOTICE. THE MINIMUM LEVY IS GONE. YOU DON'T HAVE TO BLAME THE STATE FOR RAISING YOUR PROPERTY TAXES BECAUSE YOU HAVE TO LEVY AT A CERTAIN LEVEL TO PARTICIPATE AND GET MORE MONEY FROM THE STATE. LET ME SAY THAT AGAIN: TO ALL SUPERINTENDENTS, TO ALL SCHOOL BOARDS ACROSS THE STATE, AND TO ALL COUNTY OFFICIALS, YOU WILL NO LONGER BE ABLE TO BLAME US FOR A MINIMUM LEVY IN PLACE THAT WOULD CAUSE YOU TO LEVY AT A LEVEL IN ORDER TO PARTICIPATE IN MORE MONEY. THAT EXCUSE IS GONE. I THINK THAT'S THE STRONGEST PART OF LB959, AND I HOPE WHEN YOU CAST YOUR VOTE YOU'LL UNDERSTAND LOCAL CONTROL, LOCAL CONTROL, LOCAL CONTROL. NO ONE IS DICTATING A LEVY TO YOU BASED UPON PROGRAMS THAT YOU DO OR DO NOT WANT TO PARTICIPATE IN. I'LL SAVE MY COMMENTS FOR THE LEARNING COMMUNITY BILL, LB1067, WHEN IT COMES UP. AFTER SENATOR SULLIVAN'S AMENDMENT, I HAVE AN AMENDMENT THAT I HAVE FILED, AND I THINK IT'S MORE PALATABLE FOR PEOPLE IN THIS CHAMBER, BUT WE'LL HAVE THAT DISCUSSION ON LB1067. THANK YOU, MR. PRESIDENT. [LB959 LB1067]

SPEAKER HADLEY: THANK YOU, SENATOR KRIST. SENATOR KINTNER, YOU'RE RECOGNIZED. [LB959]

SENATOR KINTNER: WELL, THANK YOU, MR. PRESIDENT. I THINK THERE'S A LOT OF PEOPLE AROUND THE STATE THAT THE LESS BILLS WE PASS, THE BETTER OFF THIS STATE IS. NOW, SENATOR CHAMBERS, LET ME SEE IF I'VE GOT THIS RIGHT. YOU'RE MAD ABOUT SOME VOTES AND SOME BILLS PASSED BY CONSERVATIVES, REPUBLICANS, WHATEVER GROUP IT IS, I'M SURE IT INCLUDES ME. SO YOU'RE MAD, SO YOU'RE GOING TO SLOW THIS WHOLE THING DOWN AND WE'RE GOING TO GO TO A CRAWL. WE'RE ONLY GOING TO PASS A FEW BILLS BECAUSE YOU'RE GOING TO EAT UP THE TIME. I'M NOT LOSING ANY SLEEP. THERE'S A LOT OF BAD BILLS; I'M GOING TO HAVE TO SPEND A LOT OF TIME TRYING TO STOP...WELL, A FEW BAD BILLS, AND YOU'RE GOING TO STOP THEM FOR ME. SOME OF THE LIBERAL PROGRESSIVE BILLS THAT ARE BAD FOR THE STATE AND YOU'RE GOING TO STOP THEM FOR ME BECAUSE YOU'RE GOING TO EAT UP TIME. OR YOU BACK OFF AND YOU LET THE BILLS THAT I LIKE GO THROUGH AND THEN I GOT TO GET OFF OF MY REAR END AND GO STOP THE LIBERAL PROGRESSIVE BILLS ON MY OWN. I THINK I WIN EITHER WAY. I THINK THE TAXPAYERS WIN EITHER WAY. I THINK LIBERTY WINS EITHER WAY. I LIKE THAT. THAT'S NOT A BAD...THAT'S NOT A BAD SET OF OPTIONS. I LIKE THOSE OPTIONS. SO IF YOU WANT TO SLOW IT DOWN, GO FOR IT. YOU'VE GOT MY SUPPORT. IF YOU DON'T, I'M GOING TO HAVE TO WORK A LITTLE HARDER. WITH THAT, MR. PRESIDENT, I WILL YIELD THE

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REMAINDER OF MY TIME TO SENATOR CHAMBERS SINCE I MENTIONED HIM IN MY COMMENTS. [LB959]

SPEAKER HADLEY: YOU CANNOT YIELD. [LB959]

SENATOR KINTNER: SORRY, RIGHT, I'M SORRY, YOU CAN'T...WE'RE NOT...WE'RE DISCUSSING THE OVERRULING OF THE CHAIR. THANK YOU, THAT CONCLUDES MY COMMENTS. [LB959]

SPEAKER HADLEY: SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB959]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. I OPPOSE THE MOTION TO OVERRULE THE CHAIR. THANK YOU, MR. PRESIDENT. [LB959]

SPEAKER HADLEY: SEEING NO ONE ELSE IN THE QUEUE, SENATOR CHAMBERS, YOU ARE RECOGNIZED TO CLOSE ON YOUR MOTION TO OVERRULE THE CHAIR. [LB959]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF LEGISLATURE, I HAVE EXTRACTED MY TRIBUTE. TIME, THAT'S WHAT I WANT AND I'VE GOT TIME. NO MATTER WHAT YOU DO, IT'S GOING TO TAKE TIME AND THAT'S WHAT I WANT. TIME. TIME. TIME. AND YOU'RE GIVING IT TO ME. AND AS FAR AS WHAT SENATOR KINTNER SAID ABOUT STOPPING BILLS, HE SHOULD ENVY ME FOR BEING IN A POSITION TO BE THE GATEKEEPER, AND ON BOTH SIDES OF THE AISLE, ACROSS THE POLITICAL SPECTRUM, THEY'RE FORCED TO COME TO YOU TO SEE IF SOMETHING CAN BE DONE TO ALLOW THE LEGISLATURE TO DO WHAT IT PROPOSES TO DO. AND I'M GOING TO REPEAT AGAIN, EARLY IN THE SESSION, I WARNED YOU ALL OF THIS DAY COMING. YOU WERE GOING TO DISREGARD THINGS, AND THEY WERE THINGS THAT I THOUGHT WERE IMPORTANT, BUT ALSO THINGS THAT OTHERS THOUGHT WERE IMPORTANT. DAYS WOULD BE FRITTERED AWAY ON SOME OF THE THINGS THAT CAME OUT OF SENATOR LARSON'S COMMITTEE, SOME OF THE PROPOSALS TO AMEND THE CONSTITUTION, AND I DIDN'T MIND THE TIME BEING TAKEN. BUT WHILE I WAS TAKING THE TIME, I WAS REMINDING YOU, AND I EVEN WOULD GIVE A NON-VOCAL VERSION OF THE ROLLING STONES TUNE, TIME IS ON MY SIDE, THAT YOU'RE GIVING ME TIME. YOU'RE PUTTING ME IN A POSITION BY GIVING ME THE STICK TO BEAT YOU WITH. AND THE TIME WOULD PASS, AND YOU WOULD NOT BE CONCERNED. THEN WE REACHED THE POSTERIOR PORTIONS OF THE SESSION. YOU DON'T HAVE THE TIME TO GET DONE WHAT YOU WANT, THEN YOU START

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PAYING ATTENTION. THEN THE ONE WHOM YOU REJECTED, WHO AS THE BOOK SAYS--THE STONE THAT THE BUILDERS REJECTED HAS BECOME THE HEAD OF THE CORNER, IN OTHER WORDS, THE CORNERSTONE NOW. BUT NONE OF THIS SHOULD SURPRISE ANYBODY. AND I HAVE STATED THAT I'M NOT GOING TO RELENT. THE TIME FOR NEGOTIATION IS PASSED. THE HARVEST IS ENDED. THE SUMMER IS PASSED, AND YOU ARE NOT SAVED. THE LAST TRAIN FROM OVERBROOK HAS LEFT. THERE'S NOTHING FOR YOU TO DO NOW BUT SLEEP IN THE BED THAT YOU MADE. AND YOU SHOULD BE PREPARE TO DO THAT, OR FIND A WAY TO SHUT ME UP. YOU CAN'T EVEN SHUT ME UP WHEN I OFFER AN AMENDMENT THAT OBVIOUSLY HAS NOTHING TO DO WITH THE BILL. ALL YOU DO IS OPEN ANOTHER AVENUE FOR ME TO TALK WITHOUT HAVING TO EVEN DISCUSS THE BILL, BUT I WANT TO CALL ATTENTION TO ONE FACT. HAD I NOT STARTED THIS DISCUSSION, NOTHING WOULD BE SAID ABOUT LB959. THERE ARE PEOPLE ON THIS FLOOR WHO I KNOW ARE UNAWARE OF WHAT IT DOES BECAUSE BILLS THAT DON'T AFFECT THEM DIRECTLY ARE NOT EVEN READ. SO I PAUSED AS LONG AS I COULD TO SEE IF ANYBODY IS GOING TO SAY ANYTHING. AND NOBODY IS GOING TO SAY ANYTHING, AND THIS BILL WOULD HAVE MOVED ACROSS THE BOARD ON A VOICE VOTE. SOMETIMES I HAVE TO FORCE DISCUSSION, AND IF NOT FOR THE MEMBERS OF LEGISLATURE, SO THAT THE WRITTEN RECORD OF WHAT WE DO, THE TRANSCRIPT, WILL SHOW THE DEVELOPMENTAL DISCUSSION THAT LED US TO TAKE VARIOUS POSITIONS AND ACTIONS. AND EVEN IF I DON'T AGREE WITH THEM, I WANT THAT WRITTEN RECORD. I WANT THAT TRAIL TO BE THERE. AND IT ALSO WILL KEEP PEOPLE... [LB959]

SPEAKER HADLEY: ONE MINUTE. [LB959]

SENATOR CHAMBERS: ...FROM TRYING TO WEASEL OUT OF WHAT THE LEGISLATURE ACTUALLY DID AND ITS REASON FOR DOING IT. SO THE KEY ACTORS SHOULD SPEAK. AND IF THEY CHOOSE NOT TO, FINE, BUT I'LL ASK THEM QUESTIONS. AND I'M NOT THROUGH WITH LB959 YET. I'D LIKE TO ASK, BEFORE I'M THROUGH, I'D LIKE TO ASK SENATOR SULLIVAN A QUESTION IF SHE'LL ANSWER. [LB959]

SPEAKER HADLEY: SENATOR SULLIVAN, WILL YOU YIELD TO A QUESTION? [LB959]

SENATOR SULLIVAN: YES, I WILL. [LB959]

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SENATOR CHAMBERS: SENATOR SULLIVAN, ROUGH GUESS, HOW MANY SECTIONS DOES LB959 HAVE? [LB959]

SENATOR SULLIVAN: I'M NOT SURE, I DON'T HAVE THE BILL IN FRONT OF ME. [LB959]

SENATOR CHAMBERS: DO YOU THINK IT HAS AT LEAST TEN? [LB959]

SENATOR SULLIVAN: YES. [LB959]

SENATOR CHAMBERS: THANK YOU. TEN AMENDMENTS, THAT'S ALL I NEED. THANK YOU, MR. PRESIDENT. BUT I'LL ASK FOR A CALL OF THE HOUSE AND A ROLL CALL VOTE. [LB959]

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. [LB959]

ASSISTANT CLERK: 21 AYES, 2 NAYS TO GO UNDER CALL, MR. PRESIDENT. [LB959]

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 EBKE, BURKE HARR, PANSING BROOKS, LARSON, COASH, AND GARRETT, THE HOUSE IS UNDER CALL. SENATOR GARRETT, THE HOUSE IS UNDER CALL. THE MOTION WILL REQUIRE 25 VOTES TO BE ADOPTED. THE QUESTION IS, SHALL THE ADOPTION OF THE MOTION TO OVERRULE A CHAIR? THERE'S BEEN A REQUEST FOR A ROLL CALL VOTE IN REGULAR ORDER. [LB959]

ASSISTANT CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGE 1498-1499.) THE VOTE IS 1 AYE, 46 NAYS, MR. PRESIDENT. [LB959]

SPEAKER HADLEY: THE MOTION TO OVERRULE THE CHAIR FAILS. I RAISE THE CALL. MR. CLERK. [LB959]

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ASSISTANT CLERK: MR. PRESIDENT, I HAVE A PRIORITY MOTION. SENATOR CHAMBERS WOULD MOVE TO BRACKET THE BILL UNTIL APRIL 20. [LB959]

SPEAKER HADLEY: SENATOR CHAMBERS, YOU'RE RECOGNIZED TO OPEN ON YOUR BRACKET MOTION. [LB959]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, I DON'T BELONG TO EITHER POLITICAL PARTY. THERE ARE PEOPLE ON THIS FLOOR, SOME BELONG TO THE REPUBLICAN PARTY, SOME BELONG TO THE DEMOCRATIC PARTY. SENATOR KINTNER HAS DIVIDED THE BODY INTO LIBERALS AND CONSERVATIVES, PROGRESSIVES AND BACKWARD, I GUESS. BUT I'VE DONE WHAT DONALD TRUMP CANNOT DO, I'VE UNITED THE LEGISLATURE, ALL OF THEM VOTED THE SAME WAY. SO I AM A UNITER, NOT A DIVIDER. AND HAD I NOT STARTED ON THIS BILL, THERE WOULD BE NO DISCUSSION OF IT WHATSOEVER. AND NOW THAT WE'RE ON THE BILL ITSELF, AND MY MOUNTAIN LIONS, I'VE PAID MY DEVOIR TO THEM, I'M GOING TO ASK SOME SERIOUS QUESTIONS OF SENATOR SULLIVAN WITH REFERENCE TO THIS BILL. [LB959]

SPEAKER HADLEY: SENATOR SULLIVAN, WILL YOU YIELD TO A QUESTION? [LB959]

SENATOR SULLIVAN: YES, I WILL. [LB959]

SENATOR CHAMBERS: SENATOR SULLIVAN, WHEN THIS BILL CAME OUT OF COMMITTEE, IT WAS NOT IN THE FORM THAT IT IS IN NOW. IS THAT TRUE OR FALSE? [LB959]

SENATOR SULLIVAN: THAT IS FALSE. [LB959]

SENATOR CHAMBERS: OKAY. THIS IS THE FORM THAT IT CAME OUT OF COMMITTEE? [LB959]

SENATOR SULLIVAN: YES. [LB959]

SENATOR CHAMBERS: AND THERE WAS NO OPPOSITION TO IT ON GENERAL FILE? [LB959]

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SENATOR SULLIVAN: CORRECT. [LB959]

SENATOR CHAMBERS: SO THIS BILL, IF WE WERE GOING TO LOOK AT IT, WOULD BE THE GREEN COPY? [LB959]

SENATOR SULLIVAN: NO, IT WOULD BE THE AMENDED BILL, THE AMENDMENT IS WHAT WE'RE LOOKING AT. [LB959]

SENATOR CHAMBERS: SO THEN THIS ISN'T THE BILL THAT CAME OUT OF COMMITTEE. OH, WHEN YOU SAY THE BILL CAME OUT OF COMMITTEE, YOU MEAN WITH THE COMMITTEE AMENDMENTS? [LB959]

SENATOR SULLIVAN: YES. [LB959]

SENATOR CHAMBERS: SO THE POINT THAT I'M GETTING AT, THE GREEN COPY WAS CHANGED? [LB959]

SENATOR SULLIVAN: YES. [LB959]

SENATOR CHAMBERS: AND THERE WERE THINGS LEFT OUT BY VIRTUE OF THAT AMENDMENT THAT ORIGINALLY HAD BEEN PUT INTO THE GREEN COPY? [LB959]

SENATOR SULLIVAN: YES. [LB959]

SENATOR CHAMBERS: WHO HAD THE GREEN COPY DRAFTED? [LB959]

SENATOR SULLIVAN: I DID. [LB959]

SENATOR CHAMBERS: AND DID YOU HAVE THAT DRAFTED BASED ON DISCUSSIONS YOU HAD WITH THE SUPERINTENDENTS OR PEOPLE IN OTHER PARTS OF THE ECONOMY, SUCH AS...WELL, WITH WHOM DID YOU HAVE DISCUSSIONS IF ANYBODY IN DRAFTING IT? [LB959]

SENATOR SULLIVAN: WELL, FIRST OF ALL, I INTRODUCED THIS BILL ON BEHALF OF THE GOVERNOR. SO MANY OF MY INITIAL DISCUSSIONS WERE WITH HIM IN HIS OFFICE IN DECIDING WHAT SHOULD BE PUT IN IT. BUT I WILL ALSO TELL YOU THAT I DON'T INTRODUCE A BILL THAT I CAN'T AGREE WITH. SO I WAS

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PARTY TO THE ELEMENTS THAT WERE IN LB959 AS ORIGINALLY INTRODUCED.
[LB959]

SENATOR CHAMBERS: NO, I'M NOT SAYING YOU DON'T AGREE WITH IT. I JUST WANT TO KNOW THE ORIGIN OF THE BILL... [LB959]

SENATOR SULLIVAN: OH, OKAY. [LB959]

SENATOR CHAMBERS: ...SO I CAN BETTER UNDERSTAND WHY WE HAVE WHAT WE HAVE BEFORE US AND SOME OF THE OTHER THINGS THAT I'VE BEEN HEARING. WHAT THINGS WERE IN IT THAT THE GOVERNOR WANTED WHICH HE WAS WILLING TO RELINQUISH? [LB959]

SENATOR SULLIVAN: THERE WERE SEVERAL ITEMS THAT HAD TO DO WITH LIMITING THE GROWTH OF SCHOOL DISTRICT BUDGETS, THINGS LIKE LIMITING HOW MUCH OF THEIR UNUSED BUDGET AUTHORITY THEY COULD USE. IT HAD ALSO TO DO WITH THE AMOUNT THAT THEY COULD PUT INTO AND ACCESS OUT OF THEIR CASH RESERVES. SO THERE WERE A VARIETY OF THINGS LIKE THAT, THAT WERE IN THE ORIGINAL BILL. [LB959]

SENATOR CHAMBERS: AND BASED ON WHAT YOU SAID, AND SOME OF THE THINGS THAT SENATOR BAKER SAID, THOSE PROVISIONS WOULD NOT HAVE FACILITATED WHAT SCHOOL DISTRICTS NEED TO BE ABLE TO DO TO SPEND MONEY WISELY. IN OTHER WORDS, DON'T HASTEN TO SPEND IT JUST SO YOU CAN GET RID OF IT IN ORDER NOT TO BE PENALIZED FOR HAVING BEEN FRUGAL AND PRUDENT? [LB959]

SENATOR SULLIVAN: WELL, I THINK THAT SPEAKS SPECIFICALLY TO WHAT IS IN THE BILL RIGHT NOW, THE ELIMINATION OF THE MINIMUM LEVY ADJUSTMENT AND THE LEVY CRITERIA FOR AVERAGING ADJUSTMENT. BUT WHAT WAS IN THE ORIGINAL BILL WENT A FEW STEPS FURTHER. AND AFTER THE PUBLIC HEARING AND HEARING FROM MANY, MANY, MANY SCHOOL DISTRICTS THAT THOSE ADDITIONAL THINGS WERE GOING TO BE PRETTY LIMITING TO THEM. AND SO THAT'S WHY WE BACKED OFF OF THEM. [LB959]

SENATOR CHAMBERS: IS THE GOVERNOR A POLITICIAN, OR WHAT WE MIGHT CALL A SCHOOL MAN OR AN EDUCATIONIST...AN EDUCATIONALIST...AN

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EDUCATOR? IF YOU HAD TO PUT A LABEL ON HIM, WOULD IT BE POLITICIAN OR EDUCATOR? [LB959]

SENATOR SULLIVAN: POLITICIAN. [LB959]

SENATOR CHAMBERS: AND THESE CHANGES WERE MADE BY SCHOOL PEOPLE, OR EDUCATORS, WHO HAVE EXPERIENCE IN OPERATING SCHOOL SYSTEMS, WOULD THAT BE GENERALLY CORRECT? [LB959]

SENATOR SULLIVAN: THE CHANGES WERE MADE BY WE, THE POLICYMAKERS, BUT WE LISTENED TO THE EDUCATORS AND THE PEOPLE WHO ADMINISTER SCHOOL DISTRICT BUDGETS. [LB959]

SENATOR CHAMBERS: WELL, HERE'S WHAT I'M TRYING TO GET AT. THE CHANGES, NATURALLY THERE WILL BE INPUT BY THE SENATORS. BUT THIS INFORMATION, THE DISCUSSION, THE DEVELOPMENTAL DISCUSSION THAT LED TO THE DECISIONS THAT ULTIMATELY WERE TAKEN, THE INPUT CAME FROM PEOPLE EXPERIENCED IN OPERATING AND RUNNING SCHOOL SYSTEMS. WOULD THAT GENERALLY BE CORRECT? [LB959]

SENATOR SULLIVAN: GENERALLY, YES. [LB959]

SENATOR CHAMBERS: OKAY. SO NOW WHAT YOU'RE PRESENTING US WITH IS A BILL THAT WAS WORKED OUT AS A RESULT OF DISCUSSIONS WITH DIFFERENT INDIVIDUALS AND MAYBE DIFFERENT INTERESTS, IS THAT GENERALLY CORRECT? [LB959]

SENATOR SULLIVAN: YES. [LB959]

SENATOR CHAMBERS: WERE THE SUPERINTENDENTS AMONG THOSE WHO CONTRIBUTED TO THE BILL'S PRESENT FORM? [LB959]

SENATOR SULLIVAN: TO A CERTAIN EXTENT, YES. [LB959]

SENATOR CHAMBERS: DID THEY DO THIS COLLECTIVELY BY ARRIVING AT A CONSENSUS ON AN OPINION AND THAT COULD BE TAKEN AS THE OPINION OF

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THE SUPERINTENDENTS ON PROVISIONS IN THIS BILL? OR YOU DON'T KNOW?
[LB959]

SENATOR SULLIVAN: WELL, IT'S SORT OF A TWO-SIDED DIMENSION BECAUSE I DON'T THINK THAT THESE TWO ELEMENTS...OR ANY THE ELEMENTS OF LB959, AS AMENDED, REALLY CAME FROM OR WERE INITIATED BY THE SUPERINTENDENTS. [LB959]

SENATOR CHAMBERS: I DON'T MEAN INITIATION. ONCE THINGS WERE OUT THERE, DID THEY EVER COME WITH A POSITION OF THEIRS WHICH THEY WANTED TO BE...HAVE TAKEN INTO CONSIDERATION SO THAT THEIR CONCERNS OR INTERESTS, WITH REFERENCE TO THAT POSITION THEY TOOK, IF THEY TOOK SUCH A POSITION, DID THAT EVER HAPPEN? [LB959]

SENATOR SULLIVAN: I THINK THAT THEIR, IN TERMS OF A COLLECTIVE RESPONSE FROM ORGANIZATIONS THAT REPRESENT THE SCHOOL DISTRICTS, I THINK WE MAY HAVE HEARD FROM AT LEAST ONE ENTITY THAT WAS PUTTING THEIR FULL SUPPORT BEHIND LB959. [LB959]

SENATOR CHAMBERS: AND WHICH ENTITY WAS THAT? [LB959]

SENATOR SULLIVAN: NEBRASKA RURAL SCHOOLS COMMUNITY ASSOCIATION.
[LB959]

SENATOR CHAMBERS: SO THIS IS SOMETHING THAT WILL MAINLY BENEFIT THE RURAL SCHOOLS? [LB959]

SENATOR SULLIVAN: THERE WILL BE SOME ADVANTAGES TO THEM, YES. [LB959]

SENATOR CHAMBERS: THEY WERE THE ONES HAVING PROBLEMS PRIMARILY AND THEIR PROBLEMS WERE THE ONES PRIMARILY ADDRESSED BY THIS BILL, IS THAT CORRECT? [LB959]

SENATOR SULLIVAN: TO A CERTAIN EXTENT. [LB959]

SENATOR CHAMBERS: SO THIS...I'M EXPRESSING IT THIS WAY FOR EASE OF REFERENCE SO I CAN TIE THESE THINGS TOGETHER. THIS IS A RURAL INTEREST

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BILL, NOT EXCLUSIVELY. THE NEXT BILL WOULD BE CALLED THE LEARNING COMMUNITY BILL? [LB959]

SENATOR SULLIVAN: YES. [LB959]

SENATOR CHAMBERS: AND THAT THIRD BILL, WHAT IS THAT? [LB959]

SENATOR SULLIVAN: THAT CAME OUT OF THE REVENUE COMMITTEE AND THAT PRIMARILY HAS TO DO WITH THE PROPERTY TAX CREDIT AND HOW MUCH GOES INTO IT AND HOW IT'S DISTRIBUTED. [LB959]

SENATOR CHAMBERS: SO HOW ARE THESE THREE BILLS TIED TOGETHER? [LB959]

SENATOR SULLIVAN: WELL... [LB959]

SENATOR CHAMBERS: LINKED LET ME SAY, WHAT IS THE LINKAGE BETWEEN THESE BILLS? [LB959]

SENATOR SULLIVAN: FIRST OF ALL, I DIDN'T WANT THEM TO BE LINKED, SENATOR CHAMBERS, BUT THE REALITY IS APPARENTLY THEY ARE. [LB959]

SENATOR CHAMBERS: HAVE YOU HEARD THAT SONG--YOU DON'T ALWAYS GET WHAT YOU WANT? [LB959]

SENATOR SULLIVAN: YOU'RE RIGHT ABOUT THAT. [LB959]

SENATOR CHAMBERS: OKAY. SO BEFORE WE GET TO THAT, THE BILLS, THERE IS A LINKAGE BETWEEN THESE BILLS AND WITHOUT SAYING WHETHER IT'S WORTHY OR NOT, WHAT WOULD THAT LINKAGE BE? [LB959]

SENATOR SULLIVAN: IF I GET THIS BILL, THEN YOU GET THAT BILL. [LB959]

SENATOR CHAMBERS: HORSE TRADING KIND OF. [LB959]

SENATOR SULLIVAN: SORT OF. [LB959]

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SENATOR CHAMBERS: HAVE YOU HEARD SENATOR GROENE AND SENATOR KINTNER CONDEMN SUCH THINGS ON THIS FLOOR BEFORE? [LB959]

SENATOR SULLIVAN: YES, I HAVE; YES, I HAVE. [LB959]

SENATOR CHAMBERS: AND I THINK YOU HEARD YOUR SEATMATE, THE ONE BEHIND YOU, SENATOR SCHNOOR,... [LB959]

SPEAKER HADLEY: ONE MINUTE. [LB959]

SENATOR CHAMBERS: ...CONDEMN IT VERY STRONGLY BECAUSE I HAVE HEARD HIM DO THAT. BUT YOU ARE AWARE THAT PEOPLE KNOW THAT THIS WAS A GIVE AND TAKE; IF YOU WANT YOURS, YOU GOT TO GIVE ME MINE. THAT'S WHAT IT WAS AND THAT'S WHY ALL THREE OF THEM HAVE TO GO OR NONE OF THEM GO, ISN'T THAT TRUE? [LB959]

SENATOR SULLIVAN: IT'S BECOMING APPARENT THAT'S THE WAY IT IS. [LB959]

SENATOR CHAMBERS: THANK YOU. YOU'VE BEEN VERY HELPFUL, SENATOR SULLIVAN. AND THAT IS IN THE RECORD. I THINK EVERYBODY ON THE FLOOR WHO HAS PAID ATTENTION IS AWARE OF THAT, BUT I DIDN'T JUST WANT TO MAKE IT BY WAY OF ASSERTIONS, I WANTED TO ELICIT IT FROM A PERSON WHO HAD A VERY CRUCIAL AND CRITICAL ROLE TO PLAY IN ALL OF THIS. AND THAT'S NOT JUDGMENTAL. THANK YOU, MR. PRESIDENT. [LB959]

SPEAKER HADLEY: WHILE THE LEGISLATURE IS IN SESSION AND CAPABLE OF TRANSACTING BUSINESS, I PURPOSE TO SIGN AND DO HEREBY SIGN LR540. (VISITORS INTRODUCED.) YOU'VE HEARD THE OPENING ON THE BRACKET MOTION. SENATOR SCHUMACHER, YOU'RE RECOGNIZED. [LR540 LB959]

SENATOR SCHUMACHER: THANK YOU, MR. SPEAKER, MEMBERS OF THE BODY. MY CONCERN IS WITH THE TOTALITY OF THIS PACKAGE OF THREE. THAT MANY OF US ARE NOT IN AGREEMENT THAT ONE HAS TO GO AND ONE HAS TO STOP. A FEW PEOPLE WITH BIG EGOS MIGHT HAVE WORKED THAT OUT AMONGST THEMSELVES, BUT THEY DON'T HAVE 49 VOTES IN THIS BODY. AND SO AS FAR AS I'M CONCERNED, THESE ARE ALL SEVERABLE BILLS TO BE INDIVIDUALLY DEBATED ON THE MERITS. I HAVE LONG BEEN CONCERNED THAT WHEN I LEAVE THIS BODY, IT IS IN GOOD FINANCIAL SHAPE. AND LITTLE DEALS PACKAGED

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BETWEEN THE LINES OF BUDGET LINES DO NOT HAUNT FUTURE LEGISLATURES. WE KNOW OUR GOVERNMENT EXPENSES IN THIS STATE AT BOTH A STATE AND LOCAL LEVEL ARE GOING TO GO UP AND THEY'RE GOING TO GO UP GREATER THAN 3 PERCENT FOR A WHOLE NUMBER OF REASONS, NOT THE LEAST OF WHICH IS MY GENERATION STOPPING PULLING THE WAGON TO GET ON THE WAGON AND MANY, MANY, MANY OTHER REASONS: PRISONS AND A LIST TOO LONG TO GO INTO. WE KNOW THAT A REALISTIC ASSESSMENT, ASSUMING LOW RATES OF INFLATION, IS THAT OUR SPENDING WILL GROW AT 4 TO 5 PERCENT. THE IDEA THAT REVENUES ARE GOING TO SOMEHOW GROW MUCH FASTER THAN 3 PERCENT WHEN WE HAVE A 3 PERCENT ECONOMY FOR THE FORESEEABLE FUTURE IS NOT REALISTIC. WE WILL NOT BE ABLE TO HOLD SPENDING TO 3 PERCENT. WE WILL NOT HAVE THE REVENUES POUR IN OUT OF GROWTH. AND SO EVERY ONE OF THE INCREMENTAL THINGS THAT WE BEGIN TO DO HERE BEGINS TO BORROW FROM THE FUTURE TO PAY THE BILLS OF THE PRESENT. WE HAVE WISELY BUILT A LITTLE BIT OF A CASH RESERVE TO MEET OUR GOAL OF TWO MONTHS OF OPERATING REVENUES AS PART OF OUR RESERVE. AND QUITE HONESTLY, PART OF THE REASON WE HAVE A RESERVE AT THE \$700 MILLION RANGE IS BECAUSE OF THE FEDERAL STIMULUS PROGRAM A FEW YEARS AGO THAT PLOPPED \$400 (MILLION) OR \$500 MILLION INTO OUR POCKETS AND ANOTHER \$100 MILLION OF TAX SURGE DUE TO SOME TAX PLANNING TECHNIQUES IN RESPONSE TO SOME FEDERAL POLICIES. WE DID NOT SAVE THAT. I WENT THROUGH AND PICKED UP SOME NUMBERS: 2009 WAS THE YEAR BEFORE MY ELECTION; WE HAD A CASH RESERVE ACTUAL OF \$465 MILLION, OR 13.7 PERCENT OF NET RECEIPTS; 2010, DROPPED A LITTLE BIT TO \$455 MILLION, 13.8 PERCENT OF RECEIPTS; 2011, \$421 MILLION, 11.7 PERCENT OF RECEIPTS; 2012, \$434 MILLION, 11.9 PERCENT. NOT A GREAT DEAL OF VARIATION, BUT IN THAT TIME WE DID HAVE A SURGE OF SOME FEDERAL MONEY WHICH SAVED US QUITE A BIT OF HEADACHES; 2013, WE BEGAN SEEING SOME OF THE CASH RESULTS FROM THE UNUSUAL SITUATION WE HAD IN AG AND OUR RESERVE JUMPED TO \$679 MILLION, 16.8 PERCENT, RIGHT WHERE WE SHOULD BE; 2014, STABLE AT \$675 MILLION, 16.4 PERCENT; 2015, WE'RE UP TO \$725 MILLION, BUT THAT'S ONLY 16.2 PERCENT OF REVENUE. NOW, IF YOU LOOK AT YOUR GREEN SHEET, WE'RE AT \$687 MILLION, 15.5 (PERCENT), WE'RE BEGINNING TO SLIDE. AND YOU LOOK AT THE PROJECTION... [LB959]

SPEAKER HADLEY: ONE MINUTE. [LB959]

SENATOR SCHUMACHER: ...OUT AT 2019-ISH, WE'LL BE AT \$634 MILLION, BUT IN CONTEXT OF REVENUE, THAT SLIPPED TO 12.8 PERCENT. WE HAVE TO BALANCE THE BUDGET. AND WE CANNOT USE THE RESERVE AS A FUDGE FACTOR BECAUSE

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THAT'S NOT BALANCING THE BUDGET. THAT'S PUTTING THE STATE IN A WEAKER POSITION. AND I'M GOING TO SPEAK A LOT OVER THE NEXT...THIS BILL AND THE TWO FOLLOWING BILLS BECAUSE I THINK IT'S VERY IMPORTANT THAT THE PEOPLE REALIZE THE POLITICS THAT ARE BEING PLAYED AND THE FACT THAT WE ARE EITHER GOING TO FACE REALITY OR LOSE THE GAME TO REALITY. THANK YOU. [LB959]

SPEAKER HADLEY: THANK YOU, SENATOR SCHUMACHER. SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB959]

SENATOR CHAMBERS: THANK YOU, MR. SPEAKER. AND, SENATOR SCHUMACHER, I'M PLEASED THAT YOU SPOKE. MEMBERS OF LEGISLATURE, WE KNOW THAT IN ANY POLITICAL SETTING, DEALS ARE STRUCK, TRADES ARE MADE. BUT WHEN WE'RE TALKING ABOUT THE STATE'S REVENUE, IF THERE CAN BE THIS MUCH FLUIDITY, THIS MUCH BACK AND FORTH, PEOPLE SACRIFICING WHAT THEY THINK REALLY MEANS SOMETHING TO THEM TO GET SOMETHING THIS YEAR, THAT SHOWS YOU HOW UNSTABLE, HOW UNSUSTAINABLE THIS KIND OF METHODOLOGY IS. THIS IS NOT A SYSTEMATIC APPROACH. THIS IS A STOP GAP, JACK LEG ACTIVITY. IT'S THROWN TOGETHER TO GIVE EVERYBODY SOMETHING AND NOBODY GETS WHAT WOULD BE THE CASE IF EACH ELEMENT WAS TO BE JUDGED AND WORKED OUT ON ITS OWN MERITS. BUT SINCE THE ONES WHO ARE DOING ALL THE WHEELING AND DEALING AND THE NEGOTIATING DIDN'T HAVE THE VOTES, THEY SAID, WELL, HOW MUCH DO I HAVE TO GIVE UP TO GET SOMETHING FROM YOU; AND THEN THEY SAY, WELL, HOW MUCH ARE YOU WILLING TO GIVE UP? THEN THEY BICKER BACK AND FORTH ON THAT SCORE, ON THAT BASIS, NOT DEALING WITH WHAT IS ACTUALLY NEEDED TO ACCOMPLISH WHATEVER EACH OF THE TWO SIDES THINK IS IMPORTANT. SO WHEN YOU CAN GET SOME POLITICIANS, WHICH ALL OF US ARE, BEHAVING AS POLITICIANS RATHER THAN STEWARDS OF THE PUBLIC'S MONEY, AS TRUSTEES WITH THE DUTY TO LOOK OUT FOR THE BEST INTERESTS OF THE BENEFICIARIES, THEN WE'RE FORSAKING THAT DUTY AND THAT RESPONSIBILITY WHEN WE PLACE THE ACHIEVEMENT OF A POLITICAL GOAL ABOVE WHAT WE KNOW THAT PRUDENCE WOULD DICTATE AND DUE DILIGENCE WOULD DICTATE THAT WE DO TO SEE TO THE BEST INTEREST OF THE PUBLIC. IT WOULD BE BETTER TO PUSH FOR WHAT IS THE RIGHT THING AND LOSE IT THAN TO GIVE A LITTLE HERE, TAKE A LITTLE THERE, AND GET SOMETHING WHERE EVERYBODY LOSES AND THE PUBLIC LOSES MOST. THE INTEGRITY OF THE SYSTEM IS DESTROYED; THE INDIVIDUALS NO LONGER CAN BE TRUSTED; AND THE LEGISLATURE, AS A INSTITUTION, SUFFERS. AS I SAID THIS MORNING, THAT'S WHAT I'M INTERESTED IN AND THAT'S WHY I'M TAKING ALL THIS TIME

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AND DOING EVERYTHING I'M DOING. THE LEGISLATURE IS AT THE BEHEST AND CALL OF THE GOVERNOR, OTHER INTERESTS OUTSIDE OF THIS BODY. AND AS A RESULT, WE GET A HODGEPODGE OF BILLS. AND IF ANY ONE OF THEM FAILS, ALL OF THEM FAIL. HOW IS THAT AS FAR AS NEGOTIATING IN THE BEST INTEREST OF THE PUBLIC? IT'S STRICTLY POLITICAL. I BELIEVE SOME PEOPLE ARE DOING THINGS TO FEATHER A NEST THAT IS BEING CONSTRUCTED OUTSIDE THIS LEGISLATURE WHEN THEY'RE NO LONGER HERE. AND IF THEY HAVE LEAVE A MESS LIKE THIS, THEY DON'T HAVE TO DO ANYTHING ABOUT IT. THOSE OF US WHO REMAIN ARE GOING TO HAVE TO DO SOMETHING ABOUT IT. BUT SOME OF THE MALEFACTORS WHO PARTICIPATED IN THIS WILL STILL BE HERE, BUT THEY'VE ESTABLISHED THAT THEY CAN'T BE TRUSTED. THEY WILL TELL YOU ONE THING TODAY OUT OF THE RIGHT SIDE OF THEIR MOUTHS, TELL YOU SOMETHING ELSE TOMORROW OUT OF THE OTHER SIDE OF THEIR MOUTH, AND HOPE THAT YOU NEVER GET THE TWO DIFFERENT SIDES TOGETHER AND REALIZE THAT THEY'VE BEEN TOLD OPPOSITE THINGS BY THE SAME PERSON. THIS IS NOT GOOD LEGISLATING. I DON'T THINK ANY ONE OF THESE BILLS MERITS PASSING, AND CERTAINLY PUTTING THREE BAD THINGS TOGETHER DOES NOT MAKE A GOOD THING. YOU HAVE SOMETHING THAT IS THREE TIMES AS BAD AS ANY ONE OF THEM ALONE. AND THAT'S WHY I WANTED TO ASK SENATOR SULLIVAN THE QUESTIONS THAT I DID AND ALONG THE WAY ELICIT FROM HER, WHICH SHE VOLUNTEERED THAT SHE WASN'T NECESSARILY PLEASED. [LB959]

SPEAKER HADLEY: ONE MINUTE. [LB959]

SENATOR CHAMBERS: I'LL LET HER USE HER OWN TERMINOLOGY. THIS WAS NOT NECESSARILY THE WAY SHE WOULD HAVE WANTED TO GO. SO THE QUESTION I WOULD ASK, WELL, WHY GO THAT WAY? I'M DOING TODAY WHAT I THINK I OUGHT TO DO AND YOU KNOW THAT YOU CAN TAKE THAT TO THE BANK. AND I HOPE THERE ARE OTHERS WHO ARE PAYING ATTENTION WHO ALWAYS TALK ABOUT THEY'RE HERE TO REPRESENT THE PUBLIC, THEY'RE HERE TO DO SOMETHING ABOUT SIGNIFICANT PROPERTY TAX RELIEF, AND I WANT ONE OF THOSE PEOPLE TO TELL ME HERE ON THE RECORD THAT ANY ONE OF THESE BILLS, OR ALL OF THEM COLLECTIVELY, PRODUCE THAT RESULT THAT THEY SAY THEY CAME HERE TO ACHIEVE. THANK YOU, MR. PRESIDENT. [LB959]

SPEAKER HADLEY: TIME, SENATOR. SENATOR SCHUMACHER, YOU'RE RECOGNIZED. [LB959]

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SENATOR SCHUMACHER: THANK YOU, MR. SPEAKER, MEMBERS OF THE BODY. I'LL DIRECT THESE COMMENTS, RATHER THAN IN A GENERAL CONCERN FOR THE FINANCIAL HEALTH OF THE STATE INTO THE FUTURE, AT LB959. THE ROOT OF LB959, I THINK, WAS THE SUPER COMMITTEE, OR WHATEVER THEY CALLED IT, WHERE EDUCATION AND REVENUE GOT TOGETHER AND TRIED TO BRAINSTORM A SOLUTION TO AN INSOLVABLE PROBLEM. AND WE SPENT A GREAT DEAL OF TIME THINKING OF MANY, MANY, MANY DIFFERENT IDEAS FOR FULFILLING, MAYBE, THE RATHER EXTRAVAGANT PROMISES OF POLITICIANS THAT THEY WERE GOING TO MAGICALLY GENERATE TAXES OUT OF NOTHING. MANY IDEAS, SOME OF WHICH WERE MINE, ALL OF WHICH FIZZLED IN THE FACE OF THE REALITY OF EITHER PRACTICAL NUMBERS OR THE REALITY OF POLITICAL REALITIES, SAVE AND EXCEPT ONE THING THAT SEEMED TO HAVE A LITTLE MERIT. AND THAT WAS APPARENTLY BURIED DEEP IN THE COMPLEXITIES OF THE TEEOSA FORMULA, SOMETHING THAT EINSTEIN WOULD ROLL OVER IN HIS GRAVE IF HE HAD TO READ, WAS PROVISIONS THAT CAUSED LOCAL GOVERNMENT TO AT LEAST SAY, IF NOT REALLY DO, THAT THEY WERE KEEPING LOCAL LEVIES HIGH SO THEY WOULDN'T LOSE STATE REVENUE. AND THAT SEEMED TO BE PROBLEMATIC, THAT WE WOULD BE INCENTIVIZING THE SPENDING OF MONEY BECAUSE AS WE'RE FINDING OUT, IF YOU FORCE MONEY TO ACCUMULATE THROUGH AN OVERLY HIGH REVENUE OR LEVY, YOU WILL FIND A WAY TO SPEND IT, JUST LIKE, GEE, WE HAVE A RESERVE, WE'RE GOING TO HAVE TO SPEND IT. IT'S IRRESISTIBLE ON THE FACT OF POLITICIANS WHO ARE NOT SPENDING THEIR OWN MONEY. AND SO THAT SEEMED LIKE A BAD IDEA AND THE COST TO FIX IT WAS SOMEWHERE AROUND \$8.5 MILLION, WHICH IN THE CONTEXT OF WHAT WE DO HERE IS A LOT OF MONEY, BUT IT'S NOT A STAGGERING AMOUNT OF MONEY. AND SO THE ONLY THING THAT THERE SEEMED TO BE A LITTLE BIT OF CONSENSUS ON COMING OUT OF THAT COMMITTEE WAS THAT MAYBE WE SHOULD TWEAK THE TEEOSA CALCULATIONS TO REMOVE THIS EFFECT THAT WE WERE HAVING, WHICH PROBABLY WAS NOT A GOOD EFFECT. AND QUITE FRANKLY, I WAS PERFECTLY INTENT ON VOTING FOR SUCH A PROPOSITION BECAUSE, I THINK, ON BALANCE IT WOULD DO MORE GOOD THAN HARM. BUT THEN THE LAST FEW DAYS WHERE THIS THING GETS MARRIED UP WITH A LOT OF OTHER WISHES AND A LOT OF OTHER DEALS DONE BY SMALL CLICKS OFF IN THE CORNER, I'M NOT SO SURE I CAN VOTE FOR IT ANYMORE, IF VOTING FOR THIS SETS THE STAGE FOR VOTING FOR SOME OF THE OTHER THINGS THAT THERE MIGHT BE PROBLEMS WITH EXPOSED DURING THE COURSE OF DEBATE. IF IT STOPPED AT LB959, IT'S A GOOD PROPOSITION. BUT IF LB959 IS THE FIRST SNOWBALL OF A LANDSLIDE THAT SEEKS TO RAID THE CASH RESERVE, THAT SEEKS TO PUT OFF A PROBLEM BECAUSE NOBODY IS SATISFIED WITH THE CONCLUSIONS OF WHERE YOU GET TO ON THE LB958 BILL, AND THE

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INHERENT UNFAIRNESS OF THE LB1060 BILL WHERE APPARENTLY OMAHA GETS...THE SCHOOL DISTRICT GETS THE MOST...THE SCHOOL AREA GETS MOST OF THE MONEY, AND COLUMBUS AND GRAND ISLAND AND LINCOLN, AND EVERYBODY ELSE DOESN'T GET MUCH OF A SMELL OF IT, THEN ALL THOSE DEALS HAMMERED OUT IN THE LAST FOUR DAYS OF A SESSION, RAMMED DOWN OUR THROAT WITHOUT ADEQUATE ANALYSIS, YOU BEGIN TO SAY, WAIT A MINUTE. [LB959 LB958 LB1060]

SPEAKER HADLEY: ONE MINUTE. [LB959]

SENATOR SCHUMACHER: MAYBE WE JUST WENT TOO LATE IN THE SESSION TO GET SOMETHING DONE. AND SO WE'LL BE TALKING MORE ABOUT THOSE BILLS IN PARTICULAR AS THEY COME UP AND THE WISDOM OF POLICIES WHICH REALLY SATISFY NOBODY, BUT ARE HERE ON THE FLOOR FOR ONE REASON AND ONE REASON ONLY BECAUSE, QUOTE, WE'VE GOT TO DO SOMETHING. WELL, SOMETIMES SOMETHING IS NOT A GOOD THING TO DO IF YOU DON'T KNOW WHAT YOU'RE DOING. THANK YOU. [LB959]

SPEAKER HADLEY: THANK YOU, SENATOR SCHUMACHER. SENATOR CHAMBERS, YOU'RE RECOGNIZED AND THIS WILL BE YOUR SECOND TIME. [LB959]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, AND MEMBERS OF LEGISLATURE, I AM TALKING ABOUT THE BILLS NOW. BUT THERE WILL COME A POINT WHERE ALL I'M INTERESTED IN IS TAKING TIME. TIME CAN BE TAKEN AND IT CAN BE WELL SPENT. I'D LIKE TO ASK SENATOR KINTNER A QUESTION. [LB959]

SPEAKER HADLEY: SENATOR KINTNER, WILL YOU YIELD TO A QUESTION? [LB959]

SENATOR KINTNER: I KNOW I'M STEPPING IN IT, BUT YES. [LB959]

SENATOR CHAMBERS: SENATOR KINTNER, THESE WILL JUST BE STRAIGHTFORWARD QUESTIONS. [LB959]

SENATOR KINTNER: ALL RIGHT. [LB959]

SENATOR CHAMBERS: AND I'M NOT GOING TO ASK YOU DETAILS OF THE BILL. ARE YOU FAMILIAR WITH WHAT THIS BILL IS SUPPOSED TO DO? [LB959]

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SENATOR KINTNER: YES. I HAVE A GENERAL UNDERSTANDING OF THE BILL.
[LB959]

SENATOR CHAMBERS: DO YOU AGREE WITH WHAT IT'S DOING ACTUALLY?
[LB959]

SENATOR CHAMBERS: I AGREE WITH WHAT IT'S TRYING TO ACCOMPLISH. [LB959]

SENATOR CHAMBERS: DO YOU AGREE THAT THE WAY IT'S WRITTEN WILL ACCOMPLISH WHAT YOU THINK IT OUGHT TO? AND BEFORE YOU ANSWER, I'LL MENTION THIS: HAD I NOT SLOWED THIS BILL, IT WOULD HAVE MOVED ACROSS ON A VOICE VOTE. THERE ARE PEOPLE NOT INTERESTED IN MAKING SURE THIS IS GOOD LEGISLATION. SO THE REASON I'M ASKING YOU, AND IF SENATOR GROENE WERE ANYWHERE, I WOULD BE ASKING HIM, WHERE'S ALL THAT TALK ABOUT BEING CONCERNED FOR THE PUBLIC AND THE TAXPAYERS, AND THEN YOU'VE GOT THREE BAD BILLS LINKED TOGETHER AND YOU'VE GOT TO ACCEPT ALL THREE OF THEM REGARDLESS OF WHAT YOU FEEL ABOUT THEM. SO LET ME NOT GO INTO THE DETAIL OF THE BILLS. DO YOU THINK THAT'S A GOOD WAY TO LEGISLATE? [LB959]

SENATOR KINTNER: NO, I DON'T LINK THEM TOGETHER. [LB959]

SENATOR CHAMBERS: THANK YOU. AND THAT'S ALL THAT I'LL ASK YOU BECAUSE MAYBE YOU HAVEN'T FOLLOWED ALL OF THIS, AND I'M NOT TRYING TO EMBARRASS ANYBODY TODAY. I'M HOPING THAT WE BECOME AWARE OF WHAT THIS SESSION HAS DEGENERATED INTO. WHICH YOU ALL OUGHT TO HOPE, AND YOU DON'T RIGHT NOW BECAUSE YOU'VE WORKED HARD, YOU SAY, BUT YOU ALL OUGHT TO HOPE THAT I CAN FIND A WAY TO STOP ALL OF THIS. THAT WOULD BE IN THE BEST INTEREST OF THIS STATE; IT WOULD BE IN THE BEST INTEREST OF THE PEOPLE. AND I'M GOING TO QUOTE SOMETHING THAT IS ALWAYS THROWN TOWARD ME ON MY DEATH WITH DIGNITY BILL. THERE ARE PHYSICIANS WHO ARE OPPOSED TO THE BILL, ALTHOUGH IN POLLS THE MAJORITY OF PHYSICIANS SUPPORT IT. BUT THE ONES WHO OPPOSE IT SAY THAT THEIR HIPPOCRATIC OATH REPOSES ON THEM THE FIRST DUTY TO DO NO HARM. THAT SHOULD BE A STARTING POINT FOR THIS LEGISLATURE. I THINK ALL OF THESE BILLS ARE HARMFUL. I BELIEVE THAT SENATOR GLOOR, I DON'T SEE HIM HERE, BUT I'LL ASK--IS SENATOR GLOOR IN THE CHAMBER? [LB959]

SPEAKER HADLEY: SENATOR GLOOR? [LB959]

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SENATOR CHAMBERS: I WILL PROCEED THEN. I THOUGHT, MAYBE, HE WAS JUST SOMEPLACE I DIDN'T SEE. I THINK THE DEAL THAT WAS STRUCK WITH HIM TO GO ALONG WAS HE'S GOING TO BE ALLOWED TO TAKE SOMETHING OUT THAT WOULD RELATE TO THE COMMUNITY COLLEGES, BUT I COULDN'T FOLLOW ALL OF THOSE THINGS THEY WERE TALKING ABOUT BECAUSE IT'S HERE, THERE, AND EVERYWHERE. THERE'S A TERM IN THE DICTIONARY, AND YOU CAN ABOUT FIGURE THE DEFINITION, BUT IT'S SKIMBLE-SCAMBLE. AND THAT WOULD APPLY TO THIS: WILLY-NILLY, HELTER-SKELTER, HERE THERE, NO RHYME OR REASON. THE ONLY PURPOSE IS TO TRY TO PLEASE EVERYBODY BY GIVING EVERYBODY SOMETHING, BUT NOT ENOUGH OF ANYTHING TO DO ANYTHING WITH. IT'S LIKE THESE SO-CALLED... [LB959]

SPEAKER HADLEY: ONE MINUTE. [LB959]

SENATOR CHAMBERS: ...SALES TAX OR PROPERTY TAX BREAKS. THE AMOUNT THAT SOME PEOPLE WILL GET WOULD NOT BE ENOUGH TO GO GET A MEAL AT VILLAGE INN. AND THEN THE LEGISLATURE BOASTS BY PUTTING ALL OF THIS TOTAL AMOUNT THAT ALL THE PEOPLE WILL GET PUT TOGETHER AND IT COMES TO A FEW MILLION DOLLARS AND IT SOUNDS LIKE A LOT. BUT WHEN YOU BREAK IT DOWN TO WHAT EACH TAXPAYER GETS, THEY ARE OFFENDED AND INSULTED AND WOULD RATHER THEY NOT HAD BEEN TOLD THAT, ALONG WITH THE NOTION THAT YOU OUGHT TO BE GRATEFUL BECAUSE YOU GOT SOME PROPERTY TAX RELIEF. I'M NOT SAYING I WANT HEAVY TAX CUTS, BECAUSE I KNOW THE GOVERNMENT NEEDS A CERTAIN AMOUNT OF MONEY TO PROPERLY DISCHARGE ITS RESPONSIBILITIES. THANK YOU, MR. PRESIDENT. [LB959]

SPEAKER HADLEY: THANK YOU, SENATOR CHAMBERS. SENATOR SCHNOOR, YOU'RE RECOGNIZED. [LB959]

SENATOR SCHNOOR: THANK YOU, MR. PRESIDENT. THERE'S BEEN A LOT OF TALK HERE ABOUT HOW LB958, LB959, AND THE LEARNING COMMUNITY BILL, I THINK LB1067, COMING UP HERE, THE RELATIONSHIP BETWEEN THEM. AND THAT MAY HAVE BEEN SO IN THE BEGINNING. BUT LB959 HAD AT LEAST TEN AREAS OF CHANGES WITHIN THE TEEOSA FORMULA. AND THERE WAS STRONG, STRONG, STRONG OPPOSITION FROM, I THINK, EVERY SCHOOL DISTRICT IN THE STATE OF NEBRASKA WAS OPPOSED TO IT IN SOME WAY, SHAPE, OR FORM. AND SENATOR SULLIVAN LISTENED TO THOSE CONCERNS. AND WHAT WE HAVE NOW IS A BILL THAT'S TAILORED DOWN TO TWO AREAS. ONE AREA OF GETTING RID OF THE MINIMUM LEVY AFFECTS MAYBE A DOZEN SCHOOLS, AND THEY ARE RURAL

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SCHOOLS, THERE'S NO DOUBT ABOUT IT BECAUSE MOST OF THE, TO MY KNOWLEDGE ANYWAY, MOST OF THE URBAN SCHOOLS ARE LEVIED MUCH HIGHER THAN THE 95 CENTS. AND THEN THERE WERE PROVISIONS IN THE QCPUF TO NARROW THE USE OF THAT AND ONE OF THE MAIN PROVISION IS TO TAKE THAT AWAY FROM NEW CONSTRUCTION. THEN A SCHOOL DISTRICT HAD TO BE MORE TRANSPARENT. ANY NEW CONSTRUCTION MONEY THAT THEY WANTED HAD TO FALL WITHIN THE BOND. AND WITH THOSE CHANGES, TO MY KNOWLEDGE, THERE IS NO OPPOSITION. NOW THAT I SAY THAT'S TO MY KNOWLEDGE. THERE VERY WELL COULD BE ONE OR TWO, BUT I AM NOT EXAGGERATING WHEN I SAY I THINK EVERY SCHOOL DISTRICT WAS OPPOSED TO THIS AND NOW IT'S DOWN TO MINIMAL OR NO OPPOSITION. AND I SEE NO RELATION WITH THESE CHANGES TO THE REST OF THE OTHER TWO BILLS THAT WE WILL HEAR EVENTUALLY TODAY. SO I'D LIKE TO THANK SENATOR SULLIVAN AND HER LEADERSHIP, AND FOR LISTENING TO THE CITIZENS OF THE STATE, AND LISTENING TO THE EXPERTS, THOSE SUPERINTENDENTS THAT ARE OUT THERE DOING THEIR JOB. AND I WILL SUPPORT LB959, AND I WILL BE OPPOSED TO THE BRACKET MOTION. THANK YOU, MR. PRESIDENT. [LB959 LB958 LB1067]

SENATOR SCHEER PRESIDING

SENATOR SCHEER: THANK YOU, SENATOR SCHNOOR. SENATOR CHAMBERS, YOU'RE RECOGNIZED TO CLOSE ON YOUR MOTION. [LB959]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, I WOULD LIKE TO ASK SENATOR SCHNOOR A QUESTION. [LB959]

SENATOR SCHEER: SENATOR SCHNOOR, WOULD YOU PLEASE YIELD? [LB959]

SENATOR SCHNOOR: YES, SIR. [LB959]

SENATOR CHAMBERS: SENATOR SCHNOOR, WERE YOU LISTENING WHEN SENATOR SULLIVAN AND I WERE HAVING A DISCUSSION AND SHE ACKNOWLEDGED THERE'S A LINKAGE THAT SHE WISHES WAS NOT THERE, YOU DIDN'T HEAR HER SAY THAT? [LB959]

SENATOR SCHNOOR: I DID NOT. [LB959]

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SENATOR CHAMBERS: OKAY. IF SHE SAID THAT, WOULD THAT LET YOU KNOW THAT THERE INDEED IS A LINKAGE AND ALL THESE PEOPLE GOT TOGETHER AND AGREED THAT THIS IS THE WAY IT'S GOING TO GO...ALL OF THEM HAVE TO GO? [LB959]

SENATOR SCHNOOR: IF THAT'S WHAT SHE SAID, THAT'S HER FEELINGS. I DON'T SEE A LINK IN IT AT ALL WHATSOEVER. [LB959]

SENATOR CHAMBERS: WERE YOU A PART OF THE NEGOTIATIONS? [LB959]

SENATOR SCHNOOR: I WAS NOT. [LB959]

SENATOR CHAMBERS: SO HOW WOULD YOU KNOW? WHO WOULD SEE THE NEED TO TELL YOU, AND I DON'T MEAN JUST YOU, BUT WHO WOULD SEE THE NEED TO TELL ANY OF US WHAT THEY HAD WORKED OUT IN THEIR LITTLE MEETINGS? THEY WOULDN'T SEE THE NEED TO TELL US BECAUSE THEY HAD TO AGREE AMONG THEMSELVES TO EVEN GET THE BILLS WHERE THEY ARE RIGHT NOW. [LB959]

SENATOR SCHNOOR: YES, BUT LIKE I SAY, I SEE NO LINK BETWEEN LB959 AND THE OTHER BILLS ANYMORE, WITH ALL THE CHANGE THAT HAVE BEEN MADE. [LB959]

SENATOR CHAMBERS: SO YOU'RE GOING TO SUPPORT ALL THREE OF THEM? [LB959]

SENATOR SCHNOOR: NOT NECESSARILY. [LB959]

SENATOR CHAMBERS: IF LB959 DIDN'T GO, THEN THAT WOULD LESSEN YOUR REASON FOR SUPPORTING THE OTHER TWO, WOULDN'T IT? BECAUSE THE RURAL SCHOOLS WOULDN'T GET WHAT THEY REALLY THOUGHT THEY NEEDED. SO WHY SHOULD YOU SUPPORT THE OTHERS? [LB959]

SENATOR SCHNOOR: SENATOR CHAMBERS, I LOOK AT THINGS DIFFERENT THAN A LOT OF PEOPLE. I DEAL WITH EVERY BILL AS IT COMES UP. [LB959]

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SENATOR CHAMBERS: SO THAT'S WHY I'M DOING IT BY ASKING YOU QUESTIONS. IF LB959 GOES DOWN, YOU WOULD STILL BE WILLING TO SUPPORT THE OTHER TWO, CORRECT? [LB959]

SENATOR SCHNOOR: I WOULD SUPPORT ONE OF THEM. I DON'T KNOW ABOUT THE LEARNING COMMUNITY. I DON'T KNOW ALL OF THE DETAILS. I DON'T KNOW THE DEALS THAT HAVE BEEN STRUCK BECAUSE I HAVEN'T BEEN PRIVY TO ANY OF THOSE. [LB959]

SENATOR CHAMBERS: BUT DO YOU...CAN YOU ACKNOWLEDGE THAT THERE HAVE BEEN DEALS STRUCK THAT INVOLVED ALL THREE OF THESE BILLS? [LB959]

SENATOR SCHNOOR: NO, THERE HAVE NOT. [LB959]

SENATOR CHAMBERS: WHY DO YOU THINK ALL THREE OF THEM ARE UP AT THE SAME TIME? [LB959]

SENATOR SCHNOOR: ASK THE SPEAKER. THAT'S HIS PREROGATIVE. [LB959]

SENATOR CHAMBERS: NO, I'M ASKING...I'M ASKING WHY YOU THINK. YOU THINK IT'S JUST COINCIDENCE THAT THEY HAPPEN TO ALL BE HERE TODAY AND TAKEN IN THIS ORDER, CORRECT? JUST WHAT YOU THINK. THAT'S WHAT YOU THINK, ISN'T IT? [LB959]

SENATOR SCHNOOR: NO, NO, THAT'S UP TO THE SPEAKER HOW HE WANTS TO RUN THE AGENDA, THAT'S NOT UP TO ME. THESE HAPPEN TO ALL DO WITH SCHOOL ISSUES AND PROPERTY TAXES IN SOME WAY, SHAPE, OR FORM. [LB959]

SENATOR CHAMBERS: THANK YOU. WHAT SENATOR SCHNOOR, AS A MILITARY MAN, IS MANIFESTING IS WHAT'S KNOWN AS ESCAPE AND EVASION. AT ANY RATE, HIS ANSWERS LET EVERYBODY KNOW WHAT HAS HAPPENED HERE. AND I THINK MOST SENATORS KNOW THAT THESE BILLS ARE LINKED, AND THE ORDER WAS TAKEN ON PURPOSE, IN MY OPINION. AND I BELIEVE THOSE WHO ARE CUTTING THE DEALS RECOGNIZE THAT. SO ALL WE WILL BE ABLE TO DO IS WATCH AND SEE WHAT HAPPENS. AND I'M GOING TO TAKE TIME BY NOW OFFERING MOTIONS AND AMENDMENTS BECAUSE TRYING TO GIVE ARGUMENTS GET NOWHERE. BUT AT LEAST SOME THINGS ARE NOW IN THE RECORD IF

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SOMEBODY AT ANOTHER TIME IS INTERESTED IN SEEING WHAT THE DISCUSSION WAS ON THESE BILLS. I DON'T WANT TO SEE ANY OF THEM GO. AND THE ONE THAT I LEAST WANT TO SEE GO, DESPITE WHAT MY GOOD FRIEND AND SOMEBODY I RESPECT GREATLY, SENATOR KOLOWSKI, DESPITE WHAT HE SAYS BECAUSE I THINK POLITICALLY HE MAY STILL BE SOMEWHAT NAIVE. IF YOU TAKE AWAY THE COMMON LEVY, THEN YOU TAKE AWAY THE ONLY LEVERAGE THAT THE LEARNING COMMUNITY HAS THAT ANYBODY CARES ABOUT. [LB959]

SENATOR SCHEER: ONE MINUTE. [LB959]

SENATOR CHAMBERS: AND IN THE SAME WAY THERE HAVE BEEN HORSE TRADES TO GET THESE THREE BILLS TOGETHER TO GET WHAT THEY WANT BY GIVING SOMETHING HERE AND TAKING SOMETHING FROM THERE, THAT'S WHAT WILL HAPPEN. YOU CANNOT TRUST THE PEOPLE IN THIS LEGISLATURE TO CARRY THROUGH ON WHAT THEY'VE AGREED TO. AND YOU CERTAINLY CANNOT BIND A FUTURE LEGISLATURE TO DO THE HODGEPODGE OVER AGAIN WHAT THEY WILL SEE WHEN THEY LOOK AT ALL THIS STUFF. NO ONE OF THESE BILL IS FELT TO BE ABLE TO STAND ON ITS OWN. THAT'S WHY THEY ALL HAVE TO BE HERE. THEY'RE ALL PROPPING EACH OTHER UP. NOW, SENATOR SCHNOOR WAS NOT IN THE ARMY, BUT I THINK HE KNEW HOW TO STACK ARMS AND YOU LEAN THEM SO THAT THE TOP PART ARE ALL LEANING AGAINST EACH OTHER AND SUPPORT EACH OTHER. AND IF YOU PULL ONE OF THEM OUT, THEN THE REST OF THEM COLLAPSE. HE UNDERSTANDS THAT. THAT'S WHAT WE'VE GOT HERE, A STACKING OF ARMS. THANK YOU, MR. PRESIDENT. [LB959]

SENATOR SCHEER: THANK YOU, SENATOR CHAMBERS. (VISITORS INTRODUCED.) RETURNING TO THE BRACKET MOTION. THE QUESTION BEFORE US IS, SHALL THE LB959 BE BRACKETED UNTIL APRIL 20? YES, SENATOR CHAMBERS. [LB959]

SENATOR CHAMBERS: I WOULD LIKE A CALL OF THE HOUSE AND A ROLL CALL VOTE. [LB959]

SENATOR SCHEER: THERE HAS BEEN A REQUEST TO PUT THE HOUSE UNDER CALL. THE QUESTION IS, SHALL THE HOUSE GO UNDER CALL? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. PLEASE RECORD. [LB959]

ASSISTANT CLERK: 21 AYES, 1 NAY TO GO UNDER CALL, MR. PRESIDENT. [LB959]

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SENATOR SCHEER: THE HOUSE IS UNDER CALL. SENATORS PLEASE RECORD YOUR PRESENCE. ALL 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 GLOOR, KUEHN, McCOLLISTER, WATERMEIER, EBKE. SENATOR CHAMBERS, COULD YOU PUSH YOUR BUTTON PLEASE. SENATOR KINTNER. SENATOR GLOOR, KINTNER, AND McCOLLISTER, PLEASE RETURN TO THE FLOOR. THE HOUSE IS UNDER CALL. SENATOR McCOLLISTER, SENATOR GLOOR, PLEASE RETURN TO THE FLOOR. THE HOUSE IS UNDER CALL. ALL ARE ACCOUNTED FOR. MR. CLERK, PLEASE ROLL CALL VOTE IN REGULAR ORDER. [LB959]

ASSISTANT CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGES 1499-1500.) THE VOTE IS 0 AYES, 41 NAYS, MR. PRESIDENT. [LB959]

SENATOR SCHEER: THE MOTION DOES NOT PASS. THERE IS A MOTION PENDING. WE WILL STAND AT EASE FOR LUNCH UNTIL 12:25. AND, SENATOR CHAMBERS, IF YOU COULD BE HERE AT 12:25 TO OPEN. SOME ITEMS, MR. CLERK. [LB959]

ASSISTANT CLERK: THANK YOU, MR. PRESIDENT. I HAVE A NOTICE OF COMMITTEE HEARING FROM THE LR34 COMMITTEE AND AN ANNOUNCEMENT THAT THE EXECUTIVE BOARD IS HOLDING A HEARING IN ROOM 2102 BEGINNING AT NOON. THAT'S ALL I HAVE AT THIS TIME. (LEGISLATIVE JOURNAL PAGE 1500.)

SENATOR SCHEER: WE STAND AT EASE.

EASE

SENATOR GLOOR PRESIDING

SENATOR GLOOR: MEMBERS, WE WILL COME TO ORDER. SENATOR CHAMBERS, YOU ARE RECOGNIZED TO OPEN ON YOUR MOTION TO RECONSIDER. [LB959]

SENATOR CHAMBERS: MR. PRESIDENT AND MEMBERS OF THE LEGISLATURE, I HAVE A MOTION I WANT TO FILE BEFORE I START. [LB959]

SENATOR GLOOR: MR. CLERK, FOR A PRIORITY MOTION. [LB959]

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CLERK: MR. PRESIDENT, I DO HAVE A PRIORITY MOTION. SENATOR CHAMBERS WOULD MOVE TO RECESS THE BODY UNTIL 5:30 ON APRIL 6, WHICH IS TONIGHT. [LB959]

SENATOR GLOOR: MEMBERS, AS A REMINDER, THIS IS A NONDEBATABLE MOTION. THE SPEAKER IS ALLOWED TO SPEAK TO THE MOTION. MR. SPEAKER. [LB959]

SPEAKER HADLEY: AS YOU MIGHT...MR. PRESIDENT AND MEMBERS OF THE BODY, AS YOU MIGHT IMAGINE, I AM OPPOSED TO THIS MOTION. I THINK WE HAVE WORK TO BE DONE HERE AND I WOULD ASK YOU TO VOTE NO ON THIS. AM I CORRECT, THIS IS JUST A MOTION THAT REQUIRES A MAJORITY OF THOSE PRESENT AND VOTING? [LB959]

SENATOR GLOOR: THAT IS CORRECT. [LB959]

SPEAKER HADLEY: I WOULD ASK FOR A CALL OF THE HOUSE AND THEN TO VOTE ON THE MOTION. [LB959]

SENATOR GLOOR: THANK YOU, MR. SPEAKER. MEMBERS, 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. [LB959]

CLERK: 15 AYES, 0 NAYS, MR. PRESIDENT, TO PLACE THE HOUSE UNDER CALL. [LB959]

SENATOR GLOOR: THANK YOU, MR. CLERK. 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 CAMPBELL, MELLO, COOK, PANSING BROOKS, BOLZ, BURKE HARR, KRIST, KOLOWSKI, COASH, MURANTE. SENATOR GARRETT, SENATOR MURANTE, SENATOR COASH, PLEASE RETURN TO THE CHAMBER AND RECORD YOUR PRESENCE. MR. SPEAKER, YOU'RE READY TO GO AHEAD. AND YOU WANT A BOARD VOTE, IS THAT CORRECT? MEMBERS, THE QUESTION IS, SHALL WE RECESS UNTIL 5:30 THIS AFTERNOON? ALL IN FAVOR VOTE YEA;

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THOSE OPPOSED VOTE NAY. HAVE ALL VOTED WHO CARE TO? RECORD, MR. CLERK. [LB959]

ASSISTANT CLERK: 1 AYE, 37 NAYS ON THE MOTION TO RECESS, MR. PRESIDENT. [LB959]

SENATOR GLOOR: THE MOTION IS DEFEATED. WE RETURN TO THE MOTION IN FRONT OF US, WHICH IS THE MOTION TO RECONSIDER THE BRACKET MOTION. RAISE THE CALL. SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB959]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. ONCE AGAIN I'VE DEMONSTRATED WHAT A UNIFIER I AM. BUT THE REASON I MAKE THIS MOTION IS SO THAT WE CAN COME BACK IN HERE. I KNOW THE LOBBYISTS FEED YOU ALL AND THE SPEAKER DID NOT WANT TO DO AWAY WITH THE LOBBYIST FEED BECAUSE IF THEY DIDN'T, THEN YOU ALL WOULDN'T COME BACK. BUT NOW THAT THEY DO, YOU'RE NOT HERE ANYWAY. AND I THINK THE PUBLIC SHOULD BE MADE WELL AWARE OF THE FACT THAT WE ARE NOT POPULATED TODAY BECAUSE THE SENATORS ARE ACROSS THE HALL BEING FED BY THE LOBBYISTS. AND WHEN YOU TALK TO AN EMPTY CHAMBER, IT'S PAR FOR THE COURSE FOR ME BECAUSE MOST OF MY WORDS WOULD BE INTENDED FOR THE PEOPLE WATCHING US; THE SENATORS ARE NOT GOING TO LISTEN ANYWAY. AND THE REASON I WANT TO BRACKET THIS BILL, IT'S ONE OF A TRILOGY OF BILLS. THEY HAVE BEEN LINKED TOGETHER. INDIVIDUALLY AND COLLECTIVELY THEY ARE NOT WORTH BEING ENACTED INTO LAW. NOTHING THAT IS SUSTAINABLE IS CONTAINED IN ANY ONE OF THE BILLS INDIVIDUALLY OR THE THREE BILLS COLLECTIVELY. THIS IS A THROWN-TOGETHER, JERRY-BUILT, POLITICAL, SO-CALLED COMPROMISE THAT SELLS OUT EVERYBODY WHEN YOU THINK IN TERMS OF THE PUBLIC AND BENEFITS NOBODY FOR ANY SUSTAINED PERIOD OF TIME. THERE ARE SENATORS WHO ARE UNAWARE OF WHAT IS GOING ON AND MAYBE THERE WILL BE SOMETHING AS IN THIS BILL BEFORE US, THE FIRST OF THE THREE, LB959, THAT IS PROVIDING BENEFITS THAT RURAL INTERESTS PERCEIVE AS BEING FOR THEM. SO THEY'LL SUPPORT IT, BUT THEY ALSO HAD TO ENTER AN AGREEMENT TO SUPPORT TWO OTHER BILLS. AT LEAST ONE OF THEM, THEY HAVE NO PARTICULAR INTEREST IN AT ALL. IT CAN BE DENOMINATED OR DESIGNATED AS THE LEARNING COMMUNITY BILL. IT ENCOMPASSES 11 SCHOOL DISTRICTS, MAINLY IN DOUGLAS AND SARPY COUNTY, AND THERE MAY BE SOMETHING FROM WASHINGTON OR SOME OTHER FRINGE AREA BUT IT'S MAINLY DOUGLAS COUNTY AND SARPY COUNTY. AND IN ORDER TO GET THEIR BILL--AND BY THEIR I MEANT THE RURAL INTERESTS--THE PIDDLING CHICKEN FEED THAT THEY'RE GETTING, THEY HAVE AGREED TO

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SUPPORT THIS OTHER BILL THAT I DESIGNATED AS THE LEARNING COMMUNITY BILL. IN EFFECT, IT ULTIMATELY WILL DESTROY THE LEARNING COMMUNITY AND REPLACE IT WITH NOTHING. I DO NOT TRUST THE SENATORS WHO HAVE BEEN A PART OF THIS SHENANIGAN-TYPE ACTIVITY. IT'S BEEN ORCHESTRATED BY THE GOVERNOR'S OFFICE. THE GOVERNOR COULD NOT CARE LESS EVEN IF HE TRIED HARD, BECAUSE HIS DISREGARD IS SO DEEP. HE COULDN'T CARE LESS FOR THE CHILDREN WHO ARE TO BE SERVED BY THE LEARNING COMMUNITY. HE HAS MADE THAT CRYSTAL CLEAR TIME AND TIME AGAIN. HE ALWAYS TALKS ABOUT RANCHERS AND FARMERS, BUT THEY DO NOT COMPRISE A MAJORITY OF THE POPULATION. THAT ATTITUDE AND THAT APPROACH CREATES WHAT HAS BEEN CALLED THE RURAL-URBAN SPLIT. THE URBAN DOG IS TO BE WAGGED BY THE RURAL TAIL. AND IT'S NOT ALL PEOPLE IN THE RURAL AREAS; THE BIGGER FARMERS, THE BIGGER RANCHERS. AND EVERYTHING ELSE IS TO BE PUT BEHIND THEM. SO WE HAVE THREE BAD BILLS AND I CERTAINLY, BEING ALONE, CANNOT VOTE THESE BILLS DOWN. BUT I CAN SLOW THEM DOWN AND THAT'S WHAT I'M GOING TO SPEND A GOODLY PORTION OF THE DAY DOING. FOR THE PEOPLE WHO ARE WATCHING AND DON'T UNDERSTAND HOW THIS OPERATES, THERE ARE 49 SENATORS. THERE IS A PROCESS KNOWN AS CLOTURE. THIRTY-THREE SENATORS VOTE FOR CLOTURE IF IT'S TO SUCCEED. ALL THAT WORD MEANS IS THAT ONCE CLOTURE HAS BEEN INVOKED BY A VOTE OF 33 OF THE 49 SENATORS, THERE CAN BE NO FURTHER DEBATE, NO AMENDING, NO ANY ACTION ON THAT BILL OTHER THAN TO VOTE WHETHER TO MOVE IT FORWARD OR NOT. IF THE BILL THAT IS SUBJECT TO CLOTURE IS SITTING THERE WAITING FOR THE CLOTURE VOTE AND THE VOTE IS 32 OR FEWER, NOTHING HAPPENS EXCEPT THAT THE BILL IS TAKEN OFF THE AGENDA. AND AT THIS POINT IN THE SESSION, IT'S DEAD. BUT IF IT GETS 33 VOTES, IF THERE ARE AMENDMENTS PENDING, THOSE WILL BE DISPOSED OF ONE RIGHT AFTER THE OTHER IN THE ORDER THAT THEY ARE UP THERE. WHEN ALL OF THE AMENDMENTS THAT HAVE BEEN OFFERED AND ARE PENDING HAVE BEEN RESOLVED ONE WAY OR THE OTHER, THEN A VOTE IS FINALLY MADE ON THE BILL AND THAT VOTE IS TO MOVE IT TO THE NEXT STAGE OF DEBATE, WHICH IN THIS CASE WOULD BE FINAL READING. THIS IS THE PROCESS THAT ALL THREE OF THESE BILLS WILL GO THROUGH. THEY WERE PUT ON THE AGENDA TODAY BECAUSE WE ARE RUNNING OUT OF TIME TO ENACT LEGISLATION BASED ON WHAT THE CONSTITUTION GIVES THE LEGISLATURE IN TERMS OF THE MAXIMUM NUMBER OF DAYS THE LEGISLATURE CAN MEET. BUT IF THOSE DAYS, 60 THIS YEAR BECAUSE IT'S AN EVEN-NUMBERED YEAR, 90 IN AN ODD-NUMBERED YEAR, A LEGISLATIVE DAY IS COUNTED ONLY WHEN THE LEGISLATURE OFFICIALLY MEETS. THAT MEANS IT CONVENES ITSELF AND BUSINESS CAN BE UNDERTAKEN. SO ONCE THAT STEP HAS BEEN TAKEN, IF THE LEGISLATURE ADJOURNS IMMEDIATELY THEREAFTER,

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THAT LEGISLATIVE DAY GOES INTO THE BOOKS AND IT'S OVER. ON THE OTHER HAND, IT CAN GO UNTIL MIDNIGHT OF THE DAY IT CONVENES. BUT ONE MINUTE AFTER MIDNIGHT AND ANOTHER LEGISLATIVE DAY COMMENCES, SO THE LEGISLATURE WILL NOT BE IN SESSION ON A GIVEN DAY BEYOND 12:00 MIDNIGHT. RIGHT NOW WE ARE DEBATING THIS BILL, LB959, WHICH RURAL PEOPLE FEEL IS A BENEFIT TO THEIR SCHOOL SETUP. IN ORDER TO GET THAT, THEY AGREED TO SUPPORT, FOR WHATEVER REASONS THEY HAVE, IN ADDITION TO HAVING GOT WHAT THEY WANT OUT OF THE HORSE TRADE, TWO OTHER BILLS. THE THREE BILLS ARE INTERLINKED; IF ONE DOES NOT GO, NONE OF THEM WILL GO. SOME OF THE SENATORS ACKNOWLEDGED THAT FRANKLY BECAUSE EVERYBODY KNOWS IT ANYWAY. OTHERS WILL EITHER DENY IT OR SAY THEY DON'T KNOW. AND SINCE I'M NOT A READER OF OTHER PEOPLE'S HEART, I JUST HAVE TO TAKE THEM AT THEIR WORD, WHICH BY AND LARGE AS I'VE SAID IS WORTHLESS AS FAR AS I'M CONCERNED. I DON'T TRUST THEM. WHEN THEY HAVE THESE MEETINGS AND SAY THEY'VE REACHED ON AGREEMENT, YOU TALK TO SOME OF THE PEOPLE WHO HAVE BEEN A PART OF THAT PROCESS AND THEY SAY NO, THERE IS NO AGREEMENT OR THERE MIGHT BE AN AGREEMENT, BUT IT WILL BE OVERTURNED BECAUSE MAYBE THE GOVERNOR DOESN'T LIKE IT. SO WE'RE IN ONE OF THOSE SITUATIONS WHERE IT'S SOMETHING LIKE BEING IN LIMBO. WE DON'T KNOW WHAT STEP IS THE NEXT ONE UNTIL WE TAKE THE ONE THAT IS PENDING NOW. AND WHAT I'M TRYING TO DO IS TAKE AS MUCH TIME AS I CAN... [LB959]

SENATOR GLOOR: ONE MINUTE. [LB959]

SENATOR CHAMBERS: ...SO THERE WILL BE AS LITTLE TIME LEFT AS POSSIBLE TO ENACT INAPPROPRIATE AND HURTFUL LEGISLATION. MY BELIEF IS THAT THE LEGISLATURE HAS A SOLEMN OBLIGATION TO DO THOSE THINGS THAT WILL BENEFIT THE PUBLIC AND SOME SENATORS HAVE TO TRY TO STOP THOSE THAT WILL HURT THE PUBLIC FROM BEING ENACTED. THANK YOU, MR. PRESIDENT. [LB959]

SENATOR GLOOR: THANK YOU, SENATOR CHAMBERS. MEMBERS, YOU'VE HEARD THE OPENING ON THE MOTION TO RECONSIDER. WE NOW MOVE TO FLOOR DEBATE. SENATOR SCHUMACHER, YOU ARE RECOGNIZED. [LB959]

SENATOR SCHUMACHER: THANK YOU, MR. PRESIDENT AND MEMBERS OF THE BODY. I MUST ADMIT WHEN IT COMES TO ISSUES OF THE LEARNING COMMUNITY, THAT IN THE PAST YEARS I KIND OF CONSIDER THAT TO BE AN

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OMAHA PROBLEM AND WHEN IT WAS DISCUSSED, TUNED OUT. IT WAS SOMETHING THAT WAS ADOPTED BEFORE I GOT HERE AND NEVER REALLY HAD TO FOCUS ON. THIS YEAR IS A LITTLE BIT DIFFERENT BECAUSE IT'S STARTING TO AFFECT THE STATE BUDGET AND SO IT'S OUR RESPONSIBILITY TO REALLY TAKE A GOOD LOOK AT IT. I MUST CONFESS THAT MY PERCEPTIONS OF WHAT IT IS AND HOW IT WORKS MAY NOT BE ENTIRELY ACCURATE. AND SHOULD THE LITTLE SYNOPSIS I GIVE HERE NOT BE ACCURATE, I CERTAINLY WOULD INVITE BEING CORRECTED ON SO THAT I HAVE AN ACCURATE PERCEPTION OF WHAT WE SHOULD DO AND WHY IT EXISTS AND WHERE WE SHOULD GO AND WHETHER WHAT WE DO IS SMART OR NOT. WHEN WE WERE ALL IN SCHOOL I THINK WE PROBABLY WERE GIVEN A MICROSCOPE AND YOU LOOK UNDER THE MICROSCOPE AND YOU SEE AN AMOEBA. AND YOU POKE IT WITH A POKER OF SOME KIND AND THE LITTLE GUY WOULD MOVE AWAY OR YOU SHINE LIGHT AT HIM AND IT WOULD SWIM AWAY, KIND OF A REACTIVE THING. AND SOMETIMES THAT'S THE WAY THE LEGISLATURE LOOKS LIKE. IT KIND OF REACTS TO A LITTLE LIGHT AND IT SWIMS AWAY THIS WAY AND WHATEVER LITTLE GROUP OF AMOEBA GET TOGETHER IT REACTS TO. WHEREAS WHEN YOU LOOK AT SOME OF THE HIGHER ORGANISMS, THEY TRY TO GET A BIG PICTURE OF WHERE THEY'RE HEADED TO AND WHAT THEIR OBJECTS ARE. AND AS WE APPROACH THE HUMAN CATEGORY, WE SHOULD DO THAT MORE AND MORE OFTEN. SO MY PERCEPTION OF IT IS THAT THERE WAS A GENERAL RULE THAT AS CITIES GREW, THE CITY...AREA AROUND THE CITY BECAME PART OF THE CITY'S SCHOOL DISTRICT. AND THAT WORKED PRETTY WELL, EXCEPT WHEN YOU START RUNNING INTO COUNTY BOUNDARIES. AND WE APPARENTLY HAVE GOT SOME LAW THAT SAYS SCHOOL DISTRICTS CAN'T JUMP ACROSS THE COUNTY BOUNDARIES. AND THERE WAS A PROBLEM BECAUSE OMAHA IN DEVELOPING--AND IT'S REALLY GREAT AND GOOD DEVELOPMENT, PROBABLY ONE OF THE ONLY ECONOMICALLY SOUND DEVELOPMENTS IN THE STATE--SPANNED COUNTY BOUNDARIES. AND YOU HAD WEALTHIER COMMUNITIES IN THE SUBURBS, WHICH WAS NOT UNUSUAL, AND POORER COMMUNITIES LEFT IN THE CENTER OF THE CITY AND GENERALLY THOSE COMMUNITIES CONTAINED MINORITY POPULATIONS. AND SO THAT BECAME A PROBLEM BECAUSE YOU HAD THIS ONE COMMUNITY AND THAT ONE COMMUNITY HAD A POORER SECTION. AND THAT POORER SECTION WAS APT TO BECOME POORER PER EACH GENERATION AND WAS APT TO BECOME PROBLEMATIC IN LAW ENFORCEMENT, IN INVITING IN A TYPE OF "THUGGY" ACTIVITY FROM THE OUTSIDE. AND IT WAS GOING TO BE A PROBLEM FOR EMPLOYMENT AND A LOT OF THOSE KIND OF SOCIAL ISSUES WHICH ARE REALLY DIFFICULT TO DEAL WITH. SO SOMEWHERE ALONG THE LINE--AND SENATOR CHAMBERS MAY BE ABLE TO ENLIGHTEN ME FURTHER--THIS IDEA OF A LEARNING COMMUNITY CAME INTO BEING WHERE THEY KIND OF DUMPED

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THEM ALL TOGETHER. AND EACH OF THE LEARNING COMMUNITY GOT TO ASSESS EACH OF THE LITTLE SCHOOL DISTRICTS...LITTLE SCHOOL DISTRICTS...BIG SCHOOL DISTRICTS WITHIN IT, MONEY THAT IT THEN DEPLOYED FOR BASICALLY THE PURPOSES OF ADDRESSING THIS ISSUE OF POVERTY AND TRYING TO BREAK THOSE CYCLES OF POVERTY. APPARENTLY THERE'S BEEN A LOT OF BELLYACHING BY THE SCHOOLS THAT HAVE TO CONTRIBUTE BECAUSE THERE'S ONLY HALF A DOZEN OR A DOZEN OF THEM THAT ARE IN THIS GROUPING. AND SO THEY BELLYACHE BECAUSE THEY REALLY DON'T WANT TO TAKE THEIR TAX DOLLARS OR A PORTION OF IT AND GO TO PAY FOR THIS POORER SECTOR OF THE COMMUNITY. [LB959]

SENATOR GLOOR: ONE MINUTE. [LB959]

SENATOR SCHUMACHER: THAT BEING THE CASE, THIS PART OF THESE THREE BILLS THAT HAVE SOME UNHOLY MARRIAGE HERE, SEEKS TO TAKE THAT AWAY AND PUT THAT BURDEN ON THE STATE TAXPAYERS THROUGH MANIPULATIONS OF THE STATE AID FORMULA IN ORDER TO PROVIDE THE FUNDING FOR THE LEARNING COMMUNITY, THUS RELIEVING SOME OF THIS PRESSURE AND THIS DIVERSION OF RESOURCES FROM THE SCHOOL DISTRICTS. AND THAT'S KIND OF WHAT WE'RE TALKING ABOUT TODAY. SO FUNDAMENTALLY WE WILL BE TALKING A LITTLE BIT, I THINK, ABOUT WHOSE RESPONSIBILITY IS IT TO DEAL WITH ISSUES OF POVERTY? WHO'S THE BENEFICIARIES IF WE SUCCESSFULLY DEAL WITH THEM? AND HOW THIS ALL COMES TOGETHER INTO SOUND POLICY WHICH NOBODY HAS THOUGHT THROUGH, TO MY KNOWLEDGE AT LEAST IN HERE, CERTAINLY NOT DISCUSSED ON THE FLOOR, AND AS LONG AS WE'RE GOING TO BE SPENDING TIME MAYBE WE SHOULD DISCUSS IT. AND, FOLKS, THE CHAMBER IS KIND OF EMPTY AND SO MAYBE WE'RE JUST TALKING TO NEBRASKA. THANK YOU. [LB959]

SENATOR GLOOR: THANK YOU, SENATOR SCHUMACHER. THE CHAIR RECOGNIZES SENATOR CHAMBERS. [LB959]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT AND MEMBERS OF THE LEGISLATURE. THE VERY FACT THAT THE CHAMBER IS VIRTUALLY EMPTY IS WHY I'M PURSUING THE TACTICS THAT I'M UTILIZING, WHICH IS TO TAKE TIME, OFFER AMENDMENTS ON ALL BILLS. THESE ARE BILLS THAT THE LEGISLATURE AS A WHOLE HAVE NO INTEREST IN, BECAUSE THEY'RE CONVINCED THAT THE DEALS HAVE BEEN CUT. AND AS SENATOR SCHUMACHER CHARACTERIZED IT, IT'S AN UNHOLY MARRIAGE. ALL OF THEM FEEL--AND BY THEM I MEAN THOSE

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WHO ARE BEHIND ONE OF THESE THREE BILLS--THAT EACH WILL BE ABLE TO GET 33 VOTES WHICH IS CLOTURE, TO CUT OFF ALL DEBATE. THEN THEY'LL HAVE ENOUGH VOTES TO MOVE IT ALONG, NOT ON THE BASIS OF IT BEING GOOD LEGISLATION, BUT A DEAL WAS CUT AMONG A HANDFUL OF SENATORS UNDER THE DIRECTION OF THE GOVERNOR'S OFFICE. SO THE LEGISLATURE IS NOT DOING THE LEGISLATING. IN A VERY FORMAL SENSE THAT'S TRUE. BUT THE ONE CALLING THE SHOTS IS THE GOVERNOR, SO THE LEGISLATURE HAS GIVEN UP ITS STATUS AS AN INDEPENDENT THIRD BRANCH OF GOVERNMENT, THE JUDICIARY BEING ONE OF THE BRANCHES AND THE EXECUTIVE, OVER WHICH THE GOVERNOR PRESIDES, BEING THE THIRD. THE LEGISLATURE IS SUPPOSED TO WRITE THE LAWS. AND WHEN IT LETS ITSELF BE DOMINATED BY A POLITICIAN IN THE GOVERNOR'S OFFICE, WELL, THE CITIZEN WELFARE IS NOT WHAT'S AT STAKE, BUT RATHER THE POLITICAL FORTUNES OF WHOEVER HAPPENS TO BE GOVERNOR. AND IN THIS CASE, WITHOUT EVER HAVING BEEN IN PUBLIC OFFICE, THE CURRENT GOVERNOR MADE PROMISES ABOUT WHAT ALL HE WAS GOING TO DO WITH REFERENCE TO PROPERTY TAXATION, GETTING RID OF WHAT SENATOR SCHUMACHER EXPLAINED AS THE COMMON LEVY. AND SINCE ALL THOSE THINGS WERE PROMISED BY HIM, HE HAD TO TELL THE SENATORS WHO DO HIS BIDDING IN THE LEGISLATURE, HIS WATER CARRIERS, THAT THEY HAVE TO GET TOGETHER AND COME TO SOME KIND OF AGREEMENT NO MATTER WHAT IT IS SO IT WILL LOOK LIKE HE'S KEEPING A POLITICAL PROMISE. SO THE RURAL PEOPLE GET SOME CHICKEN FEED. THOSE WHO ARE INVOLVED WITH THE LEARNING COMMUNITY GET SOME PEANUTS. AND THE OTHER UNGODLY PART OF THE TRIO, I DON'T EVEN WANT TO TALK ABOUT. BUT BEFORE THE AFTERNOON IS OVER, WE'LL TALK ABOUT ALL OF THEM. I HAVE MADE THE MOTION TO RECESS BECAUSE AS FAR AS GETTING ANYTHING DONE, WE MAY AS WELL. BUT IT WAS WISE NOT TO DO THAT. AS THE SPEAKER POINTED OUT, THERE IS A LOT OF WORK TO BE DONE. BUT WHAT'S MORE IMPORTANT TO MY COLLEAGUES THAN DOING WORK IS TO PUT SOME SUSTENANCE IN THEIR BELLIES. I AM PARTICULARLY MIFFED AT THAT, BECAUSE THE VERY ONES WHO WILL ACCEPT FREE FOOD FROM THE LOBBYISTS--AND THEY DO IT EVERY DAY TOWARD THE END OF THE SESSION--WILL COME IN HERE AND VOTE AGAINST THE INTERESTS OF POOR PEOPLE. NOT ONLY ARE THEY GETTING FREEBIES BY EATING OFF THE LOBBYISTS, SOME OF THEM WIND UP WITH JOBS AS A RESULT OF BEING IN THE LEGISLATURE AND THE JOB WILL BE FOR A COMPANY THAT'S BENEFITING DIRECTLY FROM THAT SENATOR'S VOTE. AND BECAUSE OF THE WAY THE LAW IS WRITTEN, THAT SENATOR CAN VOTE TO BENEFIT THE ONE WHO IS GIVING HIM OR HER A PAYCHECK OUTSIDE OF HERE AND ALL THEY HAVE TO DO IS PUT ON RECORD THAT THERE IS A CONFLICT HERE. [LB959]

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SENATOR GLOOR: ONE MINUTE. [LB959]

SENATOR CHAMBERS: ONCE A CONFLICT IS DECLARED, THE SENATOR'S DUTY SHOULD BE CLEAR. THE OATH TAKEN FOR THIS OFFICE IS TO GIVE UNDIVIDED LOYALTY ON THESE MATTERS THAT THE LEGISLATURE DEALS WITH TO THE INTERESTS OF THE PUBLIC. AND WHEN A SENATOR HAS A CONTRACT, HE MAKES MONEY FROM A PARTICULAR INTEREST WHICH IS ALSO DRIVEN BY A DESIRE TO MAKE MONEY. IT'S THE KIND OF CONFLICT THAT OUGHT NOT EXIST. BUT THE CONSTITUTION ALLOWS IT. THE LAW ALLOWS IT. SO PEOPLE TAKE ADVANTAGE OF THOSE THINGS. WHEN WE COME TO MATTERS OF THE KIND WE'RE DISCUSSING TODAY, YOU WON'T SEE THE CHAMBER FILL UP UNTIL AND IF WE HIT A NERVE THAT IS GOING TO AFFECT THE ONES DIRECTLY WHO MIGHT EITHER BENEFIT FROM OR BE HARMED BY THIS BILL. THEN THEY'LL START COMING IN HERE LIKE THE SWALLOWS RETURNING TO CAPISTRANO. [LB959]

SENATOR GLOOR: TIME, SENATOR. [LB959]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB959]

SENATOR GLOOR: THANK YOU, SENATOR. SENATOR SCHUMACHER, YOU'RE RECOGNIZED. [LB959]

SENATOR SCHUMACHER: THANK YOU, MR. PRESIDENT AND MEMBERS OF THE BODY. THIS MAY LOOK LIKE A FILIBUSTER, BUT QUITE HONESTLY, IN MY MIND IT IS NOT. THESE ARE ISSUES THAT WE NEED TO DISCUSS. AND WHEN WE SEE THIS THREE'S A COUPLE BILL, WE KIND OF HAVE TO MIX THEM ALL UP SO WE UNDERSTAND WHAT WE'RE DISCUSSING BECAUSE THEY ARE APPARENTLY ALL MIXED UP SOMEWHERE IN SOME WEB BEHIND THE SCENES. SO I'LL TALK A LITTLE BIT NOW ABOUT THE BILL LB958. REMEMBER WE SAID BEFORE THAT THERE WAS REALLY NO CLEAR CONCLUSION EXCEPT MAYBE A LITTLE BIT OF LB959 FLAVOR THAT CAME OUT OF THAT COMMITTEE OF REVENUE AND EDUCATION. AND THERE WAS EFFORTS OF ALL DIFFERENT KINDS STARTING OUT WITH THE PROPOSAL WHICH DIDN'T WORK OUT VERY WELL BECAUSE OF ITS IMPRACTICALITY AND ITS IMPACT ON LOCAL GOVERNMENT THAT WAS INTRODUCED TO START THINGS OUT IN THE FORM OF LB958. AND GREAT CONSTERNATION AND STRUGGLES WITHIN THE REVENUE COMMITTEE AS TO WHAT TO DO, IF ANYTHING. AND SOMEWHAT UNDER THE DIRECTION THAT WE NEEDED TO DO SOMETHING, WE DID THE BEST WE COULD, WHICH TURNED OUT TO BE LB958. BUT WHAT THAT BILL DOES AND HOW IT PLAYS INTO THAT BILL AS

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IT FINALLY ROLLED OUT, OFFERED A CHUNK OF MONEY. AND WHETHER IT WAS THE FIRST CHUNK OF MONEY--SOME \$30 MILLION--OR THE REVISED CHUNK OF MONEY--SOME \$20 MILLION--IT BASICALLY TOOK THAT MONEY, TOOK IT UP IN A HELICOPTER--KIND OF LIKE BEN BERNANKE DID WITH THE STIMULUS PROGRAM--GETS UP HIGH ENOUGH IN ALTITUDE AND JUST LETS THE MONEY FLY. AND WHOEVER HAS THE MOST ACREAGE BELOW ENDS UP WITH THE MOST MONEY. IT'S NOT ACREAGE, IT'S VALUATION, BUT IT'S KIND OF THE SAME THING. AND SO THAT'S HOW IT'S DISTRIBUTED. THE MORE YOU HAVE, THE MORE YOU GET AND THAT IS THE PRINCIPLE. IN REALITY, THE AVERAGE AG PERSON LOOKS AT HIS ACREAGE AND I THINK IT FIGURES OUT, DEPENDING ON WHICH WAY YOU DO THE FIGURING, THEY GET A COUPLE BUCKS AN ACRE, CERTAINLY NOT ENOUGH TO SATISFY THE CRAVINGS FOR TAX RELIEF THAT HAVE BEEN POLITICALLY FANNED OVER THE LAST FEW YEARS. AND CERTAINLY LEAVING THEM WITH A VERY HUNGRY TUMMY, SEEING HOW THEY WERE EXPECTING A STEAK INSTEAD OF A PIECE OF CRUST FROM A PIECE OF BREAD. AND AS A RESULT, THAT'S WHAT THAT BILL IS. YOU GET SOMETHING FOR THE OMAHA THING. WELL, THE AG SECTOR WILL GET A LITTLE PIECE OF CRUST OVER HERE. AND WE WILL ALL HUG EACH OTHER AND SING KUMBAYA. THE REALITY IS THERE IS VERY LITTLE WIGGLE ROOM IN OUR TAX SYSTEM. YOU TAKE FROM ONE, YOU HAVE TO DO THAT TO GIVE TO ANOTHER. OUR BUSINESS SECTOR IS SCREAMING FOR LOWER INCOME TAX RATES. OUR SALES TAX SECTOR, GOVERNOR HEINEMAN TRIED REALLY A BIG INCREASING OF THE SALES TAX BASE BY ATTACHING A MANUFACTURING AND AGRICULTURE INTEREST AND WE STAYED AWAKE TILL 11:30 AT NIGHT IN A HEARING. VERY, VERY LITTLE ROOM THERE. YOU START TOUCHING THE EXEMPTIONS AND THEY'VE ALL BEEN HEAVILY FOUGHT AND THEY'RE REALLY, REALLY HARD TO GET RID OF. AND SO WHAT DO YOU TAX? YOU TRY TO FIGURE OUT A WAY TO TAX THE POOR PEOPLE WITH \$20,000 TO \$120,000 A YEAR INCOMES. NOT THE RIGHT WAY TO ASSESS A TAX. BUT THERE IS NO EASY POT OF MONEY WITHIN THE CONFINES OF WHAT IS POLITICALLY REALISTIC. SO WHATEVER WE SPEND OUT OF THAT HELICOPTER... [LB958 LB959]

SENATOR GLOOR: ONE MINUTE. [LB959]

SENATOR SCHUMACHER: WAS THAT TIME? OKAY. WHATEVER WE THROW OUT OF THAT HELICOPTER IS NOT GOING TO BE THERE NEXT YEAR OR FUTURE YEARS TO PUT IN SOME OTHER TYPE OF PROGRAM OR EVEN FOR US TO CREATIVELY DISCUSS ABOUT PUTTING IN SOME OTHER KIND OF PROGRAM. IT JUST ISN'T GOING TO BE THERE. AND SO IF WE SPEND THE MONEY ON THIS HELICOPTER RIDE THIS YEAR, WE MAY BE OUT OF MONEY AND HAVE TO TURN A DEAF EAR

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TO OTHER, MAYBE BETTER, IDEAS OR DO SOME RADICAL TRANSFORMATION OF OUR REVENUE SYSTEM, ALL OF WHICH HITS TREMENDOUS POLITICAL RESISTANCE. SO WE'RE DEALING WITH COMPLEX ISSUES AND NOT SOMETHING THAT CAN BE DIVVIED UP IN A CORNER SOMEWHERE WITH A HALF A DOZEN SENATORS. AND IT'S ONES WE NEED TO DISCUSS AND I INVITE THE DISCUSSION. THANK YOU, MR. PRESIDENT. [LB959]

SENATOR GLOOR: THANK YOU, SENATOR SCHUMACHER. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB959]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. SENATOR CHAMBERS SAYS THE AMOUNT GOING TO THE AG PEOPLE IN THIS IS CHICKEN FEED. UNFORTUNATELY, HE'S CORRECT. IT SEEMS THAT THAT'S WHERE THE AG SECTOR HAS BEEN RELEGATED. WE'VE BEEN PECKING AND SCRATCHING TRYING TO GET A LITTLE RELIEF ON THE PROPERTY TAX. IN THIS BILL THERE WAS A LITTLE RELIEF; NOT MUCH, BUT A LITTLE. AND THE URBAN HAND REACHED IN AND SNATCHED PART OF THAT RELIEF AS WELL, SO THERE'S EVEN LESS. I'D INVITE THE MEMBERS OF THIS BODY TO COME UP TO WAYNE SOME SUMMER. THEY HAVE CHICKEN DAYS UP THERE WHERE THEY HAVE PEOPLE IMITATING CHICKENS, PECKING AND SCRATCHING. SOMETIMES IT'S NOT A PRETTY PICTURE. SOMETIMES IT'S DOWNRIGHT FUNNY. BUT WHAT WE'RE DOING HERE IS NOT FUNNY. PEOPLE ACROSS THE STATE OF NEBRASKA HAVE STOOD UP AND SAID LOUDLY AND CLEARLY, WE NEED PROPERTY TAX RELIEF. WHAT DO WE GET? CHICKEN FEED AND PART OF THAT IS TAKEN AWAY. THANK YOU, MR. PRESIDENT. [LB959]

SENATOR GLOOR: THANK YOU, SENATOR BLOOMFIELD. SENATOR FRIESEN, YOU'RE NEXT IN THE QUEUE. [LB959]

SENATOR FRIESEN: THANK YOU, MR. PRESIDENT. I'VE BEEN ENJOYING THE CONVERSATION, SO I THOUGHT I WOULD JOIN IN. WHEN I LOOK AT LB959 AND WHAT IT DOES, I THINK IT IS A SEPARATE ISSUE FROM THE OTHER TWO BECAUSE IN THAT I THINK IT MAKES THE PROPERTY TAX SYSTEM WORK MUCH BETTER AND DOESN'T ENCOURAGE LEVIES TO STAY EXCESSIVELY HIGH WHEN THEY COULD BE LOWERED AND PROVIDE SOME MINOR FORM OF PROPERTY TAX RELIEF TO SOME. SO I THINK THIS BILL DOES SHIFT A LITTLE BIT AND IT GOES BACK TO GIVING MORE MONEY THROUGH THE INCOME TAX PORTION THAT'S REBATED BACK TO DISTRICTS. SO I LOOK AT IT AS A MORE EFFICIENT WAY TO USE OUR DOLLARS AND TO IMPLEMENT THE LEVY SYSTEM THAT WE

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CURRENTLY HAVE. BUT I DID COME HERE TO DISCUSS PROPERTY TAXES BECAUSE THEY ARE TOO HIGH AND THEY, UNFORTUNATELY, BEAR ON A MINORITY HARDER THAN THEY DO ON SOME OTHERS. AND SO WHAT I'VE ALWAYS BEEN ASKING FOR IS HOW TO REFORM K-12 EDUCATION. AND THESE BILLS DO A LITTLE BIT OF THAT, NOT ENOUGH; WE ARE NOT FUNDAMENTALLY CHANGING HOW WE DO IT. IT IS CHICKEN FEED. WHEN WE TALK ABOUT THE PROBLEM, WE'RE TALKING ABOUT A \$400 MILLION PROBLEM ROUGHLY, MAYBE MORE. AND WE'RE TALKING ABOUT \$20 MILLION OR \$30 MILLION HERE. IT IS CHICKEN FEED. BUT I'VE LEARNED WHEN YOU COME HERE, AND I'VE ONLY BEEN HERE A COUPLE YEARS, BUT THERE HAS TO BE COMPROMISE. WE, AS RURAL SENATORS, KNOW THAT WE CAN'T FORCE SOMETHING ON THIS LEGISLATURE. NOW, I AM KIND OF ENJOYING THE FILIBUSTER PORTION OF IT AND WATCHING BECAUSE THAT'S THE ONLY WAY US RURAL SENATORS SOMEDAY WILL BE ABLE TO MAKE SOMETHING HAPPEN THAT WE WANT, IF WE CAN STICK TOGETHER LONG ENOUGH TO GET SOMETHING. BUT WHEN WE LOOK AT WHAT WE HAVE SAVED THE STATE OVER THE PAST FIVE TO SEVEN YEARS IN THE INCREASE IN VALUE OF AG LAND THAT HAS GONE UP AND, THEREFORE, THE FUNDING THAT TEEOSA HAS REQUIRED, WE HAVE SAVED THE STATE ROUGHLY \$133 MILLION LAST YEAR. WE DON'T GET ANY ACKNOWLEDGMENT FOR THAT. I HOPE EVERYONE APPRECIATES IT. BUT \$20 MILLION DOESN'T REALLY MAKE ME FEEL VERY GOOD ABOUT IT YET. AND I DO WANT THE DISCUSSION TO HAPPEN ON HOW WE GO ABOUT FUNDING K-12 EDUCATION AND WHETHER THIS IS RIGHT. THE BILL DEALING WITH THE OMAHA LEARNING COMMUNITY, IT DOES ME NO GOOD ONE WAY OR ANOTHER; DON'T CARE. AND I THINK THOSE INTERESTED PARTIES ARE HAMMERING OUT THEIR DIFFERENCES. BUT IN THE END, THIS IS PROBABLY THE ONLY TIME THAT THEY NEED US RURAL SENATORS TO PICK SIDES AND GIVE THEM SOMETHING THEY WANT. I SUPPOSE I COULD JUST BE STUBBORN OR DO WE COMPROMISE? IT'S A GOOD QUESTION. THANK YOU, MR. PRESIDENT. [LB959]

SENATOR GLOOR: THANK YOU, SENATOR FRIESEN. ARE THERE OTHER SENATORS WISHING TO BE RECOGNIZED? SEEING NONE, SENATOR CHAMBERS, YOU'RE RECOGNIZED TO CLOSE ON YOUR MOTION TO RECONSIDER. [LB959]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. MEMBERS OF THE LEGISLATURE, THIS TO ME APPEARS SO FUTILE BECAUSE THERE ARE SENATORS WHO RECOGNIZE WHAT'S GOING ON. AND WHEN IT COMES TO THE RURAL INTEREST, NOT MUCH. SOME OF THE SENATORS WHO HAVE STOOD UP ON THIS FLOOR AND RAILED ABOUT THE NEED FOR PROPERTY TAX RELIEF, HAVE FULMINATED, HAVE THUNDERED INDIGNANTLY, NOW SIT SILENT, NOW SIT MUTE

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BECAUSE THEY KNOW NOBODY CARES WHAT THEY SAY. THE DEALS ARE MADE OUTSIDE THE LEGISLATURE. THEY ARE IMPOSED ON THE LEGISLATURE, THEN THE SENATORS. I DON'T LIKE TO COMPARE SENATORS TO ANIMALS OR ANIMALS TO SENATORS BECAUSE ANIMALS ARE WHAT THEY ARE. THEY ACT IN ACCORD WITH THEIR NATURE. HUMAN BEINGS ARE NOT LIKE THAT. SO I GOT TO FIND SOMETHING ELSE TO COMPARE HUMAN BEINGS TO, SOMETHING ELSE THAT WOULD NOT BE OFFENDED. WELL, HOW ABOUT COCONUTS? OKAY. SO THE GOVERNOR BRINGS THIS OR SENDS IT BY A RUNNER TO THE COCONUTS AND THE COCONUTS JUST SIT THERE AND MOAN AND GROAN AND THEY DO THAT SILENTLY. THEY WILL NOT EVEN EXPRESS THEIR DISSATISFACTION SO THAT IT CAN BE HEARD BY ANYBODY FOR FEAR IT MIGHT GET BACK TO THE GOVERNOR, WHO OBVIOUSLY HAS NO RESPECT FOR THIS LEGISLATURE, NO RESPECT FOR US INDIVIDUALLY, NO RESPECT FOR US COLLECTIVELY. AND WE DON'T DEMAND RESPECT, SO WE'LL NEVER GET IT COLLECTIVELY. BUT NOBODY IN THIS STATE TREATS ME LIKE YOU ALL BECAUSE THEY KNOW THERE WILL BE SOME PUSHBACK FROM ME. AND WHY PICK ON SOMEBODY WHO IS GOING TO HIT BACK WHEN YOU CAN FIND SUPINE, YIELDING PEOPLE THAT YOU CAN WALK ON? THAT'S WHAT THE BULLY WANTS AND THAT'S WHAT HE'S GETTING. AND THAT'S WHY WE HAVE THESE THREE OBNOXIOUS BILLS AND THEY'LL GET THE VOTES. BUT ALONG THE WAY, I WILL GET WHAT IT IS THAT I NEED DURING THE REST OF THE DAYS OF THIS SESSION, AND THAT'S TIME BEING SPENT. AND I DON'T CARE WHETHER IT'S SPENT ON THIS BILL, ON THE NEXT ONE, WHICH IS CALLED THE LEARNING COMMUNITY BILL, OR THE THIRD ONE, WHICH I HAVEN'T HEARD NAMED YET. BUT THEY SHOULD BE ABLE TO GET THEIR 33 VOTES WHEN THAT POINT IS REACHED AND A VOTE IS TAKEN BECAUSE THE GOVERNOR KNOWS HIS FLUNKIES AND "FLUNKIESSES." JUST TELL THEM WHAT TO DO AND THEY DO IT. I GENUINELY THINK--I WON'T USE THE TERM BELIEVE-- BUT I THINK IF THE LEGISLATURE COULD FIND A WAY TO BE LEFT TO ITSELF ALONE TO WORK ITS WAY THROUGH THESE ISSUES, YOU WOULD SEE BILLS ENACTED OR AT LEAST PROPOSED WHICH RESEMBLE THIS STUFF THAT WE'RE LOOKING AT TODAY NOT AT ALL, EXCEPT THAT THE TEXT IS WRITTEN IN ENGLISH AND THE NUMBERS ARE ARABIC. OTHER THAN THAT, I BELIEVE THERE WOULD BE A DIFFERENT APPROACH. THERE MIGHT BE MORE KNOCK-DOWN-DRAG-OUT BECAUSE THE OUTCOME IS NOT A FOREGONE CONCLUSION, AS IT IS NOW. [LB959]

SENATOR GLOOR: ONE MINUTE. [LB959]

SENATOR CHAMBERS: ALL I NEED IS TO BE ABLE TO PASS TIME AND IT'S NOW 1:08. I DON'T KNOW HOW LONG THE SPEAKER INTENDS TO BE HERE, BUT I

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WOULD JUST AS SOON TALK ABOUT THIS AS ANYTHING ELSE. BUT SINCE WE'RE REACHING THE END OF THIS ITEM, THERE ARE THINGS THAT I WANT TO READ AND DISCUSS THAT I WON'T START. BUT THE NEXT THING I'M GOING TO TALK ABOUT, BROTHERS, SISTERS, FRIENDS, ENEMIES, AND NEUTRALS, IS SOMETHING THAT HAS GOT THIS STATE IN A TIZZY, SOMETHING THAT MAKES IT HARD FOR THE PEOPLE TO SLEEP AT NIGHT, HARD TO WOLF DOWN THAT FOOD THAT THE LOBBYISTS GIVE THEM WITHOUT GETTING INDIGESTION, BECAUSE IT'S ON THEIR MIND. AS WILLIE NELSON SAID, (SINGING) YOU'RE ALWAYS ON MY MIND, YOU'RE ALWAYS ON MY MIND. AND YOU KNOW WHAT THAT IS NOW? THE DEPICTIONS OF THE SOWER ON THE LICENSE PLATE. [LB959]

SENATOR GLOOR: TIME, SENATOR. [LB959]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB959]

SENATOR GLOOR: THANK YOU, SENATOR CHAMBERS. MEMBERS, YOU'VE HEARD THE CLOSING ON THE MOTION TO RECONSIDER THE VOTE TAKEN ON THE BRACKET MOTION. ALL THOSE IN FAVOR...SENATOR CHAMBERS. [LB959]

SENATOR CHAMBERS: I WOULD ASK FOR A CALL OF THE HOUSE AND A ROLL CALL VOTE. [LB959]

SENATOR GLOOR: THERE'S BEEN A REQUEST TO PLACE THE HOUSE UNDER CALL. THE QUESTION IS, SHALL THE HOUSE GO UNDER CALL? ALL IN FAVOR VOTE AYE; ALL OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB959]

ASSISTANT CLERK: 24 AYES, 1 NAY TO GO UNDER CALL, MR. PRESIDENT. [LB959]

SENATOR GLOOR: 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 RIEPE, PLEASE CHECK IN. SENATOR BOLZ, PLEASE CHECK IN. SENATOR KINTNER, PLEASE RETURN TO THE CHAMBER. SENATOR KINTNER, PLEASE RETURN TO THE CHAMBER AND RECORD YOUR PRESENCE. SENATOR CHAMBERS, ALL MEMBERS ARE ACCOUNTED FOR. ROLL CALL VOTE REGULAR ORDER? MEMBERS, THE MOTION BEFORE US IS THE RECONSIDERATION OF THE BRACKET MOTION ON LB959. MR. CLERK, CALL THE ROLL. [LB959]

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ASSISTANT CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGE 1501.)
1 AYE, 40 NAYS, MR. PRESIDENT, ON THE MOTION TO RECONSIDER. [LB959]

SENATOR GLOOR: THE MOTION FAILS. RAISE THE CALL. MR. CLERK FOR AN
AMENDMENT. [LB959]

ASSISTANT CLERK: MR. PRESIDENT, SENATOR CHAMBERS WOULD MOVE TO
AMEND WITH FA119. (LEGISLATIVE JOURNAL PAGE 1501.) [LB959]

SENATOR GLOOR: SENATOR CHAMBERS, YOU'RE RECOGNIZED TO OPEN ON YOUR
AMENDMENT. [LB959]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE
LEGISLATURE, 13 IS CONSIDERED AN UNLUCKY NUMBER. THIS MOTION IS AN
AMENDMENT THAT WOULD STRIKE SECTION 13. IT'S INCONSEQUENTIAL. IT HAS
NO MEANING, NO BEARING ON ANYTHING, BUT IT'S A PART OF THE BILL. SO I'M
MAKING THIS MOTION TO STRIKE IT. BUT I WOULD LIKE TO ASK SENATOR
SULLIVAN A QUESTION BECAUSE I'M EXPERIENCING SOME PUZZLEMENT. [LB959]

SENATOR GLOOR: SENATOR SULLIVAN, WOULD YOU YIELD? [LB959]

SENATOR SULLIVAN: YES, I WILL. [LB959]

SENATOR CHAMBERS: SENATOR SULLIVAN, IF I UNDERSTOOD YOU CORRECTLY--
AND I'M NOT ASKING YOU TO ITEMIZE--BUT SOME THINGS THAT WERE IN THE
GREEN COPY WERE ELIMINATED BY THE COMMITTEE AMENDMENT. DID I
UNDERSTAND THAT CORRECTLY? [LB959]

SENATOR SULLIVAN: YES. [LB959]

SENATOR CHAMBERS: HERE IS MY PUZZLEMENT. I WAS EDUCATED IN GRADE
SCHOOL--THAT'S WHAT THEY CALLED IT WHEN I WENT--OPS. HERE IS WHAT'S
STRANGE TO ME: WHEN I LOOK AT THE GREEN COPY OF THE BILL--BEAR WITH
ME--THE GREEN COPY HAS A TOTAL OF 28 PAGES. SO IT SEEMS TO ME THAT IF
SOME THINGS WERE REMOVED FROM THE GREEN COPY THE AMENDMENT
WOULD HAVE FEWER PAGES, BUT INSTEAD IT HAS TEN MORE PAGES. SO THE
GREEN COPY, WHICH HAD ELEMENTS IN IT, SOME OF WHICH WERE REMOVED BY
THE AMENDMENT, THE AMENDMENT HAS MORE PAGES THAN THE ORIGINAL. SO

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I WOULD LIKE TO ASK SENATOR SULLIVAN A QUESTION, AGAIN WITHOUT ASKING YOU TO SPECIFY. IN ELIMINATING SOME OF THOSE ITEMS THAT WOULD HAVE BEEN IN THE GREEN COPY, IN ADDITION TO ELIMINATING SOME OF THOSE, WERE OTHER ELEMENTS ADDED THAT WERE NOT IN THE GREEN COPY THAT YOU CAN RECALL? [LB959]

SENATOR SULLIVAN: COUPLE OF EXPLANATIONS. ONE OF THEM HAS TO DO WITH THE QCPUF. IN THE ORIGINAL BILL AS INTRODUCED, IT BASICALLY WOULD HAVE ELIMINATED THAT COMPONENT ALTOGETHER. BUT, AGAIN, AS WE WORKED THROUGH THIS, LISTENED TO THE CONCERNS, WE BASICALLY REINSTATED QCPUF BUT WITH SOME LIMITATIONS TO IT THAT DIDN'T EXIST IN THE PREVIOUS BILL AS INTRODUCED. SO IN THAT RESPECT, IT ADDED TO IT BECAUSE WE WERE PLACING SOME ADDITIONAL LIMITATIONS. THE SAME THING WITH THE MINIMUM LEVY ADJUSTMENT. THAT WAS NOT IN THE ORIGINAL BILL. [LB959]

SENATOR CHAMBERS: NOW, IN ORDER THAT PEOPLE WHO MAY NOT BE AS FAMILIAR WITH THE JARGON OF THE EDUCATION ESTABLISHMENT, YOU USED A WORD THAT COULD BE MISTAKEN FOR A FOREIGN WORD. IT PROBABLY IS A NICKNAME. SO FOR THE RECORD, WOULD YOU STATE WHAT IT STANDS FOR? DO YOU MIND? [LB959]

SENATOR SULLIVAN: QCPUF IS AN ACRONYM FOR QUALIFIED CAPITAL PURPOSES UNDERTAKING FUND. [LB959]

SENATOR CHAMBERS: AND WHY DID THEY CREATE THAT PECULIAR SOUNDING WORD OUT OF IT? [LB959]

SENATOR SULLIVAN: WELL, IT'S FOR CAPITAL PROJECTS THAT HAVE TO DO WITH INFRASTRUCTURE. [LB959]

SENATOR CHAMBERS: NO, I MEANT WHY DID THEY CREATE THAT ACRONYM INSTEAD OF JUST SAYING ALL THE WORDS? THAT'S JUST THE WAY THINGS ARE DONE IN THE EDUCATION REALM, RIGHT? [LB959]

SENATOR SULLIVAN: AND A LOT OF OTHER DIFFERENT SITUATIONS AS WELL, YES. [LB959]

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SENATOR CHAMBERS: OKAY. NOW, WHAT ARE THE LETTERS...WHAT DOES THAT ACRONYM MEAN THAT TALKS ABOUT A TEACUP, OR SO? [LB959]

SENATOR SULLIVAN: NOT BEING ASSOCIATED WITH THAT PARTY, I DON'T EVEN KNOW. [LB959]

SENATOR CHAMBERS: OKAY, THANK YOU. BUT WHAT I WAS REALLY WONDERING WAS WHY THERE WOULD BE MORE PAGES IN THE AMENDMENT, BECAUSE I ASSUMED THAT SOMETHING HAD BEEN ALSO ADDED INSTEAD OF JUST MATERIAL BEING TAKEN OUT. I HAVEN'T READ THESE BILLS WORD FOR WORD. THE DEALS ARE BEING CUT. BUT MAYBE WHAT I OUGHT TO DO, SINCE OTHERS I'M SURE HAVE NOT READ THESE BILLS WORD FOR WORD AND I WOULD WAGER THAT PEOPLE WHO ARE PART OF THE NEGOTIATIONS--IF THAT'S WHAT THEY CAN BE CALLED--HAD READ THE BILLS WORD FOR WORD. I BET NOBODY, UNLESS YOU PEEKED AND CHEATED, CAN TELL ME WHAT SECTION 13 OF THIS BILL COMPRISES. NOBODY KNOWS. SO IN THE SAME WAY I ASK OF SENATOR SULLIVAN TO EXPLAIN WHAT A TERM MEANT, I WILL ASSUME THE RESPONSIBILITY OF TELLING YOU WHAT MY AMENDMENT REMOVES FROM THE BILL. ON PAGE 39, SECTION 13, WOULD BE LINES 4 AND 5. "SINCE AN EMERGENCY EXISTS, THIS ACT TAKES EFFECT WHEN PASSED AND APPROVED ACCORDING TO LAW." I THINK THAT'S INACCURATE. IT SHOULD SAY PASSED AND APPROVED ACCORDING TO THE GOVERNOR'S WISHES. THAT WOULD BE TRUTH IN ADVERTISING, BUT WHAT DOES TRUTH HAVE TO DO WITH WHAT HAPPENS MOST OF THE TIME IN THE LEGISLATURE? PILATE FACED SUCH A SITUATION. HE WAS TALKING TO JESUS AND JESUS WAS NOT DOING A LOT OF COMMUNICATING BACK. IN OTHER WORDS, HE WAS INCOMMUNICATIVE. I DON'T READ THAT HE HAD A LAWYER WHO TOLD HIM IT WOULD BE WISE NOT TO ANSWER QUESTIONS. AND CONSIDERING THE PERIOD OF TIME AND THAT HE WAS TALKING TO A VERY HIGHLY PLACED ROMAN OFFICIAL, I DON'T THINK THAT WOULD HAVE BEEN PRUDENT TO SAY ANYWAY. BUT WHAT PILATE DID--AND I SHALL NEVER FORGIVE HIM FOR IT--WAS TO ASK A VERY PERTINENT QUESTION, BUT HE WALKED OUT BEFORE HE GOT THE ANSWER. THAT'S WHAT I DON'T FORGIVE HIM FOR. HE ASKED JESUS BECAUSE OF SOMETHING JESUS DID SAY, WHAT IS TRUTH? AND WALKED OUT. WHAT IS TRUE? HAVE ANY OF YOU...OH, YOU ALL DON'T READ THE "BIBBLE." BUT IF ANY OF YOU HAVE READ THE "BIBBLE," HAVE YOU EVER PONDERED WHAT THE ANSWER MIGHT HAVE BEEN, WHY PILATE WOULD NOT ASK THAT QUESTION, BECAUSE I DON'T THINK THAT REALLY HAPPENED? JESUS WAS NOT A PERSON WHO WROTE ANYTHING OTHER THAN WHAT HE WROTE ON THE GROUND WHEN THESE WICKED OLD MEN WERE TRYING TO GET A WOMAN STONED BECAUSE ONE OF THE MEN HAD COMMITTED

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ADULTERY WITH HER. ONE OF MY COLLEAGUES--I DIDN'T CALL HIM ON IT--BUT I REMEMBER THINGS THAT ARE SAID, EVEN THOUGH MY MEMORY IS SLIPPING. SENATOR HARR SAID THESE PEOPLE HAD BROUGHT THIS PROSTITUTE TO JESUS. SHE WAS NOT A PROSTITUTE. SHE WAS NOT HELD BEFORE THESE WICKED OLD MEN WHO WERE GONNA HAVE HER STONED FOR PROSTITUTION, BUT FOR ADULTERY. THAT'S WHAT SHE WAS ACCUSED OF AND THE TWO THINGS ARE NOT CONSIDERED THE SAME UNDER THE LAW. UNDER THE LAW, PROSTITUTION OCCURS WHEN A FEMALE, FOR SOMETHING OF VALUE, SELLS SEXUAL FAVORS. BUT WHAT'S STRANGE TO ME, IF SHE GIVES SEXUAL FAVORS, HOWEVER MANY TIMES, THAT'S NOT AGAINST THE LAW. COULD THAT BE LIKE THAT SO IF A WOMAN SHOULD HAPPEN TO FEEL A LITTLE PROMISCUOUS, SHE WON'T CHARGE ANYTHING, THEN SHE DOESN'T COMMIT A CRIME? WHAT KIND OF SENSE DOES THAT MAKE? BUT WHEN LAWS ARE PUT IN PLACE THAT AFFECT WOMEN, THEY DON'T HAVE TO MAKE SENSE. THEY HAVE TO CREATE CONVENIENCE FOR MEN. BUT AT ANY RATE, JESUS DIDN'T WRITE ANYTHING. PILATE DID NOT WRITE ANYTHING. THERE IS NOTHING IN THE RECORD THAT INDICATES THAT A SCRIBE OR A STENOGRAPHER WAS THERE WRITING ANYTHING. [LB959]

SENATOR GLOOR: ONE MINUTE. [LB959]

SENATOR CHAMBERS: SO HOW DO WE KNOW THAT PILATE ASKED JESUS, WHAT IS TRUTH? WE DON'T KNOW THAT, BUT YOU TAKE IT ON FAITH. AND YOU KNOW WHAT THE "BIBBLE" SAYS FAITH IS IN CASE SOME OF YOU ALL DON'T KNOW? FAITH IS THE SUBSTANCE OF THINGS HOPED FOR, THE EVIDENCE OF THINGS NOT SEEN. IN OTHER WORDS, IT MEANS YOU HALLUCINATE, YOU'RE DELUSIONAL, YOU TREAT SOMETHING AS BEING REAL WHEN YOU HAVE NO EVIDENCE THAT IT EVEN EXISTS. IS THAT MY TIME FOR NOW? IF SO, I WILL STOP AND TURN ON MY LIGHT. [LB959]

SENATOR GLOOR: YOU HAVE 30 SECONDS, SENATOR. [LB959]

SENATOR CHAMBERS: THANK YOU. I MAY AS WELL USE THEM BECAUSE I'LL PROBABLY BE NEXT IN THE QUAKE, OR WHATEVER THAT FRENCH WORD, QWA-KEE (PHONETICALLY)? WHAT DO YOU ALL...THE QUEUE. OKAY. I'M PROBABLY NEXT IN THE QUEUE, BUT ON THE CHANCE I'M NOT, I WILL STOP. THANK YOU, MR. PRESIDENT. [LB959]

SENATOR GLOOR: THANK YOU, SENATOR CHAMBERS. AND YOU ARE NEXT IN THE QUEUE, SENATOR CHAMBERS. [LB959]

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SENATOR CHAMBERS: THAT IS SO FUNNY TO ME EVERY TIME I HEAR IT. HERE WE HAVE A BUNCH OF UNTUTORED, UNLETTERED RUBES SPEAKING FRENCH. FRENCH IS SPOKEN HERE EVERY DAY. HAD YOU EVER STOPPED TO THINK ABOUT THAT? ALL OF THIS FRENCH. THE CLOSEST WE COME TO SPEAKING FRENCH OTHER THAN THAT FRENCH WORD IS WHEN WE'RE USING THE PRONOUN THAT'S NOMINATIVE THAT APPLIES TO US, THAT WE'RE NOT USING THE OBJECTIVE AND THEN WE SAY WE. AND WE DON'T EVEN REALIZE THAT WE'RE SPEAKING FRENCH WHEN WE SAY WE. SO THE SOUND DOES NOT CONVEY THE SAME MEANING TO EVERYBODY WHO HEARS IT. AND IT CERTAINLY ISN'T SPELLED THE SAME WAY. NOW, IF YOU WERE GOING TO SPEAK FRENCH AND YOU HAVE A "CLICHEIC" WAY OF ANSWERING AND YOU SAY, BUT YES, YOU SAY MAIS OUI. BUT IF YOU PRONOUNCE IT AS IN ENGLISH, YOU WOULD BE SAYING, MAY-I-AWEE (PHONETICALLY); THAT'S THE WAY YOU'D PRONOUNCED IT. AND SINCE AMERICANS HAVE A WAY OF AMERICANIZING EVERYTHING, THEY CAN CALL THEMSELVES SPEAKING A FOREIGN LANGUAGE AND IT'S FOREIGN TO THE PEOPLE WHOSE LANGUAGE IT IS SUPPOSED TO BE. SO WORDS DO MEAN SOMETHING. BUT A LOT OF TIMES PEOPLE WHO USE WORDS DON'T KNOW WHAT THOSE WORDS MEAN AND THEY'RE NOT USED CORRECTLY. BUT THERE'S A WAY OF COMMUNICATING THAT DEVELOPS AMONG PEOPLE SO THAT YOU DON'T REQUIRE PEOPLE TO USE THE WORDS IN THE WAY THAT WOULD BE CONSIDERED PROPER. AND YOU SAY, I KNOW WHAT YOU MEAN, AND THAT GENERALLY MEANS YOU DIDN'T SAY WHAT YOU MEAN, BUT I'M GOING TO SPECULATE ABOUT WHAT YOU MEAN BASED ON WHAT WE'VE BEEN TALKING ABOUT BEFORE. EDUCATION IS WHAT THIS STUFF IS ABOUT ULTIMATELY. AND YET, THE ONES WHO DO THE LEGISLATING ARE NOT THEMSELVES EDUCATED. WE'RE GOING TO TALK ABOUT CHILDREN NOT READING THE WAY THEY OUGHT TO READ. AND WE DON'T READ WELL, BECAUSE READING CONSISTS OF MORE--AS I'VE STATED BEFORE--THAN JUST PASSING YOUR EYES OVER WORDS THAT ARE WRITTEN. THERE SHOULD COME SOME COMPREHENSION OR UNDERSTANDING AND THAT DOES NOT HAPPEN, NOT EVEN IN THE BILLS THAT WE HAVE PRESENTED TO US. AND WHEN ATTENTION IS CALLED TO THE FACT THAT YOU HAVE GARBLED, POORLY WRITTEN LANGUAGE IN A BILL, NOTHING IS DONE ABOUT IT. I'D LIKE TO ASK SENATOR McCOLLISTER A QUESTION OR TWO, NOW THAT I'M ON A ROLL. [LB959]

SENATOR GLOOR: SENATOR McCOLLISTER, WOULD YOU YIELD? [LB959]

SENATOR McCOLLISTER: YES, I WILL. [LB959]

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SENATOR CHAMBERS: SENATOR McCOLLISTER, AMONG ALL OF THOSE AMENDMENTS THAT I WAS OFFERING TO YOUR BILL, YOU SAW SOME THAT YOU LIKED THAT YOU FELT WOULD HAVE IMPROVED THE LANGUAGE OF THE BILL, DIDN'T YOU? [LB959]

SENATOR McCOLLISTER: YES, THERE WERE A FEW. [LB959]

SENATOR CHAMBERS: AND SOME PROVIDED A BETTER, MORE SUCCINCT OR CLEAR WAY OF EXPRESSING WHAT THEY WERE TRYING TO SAY. WOULD YOU AGREE? [LB959]

SENATOR McCOLLISTER: THAT'S TRUE. [LB959]

SENATOR CHAMBERS: AND YOU WOULDN'T HAVE TO BE AN ENGLISH PROFESSOR TO HAVE CONSTRUCTED THAT LANGUAGE, WOULD YOU? [LB959]

SENATOR McCOLLISTER: YES, I WAS QUITE IMPRESSED. [LB959]

SENATOR CHAMBERS: AND HERE IS WHAT I'M TRYING TO GET AT: WE HAVE LANGUAGE IN LAWS WHICH COULD BE MUCH...THE IDEA COULD BE MUCH MORE CLEARLY STATED AND THE LANGUAGE WOULDN'T HAVE TO BE TECHNICAL. ORDINARY WORDS, BUT WHEN YOU ARRANGE THEM PROPERLY AND SELECT THE ONES THAT ARE SUITABLE, THE PASSAGE WOULD BE MUCH CLEARER... [LB959]

SENATOR GLOOR: ONE MINUTE. [LB959]

SENATOR CHAMBERS: ...TO SOMEBODY WHO'S JUST AN ORDINARY PERSON READING IT. ISN'T THAT SO? [LB959]

SENATOR McCOLLISTER: ABSOLUTELY TRUE. [LB959]

SENATOR CHAMBERS: AND WE SHOULD SPEND TIME DOING THAT WHEN THAT KIND OF LANGUAGE COMES TO OUR ATTENTION, IS MY OPINION. DO YOU SHARE THAT OPINION? [LB959]

SENATOR McCOLLISTER: IN SOME CASES, YES. [LB959]

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SENATOR CHAMBERS: DO YOU SHARE IT WITH REFERENCE TO YOUR BILL THAT IS ON FINAL READING? [LB959]

SENATOR McCOLLISTER: WELL, IT IS A CONSTRUCTION THAT OCCURRED OVER 30 OR 40 YEARS, SO I'M SURE SOME OF THE LANGUAGE IS A LITTLE OBSOLETE. BUT A PERSON HAS TO USE HIS TIME WISELY, SO WE DO THAT HERE. [LB959]

SENATOR CHAMBERS: INSTEAD OF SAYING YOU PAY THIS IN A LUMP SUM, YOU SAY YOU PAY A TOTAL AMOUNT. THAT WOULD BE BETTER AND MORE APPROPRIATE INSTEAD OF LUMP SUM, DON'T YOU THINK? [LB959]

SENATOR McCOLLISTER: SEMANTICS, SENATOR. [LB959]

SENATOR CHAMBERS: THAT'S WHAT WE'RE TALKING ABOUT. BUT SEMANTICS HAS TO DO WITH THE CONSTRUCTION OF SENTENCES, NOT JUST THE PROPER UTILIZATION OR CHOICE OF WORDS. [LB959]

SENATOR GLOOR: TIME, SENATORS. [LB959]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB959]

SENATOR GLOOR: ARE THERE OTHER SENATORS WHO WISH TO BE RECOGNIZED?
SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB959]

SENATOR CHAMBERS: THIS IS THE ONLY PLACE WHERE I GET THAT CONSTRUCTION: SENATOR CHAMBERS, YOU'RE RECOGNIZED. BUT I GUESS IF I PULL A ROBBERY AND THEY CAUGHT ME, THEY WOULD SAY YOU WERE RECOGNIZED. BUT TO SHOW THAT THERE ARE SUBTLE DIFFERENCES, THERE'S A DIFFERENCE BETWEEN SAYING YOU'RE RECOGNIZED AND YOU'RE ACKNOWLEDGED, RECOGNIZED JUST MEANS THAT THE APPEARANCE YOU PRESENT IS SOMETHING I'M FAMILIAR WITH. TO ACKNOWLEDGE MEANS THAT YOU'RE ACCORDING TO A PERSON THAT WHICH EVERY PERSON IS ENTITLED TO BY VIRTUE OF BEING A HUMAN BEING, WHICH WOULD BE RECOGNIZING THAT INDIVIDUAL'S DIGNITY, ACCORDING PEOPLE RESPECT IN THE WAY WE WOULD WANT IT, AND SUCH THINGS AS THAT. IT WOULD BE SO MUCH BETTER FOR ALL OF US IF THERE WAS AN APPRECIATION FOR LANGUAGE AND THE RECOGNIZING OF THE FACT THAT THE MORE VOLUMINOUS--I WANT TO TAKE A WORD THAT MEANS A LOT--THE MORE VOLUMINOUS YOUR VOCABULARY--AND NOT JUST

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THE WORDS, BUT UNDERSTANDING THOSE WORDS--THE MORE CLEARLY AND PRECISELY YOU THINK, BECAUSE YOU THINK IN TERMS OF WORDS WHETHER YOU KNOW IT OR NOT. AND PEOPLE WITH THE RICHEST VOCABULARIES ARE ABLE TO DEVELOP CLEARER THOUGHTS AND THEN THEY CAN EXPRESS THEM CLEARLY. AND THE KEY TO EFFECTIVE COMMUNICATION, WHETHER YOU USE BROKEN ENGLISH, SLANG, OR ANY OTHER METHOD, IF YOU CAN CONVEY TO THE LISTENER WHAT IS IN YOUR MIND, THEN YOU HAVE FULFILLED THE FUNCTION AND PURPOSE OF COMMUNICATION. BUT THEN YOU CAN BEGIN TO TALK ABOUT ELEGANCE IN THE WAY YOU COMMUNICATE. ON THE FLOOR OF THE LEGISLATURE WE DON'T CARE ABOUT LANGUAGE AT ALL. WHEN WE CRAFT LEGISLATION WE DON'T CARE ABOUT LANGUAGE AT ALL. I'VE GOT TO GO BACK TO WHAT WE WERE TALKING ABOUT LAST NIGHT WHEN SENATOR GARRETT HAD THAT BILL. AND WE HAD A SCIENTIST, A PERSON WHO SAID HE'S A SCIENTIST--I'LL TAKE HIM AT FACE VALUE--WHO SAID...HE WAS TALKING ABOUT NOT HAVING THESE EXPERIMENTS ON OUR CHILDREN AND WE WERE TOLD ABOUT THE DANGERS OF MEDICAL MARIJUANA. BUT IT IS NOT DESIGNED TO BE LETHAL AND IT IS NOT. BUT YOU LOOK AT THE PEOPLE WHO VOTED TO STOP THAT BILL AND FIND HOW MANY AMONG THEM WHO SUPPORT THE PROLIFERATION OF GUNS, WANT GUNS EVERYWHERE. AND THEY ARE LETHAL WEAPONS AND THEY ARE CREATED FOR THE PURPOSE OF KILLING. AND THEY DO KILL AND THEY WIND UP IN THE HANDS OF PEOPLE WHO SHOULD NOT HAVE THEM. BUT NOBODY EVER SAYS, SINCE THESE GUNS WIND UP IN THE HANDS OF PEOPLE WHO SHOULDN'T HAVE THEM, DO SOMETHING ABOUT RESTRICTING GUNS. THEY SAY, NO, PUT MORE GUNS OUT THERE. AND YET, A MEDICATION THAT CAN HELP CHILDREN IS CONSIDERED TOO DANGEROUS AND IT CANNOT BE MADE AVAILABLE, BUT THE GUNS CAN. IN SOME CITIES, SOME STATES, THEY LET KIDS AS OLD AS EIGHT OR NINE YEARS OLD HANDLE GUNS, GUNS. BUT A PARENT CANNOT, WITHOUT VIOLATING THE LAW, USE A MEDICINAL SUBSTANCE WHICH HAS BEEN SHOWN... [LB959]

SENATOR GLOOR: ONE MINUTE. [LB959]

SENATOR CHAMBERS: ...TO HAVE CURATIVE AND HEALING QUALITIES. SO WORRIED ABOUT THE CHILDREN YOU SAY, BUT YOU HAVE GUNS ALL OVER THE HOUSE. YOU DON'T WANT TO BE REQUIRED TO KEEP THEM LOCKED UP. BUT IF IT COMES TO MEDICINE, KEEP IT IN THE MEDICINE CHEST, LOCK IT, DON'T LET THE KIDS GET IT. WHAT ABOUT THE GUNS? I HAVE A SECOND AMENDMENT RIGHT TO HAVE MY GUN AND I'M GOING TO KEEP MY GUN BECAUSE OF THE SECOND AMENDMENT TO THE CONSTITUTION. WHAT IS A CONSTITUTION? THE CONSTITUTION IS WHAT CARRIES THE SECOND AMENDMENT. WELL, FOR THERE

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TO BE A SECOND AMENDMENT, THERE MUST BE A FIRST AMENDMENT. WHAT'S THE FIRST AMENDMENT? THE FIRST AMENDMENT IS, THOU SHALL NOT BREAK THE SECOND AMENDMENT. OH. IS THERE A THIRD AMENDMENT? UM-HUM. IF YOU VIOLATE THAT SECOND AMENDMENT RIGHT OF MINE, THEN YOU SHOULD GO TO JAIL. THAT'S THE THIRD AMENDMENT, HUH? UH-HUM. WELL, HOW MANY AMENDMENTS ARE THERE? THE LAST I HEARD THERE ARE TEN. WHO PUT THEM THERE? I THINK MOSES BROUGHT THEM DOWN FROM MOUNT SINAI AND GOD WROTE THEM ON SOME TABLETS. [LB959]

SENATOR GLOOR: TIME, SENATOR. SENATOR SCHUMACHER, YOU ARE NEXT IN THE QUEUE. [LB959]

SENATOR SCHUMACHER: THANK YOU, MR. PRESIDENT AND MEMBERS OF THE BODY. WOULD SENATOR KOLOWSKI YIELD TO SOME QUESTIONS? [LB959]

SENATOR GLOOR: SENATOR KOLOWSKI, WOULD YOU YIELD? [LB959]

SENATOR KOLOWSKI: YES, SIR. [LB959]

SENATOR SCHUMACHER: SENATOR KOLOWSKI, IN YOUR PAST LIFE I UNDERSTAND THAT YOU WERE A SCHOOL SUPERINTENDENT? [LB959]

SENATOR KOLOWSKI: HIGH SCHOOL PRINCIPAL, YES, SIR. [LB959]

SENATOR SCHUMACHER: HIGH SCHOOL PRINCIPAL. AND THAT WOULD HAVE BEEN IN WHAT DISTRICT? [LB959]

SENATOR KOLOWSKI: THE MILLARD DISTRICT FOR 38 YEARS. [LB959]

SENATOR SCHUMACHER: OKAY. AND THE MILLARD DISTRICT, IS THAT PART OF THIS LEARNING COMMUNITY? [LB959]

SENATOR KOLOWSKI: YES, SIR. [LB959]

SENATOR SCHUMACHER: IS THAT ALSO IN DOUGLAS COUNTY OR IS THAT IN SARPY COUNTY? [LB959]

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SENATOR KOLOWSKI: YES, SIR, DOUGLAS COUNTY. [LB959]

SENATOR SCHUMACHER: BEFORE I RAISE THE ISSUE OF THE UNDERLYING PHILOSOPHICAL ISSUES OF LB1067, I THINK IT IS, THAT BASICALLY BOIL DOWN TO WHERE THE COST OF THE...HIGHER EDUCATIONAL COST FOR SOME OF THE POORER SECTIONS OF THE OMAHA METRO AREA SHOULD BE PLACED. RIGHT NOW, THE LEARNING COMMUNITY PLACES THOSE WITH THE SCHOOLS IN A HALF DOZEN OR SO DISTRICTS RIGHT IN THE OMAHA AREA. IS THAT CORRECT? [LB959 LB1067]

SENATOR KOLOWSKI: THEY HAVE TWO PHYSICAL PLANTS, ONE IN NORTH OMAHA AND ONE IN SOUTH OMAHA IN THE OMAHA PUBLIC SCHOOL DISTRICT. AND THE UTILIZATION OF THEIR KNOWLEDGE ON EARLY CHILDHOOD EDUCATION AND OTHER SERVICES FOR POVERTY STUDENTS WOULD BE DISPERSED AMONG THE 11 DISTRICTS, DEPENDING ON WHAT THAT DISTRICT WOULD LIKE TO WORK ON AND HOW MUCH SPACE THEY HAVE IN DIFFERENT LOCATIONS. [LB959]

SENATOR SCHUMACHER: AND THE PROPOSAL THAT WE'RE GOING TO BE CONSIDERING IN THIS TRIAD OF BILLS WOULD SHIFT SOME OF THAT RESPONSIBILITY TO THE TEEOSA FORMULA, THE FINANCIAL END OF IT. IS THAT RIGHT? [LB959]

SENATOR KOLOWSKI: I WOULD HAVE TO DEFER TO SENATOR SULLIVAN ABOUT THE PARTICULARS OF THAT COMPARED TO TEEOSA COMPARED TO THE LEARNING COMMUNITY BILL. YOU'RE MIXING A COMBINATION OF THINGS TOGETHER HERE THAT I'M NOT SURE EXACTLY WHERE THAT WOULD FALL, SIR. [LB959]

SENATOR SCHUMACHER: THERE'S A \$7 MILLION OR \$8 MILLION FIGURE THAT IT WOULD COME OUT OF--AT LEAST THAT I'VE SEEN--WOULD COME OUT OF THE STATE MONEY TO REPLACE SOMETHING THAT WOULD BE LOST BECAUSE OF THE COMMON LEVY GOING AWAY. AM I COMPLETELY...? [LB959]

SENATOR KOLOWSKI: I BELIEVE THAT'S CORRECT AS FAR AS THE DAMAGE OF THE COMMON LEVY RECEDING AND GOING AWAY IN THIS NEXT YEAR AND THAT WOULD REPLACE IT FOR THE ONE YEAR, YES. [LB959]

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SENATOR SCHUMACHER: AND WHAT IS, FROM YOUR PERSPECTIVE, THE PHILOSOPHICAL UNDERPINNINGS, THE REASONING WHY THAT BURDEN SHOULD SHIFT FROM THE COMMON LEVY ASSESSED FROM SCHOOLS IN THE METRO AREA TO THE STATE INCOME AND SALES TAXPAYERS? JUST PHILOSOPHICALLY, WHAT'S THE RIGHT WAY TO PAY FOR THIS ISSUE? [LB959]

SENATOR KOLOWSKI: PAY FOR...CLARIFY THE ISSUE AGAIN, SIR. [LB959]

SENATOR SCHUMACHER: THE ISSUE IS THE FUNDING OF THE LEARNING COMMUNITY PROJECTS, WHICH I TAKE IT ARE DIRECTED BASICALLY AT ONLY OMAHA PUBLIC SCHOOLS AND BECAUSE THEY HAVE THESE POORER SECTIONS OF TOWN. [LB959]

SENATOR KOLOWSKI: WELL, THERE IS MULTIPLE FUNDING IN THE LEARNING COMMUNITY. THEY HAVE AN ALLOCATION THAT THEY CAN MOVE TOWARD USING...CONCERNING THE FACILITIES, BUILDINGS THAT THEY MAY WANT TO RENT OR BUILD OR UTILIZE WITHIN THEIR BUDGET. THEY HAVE EARLY CHILDHOOD EDUCATION ALLOCATION ALSO WITHIN THEIR LEVY. AND I BELIEVE THE THIRD ONE DEALS...IT MIGHT DEAL WITH EARLY CHILDHOOD ITSELF. I'D HAVE TO LOOK AND SEE WHAT THAT IS AGAIN. BUT THERE'S A THREE-TIERED SET OF ALLOCATIONS WITHIN THAT. THE THING WE'RE DEALING WITH WOULD BE A COMMON LEVY BETWEEN ALL 11 DISTRICTS THAT WOULD BE DIVIDED AND HOW THAT GOT DIVIDED IN THE PAST YEARS. WITH 2008 TO 2009, WHEN WE STARTED THE LEARNING COMMUNITY, THE FINANCIAL TIMES WERE SO DISTRESSED THAT EVERYTHING THEY PROJECTED IT TO BE... [LB959]

SENATOR GLOOR: ONE MINUTE. [LB959]

SENATOR KOLOWSKI: ...TURNED OVER AND IT ENDED UP BEING BACKWARDS. [LB959]

SENATOR SCHUMACHER: THANK YOU, SENATOR KOLOWSKI. I THINK WE MAY EXAMINE THIS FURTHER IN FUTURE TIMES ON THE MIKE, BUT WHAT I'M TRYING TO ASCERTAIN IS WHAT IS THE PROPER WAY TO ASSESS THE COST OF SOME THE FUNCTIONS OF THE LEARNING COMMUNITY. IS IT PROPERLY ASSESSED BY THIS COMMON LEVY OR IS IT MORE PROPERLY ASSESSED BY SALES TAX OR INCOME TAXES COLLECTED FROM FOLKS A LONG WAY FROM OMAHA CONTRIBUTING TO THIS ISSUE? WHERE SHOULD A PROPER ASSESSMENT OF THIS BURDEN BE PLACED AND WHAT IS RIGHT AND WHAT IS FAIR? AND I THINK THOSE ARE FAIR

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ISSUES FOR US TO BE DISCUSSING HERE AS WE TRY TO EXAMINE THE PUBLIC POLICY BEHIND WHO WE SEND THE BILL TO, INSTEAD OF WHO CAN NEGOTIATE A DEAL IN THE CORNER. THANK YOU, MR. PRESIDENT. [LB959]

SENATOR GLOOR: THANK YOU, SENATOR SCHUMACHER. SENATOR CHAMBERS, YOU'RE NEXT IN THE QUEUE, BUT THIS WOULD BE YOUR LAST TIME TO SPEAK, SENATOR, AND THERE ARE OTHER SENATORS IN THE QUEUE. [LB959]

SENATOR CHAMBERS: SO THIS IS NOT THE CLOSE, THIS IS MY LAST SPEAKING CHANCE? [LB959]

SENATOR GLOOR: NO, THIS WOULD BE YOUR LAST OPPORTUNITY TO CLOSE, SENATOR. [LB959]

SENATOR CHAMBERS: OH, SO THIS IS CLOSING. [LB959]

SENATOR GLOOR: WELL, THERE ARE OTHER SENATORS IN THE QUEUE, SENATOR. [LB959]

SENATOR CHAMBERS: SO I CLOSE BEFORE THEY GET TO SPEAK? [LB959]

SENATOR GLOOR: YOU WOULD BE USING YOUR LAST OPPORTUNITY TO SPEAK AND NOT HAVE THEM... [LB959]

SENATOR CHAMBERS: I'M NOT GOING TO SPEAK NOW, THEN. I WON'T CLOSE UNTIL EVERYBODY ELSE HAS SPOKEN. [LB959]

SENATOR GLOOR: UNDERSTOOD. SENATOR CRAWFORD, YOU'RE RECOGNIZED. [LB959]

SENATOR CRAWFORD: THANK YOU, MR. PRESIDENT. IF WE'RE USING THIS TIME, I'M GOING TO GO AHEAD AND ANSWER...WHERE DID SENATOR SCHUMACHER GO? OH, SENATOR SCHUMACHER. I'M GOING TO GO AHEAD AND ANSWER SENATOR SCHUMACHER'S QUESTION ABOUT THE PHILOSOPHICAL ISSUE OF HOW WE SHOULD DEAL WITH INEQUALITIES AND WHO SHOULD PAY. IN MY PERSPECTIVE, WE HAVE THE TEEOSA FORMULA THAT HAS AN EQUALIZATION COMPONENT TO IT AND THAT'S HOW WE'RE USING STATE SALES AND INCOME

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TAX GENERATED ACROSS THE STATE. AND THE TEEOSA FORMULA IN OUR STATE IS SUPPOSED TO HELP EQUALIZE SCHOOL FUNDING SO THAT CHILDREN WHO LIVE IN HIGH POVERTY AREAS, REGARDLESS OF WHERE THEY LIVE, WHETHER IN THE METRO AREA OR ACROSS THE STATE, THOSE CHILDREN...THERE ARE EXTRA RESOURCES THAT ARE DEVOTED TO THOSE CHILDREN AND EDUCATION OF THOSE CHILDREN. AND SO I THINK THAT WHAT'S BEEN VERY IMPORTANT IN TERMS OF THE BILL COMING UP IS THAT WE RETURN TO THAT FUNDAMENTAL PRINCIPLE THAT'S BEEN A PRINCIPLE IN OUR STATE FOR SOME TIME, THAT IT IS THE SALES AND INCOME TAX IS THE SOURCE OF REVENUE THAT WE USE TO EQUALIZE AND IT'S IMPORTANT THAT WE RETURN TO THAT AND STAY CONSISTENT IN THAT. I THINK THE SALES AND INCOME TAX, ESPECIALLY THE INCOME TAX, IS AN IMPORTANT STATE REVENUE SOURCE AND THAT WE USE OUR STATE FOCUS TO EQUALIZE AND MAKE SURE THAT THERE ARE EQUAL OPPORTUNITIES FOR THOSE STUDENTS. SO IT'S IMPORTANT PHILOSOPHICALLY TO RETURN TO PUTTING THAT BACK ON THE STATE AS A POLICY PERSPECTIVE. NOW, I WOULD ALSO SAY THAT IT'S IMPORTANT AS A POLICY PERSPECTIVE THAT ONE OF THE THINGS THAT WE KNOW WE NEED TO DO IN THIS STATE IS TO REDUCE OUR RELIANCE ON PROPERTY TAX FOR EDUCATION FUNDING. SO THAT IS ANOTHER IMPORTANT REASON TO GET RID OF THE COMMON LEVY AND INSTEAD SHIFT THAT EQUALIZATION TASK BACK ONTO SALES AND INCOME TAX, BECAUSE THAT'S JUST ONE STEP IN WHAT NEEDS TO BE A MULTISTEP PROCESS OF SHIFTING MORE OF OUR ATTENTION AND MORE OF OUR EDUCATION FUNDING ON THE SALES AND INCOME TAX FUNDING. WE ARE 48th, 49th, SOMETHING LIKE THAT, IN TERMS OF OUR STATE EDUCATION, OUR STATE COMMITMENT TO SPENDING ON EDUCATION. AND THAT IS A BIG REASON WHY SYSTEMATICALLY WE HAVE AN OVERRELIANCE ON PROPERTY TAXES FOR FUNDING IN EDUCATION. AND SO THAT IS, FROM A POLICY PERSPECTIVE, THAT IS ANOTHER IMPORTANT REASON TO GET RID OF THE COMMON LEVY, TO RETURN AND KEEP OUR EMPHASIS ON MAKING SURE THAT WE'RE REDUCING RELIANCE ON PROPERTY TAXES AND FINDING WAYS TO MAKE SURE WE'RE STEPPING UP IN OUR STATE INVESTMENT IN PUBLIC EDUCATION TO CORRECT THAT SYSTEMATIC PROBLEM IN OUR STATE. AND THE PROBLEM OF OVERRELIANCE ON PROPERTY TAXES IS NOT JUST A METRO PROBLEM. THAT, AS MY RURAL COLLEAGUES KNOW FULL WELL, IS A STATEWIDE PROBLEM AND A PARTICULARLY PERSISTENT PROBLEM, EVEN MORE SO IN THE RURAL AREAS. SO IT'S IMPORTANT THAT WE CONTINUE THIS DISCUSSION OF HOW TO REDUCE OUR RELIANCE ON PROPERTY TAX AND SHIFT MORE OF OUR EDUCATION SPENDING TO SALES AND INCOME TAX. AND GETTING RID OF THE COMMON LEVY IS ONE STEP IN THAT PROCESS. THANK YOU, MR. PRESIDENT. [LB959]

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SENATOR GLOOR: THANK YOU, SENATOR CRAWFORD. SENATOR KOLOWSKI, YOU ARE NEXT IN THE QUEUE. [LB959]

SENATOR KOLOWSKI: THANK YOU, SIR. PART OF WHAT SENATOR SCHUMACHER MIGHT HAVE BEEN ASKING ABOUT COMES BACK TO A FIGURE I EXPLAINED ONCE BEFORE CONCERNING THE LEARNING COMMUNITY. IN THE SEVEN YEARS OF THEIR EXISTENCE, 2009 TO 2016, THE 11 DISTRICTS EACH YEAR HAVE LOST \$5.3 MILLION IN TEEOSA AID TO THE STATE...BACK TO THE STATE COMPARED TO THE COMMON LEVY THEY WERE LIVING AND EXISTING WITH. THOSE SEVEN YEARS TIMES \$5.3 MILLION A YEAR, THAT'S \$37 MILLION THAT HAS GONE BACK TO THE STATE, NEVER LEAVING THE STATE TO COME TO THESE DISTRICTS, AND HAS HAMPERED THOSE DISTRICTS OVER THAT TIME. IT'S JUST ANOTHER ONE OF THOSE INTERNAL ISSUES OR FAULTS, YOU MIGHT CALL IT, THAT HAPPENED WHEN THEY WENT TO THE COMMON LEVY AND UTILIZED THAT WITHIN THE LEARNING COMMUNITY. AND WITH THE REMAINDER OF MY TIME, I'D GIVE TO SENATOR SCHUMACHER IF HE'D LIKE TO USE IT. THANK YOU. [LB959]

SENATOR GLOOR: SENATOR SCHUMACHER, 3:50. [LB959]

SENATOR SCHUMACHER: THANK YOU, MR. PRESIDENT. SENATOR KOLOWSKI, WOULD YOU YIELD TO A QUESTION OR TWO THEN? [LB959]

SENATOR GLOOR: SENATOR KOLOWSKI, WOULD YOU YIELD? [LB959]

SENATOR KOLOWSKI: CERTAINLY. [LB959]

SENATOR SCHUMACHER: HOW DOES IT COME ABOUT THAT BY HAVING THIS COMMON LEVY THEY LOSE \$5.3 MILLION A YEAR? I DON'T UNDERSTAND THE CONNECTION THERE YET. [LB959]

SENATOR KOLOWSKI: WELL, NOT BEING AN ACCOUNTANT MYSELF, I JUST KNOW THE FIGURE. I DON'T KNOW HOW THAT HAPPENS, BUT WHEN THEY'RE FIGURING OUT THEIR LOGISTIC SHEET LIKE YOU WOULD WITH TEEOSA, THE DIFFERENT CATEGORIES AND AMOUNTS WITHIN EACH OF THE AREAS ENDED UP BEING LESS THAN THEY WERE GETTING THAN UNDER THE TEEOSA FORMULA. I'M SORRY I'M NOT GOOD OR SPECIFIC MORE ON THAT AS FAR AS AN ACCOUNTANT SIDE. [LB959]

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SENATOR SCHUMACHER: THANK YOU, SENATOR KOLOWSKI. SENATOR SULLIVAN, WOULD YOU YIELD TO A QUESTION? [LB959]

SENATOR GLOOR: SENATOR SULLIVAN, WOULD YOU YIELD? [LB959]

SENATOR SULLIVAN: YES. [LB959]

SENATOR SCHUMACHER: DO YOU UNDERSTAND HOW WE COME UP WITH THIS \$5.3 MILLION NUMBER? [LB959]

SENATOR SULLIVAN: WELL, THAT FUNDING THAT GOES TO THOSE MEMBER SCHOOL DISTRICTS ESSENTIALLY IS NOT COMING FROM STATE DOLLARS. IT COMES FROM THE POOLING OF ALL THE PROPERTY TAX DOLLARS IN THAT 11-MEMBER SCHOOL DISTRICT POOL, POD MADE UP OF THE LEARNING COMMUNITY. SO BY VIRTUE OF POOLING THOSE PROPERTY TAX DOLLARS AND THEN REDISTRIBUTING THEM BASED ON NEED, BECAUSE THERE ARE SOME HIGH PROPERTY VALUE DISTRICTS IN THE LEARNING COMMUNITY, THEN THERE IS LESS NEED FOR STATE EQUALIZATION AID. [LB959]

SENATOR SCHUMACHER: OKAY. SO BASICALLY, BECAUSE WE MAKE A LITTLE BIGGER AREA, IT LOOKS LIKE A WEALTHIER DISTRICT. AND, THEREFORE, IT LOOKS LIKE A WEALTHIER DISTRICT, THEY'RE INELIGIBLE FOR SOME AID. [LB959]

SENATOR SULLIVAN: WELL, IT GOES...IT STAYS WITHIN THE LEARNING COMMUNITY. AND SO THAT'S BEEN ONE OF THE BONES OF CONTENTION IS THAT SOME OF THOSE SCHOOL DISTRICTS ARE SAYING WE'RE SENDING OUR PROPERTY TAX DOLLARS TO BE USED BY OTHER SCHOOLS IN THE DISTRICTS IN THE LEARNING COMMUNITY. WE AREN'T ABLE TO USE THEM, SO IT GOES TO SOME OF THESE OTHER DISTRICTS WITHIN THE LEARNING COMMUNITY. AND BECAUSE OF THAT POOLING, THEN THEY DON'T NEED THAT ADDITIONAL STATE AID, WHICH IS WHAT SENATOR KOLOWSKI REFERRED TO AS THE COST OF ELIMINATING THE MINIMUM LEVY. [LB959]

SENATOR SCHUMACHER: BUT COULDN'T ONE MAKE THE SAME ARGUMENT IF THEY WERE IN A CITY DISTRICT? WELL, SOME OF MY...I'M ON THE NORTH SIDE OF THE TRACKS SO SOME OF MY MONEY, WE'RE GETTING LESS AID THAN IF WE DIVIDE IT INTO TWO DISTRICTS, NORTH SIDE OF THE TRACKS AND SOUTH SIDE

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OF THE TRACKS, BECAUSE THEN I WOULD HAVE MORE MONEY, I WOULDN'T HAVE TO SHARE WITH THE SOUTH SIDE OF THE TRACKS. ISN'T IT THE SAME DEAL? [LB959]

SENATOR GLOOR: ONE MINUTE. [LB959]

SENATOR SULLIVAN: WELL, THAT WAS ONE OF THE THINGS THAT CAME OUT OF THE EARLY DISCUSSIONS OF THE LEARNING COMMUNITY, IRONICALLY ENOUGH. I MEAN, I WASN'T HERE BACK IN 2006, BUT THERE WAS A MOVE TO SPLIT ONE DISTRICT INTO THREE. AND THEN THE NEGOTIATIONS ENSUED AND THEN WHAT WE ENDED UP WITH WAS THE COMMON LEVY AS PART OF THE LEARNING COMMUNITY. [LB959]

SENATOR SCHUMACHER: THANK YOU, SENATOR SULLIVAN. IT SEEMS TO ME MY GRANDMOTHER, WHEN THEY WERE MAKING FOOD OR SOMETHING THEY HAVE A WORD CALLED "MAW-CHING" (PHONETICALLY) AND JUST KIND OF "MAW-CHING" IN THE DOUGH AND WHATEVER. AND UNLESS WE UNDERSTAND THIS, IT LOOKS TO ME LIKE ALL WE'RE DOING IS "MAW-CHING" IN THIS WITHOUT ANY CLEAR DIRECTION OF WHY WE'RE DOING OR HOW WE'RE DOING IT. AND WE ARE SPENDING REAL MONEY AND MAKING REALLY LONG-TERM COMMITMENTS HERE. AND WE PROBABLY SHOULD HAVE AN UNDERSTANDING IN THIS TRIAD OF BILLS WHY WE'RE MAKING THIS COMMITMENT IN MONEY AND WHETHER IT'S A GOOD IDEA OR NOT. THANK YOU. [LB959]

SENATOR GLOOR: THANK YOU, SENATOR SCHUMACHER, SULLIVAN, AND KOLOWSKI. (VISITORS INTRODUCED.) RETURNING TO DEBATE, SENATOR KEN HAAR, YOU ARE RECOGNIZED. [LB959]

SENATOR HAAR: MR. PRESIDENT AND MEMBERS OF THE BODY, I KEEP COMING BACK IN MY MIND TO THE ORIGINAL AGREEMENT, DISTRICTS IN EXCHANGE FOR COMMON LEVY. AND I HAVE BEEN LISTENING AND I APPRECIATE THE FACT THAT THIS HAS BEEN BROUGHT UP FOR DISCUSSION. SO I'D LIKE TO GIVE MY REMAINING TIME TO SENATOR CHAMBERS. [LB959]

SENATOR GLOOR: SENATOR CHAMBERS, 4:30. [LB959]

SENATOR CHAMBERS: THANK YOU, SENATOR HAAR. THANK YOU MR. PRESIDENT. WHEN ALL OF THIS TALK WAS GOING ON ABOUT AID TO EDUCATION, AS ALWAYS

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HAPPENS, I WENT TO SENATOR RAIKES. HE WAS CHAIRPERSON OF THE EDUCATION COMMITTEE. HE AND I DISCUSSED SOMETHING I HAD OFTEN MENTIONED, THAT NORTH OMAHA IS NEVER GOING TO BE TREATED FAIRLY AS LONG AS IT'S A PART OF THE OMAHA PUBLIC SCHOOL SYSTEM. THERE ARE ALL TYPES OF FEDERAL AND STATE AIDS WHICH WILL COME TO THE OPS SYSTEM BECAUSE OF THE POVERTY AND OTHER DISADVANTAGE SITUATIONS THAT WOULD BE EXISTENT IN NORTH OMAHA AND TO SOME EXTENT IN SOUTH OMAHA. BUT THAT MONEY WOULD GO TO THE WESTERN PART OF THE DISTRICT. AND OUR AREA HAD RAMSHACKLE, RUN-DOWN SCHOOLS. THEY STARTED TO REPAIR THEM BECAUSE THEY LOOKED SO BAD, BUT THEY DIDN'T HAVE ADEQUATE BOOKS. SOME TEACHERS WOULD SAY, WELL, WE'RE GOING TO TAKE SOME STUFF OFF THE INTERNET AND WE'LL STAPLE IT TOGETHER AND THAT'S YOUR TEXTBOOK. YOU HAD NO BOOKS TO TAKE HOME TO DO HOMEWORK IN. CONSEQUENTLY, YOU HAD NO HOMEWORK. EVERY IMAGINABLE DISADVANTAGE THAT COULD BE LAID ON CHILDREN WAS HAPPENING TO OUR CHILDREN. I TOLD SENATOR RAIKES THAT WHITE PEOPLE IN THIS STATE ALWAYS TALK ABOUT LOCAL CONTROL. WELL, I THINK WE SHOULD DIVIDE OPS INTO THREE DISTRICTS. AND SINCE THERE ARE SEVEN HIGH SCHOOLS, THE BASIS FOR MAKING THE DIVISION WOULD BE THE ATTENDANCE AREAS OF THE HIGH SCHOOLS. THERE WOULD BE TWO HIGH SCHOOLS IN ONE DISTRICT, TWO HIGH SCHOOLS IN A SECOND DISTRICT, AND THREE IN THE THIRD, WHICH WOULD BE SEVEN HIGH SCHOOLS TAKEN CARE OF. OPS DID NOT WANT TO LOSE THE POWER THAT IT HAD OR THE MONEY THAT IT WAS DISTRIBUTING. THEY DIDN'T CARE ABOUT EDUCATION AT ALL, BECAUSE THOSE AREAS THAT I'M TALKING ABOUT GOT TEACHERS WITH THE LEAST EXPERIENCE, WHO HAD THE LEAST WORTHY ACADEMIC RECORD WHILE GOING THROUGH SCHOOL. IN OTHER WORDS, WE GOT THE LEAVINGS. WHERE THERE WAS THE GREATEST NEED, THERE WAS THE LEAST OFFERED, EVEN THOUGH MONEY WAS COMING INTO THAT DISTRICT. SO SENATOR RAIKES AND I AND HIS STAFF WORKED OUT THIS PLAN WHERE THE SCHOOL DISTRICT OPS WOULD BE DIVIDED INTO THREE DISTRICTS. THE FIRST THING THESE WHITE PEOPLE SAID, WELL, THAT WILL... YOU'RE CREATING SEGREGATION. NO. WHEN YOU ATTACK OPS FOR THAT THEY SAID, WELL, THE SCHOOLS ARE SEGREGATED BECAUSE THE RESIDENTIAL AREAS ARE SEGREGATED. SO AS SOON AS YOU PUT A SCHOOL IN THAT AREA, IT'S GOING TO BE SEGREGATED. I SAY, WELL, IF THAT'S NOT SEGREGATED WHEN OPS IS IN CHARGE OF IT, WHY ARE YOU GOING TO MAKE IT AN ISSUE NOW? THE OPS DREW THOSE ATTENDANCE BOUNDARIES FOR THE HIGH SCHOOL. THEY WERE NOT SEGREGATED THEN. SO WE'RE GOING TO HAVE THOSE SAME BOUNDARIES AS THE BASIS FOR THE DIVISION AND SO THEY WERE TRAPPED. THEY WANTED TO FILE A LAWSUIT. BUT TO GIVE YOU AN IDEA BEFORE I GET TO THAT, EACH

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ONE OF THESE DISTRICTS WOULD BE THE SAME AS ANY PUBLIC SCHOOL DISTRICT IN THE STATE. AND EACH ONE WOULD STILL BE LARGER THAN MOST OF THE SCHOOL DISTRICTS BECAUSE THEY WOULD HAVE 15,000 OR 17,000... [LB959]

SENATOR GLOOR: ONE MINUTE. [LB959]

SENATOR CHAMBERS: ...STUDENTS EACH. THEY WOULD HAVE THEIR OWN SUPERINTENDENT, THEIR OWN SCHOOL BOARD, HIRE THEIR OWN STAFF, ESTABLISH THE CURRICULUM--WITHIN THE BOUNDARIES OF WHAT'S ALLOWED BY THE STATE BOARD OF EDUCATION AND REQUIRED--HIRE THE TEACHERS, AND THE CONTROL WOULD BE IN THE HANDS OF THOSE WHO LIVE IN THAT AREA AND WHOSE CHILDREN ATTEND THE SCHOOLS, WHICH IS THE BASIS ON WHICH WHITE PEOPLE TALK ABOUT LOCAL CONTROL. BUT LOCAL CONTROL IS ALL RIGHT AS LONG AS IT APPLIED TO WHITE PEOPLE. WHEN BLACK PEOPLE WOULD CONTROL THE SCHOOLS IN THEIR AREA WHERE THE CHILDREN ATTEND, THAT WAS CALLED SEGREGATION, NO LONGER LOCAL CONTROL, AND IT WAS EVIL. I'LL STOP THERE AND THEN I'LL GO INTO A LITTLE BIT MORE OF HOW WE WOUND UP WITH THE LEARNING COMMUNITY INSTEAD OF THAT DIVISION, BECAUSE THE DIVISION WAS MADE AND WAS IN THE LAW. AND IT WAS CHALLENGED IN COURT, BUT THE COURT REFUSED TO GIVE A DECISION BECAUSE OPS DIDN'T WANT THAT DECISION BECAUSE IT WOULD HAVE BEEN UPHeld AS CONSTITUTIONAL. THANK YOU, MR. PRESIDENT. [LB959]

SENATOR GLOOR: THANK YOU, SENATOR CHAMBERS AND SENATOR HAAR. SENATOR SCHUMACHER, YOU ARE NEXT IN THE QUEUE. [LB959]

SENATOR SCHUMACHER: THANK YOU, MR. PRESIDENT AND MEMBERS OF THE BODY. WOULD SENATOR CRAWFORD YIELD TO SOME QUESTIONS? [LB959]

SENATOR GLOOR: SENATOR CRAWFORD, WOULD YOU YIELD? [LB959]

SENATOR CRAWFORD: YES. [LB959]

SENATOR SCHUMACHER: SENATOR CRAWFORD, IN YOUR DISCUSSION A MOMENT AGO YOU BEGAN TO HIT ON THE ISSUES WHICH ARE FUNDAMENTAL TO THE DISCUSSION OF TAXES AND THE DISCUSSION OF EDUCATION FUNDING. AND I THINK YOU USED THE WORD SHIFTING, THAT WE NEED TO SHIFT BURDEN FROM

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PROPERTY TAXES TO SALES AND INCOME TAXES. SO LET'S TRY TO EXAMINE THOSE RIGHT NOW. GENERALLY...LET'S LOOK AT INCOME TAXES FIRST. GENERALLY, WITH THE INCOME TAXES, THERE WOULD BE ABOUT FOUR--MAYBE THERE'S MORE, BUT GENERALLY TALKED--ABOUT FOUR DIFFERENT WAYS THAT WE MIGHT BE ABLE TO SQUEEZE SOME MORE JUICE OUT OF THAT TURNIP. ONE, WE'D GET RID OF THE MORTGAGE DEDUCTION, WHICH A LOT OF PEOPLE TAKE ON THEIR HOME INTEREST AND WHICH WOULD DRIVE THE REALTORS UP THE WALL IF WE GOT RID OF. TWO, THE CHARITABLE DEDUCTIONS WHERE PEOPLE GIVE TO CHURCHES OR THEIR OWN PRIVATE FOUNDATIONS AND THAT EFFECTIVELY REDUCES THE AMOUNT OF...REDUCES THE...MAKES MORE AVAILABLE TAXES. WE COULD GET RID OF SOME OF THE VARIOUS BUSINESS TAX CREDIT PROGRAMS OR A SOCIAL WELFARE KIND OF TAX CREDIT TO CHILD INCENTIVES, THOSE KINDS OF THINGS. OR WE COULD RAISE TAX RATES, WHICH AT LEAST THE BUSINESS COMMUNITY MAKES SOMEWHAT OF A CREDIBLE ARGUMENT ARE ON THE HIGH END OF NORMAL NOW. SO THAT BEING THE CASE, WHAT'S YOUR FEELING AS TO, IF WE'RE GOING TO SHIFT TO INCOME TAXES, WHAT MECHANISM AND WHAT IMPACT OF THAT MECHANISM AND IS IT POLITICALLY REALISTIC? [LB959]

SENATOR CRAWFORD: THANK YOU, SENATOR SCHUMACHER. WELL, YOU'RE ON THE REVENUE COMMITTEE SO YOU KNOW A LOT MORE ABOUT THE DETAILS OF WHERE THE MONEY FLOWS THAN I DO. WHAT WAS STRIKING TO ME BEFORE I CAME HERE WAS A REPORT BY OPENSKY. AND IT HAD A BAR CHART IN THAT REPORT AND IT WAS TALKING ABOUT THE BUDGET AND THE BAR CHART HAD TWO BARS. AND ONE BAR WAS THE SPENDING BAR AND THE OTHER BAR WAS THE TAX EXPENDITURE BAR. SO A TAX EXPENDITURE...SO THE SPENDING WE ALL SEE AND IT SHOWS UP ON OUR SHEET AND WE VOTE FOR IT EACH YEAR AND CONTROL IT IN THAT WAY AND HAVE A STRONG APPROPRIATIONS COMMITTEE TO CONTROL IT, BUT THE TAX EXPENDITURE IS THE REVENUE WE DON'T SEE. AND, SENATOR SCHUMACHER, THE TAX EXPENDITURE BAR IS MUCH HIGHER THAN THE SPENDING BAR. AND I THINK THAT IS THE AREA WE REALLY NEED TO EXAMINE, IS WE NEED TO LOOK AT THE REVENUE THAT'S GETTING STOPPED BEFORE IT GETS HERE. AND WE HAD THAT DISCUSSION. WE HAD THE DISCUSSION ABOUT MOVING THE SUNSET DATES ON THE ADVANTAGE ACT. THOSE ARE THE DISCUSSIONS WE NEED TO HAVE ABOUT WHAT STOPS OUR REVENUE FROM ARRIVING AND HOW THOSE POLICIES NEED TO BE CONSIDERED TO MAKE SURE WE'RE MAKING GOOD DECISIONS ON THE TAX EXPENDITURES AS WELL AS OUR SPENDING. [LB959]

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SENATOR SCHUMACHER: SO BASICALLY THEN, WHAT YOU WOULD BE SUGGESTING OUT OF THE FOUR THINGS I OUTLINED, WE GET RID OF OR EXAMINE SOME OF THESE CREDITS WHERE WE GIVE PEOPLE SPECIAL CONSIDERATION AND DON'T TAX THEM IF THEY DO CERTAIN THINGS THAT ARE SUPPOSED TO DO GOOD. [LB959]

SENATOR CRAWFORD: I'M SAYING THAT THAT IS AN AREA OF FOCUS. I'M NOT SAYING THAT ALL OF THOSE ARE A BAD IDEA OR THAT IT WAS A POLICY PRINCIPLE I WOULD RULE OUT ENTIRELY. I'M SAYING THAT WHEN I LOOK AT WHERE I THINK THE MONEY IS GOING, THAT'S AN AREA...IF WE'RE GOING TO FOCUS ON THE AREA WHERE I THINK WE HAVE THE GREATEST REVENUE SHORTFALL IN TERMS OF REVENUE NOT COMING IN, THAT'S AN AREA I WOULD EXAMINE. BUT, AGAIN, I'M NOT SAYING IT IS A... [LB959]

SENATOR GLOOR: ONE MINUTE. [LB959]

SENATOR CRAWFORD: ...PRINCIPLE THAT I WOULD RULE OUT AND IT'S NOT THE CASE THAT IT DOESN'T MEAN THERE AREN'T FUTURE AREAS WHERE A TAX EXPENDITURE MAKES SENSE IN TERMS OF A PRUDENT POLICY DECISION. I'M JUST SAYING I THINK THAT'S THE AREA WHERE WE ARE GOING TO GAIN THE MOST FROM EXAMINING WHAT WE'RE DOING NOW AND LOOKING TO MAKE CHANGES. [LB959]

SENATOR SCHUMACHER: THANK YOU, SENATOR CRAWFORD. AGAIN, WE'RE DEALING WITH AT LEAST TRYING TO HEAR SOME OF THE BIGGER ISSUES AND THE BIGGER TRADEOFFS THAT WE'RE LOOKING AT BECAUSE EVERY ONE OF THESE CREDITS, SOME FOLKS WILL MAKE A REALLY TERRIFIC ARGUMENT THAT THEY'RE A GREAT THING. AND WE RATHER BLINDLY EXTENDED THEM OUT THREE YEARS OR IN THE PROCESS--I'M NOT SURE IF THAT BILL CLEARED FINAL READING OR NOT--OF EXTENDING THINGS OUT WHILE WE HAVE A STUDY THAT'S SUPPOSED TO TELL US WHETHER THEY DO ANY GOOD IN A YEAR OR TWO. AND AN EFFORT, AT LEAST THAT I MADE, AND MAYBE SOMEBODY ELSE WILL MAKE A DIFFERENT ONE TO SAY, WAIT A MINUTE, THAT JUMPED THE GUN A LITTLE. HAD NO FRUIT. THESE ARE NOT EASY ANSWERS AND... [LB959]

SENATOR SCHEER PRESIDING

SENATOR SCHEER: TIME, SENATOR. [LB959]

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SENATOR SCHUMACHER: THANK YOU. [LB959]

SENATOR SCHEER: THANK YOU, SENATOR CRAWFORD AND SENATOR SCHUMACHER. SENATOR CHAMBERS, YOU'RE WELCOME TO CLOSE ON YOUR FLOOR AMENDMENT. [LB959]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, TO CONTINUE, SENATOR RAIKES AND I WERE ABOUT TO BE TERM LIMITED OUT. REMEMBER THE DIVISION OF OPS INTO THREE DISTRICTS HAD BEEN ACCOMPLISHED, IT WAS IN THE LAW. BOTH OF US REALIZED THAT WE WOULD NOT BE IN THE LEGISLATURE TO DEFEND THAT CONCEPT. THE REASON OPS AND THESE OTHERS DID NOT WANT THE LAWSUIT TO BE DECIDED IS BECAUSE THEY COULDN'T RAISE THE ARTICLE THAT IT...THE ARGUMENT, CREATES UNCONSTITUTIONAL SEGREGATION. IT DID NOT. SO WE DECIDED THAT WE WOULD TAKE A DIFFERENT VIEW AND A DIFFERENT APPROACH. AND I'M NOT GOING TO GO THROUGH ALL OF THE MINUTE DETAILS, BUT WE WOULD CREATE A LEARNING COMMUNITY. A PART OF THAT WOULD BE REPEALING THE LAW THAT DIVIDED OPS INTO THREE DISTRICTS. THAT WOULD MEAN THAT THIS IDEA OF ONE CITY, ONE SCHOOL DISTRICT MIGHT BECOME A SPECTER ONCE AGAIN. SO THAT WOULD BE TAKEN OFF THE TABLE BY REPEALING THE LAW THAT REQUIRED ONE CLASS V SCHOOL DISTRICT IN ANY CITY OF THE METROPOLITAN CLASS. ALSO...AND THAT WOULD PROTECT THE RURAL...I MEANT THE SUBURBAN DISTRICTS. THEY WOULDN'T HAVE TO BE INVOLVED WITH ANYTHING WITHIN THE CONFINES OF OMAHA IF THEY HAD SET UP THEIR SCHOOL DISTRICTS, EVEN IF THEY INTRUDED WITHIN THE BOUNDARIES OF OMAHA. THERE WERE SOME DISTRICTS, INCLUDING SENATOR CRAWFORD'S, THAT WERE HAVING BOUNDARY DISPUTES AND THEY GOT WHAT THEY WANTED. THAT WAS ONE OF THE PARTS OF THE DEAL, THEIR BOUNDARY DISPUTE WOULD BE SETTLED. SO THE SUBURBAN DISTRICTS GOT WHAT THEY WANTED. SENATOR CRAWFORD'S DISTRICT AND WHOEVER THEY WERE ARGUING WITH GOT WHAT THEY WANTED. OPS GAVE UP THE ONE CITY, ONE SCHOOL DISTRICT AND THE LEARNING COMMUNITY WAS CREATED, A CONSORTIUM OF THESE 11 SCHOOL DISTRICTS AND BECAUSE THE INNER PART OF OPS HAD GROWN TAX POOR BECAUSE A LOT OF THE DEVELOPMENT WAS GOING TO THE WESTERN AREA. AND ALL THESE THAT GOT WHAT THEY WANTED AS APART OF THE DEAL SAID, WELL, WHAT WE WILL DO IS CREATE THIS COMMON POOL LIKE A POT. AND EACH DISTRICT WOULD CONTRIBUTE ACCORDING TO ITS ABILITY, BASED ON WHAT THEIR TAXING IS. AND THEN THE MONEY WOULD BE DISBURSED ON THE BASIS OF THE NEED OF THE SCHOOLS. AND THAT WAS FINE WITH EVERYBODY. WHEN ENOUGH TIME PASSED, THEN THEY DECIDED THEY WOULD RENEGE ON THEIR DEAL. SO IF THEY'RE GOING TO

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TAKE THE COMMON LEVY, I'VE GOT AN AMENDMENT TO RESTORE ONE CITY, ONE SCHOOL DISTRICT, AND WE'LL STRIKE ALL OF THAT LANGUAGE ABOUT THE BOUNDARY DISPUTES. AND THIS IS WHY I SAY, BLACK PEOPLE KNOW WHAT THE NATIVE AMERICANS FEEL LIKE, BECAUSE WE GAVE UP THE MOST. AND AFTER THEY GOT WHAT THEY WANTED, NOW THEY RENEGE AND SAY ALL BETS ARE OFF. BUT WE WANT TO KEEP WHAT WE GOT. WE DON'T WANT TO GO BACK TO THE WAY IT WAS. I WANT US TO GO ALL THE WAY BACK TO THE WAY IT WAS, SO THAT THOSE WHO WERE NOT HERE AT THAT TIME CAN SEE AND EXPERIENCE WHAT WAS GOING ON. THOSE SUPERINTENDENTS WERE NOT EVEN TALKING TO EACH OTHER. AND YOU KNOW WHAT BROUGHT THEM ALL TOGETHER? I DID. NOT SAYING, YOU ALL COME TOGETHER. BUT THE THINGS THAT I WAS DOING MADE THEM REALIZE THAT MAYBE THEY BETTER SIT DOWN AND TALK ABOUT AND GET WHAT WAS BEST FOR THEIR INDIVIDUAL INTERESTS. AND THAT'S WHAT THEY DID AND THAT'S WHAT THEY GOT. [LB959]

SENATOR SCHEER: ONE MINUTE. [LB959]

SENATOR CHAMBERS: AND NOW HERE WE ARE. I SAID THAT MUCH BECAUSE SOMETHING NEEDED TO BE SAID. BUT I'VE STAYED OUT OF THIS PART OF THE DISCUSSION BECAUSE I'M DISGUSTED WITH IT. I'M DISGUSTED WITH THOSE WHO SAID THEY NEGOTIATED, THAT THEY REACHED AGREEMENTS. SO IT'S LIKE THE NATIVE AMERICANS, WHITE PEOPLE NEGOTIATE AND DECIDE WHAT'S GOING TO HAPPEN TO THEM. WHITE PEOPLE IN EUROPE WENT TO AFRICA AND ASIA AND INDIA AND THEY DREW LINES ON A MAP AND THESE BECAME COUNTRIES. THEY BECAME POSSESSIONS OF THE WHITE PEOPLE. AND THE PROBLEMS THAT EXIST IN THE MIDDLE EAST AND THESE OTHER PARTS OF THE WORLD ARE BECAUSE OF WHAT WHITE PEOPLE DID IN EUROPE. AND WE SUFFER FOR IT TODAY. AND WE'RE THE ONES BLAMED FOR IT AND I GOT TO SIT IN THIS LEGISLATURE AND LISTEN TO THIS KIND OF DISCUSSION. I CAN'T EVEN USE THE LANGUAGE YOU ALL WOULD US. SO I'M GOING TO BE AN OBSTRUCTIONIST. AND THIS DISCUSSION HAS REENERGIZED ME. DON'T TALK TO ME ABOUT AGREEING ON ANYTHING. I'M GOING TO TAKE NOTHING BUT TIME. YOU MIGHT STILL GET YOUR CLOTURE VOTES,... [LB959]

SENATOR SCHEER: TIME, SENATOR. [LB959]

SENATOR CHAMBERS: ...BUT I'M GOING TO PUNISH NOW. THANK YOU, MR. PRESIDENT. [LB959]

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SENATOR SCHEER: THANK YOU, SENATOR CHAMBERS. THE QUESTION BEFORE US IS THE ADOPTION OF...SENATOR CHAMBERS. [LB959]

SENATOR CHAMBERS: CALL OF THE HOUSE AND ROLL CALL VOTE. [LB959]

SENATOR SCHEER: 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 AGAINST VOTE NAY. RECORD, MR. CLERK. [LB959]

ASSISTANT CLERK: 17 AYES, 0 NAYS TO GO UNDER CALL, MR. PRESIDENT. [LB959]

SENATOR SCHEER: 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 DAVIS, SMITH, BRASCH, KINTNER, COASH, STINNER, GROENE, McCOLLISTER, HOWARD, PANSING BROOKS, SCHNOOR AND KUEHN, THE HOUSE IS UNDER CALL. SENATOR McCOLLISTER, SENATOR BURKE HARR, PANSING BROOKS, KUEHN, THE HOUSE IS UNDER CALL. SENATOR PANSING BROOKS, SENATOR BURKE HARR, THE HOUSE IS UNDER CALL. PLEASE RETURN TO THE FLOOR. SENATOR BURKE HARR, SENATOR PANSING BROOKS, WE ARE UNDER CALL. PLEASE RETURN TO THE FLOOR. SENATOR BURKE HARR, WOULD YOU PLEASE RETURN TO THE CHAMBER. THE HOUSE IS UNDER CALL. WE ARE ALL NOW ACCOUNTED FOR. SENATOR CHAMBERS, REGULAR ORDER? IS THAT THE REQUEST? MR. CLERK. [LB959]

ASSISTANT CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGE 1502.) THE VOTE IS 0 AYES, 36 NAYS, MR. PRESIDENT, ON THE ADOPTION OF FA119. [LB959]

SENATOR SCHEER: ADOPTION FAILS. MR. CLERK. MR. CLERK, FOR ITEMS. RAISE THE CALL. [LB959]

ASSISTANT CLERK: MR. PRESIDENT, SOME ITEMS: YOUR COMMITTEE ON THE EXECUTIVE BOARD TO WHOM WAS REFERRED LR601 REPORTS TO THE LEGISLATURE FOR FURTHER CONSIDERATION; LR547 FOR FURTHER CONSIDERATION WITH AMENDMENTS. A COMMUNICATION FROM THE GOVERNOR. (READ RE LB567, LB677, LB678, LB679, LB680, LB680A, LB684, LB694,

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LB712, LB725, LB726, LB731, LB736, LB750, LB770, LB770A, LB783, LB783A, LB784, LB790, LB813, LB814, LB814A, LB816, LB823, LB842, LB865, AND LB875.) A REPORT FROM THE HEALTH AND HUMAN SERVICES COMMITTEE REGARDING AN APPOINTMENT. AND A MOTION FROM SENATOR KINTNER TO PLACE LB187 ON GENERAL FILE PURSUANT TO RULE 3, SECTION 20. THAT'S ALL I HAVE, MR. PRESIDENT. (LEGISLATIVE JOURNAL, PAGES 1502-1504.) [LR601 LR547 LB567 LB677 LB678 LB679 LB680 LB680A LB684 LB694 LB712 LB725 LB726 LB731 LB736 LB750 LB770 LB770A LB783 LB783A LB784 LB790 LB813 LB814 LB814A LB816 LB823 LB842 LB865 LB875 LB187]

SENATOR SCHEER: MR. CLERK.

ASSISTANT CLERK: A PRIORITY MOTION. SENATOR CHAMBERS WOULD MOVE TO RECONSIDER THE VOTE ON THE AMENDMENT TO STRIKE SECTION 13, THAT BEING FA119. [LB959]

SENATOR SCHEER: SENATOR CHAMBERS, YOU'RE RECOGNIZED TO OPEN. [LB959]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. MEMBERS OF THE LEGISLATURE, THE RURAL PEOPLE GOT SOMETHING OUT OF THAT DEAL, TOO. THEY WERE LOSING POPULATION, AND BECAUSE THEY DIDN'T HAVE AS MANY STUDENTS, THEIR STATE AID WAS GOING TO BE CUT SO THEY GOT EITHER \$2 MILLION OR \$3 MILLION, AND THAT'S WHAT BROUGHT THEM ON-BOARD. EVERYTHING WHITE GOT SOMETHING OUT OF THAT DEAL, EVERYTHING. AND NOW HERE THEY COME. AND I'M TOLD BY WHITE PEOPLE HERE, THIS IS GOOD WHAT THEY'RE DOING NOW. THOSE WHO DID IT BEFORE OR HAVE YOU TO DO IT TO US NOW, TO HURT US NOW, AND THOSE WHO COME AFTER YOU WILL UNDERCUT WHAT YOU'RE DOING NOW. YOU CAN'T BE TRUSTED. I DON'T TRUST YOU. AND THAT'S WHY YOU WANT TO TAKE THE COMMON LEVY. THAT'S THE ONLY THING THAT GAVE STABILITY, PREDICTABILITY, SUSTAINABILITY, AND THEY KNEW IT. AND THEY KNOW HOW TO GO RIGHT TO THE HEART OF A THING AND TEAR THE HEART OUT, AND IT'S ALWAYS FOR THEM. I'M GOING TO MAKE IT HARD FOR YOU TO DO. YOU CAN DO IT, BECAUSE THERE ARE ENOUGH OF YOU. YOU KNOW WHY YOU CAN GO TO AFRICA AND DESTROY PEOPLE? BECAUSE YOU HAD KILL POWER. THAT'S WHAT YOU HAD. FRENCH IS NOT AN INDIGENOUS LANGUAGE IN AFRICA. "COTE d'IVOIRE" THEY SAY THAT BECAUSE FRENCH PEOPLE CAME THERE. ENGLISH PEOPLE SAY IVORY COAST. ENGLISH IS NOT THE NATIVE TONGUE IN AFRICA OR THESE OTHER COUNTRIES. ONE OF THE PROBLEMS IN AFGHANISTAN IS THESE WHITE PEOPLE DREW THESE LINES ON

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THE MAP AND SOME OF THEM LITERALLY WENT THROUGH THE HOME OF FAMILIES. AND A FAMILY IN THIS HOUSE LIVES IN ONE COUNTRY AND THE FAMILY ON THE OTHER SIDE. AND THAT'S WHY WHEN THEY HAD THESE BATTLES, THESE AMERICANS WENT THERE, DIDN'T EVEN KNOW GEOGRAPHY, DIDN'T UNDERSTAND THE HISTORY, THEY SAID WHY WERE THE PEOPLE IN THAT COUNTRY FIGHT AGAINST US? WHY DO THEY HELP THE PEOPLE OVER HERE WHO ARE...? THEY SAY--FOOL, WE WERE ONE TRIBE AND YOU DREW A LINE ON A MAP IN EUROPE AND THAT BECAME THE REALITY. BUT IT WAS NOT THE REALITY FOR US. YOUR WHITE MAN'S LINE MAY DIVIDE US ON A PIECE OF PAPER IN EUROPE, BUT IT DOESN'T DIVIDE US HERE ON THE GROUND. WE ARE A FAMILY; WE ARE A PEOPLE, AND WE WILL STICK TO EACH OTHER IF IT MEANS KILLING AMERICANS WHO CAME HERE AND BROUGHT THIS MESS IN THE FIRST PLACE. THEY CAN'T EVEN TAKE CARE OF THEIR OWN HOME. THEY'VE GOT SEGREGATION, DISCRIMINATION, JIM CROWISM, CHEATING BLACK CHILDREN OUT OF EDUCATION, MEDICAL CARE, THE OPPORTUNITY TO BUY PROPERTY--HOW DO YOU DO THAT?--REDLINING. ALL OF THESE THINGS AIMED AGAINST BLACK PEOPLE, THEN YOU WANT ME TO STAND UP AND TALK ABOUT ONE NATION UNDER GOD WITH LIBERTY AND JUSTICE FOR ALL--NOT FOR ALL. I FORGOT THAT SENATOR SCHEER WAS ON THE STATE BOARD OF EDUCATION WHEN I WANTED TO DO AWAY WITH ALL OF THAT MESS IN THE CLASSROOM. BUT I DON'T BLAME HIM, HE'S WHITE. LIBERTY FOR ALL HIS WHITE PEOPLE, BUT NOT ALL OF THEM, BECAUSE IF YOU'RE LGBT, YOU DON'T HAVE LIBERTY, YOU DON'T HAVE JUSTICE. THEY MAKE THESE KIDS TELL LIES IN SCHOOL IN A SO-CALLED PLEDGE. THAT'S WHAT WE ON THE OUTSIDE LOOK AT AND THINK ABOUT AND HAVE TO SWALLOW AND DIGEST EVERY SINGLE DAY OF OUR EXISTENCE. AND THAT'S THE GREATEST PRIVILEGE YOU HAVE. YOU DON'T HAVE TO WAKE UP IN THE MORNING AND LOOK AT YOURSELF AND SAY I'M WHITE AND THAT MEANS I'M GOING TO HAVE PROBLEMS TODAY JUST BECAUSE I'M WHITE. YOU DON'T HAVE TO DO THAT. YOU COULDN'T DO IT. YOU COULDN'T FUNCTION. YOU WOULD LOSE YOUR MIND AND YOU'RE LOSING YOUR MINDS NOW WHEN YOU'VE GOT EVERYTHING YOUR WAY. YOU KNOW WHAT WHITE PEOPLE DO? WHEN THEY ALL WANTED TO HAVE GUNS, THEY TOLD THE CDC THAT YOU CAN NO LONGER SAY IT'S A PUBLIC HEALTH PROBLEM. IT'S NOT A PUBLIC HEALTH PROBLEM AND CDC COULD NOT ADDRESS IT ANY LONGER. THEY COULD NOT. BUT NOW THAT ALL OF THESE WHITE PEOPLE ARE GETTING OVERDOSED ON OPIOIDS, INCLUDING HEROIN, YOU KNOW WHAT THE OBAMA ADMINISTRATION SAID? THEY ARE PROCLAIMING IT A HEALTH...A PUBLIC HEALTH PROBLEM. THE GUNS WHICH ARE INDEED A PUBLIC HEALTH PROBLEM, CANNOT EVEN BE ADDRESSED BY CDC. BUT NOW THAT WHITE PEOPLE ARE DRUGGED OUT, DYING FROM OVERDOSES, GOING TO HEROIN BECAUSE IT'S CHEAPER THAN THAT OVER THE

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COUNTER...NOT OVER THE COUNTER, BUT THE PRESCRIPTION DRUGS. SO NOW WHAT WAS CALLED CRIMINALITY WHEN THEY THOUGHT IT WAS RESTRICTED TO THE BLACK COMMUNITY, NOW THAT IT'S IN THE WHITE COMMUNITY THEY CHANGE THE NAME BUT NOT THE GAME AND IT'S NOW A PUBLIC HEALTH ISSUE. YOU HAVE TO STOP DECRIMINALIZING... YOU HAVE TO DECRIMINALIZE IT, AND YOU ALSO HAVE TO EQUIP ALL OF THESE FIRST RESPONDERS AND POLICE OFFICERS WITH THESE ANTIDOTES SO THAT WHEN YOU GET SOME OF THESE WHITE PEOPLE WHO ARE OVERDOSING, WHITE KIDS, YOU CAN ADMINISTER IT YOURSELF. YOU'RE NOT A DOCTOR. WE HAVE A SO-CALLED SCIENTIST IN HERE SAYING THAT PARENTS SHOULD NOT BE ABLE TO ADMINISTER THIS MEDICATION TO THEIR CHILDREN. BUT THEY'VE GOT THESE COPS, OTHERS WHO WILL BE CALLED TO THE SCENE AND THEY'RE ADMINISTERING MEDICATION TO SAVE THE LIVES OF THESE WHITE PEOPLE WHO ENGAGE IN WHAT WAS CRIMINAL ACTIVITY. BUT SINCE IT'S WHITE PEOPLE NOW, IT'S NOT A CRIME, IT'S A PUBLIC HEALTH ISSUE. YOU ALL HAVE NO IDEA OF THE BURDENS THAT BLACK PEOPLE CARRY. THERE WAS A LITTLE BITTY WHITE BOY ON TELEVISION, LITTLE BITTY FELLOW IN A CRIB, AND HE WAS JUST STANDING UP HOLDING ON TO THE BARS LIKE LITTLE KIDS WILL DO. AND HE HAD ONE OF THESE MAGIC PHONES, OR WHATEVER KIND OF DEVICE IT WAS, AND THE PARENT TOOK IT FROM HIM. SO THEN HE HAD ANOTHER ONE AND THEY TOOK THAT FROM HIM. AND YOU KNOW WHAT HE DID IN HIS LITTLE DEEP VOICE? (SINGING)--NOBODY KNOWS THE TROUBLE I SEE. IMAGINE A LITTLE BITTY WHITE BOY SINGING THAT. IT WAS A CLEVER COMMERCIAL. BUT THAT'S FROM WHAT YOU ALL CALL A NEGRO SPIRITUAL. AND YOU DON'T KNOW BECAUSE THE TROUBLE I SEE IS CAUSED BY YOU ALL. WHAT DO YOU THINK I THINK ABOUT WHEN I COME HERE EVERY DAY AND WORK AS HARD AS I WORK TO TRY TO HELP BRING JUSTICE IN YOUR SOCIETY BECAUSE YOU HAVE GENERATED SO MUCH INJUSTICE ON EVERYBODY? A WHITE BISHOP, OR ARCHBISHOP, IS GOING TO REFER TO PEOPLE AS PERVERSIONS. THEN I, THE BLACK MAN, HAVE TO STAND HERE AND FIGHT HARDER THAN ANYBODY ELSE, LONGER THAN ANYBODY ELSE, MORE FEROCIOUSLY THAN ANYBODY ELSE TO TELL YOU, WHITE PEOPLE, LEAVE YOUR WHITE PEOPLE ALONE. AND IF YOU DON'T WANT THEM, BECAUSE THEY HAVE AN ORIENTATION YOU DON'T LIKE, THEN LET ME SAY THEY'RE MY PEOPLE AND I CAN SAY--LET MY PEOPLE GO. YOU WON'T SAY IT. YOU WON'T DO IT. AND YOU WHINE, STICK YOUR HAND OUT, THAT'S WHAT THESE BILLS ARE ABOUT RIGHT NOW. GIVE WHITE PEOPLE WHAT THEY WANT. WHO CAN WHINE THE LOUDEST? THAT'S WHAT THIS IS ABOUT. I'M GOING TO TAKE MY TIME TODAY AND WHEN YOU GET TO CLOTURE, VOTE CLOTURE AND MOVE THIS ONE AND THEN THE NEXT ONE, AND THEN THE NEXT ONE. BUT WHEN WE GET TO FINAL READING, THAT'S WHEN I'M GOING TO SHOW YOU. I'M, RIGHT NOW, HAVING AMENDMENTS

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DRAFTED TO EVERY BILL CURRENTLY ON FINAL READING BECAUSE WE HAVE THE LIST. AND I'M GOING TO HAVE THEM DRAFTED FOR EVERY BILL ON SELECT FILE. AND DON'T THINK I'M NOT GOING TO FILE THEM BECAUSE WHEN I GET THEM, I'M GOING TO PUT THEM UP THERE SO EVERYBODY CAN KNOW WHAT IS IN STORE AND THAT I MEAN IT AND I'LL CARRY THROUGH ON IT. YOU ALL DREW ME INTO THIS. YOU WOULDN'T LET ME STAY IN MY OFFICE AND LET YOU WHITE PEOPLE ARGUE THE WAY WHITE PEOPLE ARGUE AMONG THEMSELVES. YOU HAD TO MESS WITH ME. WELL, NOW THAT YOU'VE GOT ME, AND NOW THAT YOU'VE OPENED THE CAGE DOOR, THE BLACK PANTHER COMES FORTH AND COMES FORTH ROARING. WHAT DO YOU EXPECT? YOU'RE GOING TO BAIT AN ANIMAL WITH A SHARP STICK. YOU'RE GOING TO BAIT HIM AND BAIT HIM, THEN YOU OPEN THE CAGE DOOR AND OUT HE COMES. AND HE'S NOT GOING TO COME OUT AND SAY, MEOW, MEOW, AND LICK YOUR HAND. [LB959]

SENATOR SCHEER: ONE MINUTE. [LB959]

SENATOR CHAMBERS: YOU STICK YOUR HAND THERE AND HE'LL BITE IT OFF LIKE THAT TIGER TRIED TO DO WITH THAT WHITE WOMAN. THAT'S THE WORLD I LIVE IN. AND THAT'S WHY IT'S NOT HARD FOR ME TO DO WHAT I DO HERE. YOU COULDN'T LIVE IN THE WORLD THAT I LIVE IN AND WHERE I LIVE... YOU THINK THAT YOUR UGLY LOOK AT ME MEANS SOMETHING TO ME? YOU'RE GOING TO INTIMIDATE ME? YOU'RE GOING TO INTIMIDATE ME WITH A LOOK OR BECAUSE YOU'RE MAD ABOUT SOMETHING? IT TAKES A LOT MORE THAN THAT. YOU ALL ARE PLAYING SANDBOX, GRADE SCHOOL STUFF HERE. AND YOU GET SCARED AND GO TO SHAKING BECAUSE A WHITE GOVERNOR TELLS YOU--GET OVER HERE AND DO THIS; AND YOU GET OVER THERE AND YOU DO IT. AND THAT'S WHAT THESE THREE BILLS ARE ABOUT AND THAT'S WHY I HAVE CONTEMPT FOR THIS PROCESS. AND I HAVE CONTEMPT FOR YOU ALL WHEN YOU KNUCKLE UNDER; THEN YOU PLAY LIKE YOU'RE DOING THE PUBLIC'S BUSINESS. YOU'RE DOING THE GOVERNOR'S BUSINESS. THEN YOU CAN'T EVEN TELL THE TRUTH ABOUT THESE BILLS. [LB959]

SENATOR SCHEER: TIME, SENATOR. [LB959]

SENATOR CHAMBERS: YOU'LL GET THEM. AND IT WILL BE A GOOD GET YOU GOT. DID YOU SAY TIME? [LB959]

SENATOR SCHEER: YES, SIR. [LB959]

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SENATOR CHAMBERS: THANK YOU. [LB959]

SENATOR SCHEER: THANK YOU, SENATOR CHAMBERS. (VISITORS INTRODUCED.)
SENATOR SCHUMACHER, YOU'RE RECOGNIZED. [LB959]

SENATOR SCHUMACHER: THANK YOU, MR. PRESIDENT, MEMBERS OF THE BODY. RESUMING A LITTLE BIT OF THE DISCUSSION THAT WE HAD THAT WAS SOMEWHAT TRIGGERED BY SENATOR CRAWFORD'S COMMENTS THAT WE NEED TO SHIFT AWAY FROM PROPERTY TAXES TO SALES AND INCOME TAXES WHICH THEN BROUGHT ABOUT THE LOGICAL QUESTION, OKAY, HOW DO WE ADJUST OUR SALES AND INCOME TAX PARADIGMS IN ORDER TO GENERATE THE EXTRA MONEY IN ORDER TO PAY FOR THINGS NOW PAID FOR WITH PROPERTY TAXES, AND THE ACCOMPANYING QUESTION: IS THAT A FAIR WAY TO DO IT? ONE OF THE COMMENTS THAT CAME UP WAS, WELL, WE NEED TO GET RID OF SOME OF THESE CREDITS. THEY DON'T APPEAR ON THE BUDGET. ONCE THEY'RE GRANTED BY THE BODY, THEY'RE AROUND FOREVER. YOU CAN'T GET RID OF THEM, KIND OF LIKE PUTTING SMOKE BACK INTO THE CIGAR, BECAUSE YOU GOT TO GET THE REPEAL THROUGH A COMMITTEE. AND THEN IT TAKES, IF YOU HAVE A STRONG CONTINGENCY OR CONSTITUENCY, 33 VOTES TO REPEAL THEM AND THAT'S VIRTUALLY IMPOSSIBLE. SO YOU'RE STUCK WITH THEM FOREVER AND YOU REALLY DON'T KNOW WHETHER THEY EXIST OR DOING ANY GOOD. ONE OF THE TAX GURU-TYPE FOLKS WHO KEEPS AN EYE ON THESE THINGS SENT ME A MESSAGE THAT SAID, WELL, THIS YEAR, SENATOR SCHUMACHER, THERE ARE \$31.37 MILLION WORTH OF THESE KIND OF TAX EXPENDITURES ON SELECT OR FINAL READING. I DIDN'T REALIZE THE NUMBER WAS THAT WRONG, AND I'M, FOR PURPOSES OF ARGUMENT HERE AT LEAST, GOING TO ASSUME THAT'S AN ACCURATE FIGURE. WHETHER THAT'S IN NEW DEDUCTIONS; WHETHER THAT'S IN NEW ARENA FINANCING; WHETHER THAT'S IN NEW DEDUCTIONS OR CREDITS...DEDUCTIONS I THINK THEY ARE, FOR THINGS THAT MUSEUMS RENT. THERE'S A LITANY OF THINGS THAT PROBABLY INDEED HAVE PASSED ONE OR TWO STEPS IN THIS PROCESS AND ARE NOW SETTING UP TO BECOME PERPETUAL EXPENDITURES, JOINING A LITANY OF OTHER ONES FOR FIXING UP HISTORIC BUILDINGS, FOR CHILDCARE, FOR PAYING FOR AN EMPLOYEE'S EXPENSES ON THIS, ALL OF WHICH AT SOME TIME IN HISTORY THIS BODY DEEMED APPROPRIATE AND ARE...NOW WE'RE BASICALLY LOCKED IN TO FOREVER AND EVER AMEN. BUT EVEN THOSE NUMBERS AREN'T ENOUGH TO DEAL WITH THE BILLION DOLLAR NUMBERS THAT WE BLOW THROUGH EACH YEAR AND WHAT SOME WOULD SAY IS A SEVERAL HUNDRED MILLION DOLLAR UNBALANCE IN PROPERTY TAXES IF YOU BELIEVE THAT PROPERTY TAXES SHOULD HAVE A ONE-THIRD, ONE-THIRD RATIO, AND THAT'S DEBATABLE. BUT IT'S A DEBATE WE

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REALLY HAVEN'T HAD HERE ON THE FLOOR. IT'S JUST ONE THAT IS AN UNDERCURRENT. LET'S LOOK AT SALES TAXES NOW. GOVERNOR HEINEMAN LOOKED AT THE SITUATION OF SALES TAX AND BASICALLY I THINK CAME TO THE CONCLUSION THAT UNLESS YOU TAX MEDICAL, AGRICULTURAL, AND MANUFACTURING INPUTS, YOU AREN'T GOING TO GET ENOUGH MONEY TO MAKE MUCH DIFFERENCE. AND THAT'S PROBABLY TRUE. SO YOU EITHER TAX MORE STUFF, AND A WHOLE LOT MORE STUFF TO GET UP INTO THE HUNDREDS OF MILLIONS OF DOLLARS, OR YOU RAISE THE SALES TAX RATE. CAN'T VERY WELL GO UP ON SALES TAX RATE BECAUSE WE ARE AT 5.5 PERCENT. WE'VE GIVEN THE CITIES 1.5-2.0 POINT BITE ABOVE THAT. AND CERTAINLY IN THE OMAHA METRO AREA, YOU WOULD BE ENCOURAGING PEOPLE TO MOVE ACROSS THE RIVER, AT LEAST FOR THEIR SHOPPING, IN ORDER TO BUY THEIR GOODS WHERE IT WOULD BE CHEAPER SALES TAX. SO, SENATOR CRAWFORD, I HATE TO BOTHER YOU AGAIN, BUT WOULD YOU YIELD TO A QUESTION? [LB959]

SENATOR SCHEER: SENATOR CRAWFORD, WOULD YOU PLEASE YIELD? [LB959]

SENATOR CRAWFORD: YES. [LB959]

SENATOR SCHUMACHER: THANK YOU, SENATOR CRAWFORD. ON THE SALES TAX ISSUE,... [LB959]

SENATOR SCHEER: ONE MINUTE. [LB959]

SENATOR SCHUMACHER: ...WHERE, IF WE'RE GOING TO SHIFT TO SALES TAX, HAVE YOU GIVEN ANY THOUGHT TO WHAT WE MIGHT TAX OR WHERE WE MIGHT INCREASE THE RATE OF TAXATION? [LB959]

SENATOR CRAWFORD: I KNOW WE HAD THAT DISCUSSION A COUPLE OF YEARS AGO, AND SO I DON'T RECALL VERY MUCH ABOUT WHAT SOME OF THE SPECIFIC AREAS AND HOW MUCH THEY BROUGHT IN WERE. I DO REMEMBER THE BROADER, OVERALL PHILOSOPHICAL ISSUE THERE IS THAT OUR ECONOMY HAS SHIFTED FROM A PRODUCT ECONOMY TO A SERVICE ECONOMY AND SO...BUT OUR SALES TAXES ARE, GENERALLY, MUCH MORE FOCUSED ON PRODUCTS AND NOT SERVICES. AND THAT WOULD BE A SHIFT THAT WE WOULD NEED TO EXAMINE AS WHICH OF THOSE SERVICES; BUT RECOGNIZING THERE ARE SOME LIKE HEALTHCARE, WE TALKED ABOUT SOME OF THE CHALLENGES...THE PROBLEMS OF SHIFTING AND PUTTING SALES TAX ON A SERVICE LIKE THAT. NOW THERE WAS ONE THAT I FOUND QUITE INTERESTING IN THE ANALYSIS. I

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THINK ONE OF THE PIECES IN THAT DISCUSSION WAS AN ANALYSIS OF SALES TAX EXEMPTIONS IN SEVERAL OF THE STATES COMPARING... [LB959]

SENATOR SCHEER: TIME, SENATORS. [LB959]

SENATOR SCHUMACHER: ARE WE OUT OF TIME? [LB959]

SENATOR SCHEER: YES, YOU ARE, SENATOR. [LB959]

SENATOR SCHUMACHER: THANK YOU. [LB959]

SENATOR SCHEER: THANK YOU, SENATOR SCHUMACHER AND SENATOR CRAWFORD. SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB959]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF LEGISLATURE, I'VE GOT AN ARTICLE I WANT TO READ FROM. IT WAS IN TUESDAY'S PAPER, APRIL 5, HEADLINE: "JUSTICES REJECT BID TO DILUTE LATINO, URBAN POLITICAL POWER," ACTIVITY BY WHITE PEOPLE, AMERICANS, CHRISTIAN AMERICANS, IN THE LAND UNDER GOD WITH LIBERTY AND JUSTICE FOR ALL. WASHINGTON, ASSOCIATED PRESS: "THE SUPREME COURT UNANIMOUSLY ENDORSED ELECTION MAPS THAT BOLSTER THE GROWING POLITICAL INFLUENCE OF AMERICA'S LATINOS ON MONDAY, RULING THAT STATES CAN COUNT EVERYONE, NOT JUST ELIGIBLE VOTERS, IN DRAWING VOTING DISTRICTS. THE DECISION REJECTED A CHALLENGE FROM TEXAS VOTERS THAT ALSO COULD HAVE DILUTED THE VOTING POWER OF URBAN DEMOCRATS, TO THE BENEFIT OF RURAL REPUBLICANS." THE WHITE REPUBLICANS: A VERY CRUEL, HOSTILE, INTOLERANT, BIGOTED ORGANIZATION. "THE CASE OFFERED A TEST OF THE PRINCIPLE OF 'ONE PERSON, ONE VOTE,' THE REQUIREMENT LAID OUT BY THE SUPREME COURT IN 1964 THAT POLITICAL DISTRICTS BE ROUGHLY EQUAL IN POPULATION." SOME STATES MAINTAIN THEIR REPRESENTATION IN CONGRESS BASED ON POPULATION BECAUSE OF THE PRESENCE OF A LOT OF LATINO PEOPLE. SO COUNTING THEM FOR THAT PURPOSE, THEY WANT TO DO. JUST LIKE WHEN MY PEOPLE WERE ENSLAVED, WE WERE NOT RECOGNIZED AS HUMAN BEINGS TO HAVE RIGHTS, BUT AS THREE-FIFTHS OF A PERSON, WE MADE IT POSSIBLE FOR THESE WHITE RACIST SLAVEHOLDERS TO HAVE MORE REPRESENTATION IN CONGRESS, SO THEY WANTED US COUNTED WHEN IT GAVE THEM MORE REPRESENTATION IN CONGRESS, BUT THEY DIDN'T WANT THAT CONSTITUTION TO GIVE US ANY RIGHTS AS HUMAN BEINGS--JUST A LITTLE BIT OF AMERICANA BECAUSE WE'RE ALL BROTHERS AND SISTERS. I ALREADY TOLD

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YOU ALL THAT THIS MORNING. AND I WANT MY BROTHERS AND SISTERS TO BE EDUCATED; I WANT MY CHILDREN TO ENLIGHTENED. YOU'RE ALL MY CHILDREN. "THE ISSUE HERE, THOUGH, WAS WHAT POPULATION TO CONSIDER: EVERYONE OR JUST ELIGIBLE VOTERS. ALL 50 STATES USE TOTAL POPULATION AS THEIR BASIS FOR DRAWING DISTRICT LINES, BUT THE CHALLENGERS SAID THE RURAL STATE SENATE DISTRICTS IN WHICH THEY LIVED HAD VASTLY MORE ELIGIBLE VOTERS THAN URBAN DISTRICTS, MAKING THEIR VOTES COUNT FOR LESS, IN VIOLATION OF THE CONSTITUTION. IN TEXAS AND OTHER STATES WITH LARGE IMMIGRANT POPULATIONS, URBAN DISTRICTS INCLUDE MANY MORE PEOPLE WHO ARE TOO YOUNG, NOT YET CITIZENS, IN THE COUNTRY ILLEGALLY, OR OTHERWISE INELIGIBLE TO VOTE. ALL OF THEM RECORDED BY THE CENSUS COUNT FOR THE PURPOSE OF DRAWING POLITICAL DISTRICTS. CIVIL RIGHTS GROUPS SAID THAT FORCING STATES TO CHANGE THEIR METHOD OF CONSTRUCTING DISTRICTS WOULD HAVE DAMAGED LATINO POLITICAL INFLUENCE. THE SUPREME COURT STOPPED SHORT OF SAYING THAT STATES MUST USE TOTAL POPULATION. AND IT ALSO DID NOT RULE ON WHETHER STATES ARE FREE TO USE A DIFFERENT MEASURE, AS TEXAS HAD ASKED." THE SUPREME COURT IS MOVING IN THE RIGHT DIRECTION. AND IT'S ALWAYS WHITE PEOPLE TRYING TO TAKE AWAY RIGHTS FROM OTHERS. THEN THEY'RE THE ONES WHO SAY THERE'S NO DISCRIMINATION IN THIS COUNTRY. THEN LIKE MY FRIEND SENATOR KINTNER WILL TELL THE WHITE PEOPLE IN THIS STATE, IF YOU'RE UNCOMFORTABLE HERE GO SOME PLACE ELSE WHERE YOU'RE COMFORTABLE. AND NOW YOU GOT THESE IDIOTIC STATES DOWN SOUTH--MISSISSIPPI, GEORGIA, NORTH CAROLINA--HIDING BEHIND WHAT THEY CALL CHRISTIAN RELIGION BECAUSE THEY KNOW IT'S INTOLERANT;... [LB959]

SENATOR SCHEER: ONE MINUTE. [LB959]

SENATOR CHAMBERS: ... IT IS BIGOTED, IT IS RACIST, PUTTING INTO LAW AND GRANTING PEOPLE THE RIGHT, AS THEY CALL IT, TO DISCRIMINATE IN THE PROVIDING OF SERVICES IF TO PROVIDE SERVICE TO THOSE PEOPLE VIOLATES THEIR DEEPLY HELD RELIGIOUS PRINCIPLES. THEIR DEEPLY HELD RELIGIOUS PRINCIPLES, THE GUIDING ONE IS THAT THOU SHALL DISCRIMINATE AND THE STATE SHALL DO NOTHING ABOUT IT. ONE NATION UNDER GOD WITH LIBERTY AND JUSTICE FOR ALL AND YOU'RE PASSING LAWS THAT SANCTION DISCRIMINATION? WHAT LIES YOU TELL. AND YOU DON'T EVEN THINK ABOUT THEM. THE NATIONAL ANTHEM, IT'S NOT A ANTHEM TO ME, IT'S A CURSE. BUT YOU ALL LIKE IT. THAT PROVES YOU'RE NOT EVEN AWARE OF WHAT IS GOING ON OR YOU DON'T CARE. BUT SOME OF US WILL SPEAK. AND I'M ONE OF THOSE, AND I SHALL. YOU JUST WATCH THE REST OF THIS SESSION AND SEE IF I FAIL TO

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DELIVER ON WHAT I SAID I WAS GOING TO DO. AND WHATEVER THE FALLOUT IS... [LB959]

SENATOR SCHEER: TIME, SENATOR. [LB959]

SENATOR CHAMBERS: ...WHATEVER THE CONSEQUENCES, I DON'T CARE. THANK YOU, MR. PRESIDENT. [LB959]

SENATOR SCHEER: THANK YOU, SENATOR CHAMBERS. SENATOR BAKER, YOU'RE RECOGNIZED. [LB959]

SENATOR BAKER: THANK YOU, MR. PRESIDENT. MEMBERS OF THE BODY, EVEN THOUGH THE TOPIC IS LB959, WE'VE ALSO BRANCHED OVER AND ARE TALKING ABOUT THE LEARNING COMMUNITY. SO I JUST THOUGHT I WOULD TALK ABOUT THINGS A LITTLE BIT. EDUCATION IS A STATE RESPONSIBILITY. THE TENTH AMENDMENT SAYS SOMETHING TO THE EFFECT: ANY MATTERS NOT SPECIFICALLY RESERVED FOR THE FEDERAL GOVERNMENT WERE GIVEN TO THE STATES. ALL ACROSS THE COUNTRY IN THE 1970s, 1980s THERE WERE LAWSUITS CHALLENGING THE CONSTITUTIONALITY OF THE STATE SCHOOLS' FUNDING FORMULAS. AND THOSE LAWSUITS WERE SUCCESSFUL BECAUSE IN MANY OF THE STATES, STUDENTS WERE RECEIVING A DISPARATE EDUCATION DEPENDING ON THE WEALTH OF THE COMMUNITY THEY LIVED IN. AND THAT WAS THE ENVIRONMENT IN NEBRASKA WHEN OUR SOMEWHAT MODERN CONCEPT OF EQUALIZATION WAS IMPLEMENTED WITH THE REALIZATION THAT THE WAY THAT WE'VE BEEN FUNDING PUBLIC EDUCATION IN NEBRASKA LIKELY WOULD NOT STAND MUSTER WITH REGARDS TO CONSTITUTIONALITY. THE ISSUE NOW IS WHETHER OR NOT OUR TEEOSA FORMULA GIVES SUFFICIENT CONSIDERATION TO THE COST OF EDUCATING STUDENTS IN HIGH EXTREME POVERTY AREAS. AS SENATOR KOLOWSKI SAID THE OTHER DAY AS HE LOOKED BACK AT THE TIME IN THE EARLY '90s WHEN THIS WAS PUT INTO PLACE, DIDN'T EVEN TALK ABOUT POVERTY. IT WASN'T THE ISSUE THEN, BY ANY MEANS, AS TO WHAT IT IS TODAY. SO I DO FEEL THAT WE NEED TO ADDRESS THE EXTREME POVERTY ISSUES, WHEREVER THEY EXIST IN THIS STATE, AND PARTICULARLY EXIST IN SOME PARTS OF OMAHA. BUT I BELIEVE THAT SHOULD BE A STATE RESPONSIBILITY AND SHOULD BE TAKEN CARE OF BY CHANGES IN OUR EQUALIZATION FORMULA. I DON'T THINK IT SHOULD FALL UPON THE SURROUNDING SCHOOL DISTRICTS ANY MORE THAN IT SHOULD THE REST OF THE STATE. IT'S A STATE RESPONSIBILITY. IT'S NOT A SARPY AND DOUGLAS COUNTY RESPONSIBILITY TO MAKE SURE THAT THE POVERTY AREAS ARE TAKEN CARE OF, AT LEAST THAT'S

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MY POINT OF VIEW. WE'VE TALKED SOME, TOO, ABOUT HOW CAN WE ACCOMPLISH SOME TYPE OF PROPERTY TAX RELIEF. MY ENTIRE LIFE AND CAREER HAVE BEEN IN NEBRASKA FOR, EXCEPT FOR NINE YEARS, WHEN THE OPPORTUNITY TO SERVE AS A SUPERINTENDENT IN A VERY NICE SCHOOL DISTRICT IN IOWA. IN IOWA, EACH...THERE'S A FORMULA WHERE THEY CALL IT FOUNDATION AID IN THAT YOU'RE FIRST OF ALL EXPECTED TO PUT IN, I FORGET WHAT THE NUMBER IS, 40 OR 50 CENTS...THE EQUIVALENT OF 40 OR 50 CENTS, OVER THERE THEY CALL IT \$4 OR \$5 PER THOUSAND RATHER THAN 40, 50 CENTS PER HUNDRED, AND THEN FUNDING UP TO THE DESIGNATED PER STUDENT COST, JUST USE \$10,000 FOR A FIGURE, THE REST WHATEVER YOU COULDN'T RAISE LOCALLY BY THAT 40 OR 50-CENT LEVY, WHATEVER IT IS, WOULD BE FILLED IN BY STATE AID. THEN ON TOP OF THAT, DISTRICTS COULD, IF THEY WISHED, LEVY ON TOP OF THAT YET. IN NEBRASKA, WHEN THERE'S A CALCULATION OF AVAILABLE RESOURCES OR THING CALLED LOCAL EFFORT RATE AND THAT LOCAL EFFORT RATE RIGHT NOW IS \$1. [LB959]

SPEAKER HADLEY PRESIDING

SPEAKER HADLEY: ONE MINUTE. [LB959]

SENATOR BAKER: SO THAT...WHEN YOU FIGURE THE AVAILABLE RESOURCES SCHOOL DISTRICT, IT'S WHATEVER YOU WOULD RAISE IF YOUR LEVY WERE \$1, PLUS YOUR ADDITIONAL ACCOUNTABLE RESOURCES AND THAT WOULD BE WHAT YOUR RESOURCES WOULD BE. AND THEN IT'S, YOU KNOW, RESOURCES MINUS NEEDS OR NEEDS MINUS RESOURCES...NEEDS MINUS RESOURCES IS STATE AID, THAT'S WHERE THAT COMES UP TO. NEBRASKA COULD DO SOMETHING SIMILAR, BUT OUR LOCAL EFFORT RATE IS \$1 BECAUSE TO DO ANYTHING OTHER THAN THAT TAKES MORE STATE MONEY. NOW, IOWA HAS 2.9 MILLION VERSUS OUR 1.9 (MILLION), OR SOMETHING LIKE THAT. THEY HAVE MANY MORE...MUCH MORE PRESENCE OF INDUSTRY AND BUSINESS, THINGS THAT GENERATE MONEY SO THAT, YOU KNOW, THEY HAVE THE ABILITY TO DO THAT. AND IN NEBRASKA, IT COMES DOWN TO MONEY. WE DON'T HAVE STATE (INAUDIBLE). [LB959]

SPEAKER HADLEY: TIME, SENATOR. [LB959]

SENATOR BAKER: THANK YOU. [LB959]

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SPEAKER HADLEY: THANK YOU, SENATOR BAKER. SENATOR SULLIVAN, YOU'RE RECOGNIZED. [LB959]

SENATOR SULLIVAN: THANK YOU, MR. PRESIDENT. COLLEAGUES, WE'LL BE SOON GETTING TO THE MOMENT OF TIME FOR CLOTURE, BUT I WANTED TO TAKE THIS OPPORTUNITY TO BRING US BACK TO THE ELEMENTS OF LB959 AS AMENDED AND WHAT YOU'LL BE ASKED TO BE VOTING GREEN ON MOMENTARILY. I DON'T INTRODUCE SOMETHING, EVEN IF I AM CARRYING IT FOR THE GOVERNOR, THAT I DON'T BELIEVE IN. AND WHAT IS IN LB959 IS NOT A HODGEPODGE. IT'S NOT BORNE OUT OF NEGOTIATIONS; IF YOU GET THIS, I GET THIS. TO ME, IT REPRESENTS TWO THINGS THAT HAVE BEEN ALWAYS IMPORTANT TO ME, NOT ONLY AS EDUCATION CHAIR, BUT ALSO AS A SENATOR WHO REPRESENTS A LOT OF RURAL COUNTIES. WE'RE REMOVING THE MINIMUM LEVY ADJUSTMENT AND THE LEVY CRITERIA FOR AVERAGING ADJUSTMENT. THOSE TWO THINGS REMOVE WHAT I'VE CONSIDERED TO BE AN EXCUSE FOR SOME SCHOOL DISTRICTS TO LEVY UP SO THAT IT...SO THEY CAN CAPTURE THE STATE AID. IF THEY NEED THE STATE AID, THEN THEY WILL GET IT. BUT IT PUTS MORE RESPONSIBILITY ON THOSE LOCAL SCHOOL BOARDS TO MAKE THOSE DECISIONS. AND TO THAT END, I THINK IT FAVORS THE RURAL TAXPAYER. IS IT CHICKEN FEED, \$8.5 MILLION? WELL, IT'S SOMETHING. AND I VIEWED SOME OF THESE STEPS THAT WE WERE TAKING AS INCREMENTAL CHANGES THAT NEEDED TO HAPPEN IN THIS WHOLE DISCUSSION OF EDUCATION, POLICY, AND HOW WE FUND OUR SCHOOLS. SAME WAY WITH QCPUF, I THINK THAT MAKES GOOD SENSE. IT HAS EVOLVED OVER THE YEARS. IT'S BROADENED IN ITS DEFINITION. WE'RE JUST PULLING BACK. AGAIN, RETURNING SOME OF THE RESPONSIBILITY TO THE SCHOOL BOARDS, THAT IF THEY WANT TO LEVY, IF THEY WANT NEW FACILITIES, NEW CONSTRUCTION, THEN THEY'VE GOT TO GO TO A VOTE OF THE PEOPLE. SO I THINK THESE THINGS ARE GOOD, SOUND, EDUCATION POLICY; GOOD, SOUND REASONS TO MAKE CHANGES IN HOW WE PROVIDE FOR FUNDING IN EDUCATION. SO WHEN IT COMES TIME FOR THE CLOTURE MOTION, I WOULD ASK THAT YOU GIVE ME A GREEN VOTE ON CLOTURE, BUT THEN A RED TO RECONSIDER THE MOTION OF SENATOR CHAMBERS, AND ALSO A RED VOTE ON THE FLOOR AMENDMENT, AND A GREEN VOTE ON LB959. THANK YOU, MR. PRESIDENT. [LB959]

SPEAKER HADLEY: THANK YOU, SENATOR SULLIVAN. (VISITORS INTRODUCED.) SENATOR SCHUMACHER, YOU'RE RECOGNIZED. [LB959]

SENATOR SCHUMACHER: THANK YOU, MR. SPEAKER, MEMBERS OF THE BODY. AND THANK YOU, SENATOR BAKER, FOR ENGAGING IN THE CONVERSATION

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BECAUSE IT'S A CONVERSATION THAT WE NEED TO HAVE. I THINK YOU POINTED OUT THAT, REALLY, SARPY COUNTY SHOULD NOT BE RESPONSIBLE TO TAKE ON SOME OF THE COST OF THE POOR SECTORS OF THE OMAHA SCHOOLS. ALL RIGHT? AND THAT'S A DISCUSSION, A FOCAL POINT WE NEED TO EXAMINE AND WE STARTED OUT WITH AS TO WHOSE RESPONSIBILITY WOULD THAT BE. BUT ONE OF THESE TAX CREDIT BILLS THAT WE HAVE MOVING THROUGH ON SELECT OR GENERAL FILE, WHEREVER IT IS, OR ON SELECT OR FINAL READING, IS WHERE THE STATE IS GOING TO MAKE AN INVESTMENT IN SOME KIND OF SWIMMING POOL OPERATION, OR IN SARPY COUNTY FOR AN EVENT CENTER OF SOME KIND BY EXTENDING SOME TAX CREDITS. BECAUSE OF A LOT OF THINGS THAT WE'VE DONE, WE'VE FACILITATED THE DEVELOPMENT, AS A STATE, OF THE OMAHA, SARPY COUNTY, LINCOLN AREA MAYBE BECAUSE IT HAS POTENTIAL FOR VIABILITY THAT MUCH OF THE REST OF THE STATE DOES NOT, OTHER THAN FOR AGRICULTURE. SO WE'VE MADE THAT INVESTMENT TO MAKE SARPY COUNTY MORE ELIGIBLE FOR GROWTH. AND AS SUCH, IT'S PROSPERING AND THE MAYORS OF SARPY COUNTY WILL POUND THEMSELVES ON THE CHEST SAYING HOW WONDERFUL THINGS CAN BE AND ARE GOING TO BE AND WE HAVE NO REASON TO DEBATE THEM. THAT BEING THE CASE AND WITH THE EMPHASIS MOVING THERE, SENATOR BAKER, WHY WOULD IT BE, IF YOU'LL YIELD TO A QUESTION. [LB959]

SPEAKER HADLEY: SENATOR BAKER, WILL YOU YIELD TO A QUESTION? [LB959]

SENATOR BAKER: YES. [LB959]

SENATOR SCHUMACHER: WHY IS IT MORE APPROPRIATE THEN THAT A SALES TAXPAYER IN ONG, NEBRASKA, CONTRIBUTE SALES TAXES TO THE FOLKS IN THOSE POORER DISTRICTS THAN IT WOULD BE A PROSPERING BUSINESS IN A GROWING AREA OF SARPY COUNTY? [LB959]

SENATOR BAKER: BECAUSE IT'S A STATE RESPONSIBILITY. THE DAYS WHEN IT WAS AN INDIVIDUAL COMMUNITY-BY-COMMUNITY RESPONSIBILITY FUNDING THE SCHOOLS, THOSE DAYS ARE GONE. AND THAT WAS, IN MANY CASES ACROSS THE COUNTRY, THAT TYPE OF A PLAN WAS RULED TO BE UNCONSTITUTIONAL. SO IT'S A STATE RESPONSIBILITY TO EDUCATE THE YOUTH OF THE STATE, NO MATTER WHERE THEY LIVE. [LB959]

SENATOR SCHUMACHER: THANK YOU, SENATOR BAKER. WHICH THEN OPENS UP THE QUESTION, OKAY, IF IT'S A STATE RESPONSIBILITY, WHY DO THE LOCAL

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SCHOOL BOARDS GET TO MAKE THE DECISIONS ON HOW THE MONEY IS SPENT AND HOW FAST THEIR BUDGETS INCREASE? THAT BECOMES PART OF THIS DISCUSSION BECAUSE THE MORE WE FUND EDUCATION WITH STATE DOLLARS, THE MORE IT IS THE RESPONSIBILITY OF THIS BODY TO AUDIT AND CONTROL THE STATE EXPENDITURES AND TO MAKE THE PROGRAMS MORE UNIFORM ACROSS THE STATE. AND THAT HAS ALWAYS RUN INTO A HEADWIND OF--WE WANT LOCAL CONTROL; WE DON'T WANT THE LEGISLATURE TELLING US WHAT CLASSES TO TEACH. WE DON'T WANT THE LEGISLATURE PUTTING SPENDING LIMITATIONS ON US. WE DON'T WANT THE LEGISLATURE TO TELL US IF WE CAN BUILD A NEW SCHOOL OR ISSUE A BOND OR NOT. WE ARE LOCAL CONTROL. AND THAT THEN LEADS ITSELF TO THE DISCUSSION WE'RE JUST HAVING INTO A QUESTION OF AT WHAT POINT DOES THE GREAT SUCCESS THAT AGRICULTURE HAS BEEN HAVING IN DEPOPULATING BECAUSE IT'S ECONOMICALLY THE WAY TO DO IT, THE RURAL AREAS HAVE ON OUR RESPONSIBILITY... [LB959]

SPEAKER HADLEY: ONE MINUTE. [LB959]

SENATOR SCHUMACHER: ...TO PROVIDE EDUCATION DENSITY? AT WHAT POINT IS IT NOT THE STATE'S RESPONSIBILITY TO PUT A SCHOOLHOUSE ON EVERY SIX...EVERY TOWNSHIP? WE MOVED AWAY FROM THAT. SO TO WHAT EXTENT CAN WE CARRY THAT PATTERN? IS IT GOOD ENOUGH IF WE HAVE ALL OF OUR SCHOOLING DONE 30 YEARS DOWN THE ROAD IF THIS DEPOPULATION CONTINUES IN TOWNS OF 20,000 OR MORE? THESE ARE QUESTIONS WE SHOULD BE ASKING. AND IN SOME RESPECT, SENATOR COOK'S PLANNING COMMITTEE HAS BEEN PONDERING IN LITTLE INCREMENTS AT A TIME, AND IT'S ONE THAT WE SHOULD PONDER AS WE MAKE THESE DECISIONS WHICH WILL STOP US FROM GETTING THE SMOKE BACK INTO THE CIGAR. THANK YOU. [LB959]

SPEAKER HADLEY: MR. CLERK, YOU HAVE A MOTION ON THE DESK. [LB959]

CLERK: I DO, MR. PRESIDENT. SENATOR SULLIVAN WOULD MOVE TO INVOKE CLOTURE ON LB959 PURSUANT TO RULE 7, SECTION 10. [LB959]

SPEAKER HADLEY: IT'S THE RULING OF THE CHAIR THAT THERE'S BEEN FULL AND FAIR DEBATE ON LB959. SENATOR SULLIVAN, FOR WHAT PURPOSE DO YOU RISE? [LB959]

SENATOR SULLIVAN: THANK YOU, MR. PRESIDENT. I WOULD LIKE A CALL OF THE HOUSE AND EVENTUALLY A ROLL CALL VOTE IN REVERSE ORDER. [LB959]

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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. [LB959]

CLERK: 37 AYES, 0 NAYS, MR. PRESIDENT, TO PLACE THE HOUSE UNDER CALL. [LB959]

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 WILLIAMS, SENATOR RIEPE, SENATOR McCOY, SENATOR HUGHES, SENATOR KINTNER, SENATOR JOHNSON, THE HOUSE IS UNDER CALL. SENATOR, KINTNER, THE HOUSE IS UNDER CALL. MR. CLERK, THERE'S BEEN A REQUEST FOR A ROLL CALL VOTE IN REVERSE ORDER. [LB959]

CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGE 1504.) 44 AYES, 1 NAY, MR. PRESIDENT, ON THE MOTION TO INVOKE CLOTURE. [LB959]

SPEAKER HADLEY: THE MOTION TO INVOKE CLOTURE IS ADOPTED. MEMBERS, THE NEXT VOTE IS ON THE ADOPTION OF THE MOTION TO RECONSIDER. ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. THERE'S BEEN A REQUEST FOR A ROLL CALL VOTE. [LB959]

CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGE 1505.) 1 AYE, 48 NAYS, MR. PRESIDENT, ON THE MOTION TO RECONSIDER. [LB959]

SPEAKER HADLEY: THE RECONSIDERATION MOTION FAILS. MR. CLERK. SENATOR SULLIVAN. [LB959]

SENATOR SULLIVAN: YES, I WOULD LIKE A ROLL CALL VOTE IN REVERSE ORDER, PLEASE. [LB959]

SPEAKER HADLEY: THERE'S BEEN A REQUEST FOR A ROLL CALL VOTE IN REVERSE ORDER. MR. CLERK. [LB959]

CLERK: (ROLL CALL VOTE TAKEN. LEGISLATIVE JOURNAL PAGE 1505.) 45 AYES, 1 NAY ON THE ADVANCEMENT OF THE BILL. [LB959]

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SPEAKER HADLEY: LB959 ADVANCES. I RAISE THE CALL. MR. CLERK, THE NEXT ITEM. [LB959]

CLERK: MR. PRESIDENT, I HAVE NO AMENDMENTS PENDING TO LB959A. [LB959A]

SPEAKER HADLEY: SENATOR HANSEN FOR A MOTION. [LB959A]

SENATOR HANSEN: MR. PRESIDENT, I WOULD MOVE WE ADVANCE LB959A TO E&R FOR ENGROSSING. [LB959A]

SPEAKER HADLEY: THOSE IN FAVOR SAY AYE. OPPOSED, NAY. LB959A ADVANCES. MR. CLERK, THE NEXT ITEM. [LB959A]

CLERK: SENATOR HANSEN, I HAVE ENROLLMENT AND REVIEW AMENDMENTS ON LB1067. (ER241, LEGISLATIVE JOURNAL PAGE 1430.) [LB1067]

SPEAKER HADLEY: SENATOR HANSEN FOR A MOTION. [LB1067]

SENATOR HANSEN: MR. PRESIDENT, I MOVE WE ADOPT THE E&R AMENDMENTS TO LB1067. [LB1067]

SPEAKER HADLEY: QUESTION IS THE ADOPTION OF E&R AMENDMENTS. ALL IN FAVOR SIGNIFY BY SAYING AYE. OPPOSED, NAY. THE E&R AMENDMENTS ARE ADVANCED. [LB1067]

CLERK: SENATOR MURANTE WOULD MOVE TO AMEND WITH FA118. (LEGISLATIVE JOURNAL PAGE 1489.) [LB1067]

SPEAKER HADLEY: SENATOR MURANTE, YOU'RE RECOGNIZED TO OPEN ON YOUR FLOOR AMENDMENT, FA118. [LB1067]

SENATOR MURANTE: THANK YOU, MR. PRESIDENT. MEMBERS, GOOD AFTERNOON. I INTRODUCED THIS FLOOR AMENDMENT IN AN EFFORT TO FACILITATE A DISCUSSION WITH SENATOR SULLIVAN'S AMENDMENTS AND ENSURE THAT SENATOR SULLIVAN'S AMENDMENTS HAD THOROUGH VETTING AND FULL AND FAIR DEBATE ON THIS FLOOR. SENATOR SULLIVAN HAS INTRODUCED AN AMENDMENT IN HER OWN RIGHT. AND ACCORDINGLY, FA118 IS

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NO LONGER OF IMPORT, SO I WILL WITHDRAW MY AMENDMENT AND ALLOW SENATOR SULLIVAN TO OPEN ON HERS. THANK YOU, MR. PRESIDENT. [LB1067]

SPEAKER HADLEY: SO ORDERED. MR. CLERK. [LB1067]

CLERK: MR. PRESIDENT, SENATOR SULLIVAN, AM2875. (LEGISLATIVE JOURNAL PAGE 1506.) [LB1067]

SPEAKER HADLEY: SENATOR SULLIVAN, YOU'RE RECOGNIZED TO OPEN ON YOUR AMENDMENT, AM2875. [LB1067]

SENATOR SULLIVAN: THANK YOU, MR. PRESIDENT. IF YOU RECALL, COLLEAGUES, WHEN WE DEBATED LB1067 ON GENERAL FILE, WE ENDED WITH ADVANCING THE BILL AS AMENDED, BUT WITH MY COMMITMENT THAT I WOULD CONTINUE TO WORK ON A COMPROMISE. THIS HAS BEEN A JOURNEY FOR ME. AND IT'S BEEN GOING ON FOR MORE THAN TWO YEARS. AND WHEN SENATOR CHAMBERS SPOKE ABOUT THE...HOW THE LEARNING COMMUNITY CAME ABOUT TO BEGIN WITH, I TOOK THAT TO HEART AND I OFTEN WISHED THAT, UNFORTUNATELY, ONE LONG CONVERSATION THAT I WAS NOT ABLE TO HAVE WAS WITH SENATOR RAIKES BECAUSE I THINK, AS I'VE THOUGHT THROUGH THIS, THAT I BELIEVE FULLY IN THE REASONING BEHIND WHY THE LEARNING COMMUNITY CAME INTO BEING. THIS INTENTION THAT WE SHOULD NOT LEAVE BEHIND AN INNER CITY. I ALWAYS SAY THAT EVERY CHILD DESERVES A GREAT EDUCATION IN THIS STATE, IRRESPECTIVE OF THEIR ZIP CODE OR THEIR LICENSE PLATE. AND IT TOOK ME A LONG TIME TO DECIDE THAT...TO LET LOOSE OF THE COMMON LEVY. BUT WHAT I KEPT HEARING WAS THAT, IT WAS BECOMING MORE DIVISIVE ALL THE TIME. THAT IT WASN'T ACHIEVING WHAT IT WAS INTENDED TO DO. SO I WAS TRYING TO COME UP WITH SOME MECHANISM THAT PROVIDED THE GLUE, IF YOU WILL, TO KEEP THE SUPERINTENDENTS, THE MEMBER SCHOOL DISTRICTS FOCUSED ON WHAT WERE THE NEEDS OF THE LARGER COMMUNITY. AND ONE OF THOSE CRYING NEEDS IS THE DEEP POVERTY THAT EXISTS IN THE INNER CITY. SO HERE WE ARE TODAY. I HAVE CONTINUED TO LISTEN, TO TRY TO COMPROMISE, TO NEGOTIATE--NOT FOR, OKAY, IF YOU GET THIS, THEN I GET THIS, IN TERMS OF BILLS. I HAVE BEEN TRYING TO WORK ON SOMETHING...JUST WHAT I DID IN LB959, THAT I THINK TO MY CORE SPEAKS TO GOOD PUBLIC POLICY FOR EDUCATION IN THIS STATE. AND SOMETIMES I FELT OVER PARTICULARLY THE LAST 24 HOURS THAT I WAS LOSING THAT. SO I HAVE BEFORE YOU SOME PROPOSALS AND A NEW AMENDMENT THAT I THINK TRIED TO SPEAK TO TWO THINGS: TO BE FISCALLY

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RESPONSIBLE BECAUSE WE'VE CERTAINLY HEARD THAT IN THE DISCUSSION PREVIOUSLY, FISCALLY RESPONSIBLE WITH EVEN IN A SMALLER COMMUNITY OF THE LEARNING COMMUNITY, BUT ALSO HOW WE USE OUR STATE DOLLARS WISELY; BUT ALSO REALIZING THAT WE NEED TO DO WHAT WE CAN TO SUPPORT THE NEEDS OF SCHOOL DISTRICTS WHO HAVE HIGH NUMBERS OF STUDENTS IN POVERTY. SO FOR ME, IT WASN'T JUST ABOUT FINDING EXTRA DOLLARS OR PLACING THE DOLLARS IN CERTAIN WAYS. BUT, STILL, TRYING TO STAY TRUE TO CRAFTING GOOD POLICY. SO I WANT TO GO OVER FOR YOU SOME OF THE COMPONENTS OF THE PROPOSED AMENDMENT, IN AM2875. I THINK YOU HAVE BEEN PASSED OUT A BULLET SHEET WITH DOLLAR FIGURES ON IT. I ALWAYS GET A LITTLE CONCERNED ABOUT THAT BECAUSE THEN YOU FOCUS ON THE DOLLARS AND NOT THE POLICY BEHIND IT. BUT IT IS WHAT IT IS AND YOU'VE GOT THAT AND YOU'VE ALSO GOT AN IDENTIFICATION OF THE PROPOSED CHANGES THAT HAVE BROUGHT US FROM THE ORIGINAL BILL TO WHAT ARE PROPOSED TO BE CHANGES IN AM2875, TO THEN THE IMPACT OF WHAT IS GOING ON IN THE SCHOOL DISTRICTS IN THE LEARNING COMMUNITY. ONE OF THE BIGGEST COMPONENTS IS THE AMOUNT TO BE REALIZED WHEN WE ELIMINATE THE COMMON LEVY. THERE WAS A CERTAIN DOLLAR REPRESENTED IN THE FISCAL NOTE ON GENERAL FILE. WELL, WE CONTINUE TO ANALYZE IT AND MODEL IT, AND ONE OF THE THINGS THAT WE HAD TO TAKE INTO CONSIDERATION WAS THE IMPACT OF NET OPTION FUNDING. I MEAN, THAT'S A STATE OBLIGATION. AND WITH THESE OPEN ENROLLMENT STUDENTS NOW BECOMING OPTION ENROLLMENT, NOT KNOWING FOR SURE HOW MANY WERE GOING TO BE MOVING WHERE, WE HAD TO ACCOUNT FOR THAT AND THE STATE PUTS A DOLLAR AMOUNT ON THAT. SO THAT ENTERS INTO THE CONFIGURATION. AND THEN FURTHERMORE, NET OPTION FUNDING AND INCOME TAX REBATE ARE TIED TOGETHER AND THERE IS A CAP. WELL, IF NET OPTION FUNDING, UNDER THIS SCENARIO, IS GOING TO TAKE ALL THE INCOME TAX REBATE, WHICH WE HAVE A CAP ON, THAT'S WHY THEN WE ADDED A PERCENTAGE IN THE INCOME TAX REBATE TO ALLOW US TO GO OVER THAT CAP TO JUST BASICALLY KEEP DISTRICTS WHOLE. NOW SOME ARE SAYING, WELL, THAT IS NOT A LEARNING COMMUNITY ISSUE, THAT IS A STATE ISSUE. WELL, LET ME RECALL THAT WHEN...IN PART OF THE DISCUSSION AND NEGOTIATION IN THIS LEARNING COMMUNITY BILL, THEY WANTED TO GIVE SOME DOLLARS TO SCHOOLS IN GREATER NEBRASKA WHO ALSO HAD HIGH LEVELS OF POVERTY IN THEIR SCHOOL DISTRICTS. THAT HAS GONE AWAY NOW. SO TO A CERTAIN EXTENT, THAT \$5.4 MILLION EARLY ON LAST WEEK WAS NOW A HIGHER AMOUNT TO THE TUNE OF GETTING RID OF THE COMMON LEVY. THE OTHER THING THAT CHANGED WAS TRANSITION AID. THAT WAS INCLUDED IN THE TOTAL AMOUNT WITHIN THE FISCAL NOTE FOR LB1067. WE'RE STILL INCLUDING TRANSITION

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AID, ACCOUNTING FOR THAT, AND IN THE MODEL THAT YOU HAVE, YOU WILL SEE THERE ARE, AT THIS POINT IN TIME, ABOUT THREE DISTRICTS IN THE LEARNING COMMUNITY THAT LOSE BECAUSE OF THE COMMON LEVY GOING AWAY. WE'RE ACCOUNTING FOR 50 PERCENT OF THAT LOSS THE FIRST YEAR, 25 PERCENT THE SECOND YEAR, BUT NOT USING GENERAL FUND DOLLARS. RATHER, THAT WOULD BE TAKEN CARE OF WITH LOTTERY DOLLARS. SO THAT IS ABOUT \$1.1 MILLION, BUT FROM LOTTERY DOLLARS. AND THEN ONE LARGE THING AND SIGNIFICANT CHANGE IN THIS AMENDMENT IS HOW WE ARE THEN MAKING ADDITIONAL ACCOUNTABILITY AND SUPPORT FOR POVERTY IN THE LEARNING COMMUNITY. AND IT'S THE COMPONENT CALLED THE COMMUNITY ACHIEVEMENT PLAN. AND EARLY ON, EVEN THOUGH IT HAS BEEN DISPARAGED BY SOME IN SAYING THAT THAT'S A LOUSY IDEA, THE COMMUNITY ACHIEVEMENT PLAN WAS MY ANSWER TO THE COMMON LEVY GOING AWAY. WE WANT THESE SUPERINTENDENTS, WE WANT THESE SCHOOL DISTRICTS TO WORK TOGETHER, NOT TO SAY, OKAY, YOU HAVE TO DO THIS, GRETNA; OR OPS IS SAYING, WE'RE GOING TO BE HELD HOSTAGE. THAT IS NOT WHAT THIS COMMUNITY ACHIEVEMENT PLAN IS ALL ABOUT. IT IS MY RESPONSE TO THE SUPERINTENDENTS TELLING ME--OH, WE ARE WORKING TOGETHER; WE WILL CONTINUE TO WORK TOGETHER. THAT IS ALL I'M ASKING, NOT THAT ONE DISTRICT WILL BE DICTATING TO ANOTHER DISTRICT. I WANT THEM SIMPLY TO COME TOGETHER TO DISCUSS SOME COMMON ISSUES AROUND ACHIEVEMENT BARRIERS. AND TO COME UP WITH A PLAN THAT SAYS, OKAY, YES, WE ALL HAVE OUR INDIVIDUAL PLANS, BUT COLLECTIVELY WE HAVE HAD THIS DISCUSSION OF HOW WE CAN MAKE THE WHOLE COMMUNITY BETTER FOR THE STUDENTS THAT RESIDE THERE. IT DOESN'T RECREATE ANOTHER LEVEL OF BUREAUCRACY. YES, THE PLAN HAS TO BE SUBMITTED TO THE DEPARTMENT OF EDUCATION. LET'S HAVE ANOTHER SET OF EYES LOOKING AT IT. THE STUDENT ACHIEVEMENT COORDINATOR ALREADY EXISTS THERE. THE STATE BOARD OF EDUCATION WOULD APPROVE THE PLAN AND SEND IT BACK. THE LEARNING COMMUNITY COORDINATING COUNCIL HAS A VERY STRONG EVALUATION COMPONENT. THEY CAN OFFER THEIR ASSISTANCE WITHOUT ANY ADDITIONAL STAFF. THEY ALREADY HAVE THEIR EVALUATION ORGANIZATION SET UP. SO, TO ME, THIS JUST SOLIDIFIES AND UNDERSCORES THE IMPORTANCE OF COMMUNITY AND COLLABORATION. BUT HOW WE HAVE THEN AND... [LB1067 LB959]

SPEAKER HADLEY: ONE MINUTE. [LB1067]

SENATOR SULLIVAN:THIS WAS PART OF THE NEGOTIATION, PUT MORE DOLLARS INTO THIS EFFORT TO RESPOND TO HIGH POVERTY IS, AND YOUR BULLET SHEET IT SHOWS \$5.7 MILLION, THE MAJORITY OF WHICH WILL GO TO

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OMAHA PUBLIC SCHOOLS AND IT WOULD BE BASED ON A FORMULA, GRANTED, BUT WE'VE GOT TO HAVE SOME WAY TO PUT THE NUMBER IN THERE, AND THEN SOME WAY TO SEND IT OUT TO THE 11-MEMBER SCHOOL DISTRICTS. SOME HAVE SAID--BUT YOU'RE GOING TO HOLD US HOSTAGE. ALL THAT WE'RE DOING IN THIS AMENDMENT WITH RESPECT TO MAKING SURE EVERYBODY DOES THAT IS THAT YOU'VE GOT TO BE PART OF THE PLAN OR YOU PUT YOUR ACCREDITATION AT RISK. IT DOESN'T MAKE ANY FINGER POINTING AT ONE DISTRICT SAYING TO ANOTHER. IT JUST SIMPLY SAYS--HELP MAKE THE PLAN, YOUR ACCREDITATION STAYS IN PLACE. YOU'RE GOING TO GET A BUMP UP ON THE ALLOWANCE.
[LB1067]

SPEAKER HADLEY: TIME, SENATOR. [LB1067]

SENATOR SULLIVAN: THANK YOU, MR. PRESIDENT. [LB1067]

SPEAKER HADLEY: THANK YOU, SENATOR SULLIVAN. (VISITORS INTRODUCED.) MR. CLERK. [LB1067]

ASSISTANT CLERK: MR. PRESIDENT, SENATOR GROENE WOULD MOVE TO AMEND THE SULLIVAN AMENDMENT WITH AM2897. (LEGISLATIVE JOURNAL PAGE 1506.)
[LB1067]

SPEAKER HADLEY: SENATOR GROENE, YOU ARE RECOGNIZED TO OPEN ON AM2897. [LB1067]

SENATOR GROENE: THANK YOU, MR. PRESIDENT. IN ALL OF THIS DEBATE AND GOING AROUND, LET'S STICK TO ONE BILL, WHICH I'VE LOOKED AT EACH OF THESE AS INDIVIDUAL BILLS. IF YOU HAVE SEEN ME RUNNING AROUND TALKING, IT WAS ALWAYS ABOUT THE BILL I WAS...WE WERE DISCUSSING. THE LEARNING COMMUNITY IS A STATUTE THAT EXISTS IN OUR LAW THAT ANY GROUP OF SCHOOLS IN THE STATE COULD GATHER TOGETHER AND CREATE A LEARNING COMMUNITY. BUT WE ALL KNOW THE REASON IT WAS CREATED, IS BECAUSE OF THE OMAHA METRO AREA, A ONE SCHOOL, ONE COMMUNITY TYPE OF CONCEPT THAT WE NOW KNOW HAS NOT WORKED. SO US RURAL SENATORS, AND I WON'T SPEAK FOR THE REST OF US, AND ALSO...WELL, LET'S JUST PUT IT THIS WAY: OF 245 DISTRICTS, 234 SCHOOL DISTRICTS ARE NOT INVOLVED IN THIS LEARNING COMMUNITY. WE ARE UNDER THE TEEOSA FORMULA; AND WE PUT OUR LOCAL NEEDS IN, WHICH IS PROPERTY TAXES, AND THEN WE GET, VERY FEW OF US, OF THAT 234, ABOUT 70 GET EQUALIZATION AID; THE REST FUND

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THEIR OWN SCHOOLS. SO WE LOOKED AT THIS AND SAID...I'VE LOOKED AT IT AND SAID, BEING ON THE EDUCATION COMMITTEE FOR TWO YEARS NOW, WE'RE NOT GOING TO GET ANYTHING DONE IN THIS STATE UNLESS WE GET EVERYBODY ON THE SAME PLAYING FIELD ON EDUCATION, ON TEEOSA REFORM, ON PROPERTY TAXES. WE'VE GOT 11 SCHOOL DISTRICTS THAT PROBABLY HAVE 60 PERCENT OF THE SCHOOLS...STUDENTS IN THE STATE LOOKING AT A DIFFERENT WAY BEING FUNDED THAN THE REST OF US. SO I SAID I'M WILLING TO GO ALONG WITH THIS. IT IS GOING TO COST MY TAXPAYERS MONEY BECAUSE RIGHT NOW THE LEARNING COMMUNITY DOESN'T COST US ANYTHING, IT ACTUALLY SAVED US \$5 MILLION-SOME IN STATE AID BECAUSE OF THE PRESSURE PUT ON THE SARPY COUNTY FARMERS AND WEST DOUGLAS COUNTY PAYING MORE PROPERTY TAXES TO FUND THE LEARNING COMMUNITY. SO, WE ALL GOT TOGETHER AND SAID, YES, LET'S DO THIS, LET'S HELP; LET'S GET EVERYBODY ON THE SAME PLAYING FIELD, THE 9 DISTRICTS THAT...OUT OF 11 THAT WANTED OUT AND WANTED OUT BADLY. WE WERE FIRST TOLD \$5.4 MILLION...WE ALWAYS TALKED IN DOLLARS, WE ALWAYS TALKED A CHUNK OF MONEY. IT'S THE FIRST BILL I HAVE BEEN HERE SINCE WE DECIDED ON THE MONEY AND THEN WHAT WE COULD AFFORD, AND THAT IS A GOOD...YOU CAN GO CAR SHOPPING, YOU KNOW HOW MUCH YOU CAN AFFORD AND THEN YOU BUY A CAR. SO COULD WE AFFORD THIS? SO WE WERE TOLD IT TAKES SO MUCH MONEY TO PUT THESE 11 SCHOOLS BACK IN THE TEEOSA FORMULA TO GIVE TAX RELIEF TO THE SARPY COUNTY AND WEST DOUGLAS COUNTY PROPERTY TAXPAYERS. ALL RIGHT, FINE. IT WAS \$5.4 MILLION, NOW IT'S \$7.7 MILLION. FINE, WE GOT A NUMBER. THEN WE WERE TOLD BY THE TWO DISTRICTS, BASICALLY, OPS AND RALSTON THAT THAT BENEFIT FROM THE COMMON LEVY THAT WE WANT SOMETHING; WE WANT SOMETHING IN EXCHANGE. THE NUMBERS DON'T SHOW THAT THEY LOST ANYTHING, BECAUSE WITH SENATOR SULLIVAN'S BILL THEY WERE ACTUALLY GOING TO GAIN SOME MONEY. BUT THEY WANTED A PAYMENT BECAUSE OF FEAR OF THE UNKNOWN NOW THAT THEY DIDN'T HAVE THIS GUARANTEED PROPERTY TAX REVENUE FROM SARPY COUNTY. WE WERE TOLD \$9 MILLION; EVERYBODY SAID IT WAS TOO MUCH. ORIGINAL COST TO THIS LEGISLATION WAS UP TO \$21 MILLION AND EVERYBODY SAID THAT IS NOT GOING TO FLY. THEN IT WAS \$17 MILLION...DOWN TO \$17 (MILLION), AND THEN IT WAS DOWN TO \$13.5 (MILLION). AND A LOT OF US SAID, NO, THAT IS TOO HIGH, LET'S GET IT DOWN TO \$8 MILLION TO \$10 MILLION. WHAT ALL COME...SENATOR SULLIVAN DID HER HARD WORK. SHE REALLY BELIEVED IN THE COMMUNITY ACHIEVEMENT PLAN. WE CAME TO \$13.4 MILLION. ALL RIGHT, THE DIFFERENCE IS...AND A LOT OF RURAL SENATORS SAID--WE DON'T WANT TO EXPAND TEEOSA BY ADDING ON TO THE POVERTY ALLOWANCE...THE POVERTY FUNDING WITH ANOTHER FORMULA. WE'RE ALREADY 18th IN THE NATION WITH SPENDING,

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WHAT WE DON'T NEED IS MORE FORMULAS AND MORE ESCALATING COSTS. SO WHEN I GOT THE FINAL VERSION, AND WE SAT IN A COMMITTEE HEARING, NOT A COMMITTEE HEARING BUT THE EDUCATIONAL COMMITTEE GOT TOGETHER AND THE NUMBER WAS \$5.5 MILLION, \$5.7 MILLION. IT WAS A DOLLAR AMOUNT. IT WAS NOT A STARTING POINT; WE WERE NOT TOLD THIS WAS A STARTING POINT AND THEN WE WERE GOING TO HAVE A PROGRESSIVE FORMULA THAT INCREASED OVER TIME AS VARIABLES CHANGED. WE WERE TOLD IT WAS A SET AMOUNT OF MONEY. THAT IS WHAT THE NEGOTIATIONS, THAT'S WHAT EVERYBODY HEARD OUT THERE WHEN WE TALKED ABOUT IT. SO MY AMENDMENT DOES ONE THING...EXCUSE ME...IN THE SECTION WHERE SENATOR SULLIVAN'S AM2875, THAT NUMBER, FOLKS, .4643, IF YOU WANT TO KNOW WHY IT IS SO ODD, IT WAS THE NUMBER THAT HAD TO BE USED TO COME UP WITH THE \$5.7 MILLION, THE FACTOR THAT HAD TO BE USED. THAT IS HOW THAT NUMBER WAS DECIDED ON. SO NOW THAT IS GOING TO BE IN STATUTE AND THAT IS THE BASE. AND THEN AFTER WE FIGURE THE SUM, THEN WE ARE GOING TO GO ON TO THEIR...HOW THEY SPLIT IT UP, JUST A FEW SCHOOLS. I THINK THIS IS THE FIRST TIME THAT WE HAVE SOMETHING IN TEEOSA FOR ONE...FOR A COUPLE OF THREE SCHOOLS. I MEAN, WE HAD THE LEARNING COMMUNITY, BUT THAT WAS STILL LOCAL EFFORT AND NEEDS. BUT THIS MONEY IS GOING TO 11 SCHOOL DISTRICTS TO HELP GET THEM OUT OF THE COMMON LEVY, TO HELP THE SARPY COUNTY AND THE RURAL FOLKS TO GET OUT OF THAT. SO MY AMENDMENT SAYS, NO, WE'RE NOT GOING TO DO A FACTOR. WE AGREED TO \$5.7 MILLION, SO IT STRIKES THE FACTOR AND PUTS IN THAT WE GOT \$5.7 MILLION, THAT IS HOW MUCH YOU ARE GOING TO GET. AND THEN WE PRORATE IT FROM THERE. THAT IS WHAT EVERYBODY TALKED ABOUT. THAT IS WHAT EVERYBODY ASSUMED. WE DO NOT NEED MORE FORMULAS INSIDE OF FORMULAS THAT CREATE SPENDING INCREASES OVER TIME. I CAN ENVISION THIS BECOMING THE NEXT COMMON LEVY AND I WOULDN'T BLAME THEM WITH OPS AND A COUPLE OF OTHER SCHOOLS. THIS THING COULD ESCALATE AND THEN WHEN WE REALLY WANT TO FIX POVERTY FORMULA STATEWIDE, THIS WILL BE THE NEXT NEGOTIATION TOOL THAT SAYS WE'RE NOT GIVING THIS UP UNLESS YOU DO THIS; WE'RE NOT GIVING THIS UP UNLESS WE GET SOMETHING. FIVE POINT SEVEN MILLION IN ABOUT A \$600 MILLION...0.6 BILLION BUDGET MIGHT BE SOMETHING THEY MIGHT NEGOTIATE IN THE FUTURE. IT'S JUST...IT IS A PATCH. I HAVE BEEN TOLD THIS IS A PATCH TO MAKE THEM WHOLE OR TO MAKE THEM FEEL GOOD UNTIL WE FIX THE PROBLEM, THE REAL PROBLEM. WHEN YOU PATCH SOMETHING, YOU DON'T DO IT LONG TERM. YOU PUT A NUMBER TO IT AND YOU FIX IT. THAT IS WHAT \$5.7 MILLION WILL DO. NOW I'VE BEEN DISCUSSING WITH SOME SENATORS, THIS IS MORE OF A PRIDE THING THAN ANYTHING. REALLY? DO YOU REALLY CARE IF IT GOES UP TO \$5.7 (MILLION) TO

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\$6 MILLION WHEN YOU...WHEN...FOR A SCHOOL DISTRICT THAT HAS A, BASICALLY, SIX-TENTHS OF A BILLION-DOLLAR BUDGET? IT MAKES A LITTLE DIFFERENCE WHEN YOU TALK SMALL SCHOOL DISTRICTS WHEN THEY LOOK AT \$300,000; THAT IS BIG MONEY TO THEM. AND TO SOME OF US OUT IN THE RURAL AREAS, THAT IS A LOT OF MONEY. IT IS AN HONOR THING. LET'S KEEP OUR COMMITMENTS. WE PUT A DOLLAR FIGURE ON THERE. YOU HEARD SENATOR SULLIVAN INTRODUCE IT WITH DOLLAR FIGURES. WE DIDN'T SAY A FORMULA WHERE WE HAVE A PREMANUFACTURED FACTOR THAT WAS USED JUST TO COME UP WITH THE NUMBER TO START WITH WHICH WAS \$5.7 MILLION. WHY ISN'T THAT .5 PERCENT? FIFTY PERCENT OR 48 PERCENT, OR A WHOLE DOLLAR? WHY DOES THE .4643 NEED TO BE IN THERE? IT NEEDS IT TO COME UP WITH THE ORIGINAL NUMBER--5.7; THAT IS WHY IT IS IN THERE. WELL LET'S PUT THAT NUMBER IN THERE--\$5.7 MILLION. THAT IS WHAT WE SHOULD DO. THAT WOULD BE THE HONORABLE THING. EVERYBODY SHOOK HANDS, I DON'T KNOW IF WE EVER SHAKE HANDS AROUND HERE, WE NOD ONCE IN AWHILE AT EACH OTHER. [LB1067]

SPEAKER HADLEY: ONE MINUTE. [LB1067]

SENATOR GROENE: BUT THAT IS WHAT WE WERE DISCUSSING. AND COULD YOU DO THAT FOR THE RURAL SENATORS? THIS IS A \$13.4 MILLION EXPENSE THAT WE NEVER HAD ANY PART OF IN THE PAST...NOTHING...THAT WE'RE GOING TO ADD TO SPENDING. WE TALKED ABOUT TAXES AND HIGH PROPERTY TAXES, HERE WE GO AGAIN. ANOTHER \$13.4 MILLION INTO THE BUDGET THAT WASN'T THERE BEFORE. IT'S GOING TO BE THERE NOW. GIVE US THAT. GIVE US THE POINT THAT WE'RE NOT GOING TO BE WATCHING THIS ESCALATE...NOW YOU SAID \$5.7 MILLION. LET'S DO \$5.7 MILLION. I'M FINE WITH THE AMENDMENT OTHERWISE. IT'S A MATTER OF PRINCIPLE. YOU'VE GOT A NUMBER THERE, IT SAYS .4642; LET'S JUST PUT \$5.7 MILLION THERE AND THAT'S HOW WE'LL CALCULATE THIS IN THE FUTURE UNTIL WE FIX POVERTY INTO THE FUTURE AND WE ELIMINATE THIS SO-CALLED PATCH. THERE ARE OTHER WORDS FOR IT. [LB1067]

SPEAKER HADLEY: TIME, SENATOR. [LB1067]

SENATOR GROENE: THANK YOU. [LB1067]

SPEAKER HADLEY: YOU'VE HEARD THE OPENING ON AM2897. THOSE IN THIS QUEUE ARE SENATORS KEN HAAR, BURKE HARR, KRIST, MURANTE, KINTNER, AND OTHERS. SENATOR KEN HAAR, YOU'RE RECOGNIZED. [LB1067]

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SENATOR HAAR: MR. PRESIDENT, MEMBERS OF THE BODY, I JUST HAVE A QUESTION FOR SENATOR SULLIVAN ON THIS. [LB1067]

SPEAKER HADLEY: SENATOR SULLIVAN, WILL YOU YIELD TO A QUESTION? [LB1067]

SENATOR SULLIVAN: YES, I WILL. [LB1067]

SENATOR HAAR: THANK YOU. SO HOW WILL THE CHANGE IN ALLOCATED INCOME TAX FUNDING IMPACT DISTRICTS OUTSIDE OF THE LEARNING COMMUNITY? [LB1067]

SENATOR SULLIVAN: IT WILL...IF THEY RECEIVE THE ALLOCATED INCOME TAX REBATE NOW, IT BASICALLY KEEPS THEM WHOLE BECAUSE NET OPTION...THE POOL OF DOLLARS WHICH WE HAVE A CAP ON, \$102 MILLION AND PLUS...IS CAPPED AT THAT AMOUNT. NET OPTION FUNDING COMES OUT OF IT FIRST. AND SO WITH THE ELIMINATION OF THE COMMON LEVY, AND NOT KNOWING FOR SURE, BUT ANTICIPATING THE MOVEMENT OF STUDENTS, AND THAT WE HAVE TO, AS A STATE, PAY FOR THE STUDENT THAT GOES OUT OF HIS DISTRICT, HIS OR HER DISTRICT, THEN IT WAS...THERE WAS A POTENTIAL THAT ALL OF THAT \$102 MILLION WOULD USE UP...I MEAN...NET OPTION FUNDING WOULD USE UP ALL THAT \$102 (MILLION). SO WE UPPED A PERCENTAGE ABOVE THE CAP TO TAKE CARE OF THE REBATE AND, BASICALLY, KEEP EVERYONE WHOLE. [LB1067]

SENATOR HAAR: OKAY. AND HAS THAT ACTUALLY...OR IS THERE A MODEL AVAILABLE TO LOOK AT NUMBERS? [LB1067]

SENATOR SULLIVAN: YES. THE DEPARTMENT HAS MODELED IT. IN FACT, WE DIDN'T MAKE COPIES OF EVERYTHING, BUT I THINK WE CAN AND WE CAN HAVE THAT AVAILABLE SO IF YOU WANT TO TAKE A LOOK AT IT, IT'S HERE. [LB1067]

SENATOR HAAR: OKAY. THANK YOU VERY MUCH. [LB1067]

SPEAKER HADLEY: THANK YOU, SENATOR HAAR. SENATOR BURKE HARR, YOU ARE RECOGNIZED. [LB1067]

SENATOR HARR: THANK YOU, MR. SPEAKER; MEMBERS OF THE LEGISLATURE, FELLOW NEBRASKANS. I RISE IN OPPOSITION TO AM2897. BUT BEFORE I TALK

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ABOUT THAT, I WANT TO TAKE A MOMENT TO THANK SENATOR SULLIVAN FOR ALL OF HER HARD WORK ON THIS. THIS... YOU KNOW, IF WE HAD FESTIVUS, WHICH IS AIRING OF THE GRIEVANCES, THIS IS A FEAT OF STRENGTH TO GET THIS PASSED. WE HAVE TRIED FOR SIX YEARS TO GET SOMETHING ON THE LEARNING COMMUNITY. AND IF PEOPLE OUT THERE KNEW HOW MUCH TIME, EFFORT, AND EMOTION WENT INTO THIS, I THINK THEY'D BE VERY SURPRISED AND SHOCKED WHY ANYONE WOULD EVER WANT TO CHAIR EDUCATION IN THE FUTURE. (LAUGHTER) SO I WANT TO TAKE A MOMENT TO THANK SENATOR SULLIVAN. I ALSO WANT TO THANK THE FELLOW MEMBERS OF THIS BODY FOR COMING TOGETHER AND REALLY WORKING AND TAKING DOWN THE BRIDGES...OR WALLS BETWEEN US AND TRYING TO FIND A SOLUTION AND SEEING, OKAY, HOW DO WE GET TO A SOLUTION THAT WORKS FOR ALL OF US? BECAUSE WITHIN THE LEARNING COMMUNITY WE HAVE 11 SCHOOL DISTRICTS. AND FOR EVERYONE WHO GAINS A LITTLE BIT, SOMEONE LOSES A LITTLE BIT. YES, THERE ARE \$13.5 MILLION NEW INTO THE GROUP, BUT WHO GETS THE MOST? WHAT IS THE JUST, FAIR, EQUITABLE WAY? I WANT TO THANK THE SENATORS IN THE BODY FOR THEIR HARD WORK. I WANT TO THANK THEIR SCHOOL DISTRICTS, THEIR SUPERINTENDENTS, THEIR BOARD MEMBERS, AND THEIR LOBBYISTS. THEY ALL ADVOCATED VERY STRONGLY AND VERY WELL FOR THEIR SCHOOL DISTRICTS AND KNEW HOW HARD TO PUSH FOR THEIR OWN RIGHTS, BUT ALSO TO LOOK OUT FOR THE BEST INTERESTS OF THE LEARNING COMMUNITY. AND THAT IS, ULTIMATELY, WHAT IS IMPORTANT HERE. WHAT SENATOR SULLIVAN TALKED ABOUT WAS--YOU CAN'T HAVE A ROTTED OUT CORE AND EXPECT A METROPOLITAN AREA TO THRIVE AND SUCCEED. IT HAS BEEN TRIED; AND NOWHERE HAS THAT WORKED. AND SO THE METROPOLITAN AREA OF OMAHA, AS A WHOLE, NEEDS TO WORK TOGETHER AND THESE ARE ALL OUR CHILDREN. AND I DON'T CARE IF THEY ARE IN THE LEARNING COMMUNITY, I DON'T CARE IF THEY ARE OUTSTATE NEBRASKA, WE HAVE TO FIND A WAY TO EDUCATE THEM; WE HAVE TO FIND A WAY TO MAKE SURE THAT WE GET THEM THE FUNDING THEY DESERVE SO THEY CAN GET THE EDUCATION THEY DESERVE. AND PART OF THAT IS ACCOUNTABILITY AND COLLABORATION. WE CAN'T HAVE 245 INDIVIDUAL SCHOOL DISTRICTS EACH TRYING THEIR OWN WAY TO DO...EDUCATE OUR CHILDREN. THERE HAS TO BE COLLABORATION. AND I UNDERSTAND THAT THE COMMUNITY ACTION PLAN IS CONTROVERSIAL AND THERE ARE A LOT OF PEOPLE OUT THERE WHO DON'T LIKE IT. I THINK IT IS A GREAT IDEA TO ENCOURAGE COLLABORATION. IT THINK IT'S A GREAT IDEA TO ENCOURAGE ACCOUNTABILITY. AND SO WE ARE GOING TO TURN IT OVER TO THE SUPERINTENDENTS. AND I TRUST THE SUPERINTENDENTS THAT THEY WILL COME UP WITH A GOOD, FAIR, AND EQUITABLE PLAN. THERE ARE THOSE WHO SAY, WHY SHOULD ANOTHER SCHOOL DISTRICT BE ABLE TO TELL US HOW TO

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SPEND OUR MONEY? WELL, NUMBER ONE, IT IS NOT THEIR MONEY; IT IS THE PEOPLE'S MONEY. OKAY? IT'S THE PEOPLE'S MONEY AND WE WANT TO HAVE AS MUCH COLLABORATION AND ACCOUNTABILITY AS POSSIBLE. SO I THINK THAT'S A GOOD THING. BUT I STAND AGAINST THIS MOTION. AND THE REASON I STAND AGAINST IT IS--WE AREN'T TALKING DOLLARS. IF YOU READ THE BILL, YOU READ EVERY SINGLE AMENDMENT, IT IS BASED ON PERCENTAGES, AND THEN WE GET TO GENERAL NUMBERS. BUT TEEOSA IS COMPLICATED. AND YOU CAN'T JUST SAY DOLLARS IN EQUAL DOLLARS OUT. AND YOU CAN'T SAY THIS IS THE AMOUNT WE'RE GOING TO SPEND ON IT BECAUSE UNFORTUNATELY, POVERTY RISES. FORTUNATELY, IT DOES LOWER. AND WE DON'T KNOW WHAT THOSE NUMBERS ARE TODAY. AND SO WE MAKE IT BASED ON OUR BEST GUESS AND WE SAY WE THINK THIS IS GOOD PUBLIC POLICY, THIS PERCENTAGE TO GO TO POVERTY; THIS PERCENTAGE TO GO TO A COMMUNITY ACHIEVEMENT PLAN. HOPEFULLY IT IS ABOUT \$5.7 (MILLION). WE DON'T EVEN KNOW TEEOSA TO BE EXACT, THE BACKFILL OF GOING FROM PROPERTY TAX RELIEF TO STATE AND INCOME DOLLARS FOR TEEOSA. WE APPROXIMATE IT \$5.3 (MILLION). I'VE SEEN AS HIGH AS \$5.7 (MILLION). WE HAVE DONE MODELING, BUT IT'S JUST THAT, IT'S A MODEL. THIS BILL MAY END UP COSTING \$13.5 (MILLION)... [LB1067]

SPEAKER HADLEY: ONE MINUTE. [LB1067]

SENATOR HARR: THANK YOU, MR. SPEAKER. ...IT MAY COST \$13.2 MILLION WHEN IT IS ALL SAID AND DONE. WE DON'T KNOW. FISCAL NOTES ARE NICE, BUT THEY ARE A GUESSTIMATE. THEY'RE AN EDUCATED GUESS, BUT THAT'S ALL THEY ARE. AND SO IF WE'RE GOING TO PUT A CAP ON THIS, WE'RE GOING TO PUT CAPS ON EVERYTHING ELSE AND THIS WHOLE HOUSE OF CARD WILL FALL DOWN. I APPRECIATE WHAT SENATOR GROENE IS TRYING TO DO. HE IS A GOOD, FAIR MAN WHO WANTS TO CONTROL COSTS. BUT THIS ISN'T THE PROPER WAY TO DO IT. AND SO I WOULD ASK THAT YOU, PLEASE, NOT SUPPORT AM2897. THANK YOU, MR. SPEAKER. [LB1067]

SPEAKER HADLEY: THANK YOU, SENATOR HARR. SENATOR KRIST, YOU ARE RECOGNIZED. [LB1067]

SENATOR KRIST: THANK YOU, MR. PRESIDENT; GOOD AFTERNOON, COLLEAGUES; GOOD AFTERNOON, NEBRASKA. IN GENERAL, I SUPPORT AM2875. I WILL HAVE AN AMENDMENT, IF WE GET TO IT; I HOPE WE GET TO IT. I HOPE WE HAVE A LONG DISCUSSION ON THE LEARNING COMMUNITY BILL. WHEN WE SET OUT, OUR TARGET GOAL WAS TO ELIMINATE THE COMMON LEVY. IF THE

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COMMON LEVY GOES AWAY, IN REALITY, THERE ARE GOING TO BE SOME DISTRICTS OUT THERE THAT WILL BE ABLE TO LOWER THEIR LEVY; TWO IN PARTICULAR: SOUTH SARPY AND DC WEST. THEY WILL BE ABLE TO GO DOWN TO THE 8-TO-8.5 RANGE, AND THEY ARE CURRENTLY ABOVE 1. THAT'S GOING TO ALLOW THEM TO ACTUALLY BOND WITH THEIR CITIZENS AND BUILD OR SAVE MONEY AT THE LOCAL LEVEL. WE'LL SEE HOW THAT GOES. WE'LL KEEP OUR EYE ON THAT ONE. BUT THE ONE THING I DISAGREE WITH VERY STRONGLY ABOUT THIS AMENDMENT, AND SENATOR SULLIVAN KNOWS MY OPINION AND MY CONCERNS. SHE SPOKE AS IF EACH DISTRICT WOULD TELL THE OTHER DISTRICT WHAT TO DO; 11 OF THEM WEIGHING IN AND THERE WAS A VOTE. THAT IS NOT HOW IT WORKS, FOLKS. THE LCC IS THE ONE, THE LEARNING COMMUNITY COUNCIL, IS THIS ONE WHO WILL DISTRIBUTE, WHO IS SET UP AS AN OVERHEAD STRUCTURE; WHO IS SET UP AT THIS POINT TO BE ABLE TO MEDIATE BETWEEN THOSE DISTRICTS. THIS IS NOT ONE DISTRICT TELLING ANOTHER DISTRICT WHAT TO DO. HENCE, MY POINT: THE COMMUNITY ACHIEVEMENT PLAN IS UNNECESSARY, IT IS ANOTHER LEVEL OF BUREAUCRACY. IT IS SENATOR SULLIVAN'S WAY OF SAYING, I DON'T TRUST THAT THE MONEY IS GOING TO BE SPENT THE WAY IT IS SUPPOSED TO BE SPENT. NOW, IF I'M WRONG ABOUT THE LCC BEING THE OVERALL COORDINATING ACTIVITY IN THE LEARNING COMMUNITY, I'M SURE THAT SENATOR KOLOWSKI OR SENATOR CHAMBERS, WHO HAS BEEN IN THE LEARNING COMMUNITY, WHO SERVED IN THAT CAPACITY WILL SET ME STRAIGHT. I'M SURE THEY WILL. BUT I HAVE TO TELL YOU THAT I DON'T THINK THAT SOUTH SARPY OR SARPY SENATORS WANT TO GO BACK TO THEIR DISTRICT AND SAY--WE GOT ANOTHER LAYER OF BUREAUCRACY. BECAUSE IT IS THOSE FOLKS WHO ARE BASICALLY SAYING DO AWAY WITH THE LEARNING COMMUNITY ALTOGETHER. SO FOR THE RECORD AND FOR GENERAL UNDERSTANDING, THIS IS ANOTHER LAYER OF BUREAUCRACY WE AT THE STATE LEVEL ARE GOING TO TELL THOSE FOLKS HOW TO DO BUSINESS. THE ACCOUNTABILITY FOR THE DOLLARS IS ALREADY THERE. IT IS ALREADY THERE AS A FUNCTION OF THE FORMULA, IT IS ALREADY THERE BY THE LEARNING COMMUNITY LEADERSHIP WITHIN THE LEARNING COMMUNITY. WE DO NOT NEED ANOTHER LAYER OF BUREAUCRACY. THE DISTRIBUTED PORTION OF THIS, AND JUST IN THE SHORT VERSION, TO MEMBER DISTRICTS BASED UPON A 2 PERCENT OF POVERTY ALLOWANCE, 2 PERCENT OF LEP, 3 PERCENT OF STATEWIDE AVERAGING, AGAIN, WE ARE DICTATING TO THEM HOW AND WHERE TO PUT THE MONEY. I WOULD ALMOST SUPPORT SENATOR GROENE AS OPPOSED TO TELLING THEM WHAT TO DO WITH THEIR MONEY. THERE'S 11 SUPERINTENDENTS AND AN LCC, THEY CAN HANDLE THEIR OWN ISSUES. THE FINAL THING I WILL SAY TO YOU, BECAUSE I'M SETTING A STAGE FOR MY AMENDMENT COMING LATER, WHAT WE'RE TALKING ABOUT IS ONE OF THREE,

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ONE OF THREE LEVYING AUTHORITIES, WITHIN THE LEARNING COMMUNITY. THIS HAS ALWAYS BEEN REFERRED TO AS THE COMMON LEVY. THERE'S BASICALLY TWO OTHER FUNCTIONS. THERE IS THE BUILDING FUND AND THERE IS EARLY CHILDHOOD, AND A FEW OTHER THINGS ADDED ON. [LB1067]

SPEAKER HADLEY: ONE MINUTE. [LB1067]

SENATOR KRIST: THERE IS LEVY AUTHORITY IN THOSE TWO OTHER AREAS WHERE THE LEARNING COMMUNITY COULD BE CHARGED, INITIATED, A FIRE LIT UNDERNEATH THEM TO SOLVE THEIR OWN POVERTY PROBLEM BY USING A LITTLE BIT OF A SMALLER LEVY TO DO THAT. SO YOU'RE ELIMINATING THE BIG COMMON LEVY, WHICH IS IMPORTANT, AND I COMPLETELY SUPPORT THAT. BUT THERE ARE OTHER OPPORTUNITIES TO MAKE SURE THAT POVERTY IS BEING TAKEN CARE OF IN THE LEARNING COMMUNITY. AND I'M GOING TO GO ON RECORD AS SAYING, ALSO, WE HAVE TO PUT SOMETHING ON THE BOOKS TO SAY HOW SERIOUS WE ARE ABOUT POVERTY IN THE REST OF THE STATE BECAUSE IF YOU DON'T DO IT THIS YEAR, IT WILL BE THREE YEARS BEFORE ANYTHING GETS DONE. THAT IS HOW THE BUDGETARY CYCLE WORKS FOR EDUCATION. LET'S NOT GET SO FAR AHEAD...BEHIND AS WE HAVE WITHIN OUR SPECIAL EDUCATION FUNDS, LET'S DO SOMETHING NOW. [LB1067]

SPEAKER HADLEY: TIME, SENATOR. [LB1067]

SENATOR KRIST: THANK YOU. [LB1067]

SPEAKER HADLEY: THANK YOU, SENATOR KRIST. THOSE IN THE QUEUE: SENATOR KINTNER, DAVIS, SULLIVAN, MELLO, GROENE, AND OTHERS. SENATOR KINTNER, YOU ARE RECOGNIZED. [LB1067]

SENATOR KINTNER: WELL, THANK YOU, MR. PRESIDENT. THIS IS AN IMPORTANT MOMENT FOR THE LEGISLATURE. THIS IS A BIG DEAL BILL FOR MY CONSTITUENTS AND REALLY TO EVERY TAXPAYER AND SCHOOL PATRON LIVES IN THE 11 SCHOOL DISTRICTS THAT COMPROMISE (SIC) THE LEARNING COMMUNITY. THE VAST MAJORITY OF MY CONSTITUENTS HAVE BEEN TOTALLY OPPOSED TO THE LEARNING COMMUNITY SINCE IT WAS FOISTED UPON THEM EIGHT YEARS AGO. I'VE INTRODUCED BILLS TO COMPLETELY REPEAL THE FAILED LEARNING COMMUNITY EXPERIMENT SINCE I WAS ELECTED TO THIS BODY...(INAUDIBLE) I'VE INTRODUCED MORE BILLS THAN ANY OTHER SENATOR ON THE LEARNING COMMUNITY. I'VE SAT THROUGH MANY OF OUR DIFFICULT

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AND EXTENDED DEBATES ON MANY ISSUES THAT HAVE COME BEFORE ME AS A STATE SENATOR. AND I REALIZE THAT SOME OF THE ISSUES SEEM REALLY NARROWLY FOCUSED ON PARTS OF THE STATE. SOME ISSUES ARE CLEARLY SEEN AS HAVING STATEWIDE IMPACT. EVERY TIME I FIND MYSELF WONDERING WHAT THE SIGNIFICANCE OF ANY SINGLE BILL IS TO MY DISTRICT, I REMIND MYSELF THAT WE ARE STATE SENATORS. ALL ISSUES THAT COME BEFORE US HAVE IMPACTS ON ALL OF OUR CITIZENS WHETHER THEY LIVE IN ELMWOOD, SCOTTSBLUFF, OR OMAHA. AND LB1067, IT'S ONE OF THOSE BILLS THAT MAY SEEM TO HAVE A REALLY NARROW FOCUS TO MY COLLEAGUES WHO ARE NOT SADDLED WITH LIVING IN THE LEARNING COMMUNITY. I WANT YOU TO KNOW HOW IMPORTANT THIS BILL IS. I WANT TO RECOGNIZE AND THANK THE EXTREMELY LENGTHY AND HARD WORK SENATOR SULLIVAN HAS DONE ALONG WITH THE EDUCATION COMMITTEE AND STAFF AND THE 11 SCHOOL DISTRICTS AND THEIR REPRESENTATIVES. YOU KNOW, LAST YEAR I BROUGHT THE LEARNING COMMUNITY TO THE FLOOR, IT WAS DEBATED FOR THE VERY FIRST TIME ON THIS FLOOR SINCE IT WAS CREATED. AND SENATOR SULLIVAN STOOD UP AND SHE SAID--SENATOR KINTNER, I CAN'T SUPPORT YOUR AMENDMENT, BUT I PROMISE TO HAVE A BILL ON THE FLOOR TO DEAL WITH THE LEARNING COMMUNITY. AND SHE KEPT THAT PROMISE; IT WASN'T EASY. AND LET'S FACE IT, WE'VE GOT 49 POLITICIANS IN HERE; IT'S A PRETTY LOW BAR FOR TELLING THE TRUTH AND FOLLOWING THROUGH, BUT SHE DID IT. YOU KNOW, THIS BILL IS NOT PERFECT. THIS BILL SPENDS TOO MUCH MONEY IN THE MINDS OF SOME OF MY COLLEAGUES, AND PROBABLY MYSELF INCLUDED. THIS BILL DOESN'T SPEND ENOUGH MONEY IN THE MINDS OF OTHER OF MY COLLEAGUES. WE ALL MAKE INDIVIDUAL DECISIONS ON BILLS. THIS COMPROMISE IS TRULY A COMPROMISE. THE BILL DOESN'T GO FAR ENOUGH FOR MY PERFECT WORLD, FOR I WOULD BE WILLING TO COMPLETELY ELIMINATE THE LEARNING COMMUNITY. BUT I SUPPORT THIS BILL. AS WE CONSIDER THIS IMPORTANT BILL, HOPE YOU SUPPORT THIS COMPROMISE, TOO. THIS BILL IS NOT WALKING AWAY FROM OMAHA PUBLIC SCHOOLS. ALL METRO SCHOOL DISTRICTS RECOGNIZE THE UNIQUE NEEDS OF THE OMAHA PUBLIC SCHOOLS. I HAVE BEEN REMINDED MANY TIMES BY MY GOOD COLLEAGUES ON THE APPROPRIATIONS COMMITTEE, SENATOR MELLO AND (SENATOR) COOK, ABOUT THE NEEDS OF OUR STATE'S LARGEST URBAN SCHOOL DISTRICT. NOBODY WANTS IT TO FAIL. I THINK IF WE PASS THIS BILL, LB1067, WE WILL FULFILL OUR MISSION TO HELP NOT ONLY OMAHA AND SARPY, BUT ALL THE SCHOOL DISTRICTS IN THE LEARNING COMMUNITY, AND THIS WILL BE GOOD FOR EVERY SCHOOL DISTRICT IN THE STATE. THANK YOU, MR. PRESIDENT. [LB1067]

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SPEAKER HADLEY: THANK YOU, SENATOR KINTNER. SENATOR DAVIS, YOU ARE RECOGNIZED. [LB1067]

SENATOR DAVIS: THANK YOU, MR. PRESIDENT. I WONDER IF SENATOR SULLIVAN WOULD YIELD TO A FEW QUESTIONS? [LB1067]

SPEAKER HADLEY: SENATOR SULLIVAN, WILL YOU YIELD TO A FEW QUESTIONS? [LB1067]

SENATOR SULLIVAN: YES, I WILL. [LB1067]

SENATOR DAVIS: THANK YOU, SENATOR SULLIVAN. SENATOR KRIST REFERRED TO IT EARLIER, BUT CAN YOU WALK THROUGH THE DIFFERENT LEVYING AUTHORITIES THAT ARE THERE IN THE LEARNING COMMUNITY TODAY? [LB1067]

SENATOR SULLIVAN: THEY HAVE THE LEVY AUTHORITY FOR THE ONE CENT...HALF CENT, I THINK, FOR EARLY CHILDHOOD EDUCATION WHICH THEY ARE LEVYING FOR RIGHT NOW AND DOING A LOT OF PROGRAMMING ALONG THOSE LINES. THEY HAVE A ONE-CENT LEVY AUTHORITY FOR BUILDING, BUT THEY'VE NEVER USED THAT. AND THEN, OF COURSE, WE HAVE THE 95-CENT COMMON LEVY. [LB1067]

SENATOR DAVIS: SO WHAT WE'RE DOING AWAY WITH IS ALL THESE? OR WE'RE ONLY DOING AWAY WITH PORTIONS OF THESE? [LB1067]

SENATOR SULLIVAN: WE WOULD PROPOSE TO DO AWAY WITH THE COMMON LEVY AND THE ONE CENT FOR BUILDING. [LB1067]

SENATOR DAVIS: SO WHEN WE DO AWAY WITH THE COMMON LEVY THEN, WE MOVE TO AN ISSUE OF OPEN ENROLLMENT VERSUS OPTION ENROLLMENT; AND FOR THE BENEFIT OF THE BODY, WOULD YOU EXPLAIN THE DIFFERENCE BETWEEN THOSE TWO? [LB1067]

SENATOR SULLIVAN: OKAY. THAT IS ONE COMPONENT OF THE BILL. IT'S NOT NECESSARILY AN AUTOMATIC JUST BECAUSE WE ARE GETTING RID OF THE COMMON LEVY, BUT THAT IS ONE OF THE THINGS THAT WE ARE PROPOSING TO DO WITH THIS BILL. IN OPTION ENROLLMENT, A STUDENT LITERALLY IN THE LEARNING COMMUNITY COULD CHOOSE TO GO ANYWHERE. AND NOW IF WE'RE

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SWITCHING TO OPTION ENROLLMENT, THOSE STUDENTS WHO ARE IN OPEN ENROLLMENT CATEGORY NOW, AND IF THEY HAVE MOVED TO A BUILDING...SCHOOL BUILDING OUTSIDE OF THEIR HOME DISTRICT, THEY CAN STAY THERE THROUGH THE GRADE LEVEL THAT THEY ARE IN IN THAT BUILDING; OR IF THEY HAVE A SIBLING THERE. I MEAN, WE'VE GOT SEVERAL DIFFERENT PARAMETERS THAT THEY HAVE TO MEET. BUT BEFORE THE OPEN ENROLLMENT, THE DISTRICTS HAD TO TAKE CARE OF THAT TRANSPORTATION FOR THOSE STUDENTS MOVING INTO THEIR DISTRICT. NOW WE'RE SAYING THAT THERE IS THE OPPORTUNITY FOR THE SCHOOL DISTRICT WHO IS RECEIVING THAT OPTION STUDENT TO EITHER REIMBURSE OR PROVIDE THE TRANSPORTATION FOR THAT STUDENT. AND THEN THE OTHER THING THAT HAS TO BE DONE, AND THIS WOULD APPLY NOT ONLY TO LEARNING COMMUNITY DISTRICTS, BUT STATEWIDE...DISTRICTS HAVE TO DISCLOSE WHAT THEIR TRANSPORTATION POLICIES ARE. SO YOU COULD REIMBURSE THE FAMILY FOR THE TRANSPORTATION OR YOU CAN PROVIDE THE TRANSPORTATION. [LB1067]

SENATOR DAVIS: AND, SENATOR SULLIVAN, CAN I ASK JUST A FEW MORE QUESTIONS? I'LL PROBABLY RUN OUT OF TIME HERE, BUT WITH OPTION ENROLLMENT, THEN THE STATE PICKS UP A PORTION OF THAT PAYMENT, AND IT WAS, AT ONE TIME, \$9,000, IS THAT RIGHT? [LB1067]

SENATOR SULLIVAN: YES. [LB1067]

SENATOR DAVIS: SO IT WOULD BE POSSIBLE FOR PEOPLE TO OPTION OUT OF OMAHA PUBLIC SCHOOLS AND OPTION INTO MILLARD, IS THAT CORRECT? AND THE STATE WOULD COVER THAT COST? [LB1067]

SENATOR SULLIVAN: YES. [LB1067]

SENATOR DAVIS: AND THAT IS WHY WE ARE INCREASING THE CAP ON THE INCOME, BECAUSE WE ARE AFRAID WE COULD RUN OUT OF MONEY... [LB1067]

SENATOR SULLIVAN: EXACTLY. [LB1067]

SENATOR DAVIS: ...WHICH MIGHT ACTUALLY RESULT IN THE BENEFIT THAT WE PERCEIVED IN THE LAST BILL, THAT WE JUST TALKED ABOUT, BY LOWERING THE LEVY OF SOME OF THAT ALLOCATED INCOME TAX GOING BACK TO THE DISTRICTS, THAT COULD GO AWAY IF THERE IS NOT ANY MONEY LEFT. [LB1067]

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SENATOR SULLIVAN: YES. [LB1067]

SENATOR DAVIS: SO DO WE KNOW THE ANSWER TO THIS OR ARE WE JUST SORT OF SPECULATING THAT THIS IS WHAT WE NEED TO DO? [LB1067]

SENATOR SULLIVAN: WE WERE LOOKING AT THE CURRENT NUMBERS OF OPTION...OPEN ENROLLMENT STUDENTS, SORT OF MAKING A PREDICTION OF HOW MANY WOULD RESULT IN OPTION STUDENTS. SO WE CAME UP WITH THE NUMBER... [LB1067]

SPEAKER HADLEY: ONE MINUTE. [LB1067]

SENATOR SULLIVAN: ...IF THAT WAS THE PROBLEM, IT HADN'T BEEN MODELED WHEN WE HAD THE BILL ON GENERAL FILE. WE DID IT IN BETWEEN. AND SO THIS IS THE NUMBER WE CAME UP WITH. IF THAT...IS IT GOING TO COME TO PASS? WE DON'T KNOW. [LB1067]

SENATOR DAVIS: THANK YOU, SENATOR SULLIVAN. COLLEAGUES, MY POINT BEING, AS A RURAL SENATOR, I SUPPORTED THE LAST BILL BECAUSE I THINK IT IS GOOD POLICY. I'M CONCERNED ABOUT THIS ONE. I THINK IT'S GOING TO MAYBE...HAS A POTENTIAL TO TAKE AWAY THE FUNDING THAT WE THINK WE'RE GOING TO PUT BACK IN THE DISTRICTS BY LOWERING THAT MINIMUM EFFORT. BUT IT ALSO COULD THIS: IT CAN HURT OMAHA AND RALSTON, AND THE INNER-CITY SCHOOLS IN THE LONG RUN BECAUSE THEY'RE GOING TO LOSE OPTION STUDENTS WHO WANT TO GO TO A BETTER SCHOOL SOMEWHERE ELSE. SO I THINK WE NEED TO THINK ABOUT THIS PRETTY HARD ABOUT WHAT WE'RE GOING TO DO. WE'RE TAKING LOTTERY DOLLARS TO PLUG IN TRANSITION MONEY; THAT'S LOTTERY DOLLARS THAT ARE PAID FOR BY EVERYBODY IN THE STATE. IS LEARNING COMMUNITY FLAWED? PROBABLY; MAYBE IT IS. MAYBE IT CAN BE FIXED, BUT I'M NOT SURE THIS IS THE TOOL TO DO THAT. I MIGHT TALK AGAIN ON THE MIKE IN A FEW MINUTES. THANK YOU. [LB1067]

SPEAKER HADLEY: THANK YOU, SENATOR DAVIS. SENATOR SULLIVAN, YOU ARE RECOGNIZED. SENATOR SULLIVAN WAIVES CLOSING. SENATOR MELLO, YOU ARE RECOGNIZED. [LB1067]

SENATOR MELLO: THANK YOU, MR. PRESIDENT, MEMBERS OF THE LEGISLATURE. I STAND IN SUPPORT OF AM2875. AND I MAY TALK ABOUT THAT A

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LITTLE MORE, BUT I'M GOING TO HAVE TO, RESPECTFULLY, STAND UP IN OPPOSITION TO SENATOR GROENE'S AM2897. IT IS NOT THAT I WOULD SAY I DISAGREE WITH, MAYBE, SENATOR GROENE'S LOGIC AS MUCH AS EVERY CONVERSATION THAT HAS BEEN HAD IN LIGHT OF THESE VERY, VERY TENSE, VERY DIFFICULT DISCUSSIONS AND NEGOTIATIONS AND COMPROMISES WITH URBAN, RURAL, AND SUBURBAN SENATORS ON LB1067. THE ISSUE THAT WAS RAISED, THOUGH, AS IT WAS TRYING TO ADDRESS HIGH POVERTY-NEED STUDENTS IN A WAY THAT WAS CONSISTENT OF ALLOCATING FUNDS, KNOWING THAT THE NUMBER OF STUDENTS CHANGE YEAR TO YEAR. AND, SOME YEARS, SOME SCHOOL DISTRICTS WILL HAVE MORE POVERTY STUDENTS THAN THE NEXT YEAR. I HAVE ALWAYS BEEN UNDER THE UNDERSTANDING, AND THE GOOD FAITH NEGOTIATIONS WITH SENATOR SULLIVAN, SENATOR SMITH, SENATOR HARR, SENATOR WILLIAMS, SENATOR MURANTE, THE SPEAKER, AND MANY OTHERS, THAT THERE WAS NEVER, QUOTE UNQUOTE, A HARD NUMBER THAT WAS ATTACHED TO TRY TO ADDRESS THE POVERTY IN THE INNER-CITY AREAS OF OMAHA AND RALSTON, THAT IT WAS MORE TRYING TO HIT A NUMBER BASED ON LOOKING AT THE FISCAL CONSTRAINTS OF LB1067. AS THIS BEING MY EIGHTH YEAR IN THE LEGISLATURE, MY FINAL YEAR, LIKELY, WORKING ON A TEEOSA-RELATED OR EDUCATION-RELATED BILL, EVERYONE KNOWS, NOT JUST PEOPLE WHO ARE IN THE APPROPRIATIONS COMMITTEE OR EDUCATION COMMITTEE, BUT EVERYONE KNOWS IF YOU WORKED ON A TEEOSA BILL OR HAVE HAD ANY BILL RELATED TO THE TEEOSA FORMULA, NUMBERS CHANGE ON A DAILY BASIS, THAT SOMETIMES AN ESTIMATE ONE DAY CAN CHANGE THE NEXT DAY. AND, COLLEAGUES, I THINK THAT IS KIND OF WHERE WE HAVE BEEN AT WITH THE COMPROMISE AND NEGOTIATION YOU HAVE ON AM2875 THAT SENATOR SULLIVAN BROUGHT US. I UNDERSTAND SENATOR GROENE'S AMENDMENT WANTS TO PUT A HARD CAP ON HOW MUCH MONEY CAN GO TO THE LEARNING COMMUNITY FOR POVERTY AS IT RELATES TO THE COMMUNITY ACHIEVEMENT PLAN CONCEPT. COLLEAGUES, THAT, I THINK, IS A SHORTSIGHTED POLICY, NOT KNOWING WHAT THE REAL NUMBER WILL BE WHEN WE SEE THOSE NUMBERS COME OUT OF THE TEEOSA FORMULA BASED OFF OF THE ADOPTION OF SENATOR SULLIVAN'S AMENDMENT. IT MAY BE BELOW A HARD CAP AND IT MAY BE SLIGHTLY ABOVE. AND THE REALITY IS WE KNOW THAT WILL GIVE AND TAKE AND CHANGE YEAR TO YEAR BASED ON THE NUMBER OF POVERTY STUDENTS THAT COME INTO THE LEARNING COMMUNITY THAT WOULD QUALIFY FOR THIS AID. I CAN RESPECT SENATOR GROENE LOOKING AT THIS PERSPECTIVE, PURELY AT A DOLLARS AND CENTS ISSUE, BUT I SIMPLY DON'T LOOK AT IT THAT WAY, IN PART BECAUSE THESE ARE MY CHILDREN. THESE ARE KIDS THAT LIVE ON MY STREET, GO TO THE HIGH-POVERTY SCHOOLS IN MY NEIGHBORHOOD. AND, TO SOME EXTENT, IF WE'RE

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TALKING ABOUT A THOUSAND DOLLARS HERE, A HUNDRED THOUSAND DOLLARS THERE, BASED ON THE POPULATION CHANGE THAT WE DON'T QUITE KNOW WHAT WILL BE WITH THE ADOPTION OF SENATOR SULLIVAN'S AMENDMENT, I THINK THAT WE'RE JUMPING AHEAD A LITTLE BIT IN REGARDS TO TRYING TO PUT A HARD AND FAST DOLLAR AMOUNT ON. I UNDERSTAND WHERE SENATOR GROENE IS COMING AT ON THIS. I'M JUST GOING TO HAVE TO RESPECTFULLY DISAGREE BECAUSE WE KNOW WITH FORMULAS NUMBERS CHANGE. AND IT'S NOT SAYING THAT THE NUMBER IS GOING TO JUMP UP \$10 (MILLION) TO \$15 MILLION, WE KNOW THAT'S NOT THE CASE WITH THIS. BUT WE KNOW THE NUMBERS COULD BE SLIGHTLY ABOVE OR SLIGHTLY BELOW. AND I WOULD HATE TO SEE US MAKE A RASH DECISION RIGHT NOW WHEN WE'VE WORKED THROUGH THIS BILL OVER THE LAST WEEK TO TRY TO FIND COMPROMISE TO ADDRESS THE HIGH-POVERTY SCHOOL ISSUES AND THEN TRY TO SUBMARINE THAT GOOD-FAITH EFFORT BY PUTTING A CAP ON SOMETHING RIGHT NOW. [LB1067]

SPEAKER HADLEY: ONE MINUTE. [LB1067]

SENATOR MELLO: WE JUST DON'T KNOW WHAT THOSE RESULTS WILL BE. COLLEAGUES, I'D URGE YOU TO RESPECTFULLY VOTE NO ON THE SENATOR GROENE AMENDMENT. IT IS NOT THAT SENATOR GROENE...WE HAD A VERY HARDY CONVERSATION, I WOULD SAY, EARLIER THIS MORNING ON THIS ISSUE. AND I'M NOT GOING TO DISAGREE IN SOME RESPECT OF WHY HE WANTS TO PUT A HARD CAP ON IT. I JUST DISAGREE WITH THE OVERARCHING POLICY THAT WE'VE CREATED. WE KNOW THE NUMBERS CHANGE; THE DEMOGRAPHICS THOUGH, COLLEAGUES, IS THE ISSUE. THE DEMOGRAPHICS CHANGE, THE DEMOGRAPHICS SHIFT, AND WHEN YOU ARE TALKING ABOUT HIGH-POVERTY SCHOOLS SHIFTING THOSE DEMOGRAPHICS BETWEEN THOSE 11 SCHOOL DISTRICTS, THAT'S WHAT WE GOT TO BE MINDFUL OF AND WE SHOULDN'T MAKE A HARD AND RASH DECISION WITHIN AM2897. THANK YOU, MR. PRESIDENT. [LB1067]

SPEAKER HADLEY: THANK YOU, SENATOR MELLO. SENATOR GROENE, YOU ARE RECOGNIZED. [LB1067]

SENATOR GROENE: THANK YOU, MR. PRESIDENT. TO MAKE A POINT THAT THIS ISN'T SOMETHING DIFFERENT TO PUT A DOLLAR AMOUNT, I WOULD THINK THE APPROPRIATIONS COMMITTEE DOES IT OVER AND OVER AGAIN. ANYBODY WHO RUNS A BUDGET DOES IT OVER AND OVER AGAIN. SOMEBODY GETS \$250,000,

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SOMEBODY GETS \$5 MILLION, SOMEBODY GETS \$3 MILLION, IT'S DONE ALL THE TIME. WE WOULD BE IN WORSE SHAPE THAN WE ARE NOW IF WE ALLOWED EVERYTHING IN STATE GOVERNMENT TO RUN BY A FORMULA. THAT IS WHY WE'RE IN TROUBLE WITH TEEOSA. IT IS ONE OF THE FEW THINGS THAT COMES BACK TO THIS BODY WITH A HARD NUMBER BECAUSE A FLAWED FORMULA DECIDED WHAT THAT NUMBER IS. MAYBE IT IS TIME TO START PUTTING SOME HARD NUMBERS BACK INTO THAT FORMULA AND MAKE THOSE WHO WE HIGHER TO EDUCATE OUR CHILDREN WORK WITHIN THOSE NUMBERS. YOU KNOW, WE DO HAVE A POVERTY ALLOWANCE ALREADY THAT EVERYBODY IN THE STATE IN TEEOSA WORKS UNDER. OPS WENT FROM, I THINK, \$46 MILLION TO \$56 MILLION IN ONE YEAR AND THEY ARE ARGUING ABOUT, MAYBE, \$100,000 INCREASE OR \$250,000 INCREASE IF WE LET THIS FORMULA FLOAT. IN MY AMENDMENT, IT SAYS "OR EQUAL TO OR BE LESS THAN \$5,700,000." IT'S NOT A HARD NUMBER; IT CAN GO DOWN. IT IS JUST CAPPED AT \$5.7 MILLION. YOU PRORATE IT, IT'S EASILY DONE. NOW THIS IS ALL NEW MONEY, FOLKS. I JUST MENTIONED THEY DO GET A POVERTY ALLOWANCE, \$58 MILLION...56...57, WHATEVER IT IS. THIS IS A COMPLETELY NEW PROGRAM; THIS IS ENTIRELY NEW MONEY. AND IT'S THE FIRST TIME IN THE FORMULA THAT IT IS DICTATED TOWARDS 11 SCHOOLS, AND BASICALLY TWO SCHOOLS THAT ARE TREATED DIFFERENTLY THAN ALL THE OTHER SCHOOLS. WE TRIED TO FIX WHERE WE GOT 11 SCHOOLS BEING FUNDED DIFFERENTLY, A DIFFERENT FORMULA, WITH THEIR NEEDS. WE ELIMINATED THAT, NOW WE COME BACK WITH ANOTHER LITTLE PROGRAM THAT IS FOR BASICALLY TWO SCHOOLS. WE ALL TALKED ABOUT HARD NUMBERS. THERE ISN'T A PERSON IN HERE WHO IS INVOLVED IN THIS WHO IS CONCERNED ABOUT IT, WASN'T TOLD HARD NUMBERS. I WAS HEARD FROM A COUPLE OF SENATORS THAT SAID THIS IS COMPLICATED AND POVERTY WE DON'T KNOW. IF YOU COULD GUARANTEE ME WITH \$570 MILLION, THAT YOU WOULD...WHAT IS THE NUMBER THAT YOU WOULD ELIMINATE POVERTY? THERE IS NO NUMBER. THERE IS NO SCIENCE TO THIS. THE FIRST NUMBER FLOATING AROUND WAS \$9 MILLION. WE'LL SELL OUT \$9 MILLION. WE'LL GO ALONG WITH...THAT ISN'T NO FORMULA THAT CAME UP WITH THAT \$9 MILLION. IT WAS JUST A NUMBER. IT WAS THE PRICE PUT ON IT. THE PRICE GOT DOWN TO \$5.7 MILLION. THE REST OF THE SCHOOL DISTRICTS GAVE UP THE POVERTY ALLOWANCE INCREASE...THE FORMULA THAT SENATOR SULLIVAN HAD AND GAVE IT OVER TO OPS. ALL OF A SUDDEN THIS \$1.7 WENT HERE, 9 TO 5, THAT'S GOING TO MAKE ALL THE DIFFERENCE IN THE WORLD IF WE HAVE THIS .4643. THAT NUMBER IS GOING TO MAKE THE DIFFERENCE IF WE SOLVE POVERTY, THIS MULTIPLIER. THAT IS WHAT I HEARD; IT'S COMPLICATED. THE NUMBER WAS \$5.7 MILLION, THE EDUCATION STAFF HAD TO COME UP WITH A FACTOR TO MAKE THAT, SO THEY CAME UP WITH .4643. [LB1067]

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SPEAKER HADLEY: ONE MINUTE. [LB1067]

SENATOR GROENE: SO THAT \$5.7 MILLION WOULD BE THE NUMBER THAT WE COULD GET THIS THING PASSED. WELL, THAT'S \$5.7 MILLION, WE'RE PUTTING IT INTO STATUTE. THAT'S WHAT WAS TOLD TO ALL OF US, THAT'S THE ONE THAT I WOULD FEEL COMFORTABLE WITH, THAT I'M NOT GOING TO END UP PAYING MORE AND MORE, THAT THE POVERTY KIDS IN A CERTAIN SCHOOL DISTRICT IS GOING TO GET TREATED BETTER...GET FUNDED BETTER THAN THE REST OF THE STATE BECAUSE THAT IS WHAT IS HAPPENING HERE. AND I'M WILLING THE \$5.7 MILLION, THAT IS WHAT WE WERE TOLD. I WOULD APPRECIATE...LET'S DO THE RIGHT THING, LET'S PUT A HARD NUMBER ON THIS THING. LET'S DO BUDGETING THE CORRECT WAY, NOT BY--WE DON'T KNOW. WE DON'T KNOW; MAYBE WE'LL HAVE A BIENNIUM BUDGET SOMEDAY THAT THE BUDGET WE STARTED WITH ENDS UP BEING THE SAME ONE FOR TWO YEARS BECAUSE SOMEBODY STARTED PUTTING HARD NUMBERS IN A BUDGET, THAT'S THE WAY IT IS SUPPOSED TO BE DONE. THANK YOU. I WOULD APPRECIATE A GREEN VOTE ON AM2897; THIS MAKES THIS BILL BETTER, MAKES THIS AMENDMENT BETTER. [LB1067]

SPEAKER HADLEY: TIME, SENATOR. [LB1067]

SENATOR GROENE: IT'S WHAT WE TALKED ABOUT. [LB1067]

SPEAKER HADLEY: THANK YOU, SENATOR GROENE. SENATOR SCHEER, YOU ARE RECOGNIZED. [LB1067]

SENATOR SCHEER: THANK YOU, MR. SPEAKER. JUST REAL QUICKLY, I JUST WANTED TO TOUCH ON A POINT OF THE ORIGINAL BILL AND PART OF THE COST. I JUST WANT TO REMIND THE SENATORS, NOT JUST THE URBAN BUT RURAL, THAT IF YOU GO BACK TO LOOK AT THE INCEPTION OF THE LEARNING COMMUNITY, THEY NEVER INTENDED...THE STATE...OR THIS BODY DID NOT INTEND THAT THE LEARNING COMMUNITY WOULD LOSE DOLLARS IN TEEOSA. AND THAT IS WHAT HAPPENED. AND SO WHEN YOU ELIMINATE THE LEARNING COMMUNITY FUNDING AND YOU PUT IT BACK ON STRAIGHT TEEOSA, IT'S GOING BACK EXACTLY WHERE IT WAS BEFORE THE LEARNING COMMUNITY. AND TRULY AND IN ALL ACTUALITY, THE LEARNING COMMUNITY ACTUALLY SAVED THE STATE OF NEBRASKA MONEY EVERY ONE OF THOSE EIGHT YEARS THAT IT HAS BEEN IN PLACE BECAUSE THEIR MECHANISM DID NOT REQUIRE AS MUCH STATE AID AS IT WOULD HAVE WITHOUT IT. AND THAT IS OVER HALF OF THE COST OF THIS BILL. SO JUST REMEMBER WHEN YOU THINK YOU ARE GIVING SOMEBODY A

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LOT, YOU'RE NOT. AND IN ALL FAIRNESS, THE LEARNING COMMUNITY ACTUALLY SAVED THE STATE MILLIONS OF DOLLARS OVER THE LAST EIGHT YEARS. JUST WANTED TO BRING THAT POINT UP; IT HADN'T BEEN APPROACHED. AND, MR. SPEAKER, I WOULD WAIVE (SIC-YIELD) THE REST OF MY TIME TO SENATOR SULLIVAN. [LB1067]

SPEAKER HADLEY: SENATOR SULLIVAN, YOU ARE YIELDED 3:25. [LB1067]

SENATOR SULLIVAN: THANK YOU, MR. PRESIDENT; AND THANK YOU, SENATOR SCHEER. AS MUCH AS I DISLIKE PITTING RURAL AGAINST RURAL, I'M GOING TO HAVE TO STAND IN NOT SUPPORTING AM2897 OF SENATOR GROENE'S. IF YOU RECALL WHAT I SAID EARLIER, I JUST DON'T LIKE TO CRAFT POLICY WITH DOLLARS IN MIND. AND THAT MAY SEEM LIKE WHAT WE ARE DOING HERE. BUT IF YOU RECALL, ONE OF THE THINGS I WAS TRYING TO DO WAS RESPOND, YES, WITH DOLLARS, TO RECOGNIZE THE ADDITIONAL LEVELS OF POVERTY IN THE MEMBER SCHOOL DISTRICTS IN THE LEARNING COMMUNITY. AND I THINK THAT'S WHAT WE'RE DOING WITH THE CHANGES THAT WE'RE MAKING IN THE COMMUNITY ACHIEVEMENT PLAN. A LOT OF TIMES, WHETHER IT IS IN THIS SITUATION OR OTHERS, I HEAR THE SCHOOL FUNDING FORMULA IS SO COMPLICATED; WE NEED TO MAKE IT EASIER TO UNDERSTAND. FOLKS, BE CAREFUL WHAT YOU WISH FOR. OUR SCHOOL FUNDING FORMULA IS COMPLICATED OUT OF NECESSITY BECAUSE WE HAVE SUCH DIVERSITY AMONG OUR 245 SCHOOL DISTRICTS. I ALSO HAVE HEARD THE LEARNING COMMUNITY SAY THAT, WELL, YOU'VE CHANGED TEEOSA UMPTEEN TIMES OVER THE YEARS. AND YOU KNOW, SOME OF THOSE CHANGES, LIKE WHAT WE ARE PROPOSING TODAY, ARE TO BE RESPONSIVE OF SOME OF THE CONCERNS THAT ARE BROUGHT TO THE EDUCATION COMMITTEE. SO, YES, WE DO CHANGE THE FORMULA. AND IF YOU THINK YOU'RE EVER GOING TO COME UP WITH ONE THAT SHOULDN'T BE CHANGED, BE CAREFUL WHAT YOU LOOK FOR AND WISH FOR, BECAUSE THEN YOU MIGHT BE OVERLOOKING SOME REAL NEEDS OF OUR SCHOOL DISTRICTS IN THIS STATE. I WANTED TO ALSO MENTION SOMETHING ABOUT THE LEARNING COMMUNITY COORDINATING COUNCIL. YES, THEY HAVE TO SUBMIT THE PLAN FOR THE COMMUNITY ACHIEVEMENT PLAN. BUT IT IS THE SUPERINTENDENTS THAT WILL BE COMMUNICATING AND COLLABORATING. THERE HAS TO BE A VEHICLE FOR WHICH THE PLAN IS SUBMITTED TO THE DEPARTMENT OF EDUCATION. SO THAT IS MERELY WHAT THE COUNCIL'S ROLE WILL BE. THEY EXIST... [LB1067]

SENATOR WATERMEIER PRESIDING

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SENATOR WATERMEIER: ONE MINUTE. [LB1067]

SENATOR SULLIVAN: ...WHY SHOULDN'T THEY BE PART OF THE CONTINUUM, IF YOU WILL? AND ALSO, I WOULD ADD, AGAIN, THIS ADDS NO ADDITIONAL LEVEL OF BUREAUCRACY. BUT THE LEARNING COMMUNITY HAS HAD GREAT SUCCESS IN EVALUATING PROGRAMS, WHETHER IT'S THE EARLY CHILDHOOD EFFORTS, THE ELEMENTARY LEARNING CENTERS, OR SOME OF THE THINGS THAT THE SUPERINTENDENTS HAVE BEEN WORKING ON COLLECTIVELY. THEY'LL BE ABLE TO HELP WITH THIS COMMUNITY ACHIEVEMENT PLAN AND ADD THEIR RECOMMENDATIONS AS WELL. SO, FOR IT TO BE CUMBERSOME, ONLY IF THE DISTRICTS WANT IT TO BE. I THINK THIS JUST SOLIDIFIES THE IMPORTANCE OF COLLABORATION AND COMMUNICATION AMONG THE MEMBER SCHOOL DISTRICTS. AGAIN, UNFORTUNATELY, THOUGH, I CANNOT SUPPORT GETTING BACK TO SENATOR GROENE'S AMENDMENT, I CANNOT SUPPORT AM2897 BECAUSE WE HAVE TO HAVE A MECHANISM WITHIN... YES, MAYBE WE'RE TALKING ABOUT A DOLLAR AMOUNT, BUT THERE HAS TO BE A METHOD BASED ON GOOD PUBLIC POLICY FOR WHICH WE BRING MONEY INTO THE FORMULA AND THEN DISTRIBUTE IT OUT. AND THAT'S WHAT WE'RE TRYING TO DO WITH THE COMPONENTS OF THE COMMUNITY ACHIEVEMENT PLAN AS REPRESENTED IN AM2875. THANK YOU, MR. PRESIDENT. [LB1067]

SENATOR WATERMEIER: THANK YOU, SENATOR SULLIVAN AND SENATOR SCHEER. SENATOR KRIST, YOU ARE RECOGNIZED. [LB1067]

SENATOR KRIST: THANK YOU, MR. PRESIDENT; AND AGAIN, GOOD AFTERNOON, COLLEAGUES AND NEBRASKA. I GUESS BEING ENCUMBERED OR BEING CUMBERSOME OR PUTTING AN EXTRA LAYER OF BUREAUCRACY IS IN THE EYE OF THE BEHOLDER. SENATOR SULLIVAN DOESN'T THINK THAT REQUIRING MORE REPORTS AND MORE OVERSIGHT IS CUMBERSOME OR MORE LEVELS OF BUREAUCRACY. I DON'T HAVE MY BLACK'S LAW DICTIONARY OPEN OR MY WEBSTER'S OR I HAVEN'T GOOGLED IT, BUT I DON'T KNOW HOW YOU WOULD INTERPRET THAT THAT IS LESS BUREAUCRACY TO FORCE THE ISSUES THAT ARE IN COMBINATION WHEN WE TALK ABOUT THE COMMUNITY ACHIEVEMENT. I TRUST THE 11 SUPERINTENDENTS. I TRUST THE LEARNING COMMUNITY STRUCTURE THAT IS ALREADY THERE. THEY DON'T NEED IT. AND, FOR THE RECORD, EVERYONE FROM THE GOVERNOR ALL THE WAY DOWN TO THE PEOPLE WHO HAVE BEEN INVOLVED WITH IT HAVE TRIED TO IMPART THEIR CONCERNS ON SENATOR SULLIVAN ABOUT THIS COMMUNITY ACTIVITY...COMMUNITY ACHIEVEMENT AREA. SHE IS UNWIELDY, UNCOMPROMISING; AND, BY GOSH, THIS IS SOMETHING SHE'S NOT GOING TO LOSE. WELL, YOU ALL WILL HAVE TO

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DECIDE IF THAT IS THE WAY YOU WANT TO VOTE FOR IT. MY AMENDMENT TAKES THAT ISSUE AWAY. BUT I WANT TO TALK TO YOU ABOUT SOMETHING MUCH MORE IMPORTANT THAN MORE COMPROMISE. WE MAY VERY WELL HAVE A CONSTITUTIONAL ISSUE THE WAY THIS AMENDMENT...I'M SORRY, THE WAY AMENDMENT, AM2875, IS WRITTEN. WE ARE DOING SOMETHING SPECIAL FOR SPECIAL PEOPLE. THAT IS WHY WE NEED TO PUT THE STATEWIDE POVERTY EQUATION BACK INTO THIS BILL. IF YOU IDENTIFY POVERTY THROUGHOUT THE STATE, AND FUND IT, AND DEAL WITH IT, YOU ARE DOING SOMETHING FOR EVERYONE IN THAT CLASS, THOSE PEOPLE THAT ARE PUT IN THAT POSITION. YOU START DEALING WITH IT...AND I'M ADVOCATING FOR OPS, I'LL ADMIT IT, BUT I'M ALSO ADVOCATING FOR BENNINGTON WHO ARE TWO DIFFERENT ENTIRE DISTRICTS. BUT THOSE KIDS THAT WERE SITTING UP IN HERE FROM LEXINGTON A LITTLE WHILE AGO, CHECK OUT THEIR POVERTY RATE. ASK SENATOR WILLIAMS ABOUT THE POVERTY RATE IN LEXINGTON. NOW, SOMEBODY IN LEXINGTON TURNS AROUND TO SENATOR WILLIAMS, OR TURNS AROUND TO ANY OF US AND SAYS--HOW CAN YOU DO FOR OPS WHAT YOU WON'T DO FOR ME? TELL YOU WHAT, ARTICLE I, SECTION 3 OF THE CONSTITUTION IS VERY CLEAR. AND IF THIS BILL GOES THROUGH WITHOUT STATEWIDE POVERTY PUT INTO IT, FOLKS, WE'RE GOING TO HAVE A CONSTITUTIONAL PROBLEM. AND I KNOW, I'M THE FIRST ONE WHO GETS ON THE MIKE AND SAYS--YOU KILL IT BY FISCAL NOTE, YOU KILL IT BY SAYING IT'S UNCONSTITUTIONAL, YOU KILL IT BY SAYING IT AN UNFUNDED MANDATE, BUT THIS IS REAL...OR MEDICAID, YEAH, THAT'S THE OTHER WORD THAT SOMETIMES GETS NEGATIVE PRESS OR MEDICAL MARIJUANA OR HELMETS OR THIS IS A...COULD BE, COULD BE A CONSTITUTIONAL ISSUE. WHY AREN'T WE DOING FOR THE KIDS IN LEXINGTON WHAT WE'RE DOING FOR THE KIDS IN THE LEARNING COMMUNITY? MY AMENDMENT CLEARLY PUTS MONEY BACK INTO POVERTY FOR STATEWIDE ISSUES. IT DOES NOT RAISE THE FUNDS ANY MORE THAN WHAT SENATOR SULLIVAN'S AMENDMENT DOES. WE NEED TO GIVE IT A LOOK; WE NEED TO GIVE IT A SHOT; AND I WOULD PLANT THE SEED--WE CANNOT CONSTITUTIONALLY...WE HAVE TO USE THE TERMS FOR THE CITY OF THE METROPOLITAN CLASS, FOR THE CITY OF THE PRIMARY CLASS, FOR SECONDARY JUST TO SAY IF YOU ARE DOING AN OMAHA-ONLY THING, YOU CAN'T SAY... [LB1067]

SENATOR WATERMEIER: ONE MINUTE. [LB1067]

SENATOR KRIST: ...OMAHA ONLY. YOU HAVE TO SAY "A CITY OF THE METROPOLITAN CLASS." WELL GUESS WHAT? WE'VE ONLY GOT ONE. BUT CONSTITUTIONALLY WE HAVE DECIDED THAT IS OKAY TO IDENTIFY THAT ONE

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CITY AND DO THAT ONE THING IN USING A CLASS OF CITY WHICH WE ONLY HAVE ONE OF. CHECK IT OUT. GOOGLE IT. IT'S TRUE. SO AM2875, BY ITSELF, ON ITS FACE, VIOLATES THE CONSTITUTION OF THE STATE OF NEBRASKA BY DOING SOMETHING FOR SOMEONE AND NOT DOING IT FOR THE SAME CLASS OF PEOPLE SOMEPLACE ELSE IN THE STATE. THANK YOU, MR. PRESIDENT. [LB1067]

SENATOR WATERMEIER: THANK YOU, SENATOR KRIST. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB1067]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. THERE'S A WORD I LEARNED DOWN HERE THE FIRST COUPLE YEARS--FORTUITOUS. I THINK IT'S A GOOD THING THAT I FOLLOWED SENATOR KRIST. I WONDER IF SENATOR SULLIVAN WOULD YIELD TO A QUESTION OR TWO. [LB1067]

SENATOR WATERMEIER: SENATOR SULLIVAN FOR A QUESTION. [LB1067]

SENATOR SULLIVAN: YES, I WILL. [LB1067]

SENATOR BLOOMFIELD: THANK YOU, SENATOR SULLIVAN. WE KEEP HEARING ABOUT WHAT THIS AID IS GOING TO DO FOR THE POVERTY IN THE LEARNING COMMUNITY. WHAT'S IT GOING TO DO FOR MACY, WINNEBAGO, AND SOUTH SIOUX CITY, THREE OF OUR HIGHEST POVERTY SCHOOLS IN THE STATE? [LB1067]

SENATOR SULLIVAN: WELL, FIRST OF ALL, SPEAKING TO THAT, SENATOR BLOOMFIELD, YOU'RE ABSOLUTELY RIGHT ABOUT THOSE SCHOOLS THAT YOU JUST MENTIONED, BECAUSE THEY DO HAVE THE HIGHEST POVERTY RATES IN THIS STATE AND WE DO NEED TO DO SOMETHING ABOUT THAT. TO SOME EXTENT, WE ARE RECOGNIZING THAT WITH THE POVERTY ALLOWANCE IN OUR SCHOOL FUNDING FORMULA. DO WE ADDRESS THAT IN THIS BILL? NO. BUT WE...A LEARNING COMMUNITY LEGISLATION, AND IT HAS BEEN UPHELD BY THE SUPREME COURT, IS CONSTITUTIONAL. AND REMEMBER THAT ANYTHING THAT IS REPRESENTED IN...CURRENTLY THE WAY THE LEARNING COMMUNITY IS STRUCTURED OR HOW WE PROPOSE TO CHANGE IT CAN, IN FACT, BE REPLICATED IN OTHER PARTS OF THE STATE. SO IT IS CONSTITUTIONAL, AND I THINK WHAT WE'RE PROPOSING IS CONSTITUTIONAL. SECONDLY, WITH RESPECT TO POVERTY: ARE WE DONE WITH THIS ISSUE? NO. POVERTY IS GROWING IN CERTAIN POCKETS OF OUR STATE LIKE YOUR RESERVATION SCHOOLS. I'VE TALKED TO THE COMMISSIONER OF EDUCATION. THIS BODY WILL BE BACK HERE TALKING ABOUT HOW WE RESPOND TO POVERTY ISSUES NEXT YEAR AND ON AND ON

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BECAUSE FOR WHATEVER REASON, SOCIETAL, CULTURAL, ECONOMIC, OUR POVERTY RATES ARE INCREASING AND THOSE PROBLEMS COME TO THE SCHOOL DISTRICTS' DOORS AND THEY HAVE TO DEAL WITH THEM. [LB1067]

SENATOR BLOOMFIELD: OKAY. THANK YOU, SENATOR. COLLEAGUES, WHAT I SEE HERE, AND I GUESS I PROBABLY HAVE A JAUNDICED EYE, IS \$5.7 MILLION GOING TO 11 SCHOOLS, AND 3 SCHOOLS 70 MILES NORTH GET NOTHING OF IT. DOESN'T SMELL QUITE RIGHT TO ME. I THINK I'M GOING TO HAVE TO GO TAKE A LOOK AT SENATOR KRIST'S AMENDMENT. AND I DO LIKE SENATOR GROENE'S AMENDMENT. WE NEED TO START PUTTING HARD NUMBERS INTO BUDGETS IF WE'RE GOING TO MAKE BUDGETS WORK. MR. PRESIDENT, I WOULD YIELD THE REMAINDER OF MY TIME TO SENATOR GROENE, IF HE COULD USE IT. [LB1067]

SENATOR WATERMEIER: SENATOR GROENE, 2:00. [LB1067]

SENATOR GROENE: THANK YOU, MR. PRESIDENT. MAKE AN EXPLANATION OF WHAT SENATOR SCHEER SAID AND WHAT SENATOR KOLOWSKI SAID EARLIER ABOUT THOSE SCHOOL DISTRICTS IN THE LEARNING COMMUNITY DIDN'T LOSE MONEY WHEN THEY SAY THEY WERE SHORTED STATE AID. THEY DON'T SAY THAT. THAT WAS NEVER THEIR ARGUMENT. THEIR ARGUMENT WAS THEY...THAT STATE AID THAT ISN'T GIVEN TO THEM, THEY MAKE UP IN PROPERTY TAXES. SO THAT SCHOOL DISTRICT WAS MADE WHOLE. IT WAS JUST THE PROPERTY TAXPAYER WAS FILLING THAT HOLE INSTEAD OF STATE AID. SO I WOULDN'T FEEL TOO SORRY FOR THE SCHOOL DISTRICT. I WOULD FEEL FOR THE FARMERS IN SARPY COUNTY AND WEST DOUGLAS, AND BUSINESS AND HOMEOWNERS THERE. THEY ARE THE ONES THAT FILL THAT HOLE THAT THE STATE AID, BECAUSE OF THE LEARNING COMMUNITY, DISAPPEARED, BUT THEY WERE NOT HARMED. [LB1067]

SENATOR WATERMEIER: ONE MINUTE. [LB1067]

SENATOR GROENE: AND THAT WAS \$5.5 MILLION OR...\$5.4 (MILLION) IS WHAT WE STARTED WITH. I GUESS IT'S \$7.4 (MILLION) NOW OR SOMETHING. BUT LET'S COMPARE THAT TO WHAT HAPPENED LAST YEAR ON SCHOOL DISTRICTS' PROPERTY TAX RECEIPTS. FROM '14-15 IT WENT UP \$141 MILLION. YOU FEEL SORRY FOR THE SARPY COUNTY PEOPLE WITH A \$5 MILLION BILL? THAT \$141 MILLION TOOK THE PLACE OF STATE AID TO EDUCATION. MOST OF IT WAS AGRICULTURE. TWO THOUSAND THIRTEEN TO '14 IT WAS \$114 MILLION; MOST OF THAT WAS AG. SARPY COUNTY HAD \$5 MILLION, AND WEST DOUGLAS COUNTY.

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TWO THOUSAND THIRTEEN WAS \$102 (MILLION); 2012, IT WAS \$80 MILLION. AND I GOT SOME OF MY RURAL FRIENDS PICKING UP THE SILVER COINS THROWN ON THE FLOOR BY OUR...ON THE \$20 MILLION THEY'RE GOING TO GET FROM SELLING THEIR SOULS. [LB1067]

SENATOR WATERMEIER: TIME, SENATOR. [LB1067]

SENATOR GROENE: I THINK I'M UP NEXT. [LB1067]

SENATOR WATERMEIER: THANK YOU, SENATOR GROENE, SENATOR BLOOMFIELD. SENATOR FOX, YOU ARE RECOGNIZED. [LB1067]

SENATOR FOX: THANK YOU, MR. PRESIDENT, AND GOOD AFTERNOON, NEBRASKA. I WANT TO THANK SENATOR KRIST FOR YOUR PRIOR COMMENTS AND FOR YOUR SUPPORT OF OMAHA PUBLIC SCHOOLS. AS THE SENATOR FOR DISTRICT 7, WHICH IS OPS, I JUST WANTED TO HIGHLIGHT SOME INFORMATION THAT I HAVE GONE OVER WITH IN PREVIOUS MEETINGS WITH OPS, SOME STATISTICS. AND I WANT TO TALK ABOUT MY DISTRICT. FIRST, I WANT TO TALK ABOUT SOME NUMBERS AS FAR AS PERCENT OF FAMILIES LIVING BELOW MEDIAN FAMILY INCOME OF \$50,000. AND THESE ARE OLD NUMBERS, THEY'RE ABOUT TEN YEARS OLD, BUT STILL. AND WE'RE TALKING...IF YOU THINK ABOUT THE OMAHA METRO AREA, DISTRICT SEVEN WHICH IS THE FAR EAST PART OF THAT IS ONLY ABOUT 10 TO 15 MILES FROM SOME VERY AFFLUENT AREAS, AND I THINK THESE NUMBERS ARE GOING TO SHOW STARK DIFFERENCES. SO AS FAR AS PERCENT OF FAMILIES LIVING AT...WE'VE GOT, YEAH, 25-50 PERCENT OF FAMILIES LIVING BELOW THE MEDIAN INCOME. AGAIN, THAT MEDIAN INCOME-- AND THIS IS INFORMATION TEN YEARS OLD--ABOUT \$51,000. SO 25-50 PERCENT LIVING BELOW THAT. PERCENT OF PEOPLE LIVING IN POVERTY...BELOW THE POVERTY LEVEL IN THE LAST 12 MONTHS IN DOUGLAS AND SARPY COUNTY. I LOOK AT THIS MAP AND IT'S, AGAIN, THE OMAHA METRO AREA. YOU LOOK AT THE BOUNDARIES OF MY DISTRICT, AND THE NUMBERS ARE ANYWHERE FROM 12-72 PERCENT. AS YOU MOVE 10, 15 MILES WEST, 0-12 PERCENT--PRETTY STARK DIFFERENCE. AS FAR AS INCOME LEVELS--THIS WAS IN 2014 DOLLARS--IN MY DISTRICT MEDIAN FAMILY INCOME, 2014 DOLLARS, ANYWHERE FROM \$11,489 TO ABOUT \$60,000. YOU MOVE ABOUT 10 TO 15 MILES WEST, MEDIAN FAMILY INCOMES ARE FROM \$60,000 TO \$216,000. FREE AND REDUCED LUNCH PERCENTAGES BY ELEMENTARY SCHOOL, 2015-2016, IN MY DISTRICT NUMBERS ARE ANYWHERE FROM 40-95.9 PERCENT; 10, 15 MILES TO THE WEST, 2.7 PERCENT TO ABOUT 40 PERCENT. I'M GOING TO SKIP OVER A FEW OF THESE HERE. THEN I

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WAS LOOKING AT...OKAY, HERE WE GO, PROPERTY VALUATION BY SCHOOL DISTRICT. IN THE AREA THAT ENCOMPASSES MY DISTRICT, \$262,000 TO \$408,000; WEST OF THERE, LET'S SEE, WE HAVE \$426,000 TO \$1.9 MILLION. AND THIS IS PROPERTY VALUATION PER STUDENT VALUATION. [LB1067]

SENATOR WATERMEIER: ONE MINUTE. [LB1067]

SENATOR FOX: THANK YOU. LASTLY, WHAT I'LL DO IS I'LL SHARE SOME INFORMATION ABOUT PROFICIENCY WITH THE IMPLEMENTATION OF...THE IMPROVEMENT IN PROFICIENCY RATES BY GRADE SINCE THE IMPLEMENTATION OF THE LEARNING COMMUNITY. SO WITH MATH WE SEE--AND THIS IS GRADES 3 THROUGH 11--IMPROVEMENTS ANYWHERE FROM 9-15 PERCENT. AND I APOLOGIZE, THIS IS OPS DATA ONLY. READING PROFICIENCY IMPROVEMENTS, 14-20 PERCENT. AND THAT IS IMPROVEMENT IN PROFICIENCY SINCE THE LEARNING COMMUNITY. AT THIS POINT, I THINK I'LL STOP JUST BECAUSE SOME OF THESE GET PRETTY TECHNICAL. BUT I'LL YIELD THE REST OF MY TIME TO SENATOR KRIST. [LB1067]

SENATOR WATERMEIER: THANK YOU, SENATOR FOX. YOUR TIME WAS UP. SENATOR GROENE, YOU ARE RECOGNIZED. THIS IS YOUR THIRD TIME ON YOUR AMENDMENT. YOU WILL HAVE A CHANCE TO CLOSE AFTER THIS. YOU ARE RECOGNIZED. [LB1067]

SENATOR GROENE: THANK YOU FOR THE REMINDER, MR. PRESIDENT. WE SAY WE...IT'S NOT GOOD PRACTICE TO PUT HARD DOLLARS ON THINGS; \$204 MILLION, YOU KNOW WHAT THAT IS? THAT'S A HARD CAP ON PROPERTY TAX CREDIT FUND PER BIENNIUM YEAR. TWENTY MILLION (DOLLARS) NEGOTIATED FOR THE GREAT LB958 PROPERTY TAX RELIEF WHEN WE HAD \$141 MILLION INCREASE. AND WE HAD MORE THAN THAT, FOLKS. ON TOTAL TAXES, IT WENT FROM \$3,565,000,000 IN PROPERTY TAXES COLLECTED TO \$3,781,000,000. WHAT IS THAT, \$216 MILLION TOTAL IN ONE YEAR, PROPERTY TAXES. THAT'S EVERYBODY, FOLKS. I SAID FARMERS BUT IT'S NOT TRUE. MY FOLKS WHO WORK AT THE RAILROAD AND WORK IN NORTH PLATTE, THEIR HOUSING TAXES CONTINUE TO RISE, CONTINUE TO RISE WHERE IT'S BURDENSOME. THAT'S EVERYWHERE. THAT'S IN OMAHA. THAT'S IN SPRINGFIELD-PLATTEVIEW. WE GOT A PROBLEM WITH PROPERTY TAXES FOR EVERYBODY. WE MOVE MONEY AROUND. WE MOVE MONEY HERE. WE MOVE IT OVER HERE BUT WE DON'T FIX THE PROBLEM, WHICH IS SPENDING. SO WHAT DO WE DO? WE CREATE ANOTHER PROGRAM WITHOUT A CAP, ANOTHER FORMULA. A LITTLE BIT HERE, LITTLE BIT THERE, NOBODY

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NOTICES, IT'S JUST FUNDED. PUT A HARD CAP ON IT. THAT'S WHAT WE NEGOTIATED, THAT'S WHAT WE SAID WE WERE GOING TO DO. LET'S DO IT. I TOLD ANOTHER SENATOR IF THAT DOESN'T WORK AND WE HAVE TO WORRY ABOUT VARIANCES OF COST THEN MAYBE IF FARMERS HAVE TO WORRY ABOUT AND FOLKS HAVE TO WORRY ABOUT THEIR INCOME AND PAYROLL. SO MAYBE WE OUGHT TO PUT A FACTOR IN THE PROPERTY TAX RELIEF FUND. SO MUCH UNEMPLOYMENT IS LOW, WE RAISE THE FUND...IF UNEMPLOYMENT IS LOW, I MEAN, WE LOWER THE FUND. IF IT START RISING THEN WE RAISE IT. IF PROPERTY TAX PERCENTAGES GO UP SO MUCH WE RAISE THE FUND. LET'S PUT A FORMULA. I COULD MAKE ONE UP FOR YOU. LET'S PUT IT ON THE PROPERTY TAX CREDIT FUND BECAUSE THINGS CHANGE. I HEARD IT CHANGES SO FAST THAT ONLY A FORMULA SOLVES IT. LET'S BE HONEST, FOLKS. THE TEEOSA FORMULA IS A JOKE. IT'S NOT GOSPEL. IT'S A MESS. ISN'T EVEN CLOSE...ALL IT DOES, AND THE LOBBYISTS KNOW IT, IS IT ESCALATES SPENDING IN A HURRY AND THEY LOVE IT. EIGHTEENTH IN THE NATION, SPENDING, WE ARE IN NEBRASKA ON EDUCATION BECAUSE THAT FORMULA JUST LEADS US WHEREVER IT WANTS TO TAKE US. AND HERE WE GO AND ADD ANOTHER ONE IN THERE. IT'S UNCONTROLLED. IT JUST KEEPS PLUGGING AWAY BUT THE FORMULA SAID WE HAD TO DO IT. I HAD A GUY CALL ME UP AND SAY CAN I PUT MY HOME...MY FAMILY'S BUDGET ON A FORMULA? I SAID I DON'T THINK IT WOULD WORK TOO GOOD UNLESS YOU CAN GO TO YOUR BOSS AND SAY THE FORMULA SAYS YOU'VE GOT TO GIVE ME THIS MUCH. THAT'S NOT HOW WE RUN LIFE, BUT WE DO GOVERNMENT. WE WERE TOLD \$5.7 MILLION. THAT'S WHERE IT SHOULD STAY. THAT'S WHERE IT SHOULD BE. YOU WORK IT BACKWARDS. IT'S AN ENTIRELY NEW PROGRAM. THIS ISN'T THE FIRST TIME WE FUNDED POVERTY. WE HAD THE POVERTY ALLOWANCE IN THE FORMULA. GRAND ISLAND WENT FROM \$4.5 MILLION TO \$9 MILLION IN ONE YEAR ON POVERTY ALLOWANCE. GOOD FOR THE ADMINISTRATORS, THEY FIGURED OUT HOW TO WORK THE SYSTEM. YOU TALK TO ADMINISTRATORS, THE BEST ADMINISTRATORS ARE THE BEST MANIPULATORS OF THE FORMULA. BUT IT'S GOSPEL. AND HERE WE GO IN ADDING ANOTHER ONE. NOW WE SEPARATE 11 SCHOOL DISTRICTS OUT, BASICALLY 2, AND WE CREATE A FORMULA FOR THEM. [LB1067 LB958]

SENATOR WATERMEIER: ONE MINUTE. [LB1067]

SENATOR GROENE: I'LL GET UP AND CLOSE AND I PROBABLY KNOW WHERE THE VOTE WILL GO BECAUSE DEALS WERE MADE, DEALS WERE MADE, DEALS ARE HONORED. BUT NOT THE HONOR...WHEN WE SAID IT WAS \$5.7 MILLION. NO, WE CAN'T HONOR THAT. WE'VE GOT TO HAVE A FORMULA. WE WERE TOLD \$5.7 MILLION. LET'S HONOR EVERYTHING THAT WAS SAID IN THE LITTLE NOOKS AND

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CRANNIES OF THE CHAMBER HERE. IF WE'RE GOING TO HONOR ONE, LET'S HONOR THEM ALL. THANK YOU, MR. PRESIDENT. [LB1067]

SENATOR WATERMEIER: THANK YOU, SENATOR GROENE. SENATOR KOLOWSKI, YOU ARE RECOGNIZED. [LB1067]

SENATOR KOLOWSKI: THANK YOU, MR. PRESIDENT. APPRECIATE...I ALSO APPRECIATE SENATOR GROENE'S COMMENTS. HE KEEPS US ALIVE AND AWAKE TOWARD THE SPENDING ISSUES AND WHERE WE ARE. BUT I WANT TO BRING A SLIGHTLY DIFFERENT SLANT TO THE DISCUSSION AND THAT'S ABOUT THE LEARNING COMMUNITY AND WHERE WE'VE BEEN FOR THE SEVEN YEARS OF ITS EXISTENCE AND THE IMPACT UPON KIDS. IT WAS PRETTY IMPACTFUL THAT THE LEXINGTON SCHOOL KIDS WERE HERE THIS MORNING BECAUSE OF THE RANKING IN POVERTY IN THE LEXINGTON SCHOOLS IN THE LEXINGTON COMMUNITY IS VERY HIGH. WE KNOW THAT. WE'VE SEEN THAT. WE KNOW THAT'S ONE OF THE ISSUES IN OUR STATE THAT WE NEED TO LOOK AT AND DEAL WITH, ALONG WITH MANY OTHER COMMUNITIES. IT'S JUST ONE EXAMPLE. IN THE LEARNING COMMUNITY, THE PROGRAMS THAT THEY'VE HAD-- KINDERGARTEN EARLY START PROGRAMS, EARLY CHILDHOOD EDUCATION EMPHASIS, THE ENGLISH LANGUAGE LEARNERS, AND THE ISSUES OF POVERTY HAVE BEEN THE CONCENTRATED EFFORTS OF WHAT WE HAVE BEEN ZEROING IN ON AND TRYING TO MAKE A DIFFERENCE ON. YOU DON'T SAVE THE WORLD ON POVERTY ISSUES WITH \$5 MILLION OR \$6 MILLION A YEAR. THAT'S THE BASIC LEARNING COMMUNITY BUDGET. BUT YOU CAN MAKE AN IMPACT OVER TIME WITH CHILDREN, WE'RE TALKING ABOUT THE STUDENTS, WITH THE CHILDREN, WITH THE FAMILIES, BOTH THE USE OF COMMUNITY COUNSELORS AND FACILITIES LIKE THE NORTH AND SOUTH OMAHA FACILITIES THAT WE USE FOR THE LEARNING COMMUNITY THAT MAKE A DIFFERENCE IN THE LIVES OF THOSE FAMILIES. THE CONSISTENT YEARLY RESEARCH DONE BY THE LEARNING COMMUNITY COORDINATING COUNCIL HAS IDENTIFIED BEST PRACTICES. THAT'S WHAT YOU DO WITH THAT AMOUNT OF MONEY: FIND THE BEST PRACTICES, REPLICATE THEM, FIND OUT WHERE THEY ARE, SEE IF THEY'LL FIT IN YOUR DISTRICT OR TWEAK IT TO YOUR DISTRICT AND LOOK AT THE PROGRAM IMPLEMENTATION AND THE DIFFERENCE THAT WILL MAKE IN YOUR DISTRICT. THE GOAL OF EVERY EDUCATOR IS TO IMPROVE STUDENT PERFORMANCE, PERIOD--IMPROVE STUDENT PERFORMANCE. THE PREPARATION OF THE THOSE STUDENTS, THE READINESS OF THOSE STUDENTS FOR THE NEXT LEVEL OF OPPORTUNITY THAT THEY HAVE IN THEIR SCHOOL DISTRICT IS WHY WE EXIST. AND WE'RE IN CHARGE OF THAT AND WE HAVE COUNTLESS EXAMPLES IN THIS LEARNING COMMUNITY AND IN OUR STATE WHERE WE'RE MAKING GREAT

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PROGRESS IN THOSE AREAS AND THERE'S OTHER PLACES WE NEED TO IMPROVE. THE TERM "A PATCH" HAS BEEN USED AND THAT'S FINE. WHEN YOU HAVE A FLAT TIRE, LET'S FIX THE TIRE AND LET'S GET DOWN THE ROAD. LET'S GET THIS FIXED. IT'S A CHANGE THAT NEEDED TO BE MADE AND A DIRECTION THAT WE NEEDED TO HEAD. I'VE BEEN IN NEBRASKA 49 YEARS NOW--MY WIFE AND I RAISED TWO SONS HERE--41 OF THOSE WERE IN EDUCATION. I'M VERY PROUD OF THE TIME I SPENT THERE. AND THE WORK THAT WE DID WAS BUILT AROUND SOME THINGS THAT I HELPED IMPLEMENT IN MILLARD IN THE EARLY 2000s AND THAT'S PROFESSIONAL LEARNING COMMUNITIES. WE HAVE PROFESSIONAL LEARNING COMMUNITIES OF ALL SORTS WORKING IN OUR STATE THAT ARE HAVING TREMENDOUS RESULTS IN SCHOOLS, WITH SUPERINTENDENTS, WITH PRINCIPALS COMMUNICATING WITH ONE ANOTHER AND USING THOSE BEST PRACTICES, REPLICATING PROGRAMS, AND LOOKING AT IMPROVED STUDENT PERFORMANCE. [LB1067]

SENATOR WATERMEIER: ONE MINUTE. [LB1067]

SENATOR KOLOWSKI: WE'RE MAKING A DIFFERENCE. WE'RE CHANGING LIVES. WE WANT THE HIGHEST QUALITY EDUCATION FOR OUR STUDENTS AND FOR OUR FAMILIES IN THIS STATE. WE KNOW HOW TO DELIVER THAT. WE WANT TO REPLICATE THAT AND MAKE IT EVEN MORE PREVALENT ACROSS THE BOARD. THANK YOU, MR. PRESIDENT. [LB1067]

SENATOR WATERMEIER: THANK YOU, SENATOR KOLOWSKI. SENATOR KRIST, YOU ARE RECOGNIZED. AND THIS IS YOUR THIRD TIME ON THE AMENDMENT. [LB1067]

SENATOR KRIST: THANK YOU, MR. PRESIDENT. THIS MORNING ALONG WITH OTHER ANECDOTES, STORIES, AND FABLES THAT SENATOR CHAMBERS WAS DELIGHTING US WITH, HE TALKED ABOUT THE HISTORY OF THE LEARNING COMMUNITY AND HOW THE LEGISLATION FOR ONE CITY, ONE DISTRICT WAS WITHDRAWN BY SENATOR RAIKES AND SENATOR CHAMBERS. IN THAT DISCUSSION, WHICH I HOPE IF THERE EVER IS A SUPREME COURT CASE OR A QUESTION ABOUT AM2875, I HOPE THAT THE COURTS DO LOOK AT THE LEGISLATIVE INTENT THAT WAS ESTABLISHED AT THAT POINT IN THE INCEPTION OF THE LEARNING COMMUNITY AND WHAT WE'RE DOING HERE TODAY. AND I STILL CONTEND EVEN THOUGH I AM NOT A LAWYER AND NEITHER IS SENATOR SULLIVAN, BY THE WAY, THAT THERE IS A CONSTITUTIONAL ISSUE IN TERMS OF DOING SOMETHING FOR SOMEONE AND NOT FOR OTHERS IN THE SAME CLASS.

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AGAIN, I WOULD INVITE YOU TO OPEN UP YOUR REVISED STATUTES OF NEBRASKA, ANNOTATED, AND LOOK AT THE NEBRASKA CONSTITUTION, SECTION I, ARTICLE 3. I'D ALSO REMIND YOU OR TRY TO RELAY A STORY TO YOU, SEVERAL YEARS AGO WHEN SENATOR WHITE WAS HERE, THE CITIES OF OMAHA, OMAHA DISTRICT, GRAND ISLAND, LEXINGTON, AND SOUTH SIOUX WERE SUING THE STATE OF NEBRASKA. AND I THINK THAT SUPERINTENDENTS WHO HAVE BEEN AROUND FOR A WHILE, SENATOR BAKER, AND THE PRINCIPALS LIKE SENATOR KOLOWSKI CAN PROBABLY RELATE TO THE ISSUES. THEY WERE SUING THE STATE OF NEBRASKA BECAUSE THE ISSUE WAS COMMON LEVY AND AN AVERAGING ADJUSTMENT. SENATOR WHITE INTRODUCED LEGISLATION BASICALLY THAT TOOK CARE OF THAT ISSUE. THE LEGISLATURE TOOK CARE OF THAT ISSUE. AND THE LAWSUITS WERE DROPPED. AND GUESS WHAT HAPPENED A YEAR AND A HALF LATER. THE AVERAGING ADJUSTMENTS IN THE COMMON LEVY WERE AGAIN DECREASED. I BRING THAT UP ONLY TO SAY THAT THE STRUCTURE IN WHICH WE PURPORT TO SOLVE OUR PROBLEM IN THE LEARNING COMMUNITY IS NOT A STABILIZED, STABLE FUNDING MECHANISM. IT CAN BE CHANGED. WITH THE NEXT ELECTION COMING IN AND 12 TO 14 NEW MEMBERS, THEY CAN HAVE A WHOLE DIFFERENT IDEA HOW TO DO THINGS AND 25 VOTES AND THE GOVERNOR CAN CHANGE IT OVERNIGHT BECAUSE IT'S ALL PART OF THE FORMULA. WE HAVE TO MAKE SURE THERE'S A STABILIZED FUNDING MECHANISM TO DEAL WITH THE PROBLEM TODAY AND THEN WE HAVE TO COME BACK AND MAKE SURE THAT THE POVERTY EQUATION IS TAKEN CARE OF IN TOTAL, IN THE NEXT FEW YEARS. AND THAT POVERTY EQUATION NEEDS TO BE SOLVED NOT JUST IN THE LEARNING COMMUNITY, BUT STATEWIDE. I BELIEVE IN WHAT I'M DOING HERE TODAY, AND I THINK THAT EVERYONE HAS THE RIGHT-- YOU'RE 1 OF 49--TO TALK ABOUT WHAT'S IMPORTANT TO THEM, TO ADVOCATE FOR THE 40,000, PLUS OR MINUS A FEW THOUSAND, THAT ARE IN THEIR DISTRICT, FOR YOUR SCHOOL DISTRICTS. [LB1067]

SENATOR WATERMEIER: ONE MINUTE. [LB1067]

SENATOR KRIST: AND MY ADVOCACY IS TWOFOLD. BENNINGTON IS THE LOWEST COST PER STUDENT AND THE HIGHEST LEVY RATE IN THIS STATE. IT'S A PRETTY RICH DISTRICT. BUT THEY NEED TO GET RID OF THE COMMON LEVY BECAUSE IT'S COSTING THEM \$400,000 A YEAR. AND THEN I REPRESENT THE OMAHA PUBLIC SCHOOL DISTRICT: 53,000 KIDS, HIGHEST CONCENTRATION OF POVERTY IN THE STATE, UNARGUABLY. BUT I STILL DON'T WANT TO DO SOMETHING FOR THEM THAT WE SHOULD BE DOING FOR KIDS OF POVERTY STATEWIDE. AND SOME WILL SAY THAT'S NOT WHAT THIS BILL IS ABOUT. AND THAT'S WHAT OUR

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PREDECESSORS HAVE BEEN SAYING IN THIS BODY FOR THE LAST TEN YEARS, OR AT LEAST AS I KNOW IT, THE LAST SEVEN. THANK YOU, MR. PRESIDENT. [LB1067]

SENATOR WATERMEIER: THANK YOU, SENATOR KRIST. SENATOR BOLZ, YOU ARE RECOGNIZED. [LB1067]

SENATOR BOLZ: THANK YOU, MR. PRESIDENT. AS A LINCOLN SENATOR, I'VE BEEN LISTENING TO THE DEBATE AND TRYING TO FOLLOW THE DIFFERENT PIECES THAT ARE COMING TOGETHER TODAY, AND MY PRIORITY IN THESE POLICY DISCUSSIONS IS TO UNDERSTAND AND VOTE FOR THE BEST INTERESTS OF KIDS, ESPECIALLY KIDS IN POVERTY. AND AS I LOOK AT THE AMENDMENTS THAT ARE UP ON THE BOARD AND AS I HEAR ABOUT THE AMENDMENTS THAT ARE COMING, I'M WEIGHING THE DIFFERENT OPTIONS ON THE TABLE. AND SO I REALIZE THAT THE THIRD AMENDMENT IS NOT YET POSTED, BUT I WAS HOPING THAT SENATOR KRIST COULD YIELD TO A COUPLE OF QUESTIONS ABOUT THAT OPTION THAT I UNDERSTAND IS COMING. [LB1067]

SENATOR WATERMEIER: SENATOR KRIST FOR A QUESTION. [LB1067]

SENATOR KRIST: ABSOLUTELY. [LB1067]

SENATOR BOLZ: THANK YOU, SENATOR KRIST. SO IN WEIGHING MY OPTIONS HERE, WHAT I'VE HEARD YOU SAY AND WHAT I'VE HEARD YOU ALLUDE TO IS THAT YOUR POLICY VISION IS A STEADY SOURCE OF FUNDING WHERE LOCAL COMMUNITIES WOULD HAVE SKIN IN THE GAME, WOULD HAVE INVESTMENT, AND WOULD BE ABLE TO COME TOGETHER AND SOLVE THEIR PROBLEMS AROUND THOSE KIDS AND THOSE DEMOGRAPHICS OF KIDS THAT ARE CHANGING AND EVOLVING AND NEEDING ADDITIONAL RESOURCES. AND SO I WAS HOPING YOU COULD TELL ME A LITTLE BIT ABOUT WHAT YOUR VISION IS AND HOW THE MECHANICS OF YOUR AMENDMENT MIGHT WORK. [LB1067]

SENATOR KRIST: MECHANICS ARE PRETTY EASY AND THANK YOU FOR ASKING THE QUESTION. ESSENTIALLY WE'RE DOING AWAY WITH THE COMMON LEVY, WHICH IS 95 CENTS. THERE ARE TWO OTHER LEVIES AVAILABLE TO THE LEARNING COMMUNITY. ONE IS RIGHT NOW TARGETED AT BUILDING. THE OTHER IS TARGETED AT THE...I'M SORRY, THE EARLY CHILDHOOD DEVELOPMENT AREA AND OTHERS, A FEW OTHER FACTORS. BUT MY VISION IS AND WHAT MY AMENDMENT DOES IS ALLOWS A CENT OF ONE OF THOSE OTHER LEVIES, THE BUILDING LEVY, TO BE USED FOR POVERTY IN THE LEARNING COMMUNITY-

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WIDE. SO IT PUTS THE IMPETUS BACK ON AND THE PRIORITY BACK ON THE LEARNING COMMUNITY TO SOLVE THEIR OWN PROBLEMS WHEN IT COMES TO POVERTY. [LB1067]

SENATOR BOLZ: AND SO THAT I'M CLEAR, THAT EXISTS...THAT CENT CURRENTLY EXISTS, THAT AUTHORITY ALREADY AVAILABLE. THIS AMENDMENT WOULD JUST USE IT FOR A DIFFERENT PURPOSE, IS THAT RIGHT? [LB1067]

SENATOR KRIST: CORRECT. [LB1067]

SENATOR BOLZ: OKAY. AND THAT FLEXIBILITY WOULD BE UTILIZED AND DECIDED BY THE LOCAL COMMUNITY, IS THAT RIGHT? [LB1067]

SENATOR KRIST: THE LCCC AND IN CONJUNCTION WITH ALL 11 DISTRICTS WOULD DECIDE IF THAT WAS ESSENTIAL, NECESSARY OR NOT. [LB1067]

SENATOR BOLZ: VERY GOOD. THANK YOU, SENATOR KRIST. [LB1067]

SENATOR KRIST: THANK YOU. [LB1067]

SENATOR WATERMEIER: THANK YOU, SENATOR BOLZ AND SENATOR KRIST. SENATOR BLOOMFIELD, YOU ARE RECOGNIZED. [LB1067]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. I WONDER IF SENATOR SULLIVAN WOULD YIELD AGAIN. [LB1067]

SENATOR WATERMEIER: SENATOR SULLIVAN FOR A QUESTION. [LB1067]

SENATOR SULLIVAN: YES, I WILL. [LB1067]

SENATOR BLOOMFIELD: THANK YOU, SENATOR. YOU ASSURED ME THAT THIS POVERTY ISSUE WOULD BE PICKED UP NEXT YEAR IF WE DON'T DO SOMETHING WITH IT THIS YEAR FOR THE SCHOOLS OUTSIDE THE LEARNING COMMUNITY. BUT YOU HAVE SAME PROBLEM I HAVE: NEITHER ONE OF US ARE GOING TO BE HERE. HOW ARE WE GOING TO GET THAT DONE? WHO DO YOU...WHO IN THE BODY IS GOING TO PICK THAT BALL UP, OR PICK UP THAT CHALLENGE AND CARRY IT? DO YOU HAVE ANY IDEA? [LB1067]

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SENATOR SULLIVAN: WELL, SENATOR BLOOMFIELD, I HOPE THIS WILL ALWAYS BE SOMETHING THAT THE EDUCATION COMMITTEE LOOKS AT. WE HAD AN INTERIM STUDY ON IT, NOT THIS SUMMER BUT THE SUMMER BEFORE, BECAUSE WE THINK IT'S A CONCERN. AND THE NUMBERS CONTINUE TO RISE. INTERESTINGLY ENOUGH, IF YOU LOOK AT SOME OF THE GRAPHS THAT WE HAVE, IT'S JUST LIKE I SAID EARLIER, HIGHEST RATES OF POVERTY IN THE RESERVATION SCHOOLS. AND TO THAT END, YOU KNOW, WE'RE...WHEN WE PASSED LB438 A FEW YEARS AGO, THAT WAS SENATOR ADAMS' BILL TO IDENTIFY PRIORITY SCHOOLS. I THINK THAT ALSO IS SOMETHING THAT SPEAKS TO...BECAUSE SOMETIMES POVERTY IS AN INDICATOR OF A BARRIER TO ACHIEVEMENT IN LOW-PERFORMING SCHOOLS. AND SO IF WE CAN...AND THE COMMISSIONER AND THE DEPARTMENT ARE COMMITTED TO WORKING ON THIS, WE'VE ALREADY IDENTIFIED THOSE THREE OR FOUR PRIORITY SCHOOLS, WE'RE GOING TO CONTINUE ON THAT PATH, MAYBE EVEN ENLARGE IT SO MORE ARE INCLUDED IN THAT. THIS ISSUE I THINK WILL BE FRONT AND CENTER WITH THE STATE BOARD AND THE DEPARTMENT AND I THINK IT'S GOING TO BE SOMETHING THAT THE EDUCATION COMMITTEE IS GOING TO ALWAYS GRAPPLE WITH. [LB1067]

SENATOR BLOOMFIELD: I'LL HAVE TO VISIT WITH YOU SOME OFF THE MIKE WHEN WE'RE DONE WITH THIS BECAUSE I THINK SENATOR KRIST MIGHT BE CORRECT ON THE CONSTITUTIONAL ISSUES. WOULD YOU CARE TO ELABORATE ON THAT A LITTLE BIT? YOU SEEM TO THINK THAT THE LEARNING COMMUNITY WAS SOMEHOW SIMILAR TO A CITY OF THE METROPOLITAN CLASS KIND OF LANGUAGE, IS THAT CORRECT? [LB1067]

SENATOR SULLIVAN: I'M TALKING ABOUT A LAWSUIT THAT WAS BROUGHT REGARDING THE LEARNING COMMUNITY AND WHETHER OR NOT IT WAS...THERE WAS ANY CONSTITUTIONAL BASIS FOR ITS EXISTENCE. AND IT WAS UPHELD BY THE NEBRASKA SUPREME COURT. SO WHAT I'M TRYING TO DO WITH INCREASING SUPPORT FOR POVERTY IN THE COMMUNITY ACHIEVEMENT PLAN WITHIN THE LEARNING COMMUNITY, IF THERE'S ANY OTHER SCHOOL DISTRICTS THAT WANT TO COME TOGETHER IN THIS STATE TO HAVE A LEARNING COMMUNITY THEY CAN DO IT AND HAVE ACCESS TO THIS PLAN JUST THE SAME AS WOULD BE UNDER THIS AMENDMENT. [LB1067]

SENATOR BLOOMFIELD: WHAT WOULD BE THE PROCESS FOR...HOW MANY SCHOOLS DOES IT TAKE TO DO THAT, AND KIND OF WHAT WOULD THE PROCESS BE? [LB1067]

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SENATOR SULLIVAN: WHEN THE LEARNING COMMUNITY FIRST CAME INTO BEING, IT ACTUALLY WAS GOING TO BE WITHIN THE CONFINES OF AN ESU. AND THAT'S WHY WITH THIS BILL WE HAVE THE ESU COORDINATING COUNCIL EXECUTIVE DIRECTOR AS A NONVOTING MEMBER OF THE LEARNING COMMUNITY. SO I THINK AND I SUSPECT THAT IF THERE WOULD BE A LEARNING COMMUNITY FORMED IN ANY OTHER PARTS OF THE STATE IT WOULD BE THROUGH THE ESU AND THEN YOU HAVE ALL THE SCHOOL DISTRICTS IN THAT ESU PARTICIPATING. [LB1067]

SENATOR WATERMEIER: ONE MINUTE. [LB1067]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. WOULD IT BE...WOULD ALL THE SCHOOLS HAVE TO PARTICIPATE IN ORDER...WITHIN THAT ESU IN ORDER TO FORM ONE OR COULD...? [LB1067]

SENATOR SULLIVAN: WELL, THE WAY... [LB1067]

SENATOR BLOOMFIELD: I'M THINKING PRIMARILY, SENATOR, AGAIN, OF SOUTH SIOUX CITY... [LB1067]

SENATOR SULLIVAN: SURE. [LB1067]

SENATOR BLOOMFIELD: ...WINNEBAGO, MACY. COULD THEY FORM A LEARNING COMMUNITY? [LB1067]

SENATOR SULLIVAN: THEY COULD, THEY COULD. [LB1067]

SENATOR BLOOMFIELD: WITHOUT DRAGGING IN THE OTHER SCHOOLS? [LB1067]

SENATOR SULLIVAN: WELL, UNDER THIS PLAN, WITH THE COMMUNITY ACHIEVEMENT PLAN AT LEAST THAT'S PART OF THIS, IF THEY WANT TO HAVE THAT COMPONENT OF IT THEY WOULD BE REQUIRED TO, QUOTE UNQUOTE, COME UP WITH A PLAN. ALL MEMBER SCHOOL DISTRICTS WOULD HAVE TO PARTICIPATE IN ORDER TO GET THAT BUMP UP IN THEIR POVERTY SUPPORT. SO TO THAT END, YES, I THINK THEY WOULD ALL...ALL THE SCHOOL DISTRICTS IN THAT ESU WOULD HAVE TO BE...WOULD HAVE TO PARTICIPATE. [LB1067]

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SENATOR BLOOMFIELD: OKAY. COULD THEY CROSS ESU LINES IF THEY HAPPEN TO BE IN A DIFFERENT ESU DISTRICT? BUT I GUESS YOU'D HAVE... [LB1067]

SENATOR WATERMEIER: TIME, SENATOR. [LB1067]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. [LB1067]

SENATOR WATERMEIER: THANK YOU, SENATOR BLOOMFIELD AND SENATOR SULLIVAN. SENATOR BLOOMFIELD, YOU ARE RECOGNIZED AND THIS IS YOUR THIRD TIME ON THE AMENDMENT. [LB1067]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. I'D YIELD MY TIME TO SENATOR GROENE. [LB1067]

SENATOR WATERMEIER: SENATOR GROENE, 5:00. [LB1067]

SENATOR GROENE: THANK YOU, MR. PRESIDENT. I REMIND YOU I WORK WITH SENATOR SULLIVAN ON THE EDUCATION COMMITTEE. SHE'S WORKED HARD AND HER STAFF HAS TO TRY TO COME TO SOME THAT WOULD WORK. SHE DOESN'T REPRESENT AN AREA THAT WILL BENEFIT FROM THIS EITHER. BUT AS RURAL SENATORS, WE DO LOOK AT OURSELVES AS STATE SENATORS AND WE'VE SEEN THE PROBLEM AT THE LEARNING COMMUNITY...NOT THE LEARNING COMMUNITY, THE COMMON LEVY WAS CAUSING. WE WORKED ON THIS IN COMMITTEE LONG BEFORE LB959 EVEN SHOWED UP FROM THE GOVERNOR. THERE WAS NO TRADING. WE KNEW THIS WAS AN ISSUE THAT NEEDED TO BE FIXED STATEWIDE. SO DON'T EVER THINK THIS WAS A VOTE TRADE. THIS WAS SOMETHING WE WORKED ON AND IT WAS PUSHED BY SENATOR SULLIVAN, A RURAL SENATOR, AND SENATOR SCHNOOR AND MYSELF--RURAL SENATORS--TO HELP SARPY COUNTY OUT, TO HELP THOSE PEOPLE IN WEST DOUGLAS, TO PUT THEM BACK INTO THE TEEOSA FORMULA SO WE'RE ALL ON THE SAME PAGE WHEN WE TALK PROPERTY TAXES AND WE TALK THE TEEOSA FORMULA. THAT'S WHY WE DID IT. AND THEN WE GOT TO THIS POINT WHERE THE PRICE KEPT GOING UP. NOW I ADMIRE SENATOR SULLIVAN. WHY WAS SHE THROWING MORE MONEY AT IT TRYING TO SOLVE A PROBLEM THAT WASN'T HERS? BUT SHE DID. THE CONSTERNATION OF SOME OF US WHO GOT...WAIT A MINUTE, WHERE DOES THIS PRICE END? THEN WE CAME TO \$5.7 (MILLION). BUT NO, THAT...NOW THAT THEY GOT IT, THEY WANT MORE. THEY WANT A FORMULA. THEY WANT THIS TO KEEP ESCALATING, MORE MONEY TO KEEP POURING IN; \$5.7 (MILLION) WHAT WAS AGREED TO, LET'S PUT \$5.7 (MILLION) IN THIS BILL AND LET'S START

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FROM THERE AND THEN FIX WHATEVER WE NEED TO FIX IN THE FUTURE. YES, I AM A FISCAL CONSERVATIVE AND I LOOK AT SPENDING. I TOOK SOME...A COUPLE BUSINESSES BACK INTO HEALTH BECAUSE I LOOKED AT THE SPENDING. TWO HUNDRED...CONGRATULATE OURSELVES, FOLKS. SLAP OURSELVES. THE NEW GREEN SHEET SHOWS WE'RE \$4 MILLION LESS. WE WENT FROM \$248 MILLION THAT WE'RE DUMPING ON THE NEXT BIENNIUM BUDGET TO \$244 (MILLION). WE DID SOMETHING RIGHT. I CAN'T EVEN REMEMBER WHICH BILL WE KILLED TO SAVE \$4 MILLION. WE HAVE TO CONTROL THE SPENDING AND IT'S GOT TO START WITH AN ATTITUDE. THAT \$30,000 HERE MAKES A DIFFERENCE; \$50,000 THERE MAKES A DIFFERENCE. FORMULAS DON'T WORK BECAUSE THEY TAKE IT OUT OF OUR HANDS HOW WE SPEND. WE NEED TO PUT HARD NUMBERS ON THINGS. WE NEED TO START DEMANDING ACCOUNTABILITY. I LOOKED UP THERE, TOO, AT THEM LEXINGTON KIDS. THEY LOOK LIKE KIDS TO ME, GOOD KIDS. I DIDN'T SEE ANYTHING DIFFERENT BUT KIDS. APPARENTLY OTHER PEOPLE SUMMED THEM UP AND MADE AN OPINION OF THEM. GOOD, CLEAN-CUT KIDS THAT WERE BIG EYED, WATCHING GOVERNMENT FREEDOM AT WORK. OTHER PEOPLE PUT A NAME ON THEM. THEY DON'T LEARN AS EASY; WE GOT TO THROW MORE MONEY AT THEM. THEY'RE DIFFERENT THAN US. IT COSTS MORE TO EDUCATE THOSE FOLKS. THAT'S WHAT WE'RE SAYING HERE. WE'RE LABELING PEOPLE. BUT ANYWAY, AS I SAID, WE'RE OUT-OF-CONTROL SPENDING. [LB1067 LB959]

SENATOR WATERMEIER: ONE MINUTE. [LB1067]

SENATOR GROENE: ALL OF THIS MONEY WE'RE TALKING ABOUT, ALL OF THIS PROPERTY TAX INCREASE IS \$141 MILLION LAST YEAR, I GUESS IT WAS \$220 MILLION TOTAL. IT WENT SOMEWHERE, IT GOT SPENT IN ONE YEAR IN A LITTLE STATE WITH 1.8 MILLION PEOPLE. WE'RE OUT OF CONTROL. LET'S PUT SOME HARD MONEY, HARD NUMBERS ON THINGS AND MAKE OUR PUBLIC SERVANTS WORK WITH THAT. THANK YOU. [LB1067]

SENATOR WATERMEIER: THANK YOU, SENATOR GROENE. SENATOR GROENE, THERE WAS NO ONE IN THE QUEUE. YOU ARE RECOGNIZED TO CLOSE. [LB1067]

SENATOR GROENE: THANK YOU, MR. PRESIDENT. I FORGOT TO MENTION THE LEARNING COMMUNITY STILL EXISTS. IF WE GET RID OF THE COMMON LEVY THE LEARNING COMMUNITY STILL EXISTS. I HAPPEN TO LIKE IT. I WALKED IN THE EDUCATION COMMITTEE WHEN I SHOWED UP LAST JANUARY THINKING KILL IT, ANOTHER LEVEL OF GOVERNMENT. BUT BECAUSE THEY FOCUS ON ONE

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THING, POVERTY, EARLY CHILDHOOD BASED ON POVERTY, BECAUSE WE ALL KNOW IF YOU'VE GOT A TWO-PARENT FAMILY AND SOMEBODY CARES THAT THOSE KIDS LEARN TO READ WHEN THEY'RE THREE AND FOUR YEARS OLD AND YOU DON'T NEED A CERTIFIED TEACHER TO DO IT. POVERTY IS WHAT THEY SAID. THE LEARNING COMMUNITY EXISTS, STILL EXISTS. IT'S SUPPOSED TO FOCUS ON IT. I KEEP HEARING HOW THESE SUPERINTENDENTS ARE ALL GETTING ALONG NOW. NO, THEY AREN'T. THEY'RE STILL PAROCHIAL. THE REASON THIS COMMUNITY APPROACH IS BECAUSE THEY WANT TO CONTROL THEIR OWN POVERTY PROGRAM. THEY DO NOT WANT TO WORK THROUGH THE LEARNING COMMUNITY AND FOCUS ON THE HOT SPOTS WHERE THEY HAVE PROBLEMS, WHERE THEY SAY THAT THE TEST SCORES AREN'T THERE AND WE NEED TO FIND OUT AND LET'S FOCUS ON THAT AREA. SO INSTEAD WE START A WHOLE NEW PROGRAM. WE GOT POVERTY ALLOWANCES, NOW WE'VE GOT THIS, WE'VE GOT THE LEARNING COMMUNITY. HOW MANY MORE ARE WE GOING TO START AND THROW AT? I AGREE WITH SENATOR KRIST. IT'S ANOTHER LEVEL OF BUREAUCRACY WHEN YOU COULD HAVE JUST GAVE SOME MONEY TO THE LEARNING COMMUNITY AND SAID CONTINUE TO DO YOUR GOOD WORK AND PINPOINT THOSE HOT SPOTS AND FIX THEM. WORK WITH EACH SCHOOL DISTRICT. BUT, NO, WE GOT TO START A WHOLE NEW PROGRAM AND ANOTHER FORMULA--A FORMULA ON A FORMULA ON A FORMULA WITHIN A FORMULA. DO WE NEED TO GET SOMETHING DONE AND FIX IT LATER? YES, BUT LET'S PUT A HARD DOLLAR AMOUNT ON IT SO THERE ISN'T THE TEMPTATION BY SOME TO SAY THIS IS PRETTY LUCRATIVE. IT JUST KEEPS GROWING. WE'RE GOING TO HAVE TO HOLD ON TO THIS THING. THEN WE'LL HAVE ANOTHER BARGAINING CHIP WHEN WE DO WANT TO PUT EVERYBODY ON THE SAME PLAYING FIELD. THE BARGAIN WAS \$5.7 MILLION. LET'S PUT THAT PRICE IN IT AND LET'S PUT IT INTO LAW. I HAPPEN TO LIKE SENATOR KRIST'S AMENDMENT THE WAY HE'S TALKING. IF WE'RE GOING TO DO THIS AND WE'RE GOING TO HAVE A FORMULA, I WAS UNDER THE UNDERSTANDING WE HAVE IT HARD MONEY. WE'RE JUST BUYING THESE FOLKS OFF AND GIVING THEM A CHUNK OF MONEY AND GIVE RAISES TO THE ADMINISTRATION AND \$25,000 BONUSES AND EVERYTHING ELSE, FINE, I LIVE OUT WEST. BUT, NO, THIS IS A FORMULA. I AM FOR LB1067. WORKED HARD WITHIN THE COMMITTEE TO BRING IT OUT. AM2875 I CAN LIVE WITH IF AM2897 IS IN IT. IF WE'RE GOING TO JUST START A FORMULA AGAIN THEN I'M FOR SENATOR KRIST'S BILL BECAUSE THEN I MIGHT AS WELL GET SOME TOO. WHY NOT? WHY CAN'T I HAVE SOME, TOO, IF WE'RE JUST GOING TO START SPENDING MONEY? THROW IT AROUND. PAT OURSELVES ON THE BACK. THAT'S A LIBERAL MENTALITY, FOLKS, MY CONSERVATIVE FRIENDS, TO THROW MONEY AT SOMETHING, PAT YOURSELVES ON THE BACK, AND SAID YOU DID SOMETHING RIGHT, YOU DID SOMETHING GOOD. WE NEED TO DO WHAT WE PROMISED AND

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WHAT EVERYBODY SAID WE WERE GOING TO DO, IS PUT A PRICE ON THIS, \$5.7 MILLION. THAT'S WHAT WAS NEGOTIATED. THAT'S WHY WE HAVE A .48...SOME FACTOR IN THERE, TO MAKE SURE WE CAME UP WITH \$5.7 MILLION. IF IT WAS SOME GREAT FORMULA THAT SOME Ph.D. SOMEWHERE, HOW WE SOLVE POVERTY IS TO USE THIS FACTOR OF .4867912--NO, IT WASN'T. IT WAS POLITICS. THE PRICE WAS \$5.7 MILLION. THAT'S THE PRICE WE SHOULD PAY AND THAT'S THE PRICE THAT SHOULD BE IN THE BILL. I APPRECIATE A GREEN VOTE ON AM2897, AND WHEN THAT'S ACCEPTED, A GREEN VOTE ON AM2875 AND A GREEN VOTE ON LB1067. THANK YOU. [LB1067]

SENATOR WATERMEIER: THANK YOU, SENATOR GROENE. MEMBERS, YOU'VE HEARD THE CLOSING ON AM2897 TO THE AMENDMENT TO LB1067. THE QUESTION IS THE ADOPTION OF AM2897. ALL THOSE IN FAVOR VOTE AYE; ALL 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; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB1067]

ASSISTANT CLERK: 37 AYES, 0 NAYS TO GO UNDER CALL, MR. PRESIDENT. [LB1067]

SENATOR WATERMEIER: 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 COOK, SENATOR HANSEN, SENATOR COASH, SENATOR HILKEMANN, THE HOUSE IS UNDER CALL. SENATOR HANSEN, SENATOR HILKEMANN, AND SENATOR COASH, THE HOUSE IS UNDER CALL. SENATOR COASH, SENATOR HILKEMANN, THE HOUSE IS UNDER CALL. SENATOR COASH, THE HOUSE IS UNDER CALL. SENATOR GROENE, WE CAN PROCEED? WITH A ROLL CALL VOTE IN REGULAR ORDER? MR. CLERK, CALL THE ROLL. [LB1067]

ASSISTANT CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGE 1506.) VOTE IS 9 AYES, 18 NAYS ON THE ADOPTION OF THE GROENE AMENDMENT, MR. PRESIDENT. [LB1067]

SENATOR WATERMEIER: THANK YOU, MR. CLERK. RECORD. THE AMENDMENT FAILS. NEXT ITEM, MR. CLERK. RAISE THE CALL, PLEASE. [LB1067]

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ASSISTANT CLERK: MR. PRESIDENT, WE'RE BACK TO THE SULLIVAN AMENDMENT. [LB1067]

SENATOR WATERMEIER: SENATOR DAVIS, YOU ARE RECOGNIZED. [LB1067]

SENATOR DAVIS: THANK YOU, MR. PRESIDENT. I GUESS, MEMBERS, FIRST OF ALL, I'LL JUST SAY I HOPE YOU'LL SAY A LITTLE PRAYER FOR THE FIRE DEPARTMENTS IN RURAL NEBRASKA WHO ARE DEALING WITH A PRETTY MASSIVE FIRE OUT IN MY DISTRICT, A LOT OF WIND. TALKING ABOUT THE POVERTY PIECE OF THIS, I UNDERSTAND THAT POVERTY IS A SERIOUS PROBLEM IN THE METROPOLITAN AREA. IT'S A PROBLEM ALL ACROSS THE STATE AND I AM CONFUSED ABOUT WHY WE ARE NOT ADDRESSING IT EVERYWHERE. AND SENATOR BLOOMFIELD MADE REFERENCE TO THAT EARLIER. I WONDER IS SENATOR BLOOMFIELD...WOULD YOU YIELD TO A QUESTION IF HE'S DOWN THERE? [LB1067]

SENATOR WATERMEIER: SENATOR BLOOMFIELD FOR A QUESTION. [LB1067]

SENATOR BLOOMFIELD: YES. [LB1067]

SENATOR DAVIS: SENATOR BLOOMFIELD, YOU REPRESENT THE RESERVATION SCHOOLS, DON'T YOU? [LB1067]

SENATOR BLOOMFIELD: TWO OF THEM. [LB1067]

SENATOR DAVIS: DO YOU HAPPEN TO HAVE ANY IDEA THE POVERTY RATES OF THOSE DISTRICTS? [LB1067]

SENATOR BLOOMFIELD: I DON'T HAVE THE NUMBERS RIGHT OFF THE TOP OF MY HEAD HERE OR THE INFORMATION WITH ME, BUT THEY'RE AMONG THE HIGHEST IN THE STATE. [LB1067]

SENATOR DAVIS: WOULD YOU SAY THEY ARE HIGHER THAN OMAHA'S POVERTY OR GRAND ISLAND OR LEXINGTON? [LB1067]

SENATOR BLOOMFIELD: I WOULD THINK CERTAINLY GRAND ISLAND AND LEXINGTON. PARTS OF OMAHA, I COULDN'T SAY. [LB1067]

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SENATOR DAVIS: THANK YOU, SENATOR BLOOMFIELD. I WONDER IF SENATOR CHAMBERS WOULD YIELD TO A FEW QUESTIONS. [LB1067]

SENATOR WATERMEIER: SENATOR CHAMBERS FOR A QUESTION. [LB1067]

SENATOR CHAMBERS: YES. [LB1067]

SENATOR DAVIS: SENATOR CHAMBERS, WE HAVEN'T HEARD A LOT FROM YOU TODAY, BUT WHAT IS YOUR FEELING ABOUT STATEWIDE POVERTY VERSUS METROPOLITAN POVERTY? [LB1067]

SENATOR CHAMBERS: I DON'T MAKE COMPARISONS LIKE THAT. HUNGER IS HUNGER, POVERTY IS POVERTY, ILLNESS IS ILLNESS. AND WHEN THEY TRY TO QUANTIFY IT, IT'S ALWAYS PEOPLE WHO HAVE NOT EXPERIENCED IT AND THEY'RE DOING IT FOR THE PURPOSE OF SETTING UP SOME KIND OF FORMULA FOR DISTRIBUTING MONEY, NOT REALLY TO ADDRESS THE ISSUE. AND THAT'S ONE OF THE REASONS YOU HAVEN'T HEARD MUCH FROM ME. BUT IF ANYBODY ASKS ME A QUESTION I WILL ANSWER IT THE BEST THAT I CAN. [LB1067]

SENATOR DAVIS: WELL, I THINK THAT'S A GOOD ANSWER. SO WOULD YOU BE INCLINED TO SUPPORT A STATEWIDE POVERTY PIECE TO THIS LEGISLATION IF IT WERE TO MATERIALIZE THAT WAY? [LB1067]

SENATOR CHAMBERS: NOT IN THIS. ALL I WANT TO SEE IS THE LEARNING COMMUNITY RETAINED AS IT IS, AND MY MIND CANNOT EVEN STRAY BEYOND THAT ISSUE. AND I'M NOT TRYING TO EVADE, SENATOR DAVIS, BUT THIS IS VERY HARD FOR ME TO DO JUST BEING CIVIL. SO THAT'S WHY I HAVEN'T SAID MUCH THIS MORNING ON MATTERS. WHEN I HAD ISSUES BEFORE THE BODY THROUGH MY AMENDMENTS, I WENT AHEAD AND DID IT. BUT PEOPLE ARE OFFERING AMENDMENTS NOW THAT WILL GIVE AN OPPORTUNITY TO DISCUSS THINGS AS THOROUGHLY AS THEY CHOOSE. BUT HERE IS WHAT I DO BELIEVE, THAT THIS STATE HAS TO ACKNOWLEDGE THAT THERE ARE POCKETS OF POVERTY, PLACES WHERE THE EDUCATION IS NOT WHAT IT OUGHT TO BE, BUT DOWN THROUGH THE YEARS WHEN I'VE TRIED TO ADDRESS THAT COMPREHENSIVELY WE WIND UP WITH THINGS LIKE WHAT SENATOR GROENE AND OTHERS WILL SAY, WELL, TAKE CARE OF OUR OWN THIS WAY, YOU DO IT THAT WAY. I'M NOT EVEN GOING TO GET INTO THAT BECAUSE AS A BLACK MAN I'VE SEEN OUR ISSUES ALWAYS GET LOST. AND IF ONE OF US IS WILLING TO LEAD OUT, TO BRING A PROGRAM TO FRUITION, IT BENEFITS WHITE PEOPLE AND WE'RE LEFT OUT AND WE'RE NO

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BETTER OFF THAN WE WERE AT FIRST. SO WE'RE THE ONES WHO CARRY THE BAGGAGE, BUT NOTHING IN IT BELONGS TO US AND NO BENEFITS ACCRUE TO US. I THINK THE REST OF YOU THOUGH SHOULD ADOPT AN ATTITUDE THAT THE STATE IS SMALL ENOUGH IN POPULATION, THERE IS ENOUGH WEALTH HERE AND I DON'T MEAN WHERE EVERYBODY IS RICH, BUT IF THERE WAS AN APPROPRIATE ALLOCATION OF RESOURCES THAT ARE HERE AND THE REPUBLICANS COULD STOP THINKING THAT THEY'VE GOT TO STOP EVERYTHING PRESIDENT OBAMA DOES AND WE DO WORK TOGETHER, THERE ARE PEOPLE SUCH AS ME WHO WOULD WORK WITH ANY WHITE PERSON WHO REALLY WANTS TO DO SOMETHING. [LB1067]

SENATOR WATERMEIER: ONE MINUTE. [LB1067]

SENATOR CHAMBERS: THERE'S NO REASON FOR THERE TO BE GRINDING POVERTY, IN MY OPINION, ANYWHERE IN THIS STATE. I THINK WE COULD DEAL WITH IT. [LB1067]

SENATOR DAVIS: THANK YOU, SENATOR CHAMBERS. AND I'M GOING TO TELL...AND I'VE SAID THIS BEFORE ON THE FLOOR, BUT I THINK EVERYBODY OUGHT TO LISTEN TO WHAT I DO SAY. WHEN I WENT DOOR TO DOOR IN MY DISTRICT, I WAS PRETTY SURPRISED AT THE AMOUNT OF POVERTY THAT EXISTS IN RURAL NEBRASKA. I DON'T THINK IT'S REALLY OBSERVABLE, EXCEPT WHEN YOU GO DOOR TO DOOR YOU CAN REALLY SEE IT FIRSTHAND. SO ANY PIECE OF LEGISLATION THAT DECIDES TO CARVE OUT ONE SPECIFIC PART OF THE STATE AND SAY WE'RE GOING TO FOCUS ON THE POVERTY ISSUES IN THIS PART OF THE STATE BUT THE REST OF THE STATE IS JUST S-O-L, I JUST CAN'T SUPPORT THAT, COLLEAGUES. AND I THINK THAT YOU ALL OUGHT TO THINK HARD ABOUT THAT. IF WE'RE GOING TO ADDRESS POVERTY LET'S ADDRESS IT STATEWIDE WHERE IT'S A PROBLEM. LET'S NOT TARGET AND CARVE OUT TO TRY TO SATISFY A SPECIAL INTEREST GROUP. LET'S FIX THE PROBLEM IF WE'RE GOING TO DO IT. I THINK THERE ARE SOLUTIONS AND METHODS TO DO THAT. INVESTMENTS IN POVERTY WILL PAY OFF IN THE LONG RUN. THANK YOU. [LB1067]

SENATOR WATERMEIER: TIME, SENATORS. THANK YOU, SENATOR DAVIS, SENATOR CHAMBERS, AND SENATOR BLOOMFIELD. (VISITORS INTRODUCED.) SENATOR KRIST, YOU ARE RECOGNIZED. [LB1067]

SENATOR KRIST: THANK YOU, MR. PRESIDENT, AND ONCE AGAIN, GOOD AFTERNOON, COLLEAGUES AND NEBRASKA. ONE OF THE VERY FRUSTRATING

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THINGS ABOUT TRYING TO TURN OUT AN AMENDMENT WHEN THERE'S BEEN SO MUCH NEGOTIATION GOING ON, PARTICULARLY AT THIS STAGE OF THE GAME, IS THAT YOU WANT IT TO BE AS PERFECT AS YOU CAN GET IT. I'VE HAD TWO COPIES COME DOWN, AND NEITHER ONE OF THEM ARE PRECISELY WHAT YOU NEED TO SEE. I'VE TALKED TO THE SPEAKER AND WITH VERY LITTLE DELAY I WILL SPEAK MY THREE TIMES ON THIS AND I WOULD INVITE ANYBODY WHO'S INTERESTED IN SEEING THAT AMENDMENT AND TALKING ABOUT IT TO DO THE SAME. BUT IF IT TAKES MUCH LONGER, WHAT I INTEND TO DO IS TO PULL IT BACK OFF OF FINAL READING AND AMEND IT. THAT'S NOT A THREAT, THAT'S A PROMISE. GIVEN THE NUMBER OF DAYS LEFT IN THE SESSION, THAT MEANS THAT THIS BILL CAN BE VETOED AND WE WILL NOT HAVE AN OPPORTUNITY TO OVERRIDE THE VETO. SO I THINK IT'S IMPORTANT FOR YOU TO UNDERSTAND THAT I FEEL STRONG ENOUGH ABOUT STATEWIDE POVERTY AND I FEEL STRONG ENOUGH ABOUT THE LEARNING COMMUNITY SOLVING ITS OWN PROBLEMS THAT I INTEND TO WAIT A LITTLE WHILE LONGER UNTIL THAT AMENDMENT COMES DOWN. I DON'T MEAN TO EXTEND OUT THE DEBATE AND I DON'T WANT TO HOLD US HERE ANY LONGER THAN WE NEED TO, BUT ONCE AGAIN, I BELIEVE THIS IS AN IMPORTANT ISSUE AND AN ISSUE THAT NEEDS TO BE ADDRESSED. NOW I'D LIKE TO ADDRESS TWO OTHER ISSUES, ONE OF WHICH IS IF YOU WALK OUT THERE, EVERY 15 MINUTES THE CLIMATE WILL CHANGE. THERE IS SUPPORT, THERE'S NOT SUPPORT. SO I FEEL SENATOR SULLIVAN'S PAIN. I'VE GONE THROUGH IT MYSELF IN MY SEVEN YEARS HERE. YOU CAN'T PROVIDE WHAT EVERYBODY WANTS. YOU CAN'T MAKE EVERYONE SATISFIED. BUT THE PERSON THAT I DON'T CARE ABOUT SATISFYING IN THIS WHOLE CONCEPT IS THE GOVERNOR. NOW I UNDERSTAND THAT HE DOESN'T LIKE MY AMENDMENT AND I DON'T THINK HE'S EVEN SEEN IT BECAUSE I HAVEN'T SEEN IT IN TOTAL. SO I DON'T KNOW HOW HE DOESN'T LIKE IT. I'M NOT SURE, EXCEPT I THINK THAT HE BELIEVES THAT WE'RE RETAINING A COMMON LEVY. SO THIS IS THE MESSAGE I WILL SEND OUT TO THE EXECUTIVE BRANCH, THE SAME THING I SAID EARLIER. IF THEY'RE LISTENING--I HOPE THEY'RE LISTENING--WE HAVEN'T ELIMINATED ALL OF THE COMMON LEVIES IN THE LEARNING COMMUNITY. THERE ARE STILL COMMON LEVIES OUT THERE; THAT HOLDS THEM TOGETHER. BESIDES THE STATEWIDE POVERTY ISSUE, MY BIGGEST CONCERN AND MY BIGGEST HEARTBURN WITH SENATOR SULLIVAN'S AMENDMENT IS THE COMMUNITY ACHIEVEMENT PLAN, THE EXTRA LAYER OF BUREAUCRACY, THE EXTRA LAYER OF, I DON'T KNOW, CONTROL. AND I DON'T GET IT. THIS ONE I REALLY DO NOT GET. THE LEARNING COMMUNITY...ESSENTIALLY THE LCCC, GOVERNING BODY, IS CAPABLE OF DOING WHAT WE WANT THEM TO DO WITH THE MONEY WE GIVE THEM. WE DON'T NEED TO HAVE ANOTHER LAYER. WE DON'T NEED TO TELL THEM WHAT TO DO. EVERY ONE OF YOU IN HERE HAS TALKED ABOUT

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UNFUNDED MANDATES AND MANDATES THAT ARE FUNDED AND WHETHER OR NOT WE REALLY WANT TO TELL THEM WHAT TO DO AND HOW LOCAL CONTROL IS SO IMPORTANT. THIS IS ANTI-LOCAL CONTROL. [LB1067]

SENATOR WATERMEIER: ONE MINUTE. [LB1067]

SENATOR KRIST: MY AMENDMENT HAS ARRIVED, SO I WOULD LIKE SOMEONE TO PUNCH THEIR BUTTON ONE MORE TIME SO THAT WE DON'T GO TO A VOTE ON SENATOR SULLIVAN'S AMENDMENT UNTIL MY AMENDMENT GET ON PLACE. I THANK YOU FOR YOUR INDULGENCE TODAY AND I DO WANT TO TALK ABOUT THAT AMENDMENT SO THAT YOU'RE ABLE TO TAKE A LOOK AT IT. THANK YOU, MR. PRESIDENT. [LB1067]

SENATOR WATERMEIER: THANK YOU, SENATOR KRIST. THOSE IN THE QUEUE WISHING TO SPEAK: SENATOR MURANTE, SENATOR CAMPBELL, SENATOR CHAMBERS, SENATOR SULLIVAN, AND OTHERS. SENATOR MURANTE, YOU ARE RECOGNIZED. [LB1067]

SENATOR MURANTE: THANK YOU, MR. PRESIDENT. MEMBERS, GOOD EVENING. I RISE IN SUPPORT OF THE SULLIVAN AMENDMENT AND IN SUPPORT OF LB1067. AND AS MANY PEOPLE HAVE SPOKEN ON THE FLOOR, THERE ARE A LOT OF PEOPLE WHO DESERVE THANKS FOR WHERE WE ARE RIGHT NOW, TWO OF THEM ARE STANDING TO MY IMMEDIATE RIGHT: SENATOR BURKE HARR, SENATOR SUE CRAWFORD, BUT NOT THE LEAST OF WHICH IS SENATOR KATE SULLIVAN WHO I THINK HAS DONE THE BEST SHE CAN POSSIBLY DO TO CRAFT A PIECE OF LEGISLATION THAT I THINK UNFORTUNATELY MIGHT HAVE TO GARNER THE VOTES OF 33 MEMBERS OF THIS LEGISLATURE. BUT THIS IS NOW THE FOURTH YEAR I'VE STOOD ON THIS FLOOR ADVOCATING INITIALLY FOR THE COMPLETE ABOLITION OF THE LEARNING COMMUNITY AND ADVOCATING TODAY FOR A BILL WHICH DOES A NUMBER OF THINGS, BUT PERHAPS THE MOST IMPORTANT OF WHICH IS TO ABOLISH THE COMMON LEVY OF THE LEARNING COMMUNITY. AND I'VE SAID ON THE MICROPHONE BEFORE AND I'LL SAY IT AGAIN RIGHT NOW, FOUR YEARS AGO WHEN I WAS CAMPAIGNING FOR OFFICE, I HAD THE BENEFIT OF BEING ABLE TO GO DOOR TO DOOR IN MY DISTRICT, AND I KNOCKED ON EVERY VOTER'S DOOR THREE TIMES AND HAD GOOD CONVERSATIONS WITH THEM ABOUT THE ISSUES THAT WERE IMPORTANT TO THEM. AND THE ISSUE THAT CAME UP MORE THAN ANY SINGLE ISSUE WAS THE LEARNING COMMUNITY. AND AS THE ELECTION DREW NEAR AND IT BECAME PRETTY CLEAR THE RACE WASN'T PARTICULARLY COMPETITIVE WE HAD DOOR-TO-DOOR

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CONVERSATIONS ON THIS ISSUE EXCLUSIVELY. AND I ASKED MY CONSTITUENTS IN GRETNA TWO QUESTIONS. FIRST OF ALL, DO YOU BELIEVE THAT WE SHOULD ABOLISH THE LEARNING COMMUNITY? AND THE ANSWER OVERWHELMINGLY WAS YES. AND THE SECOND QUESTION THAT I ASKED WAS, DO YOU BELIEVE AS CITIZENS OF GRETNA AND AS CITIZENS OF SARPY COUNTY THAT WE HAVE A MORAL OBLIGATION TO HELP THE KIDS WHO ARE IN FAILING SCHOOLS EAST OF 72nd STREET GET THE FINANCIAL SUPPORT THAT THEY NEED? AND THE ANSWER TO THAT QUESTION OVERWHELMINGLY WAS YES. AND BECAUSE OF THAT FACT, I FEEL THAT I CAME TO THE LEGISLATURE WITH A BURDEN TO SUPPORT LEGISLATION THAT IF WE ABOLISH THE COMMON LEVY AND IF WE ABOLISH THE LEARNING COMMUNITY TO DO IT IN A WAY THAT DOES NOT JEOPARDIZE THE LONG-TERM WELL-BEING OF THE KIDS IN OPS. AND I BELIEVE WHAT SENATOR SULLIVAN HAS PUT TOGETHER TODAY, ACCOMPLISHES THAT GOAL. IT ACHIEVES ADDITIONAL FUNDING. IT ENSURES THAT OPS IS MADE WHOLE. WE ABOLISH THE COMMON LEVY AND THE MONEY THAT THEY LOSE BECAUSE OF THAT ABOLITION IS COMPENSATED. BUT WE GO A STEP FURTHER AND WE INCREASE POVERTY AID TO THOSE SCHOOLS. AND THERE ARE GOING...THERE IS GOING UNDOUBTEDLY TO BE CONSIDERABLE CONVERSATION ABOUT THE NEED TO DO MORE. AND, COLLEAGUES, THERE WILL ALWAYS BE A NEED TO DO MORE. IT DOESN'T MATTER HOW MUCH MONEY WE PUT INTO LB1067. THE ISSUE OF POVERTY IS NOT GOING AWAY. IT ISN'T NEW. AND THAT IS SOMETHING THAT LEGISLATORS WILL BE ADDRESSING 50, 100, 200 YEARS FROM NOW. [LB1067]

SENATOR WATERMEIER: ONE MINUTE. [LB1067]

SENATOR MURANTE: BUT TODAY WE CAN DO SOMETHING AND TODAY WE CAN MOVE THE BALL FORWARD. AND MANY PEOPLE ARE GOING TO STAND ON THIS FLOOR IN SUPPORT OF LB1067 AND SAY IT'S NOT IDEAL, IT'S NOT PERHAPS THE WAY WE WOULD TAILOR IT IF WE WERE KING OF THE WORLD, IT HAS PROVISIONS IN IT WE DON'T REALLY LIKE. BUT AT THE END OF THE DAY IT ACCOMPLISHES THOSE TWO FUNDAMENTAL GOALS. IT ABOLISHES THE COMMON LEVY OF THE LEARNING COMMUNITY, IT ACHIEVES ADDITIONAL FUNDING FOR SCHOOLS WITH EXTREME POVERTY, AND IT CREATES AN ENVIRONMENT WHERE WE AREN'T PITTING SCHOOL DISTRICT AGAINST SCHOOL DISTRICT IN THE DOUGLAS AND SARPY COUNTY AREA. IT MIGHT NOT BE PERFECT, BUT IT'S PRETTY DARN GOOD AND I APPLAUD SENATOR SULLIVAN FOR HER HARD WORK. THIS IS A PIECE OF LEGISLATION THAT I SUPPORT AND I ENCOURAGE ALL OF YOU TO SUPPORT AS WELL. THANK YOU, MR. PRESIDENT. [LB1067]

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SENATOR WATERMEIER: THANK YOU, SENATOR MURANTE. SENATOR CAMPBELL, YOU ARE RECOGNIZED. [LB1067]

SENATOR CAMPBELL: THANK YOU, MR. PRESIDENT. I STAND CERTAINLY IN GRATITUDE TO ALL OF THE PEOPLE WHO HAVE WORKED ON THIS, FROM SENATOR SULLIVAN AND ALL OF THE SENATORS, IN AND OUT AND IN AND OUT AND TALKING TO GROUPS AND TRYING TO FIND SOLUTIONS. I STAND TO TRY TO ANSWER THE QUESTION THAT SENATOR DAVIS AND SENATOR BLOOMFIELD BROUGHT FORWARD IN TERMS OF CHILDREN IN POVERTY. AND I WANT TO REMIND THE LEGISLATURE THAT LAST YEAR AS A PART OF LB89 AND THEN WE EVENTUALLY FOLDED INTO ANOTHER BILL WAS SENATOR MELLO'S BILL TO CREATE AN INTERGENERATIONAL POVERTY TASK FORCE. THAT TASK FORCE HAS STARTED ITS WORK LAST SUMMER AND I WILL SEND YOU ALL THE PRELIMINARY REPORT THAT WE PUBLISHED IN DECEMBER. SENATORS WHO SERVED ON THAT ARE SENATORS STINNER, SENATOR LARSON, SENATOR KOLTERMAN, SENATOR MELLO, AND MYSELF. IT IS IMPORTANT TO NOTE THAT WHATEVER WE DO IN LB1067 IS NOT GOING TO BE THE FINAL ANSWER THAT WE WOULD HAVE FOR CHILDREN IN POVERTY ACROSS THE STATE. IF YOU REMEMBER AT THE LEGISLATIVE SYMPOSIUM, I GAVE A PRELIMINARY REPORT TO YOU OF SOME OF THE DATA THAT WE ARE BEGINNING TO COLLECT. AND BOTH OF THE SENATORS ARE CORRECT: POVERTY FOR CHILDREN EXTENDS ALL ACROSS THE STATE. BUT THIS IS NOT THE ONLY WAY TO APPROACH IT AND IT MAY NOT BE THE FINAL EDUCATION WAY THAT WE APPROACH IT, BUT IT CERTAINLY IS EMPHASIZED THAT WE DO NEED TO PAY ATTENTION TO THIS ISSUE. WE ARE REQUIRED BY THE STATUTE TO HAVE A FINAL REPORT TO YOU BY THE END OF 2016. AND WHILE SENATOR MELLO AND I WILL NOT BE HERE, I HAVE EVERY CONFIDENCE THAT SENATORS STINNER, LARSON, AND KOLTERMAN WILL BE ABLE TO STAND FORTH REGARDING THAT REPORT AND ITS RECOMMENDATIONS AND THE ADDITIONAL STEPS THAT WE WILL NEED TO TAKE TO ADDRESS CHILDREN IN POVERTY ACROSS THE STATE. SO PLEASE DO NOT THINK THAT THIS IS THE ONLY APPROACH, NOR THE ONLY APPROACH THAT YOU WILL SEE EVER, FROM AN EDUCATION STANDPOINT. IT IS ONE THAT WE NEED TO START WITH AND I CERTAINLY APPRECIATE THERE WILL BE MORE TO COME. THANK YOU, MR. PRESIDENT. [LB1067 LB89]

SENATOR WATERMEIER: THANK YOU, SENATOR CAMPBELL. SENATOR CHAMBERS, YOU ARE RECOGNIZED. [LB1067]

SENATOR CHAMBERS: MR. PRESIDENT, MEMBERS OF LEGISLATURE, HAVING BEEN DRAWN INTO THE DISCUSSION, I WILL MAKE A FEW COMMENTS, NOT THAT

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THEY WILL DO ANY GOOD. YOU ALL HAVE TO REMEMBER, THIS MIGHT BE NEW TO YOU ALL, BUT IT'S NOT NEW TO ME. I'VE BEEN IN THE LEGISLATURE FOUR DECADES, BUT THIS WAS A PROBLEM CONFRONTING ME AND MY KIND LONG BEFORE THAT. I'LL BE 79 YEARS OLD JULY 10 SHOULD THE GRIM REAPER NOT DECIDE TO HARVEST ME. AND THINGS HAVE NOT IMPROVED AS FAR AS I'M CONCERNED. THERE ARE SOME PEOPLE WHO WILL SAY, WELL, THEY DON'T CALL YOU THE N-WORD NOW BECAUSE THEY KNOW THEY'LL GET THEIR TEETH KNOCKED OUT. THE THINGS THAT HAVE HAPPENED CAN BEST BE SUMMED UP IN A GERMAN PROVERB, CHANGE IS NOT THE SAME AS PROGRESS. THERE WOULD BE A MULTITUDE OF CHANGES THAT I COULD WRITE ON A PIECE OF PAPER WITHOUT EVEN REFERRING TO A REFERENCE BOOK. BUT WHEN IT COMES TO REAL PROGRESS, NOT SO. I COULD GO TO THE STACKS IN ANY GOOD LIBRARY AND GO THROUGH BOOKS. THEY HAVE SHELVES AND SHELVES AND SOMETIMES ENTIRE BOOKCASES AND SECTIONS OF BOOKS DEALING WITH THE RACE PROBLEM. AND YOU COULD PICK UP A BOOK 50 YEARS OLD AND EXCEPT THAT THE WRITER HAS A METHOD OF EXPRESSING HIMSELF OR HERSELF THAT WILL LET YOU KNOW THIS IS NOT A MODERN WRITER, BUT THE THINGS REPORTED COULD BE REPORTED ACCURATELY TODAY USING THE EXAMPLES GIVE 50 YEARS AGO, WHICH LETS YOU KNOW NOTHING SUBSTANTIVE HAS HAPPENED IN THIS COUNTRY AS FAR AS RACE. YOU WILL SEE A LOT MORE INTERRACIAL COUPLES, INTERRACIAL ACTIVITIES AMONG YOUNGER WHITE PEOPLE. BUT THEY GET CONTAMINATED. THEY WANT TO ADVANCE IN THE WORLD. THEY HAVE IT MADE KNOWN TO THEM THAT YOU'RE NOT KEEPING THE RIGHT KIND OF COMPANY IF WANT TO GO SOMEPLACE AND THEY KNOW HOW TO GENTLY AND POLITELY BREAK IT OFF. BUT THOSE OF US WHO ARE AWARE OF WHAT'S HAPPENING WILL SAY YOU DON'T EVEN HAVE TO DO IT THAT WAY. YOU GOT THE MESSAGE, DIDN'T YOU? AND THEY DON'T KNOW WHAT WE MEAN. THEN WE EXPLAIN IT. THINGS ARE NOT GOING TO CHANGE. THIS BODY OF SENATORS IS NOT INTERESTED IN ADDRESSING THE PROBLEM THAT THEY'RE TALKING ABOUT SO MUCH. THE LEARNING COMMUNITY WAS PUT IN PLACE AS THE BEST THING UP TO THAT TIME THAT HAD BEEN DONE TO ADDRESS AN INTRACTABLE PROBLEM. AND NOW THESE OTHERS COME ALONG AND I'M SURPRISED THAT SENATOR MURANTE CAN BE SO SANGUINE BECAUSE HE OBVIOUSLY DOESN'T KNOW HOW SOME PEOPLE OF HIS DERIVATION ARE TREATED IN OMAHA. BUT THAT'S WHAT WE CALL BLENDING, PASSING, INTEGRATING, WHERE YOU FORGET WHO YOU ARE, YOUR ROOTS, AND YOUR OWN PEOPLE. AND WHEN I WATCH ALL OF THAT, THIS IS NOT SOMETHING I EVEN CARE TO DISCUSS BECAUSE IT'S NOT GOING ANYWHERE. YOU ALL HAVE DECIDED IT ANYWAY. SO ALL I'LL DO WITH THIS BILL IS TAKE TIME ON IT AFTER YOU ALL GET THROUGH HELPING ME RUN OUT THE CLOCK BY YOUR DISCUSSIONS AND THE AMENDMENTS YOU'RE

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DRAFTING AND YOU'RE GOING TO PUT SOME MONEY HERE AND YOU'LL PUT IT THERE AND IT DON'T MEAN A THING. [LB1067]

SENATOR WATERMEIER: ONE MINUTE. [LB1067]

SENATOR CHAMBERS: BUT YOU'RE GOING TO DO IT ANYWAY. THAT COMMON LEVY, AS IT'S CALLED, PROVIDED SOME STABILITY. IN THE SAME WAY THAT YOU'RE BARTERING AND TRADING HERE TODAY IS THE WAY WHATEVER MONEY YOU PUT IN THERE THAT YOU SAY IS GOING TO ADDRESS THESE PROBLEMS WILL BE BARTERED AND TRADED AWAY BY SUCCEEDING LEGISLATURES OF WHITE PEOPLE AND IT WILL PROBABLY START NEXT SESSION. SO DO WHAT YOU WANT TO AND I WILL HAVE TO TRY ON FINAL READING TO CREATE SUCH DELAY THIS BILL MAY NOT PASS, OTHERWISE IT WILL AND THE DAMAGE WILL HAVE BEEN DONE. THANK YOU, MR. PRESIDENT. [LB1067]

SENATOR WATERMEIER: THANK YOU, SENATOR CHAMBERS. SENATOR SULLIVAN, YOU ARE RECOGNIZED. [LB1067]

SENATOR SULLIVAN: THANK YOU, MR. PRESIDENT. THIS DISCUSSION OF POVERTY AND RECOGNITION OF THE FACT THAT IT EXISTS IN OUR STATE MAKES IT SEEM LIKE WE CURRENTLY AREN'T DOING ANYTHING ABOUT POVERTY IN OUR SCHOOL DISTRICTS. TO BE SURE, WE ARE THROUGH OUR POVERTY ALLOWANCE IN OUR SCHOOL FUNDING FORMULA. AND ACTUALLY WE'RE UNIQUE AMONG STATES IN THAT WE ALSO RECOGNIZE CONCENTRATIONS OF POVERTY. WE HAVE ABOUT \$3.3 BILLION WORTH OF STATE NEED THAT IS TAKEN CARE OF THROUGH STATE SUPPORT AS WELL AS PROPERTY TAX DOLLARS. WHAT'S THE STATE POVERTY SPENDING THAT WE DEVOTE TO THAT? ALMOST \$141 MILLION, AND CURRENTLY OF THAT AMOUNT, A LITTLE OVER \$56 MILLION OF IT GOES TO THE POVERTY ALLOWANCE IN THE OMAHA PUBLIC SCHOOL DISTRICT. SENATOR BLOOMFIELD HAS MADE MENTION A COUPLE OF DIFFERENT TIMES OF THE RESERVATION SCHOOLS AND THE POVERTY THAT EXISTS AND I CAN'T DENY THAT. I HAVE A GRAPH THAT IF YOU'D LIKE TO COME OVER AND TAKE A LOOK AT IT, FEEL FREE TO DO SO. BUT THE OMAHA NATION PUBLIC SCHOOLS IS WAY UP, PROBABLY OVER 90 PERCENT OF THE STUDENTS THAT ATTEND THERE QUALIFY FOR...IN POVERTY. SECOND HIGHEST IS MADISON PUBLIC SCHOOLS INTERESTINGLY...WELL, I SHOULDN'T SAY SECOND HIGHEST BECAUSE IN BETWEEN THERE THEN ARE QUITE A NUMBER OF SCHOOLS, SCHOOL DISTRICTS. BUT IT WAS INTERESTING THAT MADISON PUBLIC SCHOOLS HAS AN EVEN HIGHER RATE OF POVERTY THAN OMAHA PUBLIC SCHOOLS AND IS

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ON THE UPTICK. SO CLEARLY IT'S NOT LOST ON ME THAT WE NEED TO ADDRESS POVERTY AND WE NEED TO ADDRESS IT STATEWIDE. AND I WILL SAY AGAIN, WE HAD THE INTERIM STUDY AND WE ASKED FOR RESPONSES FROM SCHOOL DISTRICTS AND WE'RE VERY HOPEFUL OF THE FACT THAT WE COULD HEAR SOME THINGS THAT ARE GOING ON IN SCHOOL DISTRICTS THAT WE COULD HOLD UP AS BEST PRACTICES. NOW LET ME BE CLEAR, THEY'RE OUT THERE, I KNOW THAT. AND MAYBE BECAUSE WE HAVE NOW IDENTIFIED A STUDENT ACHIEVEMENT COORDINATOR IN THE DEPARTMENT OF EDUCATION WHO'S REVIEWING THESE POVERTY PLANS THAT ALL SCHOOL DISTRICTS HAVE TO SUBMIT TO OBTAIN THEIR POVERTY ALLOWANCE, WE CAN IN FACT HOLD UP SOME BEST PRACTICES. BUT YOU JUST DON'T FEEL THAT YOU'RE GOING TO SOLVE THE POVERTY PROBLEM, WHETHER IT'S STATEWIDE OR WITHIN THE LEARNING COMMUNITY, BY JUST AUTOMATICALLY SAYING YOU'RE GOING TO GIVE MORE DOLLARS. WE HAVE TO BE MORE STRATEGIC. AND I THINK BOTH WITH THE COMMUNITY ACHIEVEMENT PLAN, SOME OF THE THINGS WE'RE DOING WITH THE STUDENT ACHIEVEMENT COORDINATOR STATEWIDE, I THINK WE CAN START TO GO DOWN THAT PATH. BUT IT'S GOING TO BE A PATH THAT WE'RE GOING TO BE ON FOR A LONG, LONG TIME. I WANT TO SAY JUST A COUPLE OF THINGS IN ANTICIPATION OF POSSIBLY THE...I HAVEN'T HAD A CHANCE TO LOOK AT THE AMENDMENT OF SENATOR KRIST, BUT APPARENTLY THE MESSAGE IS OUT THERE THAT IF SENATOR SULLIVAN DOESN'T GET HER WAY IN ALL COMPONENTS OF THIS, SHE'S GOING TO PULL THE BILL. THERE ARE A LOT OF MOVING PARTS RIGHT NOW. I'M VERY INTERESTED IN HEARING THE REACTIONS OF ALL OF YOU... [LB1067]

SENATOR WATERMEIER: ONE MINUTE. [LB1067]

SENATOR SULLIVAN: ...TO MY AMENDMENT. I WANT TO TALK WITH EACH OF YOU, TOO, OFF THE MIKE IF NECESSARY IF YOU HAVE ANY QUESTIONS. SO JUST TO BE CLEAR, I HAVE NOT DRAWN A LINE IN THE SAND. I HAVE NOT SAID THAT. AND APPARENTLY WE WILL STILL HAVE SOME MORE DISCUSSION TO GO, SO I JUST WANTED TO MAKE THAT CLEAR. THANK YOU, MR. PRESIDENT. [LB1067]

SENATOR WATERMEIER: THANK YOU, SENATOR SULLIVAN. SENATOR BAKER, YOU ARE RECOGNIZED. [LB1067]

SENATOR BAKER: THANK YOU, MR. PRESIDENT. I WANT TO BE CLEAR THAT I WANT THERE TO BE A BILL PASSED, I WANT LB1067 TO PASS. AND IF WHAT SENATOR SULLIVAN HAS RIGHT HERE IS IT, I'M ALL IN. I AM INTERESTED IN

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SEEING WHAT SENATOR KRIST COMES UP WITH. AND THAT...THE QUESTION ABOUT THE COMMUNITY ACHIEVEMENT PLAN VERSUS MORE SPECIFICALLY GETTING DOLLARS TO DEAL WITH THE POVERTY IS THE MAIN DIFFERENCE THAT SHE AND I HAD PHILOSOPHICALLY ALL ALONG. PETER SENGE WROTE A LONG TIME AGO ABOUT THE DIFFERENCE BETWEEN COMPLIANCE AND COMMITMENT. I HAVE NO QUESTION THAT A THROUGH A COMMUNITY ACHIEVEMENT PLAN WE CAN FORCE PEOPLE TO COMPLY. WHAT WE CAN'T FORCE PEOPLE TO DO IS TO COMMIT. I HAVE SOME SENSE THAT IN THE EARLY CHILDHOOD PLAN THAT THE SUPERINTENDENTS AND THE SCHOOL OFFICIALS IN THE 11 DISTRICTS CAME CLOSE PROBABLY TO COMMITMENT TO DOING SOMETHING THERE. FOR ME, IT'S ABOUT HOW CAN WE MAXIMIZE? YOU KNOW, THE AMOUNT OF RESOURCES WE HAVE I THINK IS A GIVEN. YOU KNOW, AT \$13.5 MILLION ROUGHLY, THAT'S A GIVEN. HOW CAN WE BEST MAXIMIZE THAT TO THE BENEFIT OF STUDENTS WITH EXTREME POVERTY? SENATOR SULLIVAN IS RIGHT. WE HAVE TO BE STRATEGIC ABOUT HOW WE GO ABOUT DEALING WITH IT. JUST PUTTING MORE MONEY IN THE BANK ACCOUNT DOESN'T DO IT. WE DO HAVE TO BE STRATEGIC, BUT I WOULD HOPE TO BE ABLE TO DO THAT WITHOUT BEING BUREAUCRATIC. THANK YOU. [LB1067]

SENATOR WATERMEIER: THANK YOU, SENATOR BAKER. SPEAKER HADLEY FOR AN ANNOUNCEMENT. [LB1067]

SPEAKER HADLEY: MR. PRESIDENT, COLLEAGUES, I HAVE BEEN LOOKING INTO MY CRYSTAL BALL AND I HAVE FIGURED THIS ALL OUT AT THIS POINT IN TIME DOWN TO THE EXACT MINUTE OF WHERE WE WILL BE TODAY, TOMORROW, AND ALL OF NEXT WEEK. BUT I'M ONLY GOING TO TELL WHAT YOU WE'RE GOING TO DO TONIGHT. I ASSUME CLOTURE--I BELIEVE THE LAST TIME I SAID SOMETHING ABOUT CLOTURE, PEOPLE JUMPED ALL OVER ME WHEN I WAS THREE MINUTES OFF--6:48, 6:58, SOMEWHERE IN THAT AREA. MY PLAN THEN IS TO GO TO 8:00 ON THE PROPERTY TAX BILL. WE WILL THEN ADJOURN. I DON'T BELIEVE...I'VE BEEN HERE SEVEN YEARS. I DON'T BELIEVE GOOD LEGISLATION IS MADE AT 10:00 AND 11:00 AT NIGHT. WE WILL START OVER TOMORROW MORNING WITH THIS EXACT PLACE THAT WE LEAVE OFF AND GO UP...GO DOWN THE AGENDA AGAIN. AND IT IS MY PLAN RIGHT NOW TO HAVE SOME FINAL READING POTENTIALLY TOMORROW, BUT MAYBE NOT. IT MAY BE THAT WE JUST DO SELECT FILE TOMORROW AND WAIT TILL NEXT WEEK TO HAVE FINAL READING. WE'LL HAVE TO SEE HOW THAT WORKS OUT. BUT THAT IS MY GOAL AT THIS POINT IN TIME. THANK YOU, MR. PRESIDENT.

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SENATOR WATERMEIER: THANK YOU, SPEAKER. THOSE IN THE QUEUE WISHING TO SPEAK: SENATOR FOX, SENATOR KRIST, SENATOR CRAWFORD, SENATOR BURKE HARR, SENATOR MELLO, AND OTHERS. SENATOR FOX, YOU ARE RECOGNIZED. SENATOR KRIST...EXCUSE ME, SENATOR FOX, YOU ARE RECOGNIZED. [LB1067]

SENATOR FOX: I YIELD MY TIME TO SENATOR KRIST. [LB1067]

SENATOR WATERMEIER: SENATOR KRIST, 5:00. [LB1067]

SENATOR KRIST: THANK YOU, SENATOR FOX. THANKS FOR YOUR COURTESY. I DON'T INTEND TO GO TO CLOTURE. I DON'T THINK WE NEED TO GO TO CLOTURE. THESE TWO AMENDMENTS ARE SO CLOSE THAT YOU'RE GOING TO DECIDE ON THE SULLIVAN AMENDMENT...FIRST OF ALL, THE WAY IT'S FILED--PLEASE PAY SOME ATTENTION--THE WAY IT'S FILED, AM2875 AMENDS AND REPLACES LB1067. WE NEED TO GET TO A VOTE ON THAT AMENDMENT. SO ANYBODY WANTS TO CALL THE QUESTION, ASK SENATOR SULLIVAN TO MAKE SURE, BUT WE NEED TO GET TO A VOTE ON AM2875, AT WHICH TIME, MY AMENDMENT WILL BE AN AMENDMENT TO THE BILL. I'M DOING THIS OUT OF COURTESY FOR SENATOR SULLIVAN. WE'RE GOING TO GET AN UP OR DOWN ON THIS VOTE AND AMEND IT. I'M DOING THIS FOR COURTESY OF THE SUPERINTENDENTS AND THE SCHOOL BOARDS THAT I HAVE TALKED TO AND HAVE SAID THEY WILL EITHER SUPPORT OR NOT SUPPORT EITHER ONE OF THESE TWO AMENDMENTS. I WANT YOU TO UNDERSTAND THAT. WE SAID WE WERE GOING TO GET SOMETHING DONE THIS YEAR. WE'RE GOING GET SOMETHING DONE THIS YEAR. WE MAY UNDO IT NEXT YEAR, BUT WE'RE GOING TO GET SOMETHING DONE THIS YEAR. THAT'S NOT A THREAT. THAT'S SUPPOSED TO BE FUNNY. YOU GUYS ARE SUPPOSED TO SMILE. SO WE'RE GOING TO TAKE A VOTE ON SENATOR SULLIVAN'S AMENDMENT AND IT BECOMES THE BILL AND THEN MY AMENDMENT WILL GO UP. I DON'T THINK YOU HAVE TO DISCUSS A WHOLE LOT ON MY AMENDMENT. THERE'S ONLY THREE SUBSTANTIAL CHANGES TO IT. YOU'RE EITHER GOING TO VOTE UP OR DOWN ON IT. IF IT'S ALL RIGHT WITH SENATOR SULLIVAN, I'M NEXT IN THE QUEUE I'LL CALL THE QUESTION ON THE AMENDMENT. I JUST NEED A HEAD NOD FROM SENATOR SULLIVAN. I'LL TERMINATE THIS TIME FROM SENATOR FOX. THANK YOU, SENATOR FOX. [LB1067]

SENATOR WATERMEIER: THANK YOU, SENATOR FOX AND SENATOR KRIST. SENATOR KRIST, YOU ARE RECOGNIZED. [LB1067]

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SENATOR KRIST: QUESTION. [LB1067]

SENATOR WATERMEIER: THE QUESTION HAS BEEN CALLED. DO I SEE FIVE HANDS? I DO. THE QUESTION IS, SHALL DEBATE CEASE? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB1067]

ASSISTANT CLERK: 28 AYES, 0 NAYS TO CEASE DEBATE, MR. PRESIDENT. [LB1067]

SENATOR WATERMEIER: DEBATE DOES CEASE. SENATOR SULLIVAN, YOU ARE RECOGNIZED TO CLOSE ON AM2875. [LB1067]

SENATOR SULLIVAN: THANK YOU, MR. PRESIDENT, AND THANK YOU, SENATOR KRIST. I WANTED TO COVER FOR YOU WHAT THE ELEMENTS OF AM2875 ARE. IT DOES, AS WE HAVE TRIED TO DO ALL ALONG, ELIMINATION OF THE COMMON LEVY, BUT ALSO RECOGNIZES THE ACCOMPANYING IMPACT ON THE INCREASE FOR NET OPTION FUNDING AND ALSO THE IMPACT ON THE ALLOCATED INCOME TAX REBATE. IT CHANGES SIGNIFICANTLY WHAT HAPPENS WITHIN THE COMMUNITY ACHIEVEMENT PLAN BECAUSE THAT'S WHERE THEN WE RECOGNIZE THE INCREASED SUPPORT FOR POVERTY. ALL MEMBERS OF THE LEARNING COMMUNITY, ALL THE MEMBER SCHOOL DISTRICTS WOULD PARTICIPATE IN THE DEVELOPMENT OF THE PLAN. WITHOUT DOING SO, THEY WOULD RISK ACCREDITATION STANDARDS. AND THEN THERE WOULD BE A FORMULA BY WHICH THERE WOULD BE AN AMOUNT WOULD BE IDENTIFIED FOR SUPPORT FOR POVERTY. IT WOULD BE .4643 PERCENT OF STATEWIDE AVERAGE GFOE PER FORMULA STUDENT, MULTIPLIED BY THE LEARNING COMMUNITY FORMULA STUDENTS. ONCE THAT AMOUNT IS ESTABLISHED, THEN IT WOULD BE DISTRIBUTED BASED ON 2 PERCENT OF THE POVERTY ALLOWANCE, 2 PERCENT OF THE LEP ALLOWANCE, 3 PERCENT OF THE STATEWIDE AVERAGE GFOE PER FORMULA STUDENT FOR POVERTY STUDENTS WHO EXCEED 40 PERCENT OF THE FORMULA STUDENTS. THE TRANSITIONAL AID WOULD BE RETAINED, BUT IT WOULD BE PAID FOR USING LOTTERY DOLLARS AND IT WOULD BE ESTABLISHED THAT AMOUNT WOULD BE 50 PERCENT OF THE LOSS DETERMINED THE FIRST YEAR AND 25 PERCENT THE SECOND YEAR. THAT IN ESSENCE IS THE AMENDMENT FOR AM2875. I URGE YOUR ADOPTION OF IT. THANK YOU. [LB1067]

SENATOR WATERMEIER: THANK YOU, SENATOR SULLIVAN. MEMBERS, YOU'VE HEARD THE CLOSING ON AM2875. THE QUESTION IS, SHALL THE AMENDMENT TO

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LB1067 BE ADOPTED? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE...SENATOR SULLIVAN, WHY DO YOU RISE? [LB1067]

SENATOR SULLIVAN: YES, I WOULD REQUEST THE CALL OF THE HOUSE, PLEASE. [LB1067]

SENATOR WATERMEIER: 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. [LB1067]

ASSISTANT CLERK: 40 AYES, 0 NAYS TO GO UNDER CALL, MR. PRESIDENT. [LB1067]

SENATOR WATERMEIER: 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 COOK, SENATOR MORFELD, SENATOR COASH, PLEASE RETURN TO THE CHAMBER. THE HOUSE IS UNDER CALL. SENATOR COOK, THE HOUSE IS UNDER CALL. THE QUESTION BEFORE THE BODY IS THE AMENDMENT TO LB1067. ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED? RECORD, MR. CLERK. [LB1067]

ASSISTANT CLERK: 40 AYES, 1 NAY ON THE ADOPTION OF SENATOR SULLIVAN'S AMENDMENT. [LB1067]

SENATOR WATERMEIER: THE AMENDMENT IS ADOPTED. MR. CLERK. RAISE THE CALL, MR. CLERK. [LB1067]

ASSISTANT CLERK: SENATOR KRIST WOULD MOVE TO AMEND WITH AM2903. (LEGISLATIVE JOURNAL PAGE 1507.) [LB1067]

SENATOR WATERMEIER: SENATOR KRIST, YOU'RE RECOGNIZED TO OPEN ON YOUR AMENDMENT. [LB1067]

SENATOR KRIST: THANK YOU, MR. PRESIDENT. GOOD EVENING, COLLEAGUES AND NEBRASKA. AS I'VE TALKED ABOUT IN MOST OF THE DISCUSSION...DURING

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MOST OF THE DISCUSSION TODAY, AM2903 ESSENTIALLY DOES THREE THINGS DIFFERENT THAN WHAT SENATOR SULLIVAN'S AMENDMENT THAT WE JUST PASSED AND BECAME THE BILL WOULD DO. THE DOLLAR AMOUNT STAYS THE SAME, BUT THE POVERTY IS DRAWN OUT IN \$4 MILLION IN THE LEARNING COMMUNITY AND THE BALANCE OF THE MONEY GOING TO STATEWIDE POVERTY. SECOND, THE COMMUNITY ACHIEVEMENT PLAN GOES AWAY. I TRUST THAT THE \$5,739,338 DOLLARS THAT IS PRESENTED IN SENATOR SULLIVAN'S PLAN WILL GO TO THE LEARNING COMMUNITY AND STATEWIDE POVERTY THROUGH THE NORMAL CHANNELS OF POVERTY ALLOWANCES. I TRUST THAT THOSE SUPERINTENDENTS IN THE LCC WILL DISTRIBUTE THEM CORRECTLY. THE TRANSITION AID TO THE DISTRICTS, AS IT'S LISTED ON SENATOR SULLIVAN'S PROPOSED AMENDMENT NOTE TO YOU, REMAINS THE SAME. IT STILL COMES OUT OF THE LOTTERY FUNDS. WE'VE ALREADY ELIMINATED THE COMMON LEVY, THE COMMON LEVY, ONE OF THREE LEVIES IN THE LEARNING COMMUNITY. THAT ONE IS A 95-CENT, 95-CENT LEVY. IT'S GONE. YOU JUST DID THAT. MY AMENDMENT WOULD PURPORT TO PUT THE BUILDING LEVY INTO THE POVERTY AREA. THEY COULD USE A PENNY IN THAT LEVY TO SUPPORT POVERTY, GIVING THE LEARNING COMMUNITY THE OPTION, THE OPPORTUNITY TO SOLVE ADDITIONAL POVERTY INSIDE THE COMMUNITY. SO LET'S TALK ABOUT THAT ONE FOR JUST A SECOND. AS I SAID, YOU CAN WALK OUT THERE EVERY 15 MINUTES AND GET A DIFFERENT READ. NOW THEY'RE SAYING THEY DON'T WANT TO SUPPORT THEIR OWN POVERTY ISSUE AND PUT A PENNY AGAINST THAT ISSUE FROM THE OTHER DISTRICTS. WE JUST GAVE THEM 95 CENTS BACK IN THAT COMMON LEVY AND WE'RE ONLY MAINTAINING AND GIVING THEM AUTHORITY FOR TWO LEVIES: BUILDING AND THE EARLY CHILDHOOD AREA. THIS IS NOT, AS YOU WOULD SAY, THE COMPLEX, COMPLICATED EQUATION CALLED TEEOSA. THIS IS NOT COMPLEX. THIS IS NOT A PROBLEM. THIS IS NOT BRAIN SURGERY. THIS IS ALLOWING THEM TO USE A PENNY IN THAT LEVY ALREADY--ALREADY--LEVY AUTHORITY TO SUPPORT THEIR OWN POVERTY IN THE METROPOLITAN AREA. NOW LET ME TELL YOU WHY I THINK THAT'S IMPORTANT. WHEN YOU LIVE IN A METROPOLITAN AREA AND YOU ARE IN THE SUBURBS--WE'VE ALL HEARD THIS DESCRIPTION BEFORE--YOU TAKE GREAT ADVANTAGE OF THOSE THINGS THAT ARE AVAILABLE TO YOU WHEN YOU LIVE JUST AT THE FRINGE OF THE ETJ OR JUST OUTSIDE OF IT. YOU HAVE TO RECOGNIZE THAT PART OF THAT STRUCTURE SUPPORTS AN INNER-CITY SCHOOL. AND WE ARE SO FORTUNATE IN THIS STATE TO ONLY HAVE ONE OF THOSE ISSUES. LET ME REMIND YOU OF CLEVELAND, CINCINNATI, ST. LOUIS, KANSAS CITY, STATES WHERE THEY HAVE MULTIPLE POVERTY DISTRICTS, MULTIPLE INNER-CITY SCHOOL DISTRICTS. WE'RE VERY FORTUNATE TO HAVE A LEARNING COMMUNITY HERE, I BELIEVE THAT. I'M NOT ONE OF THOSE SUPPORTERS IN

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DISSOLVING THE ENTIRE STRUCTURE. AND IF YOU LOOK AT WHAT'S HAPPENED IN THE LEARNING COMMUNITY, THEY'RE NOT EITHER. THOSE SUPERINTENDENTS LOVE THEIR EARLY CHILDHOOD DEVELOPMENT PROGRAMS, AND THAT COMES ABOUT BECAUSE OF COLLABORATION AND COMMON LEVY. WE DON'T HAVE TO FORCE THEM TO STAY TOGETHER WITH A COMMUNITY ADVANCEMENT OR A COMMUNITY ACHIEVEMENT PLAN. THEY'RE ALREADY DOING IT. IT REMOVES THAT LAYER OF BUREAUCRACY. AND IF THE LCC AND THE LEARNING COMMUNITY DECIDES NOT TO OPTION, TO USE A PENNY FOR POVERTY, WE'RE NOT TELLING THEM THEY HAVE TO. WE'RE NOT FORCING THEM TO DO IT. THAT'S MY AMENDMENT. SO WE'VE ALREADY DISCUSSED ALL THE PARTS OF REMOVING THE COMMON LEVY WITHIN THE PRIOR AMENDMENT THAT WE PASSED. WE TOOK AWAY THE COMMON LEVY. LB1067 IS NOW AS CLOSE AS IT CAN GET FOR SENATOR SULLIVAN TO KEEP HER PROMISE TO GET SOMETHING DONE IN THE LEARNING COMMUNITY TODAY, BUT I THINK WE MAKE IT BETTER BY MAKING A STATEWIDE STATEMENT TO HANDLE STATEWIDE POVERTY. AND AGAIN, IF WE DON'T DO THIS, THIS YEAR, THEN IT WILL BE THREE YEARS DOWN THE ROAD BECAUSE NEXT YEAR, IF WE DO IT, THEN IT'S ANOTHER TWO YEARS, SO IT WILL BE THREE YEARS DOWN THE ROAD BEFORE WE REALIZE AND DO SOMETHING ABOUT POVERTY. POVERTY WAS AT THE HEART OF THE REASON FOR THE LEARNING COMMUNITY TO DEVELOP; THE INNER-CITY SCHOOL WAS THE ISSUE. WE'VE ALREADY HEARD THAT THIS MORNING FROM SENATOR CHAMBERS, AND WE'VE READ ABOUT IT. WE KNOW THE REASONS WHY. IT IS A GREAT INSTITUTION. I THINK IT'S A VALUABLE TOOL FOR EDUCATION IN THE METROPOLITAN AREA, AND IT GUARANTEES THAT THAT THAT INNER-CITY SCHOOL IS NOT GOING TO FALL THE WAYSIDE OF A DETROIT, A CLEVELAND, A CINCINNATI, A KANSAS CITY. PLEASE CONSIDER THOSE CHANGES, ESSENTIALLY THREE. PLEASE CONSIDER THOSE CHANGES AND CONSIDER THAT WE ARE TRYING TO DO POVERTY, ADDRESS POVERTY IN ITS INFANCY STATEWIDE. I UNDERSTAND THERE'S NOT ENOUGH MONEY IN THIS BILL TO ADDRESS IT STATEWIDE. I UNDERSTAND THAT THERE MAY BE MORE DEMANDS OUT THERE. BUT LET'S AT LEAST MAKE AN ATTEMPT TO ADDRESS THAT POVERTY STATEWIDE. THANK YOU FOR CONSIDERATION ON AM2903. I'D TAKE ANY QUESTIONS THAT YOU HAVE, BUT I THINK THE CRUX OF WHAT WE DID IN SENATOR SULLIVAN'S AMENDMENT, WHICH IS NOW LB1067, IS THE HEART OF WHAT WE WERE HERE TO DO. THIS NOW BECOMES, IF YOU WILL, THE VASCULAR SYSTEM THAT I THINK WE NEED TO REINSTALL IN THE LEARNING COMMUNITY. THANK YOU. [LB1067]

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SENATOR WATERMEIER: THANK YOU, SENATOR KRIST. MEMBERS, YOU'VE HEARD THE OPENING TO AM2903 TO LB1067. THE FLOOR IS OPEN. SENATOR CRAWFORD, YOU ARE RECOGNIZED. [LB1067]

SENATOR CRAWFORD: THANK YOU, MR. PRESIDENT. I STAND IN SUPPORT OF LB1067 AND WANT TO ECHO THE THANKS OF THE HARD WORK SENATOR SULLIVAN HAS DONE OVER THE PAST TWO YEARS. AND I'VE BEEN INVOLVED IN DISCUSSIONS WITH HER AND THE DISCUSSIONS WITH THE SUPERINTENDENTS OVER THOSE TWO YEARS AND IT'S BEEN A LONG DISCUSSION AND I APPRECIATE HER HARD WORK. AND IF YOU'VE...AS WE'VE BEEN DEBATING, YOU'VE SEEN ALL KINDS OF SIDE DISCUSSIONS ALL ALONG, SO THE DISCUSSION HAS CONTINUED AND I APPRECIATED HER PERSISTENCE IN CONTINUING TO TALK AND HAVE THAT DISCUSSION. I'M NOT GOING TO COMMENT ON AM2903. I'M GOING TO TALK INSTEAD JUST MORE ABOUT MY SUPPORT FOR LB1067 AND ALSO A BIT ABOUT HOW I CAME TO THE POSITION THAT I HAVE COME TO IN TERMS OF HOW WE NEED TO MOVE FORWARD WITH THE LEARNING COMMUNITY. SIMILAR TO THE EXPERIENCE THAT SENATOR MURANTE HAD, WHEN I WAS GOING DOOR TO DOOR I HEARD A LOT OF CONSTERNATION AND CONCERN ABOUT THE LEARNING COMMUNITY. HOWEVER, I ALSO KNEW THAT THERE'S HAVE...WERE LEGACIES OF WHITE FLIGHT AND/OR EXTREME INEQUALITIES IN THE METRO AREA. AND I KNEW THE LEARNING COMMUNITY WAS AN EFFORT TO ADDRESS THOSE CONCERNS. SO I KNEW MY CONSTITUENTS WERE CONCERNED ABOUT THE LEARNING COMMUNITY. I KNEW THAT THERE WERE ISSUES THAT THE LEARNING COMMUNITY WAS DESIGNED TO ADDRESS THAT WERE IMPORTANT FUNDAMENTAL JUSTICE ISSUES THAT WERE CRITICAL THAT I KNEW MANY OF MY CONSTITUENTS AND SUPPORTERS ALSO WANTED TO ADDRESS, WHICH IS TO MAKE SURE THAT CHILDREN IN POVERTY HAVE ADEQUATE RESOURCES AND TO MAKE SURE THAT WE'RE TRYING TO MAKE SURE THAT EVERYONE HAS OPPORTUNITY TO LEARN AND ADDRESS INEQUALITIES AND INJUSTICES THAT HAVE OCCURRED OVER TIME TO RESTRICT THE ABILITIES OF EVERY CHILD HAVING AN OPPORTUNITY TO LEARN. SO I ACKNOWLEDGED THAT WE NEED TO DO MORE WORK ON THE LEARNING COMMUNITY AS A CANDIDATE AND WAS NOT ANY MORE SPECIFIC ABOUT WHAT I WOULD DO ABOUT IT AS A CANDIDATE. AND WHEN I ARRIVED HERE MY FIRST YEAR, I BELIEVE I WAS THE ONLY SARPY SENATOR NOT TO SIGN ON TO A BILL TO ABOLISH THE LEARNING COMMUNITY. AND I REALLY JUST FELT I NEEDED TO LEARN MORE ABOUT IT, I NEEDED TO UNDERSTAND WHAT WAS HAPPENING, AND TRYING TO UNDERSTAND THE BEST WAY FORWARD. AND A FEW THINGS THAT I HAVE LEARNED SINCE I HAVE BEEN HERE AND HAD A CHANCE TO SEE IT UP CLOSE, FIRST THING I'D WANT TO TELL YOU IS THAT MY DISTRICT ACTUALLY INCLUDES PART OF OPS AND IT INCLUDES

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A GREAT DEAL OF THE BELLEVUE PUBLIC SCHOOL DISTRICT, AND IT ALSO INCLUDES PART OF SPRINGFIELD PLATTEVIEW. SO AS I'VE HAD A CHANCE AS A SENATOR TO TALK TO SUPERINTENDENTS AND UNDERSTAND THIS ISSUE, I'VE HAD A CHANCE TO SEE IT FROM THOSE VERY DIFFERENT PERSPECTIVES, WHAT IMPACT IT HAS ON OPS, THE IMPACT IT HAS ON BELLEVUE PUBLIC SCHOOLS, THE IMPACT IT HAS ON SPRINGFIELD PLATTEVIEW. AND PART OF WHAT IS IMPORTANT IS TO RECOGNIZE THAT THE LEARNING COMMUNITY CONTAINS MANY COMPONENTS. AND THE PART THAT WAS OFTEN DISCUSSED WHEN PEOPLE WERE TALKING ABOUT THEIR FRUSTRATION WITH THE LEARNING COMMUNITY WAS THE COMMON LEVY COMPONENT OF THE LEARNING COMMUNITY, AND THAT'S THE 95-CENT LEVY THAT GOES AWAY WITH SENATOR SULLIVAN'S BILL. NOW MUCH OF THE FRUSTRATION THAT I HEARD IN BELLEVUE ABOUT THE COMMON LEVY COMPONENT WAS THAT RESIDENTS WOULD SEE YEAR AFTER YEAR IN THE OMAHA WORLD-HERALD LITTLE TABLE OF WHO... [LB1067]

SENATOR WATERMEIER: ONE MINUTE. [LB1067]

SENATOR CRAWFORD: THANK YOU, MR. PRESIDENT...WHO WINS AND WHO LOSES. THEY WOULD SEE THIS MONEY WAS GOING TO WESTSIDE AND ELKHORN OR MILLARD, AND SO IT WAS VERY FRUSTRATING TO THEM. IF THIS IS SUPPOSED TO BE ABOUT ADDRESSING POVERTY, WHY IS THE MONEY FLOWING TO THOSE SCHOOLS? AND WHAT I HAVE SEEN OVER AND OVER AGAIN IS THAT HAS, IN FACT, BEEN THE CASE, THAT THE MONEY HAS NOT GONE TO THE LANDLOCKED, HIGH-POVERTY SCHOOLS, AND THAT ONLY RECENTLY HAS OMAHA PUBLIC SCHOOLS BEEN A RECIPIENT. IN 2015 THEY'RE ACTUALLY A RECIPIENT OF \$2 MILLION, WHICH IS LESS THAN .5 PERCENT OF THEIR BUDGET. MEANWHILE, SPRINGFIELD PLATTEVIEW LOST \$3 MILLION AND THAT'S ABOUT 25 PERCENT OF THEIR BUDGET. SO WHILE I UNDERSTOOD THE PHILOSOPHICAL ISSUE OF EQUALIZING PROPERTY BASE, IN PRACTICE, AS IT HAS HAPPENED, IT HAS NOT BEEN EFFECTIVE. AND SO I THINK IT'S TIME TO... [LB1067]

SENATOR WATERMEIER: TIME, SENATOR. [LB1067]

SENATOR CRAWFORD: THANK YOU. [LB1067]

SENATOR WATERMEIER: THANK YOU, SENATOR CRAWFORD. SENATOR BURKE HARR, YOU'RE RECOGNIZED. [LB1067]

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SENATOR HARR: THANK YOU, MR. PRESIDENT, MEMBERS OF THE BODY. SENATOR KRIST'S AMENDMENT, AM2903, I HAVEN'T HAD A CHANCE TO READ IT THOROUGHLY OR TO STUDY IT. BUT ON FIRST BLUSH IT WOULD APPEAR TO BE A COMPUTATION OF THE TAX. AND SO THIS IS ONE OF THE PROBLEMS WE HAVE. I KNOW ONE OF THE REASONS WE WERE DELAYING EARLIER WAS BECAUSE WE WANTED...WITH SENATOR GROENE'S AMENDMENT WAS WE WANTED TO HAVE A CHANCE TO GET THIS AMENDMENT DRAFTED. AND I'M A LITTLE CONCERNED AND I NEED TO DO A LITTLE RESEARCH ON IT, WANTED TO GET ON THE MIKE AND TALK ABOUT IT A LITTLE BIT. SENATOR KRIST, ARE YOU AVAILABLE FOR QUESTIONS? [LB1067]

SENATOR WATERMEIER: SENATOR KRIST, FOR A QUESTION? [LB1067]

SENATOR KRIST: ABSOLUTELY. [LB1067]

SENATOR HARR: THANK YOU, SENATOR KRIST. AND I KNOW YOU AND I WEREN'T AROUND. THERE'S ONLY ONE PERSON WHO WAS AROUND THE LAST TIME THIS LEARNING COMMUNITY CAME UP. BUT ONE OF THE ISSUES THAT WAS BROUGHT UP BACK THEN WAS COMPUTATION OF TAXES. DO YOU UNDERSTAND WHAT THAT IS? [LB1067]

SENATOR KRIST: IS THIS A TRICK QUESTION? [LB1067]

SENATOR HARR: NO, IT'S NOT, BECAUSE I'M TRYING TO FIGURE IT OUT MYSELF AS WE GO ALONG. [LB1067]

SENATOR KRIST: I DON'T CHANGE ANY OF THE COMPUTATION OF TAXES THAT SENATOR SULLIVAN'S AMENDMENT DID TO LB1067. I REDISTRIBUTE THE FUNDS IN TERMS OF INSIDE THE LEARNING COMMUNITY AND OUTSIDE THE LEARNING COMMUNITY FOR POVERTY. AND I GIVE THE LEARNING COMMUNITY AN OPTION TO USE WHAT SENATOR SULLIVAN ABOLISHED AS A LEVY IN HER AMENDMENT. I'VE PUT IT BACK IN PLACE AND ALLOWED THEM TO USE IT. SO FOR THAT IMPLICATION, I WOULD SAY I DON'T RECOGNIZE THAT THERE IS ANYTHING DIFFERENT NOW IN LB1067 THAN WE HAVE TALKED ABOUT. AM I WRONG? [LB1067]

SENATOR HARR: WELL, TO BE HONEST WITH YOU, I'M NOT SURE. LIKE I SAID, FIRST BLUSH, WE JUST GOT THIS. I KNOW THERE'S ANOTHER AMENDMENT

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COMING UP AFTER YOURS THAT'S BEEN FILED. SO I THINK I NEED TO DO A LITTLE MORE RESEARCH ON THIS. BUT, YOU KNOW, HOW DO I SAY THIS? I LIKE THE CONCEPT, JUST LIKE I LIKE THE CONCEPT OF THE COMMON LEVY, BUT I THINK THE PRACTICE OF THIS MAY HAVE SOME UNINTENDED CONSEQUENCES. THIS WHOLE BILL IS A COMPROMISE, AND I GET THAT THERE ARE PEOPLE WHO AREN'T HAPPY. THERE ARE GOING TO BE WINNERS IN THIS AND THERE ARE GOING TO BE LOSERS IN THIS. I CAN'T SAY ANYONE IS EXTREMELY HAPPY ABOUT THIS EXCEPT FOR MAYBE...WELL, THERE ARE PROBABLY THREE SCHOOL DISTRICTS THAT ARE EXTREMELY HAPPY. BUT I DON'T KNOW A WAY TO DO THIS ANY OTHER WAY. I GET...THE PENNY LEVY IS I THINK A GOOD IDEA. IT WAS DISCUSSED TWO DAYS AGO AND BROUGHT UP BY SOME OF OUR RURAL COLLEAGUES. THE PROBLEM IS IT MAY COST A CERTAIN SCHOOL DISTRICT MORE THAN THEY CAN AFFORD AND SO IT WAS TABLED. AND I'M NOT SURE IF IT SOLVES YOUR PROBLEM BECAUSE I'M NOT SURE IF OPS AND RALSTON WERE EXCITED ABOUT IT EITHER; AT LEAST TWO DAYS AGO THEY WEREN'T. SO I WILL SIT DOWN. I'LL LISTEN TO THE DEBATE. I APPRECIATE ALL THAT YOU'RE TRYING TO DO, SENATOR KRIST, TO TRY TO GET US A SOLUTION TO THIS, AND TO ALL OF THE OTHER MEMBERS, TO TRY TO FIND A WAY TO FIX THIS LEARNING COMMUNITY PROBLEM. THANK YOU. [LB1067]

SENATOR WATERMEIER: THANK YOU, SENATOR BURKE HARR AND SENATOR KRIST. SENATOR BLOOMFIELD, YOU ARE RECOGNIZED. [LB1067]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. I WONDER IF SENATOR KRIST WOULD YIELD TO A QUESTION. [LB1067]

SENATOR WATERMEIER: SENATOR KRIST, FOR A QUESTION? [LB1067]

SENATOR KRIST: ABSOLUTELY. [LB1067]

SENATOR BLOOMFIELD: THANK YOU, SENATOR. LOOKING AT PAGE 9, LINE 19, ON YOUR AMENDMENT, IT SAYS EACH FISCAL YEAR LEARN COMMUNITIES SHALL LEVY A MINIMUM OF 1 CENT AND A MAXIMUM OF 2 (CENTS). SHOULD THAT "SHALL" POSSIBLY BE A "MAY"? IT LOOKS TO ME LIKE WE'RE MANDATING A TAX INCREASE THERE. [LB1067]

SENATOR KRIST: WE'RE TELLING THEM THAT IN THE EXTREME POVERTY FUNDING AREA THEY CAN USE THE LEVY THAT SENATOR SULLIVAN'S BILL ABOLISHED, THE BUILDING LEVY, TO... [LB1067]

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SENATOR BLOOMFIELD: ARE WE TELLING THEM THEY CAN USE IT OR ARE WE TELLING THEM THEY HAVE TO USE IT? [LB1067]

SENATOR KRIST: THIS WORD SAYS THAT THEY SHALL USE IT, THEY WILL DO IT TO SOLVE THEIR OWN POVERTY PROBLEMS. THAT, SENATOR BLOOMFIELD, MEANS THAT THEY'RE NOT GOING TO COME BACK TO THE STATE AND SAY, WE NEED MORE POVERTY MONEY, WITHOUT EXHAUSTING THEIR OWN RESOURCES FIRST. [LB1067]

SENATOR BLOOMFIELD: OKAY. THANK YOU, SENATOR KRIST. I'M GOING TO STRUGGLE WITH THAT WORD A LITTLE BIT, BUT WE'LL SEE WHERE THIS GOES. THANK YOU, MR. PRESIDENT. [LB1067]

SENATOR WATERMEIER: THANK YOU, SENATOR BLOOMFIELD AND SENATOR KRIST. SENATOR SMITH, YOU ARE RECOGNIZED. [LB1067]

SENATOR SMITH: THANK YOU, MR. PRESIDENT, AND GOOD EVENING OR GOOD AFTERNOON, COLLEAGUES, ALMOST GOOD EVENING. I, TOO, STAND IN SUPPORT OF LB1067 AS WAS PREVIOUSLY AMENDED BY SENATOR SULLIVAN'S AMENDMENT. I DO, AS A SARPY COUNTY SENATOR...FOR A NUMBER OF YEARS, I'VE BEEN IN SUPPORT OF REFORMING THE TAXATION BY THE LEARNING COMMUNITY, AND I CERTAINLY UNDERSTAND WHAT MY COLLEAGUES, PARTICULARLY SENATOR KRIST, IS ATTEMPTING TO DO. I UNDERSTAND THAT POVERTY IS A HUGE ISSUE IN THE METRO AREA OF OMAHA. I'M JUST NOT CERTAIN THIS IS THE WAY WE ARE TO ADDRESS THAT. I ABSOLUTELY AGREE WITH SENATOR KRIST OF HIS...WITH HIS INTENT, BUT NOT THIS METHOD. A COUPLE OF YEARS AGO, I HAD A BILL, LB585, AND IN THAT BILL WE...I WORKED WITH SENATOR KOLOWSKI TO INCREASE FUNDING THROUGH THE LEARNING COMMUNITY LEVY AUTHORITY FOR EARLY CHILDHOOD. AND LB585 PASSED. THAT WAS THE LAST REAL CHANGE THAT WAS MADE TO THE LEARNING COMMUNITY. AND I THINK THAT THAT, AT THAT TIME, WAS A GOOD BILL BECAUSE IT SOUGHT TO ADDRESS A REAL NEED THAT WE HAVE IN EARLY CHILDHOOD DEVELOPMENT. AT THAT TIME, THE LEARNING COMMUNITY, IN ADDITION TO THE COMMON LEVY OF 95 CENTS, HAD ABOUT A 5-CENT LEVY AUTHORITY. TWO CENTS WAS FOR SPECIAL BUILDING FUNDS, 2 CENTS WAS FOR LEASING, PURCHASING, REMODELING OF ELEMENTARY CENTERS, AND THEN THERE WAS A 1-CENT AUTHORITY FOR EARLY CHILDHOOD DEVELOPMENT, AMONG OTHER THINGS. AND LB585 REDUCED SOME OF THE BUILDING LEASING FUNDING OR LEVY AUTHORITY WHICH WAS NOT BEING USED AND IT

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ALLOCATED IT TO EARLY CHILDHOOD DEVELOPMENT. AND WE INCREASED THAT TO A 1.5 CENT LEVY AUTHORITY. AND I THINK EVERYONE WAS IN AGREEMENT THAT THAT WAS APPROPRIATE BECAUSE OF THE NEEDS THAT WE HAD IN EARLY CHILDHOOD DEVELOPMENT. SO WHAT SENATOR KRIST IS DOING IS THERE IS A 2 CENT LEVY AUTHORITY AND, COLLEAGUES, THOSE OF YOU NOT FROM THE OMAHA METRO AREA, MEMBERS OF THE LEARNING COMMUNITY, I ASK THAT YOU REALLY PAY ATTENTION TO THIS BECAUSE IT WILL HELP YOU UNDERSTAND WHAT'S TAKING PLACE. THE 2-CENT LEVY AUTHORITY IS FOR-- THAT SENATOR KRIST IS SEEKING TO CHANGE--IS FOR SPECIAL BUILDING FUNDS FOR MEMBER SCHOOL DISTRICTS. AND CURRENTLY THAT LEVY AUTHORITY HAS NOT BEEN USED SINCE 2009. IN 2009-2010, IT WAS LEVIED AT A PENNY AND THERE WAS ABOUT \$4.6 MILLION THAT WAS TAXED. SINCE 2010, THAT LEVY AUTHORITY HAS NOT BEEN USED. IT HAS NOT BEEN USED. AND SO BY CONVERTING IT TO POVERTY, I RECOGNIZE THAT WE HAVE A POVERTY NEED. AGAIN, I DISAGREE WITH THIS IS THE METHOD THAT WE NEED TO GO ABOUT TO TRY TO FUND IT. BY CONVERTING THAT UP TO 2 CENTS FOR BUILDING, FOR USE BY POVERTY, IT WILL NECESSARILY BE LEVIED. I CAN ASSURE YOU IT WILL BE LEVIED, IT WILL BE USED. COLLEAGUES, THAT WILL BE AN INCREASE IN THE PROPERTY TAXES OF THE MEMBERS,... [LB1067]

SENATOR WATERMEIER: ONE MINUTE. [LB1067]

SENATOR SMITH: ...OF THE RESIDENTS AND THE BUSINESSES INSIDE THE LEARNING COMMUNITY. SO I HAVE TO OPPOSE SENATOR KRIST'S AMENDMENT AT THIS POINT. AGAIN, I APPRECIATE, I RECOGNIZE WHAT HE'S ATTEMPTING TO DO TO SATISFY A NEED. I DO NOT BELIEVE THAT THIS IS THE APPROPRIATE WAY OF ADDRESSING THAT. I ASK, COLLEAGUES, THAT YOU OPPOSE SENATOR KRIST'S AMENDMENT AND THAT YOU CONTINUE TO SUPPORT THE UNDERLYING BILL THAT SENATOR SULLIVAN HAS WORKED WITH MANY OTHER MEMBERS OF THE LEGISLATURE IN BRINGING TO US. AND AGAIN, THANK YOU, SENATOR SULLIVAN, FOR YOUR WORK, AND THAT'S ALL. THANK YOU, MR. PRESIDENT. [LB1067]

SENATOR WATERMEIER: THANK YOU, SENATOR SMITH. (VISITORS INTRODUCED.)
SENATOR COOK, YOU ARE RECOGNIZED. [LB1067]

SENATOR COOK: THANK YOU, MR. PRESIDENT. AND GOOD EVENING, COLLEAGUES. I RISE TO EXPRESS AND GET ON THE RECORD MY FRUSTRATION, PRIMARILY WITH MYSELF FOR FALLING FOR IT ONE MORE TIME, FOR FALLING

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FOR THE SAD STORY THAT INCLUDED AN AUDIENCE THAT I AM SINCERELY COMMITTED TO AND AN AUDIENCE THAT HAS BEEN LEVERAGED TO GET MONEY FOR A GROUP THAT JUST GOT \$20 MILLION LAST WEEK. I VOTED TO ADVANCE OR ATTACH SENATOR SULLIVAN'S AMENDMENT TO THIS BILL, AND THAT INCLUDED THE ELIMINATION OF THE COMMON LEVY. I'VE SAID A NUMBER OF TIMES ON THE MICROPHONE AND IN THE MEDIA THAT THAT REPRESENTED THE BEST ABSTRACT...THE BEST PHYSICAL MANIFESTATION OF THE ABSTRACT CONCEPT THAT OTHER PEOPLE IN THE GREATER METROPOLITAN AREA HAD TO ACT LIKE THEY CARE, AT LEAST WHEN IT CAME TO PAYING INTO THE COMMON LEVY. AND NOW THAT'S GONE AND NOW WE'VE GOT A COUPLE OF PROPOSALS THAT MAY PUT THE MONEY BACK IN, BUT MY SENSE IS THAT THE REAL ORIGINAL REASON THAT IT GOT IN WILL BE LOST AND ON PURPOSE OR THROUGH THE YEARS GOING BY OR THROUGH PEOPLE JUST NOT REALLY ACCEPTING THE REASON WHY WE HAD THE LEARNING COMMUNITY IN THE FIRST PLACE BY SAYING, OH, WE'VE GOT POOR KIDS ALL ACROSS THE STATE, GIVE ME MONEY FOR THEM, TOO, IF I HAVE THE RIGHT PERCENTAGE. OKAY, SURE. BUT HOW COME NOTHING IS A PROBLEM UNTIL IT'S A PROBLEM IN YOUR OWN LITTLE AREA? THIS HAS, THE ISSUE RELATED TO THE FUNDING IN OMAHA PUBLIC SCHOOLS, HAS BEEN GOING ON EASILY FOR 50 YEARS: FIRST, THE LOSS IN PROPERTY VALUES THROUGH REDLINING, THEN THE WHITE FLIGHT THAT SENATOR CRAWFORD MADE A POINT OF MENTIONING, AND NOW WE HAVE THIS. ANOTHER FRUSTRATION THAT I HAVE WITH STARTING WITH MY SERVICE HERE IN THE LEGISLATURE AND MY VERY HARD WORK ON THE EDUCATION COMMITTEE AND ADVOCATING ON BEHALF OF THE OMAHA PUBLIC SCHOOL DISTRICT--WELCOME, SENATOR FOX--ADVOCATING FOR EIGHT YEARS, AND BEFORE THAT, ON BEHALF OF THE OMAHA PUBLIC SCHOOL DISTRICT, IS THAT IT NEVER SEEMS TO QUITE BE ENOUGH. IT'S LIKE PLAYING WHACK-A-MOLE. AND THIS IS THE STUDENTS I CARE ABOUT. BUT THE ADVOCATES, AND THE ADMINISTRATION, SOMETIMES I'M NOT QUITE CERTAIN WHERE THEY'RE COMING FROM. IT SEEMS LIKE IT'S COMING FROM WHAT THEY WANT VERSUS WHAT WILL EVENTUALLY PASS ALONG TO THE STUDENT. AND OF COURSE THEY'LL USE THE ANGLE OF THE STUDENT, PARTICULARLY A STUDENT OF COLOR OR A STUDENT OF COLOR IN POVERTY, BUT IT NEVER QUITE SHAKES OUT OR IT'S NEVER ENOUGH, IT ALWAYS MOVES. I'LL USE SOME EXAMPLES OVER THE YEARS. FIRST OF ALL, SENATOR FISCHER WAS HERE. SHE BROUGHT A BILL TO ELIMINATE THE SALARY FOR THE LEARNING COMMUNITY. THAT PASSED VERY EASILY BECAUSE PEOPLE ARE...DON'T LIKE THE AMOUNT OF MONEY THEY GET HERE, ALTHOUGH MANY OF THE PEOPLE DON'T NEED THE MONEY THEY GET HERE. THE SECOND THING, AS SENATOR SMITH JUST MENTIONED IT, A COUPLE SCHOOL DISTRICTS THAT ARE WHINGING RIGHT NOW ABOUT THE MONEY THEY DON'T HAVE WERE RIGHT

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ON BOARD WITH THAT PROPOSAL THAT SENATOR SMITH BROUGHT RELATED TO EARLY EDUCATION. IT'S FOR EARLY EDUCATION. EVERYBODY LIKES EARLY EDUCATION, SO THAT PASSED. [LB1067]

SENATOR WATERMEIER: ONE MINUTE. [LB1067]

SENATOR COOK: THANK YOU, MR. PRESIDENT. THE AVERAGING ADJUSTMENT THE OMAHA PUBLIC SCHOOL DISTRICT COULDN'T LIVE A LIFE WITHOUT THE AVERAGING ADJUSTMENT, SO WE FOUGHT OVER THAT. THEY GOT THAT. THEY PROBABLY STILL HAVE IT. WHO KNOWS IF THEY'LL KEEP HAVING IT? IN A COUPLE WEEKS I DON'T HAVE TO CARE BECAUSE THE GREAT WORLD SPINS ON AND NOTHING EVER CHANGES. CHARTER SCHOOLS, THAT WAS AN AWFULLY LONELY FIGHT. GUESS WHAT, FOLKS? I WON'T BE HERE. YOU WON'T BE ABLE TO, YOU KNOW, CALL TANYA COOK AND GET HER TO SAY ANYTHING ON THE MICROPHONE ON YOUR BEHALF, SO I HOPE YOU ENJOYED IT, I HOPE YOU APPRECIATED IT. I'M LIVID. THANK YOU, MR. PRESIDENT. [LB1067]

SENATOR WATERMEIER: THANK YOU, SENATOR COOK. SENATOR MURANTE, YOU ARE RECOGNIZED. [LB1067]

SENATOR MURANTE: THANK YOU, MR. PRESIDENT. MEMBERS, GOOD EVENING. I HAVE EXTREME CONCERNS WITH AM2903. FIRST OF ALL, WHEN I HEARD THAT THERE MAY BE A PROPOSAL COMING TO SWITCH THE POVERTY TAX LEVY FOR THE SPECIAL BUILDING FUND AND TURN IT INTO WHAT IS FUNCTIONALLY A COMMON LEVY FOR POVERTY, I WASN'T FUNCTIONALLY OPPOSED BECAUSE, IN MY VIEW, IT HAD BEEN CHARACTERIZED THAT IT WOULD BE ESSENTIALLY A COMMON LEVY FOR POVERTY FUNDING WHERE ALL OF THE TAXPAYERS FROM THE 11 SCHOOL DISTRICTS WOULD PUT THEIR MONEY INTO A POT, IT WOULD BE...THERE WOULD BE A FORMULA TO CALCULATE POVERTY FROM AROUND THE LEARNING COMMUNITY AND THE MONEY WOULD BE REDISTRIBUTED. IT WOULD BE SIMILAR TO THE COMMON LEVY; IT WOULD JUST BE MUCH LESS AND IT WOULD BE TARGETED TO POVERTY. THAT IS NOT WHAT THIS DOES. WHAT THIS AMENDMENT SAYS IS THAT THERE WILL BE A COMMON LEVY. ALL OF THE 11 SCHOOL DISTRICTS PUT THEIR MONEY INTO THE COMMON LEVY, BUT ONLY TWO DISTRICTS HAVE ANY CAPACITY TO GET ANY MONEY OUT OF THE COMMON LEVY. SO EVEN IF THE LEARNING COMMUNITY COORDINATING COUNCIL IS GRANTED THIS LEVY AUTHORITY AND THEY DETERMINE THAT THERE ARE SCHOOL DISTRICTS WITH POVERTY NEEDS WHERE FUNDING IS NECESSARY AND APPROPRIATE, EVEN THEY DON'T HAVE THE AUTHORITY TO

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GIVE MONEY TO ANY SCHOOL DISTRICT OTHER THAN OPS OR RALSTON. THIS MONEY IS EARMARKED FOR SCHOOL DISTRICTS WITH 40 PERCENT POVERTY OR MORE. IT IS NOT MONEY THAT IS REDISTRIBUTED BASED ON THE NUMBER OF KIDS IN POVERTY PER SCHOOL DISTRICT. YOU HAVE NINE DISTRICTS THAT WILL BE PUTTING MONEY INTO A COMMON LEVY AND HAVE NO CAPACITY TO GET ANY MONEY OUT. THAT IS FAR WORSE THAN WHAT WE HAVE NOW. AT LEAST NOW THE MONEY IS REDISTRIBUTED BASED ON A FORMULA: YOU PUT MONEY IN, YOU GET MONEY OUT. THERE'S A FORMULA. THERE'S A LOGIC BEHIND IT. WOULD SENATOR SULLIVAN YIELD TO A QUESTION? [LB1067]

SENATOR WATERMEIER: SENATOR SULLIVAN FOR A QUESTION. [LB1067]

SENATOR SULLIVAN: YES, I WOULD. [LB1067]

SENATOR MURANTE: SENATOR SULLIVAN, AS I UNDERSTAND IT, AND CORRECT ME IF I'M WRONG, WHAT AM2903 DOES IS ESSENTIALLY REPLACES A SPECIAL BUILDING FUND CURRENTLY AUTHORIZED UNDER THE LEARNING COMMUNITY AND IT REPLACES IT WITH AN EXTREME POVERTY FUND, WOULD YOU AGREE WITH THAT? [LB1067]

SENATOR SULLIVAN: YES, AND OF COURSE REMEMBERING THAT WITH LB1067, AS AMENDED AND APPROVED, WE GOT RID OF THAT 1 CENT BUILDING LEVY. [LB1067]

SENATOR MURANTE: OKAY. AND DOES THE LEARNING COMMUNITY CURRENTLY LEVY THAT SPECIAL BUILDING FUND? [LB1067]

SENATOR SULLIVAN: NO, THEY DON'T. [LB1067]

SENATOR MURANTE: AND UNDER THIS AMENDMENT, DOES THE LEARNING COMMUNITY HAVE A MANDATE TO LEVY ONE PENNY FOR POVERTY FUNDING? [LB1067]

SENATOR SULLIVAN: WELL, YES, BUT THEY HAVE, UNFORTUNATELY, NO LEVY AUTHORITY IN THE AMENDMENT TO DO THAT. [LB1067]

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SENATOR MURANTE: OKAY. SO IF THEY DON'T HAVE ANY LEVY AUTHORITY AND WE'RE GIVING THEM A PROPERTY TAX LEVY, WHERE DOES THAT LEAVE US? [LB1067]

SENATOR SULLIVAN: I'M AFRAID IN SOME UNCONSTITUTIONAL TERRITORY. [LB1067]

SENATOR MURANTE: OKAY. I WASN'T SURE WE WERE GOING DOWN THAT ROAD, BUT THAT'S AN INTERESTING NEW ANGLE. THANK YOU, SENATOR SULLIVAN. SO NOTWITHSTANDING THE CONSTITUTIONAL CONCERNS RAISED BY SENATOR SULLIVAN, IT DOESN'T CHANGE THE FACT THAT CURRENTLY WE ARE TRADING A PROPERTY TAX THAT IS NOT CURRENTLY LEVIED FOR AN AMENDMENT THAT MANDATES AT LEAST A ONE-PENNY PROPERTY TAX. [LB1067]

SENATOR WATERMEIER: ONE MINUTE. [LB1067]

SENATOR MURANTE: THAT IS THE DEFINITION OF A PROPERTY TAX INCREASE, NO MATTER HOW YOU SLICE IT. SO WE'RE ATTEMPTING TO ABOLISH A COMMON LEVY. WE ARE ATTEMPTING TO COMPENSATE FOR THAT MONEY WITH STATE AID DOLLARS. WE'VE DONE THAT. WE'VE THEN ACKNOWLEDGED THERE IS A PREMIUM FOR THE STABILITY OF PROPERTY TAX DOLLARS, SO WE'LL GIVE YOU MORE THAN YOU LOST IN THE COMMON LEVY. WE'VE DONE THAT. WITH THIS AMENDMENT, YOU'RE INSTITUTING A NEW COMMON LEVY, BUT YOU'RE JUST SAYING, 9 OUT OF 11 DISTRICTS, YOU HAVE NO ACCESS TO THAT MONEY, YOU'RE PUTTING MONEY IN, YOU DON'T GET ANY MONEY OUT. I DON'T KNOW ABOUT CONSTITUTIONALITY. I'LL DEFER THAT TO THE LAWYERS. BUT IF YOU TALK ABOUT FUNDAMENTAL FAIRNESS, TELLING TAXPAYERS YOU HAVE ABSOLUTELY NO ACCESS TO THE TAXES THAT YOU PAY, THAT MAY WELL BE WORSE THAN THE COMMON LEVY ITSELF. [LB1067]

SENATOR WATERMEIER: TIME, SENATOR. [LB1067]

SENATOR MURANTE: THANK YOU, MR. PRESIDENT. [LB1067]

SENATOR WATERMEIER: THANK YOU, SENATOR MURANTE AND SENATOR SULLIVAN. SENATOR GLOOR, YOU'RE RECOGNIZED. [LB1067]

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SENATOR GLOOR: THANK YOU, MR. PRESIDENT. I'VE AGONIZED OVER THIS FOR A NUMBER OF REASONS, ONE OF WHICH IS THAT I AM BEING TOLD THAT ALL OF THESE BILLS--LB959, LB958, LB1067--ARE ALL MARRIED. FOLKS, THERE'S NOBODY IN THIS CHAMBER THAT'S BECOME MORE STORIED IN MARRIAGE RECENTLY THAN I AM, FOR OBVIOUS REASONS. MAYBE SENATOR HANSEN IS GETTING TO THAT POINT. BUT THAT CERTAINLY PUTS AN UMBRELLA, A SHADOW OVER ALL OF THESE BILLS AND MAKES IT DIFFICULT FOR ME TO TRY AND SEPARATE HOW I FEEL, ESPECIALLY ABOUT LB1067. MY DISTRICT HAS ONE OF THE STATE'S HIGH-PRIORITY SCHOOLS WHEN IT COMES TO POVERTY, HIGH-POVERTY SCHOOLS. I'D CHALLENGE YOU WITH A LIST OF DEMOGRAPHICS OF MY COMMUNITY, LET ALONE MY SCHOOLS, TO DIFFERENTIATE IT FROM WHAT WE CONSIDER TO BE HIGH-POVERTY DISTRICTS ACROSS THE STATE. SO I PAY CLOSE ATTENTION AND I WORRY ON BEHALF OF VARIOUS COMMUNITY ORGANIZATIONS IN GRAND ISLAND AND CERTAINLY THE SCHOOL DISTRICT. THEY NEED HELP. BUT WHEN WE STARTED DOWN THIS PATH LOOKING AT THESE THREE BILLS TOGETHER, THIS APPARENT MARRIAGE, LB1067 WAS NEVER ABOUT MY DISTRICT. IT WAS ABOUT THE LEARNING COMMUNITY. AND SENATOR MURANTE BRINGS UP AN EXAMPLE OF WHY THIS GETS TO BE CHALLENGING BECAUSE NOW, ALL OF A SUDDEN, WE'RE TALKING ABOUT A VARIETY OF ISSUES HERE THAT ARE THE REASONS THAT WE HOLD PUBLIC HEARINGS. SO I'M NERVOUS ABOUT AN AMENDMENT THAT SEEMS TO BE COMPLICATED, BRINGS UP ISSUES OF CONSTITUTIONALITY, WAS NEVER...IS DRIVING TOWARDS SOMETHING THAT WAS NEVER THE INTENT OF THIS BILL, AND WE HAVEN'T HAD A PUBLIC HEARING ON IT, A LOT OF UNANSWERED QUESTIONS ABOUT THIS. I HAVEN'T MADE UP MY MIND, BUT I HAVEN'T MADE UP MY MIND BECAUSE THIS HAS GOTTEN A LITTLE CONVOLUTED AND VEERED AWAY FROM WHERE I THOUGHT WE WERE HEADED WITH LB1067 IN THE FIRST PLACE. SO I'M PAYING ATTENTION. I'M TRYING TO SORT THIS ALL OUT. IT MAY BE THAT, AS CLOUDY AS THIS AMENDMENT IS IN PARTICULAR, IT'S TELLING ME SOMETHING AND I'M FIGHTING AGAINST IT BECAUSE I'M CONCERNED ABOUT POVERTY IN MY SCHOOL DISTRICT. I WOULD GUESS THAT'S A FEELING THAT'S VERY COMMON WITH A LOT OF PEOPLE IN THIS CHAMBER. AND I WILL CONTINUE TO PAY ATTENTION AND SEE IF I CAN SORT IT OUT. I AM NOT SO SURE, AND I'VE VISITED WITH MY STAFF, THAT WE HAVE A CONSTITUTIONALITY ISSUE. BUT AGAIN, THAT'S A QUESTION AND WE HAVE DIFFERENT OPINIONS ABOUT THAT. THAT'S WHY WE HAVE PUBLIC HEARINGS ON BILLS. THANK YOU. [LB959 LB958 LB1067]

SENATOR WATERMEIER: THANK YOU, SENATOR GLOOR. (VISITORS INTRODUCED.)
SENATOR MELLO, YOU ARE RECOGNIZED. [LB1067]

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SENATOR MELLO: THANK YOU, MR. PRESIDENT, MEMBERS OF THE LEGISLATURE. WOULD SENATOR SMITH YIELD TO A QUESTION? [LB1067]

SENATOR WATERMEIER: SENATOR SMITH FOR A QUESTION. [LB1067]

SENATOR SMITH: YES, I'LL YIELD. [LB1067]

SENATOR MELLO: SENATOR SMITH, YOU'RE GOING TO BE HERE NEXT BIENNIUM IN THE LEGISLATURE. AND IF WE PASS LB1067, KNOWING YOU SUPPORT THE BILL AS IT WAS AMENDED BY SENATOR SULLIVAN, WILL YOU DEFEND THIS BILL COME NEXT BIENNIUM WHEN MEMBERS TRY TO ELIMINATE ANY POVERTY AID FOR THE COMMUNITY ACHIEVEMENT PLAN FOR THE LEARNING COMMUNITY? [LB1067]

SENATOR SMITH: SO ARE YOU...WE'RE TALKING ABOUT AS AMENDED BY SENATOR SULLIVAN'S... [LB1067]

SENATOR MELLO: SULLIVAN'S, YES, YES. [LB1067]

SENATOR SMITH: ...PREVIOUS AMENDMENT, NOT SENATOR KRIST'S, RIGHT? [LB1067]

SENATOR MELLO: CORRECT. [LB1067]

SENATOR SMITH: WELL, I'VE SUPPORTED THIS...I'VE SUPPORTED THE BILL. I'VE SAID...I'VE BEEN ON THE MIKE AND I'VE SAID I SUPPORT IT. YES, I SUPPORT IT. [LB1067]

SENATOR MELLO: YOU'LL SUPPORT IT NEXT BIENNIUM, THOUGH, WHEN I'M NOT HERE AND A NUMBER OF OTHER TERM-LIMITED SENATORS WON'T BE HERE? [LB1067]

SENATOR SMITH: I HAVE NO PLANS TO DO ANYTHING TO THIS BILL. I SUPPORT IT. [LB1067]

SENATOR MELLO: THANK YOU, SENATOR SMITH. WOULD SENATOR MURANTE YIELD TO A QUESTION? [LB1067]

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SPEAKER HADLEY PRESIDING

SPEAKER HADLEY: SENATOR MURANTE, WILL YOU YIELD TO A QUESTION?
[LB1067]

SENATOR MURANTE: YES, I WILL YIELD TO A QUESTION. [LB1067]

SENATOR MELLO: SENATOR MURANTE, YOU HEARD THE QUESTION I JUST ASKED SENATOR SMITH. YOU WILL BE HERE, LIKELY, NEXT BIENNIUM IN REGARDS TO BEING A SENATOR IN THE LEGISLATURE. WILL YOU PROTECT LB1067, AS AMENDED FROM SENATOR SULLIVAN'S AMENDMENT, MOVING FORWARD TO PROTECT THAT POVERTY AID THAT'S NOW GOING TO BE PART OF THIS BILL?
[LB1067]

SENATOR MURANTE: OKAY, I WANT TO MAKE ABSOLUTELY SURE, SENATOR MELLO, WHAT I AM AGREEING TO RIGHT NOW. WE ARE AUTHORIZING ROUGHLY \$13 MILLION... [LB1067]

SENATOR MELLO: THE POVERTY AID ONLY, THE COMMUNITY ACHIEVEMENT PLAN AID OF LB1067, THE \$5.7 MILLION THAT'S GOING TO POVERTY, ARE YOU GOING TO BE WILLING TO DEFEND THAT NEXT BIENNIUM AGAINST ANY MOVES FROM SENATORS TO TRY TO ELIMINATE THAT FROM STATE LAW? [LB1067]

SENATOR SMITH: I WILL NOT SUPPORT ANY LEGISLATION WHICH DECREASES POVERTY AID TO THE LEARNING COMMUNITY SCHOOLS; HOWEVER, I WILL SAY, IF THERE ARE DIFFERENT IDEAS ON HOW TO FUND THAT POVERTY AID, I WOULD BE OPEN TO THAT. BUT THAT POVERTY AID WILL BE SPENT...THAT WE, THAT THIS LEGISLATURE WILL SPEND MONEY TO HELP SCHOOLS THAT NEED MORE FUNDING BECAUSE OF HIGH POVERTY, I WILL STAND COMMITTED TO ENSURING THAT THAT FUNDING EXISTS AS WE MAKE IT TODAY. [LB1067]

SENATOR MELLO: THANK YOU, SENATOR. THANK YOU, SENATOR MURANTE. IS SENATOR...WOULD SENATOR KINTNER YIELD TO A QUESTION? [LB1067]

SPEAKER HADLEY: SENATOR KINTNER, WILL YOU YIELD TO A QUESTION? I DO NOT SEE SENATOR KINTNER. [LB1067]

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SENATOR MELLO: HE'S COMING IN. SENATOR KINTNER, I SEE YOU WALKING IN. IF YOU YIELD TO A QUESTION, I'LL ASK YOU THE SAME QUESTION I'VE ASKED THE OTHER TWO SARPY COUNTY SENATORS WHO ARE GOING TO LIKELY BE HERE NEXT BIENNIUM. IF WE PASS LB1067 AS IT WAS JUST AMENDED BY SENATOR SULLIVAN'S AMENDMENT, WILL YOU PROTECT THAT COMMUNITY ACHIEVEMENT PLAN AID, THE POVERTY AID THAT'S BEING USED TO REPLACE THE LOSS OF THE COMMON LEVY THAT'S GOING TO HIGH-POVERTY STUDENTS IN THE DOUGLAS-SARPY COUNTY AREA? [LB1067]

SENATOR KINTNER: SENATOR MELLO, I'VE SAID THAT IF WE PASS THAT, I WILL GIVE IT TWO OR THREE YEARS AND WE'LL EVALUATE IT AT THAT POINT. [LB1067]

SENATOR MELLO: NEXT BIENNIUM YOU'LL PROTECT THIS MONEY THOUGH; YOU WON'T LET ANYONE COME IN NEXT BIENNIUM AND TRY TO TAKE AWAY THIS MONEY FROM THE LEARNING COMMUNITY? [LB1067]

SENATOR KINTNER: THAT'S CORRECT. [LB1067]

SENATOR MELLO: THANK YOU, SENATOR KINTNER. COLLEAGUES, I WANTED TO GET THESE THREE SARPY COUNTY SENATORS ON THE RECORD BECAUSE I WON'T BE HERE NEXT YEAR. AND THE REALITY IS THE CONNECTION BETWEEN DOUGLAS AND SARPY COUNTY AND THE LEARNING COMMUNITY IS WHAT MAKES IT THE LEARNING COMMUNITY, IS THAT YOU'VE GOT WEALTHY SUBURBAN DISTRICTS IN SARPY COUNTY AND POOR INNER-CITY DISTRICTS IN DOUGLAS COUNTY. AND THIS POVERTY ISSUE THAT HAS BEEN WORKED OUT AS A COMPROMISE AS PART OF SENATOR SULLIVAN'S LB1067... [LB1067]

SPEAKER HADLEY: ONE MINUTE. [LB1067]

SENATOR MELLO: ...IS BASED UPON THAT THIS AID WILL CONTINUE TO BE THERE IN THE FUTURE. AND WITH WHAT WE'VE ADOPTED, YES, THAT AID MAY INCREASE OR SLIGHTLY DECREASE DEPENDING UPON THE NUMBER OF POVERTY STUDENTS IN THE LEARNING COMMUNITY. BUT I WANTED TO MAKE SURE THOSE SENATORS, WHO YOU JUST HEARD FROM, ALL SAID THEY WILL MAKE SURE THAT MONEY IS NOT TAKEN AWAY NEXT YEAR, BECAUSE I'VE HEARD PEOPLE OUTSIDE THE GLASS SAYING, YOU GUYS COMMITTED... YOU GUYS HAVE JUST GIVEN AWAY THE FARM, YOU GUYS GAVE UP EVERYTHING, WE'RE GOING TO GET EVERYTHING CUT NEXT YEAR FOR OUR POOR KIDS IN SOUTH OMAHA AND NORTH OMAHA. COLLEAGUES, AT LEAST FOR TWO YEARS, I

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JUST HEARD THREE CONSERVATIVE, REPUBLICAN SENATORS FROM SARPY COUNTY MAKE A DEAL WITH THIS BODY THAT THEY'RE GOING TO PROTECT THAT MONEY NEXT BIENNIUM. THE HOPE IS THEY'LL CONTINUE TO PROTECT THAT MONEY IN THE FUTURE BECAUSE THAT'S THE COMMITMENT WE'VE MADE IN REGARDS TO KEEPING THE LEARNING COMMUNITY AS A POLITICAL SUBDIVISION. NUMBERS WILL CHANGE, POPULATIONS CHANGE, AND NO DOUBT GYRATIONS OF THE TEEOSA FORMULA WILL CHANGE. [LB1067]

SPEAKER HADLEY: TIME, SENATOR. [LB1067]

SENATOR MELLO: THANK YOU, MR. PRESIDENT. [LB1067]

SPEAKER HADLEY: THANK YOU, SENATOR MELLO. THOSE IN THE QUEUE ARE SENATORS McCOLLISTER, KRIST, CRAWFORD, CRAIGHEAD, AND OTHERS. SENATOR McCOLLISTER, YOU ARE RECOGNIZED. [LB1067]

SENATOR McCOLLISTER: QUESTION. [LB1067]

SPEAKER HADLEY: DO I SEE FIVE HANDS? I DO. THE QUESTION IS, SHALL DEBATE CEASE? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. HAVE ALL VOTED? RECORD, MR. CLERK. [LB1067]

ASSISTANT CLERK: 26 AYES, 1 NAY TO CEASE DEBATE. [LB1067]

SPEAKER HADLEY: THE QUESTION HAS BEEN CALLED. SENATOR KRIST, YOU'RE RECOGNIZED TO CLOSE ON YOUR AMENDMENT. [LB1067]

SENATOR KRIST: THANK YOU, MR. PRESIDENT. I JUST HAD A PRETTY GOOD DISCUSSION WITH THE SARPY SENATORS AND SENATOR McCOY AND I'LL MAKE THAT PART OF MY CLOSING BECAUSE I WANT YOU TO UNDERSTAND. LB1067, AS IT HAS BEEN AMENDED, AS YOU LOOK AT THAT GREEN NUMBER UP THERE, DOESN'T MEAN ANYTHING, BECAUSE WE HAVEN'T VOTED WITH 25 VOTES TO PASS IT OUT OF THE LEGISLATURE. IT HAS BEEN AMENDED AND, IF IT IS PASSED, SENATOR SULLIVAN HAS ELIMINATED THE BUILDING LEVY. IT STILL EXISTS. AND BY THE WAY, THE COMMON LEVY STILL EXISTS UNTIL WE PASS THAT BILL. NOW I'M GOING TO SUPPORT LB1067 BECAUSE IT REDUCED THE COMMON LEVY, IT ELIMINATED THE COMMON LEVY. THAT'S 95 CENTS. I'M ASKING YOU TO CONSIDER...YEAH, DON'T TAKE THAT BOARD AWAY. I WON'T KNOW WHAT I'M

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TALKING ABOUT. I'M ASKING YOU TO CONSIDER THAT IN MY AMENDMENT I AM TAKING THAT BUILDING FUND THAT STILL EXISTS, THAT SHE HAS TRIED TO ELIMINATE, AND AUTHORIZING THEM TO USE IT, INSTEAD OF BUILDING, USE IT FOR POVERTY, FOR A PENNY. NOW I DON'T KNOW, CHECK MY MATH. NINETY-FIVE MINUS ONE: 94. IT'S STILL A GREAT ADVANTAGE TO EVERYONE WHO IS FORCED TO PAY IN A COMMON LEVY. AND BY THE WAY, YOU KNOW WHERE RALSTON WAS WHEN THIS LEARNING COMMUNITY WAS PUT IN PLACE? IT CERTAINLY WASN'T AT THE 40 PERCENT POVERTY LEVEL. AND THAT'S ALL THE CRITERIA IT TAKES, SO THERE MAY BE OTHER DISTRICTS THAT WOULD GET THEMSELVES INTO A SITUATION FOR POVERTY. THAT'S ESSENTIALLY WHAT WE'RE TALKING ABOUT: 95 MINUS 1. IT ALSO TAKES AWAY SOME MORE BUREAUCRATIC STRUCTURE. IT ELIMINATES THE COMMUNITY ACHIEVEMENT PLAN AND ALLOWS THE LEARNING COMMUNITY AND THE LCC TO DEAL WITH THEIR ISSUES. SO WHEN YOU GO BACK TO YOUR CONSTITUENTS AND YOU VOTED FOR LB1067 AS IT'S BEEN AMENDED, I WANT TO MAKE SURE THAT YOU TELL THEM YOU ADDED A LITTLE LAYER OF BUREAUCRACY, A LITTLE BIT OF OVERHEAD ADMINISTRATIVE FUNCTION. AND YOU CAN'T SHAKE YOUR HEAD NO ON THIS ONE. IT'S YES, YES. IT'S AN ADDITIONAL REQUIREMENT. YOU BELIEVE IN LOCAL CONTROL? LET THE LEARNING COMMUNITY DO WHAT IT NEEDS TO DO AND WHAT THEY WERE FUNDED AND DESCRIBED TO DO WHEN THEY WERE CHARTERED. BUT MOST IMPORTANTLY, AM2903 ADDRESSES A STATEWIDE, A STATEWIDE PROMISE THAT WE ARE GOING TO LOOK AT POVERTY. AND ONCE AGAIN, IF WE DON'T DO THAT THIS YEAR, IT WILL BE ANOTHER THREE YEARS BEFORE WE MAKE ANY OF THOSE CHANGES. AND MOST OF YOU DON'T CARE OR WON'T HAVE TO CARE BECAUSE YOU WON'T BE HERE. I'M ASKING FOR A GREEN VOTE ON AM2903 FOR THE KIDS, FOR THE POCKETS OF POVERTY AROUND THE STATE. ONCE YOU VOTE GREEN ON AM2903, I KNOW THAT THERE'S ANOTHER AMENDMENT, BUT WE HAVE TO PASS LB1067, REMEMBER, BEFORE THAT BUILDING FUND GOES AWAY. AND WHEN IT GOES AWAY, IT'S GONE. WE CAN MAKE IT USEFUL IN TERMS OF DEALING WITH POVERTY IN THE LEARNING COMMUNITY. I HAVEN'T STOOD UP ON THIS MIKE AND BEGGED, EVER, IN SEVEN YEARS AND I AM TELLING YOU, ON BEHALF OF THE KIDS, ON BEHALF OF THE POVERTY POCKETS ACROSS THE STATE, AM2903 IS A GOOD AMENDMENT. AND AS MY COLLEAGUES ON EDUCATION HAVE TOLD ME,... [LB1067]

SPEAKER HADLEY: ONE MINUTE. [LB1067]

SENATOR KRIST: ...WE CAN ALWAYS FIX THIS NEXT YEAR. I DON'T THINK IT NEEDS TO BE FIXED. I THINK THIS IS THE ANSWER. I THINK WE EMPOWER THE LEARNING COMMUNITY TO LOOK FORWARD AND HANDLE THEIR OWN POVERTY

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SITUATION WITHOUT COMING BACK TO THE STATE. I THINK WE USE THE RESOURCES THAT ARE AVAILABLE. I THINK WE LOWER THE TAXES WITH REDUCING THE COMMON LEVY. IT'S A GOOD AMENDMENT. THANK YOU, MR. PRESIDENT. [LB1067]

SPEAKER HADLEY: YOU'VE HEARD THE CLOSING ON AM2903. THE QUESTION BEFORE THE BODY IS THE ADOPTION OF THE AMENDMENT. ALL IN FAVOR VOTE AYE; ALL OPPOSED...SENATOR KRIST, FOR WHAT PURPOSE DO YOU RISE? [LB1067]

SENATOR KRIST: CALL OF THE HOUSE AND A ROLL CALL VOTE, REGULAR ORDER. [LB1067]

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. [LB1067]

CLERK: 42 AYES, 0 NAYS TO PLACE THE HOUSE UNDER CALL. [LB1067]

SPEAKER HADLEY: THE HOUSE IS UNDER CALL. SENATORS, PLEASE RECORD YOUR PRESENCE. THOSE UNEXCUSED SENATORS OUTSIDE OF THE CHAMBER PLEASE RETURN TO THE CHAMBER AND RECORD YOUR PRESENCE. ALL UNAUTHORIZED PERSONNEL PLEASE LEAVE THE FLOOR. THE HOUSE IS UNDER CALL. SENATOR RIEPE, SENATOR SMITH. YOU ASKED FOR A ROLL CALL VOTE IN REGULAR ORDER. MR. CLERK. [LB1067]

CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGES 1507-1508.) 13 AYES, 14 NAYS, MR. PRESIDENT, ON THE AMENDMENT. [LB1067]

SPEAKER HADLEY: THE AMENDMENT FAILS. I WILL RAISE THE CALL. MR. CLERK, FOR ITEMS. [LB1067]

CLERK: MR. PRESIDENT, AMENDMENTS TO BE PRINTED: SENATOR HAAR, LR455; SENATOR SCHEER, LB884; SENATOR CHAMBERS TO LB901. AND A CONFIRMATION REPORT FROM RETIREMENT SYSTEMS COMMITTEE. (LEGISLATIVE JOURNAL PAGES 1508-1509.) [LB901 LB884 LR455]

NEXT AMENDMENT TO THE BILL, SENATOR DAVIS, AM2905. (LEGISLATIVE JOURNAL PAGE 1509.) [LB1067]

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SPEAKER HADLEY: SENATOR DAVIS, YOU'RE RECOGNIZED TO OPEN ON YOUR AMENDMENT. [LB1067]

SENATOR DAVIS: THANK YOU, MR. PRESIDENT. I APPRECIATE THE ATTENTION. THIS AMENDMENT IS A VERY SIMPLE AMENDMENT AND IT IS AN AMENDMENT THAT DEALS WITH INSEVERABILITY OF THE PARTS OF THIS BILL. BASICALLY ALL IT DOES IS IT SAYS, IF ONE PART OF THIS IS RULED UNCONSTITUTIONAL, THE REMAINING PART OF THE BILL WOULD BE RULED UNCONSTITUTIONAL. SO THE COURTS CAN'T PARSE IT OUT. IT'S A SOMEWHAT UNUSUAL TOOL TO BE USED, BUT IT HAS BEEN USED BEFORE. IT WAS USED IN A CASE WITH THE JUDGES' RETIREMENT WHEN IT WAS AN OBLIGATION OF THE JUDGES FOR THE ARRANGEMENT OF THE COMPENSATION THROUGH THEIR PENSION PLAN THAT THEY WOULD BE REQUIRED TO MEET CERTAIN STATUTORY REQUIREMENTS FOR CONTRIBUTIONS. SO I THINK IT'S A GREAT ADDITION AND SOMETHING WE OUGHT TO PUT INTO IT. BUT REALLY I'D LIKE TO GET BACK TO THIS ISSUE OF THE POVERTY PART OF IT. AND WHAT I WANT TO SAY, AND I SAID IT THE OTHER DAY BUT I'M GOING SAY IT AGAIN, THAT THE CITIES OF SARPY COUNTY, AND I UNDERSTAND THEIR CONCERNS WITH THE COMMON LEVY, I UNDERSTAND THAT, BUT THE CITIES OF SARPY COUNTY WOULDN'T BE WHERE THEY ARE TODAY IF THE CITY OF OMAHA WASN'T THERE, THE CITY OF OMAHA WITH THE DYNAMIC ECONOMIC CORPORATIONS THAT MOVED THERE, THE RAILROADS, IF YOU GO BACK IN HISTORY, THE RAILROADS, THE PACKING PLANTS, THE INSURANCE INDUSTRY THAT DEVELOPED THERE WITH A LOT OF THE PEOPLE THAT LIVE IN THE COMMUNITIES OF SARPY COUNTY WHO ARE WORKING WITHIN THE CITY OF OMAHA AND EARNING THEIR LIVELIHOOD THERE. WE DON'T WANT ANOTHER COMMUNITY WHICH DETERIORATES AND FADES AWAY BECAUSE IT DOESN'T HAVE THE RESOURCES TO EDUCATE ITS CHILDREN AND PEOPLE MOVE AWAY AND THEY MOVE INTO THE SUBURBS. THAT'S NOT GOOD FOR ANY CITY ANYWHERE. WE'VE SEEN IT ALL OVER THE COUNTRY AND IT'S A FAILED EXPERIMENT AND IT REQUIRES A HUGE AMOUNT OF CONTRIBUTIONS FROM THE STATE TO FIX THOSE PROBLEMS. THERE ARE OTHER THINGS THAT ARE GOING WRONG IN OMAHA ALSO. ONE OF THOSE IS TAX INCREMENT FINANCING, WHICH IS ABUSED, AND IT ERODES THE TAX BASE. YOU'VE HEARD ME TALK ABOUT THAT IN HERE BEFORE, AND I'M NOT GOING TO TALK ABOUT THAT NOW. BUT TO GET BACK TO THE ISSUE OF THE POVERTY PIECE, I THINK SENATOR KRIST'S AMENDMENT SHOULD HAVE BEEN PASSED BECAUSE I DO THINK THERE IS SOME OBLIGATION ON THE PART OF CITIES THAT ARE EARNING THEIR LIVELIHOOD FROM THE RESOURCES OF THE INNER-CORE CITY TO HELP THEM WITH THEIR PROBLEMS AND THAT'S WHAT THAT IS. SO WITH THAT, I WILL NOT TAKE ANY

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MORE TIME, BUT I WOULD URGE THE BODY TO ADOPT THIS AMENDMENT.
THANK YOU. [LB1067]

SPEAKER HADLEY: THANK YOU, SENATOR DAVIS. YOU'VE HEARD THE OPENING
ON AM2905. SENATOR CRAWFORD, YOU'RE RECOGNIZED. [LB1067]

SENATOR CRAWFORD: THANK YOU, MR. PRESIDENT. I RISE IN SUPPORT OF LB1067
AND IN OPPOSITION TO AM2905. AS I WAS SPEAKING BEFORE, I WAS TALKING
ABOUT THE FACT THAT AS I CAME TO THIS BODY I'VE HAD A CHANCE TO LEARN
MORE ABOUT THE LEARNING COMMUNITY. AND AGAIN, LEARNING ABOUT IT,
SEEING HOW IT WORKS IN RELATION TO THE THREE DIFFERENT SCHOOL
DISTRICTS THAT MY BOUNDARY...THAT MY SCHOOL...THAT MY LEGISLATIVE
DISTRICT INCLUDES: OPS, BELLEVUE PUBLIC SCHOOLS, AND SPRINGFIELD
PLATTEVIEW. AND AS I WAS SAYING BEFORE, THERE ARE MULTIPLE
COMPONENTS OF THE LEARNING COMMUNITY. AND THE ONE THAT I HAD
HEARD PEOPLE TALK ABOUT THE MOST BEFORE, THE ONE THAT PEOPLE OFTEN
SEE IN THE PAPER AND ARE...HAVE...LEADS TO DISCUSSIONS AT THE COFFEE
HOUSE AND OTHER PLACES IS THE ONCE-A-YEAR STORY THAT WOULD BE IN THE
OMAHA WORLD-HERALD OF WHO WON AND LOST FROM THE COMMON LEVY.
AND YEAR AFTER YEAR, THOSE STORIES WOULD BE THAT THE MONEY WAS
FLOWING TO WESTSIDE, MILLARD, OTHER SCHOOLS. SO IT CLEARLY WAS NOT
THE CASE IN THOSE YEARS OF THE COMMON LEVY THAT THE MONEY WAS
FLOWING FROM THOSE TRADITIONAL SCHOOLS ON THE WESTERN...IN WESTERN
DOUGLAS COUNTY THAT HAD AVOIDED BEING ABSORBED INTO OPS. THE
MONEY WAS NOT FLOWING FROM THOSE SCHOOLS TO OPS; BUT INSTEAD, THE
MONEY WAS FLOWING BACK ACTUALLY TO THOSE WESTERN DOUGLAS COUNTY
SCHOOLS AND, AGAIN, PART OF THE REASON WHY I BECAME CONVINCED THAT
THE COMMON LEVY ITSELF WAS NOT AN EFFECTIVE PART OF THE LEARNING
COMMUNITY. BUT NOW THE LEARNING COMMUNITY INCLUDES OTHER
COMPONENTS AS WELL. THE LEARNING COMMUNITY ALSO INCLUDES THAT
HALF-CENT LEVY THAT ALL TAXPAYERS IN THE METROPOLITAN AREA PAY FOR
INNOVATIVE PROGRAMS THAT TARGET HIGH-POVERTY STUDENTS. AND IT'S
VERY IMPORTANT THAT YOU RECOGNIZE THIS IS A COMMITMENT BY PEOPLE
ALL IN THE METRO AREA--I SHOULD JUST SAY IN DOUGLAS AND SARPY COUNTY
METRO AREA--TO HELP TO PAY FOR INNOVATIVE PROGRAMS OUTSIDE OF THE
SCHOOLS THAT TARGET THOSE HIGH-POVERTY STUDENTS SPECIFICALLY AND
THEIR FAMILIES. AND IT ALSO PROVIDES A DIFFERENT AVENUE FOR PEOPLE TO
BE INVOLVED IN COMING UP WITH SOLUTIONS AND TRYING NEW IDEAS. AND
THERE IS EFFORT AND ATTENTION TO TESTING THOSE AND EVALUATING THOSE
IDEAS TO SEE WHICH ONE OF THEM WORK SO IT CAN BE AN INCUBATOR FOR

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IDEAS FOR HOW TO BEST HELP IMPROVE OUTCOMES FOR HIGH-POVERTY STUDENTS. AND THAT COMPONENT OF THE LEARNING COMMUNITY ALSO SOMETIMES IS REPORTED IN THE PAPER VERY FAVORABLY. AND THERE ARE DISCUSSIONS ABOUT IMPROVEMENTS IN LEARNING OUTCOMES AND OTHER PARTS OF THEIR PROGRAMS SPECIFICALLY THAT I THINK HAVE MADE A BIG DIFFERENCE IN THE LIVES OF MANY OF THOSE HIGH-POVERTY STUDENTS. ONE EXAMPLE I'LL REPEAT AGAIN IS THE EFFORT OF THE SOUTH OMAHA LEARNING COMMUNITY CENTER TO WORK WITH PARENTS TO HELP THEM PREPARE FOR STUDENT-TEACHER CONFERENCES. AND THAT IS A HUGE, IMPORTANT IMPROVEMENT IN THE LIVES OF THOSE FAMILIES, AND SO IMPORTANT TO HELP THOSE PARENTS LEARN HOW TO...LEARN ENOUGH ENGLISH AND LEARN HOW TO PARTICIPATE IN THOSE PARENT-TEACHER CONFERENCES SO THAT THEY CAN BEST COMMUNICATE WITH THE TEACHER AND HELP THEIR CHILD LEARN. THAT COMPONENT OF THE LEARNING COMMUNITY CONTINUES. SO WE CONTINUE ALL ACROSS IN THE LEARNING COMMUNITY... [LB1067]

SPEAKER HADLEY: ONE MINUTE. [LB1067]

SENATOR CRAWFORD: THANK YOU, MR. PRESIDENT...TO PAY FOR THOSE TARGETED PROGRAMS THAT HELP STUDENTS IN POVERTY. AND THAT CONTINUES AND THAT INVESTMENT AND ATTENTION CONTINUES. AND, COLLEAGUES, ONE OF THE REASONS THAT I BECAME...ANOTHER REASON THAT I BECAME COMMITTED TO GETTING RID OF THE COMMON LEVY IS TO PROTECT AND PRESERVE THIS PART OF THE LEARNING COMMUNITY WHICH I THINK IS A CRITICAL PIECE AND IT PROVIDES SOMETHING THAT'S DIFFERENT THAN WHAT THE SCHOOLS PROVIDE AND I THINK IT PROVIDES IMPORTANT SERVICES. MY...IN BELLEVUE THERE ARE STUDENTS WHO BENEFIT FROM THE JUMP START PROGRAMS AND TUTORING PROGRAMS. IT'S AN IMPORTANT, TARGETED PROGRAM THAT BENEFITS THOSE STUDENTS VERY MUCH. AND SO I THINK IT'S IMPORTANT THAT THAT...THAT THE LEARNING COMMUNITY CONTINUES THROUGH THOSE TARGETED PROGRAMS AND THAT THE LEARNING COMMUNITY, THE PEOPLE WHO LIVE IN THE LEARNING COMMUNITY, CONTINUE TO CONTRIBUTE TO THOSE TARGETED PROGRAMS THAT HELP IMPROVE LEARNING OUTCOMES FOR THOSE STUDENTS. THANK YOU, MR. PRESIDENT. [LB1067]

SPEAKER HADLEY: TIME, SENATOR. THANK YOU, SENATOR CRAWFORD. SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB1067]

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SENATOR CHAMBERS: WELL, MR. PRESIDENT, NOW THAT ALL THE CHITS HAVE BEEN CALLED IN, ALL OF THE THIEVES HAVE GOTTEN TOGETHER TO SHOW THAT THERE'S HONOR AMONG THEM, AND THIEVES COME NOT BUT FOR TO STEAL, THEY GOT WHAT THEY WANTED. I WAS HERE WHEN THE DEAL WAS MADE. YOU'RE MAKING A DEAL NOW. AND THE FIRST ONES TO GO ARE THE ONES WHO WERE LAST HIRED. IN OTHER WORDS, LAST HIRED, FIRST FIRED, THAT'S BLACK PEOPLE. WE'RE ALWAYS THE SKIDS ON WHICH EVERYBODY ELSE RIDES TO WHEREVER THEY WANT TO GO. THEN WHEN THEY'RE NO LONGER NEEDED, THEY TAKE WHAT THEY NEEDED AND WANTED AND THEN KICK US TO THE CURB. IT'S BEEN LIKE THAT FOREVER AND IT WILL CONTINUE TO BE THAT WAY AS LONG AS WHITE PEOPLE ARE IN CHARGE. WHAT IS DEVELOPING IS THAT WHITE PEOPLE ARE NOT GOING TO BE THE MAJORITY IN THIS COUNTRY FOREVER. AND THERE ARE PEOPLE WHO HAVE GOT MEMORIES. I WON'T BE HERE WHEN IT HAPPENS, BUT THERE WILL BE PEOPLE LIKE ME WHO WILL BE HERE. THERE WILL BE A HISTORY LEFT OF WHAT HAS BEEN DONE. AND I WOULD ASK WHITE PEOPLE AND THEY WOULDN'T GIVE AN HONEST ANSWER, WHEN NONWHITE PEOPLE ARE THE MAJORITY, SHOULD THEY TREAT YOU EXACTLY THE WAY YOU TREATED US? IS THAT WHAT THEY OUGHT TO DO, LET THE COURT SYSTEM WHICH THEY DOMINATE DEAL WITH YOU JUST AS YOU'VE DEALT WITH US IN YOUR COURTS, DEAL WITH YOUR CHILDREN IN SCHOOLS AS YOU HAVE DEALT WITH OUR CHILDREN? IN OTHER WORDS, ARE YOU SETTING THE EXAMPLE BY TREATING US THE WAY YOU WANT TO BE TREATED, THE WAY YOU WANT YOUR CHILDREN TO BE TREATED? YOU KNOW THAT'S NOT TRUE. YOU KNOW YOU WANT TO STEAL THE BACON BECAUSE YOU THINK THE WAY IT IS NOW IT WILL ALWAYS BE. BUT IT WON'T. NOBODY DREAMED WHEN EGYPT WAS AT ITS ZENITH THAT THERE WOULD BE PEOPLE IN THAT COUNTRY WALKING AROUND ON TOP OF THE GROUND TOTALLY OBLIVIOUS OF THE HISTORY THAT LIES BENEATH THEIR FEET YET UNDISCOVERED. NOBODY WOULD HAVE THOUGHT THAT GREECE, THAT HOTBED OF CULTURE, PHILOSOPHY, LITERATURE, MYTHOLOGY, ARCHITECTURE, WOULD BE WHAT IT IS TODAY: A BEGGAR COUNTRY. ROME, WHICH RULED THE WORLD, BUILT ROADS THAT STILL EXIST TODAY, AQUEDUCT SYSTEMS THAT CAN STILL BE FOUND TODAY, TEMPLES, FORTRESSES, WORDS THAT STILL HAVE CURRENCY IN TODAY'S ENGLISH. AND WHAT IS IT NOW? YOUR DAY WILL COME. AMERICA IS A YOUNG COUNTRY IN TERMS OF HOW NATIONS ARE MEASURED. AND AMERICA IS GOING TOWARD DECLINE ALREADY. THEY HAVE NO MORAL CENTER. AND THAT WHICH THEY PRETEND GIVES THEM MORALITY, WHICH IS THEIR RELIGION, IS NOW BEING USED AS A DODGE FOR DISCRIMINATING AGAINST PEOPLE. NOW I HAVE LIVED AND EXPERIENCED PROMISES MADE BY WHITE PEOPLE, PROMISES WRITTEN INTO THE LAW BOOKS BY WHITE PEOPLE. AND BECAUSE THESE WORDS WERE

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WRITTEN, THEY WERE SUPPOSED TO HAVE A PERMANENCE, AND THEY WERE AS WORDS... [LB1067]

SPEAKER HADLEY: ONE MINUTE. [LB1067]

SENATOR CHAMBERS: ...WRITTEN IN WATER. AND I AM HERE TODAY TO WATCH THOSE SAME WHITE PEOPLE VIOLATE THE AGREEMENT THEY ENTERED WHILE WANTING TO RETAIN THE FRUITS OF THAT AGREEMENT. AND POOR, NAIVE SENATOR MELLO ASKING THESE PEOPLE? YOU WATCH THEM ON THIS FLOOR AND YOU TRUST THEM WHEN YOU ASK THEM, ARE YOU GOING TO STEAL, AND THEY SAY, WELL, I GOT TO UNDERSTAND EXACTLY WHAT YOU'RE ASKING ME. DO YOU MEAN AM I GOING TO STEAL MONEY OR SECURITIES OR VEHICLES OR HOUSES OR TRADE BY WAY OF INSIDER TRADES, AND JUST WHAT DO YOU MEAN, AM I NOT GOING TO STEAL? WHEN SOMEBODY HAS TO DO LIKE THAT, YOU KNOW THAT YOU'RE NOT DEALING WITH AN HONEST PERSON. YOU THINK THEY'RE GOING TO FEEL BOUND BECAUSE THEY TELL YOU THAT? AND AS FOR SENATOR MURANTE, HIS EYE IS ON CONGRESS. [LB1067]

SPEAKER HADLEY: TIME, SENATOR. THANK YOU, SENATOR CHAMBERS. SENATOR SMITH, YOU'RE RECOGNIZED. [LB1067]

SENATOR SMITH: THANK YOU, MR. PRESIDENT. AND, COLLEAGUES, I WANTED TO GET BACK TO A Q&A THAT I WAS HAVING WITH SENATOR MELLO WHENEVER HE HAD THE MIKE A LITTLE BIT EARLIER. AND I GUESS I WAS A BIT GUARDED. I DIDN'T KNOW EXACTLY WHERE HE WAS HEADED WITH HIS QUESTION, BUT HE WAS ASKING ME ABOUT WHETHER I WOULD WORK TO PROTECT THE POVERTY FUNDING THAT IS IN THE UNDERLYING BILL. AND I WANT TO AGAIN EMPHASIZE THAT I ABSOLUTELY WILL. I WILL BE HERE A COUPLE MORE YEARS. AND I UNDERSTAND THAT THE POVERTY IS REAL IN OUR URBAN COMMUNITIES, THAT THE EDUCATION FUNDING IS NECESSARY TO HELP ALLEVIATE SOME OF THOSE POVERTY ISSUES. AND I WILL MOST CERTAINLY DO MY BEST TO WORK TO PROTECT THE FUNDING THAT WE HAVE IN LB1067 AND TO LOOK AT FUTURE WAYS OF ADDRESSING THE NEEDS THAT WE HAVE. I DO BELIEVE IT'S REAL. JUST AS I DID WITH THE EARLY CHILDHOOD DEVELOPMENT NEEDS HELP TO INCREASE THE FUNDING IN THE LEARNING COMMUNITY FOR THE EARLY CHILDHOOD DEVELOPMENT, I'LL DO THE SAME FOR THE POVERTY NEEDS. BEING HERE A NUMBER OF YEARS, I'VE HAD THE OPPORTUNITY TO BRING BILLS TO THE EDUCATION COMMITTEE AND THE LAST NUMBER OF YEARS I HAVE FOCUSED VERY MUCH ON THE COMMON LEVY. I HAVE NOT FOCUSED ON

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ELIMINATING THE LEARNING COMMUNITY. I THINK THERE'S MUCH GOOD THAT IS DONE WITH THE LEARNING COMMUNITY. AS A SHELL OF AN ORGANIZATION IT DOES HELP BRING TOGETHER THE 11-MEMBER SCHOOL DISTRICTS FOR A COMMON GOAL. AND I HAVE NOT FOUGHT AGAINST THE LEVY AUTHORITY THAT THE LEARNING COMMUNITY ITSELF HAS. I HAVE ONLY FOCUSED MY ATTENTION OVER THE LAST NUMBER OF YEARS ON ELIMINATING THE COMMON LEVY BECAUSE I BELIEVE THAT THE COMMON LEVY WAS THE NUMBER-ONE ISSUE THAT WAS CAUSING DIVISION IN 11-MEMBER SCHOOL DISTRICTS. AND IT WAS THE COMMON LEVY THAT I BELIEVE THAT WAS HOLDING BACK SOME OF THE ECONOMIC DEVELOPMENT THAT COULD TAKE PLACE IN MY COUNTY WHICH I REPRESENT. AND I BELIEVED IT WAS THE COMMON LEVY THAT WAS REALLY PULLING DOWN SOME OF THE GOOD WORK THAT WAS BEING DONE IN THE LEARNING COMMUNITY ITSELF. THAT HAS BEEN MY FOCUS FOR A NUMBER OF YEARS. AND SO I JUST WANTED TO MAKE VERY CLEAR ON THE MIKE, AND I APPRECIATE THE COMPROMISE THAT WE ARRIVED AT WITH LB1067. SENATOR MELLO AND SENATOR BURKE HARR AND SENATOR CRAWFORD, SENATOR MURANTE, I APPRECIATE THE INPUT THAT THESE FOLKS HAVE HAD IN WORKING WITH SENATOR SULLIVAN. AND I APPRECIATE SENATOR SULLIVAN'S EFFORTS TO BRING THIS BILL TO US AND TO GET IT ACROSS THE FINISH LINE. AND I CONTINUE TO STAND WITH SENATOR SULLIVAN ON LB1067. REGARDING SENATOR DAVIS' AMENDMENT, I DON'T SEE THAT IT ADDS A LOT TO THE BILL, BUT I DON'T SEE IT AS A HOSTILE AMENDMENT. I'M NEITHER OPPOSED OR SUPPORTIVE OF IT. I SUPPOSE I CAN PROBABLY SUPPORT IT. I DON'T THINK IT'S INTENDED TO DO HARM TO THE UNDERLYING BILL. SO AGAIN, COLLEAGUES, I WOULD APPRECIATE IT IF YOU WOULD HELP TO SUPPORT LB1067 AND RECOGNIZE THE EFFORT OF SENATOR SULLIVAN IN BRINGING THIS TO CLOSURE. THANK YOU, MR. PRESIDENT. [LB1067]

SPEAKER HADLEY: THANK YOU, SENATOR SMITH. SENATOR MURANTE, YOU'RE RECOGNIZED. [LB1067]

SENATOR MURANTE: THANK YOU, MR. PRESIDENT. MEMBERS, GOOD EVENING. AS WE PROGRESS TOWARDS A CLOTURE VOTE, I RISE IN CONTINUED SUPPORT OF LB1067. I AM, HOWEVER, OPPOSED TO AM2905, AND I WANT TO BE CLEAR ABOUT WHAT THIS AMENDMENT IS AND WHAT IT IS NOT. THIS IS NOT A SEVERABILITY AMENDMENT, A SEVERABILITY CLAUSE WHICH WE OFTEN SEE IN LEGISLATION. THIS IS AN INSEVERABILITY CLAUSE. AND QUITE FRANKLY, I'VE BEEN A STATE SENATOR HERE FOR FOUR YEARS, WAS A LEGISLATIVE AIDE WHO REVIEWED EVERY BILL THAT WENT TO THE FLOOR FOR YEARS BEFORE THAT, AND I DON'T THINK I'VE EVER SEEN AN INSEVERABILITY CLAUSE. SO WHAT THIS

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AMENDMENT WOULD SAY IS THAT IF THERE IS A PROVISION OF THE BILL WHICH IS DEEMED TO BE UNCONSTITUTIONAL, THEN THE ENTIRETY OF THE BILL IS UNCONSTITUTIONAL. AND I WOULD ASK YOU TO THINK ABOUT THIS AMENDMENT IN A WAY SIMILAR TO OUR DIVISIBILITY RULE IN THE LEGISLATURE. ARE THERE ELEMENTS OF THIS BILL THAT CAN STAND BY THEMSELVES, THAT IF ONE ELEMENT GOES AWAY, THAT THE REST CAN STAND BY THEMSELVES. AND THE HYPOTHETICAL I WOULD GIVE TO YOU HERE IS IN THE EVENT THAT FOR SOME REASON THE STATE SUPREME COURT WOULD RULE THE COMMUNITY ACHIEVEMENT PLAN UNCONSTITUTIONAL, WOULD THE REST OF THE BILL FUNCTION, WOULD THE REST OF THE BILL OPERATE? AND I WOULD SUBMIT TO YOU, MEMBERS, THAT THE ANSWER IS YES. THE COURT MIGHT COME BACK TO US AND SAY, YOU NEED TO FIND A NEW WAY OF FUNDING POVERTY IN THE LEARNING COMMUNITY SCHOOLS, BUT WE CAN GET IT DONE. SO I ACTUALLY DO VIEW THIS AS A SOMEWHAT HOSTILE AMENDMENT TO LB1067 EVEN THOUGH I DON'T THINK IT JEOPARDIZES THE OUTCOME OF IT AND I DON'T HAVE ANY REASON TO BELIEVE THAT ANY SPECIFIC PROVISION WITHIN LB1067 IS UNCONSTITUTIONAL. SO I'M NOT PARTICULARLY WORRIED ABOUT THAT, BUT I WOULD ENCOURAGE THE MEMBERS TO OPPOSE AM2905. SENATOR DAVIS IN HIS OPENING ON THIS AMENDMENT HAD SUGGESTED--THERE'S AN ELEMENT OF TRUTH TO IT--THAT THE CITIZENS OF SARPY COUNTY WOULDN'T EVEN BE THERE IF IT WASN'T FOR THE CITY OF OMAHA, THAT WE'RE JUST SORT OF..WE'RE JUST SORT OF MOOCHERS IN THE SITUATION, JUST FEEDING OFF OF THE CASH COW. AND I'D ASK SENATOR DAVIS, JUST HOW MUCH OF THE CITY OF OMAHA'S BUDGET...NOTWITHSTANDING THE FACT THAT I DON'T SEE HOW THAT ARGUMENT HAS ANYTHING TO DO WITH THE PUBLIC SCHOOL SYSTEM BECAUSE OPS'S COSTS HAVE ABSOLUTELY NOTHING TO DO WITH THE SUBURBAN SCHOOL DISTRICTS. WE DON'T DRIVE UP THEIR COSTS AT ALL. THERE MAY BE A CITY OF OMAHA ARGUMENT THERE, BUT I DON'T SEE HOW THAT'S AT ALL RELATED TO THE SUBJECT MATTER AT HAND. LET'S SAY THAT IT WAS. EVEN IF IT WAS, HOW MUCH IS ENOUGH? CURRENTLY, FULLY 15 PERCENT OF THE CITY OF OMAHA'S BUDGET IS PAID FOR BY SARPY COUNTY TAXPAYERS. WE DON'T GET TO VOTE FOR THE MAYOR. WE DON'T GET TO VOTE FOR THE CITY COUNCIL. WE PAY 15 PERCENT OF THEIR BUDGET FOR THEM. NOW I'LL AGREE THAT THERE'S A HEALTHY PORTION OF MY DISTRICT, AND I CAN TELL YOU GOING DOOR TO DOOR, THERE'S A HEALTHY PERCENTAGE OF MY DISTRICT THAT ARE CITIZENS OF WESTERN NEBRASKA WHO GOT JOBS AFTER COLLEGE IN THE OMAHA AREA BUT DIDN'T WANT TO LIVE IN OMAHA SO THEY MOVED TO GRETNA OR SUBURBAN SARPY COUNTY FOR THAT PURPOSE. I WOULD SUBMIT, SENATOR DAVIS, THEY ARE MORE THAN PAYING THEIR FAIR SHARE IN WHAT THEY ARE

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TAKING FROM THE SITUATION IN DRIVING ON THE CITY OF OMAHA'S ROADS,...
[LB1067]

SPEAKER HADLEY: ONE MINUTE. [LB1067]

SENATOR MURANTE: ...WHICH I GUESS IS THE BIGGEST EXPENSE THAT THE SARPY COUNTY CITIZENS HAVE TO THE PEOPLE OF OMAHA. SO WE'RE PAYING OUR FAIR SHARE. WE'RE DOING OUR PART. AND THAT CONTINUED COMMITMENT, BEING WILLING TO PAY THAT 15 PERCENT, BEING WILLING TO USE OUR TAX DOLLARS TO HELP THE KIDS IN OPS RECEIVE A QUALITY EDUCATION IS SOMETHING WE ARE COMMITTED TO. IT'S SOMETHING THAT IS ENSHRINED IN LB1067. IT IS A THOUGHT PROCESS THAT WE ARE AFFIRMING HERE TODAY, WE'RE NOT DEVIATING FROM IT. LB1067 IS A GOOD BILL. AM2905 IS NOT A GOOD AMENDMENT. I'D ENCOURAGE YOUR REJECTION OF IT. SENATOR CHAMBERS HAS AN AMENDMENT COMING THAT I LOOK FORWARD TO DISCUSSING IF WE GET THERE. [LB1067]

SPEAKER HADLEY: TIME, SENATOR. [LB1067]

SENATOR MURANTE: THANK YOU, MR. PRESIDENT. [LB1067]

SPEAKER HADLEY: THANK YOU, SENATOR MURANTE. SENATOR McCOY, YOU'RE RECOGNIZED. [LB1067]

SENATOR McCOY: THANK YOU, MR. PRESIDENT AND MEMBERS. I RISE THIS EVENING IN SUPPORT OF LB1067. AND AS MANY HAVE ALREADY DONE, I WOULD CERTAINLY LIKE TO ADD MY THANKS TO SENATOR SULLIVAN FOR HER GREAT LEADERSHIP, ALONG WITH MANY OTHERS, IN THIS ISSUE. I'VE HAD THE OPPORTUNITY TO COME INTO THE LEGISLATURE AT THE SAME TIME AS SENATOR SULLIVAN AND HAD THE OPPORTUNITY TO WATCH HER GROW AS A LEADER IN THIS BODY AND AM VERY THANKFUL THAT SHE'S BEEN SUCH A GOOD STEWARD OF THE EDUCATION COMMITTEE DURING HER TENURE AS CHAIR, AND OBVIOUSLY AS A MEMBER PRIOR TO THAT. I WOULD LIKE TO SAY AS A SENATOR WHOSE LEGISLATIVE DISTRICT ENCOMPASSES A NUMBER OF SCHOOL DISTRICTS IN THE OMAHA METROPOLITAN AREA, THE ISSUE OF LEARNING COMMUNITY, THE ISSUE OF THE COMMON LEVY IS ONE THAT HAS CERTAINLY BEEN AROUND MY ENTIRE TIME, EIGHT YEARS IN THE LEGISLATURE, ALONG WITH THE TIME THAT I CAMPAIGNED FOR OFFICE, AND OF COURSE WAS IN PLACE EVEN BEFORE THAT. THIS IS A CHALLENGING ISSUE. AND AS MANY

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HAVE SAID, POVERTY IS AN ISSUE THAT FACES A GOOD NUMBER OF NEBRASKANS, ONE THAT CONCERNS US ALL, AS IT WELL SHOULD. I INTRODUCED LEGISLATION SOME NUMBER OF YEARS AGO TO CHANGE THE GOVERNANCE STRUCTURE OF THE LEARNING COMMUNITY TO MAKE IT EASIER FOR SUPERINTENDENTS TO WORK WITH THE LEARNING COMMUNITY COORDINATING COUNCIL. AND I THINK MANY OF US HAVE BEEN INVOLVED IN DIFFERENT OR DIFFERING DEGREES WITH DIFFERING PIECES OF LEGISLATION OVER THE YEARS TO TRY TO MAKE THE LEARNING COMMUNITY BETTER. I'M ENCOURAGED BY THIS LEGISLATION. I'M ENCOURAGED BY THE DIRECTION THAT WE'RE GOING WITH IT. AND I'M CERTAIN THAT THERE WILL CONTINUE TO BE GOOD WORK DONE LONG AFTER I LEAVE THE LEGISLATURE AND THOSE FROM THE 2008 CLASS. IT'S NEVER EASY ON AN ISSUE LIKE THIS. I THINK BACK, AND A NUMBER OF US WERE TALKING EARLIER THIS AFTERNOON, ABOUT THE CHALLENGING AND OFTENTIMES BRUISING BATTLES THAT WE'VE HAD ON SCHOOL FUNDING AND THE LEARNING COMMUNITY IN OUR EIGHT YEARS HERE IN THE LEGISLATURE. AND WHILE THIS ONE IS...THIS ISSUE AND THIS PARTICULAR DISCUSSION IS...IT CAN BE A LITTLE CONTENTIOUS, IT'S CERTAINLY NOT...DOESN'T RISE TO THE LEVEL OF OTHER DISCUSSIONS IN THE PAST, AND I THINK THAT'S PRODUCTIVE AND POSITIVE. SO I WANTED TO TAKE A MOMENT TO RISE AND TO ALSO ADD MY THANKS, AS I DID, TO SENATOR SULLIVAN AND OFFER MY SUPPORT TO LB1067. THANK YOU, MR. PRESIDENT. [LB1067]

SPEAKER HADLEY: THANK YOU, SENATOR McCOY. SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB1067]

SENATOR CHAMBERS: THEY TOOK THE WHOLE INDIAN NATION, LOCKED US ON THIS RESERVATION, TOOK AWAY OUR NATIVE TONGUE, TALKED THEIR ENGLISH TO OUR YOUNG, ALWAYS WANT TO MAKE SOMEBODY LIKE THEM, TO BETTER FLEECE THEM, TO BETTER TRICK THEM, TO BETTER DECEIVE THEM, THE BETTER TO LIE TO THEM, AND IT IS IN WRITING. JUST LOOK AT THE...YOU ALL WON'T LOOK AT THE HISTORY OF THIS COUNTRY. READ SOME OF THE TREATIES THAT WERE SIGNED BY YOUR WHITE GOVERNMENT UNDER GOD, LYING TO PEOPLE. AND THE WAY YOU'RE ABLE TO TRICK PEOPLE, YOU GO TO PEOPLE WHO BELIEVE THAT THEIR WORD IS THEIR BOND AND YOU MAKE THEM THINK YOU'RE LIKE THEY ARE. AND THEN THEY PUT A MARK ON A PIECE OF PAPER TO JUST MEMORIALIZE THE FACT THAT TWO HONORABLE PEOPLE SAW EYE TO EYE ON THIS. THAT PIECE OF PAPER IS PRESENTED AND YOU SOLD AWAY YOUR BIRTHRIGHT TO THESE TRICKY, WHITE CHRISTIANS. AND THAT'S WHAT I SAW HERE. AND ALL THIS PIFFLE ABOUT WHAT'S GOING TO HAPPEN IN THE FUTURE MEANS NOTHING WHEN I CAN SEE WHAT'S HAPPENING IN THE PRESENT. YOU

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DON'T HEAR THEM TALKING, NOT ONE OF THEM, ABOUT THE BENEFITS THEY GOT FROM THE DEAL THAT CREATED THE LEARNING COMMUNITY. THEY DON'T EVER WANT TO OWN UP TO THE WRONGFULNESS THAT THEY DID, AND THEY'LL WHITEN UP THIS PERIOD LIKE THEY WANT TO WHITEN UP AMERICAN HISTORY, WRITING BOOKS AND PUTTING IN THE SCHOOLS THAT GEORGE WASHINGTON'S SLAVES WERE WORKERS. THAT'S HOW WHITE PEOPLE DO WHEN THEY CONTROL THINGS, CORRUPTERS WHEREVER THEY GO. YOU KNOW WHO WROTE THE BOOK THE UGLY AMERICAN? A WHITE MAN, AND HE WROTE ABOUT WHAT HE SAW WHEN HE WENT TO OTHER COUNTRIES, HOW AMERICAN...LOUD, DISRESPECTFUL, RIDICULING PEOPLE'S CUSTOMS, ASSAULTING AND INSULTING THEIR WOMEN BECAUSE THEY'RE AMERICANS AND THEY CAN DO ANYTHING THEY WANT TO AND THEY DID IT. AND SOME OF YOU ALL WHO WERE IN THE MILITARY AND WENT OVERSEAS, WHETHER IT WAS IN EUROPE, ASIA, OR WHEREVER, YOU KNOW HOW AMERICAN SOLDIERS ACTED. RIGHT NOW THEY HAVE TO BE PROTECTED FROM KILLING SOMEBODY THAT THEY WILL NOT BE SUBJECT TO THE LAWS OF THE COUNTRY WHERE THEY'RE OPERATING. WOULD AMERICANS AGREE TO THAT, THAT SOMEBODY IS GOING TO COME HERE AND NOT BE SUBJECT TO AMERICAN LAWS IF THEY KILL A WHITE PERSON? APPLY IT TO YOURSELF, WHICH YOU CAN'T DO, WHICH YOU WON'T DO, AND THAT'S WHY I'M GOING TO DO IT AS MUCH AS I CAN. I DIDN'T WASTE MY TIME ON THIS BILL TODAY BECAUSE I TOLD YOU ALL I KNEW THEY'D HAVE CLOTURE STRENGTH FOR ALL OF THESE BILLS. BUT MY DAY WILL COME ON FINAL READING. OH, AND SENATOR...I SEE SENATOR MURANTE. HIS EYE IS ON CONGRESS. LET HIM STAND UP HERE AND DENY THAT HE'S GOT HIS EYE ON CONGRESS. HE WAS GOING TO RUN FOR CONGRESS BEFORE, BUT I KNOW WHY HE CHANGED HIS MIND. I KNOW EXACTLY THE CONVERSATION THAT CAUSED SENATOR MURANTE TO CHANGE HIS MIND AND I KNOW WITH WHOM HE HAD THE CONVERSATION. WHY DO I TALK LIKE THIS? I'M NOT LIKE YOU ALL, SNEAKING AROUND, HIDING BEHIND CORNERS, WHISPERING BEHIND PEOPLE'S BACK. I KNOW YOU. I WATCH YOU. AND I SEE YOU IN ACTION TODAY AND YOU'RE PROUD OF THIS PIECE OF TREACHERY, THIS VIOLATION OF AN AGREEMENT WRITTEN IN YOUR LAW BOOKS, NOT ON SOME PAPER WHERE I WROTE, THE BEST I CAN REMEMBER, THIS IS WHAT HAPPENED. NO, IT'S IN THE STATUTE BOOKS, THAT PLACE WHERE THE LAW IS WRITTEN. AND YOUR LAWS ARE NOT WORTH THE PAPER THEY'RE WRITTEN ON WHEN THEY INVOLVE PEOPLE NOT LIKE YOU. I'VE BEEN AROUND YOU FOR FOUR DECADES AND ALTHOUGH I MAY BE A SLOW LEARNER,... [LB1067]

SPEAKER HADLEY: TIME, SENATOR. THANK YOU, SENATOR CHAMBERS. SENATOR McCOLLISTER, YOU'RE RECOGNIZED. [LB1067]

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SENATOR McCOLLISTER: THANK YOU, MR. SPEAKER. GOOD EVENING, COLLEAGUES. I SUPPORT LB1067 AND WOULD OPPOSE AM2905. MY LEGISLATIVE DISTRICT CONTAINS THREE SCHOOL DISTRICTS: OPS, WESTSIDE, AND MILLARD. THOSE THREE DISTRICTS ARE IN MY LEGISLATIVE DISTRICT. AND I WAS INVOLVED LAST SUMMER WITH SOME OF THE NEGOTIATIONS THAT WERE OCCURRING WITH THE LEARNING COMMUNITY. AND I CAN TESTIFY AND VOUCH FOR THE FACT THEY HAD HOURS AND HOURS AND HOURS OF DELICATE NEGOTIATIONS. AND THE RESULT, I THINK, IS PARTLY REPRESENTED BY LB1067. SO I WOULD ENCOURAGE THE BODY TO VOTE GREEN FOR LB1067 AND MOVE THIS FORWARD BECAUSE IT NEEDS TO HAPPEN. WITH THAT, I YIELD THE BALANCE OF MY TIME. THANK YOU, MR. PRESIDENT. [LB1067]

SPEAKER HADLEY: THANK YOU, SENATOR McCOLLISTER. SENATOR SULLIVAN, YOU'RE RECOGNIZED. [LB1067]

SENATOR SULLIVAN: THANK YOU, MR. PRESIDENT. WE'RE GETTING CLOSE TO THE TIME FOR CLOTURE, SO THIS WILL BE THE LAST TIME THAT I WILL HAVE THE OPPORTUNITY TO SAY ANYTHING TO THIS BODY ABOUT THE LEARNING COMMUNITY, AT LEAST ON THIS WHERE WE ARE RIGHT NOW. AND IT'S BEEN A JOURNEY AND IT'S NOT BEEN AN EASY ONE, MOSTLY BECAUSE...NOT OF THE NEGOTIATING SO MUCH, EVEN THOUGH THAT WAS VERY DIFFICULT, AND ALL THE COMPROMISES, BECAUSE I WAS REALLY TRYING TO STAY TRUE TO WHAT I THINK IS THE PHILOSOPHY AND THE VALUES OF WHY THIS LEARNING COMMUNITY CAME INTO BEING IN THE FIRST PLACE. AND THAT IS FOR THE CHILDREN. AND THAT'S WHY I WORKED SO HARD TO TRY TO MAKE SURE THAT THE SUPERINTENDENTS IN THE LEARNING COMMUNITY, AND I HOPE THEY HEAR ME ON THIS, STAND TOGETHER AND WORK TOGETHER FOR THE BETTERMENT OF ALL OF THE KIDS IN THE LEARNING COMMUNITY, DON'T LEAVE ANYBODY BEHIND, DON'T GO TO YOUR OWN CORNERS AND WORK ON YOUR OWN PROJECTS IN YOUR OWN SCHOOL DISTRICTS. THE WHOLE IS BETTER THAN THE SUM OF THE PARTS, AND BY THAT I THINK WE WILL BE BETTER OFF, ALL OF US, WHEREVER WE ARE. WHEN WE GET TO CLOTURE, I WOULD ASK FOR YOUR GREEN VOTE. YOU'LL HAVE TO DECIDE ON THE AMENDMENT. I DON'T THINK IT DOES DAMAGE TO THE BILL, BUT I'M NOT GOING BE IN SUPPORT OF SENATOR DAVIS' BILL. AND THEN I WOULD ASK FOR YOUR GREEN VOTE ON LB1067. THANK YOU. [LB1067]

SPEAKER HADLEY: SENATOR CHAMBERS, YOU'RE RECOGNIZED, AND THIS IS YOUR THIRD TIME. [LB1067]

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SENATOR CHAMBERS: BUT I ASSURE YOU, IT WON'T BE THE LAST TIME I'LL SPEAK TONIGHT. THIS WAS A JOURNEY, ALL RIGHT, A JOURNEY TO SHAME, A JOURNEY OF TREACHERY, A JOURNEY OF BETRAYAL, TREATY BREAKING, AND SHAMEFULNESS. YOU HAVE NO SHAME. YOU HAVE NO PRIDE. YOU ARE BREAKING THE AGREEMENT. I DIDN'T HEAR ONE TIME ONE OF THE PEOPLE WHOSE AREA BENEFITED FROM THAT AGREEMENT TALK ABOUT THE AGREEMENT. THEIR BOUNDARIES WERE FIXED. THEY WERE SQUABBLING AMONG THEMSELVES. THESE WHITE PEOPLE COULDN'T GET ALONG. AND I WAS ONE OF THE MOVING FORCES FOR THE LEARNING COMMUNITY. BUT BECAUSE I DON'T LIKE TO UPSTAGE PEOPLE...WHEN SENATOR FLOOD AND OTHERS WERE HAVING A PRESS CONFERENCE ABOUT IT THEY ASKED ME WOULD I COME. THEY ASKED ME AND I CAME BECAUSE I HAD TOLD THEM I WOULDN'T FIGHT IT. AND THEN WHEN I WAS THERE, THE REPORTERS ASKED ME QUESTIONS. AND YOU CAN ASK SENATOR FLOOD OR ANYBODY YOU WANT TO. AND I SAID, WHEN I'M INVITED TO SOMEBODY'S HOUSE, I PLAY BY THEIR RULES, THIS IS NOT MY PRESS CONFERENCE, I WAS ASKED TO COME AND I'M HERE, ASK SENATOR FLOOD IF IT'S ALL RIGHT FOR YOU TO ASK ME QUESTIONS. AND SENATOR FLOOD AND ALL OF THEM SAID, YOU KNOW WE DON'T OBJECT TO YOU ANSWERING QUESTIONS. THAT'S THE WAY SOME OF IT WENT. ARE THEY GOING TO TELL YOU THAT? NO, BECAUSE THEY WERE NOT THERE. THEY WOULDN'T HAVE BEEN INVITED THERE. THEY DON'T HAVE INTEGRITY. IT'S SHAMEFUL. AND ALL OF THEM ARE GOING TO STAND UP HERE AND PAT EACH OTHER ON THE BACK BECAUSE THEY'RE ALL SHAMEFUL TOGETHER AND SO THEY ALL SAY THE SAME THING TO EACH OTHER TO MAKE THEMSELVES FEEL GOOD. BUT INSIDE THEY KNOW. AND SOMEBODY COULD NOT HAVE WORKED ON THIS ISSUE FOR TWO YEARS AND NOT BE AWARE OF EVERYTHING THAT I'M SAYING, THE DEALS THAT WERE MADE, THE BENEFITS THAT THESE WHITE PEOPLE GOT, AND THE BREAKING OF THOSE AGREEMENTS RIGHT NOW THAT SHE SPEARHEADED. THAT'S WHAT HAPPENED AND IT'S NOT A TIME FOR PROP. I'M NOT SURPRISED THAT SENATOR McCOY WOULD SAY THIS IS GREAT, NOT AT ALL, AND NOBODY ELSE IS. AND POOR SENATOR MURANTE, HE AND I ARE GOING TO HAVE A GOOD CONVERSATION. WE'VE KIND OF HINTED AT SOME THINGS ALREADY. SEE, I WATCH THE WAY HE WAS TREATED BY SENATOR LAUTENBAUGH, WHO HAD THEM ALL PUFFING AND PANTING, TONGUE HANGING OUT, RUNNING BEHIND HIM. SENATOR MURANTE WASN'T THE ONLY ONE. BUT SOME OF THE THINGS THEY SAID ABOUT HIM ON THAT GADGET, LIKE "PIZZA FACE," THAT WOULD BE LIKE SOMEBODY CALLING ME "PANCAKE FACE." THAT'S NOT FUNNY TO ME. WHENEVER A WHITE PERSON PUTS AN APPELLATION ON YOU IT IS NOT MEANT TO SHOW RESPECT. THIS DOESN'T SURPRISE ME BECAUSE I KNOW WHAT YOU ARE, AND THAT'S WHY YOU'LL NEVER BE ABLE TO SNEAK UP ON ME. YOU DON'T EVEN HAVE TO HAVE THE RATTLE. I CAN HEAR THE

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SLITHERING SOUND. MY EARS ARE ATTUNED TO THAT. AND I CAN PICK IT OUT OF A GREAT AMOUNT OF NOISE. AND WHEN YOU SPEAK, THERE'S SOMETHING ABOUT IT THAT GIVES YOU AWAY. YOU SEE, I HAVE EARS TO HEAR. I'M GOING TO BE HERE TONIGHT, LONGER, AND I'VE GOT SOME THINGS I'M GOING TO READ. I MIGHT READ ABOUT... [LB1067]

SPEAKER HADLEY: ONE MINUTE. [LB1067]

SENATOR CHAMBERS: ...MICHELANGELO, THE HOMOSEXUAL, WHO DECORATED THE SISTINE CHAPEL CEILING, PAINTED THAT FINGER OF ONE MAN REACHING OUT TO THE FINGER OF ANOTHER MAN. YOU ALL THINK YOU DON'T... YOU DON'T SEE THE IMAGERY BECAUSE YOU DON'T WANT TO SEE IT. MICHELANGELO NEVER HID WHAT HE WAS. HE WROTE LETTERS. THE LETTERS HE WROTE TO HIS MALE LOVERS WERE MORE AMOROUS THAN WHAT A MAN WOULD WRITE TO A WOMAN. AND SOME PEOPLE TRIED TO DO AWAY WITH THEM, BUT EVERYBODY KNEW WHAT MICHELANGELO WAS. AND HE NEVER HID IT, BECAUSE HE DIDN'T HAVE TO. HIS ARTISTRY WAS SO EXQUISITE THAT THE POPES CAME TO HIM. AND NOW WHAT DO THEY SAY: THAT PEOPLE WHO HAVE THAT ORIENTATIONS ARE PERVERSIONS. IF A PERSON... [LB1067]

SPEAKER HADLEY: TIME, SENATOR. [LB1067]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB1067]

SPEAKER HADLEY: THANK YOU, SENATOR CHAMBERS. SENATOR KINTNER, YOU'RE RECOGNIZED. [LB1067]

SENATOR KINTNER: WELL, THANK YOU, MR. PRESIDENT. I KNOW THE TIME IS GROWING LATE. WE'VE SPENT QUITE A BIT OF TIME ON THIS. I'M NOT SURE THERE'S TOO MUCH LEFT TO BE SAID. BUT, YOU KNOW, A FEW MINUTES AGO WE GOT RID OF AN AMENDMENT THAT WOULD HAVE RAISED TAXES FOR THE PEOPLE IN THE LEARNING COMMUNITY. I KNOW THERE'S A LOT OF ISSUES THAT HAVE TO BE SOLVED IN THE STATE. WE HAVE POVERTY IN LEXINGTON. THERE'S A BUNCH OF SOMALIS THAT GOT DUMPED IN THE MIDDLE OF OUR STATE AND NOW WE HAVE TO DEAL WITH THAT. THAT'S A PROBLEM. WE HAVE INDIAN RESERVATIONS WE HAVE TO DEAL WITH. WE HAVE POCKETS OF POVERTY IN SOUTH SIOUX CITY AND SMALL POCKETS IN GRAND ISLAND WE HAVE TO DEAL WITH. BUT YOU KNOW WHAT, THE PEOPLE OF SARPY COUNTY SHOULDN'T HAVE TO PAY FOR ALL THOSE PROBLEMS. THERE'S AN AWFUL LOT OF PROBLEMS IN

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THE STATE, BUT THE PEOPLE OF THE LEARNING COMMUNITY SHOULDN'T HAVE TO PAY FOR THOSE PROBLEMS. WHEN YOU HAVE THESE BIG PROBLEMS THAT ARE STATEWIDE, THEY NEED TO BE SOLVED BY THE STATE. AND ALTHOUGH WE HAVE TRIED TO MAKE A GOOD-FAITH EFFORT OF SOLVING THE OMAHA POVERTY PROBLEMS WITH THE LEARNING COMMUNITY, IT JUST HASN'T WORKED OUT. AND NOW WE'RE ON THE VERGE OF SOMETHING ALMOST HISTORIC HERE, OF WALKING BACK A PROGRAM THAT HASN'T WORKED AS IT WAS INTENDED, WITH ALL THE GOOD INTENTIONS, AT LEAST A PART OF IT, AND WALKING BACK PART OF IT THAT JUST DIDN'T WORK AS INTENDED. AND THAT IS GOOD FOR EVERY PERSON IN THE STATE AND I ENCOURAGE MY COLLEAGUES TO STAND WITH KATE SULLIVAN, SENATOR SULLIVAN. SHE'S BROUGHT US THIS FAR IN GOOD FAITH. SHE'S TAKEN ARROWS. SHE'S COMPROMISED. SHE'S WORKED WITH WIDE GROUPS OF PEOPLE TO COME TO WHERE THIS BILL IS. AND ALTHOUGH YOU MAY NOT LOVE THE BILL, IT IS AT HEART A GOOD BILL. AND IT WILL DO MORE GOOD THINGS THAN BAD THINGS. AND I ENCOURAGE EVERYONE TO VOTE FOR CLOTURE AND THEN SUPPORT LB1067. STAND WITH SENATOR SULLIVAN. I SURE WILL. THANK YOU, MR. PRESIDENT. [LB1067]

SPEAKER HADLEY: THANK YOU, SENATOR KINTNER. SENATOR DAVIS, YOU'RE RECOGNIZED TO CLOSE ON YOUR AMENDMENT. [LB1067]

SENATOR DAVIS: THANK YOU, MR. PRESIDENT. JUST WANT TO VISIT, FIRST OF ALL, ABOUT THE SPECIFIC AMENDMENT AND WHAT IT DOES, WHY I THINK IT'S AN IMPORTANT PIECE. SO TO BE CLEAR, IT SAYS THAT THE BILL IS INSEVERABLE AND, THEREFORE, IF A PIECE OF THE BILL IS FOUND TO BE UNCONSTITUTIONAL, THE REST OF IT SHOULD BE UNCONSTITUTIONAL ALSO. NOW WHY IS THIS A LOGICAL AND GOOD PIECE TO ADD TO THIS BILL? BECAUSE IT IS A COMPILATION OF A NUMBER OF COMPROMISES FROM ALL THE DIFFERENT ENTITIES WHO ARE IN HERE. SOME PEOPLE WANTED "A." SOME PEOPLE WANTED "B." SOME PEOPLE WANTED "C." SOME PEOPLE WANTED "D." WE HEARD DISCUSSION ON THE FLOOR THAT THERE MAY BE CONSTITUTIONAL ISSUES WITH SOME PARTS OF IT, WHETHER IT'S SPECIAL LEGISLATION OR NOT. I DON'T HAVE THE ANSWER TO THAT. I DON'T THINK ANY OF US IN HERE DO. BUT IF SOMEONE DECIDED TO TAKE THIS ON AND TAKE IT TO COURT, THE COURTS WOULD MAKE THAT DECISION. AND THE COURTS COULD CHOOSE TO SET THE WHOLE THING ASIDE, OR THEY MIGHT SAY, WELL, THIS PART IS A LOGICAL, CONSTITUTIONAL PIECE, BUT THIS PART IS NOT. THIS BODY IN HERE PUT TOGETHER A COMPROMISE IN THIS BILL. I DON'T LIKE THE BILL. YOU ALL KNOW THAT. BUT I THINK THIS PIECE OF IT, THIS AMENDMENT TO THE BILL WILL MAKE IT A BETTER BILL. AND IT PROTECTS EVERYONE'S INTEREST IN HERE BECAUSE

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EVERYONE WHO MADE A COMPROMISE AND AGREED TO SOMETHING THEY DIDN'T LIKE WILL BE ABLE TO COME BACK AND FIX IT, RATHER THAN HAVE THAT ONE PIECE THAT'S RULED UNCONSTITUTIONAL HANGING OUT THERE TO THE SIDE. SO I THINK THAT'S IMPORTANT. I WANT TO TOUCH ON ANOTHER THING SENATOR MURANTE MENTIONED. AND, YOU KNOW, YOU MAY THINK I'M HARD ON SARPY COUNTY. THAT'S NOT MY INTENT. BUT I JUST READ IN THE PAPER THIS MORNING, I THOUGHT IT WAS INTERESTING, THAT KANSAS CITY, MISSOURI, LEVIES AT 1 PERCENT EARNINGS TAX ON PEOPLE WHO ARE EMPLOYED THERE. AND AS WE KNOW, KANSAS CITY IS, YOU KNOW, SURROUNDED BY SUBURBS. AGAIN, COLLEAGUES, INSEVERABILITY, THIS PIECE, THIS AMENDMENT, ISN'T GOING TO HURT THIS BILL. IF YOU LIKE THE BILL, THIS ISN'T GOING TO HURT THE BILL, BUT IT'S GOING TO MAKE SURE THAT THE PIECE MOVES ON TOGETHER AND THE COURTS AREN'T GOING TO BE ABLE TO PARCEL IT OUT, FINDING PARTS OF IT CONSTITUTIONAL, OTHER PARTS OF IT UNCONSTITUTIONAL. THANK YOU, MR. PRESIDENT. I'D URGE YOUR SUPPORT OF THE AMENDMENT. [LB1067]

SPEAKER HADLEY: YOU'VE HEARD THE CLOSING ON AM2905. SENATOR DAVIS. [LB1067]

SENATOR DAVIS: CALL OF THE HOUSE AND A ROLL CALL VOTE. [LB1067]

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. [LB1067]

ASSISTANT CLERK: 34 AYES, 0 NAYS TO GO UNDER CALL. [LB1067]

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 McCOLLISTER, HANSEN, MORFELD, HUGHES, GROENE, AND MELLO. SENATOR MORFELD, THE HOUSE IS UNDER CALL. THE QUESTION BEFORE THE BODY IS THE...WHAT KIND OF VOTE DID YOU WANT, SENATOR DAVIS? [LB1067]

SENATOR DAVIS: ROLL CALL VOTE. [LB1067]

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SPEAKER HADLEY: ROLL CALL VOTE, REGULAR ORDER. [LB1067]

ASSISTANT CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGE 1509-1510.) VOTE IS 6 AYES, 17 NAYS, MR. PRESIDENT, ON THE ADOPTION OF SENATOR DAVIS' AMENDMENT. [LB1067]

SPEAKER HADLEY: AM2905 FAILS. MR. CLERK, DO YOU HAVE A MOTION ON THE DESK? [LB1067]

ASSISTANT CLERK: MR. PRESIDENT, SENATOR SULLIVAN WOULD MOVE TO INVOKE CLOTURE ON LB1067 PURSUANT TO RULE 7, SECTION 10. [LB1067]

SPEAKER HADLEY: IT IS THE RULING OF THE CHAIR THAT THERE HAS BEEN FULL AND FAIR DEBATE ACCORDED TO LB1067. THE FIRST VOTE IS THE VOTE FOR CLOTURE. ALL THOSE IN...WOULD YOU LIKE A ROLL CALL VOTE, ROLL CALL VOTE IN REGULAR ORDER? [LB1067]

SENATOR SULLIVAN: YES, MR. PRESIDENT. I WOULD REQUEST A ROLL CALL VOTE IN REVERSE ORDER, PLEASE. [LB1067]

SPEAKER HADLEY: IN REVERSE ORDER, MR. CLERK. [LB1067]

ASSISTANT CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGE 1510.) VOTE IS 42 AYES, 2 NAYS, MR. PRESIDENT, ON THE MOTION TO INVOKE CLOTURE. [LB1067]

SPEAKER HADLEY: THE MOTION TO INVOKE CLOTURE IS ADOPTED. MEMBERS, THE NEXT VOTE IS ON THE ADOPTION OF LB1067. ALL THOSE IN FAVOR VOTE AYE... [LB1067]

SENATOR SULLIVAN: EXCUSE ME, MR. PRESIDENT. [LB1067]

SPEAKER HADLEY: YES. [LB1067]

SENATOR SULLIVAN: ROLL CALL VOTE AGAIN IN REVERSE ORDER. [LB1067]

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SPEAKER HADLEY: THERE HAS BEEN A REQUEST FOR A ROLL CALL VOTE IN REVERSE ORDER. MR. CLERK, THERE HAS BEEN A REQUEST FOR A ROLL CALL VOTE IN REVERSE ORDER. [LB1067]

ASSISTANT CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGE 1511.) VOTE IS 40 AYES, 5 NAYS, MR. PRESIDENT. [LB1067]

SPEAKER HADLEY: LB1067 ADVANCES TO E&R FOR ENGROSSING. I LIFT THE CALL. MR. CLERK, THE NEXT ITEM. [LB1067]

ASSISTANT CLERK: MR. PRESIDENT, THE NEXT BILL, LB1067A, THERE ARE NO E&R AMENDMENTS. SENATOR SULLIVAN WOULD MOVE TO AMEND WITH AM28...OH, EXCUSE ME, MR. PRESIDENT. WE HAVE A PRIORITY MOTION. SENATOR CHAMBERS WOULD MOVE TO BRACKET THE BILL UNTIL APRIL 20. [LB1067A]

SPEAKER HADLEY: SENATOR CHAMBERS, YOU ARE RECOGNIZED TO OPEN ON YOUR BRACKET MOTION. [LB1067A]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. I WANT THE LAST WORD ON THIS BILL, ONE WAY OR THE OTHER. AND THIS IS ONE OF THESE TIMES WE CAN GO TO MIDNIGHT BECAUSE THIS BILL IS NOT GOING TO MOVE. AND IT IS ON SELECT FILE. SO FOUR HOURS WILL TAKE US TO 11:00 P.M., NOT QUITE MIDNIGHT, BUT IT'S CLOSE ENOUGH TO MAKE MY POINT. I THINK IT MIGHT BE CLEAR WHAT MY OVERALL ATTITUDE IS TOWARD WHAT WENT ON HERE TODAY IN THIS HOUSE OF SHAME, BETRAYAL, TREATY BREAKING, TREACHERY. BUT WHY DWELL ON THAT WHEN THERE IS SOMETHING SO MUCH MORE UPLIFTING TO TALK ABOUT AND TO SHOW WHY THIS A BILL DOESN'T NEED TO GO ANYWHERE AT ALL? THE STATE DOESN'T ALWAYS SPEND MONEY WISELY, STARTING WITH THE GOVERNOR. HE SPENT 44...\$54,000 TO A DRUG DEALER AND A THIEF AND CAN'T GET IT BACK. MONEY WAS MADE AVAILABLE TO PRINT LICENSE PLATES THAT HAD A VERY ARTISTIC DESIGN ON IT. AND BECAUSE NEBRASKANS CAN GRASP SMALL THINGS, THERE WAS AN UPROAR ABOUT THAT LICENSE PLATE DESIGN LIKE NOTHING THAT I HAVE SEEN IN A LONG TIME IN THIS STATE, MAYBE AT A FOOTBALL GAME THAT NEBRASKA WAS SUPPOSED TO WIN AND LOST. BUT THEN THERE WOULD BE A SENSE OF DEPRESSION AND THEY'D BE SAYING, FIRE THE COACH AND SUCH THINGS AS THAT. BUT IT WOULDN'T BE ONGOING. NOW AS SOMEBODY WHO DRAWS PICTURES, I SYMPATHIZE WITH THE INDIVIDUAL WHO DREW THE PICTURE FROM WHICH THAT LICENSE PLATE GOT ITS FAME. SO I THOUGHT I'D WRITE A LITTLE RHYME ABOUT IT. "WHAT SOWETH

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THE SOWER" OR I COULD HAVE CALLED IT "SOW THE WIND AND REAP THE WHIRLWIND." BUT ANYWAY FOR THE RECORD: BEAUTY IS IN THE EYE OF THE BEHOLDER. TWO IN THAT EYE ARE THE GOOD AND THE BAD. NO ONE HAS SAID WHERE ONE FINDS THE UGLY, NEITHER THE HAPPY NOR YET THE SAD. ART IS SOMETHING THAT ANY MAY TALK ABOUT, ALTHOUGH SUCH TALK IS NO MORE THAN OPINION. ONE THING DISTINGUISH THIS TALK FROM ALL OTHER, TALKERS NEED NOT HAIL FROM ARTIST DOMINION. IF SAY THE SUBJECT WERE SCIENCE OF ROCKETS, TALKERS SHOULD BE RICH IN FACTS OF PROPULSION. OR IF THE TOPIC BE DISGUSTING ITEMS, ONE IT WOULD SEEM SHOULD UNDERSTAND REVULSION. ONLY IN ONE REALM, THE UNIVERSE OF ART, ARE ALL QUALIFIED OPINIONS TO SPOUT. THIS PIECE OF ART MAY MAKE ONE SOFTLY MUTTER, YET CAUSE THE NEXT VIEWER LOUDLY TO SHOUT. MAYBE THE TRUE GOAL OF ALL ART IS SIMPLE. AND IT IS NOT UNIVERSAL SATISFACTION. RATHER THE HIGHEST OF ART'S GOALS IS SERVED WHEN IT ENGENDERS ANY STRONG REACTION. SO DEPICTING ON LICENSE PLATES THE SOWER, MAYBE THE IMAGERY THAT'S MOST DESERVED, LIVELY, ROBUST PUBLIC DISCOURSE IT FOSTERED. ART'S HIGHEST GOAL THEREFORE IS SERVED. IT WAS FUN AND QUICKLY DONE, AND ALL THAT YOU HAVE ON THIS LICENSE PLATE IS THE RENDERING BY AN ARTIST OF AN IMAGE OF A SOWER. AND WHOEVER LOOKED AT IT WAS IMPRESSED, AND IT BECAME THE SYMBOL OF NEBRASKA. AND THE RESULTING FUROR SYMBOLIZES THE MENTALITY OF NEBRASKANS. THEY'RE ABLE TO UNDERSTAND SOMETHING LIKE A PICTURE ON A LICENSE PLATE AND THEY SEE ALL KINDS OF THINGS IN IT. NOW SOME PEOPLE WHO KNOW A BIT ABOUT PSYCHOLOGY COULD CALL THIS A RORSCHACH TEST. YOU MAKE AN INKBLOT AND ASK A PERSON, WHAT DO YOU SEE WHEN YOU LOOK AT THAT? AND THROUGH ALL OF MY READING, I HAVE YET TO READ WHERE ANYBODY LOOKED AT AN INKBLOT ON A RORSCHACH TEST AND WHEN ASKED, WHAT DOES THAT MAKE YOU THINK OF, AND THE ANSWER WAS AN INKBLOT. I DON'T KNOW WHAT RORSCHACH WOULD HAVE THOUGHT IF A PERSON SAID THAT SOMETHING REMINDED HIM OF EXACTLY WHAT IT IS. NOW I SAW A MOVIE, I DON'T REMEMBER IF IT WAS THE DIRTY DOZEN, BUT THERE WAS A FELLOW WHO PLAYS TOUGH MAN ROSE AND HE WAS BEING QUESTIONED. HE WAS ONE OF THESE CRIMINALS WHO WOULD BE GIVEN A REPRIEVE--THEY MAY HAVE ALL BEEN ON DEATH ROW--IF THEY WOULD GO ON THIS MISSION TO GERMANY. SO THEY ALL HAD TO BE TESTED PSYCHOLOGICALLY TO SEE IF THEY WERE SUITABLE. BY THE WAY, HIS FIRST...HIS LAST NAME WAS BRONSON, BUT I WON'T TELL YOU HIS FIRST NAME. AND HE HAD A MUSTACHE THAT GAVE HIM A VERY DISTINCTIVE LOOK. AND WHEN HE WAS IN A MOVIE CALLED ONCE UPON A TIME IN THE WEST, HE WAS HAVING A FACEDOWN WITH SOME GUYS AND THE CAMERA CAME VERY CLOSE TO HIS EYES. AND HIS UPPER LID KIND OF DROOPED DOWN OVER HIS EYE, BUT

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YOU COULD SEE THE ENTIRE PUPIL, AND THEY LOOKED EXACTLY LIKE THE EYES OF A MOUNTAIN LION. SO WHEN HE WAS GIVEN HIS RORSCHACH TEST, THIS HELD UP THIS IMAGE. HE SAID, WHAT DOES THAT MAKE YOU THINK OF? HE SAID, THE CHICAGO CUBS. SO THAT WAS ALL RIGHT. SO THEY PUT A DIFFERENT PLOT ON IT AND PUT IT TOGETHER AND SAID, WHAT DOES THAT MAKE YOU THINK OF? HE SAID, THE CHICAGO CUBS. SO THEY DID THAT FOUR TIMES AND THE GUY ASKED HIM, WHY DO YOU KEEP SAYING THAT? HE SAID, WELL, EVERYTHING MAKES ME THINK OF THE CHICAGO CUBS SO HE WAS SUITABLE. THAT'S THE KIND OF THING THEY DO IN MOVIES. BUT ON THE SUBJECT OF CHARLES BRONSON, HE WAS IN THIS MOVIE ONCE UPON A TIME IN THE WEST AND IT WAS MADE IN ITALY. THAT'S WHY THEY CALLED THEM SPAGHETTI WESTERNS, NOT BECAUSE ITALIANS MADE THE MOVIES, NOT BECAUSE PEOPLE ATE SPAGHETTI, BUT BECAUSE THEY WERE MADE IN ITALY. THEY COULD ALWAYS FIND TERRAIN THAT WOULD LOOK LIKE WHAT THEY WANTED FOR A WESTERN. SO THE TRAIN CAME IN. IT WAS DUE TO COME IN AND ALL THESE GUYS WERE SITTING AROUND AT THE STATION. ONE GUY HAD A COCKEYE AND HE WAS SITTING THERE AND THEY FOCUSED ON HIS EYE TO CATCH YOUR INTEREST AND THEN A FLY ENTERED. AND I DON'T KNOW HOW THEY'RE TRAINED TO FLY TO DO THIS, BUT THE FLY FLEW AROUND. YOU COULD HEAR HIM BUZZING. AND THE GUY WOULD TRACK IT. WHEN IT WENT TO ONE SIDE, HE TRACKED IT WITH HIS GOOD EYE. WHEN IT WENT TO THE OTHER SIDE, HE LET THAT WANDERING EYE JUST FOLLOW THE FLY EVERYWHERE HE WENT. THEN FINALLY, THE FLY LANDED AND THIS GUY HAD HIS PISTOL AND HE TURNED THE BARREL DOWN AND TRAPPED THE FLY IN THE BARREL OF THE PISTOL. AND HE HELD IT UP TO HIS EAR AND YOU COULD HEAR THE POOR LITTLE TRAPPED CREATURE BUZZING TRYING TO FIND A WAY OUT. AND THIS GUY CLOSED BOTH OF HIS EYES, HIS GOOD ONE AND HIS BAD ONE, AND SMILED VERY CONTENTEDLY. THERE WAS ANOTHER ONE OF THE PEOPLE SITTING THERE AND WATER WAS DRIPPING FROM THE CEILING AND HE HAD A HAT LIKE A COWBOY HAT, EXCEPT IT WAS CONCAVE AT THE TOP AND THE WATER WAS COLLECTING IN THE TOP OF HIS HAT. AND WHEN THERE WAS ENOUGH WATER IN HIS HAT, HE SLOWLY TOOK IT OFF. THE CAMERA FOLLOWED IT AS IT WAS DOING. HE TURNED IT UP AND DRANK THE WATER AND THEN PUT THE HAT BACK ON HIS HEAD. THEN YOU HEARD THE TRAIN WHISTLE. THEY SHOWED THE TRACK AND THE TRAIN WAS APPROACHING, AND THESE THREE GUYS CAME OUT AND STOOD BY THE TRACK. CHARLES BRONSON... [LB1067A]

SPEAKER HADLEY: ONE MINUTE. [LB1067A]

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SENATOR CHAMBERS: ...GOT OFF THE TRAIN AND HE HAD A SAWED-OFF SHOTGUN. AND THESE GUYS WERE WAITING FOR HIM. AND HE SAID, DID, WHOEVER THIS GUY WAS, DID HE SEND YOU HERE? AND THEY SAID, YEAH. I THINK HE SAID FRANK. FRANK SEND YOU HERE? THEY SAID, YEP. HE SAID, WELL, LOOKS TO ME LIKE YOU'RE ONE HORSE SHY BECAUSE THEY WERE...THERE WERE THREE OF THEM. OH, HE ASKED THEM, WHERE IS MY HORSE? AND THEY LOOKED AROUND, THEY SAID, WELL, I GUESS WE'RE ONE HORSE SHY. AND WHEN THEY PULLED THEIR GUNS, HE BLEW THEM AWAY. AND HE SAID, NO, I THINK YOU GOT TWO HORSES TOO MANY. COOL MOVIE; COOL CHARLES BRONSON; THE WHOLE MOVIE WAS LIKE THAT. MAYBE I'LL TELL YOU THE REST OF IT. IT TAKES ABOUT 2.5 HOURS. THANK YOU, MR. PRESIDENT. [LB1067A]

SPEAKER HADLEY: THANK YOU, SENATOR CHAMBERS. SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB1067A]

SENATOR CHAMBERS: I'M NOT GOING TO TELL YOU THE WHOLE MOVIE. BUT IF YOU EVER GET A CHANCE TO SEE IT, YOU OUGHT TO. I THINK HENRY FONDA WAS IN IT, AND I CAN'T REMEMBER THE OTHER PEOPLE. BUT IF THE NAMES COME TO ME, I'LL SHARE THEM WITH YOU. I'M AT THE POINT NOW WHERE I JUST WANT TO TAKE SOME TIME TO REMIND YOU THAT I AM HERE, THAT I DID MAKE A PROMISE, THAT I DO INTEND TO KEEP IT. AND I ALSO SAID AT THE TIME I MADE THE PROMISE, I LEAVE MYSELF WIGGLE ROOM. I CAN DO WHATEVER I WANT TO DO. EVEN IF I DIDN'T SAY IT, I COULD DO WHATEVER I WANT TO DO ANYWAY. I POINTED OUT WHEN SENATOR GARRETT, WHO HAS VOTED AGAINST ME ON SOME GOOD ISSUES AND I FELT LIKE WRINGING HIS NECK, BUT I DIDN'T DO IT BECAUSE HE HAS ENOUGH, JUST ENOUGH, VIRTUE ABOUT HIMSELF TO CAUSE ME TO SPARE HIS LIFE. AND HE'S GOOD FOR SOMETHING EVERY NOW AND THEN. BUT AT ANY RATE, I MADE IT CLEAR THAT WHEN HIS BILL CAME UP LAST NIGHT I WAS NOT GOING TO MESS WITH THAT. I BELIEVE IN IT. SO I DID NOT MESS WITH IT. I SPOKE IN FAVOR OF IT. AND THAT WAS PRIMARILY BECAUSE IT RELATED TO THE WELFARE OF CHILDREN WHO CANNOT REALLY HELP THEMSELVES AND WHO I'M SURE DID NOT COMMIT ANY SIN SUCH AS CHRISTIANS WOULD SAY, WHICH MOTIVATED A VINDICTIVE, HATEFUL, CRUEL GOD TO CURSE THAT WHICH HE CREATED. SPEAKING OF THAT, THERE WAS A MAN SITTING BY THE SIDE OF A ROAD AND A FELLOW NAMED JESUS APPEARED ON THE SCENE AS HE HAD A WAY OF DOING. HE WAS SURROUNDED BY IGNORAMUSES LIKE THEY HAD ESCAPED FROM THE NEBRASKA LEGISLATURE, COULDN'T UNDERSTAND ANYTHING. IN FACT, I THINK ONE OF THEM MAY HAVE BEEN SENATOR GARRETT BECAUSE ONE OF THE MOST REMARKABLE COMMENTS THAT I EVER HEARD OR

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READ IN THE "BIBBLE" WAS WHEN THESE IGNORAMUSES WERE STANDING AROUND AND JESUS WAS ABOUT TO DO SOMETHING AND THEY INTERRUPTED AND YOU KNOW WHAT SOMEBODY HOLLERED WAY FROM THE BACK? HEY, YOU'RE STUCK ON STUPID! IN THE "BIBBLE"--HEY, YOU'RE STUCK ON STUPID! A SMILE CRAWLED ACROSS THE SAVIOR'S FACE AND HE LOOKED OUT THERE AND SAID, THAT'S MY KIND OF MAN. AND YOU KNOW WHAT THE OCCASION WAS? THIS GUY WAS BESIDE THE ROAD. HE WAS BLIND, HAD BEEN BORN BLIND, AND HE BEGGED. AND ALL THESE RIGHTEOUS PEOPLE WOULD SEE HIM OUT THERE BEGGING. NOBODY EVER THOUGHT TO SEE WHETHER THERE WAS SHELTER THAT HE NEEDED AND THEY COULD PROVIDE IT. BUT THEY KEPT EVERY ONE OF THE COMMANDMENTS, BY THE WAY. SO WHEN THE DISCIPLES AND JESUS CAME UPON THIS MAN, THE DISCIPLES WERE PERCEPTIVE ENOUGH TO REALIZE THAT JESUS WAS A CLEVER FELLOW, AND YOU COULD NOT ASK HIM A QUESTION THAT HE WOULDN'T GIVE SOME KIND OF ANSWER TO. SO THEY SAID, LORD, WHO DID SIN THAT HE SHOULD BE BORN BLIND? AND JESUS SAID, NOBODY SINNED. THEY SAID, THEN WHY IS HE BORN BLIND? AND JESUS SAID, IN ORDER THAT YOU MAY SEE THE POWER OF GOD. [LB1067A]

SPEAKER HADLEY: ONE MINUTE. [LB1067A]

SENATOR CHAMBERS: JESUS WAS VERY DRAMATIC, THE MASTER OF DRAMA. SO GUESS WHAT JESUS DID. I'LL GIVE YOU ONE GUESS. GUESS WHAT HE DID. HE HEALED HIM AND THE EYES THAT HAD BEEN UNABLE TO SEE SINCE BIRTH SAW WITH 20/20 VISION. AND THOSE ARE THE KIND OF THINGS THAT WERE DONE IN THOSE DAYS, WE'RE TOLD. AND IT CERTAINLY DOESN'T HAPPEN IN THESE DAYS. BUT WHO KNOWS? ANYTHING IS POSSIBLE. THANK YOU, MR. PRESIDENT. [LB1067A]

SPEAKER HADLEY: SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB1067A]

SENATOR CHAMBERS: BUT I'M NOT HERE TO TALK ABOUT THAT. I'M HERE TO TALK ABOUT THE LEGISLATURE SOME MORE. THERE ARE TIMES, THERE IS AT LEAST ONE TIME I CAN THINK OF WHEN THE LEGISLATURE DID ITSELF PROUD AND THAT'S WHEN THOSE OF YOU WHO VOTED THAT WAY VOTED TO ABOLISH THE DEATH PENALTY AND TO OVERRIDE THE GOVERNOR'S VETO. AND I TOLD YOU WHAT MY DEFINITION OF COURAGE IS. IT TOOK NO COURAGE FOR ME BECAUSE I DIDN'T HAVE ANY FEAR NO MATTER WHAT ANYBODY SAID TO, OF, OR ABOUT ME. BUT I KNOW SOME OF MY COLLEAGUES WERE UNDER A TREMENDOUS AMOUNT OF PRESSURE, SOME OF THEM A PRESSURE THAT THEY

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MAY NOT HAVE EXPERIENCED UP TO THAT TIME. AND IF THEY HAD EXPERIENCED GREAT PRESSURE, IT WASN'T EXACTLY OF THAT KIND. AND IT WASN'T JUST A MOMENTARY THING THAT'S HERE TODAY AND GONE THIS AFTERNOON, NOT EVEN THAT'S HERE TODAY AND GONE TOMORROW. BUT IT EXTENDED OVER A PERIOD OF DAYS AND ALL MANNER OF PRESSURE WAS BROUGHT TO BEAR. AND FOR ONCE, IF NEVER AGAIN, MEN AND WOMEN WHO WERE THOUGHT BY SOME TO BE A FLOCK OF SHEEP BEHAVED LIKE A PRIDE OF LIONS. AND MY FRIENDS THE MOUNTAIN LIONS, IF THEY SPOKE ENGLISH, WOULD SAY, I'M PROUD OF YOU. I THOUGHT YOU WERE SHEEP. BUT EVEN A MOUNTAIN LION CAN BE MISTAKEN. YOU NEVER KNOW WHAT IS IN PEOPLE. YOU NEVER KNOW WHAT IT WOULD TAKE TO ELICIT THAT WHICH THEY MAY NOT HAVE EVEN REALIZED WAS WITHIN THEM. SO YOU LOOK AT PEOPLE AS COMPLEX ENTITIES. SOMETIMES THEY BEHAVE IN A WAY THAT COMPORTS WITH THAT COVERING OVER THEIR BRAIN, WHICH MEANS A BONEHEAD. BUT THAT SHOULD MAKE YOU PROUD. NATURE DOES NOT WASTE ANY RESOURCES. SO IF NATURE GAVE YOU A HARD, THICK SKULL, DON'T BE ASHAMED. THAT IS TELLING YOU THAT NATURE FEELS THAT'S WHAT'S INSIDE THAT SKULL IS VERY, VERY PRECIOUS AND IT HAS TO BE PROTECTED AND, THEREFORE, MORE PROTECTION IS GIVEN TO THAT THAN ANY OTHER PART OF YOUR BODY, EVEN YOUR HEART. YOUR BRAIN HAS A BETTER SHIELD THAN YOUR HEART. I COULD TAKE THIS PENCIL AND FIND THE RIGHT RIB AND RUN IT THROUGH AND KILL YOU. LET ME TAKE THIS PENCIL AND STAB SENATOR HILKEMANN ON THE HEAD WITH MY PENCIL. IT WOULDN'T BE GOOD FOR ANYTHING AFTER THAT OR ANYBODY ON THE HEAD. THOSE ARE JUST LITTLE THINGS WE CAN THINK ABOUT AND TALK ABOUT WHEN WE HAVE NOTHING TO DO EXCEPT BE TOGETHER AND PASS SOME TIME TOGETHER. AND NOW MY SENSE OF ENJOYMENT IS COMING BACK. I KNEW TODAY WOULD BE A BAD DAY IF IT WERE TO BE JUDGED BY THE ACTIVITIES OF THE SENATORS. BUT YOU HAVE TO LOOK BEYOND THAT. ALL OF THAT IS TRANSITORY. IT WON'T MAKE AS MUCH DIFFERENCE NEXT WEEK AS IT MIGHT MAKE TODAY. A YEAR FROM NOW, LESS DIFFERENCE. AND DURING THE UPCOMING SESSION, ALL THESE ASSURANCES THEY GAVE SENATOR MELLO WILL BE COMPLETELY FORGOTTEN AND HE WON'T BE HERE TO HOLD THEM TO ACCOUNT. AND EVEN IF HE WERE, THEY'D TELL HIM, THAT WAS YESTERDAY AND YESTERDAY IS GONE. AND YOU KNOW BETTER THAN THAT. WE'RE ALL IN POLITICS. WE KNOW A POLITICIAN'S WORD DOESN'T MEAN ANYTHING. IN FACT, THEIR FAVORITE EXPRESSION IS NEVER SAY NEVER. [LB1067A]

SPEAKER HADLEY: ONE MINUTE. [LB1067A]

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SENATOR CHAMBERS: BUT WHILE SAYING NEVER SAY NEVER, THEY SAID NEVER TWICE--SAID NEVER TWICE, TO TELL YOU NEVER SAY NEVER. THAT'S HOW MUCH SENSE POLITICIANS MAKE. NO SENSE AT ALL. AND MOST PEOPLE TALK THAT WAY. THE FIRST PART OF THE SENTENCE WILL CONTRADICT THE LAST PART AND VICE VERSA. BUT WE ARE SO ACCUSTOMED TO COMMUNICATING WITH EACH OTHER, AND I TOUCHED ON THIS EARLIER, WE TRY TO FIGURE WHAT SOMEBODY MEANS. THERE WAS A FAMOUS MAYOR OF CHICAGO NAMED RICHARD DALEY AND HE WROTE...HE SPOKE IN SUCH JUMBLED LANGUAGE THAT IF YOU PRINTED IT THE WAY HE SPOKE IT, NOBODY UNDERSTOOD IT. AND ONE REPORTER DID IT AND DALEY LOOKED AT IT, HE SAID, THAT DOESN'T MAKE SENSE. AND THE REPORTER SAID, MR. MAYOR, THAT'S EXACTLY WHAT YOU SAID. HE SAID, DON'T PRINT WHAT I SAY. PRINT WHAT I MEAN. [LB1067A]

SPEAKER HADLEY: TIME, SENATOR. [LB1067A]

SENATOR CHAMBERS: THAT'S WHAT HE ACTUALLY SAID. THANK YOU, MR. PRESIDENT. [LB1067A]

SPEAKER HADLEY: AND YOU'RE RECOGNIZED TO CLOSE ON YOUR BRACKET MOTION. [LB1067A]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. AND I'M NOT GOING TO SAY AS SHAKESPEARE SAID, OUR PARTING IS SUCH SWEET SORROW BECAUSE WE'RE NOT GOING TO PART AT THIS POINT. THIS A BILL SHOULD BE BRACKETED BECAUSE IF IT IS, THEN THE MAIN BILL CAN'T GO ANYWHERE, CAN'T BE READ WITHOUT THE A BILL. WHAT I'M REALLY CURIOUS TO SEE IS HOW THE SPEAKER IS GOING TO SET BILLS ON THE AGENDA. IF THE BILLS ARE TOO FAR DOWN THE LINE, THEY HAVE NO CHANCE WHATSOEVER OF BEING READ. I CAN SPECULATE. THESE BILLS WILL BE RIGHT NEAR THE TOP. THESE RIGHT HERE, THESE THREE WILL BE RIGHT NEAR THE TOP BECAUSE THE GOVERNOR WANTED THEM AND THE GOVERNOR GOT INVOLVEMENT FROM SO MANY OF THE SENATORS. SO THEY'LL BE RIGHT NEAR THE TOP. AND THEN EVERYBODY WILL SAY, WELL, THE REST OF IT MAKES NO DIFFERENCE EXCEPT THOSE WHO HAVE INDIVIDUAL BILLS OF THEIR OWN. NOW IF LB10 IS NEAR THE TOP, WOE TO EVERY BILL THAT FOLLOWS IT. YOU THINK I WOULD TAKE FOUR HOURS...TWO HOURS ON EVERY BILL ON FINAL READING UNTIL WE RUN OUT THE CLOCK? I CAN TELL YOU RIGHT NOW THAT'S NOT GOING TO HAPPEN. NOW I MIGHT TAKE AN HOUR AND 59 MINUTES, BUT IT WON'T BE 2 HOURS ON EVERY BILL BECAUSE WE WOULD RUN OUT OF TIME LONG BEFORE WE RAN OUT OF BILLS. AND THERE ARE SOME

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MAKING CALCULATIONS ABOUT HOW MANY BILLS ARE LIKELY TO BE PASSED. IT JUST SHOWS HOW MUCH THEY COUNT ON ME STICKING BY MY WORD. BUT IT'S FUNNY. THERE ARE TIMES WHEN PEOPLE WANT YOU TO KEEP YOUR WORD AND THERE ARE TIMES WHEN THEY DON'T. I'VE HAD MORE PEOPLE TRY TO GET ME TO BREAK MY WORD ON THIS THAN ANY OTHER TIME IN MY LIFE ON ANY OTHER SUBJECT. DON'T KEEP A PROMISE. YOU SHOULD BE LAUDING ME FOR KEEPING MY PROMISE, EVEN WHEN IT MAKES PEOPLE ANGRY. IF I HAD A SHOW OF HANDS RIGHT NOW AND A MAJORITY OF THOSE WHO ARE NOT HERE WOULD HOLD UP THEIR HAND RIGHT NOW AND SAY STOP IT, I WOULD STOP IT. BUT SEE, WE'LL NEVER KNOW IF A MAJORITY OF THOSE WHO ARE NOT HERE WOULD DO SUCH, DO WE? UH-HUH. I SEE SENATOR GROENE SLIDING IN HERE WITH HIS HANDS IN HIS POCKET TRYING TO LOOK LIKE HE'S INNOCENT. I WATCH OUT FOR HIM. I KNOW HIS PRACTICES BETTER THAN HE DOES. LET ME TELL YOU HOW I DO. WHEN A PERSON DOES SOMETHING TO THE POINT WHERE IT'S A HABIT, THE PERSON DOESN'T EVEN THINK ABOUT IT ANYMORE. IT'S JUST DONE. BUT SOMEBODY WHO IS SEEING IT FOR THE FIRST TIME MAY TAKE NOTE OF EVERY MOVE, UH-HUH, EVERY LITTLE TWITCH OF THE HEAD THAT THE TWITCHER IS NOT EVEN AWARE OF. AND IF YOU ASK THE TWO OF THEM TO DESCRIBE IT, THE ONE WHO IS DOING IT AND THE ONE WHO IS OBSERVING, THE ONE WHO IS OBSERVING COULD GIVE FAR MORE DETAIL BECAUSE IT'S OUTSIDE OF THAT PERSON. BUT THE ONE DOING IT, IT IS THE PERSON AND YOU DON'T THINK ABOUT WHAT YOU'RE DOING. I SEE MY FRIEND "JOHNNY CASH" OVER THERE LEANING ON HIS HAND; AND I BET HIS CHEEK WAS NOT EVEN FEELING HIS HAND UNTIL I MENTIONED IT, THEN HE BECAME AWARE OF HIS HAND AGAINST HIS CHEEK, SAME WITH SISTER EBKE OVER THERE. BROTHER LINDSTROM SITTING THERE WITH HIS HAND CASUALLY HANGING OVER THE BACK OF THE CHAIR. NOW HE'S AWARE OF THAT. ANYTHING YOU CALL ATTENTION TO, YOU MAKE SOMEBODY AWARE OF IT... [LB1067A LB10]

SPEAKER HADLEY: ONE MINUTE. [LB1067A]

SENATOR CHAMBERS: ...AND THEY WERE NOT AWARE OF IT BEFORE. OH, WE'RE GOING TO HAVE FUN TONIGHT. WE MAY AS WELL. YOU CAN'T DO ANYTHING ABOUT IT. BUT YOU DON'T HAVE TO STAY HERE, YOU DON'T. IN FACT, YOU ALL CAN GO HOME WHENEVER YOU WANT TO. AS SOON AS WE FALL BELOW A QUORUM, WE ARE AUTOMATICALLY BY LAW ADJOURNED. THAT'S WHY SOMETIMES I ASK FOR A CALL OF THE HOUSE BECAUSE SOME PEOPLE ARE GOING TO BE AWAY AND THEY WANT TO TEACH ME A LESSON, SO THEY'RE NOT GOING TO SHOW UP. AND THEN I REMIND THE CHAIR, WE DON'T HAVE A QUORUM AND WE CANNOT FUNCTION AS A LEGISLATURE WHEN WE DON'T HAVE

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A QUORUM. SOMETIMES PEOPLE ARE TOO SMART FOR THEIR OWN BRITCHES, OR WHATEVER THE EXPRESSION IS, OH, TOO BIG FOR THEIR BRITCHES. BUT AT ANY RATE, I MIGHT GO INTO SOME DETAIL ABOUT THIS LICENSE PLATE BECAUSE SOME PEOPLE PROBABLY WERE GOING TO TURN AWAY FROM THE LEGISLATURE BECAUSE ALL THE FIREWORKS ARE OVER NOW. THEY WANTED TO WATCH AND SEE IF THE DEALS... [LB1067A]

SPEAKER HADLEY: TIME, SENATOR. [LB1067A]

SENATOR CHAMBERS: ...WILL BE KEPT. THANK YOU, MR. PRESIDENT. [LB1067A]

SPEAKER HADLEY: THE QUESTION BEFORE THE BODY IS THE BRACKET MOTION. SENATOR CHAMBERS, FOR WHAT PURPOSE DO YOU RISE? [LB1067A]

SENATOR CHAMBERS: A CALL OF THE HOUSE AND A ROLL CALL VOTE. [LB1067A]

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. HAVE ALL VOTED? RECORD, MR. CLERK. [LB1067A]

ASSISTANT CLERK: 20 AYES, 2 NAYS TO GO UNDER CALL, MR. PRESIDENT. [LB1067A]

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 SCHEER, SENATOR MORFELD, SENATOR WILLIAMS, SENATOR FOX, SENATOR BOLZ, SENATOR PANSING BROOKS, SENATOR SMITH, SENATOR SCHILZ, SENATOR KINTNER, SENATOR HUGHES, SENATOR COASH, SENATOR STINNER, SENATOR KOLTERMAN, SENATOR FRIESEN, THE HOUSE IS UNDER CALL. SENATOR MORFELD, THE HOUSE IS UNDER CALL. THERE HAS BEEN A REQUEST FOR...WE'RE VOTING ON THE BRACKET MOTION. THERE HAS BEEN A REQUEST FOR A ROLL CALL VOTE. MR. CLERK. [LB1067A]

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ASSISTANT CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGES 1511-1512.) VOTE IS 1 AYE, 40 NAYS, MR. PRESIDENT, ON THE MOTION TO BRACKET. [LB1067A]

SPEAKER HADLEY: THE BRACKET MOTION FAILS. I RAISE THE CALL. MR. CLERK, YOU HAVE A MOTION? [LB1067A]

ASSISTANT CLERK: MR. PRESIDENT, A PRIORITY MOTION. SENATOR CHAMBERS WOULD MOVE TO RECONSIDER THE VOTE ON THE BRACKET MOTION. [LB1067A]

SPEAKER HADLEY: SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB1067A]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, I DIDN'T GET A CHANCE TO SPEAK DIRECTLY TO THE MOTION THAT SENATOR DAVIS MADE IN WHICH HE OFFERED THAT AMENDMENT THAT WOULD SAY NOT THAT THIS IS A SEVERABILITY CLAUSE, BUT INSEVERABLE. HERE IS THE POINT. SENATOR MURANTE MENTIONED THAT WHILE HE WAS AN AIDE HE REVIEWED EVERY BILL THAT WAS ADVANCED TO THE FLOOR AND HE NEVER SAW THAT DONE. AND HE NEVER SAW IT DONE WHILE HE WAS A MEMBER OF THE LEGISLATURE. AND I HADN'T SEEN THAT DONE EITHER. BUT UNLIKE SENATOR MURANTE, I AM TRAINED IN THE LAW AND I READ CASES. AND WHEN IT COMES TO WHETHER OR NOT A PIECE OF LEGISLATION IS UNCONSTITUTIONAL, THE COURT DOESN'T JUST SAY IF THIS PIECE IS REMOVED, CAN THAT WHICH IS LEFT STAND ALONE? WHAT THE COURT LOOK AT IS WHETHER OR NOT THIS PIECE THAT WAS UNCONSTITUTIONAL WAS A SIGNIFICANT REASON FOR ENACTING THE LAW. AND IF IT'S FOUND TO HAVE BEEN A SIGNIFICANT REASON FOR IT, THEN THE WHOLE THING IS STRUCK DOWN EVEN IF THAT WHICH WAS LEFT CAN STAND BY ITSELF. NOW, I WOULDN'T TELL SENATOR...NO, I KNOW. I GOT TO GIVE HIM THE RIGHT TITLE. I WAS GOING TO SAY CONGRESSMAN, BUT MAYBE I'LL SAY...WELL, I WOULD HAVE TO SAY SENATOR ANYWAY. IF SENATOR MURANTE WERE PLYING HIS TRADE--OH, DID I LET A CAT OUT OF THE BAG? OH, I'M SO SORRY. I SHOULD BE MORE CAREFUL WHAT I SAY. I SHOULD BE AS CAREFUL WITH WHAT I SAY ON THIS FLOOR AS THE NEGOTIATORS ARE WHEN THEY'RE PLOTTING AND SCHEMING THEIR SHAMEFUL BETRAYALS. BUT I WOULD NOT DREAM OF TELLING SENATOR MURANTE WHO HAS A PIZZA ESTABLISHMENT CALLED BIG SHOT (SIC--BIG FRED'S) HOW HE SHOULD MAKE PIZZA. SO HE DOES WELL WHAT HE DOES. BUT I KNOW THE LAW BETTER THAN HE DOES, NOT BECAUSE A PROCESS OF OSMOSIS BROUGHT IT TO ME, BUT FROM HAVING STUDIED IT AND READ MANY COURT CASES. SO THIS PIECE OF LEGISLATION THAT SENATOR

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DAVIS OFFERED HIS AMENDMENT TO, IF THE COURT LOOKED AT THE TRANSCRIPT WHICH WOULD BE THE LEGISLATIVE HISTORY, IT WOULD BE CRYSTAL-CLEAR THAT WITHOUT ANY ONE OF THOSE PIECES THE BILL LIKELY WOULD NOT HAVE HAD ENOUGH VOTES TO PASS. SO ANY ONE OF THEM FOUND TO BE UNCONSTITUTIONAL WOULD BE DEEMED A SIGNIFICANT REASON FOR THE BILL'S HAVING BEEN PASSED AND THE LAW WHICH IT BECAME WOULD BE STRUCK DOWN. AND THAT'S JUST THE WAY COURTS OPERATE AND IT'S THE WAY THEY SHOULD, NOT NECESSARILY BECAUSE THAT IS HIGHLY LOGICAL, BUT IT GIVES CERTITUDE TO THE LAW AND IT GIVES DIRECTION TO LEGISLATURES IN TERMS OF HOW THEY OUGHT TO ACT, WHICH LEGISLATORS OFTEN IGNORE. THIS THAT I'M READING IS FROM A BOOK CALLED SWEET THUNDER: THE LIFE AND TIMES OF SUGAR RAY ROBINSON BY WIL HAYGOOD AND I'M STARTING ON PAGE 187. IN NEW YORK CIRCLES, JAKE LaMOTTA WAS KNOWN AS THE BRONX BULL, A FIGHT, THE BULL EXPRESSED--AND I BELIEVE THIS IS TRUE ABOUT OTHER THINGS--A FIGHT, THE BULL EXPRESSED, IS ALL OF A PIECE. YOU GET MOVING IN A CERTAIN RHYTHM, YOU CAN'T STOP. IT'S ALL GOT TO GO ALONG. IT'S TRUE THAT YOU HAVE TO STOP AT THE END OF EVERY ROUND. BUT ONCE YOU START IT, YOU HAVE TO KEEP GOING AND YOU DON'T STOP TILL YOU GET TO THE END. YOU KNOW WHY THAT MEANS SOMETHING TO ME? ONCE I'M IN A RHYTHM, I KEEP GOING, EVEN THOUGH I KNOW I HAVE TO STOP WHEN THE SPEAKER, OR WHOEVER IS IN THE CHAIR, SAYS TIME. BUT YOU GET IN THAT RHYTHM AND IF YOU'VE MADE UP YOUR MIND, YOU JUST HAVE TO KEEP GOING AND GOING AND GOING UNTIL YOU REACH THE END. JAKE LaMOTTA WAS A SMART MAN, SMARTER THAN PEOPLE GAVE HIM CREDIT FOR BEING. AND BY THE WAY, HE WAS NEVER KNOCKED DOWN AS LONG AS HE FOUGHT MIDDLEWEIGHTS. HE FOUGHT SUGAR RAY ROBINSON WHO IS CONSIDERED THE BEST FIGHTER OF ALL TIME POUND FOR POUND, AS THEY SAY. IF HE TOOK THE SKILLS THAT HE HAD AND BULKED UP TO BE A HEAVYWEIGHT, HE WOULD BE THE BEST HEAVYWEIGHT. SO WHEN HE FOUGHT JAKE LaMOTTA, WHEN BOTH OF THEM WERE IN THEIR PRIME, JAKE LaMOTTA WAS THE ONLY MAN WHO EVER WHIPPED SUGAR RAY ROBINSON. JAKE LaMOTTA WAS THE ONLY ONE WHO EVER WHIPPED SUGAR RAY ROBINSON BEFORE ROBINSON ENTERED A DECLINE. THEY HAD FOUR FIGHTS, I BELIEVE, AND ROBINSON WON THE OTHER THREE. AND THE LAST ONE, THERE WAS A PICTURE IN LIFE MAGAZINE, I WILL NEVER FORGET IT, A SERIES OF PICTURES AND LaMOTTA WOULD NOT GO DOWN NO MATTER WHAT YOU DID TO HIM. HE'D TAKE PUNCHES AND MOST OF THE TIME THE GUY PUNCHING WOULD PUNCH HIMSELF OUT AND WHEN HE GOT TIRED, LaMOTTA WOULD COME ALIVE AND KNOCK HIM OUT. SO THERE WAS LaMOTTA IN THE CORNER TAKING THAT PUMMELING AS HE ALWAYS DID--BLOOD, GASHED BOTH EYEBROWS, FACE PUFFED, AND HE'S TRYING TO COVER UP BUT HE COULDN'T.

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BUT ROBINSON COULDN'T KNOCK HIM DOWN. AND I MEANT HE WAS WINDING UP, HITTING HIM WITH PUNCHES THAT MIGHT HAVE KNOCKED DOWN A HEAVYWEIGHT AND LaMOTTA STOOD THERE. HE HAD BRACED HIS FEET AND LEANED AGAINST THE ROPES IN THE CORNER AND HIS WIFE'S NAME WAS VIKKI AND SHE WAS VERY PRETTY. SHE WAS A MODEL. SHE WAS BLONDE. AND THE PICTURE IN LIFE SHOWED HER WITH HER HEAD DOWN IN HER LAP COVERED BY HER ARMS. SHE COULDN'T STAND TO SEE IT. AND AFTER A CERTAIN POINT WAS REACHED, THE REFEREE STOPPED THE FIGHT. AND EVEN THOUGH JAKE LaMOTTA COULD HARDLY STAND UP, HE SAID WHY DID YOU STOP IT? I GUESS HIS FEELING WAS THAT ROBINSON WOULD FALL FROM EXHAUSTION. BUT ANYWAY, THAT'S THE KIND OF FIGHTER JAKE LaMOTTA WAS. AND IN LATER YEARS HE SAID HE HAD GOTTEN WHIPPED SO MANY TIMES BY SUGAR RAY ROBINSON THAT HE DEVELOPED SUGAR DIABETES. BUT ANYWAY, JAKE WAS THE CHILD OF IMMIGRANTS. THEY CAME ON BIG HULKING LINERS ACROSS THE ATLANTIC, GETTING SEASICK, DREAMING, BECOMING HUNGRY, PRAYING. BETWEEN 1900 AND 1910, 2,045,000 ITALIAN IMMIGRANTS ENTERED THE UNITED STATES. THAT WAS TRIPLE THE NUMBER OF THE PREVIOUS DECADE. EVEN BEFORE THEY SHUFFLED DOWN THE GANGPLANKS OF THOSE SHIPS, STARING WIDE-EYED AMIDST THE CLATTER AND CHATTER OF ELLIS ISLAND, THERE ALREADY EXISTED THE FOUNDATION OF THE SOCIAL AND POLITICAL TURMOIL THAT WOULD TEST THEIR RESOLVE. IT TOOK LITTLE TIME FOR THE ACCUSATIONS TO EMERGE AND THEY CAME FROM MANY CORNERS. NEVER MIND THE INTELLIGENTSIA, THE SCHOLARS AND THE TRADESMEN AND SEAMSTRESSES AMONG THEM. IT WAS ANOTHER SOCIAL ELEMENT THAT TOOK HOLD. AN 1884 LETTER TO THE EDITOR OF THE NEW YORK TIMES READ IN PART, QUOTE, THE ITALIANS HAVE COME TO THIS COUNTRY WITH A HEREDITARY RESPECT FOR BRIGANDAGE AND FIND THAT THE MEN WHO ARE MOST TALKED ABOUT OF HERE ARE THE JESSE JAMESES OF THE WEST AND THE JAY GOULDS OF THE EAST, NATURALLY THINK THAT THERE IS A FINE FIELD IN AMERICA FOR GENUINE ITALIAN BRIGANDAGE. THE WONDER IS THAT THEY HAVE EVER THOUGHT OF ENGAGING IN ANY OTHER INDUSTRY. THAT'S WHAT THEY THOUGHT OF ITALIANS WHOM THEY REFER TO AS ITALIANS (LONG I PHONETICALLY). THERE WERE COUNTLESS OTHER LETTERS PRINTED OF SIMILAR OPINION. AND SOME OF US, BEFORE THE CALLUSES HAVE LEFT OUR HANDS FROM HOLDING SHOVELS AND PICK AXES AND RAKES AND HOES AND WE GET A CHANCE TO GET OUT OF THAT CONDITION, BEFORE THE CALLUSES ARE GONE, WE LOOK AT OUR BROTHERS NOT WITH EMPATHY, BUT GLAD I'M NOT WITH THEM ANYMORE. NOW I CAN GO AND ASSIMILATE AND THERE ARE PEOPLE WHO DO THAT. AND THAT'S WHY TRAITORS ARE TREATED MORE HARSHLY THAN THE ENEMY. YOU KNOW WHAT TO EXPECT FROM THE ENEMY,

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BUT NOT ONE OF YOUR OWN. AND IT'S WHY UNDER INTERNATIONAL LAW...
[LB1067A]

SPEAKER HADLEY: ONE MINUTE. [LB1067A]

SENATOR CHAMBERS: ...AND MILITARY LAW, YOU CAN SHOOT, YOU CAN EXECUTE YOUR TRAITORS, BUT YOU CANNOT EXECUTE A PRISONER. ANYWAY IN 1890, A LYNCHING TOOK PLACE IN NEW ORLEANS THAT CUT CRUSHINGLY DEEP INTO THE ITALIAN IMMIGRANTS' SENSE OF INSECURITY IN A FOREIGN LAND. DAVID C. HENNESSY--SINCE MY TIME IS UP, I'LL STOP AND FINISH WHEN I'M RECOGNIZED. [LB1067A]

SPEAKER HADLEY: SENATOR McCOY, YOU'RE RECOGNIZED. [LB1067A]

SENATOR McCOY: QUESTION. [LB1067A]

SPEAKER HADLEY: DO I SEE FIVE HANDS? I DO. THE QUESTION IS, SHALL DEBATE CEASE? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. SENATOR McCOY, FOR WHAT PURPOSE DO YOU RISE? [LB1067A]

SENATOR McCOY: MR. PRESIDENT, I REQUEST A CALL OF THE HOUSE. [LB1067A]

SPEAKER HADLEY: THERE HAS BEEN A REQUEST TO PUT 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. [LB1067A]

ASSISTANT CLERK: 25 AYES, 0 NAYS TO GO UNDER CALL. [LB1067A]

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 MORFELD, SENATOR WILLIAMS, SENATOR RIEPE, SENATOR SCHNOOR, SENATOR PANSING BROOKS, SENATOR SMITH, SENATOR SCHILZ, SENATOR HUGHES, SENATOR COASH, SENATOR CHAMBERS, IF YOU CHECK IN, SENATOR HILKEMANN. SENATOR McCOY. [LB1067A]

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SENATOR McCOY: ACCEPT CALL-INS. [LB1067A]

SPEAKER HADLEY: THE QUESTION IS TO CALL THE QUESTION. [LB1067A]

ASSISTANT CLERK: SENATOR BRASCH VOTING YES. SENATOR MORFELD VOTING YES. SENATOR GARRETT VOTING YES. SENATOR WILLIAMS VOTING YES. SENATOR KINTNER VOTING YES. [LB1067A]

SPEAKER HADLEY: RECORD, MR. CLERK. [LB1067A]

ASSISTANT CLERK: 25 AYES, 0 NAYS, MR. PRESIDENT. [LB1067A]

SPEAKER HADLEY: THE QUESTION HAS BEEN CALLED. SENATOR CHAMBERS, YOU'RE RECOGNIZED TO CLOSE ON YOUR RECONSIDERATION MOTION. [LB1067A]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. AND I SEE WHAT WE'RE GOING TO DO TONIGHT AND I'M WILLING TO PLAY THE GAME. I HAVE SOME AMENDMENTS THAT I WILL OFFER TO THE A BILL ALSO. AND YOU CAN CALL THE QUESTION AFTER I OPEN. AND THE QUESTION CAN BE ACCEPTED AFTER I OPEN. BUT REMEMBER, THE SUN ALSO RISES AND THERE IS TOMORROW. [LB1067A]

SPEAKER HADLEY: YOU'VE HEARD... [LB1067A]

SENATOR CHAMBERS: NO, I HAVE NOT CLOSED. OH, I HAVE TO SPEAK AT A CERTAIN RATE OF SPEED. IS THAT THE WAY THE RULE IS ALSO? OR CAN I SPEAK IN THE WAY THAT I CHOOSE? [LB1067A]

SPEAKER HADLEY: SIR, YOU QUIT SPEAKING, SO I THOUGHT YOU HAD FINISHED. [LB1067A]

SENATOR CHAMBERS: OH, ALL RIGHT. WELL, I'LL TRY NOT TO PAUSE BECAUSE AT NIGHT WE GET CONFUSED VERY EASILY. AND SOMETIMES WE FORGET WHAT WE SAID ON A DAY WHEN WE SAID WE ARE A LEGISLATURE OF RULES AND THE RULES BIND US. AND I JUST SAW SOMETHING THAT I DON'T THINK WAS WITHIN THE RULES AS APPLIED BY THE CHAIR IN THE PAST. BUT SOMETIMES WE WHO ARE OLD GET FORGETFUL AND I ACKNOWLEDGE THAT I'M OLD AND I COULD

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HAVE FORGOTTEN THAT THIS IS WHAT IS ALLOWED, THAT WHEN ONE PERSON HAS SPOKEN, THEN THE QUESTION IS CALLED AND IT'S ACCEPTED. BUT AS I SAID, I THINK AND PEOPLE IN THIS ROOM DON'T. THEY CONTINUE TO UNDERESTIMATE ME BECAUSE THEY THINK THAT I AM AS THEY ARE. AND WHEN YOU GET EMPLOYED BY A RICH MAN WHO WILL MAKE YOU RICH, YOU BECOME ARROGANT AND YOU GET STUCK ON STUPID. AND I HAVEN'T FINISHED YET. I'M ALLOWING WHAT ARE CALLED IN THE GAME PREGNANT PAUSES. AND WHEN I GET THROUGH, SO THAT THERE WON'T BE ANY DOUBT, I WILL SAY, I'M THROUGH, MR. PRESIDENT. AND I'M NOT THROUGH YET. WE HAVE THE OPPORTUNITY THIS EVENING, AS WE'VE HAD AN OPPORTUNITY TODAY, TO SEE WHAT PEOPLE REALLY ARE. WHEN EVERYTHING IS GOING THEIR WAY, THEY CAN PUT ON THAT ACT. THEY CAN EVEN APPEAR TO BE JUDICIOUS. THEY CAN EVEN PRETEND TO HAVE RESPECT FOR YOU. BUT AS I TOLD YOU, I KNOW WHAT'S IN PEOPLE AND I KNOW THAT VENEER AND ALL YOU HAVE TO DO IS DISTURB IT SLIGHTLY AND IT CRACKS. IT'S ONE THING FOR SOMEBODY STUCK ON STUPID OUT HERE TO DO A STUPID ACT, AND IT'S ANOTHER THING FOR SOMEBODY WHO SHOULD KNOW BETTER TO GO ALONG WITH IT. BUT AS I SAY, YOU ALL CLUMP TOGETHER. BUT I WON'T BE SO EASILY DEFEATED. YOU CHALLENGE ME AND A CHALLENGE INVITES A RESPONSE. AND I'M GOING TO GIVE THE RESPONSE AND I'M GOING TO GIVE IT BY TEACHING YOU ALL SOME THINGS THAT YOU NEED TO KNOW. YOU DON'T KNOW WHEN TO LEAVE WELL ENOUGH ALONE. AND MAYBE I'VE ANTAGONIZED SOME PEOPLE SO MUCH THAT WE WILL STAY. BUT YOU KNOW THE ONLY WAY WE'RE GOING TO STAY TILL MIDNIGHT NOW, HE'D HAVE TO START ON ANOTHER BILL. AND LET HIM START ON ANOTHER BILL AND THAT WILL GET ME STARTED. [LB1067A]

SPEAKER HADLEY: ONE MINUTE. [LB1067A]

SENATOR CHAMBERS: FIRST THING I'LL DO IS TO BRACKET IT; THEN RECONSIDER; THEN RETURN IT TO COMMITTEE; THEN RECONSIDER; THEN LINE BY LINE STRIKE AN INDIVIDUAL WORD IN THAT LINE. I CAN OFFER ANYTHING FOR AN AMENDMENT THAT I CHOOSE. COUNT THE NUMBER OF WORDS IN THE A BILL. THERE ARE ONLY TWO PAGES TO IT. THE TITLE PAGE--I COULD EVEN OFFER AN AMENDMENT TO THE TITLE AND I COULD BE RULED OUT OF ORDER. AND I WOULD CHALLENGE THE CHAIR. AND WHILE WE'RE GOING THROUGH THAT CHARADE, I WOULD WRITE A MULTITUDE OF OTHER AMENDMENTS. NOW, HERE IS WHAT CAN BE DONE. THE SPEAKER CAN GET SO TIRED HE'LL SAY, CHAMBERS, SHUT UP AND I'LL KEEP TALKING. HE'LL SAY, RED COATS, TAKE HIM OUT OF HERE! AND THEY'RE NOT CRAZY. SO THEN HE'D SAY, TROOPER, TAKE HIM OUT OF HERE! I DON'T WANT TO HEAR HIM ANYMORE. THAT'S WHAT I EXPECT. IS IT

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GOING TO COME TO THAT? BUT I'LL TELL YOU WHAT, ANYBODY WHO LAYS THEIR HANDS ON ME, AS OLD AS I AM... [LB1067A]

SPEAKER HADLEY: TIME, SENATOR. [LB1067A]

SENATOR CHAMBERS: THANK YOU. I WOULD ASK FOR A CALL OF THE HOUSE. OH, YOU'RE UNDER CALL. [LB1067A]

SPEAKER HADLEY: THE HOUSE IS UNDER CALL. [LB1067A]

SENATOR CHAMBERS: OKAY. THEN MAY I HAVE A ROLL CALL VOTE? [LB1067A]

SPEAKER HADLEY: THE REQUEST HAS BEEN FOR A ROLL CALL VOTE. MR. CLERK. [LB1067A]

ASSISTANT CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGES 1512-1513.) 2 AYES, 35 NAYS, MR. PRESIDENT, ON THE MOTION TO RECONSIDER. [LB1067A]

SPEAKER HADLEY: THE MOTION TO RECONSIDER FAILS. I WILL RAISE THE CALL. MR. CLERK FOR ITEMS. [LB1067A]

ASSISTANT CLERK: MR. PRESIDENT, THANK YOU. YOUR COMMITTEE ON ENROLLMENT AND REVIEW REPORTS LB959, LB959A AS CORRECTLY ENGROSSED. AMENDMENT TO BE PRINTED TO LB1067 FROM SENATOR CHAMBERS AND TO LB947 FROM SENATOR MELLO. MR. PRESIDENT, AMENDMENT TO BE PRINTED TO LB1067A FROM SENATOR SULLIVAN; MOTION TO LB1067A FROM SENATOR MELLO; AND A SERIES OF MOTIONS FROM SENATOR CHAMBERS (LB1067A). [LB959 LB959A LB1067 LB947 LB1067A]

AND I HAVE A PRIORITY MOTION. SENATOR CRAIGHEAD WOULD MOVE TO ADJOURN UNTIL APRIL 7 AT 9:00 A.M.

SPEAKER HADLEY: YOU'VE HEARD THE MOTION. ALL IN FAVOR SAY AYE. OPPOSED, NAY. WE ARE ADJOURNED.