

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate February 25, 2020

FOLEY: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the thirtieth day of the One Hundred Sixth Legislature, Second Session. Our chaplain for today is Evangelist Watson Chipako of Forward in Faith, Omaha, Nebraska, Senator DeBoer's district. Please rise.

PASTOR CHIPAKO: Let's bow our heads in prayer. Our father who art in heaven, the creator of the heavens and the earth, there's no one like you. You deserve all the glory and honor. God, we thank you for the gift of life and the opportunity of giving us to see this wonderful day. Because we are here today, this means that we have a purpose as individuals, as a community, and as a state. Now, oh, God, that-- we pray that you begin this session with us and end this also with us. We pray because you are the alpha and the omega, the beginning and the end. We thank you for all the senators in this assembly. God, may you bless them and bless each and every constituency they are representing today. We know every lawmaker has good ideas. God, I pray that each and every one is able to express and convey their ideas in the best of abilities. We pray for wisdom, knowledge, understanding, peace, guidance as they discuss the issues of the state of Nebraska. Let everything that will be done in these Chambers today be done for the glory of God. God, may you bless the state of Nebraska and its neighbors. Father, I pray that as Nebraska prospers, you also prosper the nation as a whole. We also want to remember and pray for all our service in uniform, men and women. May God protect wherever they are serving the nation. Above all, I pray for our nation to continually trust in God in every situation, one nation under God. In the mighty name of our lord and savior Jesus Christ, I pray. Amen.

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

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

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

ASSISTANT CLERK: No corrections this morning.

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

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ASSISTANT CLERK: I do, Mr. President. The Government Committee reports LB758, LB807, LB781, LB848, LB1047, and LB1068 to General File, some having committee amendments. Additionally, the Agriculture Committee reports LB1152 to General File with committee amendments.

Additionally, some amendments to be printed: Senator Wayne to LB147. That's all I have at this time, Mr. President.

FOLEY: Thank you, Mr. Clerk. While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign the following four legislative resolutions: LR320, LR321, LR322, and LR323. Also, Senator Bostelman would like to recognize to Dr. Aaron Lanik of Wahoo, Nebraska, who's serving us today as family physician of the day. Dr. Lanik is with us under the north balcony. Doctor, if you could please rise, like to welcome you and thank you for being here today. Proceeding to the agenda, General File 2020 Senator priority bills, Mr. Clerk.

ASSISTANT CLERK: Mr. President, LB424, introduced by Senator Quick, is a bill for an act relating to munic-- municipalities; transfers and changes provisions of the Nebraska Municipal Land Bank Act; harmonizes provisions; provides a duty for the Revisor of Statutes and repeals the original section. Bill was read for the first time on January 18 of last year and referred to the Urban Affairs Committee. When we left the bill yesterday, there were pending committee amendments, as well as an amendment pending from Senator Hilgers.

FOLEY: Thank you, Mr. Clerk. Members, I think this bill is familiar to all of you. We-- we won't do the usual reviews. So debate is now open on LB424, the committee amendment pending, and the amendment to the committee amendment. Debate is now open. Senator Quick, you're recognized.

QUICK: Thank you, Mr. President. I thought I'd give a little history of the-- of the land banks to start off with. And one of the things that happened back in-- well, it would be before 2013, because the legislation was passed in 2013. And it was a product of two years of work between a multitude of interest-- interested parties, which included interim study hearings before both the Urban Affairs Committee and the Revenue Committee. And in order to-- to address concerns that the land banks might potentially compete with the private sector, the act also con-- contained important protections, including restrictions on the use of automatically accepted bid, a cap on the total number of parcels that a land bank can hold title to, and eliminating the period of time that land banks could rent property it

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owned for-- to a 12-month period. Now, if you fast forward to-- to today, we spent three years on this bill trying to work with interested parties and stakeholders, and to present we've had interim studies in both Grand Island and Ord to hear from communities' leaders and-- and-- and hear about the issues that they're facing with abandoned and vacant properties. And then we've worked with stakeholders and we've come to an agreement and compromise on some of the things that people had, some of the issues that they had with-- with land banks. And so I'm going to read a little bit from-- from the bill itself, because I think it's important for people to understand that this is-- this is an issue with vacant and abandoned properties that has gone on for a long time for-- in municipalities, so. And-- and it would be in Section 2, in the green copy, subsection (1), it says: Nebraska muni-- municipalities are important to the social and economic development-- economic vitality of the state. Many-- and many municipalities are struggling to cope with vacant, abandoned, and tax-delinquent properties. Vacant, abandoned, and tax-delinquent properties represent lost revenue to municipalities and a large cost associated with demolition, safety hazards, and de-- deterioration of neighborhoods. There is an overriding public need to confront the problems caused by vacant, abandoned, and tax-delinquent properties to the creation of-- of new tools for muni-- for municipalities to use to turn vacant spaces into vibrant places. And number (4): Land banks are the one-- are one of the tools that can be utilized by municipalities to facilitate the return of vacant, abandoned, and tax-delinquent properties to the productive use. I think this is important because this is what the land bank was designed to do. And from that point on, throughout the bill, it-- it sets up how boards are established, the requirements for how properties are acquired, and sets up all the limits that the land bank currently has. I think it's important, too, to address that the primary goal of the land bank shall be to facilitate the return of vacant, abandoned, and tax-delinquent properties to productive use. So, you know, over this time, I've heard from many communities, not just my own but from many communities, that they're having issues and-- and it's hard to address them without having this tool in their toolbox. So that's-- that is why I brought this bill, to-- to-- to help our municipalities, to-- to help, actually, even our residents of our communities, because they-- some of these residents are living next-- right next to a vacant or abandoned property. They're calling, calling into their cities, calling into code enforcement, saying, can't you do something about these properties? So the city has to take on, have code enforcement go out, and what happens is most of the time they'll have to have someone

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go out and maybe mow the lawn or pick up debris that's in those-- in-- in those, around those properties, and try to make them safe so that someone doesn't end up getting hurt or injured. And then they also try to make it so that it's un--

FOLEY: One minute.

QUICK: --so it's not "unsightful." So those are all costs that goes-- goes on to-- to a municipality along the way. So I think that along the way, like I've said, we've-- we've shown that we've-- we've been willing to compromise, that we've been willing to work with-- with everyone on all-- on all the issues. I know at one point they even worked with all the people who buy the tax certificates-- certificates to make sure that they were OK with the original bill. And I know they come to a compromise and said those are the properties that we really don't want. So it's-- we're OK with that land bank having-- getting to jump to the front of the line to actually acquire those properties so we don't hold those properties. So I've also talked to the private sector. I've talked to our home builders in Grand Island. They say that they can't take on those properties and they really don't want to. But they see the land bank as an opportunity for them--

FOLEY: That's time, Senator.

QUICK: --to maybe have one of those properties after--

FOLEY: That's time, Senator.

QUICK: OK. Thank you, Mr. President.

FOLEY: Thank you, Senator Quick. Senator Hilgers.

HILGERS: Thank you, Mr. President. Good morning, colleagues. Just to kind of recap you where I am and I think where we are in FA101, as I discussed yesterday, the real-- the goal of my amendments and this-- the floor debate and discussion is really to point out the difference between the rhetoric of land banks and the reality of the bill and the statute that are before us. The rhetoric of land banks really is something that we can all get behind, right? The idea of having sort of a solid non-- you know, nonprofit governmental entity that can help do something im-- valuable for our communities, which is to get these-- these dilapidated, rundown, boarded-up homes back into the market, and that all sounds great as rhetoric. As reality, however, the way the statute has been originally developed, and as it now is

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being proposed to be extended, there are a number of flaws and loopholes in the Land Bank Act that we're going to talk about throughout this debate. Now I've proposed-- I have drafted eight separate amendments. These are not filibuster amendments. They're not intended just to take time. In fact, as I told Senator Stinner and I told Senator Quick, it is not my intent to filibuster. But this is meant to be an extended debate about real issues that I see in the Land Bank Act. And I've identified eight, and actually, candidly, there are more, but understanding that we're limited on time, I-- I've tried to pick the best eight that I could come up with. Now the first one that's on the floor today is FA101. But I'll just go talk through at a high level what those eight are, just to refresh everyone, the various issues. The first one is this loophole on the automatic bid acceptance piece. So again, the match, the-- the mismatch between the rhetoric and reality, Senator Quick is absolutely right, talks about, you know, the-- there might be some value in having this automatic bid process. And that's all well and good if there are some restrictions around that automatic bid process. And the proposed compromise amendment that was put on the underlying bill yesterday would raise the threshold for those number-- the number of requirements before that automatic bid process would come into play. And so far, so good, right? That's great. We're going to-- we're going to go from four-- from one to four. Now it's really going to be narrowed, except, and this is a big "except," except for the fact that you don't have to have any of those criteria if it's adjacent to another piece of property owned by the land bank. And whether that piece of property owned by the land bank has any of those restrictions or not is itself not a requirement. It's one way to do it, but it doesn't-- it doesn't have to be the only one. So that's a big loophole that FA101 is meant to address. Another loophole and I think flaw in the system, and I'm going to talk about another floor amendment, is the ability of the land bank to invest in securities. The land bank's purpose, as I understand it, as the rhetoric on the floor and by proponents has been, to get these properties from one state to another. Why in the world is there an investment provision that allows the land bank to pro-- to invest proceeds that it receives, including property tax revenue, into any manner of inv-- of investments? From private equity to technology companies to the stock market to anything they can think of, the land bank can invest. That's a problem, in my view. It doesn't match the rhetoric of the bill. When you-- you could compound that problem with a third flaw, which is the-- the lack of robust conflict-of-interest provisions. In the Government Committee, we have talked in detail about the-- we-- we have a lot of NADC, Nebraska

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Accountability and Disclosure Commission, statutes and bills that come through our committee. We talk a lot about the conflict-of-interest provisions. We did so last week. And we understand the real problem, for instance, of the potential for corruption when one government official can perform a public act to benefit their immediate family. And if you look at the conflict-of-interest provisions in this statute, there is no prohibition at all for immediate family members. When you combine that with the investment provision I just talked about, you're talking about a giant loophole for the people who run these land banks to take proceeds, including property taxes, and invest them in any way they want, including ways that benefit their immediate family. Now I want to make sure we have a debate on that issue and we have the opportunity of a vote on that issue, so conflict of interest. The ability for the land banks to recoup that property tax and their ability to bond are two other issues that I think-- I don't think that they--

FOLEY: One minute.

HILGERS: --those are not nec-- thank you, Mr. President. Those are not necessary powers for the land bank to have. There's also a change in the per-- percentage of parcels that the land bank can own. Right now, it's almost 10 percent, 10 percent of the parcels. Senator Wayne talked-- spoke yesterday, and we had a conversation yesterday about the idea that the land bank is meant to get these-- these properties to the market quickly or relatively quickly. Why in the world would they need to have the ability to hold up to nearly 10 percent of the parcels in a city? So we're going to talk about that. And I also think if the land bank is going to be able to re-- invest in private companies, if it's going to be able to invest in securities, it's going to be able to compete with private companies outside of what I view to be the narrow focus of the rhetoric, if the reality of the bill goes beyond that narrow focus, then they should not be exempt from taxes. If they're going to operate in the private sector in other means, and this, by the-- this allows them to do so in fields that are very far afield from the narrow focus of this bill--

FOLEY: That's time.

HILGERS: --they should not be taxed. Thank you, Mr. President.

FOLEY: Thank you, Senator Hilgers. Senator Erdman.

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ERDMAN: Thank you, Lieutenant Governor. Good morning. Senator Hilgers, thank you for your explanation this morning and your input. As you look around, there's probably three people listening to you, me and two others. But I appreciate that. I was wondering if Senator Hilgers would yield to a question.

FOLEY: Senate Hilgers, would you yield, please?

HILGERS: Be happy to.

ERDMAN: Senator Hilgers, your amendment wants to re-- is to remove the opportunity for the land bank to buy land that's contiguous to a land-- a piece of land or a parcel they've already bought. Is that correct?

HILGERS: That's correct.

ERDMAN: So help me understand. If they own parcel A, lot A, and lot B is next to it and it has a decent facility, decent house, they could buy that as well?

HILGERS: That's right, through the automatic bid process, correct.

ERDMAN: OK, so now if they own A and B, can they also buy C?

HILGERS: If it's contiguous, that's right. And let me point out, Senator Erdman, A, they could have received-- they could have gone through their automatic bid or they could have received it as a gift, so that A doesn't even have to have any problems with it. It could have been received from the land bank; it's from some donor. So none of A, B, or C are any-- there's no requirement that any of those actually have any of the issues that we're talking about: boarded up, dilapidated, etcetera.

ERDMAN: That is a-- that's a very good explanation. I appreciate that. And as you think about that for a moment and you consider what that loophole is, I don't believe there's any way that you could possibly vote against that amendment to fix the loophole that Senator Hilgers has pointed out to us. One of the other issues that we talked about a bit yesterday was, in a city of the second class or a village, a land bank can own up to 25 percent of the parcels, 25 percent. I don't know what your opinion of that is, but-- so you go into a community and the land bank owns 25 percent of the parcels in the community? That seems to be as troublesome as the opportunity for them to buy land that's adjacent to the one they currently own. So as we move through this and

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have this discussion about the land bank-- and we've heard people say that the land bank does not compete with private industry, doesn't compete with the private sector. So they also said that there are properties that the taxes are not being paid on. So if the land bank gets a property under their control and when it is in their control, they don't pay any taxes. So explain to me, if you would, what the difference is between the current landowner having that property and not paying any tax, property tax, and now the land bank owns that property and they don't pay any property tax. I think-- I still think the total sum is zero. So it's very peculiar to me to see and understand how the land bank is going to be the problem. Now we have issues. We have issues with vacant properties. I'm not denying that. But what I am saying is that it is my opinion that the land bank is not the solution. What is the solution? We can figure that out, but I'll tell you right now that more government intervention into our lives and more government ownership of land is not what I think is appropriate. And if you don't believe me, just look at the way Game and Parks has the land that they own and how they manage that. And so consequently, just because the land bank has taken this property over, doesn't mean they're going to manage it efficiently and accomplish everything that we expect them to do. And Senator Hilgers, I think, very thoroughly explained all of the loopholes and the opportunities that land banks have. And it makes it completely unfair that they are competing with private sector but not paying any taxes.

FOLEY: One minute.

ERDMAN: And-- thank you, sir. So as we go through this and try to explain to those of you listening that this land bank is not the answer, I would hope that you understand that we're trying to accomplish something here to protect private rights. Thank you.

FOLEY: Thank you, Senator Erdman. Senator Hilgers.

HILGERS: Thank you, Mr. President. It's the last time I intend to speak on this one this morning, because I would-- because I promised Senator Stinner and Senator Quick, I want to keep this one moving and-- and I have a lot of more amendments to discuss, and I hope to get a vote on this here relatively shortly. So let me just dig into this amendment, and I've given the body-- I handed it out yesterday so you have a little bit of a guide what I'm referring to. Sometimes it's hard to sort of visualize where it is, where-- where we are in the bill. But I passed around an excerpt from page 8 of the white amendment version of this bill, AM2122. And really it's 20-- lines 27

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through 29. This is-- this-- this section talks about the automatic bid process and it sets the criteria for the automatic bid process, and what it does, what it's intended to do, the rhetoric of what it's intended to do is to say, all right, we will give this special power to a land bank, but we're only going to give this special power to the land bank if it's directly focused on the problem we're trying to solve, which is getting these dilapidated, rundown houses clear of their title and get them back to market. So to-- in order to get to that end goal, the means that the land bank has been given, the means of accomplishing that, is through this automatic bid process, which is tied directly to these requirements that you see in sub-- sub (i) through sub (ix) of subsection (a), that there has to be some evidence that the house, the property, is run down, something. And that makes-- that makes a lot of sense. Whether you agree or disagree about the underlying power, it makes sense that if we're going to give that underlying power to the land bank, that it's tied to the purpose of the Land Bank Act. OK? So I'm with-- I'm with them that far. I don't agree that they actually should have the automatic bid provision, but assume for the sake of argument that we-- that they should have it. Let's go that far. What I'm focusing on is what I circled below that. So subsection (a) says, OK, they've got to have four of these nine-- great, very narrowed, awesome. But subsection (b) guts most of those restrictions that I just talked about. The narrowing, the narrowing of those criteria, have just been totally left wide open through subsection (b) because what subsect-- section (b) says is you really don't have to have any of them. You don't have to have one of the nine so long as the property is adjacent to either a property that has-- that is owned by the land bank-- and by the way, the land bank can, as I said-- said to Senator Erdman, the land bank can get it through all sorts of different means or a property that itself has those particular criteria. So if you gift something to the land bank, the land bank owns it, anything around that property is fair game for the automatic bid provision. That strikes me as a loophole that largely can gut the restrictions that we have given the land bank in the first place. So what FA101 does, and as-- because what I'm trying to do is find places to improve the bill-- I told this to Senator Stinner, told it to Senator Quick, I've said it on the floor-- I'm not trying to filibuster this bill, but I am trying to improve what I see to be very important and real issues and real flaws of this-- of this Land Bank Act. And so instead of trying to gut the automatic bid provision, which may not have the support of this body, what I've said is, hey, if we're going to have this in here, that's the body's will, let's-- let's get rid of this loophole. Let's get rid of this loophole,

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because even-- whether Omaha right now is using that or not, and I can't say, the reality is that statute, if we don't change it, it's going to be around for a long time. It could be utilized by any number of land banks that this bill would create all across the state. And I would submit to the body that that's not the type of authority that we ought to give, because it doesn't match the rhetoric. There's no-- there-- the need for it isn't-- it doesn't match the need that has been articulated on the floor. So ultimately, what FA101 would do, it would just strike subsection (b), wouldn't-- wouldn't get rid of anything else. It would just-- it would put the land back to its proof and say, OK--

FOLEY: One minute.

HILGERS: Thank you, Mr.-- Mr. President, is there anyone else in the queue?

FOLEY: There are two senators in the queue.

HILGERS: OK. Thank you, Mr. President. I was intending to close here in a second, which I will do, not maybe the last time on the mike, depending on what else is said on the floor. I'd like to get to a vote on FA101 so we can go to the next amendments. But with that, Mr. President, I would ask for everyone's green light on this floor amendment. Thank you, Mr. President.

FOLEY: Thank you, Senator Hilgers. Senator Quick.

QUICK: Thank you, Mr. President. I-- I did want to make clear that I am against FA101 and-- but I'm all-- but I am for AM509 and for-- for LB424. I know one of the things that-- that I want to make sure people understand, this has-- this has been negotiated over time. Like I said, the first two years when-- you know, the first two years before the bill was actually passed, they put in limitations on land banks. Since that time, I want to make sure it's clear that we have negotiated changes to further limitate-- or limit land banks for-- on how municipalities can-- can use land banks. And so those were all agreements that were-- we had with-- with like LIBA, for example. They were opposed to it the first time around, so the compromise was it would only go to Omaha and to Douglas and Sarpy County. The second time around, we-- we had negotiations with-- the league had negotiations with LIBA, and they come to some agreements. And LIBA actually supports the bill now because they see that-- that it could be a useful tool for some of our-- for our communities and also for

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the private sector, because they'll have the ability to acquire some of these properties through the land bank. So I just want to make it clear that I-- that I am opposed to FA101, and I would give Senator Wayne, if he would like it, some time to talk about the-- some of the issues that were brought up earlier by Senator Hilgers.

FOLEY: Thank you, Senator Quick. Senator Wayne, 3:20.

WAYNE: Thank you. Mr. President. Thank you, Senator Quick. Real quick, colleagues, I know what this amendment is trying to do about the automatic bid, but what I passed out is the prime reason why this section is in there. So what you'll see in the handout that I provided you is a little-bitty parcel of land. It is on the tax lien foreclosure list. They're going through the process of selling tax liens. The land bank currently bought the tax lien. If you turn on the second page, you'll notice where it's at. It's in the middle of a block. It is literally a sliver. You can't do anything with this property. Unless one day the tax liens that are contiguous to it become available, the land bank can buy that and merge the property. That's what it's there for. The automatic provision does not mean automatically the land bank gets it in the sense of tomorrow it's in their property. The automatic language simply means that they get to buy the tax lien. They still have to go through the three-year process. So it's still a part of the regular process. It's just that if it's contiguous and you have this little-bitty sliver, we are going to have property throughout this state that's going to be as wide as our desk and as long as our desk in front of us that we will never be able to do with-- do anything with, and it will never be on the tax roll. So I encourage you to look at this, what I handed out. This is the exact reason why this section is in law. And there are multiple upon multiple sections in Omaha that I can show you. This was just one that we've printed off real quick yesterday and wanted to hand out yesterday. But I can tell you, there's about 20 or 25 properties like this, parcels of land that are slivers. There's actually a parcel of land on 156th and Maple that is 50 feet wide by 70 feet long. You can't do anything with it. So you have to through the-- and so the reason why they're in tax fore-- or the reason why they're not paying their property taxes is because the owner can't do anything with it and he can't sell the land, and then it goes through generation to generation and now the person actually lives in Colorado and doesn't want the land, didn't pay property tax on it for three years or four

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years. And that's why now it's in the tax lien process where the land bank bought the tax lien.

FOLEY: One minute.

WAYNE: But the only thing you can do is, if the land is contiguous, is to have this provision in there to say, hey, we have to put this land together in some capacity. The private market isn't doing it, or I wouldn't be able to hand out what I just handed out. If the private market was doing it, then you wouldn't have got this piece of paper. It is literally in the middle of a block, almost in an alley-- literally in the middle of a block, almost in the alley, that you literally cannot do nothing with. And because of the lack-- the tax lien, the-- the adjacent property owner doesn't want to buy it because it's not worth it. So there's nothing to do, but we got to do something with it. The private market doesn't have a solution. Why am I going to pay \$10,000 in back taxes on a-- on an area that's no bigger than my desk? I just won't buy it, and it sits for 10, 12 years not being used. So I encourage you to vote red on this amendment and understand what this is for.

FOLEY: Senator Wayne--

WAYNE: Thank you, Mr. President.

FOLEY: You're next in the queue, Senator Wayne, if you care to continue. He waives--

WAYNE: I just-- well, real quick, I just wanted to remind everybody to vote red on this amendment and understand that if the private market worked, this handout would not be able to be hand out-- I wouldn't be able to hand this out. You will not spend more money on a piece of property that's-- like I said-- and we have tons of these properties that are literally the size of our desk. And the-- and the-- and Senator Crawford won't buy it, my desk, if it's \$10,000 in back taxes because my desk may only be worth \$300. So it just sits there. So if it isn't for the land bank to say, OK, we got this property, let's try to buy the contiguous land next to it so then we can sell it and put it back on the market as a whole, that's great. But right now, there is no way to clear that back taxes unless you pay for the back taxes. And that's the problem with the private market. The private market says, look, I'm not going to overspend on a piece of property just to clear the back taxes so I can add 200 square foot to a piece of property. It just doesn't make sense. So I would inv-- I would

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encourage you. This works well in Omaha. This will work well in Lincoln. And this will work well anywhere that there are slivers of land that we have to be able to buy. So I would encourage you to vote red on this amendment and we can continue to have a discussion. But this is a prime example of why this is needed and why the private market doesn't work when it comes to these parcels of land. Thank you, Mr. President.

FOLEY: Thank you, Senator Wayne. Senator Hilgers, you're recognized to close.

HILGERS: I-- I ask for a call of the house.

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

ASSISTANT CLERK: 18 ayes, 4 nays to place the house under call.

FOLEY: The house is under call. All members please return to your desks, check in. The house is under call. Senator Hilgers, if you wanted to close, you may do so as the-- as the members are assembling.

HILGERS: Thank you, Mr. President. Thank you for the conversation this morning, colleagues. I want to apprecc-- I want to give my thanks to Senator Wayne. He is-- he has had a conversation with me on the floor this morning and yesterday with what I am looking to discuss, which is the actual reality of the language of the bill. The rhetoric and the reality of the bill and the statute do not match. And the reason I've brought FA101 and the series of amendments behind it is to have a conversation on the floor of this body about what I see to be serious flaws in the Land Bank Act. I'm not trying to gut it. These aren't filibuster amendments. They're a real attempt to try to improve the bill and try to close loopholes that maybe in Omaha they aren't currently being used. Maybe there isn't an abuse in Omaha with some of these provisions. I don't know. But that has never been the premise of my argument. My-- the premise of my argument has never been, oh, gosh, Omaha is a runaway train, we've got to stop this in its tracks. If that were the case, maybe I would have brought-- brought eight bills separately. What this is, is an opportunity. Senator Quick, by bringing this bill, has opened up a statute that was initially drafted before most of us were here. That statute has a number of loopholes and flaws. And this is an opportunity, and we're going to have more opportunities to talk about conflict of interest and investment income

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and property taxes and everything else here coming soon. But on FA101, here's the-- here is the argument, colleagues. Here is the argument. There is a loophole in this section, on page 8, section (b), that allows a land bank to use the automatic bid requirement in circumstances in which I believe were not intended. The-- none-- none of the-- they-- they-- by using this loophole, the land bank can acquire property through an automatic bid process, competing with the private market, when that property has none, absolutely none of the criteria that is otherwise required on the land bank. Why would we-- why would we condone or empower a land bank to do that? There has not been a policy rationale put forward on the floor this morning in support of that. I understand Senator Wayne's argument that he made. I will submit what has been-- what is permissible under subsection (b) goes far beyond the very narrow and limited policy rationale that was articulated this morning. All I'm asking this body to do-- I'm not asking this body to gut the automatic bid provision, although I would vote for that. I'd bring it if I thought there was the will in the body to do so. What I'm asking the body to do is to make a commonsense, slight change to eliminate a giant loophole that has nothing to do with the ultimate purposes of the act. If you believe that-- the proponents and say we need to have a tool to get these dilapidated houses back on the market, great, then ask-- you-- then ask yourself, why would we allow the land bank to go get properties that are not dilapidated? Ultimately, that's the core of this amendment. FA101 would simply strike subsection (b); it would allow-- it would still keep the automatic bid provisions that currently-- currently are in the statute. It would simply say land-- say to the land bank, we're going to put you to your proof. There's a real issue here. You want this power of automatic bids? Then just show us that there's a-- there's real issue with the property. So I would ask for your green light on FA101. Ultimately, we'll see how many of these amendments pass, but we're going to have a good conversation. I want to thank, again, Senator Wayne for his dialogue on the floor, Senator Quick and Senator Stinner and others, for this conversation. So I'd ask for your green light and I'd ask for a roll-call vote in regular order.

FOLEY: Thank you, Senator Hilgers. All unexcused members are now present. The question before the body is the adoption of FA101. A roll call vote has been requested. Mr. Clerk.

ASSISTANT CLERK: Senator Albrecht.

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ALBRECHT: Yes.

ASSISTANT CLERK: Voting yes. Senator Arch.

ARCH: Yes.

ASSISTANT CLERK: Voting yes. Senator Blood.

BLOOD: No.

ASSISTANT CLERK: Voting no. Senator Bolz.

BOLZ: No.

ASSISTANT CLERK: Voting no. Senator Bostelman.

BOSTELMAN: Yes.

ASSISTANT CLERK: Voting yes. Senator Brandt.

BRANDT: Not voting.

ASSISTANT CLERK: Not voting. Senator Brewer. Senator Briese.

BRIESE: Yes.

ASSISTANT CLERK: Voting yes. Senator Cavanagh.

CAVANAUGH: No.

ASSISTANT CLERK: Voting no. Senator Chambers.

CHAMBERS: No.

ASSISTANT CLERK: Voting no. Senator Clements.

CLEMENTS: Yes.

ASSISTANT CLERK: Voting yes. Senator Crawford.

CRAWFORD: No.

ASSISTANT CLERK: Voting no. Senator DeBoer.

DeBOER: No.

ASSISTANT CLERK: Voting no. Senator Dorn.

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DORN: No.

ASSISTANT CLERK: Voting no. Senator Erdman.

ERDMAN: Yes.

ASSISTANT CLERK: Voting yes. Senator Friesen.

FRIESEN: Yes.

ASSISTANT CLERK: Voting yes. Senator Geist.

GEIST: Yes.

ASSISTANT CLERK: Voting yes. Senator Gragert.

GRAGERT: No.

ASSISTANT CLERK: Voting no. Senator Groene.

GROENE: Yes.

ASSISTANT CLERK: Voting yes. Senator Halloran.

HALLORAN: Yes.

ASSISTANT CLERK: Voting yes. Senator Ben Hansen.

B. HANSEN: Yes.

ASSISTANT CLERK: Voting yes. Senator Matt Hansen.

M. HANSEN: No.

ASSISTANT CLERK: Voting no. Senator Hilgers.

HILGERS: Yes.

ASSISTANT CLERK: Voting yes. Senator Hilkemann.

HILKEMANN: No.

ASSISTANT CLERK: Voting no. Senator Howard.

HOWARD: No.

ASSISTANT CLERK: Voting no. Senator Hughes.

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HUGHES: Yes.

ASSISTANT CLERK: Voting yes. Senator Hunt.

HUNT: No.

ASSISTANT CLERK: Voting no. Senator Kolowski.

KOLOWSKI: No.

ASSISTANT CLERK: Voting no. Senator Kolterman.

KOLTERMAN: Not voting.

ASSISTANT CLERK: Not voting. Senator La Grone.

La GRONE: Yes.

ASSISTANT CLERK: Voting yes. Senator Lathrop.

LATHROP: No.

ASSISTANT CLERK: Voting no. Senator Lindstrom.

LINDSTROM: Not voting.

ASSISTANT CLERK: Not voting. Senator Linehan.

LINEHAN: Yes.

ASSISTANT CLERK: Voting yes. Senator Lowe.

LOWE: Yes.

ASSISTANT CLERK: Voting yes. Senator McCollister.

McCOLLISTER: No.

ASSISTANT CLERK: Voting no. Senator McDonnell.

McDONNELL: No.

ASSISTANT CLERK: Voting no. Senator Morfeld.

MORFELD: No.

ASSISTANT CLERK: Voting no. Senator Moser.

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MOSER: Yes.

ASSISTANT CLERK: Voting yes. Senator Murman.

MURMAN: Yes.

ASSISTANT CLERK: Voting yes. Senator Pansing Brooks.

PANSING BROOKS: No.

ASSISTANT CLERK: Voting no. Senator Quick.

QUICK: No.

ASSISTANT CLERK: Voting no. Senator Scheer.

SCHEER: Yes.

ASSISTANT CLERK: Voting yes. Senator Slama. Senator Stinner.

STINNER: No.

ASSISTANT CLERK: Voting no. Senator Vargas.

VARGAS: No.

ASSISTANT CLERK: Voting no. Senator Walz.

WALZ: No.

ASSISTANT CLERK: Voting no. Senator Wayne.

WAYNE: No.

ASSISTANT CLERK: Voting no. Senator Williams.

WILLIAMS: No.

ASSISTANT CLERK: Voting no. Senator Wishart. Vote is 19 ayes, 24 nays, 3 present not voting, Mr. President.

FOLEY: The amendment is not adopted. I raise the call. Announcements, Mr. Clerk?

ASSISTANT CLERK: Thank you, Mr. President. The Natural Resources Committee will meet in Exec Session today at 9:45 under the south balcony, Natural Resources under the south balcony at 9:45 a.m.

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Additionally, the Government Committee will meet in Exec Session this morning at 10:30 a.m., in Room 2022, Government Committee Room 2022, 10:30. Thank you.

FOLEY: Thank you, Mr. Clerk. Next amendment when you're ready.

ASSISTANT CLERK: Mr. President, Senator Hilgers would offer FA102.

FOLEY: Senator Hilgers, you're recognized to open on FA102.

HILGERS: Thank you, Mr. President. Good morning, colleagues. I-- I must confess, that was a fairly disappointing vote. There was not a policy reason to provide that loophole to the land bank. I understand Senator Wayne's point, but ultimately what you did, we-- we just empowered a future land bank to be able to use that loophole to acquire property that is-- that is not dilapidated at all. So I will say that was a disappointing vote, colleagues. I appreciate those who voted green on the bill-- or on the amendment. FA102 is the next issue that I'd like to address with the land bank, and this one, I would like to hear a policy-- I appreciate Senator Wayne's attempt on FA101 to articulate a policy argument for why that provision was needed, but I-- FA102, I would be hard pressed to find any reason why we would give the land banks the authority to invest in all these securities and outside investments with the funds that they receive from the land bank. So what is currently in the land bank statute under subsection (k) is an allowance of the land bank to invest any money that it receives into really any kind of investment that it sees fit of any kind. There's no restriction whatsoever. Securities, private entities, LLCs, corporations, you name it, the land bank can invest its funds in-- any funds that it receives into these other vehicles. Now this is especially problematic-- put aside for a moment just the policy question. Should-- should land banks have the ability to invest money outside of the land bank? The-- the purpose of land bank is to get these properties from one state to another. Why are they investing funds? It's especially problematic, though, I will tell you, when-- with two other provisions that we're going to talk about. One is the conflict-of-interest provision. So we're-- one of my amendments is to actually add some robust conflict-of-interest provisions. Right now, if you're-- if you are a member of the board of a land bank, you-- you can enter into any investment contract whatsoever that you care to enter into, even if it's your own company, and there is no conflict-of-interest provision at all that restricts you from making that investment at all. There are limitations on the property that you can buy, but if you get property tax revenue from a property that you

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have-- that you have acquired through the land bank process and you take those dollars, you can invest it. The board of the-- the board-- a member of the board who is making these decisions can invest those dollars into a company that they own, and the money that they receive on that investment is tax free, based on another provision of the land bank. Explain to me, riddle me this, colleagues, why in the world-- why in the world would we give a land bank the ability to invest in these outside companies and re-- and securities, make it tax free, and have no conflict-of-interest provisions? What have we learned over the last 200 years of governance? I mean, there's a reason that no matter what area of government you're in, whether it's the State Legislature or municipal government, that there are conflict-of-interest provisions. What we have learned over the decades is that we should have these types of robust conflict-of-interest provisions. We don't have any of them when it comes to the investments that a land bank can make. So I would-- I would love to have the dialogue this morning on this provision to understand the reason why we are giving a land bank, who's going to compete with private enterprise, the ability to invest in anything that they want to invest in. So what FA102 would do, it would-- it would strike that ability. It would strike their ability to invest in these other securities or companies, which would eliminate, in my view, a big problem, a big loophole when it comes to the land banks. It would actually help mitigate some of the concern that I have with the conflict-of-interest provisions that currently exist. Now it wouldn't resolve all the questions that I have on the conflict-of-interest provisions, because those aren't-- don't even apply to immediate family members. So right now a land bank, a member of the board of a land bank could go acquire property that is owned by their spouse or by their children and enter into any kind of contract they want to enter into, and there's no conflict-of-interest provision that would stop them. This is-- this is not good government, colleagues. So the first step in cleaning this up and tightening the reins a little bit, tightening the screws on these land banks that we might expand across the state, is by not giving them the authority to invest the funds that they received, the property tax dollars, into their own companies. This is a very simple change that I think would go a long way towards making this bill a lot better and would go a long way towards ensuring that the potential abuses of the land bank structure as currently set up goes away. So FA101, disappointed to see that one fail. I understand the policy argument raised by Senator Wayne. I just-- I-- there's no reason, though, to have that big of a loophole on that particular bill. But I appreciate the body. I respect the body's vote. That's why I didn't reconsider it. I'm not

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filibustering. FA102, I'd like to hear the policy rationale for why we're going to allow members of the board of a land bank to invest in their own companies. I'm happy to hear it. I'm happy to have that conversation. There's no reason to give them that kind of authority. They have it now, and before we expand it across the state we ought to take that away, fix the error now. So we'll have that conversation with the rest of the time that we have this morning. And I appreciate the dialogue. Thank you, Mr. President.

FOLEY: Thank you, Senator Hilgers. Senator Lowe.

LOWE: Thank you, Mr. President. I appreciate the time. I'd like to ask Senator Hilgers a question if he might yield.

FOLEY: Senator Hilgers, would you yield, please?

HILGERS: I would.

LOWE: Senator Hilgers, the-- the last vote we took on your amendment. Would it have-- have changed the land bank bill?

HILGERS: I'm sorry, Senator Lowe. Could you repeat that question?

LOWE: The-- the last vote we took on the last amendment you had, what would that have done?

HILGERS: That would have eliminated the loophole that could be abused by future land banks.

LOWE: OK. Thank you very much. I'd like to yield the rest of my time to Senator Hilgers.

FOLEY: Thank you, Senator Lowe. Senator Hilgers, 4:10.

HILGERS: Thank you. Thank you, Senator Lowe. And I think that's-- I'm glad we're making a record on this-- on this bill this morning. We're-- what we're proposing to do is create a land-- land banks across the state. By the way, another fix, another flaw is that right now these land banks can only be dissolved by a decision of their own board. The municipality can't dissolve them. So now we're creating a situation where these land banks, because we shot down FA101, these land banks now can utilize these-- this loophole to acquire property that's not dilapidated. They can compete with private business. And we might get upset about this years from now, and maybe someone will look at the record of this floor debate and ask themselves, well, why

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didn't they put in some commonsense restrictions on these land banks; why didn't they tighten the screws on the conflict-of-interest provisions; why did they give them, when they had the chance, the authority to invest their-- these property tax dollars into their own companies without any kind of conflict-of-interest provision whatsoever; why in the world didn't the Legislature have the foresight to allow the municipality to dissolve the land bank? Now hopefully the answer to those questions, when and if there's an abuse or an issue of these land banks down the road, and I-- I would submit it's a question of when and not if. Hopefully, when they look back at the record of this debate, they could see that the Legislature talked about these issues, thought about these issues, and hopefully addressed them through these floor amendments. I appreciate the time, Senator Lowe. So page 11 is the provision of the white-copy amendment that includes-- there's a number of powers that the land banks are given, some of which I think are-- are tailored to the-- the-- the end goal. Right? We're trying to-- we're trying to narrowly define the goal and we're trying to, I hope, narrowly define the means by which the land bank can achieve that goal. That's what we're trying to do here, as far as I'm concerned. And so when I go through this statute, I'm looking for places that are not narrowly tailored or frankly looking to-- looking to be tailored at all to the end goal of actually getting a dilapidated house back to the market. The loophole is one example of that. The loophole is-- is not tailored at all to allowing these rundown houses to get back to the private market. It can't be because the way that the loophole was drafted is that you actually don't have to show that they're dilapidated at all. Similarly, subsection (k) is the same, and I'm going to read it. So here's what they can do. They can invest money in the land bank, which can be property taxes, by the way, so they get these property taxes for five years, half the property taxes for five years. So they get property tax dollars, OK? And just envision-- you know, I don't think it takes much imagination to read a headline in 2023 or 2025 with someone abusing this. Just-- just walk me-- walk this through with me. So they get property tax dollars, taxpayer dollars, and here's what they can do. They can invest money in the land bank, property tax dollars, at the discretion of the board, at the discretion-- in other words, that's legal speak for however they want to do it without-- unless there's some other restriction-- in instruments, obligations, security, or proper-- property determined proper by the board. Whatever the heck the board wants to do with that money, if they want to invest it in anything, there-- there-- there is no restriction in subsection (k) at all--

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FOLEY: One minute.

HILGERS: --thank you, Mr. President-- no restriction. So the board takes property tax dollars and can invest it in anything they want, no conflict-of-interest-- interest provision, no oversight, they can't be dissolved. So walk me through how subsection (k) is narrowly tailored to the end goal, the end purpose of the land bank, and walk me through the protections that taxpayers have, that the private enterprise has, private competitors have, against the absolute abuse of this. It feels like every other month or every third month, there's some government official of some kind who has access to public funds, who is caught using those funds for personal purposes. You don't think that there's not some risk of-- of allowing a land bank individual who has access to these funds with no restrictions whatsoever, there's not some risk they might use it for public purpose-- or for their own purpose?

FOLEY: That's time, Senator.

HILGERS: Thank you, Mr. President.

FOLEY: Thank you, Senator Hilgers. Senator La Grone.

La GRONE: Thank you, Mr. President. I didn't get-- I haven't had a chance to speak on this yet, so I just wanted to quickly get up on the mike and say that I am opposed to LB424. And to the automatic bid provision, if Senator Hilgers had brought an amendment to completely take that out of the bill-- he indicated there might not be support of that-- I would at least like say I would have supported that, because I think the-- the automatic-- while Senator Hilgers has done a great job of explaining how the conflict in-- conflict-of-interest provisions are problematic, to me, the most problematic provision is that automatic bid process. And with that, so that he can continue on the-- the line of thought he was on, I'd yield the remainder of my time to Senator Hilgers.

FOLEY: Thank you, Senator La Grone. Senator Hilgers, 4:20.

HILGERS: Thank you, Mr. President. Thank you, Senator La Grone. I just want to-- if I could find the conflict-of-interest provision, I'll read it to the body. I'll find the provision here in a second. But just-- colleagues, it-- it doesn't take a leap of imagination to look a couple, couple years down the road to see this being abused. And this is exactly-- this is my concern, right? This is-- this is at the core of the argument that's being put forward before you this morning

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and during this debate, which is the rhetoric, what we are talking about, what we think of a land bank, we think of as something that's really good and positive and wonderful. And in certain narrow circumstances, I agree that there could be a public purpose to be served by getting some of these properties back into productive use. I understand the problem. I understand the solutions that's being proposed. But ultimately, what this body puts forward, what we do is-- we don't do rhetoric or slogans or bumper stickers. What we do is legislation. What we do is our bills, statutes. And someone at some point is going to look at these statutes to determine what authorities they have and what restrictions they have. And the authorities and restrictions, I will tell you, the authorities are broad and the restrictions are nearly none. And there-- nothing could be a better example. There is almost no better example of that problem than the investment and conflict-of-interest provisions. You can invest anything you want in anything that the board determines the be proper. So the board can get this money in. I'll give you a couple of hypotheticals. They get this money in. No one-- there's no oversight. They can't be dissolved. There's no accountability. They can sort of do whatever it is that they want to do. They could go and create their own company. They could create their own LLC. And they could say, well, we want to invest these property taxes into my-- our LLC. And by the way, if they get caught at that, point to me the provision in the statute-- point to-- me to the provision in the bill that gives any regulatory authority, any agency, any law enforcement official of any kind, any ability whatsoever to give them accountability for abusing the public trust. Is there a-- I looked. I didn't see. There's no provision in here that makes it a crime. There's no restriction in here that you could argue that they would be violating. There's no restriction. Now I don't want to fall-- I understand-- I'm going to be very clear with the time that I have remaining. I understand I'm being very critical of the language and I don't believe-- I certainly don't believe that Senator Quick or Senator Stinner have put forward a bill with the intent to broaden these great, giant loopholes and flaws. I don't believe that whatsoever. I certainly understand that what they want to do is try to fix a problem. And I also don't believe that the original proponents of this bill back in 2015 or 2014, whenever it was originally passed into law, had anything but the same intent, so I'm not being critical of their motives. I'm not being critical of what they intended to do. I can't speak to their motives. I think that what-- I can only speak to the public record, which is their stated intent to try to solve a problem, which I get. All that I have in front of me is the language of the bill and the language of the

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statute. And I would-- I would ask, challenge you-- pick your-- pick your word-- somebody who is a proponent of this bill, explain to me, off the mike, on the mike-- I'm happy to do it in any which way you want-- why we should-- why subsection (k) even exists in here, why there's no restriction, and why it wouldn't be a heck of a good idea to put some conflict-of-interest provision in there. I'm all ears. If there's something I'm missing, if there's a policy argument I'm missing, if there's another provision of statute or the bill that actually does what I think we should have, hey, I'm all ears. I'll withdraw my amendment. I'm not trying to take up time. I'm trying to focus the body's attention on a real problem.

FOLEY: Thirty seconds.

HILGERS: Thank you, Mr. President. And I'm looking for a solution. If the solution already exists, great. I'll withdraw the amendment. We'll go to the next one. But I-- over the last-- course of last couple of years of this debate, no one has been able to articulate to me why we would give that level of authority, that level of power with no restriction. Thank you, Mr. President.

FOLEY: Thank you, Senator Hilgers. Speaker Scheer.

SCHEER: Thank you, Mr. President. We have exhausted the three-hour initial period on this bill, and we will move to the next item, please. Thank you.

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

ASSISTANT CLERK: Thank you, Mr. President. Notice of committee hearings from the Natural Resources Committee. The Natural Resources Committee reports LB769 to General File with no committee amendments. Additionally, the Transportation and Telecommunications Committee reports LB931 to General File with committee amendments. Amendments to be printed: Senator Chambers to LB518. Your Committee on Enrollment and Review reports LB858 placed on Select File with E&R amendments. The General Affairs Committee reports on certain gubernatorial appointments to the State Racing Commission, State Electrical Board, Nebraska Commission on Problem Gambling, and the Nebraska Arts Council. That's all I have this time, Mr. President.

FOLEY: Thank you, Mr. Clerk. We'll proceed now to the next bill, Mr. Clerk.

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ASSISTANT CLERK: LB962, introduced by Senator Hunt, is a bill for an act relating to postsecondary institutions; adopts the Nebraska Fair Pay to Play Act; changes the Nebraska Uniform Athlete Agents Act; provides an operative date; provides for severability; and repeals the original section. The bill was read for the first time on January 13 of this year and referred to the Business and Labor Committee. That committee placed the bill on General File with no committee amendments.

FOLEY: Thank you, Mr. Clerk. Senator Hunt, you're recognized to open on LB962.

HUNT: Thank you, Mr. Lieutenant Governor. Good morning, colleagues. Today I'm presenting LB962. This is my priority bill for this year. This bill allows athletes at Nebraska's colleges and universities to earn money from their name, image, and likeness rights or athletic reputation. It permits athletes to sign with a licensed agent and protects them from retaliation for receiving any compensation. I was surprised to learn that every-- 100 percent-- of student athletes in Nebraska, from the football-- football quarterback at UNL to the women's golfer at Chadron State, are legally prevented today from participating in the free market and earning any wages at all for their athletic skills or talents. LB962 is about the right of every student to work, to participate in the free market, and to have the same freedoms as their nonathlete peers on college and university campuses. Student athletes are the only college students prohibited from earning an income for their skill or talent. All nonstudent athletes, from music to computer science majors, regardless of whether they have a scholarship, of course, have no prohibition on their ability to earn income in their fields of expertise. Athletes are the only category of students who are barred from doing so. LB962 will give athletes the same opportunities as the rest of their classmates to participate in the market and earn money for their skills. I decided to introduce this bill last fall when I saw on Twitter, actually, that California had passed a similar bill. And I shared it right away and I said, next year in Nebraska, I'm going to introduce the same kind of bill because this is a problem that we've already recognized in Nebraska, and now that we have a blueprint of how to move forward, we have a way to do that. The university has been a wonderful partner in finding amendments and making sure that this works for universities and colleges. And so I think we've gotten this bill to a really great place so that Nebraska can also be a leader on the national level for all student athletes. Less than 2 percent of

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student athletes ever advance to the professional level. That means that 98 percent of student athletes never go pro, so college might be the only time that an athlete even has the opportunity to earn income from their sports status if they're given the chance. College sports are a \$14 billion, "b," billion dollar a year industry. Yet even while profits increase year over year, student athletes are being excluded from the enterprise related to this industry. They are blocked from the opportunity to pur-- to pursue entrepreneurship, as I did in college. When I was in college, I started a business, but if I had been a golfer or a swimmer or a softball player, that would not have been possible for me. This is a level of economic confinement that most people who haven't played college sports are not even aware exists. I wasn't aware that it existed. Further, student athletes are much more likely to suffer injuries that impact them beyond their college years. Sixty-seven percent of former NCAA Division I athletes suffer major injuries, and 50 percent reported chronic college sports injuries, nearly double the rate of nonathletes. These injuries can have devastating impacts on even a star athlete's ability to earn money for their athletic talents. For example, Alabama's star quarterback Tua Tagovailoa was expected to be a number-one NFL draft pick. Last year, this yielded a fully guaranteed total contract worth \$35.2 million with a \$23.6 million signing bonus. All of that was jeopardized last year when Tua suffered a devastating hip injury in a game against Mississippi State. Over a single play in college, this student risked losing millions of dollars of compensation for his own name, image, and likeness, and that's money that he could only earn outside college. So what if this guy could never play again? His window for earning money off his skills would be totally closed. This bill, please understand, does not require colleges or universities to pay athletes. LB962 allows players to sign endorsement deals with brands and participate in the free market, for example, posting a sponsored Instagram post or monetizing a YouTube channel or accepting payments for appearing at training camps and events. Many people are very surprised to learn that no student athlete can currently do these things. So you don't have to be a star athlete to benefit from this legislation because it will allow every student in the 24 different NCAA sports to host a sports camp at their high school or junior high school or to coach in the off season. The Nebraska volleyball team, for example, is one of the most followed volleyball teams in the world. Their influence is not just national but global. And it's not just the Husker brand that has value because every single player on every team in Nebraska can create a strong brand around their own name, image, and likeness to create a social media following which can

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be easily monetized. The money a student athlete receives when you're monetizing social media is based on their followers. So look at Lexi Sun, for example, who's a star outside hitter for the Nebraska volleyball team now. She has over 63,000 Instagram followers. With that many followers, her potential earning on social media is bigger than anybody on the Husker football team. Throughout this process, I've spoken with countless former athletes-- DeJon Gomes, Justine Wong-Orantes, Sarah Pavan, Danny Woodhead, Jordan Larson-- who support this legislation because they saw themselves how confined they were as student athletes and that they weren't allowed to even monetize the work that they do until they left college. We also know that this motivates student athletes to leave college early. We also got great written testimony in committee from Isaiah Roby, who took time out of his NBA season to write in support of this bill. In committee, we heard testimony-- testimony from Jeremiah Sirles, who played for the Husker football team from 2010 to 2013 and then went on to play for several different teams in the NFL. This bill had no opposition in committee, and I think this type of feedback is a testament to how important this bill is to current and future athletes. Some people have asked me about my connection to this issue because I love college athletes, but I don't really follow any college athletics. I wouldn't describe myself as a huge sports fan. I don't come from an athletic background. But I have a few really important connections to this bill that makes me relate to the economic freedom of students in a really personal way. First, you should know that I absolutely love the Olympics. A lot of you in here know that about me. And of course, there are many Olympic athletes who are also college students. And of course, we also know that Olympic athletes can receive compensation. So how does that work? Well, the NCAA has an exception for them, but the NCAA doesn't think that all students deserve the same exception and the same rights. Olympic athletes can earn money, and they're still considered amateurs. For that reason, this bill does not professionalize our college athletics. In fact, it may result in encouraging some of our students to stay in school, rather than giving them the motivation to go pro early because it's the only way for them to earn an income. My second connection to this issue is my background in entrepreneurship and my understanding of the modern economy and social media. I started my first business when I was in college designing wedding dresses, and I grew that business to a staff of 12. And we worked with over 400 brides a year from all over the world, and we brought quite a bit of revenue through Nebraska doing that. To promote my business, I started a blog where I earned money from sponsorships and advertisers, and I grew the reputation and popularity

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of my company. And as I did that, I also received lots of opportunity for sponsored posts on social media. So now imagine, instead of Megan Hunt at Dana College promoting her wedding dress business on YouTube, this is Danny Woodhead at Chadron State, promoting his skills as a football player on YouTube. Why is what I did right and admirable and entrepreneurial, but when a student athlete does it we don't allow them to do that? What is it about student athletes--

FOLEY: One minute.

HUNT: --many of whom are business or marketing majors who have a personal interest in entrepreneurship? That's what happened to a friend of mine, Blake Lawrence, who formerly played Husker football. After he got three concussions playing for the Huskers, he left football and started a business to help pro athletes share content on social media networks. Blake has built a successful business. It's based right here in Lincoln, Nebraska. He employs 35 people. He's brought millions of dollars of revenue through our state. But he started this company as a student, and if he hadn't gotten those concussions and quit football, there's no way that he could have started that business. I don't think that's right. Students understand the marketing opportunities that are available to them through social media. They understand the modern economy. It doesn't matter if they're the biggest star athlete in Nebraska or if they're a D-III tennis player who just wants to give private lessons in the off season. Currently, neither of them can earn a dime, and that's not right. I don't want to overcomplicate what is a simple bill. I'm happy to answer any of your questions, and I hope that this is something that we can move forward. I've tried to talk to as many of you as I can. Senator Hansen and Senator La Grone both have amendments that I support--

FOLEY: That's time, Senator.

HUNT: --that improve the bill. Thank you.

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

ASSISTANT CLERK: Thank you, Mr. President. Senator Matt Hansen would offer AM2541. Senator, I have a note you wish to withdraw? In that case, Senator Matt Hansen would offer AM2580.

FOLEY: Senator Matt Hansen, you're recognized to open your amendment.

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M. HANSEN: Thank you, Mr. President. Good morning, colleagues. I do rise in support of LB962 and thank Senator Hunt for working hard on this issue. I'm introducing AM2580-- AM2580 in order to address several issues that have been raised with both Senator Hunt and myself. I'm really appreciative of Senator Hunt working with me and stakeholders on this amendment. And I know Senator La Grone is going to amend my amendment, and I appreciate his work on this issue, too, and support his amendment. AM2850-- sorry, AM2580-- excuse me-- is presented as a white-copy amendment, but it makes five substantive changes to the bill. First, in order to address a concern that protection against retaliation in the bill would inadvertently affect need-based aid that institutions will not be able to take in account income earned from the student athlete's contract for the use of name, image, or likeness, on page 2, lines 28 to 31, the amendment adds language that clarifies that such income can be used for the calculation of income for determining eligibility for need-based scholarships and financial aid. Second, the bill add-- the amendment adds language on page 3, line 9, which states an exemption for otherwise required by law in allowing post-secondary institutions to disclose a contract. This allows the institution to comply with lawful subpoenas and court orders that may be relevant to those contracts. Thirdly, the amendment ensures that the contract clause of the United States Constitution is not violated for any contract in effect prior to the date determined by a postsecondary institution for when the act goes to effect. Fourthly, in order to ensure that there is no waiver of sovereign immunity by the university, it adds a new section on page 5, lines 3 through 6, to clarify how a postsecondary institution can be sued if needed. Finally, the final change in the bill, the introduced copy has an operative date of July 1, 2023. The amendment changes this to give each post-secondary institution the ability to choose their own operative date on or before July 1, 2023, with that date serving as a deadline. Some institutions, depending on what is happening nationally with the issue, may want to begin to allow their student athletes to enter into these contracts earlier. This gives-- this amendment gives the flexibility for each postsecondary institution to do so, but all must still do so by the deadline of July 1, 2023. So that's the substantive amount of AM2558. [SIC] While I have the microphone, I did want to share a little bit of why I support this bill and how this bill has affected my family. So my sister-in-law, who has just recently graduated from college, was a volleyball and track athlete in high school, and during high school she was seen as talented enough and engaged enough that different families, different individuals asked her for private tutorship and asked her

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for private lessons for some of their students, for some of their children, more younger grades, you know, middle school, who were thinking of going in that-- in that way, kind of, you know, those working on club volleyball, things of that nature would contract-- would ask her to provide those private lessons. So this is a real job, a real source of income that she had in high school. When she got-- ultimately became a walk-on and joined, went to college, she was told by their compliance office that she could no longer do this type of work, so she could no longer do the type of work that she did in high school because it violated her name, image, and likeness, because just by saying, you know, Molly is willing to teach your daughter how-- you know, private volleyball lessons, was a usage of her name, image, and likeness as a college athlete. And I bring that up because my sister-in-law was a walk-on, so her kind of-- she did-- she paid for college privately, out of pocket, like any other student who didn't have a scholarship. So there's kind of sometimes people are seen as saying, hey, they're-- athletes have this great deal and we're just trying to prevent some of these kind of certain contracts. The current NCAA regulations are so strict and go so far down that people who don't have a scholarship, that people who are walking on to their, you know, track teams, which is not a high-profile sport, can't do private lessons at-- for people they knew in high school. That's how strict the NCAA name, image, and likeness rules are. And for me, I think that's one of the reasons I support this bill, is that we've drawn a line where there are individuals who had sources of income, had an opportunity, had an opportunity to contribute to their communities, make-- you know, make some private money, show some entrepreneurial skills, and they just kind of had this flat-out, blanket ban. So AM2558, as I said, makes a series of technical changes primarily related to calculating scholarship income, as well as the contracts clause and enforcement dates. Senator La Grone is bringing an amendment to my amendment, which I support, and I would encourage your support and green vote on both amendments and-- and-- and LB962, and I would yield the balance of my time back to Senator Hunt, just in case she had anything else to say.

FOLEY: Thank you, Senator Matt Hansen. Senator Hunt, 5:00.

HUNT: Thank you, Senator Hansen. I won't use all of that time. I've-- I've said most of the top lines of what I wanted to say, but I'm happy to answer questions as we go down the queue. What this bill is about is the right to own your own identity. You should own your own name, right? You should have the right to decide what you do with your own

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name. You shouldn't be signing your name to the-- away to the NCAA forever so they can make money off your name, image, and likeness forever. To concerns that some people have had that folks won't earn the same, there is no labor contract in the world where the government says-- well, in the United States, where the government says this is what the price is going to be. So what this conversation is about is the free market. It's saying that the government can't set the wage for a student athlete at zero dollars, and it's about the idea that the American-- that the government doesn't control what somebody is worth. Additionally, this bill is not about saying that the players must be paid. It's saying that they have the right to their own name, their own image and likeness, they can participate in the market, and that the government can't collude with the NCAA to fix the compensation of student athletes at zero dollars. So I yield the remainder of my time back to the Chair. Thank you, Mr. Lieutenant Governor.

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

ASSISTANT CLERK: Mr. President, Senator La Grone would move to amend with AM2605.

FOLEY: Senator La Grone, you're recognized to open on your amendment.

La GRONE: Thank you, Mr. President. This is meant to be-- as Senator Hansen and Senator Hunt both said, this is meant to be a friendly amendment. I want to thank Senator Hunt for all the work she's done on this. I think she took a very complex issue and has gotten all the kinks worked out with these two amendments, and so I think that's really admirable. AM2605 does two things. First, it makes a terminology change to Senator Hansen's amendment to align with a federal term. In the federal terminology, it's need-based financial aid, not need-based scholarships, so this amendment makes that change. And then second, it puts in a one-year statute of limitations for these claims, and I'll try to quickly explain why we thought that was appropriate. So most of the issues that could arise under this bill would probably be worked out by the university just not preventing student athletes from doing this. That would be probably the largest group. The second largest would probably be situations get resolved on a-- on the front end through conversations or an injunction or something like that. What this is meant to deal with is those civil actions that are seeking monetary damages that, because of the unique short relationship between a student athlete and the university, it says because that relationship is short, you need to press your claim

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in a-- in a timely manner. So that is what this is seeking to do, and I hope that-- I look forward to supporting all the amendments and the bill, and I would yield the remainder of my time to Senator Hunt.

FOLEY: Thank you, Senator La Grone. Senator Hunt, 8:30.

HUNT: Thank you, Senator. Thank you, Senator La Grone. For decades, advocates like Senator Chambers have been fighting to make the system of college sports more fair. Senator Chambers has been a national leader in putting players first, and I think it's important for us to recognize that too. This body has the opportunity to be on the forefront of giving athletes a fair shake. We have another opportunity to do that today. Over half the states in the nation are already addressing the issue of name, image, and likeness, and we have an opportunity here to shape that conversation with a bill that has had tons of input from all different interested parties. And this is a bill that can actually serve as a model for other states who are wanting to tackle this issue. So I want to thank also the University of Nebraska for working with us on this. I drafted this bill last fall, and they've been willing to work with me every step of the way to make sure that we have a good balance between the interests of all postsecondary institutions and the college athletes that this bill seeks to help. There have been many articles written in local and national news media. The Journal Star wrote an editorial in support of this. I distributed an article from the World-Herald where Nebraska athletic director Bill Moos said we need to be on top of our game, we need to be ready for this to pass, we're going to be ahead of the curve, and that if we pass this bill, Nebraska will be ready with a plan. So people who work in athletics, they know that this is an idea whose time has come. They know that this is going to be good for growing our state by getting people to come here. And we know that this is-- this is going to be the fairest possible way to bring compensation to student athletes by aligning student athletes with the rest of the student population in saying your own name, you have the right to that, your image, you have the right to that, and you can participate in the free market just like your friends and just like the other students that you go to school with. Thank you, Mr. Lieutenant Governor.

FOLEY: Thank you, Senator Hunt. Debate is now open on LB962 and the pending amendments. Senator Morfeld.

MORFELD: Thank you, Mr. President. Colleagues, I stand in support of Senator Hunt's LB962 for a few different reasons. First off, my

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district, as many of you guys know, represents the largest portion of students in the state. Half my constituency is students, and many of them are student athletes. They work very hard. They provide a valuable service to the university and to the state. And not only that, they generate a lot of profit and a lot of revenue for the University of Nebraska and the state of Nebraska for the tax proceeds. And it's incredibly important that they not only be recognized for that but they also have the opportunity to be able to profit off their own likeness. I think that that's a pretty middle-of-the-road, pretty simple solution. It's important because when coaches and other folks and administrators are making millions of dollars off their hard work, off their performance, that they have the ability, at least, at the very least, to be able to make money off their name, image, and likeness. That's important. That's very basic. We're not saying that we're giving them a salary or an income. We're saying, listen, if you want to go out and pound the pavement after practice or after a game and go make money off your likeness, then you can do that. And quite frankly, when we have coaches and administrators that are making millions of dollars off their performance, I think that's the least that we can do. This is a very moderate approach to ensuring that we have fairness with our athletes when millions of dollars are being made. And I want to commend Senator Hunt and Senator Chambers, who I know has been fighting for this many years before we were even here, in doing this because this is a fair-- this is a fairness issue. And students, yes, they do receive room and board and tuition. But I'll tell you, as somebody who managed a dormitory for four years while I was-- well, three years out of the four years I was there-- these students are often working, with their studies, 12-, 16-hour days. And so tuition is great. Room and board is great. It's definitely defraying a lot of the costs. It's definitely something of value. But based on the value that they're bringing back to the university, back to the state, and then back to their coaches and administrators, it's de minimus. What they receive in tuition and room and board as compared to what they bring back in revenue to the state, to the university, is de minimus compared. And I think it's important that they have the opportunity to be able to be entrepreneurial and go out and generate a little bit of revenue based off of what they're doing and their hard work. And as Senator Hunt brought up, oftentimes, they will not go pro after college, but they will have the effects of their performance in terms of the wear and tear on their body and some of the different condi-- conditions that they'll have to live with for the rest of their life because of their performance, whether they're a runner or whether they're a football player or anything in between or

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outside. And so this is a very moderate approach to ensuring that we have fairness in our state, that we have equity, and that student athletes have the compensation that they deserve for their hard work. And with that, Mr. President, I'll yield the balance of my time to Senator Wishart if she so chooses.

FOLEY: Thank you, Senator Morfeld. Senator Wishart, 1:00.

WISHART: Thank you, Mr. President. I rise in strong support of LB962. I think this is an absolute no-brainer bill. I was actually surprised that this was even a-- a rule in Nebraska and across the country. And if Senator Hunt hadn't brought this bill, I would have, and I'm almost remiss that we didn't bring it years ago. I did want one clarifying point. Senator-- Senator Morfeld was talking about students who are "scholarshipped" as athletes. But, Senator Hunt, can you yield to a question?

FOLEY: Senator Hunt, will you yield, please?

HUNT: Yes.

WISHART: My understanding is that walk-on students who don't receive any financial benefit are also restricted currently in Nebraska from being able to use their name and likeness to make money.

HUNT: That's correct. Even students who receive no financial aid at all are barred from earning any compensation for their talent.

WISHART: OK. Thank you. Colleagues, I-- I hope that the long line in this queue is celebratory of the work that Senator Hunt has done on this bill. Again, I rise in strong support. This is an absolute no-brainer. Why would we have any--

FOLEY: That's time, Senator.

WISHART: --control over what somebody can do outside--

FOLEY: That's time.

WISHART: --of their profession? Thank you.

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

PANSING BROOKS: Thank you, Mr. Lieutenant Governor. Good morning, Nebraskans. Our state's unique motto is "Equality before the law," so

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know that whoever you are, wherever you are on life's journey, and whomever you love, we want you here. You are loved. So that equality before the law continues to apply in so many instances that we have before us. I hope you'll all take a moment to recognize the amazing historical work of Senator Chambers. If you look through what he handed out on the floor today, I mean, talk about somebody that is brilliant before his time. Some-- the articles go back to 1981. They include The New York Times, the Chicago Tribune, the-- discussion by Johnny Rodgers saying that the system is to blame for scandals. And I know he'll go through some of this, too, but I just want to celebrate his amazing, amazing work. We clearly are-- let's see, how many-- how many years later is this? Forty years later, 40, 40 years later, and we're still trying to discuss this ridiculous thing. My experience and-- and interest in this ties to the fact that I had kids in sports. And, yes, that might be surprising because you might look at me and think I'm not really genetically created to be a sports person. But anyway, we had kids that were in soccer and there were a number of instances where we tried to hire the goal-- one of the goalies from the Nebraska soccer team, and others, like the forwards. But we couldn't even get them to be able to come and take time because there are these ridiculous rules. Meanwhile, when we tried to get a-- a mentor or a tutor on some math issues for one of our students, one of our kids, there's no problem with that because they weren't athletes. But boy, these-- these kids that are athletes who have special abilities and talents, you know, there's some discussion that-- that, oh women are going to be treated more poorly. Well, guess what? We're treated more poorly in the-- in the whole world of sports and other areas. But that doesn't mean that-- that the women and the men should-- shouldn't have an opportunity to be able to be paid for their services and their likenesses. I think if they were selling creams or something like that, there's no question that the women would be sought out more than the men. So I'm not listening to that whole argument that was passed out on the floor on a-- on a newspaper article. And I just want to thank Senator Hunt for her wisdom and her vision in following in Senator Chambers' footsteps. I know she is as grateful for his work as I and we all are, so. And with that, I wholeheartedly support Senator La Grone's amendment, Senator Hansen's amendment, and Senator Hunt's bill, LB962. And I'd like to give the rest of my time to Senator Blood because she needs to leave. Mr. President, Senator Blood.

FOLEY: Thank you, Senator Pansing Brooks. Senator Blood, 1:20.

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BLOOD: Thank you, Lieutenant Governor. Fellow Senators, friends all, I actually got kicked out of the queue, so thank you so much for allowing me to do this. And I'll see if I can do it in a 1:20, and if not, I'm going to be late to my meeting. I rise in full support of both the amendments and Senator Hunt's bill. This bill addresses an outdated model of amateurism. It places the interests of our athletes on the same level as our institutions. What's different about this bill and previous attempts to change this policy is that we really did limit the scope when you compare the two. The bill only bars institutions from stripping any athlete's scholarship or eligibility over getting paid to sign autographs, appear in commercials, endorse products, and the like. And as noted in Senator Hunt's introduction, it's very similar to what is known as the Olympic model. These athletes generate billions of dollars for their schools. And unlike professional sports, these schools have little accountability when it comes to paying for long-term injury treatment for these athletes who happen to get injured while on scholarship. And anyone who follows sports knows that the NCAA has struck deals with both the NBA and NFL to basically force athletes into amateur ball, even when they may be ready for the pros. Now I believe state government should hold a legitimate interest in making sure that our citizens' rights are not trampled on by multimillion-dollar corporations like the NCAA.

FOLEY: That's time, Senator. Thank you, Senator Blood. Senator Chambers, you're recognized.

CHAMBERS: Thank you. Mr. President, members of the Legislature, I have been dealing with this issue for 40 years, minus one, and I started because I talked to some of the players and saw how deprived they were in terms of not being able to get a job, not being able to accept anything of value from anybody other than a family member. So if a white kid came from a wealthy family, he could have a car, stereo, his own apartment, all that they wanted to provide him. If it was a poor black kid from the center of the mid-- from the city or a poor white kid from the farm, they could not accept anything from anybody because it was considered by the NCAA to be an unfair benefit. What is problematic here is that you all are looking at these athletics as games. Big-time sports at the college level comprise a multibillion-dollar, high-octane entertainment business. It is a business. Coaches get salaries in nine figures. It used to be six. The people who buy commercial time for these games are able to dictate when there will be commercial breaks and the action stops. They don't care about how it might disrupt the players or the flow of the game.

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So you need to look at it as a big-time money business. The football programs at these big football schools serve as a farm system for the NFL, the same with basketball and the NBA. That is what all of this is about. What I had to do during those years, many of them ago, to go after UNL, because those-- in those days, a Pell grant would give you \$2,400, I believe. UNL and all these big schools in the NCAA said that a scholarship athlete could only get \$1,700 and the school would get the rest. This was need-based aid that they were taking. I brought a law that changed that. Any aid, need based, that was based on a federal program, the university could not touch. Naturally, they opposed it, but they lost. Then the NCAA changed its rules and all the schools stopped doing it. I had read and heard about Budge Porter being severely injured on the football field, and the way they moved him was to get-- somebody had something like a door. They put him on it, put it in the back of a station wagon, and took him to the hospital, and he is still injured to this day. Using that example, I was able to argue that if the university did not want to pay these players as employees, they should protect them as students and human beings and compel them to self-insure a program that would take care of people like Budge Porter. Injuries that may not be life-threatening, that may not be lifelong, nevertheless, had to be covered to the same extent by the university that would be the case under workers' comp. I use that model so that the university couldn't say it would be too complicated to work it out. That was done, then they would actually take an athlete's scholarship if he or she were injured. And I got that changed over the opposition of the university. And when I got the law changed so it couldn't be done, the first thing the male coach of the female gymnast team did was to take two scholarships away from two girls who had gotten injured. And he was dumb enough to say he took them--

FOLEY: One minute.

CHAMBERS: --because they were injured, they couldn't help the team, they were going to give the scholarships to others. I involved the Attorney General. He talked to the university. They cited the law, and these girls got their scholarships back. You all don't know what is entailed in all of this activity, and you need to listen to somebody who does. Not me-- you're not going to listen to me on anything. Read the newspapers. Read what even UNL is acknowledging. This is a recruitment tool. If other schools allow their athletes to do this and UNL does not, then the players are not going to come here. They will go to a school where they can receive some compensation for the misuse

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or use of their name. On page 2 of this long document I handed out, you will see where Jarvis Redwine, he was the first-- one of the first athletes I talked to, mentioned this company in Omaha that sold several hundred likenesses of him in posters for \$3 apiece or something--

FOLEY: That's time, Senator.

CHAMBERS: --without his permission and he got not a nickel. Thank you, Mr. President.

FOLEY: Thank you, Senator Chambers. Senator Blood.

BLOOD: Thank you, Mr. Sen-- Mr. President. Fellow Senators, friends all, I'm glad I have the opportunity to finish what I started. Again, I ended saying I believe state governments should hold a legitimate interest in making sure that our citizens' rights are not trampled on by multibillion-dollar corporations like the NCAA. I'd also like to note that this bill does not affect Title IX because the money doesn't come from the schools but from outside endorsement deals. So even if a handful of athletes decide to benefit from this ability to market themselves, why should we oppose a rule that is-- is good for a few but bad for nobody? So when it comes to the NCAA, they have limited legal authority. They make rules for how their member institutions should operate. If you break those rules, they can prevent your institution from playing in bowl or tournament games. But it is the government, us, that creates and enacts laws. If the Nebraska Legislature passes a law declaring jurisdiction over how we want our college athletics to work, there is little that the NCAA can do. So it's clear that the NCAA fights back because it is an organization that generates around a billion dollars each year and wants to protect their own best interest. I take issue with this and I am in full support of Senator Hunt's pay to play-- pay bill, as well as her amendments, because I believe this is an instance where we are protecting the rights of our citizens to do whatever they choose to do with their image. And no, no organization should ever have the ability to take that right that basic right away, regardless of whether they are an athlete or any other citizen of the state of Nebraska. Thank you, Mr. President. With that, I would yield any time I have left to Senator Chambers.

SCHEER: Senator Chambers, 2:50.

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CHAMBERS: Thank you, Mr. President. Thank you, Senator Blood. Senator Blood touched on some very important issues. The NCAA, before I came along, was able to bully schools, students, and others, and they even went after a famous basketball coach, named Jerry Tarkanian, out in Nevada. When they were going to try to discipline him and his school, he tried to make an argument that there was no due process in anything that the NCAA did, and the court ruled against him. When I became aware of what the courts would not do, I, again, the first one in the country, got the Legislature to pass a bill saying that the status of citizens, even just residents of this state, would be determined by the laws of this state and not the rules of an oppressive confederacy, which is what the NCAA is, if you're going to be nice. The NCAA opposed that bill. It made no difference because the university knew that they had nobody on their staff who could out-argue me on points of law. So Nebraska passed that law and it simply says that no university in this state, no student attending such university can be sanctioned or disciplined in any way by an athletic association without according all of the rights of due process. The NCAA said they feared that more than anything else, which was an admission that they don't believe in due process because they want to use Gestapo-like tactics. The NCAA--

SCHEER: One minute.

CHAMBERS: You said time?

SCHEER: One minute, Senator.

CHAMBERS: Oh. The university presidents supposedly run it. They don't. That statement in the book Frankenstein applies to the NCAA. What the NCAA says to the universe-- university presidents is what the monster said to the doctor who brought him into being: You are my creator, but I am your master. It's a runaway organization. It uses Gestapo-like tactics. But it's being brought to heel now because legislators around the country are assuming and asserting the authority that we have as legislators in this area to pass laws to protect the rights and interests of the citizens or residents of this state. The NCAA can bully schools, they can bully conferences, but they can't bully legislatures when they open their eyes. So keep in mind that what you're dealing with here is a business.

SCHEER: Time, Senator.

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CHAMBERS: Thank you, Mr. President.

SCHEER: Thank you, Senator Blood and Senator Chambers. Those waiting to speak in the queue: Senator Bostelman, Hunt, Lowe, Lathrop and others. Senator Bostelman, you're recognized.

BOSTELMAN: Thank you, Mr. Speaker. Good morning, Nebraska. Good morning, colleagues. I just want to speak on a couple of things here this morning. Mostly, I think Senator Morfeld touched on just a little bit-- a little bit ago and I'll touch on a little bit more, so our athletes do come in here on scholarship. So if it's not-- if it's a nonresident scholarship they're coming into, that's \$42,000 a year. If it's a resident scholarship, it's \$25,800 a year. So they get-- their tuition is covered. They get about \$3,600 and a stipend at the university; other schools, anywhere from \$2,000 to \$5,000. Their-- all their food is covered. They eat at the training table, catering at-- or catering for every meal. Players are receiving more than \$1,000 per year on merchandise. We're talking about sweatshirts, shoes, shirts, pants, backpacks, etcetera. Scholarships, obviously, are covering the room and the board and the books; \$500 per diem for making bowl games; gifts from bowl sponsors, and it really depends upon the bowl as to what that gift would be, if we go to a bowl game. For example, the Music City Bowl, they got Fossil watches and an option between five other gifts, such as large, top-end stereos. They get free tutoring, free training. They have people assigned to them. And so I-- I-- I mention that because they're-- as a scholarship athlete, they're getting these things because they are an athlete. But there's other students at the university that do grad school work and those type of things that, because of their education, because of their background and because of their skill set, they're not recognized, if you will, like an athlete is recognized. So they don't have that same opportunity to receive the-- the-- the larger dollar amounts, and I think that's a little bit unfair to those students. Those students that are out there that do the grad work, that do the thesis paper, that do the research for the land-grant university, then the university takes and benefits from that financially, but yet they don't get anything back if they're a grad student, they'll get just a small amount to cover a little bit of what their-- their work is. But if you're a single parent trying to make it through, you're going to have to work. In fact, I have a family member that had to work several jobs just to make ends meet. Raising a child was difficult, but then that person's thesis was taken by the-- the professor and published by the professor, and then the university benefited from that and this

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person and family got absolutely nothing out of that. So part of what I'm-- my concern is or-- with the other students, the other people at the university who are doing the work but they don't have the same name-- name recognition, if you will, that should be getting paid for the work that they do for the university at a rate that-- that is commensurate for what they're doing. If we're getting large grants and large funding from outside sources, from other corporations, companies, whoever it might be, to do research, and then we have students doing this research and-- and they get a small fraction, proportion of what that is, I just don't think that's appropriate. I think they should be able to get the credit, but they cannot benefit from their image because they're not on TV, they're not out there in front of the audience like many of the other sports athletes are. So my-- I guess what I'm talking about is-- is-- is looking to those individuals, trying to find help for those individuals, because now we're going to-- because I'm on TV, I have a good sports program, our football program and our volleyball program are the two that pay for themselves and they pay for all the other sporting activities that we have, other sports teams that we have. But when we get into the graduate work and the students that aren't athletes, they don't have that same image to where they can go and get maybe a better job or maybe there is something online that uses their image to get that pay. And that's a concern for me, just something for us to consider--

SCHEER: One minute.

BOSTELMAN: --as we move forward with this. I think it's an important thing to-- to take into consideration. Maybe we need to look at doing something for them, as well, in order to provide an opportunity for these students who are trying to make it and going from-- from, if you will, paycheck to paycheck to get through grad school, but yet then the university is going to benefit significantly from them, from their research, and the professors from their research, patents, and other things which they will take. But the student that is-- is not provided any compensation for-- or compensation for, as we're talking about here within this bill, because it could be substantial. And then that is a grave difference, I think, between the two students, bodies that we have within the university. I'll yield the rest my time back to the Chair. Thank you.

SCHEER: Thank you, Senator Bostelman. Senator Hunt, you're recognized.

HUNT: Thank you, Mr. Speaker. This is a great discussion on the floor today. On what Senator Bostelman said, I want to recognize that his

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concerns are valid. And it's unfortunate if any grad students feel like they've been taken advantage of with this specific case that he was talking about. But the difference between student athletes and other people in the student population, whether it's grad students or whatever, is that there's no restrictions on an econ grad student or a computer science grad student or an arts grad student from going to a major program that can pay them more or-- or monetizing their talent to earn money in different ways. He said that they don't get credit for their image either because they're not on TV. Well, that tells to me honestly that maybe we don't have a full understanding of what I'm referring to as the modern economy. Under social media, with these types of opportunities, people in grad student do have opportunities to make money off their name. There are people who are grad students who you can find on YouTube who are doing remote lessons for students in other states, who are doing tutoring, who are earning money doing things like that. And I think that's an excellent way for grad students to pursue entrepreneurship, to live the American dream, if you'd like to put it that way, and nothing today prevents them from doing that, and so-- except perhaps maybe their own industriousness, and the same would apply to college athletes under this bill. Nothing would prevent them from earning money on YouTube or social media or getting an endorsement deal or a sponsorship, but nothing would be forcing them to do that either. The difference between these cases that Senator Bostelman is talking about is that grad students can get paid; student athletes cannot get paid. So that is what I would say about that. In terms of his points about the scholarships, most-- I think that there's-- some people believe that all college athletes who receive a scholarship receive a full-ride scholarship, but actually the majority of scholar-- of college sports programs only receive partial athletic scholarships. There are only six sports out of 24 NCAA sports that are allowed to give full-ride scholarships. So I guess it's a question to you of-- you know, I received a full-ride scholarship, and I worked two jobs all the way through college. So if a student athlete would like to have the same opportunity to pursue entrepreneurship, to have a job, especially for these athletes at D-II and D-III schools or NAIA schools who, you know, aren't really as busy with those 40-hour-a-week-- I said rehearsal. That shows that I'm like an art kid and not a sports kid, but practice. You know, nothing would force them to benefit from this bill, but it would finally open up the economic opportunity for kids who want to. Thank you, Mr. Speaker.

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SCHEER: Thank you, Senator Hunt. Those waiting in the queue: Senator Lowe, Lathrop, Briese, Murman. Senator Lowe, you're recognized.

LOWE: Thank you, Mr. President. I have a few questions I would like to ask Senator Hunt if she would be willing.

SCHEER: Senator Hunt, would you please yield?

HUNT: Yep.

LOWE: Thank you, Senator Hunt. I have a few questions about conversations you had during this bill and then some questions dealing-- about how this bill worked elsewhere. Have-- first, have you had any conversations with the NCAA about this subject?

HUNT: No.

LOWE: OK.

HUNT: With the NCAA?

LOWE: Yes.

HUNT: No. I've-- I've talked to the College Athletes Association and I've talked to several different colleges and schools. The NCAA has not reached out to me. They have a working group that is working on addressing this issue now and-- yeah, go on. Sorry.

LOWE: OK. Second, have you had any conversations with ath-- athletic conferences in which schools from Nebraska play, the Big Ten, the Big East, the Summit UNO plays, except for hockey, National Collegiate Hockey Conference, UNO hockey, Mid-America Intercollegiate Athletics Association, which UNK plays in its Division II, the Rocky Mountain Athletic Conference, which Chadron State plays in, which is in Division II, the Northern Sun Intercollegiate Conference, which is Wayne State, Division II, American Rivers Conference, which is Nebraska Wesley-- Wesleyan, Division III?

HUNT: In my preparation for the bill, I didn't talk to athletic directors from other conferences because this bill would only affect Nebraska. But this bill, a similar bill has been introduced in many, many other states, including Iowa, Michigan, Minnesota, Missouri, Mississippi, Colorado, all across the Midwest and the rest of the country--

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LOWE: OK. Thank you.

HUNT: --signifying that those states are going to be facing the same issues.

LOWE: All right. Have-- have you talked with-- because I was in Executive Committee, I didn't hear all the testimony today. Have-- how about the schools who played in the NAIA or at the junior college level, like Bellevue, Concordia, Doane, Hastings, Midland, Peru, Saint Mary, and York in the NAIA or Central Columbus, Little Priest, McCook, North Platte, Northeast Hawks, Southeast Storm, Western Nebraska Cougar, or the junior colleges?

HUNT: I've not spoken with them, and they have-- they did not submit any negative testimony to this bill.

LOWE: OK. California was the first state to pass this bill into concept, right?

HUNT: That's right.

LOWE: Are they the only one at this time?

HUNT: Yes. But many, many other states are set to pass it. This week, the Oregon Senate and New Hampshire House moved their name, image, and likeness bills. In Florida, it has support from, you know, both chambers and the governor. This is the way things are going, and this is an idea whose time has come.

LOWE: Has California-- has the California bill gone into effect yet, or is there a waiting period for it too?

HUNT: The California bill goes into effect 2023, and our bill, thanks to our amendment, it's on or before 2023. So if the NCAA takes action, all postsecondary institutions in Nebraska will be able to implement this sooner.

LOWE: OK. Has the NCAA or any-- any athletic conference who has membership schools in California threatened to punish the teams because of their bill?

HUNT: Yes, in the media, but that hasn't gone anywhere. This isn't something that they're going to be able to fight on the national

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level, and for that reason, they've formed this working group to solve this on their end.

LOWE: OK. Is LB962 identical to the California bill, and if not, what are the-- some of the differences?

HUNT: Some of the differences are--

FOLEY: One minute.

HUNT: --we--

LOWE: Thank you, Mr. President.

HUNT: --we worked more with the university on this one to put in a one-year statute of limitations. The differences are damages, the university's liability. So the-- the California bill was something that we worked off of, but it was important to me that-- that this work specifically for institutions in Nebraska. If any other institutions have feedback on how we can improve it, that would definitely be something that I'd be open to considering.

LOWE: All right. I have one last question. Let me give you a hypothetical. Let us say that a smaller school, such as UNK or Chadron State, start doing this, but only the players getting paid are on the football team and the coaches are using this ability get-- to get paid as a recruiting tool. What kind of Title IX implications could-- could we be looking at?

HUNT: I want to disabuse everybody of the notion that only star players are going to benefit from this bill. That's just not true. If you talk about Chadron State--

FOLEY: That's time, Senator.

HUNT: --think about the women on the golf team.

FOLEY: That's time.

LOWE: Thank you, Mr. President.

FOLEY: Thank you, Senator Lowe and Senator Hunt. Senator Lathrop.

LATHROP: Thank you, Mr. President. Colleagues, this may be the weirdest five minutes you've ever listened to. I really think this is a bad idea, and I'm going to vote for it. I think this is sort of the

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Citizens United of college athletics and we are going to regret the day we went down this road. And Senator Hunt, who presented this bill in Business and Labor, and I voted it out and I'll tell you why in a minute, talks about these examples of somebody that wants to make a little money by peddling their image on the Internet or monetizing it, I think is the term they use, by getting a bunch of Facebook likes or however that works, and it's pretty obvious I don't understand that. I don't think that's what this is about, because where this is going is it's going to open up a situation where we're not talking about the guy who gets a little money because somebody sold a poster with him on it or the guy who appears in a video game, and it's clearly a football player with a particular team, college-- college team. I think what we're going to see is this will turn into donors saying to the-- the star quarterback at a big city where there's a big media presence, how about you come and hawk my cars-- car dealership? And so now some college quarterback is going to get a couple hundred thousand dollars to go be the spokesman for a car dealership, and then pretty soon everybody's going to know, well, if you're a quarterback down in Dallas, they'll pay you \$200 to sell cars down there. And this will be-- I used this example in the committee. A veterinary clinic up in South Dakota that wants somebody to be their spokesman, with a very small media market, they might pay him a few thousand dollars to go out and say, you know, I'm Joe, the quarterback at South Dakota State, come to this veterinary clinic. In the meantime, some mega-car dealer, donor down in Dallas is going to be paying those athletes an awful lot more, and I think that's where this is going. Now, with that said, you'd wonder why I supported this bill. I'll tell you why. My understanding is something is happening on the federal level. This bill does not take effect until 2023, if I recall correctly. Something will happen on a federal level and take care of this across the board. That's when it's going to be bad for Nebraska. But that's going to happen, and in the meantime, I expect student athletes-- or I understand student athletes between now and 2023 will say, well, does Nebraska have one of those things where I can make money or don't they? So in effect, what we're doing is providing sort of a vaccine, if you will, legislatively, so that the university isn't put at a disadvantage before a national solution is arrived at, which will happen before this bill becomes effective. Now you understand how I can vote for it and not like it at all. I think this is a dangerous road we're going down. I would favor-- I would favor paying these guys, scholarship athletes, some dollar amount so that South Dakota State is not at a disadvantage over the University of Texas or UCLA or USC or Penn State or these big media markets, because there is-- we

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don't have the donors. We don't have the ability to keep up with those guys and pay our athletes for-- to be the spokesmen--

FOLEY: One minute.

LATHROP: --for a business. We don't have-- we don't have the media market to justify it. And I don't see us being able to keep up with where this is all going. On the other hand, I'm going to vote green because I think it at least gives the university an opportunity to be in the game until a national solution is arrived at. So I told you it'd be the weirdest five minutes you've heard. Maybe it isn't, but it's got to be close. That's all I have to say.

FOLEY: Thank you, Senator Lathrop. Senator Briese.

BRIESE: Thank you, Mr. President. Good morning, colleagues. I generally support the concept behind this bill. You know, we're-- we're talking here about free enterprise, and that's a concept I think a lot of us should be-- look favorably upon. We're talking about providing an economic opportunity for a subset of young people. We're talking about an opportunity for those folks to be entrepreneurs of sort. And anytime we can create opportunity for anybody, especially young folks, generate economic activity doing it, we should turn that down only if there's a compelling reason to do so, and I don't see a compelling reason to disallow this. And furthermore, I think it's a matter of fairness and equity. Students who aren't athletes, they can-- they're free to profit from their name, their image, their likeness. You know, why should we prevent student ath-- athletes from doing the same thing? And with that said, you know, I do believe we need federal-- federal intervention here to provide some consistency and clarity. Until that happens, I think this bill is important. And passage of this bill, bills like this, can create additional pressure on our representatives in Washington to get something done there. And as far as issues of recruiting, recruiting, the locker room treatment of athletes, profess-- or, excuse me, preferential treatment of athletes, competitive advantages or disadvantages, I don't think those are before us here today. I don't think it's our job to police those issues. They're best addressed by the institutions themselves and the athletic departments. But I-- with that said, I did have a couple concerns about the language in the bill. In Section 5 of AM2680, a contract between an-- and it prohibits a contract between an athlete and a sponsor that requires a display or advertisement "during official team activities." Likewise, paragraph (2) prohibits a team contract from-- from preventing a student athlete from profiting from

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that when he or she is not engaged in official team activities. And I was wondering if Senator Hunt would yield to a question.

FOLEY: Senator Hunt, would you yield, please?

HUNT: Yes.

BRIESE: Thank you, Senator Hunt. What is your perception of the meaning of official team activities?

HUNT: Official team activities would be when somebody is representing their team in a team capacity, so when they're playing on the field or when they're doing an appearance on the press, you know, talking after a game. So, for example, if the school is an Adidas school and this student, you know, hypothetically has a Nike contract, they can't wear Nike stuff on the field because that would be in violation of the school's contract.

BRIESE: Um-hum, OK.

HUNT: So that would be prevented under this bill.

BRIESE: But would you agree that there might be some gray areas there when we're trying to define what an official team activity is? That could be subject to interpretation, correct?

HUNT: I-- I think-- I think maybe. I think it's kind of clear, though, and I think if there's any problem with it, that's a conversation that the-- the school would have with the athlete before any kind of cause of action was brought, or something like that.

BRIESE: OK. Thank you, Senator Hunt. I may have another question here in a little bit, but Section 6, moving on, essentially allows a student athlete to obtain professional representation in relation to a contract or legal matter. And if Senator Hunt would yield again?

HUNT: Yes.

BRIESE: Is the intent here to allow a student athlete into an arrangement with a sports agent to negotiate a professional services sports contract?

HUNT: No, it would not be professional-- professionalizing the sport. It would allow them to go-- to-- to contract with an agent to find

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representation, potentially, if they wanted to do that. That actually opens up a market of entrepreneurship for other students at schools, students who are maybe business majors or econ. They would be able to get experience representing these athletes because a lot of them actually want to go into work like that.

BRIESE: So the intent here is not to open up that avenue at this point?

HUNT: That's correct.

BRIESE: OK, thank you, Senator Hunt. And I do notice then Section 9 allows the institution to pick a date prior to July 1 of 2023 for implementation of this act. Section 7, paragraph (2) prohibits the institution from entering into, modifying, or renewing a contract that conflicts with the act after that implementation date. Paragraph (1) protects the integrity of that-- any such contract entered into prior to the implementation date. And I was curious if there's a risk here that the institution could enter into or modify an existing multiyear contract prior to July of 2023 that would put the intent of what we're trying to do here in jeopardy. I wondered if perhaps we should protect only contracts entered into as of the effective date of this legislation, which would be July of 2020. [SIC] But that's an issue that we can take up another time, but-- but overall I do support--

FOLEY: That's time.

BRIESE: --do support the concept.

FOLEY: Thank you, Senator Briese.

BRIESE: Thank you, Mr. President.

FOLEY: Senator Murman.

MURMAN: Thank you, Mr. President. I rise in-- in support right now of this bill and the amendments. I am listening to the conversation. I do think there are some definite risks and dangers, unintentional-- unintentional consequences, like Senator Lathrop mentioned, that we probably don't realize now. But I do believe in free enterprise, as Senator Briese mentioned, so I am supporting the bill right now. I do have some background in these issues. My daughter was on the track team at UNL. She didn't compete. She had injuries from high school. Instead of competing, she had two meniscus transplants, very expensive surgeries. One was-- the first one was experimental at the time. So

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she didn't compete, but she was a tutor for the-- some football players while she was at UNL. My son was a quarterback at Seward, Concordia, and he also had health issues, didn't compete a lot. And his were stress fractures, mainly from basketball, the hard pounding on the court caused a lot of problems with stress fractures. And he now has an electronic magazine called Quarterback Magazine, so he is still involved. They hold camps, also, all over the country. They work with junior high, high school, and college quarterbacks. At his last camp in San Diego a few weeks ago, the top verbal commit to-- it was a quarterback-- to Oklahoma was there. So chronic injuries was-- was mentioned, and that's-- is a big thing in college athletics and even down to high school athletics. I think both my kids that I mentioned would have to go pro to even come close to paying for those medical expenses that they've already acquired. I have mixed-- as I said before, I have mixed emotions about the bill. In the ideal or in a per-- perfect world, athletes would concentrate on academics, and the professors, the family, the coaches and the tutors, the men-- mentors would have-- that have the best interest in the athletes would have the most influence over them. With the advent of electronic devices and social media, I think this has changed things though. And as was mentioned already before, that makes a big difference in how-- how kids promote themselves and so forth in athletics. So athletes are communicating with outside interests well before they're even in-- in college. I can speak, as I said, from experience that college is a full-time job. Athletes are usually competing or training a lot of hours in both semesters and really work hard, and I don't really see how they really do it, to keep up with academics and athletics when they're in a major sport in college. All of this being said, I do support the bill because I do believe that we have to keep the best interest of the university in mind and keep-- keep it competitive, keep the university competitive. I and my family have always been huge fans of the university. All other-- or if other colleges and conferences are allowing--

FOLEY: One minute.

MURMAN: --name, image and likeness-- thank you, Mr. President-- and agents, Nebraska must stay competitive. I would be less recep-- receptive to agents as they don't have necessarily the best interest of the student at heart. Student athletes have enough distractions from ac-- academics while they're in college, but individual responsibility is still all-important. These student ath-- athletes are adults and for the most part, I hope they will still rely on their

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family, coaches, professors, tutors, and mentors to keep them focused on what is important, encourage them to be responsible with finances. In summary, athlete-- athletes definitely deserve compensation. This bill is a way of achieving this from the private sector without more of a-- more of a burden to the taxpayers. Thank you, Mr. President.

FOLEY: Thank you, Senator Murman. Mr. Clerk for an announcement.

ASSISTANT CLERK: Mr. President, the Revenue Committee will meet in Executive Session at 11:15 in Room 2022, Revenue Committee, 11:15, 2022.

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

SCHEER: Thank you, Mr. President. Colleagues, Tuesday morning I would like to inform you of the Speaker priority designations. And we will pass them out so you don't have to have a quick pen, but they are as follows: LB247 by Bolz; LB705, Murman; LB751 by Blood; LB760, Kolterman; LB781, Stinner; LB97-- or LB797 by Matt Hansen; LB803, Hughes; LB832, Bostelman; LB835, Halloran; LB850, Pansing Brooks; LB865, Wayne; LB889, Hilgers; LB910, Stinner; LB911, Quick; LB918, Wayne; LB923, Lindstrom; LB965, McDonnell; LB966, DeBoer; LB1028, Lathrop; LB1080, Lathrop; LB1107, myself; LB1124, Howard; LB1130, Green-- or, excuse me, Groene; LB1166, Brewer-- green Groene-- and LB1185 is a Health and Human Services bill. So I appreciate everyone's input on those requests. As always, each of the years it is difficult to make those selections because there is a multitude of good bills and, right or wrong, those are the ones that I've selected and I appreciate it. If you have any questions regarding why yours may or may not have been selected, I'll be glad to try to have a discussion and explain my theory behind it, but these are the ones that we've chosen. So thank you, Mr. President.

FOLEY: Thank you, Mr. Speaker. Senators Clements, Stinner, and Williams would like to announce some guests today. We have with us 11 Young Bankers of Nebraska from all across the state. They're with us in the north balcony. If those individuals could please-- could please rise, like to welcome you to the Nebraska Legislature. Continuing discussion of the bill, Senator Groene.

GROENE: Thank you. I stand in opposition of LB962, a lot of the same arguments that Senator Lathrop made. I'm glad he now admitted there's

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weirder testimony on the five minutes than my Pony Express one was.
But anyway, Senator Hunt, would you take a question?

FOLEY: Senator Hunt, would you yield, please?

HUNT: Yes.

GROENE: Is there any limit to how much, or is there any accounting that will be taken of how much money each athlete is receiving?

HUNT: Under this bill, if an athlete is contracting with an agent or has a contract, they have to disclose that to the university, so this brings transparency to a process--

GROENE: Thank you.

HUNT: --that we know is already going on.

GROENE: Is there a limit?

HUNT: No, just as in the free market.

GROENE: All right. Can-- they-- I understand they can't wear their uniform in the advertisements.

HUNT: I-- I think that's correct.

GROENE: I mean, I-- I-- would--

HUNT: Yes, correct.

GROENE: Somebody told me. I didn't get a chance to read that. So I won't ask you the next question because we're both a little bit in the gray area on it. I can see what this will turn into. I mean, I guess I may be an old school, believe in the amateur athletics. But Senator-- Coach Frost won't be sitting on a couch across from a kid anymore. It will be the advertising director. He will sit there and tell the parents, I can get your kid \$150,000. Then the Alabama one will come in and say, I can get him two-- two grand-- \$200,000. It'll be a bidding war. That's what it will be. It will have nothing to do about our facilities or our fan base. It will be about the money because we understand one quarterback can make the difference in a national championship. So what is that quarterback going to get? What about the 18-year-old kid in high school? Can he do this? Why not? He's 18. Well, it really bothers me. Somebody brought up to me, said, well,

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they got sports betting in Iowa. So the casino over there in Council Bluffs says, hey, quarterback, would you-- we'll give you an endorsement if-- and some money if you will-- you will do an ad for us on Harrah's sports betting wearing a red Nebraska uniform. That's the other thing. This isn't a company. This isn't a company with a logo or a-- a football team, NFL, or baseball. This young man or woman represents the state of Nebraska, a public institution. It's not a free enterprise. Don't get confused about free enterprise and a public institution that's a government institution and going to school there-- two different issues here. They're not on the payroll. They're receiving a full education. And Senator Bostelman listed the other little bits of things they get. If they want to go free enterprise, they can leave. I think a basketball player and go as a sophomore, a football player, a sophomore or junior. If you want to leave and want to go into free enter-- big en-- free enterprise system, do it, drop out of school and do it. That's the free enterprise system. That's freedom. If you want a free education where you hear a lot of star athletes, ones will say, I'm going to stay my senior year, even though I could make a lot of money in the pros, because I value that education. If you value that education, then play for the-- for the local university. Here's the other thing. What about the walk-on kids sitting on the end of the bench? What's he going to get? Nothing? Nothing. He won't get it out-- he's doing the same thing and he won't get anything outside of college, but that star athlete is setting himself up for a-- big million-dollar contracts. So he's double dipping. He's getting it in college, and he's going to get it in the free enterprise system. This is a bad bill, bad bill. Senator Hunt made it clear there's-- only Division I gives full-ride scholarships. All those other kids, who's going to pay them--

FOLEY: One minute.

GROENE: --the local McDonald's, the car dealer in Hebron or Wallace? There isn't even a car dealer in Wallace. Or North Platte is going to give that kid a couple hundred bucks to run an ad in the newspaper or the local small television station? You want to go in the free-- big, bad, free-enterprise system, then do it, football player. If you want a free education, then stay in college. That's there. That-- but they want it both ways. Either you want my tax dollars to help you get a free education-- that's your choice. If you want to play pro football, pro baseball, do it. Now I agree with certain things about a kid wanting to make \$500 in the summer Cape Cod baseball league. That's fine. In the summer, if you want to make a few bucks teaching golf, I

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would help work with Senator Hunt to do that. But this, this is not the way to go. Thank you.

FOLEY: Thank-- thank you, Senator Groene. Senator Dorn.

DORN: Thank you, Mr. President. En-- enjoying this discussion very much this morning about this bill, both reasons why maybe we should implement it, may-- maybe why we shouldn't. But in that respect, I also have some questions. Would Senator Hunt yield to a question, please?

FOLEY: Senator Hunt, will you yield, please?

HUNT: Yes.

DORN: And-- and I talked to you some about this before. Any of the income any of the athletes would make off of this bill. It would be counted towards income tax.

HUNT: That's right. It would be income, just like any other income that any other student makes.

DORN: OK. Do you note right now their scholarship-- if they get a scholarship at the university or at a small college or wherever, how is that counted in income tax perspective?

HUNT: Well, I want-- I want to--I don't think scholarships are taxed.

DORN: OK. Scholarships aren't, so this wouldn't be what I call-- Senator Vargas brought a bill up earlier and there was a discussion on it, the fact that if a student earned money on the outside, like you had a job, you earn money--

HUNT: Yeah.

DORN: --then that scholarship that you-- that was a certain type of scholarship. That then was considered income, so it was on top of that, so some people then were getting caught. Now they have an income tax bill due. So if-- if a student athlete was working outside, not a scholarship but if he had a job outside, then any of this money also would be on top of that. So athletes may need to be aware of, if they're making \$10,000 a year and now they make another \$10,000 here, now they jumped up in another income tax bracket.

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HUNT: Any revenue they make would count toward any need-based aid that they qualify for. And it would be taxable, yeah, just like revenue that any other student makes. I trust student athletes to be able to pay their taxes, just like the other adults they go to school with in college.

DORN: Thank you. Thank you very much. Then the other question I had was I think a lot of us realize-- and maybe I-- I was gone a little bit. Maybe some of the discussion I missed. But federally-- I talked to Senator La Grone a little bit. There is maybe in, you know, Congress some bills like this. Federally, what happens if they pass a bill? What happens to our bill? Where does it line up in the-- in the lineup, I guess?

HUNT: It depends on the bill, but the-- the federal legislation would preempt us if they're able to get that done.

DORN: They would preempt us. So would we need to come back and change this bill if it passed?

HUNT: I'm not sure. But if we needed to, I would be open to it.

DORN: Be open to it.

HUNT: Also, if the NCAA really changed their rules, the bill wouldn't really be something that's needed, potentially.

DORN: OK. Thank you for that. I have one more question. This-- I think most of us, when we're looking at this, we're all looking at what I call university athletes because they're more, I guess out here, known to us. What happens to-- I guess I-- reading the bill, our-- our small-- our Nebraska community colleges were all OK to-- OK for this bill, or they were neutral when I read that part of the bill. But this also affects those athletes. It's not just Nebraska-- University of Nebraska's athletes. It's all athletes.

HUNT: That's exactly right.

DORN: OK. Thank you very much. I yield the rest of my time.

FOLEY: Thank you, Senator Dorn and Senator Hunt. Senator Chambers.

CHAMBERS: Mr. President, members of the Legislature, this discussion is almost hard for me to bear. You all don't even know what you're talking about. First of all, these problems exist not because of the

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university, not because of the Legislature, but because of the NCAA. These so-called rules that Senator Groene brings up, he doesn't know what they are, but they're imposed by the NCAA. They do not have the impact of law. The NCAA has a squad of investigators and they go out if somebody snitches on a school or they read an article. Then they talk to the people at the school. Depending on how much clout your school has, something may be imposed in the-- on the order of a sanction, or it may not be. This is one of the most corrupt areas in this society. And all these people asking all these questions, like Senator Bostelman, Senator Lowe reading his questions, Senator Groene, you all don't know what you're talking about because you don't understand what the system is right now. There is so much corruption in big-time athletics that there are articles written all the time, but you all don't read them because you're not interested in that aspect. You're interested in the scores of the games. These top athletes, for Senator Groene's information, are getting more money under the table right now than they could get under this bill. They are getting more money under the table right now. I gave you some information, which you will not read, but it talked about where \$1,000 or more was sent by UPS to an athlete. The money just happened to start coming out of the package, and that's what put people on to the fact that there was something going on here that violated not the law but NCAA rules. So you can do what you want to with this bill. It won't make any difference. If you pass it, it won't make any difference because the operative date is 2023. If you don't pass it. It won't make any difference because what the federal government is going to do, it's going to do anyway. But it gives me a chance to watch you all flop like fish out of water, and you don't know the first thing about the NCAA rules. You probably have never looked at their manual. They have rules that are subdivided into rules that are subdivided into other rules that their enforcement officers don't even understand. I bet Senator Groene cannot tell you how much money comes into the NCAA organization or the big loans, no interest, that the agent-- not the agents, but the administrators and the officers of the NCAA get, noninterest loans, and they don't pay them back. When they fly, they fly first class. The players can't be allowed to fly coach. Senator Bostelman talking about these professors and all the students, I'd like to ask him a question, if he would yield.

FOLEY: Senator Bostelman, would you yield, please?

BOSTELMAN: Yes. Yes.

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CHAMBERS: Senator Bostelman, the information you gave us, who gave you that information?

BOSTELMAN: Which part?

CHAMBERS: About the-- what professors cannot do and other students cannot do and how they can't make money and so forth.

BOSTELMAN: Well, specifically to the grad student, it was my wife.

CHAMBERS: Now, Senator Bostelman, your wife works for the university?

BOSTELMAN: No. She was a grad student at the time.

CHAMBERS: What professor makes \$7 million dollars a year, Senator Bostelman?

BOSTELMAN: They don't make \$7 million, but they make over \$200,000.

CHAMBERS: How much does the coach of Nebraska make?

BOSTELMAN: I don't know.

CHAMBERS: Seven million dollars for five years, and he's losing. You all don't say anything about that. You fat mouth.

FOLEY: One minute.

CHAMBERS: You don't know anything, and you're against these athletes, who are the only category of people connected with the university who generate revenue. The professors don't generate it. Students don't generate it, only the athletes. And the only revenue-producing sport is football, and that's why they're given things under the table and everybody knows it. But it's so corrupting because it causes people who ordinarily would be honest to pretend and look the other way. You-- who do you think on the campus will not see an athlete driving a new car, got an apartment, well furnished? It's out there. Do what you want to with the bill. Every bill that I offered had something substantive connected with it. The ones I got passed were opposed by the NCAA and the university.

FOLEY: That's time.

CHAMBERS: But all of them passed because the Legislature thought it was right--

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FOLEY: That's time, Senator.

CHAMBERS: --like insurance, the equivalent of workers' comp.

FOLEY: That's time, Senator Chambers.

CHAMBERS: Thank you, Mr. President.

FOLEY: Thank you, Senator Chambers. Senator Gragert.

GRAGERT: Thank you, Mr. President. I continue to listen to the debate. I would like to please ask Senator Hunt to yield to a question.

FOLEY: Senator Hunt, will you yield, please?

GRAGERT: And as Senator Hunt comes to the microphone, Senator Hunt, you-- realize as I talked off mike that my biggest concern of the bill is-- is with the agent part of this bill. I realize that the-- that the players are going to want-- the athletes are going to want agents in their dealings that they-- they may make throughout this. However, specifically with the agents that are there to get these athletes into the pros versus staying in school, could you please explain to us how this would be handled by the university, if at all?

HUNT: Um-hum. There-- there's no such thing right now as college agents. And professional agents are already coming into schools, and they're already talking to college athletes. And athletes are getting in trouble with the NCAA if-- if they find out that they spoke to these agents. And we actually have a law in Nebraska that was passed by Senator Lathrop in 2009 called the Uniform Nebraska Athlete Agent Act, and it provides some protections. It says that within 72 hours after entering into a contract with an agent, an athlete shall give written notice to the athletic director where they are enrolled. And so it would also give college athletes the opportunity to cancel contracts within 14 days after it's signed, and the Secretary of State can hold unscrupulous athlete agents accountable because it provides for up to \$25,000 fine in violation of this act. This is a statute that is already in Nebraska law, thanks to Senator Lathrop, from 2009. So although this isn't really like implemented because we don't have agents in colleges, it sort of anticipated this problem over ten years ago.

GRAGERT: All right. Hey, thanks a lot. I yield the rest my time to Senator Moser, if he'd like.

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FOLEY: Thank you, Senator Gragert. Senator Moser, 3:00.

MOSER: Thank you, Mr. President. Well, you know, as Senator Lathrop said before, this is kind of a convoluted logical flow here. It makes some people support things that they may not otherwise think is a good idea. I'm probably going to vote for this. You know, I think it kind of jabs the NCAA and I think that, you know, the issue needs to be addressed. But I think a larger question here is looking at the discussion and the logic of why we're voting for this. Quite a few people are saying, well, they don't like it, but they're going to vote for it because it's happen-- it's happening anyway, so I think those same arguments could be even more applicable to gambling. So you insert the NC-- or delete the NCAA and put in gambling in there, and you're going to hear the same arguments and I-- it's going to be curious to see who supports the gambling bills as they come along after we've already said that it's happening anyway, you know, it's good for the athletes, you know, we should support it. Remember that when we start talking about gambling. Or even worse than that, what if some of these athletes endorse fantasy sports companies or they endorse casinos? You know, how's that going to work out? So, you know, there's a lot at stake here. I-- you know, I-- I'm going to support it just because I think the NCAA needs a poke in the eye and we need to get something resolved, but not because I think it's good for athletes in amateur sports to get paid, but I think we need a national law to regulate it in a more organized fashion. Thank you.

FOLEY: Thank you, Senator Moser. Senator Bostelman.

BOSTELMAN: Thank you, Mr. President. Couple of things, I guess. What I was speaking specifically about is-- is those students who have to pay their own way, that don't have scholarships, that don't have grants, while the student athletes we're talking about now are making anywhere from \$47,000 to \$32,000 in scholarships and other type of things. I get that and I hear that. But my point is, is that those, if it's a single-- single mom, single dad, whatever it might be, it's a college student who's going through grad school or whichever it is, has to do two or three jobs to make ends meet, and they're doing the research and those things for the grants that the university gets in, the money that they get in on that. They're getting maybe a-- a small pay for that grad assistant work, which then it's a multi-- maybe it's a multimillion-dollar grant that the university receives, gains from that, but yet they're not receiving anything other than that small stipend, but-- and they have to pay their all-- their own way through

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college. So they don't have that opportunity of having a scholarship, if you will, but yet they still have to go through the-- the-- the process or the school, have the grad work, and then not benefit from that because of the work that they completed for the university. Whether it be for a patent in robotics and surgery, wherever it might be, they-- they-- they cannot benefit. They don't benefit from that now. Can they go out and get a job doing X job in the-- in the community? Yes, sure, they can. But that job will probably not be the same-- if they have time to do that job, it will not be the same type of job perhaps that that athlete may get. So it's really trying to provide-- my point is, what I'm trying to make, is that those students need to have, if you will, a similar opportunity. They should be able to-- be able to be compensated appropriately for the work that they do for the university. Just because they're not an athlete-- and I understand athletics is big dollars. I get it. But also, on the grant side of things, the work that we do at the University or the research we do at the university, it's on the back of th-- of a lot of grad students, a lot of students we have. Those students don't have the opportunity of-- of tuition assistance. They don't have-- they don't have the-- the sports training table to go to. They don't have those things provided to them, same as the other. They have to pay their way. They still do the work, but yet their compensation will not be anywhere near what it should be, as if you were a student athlete. So that's my-- that's the point I'm trying to make, the point I'm trying to get across, is that there's a lot of-- there's students out there. Now my wife specifically in her grad work, what she did, the professor took her work, took the credits for it. She gets nothing. She was working two or three jobs at the time to get her-- pay her way through grad school. So she didn't have that opportunity to benefit from her status as a university student to get a higher-paying job or get a job that would benefit her maybe more than someone else. So those are the points that I'm trying to make on the mike, that I'm making on the mike today, is that if we're looking across the board, all student athletes, not necessarily giving one more of an advantage than the other or putting one in a better place than the other because of-- of who they are or what they-- what their function is within the university. I think that the student athletes right now are being-- do receive funding, do get paid. Because they can't work? I get that one, but also, the grad student who doesn't have a scholarship, doesn't have a grant, doesn't have those things, they're not able to work because they-- they're-- they-- or get the same type of benefit from that because they have to go to work--

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FOLEY: One minute.

BOSTELMAN: --to cover their tuition because the tuition is \$26,000 a year, \$42,000 a year. They carry that debt on into the future for a long time, so they have to work that off. Those are the points that I'm trying to make on this bill, the opportunity I'm speaking on this bill, is I think the university benefits a great deal from a lot of our students who are in the graduates program that are doing the research, doing the things for the university, but yet then they-- they're not receiving similar type of benefits or compensation, I would say, as what we're talking about here with this bill. With that, I yield the rest my time back to the Chair. Thank you.

FOLEY: Thank you, Senator Bostelman. Senator Lowe.

LOWE: Thank you, Lieutenant Governor. Colleagues-- colleagues, I still have some concern about LB962. Some of these concerns have been addressed by other senators, but one of the major challenges I see for Nebraska is the Division I, II, and III levels. No Nebraska school plays in a conference with another Nebraska school. If we are not clear how conferences and conference commissioners will react to this bill, I'm afraid we'll put our schools in risk of being punished by their conferences. What kind of punishment could be-- could levels exist with these teams? The Big Ten shares TV and postseason revenue amongst the 14 teams in the conference. Could they decide Nebraska is in violation of our agreement and limit our-- or-- limit or completely suspend that revenue sharing with UNL? Could Creighton or UNO be suspended from con-- conference postseason play? Even worse, could a conference decide that it is not worth the headache of dealing with this legislation and simply work to remove a Nebraska school from their conference? In many ways, California benefits from its population size and in-- and in enacting this kind of legislation is one major example. California has more colleges and uni-- and universities, and a lot of time these schools play in the same conferences. This gives California schools more to say and influence over the conference they exist or compared to the situation most schools in Nebraska find themselves in. I believe Senator Chambers mentioned in committee that he brought a bill in the past that would only go into effect once maj-- a majority of schools in the athletic conference also put a simpler [SIC] piece of legislation into action. I think that may be a wise addition to this bill if the body decides to move forward with this idea. Would Senator Hunt be open for a question?

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FOLEY: Senator Hunt, would you yield, please?

HUNT: Yes.

LOWE: Senator Hunt, if I placed an amendment that two-thirds of the institutions pass-- that pass similar legislation, that at that time this bill would go into effect, would you be in favor of that?

HUNT: Absolutely not. That would put Nebraska at a huge disadvantage to other states. It would hurt us in recruiting, and it would signify to student athletes that we don't take their economic freedom seriously.

LOWE: But wouldn't it put us into sync with the conferences that we play in?

HUNT: I don't support it.

LOWE: Thank you, Senator Hunt. Thank you, Lieutenant Governor.

FOLEY: Thank you, Senator Lowe. Senator Slama.

SLAMA: Thank you, Mr. President, and good morning, colleagues. I'm still listening to debate on LB962, AM2580, and AM2605. I think Senator Hunt has done a good job of working with those with issues with this bill to try to find a middle ground, and I just don't know if I'm there yet. So I was wondering if she would be willing to yield to just a quick question.

FOLEY: Senator Hunt, would you yield, please?

HUNT: Yes.

SLAMA: So, Senator Hunt, in LB962 with the amendments, are there any limitations placed on the types of sponsorships that athletes could get?

HUNT: No.

SLAMA: OK. So that underlines the real issue I have with this bill. So athletes, using the image that they've built up as a-- an-- an athlete of a university, could endorse anything from political causes, so for those of you on a certain side of the aisle, Planned Parenthood, those on the other side of the aisle, the NRA. They could be endorsed by bars, strip clubs. The opportunities are endless if you're a

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university athlete who has built up your image as a student athlete at that university and you can use that image however you choose, representing whatever political cause, representing whatever entrepreneurial effort that's willing to pay. I do have another concern that this increases the divide between the haves and the have-nots when it comes to university athletics. When it comes down to it, a U-- a starting quarterback for the University of Nebraska is going to have a far higher earning potential than the star quarterback at Peru State College, which is an outstanding educational institution that is a member of the NAIA that is in my district. So I do have concerns that if there is an arms race, our smaller schools will be left behind. And it points to my overall issue with this bill and a larger concern I have with the attitude of some of those on this floor. It was a line that came up in committee hearing. The expert testifier that Senator Hunt had brought in for this bill said that a vote for this bill is a vote for Husker football. So let's all just keep in mind here, we're passing policies that impact thousands of student athletes from across the state. Let's make sure that we're doing it while we're doing it right and we're not just passing a bill for a recruiting advantage for one sport at one university. Thank you, Mr. President.

FOLEY: Thank you, Senator Slama. Senator La Grone, you're recognized to close on your amendment.

La GRONE: Thank you, Mr. President. I would just encourage a yes vote on both amendments so that we can work out the technical fixes with the bill. Thank you.

FOLEY: Thank you, Senator La Grone. The question before the body is the adoption of AM2605. Those in favor vote aye; those opposed vote nay. Have you all voted who care to? Record, please.

ASSISTANT CLERK: 31 ayes, 0 nays on the adoption of the amendment.

FOLEY: AM2605 is adopted. Is there further discussion of the bill or the-- or the pending amendment? I see none. Senator Matt Hansen, you're recognized to close on your amendment.

M. HANSEN: Thank you, Mr. President. And thank you by-- colleagues, for the vote on the La Grone amendment. My amendment, now amended by the La Grone amendment, makes a series of technical fixes to the calculation of financial aid, as well as the contract clause and the

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liability section. With that, it's a technical update to Senator Hunt's bill and I would encourage a green vote on AM2580. Thank you.

FOLEY: Thank you, Senator Matt Hansen. The question before the body is the adoption of AM2580. Those in favor vote aye; those opposed vote nay. Have you all voted who care to? Record, please.

ASSISTANT CLERK: 26 ayes, 2 nays on the adoption of the amendment.

FOLEY: AM2580 is adopted. Further discussion on the bill? Senator Chambers.

CHAMBERS: Thank you. Mr. President, I'll be very brief. What Senator Bostelman doesn't understand is that if his wife did not like what was happening at the school, she could transfer to any school she wants to. If there is a journalism student at Nebraska and the World-Herald or the Lincoln Journal Star wants to hire that student, such can be the case and that student on scholarship can be paid anything that that company wanted to pay. Then if, because of the writing that student did, a paper in Kansas saw that student and said, if you come down here, we'll give you a better job, she or he could do that. What Senator Bostelman and the rest of you all don't know, and it shows you don't know what you're talking about, these football players on scholarship cannot transfer to another school and start playing if that's what they want. They have to be released by the school where they are playing right now. How many of you all knew that? Because you have people outside this body telling you things. Our friend, the ex-linebacker, Senator Stinner, knows it because he played the game. Why don't you all ask him some questions? You're not going to listen to me. But when it comes to having studied their rules and what happens, I would venture to say there's nobody on this floor who knows what I know. But it's also known that you don't pay attention. You will bring up things like Senator Slama did. She said this bill will let the little athletes-- athletes-- little athletes at little schools be left behind. They're left behind now. They are not given the consideration that a star at UNL would be given. You have to look at the reality. This is big business you're talking about. Senator Bostelman and the rest of you all are talking about grade-school nonsense. As long as you don't see it as a business, you're never going to get the right thing done. Nobody genuinely worries about this bill because it, in fact, does nothing. It does not reduce any money coming to the university because the university does not make the outlay to pay these players. This is not a player employee bill, meaning that they become employees of the university. As far as having

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an agent, what do you care whether the player has an agent or not? The only ones who worry about that are the school, which wants to keep the player there, or the NFL, which does not want that player to be told anything about his rights so that they can get him for a song. That's what happened to Johnny Rodgers. You know what he had working for him when he got out of here instead of an agent? A 20-year-old student. He was not told what he could obtain if he played ball in Canada. You all don't know anything. And I'm foolish if I'm arguing to try to change your mind, but I'm trying to make the record so when they look at what was said on this bill, they're going to say, what kind of ignoramuses are on the floor of that Legislature when they knew the bill was coming up and they didn't even take the time to read and study the way things are done right now in big-time college football? And to the basketball schools, it's the same thing. It matters not what happens to this bill. It does not take effect, if you pass it, until 2023. The world could end by then. Your President, if he wins again, could have you in a war, and you all are sitting around here pontificating and don't know anything. I say again-- and Senator Bostelman is not here. I looked for him. His wife and any other student can transfer to any school they want to, and they don't have to sit out any time. A player, if he--

FOLEY: One minute.

CHAMBERS: --would move anyway, has to sit out a year at least, and that's to keep the stallions in the barn. All these big schools work together, just like when you have a monopoly in one industry. They want to keep everything the way it is for each one of them, so they all agree not to do certain things. Price setting, employee relationships, all of it is agreed on. The big schools comprise a conference because they have a lot in common. When they try to get changes for the athletes, they can't get them because the little schools vote against it because they can't pay and they have a vote equal to that of the big schools. You all didn't even know that, did you? I'm not going to try to educate you. Do what you want to do with it. You will not be shown. You will not be told. You will not be instructed. But you will show your own ignorance.

FOLEY: That's time.

CHAMBERS: Thank you, Mr. President.

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FOLEY: Thank you, Senator Chambers. Senator Hunt, you're recognized to close on the advance of the bill.

HUNT: Thanks very much, Mr. Lieutenant Governor. This is about the right to your own identity. You should own your own name. You shouldn't be signing away your name to the NCAA so that they can make money on it forever. That's not the American principle of the free market. This will apply to every college athlete in Nebraska who will finally have opportunities for entrepreneurship, participation in the market open to them. And for that reason, I-- I urge your green vote. I won't say too much. Thank you, Mr. Lieutenant Governor.

FOLEY: Thank you, Senator Hunt. The question before the body is the-- there's been a request to place the house under call. The question is, shall the house go under call? Those in favor vote aye; those opposed vote nay. Record, please.

ASSISTANT CLERK: 23 ayes, 3 nays to place the house under call.

FOLEY: The house is under call. All senators please return to the Chamber and check in. The house is under call. All unexcused personnel please leave the floor. The house is under call. Senator Brewer, check in, please. Senator Groene and Senator Arch, please return to the Chamber and check in. The house is under call. Senator Hunt, we're lacking Senator Arch. We can wait or proceed. The question before the body is advance of LB962 to E&R Initial. Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

ASSISTANT CLERK: 36 ayes, 4 nays on the advancement of the bill.

FOLEY: LB962 advances. I raise the call. Items for the record, please.

ASSISTANT CLERK: Thank you, Mr. President. Reference report from the Exec Board concerning certain gubernatorial appointments. LB10-- or LB1042A, excuse me, is a bill for an act relating to appropriations; appropriates funds to carry out in the provisions of LB1042 and declares an emergency. LB1056A, introduced by Senator Lowe, is a bill for an act relating to appropriations; appropriates funds carrying-- to aid in the carrying out of provisions of LB1056. LB803A, introduced by Senator Hughes, is a bill for an act relating to appropriations; appropriates funds to aid in the carrying out of provisions in LB803 and declares an emergency. List of 2020 Speaker priority bills, that will be placed in the Journal. LR327, introduced by Senator Kolterman, that will be read and laid over. Your Committee on Enrollment and

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Review reports LB1061 and LB1014 to Select File, with LB1061 having E&R amendments. Additionally, your Committee on Enrollment and Review reports LB770 as correctly engrossed and placed on Final Reading. Your Committee on Enrollment and Review respectfully-- respectfully reports LB924 and LB1054 as correctly engrossed and placed on Final Reading as well. Name adds: Senator Bolz to LB997; Wayne to LB1155; Lindstrom, LB1155; Albrecht, LB1186. Announcement: the Judiciary Committee will hold an Exec Session at 2:00 in Room 1113, Judiciary, 2:00, 1113. Finally, Mr. President, Senator Hilkemann would move to adjourn the body until Wednesday, February 26, 2020, at 9:00 a.m.

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