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Floor Debate  
March 19, 2013

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[LB57 LB82 LB144 LB167 LB188 LB216 LB236 LB293 LB299 LB330 LB362 LB382  
LB385 LB443 LB474 LB500 LB507 LB528 LB530 LB552 LB577 LB589 LB613 LR107  
LR108 LR109 LR110 LR111]

SENATOR COASH PRESIDING

SENATOR COASH: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the forty-fifth day of the One Hundred Third Legislature, First Session. Our chaplain for today is Pastor Keith Grimm, of Beautiful Savior Lutheran Church in La Vista, Nebraska, Senator Smith's district. Please rise.

PASTOR GRIMM: (Prayer offered.)

SENATOR COASH: Thank you, Pastor. I call to order the forty-fifth day of the One Hundred Third Legislature, First Session. Senators, please record your presence. Mr. Clerk, please record.

ASSISTANT CLERK: There is a quorum present, Mr. President.

SENATOR COASH: Thank you, Mr. Clerk. Are there corrections for the Journal?

ASSISTANT CLERK: I have no corrections this morning.

SENATOR COASH: Are there any messages, reports, or announcements?

ASSISTANT CLERK: Mr. President, your Committee on Enrollment and Review reports LB530 to Select File. Your Committee on Government reports LB144, LB299, LB382, LB167, LB188, all to General File. And finally, I have a conflict of interest statement from Senator Lathrop. That's all I have this morning. (Legislative Journal pages 761-762.) [LB530 LB144 LB299 LB382 LB167 LB188]

SENATOR COASH Thank you, Mr. Clerk. Speaker Adams, you are recognized.

SPEAKER ADAMS: Thank you, Mr. President. Members, you should be getting an e-mail in your office and I will try to make it a point to repeat this announcement at the end of this week. But on Monday we will have a half day of debate in the morning and then two-day committees will have the afternoon for Exec Session. And certainly the Appropriations Committee, I know, also needs that time on Monday afternoon. Tuesday we will have debate in the morning and then Tuesday afternoon will be set aside for three-day committees and the Appropriations Committee to Exec. And then beginning March 27, Wednesday of next week, we will begin full-day debate. Thank you, Mr. President.

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SENATOR COASH: Thank you, Speaker Adams. Mr. Clerk, we will now proceed to the first item on the agenda.

ASSISTANT CLERK: Mr. President, the first confirmation report from the Judiciary Committee is four appointees to the Crime Victim's Reparations Committee. (Legislative Journal page 727.)

SENATOR COASH: Thank you, Mr. Clerk. Senator Ashford, you're recognized to open on the confirmation reports.

SENATOR ASHFORD: Thank you, Mr. President. The Judiciary Committee voted to approve four appointments to the Crime Victim's Reparations Committee, as well as the Board of Parole. The four approved for the Crime Victim's Reparations Committee are Jeff Davis of Papillion. He is a reappointment and is able to provide a very valuable law enforcement perspective to the committee as the Sarpy County Sheriff. Sheriff Davis has been a dedicated public servant. I know him personally. He does a great job in Sarpy County. He's done a wonderful job with juveniles at the Sarpy...in Sarpy County, and is also serving a term on the Bellevue City Council. Michelle Schindler of Lincoln is currently the director of the Lancaster County Youth Services and serves on a number of county-level boards, including the Disproportionate Confinement of the Minorities Board, the county Substance Abuse Coalition, and the county truancy task force. Derek Vaughn of Omaha is a reappointment who has served in both the civil and criminal divisions of the Douglas County Attorney's Office. In addition to the Crime Victim's Reparations Committee, Mr. Vaughn serves on several other boards, including the Nebraska Coalition of Juvenile Justice and the Office of Violence Prevention Advisory Board. Joe Kelly of Lincoln is as reappointment who has served on the Lancaster County Attorney's Office for more than 25 years before being elected to that office in 2010. In addition to the Crime Victim's Reparations Committee, Mr. Kelly currently serves on the County Attorney Standards Advisory Council. The Board of Parole appointment is Rex Richard. He was also confirmed unanimously by the Judiciary Committee.

SENATOR COASH: Senator Ashford.

SENATOR ASHFORD: Yes. Should we go just the four, first?

SENATOR COASH: Thank you, Senator Ashford. Members, you've heard the opening on the confirmation report from the Judiciary Committee. The floor is now open for debate. Seeing none, Senator Ashford, you're recognized to close on the confirmation report. Senator Ashford waives closing. The question before the body is the adoption of the report offered by the Judiciary Committee. All those in favor vote aye; all those opposed vote nay. Senator Wightman. Record, Mr. Clerk.

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ASSISTANT CLERK: (Record vote, Legislative Journal pages 762-763.) 37 ayes, 0 nays on the adoption of the report, Mr. President.

SENATOR COASH: The report is adopted. Next report...next confirmation report, Mr. Clerk.

ASSISTANT CLERK: Mr. President, the next report involves the appointment of Rex Richard to the Board of Parole. (Legislative Journal page 727.)

SENATOR COASH: Senator Ashford, you are recognized to open on the confirmation report.

SENATOR ASHFORD: Thank you. The Judiciary Committee voted unanimously to advance to the floor the nomination of Rex Richard to a position on the state Board of Parole. Mr. Richard graduated magna cum laude from the University of Nebraska and spent more than 30 years as a correctional officer, superintendent deputy warden, and warden in Lincoln and Omaha correctional facilities. Since January of last year, Mr. Richard has served as a state agency reentry coordinator. And we urge the adoption of this confirmation report.

SENATOR COASH: Thank you, Senator Ashford. Members, you've heard the opening to the confirmation report from the Judiciary Committee. The floor is now open for debate. Seeing none, Senator Ashford, you're recognized to close on the report. Senator Ashford waives closing. The question is the adoption of the report offered by the Judiciary Committee. All those in favor vote aye; all those opposed vote nay. Have all voted who wish? Record, Mr. Clerk.

ASSISTANT CLERK: (Record vote, Legislative Journal page 763.) 38 ayes, 0 nays on the adoption of the report, Mr. President.

SENATOR COASH: The report is adopted. (Doctor of the day introduced.) We'll now move to the next item on the agenda. Mr. Clerk.

ASSISTANT CLERK: Mr. President, the first bill this morning is LB613, which was introduced by Senator Schumacher and others. (Read title.) The bill was read for the first time on January 23, has been considered by the Legislature yesterday. At that time amendments from Senator Chambers have been adopted. (AM467, Legislative Journal page 664.) [LB613]

SENATOR COASH: Senator Schumacher, would you give us a brief refresher on LB613. [LB613]

SENATOR SCHUMACHER: Yes, I will, Mr. Chairman. Mr. Chairman and members of

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the body, LB613 suggests the creation of a tax modernization committee composed of members of this Legislature. Specific members are the members of the Revenue Committee; as it's evolved, the Chairperson of Appropriations; the Chair of Revenue, who also heads the committee; the Chair of Health and Human Services; Chair of Education; Chair of Agriculture; and Chair of Planning. This is in response to what has become generally seen as a need to take a step back and look at Nebraska's tax policy, which principally relies upon sales, income, and property taxes for the finance of state and local governments. The suggestion is that this committee, once formed, meet as often as necessary, engaging the public to get their impression; and also to formulate policy, reviewing as part of the study three prior studies along with any other relevant information. One of the sessions of engagement will be with the Legislative Council so that the Legislature as a whole during the interim can give its input and act as transmitters of what they're hearing in their districts to the particular committee. The object is to come up with a tax policy and to see where our present policy fits into the picture that is fair, competitive, simple, and easy to get compliance with; stable with a reliable source of revenue for our needs of state and local government, adequate to meet those needs; and works well with each other, complementing them, because some taxes go up during certain economic cycles and some taxes go down during the same cycle. It asks that the...the Legislature asks this committee to submit a report by the end of this year, making specific recommendations, and also identify in that report areas of concern which may require analysis beyond the end of this year. The proposal as amended...or proposed amendment has the committee terminating its activities December 31, 2015, if not sooner. That is a brief summary, Mr. Chairman. [LB613]

SENATOR COASH: Thank you, Senator Schumacher. Senator Wightman, would you give us a brief update on the committee amendment? [LB613]

SENATOR WIGHTMAN: Thank you, Mr. President and members of the body. I think that Senator Schumacher pretty much spoke as to the amendments as well as the original bill. One of the things that we did in Section 2 was to take out some nonvoting members that are no longer a part of it so that basically it's the Revenue Committee and then the Chairperson of Appropriations, Health and Human Services, Education, Agriculture, and the Planning Committee. Other than that, and the time that it shortens the dates that you would continue the committee, it does require that it issue its report by December 15, 2013, and that it will meet as necessary until December 31, 2015, and will sunset at the end of 2015 unless reauthorized. Thank you, Mr. President. [LB613]

SENATOR COASH: Thank you, Senator Wightman. Mr. Clerk, you have an amendment to the committee amendment. [LB613]

ASSISTANT CLERK: Mr. President, the next amendment to the committee amendment is offered by Senator Chambers, FA30. (Legislative Journal page 745.) [LB613]

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SENATOR COASH: Senator Chambers, you are recognized to open on FA30. [LB613]

SENATOR CHAMBERS: Thank you. Mr. Chairman and members of the Legislature, I will continue my discussion. And so for the record, I will state what the amendment will be. On page 1, in line 8, beginning with the comma, which you'll find after the word "laws," you would strike all language beginning with "such" through "governments" on line 9. And the language itself that would be stricken is the following: "such as instability for state, county, and other local governments." Again, I will say, this bill probably is going to pass. It probably should pass. But my reason for saying it should pass is that it will assert the authority of the Legislature, the status of the Legislature, and express the intent to take control of the matter of revamping the system of taxation in this state. Here is the way the language would read if you strike what I'm talking about--"when adjustments are made to the state tax laws," period. You don't need to specify "such as instability for state, county, and other local governments." This is the kind of work that I would be doing if I were not simply trying to delay the bill and bring pressure to bear to obtain some justice for myself. There is another issue connected with the bill that I offered to rescind the authorization given by the Legislature to allow cities to add a half-percent sales tax to the already existing exorbitant amount. If you decide, after you have all this rigmarole about a study by the special legislative committee, that some change should be made in the system of taxation, even though there is talk of excise taxes, miscellaneous taxes, occupation taxes, the primary source of revenue for the state will be the sales and the income tax. The sales tax should not be reduced as far as its reach by ceding some of that authority to the local governments. Every half-cent of tax that this Legislature allows local governments to assess should be a half-cent less available to the state. But if the state is counting on piling on additional sales tax, then I think it is unconscionable and it reaches the point of immorality; and there is a question of morality involved in what we're doing when we tax. Senator Carlson engaged me in some back and forth about my general philosophy on these tax matters. I will say again, when you have a tax that will require the poorest widow to pay the same rate as the richest magnate, something is wrong with your society, something is wrong with a system like that. But because widows don't organize, poor people don't organize, those who represent the magnates, the business interests, are going to run roughshod over the poor and they will kowtow to those big interests, partly because they fear them, partly because they might want campaign contributions. I don't know what their motivations are, but they are tainted and they are wrong. So that bill of mine whether it was mine or not, anybody who had offered that bill, looking at the bill itself, should be on this floor. I don't understand if people are saying that they're serious and sincere about this Tax Modernization Committee, how you can start by allowing a portion of the tax base that would be available to the state to be taken by the municipalities. That makes no sense whatsoever. And when something is in the category of that which makes no sense, it is irrational; and there are people who are irrational. A rational person is sane. An irrational person, when behaving irrationally, is behaving in an insane manner. And unfortunately, that's what the Legislature is doing. But I'm going to pick at this bill and

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use time to show how poorly crafted it is. We all know that when a bill is first introduced that may just be, in reality, a draft--a rough draft, a very rough draft. An amendment which we're considering today proposed by the Executive Board, of which I am a member, is like a rough draft. There are things in it which ought not be in it. There are terms and sentences which I say again might be all right if you're discussing something on the street corner, but it shouldn't be in a statute. For example, on page 2--and I have an amendment up there to deal with this subsection (1) of Section 4 on page 2--"The tax system should treat people equitably." That kind of language has no business in a statute but it's put there. So I'm going to deal with it, take issue with it, and offer what I deem to be an improvement in the way the expression of what constitutes fairness is found currently. Other people don't care, apparently, with the language...what the language is that is being used, or they don't read the legislation they are being asked to vote on or they read it and don't see anything wrong with it, which I think is an indication of a defect in education. We, as elected officials, serve also a teaching role for the public. When children are in school, they take a course which was called, when I was going to school many years ago, civics, where you learn about government. Then they're brought down here to see people who comprise the government in operation. And they see that the people who are putting together laws that will govern the lives of the citizens don't understand English or don't care about English, and there apparently, when I'm not here, is nobody among the entire kit and caboodle to look at the language and say even if you support the underlying principle, even if you support every division that you find in the proposal, meaning the items that are separated out into either sections or subsections or subdivisions of subsections. You can agree with all of that but you still should look at the language which is used... [LB613]

SENATOR COASH: One minute. [LB613]

SENATOR CHAMBERS: ...to express it. I've talked nine minutes already? I have one minute left in my opening. There is no purpose served by these words such as "instability for state, county and other local governments." I will stop now, Mr. President, and then I'll have questions to put to those who drafted this language. Thank you. [LB613]

SENATOR COASH: Thank you, Senator Chambers. Members, you've heard the opening to FA30 to AM467. The floor is now open for debate. Senator Schumacher, you are recognized. [LB613]

SENATOR SCHUMACHER: Thank you, Mr. President and members of the body. The Revenue Committee heard literally hours and hours of testimony regarding the thoughts and philosophy of various people and interest groups regarding taxation. And as we try to struggle with a very complex issue, we need to have some framework, some idea of where this body is and its philosophies on taxation. Should LB613 be approved and that committee have to roll up its sleeves and try to put things together, it would be

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extremely useful to have some of your thoughts on the various issues. And so let's take this as an opportunity to have everyone, or whoever wants to, put their five minutes' worth in on discussing what taxes should do and what they should not do. Trying to approach this from some kind of organized framework, I think it's appropriate to start with our three major taxes: property tax, income tax, and sales tax. Yesterday we began to scratch the surface of the philosophy and the pros and cons on sales tax. We certainly need to go into that issue a lot deeper than we did yesterday. But perhaps we should also do a little bit of an intro today on property taxes, specifically the big property tax, although we do tax business personal property. The big one is real estate. Senator Chambers, will you yield to some questions? [LB613]

SENATOR COASH: Senator Chambers, will you yield? [LB613]

SENATOR CHAMBERS: Yes, I will. [LB613]

SENATOR SCHUMACHER: Senator Chambers, I'm anxious to hear your analysis of the property tax and whether it is regressive, progressive, how much it should be employed and relied upon in the financing of government. [LB613]

SENATOR CHAMBERS: Senator, as you know, there is an assessed valuation of property that may have nothing to do with a market value. And even if you talk about a market value, that may not determine what a person will actually receive if the house is sold. The person may receive more, may receive less, but they set some kind of value on which they will base taxing that particular property. There are categories of property also; that which is in the urban, that which is greenbelt, that which is agricultural, and on and on and on. So you are absolutely correct when you mentioned that there should be deeper discussion of these items. But what I'm doing right now is looking at the framework we're creating. Not to get away from your question though, if you go into Douglas County and I believe my seat mate--I won't call his name for the record--has done some work which indicates that in certain areas of the city they constantly reassess, and people's assessment level will go up and they pay more taxes. In the wealthier parts of the city, the assessments are not made as often and their assessment remains where it is and their taxes, as a result, will not rise. So there is skullduggery, there is politicking, and there is discrimination which exists not necessarily in the language in the statute that describes how property is to be taxed. But when you come to assessors who are going to implement that language, then the wrongfulness; the biases, which means favoritism; the prejudices, which means the harmful attitudes, will come into play. So if property is to be taxed, then there has to be a better and more equitable system contrived for that purpose. And if this tax committee does its job correctly, the things I'm just touching on will be evaluated,... [LB613]

SENATOR COASH: One minute. [LB613]

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SENATOR CHAMBERS: ...will be--I'm not going to take all of his time and I will go on when my light comes on or if I'm asked additional questions. [LB613]

SENATOR SCHUMACHER: Thank you, Senator Chambers. We're beginning to scratch the surface of tax policy. I'm going to be asking Senator Chambers, and he can think about it, next time I have an opportunity to, to explore the interesting issue of just what exactly are taxes. Thank you, Mr. Chairman. [LB613]

SENATOR COASH: Thank you, Senator Schumacher. Senator Chambers, you are recognized. [LB613]

SENATOR CHAMBERS: Thank you. Mr. President and members of the Legislature, and I'm not going to move too much away from what I'm doing with my amendments. Taxes are like tribute. They are the money that the government compels citizens to contribute to the operation and upkeep of that government and the providing of services; so it is an amount of money imposed by a governing entity which possesses the power and the means to coerce obedience. And in the absence of obedience being rendered, a punishment can be imposed, and that governing or ruling entity has the power and the means to enforce that punishment. So taxes represent the money that the ruling or governing entity obtains from the people who are under the jurisdiction of that entity. And back to my proposal, I would like to ask Senator Wightman a question if he is willing. Oh, he's not here. [LB613]

SENATOR COASH: Senator Wightman. Senator Wightman, will you yield? [LB613]

SENATOR CHAMBERS: This isn't marked against my time, is it? [LB613]

SENATOR WIGHTMAN: Yes, I will. [LB613]

SENATOR CHAMBERS: All right. Senator Wightman, if you will look at page 1 of the amendment that was offered...or that's being proposed by the Executive Board, and go to line 8, beginning with the word "such" near the end of that line, these are the words I'm striking with my amendment: "such as instability for state, county, and other local governments." My rationale for striking that language is, without it you have this statement which I think would embrace what this surplusage says. Beginning in line 5, "Furthermore, the Legislature finds that state, county, and other local tax policies are interdependent and that there are consequences...that need to be studied when adjustments are made to the state tax laws,"--I would put a period. I think since reference was made above to these different entities that levy taxes, there's no need for this language, "such as instability for state, county, and other local governments." What is added to the statute by those words that I intend to strike? And if they're stricken, what will it take from the thrust of this language? [LB613]

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SENATOR WIGHTMAN: I'm looking at that now. So you're striking "such as instability for state, county, and other local governments." Is that correct? [LB613]

SENATOR CHAMBERS: Yes, that's what I'm striking. [LB613]

SENATOR WIGHTMAN: I don't think there would be a lot of change to the section. [LB613]

SENATOR CHAMBERS: Thank...you don't think there's any problem if we strike it? I don't see any problem with it. I think it's surplusage. [LB613]

SENATOR WIGHTMAN: I guess I don't have a great problem with it. And in saying that, I'm not saying I'll vote for it, but. [LB613]

SENATOR CHAMBERS: Thank you, Senator Wightman. Members of the Legislature, Senator Wightman may not have had the opportunity to really evaluate this because he was in a discussion when I asked him the question and I wasn't aware. But if you look at this... [LB613]

SENATOR COASH: One minute. [LB613]

SENATOR CHAMBERS: ...you will see that there's no reason to put this surplusage in. Why can't we streamline this legislation as we're talking about streamlining the tax policy? We're talking about simplifying the tax policy, and the language we're using to reach that point itself needs to be simplified and streamlined. We need to make...use sharp, crisp, clear, concise, precise, declaratory sentences. We don't need this extra language. So I'm appealing to you to strike it. Thank you, Mr. President. [LB613]

SENATOR COASH: Thank you, Senator Chambers. Senator Wallman, you're recognized. [LB613]

SENATOR WALLMAN: Thank you, Mr. President. Members of the body, good morning. It is a nice morning out. And taxes, taxes. If you ever run for office, what's the number one issue? Taxes. And number one is property taxes. And you don't hear too much about sales tax because people don't pay attention to their local government and the school districts and all these things. You can have multimillion-dollar budgets, and who shows up at the meetings? Hardly nobody. And so we do not pay enough attention to where our tax is going. And the state has the ability to collect state and income tax--sales tax. The state has that ability, where local entities, we give them permission to use parts, a very small part, of sales tax to fund whatever projects they want, because the state in its infinite wisdom cut the income tax rates a little bit; and so the local entities didn't get help to jails and all these things, and so it put pressure on school districts and local cities and counties to get revenue somewhere. And we're always

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about revenue, taxes. And where are we going? We need to modernize our process, that's for sure. Neighboring states have tried different issues and it hasn't always worked. So we have to be very, very careful if we change anything. And I'd just love to change things on property taxes. We're putting way too much emphasis on people who pay property taxes--farms, businesses, small business. And what's the first thing foreign entities want when they come to Nebraska? They want a moratorium on paying property taxes, and I don't blame them. How do you evaluate big plants? How does the assessor do this? Is it fair? Senator Chambers brought up homes. He's absolutely right, the big homes are not exactly valued the way they should be. So here we go. Senator Schumacher has brought up something very interesting: property tax. But it has to do with helping local entities. The cities and counties, they need help. And where are they going to get it? Property tax. So that puts a lot of pressure on local assessors to value it at the top, not where maybe it should be; because it's going to be tough to bring this property valuation down, folks. It's going to put tremendous pressure on our local entities and cities. So did they spend too much money using this? It's a vote of the people. And Senator Chambers is absolutely right, the people that should be voting on this stuff ought to go to the ballot box. That's the most important tool we have in America. So I always encourage high school students--talked to them over an hour yesterday morning--to vote; pay attention to what's going on in this Legislature, because it affects their school aid formula and that will affect their moms' and dads' property taxes. Thank you, Mr. President. [LB613]

SENATOR COASH: Thank you, Senator Wallman. Senator Carlson, you are recognized. [LB613]

SENATOR CARLSON: Thank you, Mr. President. Members of the Legislature, I'm going to talk a little bit about property taxes, and I would like Senator Krist to yield if he would. [LB613]

SENATOR COASH: Senator Krist, will you yield? [LB613]

SENATOR KRIST: Yes. [LB613]

SENATOR CARLSON: Senator Krist, do you believe property taxes are too high? [LB613]

SENATOR KRIST: I do. [LB613]

SENATOR CARLSON: All right, thank you. I appreciate that. Senator Avery, would he yield? [LB613]

SENATOR COASH: Senator Avery, will you yield? [LB613]

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SENATOR AVERY: Yes, I will yield. [LB613]

SENATOR CARLSON: Senator Avery, do you believe property taxes are too high? [LB613]

SENATOR AVERY: I do. [LB613]

SENATOR CARLSON: Okay. [LB613]

SENATOR AVERY: Especially mine. [LB613]

SENATOR CARLSON: All right. Thank you, Senator Avery. Senator Hadley, would he yield? [LB613]

SENATOR COASH: Senator Hadley, will you yield? [LB613]

SENATOR HADLEY: Yes. [LB613]

SENATOR CARLSON: Senator Hadley, do you believe property taxes are too high? [LB613]

SENATOR HADLEY: Yes. [LB613]

SENATOR CARLSON: All right. Thank you, Senator Hadley. Senator Sullivan, would she yield? [LB613]

SENATOR COASH: Senator Sullivan, will you yield? [LB613]

SENATOR SULLIVAN: Yes, I would. [LB613]

SENATOR CARLSON: Thank you, Senator Sullivan. Can you tell me, if you don't know the exact figure, what percentage of K-12 education is funded by property taxes? [LB613]

SENATOR SULLIVAN: Well, as I told you off the mike, I thought it was over 50 percent. I checked with my staff just recently, and she said that the most current data is about 49 percent but that conceivably could be higher; so 49-52 percent, somewhere around there. [LB613]

SENATOR CARLSON: All right. Thank you, Senator Sullivan. One more question for you. Is that percentage too high? [LB613]

SENATOR SULLIVAN: Yes. [LB613]

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SENATOR CARLSON: Okay. Thank you, Senator Sullivan. Senator Chambers, I would like him to yield if he would. [LB613]

SENATOR COASH: Senator Chambers, will you yield? [LB613]

SENATOR CHAMBERS: Yes. [LB613]

SENATOR CARLSON: Senator Chambers, are property taxes too high? [LB613]

SENATOR CHAMBERS: That's a question that does not allow, in my way of thinking, of a yes or no answer. [LB613]

SENATOR CARLSON: Senator Chambers, if it funds over 50 percent of K-12 education, do you think that's too high? [LB613]

SENATOR CHAMBERS: Fifty percent...it is not 50 percent of the value of the property. Maybe 50 percent is tax and then you talk about how many pennies per thousand. So that question is far more complex than can be answered by me with a yes or no answer. [LB613]

SENATOR CARLSON: All right. Thank you, Senator Chambers. I think that most of us believe that property taxes are too high, and I have brought this up before and it's not gone anyplace, but I think it's time to talk about it again. I think we ought to consider a statewide common property tax for K-12 education, and I don't think it ought to fund 50 percent of the cost of K-12 education. I think it ought to fund something less. And if we had a statewide common property tax levy, if I have calculated this correctly--and I may not have but I think I'm close--if it funded 40 percent of the cost, it would take a tax levy of 90 cents. For most districts that would be a reduction in property tax. Now if you go to that kind of formula, then the other 60 percent has got to be funded by sales and income tax, and that's not an easy decision to make either. Property taxes are too high and I think that we need to try and address that. Mr. President, how much time do I have? [LB613]

SENATOR COASH: One minute 38 seconds. [LB613]

SENATOR CARLSON: All right, thank you. And I think I'll come back on another time and talk about just our tax system in general. Thank you. [LB613]

SENATOR COASH: Thank you, Senator Carlson. Senator Schumacher, you're recognized. [LB613]

SENATOR SCHUMACHER: Thank you, Mr. Chairman and members of the body. We

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heard Senator Chambers deliver what was his first impression of what taxes are. There is an alternative and modern definition of taxes which indicates that taxes and taxation are the organization of capital for public purposes. Senator Chambers, will you yield to a question? [LB613]

SENATOR COASH: Senator Chambers, will you yield? [LB613]

SENATOR CHAMBERS: Yes, and I don't agree with what you just said; but yes, I'll yield. [LB613]

SENATOR SCHUMACHER: Okay. And regarding the definition that I proposed for taxes, what are your thoughts regarding that? [LB613]

SENATOR CHAMBERS: A nonprofit organization could have property, it could have--which would represent capital. It could have investments. And it could be organized for a public purpose, which every nonprofit must be. But it is not a tax in any sense of the word. [LB613]

SENATOR SCHUMACHER: That's correct, Senator. But our taxes, the organization of capital, even though there might be other ways to organize... [LB613]

SENATOR CHAMBERS: But you have to say, by whom. Anybody can organize capital and it can be organized for a public purpose, but it's not a tax. [LB613]

SENATOR SCHUMACHER: The organization of capital by government for public purposes. Are we approaching a good definition of taxes? [LB613]

SENATOR CHAMBERS: Well, if you have a controlled market, then the government would organize the capital. But if you have a free market, the government does not organize the capital. [LB613]

SENATOR SCHUMACHER: But when you collect money and put them into a till that government has control of and government supposedly puts that money out for building roads and schools and things like that, that is the public purpose that the government defines for those functions. [LB613]

SENATOR CHAMBERS: And that's back to my definition. You're rendering unto Caesar that which is Caesar's, and Caesar collects in order to advance the common good; and the common good consists of the greatest good for the greatest number. And in a capitalist society, the greatest number is number one. [LB613]

SENATOR SCHUMACHER: Regardless of the underlying economics, whether it's a socialist system or a capitalistic system or some feudal system, once that money comes

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in to the government and is then deployed on purposes that the government believes to be public purposes--and in a democracy that is, supposedly, at least, the greatest good for the greatest number--then isn't that a legitimate definition of taxation? [LB613]

SENATOR CHAMBERS: No, there's a difference between raising the revenue by way of getting the money from the public, and expending the revenue. So the expenditure of the revenue is tax money but it's not taxing. Taxing is the process by which you get the money from those who are going to contribute to the government. [LB613]

SENATOR SCHUMACHER: And getting back to our earlier discussion on property taxes, it seems to me you're not quite as opposed to property taxes as you were sales taxes, provided there's a fair assessment process. [LB613]

SENATOR CHAMBERS: Right, because people who own property obtain benefits from the government. For example, if I have a house, the streets that are paved, the streetlights that are on, the providing of fire service, those things are benefits that go to property owners, and it's why I say churches and everybody who owns property should be taxed, because they obtain the benefits that come from tax money. [LB613]

SENATOR COASH: One minute. [LB613]

SENATOR CHAMBERS: And the government subsidizes churches by not taxing them. I think their property, for sure, ought to be taxed. [LB613]

SENATOR SCHUMACHER: So one of the recommendations you would make to this commission is that we look at what exemptions we have to property tax and how we...the mechanism for assessment of (inaudible). [LB613]

SENATOR CHAMBERS: First of all, they wouldn't pay attention to what I would say, because people here don't even pay attention. But I would tell them, gather the data, study it, analyze it, evaluate what you want to accomplish, and then lay out a system by which you obtain the tax money. [LB613]

SENATOR SCHUMACHER: Senator Chambers, I for one will pay attention to what you say. [LB613]

SENATOR CHAMBERS: Then try to get my bill out of your committee. [LB613]

SENATOR SCHUMACHER: Well, that...we'll talk about that. [LB613]

SENATOR CHAMBERS: See what I'm talking about? Where it counts, thumbs down. [LB613]

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SENATOR SCHUMACHER: Thank you, Senator Chambers. Thank you. [LB613]

SENATOR COASH: Thank you, Senator Schumacher and Senator Chambers. Senator Chambers, you are recognized. [LB613]

SENATOR CHAMBERS: Thank you. Mr. President and members of the Legislature, we...let me speak for myself. I'm not a tax expert; I'm just a citizen. I'm just a lonely guy in the heart of the city, trying to make it from one end of the month to the other and watching other people similarly situated trying to do the same thing. Senator Carlson did not project himself as a tax expert but he passes over things too quickly. And I look at my colleagues' faces, their eyes are glazed over. Senator Carlson touched...he...where is Senator Carlson? [LB613]

SENATOR CARLSON: Right here. [LB613]

SENATOR CHAMBERS: Oh, he said right there. Senator Carlson, would you yield to a question, if you can make it to your mike before my time runs out? [LB613]

SENATOR COASH: Senator Carlson, will you yield? [LB613]

SENATOR CARLSON: Yes, I will. [LB613]

SENATOR CHAMBERS: Senator Carlson, not intending to put words in your mouth, I'm going to ask you a question. Did you say that if this property tax were at 90 cents, most districts will experience a reduction? [LB613]

SENATOR CARLSON: Well, I think that would be true, yes, because we'd be paying for a lower percentage of educational costs, and... [LB613]

SENATOR CHAMBERS: You answered the question. [LB613]

SENATOR CARLSON: I'm on your time now, and sometimes you do this when I'm on my own time. [LB613]

SENATOR CHAMBERS: But see, you have to do like I do, and say halt. [LB613]

SENATOR CARLSON: Okay. [LB613]

SENATOR CHAMBERS: Now, when you say most, that means some will not. [LB613]

SENATOR CARLSON: Oh, there are districts that pay less than 90 cents right now. [LB613]

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SENATOR CHAMBERS: Are there some that will pay more? Well, let's say, are there some that will not experience a reduction? [LB613]

SENATOR CARLSON: Yes, there could be some that are at 90 cents right now. [LB613]

SENATOR CHAMBERS: Are there some? Well, why do you think they should not receive a reduction? [LB613]

SENATOR CARLSON: Well, if it takes 90 cents of a common levy to pay for 40 percent of the total K-12 education, that's the level at which the common levy would have to be set. And some are paying that right now; they wouldn't have a change. Some are paying less; they'd have an increase. Most are paying more; they'd have a decrease. [LB613]

SENATOR CHAMBERS: And those who are paying more would pay how much more, do you think? Do you have any notion of what that is? [LB613]

SENATOR CARLSON: I'm sorry; those that are paying more, what? [LB613]

SENATOR CHAMBERS: Those who are paying more, do you have any idea of how much more they're paying than this 90 cents? [LB613]

SENATOR CARLSON: Well, there's quite a variety when you start at 90 cents and move up, and a lot of them are over \$1 and \$1.05 and in that category. [LB613]

SENATOR CHAMBERS: What's the limit that can be assessed? What's the maximum that can be assessed under the law right now? [LB613]

SENATOR CARLSON: Well, with a vote of the people, \$1.05. [LB613]

SENATOR CHAMBERS: A dollar five. So there might be a 15-cent swing between the one paying 90 and the one paying \$1.05. [LB613]

SENATOR CARLSON: There could be. [LB613]

SENATOR CHAMBERS: And who is going to be killed or put out of his or her property by...first of all, 15 cents charged on what actual dollar amount? [LB613]

SENATOR CARLSON: It would be the assessed value. [LB613]

SENATOR CHAMBERS: But what is the...50...okay, 90 cents. When you say 90 cents, that is based on what assessed valuation of the property? [LB613]

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SENATOR CARLSON: One hundred dollars. [LB613]

SENATOR CHAMBERS: A hundred...90 cents per \$100. So somebody else would pay \$1.05 per \$100. [LB613]

SENATOR CARLSON: Yes. [LB613]

SENATOR CHAMBERS: Now when we get up into the thousands of dollars and maybe hundreds of thousands of dollars that houses are assessed at, that's not...it's not an overwhelming amount of money that they are paying. You know that and I know it. At least I know it, because I read in the paper how much it's going to cost these people with these fabulous houses are going to have to pay. They spend more at Starbucks in about a month; so I'm not sympathetic with what you're talking about. But let me ask you this question: If ignorance is bliss, then why don't we keep all of our children totally ignorant by not providing public education? Wouldn't that save everybody a lot of money? [LB613]

SENATOR CARLSON: Is that a question for me? [LB613]

SENATOR CHAMBERS: Yes, Senator Carlson. [LB613]

SENATOR CARLSON: Well, it doesn't relieve our responsibility... [LB613]

SENATOR COASH: One minute. [LB613]

SENATOR CARLSON: ...to provide a quality education for every student in the state of Nebraska. [LB613]

SENATOR CHAMBERS: That's not what I asked you. If we'd do away with public education, everybody would save a lot of money. Isn't that true? [LB613]

SENATOR CARLSON: Well, yes, it's true and I'm certainly not advocating that. [LB613]

SENATOR CHAMBERS: Well, you answered the question. Now the next one. Even though everybody would save a lot of money, that may not be a desirable result based on doing away with public education. Would you agree? [LB613]

SENATOR CARLSON: Well, I would agree we shouldn't do away with public education. [LB613]

SENATOR CHAMBERS: So public education is a positive good. [LB613]

SENATOR CARLSON: It's a wonderful good. [LB613]

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SENATOR CHAMBERS: And when properly administered, it prepares our citizenry to function in a productive way in a representative democracy. Is that true? [LB613]

SENATOR CARLSON: Absolutely. [LB613]

SENATOR CHAMBERS: And that costs money, doesn't it? [LB613]

SENATOR CARLSON: Yes, it does. [LB613]

SENATOR CHAMBERS: Do you buy a new car every now and then? [LB613]

SENATOR CARLSON: Very seldom every now and then. [LB613]

SENATOR CHAMBERS: Well, you don't buy it as seldom as I do, because I now have 500,100-something miles on my car. [LB613]

SENATOR COASH: Time, Senators. [LB613]

SENATOR CHAMBERS: Five hundred thousand plus. [LB613]

SENATOR COASH: Thank you, Senator Chambers, Senator Carlson. (Visitors introduced.) Senator Chambers, you are recognized to close on FA30. [LB613]

SENATOR CHAMBERS: Thank you, Mr. President. Members of the Legislature, this is a good amendment. It improves the bill. What I'm doing is taking time but that's not all that I'm doing. I'm offering improvements to the bill. And here's what I'm going to get to without asking Senator Carlson or anybody else the question: When you buy a car, this year it's going to cost less than it will cost when you buy it next year and succeeding years. Those of you who wear suits, unless you go to that Wearhouse where the guy says you get two for one or whatever he says, the suit is going to cost more next year than this year. If you operate a household, what you purchase to operate that household costs more. There's a price index. It goes up. There's a cost of living increase that they attach to people receiving Social Security because the cost is greater this year to get the same thing you got last year. The government purchases goods. The government purchases services and only stupid people like John Boehner and these other "Repelicans" will talk about running the government like a business but are unwilling to increase the taxes to pay the increased costs that businesses experience when they operate. This government is not a business; but if it were and you operated it like a business, then goods and services are going to cost the government more. And all of those who receive those goods and services or the benefits want to continue receiving them, and they're not just the poor, not just the elderly. They are wealthy farmers who can buy and sell John Boehner and the rest of them and will offer money to purchase

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them. But they're no longer the best politicians money can buy. They have to make do with what's on the market. So when we talk about taxes, it cannot be discussed in a vacuum in terms of what is collected, but what is it you're looking for the government to provide. If there is a wildfire, you're not going to fight it. You want the government or some division of the government to come out there and help you. If there's a flood, you're not going to go out there with a bucket and dip...well, maybe some of you all will; but if we're talking about rational people, you're not going to go out there with a bucket and try to bucket the water back into its channel. If you are farmers and you need water, you want the government to pass laws to protect that water and make it available to you; and you want the government to do things to enforce those rules and regulations to benefit you, but you don't want to pay for them. And that's what irritates me in a rural-dominated Legislature. Not all the people are from rural areas as we define them ordinarily, but everybody in Nebraska, practically, has a small-town mentality, a rural outlook, want to go back to the past. Why, I heard a fellow who is on this floor go to some collection of troglodytes in Washington and say conservatism in Nebraska is not an ideology, it is a way of life--and spoke it proudly. Go...looking backwards. He ought to read a book by a guy whose last name was Bellamy, called Looking Backward. [LB613]

SENATOR COASH: One minute. [LB613]

SENATOR CHAMBERS: One minute? Thank you. Back to the amendment. Members of the Legislature, if a point is reached where I'm not trying to delay the bill, I'll be doing what I'm doing now. I'm not just delaying the bill; I'm discussing the bill. Specifically, I am going into the bill to deal with the language of the framework that you are establishing, so I am striking some surplusage and that means it's not needed. Work with me this morning if you can. And don't cut off your nose to spite Ernie Chambers. Don't vote against your own best interests to spite me, because I thrive on that. Mr. President, I'm going to ask for a call of the house and then I'll take a machine vote. [LB613]

SENATOR COASH: There has been a request for a call of the house. The question is, shall the house go under call? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk. [LB613]

ASSISTANT CLERK: 29 ayes, 0 nays to go under call, Mr. President. [LB613]

SENATOR COASH: The house is under call. Senators, please record your presence. Those unexcused senators outside the Chamber, please return to the Chamber and record your presence. All unauthorized personnel please leave the floor. The house is under call. Senators Larson, Schumacher, Watermeier, Burke Harr, and Ken Haar, please return to the Chamber. The house is under call. Senator Schumacher, please check in. [LB613]

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SENATOR CHAMBERS: I'll take the vote now. [LB613]

SENATOR COASH: Thank you, Senator Chambers. Members, the question before the body is, shall FA30 to AM467 be adopted? All those in favor vote aye; all those opposed vote nay. Have all voted who wish? Record, Mr. Clerk. [LB613]

ASSISTANT CLERK: 31 ayes, 6 nays on the adoption of the amendment to the committee amendments, Mr. President. [LB613]

SENATOR COASH: FA30 is adopted. Mr. Clerk, you have announcements. And I raise the call. [LB613]

ASSISTANT CLERK: Mr. President, I do. First of all, Revenue Committee will hold an Executive Session now in Room 2022. In addition to that, your Committee on Natural Resources reports LB57 and LB362 to General File; Committee on Transportation reports LB500 and LB589 to Select File; Committee on Revenue reports LB82 and LB474 to General File; Health and Human Services reports LB577 to General File. New resolutions: LR107, LR108, LR109, and LR110. LR107, LR108, and LR109 by Senator Christensen; LR110 by Senator Avery. Those will be laid over. Mr. President, that's all I have. (Legislative Journal pages 764-772.) [LB57 LB362 LB500 LB589 LB82 LB474 LB577 LR107 LR108 LR109 LR110]

The next amendment to the committee amendments from Senator Chambers is FA31. (Legislative Journal page 745.) [LB613]

SENATOR COASH: Thank you, Mr. Clerk. Senator Chambers, you're recognized to open on FA31. [LB613]

SENATOR CHAMBERS: Thank you. Mr. President and members of the Legislature, I'm willing to do the painstaking work that's necessary to get this bill into the form that it should be in. I'm not trying to keep the bill from passing. And while those members of the Revenue Committee are hying to the place where they're going to work, they should understand that they should bring my bill out here. But that is not going to stop me from discussing this bill. This is a bill we all ought to be discussing. This is supposed to be the Legislature's response to the approach of the Governor which was not well thought out, and there are defects in the language. When it's presented to us, either the bill or an amendment, it becomes our collective property to do with what we think is necessary. So here is what this amendment does, and I'm taking them in small bites. On page 1 still, starting in line 10, with the word "Nebraska's," you're using a possessive: Nebraska's tax law. I'm going to let you keep the possessive. But when we are enacting laws, we are enacting them only for the state of Nebraska. When we talk about cities of various sizes, we don't name a city partly because that might constitute

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special legislation. But we don't apply the name to cities, the name to counties when we're dealing with legislation, unless it's something that relates to a specific county that would separate it out from the others. For example, in the Ag Committee we're talking about whether or not all of Holt County will be in a branding area or part of it. So you name the county. But since we legislate only for the state of Nebraska, we don't need "Nebraska's" tax law. And we're not talking about the tax law in this statement; we are talking about tax laws, plural. We're talking about taxes. So I would strike "Nebraska's tax law" and insert "the state's tax laws." We don't have one law; we have multiple laws relating to each type of tax. So to try to express what is going on here, the sentence would say, "The Tax Modernization Committee's purpose is to review and study the state's tax laws," and I'm going to show you why it should be written that way. Read the language that follows: "...including, but not limited to, sales and use taxes." That's one type of law. "Income taxes"--another. "Property taxes"--still another. "And other miscellaneous taxes and credits." So we are studying the multiplicity of laws that relate to the system of taxation. And if we were going to craft the language in the way we should, we shouldn't say that "the committee's purpose"; we should say "the purpose of the committee." We can do away with the possessive form of nouns. But that might be too much for the body to swallow at this point so I'm not going to deal with that. The amendment again would say, "the state's tax laws." And now that that's out of the way, I'm going to say a little bit more about what this whole complex is supposed to be addressing. I don't know if Senator Carlson is on one of those committees, but he is a person who refers to the "Bible" as the Bible. He refers to it as the truth, the word of truth. Well, in that book are stories. Some are called parables; others are supposed to be recitations of factual situations. So one day Jesus was talking to his disciples. Ignoramuses. They never understood anything. He spoke in basic terms of what he was interested in and they never caught it. Never got it. So one day he said, fellows, come sit with me awhile. And they said, why do you want us to sit with you? We're by the treasury, what are you going to do? Are you going to give us some assault rifles and some high-caliber pistols and we're going to go in there and rob the treasury? Is that what you want us to do? Well, in those days they didn't have guns but maybe they had slingshots of the kind that David allegedly--a little bitty shepherd boy--killed a giant with, which story I don't believe either. But at any rate, they might have wondered why he's going to bring them here and talk to them. He said, fellows, look over there. What do you see? They said, we see the treasury. He said, now, what else do you see? They said, well, we see people dropping in money. And do you see anything about the people who are dropping in the money? They said, well, we see Warren Buffett over there in his limousine; we see Bill Gates approaching from the other direction in his Cadillac, and they go and they put money in. He said, what else do you see? They say, well, there's that little old raggedy woman over there. And he said, do you know the status of that woman? They said, well, everybody knows her; she's always walking around the streets begging. He said, what's her status? Well, she's a poor old widow woman. He said, now watch her. And they watched, and they had never watched her before because nobody had called their attention to her to see her as a person worthy of

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paying attention to, to see what her daily life consisted of. So without saying the words, this one time recognize that she's your sister. He didn't say that. He just said, okay, watch her. So she went up and she put something in. And that book called it a widow's mite, m-i-t-e: a little tiny thing. And the disciples kind of chuckled behind their hand (laugh). Laughed behind their hand. But then they wondered what the message is, because Jesus wasn't laughing. And Jesus was a friendly person but I never read that he laughed, so maybe he didn't. I did read that he wept when one of his top dogs betrayed him...not betrayed him; denied him, which I consider a betrayal. So he said, I want to teach you guys a lesson, because you don't understand anything. When Buffett and Gates were coming, you paid attention. Now when they put money in, it didn't bother them at all, because they had so much that they could have filled up the trunks of their car and put all that in and they wouldn't have felt it or missed it. But this poor little widow lady, during a day she may not have enough to buy food for herself, and yet she gave. So I want to teach you all something because you say that you're to learn from me. I'm the teacher. I'm the mentor. You're the student. You're the mentee. Well, let the teacher teach you something. When somebody has as small an amount as this poor old "wider," and she takes from that small amount that she has and gives, not only is it a greater percentage of what she has, but she has... [LB613]

SENATOR COASH: One minute. [LB613]

SENATOR CHAMBERS: ...less left than these rich people. But you pay attention to the rich people and you give them credit. Well, the lesson for you is that she, in effect, gave more than they gave, because she had so little to give but she gave part of it anyway. Now there was nothing, no sign up there that said the widow woman must give the same amount as Bill Gates. But when you all imposed the sales tax, you do that to the widows, and it's unfair and it's immoral. And if you'd learned the lessons of the ones you all pray to and say you worship, you would do differently from what you do around here. Thank you, Mr. President. [LB613]

SENATOR COASH: Thank you, Senator Chambers. Senator Wallman, you're recognized. [LB613]

SENATOR WALLMAN: Thank you, Mr. President. And thank you, Senator Chambers, for giving us that Bible lesson. And, you know, it says in the Good Book, render unto Caesar the things that are Caesar's and to God the things that are God's. So we have to discern what we're supposed to pay for and remember the poor and all these things. And I would have to agree with some issues on the sales tax issue. It probably is regressive tax. But income tax, you know, everybody complains about income tax in this state, and never once did I hear...I don't complain about income tax for myself. And so I appreciate what Senator Chambers is trying to stall us out about tax policy. We should have been working on this tax policy a long time ago, because we've got exemptions from this...and I sponsored some of this legislation myself. So where do we go from

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here? Do we have a Tax Commission? Do we have one individual or a group or an outside group fix this thing? This is not going to be easy, folks, because we are a small-populated state, and so we have to find revenue. Do we want roads? Do we want our schools to be good? We can go on down the line. Government has a responsibility. And who is the government? We. So thank you, Mr. President. [LB613]

SENATOR COASH: Thank you, Senator Wallman. Senator Chambers, you're recognized. [LB613]

SENATOR CHAMBERS: Thank you. Mr. President and members of the Legislature, you all are the ones who bring religion in here every day. You all are the ones who pray. You all are the ones who suggest that there's a higher power which imposes duties and responsibilities on you. But I read that book. I read the rule book, the operator's manual, and it said: Why do you call me, Lord, Lord, and you don't do what I say do? Now you've got a pope. And by the way, people ask me because I don't have religion, what do I think of all this coverage the pope is getting? Do I think it's right? I say right doesn't have anything to do with it. This man is a world figure. People are interested in him. So it ought to be covered rather than Lindsay Lohan and these other crazy things that they put on television. But when you have an individual and actions that have an impact on the course of events in the world, that is news, I don't care who it is. So I don't watch all of it because I remember where Jesus also said, when they were talking about how he dressed in such an ordinary fashion like the ordinary people of which he said he was one; he said, those who wear fine robes and purple, you find them in palaces and castles like the pope in Rome, walking down the colonnaded marble hallways of palaces. People bow down and worship. Could you see that humble carpenter dressed like that in a setting like that? And there are people who want to say that that humble guy is the one that they're worshiping, but then, look, they do, and they're worshiping in their ceremonies the opposite of what he talked about. And that often happens. Somebody will start a philosophy, people will say they adhere to that philosophy; then everything they do goes contrary to it. Islam means submission to God. It means peace. I'm not a Muslim but there are a lot of people who call themselves Muslims who certainly don't live up to what that religion is supposed to be about. And when I read about the Crusades, things done in the name of Christ, the Knights Templar, and all of the Christians on the American side killing the Christians on the German side in the name of the Father, the Son, and the Holy Ghost. And I can find it in my heart, if I had a heart, to look at this god that they say they worship and look at what it is as worshiping him, and I can find some sympathy for him. And maybe he would make a rhyme. God bless England, God bless Germany, God bless the King, God bless this, God bless that, God bless the other thing. Good God, said God, without a doubt it's clear to see my work is cut out. My child over here is killing my child over there. My child with plenty, more than he can ever eat, watches my child over here starve. And if a child is hungry and goes to his father, will the father give the child a stone? You all ought to think about what it is that you invite into this room every morning when you pray. You bring the

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religion here. If I went to a church, I wouldn't take politics. I play by the rules of where I go. And if I can't play by the rules, I wouldn't go there. [LB613]

SENATOR COASH: One minute. [LB613]

SENATOR CHAMBERS: So when you bring religion in here, you opened the door for me to talk about it, and I will. But here's the difference between me and you. You speak empty words. They don't mean anything to you. The problem with that is I pay attention to the words, just like I'm paying attention to the words in this bill. If it means something to you, why does it not mean enough? And I'll bring us back to this bill to do what we ought to do. A house built on a firm foundation will stand. A house built on sand will fall. I'm trying to help us construct with the language we use a statutory house built on a firm foundation, so that's why I'm offering these amendments. Thank you, Mr. President. [LB613]

SENATOR COASH: Thank you, Senator Chambers. Senator Brasch, you are recognized. [LB613]

SENATOR BRASCH: Thank you, Mr. Speaker, and good morning, colleagues. I was hoping there were a few others in the queue before me. But I did want to call out, Senator Chambers this morning has addressed many things and on many occasions he's addressed the very bad, the very evil, the unkind, the unthoughtful. And I do believe that it is good and right to call out the very thoughtful, the very kind, those who do have a heart. Last week was a very long day on Thursday in Judiciary, and when I came before the committee, they were pretty dead on arrival. And Senator Chambers was extremely tired as well. I could tell by everyone's eyes the pain of a very long four and a half hours in committee and I was going to add. After the committee was over an hour later as I left the door, I saw a man with a heart. He was standing outside the door talking to a little boy who had come to testify with his father. This man with a heart had put his hands in his pocket, brought out both fists, and asked this little boy to pick a hand. And when that boy did pick a hand, the magic in his eyes when he saw a dollar bill was there. And the boy was delighted, looked at his father. Again, this man said, do you have a brother or sister? Look at the other hand. Pick that. Another dollar. This man was and is Senator Chambers. So I believe there is a heart there, there is a sign of kindness and generosity that I witnessed firsthand as did this young lad. We do need to look at our tax system. We do need to work hard to be fair. Senator Chambers also mentioned rural, I believe he said small-town mentality. Senator Chambers, would you yield to a question please? [LB613]

SENATOR COASH: Senator Chambers, will you yield? [LB613]

SENATOR CHAMBERS: Yes, I will. [LB613]

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SENATOR BRASCH: What did you say our rural communities are? I live in Bancroft, a very small community. [LB613]

SENATOR CHAMBERS: I said that when we use the term rural we're thinking of a certain area, but when I use it I'm thinking about the entire state of Nebraska. And when I use it, I mean a small-town mentality that I apply to the entire state of Nebraska because they're looking backward and moving the state in a backward direction. [LB613]

SENATOR BRASCH: Thank you, Senator Chambers. And when I think of our rural community, I think of survivors. I think of people who have survived weather, who have survived recessions, who have survived many, many things. Many in the rural communities today through broadband Internet and other World Wide Web devices, they are following global trade, world trade. We have sent some of our best and brightest to work in this beautiful, magnificent building with careers and that quite contraire, Senator Chambers, that rural communities, they do have forward-thinking and not necessarily backward thinking. And I do want to thank you for showing your kindness to that young man. I know it made a difference in his very long day. I have no other questions. Thank you, colleagues. [LB613]

SENATOR COASH: Thank you, Senator Brasch. Senator Chambers, you're recognized. [LB613]

SENATOR CHAMBERS: There are tattletales everywhere, aren't there? Mr. President, members of the Legislature, children have an impact on me. When I see children, I see something that maybe others don't. But there's an innocence, there's an honesty, there's a purity. There is...when you try to find words for some things, the limitations of language pose a hindrance. But for me to do something for a child doesn't require any thought or anything. I know that there are a lot of children who are abused by the ones who ought to take care of them. And children put their faith and their trust in those who they are around even when those they are around are hurtful and abusive. The child might be so frightened that he or she will tremble whenever this person comes. So any tiny bit of kindness shown toward that child will be welcomed. For me to do something that involves a child requires not a heart at all. It's survival of the species. The species can survive only when there are young ones who come into the world and grow older, and it's just regrettable that as they grow older, all of that childhood innocence, that trust is squeezed out of them drop by drop. The churches do it. The schools do it. People who look through children and don't see them do it. And why in the world somebody would mistreat a trusting child is something that I can't understand. But here is where I will make another point and lose all those who are beginning to think I'm such a nice fellow. Even if somebody tortured and murdered a child, I would be opposed to that person being executed. I do not think the state should kill anybody. If we say we are moral beings, that morality should be like a seamless web. Hitler should not have been

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executed. Eichmann should not have been executed. The mobsters or the mob members who lynched Will Brown in Omaha, dragged his body behind a car, riddled it with bullets, set it afire, and that horrendous, ghastly, scene was memorialized in LIFE magazine and other places, and Henry Fonda supposedly was in the group that witnessed that, in my view, they should not be executed either. That's not the work that we should do. Is my time up, Mr. President? So I'm opposed to the death penalty no matter who the victim is, no matter how the death is inflicted, no matter who the perpetrator is. There was a fellow who was going to be executed for having been involved in the murder of a black man down south, and I wrote to the governor and said you shouldn't kill him because ultimately you're doing what this guy did. And I know that argument doesn't move anybody. [LB613]

SENATOR COASH: One minute. [LB613]

SENATOR CHAMBERS: But what I say I believe, I believe. And if I believe something is suitable for human beings, then there are no lines that I draw, there are no compartments I put people in and say some are entitled to it and others are not. You all are the ones who are supposed to be godlike. Isn't he the one who will give you salvation? Isn't he the one who will redeem you? And if you're supposed to be like that, aren't you supposed to replicate that instead of that hateful notation...image you have of a god who's just salivating to throw people into a fiery furnace and burn them forever? That's why religion means nothing to me. I have my own set of values and that's what's motivating me on this bill when we get to the serious aspects of it. Right now that which I was taught about grammar when I was in grade school is motivating me to try to bring the language of this bill to a standard I think we ought to reach. [LB613]

SENATOR COASH: Time, Senator. [LB613]

SENATOR CHAMBERS: Thank you. [LB613]

SENATOR COASH: Thank you, Senator Chambers. Senator Brasch, you are recognized. [LB613]

SENATOR BRASCH: Thank you, Mr. President. And I am compelled to rise one more time. Last week, I believe a pastor from Papillion spoke. And they spoke...this pastor talked about power. They said that power not only corrupts but it does reveal your heart. When Senator Chambers again denies having a heart, I do hear words of compassion. Perhaps compassion is akin to the word heart. He speaks of those who are unseen, those who are in need, those who seek assistance from others, those who are at the mercy of the laws that we pass here, that it is very important that we take into consideration the effect and the outcome of our laws, that that is also an act of the heart to wish no harm to others. In our rural communities, I do see greatness from the smallest of deeds there. There are farmers who are out in all elements, day and night.

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This is calving season, and speaking with a farmer in our area, he spoke about being up in the middle of the night with a cow that was delivering a calf, and this calf was having extreme difficulty entering this world, and how he worked side by side until he was able to help the cow and help the calf. And as I looked into the eyes of this farmer who'd probably farmed at least 40 years of his life, they still twinkled in delight at the task and the glory and the satisfaction of farming. And that's why when we look at our taxes and we look at property taxes and we look at what people earn and what they must pay, that this deed is truly complex and not a simple deed. And much of the work does come from the heart in agriculture. So I do ask Senator Chambers to think about the word compassion akin to the word heart. I have no other questions of Senator Chambers this morning. And thank you, colleagues, and thank you, Senator Chambers. [LB613]

SENATOR COASH: Thank you, Senator Brasch. Seeing no other lights on, Senator Chambers, you're recognized to close on FA31. [LB613]

SENATOR CHAMBERS: Thank you. Mr. President, members of the Legislature, there are paradoxes in this society. There are people who live in order to have people say how nice and noble that they are. Now I'm an honest man and you don't want to accept what I honestly tell you. You want to make me better than what I am. I tell you that I don't have a heart. That's not what motivates me. My brain. I'm like a machine programmed somehow to do what it is that I do, to say what it is that I say. In the same way that in that story about Dr. Jeckyll and Mr. Hyde, Dr. Jeckyll took this substance that separated out what they call that basic evil in a human being. But in the story, Dr. Jeckyll became Mr. Hyde, the evil being. Mr. Hyde could only act in accord with his spirit and the nature that was put into him by those chemicals Dr. Jeckyll ingested. I can only act in accord with my nature, and that's what I'm doing. So there is no nobility. There is no compassion. There is none of that. Maybe if you'd watch this guy on Star Trek, Mr. Spock, that would be closer to maybe the way that I function. I see something that ought to be done. I have the ability to do something along the lines of addressing it and I will. But there's a guy who now is wearing those robes and the gowns in the Vatican. And he from what I heard in...read in the paper and heard on the news is talking about what I talk about too. Now I'm not religious like him but he was talking about the poor. He was talking about the sick. He was talking about those people who are marginalized, and they all are people. Why would we say that it takes something special to treat those who are like ourselves the way we want to be treated? Let it be a quid pro quo. I've put up the quid pro in order to get the quo. The quid pro is placing these actions that I think should be placed. And what is the quo that I get? Peace of mind. I don't have to think about somebody who is hungry and should I have given that person something to eat. Just do it. It eases my mind. It uncomplicates life. It makes things very simple for me. I don't have to be judging people and saying you're going to hell and you're going to heaven. None of that has any impact on me at all. And when I can look at the way things that this Legislature does will hurt people, then I have no choice other than to stand against it and I will. If I see children wanting to stick pins in a beetle's eye, I would

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not only stop it, I would explain why that should not be done. Pull the wings off butterflies. But they got that from somewhere. Who put in them the idea that this beautiful creature that might look like the leaves of autumn flying should have those wings pulled off? Who led that child to believe that he or she wants to see but will take a pin and put out the eyes of a tiny creature who offends against the child in no way? [LB613]

SENATOR COASH: One minute. [LB613]

SENATOR CHAMBERS: What are we teaching our children by the example that we show to them? The time that we ought to be hypocrites is when we're not. The time we ought to be a hypocrite is when we're wicked and vicious, but around children we're going to show something else. We're going to show them what it is they ought to grow up into. We don't show them how to be kind by our being cruel and say, don't be like that. Show them something that will catch their attention, engage their mind, and cause them to feel that that's the way to go. And if that goes, then there's peace in the valley and everybody likes peace, even soldiers. And that's why they don't die, they just fade away. This is a good amendment. It helps clean up some language and I hope you will vote for it. And the only reason I ask for a call of the house is to get enough people in here so I can get a fair indication by a vote. So I ask for a call of the house, Mr. President. [LB613]

SENATOR COASH: Thank you, Senator Chambers. There has been a request to place the house under call. The question is, shall the house go under call? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk. [LB613]

ASSISTANT CLERK: 27 ayes, 0 nays to go under call, Mr. President. [LB613]

SENATOR COASH: The house is under call. Senators, please record your presence. Those unexcused senators please return to the Chamber and record your presence. Those unauthorized personnel please leave the floor. The house is under call. Senator Harms, Senator Seiler, Senator Murante, please return to the Chamber and record your presence. Thank you, Senator Chambers. Members, the question is, shall FA31 to AM467 be adopted? All those in favor vote aye; all those opposed vote nay. Have all voted who wish? Record, Mr. Clerk. [LB613]

ASSISTANT CLERK: 32 ayes 3 nays on the adoption of the amendment to the committee amendment, Mr. President. [LB613]

SENATOR COASH: FA31 is adopted. I raise the call. Next item, Mr. Clerk. [LB613]

ASSISTANT CLERK: Mr. President, next amendment offered by Senator Chambers is FA32. (Legislative Journal page 745.) [LB613]

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SENATOR COASH: Thank you, Mr. Clerk. Senator Chambers, you're recognized to open on FA32. [LB613]

SENATOR CHAMBERS: Thank you. Mr. President and members of the Legislature, once again to put in the record what I'm doing, I'm going to strike the word "update" in line 5 and substitute the word "modify." When you modify something, you change it. And you can get across the notion based on the overall thrust of this statement of findings that many things will be taken into consideration when we talk about altering any part of the tax system. And I think update is just a little bit flippant, not that it was meant to be. But I would rather see a word that will be...have as much meaning 30, 40, or 50 years from now if this committee is still operational, if this language is still on the books as it has now. And update is a term that I don't even consider a legitimate word. It can be used legitimately because it communicates something to a person and it carries the notion that you're dealing with an item or an idea that is behind the times and it's necessary to modify it. The term update is supposed to convey that notion. But again because we're dealing with statutory law, I would prefer to see a word such as modify. I wouldn't even want to use the word change. A modification in most people's mind would convey the notion of an improvement. Change itself does not necessarily indicate anything about progress. You're simply making something different from what it had originally been. So that's what this amendment would do. And now to get back to the subject that this bill is about. We are not by this bill modifying or attempting to modify any tax, none whatsoever. But we can discuss and we should discuss these various taxes and the history created, called legislative history, through our discussion will indicate what it is we had in mind, what we intended. And even those who wind up on that committee might look back at what we discussed and get a little direction. After they calm down and cool down and stop being upset with me, they might even find some value in what I said. But whether these amendments are adopted or not, I'm going to keep us on this bill. There are two ways to do it: Talk about nothing; talk about something; talk about something sometime and nothing other times. But one person's something is another person's nothing. And now I'm going to show you what I'm really made of, (laugh) Senator Brasch. What they do up there in the morning every morning is plenty of nothing as far as I'm concerned. If that meant something, I wouldn't even be up here talking. Fairness. That's a word in this bill. I don't see Senator...oh, Senator Schumacher is not here. I was going to mess with him. I don't see Senator Carlson. But when you turn to page 2 in line 15, you see the word "fairness." Well, people who are supporting this bill, members of the Revenue Committee, are discussing a bill that spotlights fairness, giving a person his or her due, letting the scales be balanced. And yet the Revenue Committee is not fair with me, Senator Bloomfield. They will not be fair with me while talking about a bill that relates to fairness. And why do I keep bringing up me? Because it's all about me, just like everybody's life is all about that person. What goes on in your head is your entire world. That's where you live, not out here. So when that committee is going to send out bills that offer exemptions and I have a bill that

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would go to one of the most unfair taxes and they won't let it come out on the floor, then I am miffed, for the sake of the transcribers, m-i-f-f-e-d. I am upset. I am rendered unhappy. I am not having a pleasant time of it. So misery loves company. And that is a vulgarization of a comment in a long poem written by a guy, and he was portraying what is said by heavenly and hell-bound creatures. And he had Satan say, it is a solace to the wretched to have companions in grief. And that was popularized by misery loves company. Because some people were wondering since Satan is lost anyway why does he want to put people in the same situation he's in. Because it's a solace to the wretched to have companions in grief. I'm not exactly grieving today because frankly I don't care if you kill every bill that I've got, it's not going to do anything to me. But we are in a game. Now we are engaged in a great civil war. Well, first of all, it's not great, it's not civil, and it's not a war, and most people if you look around this Chamber are not engaged. You can analyze almost any popular statement and find out that almost every idea contained in it is false. But since people don't think, those whose job it is to make money for people who invested money will show you how shallow, how empty-headed and superficial you are by the advertisements they give you. And women ought to be offended and they should not wear a single shade or tint of lipstick because they tell you, be different. And they sell millions of these tubes of lipstick, and every time you turn on the television, every woman has got the same kind of lipstick. They talk about how you can stand out in a crowd. Actually you can't because everybody in the crowd is dressed the same way. But they make you feel that if you buy this product, then it's somehow going to individualize you while showing you that you don't have any concept of individualism at all. There is no such thing in America. And that's why when somebody practices what other people preach, then that person is given credit. If it's such a good thing, if it's such a natural and normal thing, then why does it even raise an eyebrow? I'll tell you why it raises an eyebrow. Because people don't practice what they preach. They observe things in the breach rather than through practicing them. This one lady had two sons. One was a doctor and the other was a minister. And so somebody asked her why she was always smiling when she mentioned her two sons. And she said, well, one's a doctor and one's a preacher. And they said, well, based on that, I don't see why it would make you smile. She said, you've heard the term practice what I preach. [LB613]

SENATOR GLOOR PRESIDING

SENATOR GLOOR: One minute. [LB613]

SENATOR CHAMBERS: She said, well, I have one who practices and one who preaches. And see by having two, neither one had to do what the other one did. People do not think. Hitler said, rulers are fortunate that people do not think. And I'm trying to get us to at least think about this bill that is before us--nothing esoteric, nothing deeply philosophical, just the language we're using to construct this framework within which this committee will operate. Thank you, Mr. President. [LB613]

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SENATOR GLOOR: Thank you, Senator Chambers. (Visitors introduced.) Members, you've heard the opening on FA32. Senators wishing to be recognized, Senator Wightman, you are recognized. [LB613]

SENATOR WIGHTMAN: Thank you, Mr. President and members of the body. Since Senator Chambers frequently asked me to at least review the change that he would make, I would say here he wants to change the word from "update" to "modify" that that probably doesn't hurt it, may very well improve the language used. On the other hand, I don't think it's going to change the meaning of the entire amendment very much. But I will support changing the word "update" to "modify." Thank you, Mr. President. [LB613]

SENATOR GLOOR: Thank you, Senator Wightman. Senator Chambers, you are recognized. [LB613]

SENATOR CHAMBERS: Thank you, Mr. President. Thank you, Senator Wightman. I'm taking it step by step, as I say, in small bites, because if I put an amendment out that contained all of these, then it would make people suspicious. There has to be something hidden. So if I take it like this, a word at a time, a phrase at a time, a clause at a time, I can convince you that it means only what I say that it means. And I assure you if I was working a trick or going to work magic I would tell you because I would want you to appreciate what it is that I'm doing. I mean nothing more or less than what it is I'm presenting here. I do have an amendment that I have filed this morning that consists of a rewrite of a subsection of this bill. And I decided to go ahead and risk it in order that you'll see that I'm giving thought to this legislation, maybe more thought than anybody else. And why would I give thought to legislation which I don't like? Because of things that have nothing to do with it? Because I am a part of the main, the main being a term for Legislature. I am not an island. I am often placed on an island. But I'm grown. I can take it. I'm old. I've seen a lot. I've experienced a lot. And I know how people react when they're frustrated, when they're angry, when they just don't know what else to do. So when they don't know what else to do, invariably what they do will be the inappropriate thing because maybe that's that part of a human being that comprises the animal aspect. A human being is a rational animal. So when the rational goes A-W-O-L, then the animal takes over and the reaction is going to be flight or fight. So when they don't know what to do, they can't blend in with their desks and their chairs and the carpeting because I won't let them, then they're going to be hostile but they're not going to be aggressive. So they're going to leave. They're going to flee. But fortunately what we say here is observed and heard by more than the people who may be in this Chamber or even in this building. And people need to know that some of us take very seriously what it is that we do, that we're going to spend time doing something. And I'm going to spend my time doing what I think ought to be done, something which when I look back on it I'll say it was worthwhile. Does that mean it's the best thing that can be done? Sometimes you can't do the best thing. You do what you can. If you have a fatal disease and it's in

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the final stages, the best thing would be for somebody to cure you. But you cannot obtain the best thing, so you do what you can. You make the person as comfortable physically and psychologically as possible. I cannot cure everything that's wrong with this legislation, but I can try step by step, administering an aspirin and saying come back tomorrow... [LB613]

SENATOR GLOOR: One minute. [LB613]

SENATOR CHAMBERS: ...and I will continue the ministrations, and that's what I'm doing. This amendment is one that Senator Wightman has agreed is all right. And I think it does improve what is being presented. Thank you, Mr. President. [LB613]

SENATOR GLOOR: Thank you, Senator Chambers. The Chair recognizes Senator Wallman. [LB613]

SENATOR WALLMAN: Thank you, Mr. President, members all, friends all. I do appreciate this amendment and I'm still for the bill, but Senator Chambers has an innate ability to make things better. And we also very skeptical what could happen here because he also has the ability to use words in a way that most of us can't. And why should we mess around with tax reform? I would like to ask Senator Conrad a question if she would answer, please. [LB613]

SENATOR GLOOR: Senator Conrad, would you yield to Senator Wallman? [LB613]

SENATOR CONRAD: Yes, of course. [LB613]

SENATOR WALLMAN: Thank you, Senator. Last year, did we pass an income tax relief package, you know, on...did we pass some income tax legislation? [LB613]

SENATOR CONRAD: We absolutely did, Senator Wallman, and if you...you might remember I was a strong and vocal opponent of that legislation for a variety of reasons. [LB613]

SENATOR WALLMAN: And thank you, Senator, as was I. And do you remember the dollar amount about how that would affect us in the budget? [LB613]

SENATOR CONRAD: Oh gosh, if memory serves, I think the price tag, and it started smaller and then it escalated over the course of a few years, but, and this is a rough estimation but it impacted our bottom line negatively to the loss of about \$90 million from our General Fund. [LB613]

SENATOR WALLMAN: Thank you, Senator. And we didn't have very many proponents, I mean, opponents of that bill. And why? I don't know. I do not mind, I say it again,

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income tax because you do not necessarily pick on the poor. And the rich people we do...the rich people do have ability to use deductions or incentives and all these things which some people don't have. And I'm still a proponent of sales tax. I think we need all three. Should we balance it better? Absolutely. And that's going to be a tough job, folks, how to balance the budget with the three main income sources, sales, income, and property. And property, the state cannot use property taxes as such, so we cut the income tax rate and that affected our local communities and counties and townships so they have to find revenue. And that puts tremendous amount of pressure on the county assessors to raise their real estate values because they're put under lid limits--townships, counties, school districts. So the only option they have is to raise your real estate values. And I hate to keep harping on that but it bothers me and it'll continue to bother me how to find a more fair way to tax and render unto Caesar's, you know. And also we've asked our churches and stuff to do more and they do do more. But we have lots of things that we're supposed to take care of as a government, a state, and national. So it's not easy. It'll never be easy because nobody wants to pay taxes. Thank you, Mr. President. [LB613]

SENATOR GLOOR: Thank you, Senator Wallman. Senator Krist, you're recognized. [LB613]

SENATOR KRIST: Thank you, Mr. President. Good morning again, colleagues, and good morning, Nebraska. I'm in strong favor of AM467 as it is written. And it becomes LB613, so obviously the follow on is that I support LB613 as amended. It should be noted for those of you watching at home that we have televisions in our offices and often when we're not engaged in a debate, as is all of our practices including Senator Chambers, we may be in our offices doing other things and watching the debate. I can assure you that no matter what the subject matter, if I'm here and not excused from this Chamber I am watching the debate and I am concerned. The fact that I don't speak on the mike as would be the case I would think with the other 48 people, 48 senators here in the room, is that they have nothing worthwhile to say, not the fact that I am running or that I am cowering away from making a comment. As is the case on this particular amendment, I do have a comment to make. I am the Vice Chair of the Executive Board and I disagree with my Chair. My vote is my vote. The reason I disagree with it is that, again, words mean a great deal. Having been Jesuit-educated, I pay attention to words. What Senator Chambers is proposing is that we strike the word "update" and replace it with the word "modify." The word update, according to the dictionary, and I would assume that this is an authority that we would all look at in terms of what a word actually means, provide new information, to provide somebody or something with the most recent information or with more recent information than was previously available. That is how the bill currently stands. Update. Our tax system, as I have said many times on this floor in the time that I've been here four-plus years, is antiquated and we need to stop making tax reform one bill at a time. We need to update. If we replace it with the word modify, I would argue again referring back to the dictionary, modification of it is, make

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small changes to something, to make a minor change or alteration to something, or to change slightly, especially in order to improve. That's a whole different word. That means that we're only going to tweak it. It's my estimation that we could do more than tweak it, and would not limit ourself to the definition of the word modify. So in this particular case, I strongly oppose FA32 and will evaluate each one of those amendments as they come to the floor, whether I'm here in this seat or in my office. And I can assure you that if I'm watching in my office, I'll come back and engage in the debate as I have with this one to evaluate each and every piece of legislation that comes before us on that large and beautiful screen. Thank you, colleagues. [LB613]

SENATOR GLOOR: Thank you, Senator Krist. Senator Chambers, you're recognized. [LB613]

SENATOR CHAMBERS: Thank you. Mr. President, members of the Legislature, I'm a slow reader and a careful listener. Senator Krist, in defining modify, included something that is not in the dictionary definition. He read the dictionary definition, then he said that means tweak. I'd like to ask Senator Krist a question. [LB613]

SENATOR GLOOR: Senator Krist, would you yield? [LB613]

SENATOR KRIST: Sure. [LB613]

SENATOR CHAMBERS: Senator Krist, is the word tweak in that definition of modify that you read? [LB613]

SENATOR KRIST: T-w-e-a-k is not specifically black and white in a definition; but if you'd like me to look it up, I'd certainly be able to do that. [LB613]

SENATOR CHAMBERS: No. You read us a definition and then you put something out there to further define what you were defining. Is that correct? [LB613]

SENATOR KRIST: No, sir. I don't think so. I think I read the definition and I said I think that means or that means, so I am interpreting it to mean what I said. [LB613]

SENATOR CHAMBERS: You interpreted... [LB613]

SENATOR KRIST: And so I'll go on record as saying I did read the definition and it is up to your interpretation to apply meaning as you would. [LB613]

SENATOR CHAMBERS: Now let's get back to what you said. You said that the definition you read means to tweak. Did you say that? [LB613]

SENATOR KRIST: Yes, I did. [LB613]

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SENATOR CHAMBERS: Okay. Does a dictionary...what did you say the purpose of a dictionary is? What does it do? [LB613]

SENATOR KRIST: It defines words. [LB613]

SENATOR CHAMBERS: But you said something more than just defining words. You said it tells us something about these words. [LB613]

SENATOR KRIST: Senator, when you use the word "Bibble," you specifically are not using a pronunciation or the definition of the word Bible as you would have it written, you're using it the way you would interpret it. So when I say it means something to me, it means a minor change or a tweak. [LB613]

SENATOR CHAMBERS: Did you say that the dictionary tells us the correct way words are to be used? Did you say something like that? I don't want to put words in your mouth. [LB613]

SENATOR KRIST: No. I said dictionary defines a word. [LB613]

SENATOR CHAMBERS: That's...say it again? [LB613]

SENATOR KRIST: A dictionary defines words and gives us pronunciation. [LB613]

SENATOR CHAMBERS: Okay. So that's what you're going to leave...you're going to restrict it to defining words and I would agree with that. But the dictionary does not tell the proper or correct usage of words. Dictionaries tell how words are used. They do define words, but the definition doesn't tell you what is right or anything like that. It might tell you what is popular. It will give you the etymology where a word derived from, the language. And if you've got that Oxford Dictionary it even will try to tell you the first time it was used in literature. But by reading the dictionary, as somebody said, there are many facts but not one idea. Many facts, but not one idea. And I'll add to that, not one thought. Modify is the appropriate word. Senator Krist is very naive if he thinks there's going to be a radical restructuring of the tax system on a continuing basis. He, in my opinion, neglected to see the context in which what I'm doing occurs. This section starts by saying: The Legislature finds that the economy is continually changing, requiring the need to continually review and modify. If you're talking about continuing changes, it's not continuous because that means uninterrupted, without break. [LB613]

SENATOR GLOOR: One minute. [LB613]

SENATOR CHAMBERS: Continually, intermittently. You're not going to make radical departures. You're going to modify. There's no need to make a radical departure when

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you're doing something on a continuing basis. These words and the changes that I'm offering are offered in the context of what these findings are to present. And we're not just doing like somebody who's at a newspaper or on a television talk show where they say this is the latest update and tell you something that happened maybe out on the street in front of the radio station. We're talking about an ongoing process. And as serious and complex as it is, there will be modifications but no radical departures from what is just before you found it necessary to bring about a modification. Thank you, Mr. President. [LB613]

SENATOR GLOOR: Thank you, Senator Chambers. Senator Bloomfield, you are recognized. [LB613]

SENATOR BLOOMFIELD: Thank you, Mr. President. Good morning, colleagues. I again am in support of AM467 to LB613 and will be voting that way. But as we discussed taxes a little bit, we have talked primarily about sales tax, property tax, income tax. Consider a trucking company, if you would, and the amount of fuel tax they pay. I think this also needs to be looked into. I think Senator Chambers would probably agree and I hesitate to put words into that silver-tongued mouth. But that perhaps that tax isn't as fair as it could be either because no matter what your income is, if you buy gasoline you pay the same amount of tax. But I think this needs to be included in this study because it is a pretty good sized piece of money. We, I think, wisely moved a quarter of a cent of sales tax over to help take care of our roads. Hopefully we'll see the fruit of that coming up directly. But I do think that needs to be included in this tax study and I would encourage the people that do the study to look into it. Thank you. [LB613]

SENATOR GLOOR: Thank you, Senator Bloomfield. The Chair recognizes Senator Conrad. [LB613]

SENATOR CONRAD: Thank you, Mr. President. Good morning, colleagues. I stand here today with about 45 minutes left before us in the morning session and just to reiterate a point that I've made through the course of debate on LB613 starting last Friday. And so as we prepare to conclude almost three days of debate on this important measure, the original question I have posed to members of the Revenue Committee still stands. Senator Schumacher has offered some of his ideas into the record as to how other pieces of legislation that have been advanced by the Revenue Committee square with the measure currently before us, LB613. Senator Hadley has also offered some of his ideas in that regard. But I would contend that really those explanations have related to the merits of individual bills that have been advanced in concert with this bill which has been advanced. And the question remains, and it's not a trick question, it's something that I am earnestly waiting for an honest policy response in regards to, is why should we advance LB613 which seeks to take into account a comprehensive study of our revenue infrastructure and tax system while the committee is also continuing to advance considerable changes to our tax code through a variety of

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different bills that have not only been advanced by the committee but prioritized by members of this body? It's a legitimate policy question that I'm hoping that we can have some additional debate about because that remains to be seen. I think it would be helpful to all of us in deciding how to cast our vote for LB613 to know a little bit more about their thinking and the process because I firmly believe that a piecemeal approach to our revenue infrastructure and our tax system does not serve the state well in regards to the current and existing structural imbalance that exists between our revenues and our critical state obligations like education, like healthcare, like public service, like economic development. So I have great hope that a serious and comprehensive study as contemplated in LB613 could help to rebalance that inequity that currently exists. But I will not be supporting LB613 if it's not going to be a serious and comprehensive examination of our tax structure. And I don't think it will be a serious and comprehensive examination of our tax structure if we're also continuing to see advanced tax cut after tax cut after tax cut after tax cut. At some point that just doesn't square up from a policy perspective. And I find it curious that members of the Revenue Committee are not willing to engage in this debate. I think that speaks volumes to the politics that are at play and I think that that is disappointing and ultimately unhelpful to the process. So I just wanted to reiterate those concerns, repose the question here on day three of this debate, and hope that members who I know are currently in an Executive Session (laugh) working to kick out even more tax cut bills, from my understanding, will take seriously these questions because they are posed in a serious and sincere manner. And I am awaiting a response and I know many members who I visited with off the mike share those same concerns. So I thank Senator Chambers for his work in improving this legislation and I hope that more members will contribute to the debate moving forward. Thank you, Mr. President. [LB613]

SENATOR GLOOR: And thank you, Senator Conrad. Senator Carlson, you are recognized. [LB613]

SENATOR CARLSON: Thank you, Mr. President and members of the Legislature. I stand to oppose FA32 to AM467 where the change would be taking the word "update" out and inserting "modify." But I would like to address Senator Krist if he would yield. [LB613]

SENATOR GLOOR: Senator Krist, would you yield? [LB613]

SENATOR KRIST: Yes. [LB613]

SENATOR CARLSON: Senator Krist, you used the word tweak, and I just want to make clear which definition you were referring to when you said tweak because the first definition that I see in the dictionary, tweak is to seize and pull sharply; pull at with a jerk; or to pull a person by the nose. And the fifth definition says that tweak is to make fine adjustments to. Which one were you intending to use with the word tweak? [LB613]

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SENATOR KRIST: To answer your question specifically it was the latter, which would be to make a fine adjustment. And my point was that we needed to probably do more than that to the entire tax system. But I'd offer you that there's one other definition that's actually in that list, and that would be a number three on my list which is, to annoy or bother. So I certainly didn't mean that one either. [LB613]

SENATOR CARLSON: Thank you, Senator Krist. I agree. I don't think you're one who wants to annoy or bother and I was pretty certain that you meant the fine adjustment too. But I think that the word update as you referred to it is a little better fitting than Senator Chambers' modify. And, again, as a reminder, and we're talking about tax policy, certainly we want tax policy to be, I believe, equitable. And Senator Chambers has a little perhaps difference of opinion on what equitable means. But probably getting into the area of being fair, definitely tax policy needs to be competitive so we are competitive as a state. It does need to be simple so that all of us can understand the tax policy. And there's a degree of truth that it needs to be stable, a source of tax revenue should be stable so that it's predictable and we don't have big swings in what we receive from one year to the next. And then it needs to be adequate. And, of course, adequate is going to be determined by what our spending habits are and we probably need to adjust the spending habits so that we make sure that the revenue we receive is adequate. And with that, again I'm opposed to FA32. Thank you, Mr. President. [LB613]

SENATOR GLOOR: Thank you, Senator Carlson. There are no senators remaining in the queue. Senator Chambers, you're recognized to close on your FA32. [LB613]

SENATOR CHAMBERS: Thank you. Mr. President, members of the Legislature, I'm looking at this language from the standpoint of drafting legislation. I'm not interested in something like flash or late-breaking news. That's not what we're talking about. I don't think Senator Krist or Senator Carlson has looked at this amendment as a totality. They are the ones not looking at the context. There is not envisioned in this statement that I'm amending any sudden, radical, or drastic alterations. The context which both of them I believe have ignored: The Legislature finds that the economy is continually changing, requiring the need to continually review. And we do, after that review, modify if necessary. It doesn't mean that after every review there will be a modification or, as they want to put it, an update. There can be inequities discovered. I wish my colleagues would think in a nuance way. And sometimes, even though you don't like what's happening with the tax system, you have no practical way to change that system. Sometimes all you can do is call attention to the problem. You're not always going to be able to come up with a change that it is appropriate and expedient to be made at that instant. If they were trained in the law, they would understand the expression that not every wrong has a remedy in law. There can be an acknowledgement that this that we're talking about is inappropriate, but there's nothing the law, because of the way it operates and is structured, can do anything about it. Nothing the law can do about it.

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When you find certain things that you don't like in the tax code, there's not always something at that juncture which can be done to alter that. My colleagues seem to either have forgotten such things or never gave consideration to them. I'm taking very seriously everything that's in this bill. And now that I see how poorly some of my colleagues are listening, it's not going to stop me from proceeding in the step-by-step what I deem to be a reasonable manner in which I'm proceeding. And I will tell them something about our process here. If this amendment that's being offered, Senator Carlson and Senator Krist, by the board, the Executive Board, is adopted, it becomes the law. That becomes the bill before us, and I can start all over again because I'm not amending an amendment or attempting to amend an amendment. I will be amending the statute that's being proposed. And I can start all over again and I don't have to move to reconsider. That's the way things work here. That's the way the rules work. That's the way a legislative process works. [LB613]

SENATOR GLOOR: One minute. [LB613]

SENATOR CHAMBERS: And that's why I'm going to be very careful with the language. And if my two colleagues who came back into the Chamber can prevail on you to reject this amendment, that doesn't mean it's the last time you've heard it because I'm going to push for what I think this language ought to say. And as I stated, I filed an amendment this morning that I know they will be opposed to because it changes a lot of words. They count apparently the number of words that will be changed and the number is too great to swallow. That's why I'm going one word at the time, one bite from the apple at the time when in some instances we could enlarge our throat like that of a hippopotamus and swallow the entire apple. But since it has to be done step by step, I'm patient, persistent, and that's the way I will proceed. I'll ask for a call of the house, Mr. President, and I'll take a machine vote. [LB613]

SENATOR GLOOR: There has 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, Mr. Clerk. [LB613]

ASSISTANT CLERK: 28 ayes, 0 nays to place the house under call, Mr. President. [LB613]

SENATOR GLOOR: The house is under call. Senators, please record your presence. Those unexcused senators outside the Chamber please return to the Chamber and record your presence. All unauthorized personnel please leave the floor. The house is under call. Senator Nordquist, Senator Lathrop, Senator Hadley, please return to the Chamber. Members, the question is, shall the amendment to the committee amendment to LB613 be adopted? Those in favor vote aye; those opposed vote nay. Have all voted who care to? Record, Mr. Clerk. There has been a request for a roll call vote, regular order. Mr. Clerk, roll call vote, regular order. [LB613]

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ASSISTANT CLERK: (Roll call vote taken, Legislative Journal page 773.) Vote is 20 ayes, 19 nays, Mr. President, on the adoption of the amendment. [LB613]

SENATOR GLOOR: The amendment fails. Raise the call. Mr. Clerk. [LB613]

ASSISTANT CLERK: Mr. President, next amendment is FA33 offered by Senator Chambers. (Legislative Journal page 745.) [LB613]

SENATOR GLOOR: Senator Chambers, you're recognized to open on your amendment to the committee amendment. [LB613]

SENATOR CHAMBERS: Thank you. Mr. President and members of the Legislature, this is page...on page 1 still in line 14. I would strike the two words, three words, "be composed of" and substitute the word "comprise." Comprise is a word that means includes. The phrase to "be composed of" would suggest the construction or putting together of an object of some kind in my view. The word comprise relates often to a collection of people who will make up the membership of whatever it is you're talking about. Now if you want to use the phraseology to be composed of, you would be getting across the same idea. Just like as I said the other day, if you want to use ain't for are not or isn't, it conveys the same notion. But the word itself may not be as appropriate. So I think comprise is more appropriate when we're determining or describing the membership which consists of people who will make up this committee. Now to go back into what all this is about. I think what Senator Conrad pointed out is correct. There are things that ought to be discussed now. If they cannot be discussed or will not be discussed on a bill such as this, then the Legislature apparently is not going to discuss those important issues at all. I think on that last vote we can see the breakdown of the membership of the Legislature. And I did want a record vote which will occur when you ask for a roll call vote. This that we're dealing with to a great extent boils down to a battle or a struggle between the way I think a majority of those in the Legislature would like to see this issue of taxes handled and those who are on the Governor's side. And there are sides in the Legislature, and it's not difficult to point out those who are on the Governor's side. But there might be enough votes to pass this bill. The passage of the bill does not ensure anything happening that ought to in the minds of various members. And maybe if you had polled us on an individual basis and we gave it some thought before we answered, you might not get a majority going anywhere. A plurality, meaning more for one thing than another, but not any item getting a clear majority of those who would be consulted. I am going to continue proceeding in the way that I think I should to bring this bill languagewise into a form and a shape that it should be in. A work product that indicates that we understand the meaning of words and not a word that is popular or faddish today but one that comports with careful lawmaking. That's hard work to do but I will do it. And I'm going to continue doing it because I view myself not as a woodcarver because wood is soft, but as a sculptor working with marble. Marble is hard.

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But you can take a block of marble or a formless large piece of marble, and if you're a sculptor like Michelangelo, you see an image in that block of marble waiting to be released, to be liberated. And using that chisel, the hammer, the eye of the artist, the touch of the artist, you will convert that very hard substance into an image which may be clothed in a robe, in a gown, in a loin cloth. And you are so skillful and so nuanced in the way you handle that marble that the cloth appears more realistic and has more the character of cloth than cloth itself. That's what an artist like Michelangelo could do. Now I'm not going to be able to produce anything as artistic as that because I don't have the quality of raw material that Michelangelo had. But I do have the patience and I will continue to work. And if my colleagues out of spite for me are going to produce something that might be on the level of a fourth grader, then they can do it. But they're going to do it a vote at the time. This amendment comprises, consists of one word, but I think it's a shocker to my colleagues because that narrow-minded view is coming into play. But that's what I have to deal with. If I sit down at a card game, the only cards I can play are the ones that I'm dealt. So I have to deal with what I've got on the floor of this Legislature. And, frankly, some of the people surprised me with that last vote because they know update is not an appropriate word for legislation. We're not talking about a legislative resolution. We're talking about something that goes into the statutes. And your pique, p-i-q-u-e, your feeling of annoyance ought not affect what should go into the statutes. As upset as I am about the way the Revenue Committee has treated me unfairly, I can lay that aside because this is legislation that is likely to pass. So what I could do is sabotage it by putting some simpleminded words in it and they would be accepted. Listen to this that's going to go into the statute, "The tax system should treat people equitably," no place does it have in a statute dealing with taxes. You can include the word equitably, but the structure of the sentence in which you use it makes a difference. Not only do words make a difference but how they're used and when they are used will be important. As Senator Carlson's book says, "A word spoken in due season, how good is it!" We would say how good it is. But the "Bible" has its way of saying things. This amendment I'm offering and I'm going to speak all of my times on it, but other things should be touched on. And when this amendment that the Exec Board offered is ultimately adopted, will there be a discussion that ought to occur? [LB613]

SENATOR GLOOR: One minute. [LB613]

SENATOR CHAMBERS: Probably not because the important thing is to get something passed to show the Governor. Well, we can show him, but let's also show something about the Legislature. You talk about how the Governor puts you in a position to be laughed at. You put yourself in a position to be laughed at because you become petty and you become silly in things that you do. Yeah, I label them and I mean every word that I say. And you know why I'm doing it? Because I want you to reject the rewrite that I'm going to offer next. I want you to reject it because you'll be throwing out the baby with the bathwater. You'd be cutting off your nose to spite your face. And because I can get you to vote against your own interests, I own you--lock, stock, and barrel. [LB613]

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SENATOR GLOOR: Time, Senator. [LB613]

SENATOR CHAMBERS: Thank you, Mr. President. [LB613]

SENATOR GLOOR: Thank you, Senator Chambers. (Visitors introduced.) Continuing with debate, Senator Krist, you are recognized. [LB613]

SENATOR KRIST: Thank you, Mr. President. Good morning, colleagues. You have to argue with my wife about who owns me, Senator Chambers. But I have a substantive question for you and I'll ask it and then you can answer it if you wish. Your change says that on page 1, line 14 you would strike "be composed of" and insert "comprise." The committee shall comprise the following individuals. Is your intent then to say that the committee is not made up of but that the committee is comprised of these people? And by definition, how substantive is that change? [LB613]

SENATOR GLOOR: Senator Chambers, would you yield? [LB613]

SENATOR CHAMBERS: Not is comprised of, the committee comprises. Comprises would stand alone. It means if we're going to talk about that, includes or consists of, is made up of. There are ways, as I stated, that this idea can be expressed. But when we're talking about the membership of this body that this law will create, I believe the appropriate word is comprises. The committee comprises these members. [LB613]

SENATOR KRIST: Okay. So the use of the word which is very important, you say insert the word comprise. So as I read it, the committee shall comprise... [LB613]

SENATOR CHAMBERS: Yes. [LB613]

SENATOR KRIST: ...the following individuals. [LB613]

SENATOR CHAMBERS: Yes. [LB613]

SENATOR KRIST: As opposed to the committee would be comprised of or is comprised of or comprises. And you used that word just a few seconds ago, so is the amendment exactly the way you want it? Or is it comprised of or shall be comprised of? [LB613]

SENATOR CHAMBERS: Of does not accompany comprise. Comprise is a word that does the job by itself. [LB613]

SENATOR KRIST: So the wording then becomes the committee shall comprise of the following individuals. [LB613]

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SENATOR CHAMBERS: No. I would strike the three words "be composed of" and substitute the single word "comprise." [LB613]

SENATOR KRIST: So could you read that for me the way you want it to read then? [LB613]

SENATOR CHAMBERS: Yes. On page 1, line 14, "The committee shall comprise the following individuals." People often confuse composed of, consist of, with the word comprise. Comprise stands by itself. It's not comprised of. It would mean includes. If you want a single word to substitute for comprise, that word would be include. [LB613]

SENATOR KRIST: Well, then why don't we just use the word include? [LB613]

SENATOR CHAMBERS: I stated that there are different ways to say it but I'm selecting the word that I think is most appropriate. [LB613]

SENATOR KRIST: So semantically it could be comprise or include? [LB613]

SENATOR CHAMBERS: I stated that there are many ways or several ways you can say it certainly. But when we're law making, I want to select the word that is more suitable and appropriate for law making. And comprise is a word that's more suitable. [LB613]

SENATOR KRIST: In your opinion. [LB613]

SENATOR CHAMBERS: Everything I say is in my opinion. [LB613]

SENATOR KRIST: Obviously. [LB613]

SENATOR GLOOR: One minute. [LB613]

SENATOR KRIST: Thank you. [LB613]

SENATOR CHAMBERS: You're welcome. [LB613]

SENATOR GLOOR: Thank you, Senator Krist and Senator Chambers. (Visitors introduced.) Returning to floor debate, Senator Chambers, you are recognized. [LB613]

SENATOR CHAMBERS: Mr. President, members of the Legislature, we're becoming a bit cranky and snippish this morning, but I think that is totally appropriate and it's even good because it indicates that we are being the kind of debating society that we should be. We're going to take seriously the work that we are doing. I will be the first one to acknowledge there will always be more than one way to say almost anything. However, to give an example of when that's not the case. There's only one way to make a straight

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line, only one way to form a straight line. But if you use the word curve, it could be a circle, it could be a serpentine form, anything that has a curve in it. Could it mean a circle? You could say a closed curve. So curve allows more than one object or item to be embraced. Straight line is two words and there's only one way to make a straight line. If it's a thousand miles long but there's a slight deviation, it's not straight. So if we were talking about a straight line, there would only be one way to say it and that's straight line. We're talking about something which allows of more than one way to say it. I don't know how many words I could offer that would convey the same meaning as the three words to "be composed of." There are so many things that I hear people say that annoy me about language. They will say enamored with. It's not enamored with; it's enamored of. Enamored could be substituted for by the word fond. You are fond of, you are not fond with. But because the illiteracy, enamored with is what people always say. They say I'm enamored with this. That's incorrect. The word apropos is also followed by the word of. Apropos of such-and-such. I read in the newspaper and I hear the people on television state the illiteracy, a fire was contained to such-and-such a room. What they mean is confined to a room. You may say we're trying to contain the fire and all you use is the word contain. You don't contain it to a room. You can say it's contained in the room but you don't contain it to the room. So next time you hear these people on television or read where a reporter is talking about a fire, they will say the fire was contained to. Well, why do you teach children grammar? Why do you teach them the so-called rules of English? One of the problems with the English spoken by people in this country is so imprecise. It contains so many... [LB613]

SENATOR GLOOR: One minute. [LB613]

SENATOR CHAMBERS: ...illiteracies that it's a language that's extremely difficult to learn because the rules according to which that language is to be constructed are violated by everybody and there is nobody or there rarely is anybody you can find who respects the language enough to use the words the way they should be used. And since people think their thinking is facilitated by words and with words, when they use language in a sloppy way, they think in a sloppy way. They think imprecisely. The more words you learn, the more precise and exact can become your thinking and the more precisely you can express what you have in mind. And you communicate when you convey from your mind what you want to somebody else's mind. And if you don't convey it, you're not communicating. [LB613]

SENATOR GLOOR: Time, Senator. [LB613]

SENATOR CHAMBERS: Thank you, Mr. President. [LB613]

SENATOR GLOOR: Thank you, Senator Chambers. There are no senators remaining in the queue. Senator Chambers, you're recognized to close on your floor amendment. [LB613]

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SENATOR CHAMBERS: Thank you. Members of the Legislature, I didn't hear anybody speak against this amendment. But I assure you if you don't want to adopt it, there's nothing wrong with you. You just decided that the language that currently is being offered in this amendment that the Executive Board presented to us is all right. And there is, in this instance, no right or wrong. From my standpoint, there is a preferable. And preferable in this case would be "comprise." We are writing statutory language. We are not drafting an ordinary resolution. This language will go into the statute books. And I'm trying to provide the language that I think is suitable. Believe it or not, I actually read the statutes and not just those that involve a point of law that I'm looking up. I read to see how people at the time that the particular statute was written thought about language. And there are some bunglesomely written statutes currently in the books. It's why from time to time I will take existing language that is a part of a proposition put before us and try to change the existing language in the statute because it's not up to the standard that I think it ought to meet. There was once a sculptor--and I'm sure this is just an anecdote but I can't be sure--who was going to sculpt an image that would be placed in an alcove. And the platform on which it stood would be permanently affixed to the bottom of the alcove so that image would never be moved. And somebody watched this sculptor putting as much detail into the back of the image as the front. And when asked why this was done, the artist said that for an artist, the gods view all sides of the piece of art. So it's not just for the eyes that will behold because many eyes behold things but don't see them. And the eye which beholds everything else cannot see itself. So there are a lot of things in this world that motivate people to do what they do. There are thoughts that ought to be presented to people to stir their minds so they think beneath and below the surface of what they observe every day and take no note of. There are little bugs that skate on the surface of the water. They are so light or built in such a way that the surface tension of the water is not broken by them, so they skate on the water. There are other creatures if they touch the water they immediately go before the surface. Some people think like the water bug--only on the surface, not realizing that there's something beneath it. A water bug may be perfectly happy. But a water bug knows only how to skate on the surface... [LB613]

SENATOR GLOOR: One minute. [LB613]

SENATOR CHAMBERS: ...and does not contemplate that there might be a beneath the surface. But as human beings, we can think of those things and we ought to. And what I'm suggesting by these amendments is that we ought to look beyond today to what's going to be the case long after we are gone. Will somebody come along next year and say the committee has done its work and repeal all this language? Maybe so. But there are statutes that remain on the books which have been ruled unconstitutional so they have no force or effect but they're still there. Mr. President, I'm going to ask for a call of the house and I will take a machine vote. [LB613]

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SENATOR GLOOR: Thank you, Senator Chambers. There has been a request to place the house under call. The question is, shall the house go under call? All those in favor vote aye; those opposed vote nay. Record, Mr. Clerk. [LB613]

ASSISTANT CLERK: 24 ayes, 1 nay to go under call, Mr. President. [LB613]

SENATOR GLOOR: The house is under call. Senators, please record your presence. Those unexcused senators outside the Chamber, please return to the Chamber and record your presence. All unauthorized personnel please leave the floor. The house is under call. The question is, shall the amendment to the committee amendment to LB613 be adopted? All those in favor vote aye; those opposed vote nay. Have you all voted? Record, Mr. Clerk. [LB613]

ASSISTANT CLERK: 35 ayes, 5 nays on the adoption of the amendment, Mr. President. [LB613]

SENATOR GLOOR: The amendment is adopted. Mr. Clerk for some announcements. Raise the call. [LB613]

ASSISTANT CLERK: Mr. President, first of all, Judiciary will hold an Executive Session in Room 1113 upon adjournment. Your Committee on Health and Human Services reports LB443 and LB528 to General File. Amendments to be printed to LB293 from Senator Kintner and Senator Chambers to LB613. New resolution, LR111 by Senator McGill would propose an interim study. Name adds to LB216 by Senator Conrad, LB236, Senator Conrad, LB330, LB385, LB507, and LB552, all by Senator Conrad. (Senator Mello, LB507, Legislative Journal pages 774-778.) [LB443 LB528 LB293 LB613 LR111 LB216 LB236 LB330 LB385 LB507 LB552]

Finally, Mr. President, a priority motion. Senator Kintner would move to adjourn until Wednesday, March 20, 2013, at 9:00 a.m.

SENATOR GLOOR: Members, you have heard the motion to adjourn until 9:00 a.m. tomorrow. Those in favor say aye. Those opposed, nay. We stand adjourned.