

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

Floor Debate
February 11, 2015

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LR53]

PRESIDENT FOLEY PRESIDING

PRESIDENT FOLEY: GOOD MORNING, LADIES AND GENTLEMEN. WELCOME TO THE GEORGE W. NORRIS LEGISLATIVE CHAMBER FOR THE TWENTY-FIFTH DAY OF THE ONE HUNDRED FOURTH LEGISLATURE, FIRST SESSION. OUR CHAPLAIN FOR TODAY IS PASTOR DREW RIETJENS OF THE TWIN VALLEY CHURCH IN BELLEVUE, NEBRASKA, SENATOR CRAWFORD'S DISTRICT. PLEASE RISE.

PASTOR RIETJENS: (PRAYER OFFERED.)

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

ASSISTANT CLERK: THERE IS A QUORUM PRESENT THIS MORNING, MR. PRESIDENT.

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

ASSISTANT CLERK: I HAVE NO CORRECTIONS THIS MORNING.

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

ASSISTANT CLERK: THERE ARE, MR. PRESIDENT. YOUR COMMITTEE ON URBAN AFFAIRS REPORTS LB304 TO GENERAL FILE WITH AMENDMENTS. I HAVE A CANCELLATION OF COMMITTEE HEARING FROM REVENUE AS WELL AS A NOTICE OF HEARING FROM REVENUE. I HAVE AN APPOINTMENT LETTER FROM THE GOVERNOR REGARDING APPOINTEES TO THE NEBRASKA EDUCATIONAL TELECOMMUNICATIONS COMMISSION. THAT'S ALL I HAVE AT THIS TIME. (LEGISLATIVE JOURNAL PAGES 457-462.) [LB304]

PRESIDENT FOLEY: THANK YOU, MR. CLERK. SENATORS, THE MACAROONS ON YOUR DESK THIS MORNING ARE FROM LE QUARTIER BAKERY IN LINCOLN IN CELEBRATION OF THE BIRTHDAY OF YOUR CHAIRMAN OF YOUR ENROLLMENT

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AND REVIEW COMMITTEE. SENATOR MATT HANSEN, HAPPY BIRTHDAY. WE'LL NOW PROCEED TO THE FIRST ITEM ON THE AGENDA. MR. CLERK.

ASSISTANT CLERK: MR. PRESIDENT, SENATOR BLOOMFIELD WOULD MOVE TO WITHDRAW LB604. [LB604]

PRESIDENT FOLEY: SENATOR BLOOMFIELD, YOU'RE WELCOME TO OPEN ON YOUR MOTION. [LB604]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. GOOD MORNING, COLLEAGUES. THIS SUMMER AT MY REQUEST, THE GOVERNMENT, MILITARY AND AFFAIRS COMMITTEE DID AN INTERIM STUDY, LR527 ON THE TIMELINESS OF EMERGENCY DISASTER PAYMENTS MADE BY NEBRASKA EMERGENCY MANAGEMENT AGENCY, NEMA. THROUGH THE COURSE OF THE STUDY, IT CAME OUT THAT NEMA WAS WITHHOLDING THEIR SHARE OF PAYMENTS UNTIL ALL THE PROJECTS IN THAT SPECIFIC DISASTER DECLARATION WERE COMPLETED. IN SOME CASES, THIS MEANT THAT COMMUNITIES WERE WAITING YEARS FOR PAYMENTS ON COMPLETED PROJECTS. I INTRODUCED LB604 TO ADDRESS THIS ISSUE. WE LET BRYAN TUMA, NEMA DISASTER...OR NEMA ASSISTANT DIRECTOR, KNOW THAT WE WERE PURSUING THIS AND FOUND OUT THAT THEY THOUGHT THEY COULD MAKE THIS CHANGE WITH AN INTERNAL POLICY CORRECTION. I AGREED THAT I WOULD HOLD OFF ON INTRODUCING THE BILL AND WOULD REQUEST THAT IT NOT BE SCHEDULED FOR A HEARING TO GIVE FOLKS AT NEMA SOME TIME TO MAKE THE NEEDED POLICY CHANGES. IF THEY WERE ABLE TO MAKE THE NECESSARY CHANGES, I WOULD WITHDRAW THE BILL. AT THE CONFIRMATION HEARING FOR MAJOR GENERAL BOHAC ON JANUARY 30, HE MENTIONED THE CHANGE IN REGARDS TO WHEN THEY WERE MAKING PAYMENTS. I QUESTIONED HIM ABOUT THE NEW POLICY AND FEEL VERY CONFIDENT THAT THEY HAVE MADE THE CHANGES THAT I WAS SEEKING TO MAKE WITHIN LB604. SEEING THAT THE CHANGES HAVE ALREADY BEEN MADE OR ARE IN THE PROCESS OF BEING MADE, I WOULD ASK THAT YOU SUPPORT MY MOTION TO WITHDRAW LB604. THANK YOU. [LB604]

PRESIDENT FOLEY: THANK YOU, SENATOR BLOOMFIELD. (DOCTOR OF THE DAY INTRODUCED.) DEBATE IS NOW OPEN ON THE MOTION TO WITHDRAW. SENATOR CHAMBERS. [LB604]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, AS USUAL I WILL SUPPORT THE MOTION TO WITHDRAW. I THINK THAT SENATOR BLOOMFIELD GAVE A VERY GOOD RATIONALE FOR IT AND BECAUSE I THINK ABOUT SENATOR BLOOMFIELD ON A NUMBER OF OCCASIONS EVEN WHEN WE'RE NOT HERE, ESPECIALLY IF I HEAR SOMEBODY

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MENTION JOHNNY CASH OR IF I HEAR JOHNNY CASH OR IF I HEAR A SONG THAT MAKES ME THINK OF JOHNNY CASH, BUT THEN I GOT TO THINKING ABOUT HIS NAME. SENATOR BLOOMFIELD IS A BETTER GUY THAN YOU MIGHT THINK HE IS IF YOU DON'T REALLY GET TO KNOW HIM. SO ANOTHER TERM FOR BLOOM WOULD BE FLOWER. A NICER TERM FOR FIELD IS GARDEN. SO I MIGHT START CALLING YOU SENATOR "FLOWER GARDEN" AND YOU'LL KNOW WHAT THAT IS. THAT WHICH IS SWEET, THE FLOWER, AND THAT WHICH IS NUTRITIOUS THAT GROWS OUT OF THE GARDEN. SO HE HAS A VERY GOOD DISPOSITION IF HE LETS IT SHOW THROUGH, AND WHAT HE HAS TO SAY MAKES SENSE WHEN HE'S AGREEING WITH ME. BUT ANYWAY I DON'T LIKE TO LEAVE HANGING THREADS. AND THE OTHER DAY, I QUOTED A LINE OR TWO FROM A SONG CALLED "LAND DOWN UNDER" BY THE MEN AT WORK. AND THERE ARE WORDS IN THAT SONG THAT NOBODY UNDERSTANDS. SO CINDY, WHO WORKS IN MY OFFICE, IS ALWAYS TRYING TO GET ME TO MAKE USE OF A GADGET. SO SHE GOT THESE WORDS TO SHOW ME WHAT I COULD DO ON MY OWN. BUT ANYWAY, THESE ARE THE WORDS. "TRAVELING IN A FRIED-OUT COMBIE ON A HIPPIE TRAIL HEAD FULL OF ZOMBIE. I MET A STRANGE LADY, SHE MADE ME NERVOUS. SHE TOOK ME IN AND GAVE ME BREAKFAST. AND SHE SAID, DO YOU COME FROM THE LAND DOWN UNDER? WHERE WOMEN GLOW AND MEN PLUNDER? CAN'T YOU HEAR, CAN'T YOU HEAR THE THUNDER? YOU BETTER RUN, YOU BETTER TAKE COVER. BUYING BREAD FROM A MAN IN BRUSSELS, HE WAS SIX FOOT FOUR AND FULL OF MUSCLES. I SAID DO YOU SPEAK MY LANGUAGE? HE JUST SMILED AND GAVE ME A VEGEMITE SANDWICH." I THOUGHT THEY WERE SAYING TOOK A BITE OF MY SANDWICH AND IT MADE NO SENSE. BUT FOR THE...I KNOW THAT THOSE WHO TRANSCRIBE CAN USE THE GADGET BUT THAT WORD IS FOUND...IS SPELLED V-E-G-E-M-I-T-E. SO NOW YOU KNOW IT'S VEGEMITE SANDWICH. "I COME FROM A LAND DOWN UNDER. WHERE BEER DOES FLOW AND MEN CHUNDER. CAN'T YOU HEAR, CAN'T YOU HEAR THE THUNDER? YOU BETTER RUN, YOU BETTER TAKE COVER. LYING IN A DEN IN BOMBAY, WITH A SLACK JAW AND NOT MUCH TO SAY. I SAID TO THE MAN ARE YOU TRYING TO TEMPT ME? BECAUSE I COME FROM THE LAND OF PLENTY. AND HE SAID, DO YOU COME FROM A LAND DOWN UNDER, OH, YEAH, YEAH." THAT'S IN THE SONG. "WHERE WOMEN GLOW AND MEN PLUNDER. CAN'T YOU HEAR, CAN'T YOU HEAR THE THUNDER? YOU BETTER RUN, YOU BETTER TAKE COVER." AND THEN YOU REPEAT THAT FOUR TIMES. MEMBERS OF THE LEGISLATURE, THERE ARE OCCASIONS THAT WILL ARISE ON THE FLOOR WHERE IF A BILL IS TO BE WITHDRAWN, THERE MIGHT REALLY BE SOMETHING STATED ABOUT THE BILL AND WHAT IT ENTAILED. BUT I WOULD LIKE ON THE TIME THAT I HAVE, AND I GOT MY LIGHT ON, TO ASK SENATOR BLOOMFIELD A QUESTION THAT I AM SERIOUS ABOUT. [LB604]

PRESIDENT FOLEY: SENATOR BLOOMFIELD, WOULD YOU YIELD? [LB604]

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SENATOR BLOOMFIELD: YES, I WOULD. [LB604]

SENATOR CHAMBERS: SENATOR BLOOMFIELD, DID YOU SAY THAT WHAT YOUR BILL WOULD HAVE DONE IS BEING DONE SOMEWHERE ELSE ALREADY? [LB604]

SENATOR BLOOMFIELD: YES, I DID, SENATOR CHAMBERS. THEY HAVE MADE AND ARE IN THE PROCESS OF MAKING CHANGES WITHIN NEMA RULES THAT WILL ALLOW THEM TO DO WHAT I ATTEMPTED TO DO IN THIS BILL. SO THE IDEA OF THE BILL WILL BE MET WITHOUT IT EVER COMING TO THE FLOOR. [LB604]

SENATOR CHAMBERS: THANK YOU. I'M CLEAR ON THAT. THANK YOU, MR. PRESIDENT. [LB604]

PRESIDENT FOLEY: THANK YOU, SENATOR CHAMBERS AND SENATOR BLOOMFIELD. AND, SENATOR CHAMBERS, YOUR LIGHT IS NEXT. SENATOR CHAMBERS WAIVES THE OPPORTUNITY. SEEING NO OTHER SENATORS WISHING TO SPEAK, SENATOR BLOOMFIELD, YOU'RE RECOGNIZED TO CLOSE ON YOUR MOTION TO WITHDRAW LB604. [LB604]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. SENATOR CHAMBERS... [LB604]

PRESIDENT FOLEY: SENATOR CHAMBERS, WOULD YOU YIELD? [LB604]

SENATOR BLOOMFIELD: NO, THIS WASN'T A YIELD, JUST A STATEMENT. WITH MY NAME I HAVE BEEN CALLED BLOSSOM, PATCHES, AND NUMEROUS OTHER NAMES. (LAUGHTER) I WOULD WELCOME WHATEVER YOU WISH TO CALL ME AS LONG AS YOU DON'T CALL ME LATE TO DINNER. AND THANK YOU. AND, MR. PRESIDENT AND COLLEAGUES, AS WE HAVE MENTIONED BEFORE, THE IDEA OF LB604, WHICH I WISH TO WITHDRAW, IS ALREADY BEING TAKEN CARE OF BY NEMA. SO, THERE IS NO NEED FOR THIS BILL, SO I ASK YOUR SUPPORT IN WITHDRAWING IT. THANK YOU. [LB604]

PRESIDENT FOLEY: THANK YOU, SENATOR BLOOMFIELD. SENATORS, YOU HEARD THE MOTION TO WITHDRAW LB604. THE QUESTION IS, SHALL LB604 BE WITHDRAWN? ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED? RECORD, PLEASE, MR. CLERK [LB604]

ASSISTANT CLERK: 40 AYES, 0 NAYS ON THE MOTION TO WITHDRAW THE BILL. [LB604]

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PRESIDENT FOLEY: THANK YOU, MR. CLERK. LB604 IS WITHDRAWN. RETURNING NOW TO THE AGENDA, LEGISLATIVE CONFIRMATION REPORT. MR. CLERK. [LB604]

ASSISTANT CLERK: MR. PRESIDENT, THE FIRST REPORT FROM NATURAL RESOURCE COMMITTEE IS FOR JOEL CHRISTENSEN TO THE NEBRASKA NATURAL RESOURCES COMMISSION. (LEGISLATIVE JOURNAL PAGE 431.)

PRESIDENT FOLEY: THANK YOU, MR. CLERK. SENATOR SCHILZ, YOU'RE WELCOME TO OPEN ON THE CONFIRMATION REPORT.

SENATOR SCHILZ: THANK YOU, MR. PRESIDENT, MEMBERS OF THE BODY. GOOD MORNING. JOEL CHRISTENSEN IS FROM OMAHA. HE'S A NEW APPOINTEE TO THE NATURAL RESOURCES COMMISSION. HE REPRESENTS THE METROPOLITAN UTILITIES DISTRICTS AND HE WAS BEFORE THE COMMITTEE ON JANUARY 30, AND HE RECEIVED A UNANIMOUS VOTE FROM THAT COMMITTEE AND HE ALSO SERVED ON THE WATER FUNDING TASK FORCE. HE ATTENDED ALMOST ALL OF THE MEETINGS I BELIEVE AND HE WAS A GOOD REPRESENTATIVE THERE, AND I HAVE FULL REASON TO BELIEVE THAT HE WILL BE A GREAT REPRESENTATIVE ON THE COMMISSION. SO WITH THAT, I WOULD APPRECIATE YOUR SUPPORT. THANK YOU.

PRESIDENT FOLEY: THANK YOU, SENATOR SCHILZ. DEBATE IS NOW OPEN ON THE CONFIRMATION REPORT. SEEING NO SENATORS WISHING TO SPEAK, SENATOR SCHILZ, YOU'RE WELCOME TO CLOSE ON THE CONFIRMATION REPORT. SENATOR SCHILZ WAIVES CLOSING. THE QUESTION IS THE ADOPTION OF THE CONFIRMATION REPORT OF THE NATURAL RESOURCES COMMITTEE. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED? RECORD, PLEASE, MR. CLERK.

CLERK: (RECORD VOTE, LEGISLATIVE JOURNAL PAGES 462-463.) 36 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF THE CONFIRMATION REPORT.

PRESIDENT FOLEY: THANK YOU, MR. CLERK. THE CONFIRMATION REPORT IS ADOPTED. RETURNING TO THE AGENDA, CONFIRMATION REPORT, MR. CLERK.

CLERK: MR. PRESIDENT, JUDICIARY COMMITTEE REPORTS ON THE APPOINTMENT OF RANDALL REHMEIER TO THE BOARD OF PAROLE. (LEGISLATIVE JOURNAL PAGE 452.)

PRESIDENT FOLEY: THANK YOU, MR. CLERK. SENATOR SEILER, YOU'RE WELCOME TO OPEN ON THE CONFIRMATION REPORT.

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SENATOR SEILER: THANK YOU, LIEUTENANT GOVERNOR. COLLEAGUES, ON FEBRUARY 9, THE JUDICIARY COMMITTEE VOTED 8-0 TO APPROVE THE APPOINTMENT OF JUDGE RANDALL REHMEIER TO THE NEBRASKA STATE BOARD OF PAROLE. JUDGE REHMEIER HAS MORE THAN 40 YEARS OF EXPERIENCE IN THE CRIMINAL JUSTICE SYSTEM, WHEN HE SERVED AS FIRST AS A COUNTY ATTORNEY, THEN A COUNTY JUDGE, AND FINALLY A DISTRICT JUDGE. I BELIEVE IN MY PERSONAL OPINION WE HAVE A GREAT OPPORTUNITY TO BRING ON BOARD A REALLY SOLID LAWMAKER AND JUDICIAL BACKGROUND PERSON. IN ADDITION TO THE ACCOMPLISHMENTS ON THE BENCH AND IN THE COURTROOM, JUDGE REHMEIER WAS RECENTLY AWARDED A GEORGE H. TURNER PUBLIC SERVICE AWARD BY THE NEBRASKA STATE BAR ASSOCIATION. I BELIEVE THAT JUDGE REHMEIER TRULY UNDERSTANDS THE WORK AHEAD OF HIM AS A MEMBER OF THE STATE BOARD OF PAROLE. I URGE YOUR SUPPORT AND A VOTE FOR RANDALL REHMEIER FOR APPOINTMENT TO THE NEBRASKA STATE PAROLE.

PRESIDENT FOLEY: THANK YOU, SENATOR SEILER. DEBATE IS NOW OPEN ON THE CONFIRMATION REPORT. SENATOR CHAMBERS.

SENATOR CHAMBERS: MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, AS THE CHAIRMAN OF THE JUDICIARY COMMITTEE POINTED OUT, THERE WAS A UNANIMOUS VOTE OF EIGHT FOR, NONE AGAINST. I VOTED FOR THIS GENTLEMAN. I ASKED HIM THREE QUESTIONS, PARAPHRASED IN THIS FASHION. DO YOU KNOW THE NOMINEE? SO HE SAT THERE AND LOOKED, I SAID WELL...HE SAID I AM THE NOMINEE. I SAID BUT DO YOU KNOW HIM? HE SAID WELL, YES. I SAID WELL HOW LONG HAVE YOU KNOWN HIM? AND HE THOUGHT, HE SAID WELL ALL MY LIFE. I SAID NOW IF YOU WERE TO SUM UP THIS NOMINEE WITH ONE WORD, WHAT WOULD THAT WORD BE? SO HE PUT ON HIS THINKING CAP. HE GOT A VERY SERIOUS LOOK ON HIS FACE. HE THOUGHT AND HE THOUGHT AND HE THOUGHT. AND HE OPENED HIS MOUTH SAYING, FAIR. IN MY MIND, BUT I DIDN'T SPEAK IT, WAS THE WORD BINGO. SO I WILL SAY IT OUT LOUD HERE. JUDGE REHMEIER...I'D LIKE TO ASK THE CHAIRMAN OF THE JUDICIARY COMMITTEE A QUESTION FIRST.

PRESIDENT FOLEY: SENATOR SEILER, WOULD YOU YIELD?

SENATOR SEILER: YES, I WILL.

SENATOR CHAMBERS: SENATOR SEILER, WHEN YOU WERE SPEAKING, YOU SAID A GOOD LAWMAKER BUT I KNOW YOU DIDN'T MEAN...THAT WAS...YOU MISSPOKE WHEN YOU SAID A LAWMAKER, RIGHT?

SENATOR SEILER: I DID.

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SENATOR CHAMBERS: OKAY. DO YOU FEEL THAT THIS MAN, BECAUSE OF HIS JUDICIAL BACKGROUND, AND THE FAMILIARITY HE'D HAVE NOT ONLY WITH THE SYSTEM, BUT WITH THE DIFFERING CIRCUMSTANCES THAT MIGHT AFFECT INDIVIDUAL CASES THAT WOULD LEAD HIM IN CASES THAT MIGHT SEEM THE SAME TO PEOPLE ON THE OUTSIDE BUT BASED ON HIS JUDICIAL TEMPERAMENT, HIS CONSIDERING THE CIRCUMSTANCES OF THE PARTICULAR OFFENSE, THE CIRCUMSTANCES OF THE PARTICULAR DEFENDANT, AND MAY IN CASES THAT TO OUTSIDERS WHO VIEW IT SHALLOWLY, THINK THAT THEY'RE THE SAME, BUT NEVERTHELESS HE WOULD HAND DOWN DIFFERING SENTENCES BASED ON ALL THOSE CONSIDERATIONS?

SENATOR SEILER: I BELIEVE HE WILL BE LIKE YOU SAID, FAIR. I HAVE NEVER HAD THE OPPORTUNITY TO BE BEFORE THIS JUDGE BUT I WILL TELL YOU I WAS REALLY IMPRESSED WITH HIS APPEARANCE BEFORE US AS COMMITTING TO A VERY JUDICIAL ATTITUDE.

SENATOR CHAMBERS: AND WHEN HE SITS ON THE BOARD OF PAROLE, IS IT YOUR BELIEF THAT HE WILL BRING THAT SAME JUDICIAL TEMPERAMENT SO THAT HE WILL REVIEW EACH INDIVIDUAL ON THE BASIS OF HIS OR HER PARTICULAR CIRCUMSTANCES RATHER THAN REACTING TO ANY PARTICULAR PUBLIC OUTCRY THAT MIGHT BE GOING ON AT THE TIME?

SENATOR SEILER: ABSOLUTELY.

SENATOR CHAMBERS: THANK YOU. AND MEMBERS OF THE LEGISLATURE, THAT IS PRECISELY WHAT WE NEED. AND THOSE POSITIONS WHERE PEOPLE EXERCISE EITHER JUDICIAL OR QUASI-JUDICIAL POWERS, THEY MUST ACT WITHOUT FEAR OR FAVOR AND I'M CONFIDENT THAT THE JUDGE WILL DO THAT. TIME WILL TELL. BUT IF HE IS AWARE OF WHAT WE'RE SAYING, HE WILL KNOW THAT WE EXPECT THE SAME HIGH STANDARD FROM HIM AS A MEMBER OF THE BOARD OF PAROLE THAT IS EXPECTED OF A JUDGE SITTING ON THE BENCH. THANK YOU, MR. PRESIDENT.

PRESIDENT FOLEY: THANK YOU, SENATOR CHAMBERS. SEEING NO OTHER SENATORS WISHING TO SPEAK, SENATOR SEILER, YOU'RE WELCOME TO CLOSE ON THE CONFIRMATION REPORT, AND SENATOR SEILER WAIVES CLOSING. THE QUESTION IS THE ADOPTION OF THE CONFIRMATION REPORT OF THE JUDICIARY COMMITTEE. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED? RECORD, PLEASE, MR. CLERK.

CLERK: (RECORD VOTE, LEGISLATIVE JOURNAL PAGE 463.) 36 AYES, 0 NAYS,

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MR. PRESIDENT, ON THE ADOPTION OF THE CONFIRMATION REPORT.

PRESIDENT FOLEY: THANK YOU, MR. CLERK. THE CONFIRMATION REPORT IS ADOPTED. RETURNING TO THE AGENDA, SELECT FILE, LB91, MR. CLERK. [LB91]

CLERK: MR. PRESIDENT, LB91. SENATOR HANSEN, I HAVE NO AMENDMENTS TO THE BILL. [LB91]

PRESIDENT FOLEY: SENATOR HANSEN. [LB91]

SENATOR HANSEN: THANK YOU, MR. PRESIDENT. I MOVE THAT LB91 BE ADVANCED TO E&R. [LB91]

PRESIDENT FOLEY: THANK YOU, SENATOR HANSEN. SENATORS, YOU'VE HEARD THE MOTION TO ADVANCE LB91 TO E&R FOR ENGROSSING. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. LB91 IS ADVANCED. MR. CLERK, LB41. [LB91 LB41]

CLERK: LB41, SENATOR, I HAVE ENROLLMENT AND REVIEW AMENDMENTS. (ER2, LEGISLATIVE JOURNAL PAGE 315.) [LB41]

PRESIDENT FOLEY: SENATOR HANSEN. [LB41]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT THE E&R AMENDMENTS FOR LB41 BE ADOPTED. [LB41]

PRESIDENT FOLEY: SENATORS, YOU'VE HEARD THE MOTION TO ADOPT THE E&R AMENDMENTS. ALL THOSE IN FAVOR OF ADOPTION OF THOSE AMENDMENTS SAY AYE. THOSE OPPOSED SAY NAY. THE E&R AMENDMENTS ARE ADOPTED. MR. CLERK. [LB41]

CLERK: I HAVE NOTHING FURTHER ON THAT BILL, SENATOR. [LB41]

PRESIDENT FOLEY: SENATOR HANSEN. [LB41]

SENATOR HANSEN: YES. I MOVE THAT LB41 BE ADVANCED TO E&R FOR ENGROSSING. [LB41]

PRESIDENT FOLEY: SENATORS, YOU'VE HEARD THE MOTION TO ADVANCE LB41 TO E&R FOR ENGROSSING. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. LB41 IS ADVANCED. MR. CLERK, LB42. [LB41 LB42]

CLERK: LB42, MR. PRESIDENT. SENATOR, I HAVE NO AMENDMENTS TO THE

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BILL. [LB42]

PRESIDENT FOLEY: SENATOR HANSEN. [LB42]

SENATOR HANSEN: YES, MR. PRESIDENT. I MOVE THAT LB42 BE ADVANCED TO E&R FOR ENGROSSING. [LB42]

PRESIDENT FOLEY: SENATORS, YOU'VE HEARD THE MOTION TO ADVANCE LB42 TO E&R FOR ENGROSSING. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. LB42 IS ADVANCED. SELECT FILE, MR. CLERK, LB126. [LB42 LB126]

CLERK: LB126, SENATOR, THERE ARE ENROLLMENT AND REVIEW AMENDMENTS PENDING. (ER1, LEGISLATIVE JOURNAL PAGE 315.) [LB126]

PRESIDENT FOLEY: SENATOR HANSEN. [LB126]

SENATOR HANSEN: THANK YOU, MR. PRESIDENT. I MOVE THAT THE ENROLLMENT AND REVIEW AMENDMENTS BE ADOPTED. [LB126]

PRESIDENT FOLEY: THANK YOU, SENATOR HANSEN. THE QUESTION IS THE ADOPTION OF THE E&R AMENDMENTS TO LB126. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. THE E&R AMENDMENTS ARE ADOPTED. [LB126]

CLERK: I HAVE NOTHING FURTHER ON THAT BILL, SENATOR. [LB126]

PRESIDENT FOLEY: SENATOR HANSEN. [LB126]

SENATOR HANSEN: I MOVE THAT LB126 BE ADVANCED TO E&R FOR ENGROSSING. [LB126]

PRESIDENT FOLEY: THE QUESTION IS THE ADVANCE OF LB126 TO E&R FOR ENGROSSING. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. LB126 IS ADVANCED. MR. CLERK, LB92. [LB126 LB92]

CLERK: MR. PRESIDENT, LB92. NO ENROLLMENT AND REVIEW. SENATOR JOHNSON WOULD MOVE TO AMEND WITH AM89. (LEGISLATIVE JOURNAL PAGE 349.) [LB92]

PRESIDENT FOLEY: SENATOR JOHNSON, YOU'RE WELCOME TO OPEN ON YOUR AMENDMENT. [LB92]

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SENATOR JOHNSON: THANK YOU, LIEUTENANT GOVERNOR. AM89 MAKES A TECHNICAL REVISION RECOMMENDED BY THE REVISOR'S OFFICE IN SECTION 1 OF THE BILL. THE AMENDMENT STRIKES SECTION 1 AND INSERTS IT INTO ANOTHER SECTION. THE ONLY CHANGE IN THE TEXT PERMITTING OF A MINIMUM INSPECTION FEE THAT IS ON PAGE 2, LINES 13 THROUGH 15. THE ORIGINAL BILL IS RELOCATED LATER IN THE STATUTE. THE RELOCATION OF THIS PROVISION SIMPLY PUTS IT IN A BETTER CONTEXT AND IMPROVES THE READABILITY AND CLARITY BY FLOWING THROUGH THE EXISTING TEXT REGARDING THE GENERAL INSPECTION FEE RATE. IT'S JUST A CHANGE OF LOCATION OF THAT PARTICULAR SECTION. MR. CHAIRMAN, I WOULD ASK FOR THE ADOPTION OF AM89. [LB92]

PRESIDENT FOLEY: THANK YOU, SENATOR JOHNSON. DEBATE IS NOW OPEN ON THE JOHNSON AMENDMENT, AM89. SEEING NO SENATORS WISHING TO SPEAK, SENATOR JOHNSON, YOU'RE WELCOME TO CLOSE ON YOUR AMENDMENT. SENATOR JOHNSON WAIVES CLOSING. THE QUESTION IS THE ADOPTION OF AM89 TO LB92. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED? RECORD, PLEASE, MR. CLERK. [LB92]

CLERK: 28 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF SENATOR JOHNSON'S AMENDMENT. [LB92]

PRESIDENT FOLEY: THANK YOU, MR. CLERK. AM89 IS ADOPTED. MR. CLERK. [LB92]

CLERK: I HAVE NOTHING FURTHER ON THE BILL, MR. PRESIDENT. [LB92]

PRESIDENT FOLEY: SENATOR HANSEN. [LB92]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT LB92 BE ADVANCED TO E&R FOR ENGROSSING. [LB92]

PRESIDENT FOLEY: SENATORS, YOU'VE HEARD THE MOTION TO ADVANCE LB92 TO E&R FOR ENGROSSING. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. LB92 IS ADVANCED. MR. CLERK, LB93. [LB92 LB93]

CLERK: MR. PRESIDENT, IF I MAY, TWO QUICK ANNOUNCEMENTS. THE EXECUTIVE BOARD WILL MEET IN EXECUTIVE SESSION IN ROOM 2022. THE EXECUTIVE BOARD IN ROOM 2022 AT 9:40 THIS MORNING. AGRICULTURAL WILL MEET IN ROOM 2022 AT 10:00. AGRICULTURE COMMITTEE AT 10:00 IN ROOM 2022.

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MR. PRESIDENT, WITH RESPECT TO LB93, I HAVE ENROLLMENT AND REVIEW AMENDMENTS PENDING. (ER4, LEGISLATIVE JOURNAL PAGE 346.) [LB93]

PRESIDENT FOLEY: SENATOR HANSEN. [LB93]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT THE ENROLLMENT AND REVIEW AMENDMENTS BE ADOPTED. [LB93]

PRESIDENT FOLEY: THANK YOU, SENATOR HANSEN. SENATORS, YOU'VE HEARD THE MOTION TO ADOPT THE E&R AMENDMENTS TO LB93. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. THE E&R AMENDMENTS ARE ADOPTED. MR. CLERK. [LB93]

CLERK: NOTHING FURTHER ON THAT BILL, MR. PRESIDENT. [LB93]

PRESIDENT FOLEY: SENATOR HANSEN. [LB93]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT LB93 BE ADVANCED TO E&R FOR ENGROSSING. [LB93]

PRESIDENT FOLEY: SENATORS, YOU'VE HEARD THE MOTION TO ADVANCE LB93 TO E&R FOR ENGROSSING. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. LB93 IS ADVANCED. SELECT FILE, LB150, MR. CLERK. EXCUSE ME, I SKIPPED AN ITEM. MR. CLERK, LB95. [LB93 LB95]

CLERK: MR. PRESIDENT, LB95. I HAVE NO AMENDMENTS TO THE BILL. [LB95]

PRESIDENT FOLEY: SENATOR HANSEN. [LB95]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT LB95 BE ADVANCED TO E&R FOR ENGROSSING. [LB95]

PRESIDENT FOLEY: SENATORS, YOU'VE HEARD THE MOTION TO ADVANCE LB95 FOR E&R FOR ENGROSSING. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. LB95 IS ADVANCED. MR. CLERK, LB150. [LB95 LB150]

CLERK: LB150, MR. PRESIDENT. I HAVE NO AMENDMENTS TO THE BILL. [LB150]

PRESIDENT FOLEY: SENATOR SCHNOOR. [LB150]

SENATOR SCHNOOR: THANK YOU, SIR. SENATOR...I WANT TO KNOW IF SENATOR CRAWFORD WOULD YIELD TO A QUESTION, PLEASE. [LB150]

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PRESIDENT FOLEY: SENATOR CRAWFORD, WOULD YOU YIELD? [LB150]

SENATOR CRAWFORD: YES. [LB150]

SENATOR SCHNOOR: SENATOR CRAWFORD, THIS BILL WAS...WHEN IT WAS PRESENTED HERE ON THE FLOOR I DID IN FACT VOTE FOR IT. IT HAS BEEN BROUGHT TO MY ATTENTION BY FOLKS FROM MY DISTRICT, THAT THIS CAN HAVE AN ADVERSE EFFECT ON ECONOMIC DEVELOPMENT IN THEIR LOCAL AREAS. SO, I WAS WONDERING IF YOU COULD EXPLAIN A COUPLE THINGS TO ME, PLEASE. [LB150]

SENATOR CRAWFORD: ABSOLUTELY. [LB150]

SENATOR SCHNOOR: ONE OF THE MAIN CHANGES IN THE BILL TALKS ABOUT QUALIFYING BUSINESSES AND IT TALKS ABOUT FIRST- AND SECOND-CLASS CITIES AND VILLAGES. CAN YOU EXPLAIN TO ME THE DEFINITION OF A FIRST- AND SECOND-CLASS CITY? [LB150]

SENATOR CRAWFORD: I COULD BUT I THINK PROBABLY THE CONCERN IS THE...WHAT SOMEONE IN THOSE CITIES MIGHT SEE AS LANGUAGE THAT SAYS THEY MUST WORK WITH A QUALIFYING BUSINESS. AND WHAT I WOULD WANT TO MAKE SURE THEY UNDERSTAND IS THAT THAT LANGUAGE IS ALREADY IN STATUTE, THE QUALIFYING BUSINESS LANGUAGE, SO THAT FIRST- AND SECOND-CLASS CITIES ALREADY BY THE LARGER STATUTE ARE REQUIRED TO WORK WITH QUALIFYING BUSINESSES. SO THIS BILL WAS A CLARIFICATION BILL JUST TO INSERT THAT LANGUAGE IN THOSE TWO PARTS OF THE STATUTE. SO IT'S NO ADDITIONAL RESTRICTIONS THAN WERE ALREADY THERE. [LB150]

SENATOR SCHNOOR: OKAY. SO I GUESS, OVERALL, COULD YOU SUMMARIZE FOR ME WHAT THIS BILL DOES, BECAUSE I'M GETTING MIXED MESSAGES FROM AT HOME. [LB150]

SENATOR CRAWFORD: ABSOLUTELY. I WOULD BE HAPPY TO DO SO. RIGHT. I WOULD BE HAPPY TO DO SO. SO THE LOCAL OPTION MUNICIPAL ECONOMIC DEVELOPMENT ACT THAT'S COMMONLY REFERRED TO AS LB840 ALLOWS MUNICIPALITIES TO COLLECT AND APPROPRIATE LOCAL TAX DOLLARS FOR ECONOMIC DEVELOPMENT PURPOSES. SO UNDER THIS BILL, LB150, WHAT IT DOES IS CLARIFIES THE EXISTING RESTRICTION THAT THE PURPOSE OF THIS ACT IS TO ALLOW MUNICIPALITIES TO RECRUIT PRIVATE BUSINESS. SO THERE'S GRANTS AND LOAN COMPONENTS IN THERE AND THOSE ARE TO BE EFFORTS WITH PRIVATE BUSINESS AND THAT'S ALREADY IN THE STATUTE. AND LB150 CLARIFIES THAT IN TWO OTHER PARTS OF THE STATUTE BUT IT'S A

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RESTRICTION THAT'S ALREADY THERE. SO...AND ALSO I WOULD...YOU KNOW, WE, OUR OFFICE IS HAPPY TO TALK WITH ANY ECONOMIC DEVELOPMENT ENTITIES THAT ARE CONCERNED ABOUT COMPLIANCE. AND THE LEAGUE OF MUNICIPALITIES HAS ALSO OFFERED THEIR HELP IN HELPING ANY MUNICIPALITY THAT HAS CONCERNS ABOUT WHETHER OR NOT THEY'RE COMPLIANT TO MAKE SURE THEY ARE. BUT LB150 DOES NOT ADD ANY NEW RESTRICTIONS. IT JUST CLARIFIES THE RESTRICTIONS THAT ARE ALREADY THERE. AND I ALSO SAY THAT WE ARE COMMITTED TO HAVING AN INTERIM STUDY TO CONSIDER WHETHER WE SHOULD CHANGE THE TOOL BUT THE APPROPRIATE TIME FOR THOSE DISCUSSIONS IS IN THE INTERIM, NOT BETWEEN GENERAL AND SELECT. SO YOU WILL SEE AFTER THE HEARINGS, HOWEVER, YOU WILL SEE AN LR FOR AN INTERIM STUDY ON THIS AND WE'RE HAPPY TO BRING EVERYBODY TO THE TABLE AND DISCUSS WHETHER THIS RESTRICTION IS APPROPRIATE BUT IT IS THE RESTRICTION THAT'S ALREADY IN STATUTE. LB150 DOES NOT ADD NEW RESTRICTIONS. [LB150]

SENATOR SCHNOOR: WELL, I GUESS I'M SOMEWHAT CONFUSED THEN. IF THERE'S NO NEW RESTRICTIONS, THEN WHY DO WE EVEN HAVE ANOTHER BILL TO CLARIFY IT? I GUESS MY QUESTION IS HAS THERE BEEN PROBLEMS IN THE PAST? [LB150]

PRESIDENT FOLEY: ONE MINUTE. [LB150]

SENATOR CRAWFORD: WELL, THERE HAVE BEEN AND I THINK PART OF THE ISSUE IS THAT IF SOMEONE JUST PULLS UP A PART OF STATUTE, THEY MIGHT NOT GO BACK TO CHECK THE DEFINITIONS IN THE EARLIER PART OF STATUTE. AND SO, YES, IT HAS BEEN THE CASE THAT THERE HAVE BEEN NONCOMPLIANT USES IT APPEARS OF THE TOOL. AND THE CONCERN IS TO MAKE SURE WE PROTECT INTEGRITY OF THE TOOL SO THAT WE CONTINUE TO USE IT WITHOUT STATE OVERSIGHT OR OTHER BUREAUCRACY. WE WANT TO MAKE SURE THE TOOL IS BEING USED CORRECTLY SO THAT MUNICIPALITIES CAN CONTINUE TO USE IT. [LB150]

SENATOR SCHNOOR: OKAY. DOES YOUR...I GUESS DOES YOUR DISTRICT, DO THEY...YOU KNOW, THIS GOES BACK TO LB840, DOES YOUR DISTRICT QUALIFY FOR THE USE OF LB840 FUNDS? [LB150]

SENATOR CRAWFORD: WE DO, WE DO. WE JUST PASSED AN LB840 PLAN THIS PAST ELECTION, SO...AND THE... [LB150]

PRESIDENT FOLEY: TIME. [LB150]

SENATOR CRAWFORD: THANK YOU. [LB150]

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PRESIDENT FOLEY: SENATOR SCHNOOR, YOU ARE NEXT IN THE QUEUE. YOU MAY PROCEED. [LB150]

SENATOR SCHNOOR: OKAY. THANK YOU. WILL YOU... [LB150]

SENATOR CRAWFORD: WOULD YOU LIKE ME TO CONTINUE? [LB150]

SENATOR SCHNOOR: YES, PLEASE. [LB150]

SENATOR CRAWFORD: SO THE CITY OF BELLEVUE JUST PASSED OUR LB840 PLAN AND THE OTHER CLARIFICATION THAT HELPS ME TO MAKE ON THE FLOOR IS THAT THE LANGUAGE IN THE BILL THAT ALLOWS THE CITIES TO USE THAT FUND FOR INFRASTRUCTURE IS NOT TOUCHED AT ALL IN LB150. SO IN BELLEVUE, THE FOCUS IS IN BUILDING INFRASTRUCTURE FOR ECONOMIC DEVELOPMENT IN THE SOUTHERN PART OF OUR CITY. AND THAT IS WHAT WE PASSED AN LB840 FOR JUST THIS LAST ELECTION. [LB150]

SENATOR SCHNOOR: OKAY. DOES YOUR AREA, THEN, DOES IT FALL UNDER THE FIRST OR SECOND CLASS? [LB150]

SENATOR CRAWFORD: BELLEVUE IS A FIRST-CLASS CITY. [LB150]

SENATOR SCHNOOR: IT DOES FALL. SO THEN IF I'M READING THIS, THEY ARE EXEMPT FROM ANY OF THIS LEGISLATION? [LB150]

SENATOR CRAWFORD: NO. THEY WOULD NOT BE EXEMPT FROM THE LARGER LB840 LEGISLATION. I DON'T KNOW WHAT PIECE YOU'RE LOOK AT THAT THEY MAY BE EXEMPT FROM. [LB150]

SENATOR SCHNOOR: IT SAYS QUALIFYING BUSINESS DOES NOT INCLUDE A POLITICAL SUBDIVISION, A STATE AGENCY, OR ANY OTHER GOVERNMENTAL ENTITY EXCEPT AS ALLOWED FOR CITIES OF THE FIRST AND SECOND CLASS AND VILLAGES FOR RURAL INFRASTRUCTURE DEVELOPMENT. [LB150]

SENATOR CRAWFORD: OH, OKAY. YES. SO ACTUALLY, THAT WAS A PROVISION THAT WAS PUT IN PLACE A FEW YEARS AGO TO ALLOW ANOTHER CITY OF THE FIRST CLASS TO PURSUE NATURAL GAS DEVELOPMENT. SO THAT'S WHY THAT EXCEPTION IS...IT'S A VERY NARROW RESTRICTION FOR NATURAL GAS EXPANSION THAT WAS PUT IN PLACE FOR A SITUATION A PARTICULAR CITY WAS FACING. [LB150]

SENATOR SCHNOOR: OKAY. I GUESS IT'S STILL, LIKE I SAY I DID VOTE IN

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FAVOR OF THIS AT FIRST AND IT WAS BROUGHT TO MY ATTENTION AND NOW I DO QUESTION WHETHER THIS LEGISLATION IS EVEN NEEDED. BECAUSE I GUESS I FEEL IF THERE'S NOT A PROBLEM OUT THERE, WHY MAKE OTHER...WHY MAKE MORE RULES TO RESTRICT THESE LOCAL ENTITIES TO HELP IMPROVE THEIR ECONOMIC DEVELOPMENT. SO I GUESS THAT'S WHERE I STAND ON THIS AND I WAS...I DON'T KNOW IF YOU CAN ANSWER THAT OR NOT OR IF THAT IS EVEN A QUESTION. BUT... [LB150]

SENATOR CRAWFORD: I WOULD BE HAPPY TO ANSWER THAT. AGAIN, THE LB150 DOESN'T ADD NEW RESTRICTIONS. THE EMPHASIS IS ON CLARIFYING THE RESTRICTIONS THAT ALREADY EXIST. THERE HAVE BEEN INSTANCES WHERE IT APPEARS IT MAY HAVE...MUNICIPALITIES MAY NOT HAVE BEEN COMPLIANT AND THE EMPHASIS OF THE URBAN AFFAIRS COMMITTEE IS TO MAKE SURE THAT OUR ECONOMIC DEVELOPMENT TOOLS WE PROVIDE FOR MUNICIPALITIES HAVE INTEGRITY AND SO WE CAN MAKE SURE THAT PEOPLE CONTINUE TO USE THEM EFFECTIVELY AND ARE ALLOWED TO USE THEM WITHOUT UNDUE STATE OVERSIGHT OR OTHER OVERSIGHT. AND SO WE WANT TO MAKE SURE IT'S VERY CLEAR AND EASY FOR THE MUNICIPALITIES TO USE. AND THAT'S THE EFFORT, IS TO CLARIFY THAT STATUTE SO IF SOMEONE JUST PULLS THAT ONE PART OF THE STATUTE, IT'S VERY CLEAR WHAT'S ALLOWED AND WHAT'S NOT ALLOWED. THANK YOU. [LB150]

SENATOR SCHNOOR: OKAY. THANK YOU, SIR. [LB150]

PRESIDENT FOLEY: THANK YOU, SENATORS SCHNOOR AND CRAWFORD. SEEING NO OTHER SENATORS WISHING TO SPEAK, MR. CLERK. [LB150]

CLERK: SENATOR, I HAVE NO AMENDMENTS TO LB150. [LB150]

PRESIDENT FOLEY: SENATOR HANSEN. [LB150]

SENATOR HANSEN: YES, MR. PRESIDENT. I'D MOVE THAT LB150 BE ADVANCED TO E&R FOR ENGROSSING. [LB150]

PRESIDENT FOLEY: SENATORS, YOU'VE HEARD THE MOTION TO ADVANCE LB150 TO E&R FOR ENGROSSING. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. LB150 IS ADVANCED. MR. CLERK, LB151. [LB150 LB151]

CLERK: MR. PRESIDENT, LB151. NO ENROLLMENT AND REVIEW. SENATOR CRAWFORD WOULD MOVE TO AMEND WITH AM85. (LEGISLATIVE JOURNAL PAGE 326.) [LB151]

PRESIDENT FOLEY: SENATOR CRAWFORD, YOU'RE WELCOME TO OPEN ON

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YOUR AMENDMENT. [LB151]

SENATOR CRAWFORD: THANK YOU, MR. PRESIDENT, AND GOOD MORNING, COLLEAGUES. BETWEEN GENERAL FILE AND SELECT FILE IT WAS DISCOVERED THERE WAS A SLIGHT DIFFERENCE BETWEEN THE LANGUAGE IN LB151 APPLYING TO MORTGAGE FORECLOSURES AND THE LANGUAGE APPLYING TO TRUST DEED DEFAULTS. AND AM85 IS A TECHNICAL AMENDMENT THAT HARMONIZES THAT LANGUAGE. I WOULD I URGE THE BODY TO ADOPT AM85. THANK YOU, MR. PRESIDENT. [LB151]

PRESIDENT FOLEY: THANK YOU, SENATOR CRAWFORD. DEBATE IS NOW OPEN ON AM85. SEEING NO SENATORS WISHING TO SPEAK, SENATOR CRAWFORD, YOU'RE WELCOME TO CLOSE ON YOUR AMENDMENT. SENATOR CRAWFORD WAIVES CLOSING. THE QUESTION IS THE ADOPTION OF AM85 TO LB151. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED? RECORD, PLEASE, MR. CLERK. [LB151]

CLERK: 30 AYES, 0 NAYS, MR. PRESIDENT, ON ADOPTION OF SENATOR CRAWFORD'S AMENDMENT. [LB151]

PRESIDENT FOLEY: THANK YOU, MR. CLERK. AM85 IS ADOPTED. [LB151]

CLERK: I HAVE NOTHING FURTHER ON THE BILL, MR. PRESIDENT. [LB151]

PRESIDENT FOLEY: SENATOR HANSEN. [LB151]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT LB151 BE ADVANCED TO E&R FOR ENGROSSING. [LB151]

PRESIDENT FOLEY: SENATORS, YOU'VE HEARD THE MOTION TO ADVANCE LB151 TO E&R FOR ENGROSSING. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. LB151 IS ADVANCED. MR. CLERK, LB170. [LB151 LB170]

CLERK: LB170, I HAVE NO AMENDMENTS TO THE BILL, SENATOR. [LB170]

PRESIDENT FOLEY: SENATOR HANSEN. [LB170]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT LB170 BE ADVANCED TO E&R FOR ENGROSSING. [LB170]

PRESIDENT FOLEY: YOU'VE HEARD THE MOTION TO ADVANCE LB170 TO E&R FOR ENGROSSING. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. LB170 IS ADVANCED. MR. CLERK, LB171. [LB170 LB171]

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CLERK: LB171, AGAIN I HAVE NO AMENDMENTS TO THE BILL. [LB171]

PRESIDENT FOLEY: SENATOR HANSEN. [LB171]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT LB171 BE ADVANCED TO E&R FOR ENGROSSING. [LB171]

PRESIDENT FOLEY: SENATORS, YOU'VE HEARD THE MOTION TO ADVANCE LB171 TO E&R FOR ENGROSSING. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. LB171 IS ADVANCED. MR. CLERK, LB99. [LB171 LB99]

CLERK: LB99, SENATOR, I HAVE NO AMENDMENTS TO THE BILL. [LB99]

PRESIDENT FOLEY: SENATOR HANSEN. [LB99]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT LB99 BE ADVANCED TO E&R FOR ENGROSSING. [LB99]

PRESIDENT FOLEY: YOU'VE HEARD THE MOTION TO ADVANCE LB99 TO E&R FOR ENGROSSING. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. LB99 IS ADVANCED. MR. CLERK, LB100. [LB99 LB100]

CLERK: LB100, SENATOR, I HAVE NO AMENDMENTS TO THE BILL. [LB100]

PRESIDENT FOLEY: SENATOR HANSEN. [LB100]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT LB100 BE ADVANCED TO E&R FOR ENGROSSING. [LB100]

PRESIDENT FOLEY: SENATORS, YOU'VE HEARD THE MOTION TO ADVANCE LB100 TO E&R FOR ENGROSSING. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. LB100 IS ADVANCED. MR. CLERK, LB65. [LB100 LB65]

CLERK: MR. PRESIDENT, WITH RESPECT TO LB65, I HAVE ENROLLMENT AND REVIEW AMENDMENTS, FIRST OF ALL. (ER5, LEGISLATIVE JOURNAL PAGE 346.) [LB65]

PRESIDENT FOLEY: SENATOR HANSEN. [LB65]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT THE E&R AMENDMENTS TO LB65 BE ADOPTED. [LB65]

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PRESIDENT FOLEY: SENATORS, YOU'VE HEARD THE MOTION TO ADOPT THE E&R AMENDMENTS TO LB65. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. THE E&R AMENDMENTS ARE ADOPTED. MR. CLERK. [LB65]

CLERK: SENATOR SCHUMACHER WOULD MOVE TO AMEND WITH AM67. (LEGISLATIVE JOURNAL PAGE 364.) [LB65]

PRESIDENT FOLEY: SENATOR SCHUMACHER, YOU'RE WELCOME TO OPEN ON YOUR AMENDMENT. [LB65]

SENATOR SCHUMACHER: THANK YOU, MR. PRESIDENT, MEMBERS OF THE BODY. THIS AMENDMENT ADDS THE EMERGENCY CLAUSE. IF YOU'LL RECALL, LB65 DEALS WITH THOSE SITUATIONS WHERE LITTLE TOWNSHIPS CAN'T FIND ANYBODY TO RUN FOR THE TOWNSHIP BOARD, YET THEY NEED TO BE MANAGED AND IT PROVIDES THAT UNTIL THE TOWNSHIP BOARD CAN BE FILLED BY ELECTION THE COUNTY BOARD CAN PERFORM THE FUNCTIONS AND HAVE THE POWERS OF THE TOWNSHIP BOARD. AND THIS BILL, IF PASSED, WOULD NORMALLY GO INTO EFFECT IN I BELIEVE SEPTEMBER. THERE ARE AT LEAST A COUPLE TOWNSHIPS IN THE STATE THAT RIGHT NOW ARE IN THAT LURCH AND THIS ADDS THE EMERGENCY CLAUSE AND I'D ASK FOR YOUR ADOPTION OF THE EMERGENCY CLAUSE AND LB65. THANK YOU. [LB65]

PRESIDENT FOLEY: THANK YOU, SENATOR SCHUMACHER. DEBATE IS NOW OPEN ON AM67. SEEING NO SENATORS WISHING TO SPEAK, SENATOR SCHUMACHER, YOU'RE WELCOME TO CLOSE ON YOUR AMENDMENTS. SENATOR SCHUMACHER WAIVES CLOSING. THE QUESTION IS THE ADOPTION OF AM67 TO LB65. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED? RECORD, PLEASE, MR. CLERK. [LB65]

CLERK: 29 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF SENATOR SCHUMACHER'S AMENDMENT. [LB65]

PRESIDENT FOLEY: THANK YOU, MR. CLERK. AM67 IS ADOPTED. MR. CLERK. [LB65]

CLERK: NOTHING FURTHER ON THE BILL, MR. PRESIDENT. [LB65]

PRESIDENT FOLEY: SENATOR HANSEN. [LB65]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT LB65 BE ADVANCED TO E&R FOR ENGROSSING. [LB65]

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PRESIDENT FOLEY: SENATORS, YOU'VE HEARD THE MOTION TO ADVANCE LB65 TO E&R FOR ENGROSSING. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. LB65 IS ADVANCED. MR. CLERK, LB177. [LB65 LB177]

CLERK: LB177, MR. PRESIDENT. FIRST OF ALL, I HAVE ENROLLMENT AND REVIEW AMENDMENTS. (ER7, LEGISLATIVE JOURNAL PAGE 356.) [LB177]

PRESIDENT FOLEY: SENATOR HANSEN. [LB177]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT THE E&R AMENDMENTS FOR LB177 BE ADOPTED. [LB177]

PRESIDENT FOLEY: SENATORS, YOU'VE HEARD THE MOTION TO ADOPT THE E&R AMENDMENTS TO A LB177. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. THE E&R AMENDMENTS ARE ADOPTED. MR. CLERK. [LB177]

CLERK: SENATOR KEN HAAR WOULD MOVE TO AMEND WITH AM154. (LEGISLATIVE JOURNAL PAGE 406.) [LB177]

PRESIDENT FOLEY: SENATOR KEN HAAR, YOU'RE WELCOME TO OPEN ON YOUR AMENDMENT. [LB177]

SENATOR HAAR: MR. PRESIDENT, MEMBERS OF THE BODY, AM154 CLARIFIES THE LANGUAGE THAT WAS ADOPTED ON GENERAL FILE. THE AMENDMENT USES THE TERM PUBLIC POWER INDUSTRY INSTEAD OF PUBLICLY-OWNED ELECTRIC UTILITY BECAUSE PUBLIC POWER INDUSTRY IS A TERM USED IN OTHER SECTIONS OF THE STATUTE. I ALSO WANT TO CLARIFY THAT IT'S IN THE INTENT OF THIS LEGISLATION THAT ANY EMPLOYEE OF A PUBLIC POWER COMPANY CAN SERVE ON THE BOARD OF A DIFFERENT PUBLIC POWER COMPANY UNLESS THAT EMPLOYEE IS AN EMPLOYED OFFICER, FOR EXAMPLE, A CEO, A PRESIDENT, A VICE PRESIDENT, A CFO, A COO, A GENERAL MANAGER, AN ASSISTANT GENERAL MANAGER. OTHERWISE, THE BILL DOES NOT CHANGE EXISTING STATUTE. I WANT TO THANK SENATOR SMITH, DAVIS, AND PANSING BROOKS FOR WORKING ON THIS WITH ME. AND I DO HAVE A QUESTION FOR...LET'S SEE, SENATOR SMITH IF HE'S IN. IF NOT, WE'LL JUST GO AHEAD WITH IT. [LB177]

PRESIDENT FOLEY: SENATOR SMITH, WOULD YOU YIELD TO A QUESTION? [LB177]

SENATOR SMITH: YES, I WILL. [LB177]

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SENATOR HAAR: SENATOR SMITH, YOU WORKED WITH ME ON THIS AND I APPRECIATE THAT. AND, AGAIN, WE'VE NARROWED THIS TO SAY CEO, PRESIDENT, VICE PRESIDENT, CFO, COO, GENERAL MANAGER, ASSISTANT GENERAL MANAGER, THOSE KINDS OF THINGS FOR THE RECORD WHEREAS THE BILL JUST SAYS OFFICER. ARE YOU SATISFIED WITH THAT? [LB177]

SENATOR SMITH: SENATOR HAAR, I WOULD BE SATISFIED WITH THAT DEFINITION OF SENIOR MANAGER OR...I'M SORRY, OFFICER. AGAIN, MY INTENT WAS TO HAVE THAT TOP LAYER OF MANAGEMENT IN THAT COMPANY BUT FOR IT NOT TO APPLY TO THAT NEXT LAYER DOWN WHICH WOULD BE A MANAGER OR A DIRECTOR OR SUPERVISOR OR SOMETHING LIKE THAT. [LB177]

SENATOR HAAR: OKAY. THANK YOU VERY MUCH. A NUMBER OF PEOPLE CAME TO ME WITH OTHER TERMS INSTEAD OF OFFICER BUT, YOU KNOW, I WENT TO THE THESAURUS AGAIN AND AGAIN AND OFFICER IS THE WORD THAT WAS USED BY BILL DRAFTING. IT SEEMS TO CATCH WHAT MY INTENT IS NOW AT THIS POINT AND I APPRECIATE SENATOR SMITH'S INPUT ON THAT. SO WITH THAT, I WOULD LIKE TO ASK FOR ADOPTION OF THE AMENDMENT AND MOVING THE BILL TO FINAL READING. THANK YOU. [LB177]

PRESIDENT FOLEY: THANK YOU, SENATOR HAAR. DEBATE IS NOW OPEN ON SENATOR HAAR'S AMENDMENT, AM154. SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB177]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, I'D LIKE TO ASK SENATOR HAAR A QUESTION. [LB177]

PRESIDENT FOLEY: SENATOR HAAR, WOULD YOU YIELD? [LB177]

SENATOR HAAR: YOU BET. [LB177]

SENATOR CHAMBERS: SENATOR HAAR, COULD YOU RESTATE THE NAMES OF THE PEOPLE YOU'RE THANKING FOR HAVING WORKED WITH YOU ON THIS AMENDMENT? [LB177]

SENATOR HAAR: YES. SENATOR SMITH, SENATOR DAVIS, SENATOR PANSING BROOKS. [LB177]

SENATOR CHAMBERS: AND HOW DID YOU SAY THEY WORKED? [LB177]

SENATOR HAAR: THEY HELPED ME WITH THE AMENDMENT. [LB177]

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SENATOR CHAMBERS: AND WOULD YOU CONSIDER THROWING MY NAME IN THERE WHERE YOU'D THANK ME FOR NOT GETTING IN THE WAY OR IN ANY WAY HINDERING THE WORK THAT THEY WERE DOING? (LAUGHTER) [LB177]

SENATOR HAAR: "BROTHER" CHAMBERS, I WANT TO THANK YOU FOR NOT GETTING IN THE WAY OF THIS BILL. BUT ACTUALLY YOU TESTIFIED VERY POSITIVELY ON THIS BILL, SO IT WAS BOTH THAT POSITIVE TESTIMONY AND NOT GETTING IN THE WAY AND I THANK YOU FOR THAT. [LB177]

SENATOR CHAMBERS: THANK YOU, SENATOR HAAR. AND YOU KNOW WHAT THIS SHOWS, THAT WHEN YOU'RE A NICE, EASYGOING, ACCOMMODATING PERSON SUCH AS I AM YOU GET MORE THAN WHAT YOU ASKED FOR. THANK YOU, SENATOR HAAR. THANK YOU, MR. PRESIDENT. [LB177]

PRESIDENT FOLEY: THANK YOU, SENATOR CHAMBERS AND SENATOR HAAR. SEEING NO OTHER SENATORS WISHING TO SPEAK, SENATOR HAAR, YOU'RE WELCOME TO CLOSE ON YOUR AMENDMENT. SENATOR HAAR WAIVES CLOSING. THE QUESTION IS THE ADOPTION OF AM154 TO LB177. ALL THOSE IN FAVOR OF THE AMENDMENT VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED? RECORD, PLEASE, MR. CLERK. [LB177]

CLERK: 35 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF SENATOR HAAR'S AMENDMENT. [LB177]

PRESIDENT FOLEY: THANK YOU, MR. CLERK. AM154 IS ADOPTED TO LB177. MR. CLERK. [LB177]

CLERK: NOTHING FURTHER ON THE BILL, MR. PRESIDENT. [LB177]

PRESIDENT FOLEY: SENATOR HANSEN. [LB177]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT LB177 BE ADVANCED TO E&R FOR ENGROSSING. [LB177]

PRESIDENT FOLEY: SENATORS, YOU HEARD THE MOTION TO ADVANCE LB177 TO E&R FOR ENGROSSING. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. LB177 IS ADVANCED. MR. CLERK, LB159. [LB177 LB159]

CLERK: LB159, SENATOR, I HAVE ENROLLMENT AND REVIEW AMENDMENTS. (ER8, LEGISLATIVE JOURNAL PAGE 401.) [LB159]

PRESIDENT FOLEY: SENATOR HANSEN. [LB159]

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SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT THE E&R AMENDMENTS FOR LB159 BE ADOPTED. [LB159]

PRESIDENT FOLEY: SENATORS, YOU HEARD THE MOTION TO ADOPT THE E&R AMENDMENTS TO LB159. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. THE E&R AMENDMENTS ARE ADOPTED. MR. CLERK. [LB159]

CLERK: NOTHING FURTHER ON THE BILL, MR. PRESIDENT. [LB159]

PRESIDENT FOLEY: SENATOR HANSEN. [LB159]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT LB159 BE ADVANCED TO E&R FOR ENGROSSING. [LB159]

PRESIDENT FOLEY: SENATORS, YOU'VE HEARD THE MOTION TO ADVANCE LB159 TO E&R FOR ENGROSSING. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. LB159 IS ADVANCED. MR. CLERK, LB220. [LB159 LB220]

CLERK: LB220, SENATOR, I HAVE NO AMENDMENTS TO THE BILL. [LB220]

PRESIDENT FOLEY: SENATOR HANSEN. [LB220]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT LB220 BE ADVANCED TO E&R FOR ENGROSSING. [LB220]

PRESIDENT FOLEY: SENATORS, YOU'VE HEARD THE MOTION TO ADVANCE LB220 FOR E&R FOR ENGROSSING. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. LB220 IS ADVANCED. MR. CLERK, LB220A. [LB220 LB220A]

CLERK: LB220A. I HAVE NO AMENDMENTS TO THE BILL, SENATOR. [LB220A]

PRESIDENT FOLEY: SENATOR HANSEN. [LB220A]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT LB220A BE ADVANCED TO E&R FOR ENGROSSING. [LB220A]

PRESIDENT FOLEY: THANK YOU, SENATOR HANSEN. SENATORS, YOU'VE HEARD THE MOTION TO ADVANCE LB220A TO E&R FOR ENGROSSING. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. LB220A IS ADVANCED. MR. CLERK, LB157. [LB220A LB157]

CLERK: LB157, SENATOR, I HAVE NO AMENDMENTS TO THE BILL. [LB157]

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PRESIDENT FOLEY: SENATOR HANSEN. [LB157]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT LB157 BE ADVANCED TO E&R FOR ENGROSSING. [LB157]

PRESIDENT FOLEY: SENATORS, YOU HAVE HEARD THE MOTION TO ADVANCE LB157 TO E&R FOR ENGROSSING. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. LB157 IS ADVANCED. MR. CLERK, LB149. [LB157 LB149]

CLERK: LB149, SENATOR, I HAVE NO AMENDMENTS TO THE BILL. [LB149]

PRESIDENT FOLEY: SENATOR HANSEN. [LB149]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT LB149 BE ADVANCED TO E&R FOR ENGROSSING. [LB149]

PRESIDENT FOLEY: SENATORS, YOU'VE HEARD THE MOTION TO ADVANCE LB149 TO E&R FOR ENGROSSING. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. LB149 IS ADVANCED. MR. CLERK, LB168. [LB149 LB168]

CLERK: LB168 DOES HAVE ENROLLMENT AND REVIEW AMENDMENTS, SENATOR. (ER9, LEGISLATIVE JOURNAL PAGE 402.) [LB168]

PRESIDENT FOLEY: SENATOR HANSEN. [LB168]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT THE E&R AMENDMENTS FOR LB168 BE ADOPTED. [LB168]

PRESIDENT FOLEY: SENATORS, YOU'VE HEARD THE MOTION TO ADOPT THE E&R AMENDMENTS TO LB168. ALL THOSE IN FAVOR OF THE ADOPTION OF THOSE AMENDMENTS SAY AYE. THOSE OPPOSED SAY NAY. THE AMENDMENTS ARE ADOPTED. MR. CLERK. [LB168]

CLERK: I HAVE NOTHING FURTHER ON THE BILL, SENATOR. [LB168]

PRESIDENT FOLEY: SENATOR HANSEN. [LB168]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT LB168 BE ADVANCED TO E&R FOR ENGROSSING. [LB168]

PRESIDENT FOLEY: SENATORS, YOU'VE HEARD THE MOTION TO ADVANCE LB168 TO E&R FOR ENGROSSING. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. LB168 IS ADVANCED. MR. CLERK, LB40. [LB168 LB40]

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CLERK: LB40, SENATOR, IT DOES HAVE ENROLLMENT AND REVIEW AMENDMENTS, FIRST OF ALL. (ER10, LEGISLATIVE JOURNAL PAGE 402.) [LB40]

PRESIDENT FOLEY: SENATOR HANSEN. [LB40]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT THE E&R AMENDMENTS TO LB40 BE ADOPTED. [LB40]

PRESIDENT FOLEY: SENATORS, YOU'VE HEARD THE MOTION TO ADOPT THE E&R AMENDMENTS TO LB40. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. THE E&R AMENDMENTS ARE ADOPTED. MR. CLERK. [LB40]

CLERK: SENATOR NORDQUIST WOULD MOVE TO AMEND WITH AM224. (LEGISLATIVE JOURNAL PAGE 407.) [LB40]

PRESIDENT FOLEY: SENATOR NORDQUIST, YOU'RE WELCOME TO OPEN ON YOUR AMENDMENT. [LB40]

SENATOR NORDQUIST: THANK YOU, MR. PRESIDENT AND MEMBERS. THIS AMENDMENT STRIKES UNCONSTITUTIONAL LANGUAGE FROM OUR RETIREMENT PLAN STATUTES. I HAVE FILED IT ON LB40 BECAUSE THIS BILL AMENDS...HAS AMENDMENT LANGUAGE IN MOST OF THOSE RETIREMENT PLANS THAT THIS UNCONSTITUTIONAL LANGUAGE IS ALSO IN, SO IT OPENS UP THOSE PLAN SECTIONS AND ALLOWS US TO CLEAN UP THE LANGUAGE. IT'S RELATED TO SUBJECT MATTER THAT WAS INTRODUCED THIS YEAR IN LB236 BY SENATOR COASH. WE HAD A HEARING ON THAT BILL JANUARY 27. THAT BILL IS STILL IN COMMITTEE. QUICKLY AS A WAY OF BACKGROUND, IN 2012 WE PASSED A BILL, LB916, WHICH INCORPORATED A BILL THAT SENATOR COASH INTRODUCED AT THAT TIME THAT ALLOWED THE ATTACHMENT OF ASSETS IN PRIMARILY STATE-ADMINISTERED RETIREMENT PLANS IF A MEMBER HAD BEEN CONVICTED OF A...WE IDENTIFIED SIX SPECIFIC FELONIES, AND IF THERE WAS A CIVIL JUDGMENT WE ALLOWED THE PENSION PLAN TO BE ATTACHED FOR PURPOSES OF THAT CIVIL JUDGMENT. LAST YEAR, THE SUPREME COURT DETERMINED THAT BECAUSE WE WERE SO SPECIFIC IN THE SIX ENUMERATED FELONIES THAT WE...THAT THEY SAID IT WAS UNREASONABLE AND ARBITRARY AND, THEREFORE, UNCONSTITUTIONAL. ALSO IN THAT BILL THERE...OR ALSO IN THE BILL, WE SAID THAT THE ATTACHMENT WOULD TAKE PLACE AFTER DISTRIBUTION AFTER THE MONEY STARTED COMING OUT OF THE PLAN. SO AFTER THE INDIVIDUAL WHO HAD BEEN FOUND GUILTY OF A FELONY AND HAD A CIVIL JUDGMENT AGAINST HIM, WE ALLOWED THE ATTACHMENT TO TAKE PLACE AFTER THE MONEY HAD COME OUT OF THE PLAN. THERE WAS IRS

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CHALLENGES WITH ATTACHING BEFORE THE MONEY COMES OUT OF THE PLAN. WELL, OF COURSE SO THAT THAT ALSO CREATED AN UNFAIR PLAYING FIELD BETWEEN WORKERS WHO ARE NEAR RETIREMENT AND THOSE WHO ARE EARLIER IN THEIR CAREER. SO, ESSENTIALLY, THE COURT STRUCK DOWN LB916, THE PIECES OF LB916 AND WE ARE GOING IN WITH THIS AMENDMENT TO TAKE THOSE PIECES OUT. WE CONTINUE TO LOOK AT OPTIONS THAT WE HAVE WITH SENATOR COASH'S BILL LB236, BUT AT THIS TIME THAT BILL IS STILL IN COMMITTEE AND WE JUST WANTED TO CLEAN UP THE PIECES THAT ARE IN STATUTE THAT ARE DEEMED UNCONSTITUTIONAL BY THE COURT. THANK YOU. [LB40 LB236]

PRESIDENT FOLEY: THANK YOU, SENATOR NORDQUIST. DEBATE IS NOW OPEN ON AM224. SEEING NO SENATORS WISHING TO SPEAK, SENATOR NORDQUIST, YOU'RE WELCOME TO CLOSE ON YOUR AMENDMENT. SENATOR NORDQUIST WAIVES CLOSING. THE QUESTION IS THE ADOPTION OF AM224 TO LB40. THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED? RECORD, PLEASE, MR. CLERK. [LB40]

CLERK: 30 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF SENATOR NORDQUIST'S AMENDMENT. [LB40]

PRESIDENT FOLEY: THANK YOU, MR. CLERK. AM224 IS ADOPTED. MR. CLERK. [LB40]

CLERK: I HAVE NOTHING FURTHER ON THE BILL, MR. PRESIDENT. [LB40]

PRESIDENT FOLEY: SENATOR HANSEN. [LB40]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT LB40 BE ADVANCED TO E&R FOR ENGROSSING. [LB40]

PRESIDENT FOLEY: SENATORS, YOU'VE HEARD THE MOTION TO ADVANCE LB40 TO E&R FOR ENGROSSING. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. LB40 IS ADVANCED. MR. CLERK, LB43. [LB40 LB43]

CLERK: LB43, SENATOR, I HAVE NO AMENDMENTS TO THE BILL. [LB43]

PRESIDENT FOLEY: SENATOR HANSEN. [LB43]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT LB43 BE ADVANCED TO E&R FOR ENGROSSING. [LB43]

PRESIDENT FOLEY: SENATORS, YOU'VE HEARD THE MOTION TO ADVANCE

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LB43 TO E&R FOR ENGROSSING. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. LB43 IS ADVANCED. MR. CLERK, LB247. [LB43 LB247]

CLERK: LB247 DOES HAVE ENROLLMENT AND REVIEW AMENDMENTS, SENATOR. (ER15, LEGISLATIVE JOURNAL PAGE 416.) [LB247]

PRESIDENT FOLEY: SENATOR HANSEN. [LB247]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT THE E&R AMENDMENTS TO LB247 BE ADOPTED. [LB247]

PRESIDENT FOLEY: THANK YOU, SENATOR HANSEN. SENATORS, THE QUESTION IS THE ADOPTION OF THE E&R AMENDMENTS TO LB247. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. THE E&R AMENDMENTS ARE ADOPTED. MR. CLERK. [LB247]

CLERK: NOTHING FURTHER ON THE BILL, MR. PRESIDENT. [LB247]

PRESIDENT FOLEY: SENATOR HANSEN. [LB247]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT LB247 MOVE TO E&R FOR ENGROSSING. [LB247]

PRESIDENT FOLEY: THANK YOU, SENATOR HANSEN. SENATORS, YOU'VE HEARD THE MOTION TO ADVANCE LB247 TO E&R FOR ENGROSSING. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. LB247 IS ADVANCED. MR. CLERK, LB219. [LB247 LB219]

CLERK: LB219, SENATOR, HAS ENROLLMENT AND REVIEW AMENDMENTS, FIRST OF ALL. (ER16, LEGISLATIVE JOURNAL PAGE 416.) [LB219]

PRESIDENT FOLEY: SENATOR HANSEN. [LB219]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT THE E&R AMENDMENTS TO LB219 BE ADOPTED. [LB219]

PRESIDENT FOLEY: THANK YOU, SENATOR HANSEN. SENATORS, THE QUESTION IS THE ADOPTION OF THE E&R AMENDMENTS TO LB219. ALL THOSE IN FAVOR OF THE ADOPTION OF THOSE AMENDMENTS SAY AYE. THOSE OPPOSED SAY NAY. THE E&R AMENDMENTS ARE ADOPTED. MR. CLERK. [LB219]

CLERK: SENATOR CRAWFORD WOULD MOVE TO AMEND WITH AM225.

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(LEGISLATIVE JOURNAL PAGE 441.) [LB219]

PRESIDENT FOLEY: SENATOR CRAWFORD, YOU'RE WELCOME TO OPEN ON YOUR AMENDMENT. [LB219]

SENATOR CRAWFORD: THANK YOU, MR. PRESIDENT, AND GOOD MORNING, COLLEAGUES. AM225 MAKES TECHNICAL CORRECTIONS SUGGESTED BY THE BILL DRAFTERS OFFICE THAT WERE NOT ELIGIBLE FOR E&R, SPECIFICALLY A CHANGE IN THE OPERATIVE DATE LANGUAGE AND RENUMBERING. I ENCOURAGE YOUR PASSAGE OF AM225. THANK YOU. [LB219]

PRESIDENT FOLEY: THANK YOU, SENATOR CRAWFORD. DEBATE IS NOW OPEN ON AM225. SEEING NO SENATORS WISHING TO SPEAK, SENATOR CRAWFORD, YOU'RE WELCOME TO CLOSE ON YOUR AMENDMENT. SENATOR CRAWFORD WAIVES CLOSING. THE QUESTION IS THE ADOPTION OF AM225 TO LB219. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED? RECORD, PLEASE, MR. CLERK. [LB219]

CLERK: 27 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF SENATOR CRAWFORD'S AMENDMENT. [LB219]

PRESIDENT FOLEY: THANK YOU, MR. CLERK. AM225 IS ADOPTED. MR. CLERK. [LB219]

CLERK: I HAVE NOTHING FURTHER ON THE BILL, MR. PRESIDENT. [LB219]

PRESIDENT FOLEY: SENATOR HANSEN. [LB219]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT LB219 BE ADVANCED TO E&R FOR ENGROSSING. [LB219]

PRESIDENT FOLEY: SENATORS, YOU'VE HEARD THE MOTION TO ADVANCE LB219 TO E&R FOR ENGROSSING. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. LB219 IS ADVANCED. MR. CLERK, DO YOU HAVE ITEMS FOR THE RECORD? [LB219]

CLERK: I DO, MR. PRESIDENT. NEW RESOLUTION: SENATOR BAKER OFFERS LR53, THAT RESOLUTION WILL BE LAID OVER AT THIS TIME. I ALSO HAVE A COMMITTEE REPORT, YOUR COMMITTEE ON HEALTH, CHAIRED BY SENATOR CAMPBELL, REPORTS LB366 TO GENERAL FILE. AND I ALSO HAVE A HEARING NOTICE FROM THE NATURAL RESOURCES COMMITTEE, THAT'S SIGNED BY SENATOR SCHILZ AS CHAIR. MR. PRESIDENT, ANNOUNCEMENT THAT THE BUSINESS AND LABOR COMMITTEE WILL HOLD A BRIEF EXECUTIVE SESSION

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UNDER THE NORTH BALCONY AT 10:30. BUSINESS AND LABOR, 10:30, NORTH BALCONY. THAT'S ALL THAT I HAVE, MR. PRESIDENT. (LEGISLATIVE JOURNAL PAGES 466-467.) [LR53 LB366]

PRESIDENT FOLEY: THANK YOU, MR. CLERK. RETURNING TO SELECT FILE. LB18, MR. CLERK. [LB18]

CLERK: MR. PRESIDENT, NO ENROLLMENT AND REVIEW. I DO HAVE OTHER AMENDMENTS TO THE BILL. SENATOR GROENE WOULD MOVE TO AMEND WITH AM301, SENATOR. (LEGISLATIVE JOURNAL PAGE 467.) [LB18]

PRESIDENT FOLEY: SENATOR GROENE, YOU'RE WELCOME TO OPEN ON YOUR AMENDMENT. [LB18]

SENATOR GROENE: THANK YOU, SPEAKER...PRESIDENT. ALL OF YOU FELLOW SENATORS KNOW I HAVE CONCERNS ABOUT MANDATING MENINGITIS VACCINE VERSUS SUPPLYING EDUCATION TO THE PARENTS AND THE STUDENT. SO I OFFER MY AMENDMENT AM301 THAT STRIKES THE ORIGINAL LANGUAGE OF THE BILL THAT MANDATES SEVENTH GRADERS AND STUDENTS THAT REACH THE AGE OF 16 BE VACCINATED AT SEVENTH GRADE, THEY WANT TO MANDATE IT, AND THEN A BOOSTER SHOT AT 16. MY AMENDMENT READS: BEGINNING JULY 1, 2016, EACH PUBLIC AND PRIVATE HIGH SCHOOL IN NEBRASKA SHALL PROVIDE TO EACH INCOMING FIRST-YEAR STUDENT AND ANY STUDENT TRANSFERRING FROM A HIGH SCHOOL LOCATED IN ANOTHER STATE AND TO THE STUDENT'S PARENTS OR LEGAL GUARDIAN THE FOLLOWING INFORMATION CONCERNING MENINGOCOCCAL DISEASE: (i) MENINGOCOCCAL DISEASE IS A SERIOUS DISEASE; (ii) MENINGOCOCCAL DISEASE IS A CONTAGIOUS BUT A LARGELY PREVENTABLE INFECTION OF THE SPINAL CORD FLUID AND THE FLUID THAT SURROUNDS THE BRAIN; (iii) IMMUNIZATION AGAINST MENINGOCOCCAL DISEASE DECREASES THE RISK OF CONTRACTING THE DISEASE. (b) IN ADDITION TO THE INFORMATION REQUIRED IN SUBDIVISION (4)(a) OF THIS SECTION, EACH PUBLIC AND PRIVATE HIGH SCHOOL IN NEBRASKA SHALL PROVIDE TO EACH INCOMING FIRST-YEAR STUDENT AND TO ANY STUDENT TRANSFERRING FROM A HIGH SCHOOL LOCATED IN ANOTHER STATE AND TO THE STUDENT'S PARENTS OR LEGAL GUARDIAN WEB SITE ADDRESSES, TELEPHONE NUMBERS, OR OTHER INFORMATION TO ASSIST THE STUDENT AND STUDENT'S PARENTS OR LEGAL GUARDIAN IN IDENTIFYING A LOCATION WHERE THE STUDENT MAY RECEIVE AN IMMUNIZATION AGAINST THE MENINGOCOCCAL DISEASE. (c) INFORMATION REQUIRED BY SUBDIVISION (4)(a) OF THIS SECTION MAY BE PROVIDED EXACTLY AS WRITTEN IN SUCH SUBDIVISION OR THROUGH SIMILAR LANGUAGE THAT REASONABLY MEETS THE INTENT OF SUCH SUBDIVISION AND IS BASED UPON ESTABLISHED AND SCIENTIFICALLY RECOGNIZED

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MEDICAL OR EPIDEMIOLOGICAL DATA. (d) BEGINNING JULY 1, 2016, EACH PUBLIC AND PRIVATE HIGH SCHOOL IN NEBRASKA SHALL REQUIRE EACH INCOMING FIRST-YEAR STUDENT AND EACH STUDENT TRANSFERRING FROM A HIGH SCHOOL LOCATED IN ANOTHER STATE WHO HAS NOT RECEIVED A VACCINATION AGAINST THE DISEASE, AND THE STUDENT'S PARENT OR LEGAL GUARDIAN, TO CHECK A BOX ON A DOCUMENT PROVIDED BY THE HIGH SCHOOL INDICATING THAT THE STUDENT AND THE PARENT OR LEGAL GUARDIAN HAVE REVIEWED THE INFORMATION PROVIDED PURSUANT TO SUBDIVISION (4)(a) AND (b) OF THIS SECTION AND HAVE DECIDED THAT THE STUDENT WILL NOT OBTAIN A VACCINATION AGAINST MENINGOCOCCAL DISEASE. (e) NOTHING IN THIS SUBSECTION SHALL BE CONSTRUCTED TO: (i) REQUIRE A STUDENT TO OBTAIN THE VACCINATION AGAINST MENINGOCOCCAL DISEASE; (ii) OR REQUIRE A HIGH SCHOOL TO PROVIDE OR PAY FOR THE VACCINATION OF A STUDENT. (f) A PUBLIC OR PRIVATE HIGH SCHOOL IN NEBRASKA THAT HAS MADE A REASONABLE EFFORT TO COMPLY WITH THIS SUBSECTION SHALL NOT BE LIABLE FOR DAMAGES FOR INJURIES SUSTAINED BY A STUDENT AS A RESULT OF CONTRACTING THE DISEASE IF THE STUDENT'S CLAIM IS BASED SOLELY UPON THE PROVISION OF THE INFORMATION REQUIRED BY THIS SUBSECTION. I BASICALLY USED...WE RESEARCHED EXISTING LAWS. THERE'S FIVE STATES THAT SUPPLY EDUCATION, THERE ARE 23 THAT MANDATE IT, AND 22 THAT DO NOT MANDATE ANYTHING OR REQUIRE EDUCATION. ALL THE STATES AROUND US DO NOT MANDATE THE VACCINATION. THIS IS COLORADO'S VERSION OF IT. WE'VE ADAPTED IT TO NEBRASKA OF WHAT THEY DO AS FAR AS EDUCATION. ALSO, WE RESEARCHED THE STATUTES, AND BACK IN 2003, 85-902 WAS PASSED BY THE UNICAMERAL CONCERNING HIGHER EDUCATION, INFORMATION ON MENINGOCOCCAL DISEASE REQUIREMENTS. BEGINNING WITH SCHOOL YEAR 2003-04, EACH POSTSECONDARY EDUCATIONAL INSTITUTION SHALL PROVIDE TO EACH NEWLY ENROLLED STUDENT WHO WILL RESIDE IN ONCAMPUS HOUSING AND THE STUDENT'S PARENTS OR GUARDIAN: (a) DETAILED INFORMATION ON THE RISKS ASSOCIATED WITH THE POTENTIALLY FATAL MENINGOCOCCAL DISEASE; (b) THE AVAILABILITY AND EFFECTIVENESS OF THE VACCINE AGAINST THE DISEASE; (c) A RECOMMENDATION THAT EACH STUDENT RECEIVE THE MENINGOCOCCAL VACCINATION; AND (d) THE INFORMATION ON THE AVAILABILITY OF AN INDIGENT PATIENT FUND TO ASSIST QUALIFIED PERSONS WITH THE COST OF THE VACCINE. EACH POSTSECONDARY EDUCATION INSTITUTION SHALL REQUEST A CONFIRMATION SIGNED BY THE STUDENT, PARENT, OR GUARDIAN. THAT IS WHAT THE UNIVERSITY OF NEBRASKA SYSTEM DOES. I UNDERSTAND THAT HASTINGS, MY GRANDDAUGHTER JUST ENTERED WESLEYAN, SHE RECEIVED THE VACCINATION BECAUSE THEY MANDATE IT. I HAVEN'T CHECKED WITH SOME OF THE JUNIOR COLLEGES BUT IT SEEMS THE PUBLIC UNIVERSITIES ARE JUST RECOMMENDING; MOST OF THE PRIVATES

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ARE MANDATING. THAT'S CALLED FREEDOM AND THAT'S CALLED THEIR ABILITY TO DECIDE. I WOULD LIKE TO CLARIFY SOMETHING I SAID WHEN I TESTIFIED AGAINST LB18. I WOULD LIKE...I MADE ON THE FLOOR OF THE HEARING A STATEMENT ON LB18 THE CENTERS FOR DISEASE CONTROL ADVISORY COMMITTEE ON IMMUNIZATION PRACTICES STATES IN THE ARTICLE THE JOURNAL OF AMERICAN MEDICAL ASSOCIATION THAT THE VACCINE EFFECTIVENESS, THE VE RATE, OF THE MENINGITIS VACCINE, A PERSON VACCINATED TWO TO FIVE YEARS EARLIER WAS 58 PERCENT. FROM THAT FACT, I MADE A STATEMENT. THIS 58 PERCENT IS COMPARED TO THE MMR, WHICH IS THE MEASLES, MUMPS, AND RUBELLA VACCINATION, THAT HAS A 95 PERCENT VACCINATION AFTER ONE DOSE AND NEARLY 100 PERCENT AFTER THE SECOND DOSE. IN A RUSH I STATED THAT 40 PERCENT FAILURE RATE FOR AT LEAST IF YOU PLAYED THE STATISTICS AND THAT THIS THING FAILS 40 PERCENT OF THE TIME. THAT IS NOT FACTUAL BECAUSE EVEN THOUGH YOU'VE GOT THE VACCINATION, 65 (PERCENT) TO 85 PERCENT OF US ARE NATURALLY IMMUNE. THAT IS NOT TRUE WITH MMR, MEASLES, AND ALSO JUST BECAUSE YOU GOT VACCINATED DOESN'T MEAN 40 PERCENT OF YOU ARE GOING TO GET THE DISEASE. IT'S A VERY SMALL SUBSET OF CITIZENS THAT ARE SUSCEPTIBLE TO MENINGITIS. SO IT'S A TRUE STATEMENT BUT IT'S EXAGGERATED. I JUST WANTED TO CLARIFY THAT BEFORE ANYBODY ATTACKED ON IT. IN CLOSING, I WOULD...AT PRESENT, NEBRASKA HAS A VERY GOOD COOPERATION BETWEEN OUR PUBLIC AND PRIVATE HEALTH SYSTEMS IN PLACE WHEN IT PERTAINS TO INFECTIOUS DISEASE PREVENTION. THE SYSTEM WORKS. OUR FAMILY DOCTORS AND PEDIATRICIANS DO A GREAT JOB EDUCATING PARENTS ON VACCINATIONS AND MOST IMPORTANTLY WHEN TO ADMINISTER THEM. ON THE OTHER HAND, WE HAVE A NETWORK OF LOCAL BOARD OF HEALTH AT OUR COUNTY LEVEL ALONG WITH THEIR PUBLIC HEALTH CLINICS THAT OPERATE THAT SERVICE THAT THAT PORTION OF OUR POPULATION PREFERS TO USE, OUR POOR AND INDIGENT. IT'S A FREE SERVICE IN MOST CASES. WHEN IT COMES TO BACTERIAL MENINGITIS VACCINATIONS, THE SYSTEM HAS WORKED WELL WITH NO MANDATE NEEDED. THE MOST RECENT DATA FROM THE CDC IN 2013 SHOWS AMONG ADOLESCENT NEBRASKANS HAS A 77.5 PERCENT VACCINATION RATE NOW. PARENTS HEED THEIR DOCTORS. PARENTS HEED THE HEALTH CLINIC, AND THOSE THAT DON'T ARE FREE DO SO. THAT'S CALLED FREEDOM. THE OFFICE OF EPIDEMIOLOGY WITHIN THE NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES RECORDS SHOW THAT NEBRASKA HAS HAD NO CASES OF MENINGITIS, PERIOD, IN 2014. ZERO. THAT'S AT ALL AGE GROUPS. AND OVER THE PAST 12 YEARS FROM 2003 TILL 2014, THE RECORDS SHOW THAT WE HAVE HAD TWO CASES IN THE 12- TO 17-YEAR AGE GROUP AND NINE CASES IN THE 18- TO 22-YEAR AGE GROUP. THAT IS LESS THAN ONE A YEAR. WE HAVE NO PROBLEM. THERE IS NO PANIC SITUATION IN THE STATE OF NEBRASKA ADDRESSING A PUBLIC HEALTH CRISIS. SINCE WE ALREADY HAVE

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A REQUIREMENT IN POSTSECONDARY EDUCATION INSTITUTIONS TO SUPPLY EDUCATIONAL MATERIALS ON MENINGITIS TO THE STUDENTS AND PARENTS, IT SEEMED APPROPRIATE TO DO THE SAME THING FOR STUDENTS IN OUR JUNIOR AND SENIOR HIGH SCHOOLS. REMEMBER, THERE WAS TWO CASES THE LAST 12 YEARS IN THAT AGE GROUP. IT MAKES SENSE TO GIVE THAT INFORMATION AT THAT TIME BECAUSE NOT ALL PUBLIC SCHOOL ATTENDEES PLAN TO ATTEND INSTITUTIONS OF HIGHER EDUCATION. [LB18]

PRESIDENT FOLEY: ONE MINUTE. [LB18]

SENATOR GROENE: NOT ALL DISEASES OR VACCINES ARE CREATED EQUAL. MENINGITIS IS A DISEASE THAT IS BETTER CONTROLLED WITH EDUCATION. THE VACCINE HAS EFFECTIVENESS CONCERNS AND THE PUBLIC NEEDS TO BE CONSTANTLY UPDATED. ONLY 75 PERCENT OF THE BACTERIA IS COVERS THAT CAUSES THE DISEASE. THE VACCINE ALSO HAS A SHORT LIFE SPAN OF TWO TO FIVE YEARS WITH WANING EFFECTIVENESS. THE FACT IS THAT OUR PRESENT SYSTEM IS WORKING WELL WITHOUT THE HEAVY HAND OF GOVERNMENT MANDATING TO THE CITIZENS' INDIVIDUAL MEDICAL BEHAVIOR. THANK YOU. [LB18]

PRESIDENT FOLEY: THANK YOU, SENATOR GROENE. DEBATE CONTINUES ON AM301. SENATOR KRIST, YOU'RE RECOGNIZED. [LB18]

SENATOR KRIST: GOOD MORNING, MR. PRESIDENT AND COLLEAGUES, AND GOOD MORNING, NEBRASKA. FIRST RULE OF FILIBUSTER, DO NOT ASSIST THE PERSON WHO IS FILIBUSTERING YOUR BILL. BUT THERE'S A FEW THINGS THAT NEED TO BE SAID. I'LL BE PASSING AROUND SOME INFORMATION. IN PARTICULAR, SENATOR GROENE, THERE WAS A CASE IN 2015. THAT DOCUMENTATION IS BEING PASSED AROUND. AND, SECONDLY, I BELIEVE THAT IF I UNDERSTAND THE PEOPLE WHO BROUGHT THIS TO ME, THAT IS 93 COUNTIES AND THE MEDICAL OFFICERS THERE AND PUBLIC HEALTH OFFICIALS THAT I TRUST THEY KNOW MORE THAN WE DO ABOUT THIS...WITH THE EXCEPTION MAYBE OF DR. KUEHN, THAT THEY KNOW MORE THAN WE DO ABOUT THE SUBJECT MATTER. IN ADDITION, I JUST RECEIVED A LETTER, WAS FORWARDED TO SENATOR SULLIVAN BY WAYNE STUBERG, Ph.D., PT, CHAIR OF THE STATE BOARD OF HEALTH. THE STATE BOARD OF HEALTH--AND I'LL JUST READ THIS TO YOU FOR THE RECORD--MET ON JANUARY 26 TO REVIEW LEGISLATION THAT HAD BEEN INTRODUCED AND INVOLVES THE HEALTH AND WELL-BEING OF NEBRASKANS. LB18 WOULD REQUIRE STUDENTS ENTERING SEVENTH AND AGE 16 TO BE IMMUNIZED WITH THE MENINGITIS VACCINE. THE BOARD OF HEALTH HAD NOT YET MET TO TAKE A FORMAL POSITION PRIOR TO JANUARY 20th WHEN THE EDUCATION COMMITTEE MET ON THE SUBJECT MATTER. ADOLESCENTS AND YOUNG ADULTS ARE MOST AT RISK FROM THIS

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DISEASE, AND THIS BILL TARGETS THESE GROUPS. EARLY SYMPTOMS FOR MENINGITIS RESEMBLE THE FLU. BY THE TIME THEY FIGURE OUT YOU HAVE MORE THAN JUST THE FLU, IT CAN BE TOO LATE FOR PROPER TREATMENT. ONE OUT OF SEVEN WHO GET THE DISEASE WILL DIE. ONE OUT OF SEVEN WHO GET THE DISEASE WILL DIE. THOSE WHO SURVIVE IT WILL DO SO WITH SERIOUS COMPLICATIONS AND POSSIBLE LOSS OF LIMB. FOR MANY OF US, THIS SEEMS TO BE AN INSANE...SEEMS TO BE AN ISSUE THAT DOESN'T SEEM TO AFFECT US VERY DIRECTLY. HOWEVER, ANYTHING WE CAN DO AS CITIZENS TO KEEP OUR STATE HEALTHY AND PREVENT SIGNIFICANT LONG-TERM CONSEQUENCES OF AN ILLNESS ARE EXTREMELY IMPORTANT. IMMUNIZATIONS LIKE THE MENINGOCOCCAL VACCINE ALTHOUGH NOT 100 PERCENT EFFECTIVE WILL HELP PREVENT A LARGE NUMBER OF THESE PROBLEMS. IN THIS AGE OF INCREASED RECOGNITION OF VACCINE-PREVENTABLE DISEASE IT SEEMS A PERFECT TIME TO STRONGLY SUPPORT THE UTILIZATION OF THE MENINGITIS VACCINE FOR ALL ELIGIBLE STUDENTS FOR THEIR PROTECTION AND TO IMPROVE PUBLIC HEALTH. THE BOARD OF HEALTH TAKES POSITIONS ON LEGISLATION VERY SERIOUSLY SINCE THERE MUST BE A UNANIMOUS AGREEMENT FOR THE HANDFUL OF BILLS SELECTED FOR ACTIVE SUPPORT OR OPPOSITION. LB18 IS IN ONE OF THESE BILLS. AND THE BOARD OF HEALTH SUPPORTS THIS BILL. THIS SEEMS LIKE A LOGICAL PRIORITY FOR THE UNICAMERAL TO PASS. AGAIN, DR. WAYNE STUBERG, CHAIR, STATE BOARD OF HEALTH. AND WITH THAT, I PROBABLY WILL TALK ONE OR TWO MORE TIMES ON THE NINE AMENDMENTS THAT HAVE BEEN FILED, BUT I WILL NOT ASSIST IN FILIBUSTERING. AND TO BE CLEAR, MR. PRESIDENT, COULD I ADDRESS SENATOR GROENE WITH A QUESTION? [LB18]

PRESIDENT FOLEY: SENATOR GROENE, WOULD YOU YIELD? [LB18]

SENATOR GROENE: YES. [LB18]

SENATOR KRIST: IS IT YOUR INTENTION TO TAKE IT FOUR HOURS AND FILIBUSTER THIS BILL? [LB18]

SENATOR GROENE: IF THIS AMENDMENT PASSES, I WILL SUPPORT LB18. [LB18]

SENATOR KRIST: WELL, THEN LET ME MAKE IT CLEAR, NONE OF THE AMENDMENTS THAT YOU HAVE FILED ARE CONSIDERED FRIENDLY AMENDMENTS. THIS AMENDMENT IN PARTICULAR GUTS THE BILL AND I WILL NOT SUPPORT IT AND I WOULD URGE YOU, COLLEAGUES, NOT TO SUPPORT THIS OR ANY OF THE EIGHT THAT FOLLOWS. THANK YOU, MR. PRESIDENT. [LB18]

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PRESIDENT FOLEY: THANK YOU, SENATOR KRIST. SENATOR SCHNOOR, YOU'RE RECOGNIZED. [LB18]

SENATOR SCHNOOR: THANK YOU, SIR. AS NEW SENATORS HERE, WE HAVE ALL LEARNED A LOT ABOUT PROCEDURAL ISSUES AND ABOUT HOW WE DO ALL THIS STUFF. AND YOU'VE LEARNED A LOT ABOUT HOW PEOPLE CAN AFFECT YOUR DECISION MAKING. AND I'VE LEARNED...WHAT I'VE LEARNED A LOT JUST ABOUT THIS LB18 IS THAT IT HAS BEEN FOUGHT WITH FACTS AND EMOTION HAS BEEN THROWN IN FROM THE START. SO IT'S SOMETIMES HARD TO DECIPHER EVERYTHING. DO I AGREE THAT THERE'S A PUBLIC HEALTH RISK? WELL, I CAN'T SAY FOR SURE. I'M NOT A MEDICAL DOCTOR. I DON'T KNOW WHAT CONSTITUTES A PUBLIC HEALTH RISK. I JUST KNOW WHEN YOU SEE SOMEBODY STANDING UP THERE THAT THEY DON'T HAVE ANY ARMS OR ANY LEGS THAT THAT'S PRETTY SERIOUS. I DO AGREE, HOWEVER, WITH SENATOR GROENE THAT EDUCATION IS IMPORTANT AND I DO AGREE WITH FREEDOM, FREEDOM OF CHOICE. HOWEVER, IT IS HARD TO ARGUE THESE OTHER FACTS THAT ARE PRESENTED. BUT I GUESS I HAVE KIND OF CHANGED MY STANCE ON THIS. SHOULD PEOPLE GET VACCINATED? I SURE WOULD LIKE TO SEE EVERY PERSON GET VACCINATED. SHOULD THE AGE RANGES BE CHANGED? PROBABLY SO. SO I AM GOING TO SUPPORT SENATOR GROENE'S AMENDMENT BECAUSE LIKE I SAY, I PARTICULARLY LEARNED A LOT ABOUT THINGS HERE AND I THINK THAT FREEDOM IS IMPORTANT. YOU KNOW, IN THE MILITARY, THEY USED US AS PINCUSHIONS. WE GOT MORE SHOTS THAN YOU EVER KNEW. HALF THE TIME WE DIDN'T EVEN KNOW WHAT THEY WERE. YOU KNOW, BUT WE GOT SOME PRETTY NASTY ONES, TOO, THAT WE WERE TOLD IF YOU DON'T GET IT, YOU DON'T GET TO DEPLOY. SO YOU LINED UP AND YOU GOT THE SHOT, DIDN'T MATTER WHAT IT WAS. BUT HERE WE HAVE A CHOICE. THE PEOPLE HAVE A CHOICE TO MAKE A DECISION, AND I'M GOING TO SUPPORT THAT. I'M GOING TO SUPPORT SENATOR GROENE. AND I'M GOING TO ASK THAT EVERYBODY REALLY THINK ABOUT THIS AND LET'S TALK ABOUT FREEDOM. YOU KNOW, AND THEN YOU GOT TO JUST MAKE A CONSCIENCE DECISION WHETHER...YOU KNOW, WHAT YOU WANT TO DO, FREEDOM OR IF YOU THINK THIS IS A PUBLIC HEALTH ISSUE. BUT, SENATOR GROENE, I SAID, YOU GOT MY SUPPORT ON THIS. THANK YOU. [LB18]

PRESIDENT FOLEY: THANK YOU, SENATOR SCHNOOR. SENATOR EBKE. [LB18]

SENATOR EBKE: THANK YOU, MR. PRESIDENT. I WONDER IF SENATOR GROENE WOULD BE WILLING TO ENGAGE IN A LITTLE BIT OF A QUESTION-AND-ANSWER SESSION HERE. [LB18]

PRESIDENT FOLEY: SENATOR GROENE, WOULD YOU YIELD? [LB18]

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SENATOR GROENE: YES, I WOULD, SENATOR EBKE. [LB18]

SENATOR EBKE: THANK YOU. AND I MAY HAVE MISSED THIS AS YOU WERE INTRODUCING YOUR AMENDMENT. DO YOU HAVE ANY...AND IF YOU SAY NO OR YOU DON'T KNOW, THAT'S FINE, TOO, BUT DO YOU HAVE ANY OVER-TIME TRENDS IN TERMS OF THE NUMBER OF CASES OF BACTERIAL MENINGITIS THAT WE'VE SEEN, SAY, IN THE LAST 10, 15 YEARS? [LB18]

SENATOR GROENE: YES, I DO. AND I CAN READ THEM TO YOU. THE FIRST VACCINE CAME OUT IN THE 1970s, I BELIEVE, BUT IT WAS NOT VERY EFFECTIVE. IN 2005, THE MCV4 VACCINE CAME OUT. AND NOW THERE'S THE DUPLICATE ONE THAT'S KIND OF FROM THE SAME COMPANY, BY THE WAY, SANOFI PASTEUR FROM FRANCE IS THE ONE COMPANY THAT LAST YEAR WHEN IT WAS LB480 WAS THE ONE THAT GOT THE SPONSOR TO SPONSOR THE BILL BECAUSE THEY COULD SELL THE VACCINE. I'M SURE THEY CARED ABOUT CHILDREN. BUT THAT'S IN THE TESTIMONY IN THE TRANSCRIPTS FROM LAST YEAR'S HEARINGS. BUT IN 1990...THESE ARE OVERALL CASES. THAT'S A POINT THAT NEEDS TO BE MADE TOO, FOLKS. WE ARE VACCINATING A FIVE-YEAR VACCINATION AT THE MOST FOR AN AGE GROUP BETWEEN 12 AND 22. MENINGITIS INFECTS CHILDREN, BABIES, AND THE ELDERLY ALSO. I HAVE A PERSONAL ACQUAINTANCE THAT GOT IT AT THE AGE OF 42. HE TOOK PENICILLIN. HE WAS FINE. IT WAS CAUGHT. SO THAT IS ONE THING WE HAVE TO REMEMBER TOO. SO WHEN I GIVE YOU THESE NUMBERS, YOU WILL UNDERSTAND THAT THEY'RE FOR ALL CASES. IN 1990, IT WAS 5; 1991, 8; 1992, 16; 1993, 9; 1994, 12; 1995, 22; 1996, 29; 1997, 9; 1998, 17; 1999, 13; 2000 THERE WAS 9; 2001 THERE WAS 18; 2002, 18; 2003, 8; 2004, 5; 2005, 6; 2006, 5; 2007, 5; 2008, 13; 2009, 11; 2010, 6; 2011, 11; 2012, 3; 2013, 5; 2014, 0. I, BY THE WAY, TAKE SCIENTIFIC FACT FROM THE CDC AND THE STATE OF NEBRASKA'S HEALTH AND HUMAN SERVICES AS FACT, NOT A NEWSPAPER ARTICLE AS FACT. BUT ANYWAY, SO IN 2014 THAT WAS ZERO. THERE'S NOT A TREND. MENINGITIS IS NOT THE MEASLES. IT IS NOT HIGHLY INFECTIVE. IN FACT, IN THE ARTICLE THAT SENATOR KRIST GAVE OUT, THIS TYPE OF MENINGITIS IS SPREAD BY DIRECT CONTACT WITH THE NOSE OR THROAT DISCHARGES OF AN INFECTED PERSON. ANYONE FURTHER THAN ABOUT TWO FEET FROM THE INFECTED STUDENT WOULD NOT LIKELY BE EXPOSED. THIS IS NOT A HIGHLY EFFECTIVE...HIGHLY CONTAGIOUS DISEASE. THIS IS OVERREACH BY GOVERNMENT. [LB18]

SENATOR EBKE: OKAY. SO AS I'M LOOKING AT THESE NUMBERS THAT I JOTTED DOWN QUICKLY IN THE LAST 25 YEARS, I DON'T SEE A REAL TREND LINE EITHER. THERE MAY BE A SLIGHT DECREASE, BUT WE DON'T REALLY KNOW WHY. HAS ANYBODY DONE ANY SORT OF CORRELATION WITH THE ONSET OF RECOMMENDED VACCINES AND WHETHER OR NOT THAT'S HAVING

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ANY EFFECT ON THE NUMBERS THAT YOU'RE AWARE OF? [LB18]

PRESIDENT FOLEY: ONE MINUTE. [LB18]

SENATOR GROENE: NO, I HAVEN'T SEEN ANY STUDIES. IT JUST EBBS AND FLOWS WITH VERY SMALL NUMBERS IN A POPULATION OF 1.8 MILLION PEOPLE. [LB18]

SENATOR EBKE: AND THESE NUMBERS THAT YOU GAVE ME, THEY'RE OVERALL CASES. THEY DON'T... [LB18]

SENATOR GROENE: OVERALL CASES. [LB18]

SENATOR EBKE: THEY DON'T INCLUDE...I MEAN, THEY INCLUDE DEATHS BUT THOSE DON'T REPRESENT DEATHS FROM CASES, RIGHT? [LB18]

SENATOR GROENE: NO, OVERALL CASES. [LB18]

SENATOR EBKE: OKAY. SO WE'RE TALKING SOMETHING IN THE HIGH NUMBER OF 29, IT LOOKS LIKE. I WILL HAVE SOME MORE QUESTIONS FOR YOU HERE IN A FEW MINUTES I THINK. BUT I THINK MY TIME IS ABOUT UP. SO THANK YOU, MR. PRESIDENT. [LB18]

SENATOR GROENE: THANK YOU, SENATOR. [LB18]

PRESIDENT FOLEY: THANK YOU, SENATORS EBKE AND GROENE. SENATOR KINTNER, YOU'RE RECOGNIZED. [LB18]

SENATOR KINTNER: WELL, THANK YOU, MR. PRESIDENT. YOU KNOW, USUALLY I DON'T LIKE TO SPEAK AFTER SENATOR EBKE. SHE SAYS IT SO MUCH BETTER THAN ME. BUT, YOU KNOW, I LISTENED TO THE TESTIMONY ON THIS BILL. IT WAS SENATOR KRIST'S BILL LB18 WE'RE TALKING ABOUT, AND IT WAS COMPELLING. IT WAS HEARTRENDING TO HEAR THE PEOPLE WHO'D GOTTEN THE DISEASE AND THEIR STRUGGLES, WHAT IT DID TO THEIR FAMILIES. YEAH, I WAS MOVED. I WAS MOVED. BUT, YOU KNOW, TALKING AND LOOKING AT WHO WE'RE TARGETING HERE, LOOKING AT WHERE IT'S LIKELY TO OCCUR, THIS DISEASE, LOOKING AT THE COSTS TO DO THIS, AND LOOKING AT THE METHOD WE'RE USING, IT SEEMS TO ME THAT WE'RE USING A SLEDGEHAMMER ON THIS WHEN WE OUGHT TO BE USING A TACK HAMMER. AND I THINK WE'RE PROBABLY MOST PRUDENT AT THIS POINT TO PUT THE INFORMATION OUT THERE TO EDUCATE THE PARENTS AND MONITOR IT A FEW YEARS AND SEE IF IT DOES THE TRICK. SINCE IT'S NOT A HUGE PROBLEM RIGHT NOW, I SUSPECT THIS MAY VERY WELL DO THE TRICK. AND, YOU

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KNOW, WE WON'T BE SPENDING \$254,000. IF, YOU KNOW, AT SOME POINT WE GOT TO SPEND THE MONEY TO PROTECT PEOPLE, THEN WE GOT TO SPEND THE MONEY. I DON'T THINK WE'RE THERE RIGHT NOW AND I DON'T THINK IT'S PRUDENT. A LOGICAL STEP FORWARD IS TO LET'S SEE WHERE THIS LANDS US. AND IF WE NEED TO COME BACK AT SOME POINT, I DON'T SEE A PROBLEM DOING THAT. AND I REALLY THINK THAT'S PROBABLY THE BEST WAY TO GO ABOUT THIS. AND WE WILL FIND OUT BY DOING THIS IF EDUCATING PARENTS AND LETTING THEM DO THEIR JOB AS PARENTS DOES THE TRICK IN TERMS OF STOPPING THIS HORRIBLE DISEASE FROM SPREADING. I WOULD LIKE TO SEE IF SENATOR GROENE WILL YIELD TO A QUESTION. [LB18]

PRESIDENT FOLEY: SENATOR GROENE, WOULD YOU YIELD? [LB18]

SENATOR GROENE: YES, SENATOR KINTNER. [LB18]

SENATOR KINTNER: PART OF MY PROBLEM WITH THE HEAVY-HANDED SLEDGEHAMMER APPROACH IS THAT I'M NOT SURE WE'RE TARGETING THE RIGHT PEOPLE AND I'M NOT SURE IT'S A CONTAGIOUS DISEASE LIKE THE OTHER ONES WE IMMUNIZE FOR WHICH I SUPPORT. HOW DOES THIS DISEASE SPREAD? CAN YOU GO OVER THAT ONE MORE TIME? [LB18]

SENATOR GROENE: I'M USING SENATOR KRIST'S INFORMATION SO I DON'T KNOW ABOUT THE ACCURACY. BUT IT SAYS IN THAT NEWS ARTICLE, THIS TYPE OF MENINGITIS IS SPREAD BY DIRECT CONTACT WITH THE NOSE OR THROAT DISCHARGES OF AN INFECTED PERSON. ANYONE FURTHER THAN ABOUT TWO FEET FROM THE INFECTED STUDENT WOULD NOT LIKELY TO BE EXPOSED, UHING SAID. I DO KNOW FROM THE CDC THAT THE LIFE SPAN OF THE GERM OUTSIDE OF THE BODY IS LESS THAN TWO MINUTES. MEASLES, IF IT'S ON A DOORKNOB, THREE DAYS LATER, IF YOU TOUCH THAT DOORKNOB, YOU CAN BE INFECTED. PLUS MEASLES, IT IS NOT NATURALLY IMMUNE...65 (PERCENT) TO 85 PERCENT OF US ARE NATURALLY IMMUNE BY THE TIME WE REACH ADULTHOOD TO MENINGITIS. THAT'S NOT THE CASE WITH MEASLES. AND I'M GLAD SENATOR KINTNER SAID HE'S NOT OPPOSED TO MMR. I AM NOT EITHER. I'M NOT OPPOSED TO THIS VACCINATION. I'M OPPOSED TO THE POINT THAT IT'S OVERHANDED, HEAVY HANDEDNESS BY THE GOVERNMENT AND THIS DISEASE NEEDS EDUCATION BECAUSE OF THE FACTS THAT IT ONLY COVERS 75 PERCENT OF THE BACTERIA THAT CAUSES THE DISEASE. YOU TALK ABOUT GOVERNMENT OUT OF CONTROL. A FEW OF THE STATES OF THE 23 THAT PASSED THE MANDATORY DID IT LAST YEAR BECAUSE THE UNIVERSITY OF PRINCETON HAD AN OUTBREAK IN 2013. [LB18]

PRESIDENT FOLEY: ONE MINUTE. [LB18]

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SENATOR GROENE: IN THAT OUTBREAK, A LOT OF THE KIDS WERE VACCINATED, BUT IT WAS SEROGROUP B, THE ONE THAT IS NOT COVERED BY THE VACCINATION THAT INFECTED THOSE STUDENTS. THANK YOU. [LB18]

SENATOR KINTNER: WELL, I APPRECIATE THAT, SENATOR GROENE. IT LOOKS LIKE FROM WHAT WE KNOW, IT'S GOT TO BE DIRECT CONTACT, IT GOES ABOUT TWO FEET. SO SOMEONE WOULD LITERALLY HAVE TO COME, SNEEZE IN YOUR FACE, BLOW THEIR NOSE ON TO YOUR FACE FOR YOU TO GET IT. AND FROM WHAT I CAN TELL, EVEN FAMILIES WHERE SOMEONE GETS THIS VERY SERIOUS DISEASE, THEY'RE USUALLY THE ONLY PERSON TO GET THE DISEASE. AND THIS ISN'T LIKE A LOT OF OTHER DISEASES WHERE IF SOMEONE JUST BREATHE IN THE AIR AND LANDS ON A DESK YOU CAN GET IT, WHICH IS WHY WE VACCINATE KIDS, WHY WE MANDATE IT, AND WHY WE SHOULD MANDATE IT. THIS DOESN'T RISE ANYWHERE CLOSE TO THAT LEVEL. THANK YOU. [LB18]

PRESIDENT FOLEY: TIME. THANK YOU, SENATOR KINTNER. SENATOR GROENE, YOU'RE RECOGNIZED. [LB18]

SENATOR GROENE: THANK YOU, PRESIDENT. I'M GLAD SENATOR KINTNER BROUGHT THAT UP. ACCORDING TO THE CDC, 98 PERCENT OF ALL CASES IN THE UNITED STATES, AND IT'S DOWN TO AROUND 1,000 A YEAR NOW, ARE SINGLE CASES. ONE INDIVIDUAL GOT THE DISEASE AND IT WASN'T SPREAD TO CLASSMATES OR TO FAMILY MEMBERS, SO IT IS NOT HIGHLY COMMUNICABLE DISEASE. AS I SAID EARLIER, ALL THESE DISEASES AND VACCINES ARE NOT EQUAL. THE SYSTEM WORKS. THE SYSTEM IN NEBRASKA WORKS WITHOUT A HEAVY HAND OF GOVERNMENT. SEVENTY-SEVEN AND A HALF PERCENT OF ADOLESCENTS ARE NOW VACCINATED. ACCORDING TO THE CDC, THE HERD FACTOR TAKES EFFECT AT 80 PERCENT. SO WE'RE AT 77.5 (PERCENT). WITH SOME EDUCATION, WE WILL BE THERE. I HAVE FAITH IN MY FELLOW NEBRASKANS, I WANT TO PROTECT THEIR FREEDOM, I WANT TO PROTECT THEIR PUBLIC HEALTH. A MANDATORY VACCINATION ON MENINGITIS DOES NOT DO IT. I'LL TAKE ANY QUESTIONS FROM ANYBODY WHO HAS IT WITH THE REST OF MY TIME. [LB18]

PRESIDENT FOLEY: THANK YOU, SENATOR GROENE. SENATOR GROENE... [LB18]

SENATOR GROENE: DO I HAVE SOME TIME LEFT? [LB18]

PRESIDENT FOLEY: YOU'VE GOT 3:30, SENATOR, YOU MAY PROCEED. [LB18]

SENATOR GROENE: ALL RIGHT. YOU KNOW, I'M CONFUSED. I DO THAT

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SOMETIMES. THAT'S WHY I'M SUCH A FANATIC ABOUT RESEARCH. THEY SAY THE FRIENDS OF PUBLIC HEALTH, WHICH IS THE LOCAL COUNTY HEALTH CLINICS, LAST YEAR AT THE...AT THE HEARING ON IT, KAY OESTMANN REPRESENTED THE FRIENDS OF PUBLIC HEALTH, WHICH REPRESENTS LOCAL HEALTH DEPARTMENTS ACROSS THE STATE. I'M READING FROM THE TRANSCRIPTS OF THE HEARING LAST YEAR. HER STATEMENT WAS: WHILE FRIENDS OF PUBLIC HEALTH SUPPORT AND PROVIDE RECOMMENDED IMMUNIZATIONS IN OUR PUBLIC IMMUNIZATIONS, WE DO HAVE CONCERN ABOUT MAKING A LAW SINCE IT IS THE CDC'S RECOMMENDATION AND ALREADY IN PRACTICE THROUGHOUT THE STATE. I WOULD TAKE ANY QUESTIONS IF ANYBODY HAS ONE. THEY TESTIFIED IN A NEUTRAL POSITION LAST YEAR. AND WE HAD NO CASES IN 2014 SINCE THAT TIME. SO I DON'T KNOW WHAT HAPPENED OR WHO'S DOING THE INFLUENCING. BUT THANK YOU. [LB18]

PRESIDENT FOLEY: THANK YOU, SENATOR GROENE. SENATOR GARRETT YOU'RE RECOGNIZED. [LB18]

SENATOR GARRETT: THANK YOU, LIEUTENANT GOVERNOR. MEMBERS OF THE BODY, LIKE SENATOR SCHNOOR, I, TOO, SERVED MANY YEARS IN THE AIR FORCE AND FELT LIKE A PINCUSHION. IN THE FIRST GULF WAR, BEFORE THE WAR KICKED OFF, WE WERE FORCED TO TAKE AN EXPERIMENTAL DRUG; HAD NOT BEEN FDA APPROVED FOR ANTHRAX. DIDN'T SEE US GETTING HOOF AND MOUTH OVER THERE, BUT WE TOOK ANTHRAX. WE THOUGHT WE WERE GOING TO BE NERVE GASSED, SO WE WERE TAKING...WE CALLED THEM "P-TABS" PYRIDOSTIGMINE BROMIDE. I THINK I PROBABLY GOT THAT WRONG BUT THOSE THINGS AFFECTED US. MY WHOLE POINT HERE IS THAT, DOGGONE IT, WE OUGHT NOT BE PUTTING THINGS IN OUR CHILDREN UNLESS WE, AS PARENTS, PHILOSOPHICALLY AGREE WITH THEM. I AGREE WE IMMUNIZE OUR CHILDREN FOR MEASLES, MUMPS, RUBELLA, THOSE KINDS OF THINGS. BUT FOR A DISEASE THAT HASN'T SHOWN ITSELF TO BE A REAL HEALTH THREAT ACROSS THE SPECTRUM THERE, I THINK PARENTS OUGHT TO BE GIVEN THE CHOICE PHILOSOPHICALLY WHETHER OR NOT THEY WANT TO HAVE THEIR CHILDREN IMMUNIZED. AND IT'S ALL ABOUT PERSONAL FREEDOM. AND AGAIN, THIS IS NOT A BIG HEALTH THREAT FROM WHAT I CAN SEE. AND WITH THAT I'LL YIELD THE REST OF MY TIME TO SENATOR GROENE IF HE SO CHOOSES. [LB18]

PRESIDENT FOLEY: SENATOR GROENE, YOU HAVE 3:45. [LB18]

SENATOR GROENE: WE LOOKED UP...I'VE GOT VERY GOOD AIDES, BY THE WAY, THEY LOOKED UP THE STATUTES THAT GOVERN OUR LOCAL PUBLIC HEALTH DEPARTMENTS, HEALTH DIRECTORS, AND LOOKED UP WHAT THEIR

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MANDATES WERE. EACH LOCAL PUBLIC HEALTH DEPARTMENT SHALL INCLUDE ESSENTIAL ELEMENTS IN CARRYING OUT THE CORE PUBLIC HEALTH FUNCTIONS TO THE EXTENT APPLICABLE WITHIN ITS GEOGRAPHICAL DEFINED COMMUNITY AND THE EXTENT FUNDS ARE AVAILABLE. THE CENTRAL ELEMENT INCLUDES, BUT NOT LIMITED TO, MONITORING HEALTH STATUS TO IDENTIFY COMMUNITY HEALTH PROBLEMS; (B) DIAGNOSTIC AND INVESTIGATING HEALTH PROBLEMS AND HEALTH HAZARDS IN THE COMMUNITY; INFORMING, EDUCATING, AND EMPOWERING PEOPLE ABOUT HEALTH ISSUES THAT'S CALLED EDUCATION; MOBILIZING COMMUNITY PARTNERSHIPS TO IDENTIFY AND SOLVE HEALTH PROBLEMS...THAT PROTECT PUBLIC HEALTH AND ENVIRONMENT AND ENSURE SAFETY; LINKING PEOPLE TO NEEDED MEDICAL AND MENTAL HEALTH SERVICES; AND ENSURING THE PROVISIONS OF HEALTHCARE WHEN NOT OTHERWISE AVAILABLE; ASSURING A COMPETENT WORKFORCE WITHIN THE HEALTHCARE INDUSTRY AND THE PUBLIC HEALTH DEPARTMENT; EVALUATE EFFECTIVENESS ACCESSIBILITY AND QUALITY OF SERVICE WITHIN THE HEALTHCARE INDUSTRY AND THE PUBLIC HEALTH DEPARTMENT; RESEARCH AND TO GAIN NEW INSIGHTS AND INNOVATIVE SOLUTIONS TO HEALTH PROBLEMS. NOWHERE IN THERE DOES IT SAY IT GIVES ADVICE TO THE UNICAMERAL ON PUBLIC HEALTH. I'VE LOOKED UP THE QUALIFICATIONS FOR DIRECTOR OF PUBLIC HEALTH; YOU DON'T EVEN HAVE TO BE A NURSE ON A LOCAL ONE. YOU HAVE TO HAVE BUSINESS BACKGROUND. I GOT A HOLD OF MY LINCOLN COUNTY...THEY RECOMMEND SOME CAREERS, BUT THERE'S NO MANDATE. SO AGAIN, I MAKE MY DECISIONS ON FACTS AND THAT'S WHY MY PEOPLE SENT ME HERE. THANK YOU. [LB18]

PRESIDENT FOLEY: THANK YOU, SENATORS GARRETT AND GROENE.
SENATOR FRIESEN, YOU'RE RECOGNIZED. [LB18]

SENATOR FRIESEN: THANK YOU, MR. PRESIDENT. WHEN THIS BILL FIRST CAME TO THE FLOOR, I SUPPORTED SENATOR GROENE'S AMENDMENT BACK THEN AND IT FAILED. I'VE DONE A LOT MORE RESEARCH SINCE THEN. I KNOW THERE'S A TREMENDOUS AMOUNT OF RESEARCH ONGOING AND THEY'RE STILL TRYING TO PERFECT VACCINES THAT WORK BETTER THAN WHAT WE HAVE THIS DAY. AS MY CHILDREN WERE GROWING UP, WE ARE NOT ANTI-VACCINE AT ALL. I MEAN, THERE'S OBVIOUS HEALTH BENEFITS TO MANY OF THE VACCINES THAT ARE REQUIRED TO THIS DAY. BUT THIS IS JUST ONE OF THOSE, I GUESS, I'VE...LOOKING AT THE NUMBER OF CASES AND THE INCIDENTS THAT WE HAVE, I JUST DON'T FEEL THAT THIS SHOULD BE REQUIRED AT THIS TIME. I THINK AS MORE INFORMATION COMES FORWARD, WE NEED TO KEEP LOOKING AT IT. BUT WITH THE RESEARCH GOING ON, I THINK BETTER VACCINES WILL BE DEVELOPED THAT WILL BE MORE EFFECTIVE AND MAYBE WON'T HAVE SOME OF THE SIDE EFFECTS THAT CURRENTLY HAPPEN WITH SOME VACCINES. WHEN MY KIDS WERE GOING TO

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COLLEGE, WHICH IS THAT FRESHMAN YEAR IS, OBVIOUSLY, THE FIRST TIME THAT MOST PEOPLE ARE PROBABLY EXPOSED TO THIS DISEASE AND IT SEEMS THAT WOULD BE THE MOST FREQUENT TIME, YOU KNOW, THE KIDS WOULD CALL HOME AND IF THEY WERE SICK OR SOMETHING, THE FIRST THING MY WIFE WOULD ASK IS, YOU KNOW, CAN YOU TOUCH YOUR CHIN TO YOUR CHEST. AND RIGHT AWAY THEY'D SAY, WELL, I HAVE NO PROBLEM THERE. WELL, THEN YOU DON'T HAVE MENINGITIS. IT WAS AN EDUCATION PROCESS. I THINK, TOO, IF PEOPLE ARE AWARE OF THE DISEASE, THERE ARE SOME SIMPLE SYMPTOMS THAT WHEN YOU HAVE THESE, YOU CAN GET TREATMENT. WE DISCUSSED A LITTLE BIT...I TALKED TO MY KIDS ABOUT IT AND, YOU KNOW, THEY ARE...THEY ALL HAVE CHILDREN OF THEIR OWN NOW. THEY'VE ALL HAD THEM VACCINATED. THEY'RE PRETTY UPSET WITH PEOPLE AROUND THAT DON'T VACCINATE THEIR CHILDREN FOR SOME OF THE COMMON DISEASES AROUND. AND SO IT'S NOT A QUESTION OF NOW WHETHER I'M ANTI-VACCINE OR NOT, I JUST...YOU HAVE TO LOOK AT THE NUMBER OF CASES. I THINK YOU HAVE TO LOOK AT THE INCIDENTS THAT ARE OUT THERE. YES, IT'S A SERIOUS DISEASE; IT HAS SERIOUS CONSEQUENCES. BUT I THINK WHAT SENATOR GROENE'S AMENDMENT DOES IS IT HIGHLIGHTS THE EDUCATION PROCESS MAYBE THAT PARENTS NEED TO CONSIDER WHENEVER THEIR KIDS GET SICK. YOU CAN'T ALWAYS TAKE THINGS FOR GRANTED THAT IT IS GOING TO BE A SIMPLE FLU OR ANYTHING ELSE. AND IN THOSE CASES, YOU CAN HAVE YOUR CHILD VACCINATED. BUT IF YOU'RE ONE OF THE...ONE OF THE FEW THAT IT DOESN'T WORK ON AND YET YOU FEEL YOU'VE BEEN VACCINATED, YOU SHOULD BE SAFE, I STILL THINK THAT EDUCATION PROCESS IS EXTREMELY IMPORTANT IN SO THAT YOU DON'T LET THOSE SYMPTOMS PERSIST AND END UP IN A...ONE OF THE SERIOUS CASES THAT THEY'VE HAD. SO I THINK THE EDUCATION PROCESS FOR NOW SHOULD BE ENOUGH. WHEN I WAS TALKING TO MY KIDS...WHEN THEY WENT TO COLLEGE, I THINK TWO OUT OF THE FOUR REMEMBERED HAVING TO HAVE THE VACCINATION BEFORE THEY ENTERED COLLEGE, THAT WAS A REQUIREMENT OF THE UNIVERSITY. I DON'T KNOW WHERE UNL STANDS ON THIS ISSUE, BUT MY CHILDREN ATTENDED DIFFERENT COLLEGES. BUT I KNOW SOME COLLEGES REQUIRE IT AND I'M NOT...THAT'S...IF THEY WANT TO MAKE THAT PART OF THE REQUIREMENT OF ATTENDING COLLEGE, THAT'S FINE WITH ME; I DON'T HAVE A POSITION ON THAT. I'M OKAY WITH IT. BUT HAVING TO MANDATE IT AT THE STATE LEVEL NOW, I JUST...I DON'T FEEL COMFORTABLE DOING IT. [LB18]

PRESIDENT FOLEY: ONE MINUTE. [LB18]

SENATOR FRIESEN: I'M VERY COMFORTABLE WITH JUST EDUCATING THEM AND PROVIDING THAT INFORMATION THAT'S OUT THERE. YOU CAN CONSULT YOUR PHYSICIAN. THEY CAN GIVE YOU ADVICE ON WHETHER OR NOT TO GET

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VACCINATED. THIS IS JUST...SEEMS TO ME ONE OF THOSE DISEASES THAT WE COULD PUT A LOT OF MONEY INTO IT. AND I KNOW PEOPLE WILL SAY, YOU KNOW, IF WE CAN PREVENT ONE DISEASE, THEN IT'S...ONE CASE, THEN IT'S WORTH IT. WELL, YOU CAN GO DOWN A LONG LIST OF DISEASES. IF WE CAN PREVENT ONE PERSON'S DEATH OR INJURY, THERE HAS TO BE LIMITS SOME DAY ON WHAT GOVERNMENT DOES TO STEP IN TO PROTECT OURSELVES FROM EACH OTHER. BUT THIS IS ONE OF THOSE CASES. I WILL SUPPORT SENATOR GROENE'S AMENDMENT. AND THANK YOU VERY MUCH, MR. PRESIDENT. [LB18]

PRESIDENT FOLEY: THANK YOU, SENATOR FRIESEN. SENATOR EBKE, YOU'RE RECOGNIZED. [LB18]

SENATOR EBKE: THANK YOU AGAIN, MR. PRESIDENT. AS I LOOK AROUND THE CHAMBER, I MAY BE THE ONE WHO HAS MOST RECENTLY TAKEN A SEVENTH GRADER FOR THEIR SEVENTH-GRADE PHYSICAL AND I'LL BE TAKING ANOTHER SEVENTH GRADER THIS SUMMER FOR A SEVENTH-GRADE PHYSICAL. SO I HAVE A LITTLE BIT OF EXPERIENCE. SENATOR GROENE, DO YOU HAVE...WOULD YOU YIELD TO A QUESTION OR TWO? [LB18]

PRESIDENT FOLEY: SENATOR GROENE, WOULD YOU YIELD? [LB18]

SENATOR GROENE: YES, I WILL. [LB18]

SENATOR EBKE: THANK YOU. SENATOR GROENE, DO YOU HAVE ANY IDEA, AND IF YOU DON'T, THAT'S OKAY, BUT IF YOU...DO YOU HAVE ANY IDEA ABOUT HOW MANY MANDATED VACCINES THERE CURRENTLY ARE AND HOW MANY SPECIFICALLY AT THE SEVENTH-GRADE LEVEL THEY RECEIVE? [LB18]

SENATOR GROENE: KEEP TALKING UNTIL I FIND IT, WILL YOU? [LB18]

SENATOR EBKE: OKAY. YOU'VE GOT THE ANSWER SOMEWHERE THEN. [LB18]

SENATOR GROENE: YES, I DO. [LB18]

SENATOR EBKE: AND I WOULD JUST NOTE THAT AS ONE WHO RECENTLY TOOK A CHILD IN AND ONE WHO IS A LITTLE BIT NEEDLE PHOBIC, IT WAS NOT A PLEASANT EXPERIENCE JUST WITH THE VACCINES THAT WERE MANDATED ALREADY. MY DAUGHTER WAS NOT A HAPPY CAMPER DURING THAT PROCESS. AND ONE OF THE VACCINES THAT SHE RECEIVED WAS A RECOMMENDED VACCINE, THE HPV VACCINE FOR GIRLS, AND WE OPTED IN ON THAT ONE. AND SHE WAS NOT HAPPY BECAUSE SHE HAD TO GO BACK FOR AT LEAST ONE OTHER BOOSTER SHOT A LITTLE LATER. SO WE'VE HAD

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AN INTERESTING TIME. SO, SENATOR GROENE, DID YOU FIND THAT ANSWER?
[LB18]

SENATOR GROENE: IT'S FROM THE NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES: IN NEBRASKA, CHILDREN CAN'T ATTEND CLASSES IN PUBLIC OR PRIVATE SCHOOL UNTIL THE SCHOOL HAS WRITTEN PROOF OF THEIR IMMUNIZATION STATUS. TO ATTEND SCHOOL, CHILDREN IN NEBRASKA ARE REQUIRED TO BE IMMUNIZED AGAINST THE FOLLOWING DISEASES: DIPHTHERIA, TETANUS, AND PERTUSSIS--WHOOPING COUGH, I BELIEVE THAT IS--POLIO, MEASLES, MUMPS, AND RUBELLA, HEPATITIS B, AND CHICKENPOX. EACH SCHOOL IN NEBRASKA IS REQUIRED TO KEEP THE IMMUNIZATION HISTORY OF THE STUDENTS ENROLLED ON FILE. IN ADDITION, SCHOOLS ARE REQUIRED TO REPORT INFORMATION ON STUDENTS IMMUNIZATION STATUS ANNUALLY TO THE NEBRASKA IMMUNIZATION PROGRAM. SCHOOL REPORTING IS CONDUCTED ON-LINE VIA SURVEY, AND THE DEADLINE IS NOVEMBER 15 OF EACH YEAR. MOST OF THOSE, I BELIEVE, ARE CHILDHOOD VACCINATIONS, SO THEY'RE PROBABLY PRIOR TO SEVENTH GRADE, THERE'S ONE... [LB18]

SENATOR EBKE: PROBABLY BOOSTERS, PERHAPS, ON THE... [LB18]

SENATOR GROENE: THERE'S A BOOSTER, I BELIEVE, IN THE SEVENTH GRADE, NOW THAT YOU SAY THAT ON DIPHTHERIA, TETANUS AND PERTUSSIS. A POINT MADE HERE THOUGH, TOO, IS ALSO IN MY AMENDMENT IT SAYS THEY HAVE TO CHECK A BOX...CHECK A BOX THAT SAYS THEY READ THE INFORMATION...EDUCATIONAL INFORMATION AND THEY DECIDED NOT...A COMPLETE FILE OF RECORD IS ALREADY THERE ON THE HEALTH OF THE...AND IMMUNIZATIONS OF THE CHILDREN. SO IT WOULD BE NO BURDEN ON THE SCHOOLS TO ADD THAT CHECK BOX TO THEIR EXISTING RECORDS. [LB18]

SENATOR EBKE: AND DO YOU KNOW WHAT THE STATUS OF THE MENINGITIS VACCINE IS CURRENTLY? IS IT RECOMMENDED? IS IT JUST OUT THERE FLOATING AROUND? [LB18]

SENATOR GROENE: THE CDC RECOMMENDS IT. THE DEFINITION OF "RECOMMEND" IS NOT "MANDATE." [LB18]

SENATOR EBKE: RIGHT. [LB18]

SENATOR GROENE: IT RECOMMENDS IT FOR CHILDREN IN THAT AGE GROUP...IN THAT AGE GROUP, SEVENTH GRADE, 12, 13, 14, 15, 16; THE RESEARCH THEY CITE SAY EVEN A LITTLE OLDER MIGHT BE BETTER. THEY'RE

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KIND OF HIT AND MISS, SHOTGUN, WHERE YOU SHOULD GIVE THE VACCINATION BETWEEN THE AGES OF 12 AND 18 BECAUSE THEY'RE TRYING TO HIT THAT CONFINED GROUP OF TEENAGERS THAT ARE APPARENTLY STARTING TO EXCHANGE NOSE FLUIDS. (LAUGH) BUT ANYWAY, A LOT OF FAMILY PRACTITIONERS HAVE TOLD ME THAT, HEY, I RECOMMEND 18. THIS MANDATE IS 16. [LB18]

PRESIDENT FOLEY: ONE MINUTE. [LB18]

SENATOR GROENE: BECAUSE THE MOST CASES THAT YOU CAN BE INFECTED AT THAT AGE GROUP IS THAT COLLEGE AGE. AND WHEN THEY LOOK AT THE WANING EFFECT OF THAT VACCINATION, THAT 18 IS ACTUALLY BETTER THAN 16, BUT THAT IS BETWEEN YOU AND YOUR FAMILY DOCTOR. THIS MANDATE TAKES THAT OUT OF THE HANDS OF THE FAMILY DOCTOR. THANK YOU. [LB18]

SENATOR EBKE: SURE. WHEN OUR OLDEST DAUGHTER WAS GETTING READY TO GO OFF TO COLLEGE, LIKE SENATOR FRIESEN'S KIDS, IT WAS RECOMMENDED THAT SHE RECEIVE THE VACCINE. WE OPTED TO GO AHEAD AND DO THAT AT THAT POINT JUST BECAUSE SHE WAS GOING OFF TO COLLEGE, WAS GOING TO BE LIVING IN THE DORMITORIES AND WANTED TO MAKE SURE THAT SHE WAS COVERED. I QUESTION, AS WELL, THE VALUE IN DOING IT AT THE AGE OF 12, ESPECIALLY FOR KIDS WHO ARE NOT PARTICULARLY HIGH RISK AND ESPECIALLY GIVEN THE PRACTICALITY OF ADDING ONE MORE SHOT TO THAT SERIES OF SHOTS THAT THEY'RE GETTING AT THE AGE OF 12. [LB18]

PRESIDENT FOLEY: TIME HAS EXPIRED. [LB18]

SENATOR EBKE: THANK YOU, MR. PRESIDENT. [LB18]

PRESIDENT FOLEY: THANK YOU, SENATORS EBKE AND GROENE. SENATOR HILKEMANN, YOU'RE RECOGNIZED. [LB18]

SENATOR HILKEMANN: THANK YOU, MR. SPEAKER. I GOT A COUPLE OF QUESTIONS FOR SENATOR GROENE IF YOU WOULD YIELD. [LB18]

PRESIDENT FOLEY: SENATOR GROENE, WOULD YOU YIELD? [LB18]

SENATOR GROENE: I WILL YIELD FOR A QUESTION. [LB18]

SENATOR HILKEMANN: SENATOR, I WANT TO CHECK WITH JUST A COUPLE OF YOUR FACTS. YOU SAID AT THE PRESENT TIME, I THINK YOU SAID IT WAS ABOUT 78 PERCENT OF NEBRASKANS ARE OPTING TO IMMUNIZE THEIR

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CHILDREN FOR MENINGOCOCCAL DISEASE. [LB18]

SENATOR GROENE: YES. [LB18]

SENATOR HILKEMANN: OKAY. AND YOU'RE ALSO SAYING THAT WE'VE, ESSENTIALLY, WE HAVE VERY FEW CASES, AND I THINK YOU READ THROUGH THAT WHOLE LIST OF IT, AND...BUT WE DO KNOW THAT STILL CASES EXIST. IS IT JUST POSSIBLE THAT THIS IMMUNIZATION IS WORKING? IN OTHER WORDS, YOU'RE USING THE CONTACT THAT THIS IS...THAT IT'S NOT AN EFFECTIVE VACCINE OR THAT ITS EFFECTIVENESS WEARS OFF. COULD IT POSSIBLY BE THE REASON THAT WE'VE NOT SEEN THE CASES IS THAT THE VACCINE IS WORKING? [LB18]

SENATOR GROENE: THAT COULD BE FACTUAL. BUT, AS I ALSO STATED, THE SYSTEM WORKS WITHOUT A MANDATE. [LB18]

SENATOR HILKEMANN: OKAY. [LB18]

SENATOR GROENE: AT 80 PERCENT, THE CDC SAYS YOU'RE AT HERD PROTECTION. WE'RE AT 77.5 (PERCENT). BUT THIS DISEASE ALSO HAS A 65 (PERCENT) TO 85 PERCENT OF NATURAL IMMUNIZATION OF ADULTS...OR YOUNG ADULTS. SO THEREFORE, WE'RE PROBABLY THERE. BUT IN 2003, BEFORE THE VACCINATION CAME OUT, WE HAD ZERO CASES IN THE JUNIOR...IN THE HIGH SCHOOL AND ONE IN COLLEGE. IN 2004, BEFORE IT CAME OUT, WE HAD ZERO IN 12 TO 17 AND WE HAD ZERO IN COLLEGE. IN 2005, WHEN IT CAME OUT, I'M ASSUMING IT PROBABLY WASN'T IN EFFECT THERE YET, ZERO IN THE GRADE SCHOOLS AND HIGH SCHOOLS, ONE IN THE COLLEGE. NOW REMEMBER, THE CASES OF PEOPLE BELOW 12, CHILDREN AND THE PEOPLE OVER 22, WHEN THE WANING EFFECT TAKES OVER, THIS VACCINATION DOESN'T AFFECT THOSE. IN FACT, THE REASON THEY DO NOT VACCINATE CHILDREN IS 50 (PERCENT) TO 60 PERCENT OF THOSE CASES ARE USUALLY THE SEROGROUP B, THE ONE THIS VACCINATION DOES NOT COVER. [LB18]

SENATOR HILKEMANN: SENATOR, I'VE HEARD YOU SAY THAT YOU'RE IN FAVOR OF THE MMR. ARE WE NOT AT THE PRESENT TIME NOTICING AN INCREASE IN THE NUMBER OF CASES OF MEASLES IN CALIFORNIA? [LB18]

SENATOR GROENE: YES. [LB18]

SENATOR HILKEMANN: AND IS IT ALSO TRUE THAT THERE'S A LOT OF PEOPLE IN CALIFORNIA WHO ARE RESISTING TAKING THE...IMMUNIZING THEIR CHILDREN NOW AS A RIGHT OF THEIR FREEDOM? [LB18]

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SENATOR GROENE: YES. [LB18]

SENATOR HILKEMANN: SO WHAT IF ALL OF A SUDDEN WE START SAYING TO PEOPLE THAT THIS IS NOT...AND, SENATOR, I DON'T LIKE MANDATES EITHER. AS A PODIATRIST, I HAVE TO SAY THAT I DON'T LIKE TAKING PILLS. I DIDN'T LIKE PRESCRIBING PILLS. I'M KIND OF A REBEL MYSELF. MY PHYSICIAN SAID TO ME WHEN I GOT MY PHYSICAL, YOU NEED TO GET YOUR FLU SHOT. AND I SAID THAT'S FINE, YOU CAN RECOMMEND THAT TO ME; I'M GOING TO OPT OUT OF THAT. AND I UNDERSTAND THAT PEOPLE CAN OPT OUT OF IT. WHAT I AM CONCERNED ABOUT IS THAT WE'VE GOT THIS ON THE RUN. AND YOU TALK ABOUT THE HERD MENTALITY. AND I'M ONE OF THOSE PERSONS WHO IS OLD ENOUGH THAT WE...THAT OUR...MY MEASLES VACCINATIONS AND MUMPS AND ALL OF THOSE, ALL WAS DONE BY THE HERD MENTALITY IN OUR LITTLE ONE-ROOM COUNTRY SCHOOL. BOTTOM LINE FOR ME IS, THERE WAS...AND AGAIN, I DON'T LIKE MANDATES, BUT I ALSO THINK THAT WE NEED...THIS IS A PUBLIC HEALTH ISSUE. AND IN...IT WAS EITHER SUNDAY'S OR MONDAY'S "PUBLIC PULSE," THERE'S DR. CHARLES BAGBY FROM BLAIR, WHO WRITES IN FREQUENTLY. HE'S AN OLDER FAMILY PRACTICE PHYSICIAN... [LB18]

PRESIDENT FOLEY: ONE MINUTE. [LB18]

SENATOR HILKEMANN: ...AND I LIKED WHAT HE SAID--VACCINATIONS ARE THE PRICE THAT WE PAY FOR LIVING IN A CIVILIZED SOCIETY. THANK YOU. [LB18]

PRESIDENT FOLEY: THANK YOU, SENATORS HILKEMANN AND GROENE. SPEAKER HADLEY, YOU'RE RECOGNIZED. [LB18]

SPEAKER HADLEY: MR. PRESIDENT AND MEMBERS OF THE BODY, IN THE SIX YEARS I'VE BEEN HERE, SOME OF THE HARDEST VOTES HAVE BEEN THE DECISION ON THE ROLE OF GOVERNMENT VERSUS THE INDIVIDUAL. I WAS JUST THINKING HERE THE NUMBER OF VOTES THAT WE'VE HAD ON DIFFERENT THINGS. NOVELTY CIGARETTE LIGHTERS CAME DOWN TO A DECISION OVER WHETHER THE GOVERNMENT HAD ANY ROLE IN REGULATING THOSE. WHEN I WAS IN TRANSPORTATION WE HEARD BILLS ON WHETHER OR NOT TEXTING WAS AN INFRINGEMENT ON AN INDIVIDUAL'S...BANNING TEXTING WAS AN INFRINGEMENT ON INDIVIDUAL RIGHTS; SEAT BELTS, SMOKING, JUST A WHOLE MYRIAD OF DIFFERENT BILLS. AND THE COMMON THEME IS THE ROLE OF GOVERNMENT IN DEALING WITH INDIVIDUALS. AND I GUESS MY ONLY POINT IS, IS THIS IS A DECISION THAT BASICALLY EVERYBODY HERE HAS TO DECIDE ON EACH INDIVIDUAL ISSUE AS TO WHAT THEY SEE THE ROLE OF GOVERNMENT IN THAT ISSUE. SO I'M NOT, BASICALLY, TELLING YOU THAT THERE'S ONE WAY OR ONE RIGHT ANSWER IN

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THIS. IT'S MORE OF AN INDIVIDUAL VIEWPOINT OF LOOKING AT THIS AND DECIDING WHAT YOU FEEL GOVERNMENT'S ROLE SHOULD BE IN THIS PARTICULAR CASE OF INOCULATIONS. JUST AS A COUPLE OF QUICK EXAMPLES THAT REALLY WERE INTERESTING TO ME WAS IN THE ROLE OF SEAT BELTS. YOU REALIZE THAT THE FEDERAL GOVERNMENT, IF YOU DO NOT HAVE A SEAT BELT LAW, WILL TURN OFF YOUR FEDERAL HIGHWAY FUNDS. NEW HAMPSHIRE HAS OPTED NOT TO HAVE A SEAT BELT LAW AND THEY HAVE OPTED TO FORGO ANY FEDERAL HIGHWAY FUNDS. SO THEY'VE TAKEN IT KIND OF TO THE EXTREME IN DOING THIS. SO YOU CAN GO FROM ONE EXTREME TO THE OTHER. BUT ALL I'M SAYING IS THAT THIS IS AN INDIVIDUAL ISSUE THAT YOU HAVE TO LOOK AT AND YOU HAVE TO MAKE THE DECISION OF HOW YOU SEE YOUR PHILOSOPHY FITTING IN WITH THIS PARTICULAR BILL ON THE ROLE OF GOVERNMENT VERSUS THE ROLE OF THE INDIVIDUAL. THANK YOU, MR. PRESIDENT. [LB18]

PRESIDENT FOLEY: THANK YOU, SPEAKER HADLEY. SENATOR SCHILZ, YOU'RE RECOGNIZED. [LB18]

SENATOR SCHILZ: THANK YOU, MR. PRESIDENT, MEMBERS OF THE BODY; SORRY TO KEEP YOU WAITING. OBVIOUSLY, I'M NOT AN EXPERT AT THIS EVEN THOUGH I'VE GIVEN HUNDREDS OF THOUSANDS OF VACCINATIONS IN MY LIFE, NOT TO HUMANS, TO CATTLE. AND I CAN TELL YOU THIS, VACCINATIONS ARE A GOOD THING, VACCINATIONS HAVE THEIR PLACE. BUT EVERY TIME YOU DO SOMETHING LIKE THAT, WHERE YOU VACCINATE...YOU DO NOT GET SOMETHING FOR NOTHING. EVERY TIME YOU DO SOMETHING THAT MESSES WITH THE METABOLISM, IT TAKES ENERGY, IT TAKES SOMETHING AWAY FROM WHAT'S GOING ON. THAT VACCINE HAS TO BE METABOLIZED. THAT VACCINE HAS TO BE USED UP; IT HAS TO BE MADE TO WORK. AND MOST OF THE TIME THERE'S NO PROBLEM AT ALL. WE'VE SEEN WHERE WE RUN INTO TROUBLES WITH THE MEASLES OUTBREAK, AND THAT'S NEVER A GOOD THING. WE CAN BECOME COMPLACENT, WE HAVE BECOME COMPLACENT, AND WE SHOULDN'T DO THAT. THERE ARE DISEASES OUT THERE THAT WE SHOULD BE VACCINATING FOR EVERY DAY. SO WE HAVE TO MAKE SURE THAT WE DON'T FALL DOWN ON THOSE. AND THEN THERE'S OTHER DISEASES THAT WE SHOULD PROBABLY BE VACCINATING FOR AS WELL. THE QUESTION IS WHEN SHOULD WE BE VACCINATING FOR THEM AND WHEN SHOULD THAT VACCINATION BE ADMINISTERED? AND I THINK THAT'S THE QUESTION THAT WE COME TO HERE. AND IN MY READING, MOST OF THE TIME WHAT HAPPENS IS, AND WHAT I SEE IS THAT MOSTLY IT COMES DOWN TO COLLEGES THAT YOU REGISTER FOR THAT REQUIRE THEIR STUDENTS, BEFORE THEY MOVE INTO THE DORMITORY, TO HAVE THE VACCINATION. IT'S NOT BEING MANDATED BY A STATE OR ANYTHING LIKE THAT. AND THERE MAY BE STATES THAT MANDATE IT, I'M SURE THERE ARE. BUT I KIND OF LIKE THAT ROUTE

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BETTER. I THINK THAT TAKES INTO...THEN YOU CAN CHOOSE AS A PERSON IF YOU WANT TO ATTEND THAT COLLEGE, IF YOU WANT TO GO THERE, THEN YOU CAN DO THAT. THERE'S NOTHING THAT SAYS AS A PARENT THAT YOU CAN'T HAVE YOUR CHILD VACCINATED AT ANY TIME FOR THAT. IT'S OUT THERE. I ALSO BELIEVE EDUCATION IS NEVER WRONG. EDUCATION ON HEALTH ISSUES ARE IMPORTANT ALL THE TIME. SO I THINK THAT THAT'S THE IMPORTANT THING. I THINK THAT THE EDUCATION ON THE ISSUE SHOULD BE PUT OUT THERE. AND I THINK THAT IS A FORUM TO START THAT. I THINK IT MAKES SENSE FOR THE LEGISLATURE TO DISCUSS THIS. I THINK IT MAKES SENSE THAT WHERE IT'S NEEDED, THE VACCINE SHOULD BE IMPLEMENTED. I'M JUST NOT SURE THAT THIS BILL SETS IT UP FOR THE RIGHT PLACE, RIGHT TIME. AND WHEN I SAY I'M NOT SURE, I'M REALLY NOT SURE. NOT BEING AN EXPERT, NOT BEING A DOCTOR, IT'S A QUESTION THAT I HAVE. AND SO I'M GOING TO LISTEN. I'M GOING TO TRY TO UNDERSTAND BETTER. [LB18]

PRESIDENT FOLEY: ONE MINUTE: [LB18]

SENATOR SCHILZ: AND THEN I WILL MAKE MY DECISION AS THE TIME COMES. SO I APPRECIATE SENATOR GROENE AND HIS ATTEMPT HERE TO MAKE RIGHT WHAT HE SEES AS THE RIGHT THING TO DO. AND I ALSO APPRECIATE SENATOR KRIST IN BELIEVING WHAT HE BELIEVES. AND WE'LL SEE WHICH DIRECTION THE BODY WANTS TO GO. THANK YOU VERY MUCH, MR. PRESIDENT. [LB18]

PRESIDENT FOLEY: THANK YOU, SENATOR SCHILZ. SENATOR GROENE, YOU'RE RECOGNIZED. [LB18]

SENATOR GROENE: I'VE HEARD...THANK YOU, MR. PRESIDENT. I'VE HEARD FROM SOME OF MY COLLEAGUES THAT THEY SAY, WELL, YOU CAN OPT OUT. YOU CAN OPT OUT IN STATE LAW. YES, YOU CAN, BUT LET ME READ WHAT IT SAYS ABOUT THE OPT OUT: "A STATEMENT SIGNED BY A PHYSICIAN, A PHYSICIAN ASSISTANT, OR AN ADVANCED PRACTICE REGISTERED NURSE PRACTICING UNDER AND IN ACCORDANCE WITH HIS OR HER RESPECTIVE CERTIFICATION ACT, STATING THAT, IN THE HEALTH CARE PROVIDER'S OPINION, THE IMMUNIZATIONS REQUIRED WOULD BE INJURIOUS TO THE HEALTH AND WELL-BEING OF THE STUDENT OR ANY MEMBER OF THE STUDENT'S FAMILY OR HOUSEHOLD." THAT'S ONE OPT OUT. THE OTHER ONE IS: "AN AFFIDAVIT SIGNED BY THE STUDENT OR, IF HE OR SHE IS A MINOR, BY A LEGALLY AUTHORIZED REPRESENTATIVE OF THE STUDENT, STATING THAT THE IMMUNIZATION CONFLICTS WITH THE TENETS AND PRACTICE OF A RECOGNIZED RELIGIOUS DENOMINATION OF WHICH THE STUDENT IS AN ADHERENT OR MEMBER OR THAT IMMUNIZATION CONFLICTS WITH THE PERSONAL AND SINCERELY FOLLOWED RELIGIOUS BELIEFS OF THE

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STUDENT." I'M A CHRISTIAN. I CAN'T FIND IN THE BIBLE WHERE JESUS SAID, OR GOD SAID, I CAN'T IMMUNIZE MY CHILDREN. BUT THE POINT IS THIS, BECAUSE OF PHILOSOPHICAL REASONS OR HEALTH REASONS OR WHATEVER THE REASON, WE'RE FREE IN AMERICA, A LOT OF CHRISTIANS ARE FORCED TO LIE IN ORDER TO OPT OUT. NOW THAT'S KIND OF A CONFLICT AND I DON'T HAVE TO GO ANY FURTHER ABOUT RELIGION. SO THAT...IF YOU THINK YOU'RE GOING TO VOTE AGAINST THIS EDUCATION BECAUSE, BY GOLLY, THEY GOT AN OPT OUT--THEY DON'T. SO ANYWAY, I WANTED TO CLEAR THAT UP. ALSO, TO SENATOR HILKEMANN'S STATEMENT ABOUT VACCINATIONS. REMEMBER, I'M NOT AGAINST VACCINATIONS. MY CHILDREN...I NEVER HAD ANY OF THEM. I HAD POLIO, I BELIEVE, BECAUSE, YOU KNOW, I'M AT THAT AGE GROUP. I HAD THE MEASLES, I HAD THE MUMPS, I HAD ONE OF THE POXES, AND WE ALL STAYED HOME TOGETHER. MOM STUCK US ALL IN THE HOUSE TOGETHER BECAUSE SHE WANTED EVERYBODY TO GET IT AT THE SAME TIME SO SHE GOT IT OVER WITH. WE'VE ELIMINATED THAT...MODERN SOCIETY. MY ISSUE ON THIS ONE IS IT'S A VERY RARE INSTANCE. THE VACCINATION ISN'T PROVEN TO BE AS EFFECTIVE AS THE MMR. IT LEAVES DOUBT AND I DON'T LIKE MANDATES THAT LEAVE DOUBT. EDUCATION IS THE BEST. I'LL REPEAT OVER AND OVER AGAIN, OUR PUBLIC SYSTEM OF HEALTHCARE WORKS GREAT. THE COOPERATION BETWEEN THE PUBLIC AND PRIVATE IS WORKING WELL--77.5 PERCENT OF THE PEOPLE ARE GETTING IT. WE DON'T KNOW AT WHAT AGE, BECAUSE THAT DOCTOR, THAT FAMILY DOCTOR WHO DOES HIS RESEARCH FOR THAT FAMILY CAN TELL HIM TO DO IT AT 17. AS SENATOR SCHILZ SAYS, HE'S NOT SURE WHAT DATE TO DO IT; THE CDC ISN'T SURE, IF YOU READ ALL OF THEIR DOCUMENTATION. THEY JUST PICKED SOME CERTAIN DATES BECAUSE THEY THOUGHT THEY COULD COVER THE BIGGEST AREA. IN OUR STATE, IT'S COLLEGE AGE--NINE OF THEM IN THE LAST 12 YEARS, ONLY TWO IN HIGH SCHOOL AND JUNIOR HIGH. AS A PARENT, I WOULD DO IT AT 18. HERE'S THE OTHER SIDE OF THAT. A LOT OF KIDS DON'T GO TO COLLEGE. SO THE EDUCATION IS IMPORTANT FOR THOSE, TOO, IN THAT HIGH SCHOOL TO BE TOLD THAT, HEY, YOU MIGHT WANT TO GET THIS SHOT BECAUSE YOU'RE GOING TO BE OUT THERE IN THE WORLD TOO. THAT'S WHY I THINK HIGH SCHOOL AGE IS THE RIGHT TIME TO DO IT, BUT DON'T MANDATE IT. THAT EDUCATION IS CRITICAL. THANK YOU. [LB18]

PRESIDENT FOLEY: THANK YOU, SENATOR GROENE. (VISITORS INTRODUCED.) CONTINUING DEBATE ON AM301 TO LB18, SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB18]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. COLLEAGUES, I'VE BEEN OFF THE FLOOR HERE, WE HAD BACK-TO-BACK EXEC SESSIONS ACROSS THE HALL, SO I'VE MISSED MUCH OF THE DEBATE. SO I MAY REPEAT SOME THINGS YOU'VE ALREADY HEARD AND IF I DO, I APOLOGIZE. BUT

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BEFORE THIS SESSION IS OVER, YOU'RE ALL GOING TO KNOW MY OPINIONS ON MANDATES; MOST OF YOU ALREADY DO. I ABHOR GOVERNMENT MANDATES ON FREE CITIZENS. THEREFORE, I VOTED AGAINST SENATOR KRIST'S BILL ORIGINALLY. NEBRASKA, AS I READ, RANKS NUMBER TWO IN THE NATION FOR VACCINES. WE TAKE CARE OF OUR KIDS. WE VACCINATE THEM WITHOUT GOVERNMENT MANDATES. WHY SHOULD WE FORCE PARENTS TO DO SO AGAINST THEIR WILL WHEN WE ALREADY HAVE LIKE 78...79 PERCENT OF THE PARENTS ALREADY DOING IT? YOU WILL HEAR ME LATER ON TALK ABOUT MANDATES ON MOTORCYCLE HELMETS. AND I'M SURE WE'LL SPEND EIGHT HOURS ON THAT IF, IN FACT, THE BILL COMES OUT OF THE COMMITTEE. SENATOR HADLEY EARLIER SAID THAT THE SEAT BELT LAW CAME TO US VIA A MANDATE FROM THE FEDERAL GOVERNMENT. THAT'S THE SAME PLACE WE GOT THE MOTORCYCLE HELMET BILL. THE FED SAID, WE WON'T GIVE YOU THE MONEY YOU HAD COMING FROM THE FEDERAL GOVERNMENT IF YOU DON'T INSTALL THIS MANDATE. WELL, THE OTHER STATES AROUND US, WITH THE EXCEPTION OF MISSOURI, HAVE REPEALED THAT. WE'RE STILL WORKING ON IT HERE. THE FEDS CAME OUT A FEW YEARS LATER AND SAID, WELL, MAYBE WE WON'T FORCE YOU TO KEEP THAT MANDATE ON THE MOTORCYCLE HELMETS. AND THAT'S WHEN WE STARTED TO SEE THE REPEALS. AND I DON'T WANT TO SPEND TODAY ON MOTORCYCLE HELMETS, WE'LL HAVE PLENTY OF TIME TO DO THAT LATER. BUT THE SAME BASIC RULE APPLIES. THE GOVERNMENT IS PROTECTING US FROM OURSELVES. IN THE UNITED STATES, IN SOME STATES THE AGE VARIES, BUT IT'S GENERALLY ACCEPTED BY THE TIME YOU REACH 21 YEARS OF AGE YOU'RE OLD ENOUGH TO MAKE DECISIONS FOR YOURSELF. IT ALSO SAYS THAT PARENTS SHOULD TAKE CARE OF THEIR CHILDREN WHO HAVEN'T OBTAINED AN AGE OF MAJORITY YET. AND WHEN THE GOVERNMENT COMES IN AND STARTS TO TELL US HOW TO TAKE CARE OF THOSE CHILDREN, I HAVE AN ISSUE. SO I SUPPORT WHAT SENATOR GROENE IS DOING HERE. I OPPOSE LB18. AND AS I HAVE SAID BEFORE, GOVERNMENT MANDATES HAVE THEIR PLACE, BUT THIS ISN'T ONE OF THEM. AND I WOULD YIELD THE REMAINDER OF MY TIME TO SENATOR KINTNER IF HE WOULD USE IT. [LB18]

PRESIDENT FOLEY: SENATOR KINTNER, 1:20. [LB18]

SENATOR KINTNER: WELL, THANK YOU, MR. PRESIDENT. I HAD NO IDEA YOU WERE GOING TO GIVE ME ANY TIME, APPRECIATE THAT. YOU KNOW, I GOT TO THINKING--WHAT WOULD THIS BODY BE LIKE IF SENATOR GROENE WASN'T HERE? I WOULD DARE SAY HE'S A TRANSFORMATIONAL PERSON THAT WE HAVE HERE, BECAUSE I WAS FULLY PREPARED TO... [LB18]

PRESIDENT FOLEY: ONE MINUTE. [LB18]

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SENATOR KINTNER: ...I GUESS SUPPORT THIS BILL WHEN I HEARD THE TESTIMONY. AND HE DUG IN AND HE GOT THE FACTS AND HE FOUND OUT HOW MANY CASES WE'VE HAD; HE FOUND OUT HOW IT WAS SPREAD. HE FOUND OUT THE EFFECTIVENESS OF THE VACCINE, AND HE LAID OUT A PRETTY STRONG CASE. AND IT TAKES A PRETTY SMART GUY TO DO THAT. AND I AM PROUD TO SERVE WITH SENATOR GROENE. HE'S DOING THE LORD'S WORK HERE, DOING THE PEOPLE'S WORK, DEFENDING LIBERTY. AND THAT'S NOT BAD AT ALL. SENATOR GROENE, THANK YOU VERY MUCH FOR ALL YOU'VE BEEN DOING HERE ON THIS BILL. [LB18]

PRESIDENT FOLEY: THANK YOU, SENATOR KINTNER AND SENATOR BLOOMFIELD. SENATOR EBKE, YOU'RE RECOGNIZED; THIS IS YOUR THIRD TIME ON THIS AMENDMENT, SENATOR. [LB18]

SENATOR EBKE: THANK YOU, MR. PRESIDENT. THERE ARE A COUPLE OF THINGS THAT I THOUGHT I MIGHT BRING UP. AND IN A FEW MINUTES, I MIGHT ENGAGE SENATOR GROENE IN ANOTHER QUESTION OR TWO IF HE'S GOT TIME. FIRST OF ALL, I THINK THAT WE NEED TO KEEP IN MIND THAT OUR PUBLIC HEALTH SYSTEM IS ALREADY VERY EFFICIENT IN TERMS OF PROVIDING INFORMATION TO PARENTS. AS THE PARENT OF TWO KIDS IN PUBLIC SCHOOLS, AT THE BEGINNING OF THE YEAR, I GET THIS FOLDER FULL OF INFORMATION AND THEY TELL US ABOUT THE POSSIBLE IMMUNIZATIONS THAT WE CAN GET. THEY SUGGEST THINGS THAT WE OUGHT TO GET WHEN IT COMES TIME FOR FLU SEASON. OUR PUBLIC HEALTH SOLUTIONS FOLKS COME IN TO THE SCHOOLS AND OFFER FLU SHOTS IN THE SCHOOLS. SOMETHING, THOUGH, THAT I FIND INTERESTING IS THAT WE'RE TALKING ABOUT PUBLIC HEALTH HERE. AND SENATOR GROENE, THIS IS SORT OF A...MAYBE A PHILOSOPHICAL QUESTION, BUT HOW WOULD YOU DEFINE PUBLIC HEALTH? OR WHAT WOULD YOU THINK OF AS PUBLIC HEALTH VERSUS SOMETHING THAT'S PRIMARILY A PRIVATE HEALTH ISSUE? [LB18]

PRESIDENT FOLEY: SENATOR GROENE, WOULD YOU YIELD? [LB18]

SENATOR GROENE: YES. NOW I'VE GOT TO PULL OUT MY PHILOSOPHICAL BAG. PUBLIC HEALTH WOULD BE A HIGHLY INFECTIOUS DISEASE THAT COULD AFFECT THE WHOLE COMMUNITY. THIS IS NOT, AS WE DESCRIBED. IT'S ON A SINGLE-CASE BASIS, IT'S RARE. PUBLIC HEALTH WOULD BE SEAT BELTS, IF YOU REALLY WANTED TO GO THAT FAR. I WEAR ONE. PUBLIC HEALTH WOULD BE EDUCATION IN A FREE SOCIETY. AN EDUCATED POPULACE THAT WAS GIVEN THAT INFORMATION IN A FREE SOCIETY TO MAKE THOSE DECISIONS, TO MAKE THOSE DECISIONS THAT'S NOT ONLY GOOD FOR YOURSELF, BUT WHAT IS GOOD FOR YOUR NEIGHBOR, THAT WOULD BE PUBLIC HEALTH. PRIVATE HEALTH WOULD BE...I LOOK AT THE FACTS--IS THIS THE BEST FOR

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MY CHILDREN? SHOULD I LISTEN TO MY FAMILY PHYSICIAN? SHOULD I INVESTIGATE IT FURTHER? IF MY CHILD GETS THIS OR I GET IT, AM I CAUSING HARM TO MY NEIGHBOR? UNLESS YOU'RE GOING TO SNEEZE IN THEIR FACE, THIS ONE DOES NOT DO THAT. THAT WOULD BE MY DEFINITION OF PRIVATE VERSUS PUBLIC. [LB18]

SENATOR EBKE: THANK YOU, SENATOR GROENE. I HAVE JUST ONE OR TWO MORE QUESTIONS. IS YOUR UNDERSTANDING THAT THIS BILL IS IN, AT LEAST, PART ABOUT FUNDING? [LB18]

SENATOR GROENE: YES. THE APPROPRIATIONS COMMITTEE IS SITTING THERE DECIDING WHAT TO DO AND THEY'RE GETTING OVERWHELMED BY MANDATES, BY MANDATES, ON HHS, BY THE THINGS THEY HAVE TO FUND BECAUSE THERE'S A FORMULA, THERE'S A MANDATE. AND THEIR GOALS TO CUT IN SPENDING ARE FADING FAST BECAUSE OF MANDATES. THIS ONE HAS A MANDATE OF \$114,713 TO HHS AND ANOTHER \$139,000 TO THE FEDERAL...TO US AS FEDERAL TAXPAYERS TO SUPPLY THE VACCINATION. AND BY THE WAY, THIS BILL WILL NOT MAKE A DIFFERENCE TO ANYBODY IN POVERTY OR INCOME STATUS BECAUSE IT IS FREE TO ANYBODY WHO WALKS INTO A PUBLIC HEALTH CLINIC. THEY ASK FOR A DONATION, BUT IF YOU SAY I DON'T HAVE IT, THEY DO IT FOR FREE. SO THIS DOESN'T CAUSE THAT FACT. BUT THE BIG PICTURE WHICH ANOTHER SENATOR POINTED OUT TO ME IS THIS, ALL WE...WE WORRY ABOUT THE PUBLIC SPENDING, THE TAXES THAT WE SEND OF OUR CITIZENS. BUT THIS MANDATE AFFECTS THE PEOPLE WHO PAY THEIR OWN BILLS. [LB18]

PRESIDENT FOLEY: ONE MINUTE. [LB18]

SENATOR GROENE: THERE WILL BE A HUGE EXPENSE BECAUSE MOST PEOPLE GO TO THEIR FAMILY PRACTITIONER, THEY'RE GOOD CITIZENS, THEY DON'T LOOK FOR FREEBIES BECAUSE THEY CAN AFFORD IT, THE GOOD LORD HAS BEEN GOOD TO THEM, THEY WILL HAVE TO PAY FOR THIS VACCINATION AND THE FEE FROM THE DOCTOR BECAUSE IT'S MANDATED. [LB18]

SENATOR EBKE: AND SO IN THAT INSTANCE, PRIVATE HEALTH INSURANCE, IF THEY'VE GOT IT OR WHATEVER, WILL GO AHEAD AND PICK UP THE COST WHICH IN THE END RAISES THE COST OF HEALTHCARE, CORRECT? [LB18]

SENATOR GROENE: YES. I'M LOOKING AT THE NUMBERS ON THE MANDATE. I THINK THEY SAID IT WOULD BE 20 PERCENT IS WHAT THEY ESTIMATED, IS WHAT THE FISCAL OFFICE DID, WHO WOULD GET THE FREE...SO THAT MEANS OF THE PEOPLE WHO AREN'T VACCINATED YET, THAT MEANS THE...THOSE FOLKS, I'M ASSUMING...LET ME DO THE RESEARCH AND LATER I'LL MAKE

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SURE I DIGEST IT BETTER. [LB18]

SENATOR EBKE: THANK YOU, SENATOR GROENE. [LB18]

PRESIDENT FOLEY: TIME IS EXPIRED. [LB18]

SENATOR EBKE: THANK YOU. [LB18]

PRESIDENT FOLEY: THANK YOU, SENATORS EBKE AND GROENE. SENATOR KOLTERMAN, YOU'RE RECOGNIZED. [LB18]

SENATOR KOLTERMAN: THANK YOU, MR. LIEUTENANT GOVERNOR. I RISE IN SUPPORT OF SENATOR GROENE ON THIS ISSUE. I FULLY UNDERSTAND THE VALUE OF VACCINES, VACCINATIONS, YOU KNOW. MY CHILDREN WERE BOTH VACCINATED WITH THIS VACCINE. BUT IT WAS A CHOICE THAT I MADE AND MY WIFE. I'VE HAD ALL OF THE VACCINES THAT YOU COULD IMAGINE, PNEUMONIA, THE SHINGLES VACCINE, BUT THOSE ARE ALL PERSONAL CHOICES OF MINE, ALONG WITH MY FAMILY. THIS, TO ME, WHEN I RAN FOR THIS POSITION IN THE LEGISLATURE, I TOLD MY CONSTITUENTS THAT I WAS, HOPEFULLY, IF I WOULD GET ELECTED, I WAS COMING DOWN HERE TO SLOW DOWN THE MANDATES THAT CONTINUALLY COME OUT OF THIS BODY. I'M GOING TO BE SUPPORTING SENATOR BLOOMFIELD IN HIS ATTEMPT TO OVERRIDE THE HELMET BILL. AGAIN, NOT THAT I DON'T THINK THAT THE HELMET BILL IS BAD FOR THOSE THAT WANT THAT CHOICE, I JUST DON'T THINK WE SHOULD MANDATE IT. PERSONALLY, I'M NOT FULLY SUPPORTIVE OF THE SEAT BELT BILL. I CAN SEE THE VALUE SO I DO WEAR A SEAT BELT, BUT THAT'S A CHOICE. I'D PROBABLY DO THAT WITHOUT THE MANDATE. BUT ANYWAY, AS I START READING SOME OF THE RESEARCH THAT'S BEEN HANDED TO US AND SOME THE ARTICLES THAT HAVE BEEN HANDED TO US, ONE OF THE ARTICLES THAT I JUST RECEIVED FROM THE INTRODUCER OF THE ORIGINAL BILL, DEALS WITH AN ELEMENTARY SCHOOL, HERMAN ELEMENTARY SCHOOL IN BURT COUNTY, BECAUSE OF MENINGITIS. BUT AS YOU TURN TO THE BACK PAGE OF THAT, THERE'S A CLIP THAT SAYS--ABOUT MENINGITIS: FEWER THAN 1,000 CASES ARE ANNUAL IN THE UNITED STATES; 10 TO 15 PERCENT OF THE CASES ARE FATAL. OF PATIENTS WHO RECOVER, 11 TO 19 PERCENT HAVE PERMANENT HEARING LOSS, MENTAL RETARDATION, LOSS OF LIMBS, OR OTHER SERIOUS SEQUELAE. ANYONE CAN GET MENINGITIS, BUT THE RATES ARE HIGHEST IN CHILDREN UNDER AGE 1. WELL IF WE MANDATE THIS AT THE AGE THAT WE'RE TALKING ABOUT, UNDER AGE 1 ISN'T AFFECTED. IF THAT'S WHERE OUR HIGHEST PERCENTAGE OF PROBLEMS ARISE, ARE WE DOING THE RIGHT THING? SO I, AGAIN, I STRUGGLE WITH THIS SIMPLY BECAUSE IT'S A MANDATE. I HAVE NOTHING AGAINST IMMUNIZATION AND GIVING THE PARENTS OR INDIVIDUALS THE

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RIGHT TO CHOOSE WHAT THEY WANT DO, BUT I THINK FOR US TO MANDATE AGAIN AND AGAIN AND AGAIN IS NOT WHAT WE'RE HERE FOR. WE'RE AN INTELLIGENT SOCIETY. WE OUGHT TO HAVE THE RIGHT TO CHOOSE WHAT WE WANT TO DO WHEN IT COMES TO THINGS OF THIS NATURE. SO WITH THAT, I'LL YIELD THE REST OF MY TIME TO SENATOR GROENE. AND I WOULD ENCOURAGE YOU TO SUPPORT HIM IN HIS AMENDMENT. [LB18]

PRESIDENT FOLEY: THANK YOU, SENATOR KOLTERMAN. 1:45, SENATOR GROENE. [LB18]

SENATOR GROENE: NOT ALL MENINGITIS...I MEAN, NOT ALL DISEASES ARE EQUAL, BUT IN THE LINCOLN JOURNAL THEY HAD A WHOOPING COUGH BREAKOUT. AND I'M ASSUMING THIS AUTHOR DID HER RESEARCH BECAUSE YOU DON'T WORK FOR THAT PAPER UNLESS YOU DO, I'M SURE...BECAUSE MANY OF THE CURRENT CASES OF WHOOPING COUGH ARE AMONG CHILDREN AGE 6 TO 19 WHO ARE UP TO DATE ON VACCINATIONS, THE THOUGHT IS THE VACCINE MAY LOSE ITS EFFECTIVENESS OVER TIME. HEALTH WORKERS HAVE ALSO IDENTIFIED A NEW STRAIN OF PERTUSSIS, THAT'S WHOOPING COUGH. I HOLD JUDGMENT, I DEAL WITH FACTS, I HEAR ABOUT THE MEASLES OUTBREAK. [LB18]

PRESIDENT FOLEY: ONE MINUTE. [LB18]

SENATOR GROENE: I HAVE NO IDEA WHAT'S CAUSING IT. YOU HEAR A LOT OF SUBJUGATION THEORIES, BUT I WOULD WAIT TO SEE WHAT THE CDC SAYS IF THAT OUTBREAK IS BECAUSE PEOPLE AREN'T VACCINATING THEIR CHILDREN OR MAYBE WE'VE GOT ANOTHER STRAIN, YOU DON'T KNOW. BUT THE POINT IS--MY FACTS COME FROM THE CDC. I TOOK NO FACTS FROM ANY WEB SITE THAT'S ANTI-VACCINATION, BECAUSE AS I'VE SAID, I'VE GOT NOTHING AGAINST THEM. AS A SOCIETY, WE...THERE'S GIVE AND TAKE. BUT THIS ONE IS A TAKE AND NOT A GIVE BY THE GOVERNMENT. THERE'S NO NEED FOR A MANDATE, THE SYSTEM WORKS. I'M BAFLED AT WHAT SENATOR KOLTERMAN SAID. I CAME DOWN HERE, NOBODY ASKED ME ABOUT MENINGITIS VACCINE... [LB18]

PRESIDENT FOLEY: TIME. [LB18]

SENATOR GROENE: ...AS I KNOCKED ON DOORS. [LB18]

PRESIDENT FOLEY: TIME, SENATOR. [LB18]

SENATOR GROENE: THANK YOU. [LB18]

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PRESIDENT FOLEY: THANK YOU, SENATOR GROENE. SENATOR KINTNER, YOU'RE RECOGNIZED. [LB18]

SENATOR KINTNER: WELL, THANK YOU, MR. PRESIDENT. AS WE WERE DEBATING THIS, I MENTIONED LIBERTY, AND I GOT TO THINKING ABOUT LIBERTY. AND I GOT TO THINKING ABOUT WHAT IT MEANS AND I GOT THINKING ABOUT WHERE IT COMES FROM. YOU KNOW, DURING THE REVOLUTIONARY WAR, THERE WAS A GROUP OF PASTORS THAT TOOK THE BIBLE AND THEY PREACHED LIBERTY. AND THEY TALKED ABOUT THE RIGHTS OF MAN COMING FROM GOD, NOT FROM KING GEORGE, AND NOT FROM PARLIAMENT, BUT THEY COME FROM GOD. AND THEY SPOKE VERY FORCEFULLY. AS A MATTER OF FACT, THE BRITISH HAD A NAME FOR THEM, IT WAS CALLED THE BLACK ROBE BRIGADE (SIC--REGIMENT). AND AS A MATTER OF FACT, THE BRITISH UNDERSTOOD WHAT WAS GOING ON THAT THESE MINISTERS OF GOD WERE USING THE BIBLE CORRECTLY AND POINTING OUT WHERE RIGHTS ACTUALLY CAME FROM. THERE WAS A NEW NOTION THAT RIGHTS CAME FROM GOD AND NOT FROM THE KING OR NOT FROM GOVERNMENTS. AND THE BRITISH WOULD COME INTO A TOWN AND THEY WOULD IMMEDIATELY GO TO THE CHURCH, BURN IT DOWN, BURN DOWN THE PARSONAGE, AND TRY TO CAPTURE THE MINISTER AND THEY WOULD THROW HIM IN JAIL, OR THEY WOULD KILL HIM AND HIS FAMILY BECAUSE THE BRITISH UNDERSTOOD THAT LIBERTY COMES FROM GOD. AND THEY KNEW THAT WE KNEW WHAT WAS GOING ON AND THEY COULDN'T FOOL US ANY LONGER INTO THINKING THAT WE HAD TO GO BEG THE GOVERNMENT OR BEG KING GEORGE FOR OUR LIBERTY. AND THEY USED THE BIBLE. THEY USED THE BIBLE TO FUEL THE REVOLUTION. AND THEY MADE THE INTELLECTUAL ARGUMENTS USING THE BIBLE THAT GOD GIVES US OUR RIGHTS AND NO MAN DARE TAKE IT AWAY BUT UNDER THE WRATH OF GOD. SO I HAD MY STAFF DO A LITTLE RESEARCH. I SAID, YOU KNOW, WHAT HAVE PRESIDENTS IN THE PAST SAID ABOUT THE BIBLE? AND I JUST HAD THEM PULL ME OUT SOME; AND I'VE GOT A GOOD STAFF THAT GETS THIS STUFF FOR ME PRETTY QUICKLY, AND I'M GOING TO GIVE YOU A COUPLE OF QUOTES FROM VARIOUS FOUNDING FATHERS AND PRESIDENTS. ZACHARY TAYLOR, HERE'S WHAT HE SAID ABOUT IT: A FREE GOVERNMENT CANNOT EXIST WITHOUT RELIGION AND MORALS, THERE CANNOT BE MORALS WITHOUT RELIGION, NOR RELIGION WITHOUT THE BIBLE. DO YOU THINK OUR PRESIDENT TODAY WOULD SAY THAT? FRANKLIN DELANO ROOSEVELT, IN A FORMATIVE QUOTE IN THE FORMATIVE DAYS OF OUR REPUBLIC DIRECTING...THE DIRECTING INFLUENCE OF THE BIBLE EXERCISED UPON THE FATHERS OF THE NATION IS CONSPICUOUSLY EVIDENT. WE CANNOT READ THE HISTORY OF OUR RISE AND DEVELOPMENT AS A NATION WITHOUT RECKONING WITH THE PLACE THE BIBLE HAS OCCUPIED IN SHAPING THE ADVANCES OF THE REPUBLIC. YOU THINK THE PRESIDENT TODAY WOULD SAY THAT? RONALD REAGAN SAID OF THE MANY INFLUENCES

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THAT HAVE SHAPED THE UNITED STATES OF AMERICA INTO A DISTINCTIVE NATION AND PEOPLE, NONE MAY BE SAID TO BE MORE FUNDAMENTAL AND ENDURING THAN THE BIBLE. JAMES McHENRY, SIGNER OF THE CONSTITUTION, SAID: HOLY SCRIPTURES CAN ALONE SECURE TO OUR SOCIETY ORDER AND PEACE, AND TO OUR COURTS OF JUSTICE AND CONSTITUTIONS OF GOVERNMENT, PURITY, STABILITY, AND USEFULNESS. BENJAMIN RUSH, SIGNER OF THE DECLARATION OF INDEPENDENCE: QUOTE, THE BIBLE CONTAINS MORE KNOWLEDGE NECESSARY TO MAN IN HIS PRESENT STATE THAN ANY OTHER BOOK IN THE WORLD. BY RENOUNCING THE BIBLE, PHILOSOPHERS SWING FROM THEIR MOORINGS UPON MORAL SUBJECTS. IT'S THE ONLY CORRECT MAP OF THE HUMAN HEART THAT HAS EVER BEEN PUBLISHED. [LB18]

PRESIDENT FOLEY: ONE MINUTE. [LB18]

SENATOR KINTNER: THESE MEN, BOTH FOUNDING FATHERS, HAVE BEEN PRESIDENTS OF THE TWENTIETH CENTURY, WHEN YOU THINK OF FRANKLIN ROOSEVELT, YOU THINK OF GOVERNMENT PROGRAMS, SOCIAL SECURITY, WPA, WORK CAMPS, BUT YOU KNOW, YOU DIG DOWN A LITTLE BIT AND YOU ACTUALLY HAD A FOUNDATION. YOU ACTUALLY KNEW THAT WITHOUT THE BIBLE EVERYTHING ELSE WE DO WOULD BE MEANINGLESS IF WE DID NOT TAKE THE PRINCIPLES OF THAT BIBLE AND USE THAT TO SECURE OUR FREEDOM AND OUR LIBERTY AS A FREE PEOPLE. MR. PRESIDENT, THANK YOU VERY MUCH. [LB18]

PRESIDENT FOLEY: THANK YOU, SENATOR KINTNER. SENATOR SCHNOOR, YOU'RE RECOGNIZED. [LB18]

SENATOR SCHNOOR: THANK YOU, SIR. SENATOR BLOOMFIELD, WOULD YOU YIELD TO A QUESTION, PLEASE? [LB18]

PRESIDENT FOLEY: SENATOR BLOOMFIELD, WOULD YOU YIELD? [LB18]

SENATOR BLOOMFIELD: YES, I WOULD. [LB18]

SENATOR SCHNOOR: NOW I APOLOGIZE, I DON'T THINK YOU'RE UNIMPORTANT, BUT WHEN YOU WERE TALKING I WAS ON THE COMPUTER, SO I HEARD YOU TO SAY THAT YOU ARE FOR MANDATES AND I KNOW YOU'RE NOT, BUT THAT'S THE WORDS THAT I HEARD. SO CAN YOU PLEASE CLARIFY WHAT YOU SAID BECAUSE I'M PRETTY SURE I WAS WRONG. [LB18]

SENATOR BLOOMFIELD: I WOULD BE HAPPY TO, AND THANK YOU FOR GIVING ME A LITTLE BIT OF A HEADS UP THAT YOU WERE GOING TO ASK THIS

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QUESTION. THE WORD I USED WAS "ABHOR," A-B-H-O-R. AND ON THE GADGET, AND IT GETS IT PRETTY CLOSE TO WHERE I FEEL ABOUT THIS: REGARD WITH DISGUST AND HATRED, DETEST, HATE, LOATHE, DESPISE, REGARD WITH DISGUST, SHRINK FROM, RECOIL FROM, AND SHUTTER AT. THAT PRETTY WELL SUMS UP MY OPINION ON GOVERNMENT MANDATES. [LB18]

SENATOR SCHNOOR: OKAY. THANK YOU, SENATOR BLOOMFIELD. SENATOR GROENE, WOULD YOU YIELD TO A QUESTION? [LB18]

PRESIDENT FOLEY: SENATOR GROENE WOULD YOU YIELD? [LB18]

SENATOR GROENE: (MICROPHONE MALFUNCTION)...SCHNOOR. [LB18]

SENATOR SCHNOOR: THANK YOU. SENATOR GROENE, I KNOW YOU MAY HAVE SAID THIS IN THE DISCUSSION, WHAT IS THE FISCAL NOTE FOR THIS? [LB18]

SENATOR GROENE: BASICALLY \$254,000; \$115,000 OF THAT WILL BE ACTUALLY INCURRED BECAUSE OUR LOCAL HHS HAS TO PAY FOR THE INJECTION. IF YOU'RE...AND THEY'RE BASING THIS ALL ON LOW-INCOME FOLKS WHO GET IT FROM THE HEALTH CLINIC OR WHEREVER, I'M ASSUMING, TO GET THEIR SHOT. SO THAT'S \$115,000 THAT IS GOING TO COME OUT OF OUR BUDGET FOR A SYSTEM THAT'S ALREADY SET UP THAT THESE INDIVIDUALS ON THEIR OWN FREE WILL...I HAVE A DIFFERENT VIEW OF "POOR." THOSE FOLKS ARE JUST AS INTELLIGENT AS ME, I BELIEVE. THEY WENT TO THE PUBLIC SCHOOLS I WENT TO. I DO NOT JUDGE A PERSON'S INTELLIGENCE BY HIS WEALTH. I'VE MET SOME GENIUSES AND WISE PEOPLE THAT WERE JANITORS AND FOLKS THAT WORK FOR ME THAT THEY CHOSE THEIR OCCUPATION AND WHATEVER HAPPENED. BUT INTELLIGENCE DOESN'T COME WITH WEALTH. SO I HAPPEN TO BELIEVE WE'RE ALL EQUAL. WE CAN ALL MAKE DECISIONS; MOTHERS CAN MAKE DECISIONS ABOUT THEIR CHILDREN'S HEALTH. THEY DON'T NEED THE LIMOUSINE LIBERALS, AS I WOULD CALL THEM, LOOKING AFTER THEM. SO THIS GUY RIGHT HERE STARTED OUT POOR AND I'M DOING JUST FINE. BUT ANYWAY, ON THE COSTS ALSO TO THE AVERAGE CITIZEN, TO THE AVERAGE CITIZEN THAT'S GOING TO PAY HIS OWN WAY, MY AIDE LOOKED IT UP, SANOFI PASTEUR, THEIRS IS \$112,000 (SIC--\$112). NOVARTIS' VACCINE IS \$117. AND I'M SURE THE MEDICAL PROFESSIONAL IS GOING TO GET YOU FOR ANOTHER \$100, IF THAT'S WHAT YOU HAVE TO DO BECAUSE THERE'S A MANDATE THAT YOU DIDN'T HAVE BEFORE. SO THE COST TO THE PUBLIC IS THERE TOO. MOST OF US NOW HAVE HIGH DEDUCTIBLES BECAUSE 85 PERCENT OF US, OF COURSE, IT WASN'T GOING TO AFFECT OUR HEALTHCARE. REMEMBER THAT ONE? WELL, I'VE GOT A \$5,000 DEDUCTIBLE, SO DO MY KIDS NOW, WE DIDN'T HAVE BEFORE SO THAT WOULD COME OUT OF POCKET TO MY FAMILY, TO MY GRANDKIDS, AND I HAVE A FIFTH GRADER WHO WILL BE THERE IN TWO YEARS

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AND MY DAUGHTER WILL HAVE TO MAKE THAT PAYMENT BECAUSE SHE'S NOT GOING TO LIE ABOUT HER RELIGION. AND IT'S UNINTENDED CONSEQUENCES IN EVERYTHING. AND I'LL GO BACK TO THE FACT, NOBODY ASKED ME WHEN I WAS BANGING ON DOORS ABOUT A MENINGITIS VACCINATION. WHY WOULD YOU? WE HAD ZERO CASES IN THE STATE OF NEBRASKA LAST YEAR. I'M NOT SO ARROGANT THAT I'M GOING TO MANDATE TO INDIVIDUALS... [LB18]

SPEAKER HADLEY PRESIDING

SPEAKER HADLEY: ONE MINUTE. [LB18]

SENATOR GROENE: ...MANDATE ON A VACCINATION WHERE THERE'S NO CONCERN RIGHT NOW IN THE POPULACE. SO ANYWAY, I AM FINISHED. THANK YOU, SPEAKER, PRESIDENT. [LB18]

SENATOR SCHNOOR: OKAY. THAT WAS LEADING ME INTO ANOTHER QUESTION, BUT I'M GOING TO RUN OUT OF TIME TO REALLY GET INTO THIS. SO I WILL YIELD THE REST OF MY TIME BACK TO YOU, SENATOR GROENE. [LB18]

SPEAKER HADLEY: 0:20. [LB18]

SENATOR GROENE: THANK YOU, SENATOR SCHNOOR. AS I SAID, THERE'S A COST TO THOSE WHO WILL PAY AND THERE'S A COST TO THE GOVERNMENT WHO WILL HELP THOSE WHO CANNOT AFFORD TO PAY FOR A DISEASE THAT WE HAD ZERO CASES IN THE STATE OF NEBRASKA LAST YEAR. THANK YOU. [LB18]

SPEAKER HADLEY: TIME. SENATOR HUGHES, YOU'RE RECOGNIZED. [LB18]

SENATOR HUGHES: THANK YOU, MR. PRESIDENT. COLLEAGUES, THIS MORNING I APOLOGIZE IF WE'RE GOING PLOW THE SAME OLD FIELD AGAIN. BUT FOR ME, THIS IS NOT SO MUCH ABOUT VACCINATING OUR CHILDREN, YOU KNOW, WE'RE NOT DEBATING THAT; THAT IS THE OPTION OF THE PARENTS. THIS IS ABOUT A MANDATE. THIS IS ABOUT WHETHER THE STATE OF NEBRASKA WILL REQUIRE PARENTS...WILL FORCE PARENTS TO DO SOMETHING TO THEIR CHILDREN. WE'VE HAD A LOT OF DISCUSSION ABOUT MANDATES. DURING MY TIME ON THE SCHOOL BOARD IN PERKINS COUNTY, YOU KNOW, 12 YEARS, I DEALT WITH A LOT OF MANDATES. AND QUITE FRANKLY, I'VE GOT A PRETTY BAD TASTE IN MY MOUTH BECAUSE OF MANDATES. YOU KNOW, I'M A FARMER. I TAKE MY FREEDOM VERY SERIOUSLY. AND THIS IS JUST ANOTHER EROSION OF THE FREEDOM THAT WE'RE TAKING AWAY FROM INDIVIDUALS. DURING MY TIME ON THE SCHOOL

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BOARD WHEN THERE WAS AN ISSUE THAT WOULD COME UP, MY POSITION WAS, BOTTOM LINE, IT'S THE PARENTS' DECISION. IT'S THE PARENTS' RESPONSIBILITY TO MAKE THE DECISIONS FOR THEIR CHILDREN. WE AS A SCHOOL BOARD ARE AN INTERMEDIARY IN THAT DECISION. BUT BOTTOM LINE, THE PARENTS ARE RESPONSIBLE FOR THEIR CHILDREN. AND THIS IS A PLACE WHERE GOVERNMENT GETS INVOLVED. AND THERE ARE PLACES THAT WE DO NEED GOVERNMENT. THERE ARE REASONS WHY WE HAVE GOVERNMENT AND WHY WE HAVE TAXES. WE ARE HUMANS. AND WE NEED SPEED LIMITS BECAUSE THERE ARE SOME OF US WHO DO NOT MAKE GOOD DECISIONS WHEN WE'RE DRIVING DOWN THE ROAD AS TO HOW FAST WE'RE GOING AND WE PUT OTHER CITIZENS IN DANGER. BUT THIS IS NOT AN ISSUE IN THAT. WE'RE NOT DENYING THE OPPORTUNITY FOR CHILDREN TO BE VACCINATED, BECAUSE THE PARENTS CERTAINLY HAVE THAT OPPORTUNITY. THE INFORMATION IS OUT THERE FOR THEM TO FIND THAT. SO AS A STATE SENATOR, I'M NOT COMFORTABLE WITH ADDING ANOTHER MANDATE ON TO THE BACKS OF THE JUNIOR HIGH KIDS IN THE STATE OF NEBRASKA WHEN THE PARENTS HAVE THAT ABILITY TO MAKE THAT DECISION. MY WIFE AND I VISITED ABOUT THIS AND I QUIZZED HER, AND, YES, WE DID HAVE OUR CHILDREN VACCINATED WHEN THEY WENT OFF TO COLLEGE. THEY DID NOT RECEIVE IT AT THE JUNIOR HIGH AGE. SO, YOU KNOW, AT THAT PERIOD IN THEIR LIFE, I THINK IT MAKES SENSE. AND I APPRECIATE SENATOR GROENE'S EFFORTS TO GET DOWN...DRILL DOWN AND FIND THE FACTS ON THIS, BECAUSE IN REALITY, I AGREE WITH WHAT SPEAKER HADLEY SAID EARLIER, YOU KNOW, THIS A POINT WHERE YOU HAVE TO MAKE UP YOUR MIND. YOU HAVE TO STAND UP AND SAY--THIS IS WHAT I STAND FOR. THE FACTS THAT SENATOR GROENE HAS PRESENTED ARE FACTS. THIS IS AN EMOTIONAL ISSUE, AND AS STATE SENATORS, WE NEED TO LOOK AT EACH ISSUE UNEMOTIONALLY. WE CANNOT ALLOW OUR EMOTIONS TO RUN WILD BECAUSE THAT IS NOT BASED ON FACT. AND THE LAWS THAT WE PASS IN THIS BODY SHOULD BE BASED ON FACT. WE HAVE TO MAKE THE BEST DECISIONS THAT WE POSSIBLY CAN WITH THE INFORMATION WE ARE GIVEN, NOT ON HOW WE FEEL. THAT'S WHAT A GOOD LAWMAKER DOES. I LISTEN TO, AS FAR WEST AS I... [LB18]

SPEAKER HADLEY: ONE MINUTE. [LB18]

SENATOR HUGHES: THANK YOU, MR. CHAIRMAN. ...AS FAR WEST AS I LIVE, I GET A LOT BETTER RADIO STATIONS OUT OF COLORADO THAN I DO IN NEBRASKA, AND I REALIZE THERE IS SOME RISK IN SAYING THAT ON THE MIKE, BUT ONE OF THE INDIVIDUALS THAT I LISTEN TO IN COLORADO, AND HE IS A CONSERVATIVE, PROBABLY MORE OF A LIBERTARIAN THAN A CONSERVATIVE, BUT ONE OF HIS FAVORITE QUOTES IS, WHEN WE'RE DEALING WITH AN ISSUE LIKE THIS--EVEN IF IT WOULD ONLY SAVE ONE LIFE,

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WOULDN'T IT BE WORTH IT? WHAT IS YOUR FREEDOM WORTH? YOU OF US WHO ARE PARENTS, WHAT IS THE FREEDOM WORTH THAT YOU HAVE TO MAKE DECISIONS FOR YOUR CHILDREN? YOU CAN'T PUT A DOLLAR FIGURE ON THAT. YOU KNOW, WE NEED TO TAKE THE EMOTION OUT OF THIS ISSUE AND DECIDE ON IT BASED ON THE FACTS. THANK YOU, MR. PRESIDENT. [LB18]

SPEAKER HADLEY: SENATOR BLOOMFIELD, YOU ARE RECOGNIZED. [LB18]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. COLLEAGUES, I'VE MADE MY POSITION ON MANDATES PRETTY CLEAR. THERE ARE PLACES FOR GOVERNMENT MANDATES. AS I SAID BEFORE, THIS ISN'T ONE OF THEM. THE INCIDENCE OF THIS IS TOO LOW TO HAVE GOVERNMENT REACH INTO OUR PRIVATE LIVES AND TELL US WHAT TO DO. I THINK AS WE DISCUSS THIS AMENDMENT, WHICH I WILL SUPPORT, AND THE BILL THAT IT'S TIED TO, THE BODY NEEDS TO MAYBE REACH OUT TO THE PUBLIC. MY E-MAILS FROM ALL ACROSS THE STATE OF NEBRASKA ARE RUNNING VERY HEAVILY AGAINST THE IDEA THAT THE GOVERNMENT SHOULD TELL YOU YOU HAVE TO VACCINATE FOR THIS DISEASE. AND IT...THEY DON'T SEEM TO BE AN ORGANIZED LOT LIKE WE SO OFTEN GET. I KNOW WE ALL GOT A TON OF E-MAILS SUPPORTING THE CIGAR BAR ISSUE. WELL, MOST OF THEM WERE THE SAME FORM LETTER SENT BY DIFFERENT PEOPLE. THAT'S NOT WHAT I'M GETTING ON THIS. I THINK THERE IS TRUE CONCERN IN AT LEAST GREATER NEBRASKA, AND I THINK PROBABLY, TOO, IN LINCOLN AND OMAHA, THAT GOVERNMENT IS REACHING TOO FAR IN THIS. SO, AGAIN, I ASK YOU TO SUPPORT GROENE'S AMENDMENT, AM301, AND LET'S CHANGE LB18 TO WHERE WE EDUCATE OUR PARENTS AND THE CHILDREN RATHER THAN TO FORCE A VACCINE ON THEM THAT THEY MAY OR MAY NOT NEED. AND, MR. SPEAKER, I WOULD LIKE TO YIELD THE REMAINDER OF MY TIME TO SENATOR EBKE IF SHE COULD USE IT. [LB18]

SPEAKER HADLEY: SENATOR EBKE, YOU ARE YIELDED 2:50. [LB18]

SENATOR EBKE: THANK YOU, SENATOR BLOOMFIELD. I WOULD JUST MAKE A COUPLE OF COMMENTS. AGAIN, AS ONE WHO HAS RECENTLY TAKEN A CHILD IN FOR THIS VACCINE...FOR VACCINES, FOR THE SEVENTH-GRADE PHYSICAL, AND ONE WHO WILL SOON BE TAKING ONE IN, I HAVE MENTIONED A COUPLE TIMES THE HPV VACCINE, AND I DON'T BELIEVE, UNLESS SOMETHING HAS CHANGED RECENTLY, AND, SENATOR GROENE, YOU CAN GIVE ME A HEAD NOD OR NOT, BUT I DON'T BELIEVE HPV IS ON THE MANDATED LIST. IS THAT CORRECT? [LB18]

SENATOR GROENE: NO, IT IS NOT. [LB18]

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SENATOR EBKE: OKAY, THANK YOU. SO SENATOR GROENE SAID, NO, IT WAS NOT. AND I KNOW IT WASN'T FOUR YEARS AGO WHEN I TOOK MY DAUGHTER IN AND WE OPTED TO HAVE THAT. NOW I THINK YOU CAN MAKE THE INTELLECTUAL AND PHILOSOPHICAL ARGUMENT THAT HPV IS MUCH MORE OF A PUBLIC HEALTH RISK THAN IS...THAN IS MENINGITIS. HPV, THE HUMAN PAPILOMA VIRUS IS ONE THAT ACTUALLY IS VERY CONTAGIOUS. AND IT IS ALSO KNOWN TO BE THE PRIMARY CAUSE OF MANY FORMS OF CERVICAL CANCER. AND I SUSPECT THAT IF WE TOOK A LOOK AT THE...AT THE NUMBERS, THAT WE WOULD FIND THAT CERVICAL CANCER KILLS FAR MORE EVERY YEAR. THERE ARE FAR MORE CASES OF CERVICAL CANCER IN A YEAR THAN THERE ARE MENINGITIS CASES. IF WE'RE GOING TO MAKE DIFFERENT...DIFFERENT DECISIONS BASED ON THIS DATA, WE NEED TO MAKE SURE THAT WE'RE USING GOOD DATA AND THAT MAKING REASONABLE DECISIONS. I DON'T FIND A PUBLIC HEALTH...A MAJOR PUBLIC HEALTH CONCERN CERTAINLY WITH RESPECT TO THE MENINGITIS BACTERIA. I'M ALL FOR VACCINES, I'M ALL FOR WHEN OUR KIDS GO OFF TO COLLEGE AND THEY REACH... [LB18]

SPEAKER HADLEY: ONE MINUTE. [LB18]

SENATOR EBKE: ...A SOMEWHAT HIGHER LEVEL OF SUSCEPTIBILITY OR RISK, TO HAVE THEM VACCINATED, ESPECIALLY IF THAT'S WHAT THE COLLEGES ARE SUGGESTING. BUT, I DON'T BELIEVE THAT WE OUGHT TO BE MANDATING. I THINK WE OUGHT TO RESPECT PARENTS TO DO THE BEST THING FOR THEIR KIDS. AND I WILL SUPPORT THE AMENDMENT, PROVIDE AS MUCH EDUCATION AND INFORMATION AS WE CAN, AND BE WILLING TO LEAVE IT AT THAT. THANK YOU, MR. PRESIDENT. [LB18]

SPEAKER HADLEY: SENATOR SCHNOOR, YOU ARE RECOGNIZED, AND THIS IS YOUR THIRD AND LAST TIME. [LB18]

SENATOR SCHNOOR: THANK YOU MR. SPEAKER. SENATOR GROENE, I WAS TALKING EARLIER ABOUT THE COST OF THIS AND I THINK IN ONE OF MY FIRST TIMES SPEAKING I TALKED ABOUT HOW MUCH WE HAVE LEARNED HERE, AS THE FRESHMEN, AND THEN AS THE NEW GUYS, AS SENATOR CHAMBERS SAYS, I THINK, THE WET-BEHIND-THE-EAR GUYS, AND THE...SO, WE HAVE ALL LEARNED A LOT. BUT I HAD A GROUP OF CONSTITUENTS IN MY OFFICE THIS MORNING, AND, I THINK, I BELIEVE THE MOST IMPORTANT PEOPLE THAT YOU CAN TALK TO IS YOUR CONSTITUENTS, ABOVE ANYBODY ELSE, BECAUSE THAT'S WHO YOU REPRESENT. AND WE WERE HAVING A TALK AND I SAID...THEY ASKED ME HAVE YOU BEEN SURPRISED HERE BY ANYTHING? AND I SAID, OH, YEAH. I SAID ONE OF THE THINGS I'VE BEEN...AND I TOLD THEM A BUNCH OF THINGS, BUT ONE OF THE THINGS I'M GETTING AT IS...GOES TO MY

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QUESTION THAT I ASKED YOU PREVIOUSLY IS...AND I'M NOT INSINUATING THAT THIS WAS THE REASON FOR THIS BILL, BUT ONE OF THE THINGS I LEARNED IS HOW PEOPLE IN THIS BODY ARE NOT AFRAID TO SPEND MONEY. AND THEY ARE NOT AFRAID TO THROW MILLIONS AND MILLIONS AND MILLIONS OF DOLLARS AT A PROBLEM BECAUSE THEY THINK THAT THAT IS GOING TO FIX THE PROBLEM. WHAT I ALSO LEARNED, I WENT TO A GATHERING WITH SENATOR SMITH AND IT WAS A GROUP OF PEOPLE, AND ONE OF THE FOLKS THAT HE HAD...I CAN'T REMEMBER THE NAME OF THE INDIVIDUAL SPEAKING, BUT I DEFINITELY REMEMBER WHAT HE SAID. HE SAID, YOU DON'T GOVERN BY SPENDING MONEY; YOU GOVERN BY LIMITING THE GOVERNMENT ITSELF. SO, THAT'S EXACTLY WHAT THIS AMENDMENT IS DOING, IS TO LIMIT GOVERNMENT AND TO LIMIT THE OVERREACH OF OUR OWN STATE GOVERNMENT ON THE PEOPLE. AND TO ELIMINATE SPENDING...WE HAVE TO LOOK AT EVERY...EVERY POSSIBLE WAY TO JUST CUT SPENDING. YOU KNOW, ARE THERE HEALTH PROBLEMS THAT NEED TO BE DEALT WITH? YES. ARE THERE EDUCATION PROBLEMS THAT NEED TO BE DEALT WITH? YES. BUT THROWING MONEY AT IT DOES NOT FIX THE PROBLEM. MANAGEMENT AND CORRECT MANAGEMENT FIXES THE PROBLEM. SO THAT'S WHAT I WILL ALWAYS GO BACK TO AND, YOU KNOW, WE ARE...YOU KNOW WHAT SENATOR GROENE TALKED ABOUT HOW HE IS A CHRISTIAN AND I AM AS WELL. NOW, SENATOR CHAMBERS CAN STAND UP HERE AND HE CAN QUOTE THE BIBLE FRONTWARDS AND BACKWARDS AND PROBABLY HAVE IT DOWN TO THE VERSE AND HE CAN PROBABLY GIVE YOU DIFFERENT VERSIONS AND I CANNOT DO THAT. BUT I WILL TELL YOU WHAT I...WHAT WAS TAUGHT TO US IN OUR BIBLE CLASS A COUPLE WEEKS AGO, AND IT'S ABOUT GOVERNMENT AUTHORITY AND IT SAYS--LET EVERYONE BE SUBJECT TO THE GOVERNING AUTHORITIES FOR THERE IS NO AUTHORITY EXCEPT THAT WHICH GOD HAS ESTABLISHED. SO...AND WHY DO I SAY THAT? BECAUSE WE HAVE TO FALL BACK...WE ALL HAVE TO FALL BACK TO A BASELINE OF WHAT WE BELIEVE. AND THIS IS MINE AND I BELIEVE THAT WE NEED TO LIMIT OUR GOVERNMENT AND LIMIT THE OVERREACH OF EVERY GOVERNMENT TO INCLUDE FEDERAL AND TO INCLUDE OUR OWN GOVERNMENT OF WHICH WE HAVE BEEN ELECTED OR APPOINTED TO UPHOLD. SO LET'S DO THAT NOT BY JUST SPENDING MONEY. AND ONCE AGAIN, I'M NOT INSINUATING BY ANY MEANS THAT THIS IS THE REASON FOR THIS BILL. BUT THAT'S ONE OF THE THINGS...ONE OF THE FACTORS THAT WE DO HAVE TO LOOK AT. SO, WITH THAT, I WOULD LIKE TO... [LB18]

SPEAKER HADLEY: ONE MINUTE. [LB18]

SENATOR SCHNOOR: ...I WOULD LIKE TO GIVE THE REST OF MY TIME TO SENATOR GROENE. THANK YOU. [LB18]

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SPEAKER HADLEY: SENATOR GROENE, YOU ARE YIELDED 0:53. [LB18]

SENATOR GROENE: THANK YOU. WE HAVE BEEN TOLD...I WON'T HAVE ENOUGH TIME TO FINISH THIS, BUT I'M SURE I'LL GET SOME OTHER TIME, THAT IT IS THE FRIENDS OF PUBLIC HEALTH, THEY ARE THE AUTHORITATIVE FIGURE IN THE STATE AND WE SHOULD LISTEN TO THEM. I HAVE GOT FROM MY COUNTY, THE WEST CENTRAL DISTRICT HEALTH DEPARTMENT, AND IT IS CENTERED IN LINCOLN COUNTY, BECAUSE WE'RE THE BIGGEST COUNTY, BUT IT ALSO INCLUDES McPHERSON, LOGAN, KEITH, ARTHUR, GRANT, HOOKER AND THOMAS COUNTIES, RURAL COUNTIES THAT SURROUND US. HERE IS THE QUALIFICATIONS WHEN THEY JUST PUT AN AD IN THE PAPER FOR A DIRECTOR: QUALIFIED CANDIDATE WILL HAVE THE FOLLOWING--A MINIMUM OF A BACHELOR'S DEGREE FROM AN ACCREDITED COLLEGE OR UNIVERSITY WITH COURSE WORK IN BUSINESS ADMINISTRATION, NURSING, PUBLIC HEALTH, OR SOCIAL SCIENCES...NOT ALL, EITHER/OR; A MASTER DEGREE IN PUBLIC HEALTH OR RELATED FIELD PREFERRED. [LB18]

SPEAKER HADLEY: TIME, SENATOR. [LB18]

SENATOR GROENE: I WILL FINISH IF SOMEBODY WILL GIVE ME TIME. [LB18]

SPEAKER HADLEY: THOSE IN THE QUEUE ARE SENATORS FRIESEN, SCHEER, BLOOMFIELD, KINTNER, AND KRIST. SENATOR FRIESEN, YOU ARE RECOGNIZED. [LB18]

SENATOR FRIESEN: I WILL YIELD MY TIME TO SENATOR GROENE. [LB18]

SPEAKER HADLEY: SENATOR GROENE, YOU'RE YIELDED 4:57. [LB18]

SENATOR GROENE: THANK YOU, SENATOR FRIESEN. AT LEAST THREE YEARS OF EXPERIENCE IN RELATED FIELD IS REQUIRED; GRANT WRITING EXPERIENCE; SUPERVISORY EXPERIENCE; AND/OR BUDGETARY EXPERIENCE PREFERRED; DEMONSTRATED EXPERIENCE WORKING IN A MULTICULTURAL ENVIRONMENT; VALID DRIVER'S LICENSE; AND PROFESSIONAL LICENSE, IF APPLICABLE; SALARY AND BENEFITS ARE COMMENSURATE WITH EXPERIENCE. NOW IF YOU SAY, WELL, THAT'S JUST EMPLOYEE; HERE'S WHO SITS ON THE BOARD OF THOSE 93 COUNTIES THAT WE'VE BEEN TOLD THAT ARE TELLING US WHAT TO DO HERE. WHEN A HEALTH DEPARTMENT HAS BEEN ESTABLISHED BY THE COUNTY BOARD OF THE COUNTY AND APPROVED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES AS A COUNTY HEALTH DEPARTMENT, THE COUNTY BOARD OF SUCH COUNTY SHALL APPOINT A BOARD OF HEALTH WHICH SHALL CONSIST OF THE FOLLOWING MEMBERS: ONE MEMBER OF THE COUNTY BOARD, ONE DENTIST, ONE

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PHYSICIAN, AND SIX PUBLIC-SPIRITED MEN AND WOMEN INTERESTED IN THE HEALTH OF THE COMMUNITY. WHEN A DISTRICT HEALTH DEPARTMENT HAS BEEN ESTABLISHED BY A JOINT RESOLUTION OF THE COUNTY BOARD OF EACH COUNTY IN A DISTRICT HEALTH DEPARTMENT, THE COUNTY BOARD OF SUCH DISTRICT SHALL MEET AND ESTABLISH A DISTRICT BOARD OF HEALTH WITH DUE CONSIDERATION OF THE FAIR AND EQUITABLE REPRESENTATION FROM THE ENTIRE AREA TO BE SERVED. THE DISTRICT BOARD OF HEALTH SHALL CONSIST OF THE FOLLOWING MEMBERS: ONE MEMBER OF EACH COUNTY BOARD IN THE DISTRICT; AT LEAST ONE PHYSICIAN AND AT LEAST ONE DENTIST; ONE OR MORE PUBLIC-SPIRITED MEN OR WOMEN INTERESTED IN THE HEALTH OF THE COMMUNITY FROM EACH COUNTY IN THE DISTRICT, AND THEN IT GOES ON. I DON'T BELIEVE WE SHOULD BE GOVERNED BY EXPERTS, BUT THESE FOLKS ARE ME AND YOU. THEY HAVE NO MORE AUTHORITY, I DON'T KNOW WHO TOLD THEM, I HAD TO CALL THE COUNTY COMMISSIONER AND A GOOD FRIEND OF MINE AND I ASKED HIM--WHY ARE THEY DOING THIS? AND HE SAID, WELL, MIKE, THEY SURVIVE ON FEDERAL GRANT AND FOR EVERY FEE THEY CAN CHARGE. LOOKS LIKE TO ME THEY CAN GET SOME MORE FEES BECAUSE THEIR BUDGETS ARE TIGHT. SO IF YOU WANT TO MAKE THE DECISION BECAUSE THESE FOLKS TOLD YOU WHAT TO DO, ASK THEM TO RUN AGAINST YOU NEXT TIME. THEY SEEM TO KNOW MORE THAN YOU DO. THANK YOU. [LB18]

SPEAKER HADLEY: NEXT, SENATOR SCHEER. [LB18]

SENATOR SCHEER: THANK YOU, MR. SPEAKER, BUT I NOTICED SENATOR KRIST WAS BEHIND ME AND I DON'T WANT US TO RUN OUT OF TIME, IT IS HIS BILL SO I WOULD YIELD THE REMAINDER OF MY TIME TO SENATOR KRIST. [LB18]

SPEAKER HADLEY: SENATOR KRIST, YOU ARE YIELDED 4:45. [LB18]

SENATOR KRIST: THANK YOU, MR. PRESIDENT. AND GOOD MORNING AGAIN, COLLEAGUES; GOOD MORNING, NEBRASKA. I SAID I WAS NOT GOING TO HELP FILIBUSTER THIS, BUT I THINK OCCASIONALLY I NEED TO INJECT SOME SANITY INTO THIS CONVERSATION. I THINK THAT ANY ONE OF THE 49 OF US HAS A RIGHT TO DO WHAT SENATOR GROENE IS DOING TODAY. AND I THINK THERE ARE SOME SUPPORTERS BEHIND HIM THAT BELIEVE THAT HIS INTENTIONS, HIS DIRECTION, IS CORRECT. I DO NOT. I DO NOT BECAUSE JUST ONE OF THESE CASES IN NEBRASKA THAT COULD HAVE BEEN PREVENTED BY A TWO-PART VACCINATION WITH AN 80-PLUS PERCENT RELIABILITY RATE...IF WE CAN PREVENT THAT ONE, I THINK WE SHOULD THINK ABOUT IT. I WONDER WHERE SENATOR GROENE WOULD HAVE BEEN WHEN THE POLIO VACCINE WAS GIVEN OUT AND WE ALL LINED UP IN THOSE DAYS AND TOOK OUR LITTLE

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DRINK OF POLIO? I REMEMBER THAT. I WONDER WHERE HE WOULD HAVE BEEN IF OUR...WHEN OUR PREDECESSORS SAID--WE NEED TO MAKE THE MMR AND OTHER VACCINATIONS AND IMMUNIZATIONS A REQUIREMENT? AND SENATOR GROENE, I UNDERSTAND; IT'S NOT MEASLES. BUT HOW YOU DESCRIBE THIS INFECTIOUS DISEASE BEING TRANSMITTED FROM ONE HUMAN BEING TO ANOTHER, IT IS OUR TEENAGERS. FOR THE FIRST TIME IN THEIR LIFE, THEY'RE PLAYING KISSY-FACE. THEY'RE EXPERIMENTING WITH THEIR SEXUAL BEING. NEAR MY DISTRICT, AND SENATOR CHAMBERS' DISTRICT, AND SENATOR COOK'S DISTRICT, WE HAVE THE HIGHEST STD RATES IN THE NATION--NOT IN THE STATE; NOT IN THE MIDWEST; IN THE NATION. AND WHEN THEY'RE EXCHANGING BODILY FLUIDS, THEY ARE RISKING TRANSMITTING DISEASES. THE REASON THAT MEASLES WERE ERADICATED IN 2000 WAS A STRONG IMMUNIZATION PROGRAM. AND NOW WHAT YOU NEED TO REALIZE IS, THIS IS NOT AN ISLAND CALLED NEBRASKA. THIS IS NOT A PLACE CALLED THE UNITED STATES. THIS IS GLOBAL. THAT 8-MONTH-OLD THAT CONTRACTED MEASLES DID IT...I'M SORRY, THAT CONTRACTED MENINGITIS DID IT AT EURO DISNEY. WHAT WE HEARD IN COMMITTEE, WHAT YOU HEARD IN COMMITTEE, AND WHAT I WILL SAY UNTIL WE FINISH THIS DEBATE, THAT YOUNG MAN THAT CAME IN AND TALKED TO YOU THAT LOST MOST OF HIS HAND...LOST MOST OF HIS FEET AND BOTH OF HIS HANDS TOLD THE STORY OF HIS PARENTS WALKING TO THAT BEDSIDE AND THE QUESTION THAT HE WANTED TO ASK--WHY DIDN'T YOU GET ME IMMUNIZED? AND HOW TOUGH IT WAS ON THEM TO WATCH THAT PROCESS HAPPEN. WHEN THE GOVERNMENT NEEDS TO MOVE IN AND MAKE A STATEMENT, IN SOME CASES TAKE THE WORD "MANDATE" OUT OF THE SITUATION, CALL IT A NECESSITY FOR PUBLIC HEALTH. SENATOR GROENE HAD A CONVERSATION WITH THE EXECUTIVE DIRECTOR OF THE WEST CENTRAL DISTRICT HEALTH DEPARTMENT IN NORTH PLATTE. HIS CONVERSATION WAS RELAYED TO ME BY DR. OHRI. [LB18]

SPEAKER HADLEY: ONE MINUTE. [LB18]

SENATOR KRIST: SHE INDICATED THAT HE HAD CONTACTED HER, BUT APPEARED TO SIMPLY BE SEEKING TO GET SUPPORT FROM HER FOR HIS POSITION. SHE SAID THAT SHE DISCUSSED WITH HIM THE NUMBER OF CASES THAT SHE HAD HAD TO DEAL WITH OVER THE LAST SEVERAL YEARS; TOLD HIM THAT THERE WAS REALLY NO WAY THAT HE WOULD FIND A HEALTH DIRECTOR WHO WOULD NOT BE IN SUPPORT OF THE BILL, ESPECIALLY BASED ON THEIR EXPERIENCE IN HAVING TO MANAGE THE CHALLENGES OF OUTBREAK CONTROL WHEN A CASE OCCURS. SHE SAID--HE JUST DOES NOT SEEM TO BE INTERESTED IN HEARING THAT LINE OF THOUGHT. WELL, I HOPE HE IS INTERESTED IN HEARING THAT LINE OF THOUGHT BECAUSE I WILL GO FOUR OR MORE. THIS IS A NECESSITY. THIS IS SOMETHING WE NEED TO

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THINK ABOUT SERIOUSLY. THANK YOU, MR. PRESIDENT. [LB18]

SPEAKER HADLEY: SENATOR BLOOMFIELD, YOU'RE RECOGNIZED AND THIS IS YOUR THIRD TIME. [LB18]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. YOU CAN BLAME SENATOR KINTNER A LITTLE BIT FOR THIS, HE STARTED QUOTING RONALD REAGAN. AND I HAVE TO GO BACK AND GIVE YOU A COUPLE OF MY FAVORITE QUOTES OF RONALD REAGAN. NUMBER ONE, QUOTE, GOVERNMENT IS LIKE A BABY, AN ALIMENTARY CANAL WITH A BIG APPETITE AT ONE END AND NO SENSE OF RESPONSIBILITY AT THE OTHER. AND PROBABLY MY FAVORITE QUOTE FROM HIM, WHICH YOU WILL HEAR AGAIN WHEN WE GET TO THE MOTORCYCLE HELMET REPEAL BILL, IS--GOVERNMENT EXISTS TO PROTECT US FROM EACH OTHER. WHERE GOVERNMENT HAS GONE BEYOND THE LIMITS IS IN DECIDING TO PROTECT US FROM OURSELVES. UNQUOTE. AND WITH THAT, MR. SPEAKER, I WOULD LIKE TO YIELD THE REMAINDER OF MY TIME TO SENATOR McCOY. [LB18]

SPEAKER HADLEY: SENATOR McCOY, YOU ARE YIELDED 4:00. [LB18]

SENATOR McCOY: THANK YOU, MR. PRESIDENT AND MEMBERS; AND THANK YOU, SENATOR BLOOMFIELD, FOR THE TIME. I HAVE BEEN IN AND OUT OF A FEW MEETINGS THIS MORNING, I'VE BEEN LISTENING TO THE DEBATE AND I WANTED TO GET THE OPPORTUNITY, WHICH I APPRECIATE DOING, TO WEIGH IN BEFORE WE ADJOURN FROM THE FLOOR HERE IN A FEW MINUTES. THIS IS AN INTERESTING ISSUE. YOU'VE HEARD A LOT OF DIFFERENT PHILOSOPHICAL POINTS TO THIS DISCUSSION. I FULLY SUPPORT SENATOR GROENE'S AM301 AND I'M NOT IN SUPPORT OF LB18 UNLESS SUCH AN AMENDMENT GETS ATTACHED. YOU HAVE HEARD ME TALK BEFORE, MY WIFE, SHAUNA, AND I HAVE FOUR KIDS--11, 9, 7, AND 4, AND I CARE VERY MUCH, JUST AS ALL OF YOU DO, THOSE OF US THAT ARE BLESSED WITH CHILDREN OR GRANDCHILDREN, ABOUT THEIR HEALTH AND WELL-BEING. BUT I FEEL FIRST AND FOREMOST THAT'S A RESPONSIBILITY AND A DUTY THAT BELONGS WITH US AS THE PARENTS AND NOT WITH ANY GOVERNMENTAL ENTITY, NOT WITH A SCHOOL DISTRICT, NOT WITH BIG BROTHER GOVERNMENT, BUT WITH US. THAT'S THE WAY IT HAS ALWAYS BEEN. I THINK THAT'S THE HEALTHIEST ENVIRONMENT THAT WE CAN...NOW THEN IT BECOMES INCUMBENT UPON US AS PARENTS TO DO OUR DUE DILIGENCE AND TO MAKE SURE THAT OUR CHILDREN ARE AS HEALTHY AND SAFE FROM A DANGEROUS WORLD AS THEY CAN POSSIBLY BE. AND WE WORK VERY HARD TO MAKE THAT BE A REALITY. I THINK IT IS UNFORTUNATE SOMETIMES THAT GOVERNMENT GETS IN THE WAY AND WANTS TO INFRINGE ON THE RIGHTS OF PARENTS AND THE RIGHTS OF INDIVIDUALS. AND THAT'S WHERE THIS DISCUSSION, I THINK, IS MOST

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INTERESTING. SENATOR HUGHES, A LITTLE EARLIER, VERY ELOQUENTLY TALKED ABOUT THAT. AND WE HAD A LOT OF CONSTITUENTS ACROSS THE STATE THAT SENT US HERE TO HOPEFULLY MAKE WISE PUBLIC POLICY FOR OUR STATE. AND NOT JUST FOR SHORT-TERM EXPEDIENCY, BUT FOR THE LONG RANGE, THE LONG TERM WHEN ALL OF US AREN'T HERE ANYMORE AND SOMEBODY ELSE IS SITTING IN YOUR SEAT AND MY SEAT REPRESENTING THE STATE. AND I THINK IN THOSE KIND OF SITUATIONS, WE ARE WISE, IN MY VIEW, TO COME DOWN ON THE SIDE OF STANDING UP FOR THE RIGHTS OF PARENTS AND FAMILIES AND INDIVIDUALS TO GOVERN THEMSELVES BEST. AFTER ALL, THAT'S WHY THERE IS ONLY 49 OF US THAT SERVE IN THE LEGISLATURE HERE BECAUSE THE PEOPLE OF NEBRASKA SAID A LONG TIME AGO WE WANT A GOVERNMENT THAT IS SMALL ENOUGH WE CAN MANAGE IT. AND THAT IS WHAT WE HAVE HAD ALL THESE YEARS. SO, AGAIN, WITH THAT I SUPPORT SENATOR GROENE'S AMENDMENT; I DO NOT SUPPORT THE UNDERLYING BILL. THANK YOU, MR. PRESIDENT. [LB18]

SPEAKER HADLEY: SENATOR KINTNER, YOU'RE RECOGNIZED AND THIS IS YOUR THIRD TIME TO SPEAK. [LB18]

SENATOR KINTNER: WELL, THANK YOU, MR. PRESIDENT. YEAH, I JUST WANT TO REMIND EVERYONE THIS IS NOT SENATOR KRIST VERSUS SENATOR GROENE. THIS IS NOT ANYTHING PERSONAL. THIS IS ABOUT A POLICY THAT SOME OF US DISAGREE WITH. AND I THINK THERE IS THE BEST OF INTENTIONS ON BOTH SIDES. I MEAN I DON'T THINK ANYONE IS TRYING TO STICK IT TO ANYONE. I DON'T THINK ANYONE IS TRYING TO FLEX THEIR MUSCLES. I THINK THERE IS REAL DISAGREEMENTS UPON THE WAY WE OUGHT TO HANDLE THIS. AND I THINK THAT WE NEED TO KEEP THAT IN MIND AND THAT'S MY AIM HERE. I'M NOT OUT TO GET ANYONE. I DON'T OPPOSE ANYONE PERSONALLY. I JUST HAVE CONCERNS ABOUT USING WHAT I CALLED EARLIER THE SLEDGEHAMMER APPROACH VERSUS, MAYBE, THE TACK HAMMER APPROACH, WHICH I THINK WE SHOULD PROBABLY TAKE. I'VE GOT A COUPLE ARTICLES THAT HAVE BEEN HANDED OUT. ONE SAYS--VACCINATIONS VITAL FOR KIDS. WELL WHO IN THE HECK IS OPPOSED TO THAT? I'M NOT. IT TALKS ABOUT MEASLES AND...LET ME SEE...ANY OTHER IN HERE, I THINK IT ONLY MENTIONS MEASLES. BUT I DON'T KNOW WHO IS AGAINST MEASLES...AGAINST VACCINATING FOR MEASLES. YOU KNOW WHEN I WAS A KID WE GOT VACCINATED FOR POLIO, AND DIPHTHERIA AND...I DON'T KNOW, MAYBE WHOOPING COUGH; THERE IS A BUNCH OF THEM, WE GOT THEM ALL. THAT WAS A PRETTY WISE THING BECAUSE THOSE ARE CONTAGIOUS DISEASES. AND WHEN YOU HAVE A DISEASE THAT COULD BE SPREAD VERY EASILY JUST BY BREATHING ON SOMEONE OR BY SNEEZING AND THE GERM GOES AND SITS ON A DESK AND SITS THERE FOR SIX HOURS, THAT'S A REAL PROBLEM. THIS DISEASE DOES NOT RISE TO THAT LEVEL. IT'S JUST...IT'S A

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HORRIBLE DISEASE. YOU CERTAINLY DON'T WANT TO GET IT. BUT ONCE SOMEONE GETS IT THE PEOPLE AROUND THEM GENERALLY DON'T GET IT. I GOT ANOTHER ONE HERE, ANOTHER ARTICLE THAT SAYS--OPPOSITION TO VACCINES ARE DANGEROUS. WELL, I DON'T KNOW, IT DEPENDS WHAT VACCINE WE'RE TALKING ABOUT, I GUESS. BUT I DON'T THINK ANYONE IS ARGUING AGAINST ALL THE COMMUNICABLE DISEASES AND THE ONES THAT SPREAD VERY EASILY THAT WE TRADITIONALLY HAVE COME UPON TO REALIZE THAT, JEEZ, YEARS AGO, I MEAN I'M OVER 50 YEARS OLD AND WE FIGURED THIS OUT OVER 50 YEARS AGO THAT WE NEED TO STOP THESE DISEASES AND I DON'T THINK THAT'S EVER CHANGED. THERE IS NOT VERY MANY PEOPLE ARGUING AGAINST THAT. BUT THEY DIDN'T FIGURE THIS OUT 50 YEARS AGO. THEY DIDN'T FIGURE IT OUT 10 YEARS AGO. THE SMART PEOPLE ARE JUST FIGURING IT OUT NOW. AND I DON'T THINK THAT THEIR PRESCRIPTION IS THE RIGHT PRESCRIPTION FOR WHAT AILS US OR WHAT POTENTIALLY AILS US. AND THAT IS WHY I URGE US TO PASS THIS AMENDMENT. LET'S INFORM THE PARENTS; LET'S LET THOSE PARENTS KNOW WHAT THE DANGERS ARE; LET THEM KNOW WHERE THEY CAN GET THEIR CHILD VACCINATED, ENCOURAGE THEM TO DO IT AT THE APPROPRIATE TIME, WHICH IS NOT SEVENTH GRADE, AND TRUST THEM TO DO WHAT IS RIGHT. I TRUST THE PEOPLE OF NEBRASKA. THE PEOPLE OF NEBRASKA GET IT RIGHT A LOT MORE OFTEN THAN COLLECTIVELY THEY GET IT WRONG. AND I TRUST PARENTS TO, MORE OFTEN THAN NOT, DO THE RIGHT THING FOR THEIR KIDS. AND I DON'T BELIEVE THAT MANDATING THIS IN THE SEVENTH GRADE IS GOING TO BE WHERE WE SHOULD BE. IT'S... [LB18]

SPEAKER HADLEY: ONE MINUTE. [LB18]

SENATOR KINTNER: ...NOT GOING TO BE WORTH THE COST. AND THEN THERE IS ONE MORE HERE--STUDENT DIAGNOSED WITH SEVERE TYPE OF MENINGITIS. NOW, I HAVE NO IDEA IF...WHAT WE'RE GOING TO VACCINATE THEM WITH WOULD DEAL WITH THIS PARTICULAR STRAIN. FROM WHAT SENATOR GROENE HAS INFORMED US, THAT THIS...WHAT WE'RE LOOKING AT, OR MAYBE I GOT THAT SOMEWHERE ELSE, BUT THIS...WHAT WE'RE PROPOSING TAKES CARE OF ABOUT 70 PERCENT OF THE STRAINS. SO IT'S NOT CLEAR IF THIS IS IN THE 30 PERCENT, BUT IT'S CERTAINLY TRAGIC, AND IT'S CERTAINLY SOMETHING THAT WE DON'T WANT TO SEE HAPPEN. AND I THINK THE PARENTS SHOULD HAVE THE INFORMATION AND THE PARENTS OUGHT TO BE ABLE TO READ THIS ARTICLE AND I THINK THEY OUGHT TO BE ABLE TO MAKE THAT DECISION IF THIS IS SOMETHING THAT THEY'D LIKE TO VACCINATE WITH. THANK YOU, MR. PRESIDENT. [LB18]

SPEAKER HADLEY: MR. CLERK. [LB18]

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

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CLERK: MR. PRESIDENT, A SERIES OF HEARING NOTICES FROM THE APPROPRIATIONS COMMITTEE AND HEALTH AND HUMAN SERVICES COMMITTEE HEARING NOTICE AS WELL, BOTH SIGNED BY THEIR RESPECTIVE CHAIRS. JUDICIARY REPORTS LB504 AND LB602 TO GENERAL FILE WITH AMENDMENTS ATTACHED. I HAVE AMENDMENTS TO BE PRINTED TO LB18 FROM SENATOR GROENE AND AMENDMENTS TO LB118 FROM SENATOR SCHUMACHER AND SENATOR RIEPE TO LB18. (ALSO SENATOR COOK AMENDMENT TO LB10.) MR. PRESIDENT, NAME ADDS: SENATOR DAVIS WOULD LIKE TO ADD HIS NAME TO LB641; SENATOR RIEPE TO LB357; SENATOR GARRETT TO LB268; SENATOR BURKE HARR TO LB329. (LEGISLATIVE JOURNAL PAGES 468-484.) [LB504 LB602 LB18 LB118 LB10 LB641 LB357 LB268 LB329]

SENATOR SEILER WOULD MOVE TO ADJOURN THE BODY UNTIL THURSDAY, FEBRUARY 12, AT 9:00 A.M.

SPEAKER HADLEY: ALL THOSE IN FAVOR SIGNIFY BY SAYING AYE. OPPOSED, NAY. MOTION CARRIES.