

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

Floor Debate
February 18, 2015

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PRESIDENT FOLEY PRESIDING

PRESIDENT FOLEY: GOOD MORNING, LADIES AND GENTLEMEN. WELCOME TO THE GEORGE W. NORRIS LEGISLATIVE CHAMBER FOR THE TWENTY-EIGHTH DAY OF THE ONE HUNDRED FOURTH LEGISLATURE, FIRST SESSION. OUR CHAPLAIN FOR TODAY IS SENATOR WATERMEIER. PLEASE RISE.

SENATOR WATERMEIER: (PRAYER OFFERED.)

PRESIDENT FOLEY: THANK YOU, SENATOR WATERMEIER. I CALL TO ORDER THE TWENTY-EIGHTH DAY OF THE ONE HUNDRED FOURTH LEGISLATURE, FIRST SESSION. SENATORS, PLEASE RECORD YOUR PRESENCE. ROLL CALL. MR. CLERK, PLEASE RECORD.

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

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

CLERK: I HAVE NO CORRECTIONS.

PRESIDENT FOLEY: THANK YOU, MR. CLERK. ARE THERE ANY MESSAGES, REPORTS, OR ANNOUNCEMENTS?

CLERK: MR. PRESIDENT, A COMMUNICATION FROM THE GOVERNOR. (READ RE LB1, LB2, LB3, LB4, LB5, LB6, LB7, LB8, AND LB9, LEGISLATIVE JOURNAL PAGE 531.) I HAVE A CONFLICT OF INTEREST STATEMENT FROM SENATOR MORFELD THAT WILL BE ON FILE IN THE CLERK'S OFFICE. THAT'S ALL THAT I HAVE, MR. PRESIDENT. (LEGISLATIVE JOURNAL PAGES 531-532.) [LB1 LB2 LB3 LB4 LB5 LB6 LB7 LB8 LB9]

PRESIDENT FOLEY: THANK YOU, MR. CLERK. WE'LL NOW PROCEED TO THE FIRST ITEM ON THE AGENDA, GENERAL FILE. MR. CLERK.

CLERK: MR. PRESIDENT, LB111 IS A BILL ORIGINALLY INTRODUCED BY SENATOR LARSON. (READ TITLE.) THE BILL WAS INTRODUCED ON JANUARY 8. BILL WAS PRESENTED YESTERDAY, MR. PRESIDENT. AT THAT TIME, SENATOR LARSON OPENED ON HIS BILL. SENATOR MURANTE PRESENTED THE GOVERNMENT, MILITARY AND VETERANS AFFAIRS COMMITTEE AMENDMENTS.

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SENATOR CHAMBERS (RECORDER MALFUNCTION)... [LB111]

PRESIDENT FOLEY: SENATOR LARSON, I REALIZE YOU OPENED ON THE BILL YESTERDAY, BUT TODAY BEING A NEW DAY, YOU'RE WELCOME TO TAKE SOME TIME AT THIS POINT TO REFRESH US ON THE BILL. [LB111]

SENATOR LARSON: THANK YOU, MR. PRESIDENT. LB111 IS COMMONLY REFERRED TO AS VOTER ID. ONE THING THAT THE OPPONENTS TALK A LOT ABOUT IS RESTRICTING PEOPLE'S RIGHT TO VOTE. THAT'S NOT WHAT LB111 DOES. IT REQUIRES A PHOTO IDENTIFICATION WHEN YOU SHOW UP TO THE POLLS TO VOTE. AND IF YOU DO NOT HAVE THAT PHOTO IDENTIFICATION, YOU CAN STILL VOTE PROVISIONALLY. ABSOLUTELY NO ONE WILL BE TURNED AWAY AT THE POLLS WITH LB111, NO ONE. SO TO VOTE AGAINST THIS, VOTE AGAINST CLOTURE, VOTE AGAINST LB111, NOT ONLY ARE YOU NOT SECURING THE POSSIBILITY OF FAIR ELECTIONS, BUT WE'RE NOT TURNING ANYONE AWAY. VOTER ID IS COMMON SENSE. COUNTRIES AROUND THE WORLD HAVE VOTER ID, A MAJORITY OF COUNTRIES AND MOST FIRST-WORLD COUNTRIES, AND WE CAN GET INTO THAT EVENTUALLY. A COMMISSION THAT FORMER PRESIDENT JIMMY CARTER CHAIRED RECOMMENDED VOTER ID FOR THE ENTIRE COUNTRY. THIRTY-FOUR OTHER STATES HAVE VOTER ID. SEVENTY-NINE PERCENT OF NEBRASKANS SUPPORT IT, YET WE DON'T HAVE IT YET. AND THAT'S NOT RIGHT. NEBRASKANS DESERVE TO KNOW THAT THEIR ELECTIONS ARE FAIR WHILE AT THE SAME TIME UNDERSTANDING THAT EVERYBODY CAN PARTICIPATE. AND LB111 ALLOWS THAT. AND I THINK THAT'S IMPORTANT. AND THE FOLLOWING AMENDMENTS, I'VE HEARD FOR A NUMBER OF YEARS THERE ARE ISSUES THAT, WELL, WE MIGHT BE ABLE TO SUPPORT VOTER ID IF STUDENT IDS ARE IN THERE. THAT'S AN ISSUE. WE HAVE AN AMENDMENT THAT WILL DO THAT. WE MIGHT BE ABLE TO...YOU KNOW, WE WANT SAME-DAY VOTER REGISTRATION. I'M HAPPY TO GIVE THAT TO YOU. AND I HOPE, IF THOSE DO GET ADOPTED, THAT THOSE THAT OPPOSE THIS CAN THEN SUPPORT IT. WE'RE GOING TO SPEND THE REST OF THE WEEK ON THIS; PROBABLY LATE FRIDAY MORNING WE'LL HAVE THE OPPORTUNITY TO HIT CLOTURE. AND I WILL TAKE THIS TO CLOTURE. THERE WILL BE A VOTE. I'D PREFER IF YOU GUYS DIDN'T TAKE IT TO CLOTURE, BUT THAT'S PROBABLY NOT GOING TO HAPPEN EITHER. BUT LET'S HAVE THE DEBATE. HOPEFULLY, WE CAN GET TO THE AMENDMENTS. I KNOW THERE'S PRIORITY MOTIONS OUT THERE. AND LET'S TALK ABOUT THE AMENDMENTS. LET'S TALK ABOUT POLICY. WE'RE GOING TO HAVE, LIKE I SAID, A GOOD THREE DAYS. AND I APPRECIATE YOU GUYS PAYING ATTENTION, HAVING FUN. I KNOW SENATOR CHAMBERS IS GOING TO BE HAVING FUN THE NEXT THREE DAYS. I KNOW SENATOR MORFELD WILL BE, TOO, AS WILL I. MY DISTRICT OVERWHELMINGLY SUPPORTS VOTER ID, AS DO A MAJORITY OF NEBRASKANS AND A MAJORITY OF EVERY ONE OF YOUR DISTRICTS. SO THANK YOU, COLLEAGUES. I LOOK

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FORWARD TO THE DEBATE. AND I'D URGE YOUR SUPPORT ON LB111 AND THE UNDERLYING AMENDMENTS. [LB111]

PRESIDENT FOLEY: THANK YOU, SENATOR LARSON. AS THE CLERK INDICATED, THERE ARE COMMITTEE AMENDMENTS. SENATOR MURANTE, AS CHAIR OF THE GOVERNMENT AND MILITARY AFFAIRS COMMITTEE, I REALIZE YOU OPENED ON THOSE COMMITTEE AMENDMENTS YESTERDAY, BUT YOU'RE WELCOME TO TAKE SOME TIME NOW TO REFRESH US ON THE COMMITTEE AMENDMENTS. [LB111]

SENATOR MURANTE: THANK YOU, MR. LIEUTENANT GOVERNOR. MEMBERS, GOOD MORNING. IN ADDITION TO WHAT SENATOR LARSON HAD ARTICULATED REGARDING THE GREEN COPY OF LB111, THE COMMITTEE AMENDMENTS ADD A COUPLE OF DIFFERENT FORMS OF IDENTIFICATION AS SUFFICIENT FOR A BALLOT TO BE COUNTED. ONE IS A TRIBAL IDENTIFICATION CARD. THE OTHER ARE...THE SECOND IS A VOTER IDENTIFICATION CARD THAT WE ALL RECEIVE FROM OUR COUNTY OFFICIALS. AND THE THIRD WAS A CHANGE IN THE GREEN COPY OF THE BILL. IN THE GREEN COPY, FREE PHOTO IDENTIFICATION WOULD BE PROVIDED TO ANY NEBRASKAN WHO DECLARED THEMSELVES TO BE INDIGENT. THE COMMITTEE AMENDMENT TAKES THE WORD "INDIGENT" OUT AND JUST ALLOWS ANYONE IN THE STATE OF NEBRASKA TO RECEIVE AN IDENTIFICATION CARD, FREE OF CHARGE, FOR ANY REASON. THAT'S WHAT THE COMMITTEE AMENDMENTS DO. THANK YOU, MR. PRESIDENT. [LB111]

PRESIDENT FOLEY: THANK YOU, SENATOR MURANTE. (DOCTOR OF THE DAY AND VISITORS INTRODUCED.) MR. CLERK. [LB111]

CLERK: MR. PRESIDENT, SENATOR CHAMBERS HAD OFFERED YESTERDAY A MOTION TO BRACKET THE BILL UNTIL APRIL 15. SENATOR, I UNDERSTAND YOU WISH TO WITHDRAW THAT AT THIS TIME. MR. PRESIDENT, I DO HAVE ANOTHER PRIORITY MOTION. SENATOR CHAMBERS WOULD MOVE TO RECOMMIT LB111 TO COMMITTEE. [LB111]

PRESIDENT FOLEY: THANK YOU, MR. CLERK. SENATOR CHAMBERS, YOU'RE WELCOME TO OPEN ON YOUR MOTION. [LB111]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, I WOULD LIKE TO BEGIN BY ASKING THE INTRODUCER OF THIS BILL, SENATOR LARSON, A QUESTION OR TWO IF HE WILL YIELD. [LB111]

PRESIDENT FOLEY: SENATOR LARSON, WILL YOU YIELD? [LB111]

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SENATOR LARSON: YES. [LB111]

SENATOR CHAMBERS: SENATOR LARSON, HOW MANY AMENDMENTS DO YOU HAVE PENDING ON THIS BILL? [LB111]

SENATOR LARSON: FOUR OR FIVE, PERSONALLY. [LB111]

SENATOR CHAMBERS: COULD THERE BE MORE THAN FOUR OR FIVE? [LB111]

SENATOR LARSON: YEAH, I MIGHT HAVE...I WOULD HAVE TO GO BACK AND LOOK AT EXACTLY HOW MANY I HAVE PENDING, BUT I KNOW I HAVE A NUMBER OF AMENDMENTS PENDING ON THE BILL. [LB111]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, THERE MAY BE CLOSE TO A DOZEN AMENDMENTS OFFERED BY THE INTRODUCER. I HOPE THE NEW SENATORS WILL PAY ATTENTION TO WHAT I'M ABOUT TO SAY. I DO NOT LIKE THIS BILL. I WILL FIGHT IT TOOTH AND NAIL, BUT I ALSO AM CONCERNED ABOUT THE LEGISLATURE'S PROCESSES. I HAD COMPLAINED BITTERLY EARLY IN THE SESSION ABOUT THE CORRUPTION OF THE REFERENCING COMMITTEE'S PROCESSES, SENDING BILLS WHERE THEY HAD NO BUSINESS GOING, FOR POLITICAL REASONS, BECAUSE THERE WERE DEALS MADE AWAY FROM THE COMMITTEE TO GET PEOPLE TO AGREE TO SEND THE BILL TO A COMMITTEE WHERE IT SHOULDN'T GO. WHEN A BILL COMES OUT AND IT'S IN SUCH POOR SHAPE THAT THE INTRODUCER HAS ALMOST A DOZEN AMENDMENTS, IT'S A BILL THAT THE COMMITTEE, IF IT HAD DONE ITS WORK, OUGHT NOT TO ADVANCE. THIS IS STRICTLY POLITICAL. IT HAS NO MERIT. AND I HAVE OTHER ADJECTIVES I COULD ADD, WHICH I WON'T AT THIS TIME, BECAUSE I'M DEALING WITH THE PROCESS. THE MOTION TO RECOMMIT IS DESIGNED TO SEND A BILL WHICH HAS WHATEVER NUMBER OF FLAWS THAT THE BODY FEELS OUGHT TO BE WORKED OUT IN COMMITTEE, THAT MOTION WILL SEND IT BACK TO THAT COMMITTEE AND THE WORK WILL BE DONE THERE. IT IS CLEAR THAT THIS BILL IS NOT READY TO BE ADVANCED. I'M NOT GOING TO TRY TO ENTER THE MIND OF THE INTRODUCER, NOR WILL I INTERROGATE HIM ON WHAT EACH OF THESE AMENDMENTS IS FOR. HE KNOWS, I KNOW, EVERYBODY KNOWS THROUGHOUT THIS STATE THAT THIS IS PURELY A POLITICAL MOVE. EVERYBODY KNOWS, INCLUDING SENATOR GROENE, THAT THERE HAS BEEN NO DOCUMENTED CASE OF VOTER FRAUD. HIS VERY POSITION ENABLED ME TO TALK ABOUT THE ELASTICITY, THE FLEXIBILITY, THE CHANGEABLE, CHAMELEON-LIKE NATURE OF THE PRINCIPLES OF CERTAIN PEOPLE WHO CALL THEMSELVES CONSERVATIVES. HE STOOD ON THIS FLOOR AND RAILED AGAINST A BILL THAT WOULD HAVE REQUIRED MENINGITIS VACCINATIONS. AND HIS KEY POINT THAT HE KEPT COMING BACK TO OVER AND OVER AND OVER WAS THERE HAD BEEN NO

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CASES DURING A CERTAIN PERIOD OF TIME, SO WHY TALK ABOUT ANTICIPATING SOMETHING AND REQUIRING A MANDATE? THEN HE STOOD UP HERE THE OTHER DAY AND HIS ALTER EGO, OR HIS DOPPELGANGER, OUGHT TO HAVE STOOD RIGHT NEXT TO HIM AND TAPPED HIM ON THE SHOULDER WHEN HE EXPRESSED SUPPORT FOR THIS BILL AND SAID, SENATOR GROENE, LOOK AT ME, I AM YOU THE OTHER DAY AND YOU'RE SAYING THE OPPOSITE NOW TO WHAT YOU SAID THEN. I HAD THOUGHT THAT SENATOR GROENE WAS SINCERE. I KNOW HE WAS SINCERELY AGAINST THE BILL, BUT HE TALKED ABOUT BEING AGAINST ALL MANDATES, THE LACK OF WISDOM OF ENACTING A BILL TO ADDRESS AN ISSUE THAT HAD NOT ARISEN. BUT WE KNOW THAT POLITICIANS ARE POLITICAL, AND I KNOW THIS IS A REPUBLICAN MOVE. IT IS PART OF A NATIONAL STRATEGY. AND WHEN THE LEGISLATURE HERE FOLLOWS BEHIND, I CALL THIS A MONKEY-SEE-MONKEY-DO ACTION. THIS DID NOT ORIGINATE WITH THIS LEGISLATURE--MONKEY SEE, MONKEY DO, AN ECHO. ECHO, THAT'S WHAT THIS LEGISLATURE IS BEING ASKED TO BECOME BY THE "REPELICAN" PARTY. I HANDED OUT SOME MATERIALS--AND IF WE CONTINUE ON THIS BILL, I'M GOING TO HAND OUT MORE--THAT WILL SHOW THAT THE ONLY HINT OF SERIOUS MISCONDUCT WITH REFERENCE TO AN ELECTION WAS COMMITTED BY THE DOUGLAS COUNTY ELECTION COMMISSIONER, A "REPELICAN." THE INFORMATION THAT I DIDN'T INCLUDE IN THAT PACKET THAT'S ON YOUR DESK REFERRING TO THIS AS THE KKK VOTE SUPPRESSION TRAVESTY ARE TWO ARTICLES DEALING WITH COMMENTS BY THE SECRETARY OF STATE WHO SAID THAT WHAT THE DOUGLAS COUNTY ELECTION COMMISSIONER DID WAS TROUBLING, THAT IT OUGHT NOT TO HAVE BEEN DONE, BUT THAT HE WAS NOT GOING TO INVESTIGATE. THAT'S HOW MUCH "REPELICANS" CARE WHEN A SERIOUS WRONG HAS BEEN COMMITTED. THEY, IN THAT OFFICE, HAD CLOSED DOWN VARIOUS POLLING PLACES. THEN THEY SENT OUT CARDS DIRECTING PEOPLE TO A POLLING PLACE THAT WAS NONEXISTENT ANYMORE. THE DOUGLAS COUNTY ELECTION COMMISSIONER KNEW THAT THESE CARDS WERE INACCURATE, BUT HE SENT THEM OUT ANYWAY. AND WHEN ONE OF THE TELEVISION STATIONS CALLED HIS HAND, HE SAID, OH, HE WOULD CORRECT IT WITH ANOTHER MAILING. BUT WHAT THE TELEVISION PEOPLE DID WAS TO GO TO THE PRINTER, AND THE PRINTER POINTED OUT THAT BEFORE THOSE CARDS WERE MAILED, THERE WAS ENOUGH TIME TO HAVE MADE THE CORRECTION AND SENT OUT THE CORRECT CARDS IN THE FIRST PLACE. BUT THE INTENT WAS TO MISLEAD PEOPLE IN MY DISTRICT AND IN PARTS OF SOUTH OMAHA. THE VAST MAJORITY OF THE CLOSINGS OF THESE POLLING PLACES WERE IN THE AREAS WHERE THE MOST MINORITY VOTERS WERE LOCATED. AND THE "REPELICANS," AS THEY DO, WILL ROLL THEIR EYES TOWARDS THE SKY AND SAY, HONEST MISTAKE, INNOCENT MISTAKE. BUT WHENEVER YOU HAVE A SERIES OF EVENTS ORIGINATING AT THE SAME SOURCE AND THEY MOVE UNERRINGLY TOWARD THE SAME VICTIM, THAT IS NOT HAPPENSTANCE; THAT

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IS NOT COINCIDENCE; THAT IS NOT ACCIDENT; THAT IS DELIBERATE; THAT IS INTENTIONAL; THAT IS PREMEDITATED. AND HERE, A MAN LIKE SENATOR GROENE WILL TALK ABOUT, WELL, NO, THERE HASN'T BEEN ANY VOTER FRAUD BUT WE'VE GOT TO BE READY FOR THE FUTURE, AND THEN THERE'S A CONCRETE EXAMPLE OF SOMETHING ATROCIOUS, EGREGIOUS, DONE BY THE REPUBLICAN ELECTION COMMISSIONER IN DOUGLAS COUNTY, AND HE CAN SWALLOW THAT. WHERE IS HIS CONCERN? I INCLUDED A LETTER SENT TO ME BY THE U.S. ATTORNEY, SAYING HOW CONCERNED THEY ARE ABOUT INTERFERENCE WITH THE RIGHT TO VOTE. AND IT HAD NOTHING TO DO WITH VOTER FRAUD BUT, RATHER, THE ACTION BY AN ELECTION COMMISSIONER OF SENATOR GROENE'S PARTY. THAT WON'T BOTHER HIM. IT WON'T BOTHER THE OTHER "REPELICANS" IN HERE. IT DIDN'T BOTHER SECRETARY OF STATE GALE. AND WE MAY AS WELL BE VERY BLUNT AND VERY FRANK ABOUT THIS. AND THERE ARE OTHER ISSUES THAT I INTEND TO RAISE IF WE CONTINUE ON THIS BILL. I'M GOING TO SEE HOW MANY SENATORS, IF WE GO TO CLOTURE, ARE WILLING TO PARTICIPATE IN AN OBVIOUS TRAVESTY SUCH AS THIS ONE. AND IF YOU DO IT, THEN IT MEANS TO ME YOU'VE THROWN AWAY THE INTEGRITY OF THIS SESSION. YOU'VE THROWN IT AWAY. THERE ARE BILLS OF MINE... [LB111]

PRESIDENT FOLEY: ONE MINUTE. [LB111]

SENATOR CHAMBERS: ...THAT MEAN SOMETHING TO ME. BUT SINCE I WILL BE BACK, THEY DON'T MEAN AS MUCH TO ME AS THE INTEGRITY OF THIS LEGISLATURE AS AN INSTITUTION AND THE INTEGRITY OF THE VOTING PROCESS, SO I WILL TEAR UP THE REST OF THE SESSION. AND IF SOMEBODY STANDS UP AND SAYS, IS THAT A THREAT, TAKE IT FOR WHATEVER YOU WANT TO. BUT DO IT AS YOU PLEASE AND LET THE PEOPLE OUTSIDE OF THIS LEGISLATURE DICTATE WHAT HAPPENS HERE. BUT THEY'RE NOT GOING TO DICTATE TO ME. AND I WILL SHOW THAT I WILL FIGHT TOOTH AND NAIL THE REST OF THE SESSION. BUT BECAUSE OF MY AFFINITY WITH THE MOUNTAIN LIONS, LET ME CHANGE THAT EXPRESSION TO FANG AND CLAW. THANK YOU, MR. PRESIDENT. [LB111]

PRESIDENT FOLEY: THANK YOU, SENATOR CHAMBERS. ITEMS FOR THE RECORD, MR. CLERK. [LB111]

CLERK: MR. PRESIDENT, THANK YOU. VERY QUICKLY, ENROLLMENT AND REVIEW REPORTS LB155, LB439, LB179, LB164, LB207 TO SELECT FILE, SOME OF THOSE HAVING ENROLLMENT AND REVIEW AMENDMENTS ATTACHED. HEARING NOTICE FROM HEALTH AND HUMAN SERVICES COMMITTEE, SIGNED BY SENATOR CAMPBELL. HEALTH COMMITTEE ALSO REPORTS LB12 TO GENERAL FILE WITH COMMITTEE AMENDMENTS ATTACHED. SENATOR

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BLOOMFIELD WOULD LIKE TO PRINT AN AMENDMENT TO LB122. SENATOR JOHNSON OFFERS A NEW RESOLUTION, LR58, THAT WILL BE LAID OVER AT THIS TIME. THAT'S ALL THAT I HAVE. THANK YOU, MR. PRESIDENT. (LEGISLATIVE JOURNAL PAGES 532-535.) [LB155 LB439 LB179 LB164 LB207 LB12 LB122 LR58]

PRESIDENT FOLEY: THANK YOU, MR. CLERK. THERE ARE CURRENTLY NINE SENATORS IN THE SPEAKING QUEUE: SENATOR NORDQUIST, SENATOR MORFELD, SENATOR HANSEN, SENATOR LINDSTROM, SENATOR CHAMBERS, SENATOR CRAWFORD, SENATOR LARSON, SENATOR GROENE, AND SENATOR SCHUMACHER. SENATOR NORDQUIST, YOU'RE RECOGNIZED. [LB111]

SENATOR NORDQUIST: THANK YOU, MR. PRESIDENT AND MEMBERS. SENATOR CHAMBERS KIND OF HIT THE NAIL ON THE HEAD WITH THE MOTION TO RECOMMIT HERE. I WAS THINKING ABOUT THIS YESTERDAY AFTERNOON AFTER LOOKING THROUGH THE AMENDMENTS THAT ARE FILED TO THIS BILL. IN ADDITION TO THE COMMITTEE AMENDMENT, WHICH MAKES CHANGES TO THE UNDERLYING BILL, THE INTRODUCER AND THE CHAIR OF THE COMMITTEE THAT THIS BILL WAS ADVANCED FROM COMBINED HAVE EIGHT AMENDMENTS FILED TO IT. IT MAKES YOU QUESTION THE AMOUNT OF TIME AND THOUGHT THAT WAS PUT IN DURING THE COMMITTEE DELIBERATIONS THAT, AFTER A BILL HAS BEEN MOVED OUT WITH THE COMMITTEE AMENDMENT, WE NEED TO MAKE POTENTIALLY EIGHT CHANGES TO IT? WE HAVE A COMMITTEE PROCESS FOR A REASON. WE PUT PEOPLE ON THOSE COMMITTEES SO THEY STUDY THE ISSUES, SPEND TIME ON THEM, AND THEN ADVANCE POTENTIALLY EITHER THE BILL ITSELF OR A BILL WITH A COMMITTEE AMENDMENT WITH CHANGES INCORPORATED THAT THE COMMITTEE SUPPORTS. I THINK IT VERY MUCH RAISES THE QUESTION ON EACH OF THESE EIGHT PENDING AMENDMENTS THAT THE INTRODUCER OR THE COMMITTEE CHAIR HAVE, WHETHER OR NOT THE COMMITTEE SUPPORTS THESE CHANGES AND, IF SO, WHY THEY WEREN'T INCORPORATED INTO THE LARGER COMMITTEE AMENDMENT. I KNOW THAT SOME OF THESE ISSUES, JUST LOOKING THROUGH THE FIRST COUPLE OF THE AMENDMENTS, THE STUDENT ID ISSUE WAS CERTAINLY BROUGHT UP AT THE COMMITTEE HEARING. AND THE QUESTION IS, WHY WAS THAT NOT INCORPORATED INTO THE GOVERNMENT COMMITTEE AMENDMENT? NOW, AS SOMEONE WHO HAS CHAIRED A COMMITTEE FOR FIVE YEARS, I WILL SAY, THERE ARE TIMES THAT YOU ADVANCE A COMMITTEE AMENDMENT AND SOMETHING COMES UP AFTER THE FACT. AND OCCASIONALLY YOU RUN AN AMENDMENT TO THAT COMMITTEE AMENDMENT TO MAKE A CHANGE, OR YOU RUN AN AMENDMENT TO INCORPORATE SOME OTHER BILL LATER. THAT HAPPENS, BUT TO HAVE A COMBINED EIGHT AMENDMENTS FILED TO IT AFTER THE FACT RAISES SOME DOUBT ABOUT THE THOUGHTFUL PROCESS THAT SHOULD HAVE TAKEN

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PLACE PRIOR TO THE BILL COMING TO THE FLOOR. WOULD SENATOR MURANTE YIELD TO A QUESTION? [LB111]

PRESIDENT FOLEY: SENATOR MURANTE, WOULD YOU YIELD? [LB111]

SENATOR MURANTE: YES, I WOULD. [LB111]

SENATOR NORDQUIST: SENATOR MURANTE, WITH THE EIGHT AMENDMENTS THAT ARE FILED BETWEEN YOURSELF AND SENATOR LARSON, CAN YOU COMMENT AS TO THE GOVERNMENT COMMITTEE'S SUPPORT OF THOSE CHANGES AND MAYBE WHY THOSE CHANGES WEREN'T INITIALLY INCORPORATED INTO AM233? [LB111]

SENATOR MURANTE: I CAN'T SPEAK FOR THE OTHER MEMBERS OF THE COMMITTEE. I CAN JUST SPEAK FOR MYSELF. [LB111]

SENATOR NORDQUIST: OKAY. SO THESE ISSUES WEREN'T DISCUSSED AT THE COMMITTEE LEVEL? [LB111]

SENATOR MURANTE: ON AN INDIVIDUAL BASIS WE DIDN'T DISCUSS IT IN EXECUTIVE SESSION. WHAT WE TRIED TO DO WAS LISTEN TO THE TESTIMONY OF PARTICULARLY THE OPPONENTS WHO CAME IN, AND TRIED TO ONE BY ONE ADDRESS THEIR CONCERNS, AND THAT'S... [LB111]

SENATOR NORDQUIST: OKAY, OKAY. [LB111]

SENATOR MURANTE: THAT'S THE PURPOSE FOR SEVERAL OF THE AMENDMENTS. AND PLUS, ONE OF MY AMENDMENTS PERTAINS TO A CONCEPT THAT I THINK IS WORTHY OF DISCUSSION ON THE FLOOR OF THE LEGISLATURE THAT SENATOR SCHUMACHER BROUGHT TO THE GOVERNMENT COMMITTEE RELATIVE TO PRIVACY SLEEVES IN... []

SENATOR NORDQUIST: I REMEMBER THAT. RIGHT. [LB111]

SENATOR MURANTE: ...BOTH FOR VOTE-BY-MAIL AND FOR EARLY VOTING. [LB111]

SENATOR NORDQUIST: RIGHT. THANK YOU. SO I THINK THAT, YOU KNOW, AS...WITH WHAT SENATOR MURANTE JUST SAID HERE, I THINK THAT WE SHOULD RECOMMIT THIS BILL TO COMMITTEE, TAKE THESE EIGHT AMENDMENTS--MAYBE THERE ARE OTHERS THAT THE COMMITTEE SHOULD TAKE A POSITION ON--AND READVANCE THE BILL IF THEY SO CHOOSE WITH A COMMITTEE AMENDMENT THAT CONSIDERS THESE CHANGES. THIS KIND OF

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PIECEMEAL APPROACH CERTAINLY DOESN'T GIVE THE COMMITTEE ITS ABILITY TO WEIGH IN, IN A WAY THAT IT SHOULD. YESTERDAY, WE HEARD COMMENTS THAT EITHER THIS BILL IS TO PREVENT FRAUD OR TO ADDRESS THE PERCEPTION OF FRAUD. AND I JUST WANT TO PICK ON ONE COMPONENT OF THE COMMITTEE AMENDMENT THAT I THINK DOES NEITHER AND WOULD ACTUALLY CREATE BIGGER PROBLEMS. AND THAT'S THE VOTER REGISTRATION IDENTIFICATION CARD. THAT MAY SOUND LIKE A GREAT DOCUMENT THAT WE CAN IDENTIFY VOTERS WITH, AND LAST TIME WE DEBATED THIS BILL...I ACTUALLY USED TO CARRY IT IN MY WALLET. [LB111]

PRESIDENT FOLEY: ONE MINUTE. [LB111]

SENATOR NORDQUIST: I THINK I'VE LOST IT BY NOW. BUT ESSENTIALLY, IT'S A PIECE OF CARD STOCK, NOT GLOSSY, NOT LAMINATED, NOTHING, JUST CARD STOCK WITH SOME BLACK-AND-WHITE PRINT ON IT. I COULD SIT DOWN WITH A GRAPHIC DESIGNER, PROBABLY WITHIN AN HOUR, AND TURN OUT A SIMILAR DOCUMENT. I COULD GET A ROLL OF VOTERS, DATA MERGE IT, AND PRINT OUT 2,000 OF THEM WITHIN AN HOUR AND A HALF. AND I COULD SEND MY FRAUDULENT VOTERS OUT NOW WITH A VERY SIMPLE IDENTIFICATION. AND IS THE POLL WORKER GOING TO QUESTION THE AUTHENTICITY OF THAT DOCUMENT, OF A PIECE OF CARD STOCK WITH BLACK-AND-WHITE PRINT? WE'RE NOT ADDRESSING FRAUD. AND, WELL, MAYBE WE'RE GLOSSING OVER AND GIVING PEOPLE A PAT ON THE BACK, SAY, YEAH, WE ARE ADDRESSING FRAUD. BUT QUITE FRANKLY, JUST WITH THAT ONE COMPONENT, FRAUD CAN EXIST VERY EASILY AND WE MAY BE EVEN MAKING IT EASIER FOR PEOPLE TO COMMIT FRAUD WHEN THEY SHOW UP AT THE POLLING PLACE WITH A DOCUMENT THAT YOU COULD CREATE ON YOUR DESKTOP PRINTER AT HOME. [LB111]

PRESIDENT FOLEY: TIME, SENATOR. [LB111]

SENATOR NORDQUIST: THANK YOU. [LB111]

PRESIDENT FOLEY: THANK YOU, SENATOR NORDQUIST. SENATOR MORFELD, YOU'RE RECOGNIZED. [LB111]

SENATOR MORFELD: COLLEAGUES, I RISE IN SUPPORT OF THE MOTION TO RECOMMIT THE BILL TO COMMITTEE FOR THE REASONS THAT SENATOR CHAMBERS AND SENATOR NORDQUIST HAVE ALREADY TALKED ABOUT. AS I DISCUSSED YESTERDAY, I'M STRONGLY OPPOSED TO THIS LEGISLATION AND ANY AMENDMENTS THAT MAY BE MADE TO IT. AND I'M STRONGLY OPPOSED TO IT BECAUSE THIS IS THE PERFECT EXAMPLE OF AN UNNECESSARY, BURDENSOME GOVERNMENT REGULATION ON A FUNDAMENTAL RIGHT.

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BEFORE WE BURDEN FUNDAMENTAL RIGHTS, THERE MUST BE A COMPELLING STATE INTEREST. THERE IS NO COMPELLING STATE INTEREST HERE. IN FACT, THE CHAIR OF THE COMMITTEE THAT THIS BILL CAME OUT OF NOTED THAT NO CHARGES OF VOTER IMPERSONATION WERE PRESENTED TO THE COMMITTEE BY THE INTRODUCER OF THIS BILL OR THE SUPPORTERS OF THIS BILL. SO WHY WOULD WE BURDEN A FUNDAMENTAL RIGHT? AND I WANT TO TALK A LITTLE BIT TODAY ABOUT THE PROCESS. I'VE BEEN WORKING IN ELECTION LAW FOR ABOUT SEVEN YEARS NOW. I SERVED AS AN ELECTION JUDGE ONCE AND I'VE OBSERVED AT LEAST THREE OR FOUR DIFFERENT ELECTIONS AS AN OFFICIAL OBSERVER. AND TO IMPERSONATE A VOTER, THERE HAS TO BE SEVERAL THINGS THAT FALL INTO PLACE. FIRST, YOU HAVE TO KNOW THE NAME OF THE VOTER THAT YOU WANT TO IMPERSONATE. THEN YOU HAVE TO KNOW THEIR ADDRESS. AND THEN YOU CAN GO TO THE SECRETARY OF STATE'S WEB SITE AND FIND OUT WHERE THEIR POLLING LOCATION IS. THAT CAN BE DONE. THAT'S NOT OUT OF THE REALM OF POSSIBILITY. BUT THEN YOU HAVE TO SHOW UP AT THE POLLING LOCATION AND HOPE THAT, NUMBER ONE, THE ELECTION JUDGE DOESN'T KNOW WHO THAT PERSON YOU'RE IMPERSONATING IS, WHICH IN MANY OF YOUR COMMUNITIES, PARTICULARLY RURAL COMMUNITIES, EVERYBODY PRETTY MUCH KNOWS EVERYBODY. NOW IN THE URBAN COMMUNITIES, IT MIGHT BE A LITTLE BIT DIFFERENT. BUT THAT BEING SAID, ASSUMING THE POLL WORKER DOESN'T KNOW WHO THE PERSON THAT YOU'RE TRYING TO IMPERSONATE ALREADY IS, THEN YOU HAVE TO HOPE THAT THAT PERSON HASN'T ALREADY REQUESTED A PROVISIONAL...EXCUSE ME, NOT A PROVISIONAL BALLOT, BUT A VOTE-BY-MAIL BALLOT, BECAUSE IT'S GOING TO SHOW UP ON THE ROLLS THAT THAT PERSON HAS ALREADY RECEIVED A BALLOT AND THEY WON'T BE ABLE TO GIVE YOU ONE THEN. AND THEN YOU HAVE TO HOPE THAT THAT PERSON HASN'T ALREADY COME IN AND VOTED THEMSELVES, BECAUSE THAT'S GOING TO ALERT THE POLL WORKERS THAT SOMETHING IS AMISS. AND THEN, AFTER THAT, YOU HAVE TO HOPE THAT THAT PERSON DIDN'T ACTUALLY COME IN AFTER YOU'VE ALREADY VOTED FOR THEM, BECAUSE THEN THAT'S ALSO GOING TO SHOW THAT SOMETHING IS AGAIN AMISS. AND THEN YOU HAVE TO HOPE THAT ONCE YOU'VE IMPERSONATED THAT INDIVIDUAL, THAT THERE AREN'T CAMERAS IN THE POLLING PLACE, WHICH SOME OF THESE AREAS THERE ARE, PARTICULARLY URBAN AREAS, THAT WILL IDENTIFY WHO YOU ARE AND THAT YOU IMPERSONATED THAT INDIVIDUAL. AND THE FACT OF THE MATTER IS, IS THAT SOME PEOPLE WILL SAY, HEY, YOU KNOW, WHAT, VOTER IMPERSONATION FRAUD MIGHT BE GOING ON. WE DON'T KNOW. BUT WE DO KNOW. WE HAVE ONE OF THE LARGEST SAMPLE SIZES IN THE UNITED STATES. IT'S CALLED A PRESIDENTIAL ELECTION. AND EVERY FOUR YEARS, 80-90 PERCENT OF REGISTERED VOTERS, THE ONLY TYPE OF VOTERS THAT YOU CAN IMPERSONATE, SOMEONE WHO IS ALREADY REGISTERED, 80-90 PERCENT OF THOSE

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REGISTERED VOTERS SHOW UP AT THE POLLS. THAT'S A HUGE SAMPLE SIZE. AND IF PEOPLE WERE BEING IMPERSONATED, WE WOULD KNOW ABOUT IT, BECAUSE THOSE REGISTERED VOTERS WOULD BE SHOWING UP TO THE POLLS AND THEY WOULD BE TOLD, HEY, YOU ALREADY VOTED. AND I DON'T KNOW ABOUT YOU, BUT IF I'M A REGISTERED VOTER AND I'M COMING TO VOTE FOR WHO I WANT, OR EVEN MAYBE FOR MYSELF IF I'M ON THE BALLOT, AND I'M TOLD, HEY, MR. MORFELD, YOU'VE ACTUALLY ALREADY VOTED, I'M NOT GOING TO WALK AWAY AND GO, OH, WELL, EXCUSE ME, (LAUGH) I'VE ALREADY VOTED, NO BIG DEAL. NO, I'M GOING TO ALERT THE POLL WORKER THAT SOMETHING IS WRONG, THAT I HAVE NOT VOTED, THAT SOMEBODY HAS IMPERSONATED ME. WE DO NOT SEE THAT. WE HAVE NOT SEEN IT IN THE STATE OF NEBRASKA... [LB111]

PRESIDENT FOLEY: ONE MINUTE.

SENATOR MORFELD: ...AND HAVE NOT SEEN IT STATEWIDE. WE HAVE TO THINK LOGICALLY ABOUT THE PROBLEM THAT WE'RE TRYING TO ADDRESS HERE, A PROBLEM THAT DOES NOT EXIST. AND IF IT DID EXIST, WE WOULD KNOW ABOUT IT. SOMETHING ELSE WAS NOTED THAT, WELL, LISTEN, EVERYBODY WILL BE ABLE TO VOTE, YOU'LL BE ABLE TO FILL OUT A PROVISIONAL BALLOT. NUMBER ONE, AS SOMEBODY WHO WAS A POLL WORKER, THE PROVISIONAL BALLOT PROCESS IS LENGTHY AND CUMBERSOME. AND THEN, NUMBER TWO, IF YOU JUST GET TO FILL OUT A PROVISIONAL BALLOT AND ALL IS DONE, THEN WHAT IS THE POINT OF THIS BILL? THE FACT OF THE MATTER IS, IS THAT THERE IS NO POINT TO THIS BILL, THAT IF YOU FILL OUT A PROVISIONAL BALLOT ALL THEY'RE DOING IS CHECKING TO MAKE SURE THAT THAT PERSON THAT FILLED OUT THE PROVISIONAL BALLOT IS ACTUALLY REGISTERED AT THAT ADDRESS. THERE IS NO IDENTIFICATION. THERE IS NO OTHER TYPES OF SCRUTINY THAT IS APPLIED TO THAT PROVISIONAL BALLOT, ONLY THAT THEIR ADDRESS AND REGISTRATION IS CORRECT AND CURRENT. SO IF THAT IS THE CASE, THERE IS ABSOLUTELY NO PURPOSE TO THIS BILL, AND IT'S CERTAINLY NOT A PURPOSE TO IDENTIFY THE VOTER AND TO ENSURE THAT... [LB111]

PRESIDENT FOLEY: TIME, SENATOR. [LB111]

SENATOR MORFELD: ...THERE ISN'T VOTER IMPERSONATION. THANK YOU. [LB111]

PRESIDENT FOLEY: THANK YOU, SENATOR MORFELD. (VISITORS INTRODUCED.) SENATOR HANSEN, YOU'RE RECOGNIZED. [LB111]

SENATOR HANSEN: THANK YOU, MR. PRESIDENT. I RISE IN CONTINUED

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OPPOSITION TO THIS BILL AND TO SUPPORT THE MOTION TO RECOMMIT TO COMMITTEE. AS A MEMBER OF THE COMMITTEE, THERE ARE CERTAINLY A NUMBER OF ISSUES THAT WE CERTAINLY COULD HAVE TALKED ABOUT AND ADDRESSED THAT ARE APPEARING IN AMENDMENTS THAT'S I'M SEEING FOR THE FIRST TIME WHEN I CHECKED THE BILL. GOING ON TO THE EARLIER POINT MADE BY SENATOR MORFELD, SENATOR NORDQUIST, SENATOR CHAMBERS, THIS BILL JUST SEEMS FRAUGHT WITH CONTRADICTIONS. SENATOR MORFELD JUST ADDRESSED THE IDEA OF THE PROVISIONAL BALLOT WHERE, IF YOU DON'T HAVE ID, YOU GET TO VOTE PROVISIONALLY WITHOUT ID. WELL, WHAT'S THE POINT OF THE BILL THEN? IF THIS IS TO SAFEGUARD OUR ELECTIONS, IF THIS IS TO INSPIRE CONFIDENCE IN OUR ELECTIONS, WHY DO WE HAVE THIS OPT-OUT CLAUSE EXCEPT, YOU KNOW, WHEN WE DON'T WANT IT TO APPLY. AND GOING BACK TO SENATOR NORDQUIST'S POINT, LUCKILY FOR HIM, I DO HAVE AN EXAMPLE OF THE VOTER REGISTRATION CARD THAT THE ELECTION COMMISSIONER SENDS OUT. THIS PARTICULAR ONE IS LIKE THE ONE I HAVE SOMEWHERE AT HOME BUT I DON'T HAVE WITH ME TODAY, BUT WAS A SAMPLE PROVIDED TO THE GOVERNMENT COMMITTEE. AND IT IS A POSTCARD-SIZED PIECE OF THIN CARD STOCK. IT'S VERY BENDABLE AND JUST HAS BLACK INK ON A PIECE OF YELLOW CARD STOCK. THERE'S NO SECURITY FEATURES. THERE'S NO...OUTSIDE OF THE MAILING ADDRESS, THERE'S NO BARCODE. THERE'S NOTHING THAT WOULD NOT BE REPRODUCIBLE BY, FRANKLY, YOU KNOW, A SEARCH OF THE PHONE BOOK. SO IF ANYBODY ELSE IS INTERESTED IN SEEING THESE CARDS, BY ALL MEANS, I WOULD HAVE A COPY AND BE WILLING TO SHOW IT TO ANYONE THAT YOU COULD SEE EXACTLY HOW LIGHT THIS IS. THAT BEING SAID, THAT JUST GOES TO SHOW ANOTHER CONTRADICTION IS IF WE HAVE TO...IF WE WERE TRULY CONCERNED THAT PEOPLE ARE COMING IN AND IMPERSONATING OTHER PEOPLE SUCH THAT WE HAVE TO HAVE AN ID AND WE HAVE TO HAVE AN ID THAT VERIFIES ADDRESS, WHY THEN WOULD WE MAKE AN EXCEPTION FOR AN ID THAT DOESN'T HAVE A PICTURE AND DOESN'T HAVE ANY SECURITY FEATURES, DOESN'T HAVE A HOLOGRAPH, DOESN'T HAVE ANY SORT OF MECHANISM THAT WE'D EXPECT WITH DRIVER'S LICENSE OR STATE ID CARDS? YOU KNOW, FURTHER, WHILE WE'RE REQUIRING THE ADDRESS REQUIREMENT, THERE'S BEEN THE DISCUSSION OF STUDENT IDS. WELL, I KNOW FROM WHEN I WAS A STUDENT AT UNL AND UNL LAW, MY STUDENT ID WOULDN'T HAVE QUALIFIED BECAUSE MY STUDENT ID DIDN'T HAVE AN ADDRESS. THAT SIMPLY SEEMS LIKE ANOTHER CONTRADICTION IS, YOU KNOW, IF WE'RE WORRIED PEOPLE ARE VOTING IN THE WRONG PRECINCT AS THE WRONG PEOPLE, WELL, WHY ON EARTH, YOU KNOW, ARE WE ADDING ALL THESE EXCEPTIONS AND AMENDMENTS TO IT TO INCLUDE OTHER IDS THAT CUT AGAINST THAT OVERALL THEME OF WE HAVE TO VERIFY THE RIGHT PICTURE AND THE RIGHT ADDRESS? IT JUST SEEMS FRAUGHT WITH CONTRADICTIONS. I WOULD

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DEFINITELY SUPPORT A RECOMMIT TO COMMITTEE. AND WITH THAT, I KNOW THIS IS SENATOR CHAMBERS' MOTION, AND SO IF HE WOULD LIKE THE REMAINDER OF MY TIME, I WOULD YIELD THAT TO HIM. [LB111]

PRESIDENT FOLEY: SENATOR CHAMBERS, ABOUT 2:00. [LB111]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. THANK YOU, MY YOUNG COLLEAGUE. MEMBERS OF THE LEGISLATURE, I HAVE NOW HANDED OUT THE TWO ARTICLES I TOLD YOU, TO SHOW HOW THE SECRETARY OF STATE DEALT WITH THAT MISCONDUCT BY THE DOUGLAS COUNTY ELECTION COMMISSIONER. HE WAS CONCERNED WHEN HE HEARD ABOUT IT. BUT THEN HE DECIDED HE WOULDN'T DO ANYTHING ABOUT IT. AND THE LIEUTENANT GOVERNOR KNOWS THAT I WAS UPSET WITH WHAT THIS SECRETARY OF STATE DID BY ALLOWING THE CURRENT LIEUTENANT GOVERNOR TO BE PUT ON THE BALLOT AS A RUNNING MATE OF MR. RICKETTS' WHEN MR. RICKETTS' FIRST CHOICE HAD TO GET OFF. BUT THAT'S A PERSON WHO HAS FLEXIBLE, ELASTIC, CHANGEABLE PRINCIPLES. THEY LIKE TO TALK AND GIVE THE APPEARANCE OF BEING IN LOVE WITH THE LAW, THE REGULARITY THAT IS SUPPOSED TO BE CREATED BY THE LAW. [LB111]

PRESIDENT FOLEY: ONE MINUTE. [LB111]

SENATOR CHAMBERS: BUT WHEN THE RUBBER HITS THE ROAD, THEY GET NO TRACTION. HIS TIRES SPIN, BUT THE VEHICLE DOES NOT MOVE BECAUSE THERE IS SOMETHING OTHER THAN STRAIGHTFORWARDNESS, FRANKNESS, EVEN EARNESTNESS, WHICH WILL NOT BE FOUND. AND THIS THING TOUCHES ME DEEPLY. WHEN I SPEAK AGAIN, I WILL HAVE OTHER THINGS TO SAY. BUT SINCE I'M WRAPPING UP THE TIME THAT A COLLEAGUE GAVE ME, I'M TRYING TO SPEAK WITH A BIT MORE RESTRAINT. BUT THERE IS RESTRAINT, THERE IS RESTRAINT, AND THERE IS RESTRAINT IN THE SAME WAY THAT A ROSE IS A ROSE IS A ROSE. THANK YOU, MR. PRESIDENT. [LB111]

PRESIDENT FOLEY: THANK YOU, SENATORS HANSEN AND SENATOR CHAMBERS. SENATOR LINDSTROM, YOU'RE RECOGNIZED. [LB111]

SENATOR LINDSTROM: THANK YOU, MR. PRESIDENT AND SENATORS. I RISE IN OPPOSITION TO LB111. IT DOESN'T MAKE SENSE TO ME THAT IN THIS DAY AND AGE YOU'RE ABLE TO GO ABOUT YOUR DAILY BUSINESS WITHOUT AN ID. I GET IT. BUT THE REALITY IS THAT SOME PEOPLE DO NOT. SO NOW WE'RE LOOKING AT CLOSING IN ON \$1 MILLION BY THIS FISCAL NOTE. AND FROM WHAT OTHERS HAVE SAID ON THE FLOOR, WE DON'T ACTUALLY KNOW HOW MUCH THIS BILL IS GOING TO COST ONCE AMENDMENTS ARE ADDED IN. AND WE DON'T HAVE ANY CASES OF ACTUAL IN-PERSON VOTER FRAUD IN NEBRASKA.

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WE HAVE TWO CASES OF REGISTRATION FRAUD THAT HAVE BEEN HEARD IN THE STATE, ONE IN 2004 AND ONE IN 2010, BUT NO CASES OF IN-PERSON VOTER FRAUD HAVE OCCURRED. SO THE QUESTION FOR ME BECOMES, DOES THE COST OFFSET THE PROBLEM? AND FOR ME, THAT ANSWER IS NO. THE DOUGLAS COUNTY ELECTION COMMISSIONER, ATTORNEY GENERAL, AND SECRETARY OF STATE HAVE NOT RECOGNIZED A PROBLEM, AND THEY'RE THE EXPERTS ON THIS TOPIC. IN MY MIND, THE MONEY THAT WE'RE SPENDING ON THIS BILL COULD BE BETTER USED FOR PROPERTY TAX RELIEF, WHICH IS AN ISSUE OF HIGH IMPORTANCE IN THIS LEGISLATIVE SESSION. ABSENTEE BALLOT FRAUD IS THE REAL CONCERN OCCURRING ACROSS THE COUNTRY AND IS SOMETHING THAT THIS BILL DOES NOT ADDRESS. THE CHANCE OF ORGANIZED COERCION IS GREATER WITH ABSENTEE BALLOTS. IN INDIANA, IN 2003, THERE WAS A CASE WHERE 46 PEOPLE WERE FOUND TO HAVE BROUGHT ABSENTEE BALLOT VOTES FOR A MAYORAL CANDIDATE WHO WAS EVENTUALLY STRIPPED OF HIS PRIMARY VICTORY. IN 2010, THE SHERIFF AND CLERK IN WEST VIRGINIA PLED GUILTY TO THE...TO DISTRIBUTING ABSENTEE BALLOTS TO UNQUALIFIED VOTERS AND MARKING THE BALLOTS FOR THEM. IN FLORIDA, IN 2012, A WOMAN WAS CONVICTED OF FELONY VOTE FRAUD FOR WALKING INTO NURSING HOMES AND FILLING OUT ABSENTEE BALLOTS FOR RESIDENTS. AS A FISCAL CONSERVATIVE, I CANNOT JUSTIFY THE COST OF THIS BILL WHEN WE HAVE MUCH BIGGER ITEMS ON THIS SESSION'S AGENDA, SUCH AS PROPERTY TAX RELIEF FOR NEBRASKANS. I VOTED AGAINST LB18, THE VACCINATION BILL, FOR THE SAME REASON I'LL VOTE AGAINST LB111: THE NUMBERS ARE NOT THERE TO JUSTIFY THE COST. THANK YOU, AND I YIELD THE REST OF MY TIME TO SENATOR MURANTE. [LB111 LB18]

PRESIDENT FOLEY: SENATOR MURANTE, ABOUT 2:45. [LB111]

SENATOR MURANTE: THANK YOU, MR. PRESIDENT. THANK YOU, SENATOR LINDSTROM. AND I THINK IT WAS A VERY THOUGHTFUL FLOOR SPEECH AND I APPRECIATE WHERE YOU'RE COMING FROM ON LB111. I THINK I VERY MUCH RESPECT WHAT YOU HAVE TO SAY ABOUT IT. BUT I HAVE TO RISE AGAINST THE RECOMMIT MOTION AND LET ME TELL YOU WHY. LET ME TELL YOU WHAT'S GOING TO HAPPEN IF WE RECOMMIT THIS BILL TO COMMITTEE RIGHT NOW. IT'S GOING TO GO BACK TO THE GOVERNMENT COMMITTEE AND WE WILL HAVE AN EXECUTIVE SESSION BEFORE THE END OF THE WEEK TO SEND THE BILL BACK TO GENERAL FILE. AND IT WILL BE BACK ON GENERAL FILE IN THE BOTTOM OF WORKSHEET ORDER, AVAILABLE FOR ANYONE TO PRIORITIZE, AND IT WILL BE BACK ON THE FLOOR FOR DISCUSSION AT SOME POINT THIS YEAR. SO IF YOU WANT THIS DEBATE TO HIT AN ALL-TIME RECORD LENGTH OF THE AMOUNT OF TIME THAT WE SPEND ON A BILL THIS YEAR, VOTE TO RECOMMIT IT TO COMMITTEE. BUT IF YOU WANT TO KILL IT, LET'S

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JUST KILL IT. FILE A BRACKET MOTION AND KILL THE THING AND WE'LL BE DONE WITH IT. WE CAN BE DONE BY THE END OF THE DAY IF YOU'VE GOT THE VOTES TO KILL IT. THE RECOMMIT MOTION...I APPRECIATE THE PEOPLE WHO OPPOSE THIS BILL. THERE ARE LEGITIMATE CONCERNS AND I DO NOT OFFER ANY INDICTMENTS FOR THE OPPONENTS OF THIS BILL BECAUSE I THINK THEY HAVE BROUGHT LEGITIMATE CONCERNS IN A VERY THOUGHTFUL WAY AND I UNDERSTAND WHERE THEY'RE COMING FROM. I MIGHT NOT AGREE WITH THEM, BUT I UNDERSTAND WHERE THEY'RE COMING FROM. BUT IN MY OPINION, IF WE WANT TO KILL THE BILL, LET'S BRACKET IT. LET'S NOT PROLONG THE PAIN. LET'S NOT PROLONG THE DEBATE. WE CAN GET THIS DONE AND SEE WHERE PEOPLE ARE, SEE WHERE THE FLOOR IS. BUT IF WE RECOMMIT, ALL WE'RE DOING IS DELAYING THIS DEBATE. [LB111]

PRESIDENT FOLEY: ONE MINUTE. [LB111]

SENATOR MURANTE: WE'RE KICKING THE CAN DOWN THE ROAD AND WE'RE GOING TO FORCE THIS LEGISLATURE TO MAKE A DECISION TWO WEEKS FROM NOW, INSTEAD OF TODAY, AND WE'LL BE RIGHT BACK WHERE WE ARE. SO I'D ENCOURAGE YOU TO VOTE AGAINST THE RECOMMIT MOTION. AND IF YOU DON'T LIKE THE BILL THEN, LIKE I SAID, LET'S JUST...LET'S END...LET'S FILE A MOTION TO BRACKET AND LET'S KILL IT. THANK YOU, MR. PRESIDENT. [LB111]

PRESIDENT FOLEY: THANK YOU, SENATORS LINDSTROM AND MURANTE. SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB111]

SENATOR CHAMBERS: MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, I AM PERSONALLY AFFRONTED, INSULTED, AND OFFENDED BY WHAT THESE SENATORS ARE TRYING TO DO TO MY PEOPLE. NOW I HAVE A PIECE OF PAPER HERE. IT'S A COPY OF A DOCUMENT. AND THIS IS WHAT IT SAYS: HONORABLE DISCHARGE FROM THE ARMED FORCES OF THE UNITED STATES OF AMERICA. THIS IS TO CERTIFY THAT PFC E-3 CHAMBERS, EARNEST W., BR17499941 (PHONETICALLY), WAS HONORABLY DISCHARGED FROM THE ARMY OF THE UNITED STATES ON THE 12TH DAY OF JULY, 1963. THIS CERTIFICATE IS AWARDED AS A TESTIMONIAL OF HONEST AND FAITHFUL SERVICE, JACK T. YOUNG (PHONETIC), COLONEL. THIS IS WHAT IT MEANS, AND I EMPHASIZE IT'S A COPY. (TEARS PAPER.) I HEAR ALL THIS TALK ABOUT VETERANS, ALL THIS TALK ABOUT PATRIOTISM, AND THERE WILL BE PEOPLE ON THIS FLOOR WHO WANT TO ABRIDGE MY RIGHT TO VOTE AND TRY TO MAKE ME JUMP THROUGH HOOPS. AND I BET THEY DON'T HAVE A PIECE OF PAPER LIKE THAT. BUT THAT'S WHAT THEY CAN DO. AND I SEE IT AS RACISM BECAUSE WHEN PEOPLE WERE COMING BACK TO THIS COUNTRY WEARING THE UNIFORM AFTER THE GREAT WAR, AS IT WAS CALLED, THEY WERE

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LYNCHED. AND WHAT SOME OF YOU ALL DON'T KNOW ABOUT YOUR LEADERS, SENATOR MURANTE, J. STERLING MORTON WAS A RACIST. I HAVE A BOOK A BOOK THAT DESCRIBES AND EXPLAINS THE BIRTH OF NEBRASKA'S CONSTITUTION, WRITTEN BY THREE LAW PROFESSORS. AND THEY POINT OUT HOW ADAMANT J. STERLING MORTON WAS IN HIS OPPOSITION TO BLACK PEOPLE VOTING. AND YOU ALL THINK...NOW J. STERLING MORTON I THINK IS FAMOUS FOR PLANTING TREES. YOU KNOW WHY HE WANTED TO PLANT TREES ON THE PLAINS OF NEBRASKA? BECAUSE IN ORDER TO CARRY OUT LYNCHINGS, YOU NEEDED TREES. THAT'S THE WAY I LOOK AT THINGS. I'VE BEEN ON THIS EARTH 77 YEARS. I'VE GONE TO WHITE SCHOOLS ALL OF MY LIFE. I'VE READ BOOKS BY WHITE PEOPLE. I READ PHILOSOPHY BOOKS AT CREIGHTON UNIVERSITY, WRITTEN BY JESUITS, ABOUT CATHOLIC PHILOSOPHY AND THEOLOGY, TAUGHT BY JESUITS. I HAVE BEEN IMMERSSED IN THE CULTURE, THE RELIGIONS, THE HISTORY, THE POLITICS OF WHITE PEOPLE ALL OF MY LIFE. I NEVER HAD A BLACK TEACHER IN MY LIFE. SO I SEE THINGS A LOT DIFFERENTLY. WHEN WE AS BLACK CHILDREN WERE YOUNG--AS I'VE STATED ON THIS FLOOR, YOU ALL IN THAT RELIGIOUS PLEDGE, THE LAND OF THE FREE AND THE HOME OF THE BRAVE--WE SAID, THE LAND OF THE TREE AND THE HOME OF THE SLAVE, BECAUSE WE WERE AWARE OF A HORRENDOUS, BARBARIC LYNCHING THAT OCCURRED IN OMAHA AROUND 1919. AND WHEN THE MAYOR TRIED TO STOP THEM, THEY TOOK THIS BLACK MAN OUT OF THE COURTHOUSE. THEY STRUNG HIM UP BUT HE WAS CUT DOWN. THEN THEY RIDDLED THE MAN'S BODY AS THEY TOOK IT TO THE PLACE WHERE THEY SET IT AFIRE. [LB111]

PRESIDENT FOLEY: ONE MINUTE. [LB111]

SENATOR CHAMBERS: AND THERE WAS A GRAPHIC PICTURE OF IT IN LIFE MAGAZINE. AND HENRY FONDA HAD EVEN TALKED ABOUT THE SHAME THAT IT BROUGHT TO HIM EVERY TIME HE THOUGHT ABOUT IT AND HAD TO ACKNOWLEDGE A CONNECTION TO THIS STATE. SO ANOTHER EXPRESSION WE HAD AS CHILDREN: WHERE THERE'S LIFE, THERE'S HOPE. AND THE REJOINER WAS: YEAH, AND WHERE THERE'S A TREE, THERE'S A ROPE. HOW MANY WHITE CHILDREN HAD TO THINK LIKE THAT AND LIVE A LIFE LIKE THAT AND SEE THE THINGS HAPPENING TO PEOPLE LIKE THEMSELVES LIKE WE HAVE SEEN DURING MY LIFETIME? AND YOU'RE GOING TO STAND ON THIS FLOOR AND TALK ABOUT VETERANS AND PATRIOTISM AND THE RIGHT TO VOTE. AND THERE ARE OTHER SIMILAR THINGS I'M GOING TO TALK ABOUT. AND I AM INTERESTED IN THE INTEGRITY OF THE LEGISLATURE. WE OUGHT TO SEND THE BILL BACK TO COMMITTEE. AND IF SENATOR MURANTE IRRESPONSIBLY WANTS TO SEND IT OUT HERE IN THE SAME BAD CONDITION THAT IT WENT IN, THEN I'LL MAKE THE MOTION AGAIN. [LB111]

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PRESIDENT FOLEY: TIME, SENATOR. [LB111]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB111]

PRESIDENT FOLEY: THANK YOU, SENATOR CHAMBERS. SENATOR CRAWFORD, YOU'RE RECOGNIZED. [LB111]

SENATOR CRAWFORD: THANK YOU, MR. PRESIDENT. I WANT TO EMPHASIZE IN MY FIRST SPEAKING TURN ON THIS BILL I'M OPPOSED TO LB111. AND I WANT TO EMPHASIZE HOW DIFFERENT THIS BILL IS THAN MANY OF THE BILLS THAT WE HEAR ON THIS FLOOR. WE'RE HEARING BILLS ABOUT TAX POLICY, ECONOMIC DEVELOPMENT, EDUCATION. OUR QUESTION BEFORE US IS, WHAT IS THE COST, WHAT IS THE BURDEN, WHAT IS THE PUBLIC BENEFIT? AND SO THEN WE ASK, WHAT'S THAT BALANCE? IS THERE A...ARE WE PLACING A COST OR A BURDEN AND, IF SO, IS IT WORTH THE PUBLIC BENEFIT? BUT, COLLEAGUES, LB111 IS A DIFFERENT KIND OF BILL. AND IT'S VERY IMPORTANT THAT EVERYONE IN THIS ROOM UNDERSTANDS THIS IS A DIFFERENT KIND OF BILL. THE GRAVITY OF YOUR RESPONSIBILITY RIGHT NOW AS STEWARDS OF THE LAW OF NEBRASKA AND STEWARDS OF THE CONSTITUTION OF NEBRASKA REQUIRES THAT YOU UNDERSTAND THAT THIS IS A DIFFERENT KIND OF BILL BECAUSE, COLLEAGUES, LB111 IS A BILL THAT IS ASKING US TO PUT ENCUMBRANCES, PUT RESTRICTIONS ON A FUNDAMENTAL CONSTITUTIONAL RIGHT. AND HISTORY WILL JUDGE THE WAY WE HAVE DECIDED IN THIS BODY, IN 2015, ABOUT HOW WE ARE GOING TO TREAT THAT FUNDAMENTAL RIGHT TO VOTE. IT'S NOT ONLY FUNDAMENTAL BECAUSE IT IS EXPLICITLY IN OUR CONSTITUTION. AND AS YOU LOOK IN THE COPIES OF THE NEBRASKA STATE CONSTITUTION THAT ARE AT YOUR DESK, ON PAGE 4, YOU WILL SEE THAT WE HAVE CHOSEN IN NEBRASKA TO MAKE THIS RIGHT TO VOTE EVEN MORE CLEAR AND EXPLICIT. AND LB111 IS AN EFFORT TO PUT A RESTRICTION ON THAT RIGHT. AND YOU'LL NOTE IN THE CONSTITUTION IT EMPHASIZES THAT THERE IS TO BE NO HINDRANCE OR IMPEDIMENT, NOT IS IT A REASONABLE HINDRANCE OR IMPEDIMENT, BUT NO HINDRANCE OR IMPEDIMENT ON THAT RIGHT TO VOTE. AND, COLLEAGUES, I WOULD ASK YOU TO RECOGNIZE AS YOU ARE IN THIS CHAMBER TODAY AS STEWARDS OF THE NEBRASKA LAW AND AS STEWARDS OF THE NEBRASKA CONSTITUTION, THAT YOU ARE A PART OF THE LARGER HISTORY OF THIS NATION. AND IN THIS HISTORY OF THIS NATION, WE HAVE SEEN MANY FIGHTS AND DEBATES OVER THE RIGHT TO VOTE. IT STARTED WITH ONLY PROPERTY OWNERS. AND EVENTUALLY, PEOPLE WHO DIDN'T OWN PROPERTY WERE ABLE TO VOTE. MANY YEARS AND A CIVIL WAR LATER, WE DECIDED TO EXTEND THAT FRANCHISE TO AFRICAN-AMERICANS. MANY YEARS LATER, WE DECIDED MAYBE WOMEN COULD VOTE. AND THEN, MANY YEARS LATER, WE HAVE MADE OTHER ADVANCES IN TERMS OF TRYING TO MAKE IT EASIER FOR OUR

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CITIZENS TO VOTE. SO THE TRAJECTORY OF OUR HISTORY OVER TIME IN THIS AMERICAN DEMOCRACY HAS BEEN TO EXPAND THE FRANCHISE, WITH A FEW UNFORTUNATE EXCEPTIONS IN THAT HISTORICAL TRAJECTORY. I HAPPEN TO HAVE TWO CONSTITUENTS IN MY DISTRICT WHO COME TO MIND AS I THINK ABOUT THE GRAVITY OF LB111 AND WHAT A GRAVE MISTAKE IT WOULD BE TO PASS IT, BECAUSE THEY PLAY KEY ROLES IN FIGHTING AGAINST RESTRICTIONS TO THE FRANCHISE THAT HAVE HAPPENED IN OUR COUNTRY. AND ONE IS A GOOD FRIEND OF MINE WHO GOES TO CHURCH WITH ME, MRS. MARTIN (PHONETIC). AND MRS. MARTIN, SHE SHOWS UP NOT ONLY TO VOTE EVERY ELECTION, SHE SHOWS UP TO VOLUNTEER EVERY SINGLE ELECTION. AND SHE TELLS US THE REASON THAT SHE SHOWS UP TO VOLUNTEER AT EVERY SINGLE ELECTION... [LB111]

PRESIDENT FOLEY: ONE MINUTE. [LB111]

SENATOR CRAWFORD: ...IS BECAUSE--THANK YOU--IS BECAUSE HER PARENTS NEVER HAD THE CHANCE TO VOTE. HER PARENTS DID NOT LIVE LONG ENOUGH FOR THE EFFORTS OF SO MANY PEOPLE WHO FOUGHT FOR THAT RIGHT TO VOTE TO PAN OUT. AND SO HER PARENTS NEVER HAD THE CHANCE TO VOTE, SO SHE THINKS IT'S HER DUTY TO MAKE SURE THAT OTHER PEOPLE GET THAT RIGHT TO VOTE. THE OTHER CONSTITUENT IS A DAUGHTER OF EVELYN BUTTS WHO ACTUALLY WAS A PLAINTIFF IN THE CASE TO OVERTURN THE POLL TAX IN VIRGINIA. AND SHE IS ALSO A VETERAN. AND THESE TWO WONDERFUL LADIES IN MY DISTRICT ARE PERSONAL REASONS WHY I AM ADAMANTLY OPPOSED TO LB111. THANK YOU MR. PRESIDENT. [LB111]

PRESIDENT FOLEY: THANK YOU, SENATOR CRAWFORD. SENATOR LARSON, YOU'RE RECOGNIZED. [LB111]

SENATOR LARSON: THANK YOU, MR. PRESIDENT. I RISE AGAINST THE RECOMMIT MOTION. AS SENATOR MURANTE SAID, I HAVE A FEELING THAT WE'LL SEND LB111 RIGHT BACK OUT IF THIS MOTION SUCCEEDS. AND LET ME EXPLAIN A LITTLE BIT BEHIND THE AMENDMENTS THAT FOLLOW. AS I STATED IN MY OPENING, I'D BE HAPPY WITH LB111 RIGHT NOW, WITH THE UNDERLYING BILL. I'M NOT TRYING TO FIX LB111. I'M SAYING, THESE ARE THINGS THAT THOSE THAT HAVE OPPOSED VOTER ID IN THE PAST HAVE SAID THEY WANTED. SO LET'S TALK ABOUT IT ON THE FLOOR. LET'S TALK ABOUT THE ISSUES OF STUDENT IDS BEING ABLE TO BE USED. SENATOR MORFELD HAS A BILL IN GOVERNMENT THAT DEALS WITH SAME-DAY VOTER REGISTRATION. MY SECOND AMENDMENT DEALS WITH SAME-DAY VOTER REGISTRATION. HIS BILL HASN'T HAD A HEARING, HENCE, IT'S AN AMENDMENT TO TALK ABOUT ON THE FLOOR. SO WHEN THE OPPONENTS SAY THAT WE'RE TRYING TO FIX THE BILL AND THIS NEEDS TO GO BACK TO COMMITTEE TO BE

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FIXED, NO. I AM FINE WITH LB111 AND AM233. AND IF WE WANT TO PULL THOSE AMENDMENTS, I'D BE HAPPY TO DO THAT. BUT I ALSO WANTED TO HAVE A CONVERSATION WITH THE PROBLEMS AND CONCERNS THAT HAVE BEEN RAISED ON THIS LEGISLATURE IN THE PAST AND MAYBE COME TO A CONSENSUS, BECAUSE THE INTEGRITY OF ONE VOTE WITH JUST THE POSSIBILITY OF BEING DILUTED IS WRONG. YOU KNOW, I HEAR A LOT ABOUT VOTING AND THE CONSTITUTION AND THE FUNDAMENTAL RIGHT. YOU'RE EXACTLY RIGHT, IT IS, AND IT IS A FUNDAMENTAL RIGHT. AND LB111 DOESN'T STOP THAT. BUT THEN I START LOOKING AROUND THE WORLD IN COUNTRIES THAT SO MANY OF US...THOSE THAT ARGUE AGAINST THIS WANT TO EMULATE IN CERTAIN WAYS. AND I LOOKED AT THEIR CONSTITUTIONS AND WHETHER OR NOT THEY HAD THE FUNDAMENTAL RIGHT OF VOTING IN THEIR CONSTITUTIONS. MANY OF THEM DID. CANADA IS LIKE...CANADA, GERMANY, FRANCE, SPAIN, ITALY, PORTUGAL, BELGIUM, SWEDEN, IRELAND, GREECE, MEXICO, INDIA, THE NETHERLANDS ALL HAVE PROVISIONS IN THEIR CONSTITUTIONS WITH...CONCERNING THE FUNDAMENTAL RIGHT TO VOTE. AND GUESS WHAT? EVERY ONE OF THOSE COUNTRIES REQUIRE AN IDENTIFICATION TO VOTE. AND IT'S NOT A HINDRANCE. SENATOR LINDSTROM TALKS ABOUT THE FISCAL NOTE. THAT FISCAL NOTE PROVIDES AN ID FOR ANY PERSON IN THE STATE OF NEBRASKA THAT DOESN'T HAVE ONE, AND THAT'S A GOOD THING. AND IT'S A FREE ID. SO WHEN THEY GO SOMEPLACE, THEY HAVE THAT ID TO USE, WHETHER IT IS AT THE COURTHOUSE OR TO WRITE A CHECK OR ANYTHING ELSE. THAT'S NOT NECESSARILY A BAD THING THAT THEY WILL HAVE THE OPPORTUNITY TO RECEIVE A FREE ID BECAUSE SOMETIMES I, TOO, AM A FISCAL CONSERVATIVE, BUT I ALSO UNDERSTAND THAT THERE ARE TIMES THAT THAT \$10 OR \$15 STATE ID CARD MIGHT BE TOO MUCH FOR CERTAIN INDIVIDUALS. [LB111]

PRESIDENT FOLEY: ONE MINUTE. [LB111]

SENATOR LARSON: IT'S DIFFERENT THAN THE MENINGITIS VACCINE. THAT'S A CHOICE ON WHETHER OR NOT GOVERNMENT SHOULD CONTROL DECISIONS PERTAINING TO YOU AND YOUR KIDS. I DON'T CALL THAT BIG GOVERNMENT. AND I DON'T SEE A PROBLEM WITH ANYBODY BEING ABLE TO GET...THOSE THAT CANNOT AFFORD THAT ID, TO HAVE ONE AND LET THEM VOTE AND USE THAT ID FOR A NUMBER OF OTHER THINGS. WE ARE FALLING BEHIND. THE REST OF THE CIVILIZED WORLD HAS VOTER ID, AND THEIR CONSTITUTIONS PROTECT THAT SANCTITY TOO. TO MAKE THAT ARGUMENT IS WRONG. [LB111]

PRESIDENT FOLEY: TIME, SENATOR. [LB111]

SENATOR LARSON: THANK YOU. [LB111]

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PRESIDENT FOLEY: THANK YOU, SENATOR LARSON. MR. CLERK. [LB111]

CLERK: MR. PRESIDENT, FIRST OF ALL, ANNOUNCEMENTS, IF I MAY. GENERAL AFFAIRS COMMITTEE WILL HAVE AN EXECUTIVE SESSION AT 10:00 IN ROOM 2022, GENERAL AFFAIRS NOW IN ROOM 2022. THE EXECUTIVE BOARD WILL HAVE AN EXECUTIVE SESSION AT 11:00 IN THAT SAME ROOM, 2022, THE EXECUTIVE BOARD AT 11:00. HEARING NOTICE FROM THE NATURAL RESOURCES COMMITTEE, THOSE SIGNED BY SENATOR SCHILZ. AND NATURAL RESOURCES REPORTS LB104, LB206 TO GENERAL FILE AND LB203 INDEFINITELY POSTPONED. (LEGISLATIVE JOURNAL PAGE 536.) [LB104 LB206 LB203]

MR. PRESIDENT, SENATOR CHAMBERS, I UNDERSTAND, SENATOR, YOU WISH TO WITHDRAW AT THIS TIME YOUR MOTION TO RECOMMIT. MR. PRESIDENT, SENATOR CHAMBERS WOULD THEN MOVE TO BRACKET LB111 UNTIL JUNE 5, 2015. [LB111]

PRESIDENT FOLEY: THANK YOU, MR. CLERK. SENATOR CHAMBERS, YOU'RE WELCOME TO OPEN ON YOUR MOTION. [LB111]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, UNLIKE SOME OF MY COLLEAGUES, I LISTEN TO WHAT OTHER PEOPLE SAY ON THIS FLOOR. SENATOR MURANTE SUGGESTED THAT IT WOULD BE MORE, I'LL USE THE WORD "POLITICK," ADVISEDLY, TO JUST OFFER A MOTION TO BRACKET THE BILL AND DO AWAY WITH ALL OF THE OTHER SIDE ISSUES OR FALLOUT THAT WOULD OCCUR IF THE RECOMMIT MOTION SHOULD SUCCEED. SO I'M OFFERING A MOTION TO BRACKET. THE BILL SHOULD NOT GO ANYWHERE. IT SHOULD BE DEFEATED. I SAID, UNLIKE MY COLLEAGUES, I'M GOING TO SAY, AS FRANK SINATRA SAID, I DID IT MY WAY, IN ORDER TO SAY I'M NOT DOING IT THE WAY FRANK SINATRA SAID--I AM NOT DOING IT MY WAY. I WANT THAT BILL TO TAKE THE HIGHWAY. AND A BRACKET MOTION WOULD RID THE BODY OF THAT BILL. BUT LET ME TELL YOU SOMETHING ELSE I WAS GOING TO TALK ABOUT, AND I HAVE THE DOCUMENTATION. THE OTHER DAY, WE HAD AN EXECUTIVE BOARD MEETING. IT SEEMS LIKE IT WAS JUST YESTERDAY. AND TWO PEOPLE WERE THERE TESTIFYING TO GET SOME CONSIDERATION FROM WYUKA CEMETERY. BOTH WERE BOARD MEMBERS. I RECOUNTED AN INCIDENT THAT OCCURRED TO THE ONE-MONTH-OLD CHILD OF A BLACK AIRMAN--AGAIN, BLACK MEN IN UNIFORM--STATIONED IN LINCOLN. HIS AND HIS WIFE'S BABY DIED OF PNEUMONIA, AND THE CHILD WAS BURIED IN WYUKA CEMETERY. BUT THE CHILD WAS BURIED IN SECTION 28, WHICH IS A WHITE SECTION. SO YOU KNOW WHAT THOSE WHITE, CHRISTIAN, PATRIOTIC AMERICANS DID TO THE BABY OF THAT BLACK MAN IN UNIFORM, WITHOUT CONSULTING WITH THE FAMILY OR INFORMING THEM? THEY DUG

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THE BABY UP, DUG THE BODY UP AND TOOK IT TO WHAT WAS CALLED THE COLORED SECTION AND REBURIED THE BODY OF THAT CHILD IN THE COLORED SECTION. THE CHILD'S DADDY SERVED IN A WHITE MILITARY, BUT HIS BABY WASN'T GOOD ENOUGH TO BE BURIED WHERE WHITE CARCASSES WERE BURIED. CHARLES STARKWEATHER IS BURIED AT WYUKA. HIS BODY WAS UNDISTURBED. ANOTHER CONVICTED, EXECUTED MURDERER, WILLIAM RHEA, R-H-E-A, ALSO BURIED AT WYUKA CEMETERY, GRAVE LEFT UNDISTURBED. THESE TWO PEOPLE ON THE BOARD SAID THEY KNEW NOTHING ABOUT THIS INCIDENT, WHICH I THINK IS UNTRUE. SO I TOLD THEM I'D GET SOME DOCUMENTATION, WHICH I HAVE. I'M GOING TO SHARE IT WITH ALL THE SENATORS. THERE'S ANOTHER IRONY ABOUT THAT. THE LINCOLN JOURNAL STAR, LINCOLN JOURNAL IT WAS AT THAT TIME, 1965, WHICH CARRIED THE STORY OF THIS SHAMEFUL EPISODE, ALSO CARRIED A STORY ABOUT THE VOTING-RIGHTS ACT THAT WAS BEFORE CONGRESS. AND HERE WE ARE DEALING WITH A SUPPRESSION OF THE RIGHT TO VOTE AIMED AT SOMEBODY THE SAME COMPLEXION AS THAT BABY WHOSE BODY, WHOSE GRAVE WAS DESECRATED, THE SAME COMPLEXION AS THE FATHER AND WORE A UNIFORM OF THE SAME MILITARY. TALKING ABOUT VOTER SUPPRESSION HERE, AMONG PEOPLE WHO ARE SUPPOSED TO BE MY COLLEAGUES, REPRESENTATIVE OF THE BEST IN THIS STATE, AND MAYBE THAT'S WHAT THEY'RE REPRESENTING. THE FATHER FOUND OUT WHEN HE WENT TO VISIT THE GRAVE SITE AND IT WAS NO LONGER A GRAVE SITE. THAT'S WHAT HAPPENED IN NEBRASKA, IN LINCOLN, IN 1965. AND THERE WAS ALSO RACIAL SEGREGATION IN THE CITY OF LINCOLN. SO I'M GOING TO SHARE THAT WITH YOU ALL SO YOU CAN GET MAYBE A BETTER UNDERSTANDING OF WHY I'M UPSET ABOUT THE WAY THINGS HAVE BEEN DONE AND ARE DONE IN THIS COUNTRY TO PEOPLE OF MY COMPLEXION. AND IT'LL GIVE ME A CHANCE TO TALK ABOUT WHITE PRIVILEGE. YOU'RE PRIVILEGED FROM EVER HAVING TO EXPERIENCE WHAT THAT BLACK FAMILY HAD TO EXPERIENCE. WHAT I SAY MAKES NO SENSE TO YOU BECAUSE YOU DON'T WALK INTO A STORE, AN ORDINARY THING THAT PEOPLE DO EVERY DAY, AND HAVE SOMEBODY WHO CAME AFTER YOU BE APPROACHED BY THE CLERK TO BE WAITED ON BEFORE YOU. SO EITHER YOU'RE GOING TO SWALLOW SPIT AND SAY NOTHING OR YOU'LL DO LIKE I DO AND SAY, HEY, LET'S BE FAIR. I'VE DONE THAT ON NUMEROUS OCCASIONS. THEN THE WHITE PERSON WHO IS GOING TO ACCEPT BEING WAITED ON ALTHOUGH HE OR SHE CAME AFTER I DID WOULD SAY, OH, OH, YEAH, THAT'S RIGHT, HE WAS HERE FIRST. THEY KNEW I WAS HERE FIRST. YOU ALL DON'T HAVE TO DEAL WITH THAT. YOU DON'T HAVE TO WALK INTO A STORE AND WONDER IF THEY THINK YOU'RE THERE TO STEAL SOMETHING. OR IF YOU'RE ON THE STREET AND YOU RUN, IS SOME COP GOING TO THINK YOU DID SOMETHING WRONG, SO YOU'RE RUNNING AWAY. SO HE SHOOTS YOU AND SAY, OH, MY MISTAKE. GET OVER IT, HE TELLS THE FAMILY. YOU ALL DON'T HAVE TO DO WITH THAT, SO

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YOU DON'T DEAL WITH IT. YOU DON'T UNDERSTAND IT. YOU DON'T UNDERSTAND ME AT ALL. I SAY WORDS IN THE ENGLISH LANGUAGE, BUT WHEN THEY LEAVE MY MOUTH AND COME OUT HERE AND ENTER YOUR EARS, YOU DON'T UNDERSTAND THOSE WORDS WHEN I SPEAK THEM. WHITE PEOPLE TAUGHT MY PEOPLE HOW TO SPEAK ENGLISH WHEN THEY ENSLAVED US. THEY DIDN'T WANT PEOPLE FROM THE SAME TRIBE IN AFRICA TO BE ON THE SAME PLANTATION BECAUSE THESE WHITE PEOPLE KNEW THAT DESPITE THE FACT THAT THEY TREATED US LIKE THINGS, WE HAD THE SAME YEN FOR FREEDOM AND THE DETESTATION OF BEING ENSLAVED. SO THEY DIDN'T WANT ANY TWO TO BE ABLE TO SPEAK THE SAME LANGUAGE AND COLLABORATE AND CONSPIRE TO GET THEIR FREEDOM, WHICH, BY THE WAY, WAS A CAPITAL OFFENSE IN THE LAND OF GEORGE WASHINGTON WHERE THEY FOUGHT...COMMITTED TREASON AGAINST THEIR KING TO GET WHAT THEY THOUGHT WAS ENTITLEMENTS THAT THEY HAD A RIGHT TO. BUT YOU DON'T UNDERSTAND ME. YOU DON'T UNDERSTAND WHAT I SAY. YOU DON'T UNDERSTAND THE IMPACT THESE THINGS HAVE ON ME. YOU DON'T UNDERSTAND THE OBLIGATION AND RESPONSIBILITY I HAVE TO STAND ON THIS FLOOR AND SPEAK FOR THE MILLIONS OF BLACK PEOPLE WHO HAVE BEEN DENIED VOTES, BEEN DENIED THE RIGHT TO SIT ON A JURY, DENIED THE RIGHT TO EVEN LIVE IN A HOME WITHOUT IT BEING BURNED DOWN BY THOSE WHO DID IT UNDER THE BANNER AND THE SYMBOL OF THE CHRISTIAN RELIGION, THE FLAMING CROSS. YOU ALL DON'T HAVE TO THINK ABOUT THAT. YOU CAN EVEN DENY THAT IT HAPPENED. BUT IT'S WITH ME ALL THE TIME, EVERY MINUTE OF EVERY HOUR OF EVERY DAY. BUT I'M NOT IN A POSITION WHERE I CAN LIE IN BED ALL DAY AND BE DEPRESSED AND SAY, WOE IS ME, EVEN THOUGH THAT'S WHAT I COULD SAY. BUT I'M NOT THE KIND OF PERSON WHO WOULD DO THAT. BUT THERE ARE PEOPLE WHO ARE NOT PSYCHOLOGICALLY STRONG. THERE ARE THINGS THAT EAT AWAY AT THEM. THEY BECOME DISPIRITED, DISHEARTENED, DISILLUSIONED, DISCOURAGED, AND THEY GIVE UP. AND I WATCH IT. I SEE IT GOING ON ALL AROUND ME. THEN I HAVE TO COME HERE AND LISTEN TO WHAT I'M LISTENING TO ON THIS FLOOR AND, YET, BE CIVIL TO THE PEOPLE WHO ARE SAYING THESE THINGS WHEN THEY TALK ABOUT THEIR CONSTITUTION, THEY SALUTE THEIR FLAG, THEY PRAY TO THEIR WHITE JESUS, TO THEIR WHITE MARY, TO THEIR WHITE GOD. [LB111]

PRESIDENT FOLEY: ONE MINUTE. [LB111]

SENATOR CHAMBERS: AND I HAVE TO LISTEN TO THAT BECAUSE I CHOSE TO BE HERE AND I PROMISED THE PEOPLE WHO VOTED FOR ME THAT I WOULD FIGHT FOR US AND I WOULD NOT BE DETERRED, I WOULD NOT BE DAUNTED. AND THOUGH I'M OUTNUMBERED 48 TO 1--YES, 48 TO 1--I WILL NOT YIELD AN INCH ON THE THINGS I BELIEVE ARE MATTERS OF PRINCIPLE. THIS IS A

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MATTER OF PRINCIPLE. BUT I'M WILLING TO SEE IF THERE'S A DIFFERENT WAY TO CRACK THIS WALNUT, SO THAT MOTION IS UP THERE TO BRACKET THIS BILL UNTIL JUNE 5 OF THIS YEAR. THANK YOU, MR. PRESIDENT. [LB111]

PRESIDENT FOLEY: THANK YOU, SENATOR CHAMBERS. (VISITORS INTRODUCED.) SENATOR GROENE, YOU'RE RECOGNIZED. [LB111]

SENATOR GROENE: THANK YOU, MR. PRESIDENT. CLAIMS WERE MADE ABOUT BY MY VIRTUE AND WHAT I STAND FOR AND MY PRINCIPLES. LET ME EXPLAIN SOMETHING. LB111 DOES NOT MANDATE THAT YOU VOTE, DOES NOT MANDATE THAT YOU VOTE. IF YOU REMEMBER THE DEBATE ON LB18, MY AMENDMENT SAID THAT PARENTS SHOULD BE GIVEN EDUCATIONAL MATERIAL AND THEY SHOULD HAVE TO CHECK OFF THAT THEY RECEIVED IT BEFORE THEIR CHILD COULD ATTEND SCHOOL. CALL IT A VOTER ID. CALL IT EVIDENCE THAT YOU ARE PARTICIPATING. I ALSO SUPPORTED AN AMENDMENT THAT SAID PARENTS HAD TO SHOW PROOF, THEY HAD TO SHOW PROOF THAT THE CHILD WAS EITHER VACCINATED OR THAT FOR PHILOSOPHICAL REASONS OR RELIGIOUS REASONS THEY WERE OPTING OUT. CALL THAT A VOTER ID TO TAKE PART. WHAT I AM CONFUSED ABOUT IS FOLKS WHO WANTED TO MANDATE A VACCINATION, AND IF YOU DIDN'T DO IT, YOU COULD NOT TAKE PART IN A PUBLIC SCHOOL, GUARANTEED BY OUR SAME CONSTITUTION THAT GUARANTEES OUR RIGHT TO VOTE. THESE SAME INDIVIDUALS NOW DO NOT WANT TO SUPPORT AN ID IN ORDER TO TAKE PART IN A CONSTITUTIONAL PRIVILEGE. THERE'S WHERE MY CONFUSION IS. I DON'T WANT TO MANDATE ANYBODY TO DO ANYTHING. BUT I DO...I AGREE THAT MAYBE, ONCE IN A WHILE, YOU'VE GOT TO SHOW WHY YOU DON'T WANT TO TAKE PART IN A MANDATE OR WHY YOU WANT TO. THAT...MY VIRTUES STAY SOUND ON THOSE PRINCIPLES. SOMETHING, YOU KNOW, I'D LIKE TO SAY. LB111 DOES NOT TRY TO STOP ANYBODY FROM VOTING. WHAT IT ACTUALLY DOES IS PROTECT THE NEBRASKAN'S RIGHT TO VOTE. AS AN AMERICAN CITIZEN, IT PROTECTS YOUR RIGHT TO VOTE. IT MAKES SURE THAT THOSE WHO DO NOT HAVE THAT RIGHT TO VOTE, DO NOT FOLLOW THE RULES, ARE NOT CITIZENS, WILL NOT DILUTE, AS SENATOR LARSON SAYS, OR CANCEL OUT YOUR VOTE. THAT'S WHAT IT DOES. ALSO, THEY KEEP QUOTING...THE OTHER SIDE KEEPS QUOTING THE STATE CONSTITUTION ABOUT EVERY CITIZEN MUST BE A QUALIFIED VOTER. THEY LEAVE THAT WORD OUT, "QUALIFIED," WHEN THEY TALK ABOUT NO HINDRANCE, NO IMPLEMENTATION, NO RIGHT OF A QUALIFIED VOTER. WHO DEFINES A QUALIFIED VOTER? WE DO, THIS BODY. HERE'S WHAT A QUALIFIED VOTER SO FAR IS MANDATED TO DO: YOU MUST BE A CITIZEN OF THE UNITED STATES; YOU MUST BE 18 YEARS OF AGE; YOU CAN BE A SELF-SUPPORTING STUDENT REGARDLESS OF THE LOCATION OF YOUR SCHOOL. AT ONE TIME, WE HAD...FOREIGN RAILROAD LABORERS COULD VOTE. WE MANDATE LOTS OF STUFF. WE MANDATE ABOUT

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VOTING LAW. WE MANDATE THAT YOU, WHEN YOU REGISTER, YOU MUST SHOW AN ID. YOU MUST PUT YOUR ADDRESS. YOU MUST CHECK A BOX THAT YOU'RE A CITIZEN. THAT DEFINES A QUALIFIED VOTER. THIS BODY HAS THE RIGHT TO EXPAND ON WHAT WE CONSIDER A QUALIFIED VOTER. THEREIN LIES THIS DEBATE. WHAT IS A QUALIFIED VOTER? THERE'S NOTHING WRONG WITH WHAT SENATOR LARSON IS TRYING TO DO. WE ARE TRYING TO PROTECT YOUR VOTE. WE ARE PROTECTING IT FROM ABUSES. PERSONALLY, MY SUPPORT OF THIS BILL IS NOT OVER SOME ILLEGAL ALIEN TRYING TO VOTE. THAT'S NOT GOING TO HAPPEN. THEY'RE TRYING TO HIDE. [LB111 LB18]

PRESIDENT FOLEY: ONE MINUTE. [LB111]

SENATOR GROENE: THEY'RE TRYING TO FEED THEIR FAMILY. I'M NOT TALKING ABOUT SOME ETHNIC GROUP. I'M WAY PAST THAT. WE'RE ALL CREATED EQUAL AND WHEN WE ROT, WE'RE ALL A PILE OF PHOSPHATE AND NITROGEN AND WHATEVER ELSE WE'RE MADE OF. I'M NOT TOO CONCERNED ABOUT THE FLESH. BUT ANYWAY, WHAT I AM CONCERNED ABOUT IS PEOPLE DILUTING THAT RIGHT TO VOTE. I'M WORRIED ABOUT THE POLITICAL OPERATIVES THAT WORK ACROSS THE COUNTRY, ORGANIZATIONS LIKE ACORN WHO COME IN AND VOTE FOR PEOPLE, STEAL PEOPLE'S VOTES BECAUSE THEY VOTE FOR THE DISADVANTAGED, THE MENTALLY HANDICAPPED. AND THEY FILL OUT THE BALLOTS AND THEY PUT THEM IN. YOU CAN...AND YOU SAY THERE ISN'T NO EVIDENCE OF IT? ONCE IT'S IN THAT SECRET BALLOT AND ONCE IT'S IN THAT BOX, THERE IS NO EVIDENCE. OF COURSE, THERE'S NO EVIDENCE. WHAT WE'RE TRYING TO DO IS MAKE SURE THAT VOTE COUNTS AND IT IS NOT CORRUPTED BEFORE IT IS SECRET AND IN THAT BOX. SO ANYWAY, I CAN SLEEP AT NIGHT. MY VIRTUE IS STILL THERE. IF YOU WANT TO SHOW AN ID THAT YOUR KID... [LB111]

PRESIDENT FOLEY: TIME, SENATOR. [LB111]

SENATOR GROENE: THANK YOU. [LB111]

PRESIDENT FOLEY: THANK YOU, SENATOR GROENE. SENATOR SCHUMACHER, YOU'RE RECOGNIZED. [LB111]

SENATOR SCHUMACHER: THANK YOU, MR. PRESIDENT, MEMBERS OF THE BODY. THIS IS NOT THE FIRST TIME THIS WALTZ HAS BEEN PLAYED IN THIS HALL. AND HAVING LISTENED TO IT BE PLAYED A COUPLE TIMES BEFORE AND REALIZING THAT SENATOR LARSON WAS GOING TO INTRODUCE THIS PARTICULAR MEASURE, I TRIED TO OFFER SOME MIDDLE GROUND TO RESOLVE THIS ISSUE BECAUSE, IF WE DON'T RESOLVE IT NOW AND 79 PERCENT OF THE PEOPLE ARE FOR IT, POLITICAL OPERATIVES ARE GOING TO

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USE IT OVER AND OVER AGAIN AND IT'S GOING TO BE BACK HERE OVER AND OVER AGAIN UNTIL IT PASSES. AND IT MAY PASS IN A FORM THAT IS REALLY WRONG. BUT JUST BECAUSE WE COULD NOT REACH AN AGREEMENT AND PUSH COMES TO SHOVE AT SOME POINT, IT PASSES. WHEN 79 PERCENT OF THE PEOPLE ARE FOR SOMETHING, IT IS A POWERFUL POLITICAL TOOL AND IT CAN BE USED TO DEFEAT PEOPLE JUST ON THE BASIS OF A SINGLE ISSUE. THE COMPROMISE THAT I OFFERED AS LB121 WAS VIRTUALLY IDENTICAL TO WHAT SENATOR JANSSEN, WHO HAD SPONSORED THIS BILL A COUPLE OF YEARS AGO, AND I HAD WORKED OUT ONE EVENING AFTER LONG DEBATE. HIS BILL ENDED UP DYING BECAUSE IT WAS ONE OF THOSE HECTIC THINGS IN THE END OF THE SESSION AND JUST ONE OF THE THINGS THAT EVAPORATED. BUT, NEVERTHELESS, IT IS A VERY SIMPLE NOTION. AND THE VERY SIMPLE NOTION IS, IF YOU SHOW UP AT THE POLLING PLACE WITHOUT ONE OF THESE IDS, YOU GET YOUR PICTURE TAKEN AND IT'S E-MAILED TO THE SECRETARY OF STATE'S OFFICE. AND IF YOU WERE A CROOK, WE'D HAVE A GOOD PICTURE OF YOU. CHANCES ARE, THEY GOT A PICTURE TAKEN ALREADY BY SOME SECURITY CAM, BUT THIS WOULD JUST BE A VERY INEXPENSIVE WAY TO DOCUMENT IT AND, IF THERE WAS FRAUD, TO PROSECUTE AND GIVE THE PEOPLE A SPOT IN THE PENITENTIARY. IT RECOGNIZES WHAT SENATOR MORFELD HAS POINTED OUT, THAT AS A PRACTICAL MATTER THESE TYPE OF THINGS ARE MORE HYPE THAN REALITY. BUT THEY ARE REALITY IN THE MINDS OF THE VOTERS. AND LB121 HAS ONE OTHER FACET THAT IS EMBODIED IN SENATOR MURANTE'S AMENDMENT, AND THAT IS, IT REQUIRES THAT WHEN YOU VOTE BY MAIL, YOU HAVE A SECRET BALLOT ENVELOPE THAT YOU PUT YOUR BALLOT IN. RIGHT NOW, OUR CONSTITUTIONAL PROTECTIONS OF VOTING BY SECRET BALLOT ARE NONEXISTENT IN THE CASE OF VOTE BY MAIL. YOU RETURN YOUR BALLOTS IN AN ENVELOPE WITH YOUR RETURN ADDRESS ON, AND ANYBODY THEY WANT...THAT WANTS TO CAN LOOK AT THEM AS THEY'RE BEING OPENED. THEY CAN EVEN PHOTOGRAPH THEM AND PUT THEM ON THE INTERNET, AND IT'S NOT ILLEGAL IN NEBRASKA. AND THIS PORTION, THE MURANTE AMENDMENT THAT INCORPORATES THE PROVISIONS FROM LB121, SAYS THERE'S A SECRET-BALLOT ENVELOPE INSIDE A SLEEVE SO THAT THEY REMOVE IT FROM YOUR ENVELOPE, PUT THEM IN A PILE, AND THEN COUNT THEM ANONYMOUSLY. THAT'S IMPORTANT, PARTICULARLY IN AN AGE WHEN WE'RE PRESSURING OR ENCOURAGING PEOPLE TO VOTE BY MAIL, WHICH IS A WHOLE OTHER CAN OF WORMS, WHICH THE FRAUD IS JUST PROBABLY HIGHLY SIGNIFICANT IN...COMPARED TO THE NONEXISTENCE OF REAL FRAUD IN THIS. I'D ASK YOU TO DISPOSE OF THIS ISSUE, AND DISPOSE OF THIS ISSUE BY INSERTING IN ONE OF THE QUALIFIED MECHANISMS AS BEING HAVING YOUR PHOTOGRAPH TAKEN AT THE POLLING PLACE, AND THAT ARCHIVED IN CASE THERE'S FRAUD, AND ALSO TO ADOPT SENATOR MURANTE'S AMENDMENT THAT PROTECTS THE SECRET BALLOT. ONCE DISPOSED OF,...

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[LB111 LB121]

PRESIDENT FOLEY: ONE MINUTE. [LB111]

SENATOR SCHUMACHER: ...THIS ISSUE IS OUT OF THE WAY. NOT DISPOSED OF, IT'S BACK AGAIN AND BACK AGAIN AND PEOPLE ARE VOTING WITHOUT PROTECTIONS OF SECRET BALLOT THAT WOULD BE COVERED BY THIS. TO BRACKET THIS JUST POSTPONES ANOTHER GO AROUND. IT'S NOT A VICTORY FOR EITHER SIDE, AND THERE SHOULDN'T BE SIDES ON THIS. WE CAN RESOLVE THIS WITH COMMON SENSE, AND WE CAN DO THE PEOPLE OF NEBRASKA A LOT OF GOOD. AND WE CAN TAKE THIS ISSUE OUT OF PLAY SO THAT WE CAN GET TO THE REAL BUSINESS OF THE PEOPLE OF NEBRASKA. THANK YOU. [LB111]

PRESIDENT FOLEY: THANK YOU, SENATOR SCHUMACHER. SENATOR PANSING BROOKS, YOU'RE RECOGNIZED. [LB111]

SENATOR PANSING BROOKS: THANK YOU, MR. PRESIDENT. I RISE IN OPPOSITION TO LB111 AND IN SUPPORT OF BRACKETING...THE BRACKETING AMENDMENT. I THINK THAT WE ARE...THAT TAXPAYER DOLLARS ARE BEING WASTED TO PREVENT A PROBLEM WHICH ABSOLUTELY DOES NOT EXIST. WE'VE GOT ALL SORTS OF STUDIES TO SHOW THAT. AND WE HAVE TO...I BELIEVE THAT HAVING TO PAY FOR A STATE ID IS LIKE AN ILLEGAL POLL TAX. WHEN YOU THINK ABOUT IT, MY MOM LIVED WITH US FOR THE LAST TEN YEARS OF HER LIFE, AND TOWARDS THE END SHE FELL AND BROKE HER LEG, AND SO SHE COULD NOT WALK AGAIN. AND SO...BUT MEANWHILE, SHE WAS BORN IN 1918, AND SHE INSTILLED IN ME THE IMPORTANCE OF THE RIGHT TO VOTE. SHE WAS AROUND WHEN, IN 1920, WOMEN WERE GIVEN THAT RIGHT. SHE WAS ONLY TWO, BUT HER MOTHER TOOK HER TO HER FIRST VOTING POLL. SO I...WHEN I LOOK AT THE SITUATION, IS THIS BASED IN RACISM? ABSOLUTELY. THIS IS SOMETHING THAT IS SO CLEARLY...THE GREATEST FERVOR AROSE AFTER THE ELECTION IN 2008 OF OUR AFRICAN-AMERICAN PRESIDENT. SO OF COURSE, THIS IS BASED IN RACISM. IT'S RACED (SIC) IN AN UNWILLINGNESS OF A PARTY TO MAKE THE VOTING RIGHTS AVAILABLE TO ALL SORTS OF PEOPLE. WE HAVE ALL SORTS OF YOUNG PEOPLE IN OUR BALCONIES TODAY, AND THIS BILL WOULD HINDER SOME OF THEIR RIGHTS TO BE ABLE TO VOTE. AND YOU CAN CLAIM, WELL, IT REALLY DOESN'T DO THAT AND, OH, WE REALLY WANT THEM TO VOTE. WELL, OF COURSE, WE WANT THESE LEADERSHIP STUDENTS TO VOTE, YES. BUT I WOULD ARGUE THAT WE NEED TO HAVE EVERYBODY VOTING. WITH...GOING BACK TO MY MOTHER, IT BECAME A SITUATION WHERE, SINCE SHE COULDN'T DRIVE, SHE NO LONGER HAD AN ID. NOW FORTUNATELY, BECAUSE SHE LIVED WITH US FOR TEN YEARS AND WE HAD PEOPLE COMING TO HELP HER AND...WE WERE

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ABLE TO TAKE HER DOWN AND TRY TO GET A STATE ID, WHICH WE ULTIMATELY DID, BUT IT'S A LOT OF WORK TO DO SOMETHING LIKE THAT. AND HOW MANY OF YOU CAN LEAVE DURING THE DAY TO HELP YOUR PARENT, OR HOW MANY OF YOU WOULD LEAVE? OR HOW MANY OF YOU LIVE NEAR YOUR PARENT SO YOU THAT YOU COULD TAKE THEM TO GET THIS STATE ID WHEN THEY CANNOT DRIVE? THE TWENTY-SIXTH AMENDMENT GUARANTEES THE RIGHT TO VOTE. IT SAYS THAT THE RIGHT TO VOTE SHALL NOT BE DENIED OR ABRIDGED ON ACCOUNT OF AGE. WELL, I AGREE THAT WE'RE TALKING ABOUT YOUNG PEOPLE HERE, BUT WE'RE ALSO TALKING ABOUT ELDERLY PEOPLE. AND I WITNESSED FIRSTHAND THE DIFFICULTY THAT PEOPLE HAVE WHEN THEY'RE ELDERLY. AND EACH ONE OF US IS GOING TO BE THERE AT SOME TIME, SO I HOPE YOU ALL HAVE A REALLY EASY TIME, THOSE OF YOU WHO ARE THINKING THIS IS SO IMPORTANT. GOOD LUCK WHEN YOU'RE LIVING IN A NURSING HOME AND YOU STILL HAVE THE CAPACITY AND THE MENTAL WILL TO CONTINUE TO VOTE BECAUSE YOU'VE DONE IT ALL OF YOUR LIVES BUT YOU CAN'T GET SOMEBODY TO TAKE YOU DOWN TO GET YOUR ID. I JUST...I CAN'T EVEN UNDERSTAND THAT. IN PENNSYLVANIA RIGHT NOW, THERE IS A WOMAN THAT IS 93 YEARS OLD WHO IS SUING THE STATE OF PENNSYLVANIA BECAUSE SHE DOESN'T HAVE A BIRTH CERTIFICATE OR A DRIVER'S LICENSE. SO THAT'S WHAT WE'RE ULTIMATELY SETTING UP AND CREATING. IT'S CLEAR TO ME THAT THE DESIRE IS TO LIMIT ACCESS TO VOTING. THOSE IN POWER, THOSE OF US WHO ARE WHITE AND WHO ARE MIDDLE CLASS, OR BETTER, CERTAINLY CAN VOTE, AND THOSE AREN'T THE PEOPLE THAT ARE TRYING TO BE HINDERED. WHAT WE'RE TRYING TO DO IS HINDER THOSE OF...THE PEOPLE OF COLOR, THOSE IN POVERTY, THOSE WHO ARE YOUNGER, THAT ARE STUDENTS. AND IT'S CLEAR, BECAUSE WE SAW WHAT HAPPENED IN 2008. [LB111]

PRESIDENT FOLEY: ONE MINUTE. [LB111]

SENATOR PANSING BROOKS: SO I...THERE WAS A COMMENT EARLIER THAT WE'RE FALLING BEHIND OTHER COUNTRIES. I RESENT THAT COMMENT. I THINK THAT WE ARE THE EPITOME OF WHAT IS GOOD AND WHAT IS RIGHT IN OUR DEMOCRACY. AND OUR RIGHT TO VOTE IS FUNDAMENTAL. WE WANT TO MAKE IT EASY TO VOTE. IF YOU LOOK AT ALL THE LAW CASES IN...HISTORICALLY, THAT WAS THE GOAL, TO MAKE IT EASIER TO VOTE AND TO NOT HINDER PEOPLE AND TO STOP PEOPLE FROM EXERCISING THEIR RIGHTS. SO I JUST THINK THAT THE COMMENT THAT WE NEED TO PROTECT NEBRASKANS' RIGHT TO VOTE SO THAT THOSE WHO AREN'T CITIZENS CAN'T CANCEL YOUR VOTE...WE HAVE AN ABILITY THAT YOU GO, AND YOUR NAME IS ON A PRECINCT LIST OF REGISTERED VOTERS, AND YOU HAVE TO SIGN IT. AND SO WE HAVE A WAY TO BACK IT UP AND FOLLOW UP AND SEE WHAT'S HAPPENING. AND AS WE ALL KNOW, THERE IS NOT A HUGE ISSUE AND...

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[LB111]

PRESIDENT FOLEY: TIME, SENATOR. [LB111]

SENATOR PANSING BROOKS: THANK YOU. [LB111]

PRESIDENT FOLEY: THANK YOU, SENATOR PANSING BROOKS. (VISITORS INTRODUCED.) SENATOR MURANTE, YOU'RE RECOGNIZED. [LB111]

SENATOR MURANTE: THANK YOU, MR. PRESIDENT. MEMBERS, GOOD MORNING. I'M IN THE...I HAVE A LEGISLATIVE FIRST: I HAVE TO THANK SENATOR CHAMBERS FOR OFFERING A KILL MOTION TO A BILL WHICH I SUPPORT. BUT I DO THANK HIM FOR WITHDRAWING THE MOTION TO RECOMMIT AND GIVING US THE OPPORTUNITY TO HAVE AN UP-OR-DOWN VOTE AS TO WHETHER THE 49 MEMBERS OF THIS LEGISLATURE WISH TO KILL LB111, OR WHETHER WE WISH IT TO ADVANCE. SO I THINK THAT'S A GOOD WAY TO PROCEED FORWARD, AND WE SHOULD BE GETTING A VOTE, I SUSPECT, SOMETIME IN THE NEAR FUTURE. BUT I DO THINK WE NEED TO BE CAREFUL WHEN WE JUDGE PEOPLE'S INTENTIONS, ESPECIALLY PEOPLE WITH WHOM WE KNOW ALMOST NOTHING ABOUT AND HAVE SPENT ALMOST NO TIME WITH. I COULD TELL YOU FROM MY PERSPECTIVE WHY I DON'T BELIEVE THAT THERE'S ANY ULTERIOR MOTIVE BY SENATOR LARSON OR THE OTHER PROPONENTS OF LB111, BECAUSE I DON'T BELIEVE THERE'S ANY PRACTICAL WAY THAT ANY VOTER IN NEBRASKA WOULD BE TURNED AWAY FROM THE POLLS IF LB111 IS PASSED BECAUSE I'D LIKE TO KIND OF GO THROUGH THE MOTIONS OF HOW A VOTER ON ELECTION DAY...OR A VOTER IN NEBRASKA WHO WANTED TO VOTE WOULD BE ABLE TO IF LB111 WERE PASSED. THE FIRST WOULD BE THE OBVIOUS, IF THEY WERE TO SHOW UP AT THEIR POLLING PLACE, THEY COULD SHOW ANY STATE-ISSUED PHOTO IDENTIFICATION. THEY'D BE ALLOWED TO VOTE. THERE WOULD BE NO QUESTIONS ASKED. AND RIGHT THERE JUST BY DOING THAT WE'VE COVERED 98 PERCENT OF THE POPULATION. WE KNOW THAT BECAUSE WE'VE CROSSED THE VOTER REGISTRATION ROLLS WITH THE DMV RECORDS. SO 98 PERCENT OF PEOPLE ARE COVERED RIGHT OFF THE BAT. BUT WE DO HAVE TO WORRY ABOUT THE REMAINING 2 PERCENT, A VERY IMPORTANT PART OF THE DISCUSSION. WE CAN'T JUST IGNORE THOSE. ACCORDINGLY, THE GOVERNMENT COMMITTEE AMENDMENT PROVIDES THAT ANYONE WHO WANTS A FREE PHOTO IDENTIFICATION CAN GET ONE FREE OF CHARGE. WE'LL GIVE IT TO YOU. BUT LET'S SAY THESE PEOPLE WHO ARE ABLE AND WILLING TO GO OUT AND VOTE ARE, FOR SOME REASON, INCAPABLE OF GOING AND GETTING A PHOTO IDENTIFICATION. FINE, YOU CAN STILL VOTE, USE YOUR VOTER REGISTRATION CARD THIS TIME. LET'S SAY THEY DON'T HAVE THAT, THEY FORGET IT OR OTHERWISE...THAT'S, OF COURSE, FREE OF

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CHARGE AS WELL, BUT LET'S SAY THEY DON'T HAVE THEIR VOTER REGISTRATION CARD. AGAIN, NO PROBLEM, ASK FOR A BALLOT TO BE MAILED TO YOU, WHEREVER YOU ARE. WE'LL PAY FOR IT, FREE OF CHARGE. WE WILL MAIL YOU THE BALLOT TO YOUR HOUSE IF YOU'RE INCAPABLE OF LEAVING. OR IF YOU'RE OUT OF STATE, AGAIN, WE'LL MAIL YOU THE BALLOT. YOU DON'T NEED ANY PHOTO IDENTIFICATION. WE TAKE CARE OF IT FOR YOU. LET'S SAY YOU ARE, FOR SOME REASON, INCAPABLE OF GETTING OUT OF YOUR HOUSE TO GET ANY OF THESE FORMS OF IDENTIFICATION AND ARE DEAD SET ON NOT GETTING THE BALLOT IN THE MAIL AND WANT TO GO TO YOUR POLLING PLACE. AGAIN, FINE, YOU CAN STILL HAVE YOUR BALLOT BE COUNTED. ALL YOU HAVE TO DO IS FILL OUT A PROVISIONAL BALLOT FORM, PUT IT IN AN ENVELOPE. YOUR ELECTION COMMISSIONER OR CLERK WILL CHECK YOUR SIGNATURE, VERIFY THAT YOU ARE WHO YOU SAY YOU ARE, AND YOUR BALLOT WILL COUNT. YOU DON'T HAVE TO DO ANYTHING. THERE'S NO COST FOR ANY VOTER IN THE STATE OF NEBRASKA. I CAN'T CONCEIVE OF WHO COULD POSSIBLY BE DETERRED FROM VOTING IF LB111 PASSES. WE HAVE THE ARGUMENT THAT IT'S GOING TO COST SOME MONEY. THAT'S AT LEAST A LEGITIMATE ARGUMENT. I WOULD SUBMIT THAT THERE ARE...THAT THE RIGHT TO VOTE IS SOMETHING THAT WE OUGHT TO BE SPENDING A LITTLE BIT OF MONEY ON IN THE STATE LEGISLATURE. BUT WE CAN DO THAT. AND I DO THINK THAT IT'S VERY IMPORTANT BECAUSE THERE WAS A FLOOR SPEECH PREVIOUSLY, AN HOUR AGO OR SO, WHICH QUESTIONED HOW EASY IT IS FOR A PROVISIONAL BALLOT TO BE COUNTED OR REJECTED BECAUSE TENS OF THOUSANDS OF NEBRASKANS ARE GOING TO GO TO THE POLLS IN 2016... [LB111]

PRESIDENT FOLEY: ONE MINUTE. [LB111]

SENATOR MURANTE: ...AND ARE GOING TO CAST A PROVISIONAL BALLOT. AND IT IS IRRESPONSIBLE FOR THE MEMBERS OF THIS LEGISLATURE TO STAND ON THE FLOOR AND SAY THAT BECAUSE THEY'RE CASTING A PROVISIONAL BALLOT, THEIR BALLOT WON'T COUNT. THAT'S NOT TRUE. THE CLERKS AND THE ELECTION COMMISSIONERS OF THIS STATE TAKE THEIR JOB VERY SERIOUSLY. THEY METHODICALLY GO THROUGH EVERY SINGLE PROVISIONAL BALLOT, CROSS-REFERENCE THE SIGNATURES, CROSS-REFERENCE THE ADDRESS AND THE PREVIOUS VOTING ADDRESSES. AND IF YOU ARE WHO YOU SAY YOU ARE, AND YOU LIVE WHERE YOU SAY YOU LIVE, AND YOU FILL OUT A PROVISIONAL BALLOT, YOUR BALLOT WILL BE COUNTED AND YOU DON'T HAVE TO DO ANYTHING. THE ELECTION COMMISSIONERS DO ALL THE WORK. SO, COLLEAGUES, I THINK WE'RE GOING TO GET TO A VOTE ON LB111 AND THE BRACKET MOTION SHORTLY. I RESPECTFULLY DISAGREE WITH MY COLLEAGUES. I DON'T BELIEVE WE'RE IMPOSING ANY BURDEN ON ANY VOTER IN THE ENTIRE STATE OF NEBRASKA BY DOING THIS. [LB111]

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PRESIDENT FOLEY: TIME, SENATOR. [LB111]

SENATOR MURANTE: THANK YOU. [LB111]

PRESIDENT FOLEY: THANK YOU, SENATOR MURANTE. (VISITORS INTRODUCED.) SENATOR McCOLLISTER, YOU'RE RECOGNIZED. [LB111]

SENATOR McCOLLISTER: THANK YOU, MR. PRESIDENT, AND GOOD MORNING, COLLEAGUES. I HAD TO MISS YESTERDAY, SOME OF THE EXCITING DISCUSSION THAT OCCURRED ON THIS BILL THAT'S BEEN DESCRIBED AS A WALTZ AND FUN, AND IT CERTAINLY IS THAT. I RISE IN OPPOSITION TO LB111 AND SUPPORT THE BRACKET MOTION AMENDMENT. DURING MY ENTIRE TIME AT THE PLATTE INSTITUTE, WE STUDIED VOTER FRAUD. AND WE COULD FIND VERY FEW EXAMPLES OF VOTER FRAUD IN THIS COUNTRY AND PARTICULARLY IN NEBRASKA. IT JUST DIDN'T HAPPEN--JUST DIDN'T HAPPEN. AND, IN FACT, WE'VE TALKED TO ELECTION COMMISSIONERS. AND SECRETARY OF STATE JOHN GALE ALSO MENTIONED THAT VOTER FRAUD IN NEBRASKA IS NONEXISTENT. AND, YOU KNOW, WHAT THIS DOES DO THOUGH, IT'S, LB111 IS UNMISTAKABLY...WOULD INDICATE THAT NEBRASKA WANTS TO DISENFRANCHISE VOTERS. AND WE CERTAINLY DON'T WANT TO DO THAT. IT'S SYMBOLIC OF THAT ACTION. SO I WOULD ENCOURAGE YOU TO SUPPORT THE BRACKET AMENDMENT AND VOTE AGAINST LB111. I WOULD YIELD THE BALANCE OF MY TIME TO SENATOR MORFELD. [LB111]

PRESIDENT FOLEY: SENATOR MORFELD, 3:35. [LB111]

SENATOR MORFELD: THANK YOU, SENATOR McCOLLISTER. THERE'S A FEW THINGS THAT I JUST WANT TO CLEAR UP THAT WERE SAID ON THE FLOOR, HERE. FIRST, SENATOR GROENE WAS MAKING A LOT OF DIFFERENT DISTINCTIONS. BUT THE FACT OF THE MATTER IS THAT THIS IS A GOVERNMENT MANDATE TO PRESENT AN ID. CURRENTLY, WE DO NOT HAVE TO PRESENT AN ID UNLESS YOU ARE A FIRST-TIME VOTER IN THE STATE OF NEBRASKA, WHICH IS AN IMPORTANT THING TO REITERATE AND KNOW, IS THAT FEDERAL LAW IN ALL 50 STATES REQUIRES THAT FOR THE FIRST-TIME VOTERS IN A STATE, THEY MUST PRESENT SOME KIND OF ADDRESS VERIFICATION OR IDENTIFICATION CARD IF THEY CHOOSE, IF THEY DO NOT PROVIDE THEIR SOCIAL SECURITY NUMBER OR THEIR DRIVER'S LICENSE ON THE ORIGINAL VOTER REGISTRATION APPLICATION. SO THERE IS ALREADY A VERIFICATION PROCESS IN PLACE TO ENSURE THAT OUR VOTER REGISTRATION RULES ARE COMPLETE AND ACCURATE. ALSO I'D LIKE TO NOTE THAT THERE ARE A LOT OF PEOPLE BOTH IN MY DISTRICT, WHICH IS AN URBAN DISTRICT, AND OTHER RURAL DISTRICTS, THAT DON'T ALWAYS BRING

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THEIR IDENTIFICATION. AND WHEN WE HAVE A BILL THAT HAS NO EDUCATION REQUIREMENT, WHEN WE MAKE PERHAPS THE MOST DRASTIC CHANGE IN OUR ELECTION ACT FOR AN INDIVIDUAL VOTER IN THE HISTORY OF THE STATE AND WE DON'T PROVIDE ANY FUNDING TO ACTUALLY EDUCATE OR TELL ANYBODY ABOUT IT, THERE ARE GOING TO BE PEOPLE THAT SHOW UP WITHOUT THEIR IDENTIFICATION CARD. THIS MORNING WHEN I CAME TO THE CAPITOL, I ACCIDENTALLY PUSHED MY EMERGENCY ALARM OR WHATEVER IS UNDERNEATH MY DESK AND A STATE PATROLMAN CAME TO MY OFFICE. AND FOR A MINUTE I DON'T THINK THE STATE PATROLMAN BELIEVED ME THAT IT WAS MY DESK. AND I REACHED FOR MY ID AND I REALIZED I LEFT IT AT HOME. AND I DIDN'T DO THAT ON PURPOSE TO MAKE A POINT TODAY. BUT I DID IT. I'M TELLING YOU TODAY THAT REASONABLE PEOPLE, RESPONSIBLE PEOPLE, PEOPLE THAT ARE INFORMED VOTERS THAT HAVE THE RIGHT TO VOTE WILL FORGET THEIR ID AND THEY WON'T BE ABLE TO VOTE. NOW, WE TALK ABOUT THE PROVISIONAL CLAUSE IN THIS BILL. AND THE FACT THAT THERE'S EVEN A PROVISIONAL CLAUSE IN THIS BILL KIND OF STRIKES ME AS A LITTLE BIT FUNNY BECAUSE IF THE PURPOSE IS TO ENSURE THAT THERE'S NO IN-PERSON VOTER IMPERSONATION AND YET ALL SOMEBODY HAS TO DO IS FILL OUT A PROVISIONAL BALLOT, THEN YOU'VE COMPLETELY ELIMINATED THE NEED AND THE PURPOSE OF THE BILL. IT MAKES NO SENSE. SO NOW WHAT WE HAVE IS WE HAVE ELECTION WORKERS THAT HAVE TO GO THROUGH A LONG PROCESS OF SOMEBODY FILLING OUT A PROVISIONAL BALLOT, WHICH TAKES 10 TO 15 MINUTES IF THERE ISN'T A LINE FOR THE PROVISIONAL BALLOTS, WHICH IN MY DISTRICT THERE WILL BE... [LB111]

PRESIDENT FOLEY: ONE MINUTE. [LB111]

SENATOR MORFELD: ...BECAUSE THERE'S A LOT OF STUDENTS THAT MOVE FROM ONE PLACE TO THE OTHER AND WON'T HAVE THE ADDRESS REQUIREMENTS THAT'S REQUIRED IN THIS BILL BECAUSE REMEMBER, THIS BILL REQUIRES AN ID NOT ONLY THAT IS UNEXPIRED, BUT ONE THAT HAS YOUR CURRENT REGISTERED ADDRESS. SO NOW THESE PEOPLE WILL HAVE TO FILL OUT A PROVISIONAL BALLOT--WHICH THERE'S A LOT OF SAY IN THE ELECTION OFFICE WHETHER OR NOT THAT PROVISIONAL BALLOT IS ACCEPTED OR NOT. SO NOW IT'S NO LONGER A GUARANTEED VOTE--TO ACCOMPLISH SOMETHING THAT DOESN'T EVEN ACCOMPLISH THE PURPOSE OF THIS BILL. EACH PROVISIONAL BALLOT--I DID A STUDY THREE YEARS AGO--EACH PROVISIONAL BALLOT, IN ORDER TO PROCESS THAT IN PEOPLE TIME AND IN ADMINISTRATIVE TIME TAKES ABOUT \$30 PER PROVISIONAL BALLOT. SO NOW WE'RE PUSHING THIS UNNECESSARY REQUIREMENT DOWN ON THE COUNTY TO A BUNCH OF COUNTY OFFICIALS WHO ACTUALLY RUN OUR ELECTIONS, I REMIND YOU, THAT ARE ALSO OPPOSED TO THIS BILL. IF THERE WAS A VOTER IMPERSONATION PROBLEM, I THINK THEY KNOW ABOUT

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IT SINCE THEY RUN THE ELECTIONS. WE'RE DOING ALL THIS FOR ABSOLUTELY NO REASON. [LB111]

PRESIDENT FOLEY: TIME, SENATOR. THANK YOU, SENATORS McCOLLISTER AND SENATOR MORFELD. SENATOR MORFELD, YOU ARE NEXT IN THE QUEUE AND MAY CONTINUE SPEAKING. [LB111]

SENATOR MORFELD: I'LL JUST SAY ONE OR TWO MORE THINGS. FIRST, ONE OF THE THINGS THAT SENATOR GROENE BROUGHT UP IS THAT THIS ISN'T A BURDEN, THAT THIS ISN'T A GOVERNMENT MANDATE, AND THAT PEOPLE JUST NEED TO FOLLOW THE RULES AND THEN THEY'LL BE FINE. WELL, WHY DON'T WE FOLLOW THE FIRST RULE AND THAT'S CALLED THE CONSTITUTION. AND IN OUR CONSTITUTION, IT IS VERY CLEAR. IN FACT, IT'S SO CLEAR THAT OUR STATE HAS ONE OF THE MOST STRINGENT PROTECTIONS OF THE RIGHT TO VOTE IN THE ENTIRE COUNTRY. OUR CONSTITUTION SAYS IN ARTICLE I, SECTION 22: "ELECTIONS TO BE FREE. ALL ELECTIONS SHALL BE FREE; AND THERE SHALL BE NO HINDRANCE OR IMPEDIMENT TO THE RIGHT OF A QUALIFIED VOTER TO EXERCISE THE ELECTIVE FRANCHISE." NOW WHAT'S A QUALIFIED VOTER, SOME PEOPLE MAY SAY. OUR CONSTITUTION ALSO STATES THAT A QUALIFIED VOTER IS SOMEBODY THAT'S 18 YEARS OF AGE AND MEETS THE RESIDENCY REQUIREMENTS. AND IN THE STATE OF NEBRASKA, THE RESIDENCY REQUIREMENTS IS ONCE YOU CONSIDER NEBRASKA YOUR DOMICILE AND YOU HAVE A PHYSICAL PRESENCE HERE, THEN YOU'RE A RESIDENT. THE FIRST RULE THAT WE SHOULD BE FOLLOWING IN EVERYTHING THAT WE DO, THE OATH THAT WE TOOK AS STATE SENATORS IS TO FOLLOW THE CONSTITUTION. THAT'S THE NUMBER ONE RULE. IN ADDITION, SENATOR GROENE BROUGHT UP ACORN. WELL, THIS BILL WOULDN'T SOLVE THE PROBLEM THAT ACORN RAN INTO, WHICH WAS VOTER REGISTRATION FRAUD. THIS BILL DOES NOT SOLVE VOTER REGISTRATION FRAUD. THIS BILL ONLY ATTEMPTS--WHICH IT DOESN'T EVEN DO THAT BECAUSE THEY PUT SOME OTHER NONSENSICAL STUFF THAT TAKES AWAY FROM THE INTENT OF THE BILL--TO PREVENT SOMEBODY FROM IMPERSONATING ANOTHER VOTER. THIS BILL WOULD NOT HAVE SOLVED THE VOTER REGISTRATION FRAUD THAT OCCURRED IN ACORN. THERE ARE A LOT OF OTHER ISSUES THAT WE SHOULD BE ADDRESSING WITH OUR ELECTION SYSTEM. ONE OF THEM IS MODERNIZING OUR ELECTION SYSTEM. LAST YEAR, A BILL WAS PASSED INTO LAW THAT WOULD ALLOW FOR ON-LINE VOTER REGISTRATION WHICH WILL LEAD TO MORE CLEANER ROLLS, EASIER ACCESS TO BE ABLE TO REGISTER TO VOTE, PARTICULARLY AMONG YOUNG PEOPLE. THOSE ARE THE TYPES OF THINGS THAT WE SHOULD BE SPENDING THIS TIME CONSIDERING, NOT NONEXISTENT PROBLEMS THAT PANDER TO SOME FRINGE FOLKS. WE ALSO HAVE AN AGING ELECTION SYSTEM IN THAT THE MACHINES THAT COUNT OUR BALLOTS ARE ABOUT 10, 15, MAYBE EVEN A

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LITTLE BIT OLDER AND WE DON'T HAVE THE FUNDS RIGHT NOW TO REPLACE THEM. THOSE ARE THE TYPES OF ISSUES THAT WE SHOULD BE ADDRESSING AND DISCUSSING, NOT NONEXISTENT VOTER-FRAUD PROBLEMS. I ASK THAT YOU SUPPORT THE MOTION TO BRACKET. THANK YOU. [LB111]

PRESIDENT FOLEY: THANK YOU, SENATOR MORFELD. SENATOR BRASCH, YOU'RE RECOGNIZED. [LB111]

SENATOR BRASCH: THANK YOU, MR. LIEUTENANT GOVERNOR, AND GOOD MORNING, COLLEAGUES. I RISE TODAY TO ADDRESS QUESTIONS THAT HAVE BEEN RAISED ON THE FLOOR. AND WE'VE HEARD EVERYTHING FROM A MATTER OF POLITICS, BAD POLITICS. SENATOR CHAMBERS HAS SAID THAT THIS IS A MATTER OF RACISM. AND I BELIEVE THAT THAT WAS ALSO REITERATED BY SENATOR PANSING BROOKS. WE'VE BEEN TOLD THAT IT'S ALSO A MATTER OF MANDATES. WE'VE BEEN ALSO TOLD THAT...A CHRISTIANITY ISSUE CAME UP. WE'VE HAD A LOT OF DIALOGUE. AND, AS LEGISLATORS, WE LOOK AT WHAT IS GOOD PUBLIC POLICY. AND I DID WANT TO ADDRESS A LITTLE BIT OF EACH ONE, WHEN IT COMES TO THE POLITICAL ISSUE HERE, IN SOME STATES IT HAS SHOWN THAT THE DEMOCRAT VOTING WENT UP, IT INCREASED WITH THE ID. WE HAVE SEEN INCIDENTS. IT'S NOT A FABRICATED THEORY. BUT I WONDER, HOW DO WE POLICE WHAT IS FRAUD? THERE IS NO MECHANISM IN PLACE. IT HAS HAPPENED. IT'S HAPPENED IN OTHER STATES, AND WE NEED TO LOOK AT WHAT HISTORY TEACHES US. SENATOR CHAMBERS ALSO, ONCE AGAIN...AND WE WILL, I'M CONFIDENT, HEAR MORE ABOUT THE TRAVESTY OF RACISM AND WHAT AMERICAN-AFRICAN PEOPLE, AFRICAN PEOPLE, OTHER RACES AND CULTURES HAVE EXPERIENCED. AND IT IS TERRIBLE. YOU KNOW, I KEEP HOPING AND PRAYING THAT AS CIVILIZATION EVOLVES THAT WE WILL BECOME KINDER, MORE PEACEFUL. BUT IF YOU TURN ON THE NATIONAL NEWS AND YOU SEE WHAT'S HAPPENING ACROSS THE GLOBE, THERE ARE PROBLEMS THERE. THERE ARE VERY, VERY DANGEROUS SITUATIONS. SENATOR CHAMBERS, I WONDER IF YOU WOULD YIELD TO A QUESTION. [LB111]

PRESIDENT FOLEY: SENATOR CHAMBERS, WOULD YOU YIELD? [LB111]

SENATOR CHAMBERS: YES, I WILL. [LB111]

SENATOR BRASCH: THANK YOU, SENATOR CHAMBERS. I WAS GOING TO ASK YOU IF YOU WOULD YIELD TO A SONG. I HAVE PASSED OUT...ARE YOU FAMILIAR WITH SLY AND THE FAMILY STONE? [LB111]

SENATOR CHAMBERS: YES, BUT I DON'T KNOW ABOUT THE SONG BECAUSE I

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DON'T KNOW THE NAME OF IT. [LB111]

SENATOR BRASCH: THE WORDS ARE THERE AT YOUR DESK, SENATOR CHAMBERS, AND IT'S "EVERYDAY PEOPLE." WHEN YOU BROADLY PAINT A BRUSH THAT EVERYONE WHO IS WHITE IS BAD, I THINK OF MY OWN UPBRINGING. AND I FEEL BAD THAT YOU DIDN'T HAVE A BLACK TEACHER. I HAD A BLACK TEACHER, AFRICAN-AMERICAN, IN MY 3RD GRADE, AND THE MOST WONDERFUL PERSON TAUGHT US LESSONS THAT LASTED A LIFETIME AND ONE OF THEM WAS NOT TO LABEL. AND THIS SONG FROM, I'M GUESSING IT'S THE '70s, THAT, YOU KNOW, LABELING IS WRONG. AND I DON'T UNDERSTAND HOW THIS BECOMES RACISM. COULD YOU TELL ME HOW ASKING FOR PHOTO ID BECOMES RACISM? [LB111]

SENATOR CHAMBERS: FIRST OF ALL, YOU HAVE NEVER HEARD ME SAY ALL WHITE PEOPLE ARE BAD. YOU DON'T LISTEN WELL. I SAID ALL WHITE PEOPLE BORN IN THIS COUNTRY ARE RACIST. THEY PARTAKE OF IT IN THE SCHOOLS, IN THE EDUCATION, IN THE CHURCHES... [LB111]

PRESIDENT FOLEY: ONE MINUTE. [LB111]

SENATOR CHAMBERS: ...EVERYWHERE. THAT'S WHAT I'VE SAID, AND I STICK TO THAT. THERE ARE SOME WHO ARE ACTIVE. THERE ARE OTHERS WHO ARE NOT ACTIVE, BUT THEY BECOME ACTIVE. BUT I STAND BY THAT. WHEN YOU HAVE A PROGRAM AIMED AGAINST PEOPLE OF A CERTAIN RACE, THAT IS RACISM. AND THAT'S WHAT ALL OF THIS IS ABOUT, AND THE REPUBLICAN PARTY MADE IT CLEAR WHEN THEY FIRST STARTED IT. THEY STARTED IT AND ESPECIALLY DID THEY ACCELERATE WHEN PRESIDENT OBAMA WON. THEY SAID WE HAVE TO STOP THOSE PEOPLE FROM BEING ABLE TO VOTE. SO THEY FOUND OUT WHAT ELEMENT WOULD BE COMMON TO A LOT OF BLACK PEOPLE THAT COULD BE USED TO STOP A LOT OF THEM FROM VOTING AND IT WAS THIS IDEA OF IDENTIFICATION BECAUSE BLACK PEOPLE...WELL, THE TIME IS ALMOST UP, SO I WON'T TAKE ALL OF YOURS. I'LL LET YOU END THE WAY YOU WANT TO. [LB111]

SENATOR BRASCH: THANK YOU, SENATOR CHAMBERS. AND I DO BELIEVE WE NEED TO BE MINDFUL OF THE ABILITY TO NOT LABEL INDIVIDUALS, TO GROW AS... [LB111]

PRESIDENT FOLEY: TIME, SENATOR. [LB111]

SENATOR BRASCH: THANK YOU. [LB111]

PRESIDENT FOLEY: THANK YOU, SENATORS BRASCH AND SENATOR

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CHAMBERS. SENATOR KINTNER, YOU'RE RECOGNIZED. [LB111]

SENATOR KINTNER: WELL, THANK YOU, MR. PRESIDENT. YOU KNOW, I GET IT. THIS IS IMPORTANT TO LIBERALS. THEY REALLY WANT THIS. THEY'RE GOING TO DIE ON THIS HILL, AND IT'S ALSO, FOR THE CONSERVATIVE SIDE, THIS IS IMPORTANT TO CONSERVATIVES. THIS IS PRETTY MUCH SOMETHING CONSERVATIVES BELIEVE IN. BUT YOU KNOW WHAT, I HAVE BEEN THROUGH TWO TOUGH CAMPAIGNS IN THREE YEARS. I'VE HEARD QUITE A BIT FROM THE PEOPLE IN MY DISTRICT AND ACROSS THE STATE. I GET QUITE A FEW E-MAILS FROM PEOPLE ALL ACROSS THE STATE. AND THEY CAN'T BELIEVE THAT WE CAN'T FIGURE OUT HOW TO GET A WORKABLE VOTER ID BILL IN THIS STATE. THEY JUST CAN'T BELIEVE IT. I MEAN THEY'RE PROBABLY WATCHING THIS AT HOME GOING, WHAT'S GOING ON DOWN THERE? WHO ARE THE PEOPLE WE'RE SENDING? WE THINK WE'RE SENDING SOME COMMONSENSE CONSERVATIVES DOWN THERE, AND LOOK WHAT WE'RE GETTING. I HEAR THAT QUITE A BIT. I WANT TO RESPOND TO A FEW THINGS I'VE HEARD HERE. ONE THING I HEARD, I THINK YESTERDAY, WAS PEOPLE DON'T WANT THIS. OH, HORSE MANURE, THEY DON'T? YES, THEY DO WANT IT. I MEAN, THIS HAS SUCH OVERWHELMING SUPPORT AMONG REGULAR, EVERYDAY PEOPLE, THEY JUST CAN'T BELIEVE WE'RE DOING THAT. BUT I ACTUALLY HEARD ONE SENATOR STAND UP AND SAY PEOPLE DON'T WANT THIS. SOMEONE SAID WE'RE IMPOSING MORE GOVERNMENT. WELL, I KNOW A LITTLE BIT ABOUT IMPOSING GOVERNMENT. I'M USUALLY THE GUY DOWN THERE FIGHTING IT. BUT WE'LL TAKE AS MUCH GOVERNMENT AS IT NEEDS TO ENSURE YOUR LIBERTY, AND WE'LL DO THAT OVER AND OVER AND OVER AND OVER AGAIN. THAT'S NOT AN IMPOSITION. THAT'S THE RIGHT THING TO DO. SOMEONE SAYS WE NEED EVERYBODY VOTING. NO, WE DON'T. WE WANT EVERYONE WHO'S LEGAL TO VOTE, TO VOTE. THAT'S NOT EVERYBODY. WE WANT LEGAL PEOPLE VOTING. IT'S NOT THAT HARD. AND THEN SOMEONE SAID IT'S FRINGE PEOPLE THAT WANT THIS. NO, IT'S NOT FRINGE PEOPLE. IT'S THE VAST MAJORITY OF PEOPLE IN OUR STATE THAT BELIEVE THIS. I SUPPORT YOU, NEBRASKA. I SUPPORT ALL OF YOU PEOPLE AT HOME THAT ARE SCRATCHING YOUR HEAD SAYING WHY CAN'T WE HAVE A VOTER ID LAW. AND I GO ON A PERSON'S PORCH AND THEY START GOING THROUGH ALL THINGS THEY NEED ID FOR, BUT I DON'T NEED ONE TO VOTE. I TOTALLY AGREE OUT THERE. I THINK THE FRINGE FOLKS ARE ON THE OTHER SIDE. AND THEN FINALLY, I HEARD TWO SENATORS SPEAK ABOUT THIS, AND THEY COULDN'T BE FURTHER APART. ONE SENATOR, SENATOR MURANTE, VERY LOGICALLY EXPLAINED THIS, EXPLAINED HOW IT WOULD WORK, EXPLAINED WHO WOULD BE AFFECTED. HE DIDN'T ATTACK ANYONE. HE DIDN'T USE ANY LOADED WORDS. HE DIDN'T CAST ANY ASPERSIONS ON ANY OTHER SENATOR. THEN I HEARD ANOTHER SENATOR GET UP AND SAY THAT THIS WAS BASED ON RACISM. REALLY? WELL, OKAY. A SENATOR BESIDES SENATOR CHAMBERS, I'LL LET SENATOR

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CHAMBERS' WORD STAND ON HIS OWN. BUT A SENATOR BESIDES SENATOR CHAMBERS SAID THIS WAS BASED ON RACISM. AND, REALLY? NO, IT'S NOT. IT'S A SINCERE DESIRE TO ENSURE THE INTEGRITY OF OUR VOTING SYSTEM AND TO MAKE SURE THAT PEOPLE WHEN THEY GO VOTE, BELIEVE THAT THEIR VOTE IS NOT BEING CANCELED OUT BY SOMEONE THAT SHOULDN'T VOTE. AND WE'VE GOT ENOUGH EXAMPLES IN NEW ORLEANS IN 1996 IN THE SENATE ELECTION, THE SENATE ELECTION IN MINNESOTA, CHICAGO EVERY YEAR, SENATOR (SIC--CONGRESSMAN) DORNAN VERSUS SANCHEZ IN ANAHEIM IN THE 1990s. WE'VE GOT ENOUGH EXAMPLES OF IT HAPPENING AROUND THE COUNTRY, AND WE CERTAINLY KNOW THE PEOPLE REALIZE THAT IT HAPPENS AROUND THE COUNTRY. [LB111]

PRESIDENT FOLEY: ONE MINUTE. [LB111]

SENATOR KINTNER: AND WE WANT THEM TO FEEL GOOD THAT'S NOT GOING TO HAPPEN HERE. SO THAT IS WHY I SUPPORT THIS BILL. THAT IS WHY I THINK THIS BILL IS GOOD POLICY. I DON'T MIND PEOPLE HAVING A DIFFERENT VIEWPOINT. I UNDERSTAND THERE ARE DIFFERENT VIEWPOINTS. I DON'T CRITICIZE ANYONE FOR HAVING A DIFFERENT VIEWPOINT. I DO CRITICIZE PEOPLE FOR SAYING RACISM AND CASTING ASPERSIONS ON PEOPLE THAT MAY DISAGREE WITH THEM. I DON'T THINK THAT'S THE WAY WE SHOULD BE TALKING ABOUT THIS. WE SHOULD STICK TO THE ISSUE, AND I THINK THE PEOPLE ON THE OTHER SIDE HAVE LEGITIMATE CONCERNS. I DON'T QUESTION THEIR MOTIVES FOR THOSE THE CONCERNS. THANK YOU, MR. PRESIDENT. [LB111]

PRESIDENT FOLEY: THANK YOU, SENATOR KINTNER. SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB111]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT, MEMBERS OF THE LEGISLATURE. ANYTHING I SAID, YOU CAN CALL MY NAME AND ATTACH IT TO THE WORDS BECAUSE THE RECORD WILL STAND FOR ITSELF. AND I NEVER THROW A ROCK AND HIDE MY HAND. AND IF WHAT I SAY WHICH I BELIEVE IS TRUE IS INTERPRETED AS AN ASPERSION, SO BE IT. BUT I'M GOING TO READ FROM THIS DOCUMENT THAT IS CALLED THE ADMISSION OF THE STATE. "WHEREAS, THE CONGRESS OF THE UNITED STATES DID, ON THE 9TH DAY OF FEBRUARY, A.D. 1867, PASS AN ACT IN THE FOLLOWING WORDS, TO WIT: AN ACT FOR THE ADMISSION OF THE STATE OF NEBRASKA INTO THE UNION." HERE'S WHAT IT SAYS IN SECTION 3: "BE IT FURTHER ENACTED, THAT THIS ACT SHALL NOT TAKE EFFECT EXCEPT UPON THE FUNDAMENTAL CONDITION THAT WITHIN THE STATE OF NEBRASKA THERE SHALL BE NO DENIAL OF THE ELECTIVE FRANCHISE, OR ANY OTHER RIGHT TO ANY OTHER PERSON, BY REASON OF RACE OR COLOR, EXCEPTING INDIANS NOT TAXED; AND UPON

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THE FURTHER FUNDAMENTAL CONDITION THAT THE LEGISLATURE OF SAID STATE, BY A SOLEMN PUBLIC ACT, SHALL DECLARE THE ASSENT OF SAID STATE TO THE SAID FUNDAMENTAL CONDITION, AND SHALL TRANSMIT TO THE PRESIDENT OF THE UNITED STATES AN AUTHENTIC COPY OF SAID ACT; UPON RECEIPT WHEREOF THE PRESIDENT, BY PROCLAMATION, SHALL FORTHWITH ANNOUNCE THE FACT, WHEREUPON SAID FUNDAMENTAL CONDITION SHALL BE HELD AS A PART OF THE ORGANIC LAW OF THE STATE, AND THEREUPON, AND WITHOUT ANY FURTHER PROCEEDING ON THE PART OF CONGRESS, THE ADMISSION OF SAID STATE INTO THE UNION SHALL BE CONSIDERED AS COMPLETE." THAT WAS DONE. THAT'S WHY THAT PROVISION IS IN NEBRASKA'S CONSTITUTION AND ANYBODY WHO GOES AGAINST THAT PROVISION IS A RACIST, A RACIST, A RACIST. AND SENATOR KINTNER, IF HE PAID MORE ATTENTION AND IF HE READ SOMETHING OTHER THAN THIS SILLINESS THAT HE QUOTES, LISTENED TO SOMEBODY OTHER THAN RUSH LIMBAUGH OR THE OTHER FOOLISH PROGRAMS HE LISTENS TO--YES, I'M SAYING IT AND I MEAN EVERY WORD OF IT--THEN HE WOULD KNOW THE AIM OF THIS KIND OF LEGISLATION. AND ALL THESE SO-CALLED CONSERVATIVES FIND A WAY ON THIS BILL TO CONTRADICT EVERY PRINCIPLE THEY STATE ON EVERY OTHER ISSUE THAT COMES BEFORE US ON THIS FLOOR. AND IF NOBODY ELSE WILL SAY IT, I SHALL. THAT IS MY JOB. I AM NOT ONE OF THESE WHIMPERERS AND WHINERS WHO RUN WITH THE HERD AS SOME OF MY COLLEAGUES ARE. BUT THEY WANT TO RUN WITH THE RABBITS, THEN HUNT WITH THE HOUNDS. THEY ARE WHATEVER THE SITUATION CALLS FOR. RACISM IS OF THE WARP AND WOOF OF THIS KIND OF LEGISLATION. IT'S AS RACIST AS ANY JIM CROW LAW THAT WAS PASSED IN THE SOUTH. AND IT EXEMPLIFIES THE MANTRA OF GEORGE WALLACE WHO WAS MORE HONEST THAN SOME OF MY COLLEAGUES. SEGREGATION TODAY, SEGREGATION TOMORROW, SEGREGATION FOREVER. AND HE STOOD BY IT, AND HE STOOD IN THE DOORWAY TO STOP BLACK CHILDREN FROM GOING TO SCHOOL. AND YOU KNOW WHO WAS MOST UPSET ABOUT RACISM AND SEGREGATION IN THE SCHOOLS? BEAR BRYANT, THE COACH OF ALABAMA, BECAUSE THEY WENT OUT TO SOUTH CAROLINA AND GOT THEIR RUMPS KICKED ON THE FOOTBALL FIELD BY A BLACK PLAYER NAMED SAM CUNNINGHAM. THEY CALLED HIM SAM "BAM" CUNNINGHAM. AND HE WOULD GO OVER THE LINE. AND YOU KNOW WHAT BEAR BRYANT SAID? AND HE DID NOT USE THE N-WORD. I NEED SOME OF THOSE DOWN HERE IN ALABAMA. [LB111]

PRESIDENT FOLEY: ONE MINUTE. [LB111]

SENATOR CHAMBERS: AND WHEN INTEGRATION CAME, HE WAS HAPPY. AND HE GOT SOME OF THOSE. AND THAT'S WHAT ALABAMA HAS NOW. AND THESE PEOPLE ON THIS FLOOR ARE GOING TO STAND HERE AND THINK THEY CAN SILENCE ME? THEY'RE OUT OF THEIR MIND. AND I WILL LABEL A THING WHAT

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IT OUGHT TO BE BECAUSE THEIR JESUS SAID, YOU KNOW A TREE BY THE FRUIT IT BEARS. SO SENATOR KINTNER CAN CALL ME BY NAME. SENATOR BRASCH CAN CALL ME BY NAME. DO LIKE SANTA CLAUS. DO LIKE I DO. WHISTLE AND SHOUT AND CALL THEM BY NAME. DASHER, DANCER, PRANCER, VIXEN, COMET, CUPID, DONNER, AND BLITZEN. PEOPLE HAVE NAMES. PEOPLE COMMIT DEEDS. ATTACH THE DEED TO THE ONE WHO COMMITTED IT, THEN APPLY THE NAME OF THE ONE YOU FEEL IS RESPONSIBLE. I CAN TAKE CARE OF MYSELF ON THIS FLOOR. BUT THIS IS A MOTION THAT OUGHT TO BE ADOPTED, THEN WE'LL BE RID OF THIS. [LB111]

PRESIDENT FOLEY: TIME, SENATOR. [LB111]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB111]

PRESIDENT FOLEY: THANK YOU, SENATOR CHAMBERS. ITEMS FOR THE RECORD, MR. CLERK.

CLERK: THANK YOU, MR. PRESIDENT. I HAVE A CORRECTED HEARING NOTICE FROM THE HEALTH AND HUMAN SERVICES COMMITTEE. URBAN AFFAIRS COMMITTEE REPORTS LB420, LB455 TO GENERAL FILE, LB131, LB197, LB295 TO GENERAL FILE WITH AMENDMENTS. A REMINDER, THE EXECUTIVE BOARD WILL MEET IN EXEC SESSION AT 11:00 IN ROOM 2022. THAT'S ALL THAT I HAVE, MR. PRESIDENT. (LEGISLATIVE JOURNAL PAGES 537-540.) [LB420 LB455 LB131 LB197 LB295]

PRESIDENT FOLEY: THANK YOU, MR. CLERK. SENATOR CRAWFORD, YOU'RE RECOGNIZED. [LB111]

SENATOR CRAWFORD: THANK YOU, MR. PRESIDENT. I RISE AGAIN IN OPPOSITION TO LB111. AND I'D LIKE TO SPEAK TO A FEW ITEMS THAT HAVE BEEN MENTIONED PREVIOUSLY AND CLARIFY THEM FOR THE RECORD. SO THERE WAS ONE DISCUSSION ABOUT OTHER COUNTRIES THAT MAY REQUIRE SOME KIND OF IDENTIFICATION. IT'S IMPORTANT TO UNDERSTAND IN THE COMPARISON OF THE UNITED STATES TO MANY OTHER DEMOCRACIES IS THAT MOST OF THE DEMOCRACIES, ACTUALLY THE GOVERNMENT TAKES RESPONSIBILITY OF ESTABLISHING THE REGISTRATION ROLLS. AND SO THEY DON'T HAVE THAT REGISTRATION PROCESS THAT WE HAVE. AND SO WE HAVE A REGISTRATION PROCESS BEFORE YOU GET TO THE POINT THAT IS GOVERNED AND SEEKING TO BE CHANGED BY LB111. AND SO THAT'S VERY IMPORTANT TO NOTE, THAT WE HAVE THAT REGISTRATION PROCESS IN FRONT. THAT'S ONE OF THE REASONS WHY WE HAVE A LOWER VOTER TURNOUT AS WELL, BUT THAT'S A DEBATE FOR ANOTHER DAY. ALSO IT WAS MENTIONED THAT THERE IS A LOT OF PUBLIC SUPPORT FOR SOME KIND OF

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VOTER ID. AND AGAIN, I WANT TO REMIND MY COLLEAGUES THAT AS ELECTED OFFICIALS IN A DEMOCRACY, WE HAVE TWOFOLD RESPONSIBILITIES. ONE IS REPRESENTING PEOPLE, HEARING WHAT THEY SAY, CONSIDERING THEIR VIEWS AS WE'RE MAKING LAW. BUT IN A REPRESENTATIVE DEMOCRACY, WE ALSO HAVE A RESPONSIBILITY TO PROTECT THE CONSTITUTION. AND WHEN A MAJORITY OPINION CONTRADICTS A FUNDAMENTAL , CONSTITUTIONAL PROTECTION, IT'S OUR JOB TO SAY NO, WHETHER IT'S 70 PERCENT, 80 PERCENT, OR 90 PERCENT. OUR JOB IS TO PROTECT THOSE FUNDAMENTAL CONSTITUTIONAL PROTECTIONS IN THOSE CASES. AND IN MY MIND, THAT'S A CONCERN HERE AND WHY WE NEED TO SAY NO TO LB111. NOW IT ALSO...IT'S ALSO IMPORTANT, I BELIEVE, TO REITERATE THAT WE DO HAVE PROTECTIONS AGAINST FRAUD, AND I UNDERSTAND WHY PEOPLE IN NEBRASKA WANT TO MAKE SURE WE DON'T HAVE FRAUD AND MAKE SURE WE HAVE PROTECTIONS AGAINST THAT. AND SENATOR NORDQUIST YESTERDAY SPOKE PRETTY ELOQUENTLY ABOUT THE PROTECTIONS WE HAVE AGAINST FRAUD. IF FRAUD HAPPENS, WE CAN DO SOMETHING ABOUT IT. BUT THE OTHER THING THAT'S VERY IMPORTANT TO REITERATE IS WHAT WE'VE HEARD AGAIN AND AGAIN ON THE FLOOR THAT WE HAVE NOT SEEN VOTER IMPERSONATION FRAUD IN NEBRASKA. AND SENATOR MORFELD SPOKE QUITE ELOQUENTLY ABOUT HOW UNLIKELY IT WOULD BE THAT THAT HAPPENS AND WE HAVEN'T HEARD ABOUT IT FROM THE COUNTIES. WE ALSO HEARD SENATOR McCOLLISTER SPEAK ABOUT ALL OF THE RESEARCH THAT THE PLATTE INSTITUTE HAS DONE TO SEE IF THEY CAN FIND EVIDENCE OF THIS KIND OF FRAUD, TO NO AVAIL. WE SIMPLY DO NOT HAVE A VOTER IMPERSONATION FRAUD ISSUE. I WOULD ALSO LIKE JUST TO ADD TO THE RECORD, AFTER INDIANA PASSED ITS VOTER ID LAW, THERE WAS ACTUALLY A SYMPOSIUM OF POLITICAL SCIENTISTS WHO TALKED ABOUT THAT, THE PASSAGE OF THAT BILL. AND ONE OF THE ESSAYS IN THAT SYMPOSIUM WAS WRITTEN BY CHANDLER DAVIDSON ON THE HISTORICAL CONTEXT OF THE VOTER PHOTO-ID LAWS, AND THIS WAS WRITTEN IN 2009. AND HE TALKS ABOUT A SITUATION IN TEXAS WHICH FURTHER REITERATES THE EVIDENCE THAT VOTER IMPERSONATION FRAUD SIMPLY IS A PHANTOM AND IT DOES NOT EXIST. SO HE'S TALKING ABOUT TEXAS. AND HE SAYS IN JANUARY 2006, AFTER HIS PARTY'S FIRST FAILURE TO PASS A PHOTO ID BILL, GREG ABBOTT, THE REPUBLICAN ATTORNEY GENERAL OF TEXAS, ANNOUNCED A TRAINING INITIATIVE TO IDENTIFY, PROSECUTE, AND PREVENT VOTER FRAUD. THIS WAS THE MOST AMBITIOUS AND COSTLY EFFORT IN RECENT TEXAS HISTORY, PERHAPS EVER, BY THE STATE GOVERNMENT TO ATTACK THE ALLEGED PROBLEM. [LB111]

PRESIDENT FOLEY: ONE MINUTE. [LB111]

SENATOR CRAWFORD: THANK YOU. SO THEY SPENT \$1.5 MILLION AND MUCH

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ENERGY AND EFFORT FROM THE GOVERNOR'S OFFICE TO TRY TO IDENTIFY AND DEAL WITH THIS FRAUD. HOWEVER, AFTER TWO YEARS OF THIS EFFORT, COSTLY AND ENERGETIC EFFORT, NONE OF THE TYPES OF FRAUD THAT THEY IDENTIFIED WOULD HAVE BEEN PREVENTED BY A PHOTO ID REQUIREMENT ADVOCATED BY THE REPUBLICANS IN THAT SESSION. THIS IS TO SAY NONE OF THE VERY LITTLE FRAUD THAT THEY FOUND, NONE OF IT INVOLVED VOTER IMPERSONATION AT THE POLLS. WE SIMPLY DO NOT HAVE A PROBLEM OF VOTER IMPERSONATION AT THE POLLS. AND IF WE DO, WE HAVE AMPLE PROVISIONS TO DO SOMETHING ABOUT IT. I URGE YOU TO VOTE AGAINST LB111. THANK YOU. [LB111]

PRESIDENT FOLEY: THANK YOU, SENATOR CRAWFORD. SENATOR LARSON, YOU'RE RECOGNIZED. [LB111]

SENATOR LARSON: THANK YOU, MR. PRESIDENT. A FEW THINGS THAT I'D LIKE TO TALK ABOUT, CLEAR UP, AS WE'RE MOVING THROUGH THIS DEBATE AND ON THE BRACKET MOTION WHICH I OPPOSE, SENATOR CHAMBERS' BRACKET MOTION AND WOULD URGE ANYBODY THAT SUPPORTS VOTER ID TO OPPOSE IT AS WELL. I HEARD...WELL, I'LL START WITH SENATOR CRAWFORD WHEN SHE TALKS ABOUT THE HARMS OF A DEMOCRACY AND THAT WE SOMETIMES HAVE TO WITH MONITOR OURSELVES BECAUSE SOMETIMES THE PEOPLE MIGHT NOT NECESSARILY KNOW WHAT THEY WANT, AND THAT THE 79 PERCENT, YOU KNOW, WE HAVE TO REASONABLY THINK. I REMEMBER AN ISSUE LAST YEAR WHERE THE LEGISLATURE FELT SIMILAR WITH. AND I THINK IT RECEIVED ONLY 20 OUT OF 49 VOTES IN THIS BODY AND THEN A BALLOT INITIATIVE WAS RUN. BUT THE MEMBERS OF THE LEGISLATURE THOUGHT IT WOULD BE HARMFUL TO THE ECONOMY AS A WHOLE. SO TO USE THAT ARGUMENT, THE PEOPLE'S OPINION DOESN'T MATTER, THE PEOPLE SPOKE ON THAT ISSUE AND THEY SUPPORTED IT OVERWHELMINGLY AND IT PASSED. SO, YES, THE PEOPLE'S OPINION DOES MATTER. ON...AND I DON'T KNOW IF SENATOR PANSING BROOKS MISSPOKE ON STATE IDs AND HOW SHE THOUGHT THEY WERE A POLL TAX, LB111 GIVES FREE STATE IDs TO ANYONE THAT DOESN'T HAVE ONE. AND IF WE WANT TO COMPLAIN ABOUT HAVING TO PAY FOR OUR DRIVER'S LICENSE, WHICH ALSO ACTS AS A STATE ID, YOU PAY FOR THAT FOR THE ABILITY TO DRIVE, NOT BECAUSE IT'S YOUR IDENTIFICATION. THERE'S A CLEAR SEPARATED DIFFERENCE. NOW, YOU CAN USE THAT AS YOUR IDENTIFICATION, BUT THEREIN LIES THE WHY IT'S NOT A POLL TAX, BECAUSE YOU ARE PAYING FOR THE ABILITY TO DRIVE. SO THEREIN LIES THAT ISSUE. SENATOR PANSING BROOKS ALSO TALKED ABOUT THE EPITOME OF DEMOCRACY IN THE UNITED STATES. WE WERE ONE OF THE FIRST TRUE DEMOCRACIES. WE CAN GO BACK TO GREECE AND THAT DEMOCRACY. BUT IN FACT, I'D ARGUE THAT OUR COUNTRY AND OUR STATE AREN'T THE EPITOMES OF DEMOCRACY. WE'RE FIRST-PAST-THE-POST

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SYSTEMS AND THAT'S NOT THE EPITOME OF DEMOCRACY. IT HAS CREATED A TWO-PARTY SYSTEM WHERE THERE WILL ALWAYS BE TWO PARTIES AND ALIENATES MANY OTHER PEOPLE BECAUSE THEY DON'T FEEL AT HOME IN THE REPUBLICAN OR THE DEMOCRAT PARTY. IF YOU WANT TO SEE DEMOCRACY AND THE EPITOME OF DEMOCRACY, YOU DO TRAVEL ACROSS THE POND TO LATER DEMOCRACIES THAT WERE CREATED LATER: GERMANY, A GREAT TRUE EPITOME OF DEMOCRACY IN THE PROPORTIONAL REPRESENTATION SYSTEM THAT ALLOWS FOR MULTIPLE PARTIES, MULTIPLE VOICES TO BE HEARD, AND IT'S A TRUE REPRESENTATION OF THE VOTERS OF THAT COUNTRY. THIS, THIS IS NOT. DID I MENTION THAT GERMANY HAS VOTER ID? [LB111]

PRESIDENT FOLEY: ONE MINUTE. [LB111]

SENATOR LARSON: I THINK I DID. OR CANADA OR GERMANY, FRANCE, SPAIN, ITALY, PORTUGAL, BELGIUM, SWEDEN, IRELAND, GREECE, MEXICO, INDIA, THE NETHERLANDS AND I COULD CONTINUE ON. AND EVERY ONE OF THOSE COUNTRIES ALSO HAD THE SAME PROTECTIONS ON VOTING IF NOT STRONGER THAN THE U.S. CONSTITUTION. SO LET'S BE CAREFUL ABOUT THE STATEMENTS WE MAKE IN TERMS OF, YOU KNOW, WE'RE DOING IT RIGHT. WE WERE THE FIRST DEMOCRACY IN THE MODERN ERA AND I'M NOT SAYING THAT IT WASN'T...IT WAS BUILT TO WHERE WE HAD TO BE, BUT IT'S NOT THE EPITOME. [LB111]

PRESIDENT FOLEY: TIME, SENATOR. THANK YOU, SENATOR LARSON. SENATOR NORDQUIST, YOU'RE RECOGNIZED. [LB111]

SENATOR NORDQUIST: MR. PRESIDENT, I'D LIKE TO YIELD MY TIME TO SENATOR COOK. [LB111]

PRESIDENT FOLEY: SENATOR COOK, 5:00. [LB111]

SENATOR COOK: THANK YOU, MR. CHAIR. GOOD MORNING, COLLEAGUES. HERETOFORE I HAVE NOT SAID ANYTHING ON THIS PROPOSAL. I THINK MAYBE IT DOESN'T GO WITHOUT SAYING THAT I STAND IN VEHEMENT OPPOSITION TO THIS PROPOSAL OR ANY PROPOSAL THAT WOULD SUPPRESS VOTING. MANY PEOPLE HAVE BROUGHT UP, AND IT COMES UP SO OFTEN IN MY CONVERSATIONS WITH MY COLLEAGUES IN COMMITTEE AND ON THE FLOOR, THAT ANY TIME YOU MENTION THE FACT THAT THERE'S SUCH A CONCEPT THAT EXISTS TODAY AS RACISM AND THAT IT MAY EXPRESS ITSELF WITHIN THE AFRICAN-AMERICAN COMMUNITY, IN THE UNITED STATES, OR IN NEBRASKA, PEOPLE ACT SHOCKED AND THAT YOU'RE PERSONALLY ACCUSING THEM OF STARTING THEIR VERY OWN KLAN GROUP. THAT'S VERY

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STRANGE AND IT'S VERY IGNORANT. ONCE AGAIN, I STAND IN SUPPORT OF THIS BRACKET MOTION AND AGAINST LB111, ANY AMENDMENT THAT ATTEMPTS TO TRY TO MAKE IT MORE PALATABLE. AND I WOULD YIELD MY TIME BACK TO SENATOR NORDQUIST. [LB111]

PRESIDENT FOLEY: SENATOR NORDQUIST, 3:30. [LB111]

SENATOR NORDQUIST: MR. PRESIDENT, I WOULD LIKE TO YIELD THE BALANCE OF MY TIME TO SENATOR LARSON. [LB111]

PRESIDENT FOLEY: SENATOR LARSON, 3:30. [LB111]

SENATOR LARSON: THANK YOU, MR. PRESIDENT. I HAVE AN INKLING THAT THE QUESTION WILL BE CALLED NEXT. SO I'LL USE THIS THREE AND A HALF MINUTES AS A CLOSING BEFORE SENATOR CHAMBERS GETS HIS CHANCE. LB111 MOVES US IN THE RIGHT DIRECTION BECAUSE WE ALWAYS HEAR, IF THIS SAVES ONE CHILD, OR IF THIS ENSURES ONE ELECTION. YOU'RE RIGHT, THE SANCTITY TO VOTE IS CRUCIAL AND ELECTIONS ARE CRUCIAL. THERE'S MEMBERS OF THE BODY THAT HAVE WON ELECTIONS, TWO ELECTIONS OR ONE ELECTION, BY VERY FEW VOTES. AND I KNOW ONE MEMBER WHO HAS WON TWO ELECTIONS BY LESS THAN 100 VOTES TOTAL. EVERY VOTE MATTERS. AND THAT IS WE WANT TO MAKE SURE THAT NOTHING IS DILUTED. AND LB111 IS NOT BURDENSOME. IT DOES NOT TURN ANYONE AWAY. IT SIMPLY ASKS THAT YOU SHOW AN IDENTIFICATION WHEN YOU GO TO THE POLLS. AND IF YOU DO NOT HAVE ONE, YOU MAY VOTE PROVISIONALLY. IT IS MUCH LESS RESTRICTIVE THAN SOME OTHER STATES AND VERY MUCH LESS RESTRICTIVE THAN OTHER COUNTRIES THAT HAVE THE SAME PROVISIONS IN THEIR CONSTITUTIONS THAT I WOULD ARGUE ARE MORE REPRESENTATIVE OF THE INTERESTS OF THEIR PEOPLE BECAUSE OF THE TYPE OF DEMOCRACY THAT THEY HAVE. I DON'T KNOW IF SENATOR CRAWFORD...I KNOW SHE'S A POLITICAL SCIENTIST. SHE DIDN'T SAY SHE WAS A...SHE SAID ONLY SHE WASN'T A COMPARATIVE POLITICS POLITICAL SCIENTIST. [LB111]

PRESIDENT FOLEY: ONE MINUTE. [LB111]

SENATOR LARSON: BUT AT THE SAME TIME, I THINK SHE WOULD PROBABLY KNOW ENOUGH ABOUT PROPORTIONAL REPRESENTATION AND THOSE SYSTEMS TO UNDERSTAND...HOPEFULLY AGREE WITH ME THAT THEY'RE A LITTLE MORE REPRESENTATIVE OF THE IDEAS OF THOSE PEOPLE COMPARED TO THE SYSTEM WE HAVE. LB111 IS SUPPORTED BY NEBRASKANS, 79 PERCENT, YOUR CONSTITUENTS, OVERWHELMINGLY. WE ARE SENT HERE TO REPRESENT OUR CONSTITUENTS, AND AGAIN AND AGAIN THEY SUPPORT VOTER ID. WITH THAT, I WOULD ASK YOU TO NOT VOTE, OR VOTE NO

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AGAINST...OR FOR...VOTE NO ON THE BRACKET MOTION. THANK YOU. [LB111]

PRESIDENT FOLEY: THANK YOU, SENATORS LARSON, NORDQUIST, AND COOK. SENATOR KEN HAAR, YOU'RE RECOGNIZED. [LB111]

SENATOR HAAR: MR. PRESIDENT, I CALL THE QUESTION. [LB111]

PRESIDENT FOLEY: 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, PLEASE, MR. CLERK. [LB111]

CLERK: 27 AYES, 9 NAYS, MR. PRESIDENT, TO CEASE DEBATE. [LB111]

PRESIDENT FOLEY: SENATOR CHAMBERS, YOU'RE RECOGNIZED TO CLOSE ON THE BRACKET MOTION. [LB111]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, I WILL END SIMILAR TO THE WAY THAT I BEGAN. I AM VERY PROTECTIVE OF THE LEGISLATURE AS AN INSTITUTION. I AM BECOMING MORE AND MORE CONVINCED THAT UNTIL A PERSON HAS BEEN HERE A CERTAIN PERIOD OF TIME AT A MINIMUM, HE OR SHE WILL NOT DEVELOP WHAT CAN BE CALLED INSTITUTIONAL THINKING WHERE THE WELFARE, THE INTEGRITY OF THE LEGISLATURE AS AN INSTITUTION MEANS ANYTHING. WE CAN DIFFER ON ISSUES AND WE WILL. ONE THING I WILL NOT DO IS REFUSE TO CALL A THING WHAT IT IS. I'M NOT GOING TO GIVE YOU A REVIEW OF HISTORY, BUT I WILL SAY THIS. UNTIL A PERSON OF A CERTAIN COLOR WOUND UP IN THE WHITE HOUSE, ALL SUCH LEGISLATION AS THIS WAS NOT BEING PUSHED. WE ALL KNOW WHAT IS BEHIND IT. THE FRUSTRATING THING, IF THAT'S NOT TOO STRONG A WORD, IS TO HEAR PEOPLE ON THIS FLOOR WHO KNOW BETTER PRETEND THAT THEY DON'T KNOW WHAT IT IS THAT WE'RE DEALING WITH. THIS IS AN ACRIMONIOUS ISSUE IN AND OF ITSELF. IT COULD VERY WELL POISON THE REMAINDER OF THE SESSION. IT IS SOMETHING THAT AFFECTS ME PROFOUNDLY. AND WHEN I AM AFFECTED IN THAT MANNER, I RESPOND ACCORDINGLY. PEOPLE CAN TELL ME ALL THEY WANT TO ABOUT POLLS AND WHAT THEIR CONSTITUENTS DEMAND OF THEM, AND I ALWAYS RESPOND THAT EACH OF US CONDUCTS HIS OR HER BUSINESS IN THE WAY THAT SEEMS FIT. BUT THE AGREEMENT THAT I MADE WITH THE PEOPLE WHO VOTED FOR ME, IF THERE COULD BE CALLED AN AGREEMENT, YOU ARE HIRING ME TO STUDY ISSUES, TO USE MY INTELLECT, TO ANALYZE AND EVALUATE THE MATTERS THAT COME BEFORE THE LEGISLATURE, THEN APPLY MY BEST JUDGMENT AND VOTE IN ACCORD WITH IT. I LET THE PEOPLE KNOW IN MY DISTRICT THAT THEY'RE NOT GOING TO DICTATE TO ME HOW TO VOTE ON ANYTHING. AND IF MY APPROACH IS TOO ABRASIVE FOR THEM, IF IT

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IS TOO ROUGH EDGED, THEN VOTE FOR SOMEBODY ELSE. I ALWAYS EMPHASIZE THAT I'M NOT GOING TO BEG ANYBODY TO VOTE FOR ME. AND AFTER ALL THE TIME I'VE SPENT IN THE LEGISLATURE, I'D QUOTED A SONG BY TEDDY PENDERGRASS. IF YOU DON'T KNOW ME BY NOW, YOU WILL NEVER KNOW ME. SO I DON'T ASK FOR MONEY. I DON'T GO TO FUNCTIONS PUT ON BY THE LOBBYISTS. I AM AS PURE A POLITICIAN AS YOU WILL EVER FIND ANYWHERE ON THIS EARTH AT ANY TIME IN HISTORY. THAT'S NOT AN ARROGANT STATEMENT, IT'S A TRUE STATEMENT. AND WHEN YOU LOOK AT THE LEVEL AT WHICH POLITICIANS OPERATE, IT'S REALLY NOT SAYING TOO MUCH. BUT IT'S WHAT I AM. AND ON THIS ISSUE, NOBODY IS PULLING A STRING ON ME. WE HAVE 60-SOME-ODD DAYS PROBABLY REMAINING... [LB111]

PRESIDENT FOLEY: ONE MINUTE. [LB111]

SENATOR CHAMBERS: ...TO THIS SESSION. AND WHAT IS DONE WITH THIS BILL WILL HAVE AN IMPACT ON THAT. SENATOR MURANTE SUGGESTED THAT A MOTION BE MADE TO BRACKET AND LET US BE THROUGH WITH IT INSTEAD OF OFFERING OTHER TYPES OF MOTIONS. AND I LISTENED TO A MAN MUCH YOUNGER THAN MYSELF. I ACCEPTED HIS ADVICE. WE HAVE THE MOTION BEFORE US. I WILL ASK FOR A CALL OF THE HOUSE AND A ROLL CALL VOTE IN REGULAR ORDER. [LB111]

PRESIDENT FOLEY: THANK YOU, SENATOR CHAMBERS. 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, PLEASE, MR. CLERK. [LB111]

CLERK: 37 AYES, 0 NAYS, MR. PRESIDENT, TO PLACE THE HOUSE UNDER CALL. [LB111]

PRESIDENT FOLEY: THE HOUSE IS UNDER CALL. SENATORS, PLEASE RECORD YOUR PRESENCE. THOSE UNEXCUSED SENATORS OUTSIDE THE CHAMBER, PLEASE RETURN TO THE CHAMBER AND RECORD YOUR PRESENCE. ALL UNAUTHORIZED PERSONNEL, PLEASE LEAVE THE FLOOR. THE HOUSE IS UNDER CALL. SENATOR MORFELD, PLEASE RETURN TO THE CHAMBER. THE HOUSE IS UNDER CALL. SENATOR RIEPE, PLEASE CHECK IN. ALL MEMBERS PRESENT. ROLL CALL VOTE, PLEASE, MR. CLERK, IN REGULAR ORDER. [LB111]

CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGES 540-541.) 25 AYES, 15 NAYS, MR. PRESIDENT, ON THE MOTION TO BRACKET THE BILL. [LB111]

PRESIDENT FOLEY: THANK YOU, MR. CLERK. THE BRACKET MOTION IS

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ADOPTED. THE CALL IS RAISED. MR. CLERK, WE'LL PROCEED TO THE NEXT BILL, LB34. MR. CLERK. [LB111 LB34]

CLERK: MR. PRESIDENT, THANK YOU. SENATOR HOWARD OFFERS LB34. (READ TITLE.) INTRODUCED ON JANUARY 8, REFERRED TO THE HEALTH AND HUMAN SERVICES COMMITTEE. THE BILL WAS ADVANCED TO GENERAL FILE. AT THIS TIME I HAVE NO AMENDMENTS TO THE BILL, MR. PRESIDENT. [LB34]

PRESIDENT FOLEY: THANK YOU, MR. CLERK. SENATOR HOWARD, YOU'RE RECOGNIZED TO OPEN ON LB34. [LB34]

SENATOR HOWARD: THANK YOU, LIEUTENANT GOVERNOR, AND GOOD MORNING, COLLEAGUES. I WAS NOT EXPECTING TO WORK TODAY, SO THIS IS VERY EXCITING FOR ME. TODAY WE'RE GOING TO DISCUSS LB34, A BILL THAT'S VERY NEAR AND DEAR TO MY HEART. IT CREATES THE CARBON MONOXIDE SAFETY ACT. I INTRODUCED THIS BILL IN 2013 DURING THE LAST LEGISLATIVE SESSION AND HELD IT IN COMMITTEE TO CRAFT A LOVELY COMPROMISE OVER THE INTERIM WITH MANY GROUPS WHO WERE MORE USED TO FIGHTING WITH EACH OTHER THAN AGREEING. SO THIS IS OUR COMPROMISE. AT THE BEGINNING OF THE 2014 SESSION, THE BILL AND THE AMENDMENT PASSED UNANIMOUSLY FROM THE HEALTH AND HUMAN SERVICES COMMITTEE TO THE FLOOR, BUT WITHOUT A PRIORITY, THE BILL DIDN'T HAVE ENOUGH TIME IN THE SHORT SESSION TO BE HEARD. THE BILL WE'RE DISCUSSING TODAY IS THE VERSION THAT WAS AGREED UPON BY ALL THE INTERESTED STAKEHOLDERS LAST SESSION. AND THIS BILL, I FEEL, IS VITAL IN PROTECTING NEBRASKA'S FAMILIES FROM CARBON MONOXIDE POISONING. CARBON MONOXIDE IS AN ODORLESS, TASTELESS, AND COLORLESS GAS THAT IS PRODUCED WHEN...I'M SORRY, MR. PRESIDENT, COULD I GET A GAVEL? MR. PRESIDENT, COULD I GET A GAVEL? [LB34]

PRESIDENT FOLEY: (GAVEL.) SENATORS, PLEASE COME TO ORDER. [LB34]

SENATOR HOWARD: THANK YOU. I KNOW IT'S VERY EXCITING, CARBON MONOXIDE. CARBON MONOXIDE POISONING CAN BE DEADLY. MANY COMMON HOUSEHOLD APPLIANCES CAN BE THE SOURCES OF CARBON MONOXIDE WHEN THINGS GO WRONG, AND THIS INCLUDES PORTABLE HEATERS, FIREPLACES, GAS REFRIGERATORS, STOVES, GRILLS, FURNACES, WATER HEATERS, DRIERS, AND EVEN AUTOMOBILE EXHAUST FROM YOUR GARAGE. CARBON MONOXIDE POISONINGS TEND TO SPIKE IN THE WINTER BECAUSE WE USE OUR FURNACES, WATER HEATERS, AND SPACE HEATERS MUCH MORE DURING THE COLD MONTHS. WE ARE TEMPTED TO START OUR CARS IN THE GARAGE BEFORE BRAVING THE COLD WEATHER OUTSIDE, WHICH CAN LEAD TO POISONING. CARBON MONOXIDE KILLS HUNDREDS OF PEOPLE

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EVERY YEAR. AND IN FACT, THE INCREASE IN CARBON MONOXIDE-RELATED CALLS ORIGINATING FROM NEBRASKA INTO THE POISON CONTROL CENTER INCREASED FROM 107 CALLS IN 2013 TO 167 CALLS IN 2014. THE PROBLEM IS BECOMING INCREASINGLY WORSE, AND IT'S IMPORTANT TO DO ALL WE CAN TO PREVENT NEEDLESS TRAGEDY. PROFESSIONALS IN MEDICINE, UTILITIES, AND FIRE PREVENTION, AGREE THAT THE KEY TO PREVENTING CARBON MONOXIDE POISONING IS EARLY DETECTION. BECAUSE WE CANNOT OBSERVE CARBON MONOXIDE WITH OUR SENSES AND THE SYMPTOMS OF POISONING OFTEN MIMIC THE FLU OR FOOD-BORNE ILLNESS, A CARBON MONOXIDE DETECTOR IS THE ONLY WAY TO DETECT UNSAFE LEVELS OF CARBON MONOXIDE IN THE HOME. EVEN VERY SMALL LEAKS CAN TURN DEADLY PARTIALLY BECAUSE CARBON MONOXIDE REMAINS IN YOUR SYSTEM. SMALL AMOUNTS OF CARBON MONOXIDE OVER A LONG PERIOD ARE JUST AS DEADLY AS LARGE AMOUNTS IN A SHORT PERIOD. LB34 WOULD REQUIRE THE INSTALLATION AND MAINTENANCE OF A CARBON MONOXIDE DETECTOR WITH AN ALARM IN ANY DWELLING SOLD, RENTED, OR FOR WHICH A BUILDING PERMIT IS ISSUED AFTER JANUARY 1, 2017. SPECIFICALLY, ALL SINGLE-FAMILY DWELLINGS WITH FUEL-FIRED APPLIANCES MUST PLACE A DETECTOR ON EACH HABITABLE FLOOR OF THE HOME. THE BILL ALSO REQUIRES LANDLORDS TO REPAIR OR REPLACE CARBON MONOXIDE DETECTORS AS NECESSARY DURING THE OCCUPANCY OF THEIR UNITS AND TO MAKE CERTAIN THAT THE ALARMS ARE CHECKED AND ANY REPAIRS OR REPLACEMENTS MADE BEFORE A NEW TENANT MOVES IN. MODIFICATION, REMOVAL, OR DESTRUCTION OF ALARMS OUTSIDE OF THE REPAIR OR REPLACE PROVISIONS OF THE BILL IS PROHIBITED. ADDITIONALLY, THE BILL CONTAINS REQUIREMENTS THAT REALTORS NOTIFY A HOME BUYER ABOUT COMPLIANCE WITH THE CARBON MONOXIDE SAFETY ACT UPON HOME PURCHASE. THE STANDARDS SET BY LB34 ARE BASED ON SAFETY RECOMMENDATIONS. MY GOAL FOR LB34 HAS ALWAYS BEEN THE PREVENTION OF CARBON MONOXIDE POISONING AND CARBON MONOXIDE-RELATED DEATH. IN THE HEARING, WE HAD...AND I'VE HEARD A LOT OF STORIES FROM FAMILIES WHO HAVE BEEN IMPACTED BY CARBON MONOXIDE, BUT IN THE HEARING WE HAD A FATHER COME AND TALK ABOUT THE LOSS OF HIS DAUGHTER, LAUREN, AND IT WAS HEARTBREAKING BECAUSE IT WAS NEEDLESS AND UNNECESSARY. AND I DO FEEL AS THOUGH LB34 CAN PREVENT FUTURE HEARTACHES LIKE THE ONE LAUREN'S FATHER EXPERIENCED. I URGE THE ADVANCEMENT OF LB34, AND I'M HAPPY TO TRY TO ANSWER ANY QUESTIONS. THANK YOU, MR. PRESIDENT. [LB34]

PRESIDENT FOLEY: THANK YOU, SENATOR HOWARD. DEBATE IS NOW OPEN ON LB34. SENATOR GLOOR, YOU'RE RECOGNIZED. [LB34]

SENATOR GLOOR: THANK YOU, MR. PRESIDENT. I WONDER IF SENATOR

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HOWARD WOULD YIELD FOR A QUESTION OR TWO. [LB34]

PRESIDENT FOLEY: SENATOR HOWARD, WOULD YOU YIELD? [LB34]

SENATOR HOWARD: YES, I WILL. [LB34]

SENATOR GLOOR: THANK YOU, SENATOR HOWARD. SENATOR HOWARD, IF I LOOK ON PAGE 3 OF THE BILL, LINES 2 AND ON DOWN, IT TALKS ABOUT HOW THE INSTALLATION CAN BE DONE FROM A FUNCTIONING STANDPOINT. AND IF I'M LOOKING AT THIS RIGHT, THE ALARM CAN BE EITHER BATTERY-POWERED, IT CAN PLUGGED INTO AN ELECTRICAL OUTLET WITHOUT A SWITCH, OR IT CAN BE WIRED DIRECTLY TO THE ELECTRICAL SYSTEM. WAS THERE DISCUSSION ABOUT JUST WIRING IT DIRECTLY TO THE ELECTRICAL SYSTEM WHICH I THINK IS THE REQUIREMENT NOW WITH NEW HOMES BUILT FOR SMOKE DETECTORS? [LB34]

SENATOR HOWARD: YES, SENATOR GLOOR, THERE WAS. THE REASON WHY WE ALLOW IT TO BE DIRECTLY PLUGGED INTO AN ELECTRICAL OUTLET IS JUST IN CASE THERE ARE CURRENT RENTAL UNITS THAT MAYBE DON'T HAVE THE OPPORTUNITY FOR IT TO BE WIRED DIRECTLY INTO THE DWELLING'S ELECTRICAL SYSTEM. BUT TRULY THIS MIRRORS BUILDING CODES IN OUR LARGEST CITIES. SO THIS CODIFIES ACROSS THE STATE THE BUILDING CODES IN OUR LARGEST CITIES, INCLUDING GRAND ISLAND. [LB34]

SENATOR GLOOR: OKAY. THANK YOU, SENATOR HOWARD. [LB34]

PRESIDENT FOLEY: THANK YOU, SENATOR GLOOR AND SENATOR HOWARD. SEEING NO OTHER SENATORS WISHING TO SPEAK, SENATOR HOWARD, YOU'RE RECOGNIZED TO CLOSE ON LB34. [LB34]

SENATOR HOWARD: WITH THAT, MR. PRESIDENT, I THANK THE BODY FOR THEIR CONSIDERATION OF THIS VERY IMPORTANT BILL THAT REPRESENTS TWO YEARS OF MAGICAL AND LOVELY COMPROMISE WITH PARTIES THAT OFTEN FEEL MORE COMFORTABLE FIGHTING WITH EACH OTHER. WITH THAT, I WOULD URGE THE BODY TO ADVANCE LB34. [LB34]

PRESIDENT FOLEY: THANK YOU, SENATOR HOWARD. SENATORS, YOU'VE HEARD THE DEBATE AND THE CLOSING ON LB34. THE QUESTION IS, SHALL LB34 BE ADVANCED TO E&R INITIAL? ALL THOSE IN FAVOR, VOTE AYE; THOSE OPPOSED, VOTE NAY. HAVE YOU ALL VOTED? RECORD, PLEASE, MR. CLERK. [LB34]

CLERK: 31 AYES, 1 NAY, MR. PRESIDENT, ON THE ADVANCEMENT OF LB34.

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[LB34]

PRESIDENT FOLEY: LB34 ADVANCES. RETURNING TO GENERAL FILE, LB46. MR. CLERK. [LB34 LB46]

CLERK: MR. PRESIDENT, LB46 WAS A BILL BY SENATOR WATERMEIER. (READ TITLE.) INTRODUCED ON JANUARY 8 OF THIS YEAR, AT THAT TIME REFERRED TO HEALTH AND HUMAN SERVICES COMMITTEE. THE BILL WAS ADVANCED TO GENERAL FILE. I HAVE NO AMENDMENTS PENDING, MR. PRESIDENT. [LB46]

PRESIDENT FOLEY: THANK YOU, MR. CLERK. SENATOR WATERMEIER, YOU'RE WELCOME TO OPEN ON LB46. [LB46]

SENATOR WATERMEIER: THANK YOU, MR. PRESIDENT, AND MEMBERS OF THE NEBRASKA LEGISLATURE. GOOD MORNING, NEBRASKA. LB46 UPDATES LANGUAGE REGARDING THE ACCREDITATION OF REHABILITATION CENTERS IN THE STATE AS IT SPECIFICALLY RELATES TO THE REHABILITATION OF TRAUMA PATIENTS. THE REVISED LANGUAGE WILL ACCEPT BOTH COMMISSION ON ACCREDITATION OF REHABILITATION FACILITATES, OR THE CARF, AND THE JOINT COMMISSION ACCREDITATION AS REHABILITATION ACCREDITING BODIES OR REHABILITATION CENTERS INTO THE STATE OF NEBRASKA. LB46 UPDATES REHABILITATION CENTERS STATUTORY REQUIREMENTS FOR A DESIGNATION CONSENT WITH ESTABLISHMENT ACCREDITING AGENCIES. IT UPDATES THE DEFINITIONS OF THE THREE LEVELS OF REHABILITATION CENTERS AS WELL AS CHANGING THE TYPE OF DESIGNATION FROM BASIC LEVEL TO INTERMEDIATE LEVEL REHABILITATION CENTERS. THESE LEVELS CORRESPOND WITH EITHER CARF OR THE JOINT COMMISSION ACCREDITATION. THE CURRENT LAW REQUIRES A SUBMITTAL OF GOVERNING BODY VERIFICATION WHEN REQUESTING DESIGNATION FROM THE DEPARTMENT AS A DESIGNATED CENTER. HOWEVER, IN PRACTICE, REHABILITATION HOSPITALS ARE ACCREDITED BY THE CARF OR THE JOINT COMMISSION AND DO NOT RECEIVE VERIFICATION FROM A GOVERNING BODY. THEREFORE, THE LANGUAGE IS CHANGED FROM GOVERNING BODY VERIFICATION DOCUMENTATION TO VERIFICATION OR ACCREDITATION DOCUMENTATION FROM A RECOGNIZED INDEPENDENT VERIFICATION OR ACCREDITATION BODY OR PUBLIC AGENCY. THE PURPOSE OF THIS PROCESS IS TO HELP EDUCATE THE PUBLIC AS TO WHAT A TRAUMA CENTER IS AND WHICH HOSPITALS ARE DESIGNATED AS SUCH. THE WORK BEHIND THIS LEGISLATION ACTUALLY TOOK PLACE QUITE A WHILE AGO. IN 2009, THE STANDARDS FOR DESIGNATION OF A REHABILITATION CENTER WERE REVIEWED BY INTERESTED PARTIES. THEIR RECOMMENDATIONS WERE PRESENTED TO THE DEPARTMENT AND NOW, SEVERAL YEARS LATER, LB46 IS THE RESULT OF THIS WORK. THERE HAD BEEN SOME CONFUSION

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PERTAINING TO THE OVERALL REACH OF THIS BILL AND I BELIEVE THAT THERE IS NOW A GENERAL CONSENSUS THAT THE BILL UPDATES REHABILITATION LEVEL TRAUMA SERVICES AND NOTHING MORE THAN THAT. LB46 WAS ADVANCED BY THE COMMITTEE ON A 6-0 VOTE WITH NO COMMITTEE AMENDMENTS. NO ONE TESTIFIED AGAINST THE BILL AT THE PUBLIC HEARING. DR. ACIERNO, OUR CHIEF MEDICAL OFFICER WITH DHHS, SUBMITTED A LETTER IN SUPPORT OF LB46. HE NOTED THAT THE CHANGES CONTAINED IN THE BILL WOULD ALLOW THE STATE TO DESIGNATE BASED ON CARF OR THE JOINT COMMISSION ACCREDITATION AND PROVIDE INCREASED RECOGNITION TO THOSE FACILITIES THAT PROVIDE REHABILITATION FOR TRAUMA PATIENTS. I URGE YOUR VOTE TO ADVANCE LB46 AS I THINK THE DEPARTMENT CAN START DESIGNATING REHABILITATION CENTERS. THANK YOU, MR. PRESIDENT. [LB46]

PRESIDENT FOLEY: THANK YOU, SENATOR WATERMEIER. DEBATE IS NOW OPEN ON LB46. SENATOR GLOOR, YOU'RE RECOGNIZED. [LB46]

SENATOR GLOOR: THANK YOU, MR. PRESIDENT. I WONDER IF SENATOR WATERMEIER WOULD YIELD FOR A QUESTION. [LB46]

PRESIDENT FOLEY: SENATOR WATERMEIER, WOULD YOU YIELD? [LB46]

SENATOR WATERMEIER: HOW EASY IS IT? YES, SIR, MR. PRESIDENT. [LB46]

SENATOR GLOOR: IT'S EASY, SENATOR WATERMEIER. AND I WOULD HAVE ASKED YOU THIS OFF MIKE HAD I NOT BEEN CAUGHT OFF GUARD BY US MOVING FORWARD ON THE AGENDA TODAY, SO I APOLOGIZE. CAN I ASK YOU, SENATOR WATERMEIER, WHO BROUGHT THIS BILL TO YOU? [LB46]

SENATOR WATERMEIER: THIS BILL WAS BROUGHT TO ME BY MARTY FATTIG, WHICH SERVES ON THE RURAL TRAUMA...YOU KNOW THE DESIGNATION, RURAL TRAUMA BOARD. [LB46]

SENATOR GLOOR: YEAH, OKAY. THAT'S THE ONLY QUESTION I HAVE. THANK YOU, MR. PRESIDENT. [LB46]

SENATOR WATERMEIER: THANK YOU. [LB46]

PRESIDENT FOLEY: THANK YOU, SENATORS. SEEING NO OTHER SENATOR WISHING TO SPEAK, SENATOR WATERMEIER, YOU'RE WELCOME TO CLOSE. SENATOR WATERMEIER WAIVES CLOSING ON LB46. THE QUESTION IS, SHALL LB46 ADVANCE TO E&R INITIAL? ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED? RECORD, PLEASE, MR. CLERK.

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[LB46]

CLERK: 32 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADVANCEMENT OF LB46.
[LB46]

PRESIDENT FOLEY: THANK YOU, MR. CLERK. LB46 ADVANCES. RETURNING TO
GENERAL FILE, LB129. MR. CLERK. [LB46 LB129]

CLERK: LB129, MR. PRESIDENT, IS A BILL BY SENATOR BURKE HARR. (READ
TITLE.) THE BILL WAS INTRODUCED ON JANUARY 9 OF THIS YEAR, REFERRED
TO THE HEALTH AND HUMAN SERVICES COMMITTEE, ADVANCED TO GENERAL
FILE. I HAVE NO AMENDMENTS PENDING AT THIS TIME, MR. PRESIDENT.
[LB129]

PRESIDENT FOLEY: THANK YOU, MR. CLERK. SENATOR BURKE HARR, YOU'RE
RECOGNIZED TO OPEN ON LB129. [LB129]

SENATOR HARR: THANK YOU, MR. LIEUTENANT GOVERNOR. LAST YEAR I WAS
APPROACHED BY A CONSTITUENT ABOUT THIS ISSUE. AS A RESULT, I
INTRODUCED LB129. LB129 SIMPLY AMENDS STATE STATUTE 38-131 TO
REQUIRE APPLICANTS TO GO THROUGH A BACKGROUND CHECK IN THE
NURSING PROFESSION. THE CRIMINAL BACKGROUND CHECK PROCESS
WOULD BE THE EXACT SAME PROCESS THAT EXISTS FOR APPLICANTS FOR
OTHER LICENSES WHO PRACTICE A PROFESSION WHICH IS AUTHORIZED TO
PRESCRIBE CONTROLLED SUBSTANCES. THE NURSING PROFESSION
CONSISTS OF HIGHLY SKILLED AND RESPONSIBLE INDIVIDUALS WHO ARE
RELIED UPON TO WORK WITH VULNERABLE INDIVIDUALS WHO NEED SAFE
AND COMPETENT CARE. CURRENTLY, THE NURSING LICENSE PROCESS IN
NEBRASKA ONLY CONSISTS OF A NAME CHECK THROUGH THE NEBRASKA
DATA EXCHANGE NETWORK AND A REVIEW OF CONVICTIONS WITHIN
NEBRASKA. THIS DOES NOT PROVIDE THE MOST THOROUGH INFORMATION
REGARDING APPLICANT AND DOES NOT PROVIDE ANY INFORMATION ABOUT
AN APPLICANT THAT TOOK PLACE...ABOUT AN APPLICANT WHO DID ACTIONS
OUTSIDE OF OUR STATE. THE HEALTH AND HUMAN SERVICES COMMITTEE
HELD A PUBLIC HEARING ON LB129 ON JANUARY 28, AND THEY ADVANCED A
BILL TO GENERAL FILE WITHOUT ANY OPPOSITION. AT THE HEARING,
PROponents OF THE BILL WERE REPRESENTATIVES OF THE NEBRASKA
BOARD OF NURSING AND NEBRASKA NURSES ASSOCIATION. IN ADDITION,
LETTERS OF SUPPORT WERE PROVIDED TO THE COMMITTEE BY THE
NEBRASKA HOSPITAL ASSOCIATION AND THE NEBRASKA NURSE
PRACTITIONERS. AT THE HEARING WE LEARNED THAT ALL BUT 13 STATES
REQUIRE SIMILAR BACKGROUND CHECKS AND THAT NEBRASKA IS PART OF
THE NURSING LICENSURE COMPACT WHICH FACILITATES INTERSTATE

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PRACTICE OF NURSES. AT THIS TIME, NEBRASKA IS ONE OF ONLY FOUR STATES IN THE COMPACT WHO DO NOT REQUIRE THE ONE-TIME USE OF THESE BACKGROUND CHECKS FOR INITIAL NURSING LICENSES. WITH THAT, I WOULD ASK THAT YOU PLEASE ADVANCE LB129. [LB129]

PRESIDENT FOLEY: THANK YOU, SENATOR HARR. DEBATE IS NOW OPEN ON LB129. SEEING NO SENATORS WISHING TO SPEAK, SENATOR HARR, YOU'RE WELCOME TO CLOSE ON LB129. SENATOR HARR WAIVES CLOSING. THE QUESTION IS THE ADVANCE OF LB129 TO E&R INITIAL. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED? RECORD, PLEASE, MR. CLERK. [LB129]

CLERK: 32 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADVANCEMENT OF LB129. [LB129]

PRESIDENT FOLEY: THANK YOU. LB129 DOES ADVANCE. RETURNING TO GENERAL FILE, LB37. MR. CLERK. [LB129 LB37]

CLERK: LB37 IS A BILL BY SENATOR KRIST. (READ TITLE.) THE BILL WAS INTRODUCED ON JANUARY 8, MR. PRESIDENT, REFERRED TO THE HEALTH AND HUMAN SERVICES COMMITTEE, ADVANCED TO GENERAL FILE. THERE ARE COMMITTEE AMENDMENTS PENDING. (AM140, LEGISLATIVE JOURNAL PAGE 449.) [LB37]

PRESIDENT FOLEY: THANK YOU, MR. CLERK. SENATOR KRIST, YOU'RE WELCOME TO OPEN ON LB37. [LB37]

SENATOR KRIST: THANK YOU, MR. PRESIDENT. GOOD MORNING. GOOD MORNING, COLLEAGUES, AND GOOD MORNING, NEBRASKA. LB37 ADVANCED FROM HEALTH AND HUMAN SERVICES COMMITTEE ON A UNANIMOUS VOTE WITH ONE MEMBER ABSENT DURING THE VOTE. I WANT TO THANK CHAIRMAN CAMPBELL AND THE MEMBERS OF HEALTH AND HUMAN SERVICES COMMITTEE FOR ADVANCING THIS BILL. LB37 WAS INTRODUCED ON BEHALF OF THE NEBRASKA PHARMACISTS ASSOCIATION TO CHANGE AND UPDATE PHARMACY PRACTICE LAWS. LB37 CREATES A PRESCRIPTION DRUG SAFETY ACT. THE PURPOSE OF THIS ACT IS TO PUT IN PLACE STATUTORY PROVISIONS FOR HEALTHCARE PROVIDERS TO FOLLOW WITH REGARD TO THE PRESCRIBING, DISPENSING, LABELING, STORAGE AND RECORDKEEPING OF NONCONTROLLED LEGEND PRESCRIPTION DRUGS. THE IDEA IS TO MIRROR, IN ESSENCE, THE UNIFORM CONTROLLED SUBSTANCE ACT AND CREATE A SET OF STATUTES THAT ALL HEALTHCARE PROVIDERS MUST FOLLOW WHEN PROVIDING NONCONTROLLED PRESCRIPTION MEDICATIONS TO THEIR PATIENTS. LB37 UPDATES AND HARMONIZES MANY SECTIONS OF

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THE PHARMACY PRACTICE ACT. THE BILL MAKES IMPORTANT CHANGES TO PHARMACY PRACTICE PROVISIONS SUCH AS COMPOUNDING AND RECONSTITUTION, HOSPITAL PHARMACY PRACTICE, PHARMACY TECHNICIAN RATIOS, PHARMACY TECHNICIAN TRAINING AND CERTIFICATION, AND ELIMINATES MANY OUTDATED PROVISIONS. FOLLOWING LB37 NAMES...FINALLY, LB37 NAMES THE POISON CONTROL ACT. STATUTES PERTAINING TO POISONOUS SUBSTANCES EXIST THROUGHOUT THE NEBRASKA LAW. THE POISON CONTROL ACT ATTEMPTS TO BRING MANY OF THESE SECTIONS UNDER ONE LAW, A LITTLE MORE USER-FRIENDLY DOCUMENT. I WOULD SAY TO ALL OF YOU THAT THIS IS AN IMPORTANT AND PROBABLY THE LAST STEP IN REVIEWING THE PHARMACY AND PRESCRIPTION DRUG SAFETY. SENATOR GLOOR CARRIED THIS SEVERAL YEARS AGO. I CARRIED PART 2, TWO YEARS AGO. THIS IS REALLY THE FINAL STEP. AND I WANT TO THANK JONI COVER FOR HER DILIGENCE AND ATTENTION TO OUR PRESCRIPTION DRUG SAFETY. WITH THAT, I'D ASK YOU FOR A GREEN VOTE ON LB37 AND ALSO THE AMENDMENTS FROM THE HEALTH AND HUMAN SERVICES COMMITTEE. THANK YOU, MR. PRESIDENT. [LB37]

PRESIDENT FOLEY: THANK YOU, SENATOR KRIST. AS THE CLERK STATED, 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. SENATOR CAMPBELL. [LB37]

SENATOR CAMPBELL: THANK YOU, MR. PRESIDENT. LB37 REPRESENTS YEARS OF HARD WORK BY THE NEBRASKA PHARMACISTS ASSOCIATION TO UPDATE THE PHARMACY PRACTICE ACT. AM140 MAKES TECHNICAL CORRECTIONS TO THE BILL, CHANGING A SECTION NUMBER, CLARIFIES THAT A PHARMACIST MUST BE PRESENT FOR A PHARMACY TO BE OPEN, AND MUST SUBSTANTIALLY...MOST SUBSTANTIALLY REMOVES VETERINARIANS FROM PROVISIONS THEY FELT WOULD BE PROBLEMATIC WITH THEIR PRACTICE. IT IS OUR UNDERSTANDING THAT THE VETERINARIANS WILL WORK OVER THE INTERIM TO ADDRESS ANY POSSIBLE IMPACTS AND CHANGES THEY NEED TO MAKE IN THEIR PRACTICE ACT WITH REGARD TO PROVIDING MEDICATIONS FOR THEIR PATIENTS. COLLEAGUES, I'D LIKE TO DRAW YOUR ATTENTION TO THE COMMITTEE STATEMENT AND YOU WILL NOTE THAT THERE IS ONE OPPONENT LISTED THERE: DR. FORNEY. DR. FORNEY IS A VETERINARIAN HERE IN LINCOLN, AND I WOULD ASSUME THAT DR. FORNEY WOULD BE IN SUPPORT OF THE BILL NOW BECAUSE WE ARE TAKING THE VETERINARIANS OUT OF IT. SENATOR KUEHN AND I HAVE BEEN TALKING ABOUT AN INTERIM STUDY OR WORKING TOGETHER THIS SUMMER TO MAKE SURE THAT WE GET IN STATUTES WHAT THE VETERINARIANS NEED WITH REGARD TO

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PHARMACEUTICALS. AND WITH THAT EXPLANATION, AND THANK YOU TO SENATOR KUEHN AND SPECIFICALLY TO SENATOR KRIST FOR HIS WORK ON THIS BILL, THE COMMITTEE MEMBERS VOTED UNANIMOUSLY TO PUT THE AMENDMENT FORWARD AND I WOULD ASK FOR YOUR FAVORABLE VOTE. THANK YOU, MR. PRESIDENT. [LB37]

PRESIDENT FOLEY: THANK YOU, SENATOR CAMPBELL. DEBATE IS NOW OPEN ON AM140, THE COMMITTEE AMENDMENT. SENATOR KUEHN, YOU ARE RECOGNIZED. [LB37]

SENATOR KUEHN: THANK YOU, MR. PRESIDENT. I WOULD LIKE TO RISE TODAY IN SUPPORT OF AM140 AS WELL AS LB37 AS AMENDED WITH AM140, JUST REINFORCING THE STATEMENTS THAT SENATOR CAMPBELL MADE WHEN INTRODUCING THE AMENDMENT. THERE WAS A DEGREE OF SOME PROBLEMATIC LANGUAGE, IS COMPLICATED BY SOME OF THE NATURE OF SOME OF THE PRESCRIPTIONS WE UTILIZE IN VETERINARY PRACTICE. THE REMOVAL OF VETERINARIANS FROM THIS PARTICULAR BILL, LB37 THROUGH AM140, ADDRESSES THOSE CONCERNS AND REMOVES THEM. AND I ALSO DO WANT TO ESTABLISH THAT IN SPEAKING WITH SENATOR KRIST AS WELL AS SENATOR CAMPBELL, WE ARE COMMITTED OVER THE INTERIM TO DEVELOPING THE APPROPRIATE LANGUAGE THAT IS CORRECT AND IS USEFUL TO VETERINARIANS WITH REGARD TO THESE PHARMACY REGULATIONS AND GUIDELINES. SO I ENCOURAGE MY COLLEAGUES TO SUPPORT AM140 AND THEN LB37 AS AMENDED. THANK YOU. [LB37]

PRESIDENT FOLEY: THANK YOU, SENATOR KUEHN. SEEING NO OTHER SENATORS WISHING TO SPEAK ON AM140, SENATOR CAMPBELL, YOU ARE RECOGNIZED TO CLOSE ON THE COMMITTEE AMENDMENTS. SENATOR CAMPBELL WAIVES CLOSING. THE QUESTION IS THE ADOPTION OF AM140, THE COMMITTEE AMENDMENTS, TO LB37. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED? RECORD, PLEASE, MR. CLERK. [LB37]

CLERK: 27 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF COMMITTEE AMENDMENTS. [LB37]

PRESIDENT FOLEY: THE COMMITTEE AMENDMENTS ARE ADOPTED. DEBATE CONTINUES ON LB37 AS ADOPTED. SEEING NO SENATORS WISHING TO SPEAK, SENATOR KRIST, YOU'RE WELCOME TO CLOSE ON LB37. SENATOR KRIST WAIVES CLOSING. THE QUESTION IS THE ADVANCE OF LB37 TO E&R INITIAL. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED? RECORD, PLEASE, MR. CLERK. [LB37]

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CLERK: 29 AYES, 0 NAYS, MR. PRESIDENT, ON THE MOTION TO ADVANCE LB37. [LB37]

PRESIDENT FOLEY: THANK YOU, MR. CLERK. LB37 ADVANCES. ITEMS FOR THE RECORD, MR. CLERK. [LB37]

CLERK: I DO HAVE ONE, MR. PRESIDENT. SENATOR KRIST WOULD MOVE TO AMEND...WOULD LIKE TO PRINT AN AMENDMENT TO LB28. MR. PRESIDENT, A COUPLE NAME ADDS: SENATOR LINDSTROM WOULD LIKE TO ADD HIS NAME TO LB357, AND SENATOR KOLTERMAN TO LB276. (LEGISLATIVE JOURNAL PAGES 541-543.) [LB28 LB357 LB276]

MR. PRESIDENT, I HAVE A PRIORITY MOTION. SENATOR McCOLLISTER WOULD MOVE TO ADJOURN THE BODY UNTIL THURSDAY, FEBRUARY 19, AT 9:00 A.M.

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