

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

Floor Debate  
April 08, 2015

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[LB70A LB85 LB106 LB106A LB156 LB240 LB359 LB360 LB377 LB385 LB414 LB419  
LB472 LB559 LB566 LB586 LB629 LB663A LR7CA LR158 LR171 LR172 LR173 LR174]

SPEAKER HADLEY PRESIDING

SPEAKER HADLEY: GOOD MORNING, LADIES AND GENTLEMEN. WELCOME TO THE GEORGE W. NORRIS CHAMBER FOR THE FIFTY-NINTH DAY OF THE ONE HUNDRED FOURTH LEGISLATURE, FIRST SESSION. OUR CHAPLAIN FOR TODAY IS PASTOR LEANNE MASTERS OF THE SOUTHERN HEIGHTS PRESBYTERIAN CHURCH IN LINCOLN, SENATOR CAMPBELL'S DISTRICT. PLEASE RISE.

PASTOR MASTERS: (PRAYER OFFERED.)

SPEAKER HADLEY: THANK YOU. I CALL TO ORDER THE FIFTY-NINTH DAY OF THE ONE HUNDRED FOURTH LEGISLATURE, FIRST SESSION. SENATORS, PLEASE RECORD YOUR PRESENCE. ROLL CALL. RECORD, MR. CLERK.

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

SPEAKER HADLEY: CORRECTIONS FOR THE JOURNAL?

ASSISTANT CLERK: NO CORRECTIONS THIS MORNING.

SPEAKER HADLEY: MESSAGES, REPORTS, OR ANNOUNCEMENTS?

ASSISTANT CLERK: ONE ITEM, MR. PRESIDENT. YOUR COMMITTEE ON ENROLLMENT AND REVIEW REPORTS LB240 TO SELECT FILE. (LEGISLATIVE JOURNAL PAGE 1079.) [LB240]

SPEAKER HADLEY: MR. CLERK, THE FIRST ITEM ON THE AGENDA.

ASSISTANT CLERK: MR. PRESIDENT, THE FIRST REPORT ON GUBERNATORIAL APPOINTMENT IS FROM THE NATURAL RESOURCES COMMITTEE. (LEGISLATIVE JOURNAL PAGE 1031.)

SPEAKER HADLEY: SENATOR SCHILZ, YOU'RE RECOGNIZED TO OPEN ON THE REPORT.

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SENATOR SCHILZ: THANK YOU, MR. PRESIDENT. MEMBERS OF THE BODY, GOOD MORNING. THIS MORNING I HAVE A GUBERNATORIAL APPOINTMENT FOR THE GAME AND PARKS COMMISSION. MR. ROBERT ALLEN IS FROM EUSTIS, NEBRASKA. HE'S A NEW APPOINTMENT TO REPRESENT DISTRICT 5. AND WE HAD A HEARING WITH HIM ON MARCH 18. IT WENT VERY WELL, AND HE WAS VOTED OUT OF COMMITTEE UNANIMOUSLY. AND SO WITH THAT, I WOULD APPRECIATE YOUR SUPPORT FOR MR. ROBERT ALLEN. THANK YOU VERY MUCH, MR. PRESIDENT.

SPEAKER HADLEY: IS THERE ANY DISCUSSION ON THE REPORT? SEEING NONE, SENATOR SCHILZ, YOU'RE RECOGNIZED TO CLOSE. SENATOR SCHILZ WAIVES CLOSE. THE QUESTION IS THE ADOPTION OF THE REPORT BY THE NATURAL RESOURCES COMMITTEE. ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK.

ASSISTANT CLERK: (RECORD VOTE, LEGISLATIVE JOURNAL PAGES 1079-1080.) 25 AYES, 0 NAYS ON THE ADOPTION OF THE REPORT, MR. PRESIDENT.

SPEAKER HADLEY: THE REPORT IS ADOPTED. MR. CLERK, THE NEXT REPORT.

ASSISTANT CLERK: MR. PRESIDENT, THE AGRICULTURE COMMITTEE REPORTS ON APPOINTMENTS TO THE CLIMATE ASSESSMENT RESPONSE COMMITTEE. (LEGISLATIVE JOURNAL PAGE 1037.)

SPEAKER HADLEY: SENATOR JOHNSON, YOU'RE RECOGNIZED, AS CHAIR OF THE AG COMMITTEE, TO GIVE THE REPORT.

SENATOR JOHNSON: THANK YOU, MR. SPEAKER. WE HAVE THREE APPOINTMENTS, ALL TO THE CLIMATE ASSESSMENT RESPONSE COMMITTEE. I'LL GIVE YOU A BRIEF SUMMARY OF THAT. THIS WAS ESTABLISHED IN 1991 BY THE LEGISLATURE. IT SERVES AS A PLANNING AND INFORMATION-GATHERING ENTITY FOR ADVERSE CLIMATE CHANGES, PARTICULARLY DROUGHT RESPONSE AND MITIGATION. IT ALSO SERVES TO COLLECT AND ASSESS DATA REGARDING DAMAGES AND LOSSES FROM SEVERE OR EXTREME WEATHER. THEY DO COLLECT THE DATA FOR DECLARATIONS OF EMERGENCY IN DETERMINING FEDERAL AID FOR DISASTER PROGRAMS. AS I STATED, THERE ARE THREE APPOINTMENTS. THE FIRST ONE IS RICHARD KOELSCH. HE'S AN ASSOCIATE DEAN AT THE UNIVERSITY OF NEBRASKA IN EXTENSION. HE WORKS WITH AGRICULTURE, NATURAL RESOURCES, AND COMMUNITY DEVELOPMENT. HE'S

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HAD EXPERIENCE WORKING IN THE ENVIRONMENTAL FIELD WITH AGRICULTURAL ENGINEERING, DEPARTMENT OF BIOLOGICAL SYSTEMS ENGINEERING, AND ANIMAL SCIENCE. HE'S DONE RESEARCH ON LIVESTOCK AND ENVIRONMENTAL ISSUES. HE'S A MEMBER OF THE NATIONAL CATTLEMEN'S BEEF ASSOCIATION ENVIRONMENTAL COMMITTEE AND CHAIR OF THE NORTH CENTRAL AGRICULTURE AND NATURAL RESOURCES PROGRAM LEADER. HE REPLACES ELBERT DICKEY, WHO HAS RETIRED. THERE IS ONE REPRESENTATIVE ON THE CLIMATE ASSESSMENT FROM THE UNIVERSITY OF NEBRASKA. THE SECOND APPOINTEE IS MARY BAKER, REPRESENTS THE EMERGENCY MANAGEMENT AGENCY. SHE IS A STATE HAZARDS MITIGATION OFFICER FOR THE NEBRASKA EMERGENCY MANAGEMENT AGENCY AND HAS WORKED FOR NEMA SINCE 2011. SHE IS IN CHARGE OF THE STATE HAZARD MITIGATION PLAN, AS WELL AS OVERSEEING THE SUBMISSION AND APPROVAL FOR ALL HAZARD MITIGATION PLANS. THE THIRD ONE IS BARBARA COOKSLEY. BARBARA COOKSLEY OPERATES WITH HER HUSBAND A RANCHING OPERATION WITH HER HUSBAND NEAR ANSELMO, NEBRASKA, SERVED AS ADVISER TO CONGRESSMAN ADRIAN SMITH AND CONGRESSMAN TOM OSBORNE. SHE ALSO LISTS PAST EMPLOYMENT WITH THE SOIL CONSERVATION SERVICE. THESE THREE APPEARED BEFORE THE AG COMMITTEE ON MARCH 31. THE COMMITTEE VOTED UNANIMOUSLY TO CONFIRM ALL THREE NOMINATIONS. I WOULD MOVE THAT WE APPROVE THE AG COMMITTEE REPORT. THANK YOU, MR. SPEAKER.

SPEAKER HADLEY: IS THERE ANY DISCUSSION ON THE REPORT? SEEING NONE, SENATOR JOHNSON, YOU'RE RECOGNIZED TO CLOSE ON THE REPORT. SENATOR JOHNSON WAIVES CLOSING. THE QUESTION IS THE ADOPTION OF THE REPORT OFFERED BY THE AGRICULTURE COMMITTEE. ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. HAVE ALL VOTED? RECORD, MR. CLERK.

ASSISTANT CLERK: (RECORD VOTE, LEGISLATIVE JOURNAL PAGES 1080-1081.) 33 AYES, 0 NAYS ON THE ADOPTION OF THE REPORT.

SPEAKER HADLEY: THE REPORT IS ADOPTED. MR. CLERK, THE NEXT REPORT.

ASSISTANT CLERK: THE NEXT REPORT IS FROM THE GOVERNMENT, MILITARY AND VETERANS AFFAIRS COMMITTEE FOR SHARON MEDCALF TO THE STATE EMERGENCY RESPONSE COMMISSION. (LEGISLATIVE JOURNAL PAGE 1051.)

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SPEAKER HADLEY: SENATOR MURANTE, AS CHAIR OF THE GOVERNMENT, MILITARY AND VETERANS AFFAIRS COMMITTEE, YOU'RE RECOGNIZED TO OPEN ON THE REPORT.

SENATOR MURANTE: THANK YOU, MR. PRESIDENT. MEMBERS, GOOD MORNING. ON APRIL 1, THE GOVERNMENT, MILITARY AND VETERANS AFFAIRS COMMITTEE VOTED 7-0 IN FAVOR CONFIRMING THE APPOINTMENT OF DR. SHARON MEDCALF TO THE STATE EMERGENCY RESPONSE COMMISSION. DR. MEDCALF HAS SERVED AS CODIRECTOR OF THE CENTER FOR BIOSECURITY, BIOPREPAREDNESS, AND EMERGING INFECTIOUS DISEASES FOR THE UNIVERSITY OF NEBRASKA MEDICAL CENTER SINCE 2014. THE TRAINING CENTER PROVIDES EDUCATIONAL PROGRAMS FOR NEBRASKA'S EMERGENCY RESPONSE COMMUNITY, RANGING FROM FIRST RESPONDERS TO HEALTHCARE WORKERS. SHE RECEIVED HER Ph.D. IN EMERGENCY PREPAREDNESS FROM THE UNIVERSITY OF NEBRASKA MEDICAL CENTER IN 2013. SHE RECEIVED HER M.Ed. IN ADULT EDUCATION IN 1997 FROM THE UNIVERSITY OF OKLAHOMA, AND HER BACHELOR OF SCIENCE IN BIOLOGY FROM WRIGHT STATE UNIVERSITY IN 1993. DR. MEDCALF WAS UNANIMOUSLY SUPPORTED BY THE GOVERNMENT, MILITARY AND VETERANS AFFAIRS COMMITTEE, AND I WOULD APPRECIATE YOUR VOTE IN FAVOR OF HER CONFIRMATION. THANK YOU, MR. PRESIDENT.

SPEAKER HADLEY: IS THERE ANY DISCUSSION ON THE REPORT? SENATOR CHAMBERS, YOU'RE RECOGNIZED.

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, I WOULD LIKE TO ASK CHAIRMAN MURANTE A QUESTION.

SPEAKER HADLEY: SENATOR MURANTE, WILL YOU YIELD TO A QUESTION?

SENATOR MURANTE: I WOULD LOVE TO.

SENATOR CHAMBERS: MR. CHAIRMAN, HAVE I EVER INTERROGATED YOU RELATIVE TO ANY APPOINTEE WHO HAD BEEN APPROVED BY YOUR COMMITTEE?

SENATOR MURANTE: NOT TO MY RECOLLECTION.

SENATOR CHAMBERS: AND I DON'T INTEND TO START DOING SO TODAY.

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SENATOR MURANTE: (LAUGH) AND THANK YOU FOR IT.

SPEAKER HADLEY: ANY OTHER DISCUSSION? SEEING NONE, SENATOR MURANTE, YOU'RE RECOGNIZED TO CLOSE ON THE REPORT. SENATOR MURANTE WAIVES CLOSING. THE QUESTION IS THE ADOPTION OF THE REPORT OFFERED BY THE MILITARY AFFAIRS COMMITTEE. ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED? RECORD, MR. CLERK.

ASSISTANT CLERK: (RECORD VOTE, LEGISLATIVE JOURNAL PAGE 1081.) 38 AYES, 0 NAYS ON THE ADOPTION OF THE REPORT.

SPEAKER HADLEY: THE REPORT IS ADOPTED. (VISITORS INTRODUCED.) MR. CLERK, WE'LL PROCEED WITH THE FIRST ITEM ON THE AGENDA.

ASSISTANT CLERK: MR. PRESIDENT, LB106A BY SENATOR WATERMEIER. (READ TITLE.) [LB106A]

SPEAKER HADLEY: SENATOR WATERMEIER, YOU'RE RECOGNIZED TO OPEN ON YOUR BILL. [LB106A]

SENATOR WATERMEIER: THANK YOU, MR. SPEAKER. MEMBERS OF THE LEGISLATURE, LB106A SEEKS TO APPROPRIATE \$24,000 FROM THE GENERAL FUND IN FISCAL YEAR '15-16 TO THE DEPARTMENT OF AG. AS YOU MAY RECALL, LB106 REQUIRES THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE TO DEVELOP AN ASSESSMENT MATRIX WITH THE CONSULTATION OF A COMMITTEE OF EXPERTS. AS AMENDED ON GENERAL FILE, THE MATRIX MAY BE USED BY COUNTY OFFICIALS TO DETERMINE WHETHER TO APPROVE OR DISAPPROVE CONDITIONAL USE PERMITS OR SPECIAL EXEMPTION APPLICATIONS FOR LIVESTOCK OPERATIONS. THE DEPARTMENT BELIEVES THEY WILL NEED TO CONTRACT WITH TECHNICAL EXPERTS FOR THE DEVELOPMENT OF THE ASSESSMENT MATRIX AND THEY ESTIMATE THE COST WILL BE APPROXIMATELY \$24,000. I URGE YOUR SUPPORT AND ADVANCE LB106A. THANK YOU, MR. SPEAKER. [LB106A LB106]

SPEAKER HADLEY: ANYONE WISHING TO SPEAK ON LB106A? SEEING NONE, SENATOR WATERMEIER? SENATOR WATERMEIER WAIVES CLOSING. THE BILL BEFORE US IS LB106A. ALL THOSE IN FAVOR SIGNIFY BY VOTING AYE; OPPOSED, NAY. HAVE YOU ALL VOTED? RECORD, MR. CLERK. [LB106A]

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ASSISTANT CLERK: 33 AYES, 0 NAYS ON THE MOTION TO ADVANCE THE BILL, MR. PRESIDENT. [LB106A]

SPEAKER HADLEY: THE BILL IS FORWARDED TO E&R FOR ENGROSSING. MR. CLERK. [LB106A]

ASSISTANT CLERK: MR. PRESIDENT, ON SELECT FILE, LB70A. I HAVE NO AMENDMENTS TO THE BILL. [LB70A]

SPEAKER HADLEY: SENATOR HANSEN, YOU'RE RECOGNIZED. [LB70A]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT LB70A ADVANCE TO E&R FOR ENGROSSING. [LB70A]

SPEAKER HADLEY: ALL THOSE IN FAVOR SIGNIFY BY SAYING AYE. OPPOSED SAY NAY. MOTION CARRIES. WE WILL NOW RETURN TO GENERAL FILE. MR. CLERK. [LB70A]

ASSISTANT CLERK: MR. PRESIDENT, LB414 INTRODUCED BY SENATOR HARR. (READ TITLE.) THE BILL WAS INTRODUCED ON JANUARY 16, REFERRED TO THE REVENUE COMMITTEE. THAT COMMITTEE REPORTED THE BILL TO GENERAL FILE. THE BILL WAS CONSIDERED YESTERDAY AND WAS UNDER DEBATE AT THAT TIME. [LB414]

SPEAKER HADLEY: SENATOR HARR, YOU'RE RECOGNIZED TO GIVE US A SHORT SUMMARY OF LB414. [LB414]

SENATOR HARR: THANK YOU, MR. SPEAKER, MEMBERS OF THE BODY. THIS IS A BILL TO CLARIFY CURRENT STATUTE AS FAR AS TREATMENT OF FRATERNAL BENEFIT ORDERS. WE HAD ABOUT A HALF-HOUR DEBATE YESTERDAY. AND THE CONCERNS WITH THE BILL WERE THAT THIS IS A COUNTY ISSUE; WE SHOULD LET THE COUNTIES DECIDE. AND I GUESS MY STANCE IS WE ARE THE POLICYMAKING BODY. WE'RE THE ONES WHO WROTE THE LAW THAT HAS THE ISSUE WITH HOW IT SHOULD BE APPLIED. THERE IS A QUESTION ABOUT, HEY, THIS IS GOING TO AFFECT TEEOSA. FOLKS, THERE IS \$209 BILLION IN REAL ESTATE IN THE STATE OF NEBRASKA. THIS HAS TO DO WITH LESS THAN \$20 MILLION. SO THE EFFECT ON TEEOSA IS DE MINIMIS AT BEST. AND THIS DOES HAVE THE SUPPORT OF THE CITY OF OMAHA. THE MAYOR SENT A LETTER OF

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SUPPORT. AND THEY ARE WILLING TO FORGO THEIR PORTION OF PROPERTY TAXES BECAUSE THEY WANT TO SEE A GOOD CORPORATE CITIZEN SUCH AS WOODMEN STAYING IN NEBRASKA. SO THIS IS MERELY A CLARIFICATION AS FAR AS WHAT IS THE TAX TREATMENT FOR FRATERNAL BENEFIT ORDERS. DO WE TREAT THEM THE SAME WAY ON A STATE LEVEL AS WE DO ON THE FEDERAL LEVEL? THANK YOU, MR. SPEAKER. [LB414]

SPEAKER HADLEY: THANK YOU, SENATOR HARR. IS THERE ANYONE WISHING TO SPEAK ON LB414? SENATOR SCHUMACHER, YOU'RE RECOGNIZED. [LB414]

SENATOR SCHUMACHER: THANK YOU, MR. SPEAKER, MEMBERS OF THE BODY. I, ALONG WITH SENATOR GLOOR, DID NOT VOTE TO PUT THIS PARTICULAR ITEM OUT OF COMMITTEE. IT HAS YET TO BE THROUGH THE NORMAL DETERMINATION OF WHETHER OR NOT DOUGLAS COUNTY'S INTERPRETATION OF THE LAW IS CORRECT OR THE OTHER COUNTIES THAT INTERPRETED IT A DIFFERENT WAY IS CORRECT. AND I THINK IT'S PREMATURE TO BE BEFORE US. BUT IN SPITE OF THAT, I THINK WE HAVE TO AT LEAST CONSIDER A POLICY DISCUSSION HERE. WHEN YOU FIRST GET APPOINTED TO THE REVENUE COMMITTEE, YOU SOMEWHAT FEEL LIKE SANTA CLAUS IN THAT YOU CAN PASS OUT ALL THESE CREDITS AND TAX BREAKS AND EXEMPTIONS AND SPECIAL DEALS. BUT SOON YOU REALIZE YOUR OBLIGATION IS MORE TO BE LIKE SCROOGE. AND YOU BETTER BE PRETTY CAUTIOUS WITH WHAT YOU DO AND WHEN YOU INTERVENE. WHEN YOU'RE ON A BOARD AS A...GOVERNING A CORPORATION OR AN INSURANCE COMPANY OR EVEN ANY KIND OF ORGANIZED ENTITY, OR YOU'RE A CEO OF SUCH AN ENTITY, YOU'VE GOT AN OBLIGATION TO DO SOME THINGS. AND AMONG THOSE THINGS IS TO NOT SPEND MONEY ON THINGS THAT ARE UNNECESSARY, MAXIMIZE YOUR PROFITS, REDUCE THE COST OF YOUR PRODUCT SO THAT IT'S MORE COMPETITIVE WITH YOUR COMPETITOR. AND YOU'VE GOT OBLIGATIONS TO SHAKE ALL THOSE TREES TO SEE WHAT FRUITS YOU CAN GET OUT OF THEM. WHEN WE SIGNAL HERE, WHETHER IT IS TO BUSINESSES OR INSURANCE COMPANIES OR PRIVATE PEOPLE WHO HAVE MADE BAD BUSINESS DECISIONS, THAT WE'RE WILLING TO INTERVENE AND WE'RE WILLING TO BITE ON A SUGGESTION THAT, GEE, WE SHOULD GIVE THEM A SPECIAL DEAL, THEN WE START CREATING AN OBLIGATION ON THE PART OF THOSE BOARDS AND EXECUTIVES TO COME HERE. IN FACT, IT'S THEIR DUTY TO THEIR CORPORATIONS OR ENTITIES TO COME HERE AND SEE WHAT THEY CAN GET US TO BITE ON. AND ONCE WE START DOWN THAT ROAD, THE LIST OF PEOPLE BEFORE THE REVENUE COMMITTEE, AND I SUSPECT ANY COMMITTEE THAT'S WILLING TO GIVE OUT THINGS, BECOMES INCREDIBLY LONG AND WE'RE INVITING IT. WOODMEN, I WILL GIVE THEM GREAT CREDIT, THEY DID NOT

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THREATEN TO LEAVE. PEOPLE SAY THEY WILL THREATEN TO LEAVE, BUT I DIDN'T HEAR A THREAT TO LEAVE. HAVE THEY BEEN APPROACHED BY OTHER STATES? OF COURSE. I EXPECT MOST BUSINESSES IN THIS STATE HAVE BEEN APPROACHED AT ONE TIME OR ANOTHER BY OTHER STATE ENTITIES...OUT-OF-STATE ENTITIES WITH SOME FREEBIE OR ANOTHER TO OFFER THEM. THAT'S THE NATURE OF THE GAME THAT IS BEING PLAYED. BUT WOODMEN HAS NEVER THREATENED TO LEAVE THE STATE OR ABANDON THEIR BUILDING OR LEAVE IT 60 PERCENT EMPTY OR ANYTHING LIKE THAT. THEY'RE A RESPONSIBLE ORGANIZATION, A LONGSTANDING MEMBER OF THE COMMUNITY, LONGSTANDING TAXPAYER OF THE COMMUNITY. BUT TO THE EXTENT WE SIGNAL THAT, HEY, WE ARE WILLING TO STEP IN AND WE'RE WILLING TO INTERVENE, PLEAD YOUR CASE BEFORE US, TELL US YOU'RE SPECIAL, WE MIGHT EVEN MIND READ AND THINK YOU MIGHT LEAVE, THEN WE'RE TELLING THE CORPORATE GOVERNING PEOPLE, COME ON DOWN, RING OUR BELL. BUT IF WE SEND OUT A CONSISTENT MESSAGE THAT, NO, WE ARE REALLY DISINCLINED TO ANY SPECIAL DEALS OR ANY PREMATURE RULINGS ON SQUABBLES GOING ON IN INTERPRETATION OF THE LAW, USE THE NORMAL PROCEDURE TO GET THINGS DONE, THEN I THINK WE NOT ONLY DO JUSTICE TO THE STATE, BUT WE ALSO PROTECT THOSE CORPORATE BOARDS AND EXECUTIVES FROM CRITICISM THAT, GEE, YOU SHOULD HAVE TAKEN IT TO THE LEGISLATURE AND WE, AS A COMPANY, WOULD HAVE MORE MONEY BECAUSE WE COULD HAVE WEASELED OUT OF THIS TAX OR ANOTHER. SO I THINK THAT THIS IS NOT TERRIBLY GOOD POLICY, PARTICULARLY BECAUSE IT'S PREMATURE. [LB414]

SPEAKER HADLEY: ONE MINUTE. [LB414]

SENATOR SCHUMACHER: GRANTED, IF THE COURTS AND THE LEGAL SYSTEM SAY THAT OMAHA IS CORRECT, WE MAY, DOWN THE ROAD IN A YEAR OR TWO OR THREE, HEAR FROM OTHER FRATERNAL ORGANIZATIONS SAYING, LOOK, WE DON'T WANT TO BE TAXED; DO SOMETHING. AND IF WE DO, WE'LL HAVE TO DEAL WITH THAT ISSUE WHEN IT COMES. BUT IT'S NOT HERE TODAY. THANK YOU. [LB414]

SPEAKER HADLEY: SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB414]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, I WOULD LIKE TO ASK SENATOR HARR A QUESTION IF HE'S HERE. [LB414]



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SPEAKER HADLEY: SENATOR HARR, WILL YOU YIELD TO A QUESTION? [LB414]

SENATOR HARR: YES. [LB414]

SENATOR CHAMBERS: SENATOR HARR, HOW MUCH MONEY WOULD THIS OPERATION NOT HAVE TO PAY IN PROPERTY TAXES IF THIS BILL WERE TO PASS? [LB414]

SENATOR HARR: IT'S MY UNDERSTANDING...WELL, BY THIS ENTITY, ARE YOU REFERRING TO WOODMEN OF THE WORLD? [LB414]

SENATOR CHAMBERS: YES, THE ONE WE'RE TALKING ABOUT. [LB414]

SENATOR HARR: OKAY. IT'S MY UNDERSTANDING IT'S APPROXIMATELY \$800,000 A YEAR. [LB414]

SENATOR CHAMBERS: \$800,000? [LB414]

SENATOR HARR: THAT IS MY UNDERSTANDING. [LB414]

SENATOR CHAMBERS: THAT'S THE ACTUAL DOLLAR AMOUNT OF THE TAXES? [LB414]

SENATOR HARR: YEP. [LB414]

SENATOR CHAMBERS: WHERE WOULD THAT AMOUNT OF TAX MONEY GO? WHAT ENTITIES WOULD BENEFIT FROM THAT? [LB414]

SENATOR HARR: WELL, IT WOULD BE ANYONE WHO COLLECTS PROPERTY TAXES ON THERE. SO IT WOULD BE YOUR SCHOOL DISTRICTS, YOUR COUNTIES, YOUR CITIES, METRO AREA TRANSIT, COMMUNITY COLLEGES, NRDs. [LB414]

SENATOR CHAMBERS: OKAY. [LB414]

SENATOR HARR: I DON'T KNOW ALL OF THEM, BUT THERE'S A LINE ITEM ON YOUR PROPERTY TAX BILL THAT WOULD TELL YOU WHO THEY ARE. [LB414]

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SENATOR CHAMBERS: I WANTED SOME OF THAT IN THE RECORD. HAVE THOSE ENTITIES BEEN CONTACTED, AND THEY'VE AGREED THAT THEY'RE WILLING TO FORGO ANY BENEFIT THEY WOULD DERIVE FROM PROPERTY TAXES OF THIS KIND? [LB414]

SENATOR HARR: WELL, THE ANSWER IS THEY HAVE BEEN CONTACTED. AND IT'S BEEN PUBLIC NOTICE OUT THERE. THE CITY OF OMAHA HAS ALREADY SAID THAT THEY'D BE WILLING TO FORGO THEIR PORTION TO KEEP THIS PERSON IN OMAHA. [LB414]

SENATOR CHAMBERS: WHEN YOU SAY THE CITY, YOU MEAN THE CITY COUNCIL PASSED A RESOLUTION SUPPORTING THIS BILL? [LB414]

SENATOR HARR: I BELIEVE THEY DID. YEAH, I BELIEVE THEY DID. [LB414]

SENATOR CHAMBERS: BUT YOU'RE NOT SURE. [LB414]

SENATOR HARR: BUT I'M NOT POSITIVE. I CAN GET THAT FOR YOU. [LB414]

SENATOR CHAMBERS: YOU KNOW YOU GOT A LETTER FROM THE MAYOR, THOUGH? [LB414]

SENATOR HARR: YES, I DO KNOW THAT, AND THEY CAME DOWN AND TESTIFIED IN FAVOR OF IT. [LB414]

SENATOR CHAMBERS: BUT SHE WOULDN'T BE THE CITY, WOULD SHE? [LB414]

SENATOR HARR: SHE IS NOT THE CITY. [LB414]

SENATOR CHAMBERS: ALL RIGHT. SO WE DON'T KNOW AT THIS TIME THAT THE CITY AS AN ENTITY IS IN FAVOR OF THIS BILL. BUT THE MAYOR, YOU KNOW THAT THE MAYOR IS. [LB414]

SENATOR HARR: YES. [LB414]

SENATOR CHAMBERS: WELL, SHE'S A LITTLE HAYWIRE ON SOME THINGS ANYWAY. SHE TALKS WITHOUT KNOWING WHAT SHE'S TALKING ABOUT. AND I

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HAVE EXPERIENCE WITH THAT. BUT JUST SO YOU'LL KNOW WHAT I'M TALKING ABOUT, SHE HAD THE NERVE TO SAY THAT I'M NOT CONCERNED ENOUGH ABOUT THE GANG PROBLEM IN MY COMMUNITY. NOW ALL THE YEARS THAT I'VE BEEN DEALING WITH THAT, AND THIS PERSON MAKES AN OUTRIGHT FALSE STATEMENT TO SHOW THAT SHE'S ON THE RIGHT SIDE OF ANOTHER ISSUE. BUT SHE'S ON THE WRONG SIDE. BUT ON THIS BILL, SENATOR, WOULD WOODMEN OF THE WORLD BE THE ONLY ENTITY THAT WOULD BENEFIT UNDER THIS BILL IF IT BECOMES LAW, OR ARE THERE OTHERS? [LB414]

SENATOR HARR: THERE ARE OTHERS. [LB414]

SENATOR CHAMBERS: AND NONE OF THOSE WOULD HAVE TO PAY TAXES ON THEIR PROPERTY, ISN'T THAT TRUE, THE WAY THE BILL IS DRAFTED? [LB414]

SENATOR HARR: NONE OF THE OTHER FRATERNAL BENEFIT SOCIETIES WOULD, THAT IS CORRECT. [LB414]

SENATOR CHAMBERS: HAVE YOU EVER IN YOUR EXPERIENCE IN THE LEGISLATURE SEEN THE LEGISLATURE DO SOMETHING TO BENEFIT A SMALL OPERATION, SAY, A NEIGHBORHOOD ACTIVITY? [LB414]

SENATOR HARR: YES. [LB414]

SENATOR CHAMBERS: HAVE THEY DONE IT IN THE WAY THAT THIS IS BEING DONE? [LB414]

SENATOR HARR: IN MY LIMITED TIME HERE, NOT TO MY KNOWLEDGE. [LB414]

SENATOR CHAMBERS: WHEN WE TALK IN THIS LEGISLATURE ABOUT GIVING TAX BREAKS TO COMPANIES THAT HIRE A CERTAIN NUMBER OF PEOPLE AND YOU PUT OTHER REQUIREMENTS, SMALL BUSINESSES... [LB414]

SPEAKER HADLEY: ONE MINUTE. [LB414]

SENATOR CHAMBERS: ...CANNOT QUALIFY UNDER THOSE BILLS, CAN THEY? [LB414]

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SENATOR HARR: WELL, THAT'S KIND OF A BROAD STATEMENT. BUT I WOULD AGREE WITH YOU THAT IT IS EASIER, THE LARGER YOUR NUMBER OF EMPLOYEES, THE LARGER... WELL, THE EASIER IT IS TO QUALIFY FOR SOME OF THE TAX INCENTIVES. [LB414]

SENATOR CHAMBERS: IT WOULD BE TRUE TO SAY THAT THE LARGER OPERATIONS ARE GIVEN THE LARGEST THAT THE LEGISLATURE IS WILLING TO THROW IN THAT DIRECTION. ISN'T THAT TRUE? [LB414]

SENATOR HARR: THAT'S CORRECT. THAT'S THE BEAUTY OF THIS BILL, IS THAT IT APPLIES ACROSS THE BOARD NO MATTER HOW LARGE OR SMALL THE NONPROFIT IS. [LB414]

SENATOR CHAMBERS: NOW RETAIL ESTABLISHMENTS CANNOT BENEFIT FROM THOSE BILLS, CAN THEY? FOR EXAMPLE, A MOM-AND-POP GROCERY STORE IN A RURAL TOWN WHERE THAT'S THE ONLY BUSINESS ENTERPRISE, IT'S TOO SMALL TO BENEFIT EVEN THOUGH IT MIGHT BE THE MAINSTAY AND ANCHOR IN THAT TOWN. ISN'T THAT TRUE? [LB414]

SENATOR HARR: WELL, THERE IS THE RURAL ADVANTAGE ACT. AND I DON'T KNOW IF THEY WOULD QUALIFY UNDER THAT OR NOT. BUT AS A GENERAL RULE, NO, THEY WOULDN'T QUALIFY UNDER THE LARGER NEBRASKA ADVANTAGE ACT. [LB414]

SENATOR CHAMBERS: AND I'LL STOP NOW AND PUT MY LIGHT ON. THANK YOU, MR. PRESIDENT. [LB414]

SPEAKER HADLEY: SENATOR CRAIGHEAD, YOU'RE RECOGNIZED. [LB414]

SENATOR CRAIGHEAD: THANK YOU, MR. CHAIRMAN. SENATOR HARR, WOULD YOU YIELD TO A COUPLE QUESTIONS? [LB414]

SPEAKER HADLEY: SENATOR HARR, WILL YOU YIELD? [LB414]

SENATOR HARR: YES. [LB414]

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SENATOR CRAIGHEAD: IF WE END UP PASSING THIS INTO LEGISLATION, WILL THIS SET A PRECEDENT FOR OTHER ORGANIZATIONS? [LB414]

SENATOR HARR: WELL, EVERYTHING WE DO SETS A PRECEDENT, BUT WE ARE NOT BOUND BY THAT PRECEDENT. [LB414]

SENATOR CRAIGHEAD: I'M SPECIFICALLY THINKING OF COMPANIES LIKE MUTUAL OF OMAHA, KNIGHTS OF COLUMBUS, WHO ARE FRATERNAL ORGANIZATIONS WHO MAY SAY, ALL RIGHT, SINCE WE'VE NOW PASSED WOODMEN AND WE'RE VERY CLOSE TO THE SAME KIND OF CATEGORY, WILL THEY TRY TO FALL UNDER THE SAME KIND OF SYSTEM? [LB414]

SENATOR HARR: YEP, GOOD QUESTION. SO KNIGHTS OF COLUMBUS ARE IN FACT A FRATERNAL BENEFIT SOCIETY SO, YES, THEY WOULD RECEIVE THE BENEFIT OF THIS BILL. A MUTUAL COMPANY IS A DIFFERENT ANIMAL OR ORGANIZATION. IT IS NOT...IT'S A MUTUAL COMPANY. IT DOESN'T EXIST FOR THE BENEFIT OF ITS MEMBERS OF ITS LODGE SYSTEM. [LB414]

SENATOR CRAIGHEAD: WHAT ABOUT KNIGHTS OF COLUMBUS? [LB414]

SENATOR HARR: YES, THEY WOULD QUALIFY FOR THIS. YES. [LB414]

SENATOR CRAIGHEAD: THEY WOULD, OKAY. THANK YOU. [LB414]

SPEAKER HADLEY: SENATOR FRIESEN, YOU'RE RECOGNIZED. [LB414]

SENATOR FRIESEN: THANK YOU, MR. PRESIDENT. I STAND IN OPPOSITION TO LB414. AS A RURAL SENATOR OR AS A SENATOR FROM THE URBAN AREAS IN MY DISTRICT TO THE RURAL AREAS, PROPERTY TAX RELIEF WAS THE NUMBER ONE ISSUE. I WILL KEEP REPEATING THAT OVER AND OVER. WE CAN DO SOME THINGS THAT...YOU KNOW, I'M NOT LOOKING FOR JUST AN EXEMPTION FOR AG. THAT'S NOT MY GOAL. I HAVE SAID I WANT PROPERTY TAX RELIEF FOR THE URBAN BUSINESSES, THE URBAN HOUSEHOLDS. I WANT PROPERTY TAX RELIEF. THAT WAS THE NUMBER ONE ISSUE OF EVERYONE. THE GOVERNOR SAID IT. ALMOST EVERY ONE OF US SENATORS HAS SAID IT. WHEN WE WENT ABOUT OUR DISTRICT, WE TALKED ABOUT PROPERTY TAX RELIEF. NOW WE WILL GIVE TOTAL EXEMPTION TO A FEW AGAIN, WHICH WILL PUSH MORE PROPERTY TAX ON TO THOSE WHO CAN LEAST AFFORD IT. THIS IS THE WRONG WAY TO GO. LET'S LOOK

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AT SOME SUBSTANTIAL PROPERTY TAX RELIEF RIGHT NOW. I AM NOT SEEING ANYTHING COME TO THE FLOOR THAT IS MEANINGFUL. WE WILL CONTINUE TO WORK ON THIS. I AM NOT GOING TO EXTEND A DEBATE ON THIS BILL. I'M MORE THAN HAPPY TO STATE MY OPINION. WE HAVE AN UP OR DOWN VOTE. WIN OR LOSE, WE GO FORWARD. BUT I'M JUST GOING TO KEEP REPEATING MYSELF. WE NEED PROPERTY TAX RELIEF THAT'S MEANINGFUL TO EVERYONE, NOT JUST TO A FEW. WE NEED TO SPREAD THIS ACROSS THE STATE. AND WE'RE STARTING TO PICK AND CHOOSE. AND THAT IS MY OPPOSITION. THANK YOU, MR. PRESIDENT. [LB414]

SPEAKER HADLEY: SENATOR GROENE, YOU'RE RECOGNIZED. [LB414]

SENATOR GROENE: THANK YOU, MR. PRESIDENT. I'VE GOT A QUESTION FOR SENATOR HARR IF HE WOULD YIELD. [LB414]

SPEAKER HADLEY: SENATOR HARR, WILL YOU YIELD TO A QUESTION? [LB414]

SENATOR HARR: YES. [LB414]

SENATOR GROENE: BACK HOME OUR HOSPITALS ARE NONPROFIT AND THEY DON'T PAY TAXES. AND THEN THEY COME TO US AND ALL THEIR VEHICLES, THEY ASK FOR EXEMPTIONS ON THEIR VEHICLES BECAUSE THAT'S ALSO PROPERTY RELATED TO THEIR BUSINESS. DO YOU KNOW, WILL THIS...ALL OF THE VEHICLES THAT WOODMEN OWNS, WILL THEY BE ABLE TO EXEMPT THEM FROM PROPERTY TAXES ALSO? [LB414]

SENATOR HARR: THE ANSWER IS I BELIEVE CURRENTLY IF THE VEHICLES ARE USED IN FURTHERANCE OF THE CHARITABLE PURPOSE OF THE ORGANIZATION THAT, YES, THEY WOULD BE ABLE TO. HOWEVER, THIS BILL WOULD NOT CHANGE THE CURRENT STATUS OF WHETHER THEY COULD OR COULD NOT. IT WOULD REMAIN THE SAME. [LB414]

SENATOR GROENE: THANK YOU. AND YOU SAID EARLIER...ONE MORE QUESTION. YOU SAID EARLIER THIS WOULD ONLY AFFECT \$20 MILLION. YOU'RE JUST TALKING THE VALUATION OF THE WOODMEN, NOT THE...WE HAVE NO IDEA WHAT OTHER FRATERNAL ORGANIZATIONS ARE OUT THERE, RIGHT, THAT WOULD CLAIM A PROPERTY TAX RELIEF? [LB414]

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SENATOR HARR: THAT'S CORRECT. WHAT WE DO KNOW IS IN A MAJORITY OF THE COUNTIES, CURRENTLY THE FRATERNAL BENEFIT SOCIETIES ARE NOT TAXED FOR PROPERTY. [LB414]

SENATOR GROENE: THANK YOU. A LOT OF QUESTIONS INVOLVING THIS AND WHERE DOES IT LEAD, AS WE HEARD FROM OTHERS, LIKE SENATOR GLOOR AND SCHUMACHER AND CRAIGHEAD ABOUT WHO'S NEXT? YOU KNOW, WHEN PEOPLE ASK ME ABOUT WHY I'M AGAINST TAX INCREMENT FINANCING, WHY I'M AGAINST SOME OF THESE THINGS, I GO BACK TO ONE ANSWER. THERE IS A REASON WHY WE PAY PROPERTY TAXES, FOLKS. WE DON'T LIKE THEM, BUT WE HAVE TO SUPPORT OUR SCHOOLS. WE HAVE TO SUPPORT OUR COUNTIES. WE HAVE TO SUPPORT OUR COMMUNITY COLLEGES, OUR NATURAL RESOURCES DISTRICTS. THERE'S A REASON WE PAY PROPERTY TAXES. WE ALL SHOULD PAY PROPERTY TAXES. WE SHOULD ALL SEEK THE MOST EFFICIENT GOVERNMENT WE HAVE. WE SHOULD ALL TRY TO BAND TOGETHER AND CONTROL PROPERTY TAXES INSTEAD OF COMING TO US WITH DIVIDE AND CONQUER, ONE ORGANIZATION AGAINST ANOTHER. AS SENATOR SCHUMACHER SAID, I NEVER BLAME THE COMPANY. THEIR JOB IS, BOTTOM LINE, MAKE A PROFIT. IT'S MADE THIS COUNTRY GREAT, FREE ENTERPRISE, THE AGGRESSIVENESS OF THAT ATTITUDE. IT IS FREE ENTERPRISE WHAT WE'RE BASED ON, BUT WE SHOULD ALL PAY OUR PROPERTY TAXES AND WE SHOULD ALL SEEK PROPERTY TAX RELIEF. THAT IS THE BEST WAY. THAT IS THE MESSAGE THIS LEGISLATURE COULD SEND THE CHAMBERS OF COMMERCE, THE BUSINESS COMMUNITY. LET'S WORK TOGETHER FOR STATEWIDE PROPERTY TAX RELIEF. SO I STAND AGAINST LB414. I UNDERSTAND SENATOR HARR AND THE PRESSURE OF THE SCARE OF LOSING THOSE JOBS, BUT I'M GOING TO BELIEVE THAT WOODMEN OF THE WORLD IS A GOOD CITIZEN AND WILL REMAIN AND WORK WITH THE CITY FOR PROPERTY TAX RELIEF. I'VE HEARD THE TERM "PAROCHIAL" USED IN HERE. WE JUST SEEN PAROCHIAL YESTERDAY IN THIS FAIR CITY WHERE THEY RAISED A QUARTER-CENT SALES TAX ON ALL OF US VISITORS TO THE CAPITAL CITY AS WE COME HERE FOR FAVORS AND SOME OF US FOR DOING OUR DUTY AS ELECTED OFFICIALS. THEY RAISED IT ON OUR CHILDREN THAT GO TO THEIR COLLEGES. WE RAISED IT ON THE PARENTS WHO COME TO VISIT THEIR CHILDREN. THAT IS A PAROCHIAL VOTE. THE PAROCHIAL ATTITUDE NEEDS TO STOP. WE NEED TO LOOK AT US AS A STATE, AS I'VE HEARD. WE ALL NEED PROPERTY TAX RELIEF. WE ALL NEED TO HAVE SOME SKIN IN THE GAME AND WE NEED TO ADDRESS IT STATEWIDE. SO I WILL ALWAYS STAND AGAINST ANY BILL THAT DIVIDES AND CONQUERS AND GIVES PROPERTY TAX OR ANY TAX RELIEF TO ONE AND NOT THE OTHER. [LB414]

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SPEAKER HADLEY: ONE MINUTE. [LB414]

SENATOR GROENE: IT'S NOT JUST AG. IT'S JUST NOT FRATERNAL ORGANIZATIONS. WHEN I RAN FOR OFFICE, IT WAS THE WIDOW LADY IN TOWN WHO COULDN'T AFFORD HER PROPERTY TAXES. IT WAS THE SMALL BUSINESSMAN WHO COULDN'T AFFORD THEIR PROPERTY TAXES AS THE ECONOMY EBBED AND FLOWED. WE NEED TO CONCENTRATE ON THE WHOLE AND NOT THE INDIVIDUAL BUSINESS. SO THANK YOU, MR. PRESIDENT. AND THAT'S ALL I HAVE TO SAY AND I WILL VOTE AGAINST LB414 FOR THAT REASON. I HOPE TO GIVE WOODMEN A PROPERTY TAX BREAK IN THE FUTURE, ALONG WITH EVERY OTHER BUSINESS NEIGHBOR THAT SURROUNDS THEM. THANK YOU. [LB414]

SPEAKER HADLEY: SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB414]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, I SAY THIS ADVISEDLY. I HATE TO SAY I TOLD YOU SO, BUT I REALLY DON'T HATE TO SAY IT, BUT I DO IT TO GET YOUR ATTENTION. YESTERDAY I STAYED IN MY OFFICE AND LISTENED TO ON AND ON SQUABBLING ON WHAT I DESCRIBED AS A PEEWEE BILL. THIS IS NOT A PEEWEE BILL. AND ALL OF A SUDDEN, WE HAVE QUIET VILLAGE. EVERYBODY IS AFRAID TO TALK. THEY START ALMOST WITH AN APOLOGY. I'M NOT GOING TO SAY VERY MUCH. I'VE BEEN HERE 40 YEARS NOW AND I'VE WATCHED. I KNOW THE LEGISLATURE. I KNOW THE LEGISLATORS, BUT YOU ALL DON'T BELIEVE IT. SO I HAVE TO CALL YOUR ATTENTION TO THESE THINGS WHEN THEY HAPPEN AND CALL YOUR ATTENTION TO IT CLOSE ENOUGH TO WHEN IT HAPPENED SO YOUR ATTENTION SPAN WILL BE ABLE TO EMBRACE IT. YOU ALL KNOW HOW LONG YOU ARGUED ABOUT THE SMALL AMOUNT OF MONEY INVOLVED IN THAT ZOO BILL. BUT EVERYTHING PERHAPS THAT SHOULD BE DISCUSSED ON A BILL LIKE THIS WAS TALKED ABOUT ON THAT ONE. SO YOU KNOW WHAT THIS IS LIKE? THE GUYS THAT I USED TO SEE SOMETIMES, THEY WERE BIG. AND THEY WOULD PUFF AND BLOW AND JUMP AND TALK ABOUT WHAT THEY DO. THEN A LITTLE FELLOW MIGHT SAY, WELL, YOU HAVE TO SHOW ME. THEN ALL OF A SUDDEN, EVERYTHING CHANGES. SO WHEN THE BATTLE IS FAR OFF, EVERYBODY SQUABBLES AND SAYS WHAT NEEDS TO BE DONE AND, BY GOD, THOSE HUNS BETTER NOT COME OVER HERE OR ELSE, BECAUSE THEY'RE SO FAR AWAY IT SEEMS THEY WILL NEVER COME. BUT THEN WHEN THEY'RE KNOCKING AT THE GATE, EVERY BED IN THE PALACE IS ABOUT EIGHT INCHES HIGHER BECAUSE ALL THE MEN HAVE JUMPED UNDER THE BED TO HIDE FROM THE HUNS WHO, BEFORE THEY ARRIVED AT THE GATE, WERE THE SOURCE OF RIDICULE AND MOCKERY. WELL, NOW WE'RE ENGAGING ON THE QUESTION OF PROPERTY TAX



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RELIEF, AND THE CITY OF OMAHA, BASED ON...LET ME ASK SENATOR HARR A QUESTION BEFORE I GO ON BECAUSE I DON'T WANT TO MISREPRESENT. [LB414]

SPEAKER HADLEY: SENATOR HARR, WILL YOU YIELD TO A QUESTION? [LB414]

SENATOR HARR: OF COURSE. [LB414]

SENATOR CHAMBERS: SENATOR HARR, WHAT INFORMATION DID YOU BRING TO ME? I DON'T EVEN WANT TO PHRASE THE QUESTION BECAUSE I MIGHT NOT PHRASE IT CORRECTLY. [LB414]

SENATOR HARR: YEAH. EARLIER YOU ASKED ME IF THE CITY COUNCIL HAD TAKEN A STANCE ON THIS BILL OR ON THE TAX EXEMPTION. I SAID I BELIEVE THEY HAD, AND I WAS INCORRECT. THEY HAVE NOT. [LB414]

SENATOR CHAMBERS: NOW THE MAYOR SENT YOU A LETTER. IS THAT CORRECT? [LB414]

SENATOR HARR: AND THEY CAME DOWN AND TESTIFIED IN FAVOR OF. [LB414]

SENATOR CHAMBERS: AND SHE SAID IN HER LETTER, DID SHE, THAT OMAHA THE CITY, IS WILLING TO DO WHAT WITH REFERENCE TO THIS AMOUNT OF TAX? [LB414]

SENATOR HARR: WELL, THEY SUPPORT IT AND THAT IT WOULD HAVE A FISCAL IMPACT OF ABOUT \$310,000 A YEAR FOR THE CITY OF OMAHA. BUT THEY STILL SUPPORT THIS BILL. [LB414]

SENATOR CHAMBERS: SO MEMBERS FROM THE CITY COUNCIL DID COME DOWN AND SPEAK IN SUPPORT OF THE BILL? [LB414]

SENATOR HARR: CITY COUNCIL DID NOT, NO. I BELIEVE IT WAS--AND I'LL LOOK IT UP IN A SECOND--BUT IT WAS SOMEONE ON BEHALF OF THE CITY. WHETHER THAT WAS THEIR LOBBYIST OR A CHIEF OF STAFF, I DON'T RECALL. BUT THEY DID COME DOWN AND TESTIFY IN FAVOR OF THE BILL. [LB414]

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SENATOR CHAMBERS: BUT THE MAYOR IS THE ONLY ONE YOU KNOW OF WHO'S A PART OF THE CITY GOVERNMENT WHO IS ON RECORD. IS THAT CORRECT? [LB414]

SENATOR HARR: I BELIEVE THAT'S CORRECT. THERE MIGHT BE A NEWSPAPER ARTICLE, BUT NOTHING OFFICIAL. [LB414]

SENATOR CHAMBERS: THANK YOU. MEMBERS OF THE LEGISLATURE, THE CITY OF OMAHA IS NOT ON RECORD IN FAVOR OF THIS BILL. THE MAYOR THINKS SHE'S THE CITY AND APPARENTLY, UNTIL RIGHT THIS MINUTE, SHE HAD SENATOR HARR THINKING THE SAME THING TOO. SHE'S ONE PERSON AND SHE'S THE PERSON WHO WAS SO AGAINST...LET ME ASK SENATOR HARR A QUESTION OR TWO BECAUSE I DON'T THINK SOME OF MY RURAL COLLEAGUES ARE AWARE OF HOW THINGS GO IN THESE BIG CITIES. YOU KNOW, THEY'RE SO SOPHISTICATED, IT'S HARD FOR YOU ALL TO GRASP IT. SENATOR HARR, IS THERE SOMETHING CALLED A RESTAURANT TAX... [LB414]

SPEAKER HADLEY: ONE MINUTE. [LB414]

SENATOR CHAMBERS: ...IN OMAHA? [LB414]

SENATOR HARR: THERE SURE IS. [LB414]

SENATOR CHAMBERS: AND WHO WAS MAYOR WHEN THAT RESTAURANT TAX WAS PUT IN PLACE? [LB414]

SENATOR HARR: MAYOR JIM SUTTLE. [LB414]

SENATOR CHAMBERS: WAS THERE SOMEBODY WHO WAS NOT MAYOR, BUT WOULD RUN FOR MAYOR, WHO HAD STRENUOUSLY OBJECTED TO THAT TAX? [LB414]

SENATOR HARR: YES. [LB414]

SENATOR CHAMBERS: AND DID THAT PERSON SUBSEQUENTLY BECOME MAYOR? [LB414]

SENATOR HARR: WELL, DAVE NABITY DID NOT, BUT JEAN STOTHERT DID. [LB414]

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SENATOR CHAMBERS: WAS SHE AGAINST THE TAX ALSO? [LB414]

SENATOR HARR: THAT WAS ONE OF HER...YES. [LB414]

SENATOR CHAMBERS: AND NOW THAT SHE'S MAYOR, SHE'S DOING EVERYTHING...SINCE THESE PEOPLE ARE SUPPOSED TO HAVE INTEGRITY AND YOU MENTIONED HER BECAUSE SHE'S SOMEBODY WE CAN BELIEVE. SHE OPPOSED THIS TAX BEFORE SHE BECAME MAYOR. SHE CAMPAIGNED AGAINST IT. AND NOW THAT SHE'S MAYOR, HAS SHE BEEN TAKING VERY STRONG STEPS TO GET RID OF THAT RESTAURANT TAX? [LB414]

SENATOR HARR: NOT THAT I HAVE SEEN. [LB414]

SENATOR CHAMBERS: SHE HAS EMBRACED IT, HASN'T SHE? [LB414]

SENATOR HARR: I DON'T WANT TO SPEAK FOR THE MAYOR, BUT IT IS MY UNDERSTANDING SHE HASN'T... [LB414]

SPEAKER HADLEY: TIME, SENATOR. [LB414]

SENATOR HARR: ...INTRODUCED ANYTHING TO GET RID OF THAT. [LB414]

SENATOR CHAMBERS: THANK YOU. [LB414]

SPEAKER HADLEY: SENATOR DAVIS, YOU'RE RECOGNIZED. [LB414]

SENATOR DAVIS: THANK YOU, MR. PRESIDENT. GOOD MORNING, COLLEAGUES. I WONDER IF SENATOR HARR WOULD YIELD TO A FEW QUESTIONS. [LB414]

SPEAKER HADLEY: SENATOR HARR, WILL YOU YIELD TO A QUESTION? [LB414]

SENATOR HARR: YES. [LB414]

SENATOR DAVIS: SO, SENATOR HARR, YOU SAID EARLIER THERE WERE 31 ENTITIES IN THE STATE THAT COULD QUALIFY FOR THIS TYPE OF EXEMPTION. IS THAT CORRECT? [LB414]

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SENATOR HARR: YES. [LB414]

SENATOR DAVIS: AND WE TALKED...AND THEN YOU PROVIDED ME A LIST OF THOSE. [LB414]

SENATOR HARR: SOME OF THEM, YES. [LB414]

SENATOR DAVIS: SOME OF THEM, BUT ONE OF THEM THAT YOU MENTIONED ISN'T ON THIS LIST AND THAT'S THE KNIGHTS OF COLUMBUS. CAN YOU EXPLAIN WHY THAT IS? [LB414]

SENATOR HARR: WELL, THAT'S CALLED THE BEAUTY OF THE INTERNET. I PULLED THIS LIST OFF OF A WEB SITE CALLED DMOZ.ORG. AND IT HAD A LIST OF FRATERNAL BENEFIT SOCIETIES, BUT IT OBVIOUSLY ISN'T A COMPLETE LIST. BUT IF YOU DO LOOK ON THE KNIGHTS OF COLUMBUS HOME PAGE, THEY ARE IN FACT A FRATERNAL BENEFIT SOCIETY, IF YOU GO TO KOFC.ORG. [LB414]

SENATOR DAVIS: THANK YOU, SENATOR HARR. SO THE LIST THAT YOU PROVIDED, WHICH ISN'T COMPLETE, AT LEAST EXCLUDES THE KNIGHTS OF COLUMBUS. AND HOW HAVE...DID YOU DO THE RESEARCH OR DID ANYONE DO RESEARCH IN OTHER COUNTIES TO SEE HOW THIS IS BEING APPLIED IN OTHER COUNTIES? [LB414]

SENATOR HARR: YES. SOMEONE ELSE DID. [LB414]

SENATOR DAVIS: AND WHAT DID THEY FIND? [LB414]

SENATOR HARR: THAT IT ISN'T BEING APPLIED UNIFORMLY. EVEN WITHIN DOUGLAS COUNTY, YOU HAD A SITUATION WHERE KNIGHTS OF COLUMBUS DID NOT PAY TAXES, PROPERTY TAX, BECAUSE THEY ARE A NONPROFIT. THEY'RE A 501(c). AND THEN YOU HAD A SITUATION WHERE WOODMEN WAS. [LB414]

SENATOR DAVIS: IS WOODMEN A 501...WOODMEN IS THE SAME CATEGORY AS KNIGHTS OF COLUMBUS? [LB414]

SENATOR HARR: YEP. THEY'RE BOTH 501(c)(8)s. [LB414]

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SENATOR DAVIS: AND SO WHY IS IT THAT THE COUNTY IS APPLYING THEIR TAX POLICY DIFFERENTLY TO TWO DIFFERENT ENTITIES? [LB414]

SENATOR HARR: WELL, YOU'D HAVE TO ASK THEM. I THINK IT WAS PROBABLY AN OVERSIGHT PREVIOUSLY. IT HAS SINCE BEEN CORRECTED IN DOUGLAS COUNTY IN THAT THEY ALL PAY TAXES. BUT THERE IS OTHER COUNTIES THAT WERE NOT CHARGING KNIGHTS, AND IT'S MY UNDERSTANDING STILL ARE NOT CHARGING THEM. [LB414]

SENATOR DAVIS: AND SO WHAT WE'RE TRYING TO DO HERE IS CUT OUT A SPECIFIC ENTITY THEN AND GIVE THEM BENEFICIAL TAX TREATMENT BECAUSE THEY'RE THREATENING TO LEAVE THE STATE. RIGHT? CORRECT? [LB414]

SENATOR HARR: I WOULD DISAGREE WITH THAT. I THINK WHAT WE'RE DOING IS WE'RE TAKING A CLASS OF NONPROFITS, WHICH ARE 501(c)(8)s, AND WE'RE SAYING ON THE FEDERAL GOVERNMENT WHO CREATED THESE 501(c)(8)s, 501(c)(8) IS A REFERENCE TO THE IRS CODE...OR TO FEDERAL CODE. AND THEN 501(c)(8) IS AN ORGANIZATION LEVEL. AND ON THAT THE FEDERAL GOVERNMENT HAS DETERMINED THAT THEY DON'T WANT TO TAX THAT. AND SO WHAT WE'RE DOING ON THE STATE LEVEL IS TREATING THEM THE SAME AS WE ARE ON THE FEDERAL LEVEL. [LB414]

SENATOR DAVIS: EXCEPT THE FEDERAL GOVERNMENT DOESN'T LEVY PROPERTY TAXES, AND THOSE ARE LEVIED BY THE LOCAL ENTITIES, CORRECT, AND BY POLICY THAT'S SET IN STONE HERE IN THE LEGISLATURE? [LB414]

SENATOR HARR: WELL, EXACTLY. BUT THEY DO COLLECT OTHER TYPES OF TAXES, AND THEY'VE SAID THESE TYPE OF ORGANIZATIONS ARE TAX EXEMPT. I CAN'T CONTROL WHAT THE FEDS DO AND WHAT TYPES THEY DO AND DON'T COLLECT. BUT WHAT I AM SAYING IS THE FEDS HAVE MADE A POLICY DECISION NOT TO COLLECT TAXES ON THESE SORTS OF ENTITIES AND SO WE'RE JUST DOING ON THE STATE LEVEL WHAT THEY ALREADY DO ON THE FED. [LB414]

SENATOR DAVIS: WELL, SENATOR HARR, WE HAD SOME OTHER DEBATE IN THE REVENUE COMMITTEE ABOUT OTHER BILLS WHICH ARE TRYING TO CUT OUT A TAX EXEMPTION FOR OTHER ENTITIES, LIKE VFWS AND THINGS. AND THE COMMITTEE POLICY WAS THAT WAS PROBABLY SOMETHING WE SHOULDN'T DO BECAUSE OF THE STRUCTURE AND THE FACT THAT THEY WOULD BE COMPETING WITH OTHER BUSINESSES DOWN THE STREET. I CAN'T SEE THAT THIS IS ANY

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DIFFERENT. BUT LET ME ASK YOU A FEW OTHER QUESTIONS. SO THIS WOODMEN OF THE WORLD HAS A CERTAIN AMOUNT OF MONEY THAT THEY GIVE TO CHARITY. DO YOU KNOW WHAT THE PERCENTAGE OF THEIR TOTAL VALUATION IS OR THEIR TOTAL INCOME IS? [LB414]

SPEAKER HADLEY: ONE MINUTE. [LB414]

SENATOR HARR: I DON'T KNOW OF THEIR TOTAL VALUATION. I BELIEVE THOUGH IT'S ABOUT \$30 MILLION TO \$40 MILLION A YEAR. [LB414]

SENATOR DAVIS: AND DO YOU REMEMBER, WASN'T THE DISCUSSION OF PROFITS SOMEWHERE IN THE BILLION RANGE? DOES THAT SOUND RIGHT? [LB414]

SENATOR HARR: NO, THAT'S HOW MUCH MONEY THEY TAKE IN. INSURANCE COMPANIES ARE A LITTLE DIFFERENT. THEIR PROFIT IS ALSO IN THE AREA OF ABOUT \$30 MILLION TO \$40 MILLION. [LB414]

SENATOR DAVIS: AND WHAT ABOUT THEIR SALARIES? [LB414]

SENATOR HARR: EXCUSE ME? [LB414]

SENATOR DAVIS: WHAT ABOUT THEIR SALARIES, THE SALARIES OF THEIR...? [LB414]

SENATOR HARR: THEIR SALARIES THEY HAVE...WELL, EXEMPTING KEY EMPLOYEES, THEY HAVE 548 EMPLOYEES WHO AVERAGE ABOUT \$31.29 AN HOUR, WHICH BASED ON A 50-HOUR WORK WEEK, THE AVERAGE ANNUAL SALARY IS ABOUT \$62,000 A YEAR. [LB414]

SENATOR DAVIS: SO WHAT ABOUT THEIR CEO? [LB414]

SENATOR HARR: THEIR CEO, HOW MUCH DOES HE MAKE? [LB414]

SENATOR DAVIS: UH-HUH. [LB414]

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SENATOR HARR: YOU KNOW, THERE WAS A BILL LAST YEAR TO TRY TO ELIMINATE US BEING ABLE TO DETERMINE HOW MUCH HE MADE, AND I FILIBUSTERED THAT SUCCESSFULLY. [LB414]

SPEAKER HADLEY: TIME, SENATOR. [LB414]

SENATOR DAVIS: THANK YOU, MR. PRESIDENT. [LB414]

SPEAKER HADLEY: SENATOR CHAMBERS, YOU'RE RECOGNIZED, AND THIS IS YOUR THIRD TIME. [LB414]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. I AM GOING TO TALK ABOUT THIS BILL. I'M NOT THE ONE WHO TALKED ABOUT PROPERTY TAX RELIEF BECAUSE, AGAIN, I'VE BEEN HERE A LOT OF YEARS AND THAT WHOLE AREA OF PROPERTY TAX IS POKED WITH EXEMPTIONS. WHOEVER HAD THE WHEREWITHAL DURING A GIVEN SESSION TO GET AN EXEMPTION WOULD GET IT. SO YOU OUGHT TO START BY ABOLISHING EVERY EXEMPTION, PERIOD. THE PUBLIC SEES THE CONCEPT OR NOTION OF PROPERTY TAX AS A WHOLE, W-H-O-L-E, NOT A SERIES OF HOLES, H-O-L-E-S, COMPRISING EXEMPTIONS. SO WHEN THE PEOPLE WHO WENT THROUGHOUT THE STATE TALKING ABOUT PROPERTY TAX RELIEF WOULD MAYBE TALK ABOUT THE ORDINARY CITIZEN AND HOW HE OR SHE OR THEY SHOULD GET PROPERTY TAX RELIEF, BUT I BET NOT ONE MENTIONED...AND BY THE WAY, WE HAVE IN MIND A BIG OPERATION LIKE WOODMEN OF THE WORLD INSURANCE AND WE WANT TO GIVE THEM A BIG TAX BREAK AND WE'RE GOING TO GIVE THEM THEIRS FIRST. IF YOU'VE GOT A BUCKET AND A CERTAIN AMOUNT OF MONEY NEEDS TO BE IN THAT BUCKET IN ORDER TO DEFRAY THE EXPENSES OF GOVERNMENT AND EVERYBODY IS TO PUT MONEY IN THAT BUCKET, THEN YOU HAVE A PERSON WITH DEEP POCKETS AND FAT WALLETS WHO IS NOT GOING TO PUT HIS SHARE INTO THE BUCKET. SO THAT IS SCOOPED OUT. THERE IS A VOID, AND IT HAS TO BE FILLED BY SOMEBODY. YOU START BY FAVORING THIS BIG OPERATION AND THEN THE PEOPLE THAT YOU'VE GIVEN THE IMPRESSION ARE GOING TO GET THIS PROPERTY TAX RELIEF, WHICH YOU KNOW IS NOT GOING TO HAPPEN THIS SESSION OF THE LEGISLATURE OR ANY OTHER SESSION, ARE GOING TO BE PAYING MORE. SO THEN THEY LOOK AT THE SENATORS WHO CAMPAIGNED ON A PROMISE OF PROPERTY TAX AS LIARS, KNOWING, INTENTIONAL LIARS, BECAUSE THEY KNEW SOON AS THEY GOT DOWN HERE THEY WOULD FAVOR THE BIG ENTITIES AND GIVE THEM PROPERTY TAX BREAKS. BUT THE LITTLE PEOPLE? NO. YOU'RE THE SUCKERS. YOU ARE SUCKERED BECAUSE YOU HAVE THE VOTES. W-O-W,

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WOODMEN OF THE WORLD, IF EVERY EMPLOYEE THEY HAVE, IF EVERY STOCKHOLDER, IF EVERY MEMBER OF THE BOARD OF DIRECTORS VOTED, THEIR VOTE WOULD HAVE NO IMPACT ON THE OUTCOME OF AN ELECTION, SO THEY NEED TO GO WHERE THEY CAN GET THE VOTES AND THAT'S TO GET THE SUCKERS THAT THESE SENATORS WENT OUT AND MISLED, KNOWINGLY, I BELIEVE. AND IF YOU SUPPORT THIS BILL, YOU MAKE CLEAR THAT EVERYTHING I'M SAYING IS TRUE. WHERE ARE ALL THOSE STALWARTS STANDING ON THE FLOOR YESTERDAY? IN MY MIND, YOU KNOW WHAT I ENVISION? I ENVISION THESE KNIGHTS WHO USED TO SIT AROUND KING ARTHUR'S ROUND TABLE, AND THEY WERE ALL IN THEIR KNIGHTLY GEAR AND REGALIA. AND THEY HAD THESE HUGE LANCES WITH VERY SHARP POINTS ON STEEDS STRONG ENOUGH TO CARRY A GOLIATH, AND THEY WERE ARRAYED AGAINST EACH OTHER, THE GOOD GUYS AGAINST THE EVIL GUYS. AND I LISTENED TO THEM GO AT IT. AND THEN YOU KNOW WHAT OCCURRED TO ME? AN AFRICAN PROVERB. WHEN THE ELEPHANTS FIGHT, THE GRASS SUFFERS. SO THERE WAS A LOT OF RAISING OF DUST, A LOT OF TRAMPLING OF GRASS. BUT WHEN I CAME UP HERE AND THE SMOKE CLEARED AND THE DUST SETTLED, NOBODY HAD STRUCK A BLOW AGAINST ANYBODY. IT WAS ALL POSTURING. IT WAS ALL PUFFING. IT WAS ALL BLOWING. IT WAS ALL PLAY ACTING. [LB414]

SPEAKER HADLEY: ONE MINUTE. [LB414]

SENATOR CHAMBERS: AND NOW THAT WE'RE GETTING DOWN TO A REAL ASPECT OF THE ISSUE, EVERYBODY IS GOING TO GET QUIET. IF I WERE A SUSPICIOUS PERSON, I'D BELIEVE THERE WAS A CONSPIRACY GOING ON AROUND HERE. AND IT MIGHT HAVE SOMETHING TO DO WITH THAT PROGRAM 29 THAT THE UN WAS SNEAKING UP AND DROPPING ON EVERYBODY, AND FINALLY IT WORMED ITS WAY INTO THIS CHAMBER AND IT'S PREVAILING. WELL, I HAVE SOME MOTIONS I'M GOING TO PUT ON THIS BILL, SO THOSE OF YOU ALL WHO THOUGHT THIS BILL WOULD SLIDE THROUGH BECAUSE THE MAYOR WROTE A LETTER HAVE GOT ANOTHER THINK COMING. AND NOW I WANT YOU ALL TO CONDEMN ME FOR TALKING ABOUT THIS AFTER ALL THE TALKING YOU ALL DID YESTERDAY ABOUT THE ZOO. WHEN I WAS LISTENING IN MY OFFICE, I SAID, YOU KNOW, CINDY, IT'S A ZOO UP THERE. THANK YOU, MR. PRESIDENT. [LB414]

SPEAKER HADLEY: SENATOR CAMPBELL, YOU'RE RECOGNIZED. [LB414]



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SENATOR CAMPBELL: THANK YOU, MR. PRESIDENT, AND GOOD MORNING, COLLEAGUES. IF SENATOR HARR WOULD YIELD TO SOME QUESTIONS, PLEASE. MR. SPEAKER. [LB414]

SENATOR KRIST PRESIDING

SENATOR KRIST: SENATOR HARR, WILL YOU YIELD? [LB414]

SENATOR HARR: YES. [LB414]

SENATOR CAMPBELL: THANK YOU. SENATOR HARR, YESTERDAY ON THE FLOOR IT WAS DISCUSSED THAT THIS ISSUE WAS IN COURT. COULD YOU TELL ME THE STATUS OF THAT COURT CASE. [LB414]

SENATOR HARR: IT'S CURRENTLY IN FRONT OF TERC. AND SO I DON'T KNOW WHEN IT WILL BE HEARD, THOUGH. [LB414]

SENATOR CAMPBELL: BUT TERC IS NOT NECESSARILY A COURT. IT'S NOT GONE TO DISTRICT COURT. AND THE FINDINGS THAT WOULD COME FROM TERC DON'T NECESSARILY RIPPLE ACROSS TO ALL 93 COUNTIES, DOES IT? [LB414]

SENATOR HARR: NO, IT DOES NOT. [LB414]

SENATOR CAMPBELL: SECOND QUESTION IS, ARE THERE OTHER FRATERNAL INSURANCE COMPANIES THAT ARE RECEIVING THIS EXEMPTION? [LB414]

SENATOR HARR: THAT ARE SEEKING IT? [LB414]

SENATOR CAMPBELL: NO, THAT HAVE THE EXEMPTION. [LB414]

SENATOR HARR: WELL, THEY WOULD ALL HAVE IT GOING FORWARD. YOU KNOW, EARLIER I MENTIONED KNIGHTS OF COLUMBUS. AND THEY ARE IN FACT AN INSURANCE COMPANY, AND THEY WOULD RECEIVE THE BENEFIT OF THIS. [LB414]

SENATOR CAMPBELL: OKAY. AND THE LAST QUESTION I HAVE IS THE DEPARTMENT OF REVENUE OFTEN PROVIDES AND ISSUES GUIDELINES TO

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COUNTIES IN TERMS OF THEIR SERVING AS THE BOARD OF EQUALIZATION. AND IT'S IN THAT DUTY, AS A COUNTY COMMISSIONER, THAT YOU TAKE A LOOK AT THE GUIDELINES. HAS THE DEPARTMENT OF REVENUE ISSUED ANY GUIDELINES ON THIS ISSUE THAT YOU KNOW OF? [LB414]

SENATOR HARR: YOU KNOW WHAT, THAT'S A GREAT QUESTION, AND I DON'T HAVE AN ANSWER TO THAT. I KNOW DON KLEINE IN DOUGLAS COUNTY, HIS OFFICE OFFERED AN OPINION. BUT AS FAR AS WHAT THE DEPARTMENT OF REVENUE, I DON'T KNOW. LET ME LOOK THAT UP AND SEE IF I CAN FIND OUT FOR YOU. THANK YOU. [LB414]

SENATOR CAMPBELL: I THINK IT WOULD BE PARTICULARLY HELPFUL BECAUSE WHEN YOU SIT AS THE BOARD OF EQUALIZATION, THEY ISSUE EXPLANATION TO CERTAIN MATTERS THAT COME BEFORE A BOARD OF EQUALIZATION. AND IT'S CERTAINLY THEIR ATTEMPT TO PROVIDE SOME UNIFORMITY ACROSS THE 93 COUNTIES. SO IT SEEMS SOMEWHAT UNUSUAL IF THEY HAVE NOT ISSUED SOMETHING WITH REGARD TO THIS MATTER BECAUSE IF ALL OF THE OTHER COUNTIES ARE PROVIDING THIS EXEMPTION AND DOUGLAS IS NOT, IT WOULD SEEM TO ME THAT SOMEWHERE A GUIDELINE WOULD HAVE BEEN PROVIDED. SO, SENATOR HARR, I'LL TRY TO TAKE A LOOK AT IT. I ALSO HAVE AN E-MAIL OUT TO MY FRIENDS IN LANCASTER COUNTY TO SEE IF THEY CAN ASSIST US ALSO. WITH THAT, THANK YOU, MR. PRESIDENT. [LB414]

SENATOR KRIST: THANK YOU, SENATOR CAMPBELL AND SENATOR HARR. SENATOR DAVIS, YOU ARE RECOGNIZED. [LB414]

SENATOR DAVIS: THANK YOU, MR. PRESIDENT. I WONDER IF SENATOR HARR WOULD YIELD TO A FEW QUESTIONS. [LB414]

SENATOR KRIST: SENATOR HARR, WILL YOU YIELD? [LB414]

SENATOR HARR: YES. [LB414]

SENATOR DAVIS: SO, SENATOR HARR, WE WERE TALKING A LITTLE BIT ABOUT THE DOLLARS AND THE REVENUE. WERE YOU ABLE TO GET ANYTHING, ANY OTHER FIGURES ON THAT? WE TALKED ABOUT THAT IN REVENUE COMMITTEE A LITTLE BIT. [LB414]

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SENATOR HARR: I'M SORRY. I COULDN'T HEAR YOU. THEY WERE TALKING...  
[LB414]

SENATOR DAVIS: SO WERE YOU ABLE TO GET ANY MORE OF THE INFORMATION  
WITH REGARD TO THE CHARITABLE CONTRIBUTIONS AND THINGS THAT THEY  
MAKE? [LB414]

SENATOR HARR: HOW MUCH? [LB414]

SENATOR DAVIS: YEAH. [LB414]

SENATOR HARR: YEAH, I BELIEVE IT'S IN THE \$30 (MILLION) TO \$40 MILLION  
RANGE. [LB414]

SENATOR DAVIS: OKAY. THANK YOU. LET'S TALK A LITTLE BIT ABOUT TERC,  
WHICH SENATOR CAMPBELL BROUGHT UP. SO THIS DEBATE AND DISCUSSION  
WENT TO THE TERC BOARD, CORRECT? AND IT'S STILL THERE. IS THAT MY  
UNDERSTANDING? [LB414]

SENATOR HARR: THAT'S MY UNDERSTANDING. [LB414]

SENATOR DAVIS: SO HOW DID YOU GET APPROACHED TO BRING THIS BILL THEN?  
[LB414]

SENATOR HARR: HOW DID I GET APPROACHED? THAT'S A GOOD QUESTION. I  
THINK IT WAS LAST SUMMER WHILE THIS WAS STILL GOING ON, I HAD A  
MEETING WITH SOME COUNTY OFFICIALS AND WITH WOODMEN OF THE WORLD  
TO DISCUSS THE INTERPRETATION OF THE CURRENT STATUTES. [LB414]

SENATOR DAVIS: AND THIS WAS WHILE THE CASE WAS ONGOING WITH THE TERC  
BOARD? [LB414]

SENATOR HARR: I THINK IT WAS BEFORE IT HAD GOTTEN TO TERC. I  
BELIEVE...YEAH, IT WAS BEFORE THERE WAS LITIGATION PENDING, I BELIEVE.  
[LB414]

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SENATOR DAVIS: SO HERE IS WHAT I'M REALLY WONDERING. WHY DID WE NOT WAIT UNTIL THE TERC BOARD AND THE COURT SYSTEM DECIDED TO MAKE THEIR DECISION ABOUT WHAT WAS RIGHT OR WRONG BEFORE WE DECIDED AS A BODY TO JUMP IN AND ADDRESS THE ISSUE? [LB414]

SENATOR HARR: WELL, YOU CAN BLAME ME BECAUSE I READ MR. KLEINE'S OFFICE MEMO AND I AGREED WITH HOW HE INTERPRETED THE LAW. AND I ALSO SAID, HEY, WE DO HAVE AN ISSUE HERE BECAUSE FRATERNAL BENEFIT ORDERS AREN'T BEING TREATED EQUALLY ACROSS THE STATE AND THEY AREN'T BEING TREATED EQUALLY AS WE INTEND...OR AS THE FEDERAL GOVERNMENT DOES. AND SO THAT'S WHY THIS BILL WAS INTRODUCED. [LB414]

SENATOR DAVIS: THANK YOU, SENATOR HARR. COLLEAGUES, I WOULD URGE YOU TO REALLY THINK ABOUT WHAT WE'RE DOING HERE. I DON'T THINK WE KNOW WHAT THE END RESULT OF THIS IS. I THINK WE'RE OPENING A DOOR THAT WE REALLY NEED TO KEEP CLOSED OR AT LEAST TO THINK HARD ABOUT BEFORE WE CONTINUE. WITH THAT, I'D LIKE TO YIELD THE REST OF MY TIME TO SENATOR CHAMBERS IF HE'D LIKE IT. [LB414]

SENATOR KRIST: SENATOR CHAMBERS, YOU'RE YIELDED 2:32. [LB414]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. THANK YOU, SENATOR DAVIS. AND I LIVE IN OMAHA. BUT I'VE SEEN OMAHA PULL SOME SHADY DEALS, EVEN AGAINST THE PEOPLE IN MY COMMUNITY. AND I KNOW PEOPLE DON'T LIKE ME TO MENTION MY COMMUNITY, BUT THE MAYOR, THE CHIEF OF POLICE, AND OTHER OFFICIALS HAVE COME INTO MY COMMUNITY AND INSULTED PEOPLE. THEY HAVE A BLACK CITY COUNCIL MEMBER AND HE KIND OF SQUIRES THE MAYOR AROUND OUR COMMUNITY. USUALLY WHEN I'M SPEAKING AS A STATE SENATOR AND I SAY COMMUNITY, I DON'T MEAN JUST THE CITY I LIVE IN OR THE PEOPLE OF MY COMPLEXION BUT THE POPULACE AS A WHOLE. THEY HAD A MEETING AND THERE WERE SOME VERY CRITICAL ISSUES OF GREAT INTEREST TO PEOPLE IN MY COMMUNITY. I WON'T GO INTO ALL OF THEM. BUT AN INDIVIDUAL WHO HAPPENS TO HAVE BEEN A MINISTER BEGAN TO RAISE SOME QUESTIONS THAT THE CHIEF OF POLICE, THE MAYOR, IN RESPONSE TO WHAT THE BLACK CITY COUNCIL MEMBER, WHO SUPPOSEDLY REPRESENTED THAT DISTRICT, DIDN'T LIKE. HE WAS SUPPOSED TO GIVE THE MAYOR COVER. HE WAS SUPPOSED TO HAVE EVERYTHING UNDER CONTROL. AND WHEN THE COMMUNITY, WHO HAD BEEN INVITED, BEGAN TO ASK QUESTIONS, YOU KNOW WHAT CHIEF SCHMADERER DID? HE HAD THOSE IN BLUE--HASHTAG BLUE--

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ESCORT THAT MAN OUT OF THAT MEETING. YOU HEAR WHAT I'M TELLING YOU?  
[LB414]

SENATOR KRIST: ONE MINUTE. [LB414]

SENATOR CHAMBERS: THE POLICE, USING THE POWER OF THE POLICE, HAD THIS MAN LEAVE THAT MEETING. THAT'S WHAT HIS MAYOR--OH, HE'S GONE--HAS DONE. AND THIS BILL IS HERE, AND I'M GOING TO RAISE SOME OF THOSE ISSUES THANKS TO THIS BILL. BUT I'M ALSO GOING TO TALK ABOUT THE BILL AND THE BAD POLICY THAT EXEMPLIFIES. [LB414]

SENATOR KRIST: THANK YOU, SENATOR DAVIS, SENATOR HARR, AND SENATOR CHAMBERS. (VISITORS INTRODUCED.) MR. CLERK. [LB414]

ASSISTANT CLERK: MR. PRESIDENT, SENATOR CHAMBERS WOULD MOVE TO AMENDMENT FA41. (LEGISLATIVE JOURNAL PAGE 1082.) [LB414]

SENATOR KRIST: SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB414]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, SINCE WE'RE TALKING ABOUT GIVING A DEAL TO ALL THESE ENTITIES EMBRACED BY THIS LEGISLATION, I THINK THAT THE STATE AND THE PEOPLE ARE ENTITLED TO PLACE SOME REQUIREMENTS AND STANDARDS. AND THIS IS MY VERY SINCERE BUT HARMLESS, NONCONTROVERSIAL AMENDMENT, WHICH IF WE WERE IN CONGRESS COULD BE ADOPTED WITH A VOICE VOTE. "THE PROPERTY TAX EXEMPTION CREATED BY THIS ACT SHALL BE AVAILABLE ONLY TO CHARITABLE AND BENEVOLENT INSTITUTIONS WHICH HAVE A POLICY PROHIBITING DISCRIMINATION BASED ON SEXUAL ORIENTATION." THIS SHOULD BE, AS I STATED, NONCONTROVERSIAL. LET ME BE LIKE YOU ALL ARE WHEN YOU PRAY EVERY MORNING. OF ONE BLOOD, GOD MADE ALL NATIONS UPON THE EARTH, ALL NATIONS. GOD CREATED EVERYBODY WHO QUALIFIES AS A HUMAN BEING. AND WHAT MAKES YOU A HUMAN BEING? NOT YOUR GENDER. WHEN GOD STOOPED DOWN AND TOOK THIS EARTH, AS SOME PEOPLE POETIZE IT, AND LEANED IT AGAINST THE FENCE AND LET IT DRY A LITTLE BIT IN THE SUN, THEN HE BREATHED INTO THE NOSTRILS OF THAT WHICH HE HAD CREATED AND IT BECAME A LIVING SOUL. IT BECAME A LIVING SOUL. THE BREATH THAT CAME FROM GOD IS WHAT MAKES YOU A LIVING SOUL, GIVES YOU YOUR PERSONHOOD, YOUR HUMANITY. AND ATTACHED TO THAT ARE THINGS SUCH AS DIGNITY, THE RIGHT TO SELF-RESPECT. ONCE WE ARE CONVINCED THAT WE ARE

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DEALING WITH A FELLOW CREATURE WHO IS OF THE SAME BLOOD AS OURSELVES, THEN THERE'S A CERTAIN OBLIGATION WE HAVE TO ALL OF THEM. THE OUTER IS NOT IMPORTANT. AND SINCE I'M GOING TO TALK A LONG TIME ON THIS BILL, I'M GOING TO TAKE MY TIME LIKE PREACHERS USED TO DO WHEN I WAS A CHILD IN CHURCH. THEY DIDN'T HAVE AIR CONDITIONING. THEY DIDN'T EVEN HAVE FANS. THEY WOULD HAVE CARDBOARD FANS WITH A WOODEN HANDLE GIVEN OUT BY THE FUNERAL HOMES. AND YOU FANNED AND JUST KIND OF DISTURBED HEAT IN THAT CHURCH. AND I SUFFERED FOR THE LORD WEARING--YOU ALL DON'T KNOW ABOUT THIS--WOOL PANTS IN THE SUMMERTIME. WOOL ITCHED IN THOSE DAYS. I SAT THERE ITCHING, SWEATING, AND SUFFERING FOR THE LORD EVERY SUNDAY, SUNDAY EVENING, TUESDAY NIGHT PRAYER MEETING, THURSDAY NIGHT JUNIOR CHURCH, WEDNESDAY NIGHT PRAYER MEETING, FRIDAY GENERAL CHURCH. SATURDAY, I CLEANED UP THE CHURCH AS A YOUNGSTER. I MOPPED, I WAXED, I DUSTED BECAUSE THIS WAS A HOUSE OF THE LORD AND IT OUGHT TO BE TREATED WITH RESPECT. AND ALTHOUGH I KNEW THE EXPRESSION CLEANLINESS IS NEXT TO GODLINESS WAS NOT IN THE BIBLE, THE PLACE WHERE GOD WAS GOING TO BE INVITED SHOULD BE AS CLEAN AS WE COULD MAKE IT. SO ALL OF THOSE OLDER PEOPLE WHO KNEW GOD LONGER AND BETTER THAN I DID AND KNEW GOD DIDN'T MIND BEING IN A CHURCH WHERE THE FLOOR WAS NOT CLEAN, WHERE THE SEATS WERE NOT DUSTED, AND CERTAINLY WHERE THE WINDOW SILLS WERE NOT DUSTED, I DIDN'T KNOW ALL THAT. I HAD NOT GROWN IN THE WAY OF THE LORD TO THE POINT WHERE I KNEW HOW MUCH YOU COULD GET AWAY WITH. SO I TOOK AT FACE VALUE THE UNDERSTANDING THAT I AS A CHILD HAD. AND NONE OF THOSE ADULTS CAME AND SAID, ERNIE, THAT'S TOO MUCH FOR A CHILD TO DO. AND IT MADE ME NO DIFFERENCE BECAUSE I WAS DOING IT FOR THE LORD, AND THE LORD WOULD GIVE ME THE STRENGTH I NEEDED, EVEN WHEN I WAS ON A THREE-DAY FAST. I DID ALL OF IT. I PAID TITHES. AFTER I GOT THROUGH CLEANING UP THE CHURCH, I WOULD GO OUT AND I WOULD CUT THE GRASS. AND THERE WAS A SIDEWALK THAT LED FROM THE CHURCH. IT WAS ON A CORNER. IT CAME FROM THE FRONT...CAME DOWN THE STEPS OUT TO THE CORNER WHERE THE SIDEWALKS MET. ONE WAS RUNNING EAST AND WEST, THE OTHER NORTH AND SOUTH. AND ALONG THE SIDEWALK, THE INSIDE EDGE AND THE OUTSIDE EDGE, I HAD HAND SHEERS AND I CUT THAT GRASS SO NOT A BLADE INFRINGED ON THE EDGE OF THE SIDEWALK. AND I RAKED ALL OF THE GRASS THAT I CUT, AND I BAGGED IT. AND I FELT GOOD BECAUSE I HAD DONE THE WORK OF THE LORD FOR THE LORD. SO GETTING BACK TO ALL OF THESE THINGS THAT I HAD BEEN TOLD AS A CHILD, I FOUND OUT SOMEWHERE THAT WHAT'S ON THE OUTSIDE IS NOT WHAT'S IMPORTANT. YOU KNOW WHERE I FOUND OUT ABOUT THAT? I WAS READING FROM THE OLD TESTAMENT, THE

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BOOK WHERE THEY HAVE A GROUP OF BOOKS. ONE TALKS ABOUT ALL OF THE BEGATS. McCOLLISTER BEGAT WILLIAMS. WILLIAMS LIVED 60 YEARS AND BEGAT HILKEMANN. HILKEMANN LIVED 80 YEARS AND BEGAT GROENE. AND GROENE BEGAT GARRETT AND BLOOMFIELD, AND ALL OF THE BEGATS, HOW LONG THEY LIVED AND HOW MANY CHILDREN THEY HAD. AND THE OLDEST PERSON WHO EVER LIVED ON THE RECORD WAS METHUSELAH. HE LIVED 969 YEARS. THERE SEEMS TO BE A DISAGREEMENT BETWEEN ME AND ANOTHER PERSON. NINE HUNDRED SIXTY-NINE, YOU KNOW WHY I REMEMBER IT'S NINE HUNDRED SIXTY-NINE? BECAUSE THERE WAS A SONG. IT SAID HE LIVED 969, THEN WENT TO HEAVEN AT THE END OF HIS TIME. IN THOSE DAYS NINE AND TIME RHYMED, IN A CHILD'S MIND ANYWAY. AND WHEN TIME CAME FOR METHUSELAH TO SHUFFLE OFF THIS MORTAL COIL, AND THIS HOODED CREATURE CAME AND HAD A SCYTHE IN ONE HAND AT HIS SIDE--I SAY HIS, I DON'T KNOW IF IT WAS MALE OR FEMALE--AND A LONG ARM AND THE SLEEVE WAS VERY LARGE AND OUT OF THAT SLEEVE WAS A BONY FINGER. AND IT SAID IN A SEPULCHRAL TONE, METHUSELAH, YOU LIVED 969 YEARS. NOW IT'S TIME TO GO. DO YOU HAVE ANY LAST WORDS? METHUSELAH SAID I ONLY HAVE ONE WORD. AND YOU KNOW WHAT THE ONE WORD WAS? ALREADY. ALREADY. I WAS READING THAT BOOK AND THERE WAS A STORY ABOUT A MAN NAMED DAVID. AND HE BECAME THE KING. AND DAVID, IN WRITING THE PSALMS, REFERRED TO HIMSELF AS THE APPLE OF GOD'S EYE. BUT IF YOU READ THE STORY OF DAVID, HE WAS A LYING, TREACHEROUS, SCHEMING, DISLOYAL PERSON WHO SENT HIS MOST TRUSTED MILITARY GENERAL INTO BATTLE, BECAUSE DAVID WANTED THAT MAN'S WIFE. HOW MUCH TIME DO I HAVE, MR. PRESIDENT? [LB414]

SENATOR KRIST: 1:39. [LB414]

SENATOR CHAMBERS: I'LL GET TO WHAT I CAN. MY LIGHT IS ON. I KNOW I'M GOING TO BE THE ONLY ONE TALKING ON THIS, SO I DON'T HAVE TO WORRY. THIS MAN'S NAME WAS URIAH. AND HE HAD A WIFE. MAYBE URIAH WAS NOT HIS NAME. IT COULD HAVE BEEN ABNER. BUT I CAN SAY HIS NAME WAS JOE (PHONETIC) BECAUSE NOBODY HAS READ IT. BUT DAVID WENT OUT AT A HIGH LEVEL OF HIS CASTLE, LOOKED ACROSS THE WAY... [LB414]

SENATOR KRIST: ONE MINUTE. [LB414]

SENATOR CHAMBERS: ...AND HE WAS ALSO A PEEPING TOM. HE SAW THIS MARRIED WOMAN BATHING. AND DAVID DID NOT SAY, HORRORS, HEAVENS, COVER HIS EYES. HE WENT AND GOT A TELESCOPE SO HE COULD SEE EVEN

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BETTER, THIS APPLE OF GOD'S EYE. AND I'LL CONTINUE, THANK YOU, MR. PRESIDENT. [LB414]

SENATOR KRIST: THANK YOU, SENATOR CHAMBERS. (VISITORS INTRODUCED.)  
SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB414]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, SOMEBODY WAS LISTENING BECAUSE THEY ASKED ME HAD GALILEO BEEN BACK THERE TO INVENT THE TELESCOPE? BUT THAT'S NOT SO. IT WAS INVENTED ALREADY. GALILEO DISCOVERED IT. HE WAS DIGGING IN HIS BACKYARD AND HE DUG IT UP AND HE KNEW WHAT IT COULD BE FOR. BUT DAVID USED IT TO SPY ON HIS WOMAN. AND WHEN HE FOUND OUT WHOSE WIFE SHE WAS, HE SAID, WHY, THAT'S ONE OF MY GENERALS, SO HERE'S WHAT I WANT YOU TO DO. THIS MAN IS BOLD, HE IS COURAGEOUS, AND HE BELIEVES IN BEING AT THE HEAD OF THE COLUMN. HE DOESN'T TELL HIS MEN WHERE TO GO AND WHAT TO DO. HE TELLS THEM FOLLOW ME AND DO WHAT YOU SEE ME DO. SO DAVID SAID HERE'S WHAT I WANT YOU ALL TO DO. I WANT YOU TO GO WHERE THE BATTLE IS THE HOTTEST. AND THIS GENERAL IS GOING TO BE THERE BECAUSE THAT'S THE KIND OF GUY HE IS. THEN I WANT YOU TO WITHDRAW. AND THEY SAID, ALL DUE RESPECT, MY KING, IF WE WITHDRAW AND LEAVE HIM THERE, HE'LL BE...DAVID SAID SHUSH. DO AS I ORDER YOU, AND DON'T YOU TELL A SOUL. IN A DISCUSSION THAT SATAN HAD LATER ON WITH GOD, SATAN EXPRESSED A PRINCIPLE. YEA, SKIN FOR SKIN, ALL THAT A MAN HATH WILL HE GIVE FOR HIS LIFE. AND IT APPLIED TO THESE MEN WHO WERE PART OF DAVID'S CONSPIRACY. THEY WOULD GIVE ANYTHING TO KEEP THEIR LIFE, INCLUDING GIVING UP THEIR LEADER WHO HAD BEEN WITH THEM THROUGH THICK AND THIN, WHO WAS NOT ONE WHO SAID, DO WHAT I TELL YOU TO DO BUT DO WHAT YOU SEE ME DO, AND WHERE YOU GO, I WILL BE THERE FIRST. AND IT WAS HARD FOR THEM, BUT THEY WANTED TO LIVE AND DAVID KNEW THAT BECAUSE HE HAS SOME HELLISH WAYS OF HELPING SOMEBODY LEAVE THIS EARTH. SO THE TRUMPETS BLARED AND THE BATTLE WAS RAGING. AND THE GENERAL WAS WHERE HE ALWAYS IS, LEADER OF THE PACK. BUT THE PACK WAS NOT FOLLOWING THIS TIME. THERE WAS A LOT OF NOISE ALL AROUND HIM EXCEPT BEHIND HIM WHERE HIS MEN SHOULD BE MAKING NOISE. AND WHEN HE TURNED AND LOOKED OVER HIS SHOULDER, THERE WAS NOBODY BUT HIM. AND HE WAS KILLED. SO WHEN THE WORD CAME BACK, DAVID REJOICED BECAUSE NOW THIS WAS NO LONGER A MARRIED WOMAN. SEE, HE WAS TOO RIGHTEOUS TO COMMIT THE SIN OF HAVING SEX WITH A MARRIED WOMAN, SO HE SIMPLY REMOVED THE IMPEDIMENT--PUT A CONTRACT OUT ON HIS GENERAL. AND DAVID TOOK HER. AND THERE WAS A GUY WHO RAN AROUND DRESSED LIKE JESUS DID LATER ON,



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YOU KNOW, THOSE FUNNY ROBES AND SANDALS, AND UPSET EVERYBODY BECAUSE HE'D SEE SOMEBODY IN THE LEGISLATURE AND SAY, YOU ALL SHOULD BE VOTING TO HELP THE WIDOWS AND THE ORPHANS. YOU COULD VOTE FOR A LAW THAT WOULD GIVE THEM MEDICAL CARE AND YOU WON'T DO IT AND YOU ARE WRONG AND GOD DOESN'T LIKE IT. AND YOU NEED TO STRAIGHTEN UP AND FLY RIGHT. THAT'S WHAT HE WAS SAYING IN THOSE DAYS, LIKE HE'D SAY TODAY. SO THEY DIDN'T LIKE THIS GUY. AND HE WAS CALLED A PROPHET. AND HIS NAME WAS NATHAN. PROPHETS TOLD STORIES. JESUS LEARNED HOW TO TELL STORIES BY READING AND HEARING ABOUT THE PROPHETS FROM THE RABBIS AND THE KIDS IN THE NEIGHBORHOOD WHO HAVE READ SOME OF THESE STORIES AND PUT THEIR TWIST ON IT. AND THIS GUY CAME TO DAVID. HE SAID, KING DAVID, I WANT TO TALK TO YOU. [LB414]

SENATOR KRIST: ONE MINUTE. [LB414]

SENATOR CHAMBERS: AND THE KING SAID, WHAT IS IT, NATHAN? YOU HAVE ONE MINUTE OR LESS. SO NATHAN SAID, IN YOUR KINGDOM, THERE WAS A VERY RICH MAN. THANK YOU, MR. PRESIDENT. [LB414]

SENATOR KRIST: THANK YOU, SENATOR CHAMBERS. (VISITORS INTRODUCED.) THOSE STILL WISHING TO SPEAK: SENATOR MORFELD AND SENATOR CHAMBERS. SENATOR MORFELD, YOU ARE RECOGNIZED. [LB414]

SENATOR MORFELD: THANK YOU, MR. PRESIDENT. THERE'S ACTUALLY ONE OTHER STATE SENATOR THAT WANTS TO SPEAK ON THIS FLOOR AMENDMENT. AND I APPRECIATE SENATOR CHAMBERS FOR BRINGING IT. AND I RISE IN SUPPORT OF THE FLOOR AMENDMENT. AS INTRODUCER OF LB586 WHICH WOULD PROHIBIT DISCRIMINATION IN THE EMPLOYMENT CONTEXT AGAINST LGBT NEBRASKANS, I THINK THIS FLOOR AMENDMENT IS FITTING. AND I THINK THAT WE WILL SOON HAVE A DEBATE ON LB586, WHICH WAS PRIORITIZED BY MY COLLEAGUE, SENATOR PATTY PANSING BROOKS. THE FACT OF THE MATTER IS THAT NOBODY SHOULD BE FIRED FOR WHO THEY ARE OR WHO THEY LOVE. AND MANY PEOPLE HAVE COME TO ME, BOTH IN THE COMMITTEE HEARING AND THROUGHOUT THE STATE, AND ASKED ME, SENATOR MORFELD, WHAT'S THE PURPOSE OF THIS BILL? THIS ISN'T A PROBLEM THAT EXISTS. WHY SHOULD WE BE ADDRESSING IT? WELL, I'LL SUBMIT TO YOU THAT THIS TYPE OF DISCRIMINATION AGAINST LGBT NEBRASKANS, OUR BROTHERS, OUR SISTERS, OUR MOTHERS, AND FATHERS IS ALIVE AND WELL. IN FACT, THE OMAHA WORLD-HERALD, JOURNAL STAR, AND MANY OTHER NEWS OUTLETS HAVE

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REPORTED JUST YESTERDAY THAT A TEACHER IS BEING FIRED, OR IN THE PROCESS OF POTENTIALLY BEING FIRED, FOR BEING GAY. THESE ARE PROTECTIONS THAT ARE COMMON SENSE. WE SHOULD BE PROVIDING ALL NEBRASKANS WITH THE DIGNITY OF NOT BEING FIRED FOR WHO THEY ARE OR WHO THEY LOVE. AND AS YOUNG NEBRASKAN, THE TIME FOR THESE PROTECTIONS HAVE NOT ONLY COME, BUT THEY HAVE PASSED LONG AGO. AND I WILL SUPPORT FA41 TO LB414, AND I LOOK FORWARD TO HAVING A ROBUST DEBATE ON LB586 SOON. [LB414 LB586]

SENATOR KRIST: THANK YOU, SENATOR MORFELD. SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB414]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. AND I WILL TALK MORE ABOUT DAVID LATER. BUT I WANT TO SAY SOMETHING ON THE AMENDMENT NOW THAT SOMEBODY ELSE HAS BROUGHT IT UP. EVERYTHING THAT I WAS SAYING BEFORE WAS TO BRING US AROUND TO THE POINT OF WHERE OUR HUMANITY DERIVES FROM. PEOPLE DO NOT CHOOSE TO COME INTO THIS WORLD WITH THE TYPE OF BAGGAGE--IT WHICH BECOMES BAGGAGE--THAT WOULD LEAD THEM TO BE SCORNE, CAST ASIDE, RIDICULED, DISCRIMINATED AGAINST, ATTACKED BY THE POLICE, FAVORITE TARGETS OF THE POLICE, KILLED, LIKE THAT SONG ABOUT WE'RE POOR LITTLE LAMBS, THEY SCORNE US FOR BEING WHAT WE ARE. PEOPLE, IN MY VIEW, DO NOT CHOOSE THEIR SEXUALITY. AND TO SAY THAT BECAUSE OF THAT FACTOR ALONE, ALL THOSE THINGS THAT THE JESUITS AT A CATHOLIC UNIVERSITY DRILLED INTO THE HEADS OF THE STUDENTS WILL GO OUT THE WINDOW. AND WHAT DO THEY DRILL INTO THE HEAD OF THE STUDENTS? THE RIGHT TO HAVE SHELTER, THAT'S A HUMAN RIGHT; THE RIGHT TO EARN A LIVING FOR YOUR FAMILY, THAT'S A HUMAN RIGHT; THE RIGHT TO BE ACCORDED DIGNITY AND RESPECT. THOSE ARE HUMAN RIGHTS. AND IN THE DECLARATION OF INDEPENDENCE THEY WERE CALLED INALIENABLE RIGHTS. YOU CANNOT GIVE THEM AWAY IF YOU WANT TO. YOU MIGHT TURN YOUR BACK ON THEM. BUT THEY INHERE EVERY PLACE THAT YOU FIND A HUMAN BEING. AND WHEN YOU FIND A HUMAN BEING, THESE FACTORS ARE THERE. THEY ARE INTRINSIC. THEY ARE ESSENTIAL. THEY ARE A PART OF THE WHATNESS OF A HUMAN BEING. AND IF THERE ARE PEOPLE WHO ARE GOING TO ARROGATE TO THEMSELVES THE POWER BECAUSE THEY HAVE THE STRENGTH AND THE NUMBERS AND THE POLITICAL CLOUT TO SAY DRAW NOT NIGH UNTO US BECAUSE WE'RE HOLIER THAN YOU, WE'RE BETTER THAN YOU, YOU'RE NOT EVEN A HUMAN BEING. AND THEN THEY PRAY EVERY MORNING, GO TO CHURCH EVERY SUNDAY, PRAISE JESUS, INVOKE THE NAME OF GOD AND THE SAINTS. AND THEN YOU LOOK OVER AND YOU SEE SOMEBODY

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AND YOU SAY, EXCEPT FOR THAT ONE. THAT'S NOT GOD'S CHILD. SOMETHING ELSE CREATED THAT THING. YOU DON'T KNOW WHO FITS INTO THE CATEGORY OF WHAT MY AMENDMENT ADDRESSES. PEOPLE IN THIS SOCIETY HAVE BEEN FORCED, COERCED INTO PRETENDING TO BE WHAT YOU ALL CALL HETEROSEXUAL. THEY WILL MARRY A MEMBER OF THE OPPOSITE SEX AND HAVE CHILDREN AS A COVER BECAUSE THAT'S WHAT THIS COMPASSIONATE, CHRISTIAN, GODLY SOCIETY DEMANDS. AND THEN THEY'RE GOING TO TELL CHILDREN YOU SHOULDN'T LIE, YOU SHOULDN'T CHEAT, YOU SHOULDN'T STEAL. WELL, WHAT YOU'RE DOING IS FAR WORSE THAN THAT. I MIGHT BE TAKING SOMETHING FROM SOMEBODY, BUT I'M NOT TAKING THAT INDIVIDUAL'S PERSONHOOD. I'M NOT DESTROYING THAT PERSON'S DIGNITY. I'M NOT REQUIRING THAT PERSON TO WALK WITH SLUMPED SHOULDERS, BENT NECK, LOOKING AT THE GROUND, FEELING LIKE LESS THAN A HUMAN BEING,... [LB414]

SENATOR KRIST: ONE MINUTE. [LB414]

SENATOR CHAMBERS: ...AS SOME PEOPLE WHO ARE PHYSICALLY IMPAIRED WILL DO. THEY FEEL SHAME. THEY FEEL EMBARRASSED BECAUSE THOSE WHO ARE WHOLE, WHO ARE NORMAL LOOK DOWN ON THEM AND WILL NOT ACCORD THEM THEIR PERSONHOOD. AND ALONG THE WAY, THERE WAS NOTHING PUT INTO THEM TO MAKE THEM UNDERSTAND THAT WHEN IT CAME TO THE ESSENTIAL ELEMENTS OF BEING A HUMAN BEING, THEY WERE AS HUMAN AS THE ONE WHO SITS ON THE TALLEST THRONE WITH THE BIGGEST SCEPTER EXERCISING THE MOST POWER. AND THAT'S WHAT THIS SOCIETY DOES. AND THAT'S WHAT MY AMENDMENT IS ABOUT. THANK YOU, MR. PRESIDENT. [LB414]

SENATOR KRIST: THANK YOU, SENATOR CHAMBERS. SPEAKER HADLEY, YOU ARE RECOGNIZED. [LB414]

SPEAKER HADLEY: MR. PRESIDENT, GOOD MORNING, COLLEAGUES. JUST FOR A COUPLE QUICK ANNOUNCEMENTS: I WILL BE GIVING, PUTTING OUT ON YOUR DESK A MEMO VERY SHORTLY THAT DEALS WITH OUR EVENING HOURS. AND I HAVE LISTED QUITE A NUMBER OF DATES THAT WE POTENTIALLY COULD HAVE EVENING HOURS STARTING TUESDAY, APRIL 28, AND ENDING ON THURSDAY, MAY 28, BASICALLY A MONTH. AND THERE'S A NUMBER OF THEM THERE. I WANT TO EMPHASIZE THAT I HOPE YOU WILL BE HERE IF AT ALL POSSIBLE FOR THE EVENING DEBATES. IT'S NOT FAIR TO YOUR COLLEAGUES IF YOU'RE NOT HERE TO HEAR DEBATE, VOTE BILLS. IT COULD TURN AROUND AND HAPPEN TO YOU. YOU COULD HAVE A BILL THAT IS AN EVENING BILL, AND YOU DON'T HAVE THE

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VOTES YOU EXPECTED TO BE HERE. SO BEING PRESENT DURING THE EVENING FOR ONLY THOSE BILLS YOU ARE INTERESTED IN, EITHER FOR OR AGAINST, IS UNFAIR TO YOUR COLLEAGUES AND THE CITIZENS OF THE STATE OF NEBRASKA. THAT'S PART OF OUR JOB HERE IS TO HAVE THE EVENING DEBATES. MY GOAL IS TO DEBATE ALL PRIORITY BILLS THAT ARE ADVANCED OUT OF COMMITTEE. RIGHT NOW, WE HAVE 54 PRIORITY BILLS, ARE NOW ON GENERAL FILE. AND AT LEAST TEN ARE EXPECTED TO BE COMING OUT OF COMMITTEES. YOU CAN DIVIDE THE NUMBER OF DAYS WE HAVE LEFT BY THE NUMBER OF BILLS WE HAVE, AND YOU CAN SEE IT'S A PRETTY DAUNTING TASK. AND OUT OF THAT, WE WILL ALSO HAVE PROBABLY A NUMBER OF DAYS OF BUDGET DEBATE. YOU WILL SEE ON TODAY'S AGENDA THAT LB472 IS SCHEDULED AGAIN THIS AFTERNOON AT 1:30. I INTEND TO CONTINUE SCHEDULING SOME OF THE LARGE POLICY ISSUES FACING US THIS YEAR FOR DEBATE AT SPECIFIC TIMES SO WE CAN BE SURE TO GET TO THEM. I KNOW IF I WENT TO ALL 48 OF YOUR...48 OF YOU, YOU WOULD TELL ME THAT YOUR PRIORITY BILL WAS PROBABLY THE MOST IMPORTANT BILL THAT FACES THIS LEGISLATURE IN THE STATE OF NEBRASKA THIS YEAR, AND I APPRECIATE THAT. BUT I HAVE TO MAKE THE DECISION ULTIMATELY AS TO WHICH BILLS WE WILL HEAR AND WHICH BILLS AND WHAT ORDER WE WILL HEAR. SOME OF THE AREAS THAT...THE POLICY ISSUES THAT I LOOK AT: BUDGET DEBATE, I'M SURE WE'LL HAVE A ROBUST DEBATE ON BUDGETS; THE DEATH PENALTY, WE WILL HEAR THE DEATH PENALTY THIS YEAR; THE GAS TAX, WE'RE ALREADY DEBATING THAT; THE MEDICARE ISSUE, WE'LL START THIS AFTERNOON; DISCRIMINATION IN THE WORKPLACE. WE HAVE MINIMUM WAGE BILLS THAT WILL GENERATE GREAT DISCUSSION. WE HAVE THE LEARNING COMMUNITIES AND EDUCATION BILLS. WE HAVE MEDICINAL MARIJUANA. WE HAVE THE CORRECTIONS ISSUES. SO WE HAVE A NUMBER OF WHAT I BELIEVE ARE SIGNIFICANT POLICY ISSUES FOR THE STATE OF NEBRASKA TO GET MOVING ON. DIVISIONS CAN AND WILL BE MOVED AROUND FROM DAY TO DAY ON THE AGENDA. DO NOT EXPECT THE DIVISIONS TO ALWAYS FOLLOW IN THE SAME ORDER ON THE AGENDA. I'LL MAKE A DECISION EVERY NIGHT OF THE BEST WAY WE CAN CONTINUE TO MOVE THE AGENDA FORWARD. IF YOU FEEL PUT UPON, I'M SORRY, BUT MY GOAL IS TO MOVE AS MANY OF THE PRIORITY BILLS OR ALL OF THE PRIORITY BILLS TO GET THEM THROUGH. ADDITIONALLY, I WILL BE UTILIZING TIME-SPECIFIC DEBATE FOR TIMES AND PRIORITIZING THE PRIORITY BILLS GIVEN THE POTENTIAL LIKELIHOOD THAT WE WILL NOT BE ABLE TO DEBATE ALL PRIORITY BILLS THIS SESSION EVEN WITH WORKING LATE NIGHTS. THE FOCUS OF DAYS 70 TO 80 WILL BE DEBATE AND PASSAGE OF THE BUDGET BILLS AND THE STATE CLAIMS BILL. SO AGAIN, I THINK WE NEED FULL AND FAIR DEBATE ON BILLS. THAT IS VERY, VERY IMPORTANT TO DO. I HAVE NO PROBLEM WITH THAT WHATSOEVER. BUT I JUST

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WANTED YOU TO KNOW THAT WE WILL BE WORKING NIGHTS. AND FOR THE NEW SENATORS, I WILL TELL YOU THAT THERE'S PROBABLY NO ONE IN HERE THAT DISLIKES NIGHT SESSIONS MORE THAN I DO. BUT IT IS A WAY OF LIFE WHEN WE GET TO DOING THAT. WE WILL DO IT, WE WILL GET THE JOB DONE, AND WE WILL PUSH AS MANY OF THE PRIORITY BILLS TO A DECISION ON THIS FLOOR. IT DOESN'T MEAN THAT ALL OF THEM WILL BE PASSED. BUT THEY WE WILL BE PUSHED TO A DECISION. AND I WILL MAKE THE DECISION AS TO HOW WE PUT THEM ON THE AGENDA TO BE SURE THAT THOSE ONES WITH WHAT I DEEM TO BE SIGNIFICANT POLICY ISSUES ARE HEARD. THANK YOU, MR. PRESIDENT.

SENATOR KRIST: THANK YOU, SPEAKER HADLEY. SENATOR PANSING BROOKS, YOU'RE RECOGNIZED. [LB414]

SENATOR PANSING BROOKS: THANK YOU, MR. PRESIDENT. I STAND IN FAVOR OF SENATOR CHAMBERS' AMENDMENT, FA41. I THINK IT'S GOOD POLICY. WE SHOULD DEFINITELY NOT BE GIVING TAX CREDITS TO BUSINESSES THAT DISCRIMINATE AGAINST ANY OF OUR CITIZENS. WHEN YOU THINK ABOUT THE ARGUMENTS THAT WERE MADE IN THE '60s ABOUT BIRACIAL MARRIAGE AND HOW THE SUPREME COURT CAME FORWARD AND DECIDED THAT BIRACIAL MARRIAGE WAS SOMETHING THAT WE WERE GOING TO SUPPORT AND MAKE LEGAL IN OUR COUNTRY, IF WE LOOK BACK AT THAT NOW AND HAD SOME OF THE SAME...SAME...THEY HAD THE EXACT SAME ARGUMENTS THAT I SHOULDN'T BE ABLE...SHOULDN'T HAVE TO HAVE CERTAIN PEOPLE IN MY BUSINESS. I SHOULDN'T HAVE TO EMPLOY CERTAIN PEOPLE IN MY BUSINESS BECAUSE IT'S AGAINST MY RELIGION TO HAVE BIRACIAL MARRIAGES. AND WE HAVE THE SAME THINGS THAT ARE GOING ON TODAY AND WE ALL ARE AWARE OF THEM. I WOULD ARGUE THAT IT IS GREAT FOR OUR ECONOMY TO ADD AN AMENDMENT SUCH AS SENATOR CHAMBERS' AMENDMENT. WE NEED TO HAVE A POLICY IN PLACE TO CARE FOR OUR FRIENDS AND NEIGHBORS. AND I WOULD AGREE WITH SENATOR CHAMBERS AND SENATOR MORFELD THAT NO ONE SHOULD BE FIRED OR JUDGED BY THE RIDICULOUS STANDARD OF WHOM THEY LOVE. THE CONSTITUTION, AS WE'VE MENTIONED PREVIOUSLY, IN ARTICLE 14, PROTECTS THE RIGHTS AND LIBERTIES OF EVERY PERSON BORN IN THE UNITED STATES AND THAT IS A RESIDENT OF THE STATE. MY FAITH TEACHES ME THAT GOD HAS BLESSED ME WITH THREE BEAUTIFUL, FABULOUS CHILDREN. IN MY FAITH, I SPEND TIME PRAYING AND WRAPPING EACH OF THEM IN A LOVE AND FAITH THAT I UNDERSTAND WITHIN MYSELF. I DON'T SPEND TIME DOING THAT AND SAYING...AND PRAYING FOR MY TWO HETEROSEXUAL CHILDREN BUT THEN RESERVE JUDGMENT ON MY GAY CHILD. I THINK IT'S RIDICULOUS. I DON'T

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THINK ANYBODY IN THIS CHAMBER WOULD EVER DO THAT TO THEIR OWN CHILD OR TO SOMEBODY WHOM THEY LOVED. AND TO SAY THAT ONE CHILD IS MORE WORTHY OF A JOB OR AN ENTITLEMENT IS JUST ABSOLUTELY ABSURD. AND I WOULD CHALLENGE ANYBODY TO COME TO ME AND TALK ABOUT HOW IT IS THAT LOVE IS NOT THE WHOLE INTENTION OF OUR SOCIETY AND OUR RELIGION, OUR FAITH. EVERYTHING THAT WE DO AND EVERYTHING THAT WE HAVE LEARNED WITHIN OUR RELIGIONS IS ABOUT LOVE. AND I WOULD CHALLENGE EACH OF YOU TO COME TO ME AND TELL ME HOW LOVE DOES NOT ENCOMPASS EVERY CHILD, EVERY SOUL, EVERY HUMAN WITHIN OUR STATE AND WITHIN OUR COUNTRY AND OUR WORLD. AND TO DO SO IS BLASPHEMOUS, IN MY OPINION. SO, I WOULD LIKE TO ALSO SAY THAT RATHER THAN FOCUSING ON THESE PERSONAL ARGUMENTS, WHICH I FIND, OF COURSE, SLIGHTLY EMOTIONAL, WE NOW HAVE THE GOOD FORTUNE OF BASING THE ARGUMENT ON OUR ECONOMY AND ON THE FISCAL IMPACT OF MAKING DECISIONS THAT CERTAIN PEOPLE SHOULD BE EXCLUDED. AND FORTUNATELY, THIS YEAR, THE OMAHA AND LINCOLN CHAMBERS HAVE COME FORWARD AND SAID, NO, WE SHOULD NO LONGER DISCRIMINATE AGAINST CERTAIN PEOPLE BECAUSE IT'S NOT GOOD FOR BUSINESS. WE SAW WHAT HAPPENED TO INDIANA AND ARKANSAS. IT IS NOT GOOD FOR BUSINESS TO DECIDE, OH, ONLY CERTAIN PEOPLE SHOULD HAVE THE EXEMPTION; CERTAIN COMPANIES SHOULD BE ABLE TO DETERMINE WHO OR WHO... [LB414]

SENATOR COASH PRESIDING

SENATOR COASH: ONE MINUTE. [LB414]

SENATOR PANSING BROOKS: ...IS NOT WORTHY OF THESE EXEMPTIONS. AND SO NOW WE HAVE AN ECONOMIC IMPACT ARGUMENT. DO WE WANT OUR STATE TO THRIVE? DO WE WANT OUR STATE'S ECONOMY TO SOAR AND WELCOME BUSINESSES AND WELCOME ALL PEOPLE WHO WILL HELP OUR BUSINESSES TO GROW? HELP THE WESTERN PART OF THE STATE TO THRIVE? OR DO WE WANT TO CLOSE OFF AND JUST DECIDE, NO, ONLY US, NOT THEM? SO I'LL GIVE THE REST OF MY TIME TO SENATOR CHAMBERS. THANK YOU, MR. PRESIDENT. [LB414]

SENATOR COASH: SENATOR CHAMBERS, 32 SECONDS. [LB414]

SENATOR CHAMBERS: JUST LONG ENOUGH TO TELL SENATOR HADLEY, WHEN THAT LATE NIGHT COMES, (SINGING) I'LL BE THERE; I'LL BE THERE; JUST CALL MY NAME, AND I'LL BE THERE. THANK YOU, MR. PRESIDENT. [LB414]

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SENATOR COASH: THANK YOU, SENATOR CHAMBERS. (VISITORS INTRODUCED.)  
SENATOR BURKE HARR, YOU'RE RECOGNIZED. [LB414]

SENATOR HARR: THANK YOU, MR. PRESIDENT, MEMBERS OF THE BODY. I WANT TO CLARIFY THE RECORD A LITTLE BIT ON SOME OF THE QUESTIONS ASKED EARLIER. SENATOR CAMPBELL ASKED: WAS THERE ANY DIRECTIVES FROM THE DEPARTMENT OF REVENUE? AND THE ANSWER IS NO. THEY DEAL WITH TAX-EXEMPT PROPERTIES BUT NOT DIRECT...THEY DON'T HAVE ANYTHING DIRECTLY ON POINT REGARDING 501(C)(8)s. LANCASTER COUNTY DOES NOT TAX THE KNIGHTS OF COLUMBUS. SENATOR DAVIS, EARLIER, TALKED ABOUT, HEY, VFWs HAVE TO PAY TAXES ON PARTS; SHOULDN'T THE FRATERNAL BENEFIT ORDER? AND THE ANSWER IS THEY DO. SO IN THE VFWs, WHERE THEY ARE FOR PROFIT, i.e., THEIR BARS, THEY PAY TAXES ON THAT. AND SIMILARLY IN THIS SITUATION, WHERE A FRATERNAL BENEFIT ORDER IS MAKING MONEY OFF OF SOMETHING THAT ISN'T PART OF THEIR CHARITABLE PURPOSE, i.e., LEASING TO A BANK OR A LARGE LAW FIRM IN THEIR BUILDING, THEY DO, IN FACT, HAVE TO AND DO PAY TAXES AND WOULD CONTINUE UNDER LB414 TO PAY THOSE TAXES. NOW, AS FOR FA41, YOU KNOW, IF WE WANT TO SAY THIS IS A WOODMEN BILL, I WOULD DISAGREE. BUT FOR ARGUMENT SAKE, I WILL ACCEPT THE PREMISE OF THAT ARGUMENT AND TELL YOU THAT IT'S ALREADY ILLEGAL IN OMAHA TO DISCRIMINATE. AND WOODMEN IS IN OMAHA. SO WHILE THEY DON'T HAVE A SPECIFIC POLICY, THERE IS AN ORDINANCE. SO THEY DON'T DO THIS. MATTER OF FACT, THEY EVEN OFFER SAME-SEX BENEFITS. SO THIS WOULDN'T AFFECT THEM IF THAT'S THE PURPOSE, TO CREATE A POISON PILL. BUT IT DOES CREATE SOME, PROBABLY, HEARTBURN FOR, WELL, I'LL GO ON RECORD, OUR GOVERNOR. AND I'M AFRAID THIS MAY BE A POISON PILL. SO WHILE IT WOULD NOT DIRECTLY IMPACT WOODMEN, IT MAY AFFECT THE UNDERLYING BILL, LB414, AND MAKE IT VETO MATERIAL. SO FOR THAT REASON, WITH A HEAVY HEART, I SAY I CAN'T SUPPORT FA41. BUT, I WILL GO AHEAD AND GIVE THE REMAINDER OF MY TIME TO SENATOR CHAMBERS SO THAT HE CAN TELL ME WHY I'M WRONG. [LB414]

SENATOR COASH: SENATOR CHAMBERS, YOU'VE BEEN YIELDED 2:30. [LB414]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT; THANK YOU, SENATOR HARR. AS A MORAL, ETHICAL MAN, YOU KNOW WHY YOU'RE WRONG. I THOUGHT HE WAS GOING TO SAY HE WILL YIELD ME TIME TO CASTIGATE HIM, WHICH I DO NOT INTEND TO DO. BUT THERE ARE MANY LAWS ON THE BOOKS WHICH ARE DISREGARDED. PEOPLE WHO WORK IN BANKS ARE NOT SUPPOSED TO EMBEZZLE, BUT THEY DO. PEOPLE WHO ARE IN TRUSTED POSITIONS ARE NOT TO STEAL FROM THE COMPANY, BUT THEY DO. PEOPLE WHO WORK FOR WARREN

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BUFFETT ARE NOT TO ENGAGE IN INSIDER TRADING, BUT THEY DO. SO THIS IS WHY, SENATOR HARR, I SAID THAT THE POLICY SHOULD BE ADOPTED. PUT THAT REQUIREMENT ON THOSE WHO ARE GOING TO GET THESE BENEFITS THAT EVERYBODY ELSE WILL PAY FOR. AND LET THEM SHOW THE WAY. IF THEY ARE, INDEED, GOOD NEIGHBORS, LET THEM SHOW HOW GOOD NEIGHBORS BEHAVE TOWARD THEIR NEIGHBORS WHO ARE EQUALLY GOOD BUT NOT TREATED WITH THE SAME DEGREE OF RESPECT. LET THE POLICY BE ADOPTED BY EVERY ONE OF THESE ENTITIES. AND LET WOODMEN OF THE WORLD, WHICH HAS A TALL BUILDING, EMBLAZON IT ACROSS THE FRONT OF THEIR BUILDING--THIS OPERATION DOES NOT DISCRIMINATE AGAINST ANY HUMAN BEING, EVEN THOSE WHO MAY HAVE A DIFFERENT SEXUAL ORIENTATION--... [LB414]

SENATOR COASH: ONE MINUTE. [LB414]

SENATOR CHAMBERS: ...SO WE KNOW WHERE THEY STAND. SO SENATOR HARR HAS NOT GIVEN HIS CLIENT A WAY OUT. I BELIEVE STRONGLY IN THE POSITION I'M ARTICULATING TODAY. AND I WAS THE ONE, DOWN THROUGH THE YEARS, WHO WOULD OFFER SUCH A BILL. IN MY ABSENCE, OTHERS TOOK UP THE STRUGGLE, AND I'M GLAD. BUT THERE WAS A SENATOR HERE WHO HAD A BILL FOR THE REALTORS. AND I PERSUADED THE LEGISLATURE TO ADOPT AN AMENDMENT THAT PROHIBITED DISCRIMINATION IN THE SELLING, LEASING, AND WHATEVER IT SAID OF PROPERTY. IT WAS A ACCEPTED. AND YOU KNOW WHAT THAT MAN DID? HE WITHDREW THE BILL. EVEN THOUGH THE REALTOR SAID WE DON'T MIND IT, WE WANT THE BILL, THAT WON'T MAKE ANY DIFFERENCE, HE SAID, WELL, PERSONALLY, I DON'T AGREE WITH THAT SO I'M GOING TO PULL THE BILL. [LB414]

SENATOR COASH: TIME, SENATOR. [LB414]

SENATOR CHAMBERS: THAT SHOWS HOW DEEP-SEATED THESE NEGATIVE ATTITUDES ARE. [LB414]

SENATOR COASH: TIME, SENATOR. [LB414]

SENATOR CHAMBERS: SO THOSE WHO ARE GOING TO FIGHT AGAINST IT... [LB414]

SENATOR COASH: TIME, SENATOR. [LB414]



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SENATOR CHAMBERS: OH, THANK YOU, MR. PRESIDENT. [LB414]

SENATOR COASH: THANK YOU, SENATOR CHAMBERS. SENATOR KINTNER, YOU'RE RECOGNIZED. [LB414]

SENATOR KINTNER: WELL, THANK YOU, MR. PRESIDENT. AND I DO WANT TO SAY THANK YOU TO THE ARCHDIOCESE OF OMAHA FOR STANDING FOR SOMETHING, FOR NOT BACKING DOWN. I REMEMBER WHEN I WORKED FOR THE ARCHDIOCESE OF CINCINNATI, EVERY TEACHER WOULD SIGN AN AGREEMENT SAYING THAT THEY AGREE TO ABIDE BY THE CATHOLIC CHURCH'S TEACHINGS. AND I WON'T GO THROUGH WHAT THE TEACHINGS ARE, BUT YOU CAN READ ABOUT IT IN THE BIBLE. AND ALTHOUGH THERE MAY BE 20,000 OR 30,000 OR 50,000 OR 100,000 PEOPLE TO SIGN A PETITION, I DON'T THINK IT EVER CHANGES WHAT'S IN THE BIBLE. YOU KNOW, FOR THE PEOPLE THAT HAVE A CHRISTIAN WORLD VIEW, IT'S VERY HARD FOR PEOPLE WITH A SECULAR WORLD VIEW TO UNDERSTAND WHY THEY DON'T CHANGE AND WHY...YOU KNOW, THEY DON'T CHANGE WITH THE TIMES AND WHAT'S POPULAR. THAT'S NOT WHAT IT'S ABOUT. WHAT GOD SAID, YOU KNOW, 2,000 YEARS AGO IS AS RELEVANT TODAY AS IT WAS BACK THEN. BUT I DO WANT TO COMMENT ON ONE THING. SENATOR MORFELD, IN HIS PASSIONATE DEFENSE OF GAY RIGHTS, SAID SOMETHING VERY TELLING. HE CONDEMNED SKUTT HIGH SCHOOL, OR THE ARCHDIOCESE, AND SAID THAT NO ONE SHOULD BE DISCRIMINATED AGAINST BECAUSE OF WHO THEY LOVE. NOW, WE'RE GOING BE TALKING ABOUT LB586, AND THERE'S SUPPOSEDLY A RELIGIOUS EXEMPTION IN THERE, BUT IF THAT DOESN'T TELL YOU THEY'RE COMING AFTER YOU, IF YOU'RE A CHRISTIAN, THEY'RE COMING AFTER YOU. AND YOU JUST HEARD HIM SAY THAT. SO I THINK IT'S VERY IMPORTANT TO REMEMBER THAT WHENEVER THEY TALK ABOUT PROTECTING A CLASS, IT'S NOT JUST A SHIELD, IT'S A SWORD. AND THEY ARE GOING TO COME AFTER YOU IF YOU'RE A CHRISTIAN. AND IT'S SOMETHING THAT THIS BODY, WE NEED TO GUARD THE RIGHTS OF EVERYONE. THAT INCLUDES CHRISTIANS. THANK YOU, MR. PRESIDENT. [LB586 LB414]

SENATOR COASH: THANK YOU, SENATOR KINTNER. SENATOR DAVIS, YOU'RE RECOGNIZED. [LB414]

SENATOR DAVIS: THANK YOU, MR. PRESIDENT. WOULD SENATOR HARR YIELD TO A FEW QUESTIONS? [LB414]

SENATOR COASH: SENATOR HARR, WILL YOU YIELD? [LB414]

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SENATOR HARR: YES. [LB414]

SENATOR DAVIS: THANK YOU, SENATOR HARR. THIS IS NOT RELATING TO THE AMENDMENT BUT TO THE BILL ITSELF. SO YOU HANDED ME A DOCUMENT A WHILE AGO AND IT TALKED ABOUT THE DIFFERENT AMOUNTS OF INSURANCE THAT WERE SOLD IN THE STATE OF NEBRASKA. AND WOODMEN, OBVIOUSLY, IS WAY DOWN THE LIST. BUT THE KNIGHTS OF COLUMBUS IS ONE AND THRIVENT FINANCIAL FOR LUTHERANS IS THE OTHER. SO WHERE ARE THOSE OFFICES FOR THOSE INSURANCE COMPANIES? [LB414]

SENATOR HARR: AS FAR AS HEADQUARTERS, I BELIEVE THRIVENT IS IN...AND I NEED TO LOOK IT UP, WISCONSIN; AND KNIGHTS OF COLUMBUS IS IN CONNECTICUT. [LB414]

SENATOR DAVIS: AND SO DO YOU KNOW HOW... [LB414]

SENATOR HARR: BUT THEY HAVE LODGES IN NEBRASKA. [LB414]

SENATOR DAVIS: THOSE LODGES IN NEBRASKA ARE TAXED. IS THAT CORRECT? [LB414]

SENATOR HARR: WELL, GOOD QUESTION. THAT'S WHAT THIS BILL IS TRYING TO CLARIFY, BECAUSE IN SOME COUNTIES, YES, AND IN SOME COUNTIES, NO. [LB414]

SENATOR DAVIS: SO I JUST WAS VISITING WITH LARRY DIX, WHO WORKS WITH THE ASSOCIATION OF COUNTY OFFICIALS, AND WE TALKED ABOUT THIS A LITTLE BIT. WHEN YOU'VE GOT A KNIGHTS OF COLUMBUS HALL AND IT SELLS LIQUOR OR HAS FUNCTIONS THAT ARE PUBLICLY OPEN, THAT IS A TAXABLE EVENT,... [LB414]

SENATOR HARR: YES. [LB414]

SENATOR DAVIS: ...ACCORDING TO SENATOR HARR (SIC). WOULD YOU AGREE WITH THAT? [LB414]

SENATOR HARR: I WOULD AGREE WITH THAT. [LB414]

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SENATOR DAVIS: SO WHAT...THEN WHAT PART OF THAT LODGE IS EXEMPT?  
[LB414]

SENATOR HARR: WELL, IT WOULD BE THE PORTION OF THE LODGE WHERE IT IS FOR THE PURPOSE AND THE SOLE PURPOSE OF WHAT...THE PURPOSE OF THAT FRATERNAL BENEFIT ORDER. SO IF THAT FRATERNAL BENEFIT ORDER DECIDES NOT TO...IF...FOR ONLY THE PURPOSES OF ITS CHARITY, THEN THAT WHOLE PART OF THAT WOULD BE TAX EXEMPT, WHATEVER THAT IS. [LB414]

SENATOR DAVIS: SO WHAT IS THE REAL PURPOSE OF ONE OF THESE BENEFIT SOCIETIES? IS IT TO PROVIDE LOWER RATES FOR THE INSURED? [LB414]

SENATOR HARR: IT VARIES FROM FRATERNAL BENEFIT ORDER SOCIETY. I COULD SPEAK TO WOODMEN OF THE WORLD. THEIRS IS TO SELL INSURANCE. THAT'S THEIR CHARITABLE PURPOSE--TO PROVIDE AFFORDABLE INSURANCE TO THE MEMBERS OF THEIR LODGES. AND SO FOR THAT PORTION, FOR INSTANCE, ON THE WOODMEN BUILDING LOCATED DOWNTOWN WHERE THEIR OFFICES ARE LOCATED, THAT'S IN FURTHERANCE OF THEIR CHARITABLE PURPOSE. SO THAT PORTION WOULD BE TAX EXEMPT. THE PARTS WHERE THEY HAVE, FOR INSTANCE... [LB414]

SENATOR DAVIS: EXCUSE ME, SENATOR HARR, JUST A QUESTION: SO THE CHARITABLE PURPOSE IS TO SELL INSURANCE THEN? THAT'S THE CHARITABLE PURPOSE OF THE COMPANY? [LB414]

SENATOR HARR: THAT IS MY BELIEF, YES. [LB414]

SENATOR DAVIS: SO, REALLY, WE'RE JUST SUBSIDIZING AN INSURANCE COMPANY THEN, CORRECT? [LB414]

SENATOR HARR: NO, NO, WE'RE PROVIDING INSURANCE AT A VALUABLE PRICE TO THOSE WHO BELONG TO THE FRATERNAL SOCIETY. [LB414]

SENATOR DAVIS: AND SO, SENATOR HARR, I THINK A LOT OF THE OTHER INSURANCE THAT'S SOLD BY THESE ENTITIES IN THE STATE OF NEBRASKA IS PROBABLY SOLD OUT OF THE HOME OFFICE BY PEOPLE WHO ARE AFFILIATED WITH THE LODGE. WOULD YOU AGREE WITH THAT? [LB414]

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SENATOR HARR: CAN YOU REPEAT THAT? [LB414]

SENATOR DAVIS: SO I THINK FOR MAYBE THE THRIVENT ASSOCIATION OR THE KNIGHTS OF COLUMBUS, MOST OF THAT INSURANCE ISN'T HANDLED FROM ANY STRUCTURE ANYWHERE IN THE STATE. IT'S SOLD OUT OF SOMEBODY'S HOME OFFICE, PROBABLY, BY CONTACTING ANOTHER MEMBER OF THE CATHOLIC CHURCH, FOR EXAMPLE, AND SAYING, WHY DON'T YOU JOIN THE KNIGHTS AND, OH, BY THE WAY, YOU CAN BUY THIS INSURANCE. [LB414]

SENATOR HARR: I CAN'T ANSWER THAT, I GUESS. I DON'T KNOW FOR A FACT. I CAN'T SPEAK TO THOSE...WHAT THEY DO. [LB414]

SENATOR DAVIS: AND THAT'S MY POINT. WE DON'T REALLY KNOW WHAT WE'RE DOING WITH THIS BILL. WE'RE OPENING A DOOR THAT WE HAVEN'T REALLY LOOKED AT. THIS HAS GONE TO THE TERC BOARD; IT'S BEEN THERE ALREADY, I THINK TWO OR MAYBE THREE YEARS. TERC IS GOING TO RULE ON IT AT SOME POINT AND THEN THEY HAVE THE ABILITY TO GO ON TO THE COURT SYSTEM AND TAKE THEIR CASE THERE INSTEAD OF COMING TO THE LEGISLATURE AND DEMANDING SOME KIND OF A TAX EXEMPTION FOR BLACKMAIL. PLEASE, COLLEAGUES, THINK HARD ABOUT WHAT WE'RE DOING HERE. THIS IS JUST BAD,... [LB414]

SENATOR COASH: ONE MINUTE. [LB414]

SENATOR DAVIS: ...BAD, BAD POLICY FOR US TO TAKE UP. AND WITH THAT, I THINK I WILL JUST QUIT AT THIS POINT. THANK YOU. [LB414]

SENATOR COASH: THANK YOU, SENATOR DAVIS. SENATOR MORFELD, YOU'RE RECOGNIZED. [LB414]

SENATOR MORFELD: THANK YOU, MR. PRESIDENT. THERE'S A FEW THINGS THAT I'D LIKE TO ADDRESS THAT SENATOR KINTNER BROUGHT UP. FIRST, I'M A CHRISTIAN. I GO TO CHURCH. AND, IN FACT, LB586 MAINTAINS THE RELIGIOUS EXEMPTION THAT WOULD BE ABLE TO EXEMPT SCHOOLS LIKE SKUTT FROM THE LAW. SO THIS ISN'T AN ATTACK ON CHRISTIANITY. IT'S NOT AN ATTACK ON RELIGION. AND IN FACT, I'M MAINTAINING THE RELIGIOUS EXEMPTION THAT HAS BEEN IN PLACE FOR OVER 60 YEARS. AND IT'S AN EXEMPTION THAT ONE CHURCH IN PARTICULAR HAS COME OUT AND MISLED THEIR MEMBERS BY

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STATING THAT IT DOESN'T EXIST, EVEN THOUGH IT CLEARLY DOES. AND IN FACT, WE DID A CLARIFYING AMENDMENT JUST TO SHOW TO EVERYBODY THAT IT DOES EXIST. IN ADDITION, I DID NOT MENTION SKUTT OR THE CATHOLIC DIOCESE AT ALL, THAT WAS SENATOR KINTNER. AND NOT ALL PERSONS OF FAITH SPEAK WITH THE SAME VOICE. OVER 300 CLERGY MEMBERS FROM NEBRASKA SIGNED A PLEDGE STATING THAT THEY SUPPORT THESE TYPES OF PROTECTIONS; THAT THEY SUPPORT GIVING EVERYONE HUMAN DIGNITY AND USING THE POWER OF THE STATE TO ENSURE THAT THEY ARE GIVEN THAT. THESE TYPES OF PROTECTIONS ARE COMMON SENSE AND THEY'RE SUPPORTED BY THE BUSINESS COMMUNITY: THE OMAHA CHAMBER OF COMMERCE, THE LINCOLN CHAMBER OF COMMERCE. AND I WILL BRING THIS LEGISLATION EVERY YEAR THAT I'M IN THE LEGISLATURE IF IT'S NOT PASSED THIS YEAR. AND WE WILL HAVE THIS DEBATE EVERY YEAR I'M IN THE LEGISLATURE. THANK YOU. [LB586 LB414]

SENATOR COASH: THANK YOU, SENATOR MORFELD. SENATOR PANSING BROOKS, YOU'RE RECOGNIZED. [LB414]

SENATOR PANSING BROOKS: THANK YOU, MR. PRESIDENT. I JUST WANTED TO SPEAK TO THE IDEA, AGAIN, AS SENATOR MORFELD SAID, THAT WE HAVE A CHRISTIAN WORLD VIEW THAT CERTAIN PEOPLE ARE STANDING FOR SOMETHING. I'D LIKE TO KNOW WHICH CHRISTIAN. THEY'RE BEING COME AFTER AS CHRISTIANS, AND I'M A CHRISTIAN. IN THIS CHAMBER WE HAVE METHODISTS, WE HAVE CATHOLICS, WE HAVE LUTHERANS, WE HAVE MENNONITES, WE HAVE PEOPLE FROM THE UCC FAITH, AND WE HAVE EPISCOPALIANS. AND I'M PROBABLY MISSING A NUMBER OF THEM. BUT WHOSE CHRISTIANITY ARE WE SUPPORTING HERE? WHICH GROUP IS BEING...IS UNDER SUCH ATTACK? AND I FIRMLY BELIEVE IN THE SEPARATION OF CHURCH AND STATE AND THAT'S WHY I'VE NOT MADE COMPLETE STATEMENTS ABOUT MY FAITH, BECAUSE I THINK IT'S IMPORTANT THAT WE RISE ABOVE IT AND LOOK AT ALL PEOPLE, PEOPLE, NOT WHO THEY LOVE, NOT WHAT COLOR THEIR SKIN IS, NOT WHAT RACE THEY ARE, NOT WHAT GENDER THEY ARE. WE LOOK AT PEOPLE. AND THERE ARE ALL SORTS OF PROTECTIONS THAT ARE NOW PART OF OUR CONSTITUTION BECAUSE PEOPLE DON'T LIKE TO LOOK AT EVERYBODY AS PEOPLE. WE WANT TO DISCRIMINATE. WE WANT TO GET AHEAD. WE WANT TO BE ABLE TO USE ANY FORM OF AGGRESSION, IN A WAY, TO BE ABLE TO MAKE OUR BELIEFS SUPREME AND OUR THEORIES EVER PRESENT. BUT, AGAIN, WE HAVE MISSTATEMENTS. WE HAVE DISCUSSION OF WHAT'S POPULAR. THIS ISN'T POPULAR. THIS IS PART OF MY FAITH. I HAVE PEOPLE THAT ARE RESPECTED AND LOVED IN THE COMMUNITY THAT HAVE STRONG FAITH, AND THEY ARE IN

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AGREEMENT WITH ME ON THIS. YES, THERE ARE OTHER PEOPLE OF STRONG FAITH THAT AREN'T AT THAT PLACE. BUT I CHALLENGE EACH OF YOU TO SAY TO ME THAT GOD DOES NOT FIND EVERY PERSON, EVERY SOUL OF VALUE AND WORTHY OF LOVE AND RESPECT AND DIGNITY. I NOW GIVE THE REST OF MY TIME TO SENATOR CHAMBERS. THANK YOU, MR. PRESIDENT. [LB414]

SENATOR COASH: SENATOR CHAMBERS, YOU'VE BEEN YIELDED 2:30. [LB414]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. THANK YOU, SENATOR PANSING BROOKS. AND TAILGATING ON SOMETHING SENATOR KINTNER SAID ABOUT IF YOU'RE A CHRISTIAN, THEY COME AT YOU. IF YOU'RE A CHRISTIAN? AIN'T NOTHING BUT CHRISTIANS IN HERE. AND THE CHRISTIANS CAME AT ME. THE OTHER DAY, HERE I WAS, ONE PERSON, AND WHO WAS ATTACKING ME? THE CHRISTIANS. THE CHRISTIANS CAME AT ME. WHY, I FELT LIKE A LION IN A DEN OF DANIELS THAT DAY, A MOUNTAIN LION IN A DEN OF DANIELS AS THE CHRISTIANS CAME AT ME. BUT AT ANY RATE, THESE PEOPLE WHO CALL THEMSELVES BY WHATEVER BRAND OF RELIGION THEY HAVE AND WEAR IT ON THEIR SLEEVE SHOULD NOT BE MARKED BY SHOWING HOW INTOLERANT THEY ARE OF OTHER PEOPLE, HOW THEY WANT TO ELEVATE THEMSELVES ABOVE OTHER PEOPLE. IF THEY CALL THEMSELVES CHRISTIANS, THAT'S BASED ON, SUPPOSEDLY, A BELIEF IN CHRIST. AND HOW IS A CHRISTIAN KNOWN AND MARKED? BY HOW YOU LOVE ONE ANOTHER, NOT HOW YOU LOVE CHRISTIANS. YOU KNOW WHAT JESUS SAID? IF YOU LOVE THOSE WHO LOVE YOU, THAT AIN'T NOTHING, THE SINNERS DO THAT. YOU GOT TO BLESS THOSE WHO CURSE YOU. YOU GOT TO LET CHAMBERS LIVE AMONG ALL YOU CHRISTIANS. AND DON'T BEHAVE... [LB414]

SENATOR COASH: ONE MINUTE. [LB414]

SENATOR CHAMBERS: ...LIKE THOSE LIONS AND SAVAGE BEASTS IN THE ROMAN ARENAS AND THE CIRCUSES, GIVING VENT TO THE LOWEST ELEMENTS OF THE HUMAN NATURE. DON'T BE RUNNING AROUND KICKING UP THE SAND, FIGURATIVELY SPEAKING, WANTING TO FEAST ON HIS BLOOD. BUT, YOU KNOW, THAT'S JUST TALK. AND ALL THIS RELIGION IS JUST TALK. BUT WHAT I'M DISCUSSING HERE, FROM MY POINT OF VIEW, HAS NOTHING TO DO WITH RELIGION. IT HAS TO DO WITH BASIC HUMAN RESPECT THAT WE OUGHT TO HAVE FOR EACH OTHER. POLITICS FADES INTO INSIGNIFICANCE, EVEN RELIGION. THAT HUMANITY THAT MAKES US ALL ONE, OR SHOULD, AS THAT BEATLES

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FELLOW SANG--AND THEN THE WORLD WILL BE ONE. WAS THAT JOHN LENNON?  
[LB414]

SENATOR COASH: TIME, SENATOR. [LB414]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB414]

SENATOR COASH: THANK YOU, SENATOR CHAMBERS. SENATOR BURKE HARR,  
YOU'RE RECOGNIZED. [LB414]

SENATOR HARR: THANK YOU. I WANT TO CLARIFY THE RECORD AGAIN AS FAR  
AS WHAT...FRATERNAL BENEFIT SOCIETY. THEY SELL INSURANCE TO FURTHER  
THEIR CHARITABLE PURPOSE. WHICH, IN THIS CASE, WOODMEN DONATES, AS  
I'VE SAID ON THE RECORD A COUPLE OF TIMES, \$30 (MILLION) TO \$40 MILLION A  
YEAR. THE INSURANCE, IT'S A MEANS FOR THE CHARITABLE GIVING. NOW, I'LL  
GO ON TO SAY, NOT BECAUSE I LOVE MY ENEMIES BUT BECAUSE I HAVE HUMAN  
RESPECT, THAT I'LL GIVE THE REMAINDER OF MY TIME TO SENATOR CHAMBERS.  
[LB414]

SENATOR COASH: SENATOR CHAMBERS, YOU'VE BEEN YIELDED 4:20. [LB414]

SENATOR CHAMBERS: SENATOR HARR, THANK YOU. THANK YOU, MR.  
CHAIRMAN. AND I THINK AS SOME OF YOUR COLLEAGUES IN HERE WHO CALL  
THEMSELVES RELIGIOUS, THEY SAY ALMOST SENATOR HARR CONVINCES ME TO  
BEHAVE LIKE A CHRISTIAN, ALMOST BUT NOT QUITE. SENATOR PANSING  
BROOKS MENTIONED HOW THE CHAMBER OF COMMERCE IN LINCOLN AND THE  
CHAMBER OF COMMERCE IN OMAHA SUPPORT DOING AWAY WITH  
DISCRIMINATION BASED ON SEXUAL ORIENTATION. AND SHE SAID THEY NOW  
CAN CONDUCT THE ARGUMENT ON THE BASIS OF THE ECONOMY, MONEY. BUT  
THEY CAN STILL DO IT FOR GOD. I'M LOOKING AT A DOLLAR BILL. YOU ALL  
PROBABLY DON'T HAVE MANY OF THESE BECAUSE YOU'RE SO RICH AND YOU  
HAVE PLASTIC. BUT IT SAYS ON HERE, ABOVE THE BIG WORD "ONE" ON THE  
GREEN SIDE, "IN GOD WE TRUST." AND WHO IS GOD? HERE IS GOD, IN MY HANDS.  
THIS IS THE GOD IN WHOM THEY TRUST. BECAUSE THAT OTHER GOD WHO  
CREATED ALL PEOPLE COULD NOT PREVAIL ON THOSE ENTITIES TO SAY DO  
AWAY WITH GENDER DISCRIMINATION, DISCRIMINATION BASED ON SEXUAL  
ORIENTATION. BUT WHEN THE GOD OF THIS WORLD SPOKE AND SAID, HOLD,  
STOP IT, THEN THE ARGUMENT TOOK ON ANOTHER DIMENSION. AND PEOPLE  
WHO WERE STRONGLY OPPOSED TO THE IDEA OF TREATING OUR BROTHERS AND

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SISTERS THE WAY WE WOULD WANT TO BE TREATED SUDDENLY WE'RE CONVERTED BY AN APPEAL TO THE GOD OF THIS WORLD--MONEY. AND THESE COMPANIES ARE STARTING TO REALIZE THAT WHAT I SAID ABOUT NEBRASKA, AND IT UPSET SENATOR BRASCH, THESE COMPANIES CANNOT GET HIGH-PRICED EXECUTIVES AND SKILLED PEOPLE TO COME TO NEBRASKA BECAUSE THEY ARE GAY. THEY DO WANT TO HAVE A SPOUSE OF THEIR CHOICE. THEY DO NOT WANT TO BE WHERE PEOPLE, SUCH AS THEY ARE, CAN BE DISCRIMINATED AGAINST, AND THAT'S IN NEBRASKA. AND...OH, SENATOR BRASCH IS NOT HERE, BUT SHE WAS SAYING WHO DO I TALK TO? LET HER TALK TO THE BUSINESS PEOPLE WHOM SHE APPARENTLY LOVES TO TALK TO AND SEE WHAT THEY SAY ABOUT THIS ISSUE. AND AS I STATED, I'M VERY SERIOUS ABOUT THIS. BUT I'LL MAKE A DEAL WITH YOU. I'D LIKE TO TALK TO SENATOR HARR IF HE'S HERE. [LB414]

SENATOR COASH: SENATOR HARR, WILL YOU YIELD? [LB414]

SENATOR CHAMBERS: SENATOR HARR. SENATOR HARR, WOULD YOU YIELD TO A QUESTION OR TWO? [LB414]

SENATOR HARR: YEP. [LB414]

SENATOR CHAMBERS: YOU'VE HEARD THE EXPRESSION, MAKING A DEAL WITH THE DEVIL, HAVEN'T YOU? [LB414]

SENATOR HARR: YES. [LB414]

SENATOR CHAMBERS: YOU'VE HEARD, I'M SURE, SOME PEOPLE, IF NOT CALLING ME THE DEVIL, EXPRESS AN OPINION WHICH FELT THAT I'M THE EQUIVALENT OR WORSE, HAVEN'T YOU? BE HONEST, NOW. [LB414]

SENATOR HARR: OR WORSE, YES. [LB414]

SENATOR CHAMBERS: AND YOU'VE HEARD OF THE EXPRESSION, THE NECESSITY, ON OCCASION, TO MAKE A DEAL WITH THE DEVIL, CORRECT? [LB414]

SENATOR HARR: I HAVE. [LB414]



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SENATOR CHAMBERS: LET'S PRESUME THAT I'M THE DEVIL, FOR THE SAKE OF OUR DISCUSSION HERE. CAN YOU DO THAT? [LB414]

SENATOR HARR: OR WORSE, YES. [LB414]

SENATOR CHAMBERS: AND IT WON'T BE VERY DIFFICULT, WILL IT? [LB414]

SENATOR HARR: NO. [LB414]

SENATOR COASH: ONE MINUTE. [LB414]

SENATOR CHAMBERS: ARE YOU PREPARED TO MAKE A DEAL WITH THIS DEVIL? ARE YOU PREPARED TO DISCUSS A DEAL WITH THIS DEVIL? [LB414]

SENATOR HARR: ON THE MIKE, SURE. [LB414]

SENATOR CHAMBERS: SENATOR HARR, HOW MUCH DOES THIS BILL MEAN TO YOU? [LB414]

SENATOR HARR: IT MEANS THE "WOODMEN OF THE WORLD" TO ME. (LAUGHTER) [LB414]

SENATOR CHAMBERS: AND HOW MANY PEOPLE ON THIS FLOOR, OTHER THAN MYSELF, DO YOU THINK WOULD CARRY IT ON AND ON AND ON? WOULD ANYBODY ELSE OTHER THAN MYSELF DO THAT, IN YOUR OPINION? [LB414]

SENATOR HARR: WELL, I WILL FOR THE BILL BUT NOT AGAINST IT. YES. [LB414]

SENATOR CHAMBERS: AGAINST IT. IF I WOULD AGREE THAT YOU GIVE ME SOMETHING, I'LL GIVE YOU YOUR BILL, AS FAR AS I'M CONCERNED, ARE YOU WILLING TO GIVE ME WHAT I WOULD ASK OF YOU, IF I AGREE TO LEAVE YOUR BILL ALONE? [LB414]

SENATOR HARR: WELL, SENATOR, YOU'RE THE ONE WHO SAYS YOU DON'T MAKE DEALS, BUT I'LL BE MORE THAN WILLING TO ENTERTAIN YOUR PROPOSAL. [LB414]

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SENATOR CHAMBERS: IF YOU GIVE ME MY AMENDMENT AND TELL YOUR COLLEAGUES TO VOTE FOR IT, I WILL LEAVE YOUR BILL ALONE. WHAT DO YOU SAY, BETWEEN YOU AND ME, MAN TO MAN? [LB414]

SENATOR HARR: MAN TO MAN. [LB414]

SENATOR CHAMBERS: YES. LION TO CHRISTIANS? [LB414]

SENATOR COASH: TIME, SENATORS. [LB414]

SENATOR CHAMBERS: SEE? [LB414]

SENATOR HARR: THAT'S A GREAT ONE. YOU KNOW... [LB414]

SENATOR COASH: TIME, SENATOR. [LB414]

SENATOR HARR: OH. [LB414]

SENATOR COASH: (VISITORS INTRODUCED.) SENATOR BRASCH, YOU ARE RECOGNIZED. [LB414]

SENATOR BRASCH: THANK YOU, MR. PRESIDENT. AND I APOLOGIZE, SENATOR CHAMBERS, I WAS AT THE PRINTER. I HAVE TRIED SEVERAL TIMES TO GET A DOCUMENT TO PRINT. AND YOU'RE NOT AT A PULPIT TODAY, BUT I WOULD SAY IT'S PROBABLY THE NEXT BEST THING THAT YOU HAVE BROUGHT ATTENTION TO HERE. IN COMMITTEE I DID SUPPORT THIS BILL, AND I HAVE BEEN LISTENING TO A LOT OF THE DEBATE GOING ALONG. AND MY QUESTIONS AT THIS POINT ARE WHO WE GIVE PROPERTY TAX RELIEF TO SPECIFICALLY. I DID PULL UP AN E-MAIL THAT WON'T PRINT FROM JOHN CEDERBERG THAT SHOWS ALL THE NUMBERS AND IT SAYS, I THINK, ABOUT 95 PERCENT DOES GO TO CHARITIES, ANYWHERE BETWEEN 90 (PERCENT) AND 95 (PERCENT). AND THEN I SEE THE AMENDMENT THAT HAS COME UP AND QUESTIONS THAT ARE RAISED ON WHO LOVES WHO. AND IT'S REALLY INTERESTING HOW THIS TURNS, BECAUSE I HAVE BEEN... YOU KNOW, I TURN ON THE NATIONAL TV AND SOME MOVIE STAR, CONGRATULATIONS, THEY HAD A BOY; OR CONGRATULATIONS, THEY HAD A GIRL. THERE IS... WE COME INTO THIS WORLD BOY OR GIRL. AND IT SEEMS THAT THROUGH LIFE THINGS ARE CHANGING. AND THEN WE ARE QUESTIONING CHRISTIANITY AND LOVE. AND WE SAY THERE'S A SEPARATION BETWEEN

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CHURCH AND STATE AND I'M GOING TO STAY BY IT. WELL, I THINK THERE'S A SEPARATION OF SEXUALITY AND EMPLOYMENT, THAT WHEN I HIRE SOMEONE, IT'S ON MERIT, ABILITY TO DO THEIR WORK, THEIR PAST WORK RECORD, A LOT OF THINGS--THEIR EDUCATION, THE INTERVIEW. BUT I, FOR ONE, DO NOT WANT TO KNOW A PERSON'S SEXUALITY. WHEN IT COMES TO ALL OF THE OTHER DISCRIMINATION OR BARRIERS OR QUESTIONS THAT WE HAVE, WE LOOK AT SOMEONE AND, FOR THE MOST PART, WE SEE PHYSICALLY WHO THEY ARE, WHAT THEY ARE. ARE THEY A MAN OR A WOMAN OR ARE THEY GOING THROUGH A CHANGE? I DON'T KNOW. I DON'T WANT TO KNOW. I DON'T KNOW WHO EVERYONE HAS FOR A SPOUSE IN HERE. SOME I HAVE MET, SOME I MAY NOT HAVE MET. BUT I LOOK AT THAT PERSON FOR THEIR MERIT ON THEIR WORK THAT THEY DO IN THE LEGISLATURE. I ALSO KNOW THAT IN NEBRASKA, TO THIS DAY, I HAVE NOT SEEN ANYONE CHALLENGING THE EMPLOYMENT PRACTICES. I DON'T KNOW HOW MANY LAWSUITS THERE ARE AT HAND. THAT IS SOMETHING TO LOOK AT. BUT AT ONE POINT, IT WAS A VERY SMALL NUMBER. AND I STILL STAND AND SAY THAT NEBRASKA, ON A NATIONAL EMPLOYMENT BASIS, WE ARE ENVIED BY A LOT OF COMPANIES. AND IT'S NOT A MAJORITY OF INDIVIDUALS THAT ARE CHALLENGING SOMEONE BECAUSE OF WHO THEY LOVE. SENATOR CHAMBERS, WOULD YOU LIKE TO YIELD TO A QUESTION? [LB414]

SENATOR COASH: SENATOR CHAMBERS, WOULD YOU YIELD? [LB414]

SENATOR CHAMBERS: YES, I WILL. [LB414]

SENATOR BRASCH: AND, SENATOR CHAMBERS, I...AS WE'VE SPOKE BEFORE, YOU HAVE STARTED DOWN A VERY INTERESTING PATH HERE AND TAKEN A BILL THAT I BELIEVE YOU'VE HAD... [LB414]

SENATOR COASH: ONE MINUTE. [LB414]

SENATOR BRASCH: ... GOOD ARGUMENTS FOR ON THE PROPERTY TAX. AND NOW WHAT YOU ARE DOING IS ADDING AMENDMENTS TO ADD AMENDMENTS. IS THAT CORRECT? [LB414]

SENATOR CHAMBERS: YES, I'M OFFERING AN AMENDMENT. IS THAT WHAT YOU'RE ASKING ME? [LB414]

SENATOR BRASCH: YES. [LB414]

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SENATOR CHAMBERS: YES. I'VE OFFERED THIS. [LB414]

SENATOR BRASCH: DO YOU HAVE OTHER AMENDMENTS AS WELL? [LB414]

SENATOR CHAMBERS: NOT CRAFTED YET. [LB414]

SENATOR BRASCH: NOT CRAFTED YET, BUT DO YOU HAVE AN INTENTION TO ADD MORE AMENDMENTS? [LB414]

SENATOR CHAMBERS: I HAVE INTENTION TO OFFER OTHER MOTIONS. [LB414]

SENATOR BRASCH: OTHER MOTIONS? [LB414]

SENATOR CHAMBERS: YES. [LB414]

SENATOR BRASCH: OKAY. VERY GOOD, I HAVE NO OTHER QUESTIONS. COLLEAGUES, I THINK WE NEED TO LOOK AT LB414. I THINK WE HAVE A LOT OF DISCUSSION ON THE AMENDMENT AS IT IS OFFERED AND TO LOOK AT MANY OTHER AREAS. BUT IT IS NOT SOMETHING THAT LB414 NEEDS TO TAKE INTO CONSIDERATION AT THIS POINT. AS THE SPEAKER SAID, THE LIST IS LONG,... [LB414]

SENATOR COASH: TIME, SENATOR. [LB414]

SENATOR BRASCH: ...THE NIGHTS WILL BE LONGER YET. THANK YOU, MISTER... [LB414]

SENATOR COASH: THANK YOU, SENATOR BRASCH. (VISITORS INTRODUCED.)  
SENATOR CHAMBERS, YOU'RE RECOGNIZED TO CLOSE ON FA41. [LB414]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, BECAUSE THIS AMENDMENT MEANS SOMETHING TO ME, I KNOW IT'S GOING TO BE VOTED DOWN, BUT I'M GOING TO PUT A RECONSIDERATION MOTION UP THERE SO THAT I CAN DISCUSS IT FURTHER, BECAUSE IT'S IMPORTANT THAT SOME THINGS BE GOTTEN INTO THE RECORD. I DIDN'T OFFER THE AMENDMENT IMMEDIATELY BECAUSE I DID WANT TO FOCUS ON THE BILL ITSELF, THE BAD POLICY THAT I THINK IT COMPRISES, BUT THERE ARE OTHER

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MATTERS THAT SHOULD BE GIVEN CONSIDERATION. WHEN THESE COMPANIES COME BEFORE THE LEGISLATURE AND THEY WANT TO GET FAVORED TREATMENT, THEY WANT TO BE EXCUSED FROM AN OBLIGATION THAT ALL THE CITIZENS HAVE. THEY WANT, AND MAKE IT CLEAR, TO HAVE THE PREROGATIVE TO SAY, I WANT TO PUT A HEAVIER BURDEN ON OTHERS IN ORDER THAT MINE MIGHT BE LIGHTER. IF THEY'RE GOING TO COME AND TRY TO GET THAT FROM THE LEGISLATURE, THEN THE LEGISLATURE, ON BEHALF OF THE PEOPLE, OUGHT TO GET SOMETHING IN RETURN. THEY WANT THE QUID? THEN GIVE US THE PRO QUO. THERE HAVE TO BE TWO ENDS TO A STICK WHICH IS ONLY SIX INCHES LONG. EVEN GOD CANNOT CREATE A SIX-INCH STICK WITH ONLY ONE END. SO, WE NEED TO GET SOMETHING IN EXCHANGE FOR WHAT THESE COMPANIES ARE ASKING FROM THE LEGISLATURE--NO, DEMANDING. SENATOR HARR IS DOING THE WORK OF WOODMEN OF THE WORLD. AND I'M DOING THE WORK OF THE PEOPLE, AND WITH THIS AMENDMENT, OF THE ANGELS. ALL THE ANGELS ARE MALE. ALL OF THE ANGELS ARE MALE. I COULD HAVE BEEN INSPIRED, FOR ALL I KNOW, BY AN ANGEL TO OFFER THIS AMENDMENT. WHY, MY SEATMATE, SENATOR STINNER, AND IF YOU REMOVE THE "T," SENATOR "SINNER," AND I FEEL MORE COMFORTABLE WITH HIM. I'D RATHER LAUGH WITH THE SINNERS THAN SING WITH THE SAINTS BECAUSE SINNERS HAVE MORE FUN. ONLY THE GOOD DIE YOUNG. BUT THEY HAVE A LOT OF FUN ON THE WAY. HE BROUGHT YOU AN ANGEL--THE ANGEL TAX CREDIT. ALL RIGHT, THE ANGEL TAX CREDIT; THAT BILL IS MOVING ALONG. I'M NOW BRINGING YOU THE ANGEL AMENDMENT FOR OUR BROTHERS AND SISTERS, INSPIRED BY THE ANGELS. WHO ELSE CAN SAY THAT IN THIS FLOOR AND KEEP, MORE OR LESS, A STRAIGHT FACE? I'M GOING TO OFFER MY RECONSIDERATION MOTION. AND WE DON'T HAVE TO DO SERIOUS THINGS WITH A LONG FACE LIKE A MULE. IN FACT, THERE'S A LITTLE BOY. HE LOOKED...WENT OUT TO THE BARN, FIRST TIME HE'D EVER BEEN ON A FARM. HE RAN IN AND SAID, GRANDMA, GRANDMA, THE MULE GOT RELIGION. SHE SAID, HOW DO YOU KNOW THAT? HE SAID, WELL, I WENT OUT THERE AND SAW HOW LONG HIS FACE IS. SO LITTLE KIDS THINK OF LONG-FACED PEOPLE AS HAVING RELIGION: SOLEMN, SOUR, MEAN, GRUMPY, CONDEMNING ALL THE TIME, NEVER OFFERING A HELPING HAND. AND THEY OUGHT TO REMEMBER THAT JESUS SAID TO THE CHRISTIANS, THEY WEREN'T CALLED THAT AT THAT TIME, THEY WERE CALLED HIS DISCIPLES, HE TOLD THEM, OTHER SHEEP I HAVE THAT ARE NOT OF THIS FOLD. THERE ARE OTHERS THAT I HAVE THAT YOU DON'T KNOW ABOUT. AND SINCE YOU DON'T KNOW ABOUT THEM, DON'T YOU JUDGE ANOTHER MAN'S SERVANT. YOU LET THE WHEAT AND... [LB414]

SENATOR COASH: ONE MINUTE. [LB414]

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SENATOR CHAMBERS: ...THE TARES GROW TOGETHER. AND I'LL MAKE THE SEPARATION IF THERE'S TO BE ONE. IN THE MEANTIME, YOU TREAT EVERYBODY THE WAY YOU WANT TO BE TREATED, IF YOU'RE SANE. AND IF YOU'RE NOT SANE, TREAT EVERYBODY THE WAY YOU'D WANT SOMEBODY YOU LOVE TO BE TREATED. BUT THOSE ARE JUST WORDS AND I KNOW IT. BUT I'M GOING TO SAY A FEW MORE OF THOSE WORDS. AND I AM GOING TO TALK ABOUT THE PROPERTY TAX ASPECT OF THIS BILL. I THINK IT'S A MISTAKE. AND IF I COULD BE SURE THAT THIS BILL WOULD NOT ADVANCE, I WOULDN'T TAKE ALL OF THIS TIME. BUT I CAN'T BE SURE OF THAT, SO I'VE GOT TO DO WHAT I CAN SO STOP IT. AND, MR. PRESIDENT, I'M GOING TO ASK FOR A CALL OF THE HOUSE AND A ROLL CALL VOTE. AND THE WAY I'D LIKE THE ROLL CALL VOTE IS TO START IN THE MIDDLE AND WORK FROM BOTH WAYS. WELL, IN REGULAR ORDER. [LB414]

SENATOR COASH: THANK YOU, SENATOR CHAMBERS. THERE HAS BEEN A REQUEST TO PUT THE HOUSE UNDER CALL. THE QUESTION IS, SHALL THE HOUSE GO UNDER CALL? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB414]

ASSISTANT CLERK: 26 AYES, 0 NAYS TO GO UNDER CALL, MR. PRESIDENT. [LB414]

SENATOR COASH: THE HOUSE IS UNDER CALL. SENATORS, PLEASE RETURN TO THE CHAMBER AND RECORD YOUR PRESENCE. ALL UNAUTHORIZED PERSONNEL PLEASE LEAVE THE FLOOR. THE HOUSE IS UNDER CALL. SENATORS GROENE, HANSEN, KEN HAAR, PLEASE RETURN TO THE CHAMBER AND RECORD YOUR PRESENCE. SENATOR SMITH, PLEASE CHECK IN. SENATOR RIEPE, PLEASE CHECK IN. SENATOR BOLZ, PLEASE CHECK IN. SENATORS KRIST AND GROENE, PLEASE RETURN TO THE CHAMBER AND RECORD YOUR PRESENCE. MEMBERS, THE QUESTION BEFORE THE BODY IS, SHALL FA41 BE ADOPTED? THERE HAS BEEN A REQUEST FOR A ROLL CALL VOTE. MR. CLERK, PLEASE READ THE ROLL. [LB414]

ASSISTANT CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGE 1082.) VOTE IS 14 AYES, 24 NAYS, MR. PRESIDENT. [LB414]

SENATOR COASH: FA41 IS NOT ADOPTED. RAISE THE CALL. MR. CLERK. [LB414]

ASSISTANT CLERK: MR. PRESIDENT, SENATOR CHAMBERS WOULD MOVE TO RECONSIDER THE VOTE JUST TAKEN. [LB414]

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SENATOR COASH: SENATOR CHAMBERS, YOU'RE RECOGNIZED TO OPEN ON YOUR MOTION. [LB414]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, THERE MAY HAVE BEEN SOME VOTES IN THE NEGATIVE FOR REASONS OTHER THAN BEING OPPOSED TO THE IDEA OF THE AMENDMENT. BUT I'M NOT A READER OF MINDS. THIS IS AN IMPORTANT ISSUE, AND I THINK IT JUSTIFIABLY COMES UP ON THIS BILL. YOU'RE GOING TO GIVE A PRIVILEGE IN EXCHANGE FOR NOTHING. AND I SAY THAT IF THE STATE IS GOING TO SHIFT A TAX BURDEN, THEN SOMETHING OUGHT TO BE GIVEN. WHAT DO THEY SAY ABOUT HAVING SKIN IN THE GAME? I WANT SENATOR HARR TO KNOW THAT HE HASN'T ESCAPED YET. SO IF HE WOULD YIELD, I'D LIKE TO ASK HIM A QUESTION OR TWO, MR. PRESIDENT. [LB414]

SENATOR COASH: SENATOR HARR, WILL YOU YIELD? [LB414]

SENATOR HARR: I WILL. [LB414]

SENATOR CHAMBERS: SENATOR HARR, BEFORE I ASK YOU THE QUESTION, I'M GOING TO LET US RESUME OUR NEGOTIATIONS, BUT THIS IS ALSO TO DEMONSTRATE A POINT. WHEN THEY CONDEMN THE PRESIDENT ABOUT CERTAIN THINGS NOT GOING THE WAY THEY WANT THEM TO WHERE FOREIGN POLICY IS CONCERNED, HE HAS BEEN PUT IN THE UNENVIABLE POSITION OF HAVING TO NEGOTIATE IN PUBLIC. NO OTHER PRESIDENT WAS PUT IN THAT POSITION. AND WHEN YOU HAVE TO NEGOTIATE IN PUBLIC, YOU'RE NOT IN THAT POSITION WHERE WHEN IT'S IN PRIVATE YOU GIVE A LITTLE, YOU TAKE A LITTLE, YOUR POOR HEART BREAKS A LITTLE. YOU SAY YES TODAY, MAYBE TOMORROW, NO THE NEXT DAY. THEN CIRCUMSTANCES INTERVENE AND CHANGES CAN OCCUR. DIPLOMATS KNOW WHAT DIPLOMACY IS ABOUT. THEY KNOW WHAT NEGOTIATION AT THE HIGHEST LEVELS, THE GLOBAL LEVEL, THEY KNOW WHAT THAT'S ABOUT. BUT BECAUSE OF THIS PRESIDENT BEING HATED LIKE HE IS, WHEN HE FIRST WON, THE REPUBLICANS SAID WE'RE GOING TO MAKE SURE THAT HE'S A ONE-TERM PRESIDENT. THEN WHEN HE WON AGAIN, THEY SAID WE'RE GOING TO MAKE SURE HE DOESN'T GET ANYTHING DONE. SO THERE'S A SCRUTINY NOBODY ELSE HAS HAD TO ENDURE WHO WAS PRESIDENT. AND NEGOTIATING AT THAT LEVEL IS HARDER THAN WHAT WE OFTEN DO ON THE FLOOR OF THIS LEGISLATURE. SO I'M PUTTING SENATOR HARR IN A SITUATION WHERE WE'LL DO OUR NEGOTIATION IN PUBLIC. SENATOR HARR, YOU'VE ALREADY SAID HOW MUCH THIS BILL MEANS TO YOU. [LB414]

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SENATOR HARR: YES. [LB414]

SENATOR CHAMBERS: NOW ON MY AMENDMENT THAT I OFFERED, I DID NOT VOTE BECAUSE I WANTED TO BE IN A POSITION TO RECONSIDER. I WANTED TO CHECK THE LAY OF THE LAND. WOULD YOU TELL YOUR COLLEAGUES TO VOTE FOR THIS BILL...FOR THIS AMENDMENT IF THEY FAVOR YOUR BILL? ARE YOU WILLING TO DO THAT? [LB414]

SENATOR HARR: WELL, SENATOR, WE HAD A VOTE ON IT ALREADY. AND IT DIDN'T GARNER THE VOTES IT NEEDED. SO I'M NOT SURE WHAT I CAN DO. [LB414]

SENATOR CHAMBERS: SENATOR HARR, YOU AWARE YOU AND I HAD NOT STRUCK A DEAL AT THAT TIME WHEN THAT VOTE CAME? WE HADN'T STRUCK A DEAL, HAD WE? [LB414]

SENATOR HARR: NOR HAVE WE YET, NO. [LB414]

SENATOR CHAMBERS: RIGHT. SO WE CANNOT CONDUCT OUR DISCUSSION AT THIS POINT AS THOUGH WHAT HAPPENED BEFORE WAS BASED ON A DEAL WE HAD STRUCK. HAD YOU SUGGESTED THAT ANY OF YOUR COLLEAGUES VOTE FOR THIS AMENDMENT IN ORDER THAT I LEAVE YOUR BILL ALONE? YOU HADN'T DONE THAT, HAD YOU? [LB414]

SENATOR HARR: NOPE. [LB414]

SENATOR CHAMBERS: WERE YOU OF A MIND EVEN TO DO IT? [LB414]

SENATOR HARR: HMM...I'M ONLY ONE MAN. [LB414]

SENATOR CHAMBERS: WELL, EACH OF US IS ONLY ONE MAN UNLESS WE'RE A WOMAN. OH THAT CHUCKLE, I'M NOT SURE WHAT THAT MEANS. BUT AT ANY RATE, YOU HAD...ARE YOU WILLING TO DO THAT? [LB414]

SENATOR HARR: I DON'T KNOW WHAT VALUE WOULD IT BRING TO YOU, TO BE HONEST. [LB414]



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SENATOR CHAMBERS: SOMETIMES PEOPLE DON'T APPRECIATE THEMSELVES IN THE WAY THAT OTHERS DO. AND THERE'S A TENDENCY TO KIND OF DENIGRATE YOURSELF A BIT. YOU ARE A HUMBLE MAN. YOU ARE A SELF-EFFACING MAN. BUT YOU ALSO ARE A VERY PROUD MAN; IN FACT, YOU'RE PRIDEFUL. I NEED THAT NO MAN SPEAK TO ME OF MAN FOR I KNOW WHAT IS IN MAN. AND I KNOW WHAT'S IN YOU. YOU KNOW THAT YOUR WORD CARRIES SOME WEIGHT. [LB414]

SENATOR HARR: IT CARRIES NO...NOT IN MY HOME IT DOESN'T. [LB414]

SENATOR CHAMBERS: WE'RE NOT TALKING ABOUT THE IMPOSSIBLE NOW. WE'RE TALKING ABOUT WHAT IS FEASIBLE. AND THINGS ARE FEASIBLE ON THIS FLOOR WHICH WOULD BE IMPOSSIBLE AT HOME. BUT I'M TO GATHER FROM OUR DISCUSSION THAT YOU WOULD RATHER NOT COMMIT YOURSELF ONE WAY OR THE OTHER IF WE CAN AVOID DOING THAT ON THIS PARTICULAR THING I'M TALKING ABOUT, CORRECT? [LB414]

SENATOR HARR: WELL, I GUESS WHAT I DO IS CLARIFY THE RECORD. WOODMEN OF THE WORLD ALREADY HAS, WHILE NOT HAVING THIS POLICY, IT CANNOT, BECAUSE IT'S LOCATED IN THE CITY OF OMAHA, DISCRIMINATE IN THE WAY THAT...SO IT WOULD...THIS AMENDMENT WOULD NOT AFFECT THEM. AS A MATTER OF FACT, THEY ALREADY OFFER SAME-SEX BENEFITS. SO IT REALLY WOULDN'T HAVE AN EFFECT ON THEM ONE WAY OR THE OTHER, IF THIS BILL IS FOR WOODMEN AND WOODMEN ONLY. SO I DON'T THINK THE AMENDMENT IS NECESSARILY NECESSARY. IT MAY BE A BELT TO SUSPENDERS, BUT IT'S NOT NECESSARY. [LB414]

SENATOR CHAMBERS: SENATOR HARR, YOU'RE A LAWYER. AND I SAY THAT BECAUSE YOU BELONG TO THE BAR ASSOCIATION. ISN'T THAT CORRECT? [LB414]

SENATOR HARR: I AM A MEMBER OF GOOD STANDING AT THIS MOMENT, YES. [LB414]

SENATOR CHAMBERS: AND YOU ARE LICENSED TO PRACTICE LAW, RIGHT? [LB414]

SENATOR HARR: THAT IS CORRECT. [LB414]

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SENATOR CHAMBERS: YOU WORKED IN A PROSECUTOR'S OFFICE, DIDN'T YOU?  
[LB414]

SENATOR HARR: I DID FOR ABOUT FIVE AND A HALF YEARS. [LB414]

SENATOR CHAMBERS: DID YOU DO ANY TRIAL WORK? [LB414]

SENATOR HARR: NOT AS MUCH AS I'D LIKE, BUT YES. [LB414]

SENATOR CHAMBERS: PLEASE, YOUR HONOR, WOULD YOU HAVE THE WITNESS  
ANSWER THE QUESTION. THANK YOU, YOUR HONOR. SENATOR, DID YOU DO ANY  
TRIAL WORK, ANY TRIAL WORK? [LB414]

SENATOR HARR: YES. [LB414]

SENATOR CHAMBERS: WHEN YOU ARE PARTICIPATING IN A TRIAL AND THERE'S A  
WITNESS ON THE STAND, ARE YOU ALLOWED TO DEAL IN NARRATIVE, OR ARE  
YOU REQUIRED TO ASK QUESTIONS? [LB414]

SENATOR HARR: WELL, THE RULES SAY YOU'RE REQUIRED TO ASK QUESTIONS,  
ALTHOUGH THERE IS SOME LEEWAY GIVEN. [LB414]

SENATOR CHAMBERS: RIGHT, YOU CAN SET THE CONTEXT IN WHICH THE  
QUESTION IS ASKED. ALSO, YOU AS THE LAWYER ARE NOT ALLOWED TO  
TESTIFY WHILE YOU ARE INTERROGATING A WITNESS, ARE YOU? [LB414]

SENATOR HARR: THAT IS CORRECT. [LB414]

SENATOR CHAMBERS: AND A COMPETENT LAWYER WOULD IMMEDIATELY  
OBJECT IF YOU DID THAT, AND THE OBJECTION WOULD BE SUSTAINED. ISN'T  
THAT CORRECT? [LB414]

SENATOR HARR: AS A GENERAL RULE, YES. [LB414]

SENATOR CHAMBERS: SO WHEN I ASK YOU THESE QUESTIONS, I'M LOOKING NOT  
FOR NARRATION OR NARRATIVE OR OBFUSCATION BUT AN ANSWER. SO THE

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QUESTION I'M GOING TO PUT NOW, I'M NOT GOING TO GET THAT DEFINITIVE ANSWER AT THIS TIME. IS THAT CORRECT OR INCORRECT? [LB414]

SENATOR HARR: WELL, I DON'T KNOW WHAT THE QUESTION IS, SO I CAN'T TELL YOU WHAT THE ANSWER IS. [LB414]

SENATOR CHAMBERS: GOOD, GOOD, YOU PAID ATTENTION. NOW HERE'S THE QUESTION: ARE THERE STATES WHERE THE LAW PROHIBITS DISCRIMINATION IN EMPLOYMENT BASED ON SEXUAL ORIENTATION? [LB414]

SENATOR HARR: I DON'T...I BELIEVE THERE IS. I'M NOT SURE. I DO KNOW THERE'S AN ORDINANCE IN OMAHA THAT PROHIBITS IT. [LB414]

SENATOR CHAMBERS: WELL, THERE ARE STATES THAT DO ALSO. [LB414]

SENATOR HARR: OKAY. [LB414]

SENATOR CHAMBERS: THAT WASN'T A TRICK QUESTION. NEVERTHELESS, THERE ARE COMPANIES IN THOSE STATES THAT HAVE POLICIES THAT CLEARLY SET OUT THAT THERE'S NOT TO BE SUCH A DISCRIMINATION. AND IT'S TO GIVE NOTICE TO ALL THOSE WHO WORK FOR THAT COMPANY THAT THIS IS NOT GOING TO BE TOLERATED HERE. SO, REGARDLESS OF WHAT THE ORDINANCE MAY BE, THE QUESTION I WANT TO ASK YOU NOW, IS IT YOUR OPINION THAT WOODMEN OF THE WORLD WOULD NOT CHOOSE TO IMPLEMENT SUCH A POLICY? [LB414]

SENATOR HARR: YOU MEAN BY THAT A NONDISCRIMINATORY POLICY? [LB414]

SENATOR CHAMBERS: YES. [LB414]

SENATOR HARR: OH, I DON'T THINK THEY'D HAVE A PROBLEM DOING THAT, NO. THEY DON'T JUST BECAUSE IT'S REDUNDANT; IT'S A BELT, SUSPENDERS ISSUE FOR THEM, BECAUSE IT'S ALREADY ILLEGAL FOR THEM TO DISCRIMINATE. BUT I DON'T THINK THEY'D HAVE A PROBLEM. LIKE I SAID, THEY ALREADY OFFER SAME-SEX BENEFITS, SO THEY OBVIOUSLY RECOGNIZE... [LB414]

SENATOR CHAMBERS: I'M WILLING TO LET THAT PART OF IT GO NOW. THAT'S ALL THE QUESTIONING THAT I WILL DO OF YOU. AND I'M SURE THAT BY THE TIME

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THIS BILL COMES UP AGAIN, IF IT DOES, THEN YOU WILL HAVE MADE INQUIRY ON THAT. BUT HERE'S SOMETHING THAT MY COLLEAGUES MIGHT WANT TO PAY ATTENTION TO. SOMETIMES BILLS DON'T COME UP, AS THE SPEAKER TOLD US, IN THE ORDER THEY MAY APPEAR ON THE AGENDA. IF YOU LOOK AT PAGE 2 OF YESTERDAY'S AGENDA,... [LB414]

SENATOR COASH: ONE MINUTE. [LB414]

SENATOR CHAMBERS: ...YOU'LL SEE THAT THE KINTNER DIVISION, TOPPED BY A BILL OF SENATOR STINNER, WAS AHEAD OF THE EBKE DIVISION; THAT WAS YESTERDAY. BUT NOW, TODAY, THE EBKE DIVISION IS ABOVE THE OTHER ONE, THE KINTNER DIVISION. SO THEY'VE SWITCHED POSITIONS. AND NOW, WHERE SENATOR STINNER'S BILL WOULD HAVE BEEN UP, IT'S NOT NOW, AND NOT JUST BECAUSE DISCUSSION IS OCCURRING BUT ANOTHER DIVISION HAS BEEN PLACED IN FRONT OF IT. SO IF ENOUGH IS DONE ON THIS BILL, WHO KNOWS? ONCE SOMETHING IS DONE, IT CAN BE DONE AGAIN. WE DID IT BEFORE AND WE CAN DO IT AGAIN. AND WE CAN DO IT AGAIN. I'D LIKE TO MAKE IT AS HARD AS POSSIBLE FOR THIS BILL TO BE SCHEDULED AGAIN, AND MAYBE, IF WE COME BACK TOMORROW, THEN IT MIGHT HAVE LOWERED ON THE AGENDA. [LB414]

SENATOR COASH: TIME, SENATOR. [LB414]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB414]

SENATOR COASH: THANK YOU, SENATOR CHAMBERS. (VISITORS INTRODUCED.)  
SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB414]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, THIS MOTION IS TO RECONSIDER THE VOTE TAKEN ON THE MOTION THAT I HAD MADE TO ADOPT AN AMENDMENT WHICH WOULD HAVE SAID, HAD IT BEEN ADOPTED, NONE OF THESE ENTITIES THAT ARE ORGANIZED IN ACCORD WITH A DESIGNATED STATUTE--WHICH IF THIS LAW PASSED WOULD ALL HAVE THEIR PROPERTY EXEMPT FROM TAXATION--WOULD BE ABLE TO BENEFIT FROM THAT EXEMPTION ONLY IF THEY HAVE A POLICY PROHIBITING DISCRIMINATION BASED ON SEXUAL ORIENTATION. AND CONDITIONS CAN BE ATTACHED TO TAX BENEFITS, BREAKS, EXEMPTIONS THAT ARE GIVEN. THOSE BREAKS THAT ARE GIVEN TO THESE BIG COMPANIES ARE LOADED WITH CONDITIONS. WILL WOODMEN OF THE WORLD LEAVE OMAHA? I'VE BEEN IN THIS LEGISLATURE A LONG TIME. I KNOW THAT NONE OF YOU WAS IN THE

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LEGISLATURE WHEN CABELA'S WAS TALKING ABOUT BUILDING IN SARPY COUNTY. AND THEY HAVE BUILT THERE. SENATOR LANDIS BROUGHT A BILL THAT WOULD HAVE GIVEN TAX BREAKS TO CABELA'S. AND I FOUGHT IT TOOTH AND NAIL; SAID THEY DON'T NEED IT, THEY SHOULDN'T GET IT AND I'LL FIGHT IT. AND I ARGUED THAT BY THE TIME...OH, AND HERE WERE SOME OF THE ARGUMENTS: CABELA'S HEADQUARTERS ARE IN NEBRASKA. THEY'VE GOT STORES IN DAKOTA, AND MENTIONED ALL THESE OTHER PLACES. AND THEREFORE, THEY SHOULD BE GIVEN THESE TAX BREAKS SO THAT THEY BUILD ON THIS PROPERTY THEY HAD THEIR EYE ON IN SARPY COUNTY. AND I EXPRESSED MY SURPRISE THAT ALL OF THESE PEOPLE WHO KNOW SO MUCH ABOUT BUSINESS WERE UNAWARE OF THE FACT THAT BY THE TIME A COMPANY LIKE CABELA'S HAD DONE ALL THAT NEEDED TO BE DONE TO BE AS FAR ALONG IN THEIR PROJECT AS THEY WERE, THEIR INTENT WAS TO BUILD THERE. AND THAT DECISION WAS MADE WITHOUT REGARD TO WHETHER NEBRASKA...THE LEGISLATURE WAS GOING TO PUT SWEETENERS IN THE DEAL. AND I SAID, DON'T GIVE THEM ANYTHING AND THEY'LL BUILD ANYWAY. THE BILL DIED AND THEY BUILT ANYWAY. I HAD POINTED OUT, WHICH ALL OF THE PEOPLE HERE KNEW OR SHOULD HAVE KNOWN, THAT THESE COMPANIES DON'T JUST WAKE UP AND SAY, WELL, I SAW A TREE OVER HERE AND A BUSH OVER THERE AND I THINK BETWEEN THE TREE AND THE BUSH THERE MUST BE SOMETHING GOOD, SO WE'RE GOING TO BUILD A STORE THERE. THEY LOOK INTO ALL KINDS OF THINGS BECAUSE THEIR INTENT IS TO MAKE A PROFIT. I WOULD LIKE TO ASK SENATOR HARR A QUESTION. [LB414]

SENATOR COASH: SENATOR HARR, WILL YOU YIELD? [LB414]

SENATOR HARR: YES. [LB414]

SENATOR CHAMBERS: SENATOR HARR, WITHOUT ASKING YOU TO GIVE THE NUMBER OF YEARS, THAT WOW OUTFIT HAS BEEN IN OMAHA FROM BEFORE THE TIME I WAS BORN, BECAUSE AS LONG AS I CAN REMEMBER THEY WERE HERE. ARE YOU AWARE THAT THEY'VE BEEN HERE MANY, MANY, MANY, MANY YEARS? [LB414]

SENATOR HARR: I THINK THEY'RE PROUD TO SAY THEY'RE CELEBRATING THE 150th YEAR IN NEBRASKA. [LB414]

SENATOR CHAMBERS: AND YOU THINK THEY'RE JUST GOING TO PULL UP AND LEAVE IF WE DON'T GIVE THEM THIS BILL. THAT'S WHAT YOU THINK? [LB414]

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SENATOR HARR: WELL, I WOULD NOT PRESUME TO PUT MYSELF IN THEIR SHOES. [LB414]

SENATOR CHAMBERS: WHAT DO YOU THINK? [LB414]

SENATOR HARR: AGAIN, I WOULD NOT PRESUME TO PUT MYSELF IN THEIR SHOES. [LB414]

SENATOR CHAMBERS: WELL, NATURALLY. YOU'RE A POOR MAN LIKE ME WHEN IT COMES TO THEM. YOU'D NEVER...THEY'D LET YOU LOOK AT SHOES LIKE THEIRS, BUT YOU'LL NEVER BE IN A POSITION TO PUT YOUR FOOT IN THEM. THEY MIGHT LET YOU SHINE THEM,... [LB414]

SENATOR COASH: ONE MINUTE. [LB414]

SENATOR CHAMBERS: ...BUT THEY'RE NOT GOING TO LET YOU PUT YOUR FOOT IN THEM. YOU KNOW THAT THEY HAVE BUILT UP RELATIONSHIPS. THERE ARE PEOPLE, PROBABLY, WHO WORK FOR THEM WHO HAVE FAMILIES IN OMAHA. DO YOU AGREE WITH THAT MUCH? [LB414]

SENATOR HARR: YEAH. AND TO ANSWER YOUR QUESTIONS, I KNOW THEY WILL STAY IF LB414 PASSES. [LB414]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB414]

SENATOR COASH: SENATOR CHAMBERS, YOU ARE RECOGNIZED. [LB414]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. SENATOR HARR IS SLIPPERY AND SLICK, BUT HE KNOWS WHAT I'M GETTING AT. AND I DON'T THINK THAT THIS COMPANY IS GOING TO LEAVE HERE IF THEY DON'T GET WHAT TO THEM IS THIS PIDDLING AMOUNT OF MONEY. IF THEY WERE GOING TO LEAVE OMAHA BECAUSE THERE WAS A PLACE THEY WOULD RATHER BE, THEY WOULD HAVE GONE BY NOW. AND THIS AMOUNT WOULD NOT BE A BIG ENOUGH BRIBE TO MAKE THEM STAY HERE IF SOMETHING WAS SO ATTRACTIVE THAT THEY WOULD FORGET ALL THAT HAS BEEN BUILT UP OVER 150 YEARS AND LEAVE. SO IF SOME OF YOU ALL WERE GOING TO VOTE FOR THIS BILL BECAUSE YOU THOUGHT WOODMEN OF THE WORLD WOULD LEAVE OMAHA, DON'T EVEN WORRY ABOUT IT. AND THEY'RE NOT PETTY LIKE LEGISLATORS AND SAY, WELL, BY GOD, WE'LL

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LEAVE BECAUSE CHAMBERS SAID WE WOULDN'T LEAVE. THAT'S CHILD PSYCHOLOGY AND IT DOESN'T EVEN WORK ON CHILDREN WHERE YOU TELL THEM DON'T DO SOMETHING AND YOU THINK THAT'S GOING TO MAKE THEM DO IT. THAT IS NOT WHAT THEY'RE GOING TO CONSIDER WHEN THEY DETERMINE WHETHER TO STAY IN THIS PLACE OR NOT. THIS IS BAD TAX POLICY AND ALL OF YOU KNOW IT. THERE IS AN URBAN-RURAL SPLIT IN THIS LEGISLATURE, ALWAYS HAS BEEN, ALWAYS WILL BE, AND ALL OF YOU KNOW IT. THE APPEAL WOULDN'T BE MADE TO THIS IS FOR RURAL, GIVE THE RURAL PEOPLE SOMETHING, IF THERE WASN'T A SPLIT. IT'S HERE. IN THE REALM OF TAXATION, THERE SHOULD BE REALISM, IF IT'S NOT ANYWHERE ELSE, BECAUSE YOU'RE DEALING WITH MONEY, MONEY THAT IS GOING TO GO OUT OF ONE POCKET INTO ANOTHER POCKET. AND PEOPLE ARE CONCERNED ABOUT THEIR MONEY. A FRIEND OF MINE WAS IN A HURRY. IT'S SAID, I'M DIGRESSING, IT'S POSSIBLE FOR A RICH PERSON TO HAVE TOO MUCH MONEY BUT NEVER ENOUGH. SO HE WAS HASTENING THROUGH THE MALL. AND HE SAW THIS GUY IN HIS CRUMPLED SUIT BENT OVER. IT LOOKED LIKE HE WAS TRYING TO PICK SOMETHING OFF THE FLOOR. AND BEFORE THE GUY COULD STOP-- HE WAS SO FASCINATED, HE SAW IT WAS A PENNY--AND THEN HE BUMPED INTO THE GUY AND APOLOGIZED AND HELPED THE GUY UP AND DUSTED HIM OFF. AND GUESS WHO IT WAS? WARREN BUFFETT, STOOPING DOWN IN A MALL TO PICK UP A PENNY. HOW MANY PENNIES WOULD HE HAVE IF HE CONVERTED ALL OF HIS MONEY INTO PENNIES? WHY, HE'D HAVE MORE PENNIES THAN SENATOR HARR COULD CARRY. THESE RICH PEOPLE DON'T THINK LIKE US POOR PEOPLE. AND EVERYBODY IN HERE IS POOR, WHETHER YOU ACKNOWLEDGE IT OR NOT. I DON'T CARE HOW MANY CATTLE YOU GROW, HOW MANY FEEDLOTS YOU'VE GOT. YOU ARE NOT RICH. MAYBE YOU'RE NEBRASKA RICH, BUT I'M TALKING ABOUT PEOPLE WHO HAVE MONEY. THEY HAVE SO MUCH MONEY THEY DON'T CARRY MONEY. THEY COULDN'T EVEN TELL YOU WHAT'S ON THE DOLLAR UNLESS YOU TELL HIM IT'S THE SAME THING THAT WAS ON THERE WHEN YOU GOT YOUR FIRST ONE, ROUGHLY. MONEY TO THEM IS JUST A WORD. MONEY IS A SYMBOL OF POWER, AUTHORITY, AND INFLUENCE. AND WOODMEN OF THE WORLD IS NOT GOING TO MOVE (SIC) HERE IF YOU DON'T GIVE THEM THIS. BUT IF YOU GIVE THEM THIS, THEN YOU ARE OVERTURNING THAT CART OF PROPERTY TAX RELIEF THAT YOU ALL HAVE BEEN REPEATING AND REPEATING AND REPEATING. WHEN AN ISSUE THAT REALLY DIDN'T CONCERN OR INVOLVE IN ANY DIRECT WAY PROPERTY TAX RELIEF, THE ZOO BILL, ALL OF YOU ARE POPPING UP TALKING AND TALKING AND GETTING ANGRY. [LB414]

SENATOR COASH: ONE MINUTE. [LB414]

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SENATOR CHAMBERS: NOW WE'RE DEALING WITH A BILL, BUT IT AFFECTS THE BIG SHOTS, SO EVERYBODY IS QUIET. EVERYBODY IS QUIET. AND THEN YOU'RE GOING TO TALK IN ANOTHER SETTING ABOUT PROPERTY TAX RELIEF, HOW WHEN YOU CAMPAIGNED YOU PROMISED IT. WHEN YOU WENT TO THIS TEA OR THAT COFFEE, YOU SAID WHAT YOU WERE GOING TO DO. THIS SHOULD BE THE FIRST STEP IN THAT DIRECTION. IT IS NOT GOOD POLICY. IT IS NOT A GOOD BILL. IT'S NOT NECESSARY IN ORDER TO ACHIEVE ANY LEGITIMATE END. WOODMEN OF THE WORLD WILL STAY HERE, AND IF THEY DON'T AND THE ONLY CONNECTION THEY HAD TO THIS STATE AND THIS TOWN WAS 80,000...80 WHATEVER... [LB414]

SENATOR COASH: TIME, SENATOR. [LB414]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB414]

SENATOR COASH: THANK YOU, SENATOR CHAMBERS. SENATOR SCHUMACHER, YOU'RE RECOGNIZED. [LB414]

SENATOR SCHUMACHER: THANK YOU, MR. PRESIDENT. FIGURED SENATOR CHAMBERS COULD USE 5 MINUTES OFF BUT PROBABLY WOULDN'T USE IT. BUT WE HAVE BEEN TALKING A LITTLE BIT ABOUT TAXES, TAX RELIEF. JUST TOSS OUT SOME OTHER THINGS FOR CONTEMPLATION. THESE ARE BILLS THAT ARE IN REVENUE COMMITTEE, PROBABLY NOT IN A POSITION TO BE MOVED OUT. BUT NEVERTHELESS, WE HEARD SOMETHING ABOUT THE AG COMMUNITY NEEDING PROPERTY TAX RELIEF, THAT PROPERTY TAXES ARE JUST REALLY, REALLY HIGH. THERE'S A BILL THERE. AND THAT PARTICULAR BILL SAYS, YOU KNOW, IT MIGHT BE TRUE, PROPERTY TAX IS TOO HIGH IN THE AG COMMUNITY BECAUSE OF THE LAND APPRECIATION. BUT RIGHT NOW WHEN A FARM APPRECIATED FROM \$500 AN ACRE TO \$15,000 AN ACRE OVER GRANDPA'S LIFETIME, GRANDPA DIES, THE HEIRS GET THAT FARM TAX FREE--NO INCOME TAXES. THEY DON'T PAY ANY, EXCEPT FOR 1 PERCENT INHERITANCE TAX TO THE COUNTY. THEY DON'T PAY ANY ESTATE TAXES. TAX FREE, A HUGE CHUNK OF MONEY. SO WHY NOT ASSESS A TAX AT THE TIME OF A SALE OF GRANDPA'S FARM, A SALES TAX OF 5 PERCENT OR SO, JUST LIKE WE TAX EVERYTHING ELSE? THAT WOULD GENERATE ABOUT \$80 MILLION A YEAR, ACCORDING TO THE FISCAL OFFICE, THAT WE COULD GIVE RIGHT BACK TO PROPERTY TAX RELIEF FOR THE FARMERS. BUT FOR SOME REASON IT'S THOUGHT THAT THE FARM PROPERTY TAX RELIEF OUGHT TO COME FROM SOMEPLACE ELSE BESIDES THE FARM ECONOMY. THERE IS ANOTHER INTERESTING TAX IN THERE CALLED THE MODERN TAX ACT. IT GENERATES



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SOMEWHERE BETWEEN \$200 (MILLION) AND \$600 MILLION A YEAR. WHAT DOES IT DO? IT APPLIES THE SALES TAX TO INTEREST PAYMENTS. SO INSTEAD OF PAYING 5 PERCENT ON A LOAN, YOU'D PAY 5.25 PERCENT ON THE LOAN. AND THAT MINUSCULE PERCENTAGE OF INCREASE IN LOAN COST IN INTEREST COULD PROVIDE ONE WHOLE LOT OF TAX RELIEF IN A WHOLE LOT OF DIFFERENT AREAS. AND IF WE'RE TALKING ABOUT POOR PEOPLE NEEDING RELIEF, DO YOU REALIZE THAT PEOPLE WORKING A SECOND JOB PAY \$40 MILLION A YEAR IN INCOME TAXES ON THAT SECOND JOB BECAUSE THEY CHOOSE TO BE PRODUCTIVE AND EMPLOYED IN THEIR SPARE TIME INSTEAD OF SITTING DOWN AT THE BAR AND DRINKING? AND WHAT ABOUT THE OLD FOLKS WHO, WHETHER IT'S BECAUSE THEY NEED TO OR BECAUSE THEY HAVE A HIGH SET OF SKILLS, PAY TAXES, DON'T RETIRE, DON'T GET ON SOCIAL SECURITY, DON'T TAKE THEIR PENSIONS AT AGE 65 BUT WORK INSTEAD? YOU REALIZE THOSE FOLKS BRING IN \$60 MILLION A YEAR BECAUSE THEY CHOOSE TO BE PRODUCTIVE AND WORK IN THEIR RETIREMENT INSTEAD OF SITTING IN A ROCKING CHAIR? WE COULD LINE UP AND TALK ABOUT TAX POLICY AROUND THE CLOCK. AND SOME TAX POLICY COULD BE REALLY CREATIVE AND DO THINGS IN A MODERN WAY. BUT ALMOST IN EVERY CASE YOU HAVE A SPECIAL INTEREST THAT SAYS, NO, NO, MY OX WOULD GET GORED THAT WAY MORE THAN THE WAY IT'S GETTING GORED THIS WAY. AND JUST FIGURE THAT...I THINK I'VE BURNED UP ABOUT 4 MINUTES NOW SO...AND I SEE SENATOR CHAMBERS GOT HIS LIGHT ON, SO JUST SOME IDEAS TOSSED OUT THERE ON TAX POLICY AND WHAT THIS BODY COULD DO IF WE CHOSE TO BE CREATIVE. BUT WE WON'T. AND NOT MUCH WILL CHANGE. THANK YOU. [LB414]

SENATOR COASH: THANK YOU, SENATOR SCHUMACHER. SENATOR CHAMBERS, YOU ARE RECOGNIZED TO CLOSE ON YOUR MOTION TO RECONSIDER. [LB414]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. MEMBERS OF THE LEGISLATURE, THE "PROFESSOR" HAS SPOKEN AGAIN. HE USES MEASURED, CONVERSATIONAL TONES. BUT I HAVE TO TELL HIM IF WE'RE THROWING THINGS AT THAT WALL AND I'VE GOT A HARD BALL AND I THROW IT AGAINST THE WALL AND IT BOUNCES BACK, THE "PROFESSOR" SAYS, HMM. HE KNOWS A LOT ABOUT QUANTUM PHYSICS. IF A HARD OBJECT WITH MOMENTUM STRIKES A STATIONARY HARD OBJECT, THAT ENERGY IS GOING TO DO SOMETHING. IT'S GOING TO CAUSE SOMETHING. THE LITTLE OBJECT CAN'T MOVE THE BIG ONE, SO THAT ENERGY WILL BE TURNED BACK ON THE SMALL OBJECT AND IT WILL GO BACK THE DIRECTION IT CAME FROM. AND THIS IS WHERE HE DROPS HIS MONEY PURSE. HE SAYS, AHA! AND THIS IS HOW SCIENTISTS EXPERIMENT. I'M GOING TO TAKE A SOFT OBJECT AND SEE IF I THROW THAT AGAINST THE WALL,

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IT WILL MAKE THE WALL MOVE. SO HE GETS AN OBJECT AND HE THROWS IT AGAINST THE WALL. BUT IT'S A RELATIVE OF HUMPTY DUMPTY. IT'S AN EGG. SO IT DOESN'T MOVE THE WALL, IT DOESN'T BOUNCE BACK, BUT IT SMASHES AND RUNS DOWN THE WALL. AND THE ONLY DIFFERENCE BETWEEN THE CONDITION OF THE WALL, WHEN I THREW THE HARD OBJECT AND HE THREW THE OTHER ONE, IS THAT THE WALL IS STAINED. I DON'T THINK ANY MORE ATTENTION WAS PAID TO WHAT THE "PROFESSOR" SAID THAN HAS BEEN PAID TO WHAT I HAVE SAID. PROPERTY TAX IS A POOL THAT ALLOWS PEOPLE TO SWIM IN ANY KIND OF WAY THEY WANT TO. THERE'S A DEEP END IF YOU WANT TO SWIM WHERE IT'S DEEP; THERE'S A SHALLOW END IF YOU WANT TO WADE. BUT YOU REALLY WANT TO JUST STAY IN THE POOL AND GET WET, BUT YOU'RE NOT GOING TO DO ANYTHING ABOUT THE WATER. YOU'RE NOT GOING TO CHANGE THE LEVEL OF THE WATER. AND NOTHING WILL BE ANY DIFFERENT FROM WHAT IT WAS BEFORE YOU GOT INTO THE WATER, EXCEPT YOU MIGHT BE A BIT CLEANER AND THE WATER A LITTLE LESS SO. THERE ARE MYRIAD WAYS TO DEAL WITH THE ISSUE OF PROPERTY TAX, TAXES. THE LEGISLATURE DOES NOT IMPOSE PROPERTY TAXES. THE LEGISLATURE CAN GIVE EXEMPTIONS SO SOME PEOPLE DON'T HAVE TO CARRY THEIR FAIR SHARE. BUT THERE ARE OTHER ENTITIES THAT LEVY THE TAXES. SO THE POLICY IS THE END OF IT THAT WE DEAL WITH. AND IF YOU CANNOT GET TOGETHER, THOSE WHO SAY THEY WANT PROPERTY TAX RELIEF TO BE IN THE CENTER OF THE TABLE, AND COME UP WITH ANYTHING IN THE WAY OF EVEN A FEASIBLE PROPOSITION, THEN NOTHING IS GOING TO BE DONE. SO YOU HAVE OTHER PEOPLE, CLEVER LIKE SENATOR HARR'S PATRON, I'LL USE THAT TERM ADVISEDLY, WHO ARE GOING TO JUMP IN HERE AND GET THEIRS WHILE YOU ALL ARE SQUABBLING. THEY WILL WALK AWAY WITH WHAT WAS NOT EVEN CONTEMPLATED WHEN SOME OF YOU WERE GOING AROUND THE STATE CAMPAIGNING, OTHERS WERE HAVING HEARINGS. WHAT WAS NOT CONTEMPLATED WAS THAT THE FIRST REALLY SIGNIFICANT BILL THAT DEALS WITH PROPERTY TAX, PERIOD, WOULD BE TO GIVE AN EXEMPTION TO ONE OF THE BIGGEST, MOST POWERFUL OUTFITS IN THE CITY OR IN THE STATE. HOW MANY OF YOU ALL TOLD THE PEOPLE WHEN YOU WERE CAMPAIGNING THAT WOULD BE THE FIRST BIG ISSUE YOU WOULD DEAL WITH? THEN YOU DIDN'T EVEN WANT TO TALK ABOUT IT. [LB414]

SENATOR COASH: ONE MINUTE. [LB414]

SENATOR CHAMBERS: AND YOU'RE NOT GOING TO DO ANYTHING ABOUT IT. YOU'RE GOING TO ROLL OVER BECAUSE WOW, WOODMEN OF THE WORLD, SAID, DO IT. REALLY? YOU ALL TALK ABOUT BEING EMBARRASSED BY WHAT I SAY. THINK ABOUT WHAT YOU DO. YOU ALL ARE THE ONES WHO OUGHT TO BE

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EMBARRASSED. I WON'T APOLOGIZE FOR WHAT I SAY BECAUSE I KNOW WHAT I'M SAYING AND I MEAN IT. YOU ALL SAY THINGS THAT YOU DON'T MEAN AND YOUR ACTION WILL NOT FOLLOW. BUT MINE WILL FOLLOW. MR. PRESIDENT, I WILL WITHDRAW THAT MOTION. [LB414]

SENATOR COASH: ANY OBJECTIONS? SEEING NONE, THE RECONSIDER MOTION IS WITHDRAWN. MR. CLERK. [LB414]

ASSISTANT CLERK: MR. PRESIDENT, SENATOR SCHNOOR WOULD MOVE TO BRACKET THE BILL UNTIL JUNE 5. [LB414]

SENATOR COASH: SENATOR SCHNOOR, YOU ARE RECOGNIZED TO OPEN ON YOUR MOTION TO BRACKET. [LB414]

SENATOR SCHNOOR: THANK YOU. WELL, WE'VE TALKED ABOUT THIS ALL...I THINK JUST ABOUT ALL MORNING. I THINK EVERYBODY HAS GOT THEIR MIND MADE UP, SO LET'S GO AHEAD AND VOTE. THANKS. [LB414]

SENATOR COASH: MEMBERS, YOU'VE HEARD THE OPENING ON THE MOTION TO BRACKET. SEEING NO MEMBERS WISHING TO SPEAK...EXCUSE ME, SENATOR CHAMBERS, YOU ARE RECOGNIZED. [LB414]

SENATOR CHAMBERS: ONLY TO SAY, MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, I AGREE WITH SENATOR SCHNOOR'S MOTION. AND THIS IS A WAY THAT WE CAN RESOLVE THIS MATTER AND BE AWAY FROM ALL OF THIS AND GO ONTO OTHER THINGS, IF YOU CHOOSE TO DO SO. I WILL NOT MONOPOLIZE SENATOR SCHNOOR'S MOTION. BUT IF HIS FAILS, THEN I HAVE MOTIONS OF MY OWN THAT I WILL FILE WHICH I WILL MONOPOLIZE. THANK YOU, MR. PRESIDENT. [LB414]

SENATOR COASH: THANK YOU, SENATOR CHAMBERS. SEEING NO OTHER MEMBERS WISHING TO SPEAK, SENATOR SCHNOOR, YOU'RE RECOGNIZED TO CLOSE ON YOUR MOTION. SENATOR SCHNOOR WAIVES CLOSING. THERE HAS BEEN A REQUEST TO PLACE THE HOUSE UNDER CALL. THE QUESTION IS, SHALL THE HOUSE GO UNDER CALL? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB414]

ASSISTANT CLERK: 26 AYES, 0 NAYS TO GO UNDER CALL. [LB414]

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SENATOR COASH: THE HOUSE IS UNDER CALL. MEMBERS, PLEASE RETURN TO THE CHAMBER AND RECORD YOUR PRESENCE. ALL UNAUTHORIZED PERSONNEL PLEASE LEAVE THE FLOOR. THE HOUSE IS UNDER CALL. SENATOR KINTNER, PLEASE CHECK IN. SENATOR WILLIAMS, PLEASE CHECK IN. SENATOR HUGHES, PLEASE CHECK IN. SENATOR RIEPE, PLEASE CHECK IN. MEMBERS, THE QUESTION BEFORE THE BODY IS, SHALL LB414 BE BRACKETED? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. HAVE ALL VOTED WHO WISH? RECORD, MR. CLERK. [LB414]

ASSISTANT CLERK: 7 AYES, 26 NAYS ON THE MOTION TO BRACKET THE BILL, MR. PRESIDENT. [LB414]

SENATOR COASH: THE MOTION TO BRACKET IS NOT ADOPTED. MR. CLERK. RAISE THE CALL. [LB414]

ASSISTANT CLERK: MR. PRESIDENT, SENATOR CHAMBERS WOULD MOVE TO INDEFINITELY POSTPONE THE BILL. [LB414]

SENATOR COASH: SENATOR HARR, AS THE PRIMARY INTRODUCER, YOU ARE... YOU CAN ACCEPT THE MOTION OR TAKE IT UP. [LB414]

SENATOR HARR: I DON'T ACCEPT THE MOTION. [LB414]

SENATOR COASH: SENATOR CHAMBERS, YOU ARE RECOGNIZED TO OPEN ON YOUR MOTION. [LB414]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, I DON'T KNOW WHEN THIS BILL WILL COME BACK AGAIN OR IF IT WILL. BUT WHENEVER IT COMES BACK, FOR ME, IT WILL BE SECOND VERSE SAME AS THE FIRST. AND MAYBE OVERNIGHT SOME OF YOU PROPERTY TAX RELIEF WARRIORS WILL THINK ABOUT ALL THE YACKETY-YAKKING YOU'VE DONE. YOU ALL ARE WHAT BROUGHT ME UP OUT OF MY OFFICE YESTERDAY. AND I ALSO SAW A RURAL-URBAN SPLIT DEVELOPING OUT IN THE OPEN, CONTRARY WHAT PEOPLE WISH. SO I'M GOING TO HOLD YOUR FEET TO FIRE THAT YOU IGNITED. I'M NOT THE ONE WHO TALKED ABOUT PROPERTY TAX RELIEF. YOU GOT MAD AT SENATOR LARSON BECAUSE HE BROUGHT UP CHARTER SCHOOLS WHENEVER HE HAD THE OPPORTUNITY. YOU'VE INTIMIDATED MY YOUNG COLLEAGUE INTO SILENCE. BUT AT ANY RATE, I HEAR

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PROPERTY TAX BROUGHT UP ON EVERY MANNER OF LEGISLATIVE OFFERING. PROPERTY TAX RELIEF. WHY, WHEN I CAMPAIGNED, I TALK ABOUT THE GOVERNMENT IS TOO BIG AND WE'VE GOT TO REDUCE THE SIZE OF GOVERNMENT AND WE NEED PROPERTY TAX RELIEF, MR. A. MR. B, WELL, I'VE HEARD A LOT OF CONVERSATION HERE, BUT I'VE SEEN NOTHING AT ALL DONE ABOUT TAX RELIEF, JUST A GENERAL STATEMENT. THEN MR. C, NOT CHAMBERS, SAYS, WELL, I THINK IT'S UNFAIR TO SAY THERE'S BEEN NOTHING DONE ON TAXATION. WHY, THIS IS WHAT WE'VE DONE IN THE APPROPRIATIONS COMMITTEE. SITS DOWN, THEN SOMEBODY ELSE POPS UP. WHAT DID YOU SAY TO PEOPLE WHEN YOU WENT DOOR TO DOOR IN YOUR CAMPAIGN? WHAT DID THEY SAY TO YOU? ALL THOSE HERE SAY THAT THEN...THE PERSON THEN ANSWERS THE QUESTION, THEY TOLD ME PROPERTY TAX, THAT'S WHAT'S ON THEIR MIND, PROPERTY TAX RELIEF. THAT'S ALL THEY WANTED TO TALK ABOUT. AND THOSE KINDS OF THINGS ARE SAID ON LEGISLATION THAT HAS NOTHING TO DO WITH PROPERTY TAX OR ANY OTHER KIND OF TAX. THEN WHEN WE GOT A BILL RIGHT HERE DEALING WITH PROPERTY TAX EXEMPTION, YOU ALL ARE QUIET AS MICE. YOU SAY NOTHING. IF YOU WOULD PROMISE ME THAT YOU'D NEVER RAISE ANOTHER WHIMPER WHILE WE'RE IN HERE ABOUT PROPERTY TAX RELIEF, THEN I WON'T BRING UP PROPERTY TAX RELIEF AND TALK ABOUT YOU LIKE THIS. BUT YOU KNOW GOOD AND WELL YOU'RE GOING TO BE POPPING UP, TALKING ABOUT PROPERTY TAX RELIEF, AND DON'T HAVE ANY IDEA HOW TO GO ABOUT DOING IT. AND YOU PROBABLY CAN'T GET SIX PEOPLE TO AGREE WITH YOU ON IT, BUT A LOT OF YOU WILL AGREE ON THIS BILL BECAUSE YOU ARE ACCUSTOMED TO BOWING AND LICKING THE BOOTS OF BIG SHOTS. SO I GUESS WHAT I SHOULD SAY HERE, IF THE SHOE FITS, SHINE IT. IF THE BOOT FITS, LICK IT. YOU ALL KNOW WHO GETS THE CONSIDERATION HERE. AND YOU GET UPSET WITH ME FOR TELLING THE TRUTH THAT EVERY ONE OF YOU KNOWS. THIS IS THE BILL WE OUGHT TO TALK ABOUT PROPERTY TAX ON, ISN'T IT? THIS BILL IS ABOUT TELLING SOMEBODY WHO CAN WELL AFFORD TO PAY PROPERTY TAXES, YOU'RE NOT GOING TO HAVE TO PAY ANY. WELL, I GUESS YOU CAN SAY WHEN YOU GO BACK TO YOUR CONSTITUENTS, I VOTED FOR PROPERTY TAX RELIEF TODAY. AND THEN YOU WANT TO GARBLE AND NOT GO INTO ANY DETAIL ABOUT THE FACT THAT YOU GAVE IT TO A BIG COMPANY THAT DIDN'T NEED IT. SO IF THEY INSIST ON THE CONVERSATION AND THEY SAY, OH, THEN WHEN TAX TIME COMES ON MY FARM, MY PROPERTY...AND YOU SAY, OH, WAIT A MINUTE, I THINK I HEAR MY WIFE CALLING ME. I CAN'T TALK TO YOU ABOUT THAT RIGHT NOW, BUT NEXT TIME WE'LL TALK ABOUT IT. THEN YOU MAKE SURE YOU DON'T VISIT THAT HOUSE AGAIN. YOU WRITE THAT ADDRESS DOWN AND YOU'RE NOT GOING TO GO THAT WAY AGAIN. BUT YOU OUGHT TO BE HONEST. ALL THE TALK OF PROPERTY TAX RELIEF, QUOTING SHAKESPEARE, IS AS A TALE TOLD BY AN

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IDIOT FULL OF SOUND AND FURY, SIGNIFYING NOTHING. WHAT DIFFERENCE DOES IT MAKE WHAT I TALK ABOUT? YOU'RE GOING TO GET MAD ANYWAY. I TALK ABOUT YOUR "BIBBLE"; YOU DON'T LIKE THAT. TALK ABOUT RELIGION; YOU DON'T LIKE THAT. TALK ABOUT PRAYER; YOU DON'T LIKE THAT. TALK ABOUT SALVATION; YOU DON'T LIKE THAT. TALK ABOUT JUSTICE; YOU DON'T WANT TO HEAR THAT. TALK ABOUT RACISM; NO. TALK ABOUT RURAL-URBAN SPLIT; UH-UH. WHY YOU'D LIKE ME TO BE QUIET... YOU'D LIKE ME TO BE QUIET. I FINALLY HAVE FIGURED IT OUT. THAT'S WHAT YOU WANT FROM ME--BLESSED QUIETNESS, HOLY QUIETNESS. BUT YOU WON'T GET IT FROM ME. WE WILL COME BACK THIS AFTERNOON AND THE HATRED FOR PRESIDENT OBAMA WILL BE MANIFEST, MORE HATRED FOR PRESIDENT OBAMA THAN LOVE OF CHRIST, AND WHAT CHRIST TOLD YOU, YOU OUGHT TO DO. AND THERE GOES SENATOR KINTNER, SAID THAT IF YOU ARE A CHRISTIAN, THE CHRISTIANS COME AT YOU. IF YOU'RE POOR, THEY COME AT YOU. IF YOUR PARENTS BROUGHT YOU HERE WHEN YOU WERE YOUNG AND YOU NEED A VEHICLE DRIVER'S LICENSE, THEY COME AT YOU. YOU'RE THE ONLY STATE THAT SAYS NO; AND SENATOR BRASCH IS GOING TO BRAG ABOUT HOW PEOPLE ENVY NEBRASKA. CAN'T GET MEDICAL CARE, CAN'T GET A DRIVER'S LICENSE, AND PEOPLE LOOK AT NEBRASKA AND SAY, OOH, YOU KNOW WHAT, GO TO NEBRASKA. THE RENAISSANCE IS IN FULL FLOWER IN NEBRASKA. WHY, YOU FIND INTELLECTUAL STIMULATION ON EVERY STREET CORNER. YOU CAN'T TURN ON THE RADIO. THEY GOT TALK SHOWS, BUT THEY TALK NOT POLITICS AND THAT CRAZY STUFF; THEY TALK CULTURE. AND THEN TO SHOW HOW SMART THEY ARE IN NEBRASKA, THEY SAY, WHAT DO MOST OF THE CHILDREN DO WHEN THEY GRADUATE FROM HIGH SCHOOL? SOMEBODY SAY, OH, THEY "TAKE" COLLEGE, NOT THEY "GO" TO COLLEGE, THEY "TAKE" COLLEGE. OH, THEY TAKE COLLEGE IN NEBRASKA? UM-HUM. WELL, IN MY STATE, THEY TAKE SUBJECTS; THEY TAKE MAJORS. THEY SAY, WELL, I DON'T WANT TO TALK ABOUT THE MILITARY BECAUSE I'M A PACIFIST. WELL, WHAT DOES THE MILITARY GOT TO DO WITH IT? WELL, YOU SAID "MAJOR." THAT'S HOW PEOPLE LOOK AT THIS STATE. AND IF YOU THINK THEY DON'T, YOU'RE THE ONE WHO HASN'T BEEN ANYWHERE. BUT I'M GOING TO BRING IT OUT, BUT I'M TRYING TO PUT IN IT YOUR YARD WHERE YOU WANT TO BE. YOU WANT TO TALK ABOUT PROPERTY TAX. SO WE'RE GOING TO HAVE A CHANCE TO TALK ABOUT IT A LOT LONGER ON THIS BILL, MAYBE NOT TODAY, MAYBE NOT EVER, BECAUSE THE END OF THE WORLD MAY COME BEFORE WE MEET AGAIN. BUT IT'S NOT LIKELY. THANK YOU, MR. PRESIDENT. [LB414]

SENATOR COASH: THANK YOU, SENATOR CHAMBERS. SENATOR LARSON, YOU ARE RECOGNIZED. [LB414]

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SENATOR LARSON: THANK YOU, COLLEAGUES. I CAN ASSURE YOU MY TIME AT THE MIKE ON CHARTER SCHOOLS IS NOT DONE THIS YEAR. FRANKLY, I AM SURE YOU ALL HAVE A LOT OF TIME ON CHARTER SCHOOLS COMING UP THIS YEAR TO CONTINUE TO LEARN ABOUT THE EDUCATION SYSTEM IN NEBRASKA AND HOW IT IS IMPROVING ACROSS THE NATION, AND OTHER STATES ARE EMBRACING THEM AS EDUCATIONAL MODELS TO MOVE FORWARD, WHILE WE CHOOSE NOT TO. I'M LOOKING AT AN ARTICLE RIGHT NOW IN THE PROVIDENCE JOURNAL, PROVIDENCE, RHODE ISLAND. EDITORIAL FROM THE PROVIDENCE JOURNAL-- EMBRACE CHARTER SCHOOLS. IT TALKS ABOUT HOW THEY ARE HELPING THE STUDENTS OF RHODE ISLAND SIGNIFICANTLY IMPROVE. IT OPENLY ADMITS THAT NOT EVERYONE SUCCEEDS, BUT WHEN WE'RE TALKING ABOUT OTHER FAILING SCHOOL DISTRICTS, THE CHARTER SCHOOLS ARE AN OPTION. AND THAT IS MY POINT. PARENTS SHOULD HAVE AN OPTION. OVER THIS WEEKEND, WE SAW FROM THE OKLAHOMAN, THE TOP NEWSPAPER IN OKLAHOMA, COVERING OKLAHOMA...THE OKLAHOMA LEGISLATURE. IT SAYS CHARTER SCHOOLS NEED TO BE EXPANDED IN OKLAHOMA. THEY WILL OFFER MORE OPPORTUNITIES FOR STUDENTS AND FAMILIES IN OKLAHOMA AND CONTINUE TO HELP REVITALIZE NOT ONLY OKLAHOMA CITY BUT THE WHOLE STATE. THERE WAS A GREAT ARTICLE ABOUT A TRADITIONAL PUBLIC SCHOOLTEACHER THAT HAS CHOSEN TO SEND HER KIDS TO CHARTER SCHOOLS BECAUSE THEY OFFER DIFFERENT OPPORTUNITIES THAT BETTER SUIT HER CHILDREN'S NEEDS. LET'S NOT FORGET ABOUT THE CHARTER SCHOOL IN NORTH CAROLINA THAT HAS GAINED NATIONWIDE ATTENTION BECAUSE IT'S DEALING WITH KIDS SPECIFICALLY WITH DEVELOPMENTAL DISABILITIES, MOST OF THEM WITH AUTISM, AND HAS CREATED AN ENTIRE EDUCATIONAL SYSTEM ON TEACHING THESE KIDS AND INTEGRATING THESE KIDS. AND IN ONE OF THE MOST GUT-WRENCHING INTERVIEWS I HAVE EVER SEEN, I SEE A 14-YEAR-OLD SAYING: PLEASE DON'T CLOSE MY SCHOOL; THIS IS THE FIRST PLACE I HAVE FELT COMFORTABLE AND I HAVE FRIENDS. WHEN I'M IN THE...AND CONTINUES TO GO ON AND SAY PRETTY MUCH WHEN HE WAS IN REGULAR SCHOOL, HE NOT ONLY WAS LOOKED DOWN UPON BUT NEVER HAD ANY FRIENDS. CHARTER SCHOOLS GIVE THE OPPORTUNITY TO THINK OUTSIDE THE BOX. WE LOOK AT NEW YORK. GOVERNOR CUOMO IS GETTING THE PISS BEAT OUT OF HIM BY THE NEW YORK TEACHERS UNION. BUT HE'S STANDING UP ON THE SIMPLE FACT THAT HE UNDERSTANDS THAT SOME SCHOOLS NEED TO BE CLOSED. SOME SCHOOLS ARE FAILING, AND CHARTER SCHOOLS ARE SUCCEEDING IN NEW YORK. THE NEW YORK TIMES DID AN EXPOSE ON THE SUCCESS ACADEMY. AND IT WAS FUNNY. THEY TRIED TO PAINT THEM IN AS NEGATIVE A LIGHT AS THEY COULD IN THE SENSE THAT THEY TRIED TO CRITICIZE THE TEACHING METHODS THAT ARE PRACTICED AT THE SUCCESS ACADEMY. WE ACTUALLY HAVE A FORMER

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NEBRASKA LEGISLATIVE STAFFER THAT IS A TEACHER AT A CHARTER SCHOOL AT SUCCESS ACADEMY IN NEW YORK CITY. YET THE ONE THING THAT THE NEW YORK TIMES COULDN'T DENY WAS THAT CITYWIDE SUCCESS ON THE STANDARDIZED READING TEST IS 19 PERCENT... [LB414]

SENATOR COASH: ONE MINUTE. [LB414]

SENATOR LARSON: ...BUT AT SUCCESS IT WAS 65 PERCENT. AND IN MATH, THE CITYWIDE WAS JUST ABOVE 30, BUT AT SUCCESS ACADEMY IT WAS 94 PERCENT. THEY ALSO COULDN'T DENY THAT THERE ARE 26,000 KIDS ON A WAITING LIST TO GET INTO SUCCESS ACADEMY FOR 2,200 SPOTS. IF IT WAS SO BAD AND WAS FAILING...IF CHARTER SCHOOLS WERE FAILING OUR STUDENTS, AS WE HEAR, WHY WOULD 26,000 KIDS BE ON A WAITING LIST? SENATOR CHAMBERS, I CAN ASSURE YOU, I AM NOT DONE ON THIS ISSUE. THIS IS AN IMPORTANT ISSUE. AND I WILL CONTINUE TO TALK ABOUT IT BECAUSE THEY ARE SUCCEEDING EVERYWHERE IN THE NATION. GOVERNORS AND LEGISLATURES ACROSS THIS COUNTRY ARE CLOSING FAILING SCHOOLS AND WE CAN INTERVENE IN THREE WHILE WE GRADE THEM EXCELLENT, GREAT, GOOD, AND NEEDS IMPROVEMENT. THAT IS NOT ACCEPTABLE. WE ARE FAILING THE CHILDREN AS EVERY OTHER STATE MOVES FORWARD. [LB414]

SENATOR COASH: TIME, SENATOR. [LB414]

SENATOR LARSON: THANK YOU, MR. PRESIDENT. [LB414]

SENATOR COASH: THANK YOU, SENATOR LARSON. MR. CLERK. [LB414]

ASSISTANT CLERK: MR. PRESIDENT, SOME ITEMS: YOUR COMMITTEE ON TRANSPORTATION REPORTS LB629 TO GENERAL FILE WITH AMENDMENTS. NEW A BILL. (READ LB663A BY TITLE FOR THE FIRST TIME.) NEW RESOLUTION: LR171 BY SENATOR COASH, THAT WILL BE LAID OVER. AMENDMENT TO BE PRINTED TO LB85 FROM SENATOR BLOOMFIELD. AN ANNOUNCEMENT THAT JUDICIARY WILL HOLD AN EXECUTIVE SESSION AT 1:00 IN ROOM 2022. (LEGISLATIVE JOURNAL PAGES 1083-1084.) [LB629 LB663A LR171 LB85]

AND FINALLY, A PRIORITY MOTION: SENATOR McCOLLISTER WOULD MOVE TO RECESS UNTIL 1:30 P.M.



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SENATOR COASH: MEMBERS, YOU'VE HEARD THE MOTION. ALL THOSE IN FAVOR SAY AYE. WE ARE IN RECESS.

RECESS

SPEAKER HADLEY PRESIDING

SPEAKER HADLEY: GOOD AFTERNOON, LADIES AND GENTLEMEN. WELCOME TO THE GEORGE W. NORRIS LEGISLATIVE CHAMBER. THE AFTERNOON SESSION IS ABOUT TO RECONVENE. SENATORS, PLEASE RECORD YOUR PRESENCE. ROLL CALL. GOOD AFTERNOON, LADIES AND GENTLEMEN. WELCOME TO THE GEORGE W. NORRIS LEGISLATIVE CHAMBER. THE AFTERNOON SESSION IS ABOUT READY TO CONVENE. MR. CLERK, PLEASE RECORD.

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

SPEAKER HADLEY: THANK YOU, MR. CLERK. DO YOU HAVE ANY ITEMS FOR THE RECORD?

CLERK: I HAVE NOTHING AT THIS TIME.

SPEAKER HADLEY: THE LEGISLATURE IS IN SESSION AND CAPABLE OF TRANSACTING BUSINESS, I PROPOSE TO SIGN AND DO HEREBY SIGN LR158. MR. CLERK, WE WILL PROCEED TO THE FIRST ITEM ON THIS AFTERNOON'S AGENDA. [LR158]

CLERK: LB472 INTRODUCED BY SENATOR CAMPBELL. (READ TITLE.) THE BILL WAS INTRODUCED ON JANUARY 20, REFERRED TO THE HEALTH AND HUMAN SERVICES COMMITTEE. THE BILL WAS ADVANCED TO GENERAL FILE. I DO HAVE COMMITTEE AMENDMENTS, MR. PRESIDENT. (AM676, LEGISLATIVE JOURNAL PAGE 805.) [LB472]

SPEAKER HADLEY: SENATOR CAMPBELL, YOU'RE RECOGNIZED TO OPEN ON LB472. [LB472]

SENATOR CAMPBELL: THANK YOU, MR. PRESIDENT, AND GOOD AFTERNOON, COLLEAGUES. IN THE PAST FEW MONTHS, THE MOST OFTEN ASKED QUESTION

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OF ME--AND I MUST SAY MOSTLY FROM THE PRESS--WAS WHY? WHY FOR A THIRD TIME INTRODUCE A MEDICAID REDESIGN BILL? QUOTE, YOU FAILED TWICE BEFORE. WHY AGAIN? I COULD HAVE ANSWERED WITH THE THOMAS EDISON QUOTE: I HAVEN'T FAILED. I'VE JUST FOUND 10,000 WAYS THAT WON'T WORK. BUT MY OUTLOOK REFLECTS A QUOTE FROM ONE OF MY FAVORITE SPORTS FIGURES, AND I COULD SAY OF ALL TIME. AND THE QUOTE IS: I CAN ACCEPT FAILURE. EVERYONE FAILS AT SOMETHING. BUT I CAN'T ACCEPT NOT TRYING. AND IF YOU NAMED THAT SPORTS FIGURE AS MICHAEL JORDAN, YOU WOULD BE CORRECT. TWO YEARS AGO I OFTEN HEARD, WHY DON'T YOU JUST WAIT UNTIL WE SEE WHAT HAPPENS WITH SOME OF THE OTHER STATES? WELL, 28 STATES, PLUS THE DISTRICT OF COLUMBIA HAVE NOW EXPANDED MEDICAID. NEW JERSEY SEES A 43 PERCENT DROP IN UNCOMPENSATED CARE. ARKANSAS PREDICTS \$370 MILLION IN SAVINGS THROUGH FISCAL YEAR 2021. KENTUCKY DEPARTMENT OF CORRECTIONS' BUDGET SAW AN \$11 MILLION REDUCTION IN BOTH FISCAL YEARS 2015 AND HAS SET THAT FOR 2016 IN THE COVERAGE FOR PRISONERS' MEDICAL TREATMENT. THE URGENCY FOR PASSAGE OF LB472 IS ONLY INCREASING. THE CASE FOR IT ONLY BECOMES STRONGER. RIGHTLY IN THIS DEBATE, WE WILL HEAR ABOUT THE PEOPLE IN THE COVERAGE GAP THAT CANNOT GET INSURANCE, ABOUT HOW THEY'RE LOCKED OUT OF THE SYSTEM AND ABOUT HOW THIS BILL CAN SAVE LITERALLY HUNDREDS OF LIVES IN THE YEARS AHEAD. ACCESS HAS BEEN THE CENTER OF SUPPORTERS' DISCUSSION WITH YOU IN THE PAST TWO YEARS. BUT LISTENING TO SENATORS, I BECAME MORE CONVINCED THAT WE NEEDED TO LOOK AT THE FISCAL IMPACT. WHAT ARE THE COSTS TO DO THIS AND WHAT ARE THE COSTS IF WE DON'T DO IT? ESSENTIALLY, THE BOTTOM LINE QUESTION IS, HOW DO WE PAY FOR IT? IF I WERE WRITING THE HEADLINE TO THIS OPENING, IT WOULD BE "LB472 PAYS FOR ITSELF, RETURNS OUR TAX DOLLARS, AND SAVES NEBRASKANS MONEY." THE FOLLOWING IS A LIST OF THE TEN MOST IMPORTANT FISCAL IMPACTS OF LB472. BUT FIRST, AN EXPLANATION OF MUCH OF THE FISCAL IMPACT IS TAKEN FROM A STUDY COMPLETED BY TWO UNK PROFESSORS, DR. ALLAN JENKINS AND DR. RON KONECNY, WHICH IS THEIR WORK AND CERTAINLY DOES NOT REPRESENT THE UNIVERSITY OF NEBRASKA AND ANY OF ITS CAMPUSES OR SYSTEM. A COPY SHOULD HAVE BEEN DELIVERED TO YOU. AND IN ADDITION TO THAT, THERE HAS BEEN HOURS OF RESEARCH BY MANY SUPPORTERS TO PULL TOGETHER THE FACTS. NUMBER ONE, THE REVENUE GENERATED BY LB472 WOULD PAY FOR THE BILL THREE TIMES OVER. YES, I SAID THREE TIMES OVER. WE KNOW, LOOKING AT THE FISCAL NOTE, THAT THE INVESTMENT NEEDED BY THE STATE BETWEEN NOW AND 2020 IS ABOUT \$59 MILLION. THIS UP-FRONT INVESTMENT ALLOWS US TO DRAW BACK \$2.2 BILLION OF OUR NEBRASKANS' TAX DOLLARS. THE INFUSION OF THESE DOLLARS INTO OUR STATE WILL

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GENERATE A SIGNIFICANT AMOUNT OF ECONOMIC ACTIVITY AND, THEREFORE, REVENUE. WE HAVE ALREADY SEEN THIS TO BE TRUE IN OTHER STATES. ARKANSAS GENERATED \$4.7 MILLION IN REVENUE IN 2014 ALONE. AND ACCORDING TO THE RECENT JENKINS-KONECNY STUDY, BETWEEN NOW AND 2020, LB472 WOULD GENERATE ALMOST \$175 MILLION IN NEBRASKA STATE REVENUE, WHICH WOULD PAY FOR THE SHARE OF THE STATE'S INVESTMENT THREE TIMES OVER. AND, COLLEAGUES, THIS IS AN INVESTMENT. IT'S AN INVESTMENT IN OUR PEOPLE IN NEBRASKA. NUMBER TWO, LB472 WOULD RETURN BILLIONS OF OUR DOLLARS BACK TO THE STATE. THERE ARE A NUMBER OF HEALTH-RELATED REVENUE PROVISIONS IN THE ACA THAT NEBRASKANS ARE ALREADY PAYING. IN NEBRASKA, THE AMOUNT OF TAX DOLLARS WE WILL PAY, EVEN IF THIS BILL SHOULD NOT PASS, IS ABOUT \$2.2 BILLION BETWEEN NOW AND 2020. WE NEED TO BRING THAT MONEY BACK TO NEBRASKA AND INFUSE IT IN OUR ECONOMY. NUMBER THREE, LB472 WILL SIGNIFICANTLY CURTAIL SPENDING IN SEVERAL PUBLIC ASSISTANCE PROGRAMS. IF YOU LOOK AT THE FISCAL NOTE IN THE NEXT FIVE YEARS, LB472 WILL SAVE \$43.9 MILLION FROM THE STATE DISABILITY PROGRAM. FROM NOW TO 2020, WE'LL SEE \$21 MILLION IN BEHAVIORAL HEALTH SAVINGS; \$4.3 MILLION IN THE AIDS DRUG PRESCRIPTION PROGRAM, FOR A GRAND TOTAL OF ALMOST \$70 MILLION SAVED IN PUBLIC ASSISTANCE PROGRAMS BETWEEN NOW AND 2020 AND THESE ARE ALL NOW PAID FOR BY GENERAL FUNDS. LB472, IN NUMBER FOUR, WOULD REDUCE PREMIUM COSTS FOR NEBRASKANS. UNCOMPENSATED CARE HAS BEEN A PROBLEM FOR MANY YEARS. THE REASON UNCOMPENSATED CARE IS IMPORTANT FOR EVERYDAY NEBRASKANS IS BECAUSE ITS COST IS PASSED ON TO EVERYONE IN THE FORM OF MORE EXTENSIVE HEALTH INSURANCE PREMIUMS, CREATING WHAT MANY HAVE CALLED A HIDDEN TAX. NATIONALLY, UNCOMPENSATED HOSPITAL CARE WAS REDUCED BY \$7.4 BILLION IN 2014, BUT TWO-THIRDS OF THAT REDUCTION, \$5 BILLION, OCCURRED IN MEDICAID EXPANSION STATES. PASSING LB472 WOULD REDUCE UNCOMPENSATED CARE IN NEBRASKA. A RECENT STUDY--AGAIN, FROM JENKINS AND KONECNY--CONFIRM THIS, FINDING THAT EXPANSION WOULD REDUCE UNCOMPENSATED CARE IN HOSPITALS BY \$483.5 MILLION IN NEBRASKA BETWEEN NOW AND 2020. NUMBER FIVE, LB472 WILL SAVE SIGNIFICANT DOLLARS IN OUR CORRECTIONS SYSTEM. ANY SERIOUS REFORM EFFORT MUST INCLUDE ACCESS TO MENTAL HEALTH AND SUBSTANCE ABUSE TREATMENT FOR THOSE ON PROBATION AND ON PAROLE. WE'VE ALREADY HEARD THIS FROM OUR EXCELLENT SPECIAL COMMITTEE. A SIMPLE WAY TO DO THIS IS TO ENSURE THESE INDIVIDUALS HAVE ACCESS TO HEALTH INSURANCE. BUT TRADITIONAL MEDICAID IS UNAVAILABLE FOR MANY OF THOSE ON PROBATION OR ON PAROLE BECAUSE IT

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DOES NOT COVER ADULTS WITHOUT CHILDREN, NO MATTER HOW LOW THEIR INCOME IS. PROVIDING THESE SERVICES CAN SAVE MONEY... [LB472]

SPEAKER HADLEY: ONE MINUTE. [LB472]

SENATOR CAMPBELL: ...BY HELPING...THANK YOU, MR. PRESIDENT...BY HELPING TO REDUCE RECIDIVISM, WHICH STUDIES HAVE SHOWN OCCUR FREQUENTLY WITH THE POPULATION DUE TO THE DIFFICULTIES MANAGING HEALTH CONCERNS UPON REENTERING THE COMMUNITY. WE KNOW THAT WE WILL HAVE TO PROVIDE THIS, COLLEAGUES. THE QUESTION IS, ARE WE GOING TO DO IT 100 PERCENT ON THE STATE DIME OR ARE WE GOING TO UTILIZE OUR PARTNERSHIP WITH THE FEDERAL GOVERNMENT? MR. PRESIDENT, I THINK I'LL STOP HERE AND FINISH MY LIST AS WE GO INTO THE AMENDMENT. [LB472]

SPEAKER HADLEY: (VISITORS INTRODUCED.) AS THE CLERK STATED, THERE ARE AMENDMENTS FROM THE HEALTH AND HUMAN SERVICES COMMITTEE. SENATOR CAMPBELL, AS CHAIR OF THE COMMITTEE, YOU'RE RECOGNIZED TO OPEN ON THE AMENDMENTS. [LB472]

SENATOR CAMPBELL: THANK YOU, MR. PRESIDENT. AND I WILL CONTINUE TO FINISH OUT MY OPENING ON THE MAIN BILL. THE NUMBER SIX FISCAL IMPACT IS LB472 USES THE PRIVATE MARKET, WHICH WOULD LOWER COSTS FOR EVERYONE. I HAVE HEARD MANY IN THIS BODY SAY TO ME, I WANT A MARKET-DRIVEN SOLUTION TO COVER THIS POPULATION. IT IS IMPORTANT TO POINT OUT THAT LB472 USES THE PRIVATE MARKET AND DOES SO IN A WAY THAT WILL STRENGTHEN THE MARKETPLACE. HEALTHY INDIVIDUALS WITH INCOME AT OR ABOVE 100 PERCENT OF THE FEDERAL POVERTY LEVEL WILL RECEIVE ASSISTANCE IN PURCHASING A PLAN IN THE PRIVATE MARKETPLACE, THEREBY INCREASING THE NUMBER OF PEOPLE. NUMBER SEVEN, LB472 WOULD HELP AVERT BANKRUPTCIES. A LACK OF HEALTH INSURANCE COVERAGE IS A SIGNIFICANT FACTOR IN BANKRUPTCIES. WE HAD AN EXCELLENT INTERIM HEARING THIS SUMMER SPONSORED BY SENATOR DAVIS, AND I'M SURE HE WILL COVER THAT IN OUR CONVERSATION. IN NEBRASKA, A REAL REVIEW OF 2013 BANKRUPTCY FILINGS CONFIRMED MEDICAL DEBT IS A SIGNIFICANT FACTOR IN DECLARING BANKRUPTCIES AND THERE ARE SOME CONSERVATIVE ESTIMATES. WE LOOKED AT DAWSON COUNTY, OTOE COUNTY, AND RED WILLOW. IN DAWSON, ALMOST ONE THIRD OF THE FILINGS HAD 20 PERCENT OR MORE OF MEDICAL DEBT. IN OTOE, ALMOST ONE THIRD OF THE FILINGS HAD 30 PERCENT OR MORE OF MEDICAL DEBT. AND IN RED WILLOW, ALMOST ONE FOURTH OF

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ALL FILINGS HAD 30 PERCENT. IN A HIGH NUMBER OF THESE CASES, THE INDIVIDUALS DECLARING BANKRUPTCY WAS UNINSURED. A RECENT STUDY PROJECTED MEDICAID EXPANSION COULD AVERT \$142.7 MILLION IN BANKRUPTCIES IN THIS NEXT FIVE YEARS. THIS WOULD BE SIGNIFICANT IN RURAL AND URBAN COMMUNITIES. NUMBER EIGHT, LB472 WOULD HELP NEBRASKA BUSINESSES AVOID TAX PENALTIES. UNDER THE ACA, EMPLOYERS ARE ENCOURAGED TO PROVIDE THEIR EMPLOYEES WITH HEALTH INSURANCE, AND SOME EMPLOYERS WILL FACE TAX PENALTIES FOR FAILING TO PROVIDE. BUT EMPLOYERS THAT HAVE EMPLOYEES WHO ARE ENROLLED IN MEDICAID WILL NOT FACE THAT PENALTY. NUMBER NINE, LB472 WOULD SAVE COUNTY DOLLARS. WE'VE TALKED ABOUT THE IMPORTANCE OF GENERAL ASSISTANCE; AND UNDER THESE PROGRAMS, COUNTIES PAY FOR THE COST OF THAT HEALTHCARE. WE BEGAN LOOKING AT THE SAVINGS: SAVINGS OF UP TO \$3.8 MILLION IN DOUGLAS COUNTY, SAVINGS OF UP TO \$2.5 MILLION IN LANCASTER, \$300,000 IN SARPY, \$82,000 IN DODGE, \$60,000 IN ADAMS ARE A SAMPLE. NUMBER TEN, LB472 WILL SPUR SIGNIFICANT JOB GROWTH. YOU JUST DON'T BRING \$2.2 BILLION INTO THE STATE AND NOT SEE SIGNIFICANT REVENUE AND JOB GROWTH. NEBRASKA EFFORTS ARE ENHANCING ITS BUSINESS CLIMATE AND CREATING JOB GROWTH WILL BE HAMPERED IF NEBRASKA BUSINESSES ARE SADDLED WITH HEALTHCARE COSTS THAT THEIR COMPETITORS IN SURROUNDING STATES DO NOT HAVE, LIKE IN IOWA OR COLORADO. LOOKING AT THE EXPERIENCE OF OTHER STATES, WE SEE MEDICAID EXPANSION HAS LED TO INCREASED JOBS. IN KENTUCKY, MEDICAID EXPANSION HAS ESTIMATED TO HAVE RESULTED IN THE ADDITION OF 12,000 JOBS IN 2014. I WANT TO EMPHASIZE THAT THE AMENDMENT TO THE BILL IS TO MAKE SURE THAT WE ARE CONSTITUTIONALLY CORRECT AND SO THE SENATORS THAT WE DESIGNATE IN THE BILL WOULD BE NOT VOTING. THOSE APPOINTED BY THE GOVERNOR TO SIT ON THE MEDICAID TASK FORCE WOULD HAVE THE VOTES, AND THAT IS ESSENTIALLY WHAT THE AMENDMENT IS. LB472 TAKES SIGNIFICANT STEPS TO ADDRESS ALL OF THESE ISSUES. IT WOULD ALLOW US TO CRAFT A UNIQUELY NEBRASKA PLAN TO USE INNOVATIVE IDEAS TO IMPROVE OUR HEALTHCARE SYSTEM FOR ALL NEBRASKANS AND USE THE PRIVATE MARKET TO BRING BILLIONS OF DOLLARS BACK TO OUR STATE AND MAKE SURE THAT ALL NEBRASKANS HAVE QUALITY, AFFORDABLE HEALTHCARE. AND IT PAYS FOR ITSELF. AT THE END OF THE HEARING FOR LB472 BEFORE THE HEALTH AND HUMAN SERVICES COMMITTEE, I INDICATED THAT I RECOGNIZE THIS IS A BOLD PLAN, BUT IT IS A BOLD OPPORTUNITY. WE HAVE--AND I BELIEVE--SOME OF THE BEST MEDICAL PROFESSIONALS IN THE UNITED STATES RIGHT HERE IN NEBRASKA. WE HAVE THE WISDOM. WE HAVE THE CREATIVITY. WE HAVE THE FORESIGHT TO BUILD A NEBRASKA PLAN AND TAKE US INTO THE FUTURE. WE

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CAN NO LONGER STAND BY THE SIDE OF THE ROAD, BUT WE NEED TO LOOK TO THE FUTURE AND MAXIMIZE THE FEDERAL DOLLARS THAT OUR CITIZENS SEND TO WASHINGTON AND BRING THEM BACK. WE NEED TO BE BOLD IN OUR VISION OF THE FUTURE. WE CAN BE FAR BETTER THAN WE THINK WE ARE BECAUSE WE NEED TO TAKE ACTION. THANK YOU, MR. PRESIDENT. [LB472]

SENATOR COASH PRESIDING

SENATOR COASH: THANK YOU, SENATOR CAMPBELL. MEMBERS, YOU'VE HEARD THE OPENING TO LB472 AND THE COMMITTEE AMENDMENT. THE FLOOR IS NOW OPEN FOR DEBATE. THOSE WISHING TO SPEAK: SENATORS NORDQUIST, CAMPBELL, PANSING BROOKS, BAKER, AND OTHERS. SENATOR NORDQUIST, YOU ARE RECOGNIZED. [LB472]

SENATOR NORDQUIST: THANK YOU, MR. PRESIDENT AND MEMBERS, AND CERTAINLY WANT TO THANK SENATOR CAMPBELL AND THE HEALTH AND HUMAN SERVICES COMMITTEE AND THEIR STAFF FOR THE HARD WORK THAT HAS GONE INTO LB472 AND THE THOUGHT THAT'S GONE INTO IT SINCE WE WERE ON THIS FLOOR A YEAR AGO. OBVIOUSLY, THIS IS A VERY IMPORTANT ISSUE FOR US TO DISCUSS AND IT IMPACTS TENS OF THOUSANDS OF NEBRASKANS DIRECTLY. BUT IT INDIRECTLY AFFECTS EVERY ONE OF US BECAUSE EVERY ONE OF US ARE MAKING ESSENTIALLY TWO PAYMENTS FOR THE UNINSURED. THROUGH THE TAXES OF THE AFFORDABLE CARE ACT THAT ARE GOING TO WASHINGTON, WE ARE MAKING THAT PAYMENT TO THE FEDERAL GOVERNMENT. BUT WE HAVE NOT DRAWN BACK THE FUNDS THAT THOSE TAXES WERE INTENDED TO PROVIDE TO OUR STATE TO COVER THE UNINSURED SO WE'RE PAYING A SECOND TIME TO COVER THE UNCOMPENSATED CARE IN THE EMERGENCY ROOM. I THINK BEFORE WE BEGIN THIS DISCUSSION, IT'S IMPORTANT TO HAVE A CRYSTAL-CLEAR UNDERSTANDING OF THE FISCAL IMPACT TO THE STATE. I WANT TO WALK THROUGH...THE LAST FEW YEARS I'VE WORKED A LOT ON THE FISCAL ASPECTS OF THIS BILL. I JUST WANT TO WALK THROUGH THE FISCAL NOTE SO EVERYONE HAS A CLEAR UNDERSTANDING. IN THE COST COMPONENT, THERE ARE ESSENTIALLY THREE PIECES TO THE COST. THERE'S THE PROVISION OF THE HEALTHCARE SERVICES, WHICH WE CALL AID TO INDIVIDUALS. AND SENATOR CAMPBELL HANDED OUT A NICE SHEET THAT SAYS FISCAL IMPACT OF LB472. THE SECOND IS THE ADMINISTRATIVE COSTS TO THE DEPARTMENT. AND THE THIRD IS CONTRACTS AND IT UPDATES THAT NEED TO TAKE PLACE TO UPDATE OUR IT SYSTEM TO PROCESS PAYMENTS, PROCESS ELIGIBILITY. THOSE ARE THE COST COMPONENTS. AND EVEN IF WE LOOK AT THE LAST YEAR WHEN THE COST OF THIS PROGRAM FULLY FALLS TO 10

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PERCENT TO THE STATE, WHICH IS THE LARGEST SHARE WE'LL PICK UP ACCORDING TO FEDERAL LAW, THE TOTAL COST, DIRECT COST IS ABOUT \$45 MILLION. THAT'S THE PROVISION OF SERVICES TO THE INDIVIDUAL, THE HEALTHCARE SERVICES BEING PROVIDED, THE ADMINISTRATIVE COST, ALL OF THOSE COMPONENTS. AND THIS, AS WE BUDGET FOR MEDICAID, IT VERY MUCH IS AN ESTIMATE BASED ON PREVIOUS UTILIZATION. I KNOW THE FISCAL OFFICE HAS SPENT A LOT OF TIME COMING UP WITH THE BEST ESTIMATE. AND THEY ALSO LOOKED AT THE REPORT THAT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES HAS CONTRACTED WITH MILLIMAN TO COME UP WITH WHAT ARE WE PROJECTING? THEY LOOKED AT WHAT OTHER STATES HAVE SEEN IN THEIR IMPLEMENTATION AND WE FEEL PRETTY CONFIDENT IN THESE NUMBERS. THE FISCAL OFFICE FEELS VERY CONFIDENT IN THESE NUMBERS THAT THEY ARE A RESPONSIBLE ESTIMATE. SO FOR THAT INVESTMENT, DIRECT INVESTMENT OF \$45 MILLION, WE WOULD LEVERAGE THE FEDERAL MATCH OF ABOUT \$450 MILLION. BUT ON THAT \$45 MILLION GENERAL FUND EXPENDITURE, THERE ARE DIRECT OFFSETS. NOW THESE AREN'T OFFSETS THAT COME FROM PUTTING IT INTO AN ECONOMIC MULTIPLIER AND SAYING, YOU KNOW, WE'RE GOING TO CREATE THIS MUCH IN REVENUE AND THIS MUCH IN JOBS, BUT THAT VERY MUCH IS A LEGITIMATE DISCUSSION POINT AS WE HEAR ON EVERY TAX POLICY BILL THAT COMES BEFORE THIS LEGISLATURE. BUT THERE ARE DIRECT PROGRAMMATIC OFFSETS, PROGRAMS THAT WE FUND 100 PERCENT OUT OF GENERAL FUNDS THAT WILL BE OFFSET BY THE MEDICAID EXPANSION PROGRAM. THE FIRST IS THE STATE DISABILITY PROGRAM WHERE WE PAY 100 PERCENT OUT OF GENERAL FUNDS FOR INDIVIDUALS WHO ARE ON DISABILITY BETWEEN 6 MONTHS AND 12 MONTHS. AT 12 MONTHS IT'S PICKED UP UNDER MEDICARE AND SOCIAL SECURITY. WE PAY THAT PROGRAM 100 PERCENT OUT OF STATE GENERAL FUND DOLLARS. THAT PROGRAM WILL NO LONGER BE NEEDED BECAUSE THOSE PEOPLE WILL BE ELIGIBLE FOR MEDICAID EXPANSION AND 90 PERCENT COVERAGE BY THE FEDERAL GOVERNMENT. SO WE WILL SAVE \$9.1 MILLION OF GENERAL FUNDS. THAT CAN GET SUBTRACTED OFF OF THAT \$45 MILLION COST. WE HAVE AN AIDS DRUG ASSISTANCE PROGRAM WHERE WE PAY ABOUT A MILLION DOLLARS A YEAR... [LB472]

SENATOR COASH: ONE MINUTE. [LB472]

SENATOR NORDQUIST: ...TOWARDS DRUG COVERAGE FOR LOW-INCOME AIDS PATIENTS, JUST FOR DRUG COVERAGE. THAT PROGRAM CAN GO AWAY AND THOSE INDIVIDUALS WILL BE FULLY ELIGIBLE FOR MEDICAID EXPANSION. THAT'S ABOUT A \$900,000 SAVINGS. WE ALSO HAVE SAVINGS IN BEHAVIORAL HEALTH, 100 PERCENT GENERAL FUND DOLLARS. OUR REGIONS SAID THAT

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ABOUT 85 PERCENT OF THEIR CLIENTELE ARE MEDICAID EXPANSION ELIGIBLE. THAT MEANS THAT MONEY ISN'T NEEDED TO BE PUT IN BY GENERAL FUNDS ANYMORE. THOSE PEOPLE WILL HAVE FULL COMPREHENSIVE COVERAGE. AND THEN IN THE DEPARTMENT OF CORRECTIONS WHEN AN INMATE GOES OUTSIDE THE CENTER FOR AN EXTENSIVE SURGERY, HEART PROBLEM, THEY NEED TO STAY IN A HOSPITAL, THAT'S MEDICAID COVERED THROUGH EXPANSION. WE NO LONGER WOULD NEED TO USE GENERAL FUNDS FOR THAT. WE SAVE MONEY THERE. SO WHEN YOU ADD UP THOSE SAVINGS, WE END UP, THE COST COMES DOWN TO \$26 MILLION A YEAR IN THE LONG RUN TO LEVERAGE \$450 MILLION A YEAR OF TAX DOLLARS THAT NEBRASKANS HAVE SENT TO WASHINGTON. THAT CERTAINLY IS A GOOD DEAL AND WE CAN TALK ABOUT WHAT THAT \$450 MILLION MEANS... [LB472]

SENATOR COASH: TIME, SENATOR. [LB472]

SENATOR NORDQUIST: ...WHEN YOU DO PUT THAT INTO AN ECONOMIC MULTIPLIER. THANK YOU. [LB472]

SENATOR COASH: THANK YOU, SENATOR NORDQUIST. SENATOR CAMPBELL, YOU'RE RECOGNIZED. [LB472]

SENATOR CAMPBELL: THANK YOU, MR. PRESIDENT. COLLEAGUES, I WANTED TO EXPLAIN THE HANDOUTS THAT HAVE BEEN DISTRIBUTED TO YOUR DESK. AS YOU WALKED IN TODAY, THE FIRST ONE THAT YOU SHOULD HAVE RECEIVED IS THE NUMBER OF UNINSURED IN YOUR DISTRICT. SO EACH OF YOU SHOULD HAVE AN INDIVIDUAL PIECE OF PAPER. IN MY DISTRICT, I HAVE 473 UNINSURED UNDER 138 PERCENT OF THE FEDERAL POVERTY LEVEL. THE HIGHEST NUMBER OF UNINSURED OF DISTRICTS IS IN SENATOR NORDQUIST'S AND HE HAS 4,322, I THINK. I'M PRETTY CLOSE. SO YOU CAN BEGIN TO LOOK AT YOUR DISTRICT AND KNOW THOSE NUMBERS. I FEEL THAT THAT IS IMPORTANT IF WE'RE GOING TO DEAL WITH THE FACTS OF THE ISSUE THAT YOU KNOW WHAT YOUR DISTRICT LOOKS LIKE. THE SECOND HANDOUT THAT WE DISTRIBUTED IS AN ARTICLE FROM FAMILIES USA. AND YOU WILL NOTE THAT SOME OF THE HEADLINES THAT I READ IN MY OPENING ARE A PART OF THIS HANDOUT. I THINK IT'S IMPORTANT TO NOTE WHAT SOME OF THE GOVERNORS ARE SAYING, AND WE'LL PROBABLY COVER THAT LATER. BUT CERTAINLY WE'VE BEEN WATCHING WHAT'S HAPPENING AND THE COMMENTS FROM GOVERNOR CHRIS CHRISTIE, WHICH IS IN THAT ARTICLE. THE THIRD PIECE IS A FISCAL PIECE THAT WAS PUT TOGETHER AT MY REQUEST TO TAKE A LOOK AT WHAT WOULD IT LOOK LIKE IN THE YEAR



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OF 2020, WHICH IS THE POINT AT WHICH THE FEDERAL FUNDS REACH TO 90 PERCENT AND THAT FLOOR STAYS BEYOND THAT. AND I WANT TO BE VERY CLEAR THAT IN THE LATEST HANDOUT THAT YOU ARE GETTING IS A SECTION-BY-SECTION DESCRIPTION OF WHAT'S IN THE BILL. AND I PARTICULARLY WANT YOU TO NOTE SECTION 13. I LISTENED TO YOU. MANY OF YOU IN THIS BODY SAID, I DON'T WANT THIS TO GO BACK TO THE LEGISLATURE. I DON'T WANT...WHAT IS THIS? AND SO IF AT ANY POINT THE FEDERAL FUNDS GO BELOW 90 PERCENT, THE PROGRAM IS TERMINATED, DOESN'T COME BACK TO THE LEGISLATURE, DOESN'T COME BACK TO ANYBODY. IT'S TERMINATED. AND WE HAVE DONE THAT IN THIS BODY. IN EARLY 2000 ACTION WAS TAKEN, I BELIEVE IN THE JOHANN'S ADMINISTRATION, IN WHICH WELL OVER 10,000 PEOPLE LOST COVERAGE. WE HAD TO MAKE SOME CHOICES. WE HAD TO MAKE SOME BUDGET CUTS. WHEN WE DEALT WITH THE BUDGET IN LR542, WE MADE CUTS TO THE MEDICAID PLAN. WE CUT PEOPLE OFF OF IT. THE LEGISLATURE CAN TAKE THAT ACTION. BUT YOU WANTED A VERY SPECIFIC CUTOFF AND THAT'S WHY IT'S THERE. SO BACK TO THE FISCAL IMPACT IN 2020. YOU WILL SEE THE GENERAL FUND COSTS THERE. THE SECOND IS THE FEDERAL FUNDS LEVERAGED. THE NEXT COLUMN IS WHAT SENATOR NORDQUIST HAS SPENT TIME EXPLAINING, THE GENERAL FUND SAVINGS, WHAT THAT WOULD LOOK LIKE IN 2020; AND THE GENERAL FUND REVENUE GENERATED, WHICH CAME FROM THE STUDY. AGAIN, YOU DON'T BRING \$2.2 BILLION INTO THE STATE OF NEBRASKA... [LB472]

SENATOR COASH: ONE MINUTE. [LB472]

SENATOR CAMPBELL: THANK YOU, MR. PRESIDENT...WITHOUT IT NOT GENERATING REVENUE. THAT'S WHAT'S A KEY FACTOR. SO AT THE END OF IT, THAT YEAR WILL BRING \$446,000,999 AND IT WILL COST US IN THE END \$4,000,280. AS ONE OF YOU SAID TO ME, 100 TO 1. THESE ARE CRITICAL FACTS. WE HAVE SPENT TIME TRYING TO ANSWER THOSE FOR YOU. I VERY MUCH APPRECIATE YOUR TAKING TIME TO LOOK AT THE MATERIALS AND WE WILL BE GLAD TO ANSWER QUESTIONS AS WE GO ALONG. THANK YOU, MR. PRESIDENT. [LB472]

SENATOR COASH: THANK YOU, SENATOR CAMPBELL. SENATOR PANSING BROOKS, YOU'RE RECOGNIZED. [LB472]

SENATOR PANSING BROOKS: THANK YOU, MR. PRESIDENT. FIRST OFF, I WOULD LIKE TO THANK SENATOR CAMPBELL FOR HER YEARS OF GOING FORWARD ON THIS. I FIND IT SHOCKING THAT ANYONE WOULD QUESTION WHY SHE WOULD BRING THIS IMPORTANT PIECE OF LEGISLATION BACK YEAR AFTER YEAR. I'VE

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TRIED TO DECIDE WHICH I WAS GOING TO START TALKING WITH, WHETHER I WAS GOING TO START TALKING WITH THE FACTS OR WHETHER I WAS GOING TO START TALKING WITH THE HEART. AND I'M GOING TO START WITH THE HEART, AND WHAT I WANT TO DO IS SPEAK TO NEBRASKANS. NEBRASKANS WHO ARE LISTENING TODAY, PLEASE, STAND UP, SPEAK OUT. AS I WENT THROUGH MY CAMPAIGN, MANY OF YOU TALK ABOUT HOW YOU ALL HEARD PROPERTY TAX ISSUES AND HOW WE NEED TO CUT ALL THE PROPERTY TAX ISSUES. ONE OF THE TOP THREE ITEMS THAT I HEARD FROM MY DISTRICT, WHO HAPPENS TO HAVE, ANYWAY, OVER 2,000 PEOPLE THAT FIT WITHIN THAT 138 PERCENT FEDERAL POVERTY LEVEL--2,348--I HEARD EXPAND MEDICAID, LITERALLY EVERYWHERE I WENT. SO LISTEN UP, NEBRASKANS. THIS IS YOUR OPPORTUNITY. STAND UP. SPEAK OUT. WRITE THE STATE SENATORS HERE. CALL THEM. WRITE THE GOVERNOR. CALL THE GOVERNOR. WE NEED...IF YOU WANT PROPERTY RELIEF AND YOU ALSO WANT A STRONG EDUCATION SYSTEM, THEN GET YOUR SENATOR TO VOTE FOR LB472 BECAUSE WE CAN DO BOTH. WE ARE TALKING ABOUT OVER \$2 BILLION--BILLION. BUT WE ARE STANDING ON PRIDE. WE DON'T WANT TO TAKE THOSE FEDERAL DOLLARS. WE'LL TAKE THEM FOR THE CRIMINAL JUSTICE SYSTEM, AND WE'LL TAKE IT FOR ALL SORTS OF THINGS. TWENTY-FIVE PERCENT OF OUR BUDGET IS FOR AGRICULTURAL; 25 PERCENT OF THE FEDERAL DOLLARS COME FOR AG. FIFTY-SIX PERCENT OF THE CRIMINAL JUSTICE DOLLARS COME FROM THE FEDERAL GOVERNMENT. NINETY-FIVE PERCENT OF THE FEDERAL DOLLARS COME FROM THE DEPARTMENT OF LABOR. EIGHTY-TWO PERCENT OF OUR FEDERAL DOLLARS FOR THE DEPARTMENT OF MILITARY COME FROM THE FEDERAL GOVERNMENT, NOT TO MENTION ROADS FUNDING. BUT WE WANT TO TRUST ONE PROGRAM OVER ANOTHER. SO AGAIN, NEBRASKANS, PLEASE, IF YOU WANT PROPERTY RELIEF AND YOU WANT ROADS AND BRIDGES, OVER \$2 BILLION--THE RANGE IS \$2 BILLION TO \$5 BILLION--WHAT IN THE WORLD ARE WE THINKING? SO IF YOU WANT THAT AND YOU WANT TO SUPPORT ROADS AND BRIDGES AND YOU WANT YOUR PROPERTY TAX RELIEF, THEN GET YOUR SENATOR AND YOUR GOVERNOR TO VOTE FOR LB472. AND YOU ALSO WANT PROPERTY RELIEF AND NOT BE SWAMPED WITH HEALTH CARE COSTS. THEN PLEASE, WRITE AND CALL YOUR SENATORS AND GOVERNOR TO VOTE FOR LB472. WE NEED TO RISE UP. THE PEOPLE SUPPORTING LB472 ARE NOT THE OUTLIERS IN OUR COMMUNITY. THEY'RE NOT THE CRAZY LIBERALS THAT ARE TRYING TO RUN THE STATE DOWN INTO THE GROUND. THE NEBRASKA HOSPITAL ASSOCIATION; THE AARP; THE NEBRASKA MEDICAL ASSOCIATION; NACO, THE NEBRASKA ASSOCIATION OF COUNTY OFFICIALS; AND THE NEBRASKA ACADEMY OF FAMILY PHYSICIANS--THESE GROUPS ALL SUPPORT THIS MEDICAID REDESIGN. PLEASE, CALL YOUR STATE SENATORS AND YOUR GOVERNOR AND GET THEM TO SEE THE NEED. WE ARE NOT AN INCREDIBLY

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WEALTHY STATE. WE'RE WEALTHY IN SPIRIT. WE'RE WEALTHY IN HEART. I LOVE IT HERE IN NEBRASKA. BUT WE CANNOT TURN DOWN THESE KINDS OF DOLLARS. [LB472]

SENATOR COASH: ONE MINUTE. [LB472]

SENATOR PANSING BROOKS: WE ARE NOT A STATE WILLING TO TURN OUR BACK ON PEOPLE IN NEED. WE ARE NOT A STATE TOO PROUD TO TAKE HANDOUTS AS WE'VE PROVEN TIME AND TIME AGAIN. AND WE ARE NOT A STATE SO SELF-RIGHTEOUS TO BE ABLE TO TAKE FEDERAL DOLLARS TO PAY FOR THE OTHER STATES THAT HAVE EXPANDED MEDICAID. THOSE STATES ARE LAUGHING ALL THE WAY TO THE BANK WHILE WE STAND FIRM AND SAY, NO, WE WOULD NEVER TAKE THOSE DOLLARS TO HELP OUR FRIENDS AND NEIGHBORS IN NEED. WE NEED YOU TO LISTEN. WE NEED YOU TO LISTEN CAREFULLY TO THESE ARGUMENTS TODAY. WE ARE TALKING ABOUT BILLIONS OF DOLLARS. LAST YEAR WE HAD DISCUSSIONS ON A \$500 MILLION RAINY DAY FUND. WE'RE TALKING \$2 BILLION AT THE LEAST--\$2 BILLION. SO PLEASE, ASK YOUR SENATORS NOT TO HARDEN THEIR HEARTS BUT TO LISTEN TO THE NEEDS OF NEBRASKANS. PUT ASIDE HATRED FOR OUR PRESIDENT FOR A MOMENT AND LISTEN TO THE NEEDS OF NEBRASKANS. IF I CHOOSE TO VOTE FOR THE DRY BEAN EXCISE TAX, THEN DON'T NOT TAKE IT. DON'T, DON'T... [LB472]

SENATOR COASH: TIME, SENATOR. [LB472]

SENATOR PANSING BROOKS: THANK YOU VERY MUCH, MR. PRESIDENT. [LB472]

SENATOR COASH: THANK YOU, SENATOR PANSING BROOKS. SENATOR BAKER, YOU'RE RECOGNIZED. [LB472]

SENATOR BAKER: THANK YOU, MR. PRESIDENT. NEBRASKA'S FOUGHT AGAINST THE AFFORDABLE CARE ACT AND WE'VE LOST. AFFORDABLE CARE ACT REMAINS THE LAW OF THE LAND. THIS LEGISLATURE NEEDS TO FIND MEANINGFUL WAYS TO OPERATE WITHIN THE AFFORDABLE CARE ACT TO ADDRESS NEBRASKA'S HEALTHCARE ISSUES. I VOTED IN HEALTH AND HUMAN SERVICES COMMITTEE TO ADVANCE LB472 TO THE FLOOR. MY DISTRICT 30 IS ALL OF GAGE COUNTY AND PART OF LANCASTER COUNTY. THE LANCASTER COUNTY BOARD HAS COME OUT IN FAVOR OF MEDICAID EXPANSION. AT PRESENT, THEY'RE SPENDING ABOUT \$2.8 MILLION PER YEAR TO PROVIDE HEALTHCARE TO THOSE WITHOUT INSURANCE AND WHO CANNOT AFFORD TO

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PAY. WITH MEDICAID EXPANSION, THAT WOULD PROVIDE RELIEF ON THE PROPERTY TAXES IN LANCASTER COUNTY. THE EXECUTIVE DIRECTOR OF THE GAGE COUNTY HOSPITAL AND SOME OTHER MEDICAL PROFESSIONS IN GAGE COUNTY ARE IN FAVOR. GAGE COUNTY HOSPITAL SEEMS TO BE DOING OKAY, BUT I KNOW MANY RURAL HOSPITALS ARE STRUGGLING UNDER THE BURDEN OF PROVIDING CARE TO THOSE WITHOUT INSURANCE. IN DISTRICT 30, THERE ARE 1,072 UNINSURED. THAT'S NOT JUST A NUMBER. THESE PEOPLE HAVE NAMES AND FACES. I'VE HEARD...I GET A LOT OF E-MAILS. I'M SURE ALL YOU DO TOO. I HEAR FROM PEOPLE WHO SAY VOTE YES ON LB472, AND I'VE HAD SOME PEOPLE WHO SAY VOTE NO. AND I THINK ALL THESE PEOPLE ARE PEOPLE OF GOODWILL. MY OWN FAMILY IS DIVIDED ON IT. MY BROTHER GAVE ME A DIRECTIVE: YOU GO AND VOTE AGAINST MEDICAID EXPANSION. MY SISTER, WHO HAS A HEALTHCARE CAREER, SAID VOTE FOR IT. SO I THINK THAT'S REPRESENTATIVE OF WHAT'S HAPPENING AMONG THE PEOPLE IN MY DISTRICT. ANOTHER FACTOR, ARE PRISON REFORM MEASURES GOING TO SUCCEED IF WE PROVIDE CONTINUITY OF TREATMENT FOR RECENT RELEASED INMATES WITH MENTAL HEALTH ISSUES? I RECEIVED AN E-MAIL FROM THE STATE DIRECTOR OF AMERICANS FOR PROSPERITY WHO INDICATE THAT THEY ARE DESIGNATING VOTES ON CLOTURE AND ADVANCEMENT OF LB472 AS A KEY VOTE. THAT INFORMATION WILL BE USED IN THEIR ANNUAL SCORE CARD AND THEY'RE GOING TO BE INFORMING THE PUBLIC OF HOW YOU VOTE. I GUESS YOU CAN GO AHEAD AND MARK ME DOWN. HOWEVER, I'M NOT SURE THAT THE PEOPLE WHO WOULD VOTE AGAINST ME FOR SUPPORTING LB472 VOTED FOR ME IN THE FIRST PLACE. YET HERE I AM. I YIELD THE REMAINDER OF MY TIME TO SENATOR NORDQUIST. [LB472]

SENATOR COASH: SENATOR NORDQUIST, 2:00. [LB472]

SENATOR NORDQUIST: THANK YOU, MR. PRESIDENT AND MEMBERS. THANK YOU, SENATOR BAKER. I THINK SENATOR BAKER'S COMMENT ABOUT NEBRASKANS FIGHTING AGAINST OBAMACARE AND LOSING IS SOMEWHAT TRUE. JUST RECENT ACTIONS IN CONGRESS, WE SAW IN THE U.S. HOUSE PUT FORWARD A BUDGET THAT SO-CALLED REPEALS OBAMACARE BUT MAINTAINS ALL THE TAXES AND REVENUE THAT WAS IN OBAMACARE TO BALANCE THEIR BUDGET. SO IT VERY MUCH IS A RED HERRING TO SAY THAT OBAMACARE IS GOING TO GO AWAY OR THAT WE CAN JUST KEEP PUTTING THIS OFF BECAUSE IT'S GOING TO BE GONE. THE FACTS ARE THAT FOLKS IN WASHINGTON ARE, NO MATTER WHAT, ARE USING THAT REVENUE TO BALANCE THEIR BUDGET ONE WAY OR ANOTHER. THERE ARE TWO PIECES I THINK WE NEED TO TALK ABOUT IN ADDITION TO THE FISCAL NOTE THAT HAVE SIGNIFICANT ECONOMIC

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CONSEQUENCES IN NEBRASKA. ONE IS TO THE HOSPITALS, SECOND IS TO BUSINESSES. FIRST, WITH LOOMING DSH CUT PAYMENTS, ESSENTIALLY THERE WAS AN AGREEMENT BETWEEN THE AMERICAN HOSPITAL ASSOCIATION AND CONGRESS WHEN THEY PASSED THE AFFORDABLE CARE ACT THAT WE WERE GOING TO GIVE UP...THE HOSPITALS WERE GOING TO GIVE UP THEIR DSH PAYMENTS, WHICH THEY RECEIVED TO OFFSET... [LB472]

SENATOR COASH: ONE MINUTE. [LB472]

SENATOR NORDQUIST: ...UNDERCOMPENSATED CARE. THEY WERE GOING TO GIVE THAT UP IN RETURN FOR MEDICAID EXPANSION. BUT WHAT WE'RE SEEING IS THE STATES THAT DON'T EXPAND MEDICAID ARE PUTTING THEIR HOSPITALS IN A PINCH, ESPECIALLY WHEN THOSE LOOMING DSH CUTS TAKE EFFECT. WE HAVE SEEN A HOSPITAL SYSTEM THAT SERVES IN KANSAS, MISSOURI, ARKANSAS, AND OKLAHOMA RECENTLY SINCE WE DEBATED THIS BILL LAST ANNOUNCE OVER 300 JOB LAYOFFS BECAUSE THOSE STATES HAVEN'T EXPANDED MEDICAID AND WITH THE DSH PAYMENTS LOOMING, THEY HAVE NO CHOICE BUT TO CUT JOBS. AS WE MAKE MAJOR INVESTMENTS IN OUR HEALTH EDUCATION INFRASTRUCTURE IN NEBRASKA, WE ARE EDUCATING, UNFORTUNATELY, PRACTITIONERS THAT OUR HOSPITALS PROBABLY WON'T BE ABLE TO HIRE. BUT STATES OF IOWA AND COLORADO AND OUR OTHER STATES IN THE REGION WILL, BECAUSE THOSE HOSPITALS ARE GOING TO SEE AN INFLUX OF REVENUE DUE TO EXPANSION. THEY'RE NOT GOING TO BE HIT WITH THE CUTS, THE DSH CUTS, AS HARD BECAUSE THEY'RE GOING TO BE ABLE TO OFFSET THAT LOST REVENUE. AT THE END OF THE DAY, HOSPITALS CAN ONLY... [LB472]

SENATOR COASH: TIME, SENATOR. [LB472]

SENATOR NORDQUIST: THANK YOU. [LB472]

SENATOR COASH: THANK YOU, SENATOR NORDQUIST. SENATOR HANSEN, YOU'RE RECOGNIZED. [LB472]

SENATOR HANSEN: THANK YOU, MR. PRESIDENT. I RISE TODAY IN SUPPORT OF LB472. I'D LIKE TO THANK SENATOR CAMPBELL FOR BRINGING THIS BILL YET AGAIN AND HOPEFULLY ONE OF THESE DAYS WE'LL FIND A WAY TO SUCCEED. I'D LIKE TO THANK ALL THE SENATORS BEFORE ME WHO HAVE SPOKEN, PARTICULARLY SENATOR PANSING BROOKS. SHE DECIDED, I BELIEVE IN HER COMMENTS, TO WEIGH SPEAKING ABOUT THE FACTS OR FROM THE HEART. AND

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WHEN SHE SPOKE FROM THE HEART, SHE SAID LARGELY WHAT I WAS GOING TO SAY. BUT I THINK GOOD IDEAS SOMETIMES BEAR REPEATING SO I WILL CONTINUE AS WELL. LIKE MANY OF US, LIKE 18 OF US, A YEAR AGO TODAY I WAS OUT WALKING THE DOORS OF MY DISTRICT TALKING TO THE PEOPLE OF NORTHEAST LINCOLN. AND WHEN I DID THAT, WHEN I WAS CAMPAIGNING, I ALWAYS LIKED TO OPEN WITH KIND OF AN OPEN-ENDED QUESTION AFTER I INTRODUCED MYSELF IS, YOU KNOW, WHAT ISSUES ARE FACING YOU AND YOUR FAMILY? WHAT ISSUES ARE ON YOUR MIND? AND, YES, A LOT OF THE USUAL STANDBYS CAME UP. PROPERTY TAXES CAME UP. OTHER TAXES CAME UP. POTHOLES CAME UP. BUT ONE TIME AND TIME AGAIN CAME UP WAS MEDICAID EXPANSION AND THE EFFORTS TO PASS THE SIMILAR BILL LAST YEAR. AND THE PEOPLE OF NEBRASKA OR AT LEAST THE PEOPLE OF NORTHEAST LINCOLN--I GUESS THAT'S AS CONCLUSIVELY AS I CAN SPEAK--WERE DEFINITELY PAYING ATTENTION TO WHAT THE LEGISLATURE DID AND THEY WERE DEFINITELY IN SUPPORT OF THE BILL AND IN SUPPORT OF MAKING SURE WE PROVIDE MORE HEALTHCARE TO MORE NEBRASKANS. THE AMOUNT OF PERSONAL STORIES WHEN YOU ASK WHY, WHY ARE YOU INTERESTED IN THIS, HOW DO YOU KNOW THIS, TIME AND TIME AGAIN YOU FOUND SO MANY DIFFERENT PERSONAL STORIES OF THEMSELVES, A FAMILY MEMBER, A COWORKER, A FORMER COWORKER, A NEIGHBOR WHO HAD AN ACCIDENT, WHO HAD AN UNEXPECTED ILLNESS. AND TIME AND TIME AGAIN YOU JUST SAW HOW FAMILIES WERE HAMMERED AND RUN DOWN BY HEALTH PROBLEMS. AND IN A STATE SUCH AS OURS, AS A COMMUNITY SUCH AS OURS, THAT JUST SHOULDN'T BE THE CASE. IF WE HAVE AN OPPORTUNITY AS WE'VE HAD TODAY AS HAS BEEN EXPLAINED VERY WELL WITH SO MANY FEDERAL FUNDS OFFERING TO COME INTO OUR STATE AND TO MAKE SURE MORE NEBRASKANS HAVE ACCESS TO HEALTHCARE AND MORE FAMILIES HAVE THE SUPPORT THEY NEED, IT SEEMED OBVIOUS TO THE PEOPLE OF MY DISTRICT WHY WOULDN'T WE ACCEPT THAT? AND PEOPLE WERE ASKING ME, WHY DIDN'T THEY ACCEPT THAT? AND I COULDN'T GIVE THEM AN ANSWER. I COULDN'T SPEAK FOR THE LEGISLATURE LAST YEAR, BUT I PROMISED THEM WHEN I GOT HERE I WOULD STAND UP IN SUPPORT OF THIS. JUST TO SHOW IT WAS NO FLUKE, I ASKED MY STAFF TO RUN A TALLY AND WE'VE BEEN KEEPING TRACK OF EVERYBODY WHO CONTACTS OUR OFFICE, ESPECIALLY CONSTITUENTS. WE KEEP A CONSTITUENT TALLY. AND AS OF 15 MINUTES AGO WHEN I ASKED, IT WAS 12 TO 1 IN FAVOR OF THE PEOPLE OF LD26 PASSING LB472. SO I WILL CONTINUE TO STAND. I WILL CONTINUE TO RISE AND SUPPORT LB472. AND I THANK SENATOR CAMPBELL FOR ALL OF HER HARD WORK ON THIS BILL. AND IF SHE HAS ANYTHING ADDITIONAL TO SAY, I WOULD YIELD HER THE REMAINDER OF MY TIME. [LB472]

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SENATOR COASH: SENATOR CAMPBELL, YOU'VE BEEN YIELDED 1:30. [LB472]

SENATOR CAMPBELL: THANK YOU, MR. PRESIDENT, AND THANK YOU, SENATOR HANSEN. THOSE OF YOU WHO HAVE HIGHER NUMBERS IN THE THOUSANDS OR WHATEVER, MOST LIKELY YOU'RE GOING TO HAVE SITUATIONS LIKE SENATOR HANSEN TALKED ABOUT OF CONSTITUENTS--THESE ARE WORKING NEBRASKANS. KEEP THAT IN MIND. THESE ARE NOT PEOPLE WHO ARE JUST SITTING ON THE CURB. WE MIGHT WANT TO PICTURE, YOU KNOW, THE BUM THAT GOES THROUGH LIFE. THESE ARE WORKING NEBRASKANS. IF THEY ARE AT OR BELOW... [LB472]

SENATOR COASH: ONE MINUTE. [LB472]

SENATOR CAMPBELL: ...THANK YOU, MR. PRESIDENT...100 PERCENT OF THE FEDERAL POVERTY LEVEL, THEY HAVE NO OPTION. IT WAS EXPECTED THAT ALL OF THE STATES WOULD EXPAND THEIR MEDICAID WHEN THE BILL WAS PASSED. THE SUPREME COURT SAID, NO, THE STATES NEED TO WEIGH IN ON THAT. SO MANY OF THESE PEOPLE THAT ARE ON YOUR SHEET THAT ARE CONSTITUENTS, THEY HAVE NO OTHER OPTION. THEY NEED TO LOOK AT THIS OPTION. THEY WILL WAIT LONGER FOR CARE UNTIL THEY ARE SICK. AND OFTENTIMES IN CASES IT MAY BE TOO LATE. THAT IS PROBABLY THE EMOTIONAL ACCESS PART OF THIS, BUT IT'S ONE THAT NEEDS TO BE KEPT IN MIND AS YOU LOOK AT THE NUMBER ON THE SHEET IN FRONT OF YOU. THANK YOU, MR. PRESIDENT. [LB472]

SENATOR COASH: THANK YOU, SENATOR. SENATOR CRAWFORD, YOU'RE RECOGNIZED. [LB472]

SENATOR CRAWFORD: THANK YOU, MR. PRESIDENT. I RISE IN SUPPORT OF LB472. COLLEAGUES, I KNOW MANY OF YOU HAVE HAD MANY CONVERSATIONS PROBABLY ABOUT MEDICAID REDESIGN AND MAY HAVE READ DIFFERENT ARTICLES OR STATEMENTS FROM DIFFERENT GROUPS OR PEOPLE. BUT I WOULD ASK YOU NOW, WHATEVER YOU THOUGHT YOUR VOTE WAS WHEN YOU WALKED IN THIS ROOM AT 1:30, I ASK YOU NOW TO, ON YOUR GADGETS, LOOK AT THE CONTENT IN LB472, AND I WOULD ESPECIALLY DRAW YOUR ATTENTION TO THE SECTION OF THE BILL THAT STARTS ON PAGE 7. ONE OF THE THINGS THAT HAS HAPPENED OVER THE YEARS AS WE HAVE HAD THIS CONVERSATION TWO TIMES NOW IS THAT WE HAVE HAD, I THINK, VERY IMPORTANT CONVERSATIONS ABOUT WHAT WE WANT TO SEE IN OUR HEALTHCARE SYSTEM AND WHAT WE WANT TO SEE IN OUR MEDICAID SYSTEM AND WHAT IS IMPORTANT TO US. AND I REALLY

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APPLAUD SENATOR CAMPBELL FOR HAVING LISTENED CAREFULLY IN THOSE DISCUSSIONS AND WORKED HARD TO CRAFT LB472 TO REFLECT THOSE SHARED VALUES THAT CAME OUT OF THAT CONVERSATION. SHE'S ALREADY MENTIONED THE ELEMENT IN SECTION 13 IN WHICH SOME PEOPLE RAISED CONCERNS ABOUT BEING ABLE TO TRUST WHETHER THAT MONEY CONTINUES. SHE'S RAISED THE POINT THAT THE LB472 TERMINATES AUTOMATICALLY IF THE FEDERAL GOVERNMENT INVESTMENT FALLS BELOW THAT. BUT YOU'LL SEE, STARTING ON PAGE 7, MANY OTHER VALUES THAT WE'VE DISCUSSED THAT ARE REFLECTED. BASICALLY, THIS BILL DIRECTS THIS COMMITTEE TO COME UP WITH A WAIVER PLAN. BUT WE AS THE LEGISLATURE ARE TELLING THEM WHAT WE WANT TO SEE IN THIS WAIVER PLAN. IT INCLUDES THINGS LIKE A VERY STRONG PRIVATE HEALTHCARE SYSTEM, PERSONAL RESPONSIBILITY. IT ALSO INCLUDES ATTENTION TO THE CLIFF EFFECT AND CONTINUITY OF CARE. ALL OF THOSE ARE IMPORTANT PRINCIPLES. AND, COLLEAGUES, IF YOU'RE CONCERNED ABOUT LB472, YOU'RE CONCERNED ABOUT REDESIGN OR EXPANSION BECAUSE THERE IS SOMETHING THAT YOU DON'T LIKE ABOUT MEDICAID, THEN BRING THAT FORWARD AND LET'S TALK ABOUT THAT. LET'S SEE IF IT'S ALREADY COVERED IN THESE PRINCIPLES OR IF THAT'S ANOTHER PRINCIPLE THAT WE NEED TO ADD TO THIS DISCUSSION. AND ALSO, COLLEAGUES, I ALSO WANT TO CALL YOUR ATTENTION TO AN ANALOGY AS WE'RE MAKING THIS DECISION. WHATEVER YOUR PERSONAL VIEWS ON MEDICAID, WHATEVER YOUR IDEOLOGY, WHATEVER YOUR CAMPAIGN DISCUSSIONS WERE, WHATEVER YOUR REASON MIGHT BE FOR WANTING TO VOTE NO ON LB472, YOU NEED TO FACE THE ECONOMIC CONSEQUENCES OF A NO VOTE ON LB472. SO I'M GOING TO TALK ABOUT AN ANALOGY. LET'S SAY THAT SOMEONE AGREED TO PAY 90 PERCENT OF THE COST OF A BIG SCREEN TV. ALL YOU HAVE TO DO IS WALK IN, PAY THE OTHER 10 PERCENT AND YOU CAN WALK OUT WITH A BIG SCREEN TV. NOW YOU MIGHT THINK ABOUT THAT CHOICE AND DECIDE WHETHER OR NOT YOU THINK YOU WANT TO PAY 10 PERCENT. YOU STILL HAVE TO PAY 10 PERCENT. AND MAYBE YOU DECIDE YOU DON'T WANT TO PAY THAT 10 PERCENT. MAYBE YOU DECIDE YOU MIGHT SPEND YOUR TIME, YOU KNOW, WATCHING TV INSTEAD OF DOING OTHER THINGS. BUT YOU WALK OUT, THERE IS NO FUTURE COST TO YOU FOR WALKING AWAY FROM THAT DEAL. LET ME COMPARE THAT TO WHAT IS A MORE RELEVANT COMPARISON FOR LB472. AND THAT IS IF YOU HAVE AN OLDER CAR, LIKE SOME OF US DO, AND YOUR CAR IS DUE FOR A TIMING BELT AND SOMEONE HAS OFFERED TO PAY 90 PERCENT OF THE COST OF REPLACING YOUR TIMING BELT. [LB472]

SENATOR COASH: ONE MINUTE. [LB472]



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SENATOR CRAWFORD: THANK YOU, MR. PRESIDENT. THAT'S A VERY DIFFERENT ECONOMIC CALCULUS THAT YOU FACE. I HAVE TO ADMIT AT ONE POINT IN MY LIFE I WAS FOOLISH ENOUGH NOT TO BUY A TIMING BELT WHEN I SHOULD HAVE AND ENDED UP PAYING THOUSANDS OF DOLLARS IN CONSEQUENCE. IT'S A SIMILAR SITUATION WE HAVE HERE. WE HAVE A CHANCE TO DECIDE TO REDESIGN OUR SYSTEM, PUT IN A TIMING BELT SO THAT THE CAR WORKS BETTER, THE CAR FUNCTIONS BETTER, AND NOT ONLY TO SAVE MONEY BUT ALSO TO PROTECT THE HEALTH AND SAFETY OF THE PEOPLE IN THAT CAR. THERE ARE ECONOMIC CONSEQUENCES OF WALKING AWAY FROM LB472 AND THOSE NEED TO BE ADDRESSED AND DISCUSSED AND FACED. THIS IS NOT A SIMPLE TAKE A TV HOME AND YOU CAN HAVE IT OR NOT. IF YOU DO NOT INVEST IN LB472, THERE ARE PEOPLE WHO WILL FACE AN EARLIER DEATH THAN NECESSARY AND... [LB472]

SENATOR COASH: TIME, SENATOR. [LB472]

SENATOR CRAWFORD: ...THERE ARE COSTS THAT WE WILL FACE. THANK YOU. [LB472]

SENATOR COASH: THANK YOU, SENATOR CRAWFORD. SENATOR SCHILZ, YOU'RE RECOGNIZED. [LB472]

SENATOR SCHILZ: THANK YOU, MR. PRESIDENT. MEMBERS OF THE BODY, GOOD AFTERNOON AND WELCOME TO THE THIRD ACT OF MEDICAID EXPANSION AND THE ATTEMPT AT IT. AND, YOU KNOW, WE'VE BEEN HERE NOW FOR THREE YEARS. AS SENATOR CRAWFORD WAS COMMENDING SENATOR CAMPBELL, AND I HAVE TO SAY THE SAME. I MEAN, SHE'S BEEN DOGGED ON THIS ISSUE AND BEEN WORKING HARD TO TRY TO FIND SOLUTIONS. AND I WAS JUST THINKING ABOUT THE LAST TWO YEARS BEFORE WHEN WE HAD THIS BILL COME DOWN. THAT FIRST YEAR IT TRULY WAS STRAIGHT UP MEDICAID EXPANSION. IT WAS ALL ABOUT THAT. THERE WASN'T ANY, YOU KNOW, ORNAMENTS ON THE TREE OR ANYTHING LIKE THAT LIKE WE LIKE TO TALK ABOUT IN HERE. AND IT WAS STRAIGHT UP AND THAT WAS DEFEATED. THE SECOND TIME IT CAME AROUND, I REMEMBER I EVEN HAD CONVERSATIONS WITH SENATOR CRAWFORD ABOUT WHAT WAS IMPORTANT AND WHAT NEEDED TO BE CHANGED TO MAKE SOME OF THIS STUFF WORK. THAT WAS INCORPORATED INTO THE BILL AND INTO AMENDMENTS THAT WERE OFFERED LAST YEAR. AND THEN THIS YEAR WE SEE SOME OF THE SAME THINGS AGAIN, ONLY A LITTLE DIFFERENT. WE'VE CHANGED THE NAME. WE'VE DONE SOME OTHER THINGS TO DRESS IT UP A

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LITTLE BIT, SO TO SPEAK, AND I DON'T MEAN THAT DISRESPECTFULLY. THAT'S WHAT WE'VE DONE TO MAKE IT SO THAT OPPOSITION WILL HOPEFULLY GO AWAY. YOU KNOW, AND A LOT OF WHAT WE NEED TO DO IN THE HEALTHCARE AREA ARENA ISN'T JUST ABOUT WHO PAYS FOR IT. IT ALSO SHOULD BE ABOUT THOSE OTHER REFORMS THAT NEED TO HAPPEN THROUGHOUT THE SYSTEM SO THAT WE HAVE AN OPPORTUNITY TO HAVE A RESPONSIBLE SYSTEM OUT THERE THAT WHEN WE PUT MONEY INTO IT, THAT MONEY IS BEING SPENT EFFECTIVELY AND NOT BEING ABUSED, NOT BEING WASTED. BUT THERE IS SOMETHING THAT'S REALLY INTERESTING ABOUT YEAR TWO AND YEAR THREE OR 2.0 AND 3.0, WHATEVER YOU WANT TO CALL IT. AND THAT'S IN ORDER TO GET TO ALL THE THINGS THAT START US DOWN SOME OF THOSE REFORMS THAT WE TALK ABOUT, WELL, GUESS WHAT YOU HAVE TO DO. YEAH, SEE YEAR ONE. YOU HAVE TO EXPAND MEDICAID FIRST. AND THEN YOU CAN ASK FOR A WAIVER. NOW, WAIVERS HAVE BEEN GRANTED. I'VE SEEN THAT. AND MAYBE WE WOULD GET ONE. BUT IT'S A PRETTY BIG QUESTION, A PRETTY BIG ASK TO SAY, ALL RIGHT. HERE YOU GO. LET'S EXPAND MEDICAID. LET'S POSSIBLY INCREASE OUR RESPONSIBILITIES THERE AND THEN LET'S HOPE THAT THE FEDERAL GOVERNMENT WILL ALLOW US TO DO THIS. THAT'S WHERE I FIND MYSELF TODAY. SINCE YEAR ONE, I HAVE BEEN AGAINST THE MEDICAID EXPANSION FOR A MYRIAD OF REASONS, MOST OF THEM FISCAL, SOME OF THEM ABOUT RURAL ACCESS, SOME OF THEM ABOUT MANY OTHER PARTS OF THE BILL AND WHAT HAPPENS. THE PHILOSOPHY OF WHETHER OR NOT MEDICAID, THAT SAFETY NET THAT'S THERE FOR THE MOST VULNERABLE, SHOULD BE TURNED INTO AN INSURANCE POLICY, AN INSURANCE PROGRAM, I'M NOT SURE THAT'S THE RIGHT WAY TO GO EITHER. SO I HAVE MANY ISSUES. [LB472]

SENATOR COASH: ONE MINUTE. [LB472]

SENATOR SCHILZ: THANK YOU. SO AS I LOOK AT THIS, I SEE THE ATTEMPT. I UNDERSTAND THAT THIS IS AN IMPORTANT ISSUE FOR FOLKS THAT DON'T HAVE COVERAGE. THE PROBLEM IS, IS THIS IS THE WRONG WAY TO GO ABOUT IT. THAT'S WHY TODAY I URGE EVERYONE, WHOEVER CAN SEE THIS, TO BRING THEMSELVES TO VOTE AGAINST THE COMMITTEE AMENDMENT BECAUSE THAT WILL TELL US WHERE WE NEED TO GO TODAY BECAUSE WE ARE WILLING TO GO EIGHT HOURS IF WE HAVE TO, AND WE'RE WILLING TO TAKE IT ON JUST AS WE'VE DONE IN THE PAST AND WE'LL GO FROM THERE. IT MAY NOT BE A FUN DAY, BUT IT'S WHAT WE'RE HERE TO DO. THIS IS THE JOB THAT'S REQUIRED OF US. THANK YOU, MR. PRESIDENT. [LB472]

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SENATOR COASH: THANK YOU, SENATOR SCHILZ. SENATOR KINTNER, YOU'RE RECOGNIZED. [LB472]

SENATOR KINTNER: WELL, THANK YOU, MR. PRESIDENT. YOU KNOW, I WAS LISTENING TO SENATOR PANSING BROOKS READ OFF ALL THE GROUPS THAT SUPPORTED IT. I THOUGHT SHE HAD GOTTEN A HOLD OF MY OPPONENTS' CAMPAIGN CONTRIBUTOR LIST. THAT'S WHAT IT SOUNDED LIKE. BUT, YOU KNOW, I LISTENED TO THE OTHER SIDE AND THEY'RE EXPLAINING IT VERY CAREFULLY. WE'RE GOING TO USE THESE FEDERAL FUNDS. WE'RE GOING TO MOVE THIS MONEY OVER TO HERE. WE'RE GOING TO DRAW DOWN THIS FUND. WE'RE GOING TO PUT IT OVER HERE. WE'RE GOING TO DO THIS WITH THIS MONEY AND, PRESTO, BY THE TIME WE'RE DONE, WE'VE MADE MONEY. REALLY? CAN YOU SHOW ME ONE FEDERAL PROGRAM THAT'S EVER PAID FOR ITSELF, THAT'S EVER COME IN AT BUDGET? LET'S LOOK AT SOME HISTORY HERE. YOU KNOW, IN 1966, MEDICAID COST \$800 MILLION, HAD AN ENROLLMENT OF ABOUT 4 MILLION PEOPLE. IN 2012, MEDICAID SPENT \$250 BILLION ON 55.6 MILLION. THINK ABOUT THAT--4 MILLION TO 55 MILLION. AND THAT'S NOT MEDICAID EXPANSION. A COST INCREASE OF 31,212.5 PERCENT. MAYBE YOU MISHEARD ME. IT WASN'T 3 PERCENT. IT WASN'T 300 PERCENT. IT WASN'T 3,000 PERCENT. IT WASN'T 13,000 PERCENT. IT WAS 31,000 PERCENT INCREASE. AND YOU THINK THIS IS GOING TO BE GOOD FOR NEBRASKA? REALLY? WELL, SHOW ME THE FIRST FEDERAL PROGRAM THAT'S ACTUALLY WORKED LIKE THEY SAID IT WAS. LET ME GIVE YOU AN EXAMPLE. THE LATEST ONE WE DID JUST IN THE 2000s WAS MEDICARE PRESCRIPTION DRUGS. AND THAT ONLY CAME IN 2.5 TO 3 TIMES MORE THAN THEY ESTIMATED IT WOULD COST AND THEY CALL THAT A SUCCESS BECAUSE IT WAS ONLY 2 TO 3 TIMES MORE EXPENSIVE THAN THEY SAID IT WOULD BE. THAT'S A PRETTY LOW BAR. LET ME GIVE YOU A FEW OTHER NUMBERS HERE. IN 1979, MEDICAID REPRESENTED 2.9 PERCENT OF OUR TOTAL STATE BUDGET. THAT'S THE YEAR I GRADUATED HIGH SCHOOL, BY THE WAY; 1993 IT WAS 12.2 PERCENT. IN 2005, IT HAD RISEN TO 17.2 PERCENT. THIS YEAR, IT'S 19 PERCENT. SINCE I GRADUATED HIGH SCHOOL, IT'S GONE FROM A LITTLE UNDER 3 PERCENT TO 19 PERCENT OF THE BUDGET. THIS IS A GOVERNMENT PROGRAM. IT GROWS LIKE A WILD WEED. THAT'S WHAT GOVERNMENT PROGRAMS DO. TOTAL EXPANSIONS HAVE DOUBLED SINCE 2000. IN 2000, IT WAS \$983 MILLION. TODAY IT'S \$1.8 BILLION. SO SINCE THE FIRST YEAR--MY FIRST DATE WITH MY WIFE IN 2000--IT'S GONE FROM \$983 MILLION TO \$1.8 BILLION. THAT'S A GREAT TRACK RECORD. THE CURRENT BUDGET SHOWS INCREASE IN SPENDING ON CURRENT MEDICAID, A 9.1 PERCENT INCREASE. THAT'S JUST THE CURRENT MEDICAID. WE'RE NOT EXPANDING ANYTHING. THE CURRENT MEDICAID PROGRAM IS TAKING UP 25 PERCENT OF THE ENTIRE GENERAL FUND

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BUDGET INCREASE RIGHT NOW. MY FRIENDS, LB472 IS NOT A VALID REDESIGN OF THE CURRENT PROGRAM. IT'S MERELY AN EXPANSION OF THE CURRENT PROGRAM WITH A FEW BEST PRACTICES THROWN IN WITH FUTURE GOALS. IF THIS WAS THE PRIVATE SECTOR, IF THIS WAS IBM, IF THIS WAS GENERAL MOTORS, IF THIS WAS TOYOTA, IF THIS WAS "CONAG" AND THEY HAD A PROGRAM THAT WAS JUST OUT OF CONTROL, THEY WOULD HAVE KILLED IT MANY YEARS AGO. BUT THIS IS GOVERNMENT. WE DON'T KILL PROGRAMS. WE FIX THEM AND WE FIX THEM AND WE FIX THEM AND WE FIX THEM AND WE FIX THEM. THIS HAS SUCH A POOR TRACK RECORD IT SHOULDN'T BE A PROGRAM TODAY. I'LL GIVE YOU... [LB472]

SENATOR COASH: ONE MINUTE. [LB472]

SENATOR KINTNER: ...ONE OTHER STUDY. THIS WAS DONE...I SAW IT FROM THE HERITAGE FOUNDATION. I'M NOT SURE IF IT WAS THEIR STUDY OR NOT. BUT IN 2010 THEY LOOKED AT PEOPLE THAT WERE ON MEDICAID VERSUS THE PEOPLE THAT WERE NOT ON MEDICAID, AND THE HEALTH OUTCOMES WERE IDENTICAL. FOR ALL THE MONEY SPENT ON MEDICAID, THIS COULDN'T TELL ANY DIFFERENCE IN THE HEALTH OUTCOMES OF PEOPLE THAT WERE NOT ON IT. WE SHOULDN'T BE PUTTING PEOPLE ON MEDICAID. WE SHOULD BE FINDING WAYS TO GET PEOPLE OFF OF MEDICAID. AND THAT'S WHY I CAME HERE. THAT'S WHAT I INTEND TO DO. I'M GOING TO STAND WITH THE TAXPAYERS TODAY. THANK YOU, MR. PRESIDENT. [LB472]

SENATOR COASH: THANK YOU, SENATOR KINTNER. SENATOR HOWARD, YOU'RE RECOGNIZED. [LB472]

SENATOR HOWARD: THANK YOU, MR. PRESIDENT. A FEW YEARS AGO WHEN WE FIRST HAD THIS DEBATE, I TOLD THE STORY ABOUT MY OWN SISTER WHO PASSED AWAY A FEW YEARS AGO AND SHE WAS UNINSURED. AND IN MY HEART, I STILL BELIEVE THAT HAD SHE BEEN INSURED AND HAD SHE BEEN ABLE TO GET THE CARE THAT SHE NEEDED, SHE MIGHT STILL BE HERE. ALTHOUGH TO BE FAIR, THEN I MIGHT NOT BE HERE. RIGHT? I MIGHT STILL BE LIVING IN CHICAGO. AND RECENTLY I HAD MY OWN HEALTH SCARE. I WENT TO THE HOSPITAL. I WAS IN THE EMERGENCY ROOM AND ALL I COULD THINK WAS THANK GOODNESS I HAVE HEALTH INSURANCE. THANK GOODNESS I DON'T HAVE TO WORRY ABOUT WHETHER OR NOT I CAN AFFORD THIS. THERE ARE 2,679 PEOPLE IN MY DISTRICT WHO CAN'T SAY THAT, WHO DON'T HAVE HEALTH INSURANCE, WHO ARE WORKING AND CAN'T AFFORD TO PURCHASE ON THE PRIVATE MARKET AND

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AREN'T ELIGIBLE FOR MEDICAID. LB472 IS A SOLUTION TO THAT LARGE GROUP OF PEOPLE WHO ARE UNINSURED AND IT HELPS THEM MAKE SURE THAT THEIR BASIC NEEDS ARE MET. MEDICAID...SENATOR SCHILZ ACTUALLY MADE A REALLY GOOD POINT. MEDICAID IS RUN LIKE AN INSURANCE PROGRAM. WHEN IT WAS CREATED IN 1965, IT WAS BUILT LIKE AN INSURANCE PROGRAM, AND THE STATES WERE ALLOWED TO SORT OF BUILD IT THE WAY THAT THEY WANTED TO. THAT'S WHY EVERY STATE HAS A DIFFERENT MEDICAID PROGRAM. NEBRASKA HAS ITS OWN. IOWA HAS ITS OWN. THAT'S WHY THIS BILL IS UNIQUE TO NEBRASKA AND UNIQUE TO OUR POPULATION. WOULD SENATOR SCHILZ YIELD TO A QUESTION? [LB472]

SENATOR COASH: SENATOR SCHILZ, WILL YOU YIELD? [LB472]

SENATOR SCHILZ: YES. [LB472]

SENATOR HOWARD: SENATOR SCHILZ, YOU MENTIONED THAT LB472 IS THE WRONG WAY TO GO ABOUT SOLVING "UNINSURANCE" IN NEBRASKA. CAN YOU TELL ME WHAT THE RIGHT WAY IS? [LB472]

SENATOR SCHILZ: SENATOR HOWARD, THANK YOU FOR THE QUESTION. AND YOU KNOW WHAT? I CAN'T FROM SITTING HERE. I CAN'T, BECAUSE THOSE ISSUES ARE VERY BROAD, VERY...IN SOME INSTANCES, VERY TECHNICAL. BUT, I MEAN, IT GOES FROM EVERYTHING FROM THE INSURANCE SIDE AS WE'RE TALKING ABOUT HERE TODAY, TO HOW PATIENTS ARE...HOW THEY UTILIZE THE SYSTEM, HOW DOCTORS THEN MANAGE THEIR PATIENT CARE AS IT MOVES FORWARD, TO A MYRIAD...WELLNESS. I MEAN IT'S A MYRIAD OF THINGS THAT HAVE TO COME INTO PLAY. AND, YOU KNOW, QUITE HONESTLY, I HAVEN'T HAD THE OPPORTUNITY TO SIT DOWN AND REALLY THINK ABOUT IT AND DISCUSS. BUT I'M NOT THE PERSON THAT YOU WANT TRYING TO SOLVE OUR HEALTHCARE ISSUES HERE IN NEBRASKA NECESSARILY. [LB472]

SENATOR HOWARD: CERTAINLY. AND ONE OF THE THINGS THAT I THOUGHT WAS REALLY GREAT ABOUT LB472 THAT I THOUGHT YOU WOULD LIKE THAT WOULD BE CLOSER TO THE RIGHT WAY IS THAT THE BILL REALLY ENCOURAGES COST-CONSCIOUS BEHAVIORS FOR PATIENTS. SO IT INTRODUCES A COPAY FOR MEDICAID RECIPIENTS SO THAT THEY HAVE SKIN IN THE GAME. IT ENCOURAGES...IT ACTUALLY DISCOURAGES THE USE OF THE EMERGENCY ROOM. WE TEND TO, AT MY CLINIC, WE TEND TO...WE TRY TO DISSUADE PEOPLE FROM USING THE EMERGENCY ROOM FOR PRIMARY CARE, BUT OFTEN

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INDIVIDUALS WHO DON'T HAVE INSURANCE TEND TO USE IT AS SUCH BECAUSE THAT'S THEIR LAST RESORT. AND LB472 REQUIRES INDIVIDUALS THAT USE THE ER FOR NONEMERGENCY USE FACE A COPAY OF \$50. SO IT DISCOURAGES USE OF THE ER IN THAT WAY. BUT MORE IMPORTANTLY,... [LB472]

SENATOR COASH: ONE MINUTE. [LB472]

SENATOR HOWARD: ...LB472 FOCUSES ON MANAGING CARE AND EDUCATING PATIENTS ON HEALTH AND APPROPRIATE USE OF SERVICES. AND I WOULD YIELD THE BALANCE OF MY TIME TO SENATOR CAMPBELL. THANK YOU. [LB472]

SENATOR COASH: SENATOR CAMPBELL, YOU HAVE 30 SECONDS. [LB472]

SENATOR CAMPBELL: GOODNESS, I CAN...THANK YOU, MR. PRESIDENT. I CAN HARDLY TALK IN 30 SECONDS. I JUST WANTED TO REEMPHASIZE THE POINT THAT SINCE 1965 MEDICAID HAS BEEN AN INSURANCE POLICY. WE HAVE TWO MAJOR ONES. WE HAVE MEDICAID AND MEDICARE. AND I AM PROUD TO SAY THAT, YES, I AM ON A GOVERNMENT PROGRAM HERE. I AM ON MEDICARE AND I AM ELIGIBLE FOR THAT BECAUSE OF MY AGE. DOESN'T MAKE ANY DIFFERENCE YOUR INCOME; YOUR AGE. ON MEDICAID, YOU HAVE TO HAVE A PARTICULAR INCOME AND YOU HAVE TO MEET A CATEGORY. [LB472]

SENATOR COASH: TIME, SENATOR. [LB472]

SENATOR CAMPBELL: THANK YOU, MR. PRESIDENT. [LB472]

SENATOR COASH: THANK YOU, SENATOR CAMPBELL. SENATOR McCOY, YOU'RE RECOGNIZED. [LB472]

SENATOR McCOY: THANK YOU, MR. PRESIDENT AND MEMBERS. WOULD SENATOR CAMPBELL YIELD, PLEASE? [LB472]

SENATOR COASH: SENATOR CAMPBELL, WOULD YOU YIELD? [LB472]

SENATOR CAMPBELL: YES. [LB472]

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SENATOR McCOY: THANK YOU, SENATOR. I APPRECIATE THAT. I WANT TO ASK A QUESTION IF I COULD. WHEN YOU TALKED ABOUT...AND YOU WENT OVER YOUR BREAKDOWN OF SECTION 13 AND THE ABILITY, IF THE COVERAGE EVER FALLS BELOW 90 PERCENT, TO END OR TO END THE PROGRAM IF THAT FUNDING FALLS THROUGH. IF YOU WOULD, I HAD A QUESTION ON SPECIFICALLY LINES 9 AND 10 WHERE IT TALKS ABOUT AND THE WORDS ARE USED, "NEWLY ELIGIBLE INDIVIDUALS." I WOULD ASSUME THEN THAT IS WRITTEN THAT WAY BECAUSE ANYONE WHO ALREADY IS ON THE PROGRAM WOULD STAY ON THE PROGRAM, AND THIS WOULD ONLY REFER TO ANYONE AFTER OR NEWLY ELIGIBLE AT THAT POINT WOULD THEN NOT HAVE COVERAGE. CORRECT? [LB472]

SENATOR CAMPBELL: SENATOR McCOY, "NEWLY ELIGIBLE" REFERS...IS A TERM THAT REFERS UNDER THE ACA TO ANYONE WHO COMES UNDER THE USE OF MEDICAID EXPANSION DOLLARS. SO IT WOULD BE, IF WE ENACT THIS, IT WOULD BE THOSE PEOPLE FROM THAT POINT ON THAT WOULD LOSE COVERAGE, NOT JUST IN THAT YEAR. [LB472]

SENATOR McCOY: SO FROM...IN OTHER WORDS, RETROACTIVE BACK TO THE VERY BEGINNING. [LB472]

SENATOR CAMPBELL: CORRECT. [LB472]

SENATOR McCOY: OKAY. THANK YOU, SENATOR. I, YOU KNOW, I WANT TO TALK ABOUT A COUPLE OF DIFFERENT THINGS HERE IN THE REST OF MY TIME ON THE MICROPHONE, THE FIRST ONE BEING I THINK A LOT OF US CAN TAKE A GREAT DEAL OF PRIDE IN THE FACT THAT WE NOW HAVE THE LOWEST UNEMPLOYMENT RATE IN AMERICA IN THE GREAT STATE OF NEBRASKA. I THINK THAT'S SOMETHING THAT EVERY MEMBER OF THE LEGISLATURE, ALONG WITH EVERY NEBRASKAN, SHOULD TAKE VERY SERIOUSLY AND BE THANKFUL FOR THAT FACT. IN SOME WAYS, YOU COULD ARGUE IT'S BECAUSE OF THE FALLING OIL PRICES AND THE FACT THAT THERE HAS BEEN A SLOWDOWN IN THE OIL PLAY IN NORTH DAKOTA THAT'S CONTRIBUTED TO THAT. BUT IRRESPECTIVE OF THAT, THIS IS ONE OF THE ONLY TIMES, IF YOU GO BACK AND LOOK AT UNEMPLOYMENT RATES WITH THE BUREAU OF LABOR STATISTICS, THAT WE HAVE HAD THE NATION'S LOWEST UNEMPLOYMENT--DOESN'T HAPPEN VERY OFTEN. I PERSONALLY BELIEVE THAT WHEN YOU'RE LOOKING AT THE COST, IF YOU LOOK ON THE FISCAL NOTE, PAGE 5, I BELIEVE IT IS, AND YOU LOOK AT FY '15-16 TO FY '19-20 OR '19 THROUGH '20, YOU'RE LOOKING AT AN OVERALL COST, WHETHER IT'S FEDERAL DOLLARS OR STATE DOLLARS, OF OVER \$2 BILLION. IT'S

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A LOT OF MONEY. IMAGINE WHAT WE COULD DO IF WE TOOK A GOOD CHUNK OF THAT MONEY AND PUT IT TOWARDS JOB TRAINING AND NEW SKILLS FOR THOSE THAT WE CURRENTLY NEED TO...OR LET ME REPHRASE THAT. PUT A GOOD CHUNK OF THAT MONEY TOWARDS DEVELOPING THE SKILLS, CURRENT TECHNICAL SKILLS TO GET FOLKS HIRED TO THE JOBS WE ALREADY HAVE OPEN TODAY IN NEBRASKA, GOOD-PAYING JOBS FOR THE MOST PART, A LOT OF THEM WITH MEDICAL COVERAGE AS PART OF THEIR BENEFITS PACKAGE, AND THE ECONOMIC IMPACT THAT HAS TO OUR ECONOMY GOING FORWARD FOR GENERATIONS TO COME HOPEFULLY. I THINK THAT'S A SIGNIFICANT POINT ABOUT THIS BILL NOW IN, I BELIEVE UNLESS I'M MISTAKEN, THE THIRD TIME THAT WE'VE TALKED ABOUT THIS ISSUE SINCE I'VE BEEN IN THE LEGISLATURE. [LB472]

SENATOR COASH: ONE MINUTE. [LB472]

SENATOR McCOY: THANK YOU, MR. PRESIDENT. YOU KNOW, ANOTHER POINT I'D LIKE TO MAKE, SENATOR CAMPBELL SAID EARLIER, I THINK IT MIGHT HAVE BEEN HER FIRST TIME ON THE MICROPHONE WHEN SHE WAS OPENING ON THE BILL, WE NEED TO BRING THAT MONEY BACK TO NEBRASKA. WELL, MEMBERS, I WOULD SUBMIT TO YOU, WHOSE MONEY IS THAT? IT'S OUR GRANDKIDS'. IT'S OUR KIDS' AND OUR GRANDKIDS' MONEY. WE'RE \$18 TRILLION IN DEBT IN AMERICA. THAT FEDERAL MONEY WE TALK ABOUT, THOSE ARE OUR TAX DOLLARS. AT SOME POINT WE HAVE TO DRAW A LINE IN THE SAND AND SAY, WE'RE GOING TO DO OUR PART TO TIGHTEN THE BELT ON SPENDING HERE AND IN WASHINGTON. THANK YOU, MR. PRESIDENT. [LB472]

SENATOR COASH: THANK YOU, SENATOR McCOY. MR. CLERK. [LB472]

CLERK: THANK YOU, MR. PRESIDENT. JUDICIARY COMMITTEE REPORTS LB385 AND LB566 TO GENERAL FILE WITH AMENDMENTS; AGRICULTURE COMMITTEE, LB359 AND LB360 TO GENERAL FILE WITH AMENDMENTS. I HAVE THREE NATURAL RESOURCES CONFIRMATION REPORTS. AN AMENDMENT BY SENATOR SCHUMACHER TO BE PRINTED TO LR7CA. AND TWO NEW RESOLUTIONS: LR172, LR173; SENATOR MELLO, LR172; SENATOR HANSEN, LR173. BOTH WILL BE LAID OVER. THAT'S ALL THAT I HAVE. THANK YOU. (LEGISLATIVE JOURNAL PAGES 1085-1092.) [LB385 LB566 LB359 LB360 LR7CA LR172 LR173]

SENATOR COASH: THANK YOU, MR. CLERK. (VISITORS INTRODUCED.) SENATOR KOLTERMAN, YOU'RE RECOGNIZED. [LB472]



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SENATOR KOLTERMAN: THANK YOU, MR. PRESIDENT. COLLEAGUES, I RISE IN OPPOSITION TO LB472. BUT I ALSO WOULD LIKE TO SAY THANK YOU TO SENATOR CAMPBELL BECAUSE SHE HAS WORKED EXTREMELY HARD ON THIS. AND I LIKE SOME OF THE CONCEPTS OF THE CONTRACT. BUT, YOU KNOW, I'VE BEEN INVOLVED WITH THIS SINCE 19...OR SINCE 2010 MYSELF WHEN THE AFFORDABLE CARE ACT WAS ORIGINALLY CREATED. AND I'VE WATCHED IT PLAY OUT TO WHERE IT IS TODAY. AND AT THE TIME, I DIDN'T REALIZE THAT MEDICAID EXPANSION WAS PART OF THE AFFORDABLE CARE ACT, BUT IT'S A BIG PART OF THE AFFORDABLE CARE ACT. BUT IT'S OPTIONAL; AND AS YOU'VE ALREADY HEARD, MANY STATES HAVE CHOSEN NOT TO PARTICIPATE AND MANY HAVE. AND YOU SEEM TO GET CONFLICTING REPORTS WHEN YOU START READING ABOUT WHAT ARKANSAS IS EXPERIENCING, WHAT KENTUCKY IS EXPERIENCING. IT'S ALL OVER THE BOARD. SOME SAY, WELL, IT'S WORKING REALLY WELL. OTHERS WILL TELL YOU, WELL, NOT REALLY, IT'S COSTING OUR STATE MORE THAN WE ANTICIPATED. MY IDEA FOR RUNNING OR ASKING TO SERVE ON HEALTH AND HUMAN SERVICES WAS BEING ABLE TO BRING MY INSURANCE BACKGROUND INTO THE TALKS AND GIVE SOME INPUT FROM THAT PERSPECTIVE. BUT AS WE STARTED LOOKING AT THIS BILL AND WE HEARD ALL THE TESTIMONY, IT KEPT COMING BACK TO MY INDUSTRY IN MANY REGARDS. YOU KNOW, WE HAVE...WE HAD ONE TESTIFIER THAT TESTIFIED IN OPPOSITION, AND THAT WAS BRUCE RAMGE, WHO'S THE DIRECTOR OF INSURANCE FOR THE STATE OF NEBRASKA. AND I'M GOING TO READ JUST A FEW REMARKS. AND I KNOW I WON'T HAVE ENOUGH TIME, SO I'LL GET BACK IN THE QUEUE LATER. BUT, YOU KNOW, HE SAID, "THE DEPARTMENT'S REAL EXPERIENCE WITH THE FEDERAL GOVERNMENT'S IMPLEMENTATION OF THE AFFORDABLE CARE ACT," HE WAS TALKING ABOUT THAT AND HE SAID, THE IMPLICATION (SIC-- IMPLEMENTATION) OF THE AFFORDABLE CARE ACT HAS BEEN A LONG LITANY OF EMPTY FEDERAL PROMISES, GREAT UNCERTAINTY FOR INSURERS AND INSURANCE REGULATORS, AND DECISIONS THAT HAVE, TO SAY THE LEAST, HAVE BEEN UNPREDICTABLE FROM THE FEDERAL GOVERNMENT. NOW THIS IS THE CHIEF REGULATOR IN THE STATE OF NEBRASKA THAT REGULATES INSURANCE. AND HE GOES ON TO TALK ABOUT CoOPPPORTUNITY HEALTH, WHICH I'LL MENTION...I DON'T THINK I'LL START THAT YET. BUT HE TALKS ABOUT THE SKEPTICISM THAT THE REGULATORS HAVE ALL OVER THE COUNTRY IN THIS. HE ALSO TALKS ABOUT EVEN NOW, HAVING BEEN IN THIS SINCE 2010, THE MARKETPLACE CONTINUES TO STRUGGLE AND MORE CONFUSION HAS BEEN CREATED. RECENTLY, THERE WAS A SPECIAL ENROLLMENT ISSUED BY THE FEDERAL GOVERNMENT BECAUSE A TECHNOLOGY CREATED UNDER THE AFFORDABLE CARE ACT PROVIDED INCORRECT TAX INFORMATION TO OVER 800,000 AMERICAN TAXPAYERS. THE PREMIUM ASPECT OF LB472 WITH PAYMENTS

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PRESUMABLY BEING MADE BY THE NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES WOULD YET ADD ANOTHER NEW INFORMATION TECHNOLOGY ASPECT TO AN INSURANCE SYSTEM THAT'S ALREADY OVERLOADED AND CHARGED WITH DIFFICULTIES. BEING IN THE BUSINESS OF SELLING INSURANCE TO PEOPLE, WHEN THIS...WHEN WE STARTED TO DO THIS PROGRAM IN ABOUT 2013 IS WHEN... [LB472]

SENATOR COASH: ONE MINUTE. [LB472]

SENATOR KOLTERMAN: ...WHEN IT ORIGINALLY STARTED, FOR THE FIRST TWO MONTHS WE COULDN'T EVEN WRITE A POLICY BECAUSE IT WAS SO FOULED UP. NOW I'M TALKING ABOUT THE INDIVIDUAL PRODUCTS, AND THAT HASN'T CHANGED A LOT OVER THE LAST TWO YEARS. IT'S JUST NOT A GOOD PLAN, AND I JUST DON'T SEE WHERE THIS IS THE ANSWER. LB472 HAS GOT...LIKE I SAID, IT'S GOT SOME GOOD IDEAS. BUT THE ADMINISTRATION OF IT IS JUST GOING TO BE UNBELIEVABLE. AND WE'RE ALREADY SEEING CHALLENGES ON THE FEDERAL LEVEL THAT ARE COMING DOWN THROUGH THE STATE AND I JUST DON'T SEE WHERE IT'S GOING TO WORK. TO GIVE YOU AN EXAMPLE, A FAMILY OF FOUR HAS A...IF THEY HAVE A \$6,000 DEDUCTIBLE OR A \$12,000...THAT GIVES THEM A \$12,000 OUT-OF-POCKET. AND THAT'S COSTING THEM \$1,200 PER MONTH. NOW THAT'S \$14,000 A YEAR... [LB472]

SENATOR COASH: TIME, SENATOR. [LB472]

SENATOR KOLTERMAN: THANK YOU. [LB472]

SENATOR COASH: THANK YOU, SENATOR KOLTERMAN. SENATOR COOK, YOU ARE RECOGNIZED. [LB472]

SENATOR COOK: THANK YOU, MR. PRESIDENT. AND GOOD AFTERNOON, COLLEAGUES. I RISE IN SUPPORT OF LB472. I AM A MEMBER OF THE HEALTH AND HUMAN SERVICES COMMITTEE AND HAVE SUPPORTED THIS PROPOSAL IN VARIOUS FORMS--FOR INCLUSION OF PEOPLE SO THEY CAN ACCESS HEALTHCARE--EVERY TIME IT HAS BEEN BROUGHT TO THE FLOOR. I'M ADVOCATING FOR MEDICAID REDESIGN TO ENSURE THAT WORKING NEBRASKANS WHO CAN'T AFFORD TO ACCESS PRIVATE INSURANCE AND ARE NOT ELIGIBLE FOR THE SUBSIDIZED CARE ON THE PRIVATE HEALTH INSURANCE MARKET HAVE SOME SORT OF OPTION FOR HEALTH INSURANCE COVERAGE. IT'S MY SINCERE HOPE THAT THIS BODY WILL NOT LEAN TOWARD POLITICAL

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DIVISION IN FIGHTING OVER ACA, AN ISSUE THAT HAS BEEN DEBATED IN THE UNITED STATES SUPREME COURT, IN THE UNITED STATES HOUSE OF REPRESENTATIVES, AND U.S. SENATE OVER AND OVER AGAIN, BUT IT WILL LOOK AT THE QUESTIONS AS THEY PRESENT THEMSELVES TO OUR RESIDENTS AND OUR CONSTITUENTS HERE IN THE STATE OF NEBRASKA. IT IS MY HOPE THAT THIS BODY CAN SEPARATE THE FOLLOWING TWO ISSUES. FIRST, IS THE FEDERAL LAW AS PASSED BY CONGRESS, AGAIN, AND SIGNED BY THE PRESIDENT--THAT'S PRESIDENT BARACK OBAMA--AND UPHELD BY THE SUPREME COURT RIGHT FOR OUR COUNTRY? AND SECOND IS THIS: SHOULD THE WORKING NEBRASKANS IN OUR STATE HAVE ACCESS TO BASIC PREVENTATIVE HEALTHCARE? MY ANSWER IS, ABSOLUTELY, YES. BEFORE THE BODY TODAY, LB472, THERE IS A WONDERFUL BREAKOUT OF IT PROVIDED BY THE CHAIR OF THE COMMITTEE. BEFORE THE BODY TODAY IS AN EXPRESSION OF A REAL PROBLEM THAT EXISTS IN OUR STATE. ONE OF THE HANDOUTS THAT EACH OF US RECEIVED ENUMERATED THE NUMBER OF UNINSURED PEOPLE IN OUR DISTRICTS. NOW WHAT WE HAVE TO REMEMBER IS THAT THIS IS NOT JUST REGULAR, OLD, UNINSURED PEOPLE AMONG THE 38,000 OR SO WHOM WE REPRESENT. IT'S UNINSURED ADULTS, AGED 18-64, WITH INCOMES UNDER 138 PERCENT OF THE FEDERAL POVERTY LEVEL. IN LEGISLATIVE DISTRICT 13, THE DISTRICT I REPRESENT, THAT IS 2,105 PEOPLE. I WOULD ALSO TAKE THIS OPPORTUNITY TO SAY THAT WHILE NEBRASKA OVERALL BOASTS CONTINUALLY A LOW UNEMPLOYMENT RATE, THAT THERE ARE PARTS OF MY DISTRICT WITH 12-20 PERCENT UNEMPLOYMENT. THAT DOESN'T INCLUDE THE NUMBER OF PEOPLE WHO ARE UNEMPLOYED, WHO ARE PERHAPS WORKING TWO OR THREE JOBS, NONE OF WHICH PROVIDE HEALTHCARE FOR THEM OR FOR THEIR FAMILIES. I'LL GO ON. IF THOSE IN OPPOSITION TO THE LEGISLATURE ARE ANCHORED IN THEIR POSITION BECAUSE THIS POLICY IS RELATED TO ACA, WE ARE CHOOSING TO IGNORE THE REALITY OF THE POPULATION OF WORKING NEBRASKANS WHO LIVE EVERY DAY IN FEAR OF ILLNESS, ILLNESS THAT WOULD TAKE THEM AWAY FROM THEIR JOB ON A SHORT-TERM BASIS, WHETHER IT'S THAT BAD FLU THAT WENT AROUND THIS WINTER AND SPRING OR, LET'S SAY, A CAR ACCIDENT WHERE YOU'RE...HAVE TO GO THROUGH REHABILITATION OUT OF YOUR OWN POCKET AND YOU'RE KEPT AWAY FROM WORK. AND ONCE AGAIN, IT IS MOST OFTEN THE KIND OF WORK THAT DOES NOT ALLOW FOR SICK TIME OR TIME DURING WHICH YOU ARE DISABLED. WITH THAT, MR. PRESIDENT, I WOULD YIELD THE BALANCE OF MY TIME TO SENATOR NORDQUIST. THANK YOU. [LB472]

SENATOR COASH: SENATOR NORDQUIST, ONE MINUTE. [LB472]

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SENATOR NORDQUIST: THANK YOU, MR. PRESIDENT. WOULD SENATOR KINTNER YIELD TO A QUESTION? [LB472]

SENATOR COASH: SENATOR KINTNER, WILL YOU YIELD? [LB472]

SENATOR NORDQUIST: AS SENATOR KINTNER IS WALKING UP, BECAUSE I HAVE A MINUTE, JUST...I HEARD... [LB472]

SENATOR KINTNER: YES. [LB472]

SENATOR NORDQUIST: I THOUGHT I HEARD HIM SAY THAT MEDICAID SHOULDN'T BE A PROGRAM. SO JUST PROBABLY A YES OR NO ON THIS: WE HAVE ABOUT 153,000 LOW-INCOME CHILDREN ON MEDICAID, 18,000 SENIORS WITH VERY LOW ASSETS IN NURSING HOMES, AND 37,000 BLIND AND DISABLED NEBRASKANS ON MEDICAID. SENATOR KINTNER, DO YOU WANT TO KICK THOSE PEOPLE OFF OF MEDICAID? [LB472]

SENATOR KINTNER: I WANT A BETTER PROGRAM. [LB472]

SENATOR NORDQUIST: SO YOU...BUT YOU SAID EARLIER MEDICAID SHOULDN'T BE A PROGRAM. IS THAT RIGHT? [LB472]

SENATOR KINTNER: IT...NO, WE SHOULDN'T BE TRYING TO PUT PEOPLE ON IT. IT'S ONLY REIMBURSING DOCTORS AT 40 CENTS ON THE DOLLAR OF THEIR COSTS. IT'S NOT A GOOD PROGRAM. IT'S NOT GOOD FOR THE DOCTORS. THE HEALTH OUTCOMES AREN'T THAT GREAT. WE CAN DO BETTER THAN THAT. [LB472]

SENATOR NORDQUIST: THANK YOU, SENATOR KINTNER. THIS IS A VITAL PROGRAM THAT SO MANY VULNERABLE NEBRASKANS DEPEND ON AND IT DOES PROVIDE THEM GOOD CARE. WE HEAR FROM IT IN PEOPLE WHO COME FORWARD EVERY YEAR IN APPROPRIATIONS SAYING, HELP US KEEP THIS PROGRAM STRONG. THANK YOU, MR. PRESIDENT. [LB472]

SENATOR COASH: THANK YOU, SENATOR NORDQUIST AND KINTNER. SENATOR MORFELD, YOU ARE RECOGNIZED. [LB472]

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SENATOR MORFELD: THANK YOU, MR. PRESIDENT. FIRST OFF, I RISE IN SUPPORT OF LB472 AND AM676. AND I WANT TO FIRST START OUT WITH MY OWN PERSONAL STORY. ABOUT 15 YEARS AGO, MY STEPFATHER WAS IN HIS LATE 40s AND HAD AN UNEXPECTED HEART ATTACK, AS MOST HEART ATTACKS ARE UNEXPECTED. BUT HE WAS PRETTY YOUNG. AND HEALTH INSURANCE AT THAT TIME, THIS WAS PRE-AFFORDABLE CARE ACT, WAS NOT ALL THAT GREAT, TO SAY THE LEAST. AND IN ORDER TO AVOID LOSING THEIR HOME, THEY HAD TO SELL THEIR HOME. AND AS AN INDIVIDUAL AND A FAMILY MEMBER WHO HAS SEEN WHAT SUBPAR HEALTH INSURANCE CAN DO OR UNAFFORDABLE HEALTH INSURANCE CAN DO TO FAMILIES, I FIND THAT LB472 IS CRITICAL FOR NEBRASKA'S WORKING FAMILIES. AND MY FAMILY WAS PROBABLY CONSIDERED MIDDLE INCOME, MAYBE LOWER MIDDLE INCOME AT THE TIME. AND MY MOTHER AND FATHER NOW WILL NEVER RETIRE. THEY WILL WORK FOR THE REST OF THEIR LIVES BECAUSE HE LIQUIDATED HIS RETIREMENT TO PAY FOR THE MEDICAL EXPENSES THAT WEREN'T COVERED. AND IT WAS BECAUSE, EVEN AT THAT TIME, HEALTH INSURANCE POLICIES WERE NOT VERY AFFORDABLE AND THEY WERE ONLY ABLE TO HAVE THE POLICY THAT THEY COULD AFFORD. AND SO WORKING NEBRASKANS, LIKE MY FAMILY, WILL NEVER RETIRE NOW. THEY'LL WORK UNTIL THEY DIE. AND THEY WON'T HAVE THE OPPORTUNITIES THAT MANY OTHER NEBRASKANS HAVE WHO DO WORK JUST AS HARD BUT HAVE THE OPPORTUNITY AND THE BENEFIT OF HAVING A GOOD HEALTHCARE PLAN. IN ADDITION, MY MOTHER FOR ABOUT 13 YEARS OF MY LIFE WAS A SINGLE MOTHER WITH THREE KIDS. SHE WORKED 40-50 HOURS A WEEK, AS MUCH AS SHE COULD. AND I WAS LOOKING AT SOME OF THE FACTS AND FIGURES AND THE POVERTY LEVELS HERE AND LOOKING BACK AT HOW MUCH HER SALARY AT THAT TIME IN OMAHA WOULD GO FOR TODAY AND SHE WOULD HAVE FALLEN WITHIN THE MEDICAID GAP, WITH THE THREE KIDS THAT SHE HAS. AND I SAY THAT TO REMIND PEOPLE THAT THESE ARE HARDWORKING NEBRASKANS THAT ARE FALLING WITHIN THIS MEDICAID GAP. AND WHEN I WENT DOOR TO DOOR, I KNOCKED UPWARDS TO ABOUT 15,000 DOORS. AND THE PEOPLE THAT WERE FALLING IN THE MEDICAID GAP WERE PEOPLE THAT HAD THEIR OWN BUSINESSES, WERE ENTREPRENEURS, WHO WORKED AT COMPANIES THAT COULDN'T AFFORD HEALTHCARE OR PROVIDE IT AT THE LEVEL THAT THEY NEEDED FOR THEIR FAMILY. THESE WERE FOLKS THAT WERE WORKING HARD, THAT NEEDED SOLUTIONS. AND ONE OF MY CONCERNS HERE IS THAT EVERYBODY THAT'S OPPOSED TO THIS BILL THAT I'VE HEARD FROM TODAY HAS NOT PROVIDED AN ALTERNATIVE SOLUTION. WELL, THEIR SILENCE IS DEAFENING AND, IN MANY CASES, THEIR SILENCE IS DEADLY FOR FAMILIES AND FINANCIALLY CATASTROPHIC. SO IF WE'RE GOING TO BE OPPOSED TO LB472, EVERYBODY THAT'S OPPOSED, I CHALLENGE YOU TO COME UP WITH AN

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ALTERNATIVE, COME UP WITH AN ALTERNATIVE FOR NEBRASKANS SO THAT THEY CAN HAVE FINANCIAL STABILITY, SO THAT THEY CAN WORK HARD AND NOT BE AFRAID OF LOSING THEIR HOME OR HAVING TO DECLARE BANKRUPTCY BECAUSE THEY COULDN'T AFFORD HEALTHCARE COVERAGE. I CHALLENGE ALL OF YOU TO COME UP WITH AN ALTERNATIVE SOLUTION IF YOU'RE OPPOSED TO LB472. THANK YOU. [LB472]

SENATOR COASH: THANK YOU, SENATOR MORFELD. MR. CLERK. SENATOR GLOOR, YOU ARE RECOGNIZED. [LB472]

SENATOR GLOOR: I FEEL UNCOMFORTABLE THAT I MAY HAVE BUMPED THE CLERK AND I'D PAY FOR THAT. BUT I'M SURE WE'LL GET THAT WORKED OUT. THANK YOU, MR. PRESIDENT. I WANT TO COMPLIMENT THE BODY, HAVING BEEN THROUGH THIS AND INTIMATELY INVOLVED IN THIS DISCUSSION FOR A NUMBER OF YEARS NOW, AS HAS BEEN POINTED OUT. THIS IS THE BEST DISCOURSE I HAVE HEARD SO FAR. AND I'M...I DON'T KNOW WHETHER IT'S BECAUSE, FOR A LOT OF FOLKS, THEY'VE HEARD IT ALL AND THEY DON'T HAVE THE SAME LEVEL OF FIGHT LEFT IN THEM. (LAUGH) BUT I, RATHER, THINK IT'S BECAUSE WE'RE EDUCATING OURSELVES. AND THIS NEEDS TO BE AN INTELLIGENT DIALOGUE WITHOUT THE GOOD AND THE BAD AND THE UGLY BEING HUNG ON PEOPLE AS WE HAVE THIS DISCUSSION. IT'S A TOUGH DISCUSSION. I KNOW BECAUSE, FOR THOSE WHO DON'T RECALL OR MAY NOT HAVE BEEN HERE, I WAS OPPOSED TO THE FIRST EXPANSION OF MEDICAID FOR THE REASONS THAT SENATOR KINTNER AND SENATOR SCHILZ BRING FORWARD. WE HAVE A BROKEN HEALTHCARE SYSTEM, NOT JUST MEDICAID, NOT JUST MEDICARE, BUT OUR SYSTEM OVERALL DOESN'T WORK RIGHT. THE GOOD NEWS IS WE DON'T NEED TO SPEND ANY MORE ON HEALTHCARE IN THIS COUNTRY. WE JUST NEED TO SPEND IT BETTER AND WISER WITH A SYSTEM THAT DOESN'T REWARD US FOR CHURNING PATIENTS, PAYING REGARDLESS OF WHETHER PATIENTS GET ANY BETTER, PAYING REGARDLESS OF...PAYING BECAUSE WE ARE WILLING TO PAY FOR THE BREAST CANCER THERAPY FOR THE WOMAN THAT WE WOULDN'T DO MAMMOGRAPHS ON A REGULAR BASIS FOR. ALL OF THAT IS WRONG AND ALL OF THAT IS PART OF A BROKEN SYSTEM. BUT THE REASON I SUPPORTED MEDICAID LAST TIME IT WAS UP, THE REASON I SUPPORT MEDICAID THIS YEAR IS THIS DOES TALK ABOUT AND HAS BUILT INTO IT AND INTERTWINED WITH IT A FOCUS ON CHANGING OUR DELIVERY SYSTEM, A TRANSFORMATIONAL MODEL CALLED CHRONIC DISEASE MANAGEMENT, PATIENT-CENTERED MEDICAL HOME. AND MY OPPOSITION THE FIRST TIME GOT TAKEN TO HEART, AND WHAT GOT FOLDED INTO THE MEDICAID EXPANSION WAS A FOCUS ON CHANGING OUR DELIVERY SYSTEM. I WOULD RISE TO SENATOR MORFELD'S CHALLENGE ABOUT

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INTRODUCE SOMETHING. I DID MY FIRST YEAR HERE. I GOT MEDICAID TO AGREE TO A PILOT PROJECT FOR PATIENT-CENTERED MEDICAL HOME, A FOCUS ON PRIMARY CARE, A FOCUS ON CHRONIC DISEASE MANAGEMENT. AND IT WAS SUCCESSFUL. IT OPERATED IN CLINICS IN KEARNEY AND IN LEXINGTON. AND THOSE DOCTORS GOT EXCITED ENOUGH ABOUT IT TO GET ANOTHER SENATOR TO INTRODUCE A BILL THAT WOULD HAVE EXPANDED IT EVEN FURTHER INTO THE PRIVATE INSURANCE SECTOR. THAT TO ME WAS A LITTLE FAST, A LITTLE TOO MUCH. AND SO WE NEGOTIATED AN AGREEMENT THAT NOW EXISTS WITH ALL THE MAJOR INSURERS TO GRADUALLY MOVE THE PATIENT-CENTERED MEDICAL HOME AND CHRONIC DISEASE MANAGEMENT OUT INTO THE GENERAL POPULATION. MEDICAID WAS HAPPY ENOUGH SO THAT IT EMBEDDED IT IN ITS MANAGED CARE PROGRAM FOR MEDICAID ACROSS THE STATE. BUT I GOT TO TELL YOU, I'M ONE SENATOR TRYING TO PUSH THIS ROCK UPHILL AND IT IS TOUGH. AND MANY OF YOU KNOW I'M GOING TO BE GONE IN A COUPLE OF YEARS. AND WHO OF YOU WANT TO TAKE UP THIS BATTALION-LIKE CHARGE AS A SINGLE SENATOR TO PUSH IT FORWARD? WHY DO I SUPPORT MEDICAID EXPANSION? BECAUSE WE CAN'T IGNORE THIS TRANSFORMATIONAL CHANGE, THIS FOCUS ON PRIMARY CARE AND CHRONIC DISEASE MANAGEMENT, IF IT'S EMBEDDED IN OUR MEDICAID SYSTEM. [LB472]

SENATOR COASH: ONE MINUTE. [LB472]

SENATOR GLOOR: AND ONCE IT'S EMBEDDED IN OUR MEDICAID SYSTEM, IT WILL BECOME EASY FOR PRACTICES TO FLIP AND PROVIDE CARE TO ALL OF THEIR PATIENTS, NOT JUST MEDICAID BUT ALSO MEDICARE AND PRIVATE INSURED. IT WILL MAKE A DIFFERENCE. I'LL TALK ABOUT IT MORE WHEN I'M ON MIKE. BUT THERE ARE OPTIONS OUT THERE THAT ARE BEING EXPLORED. IT'S NOT IT'S EITHER WE EXPAND MEDICAID THAT'S A CRAPPY SYSTEM THAT WE DON'T LIKE OR WE EXPAND MEDICAID AND HOPE GOOD THINGS HAPPEN. THIS BILL REQUIRES GOOD THINGS TO HAPPEN THAT CHANGE OUR DELIVERY MODEL, THAT PAY FOR PERFORMANCE, THAT ENCOURAGE PATIENTS TO STOP USING ERs FOR THEIR HEADACHES AND START GOING TO THEIR PRIMARY CARE PHYSICIAN FOR THOSE THINGS THEY OUGHT TO SEE THEIR PRIMARY CARE PHYSICIAN. AND WE WILL SAVE MILLIONS OF DOLLARS THAT CAN BE USED IN BETTER WAYS IN HEALTHCARE, IN BETTER WAYS FOR THINGS LIKE TAX RELIEF. THERE ARE SOLUTIONS OUT THERE AND THIS APPROACH THAT IS BEING TALKED ABOUT IN LB472 HAS OPPORTUNITIES. [LB472]

SENATOR COASH: TIME, SENATOR. SENATOR KRIST, YOU ARE RECOGNIZED.  
[LB472]

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SENATOR KRIST: THANK YOU, MR. PRESIDENT. GOOD AFTERNOON. AND GOOD AFTERNOON, COLLEAGUES. I HAVE BEEN HERE FOR THE DISCUSSIONS OF MEDICAID EXPANSION, OF TWEAKING THE MEDICAID PROGRAMS THAT WE HAVE, AND NOW, IN THIS LATEST DISCUSSION, OF MANAGING MEDICAID FUNDS AS AN ECONOMIC TOOL. DID YOU GET THAT SUBTLE DIFFERENTIAL BETWEEN THE FIRST TIME, THE SECOND TIME, AND THE THIRD TIME? THIS IS NOT EXPANSION. THIS IS MANAGING THE MEDICAID DOLLARS AS AN ECONOMIC TOOL. ANY OF YOU THAT WANT A DISSERTATION ON WHAT THIS IS DOING TO OUR GENERAL FUNDS, GO BACK AND TALK TO THE CHAIR OF APPROPRIATIONS AND HE'LL TELL YOU, AT THIS RATE, WE CANNOT SUSTAIN THE HEALTHCARE DELIVERY SYSTEMS IN THIS STATE WITHOUT USING ALL THE TOOLS AT OUR DISPOSAL. THAT'S WHERE I STAND. I HANDED SOMETHING OUT THAT I ASKED FOR FROM A FORMER EMPLOYEE OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES WHO NOW WORKS FOR AARP. AND MY SUPPOSITION WHEN I ASKED HIM FOR THIS WAS, HOW POORLY ARE WE MANAGING THIS ECONOMIC TOOL? MY SUPPOSITION WAS THAT WE HAVE DELIBERATELY, BY PUTTING A SIGN UP IN VIVIANNE CHAUMONT'S OFFICE, GOD REST HER SOUL, THAT SAID CUT MEDICAID AT ALL COSTS, WE HAVE DELIBERATELY DISENFRANCHISED OURSELVES FROM THOSE DOLLARS WE'VE SENT TO WASHINGTON, D.C., THAT ARE SUPPOSED TO BE, I GUESS, PAYING DOWN A \$17 TRILLION DEBT, FOR SOME OTHER STATE TO USE. WHEN WE WANT TO HAVE A DISCUSSION ABOUT STOPPING THE FLOW OF TAXES INTO THE FEDERAL GOVERNMENT, LET'S HAVE THAT ONE. BUT LET'S NOT CONFUSE THE ISSUE. WE'VE SENT MONEY TO CMS. CMS THEN HAS TWO INSURANCE PROGRAMS, IF YOU WILL. ONE IS MEDICAID; ONE IS MEDICARE. I'M GOING TO STOP THERE AND GO OFF SUBJECT JUST A BIT. DO ANY OF YOU HAVE A PROBLEM WITH TAKING SUBSIDIZED DOLLARS FOR FARMS? FOR GROWING? FOR LABOR? LET'S TALK ABOUT STOPPING TO TAKE FEDERAL DOLLARS IN SUBSIDIZED PROGRAMS. THIS SEEMS TO BE A UNIQUE STRUCTURE WHERE WE ONLY DON'T CARE ABOUT USING THIS TOOL TO OFFSET GENERAL FUND DOLLARS SO THAT WE CAN TAKE CARE OF OUR PEOPLE. THIS IS A DESCRIPTION OF HOW WE'VE MANAGED THIS PROGRAM. AND IF YOU LOOK AT THE BOX AT THE BOTTOM OF THIS HANDOUT, FROM FY '01 TO FY '14 IN THIS COMPARISON, WE'VE NOT MANAGED OUR FEDERAL FUNDS AND OUR FMAP CORRECTLY AND WE HAVE FORGONE \$17 MILLION. WHAT KIND OF JOBS PROGRAM COULD WE DO FOR \$17 MILLION? HOW ABOUT...STICK TO THE POINT. WHAT KIND OF HEALTHCARE CAN WE PROVIDE FOR THE DELTA OF \$17 MILLION? I'VE HAD SEVERAL DISCUSSIONS WITH THE EXECUTIVE BRANCH AND, JUST THIS AFTERNOON, WITH THE NEW CEO OF HEALTH AND HUMAN SERVICES. I TALKED ABOUT SOME SPECIFIC AREAS WHERE I THINK WE COULD USE MEDICAID DOLLARS AND OFFSET GENERAL FUNDS. LET'S TAKE, FOR EXAMPLE, WHAT THE



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ACA DID...NO, SCRATCH THAT. BAD EXAMPLE, BECAUSE WE DON'T WANT TO TALK ABOUT ACA. THAT'S A BAD WORD. LET'S TALK ABOUT WHAT WE'RE DOING IN OUR PENITENTIARIES AND OUR CORRECTIONS SYSTEM. ARE YOU AWARE THAT WE HAVE DELIBERATELY NOT BEEN DRAWING DOWN ON MEDICAID DOLLARS AND PAYING FOR THOSE WHO ARE INCARCERATED, WHO GO TO THE HOSPITAL AND THEY'RE OUT OF THE INSTITUTION FOR MORE THAN 24 HOURS? WE HAVE IGNORED... [LB472]

SENATOR COASH: ONE MINUTE. [LB472]

SENATOR KRIST: ...MEDICAID DOLLARS AND WE HAVE PAID FOR ALL THAT WITH GENERAL FUNDS. IN THE PAST FEW YEARS THAT'S COST US ALMOST \$7 MILLION. LET'S START LOOKING AT USING OUR MEDICAID DOLLARS AS A TOOL TO OFFSET SOME OF OUR GENERAL FUNDS, DRAW BACK SOME OF THOSE DOLLARS THAT WE NEED IN A STRATEGIC, ECONOMIC, EFFICIENT WAY. THIS IS NOT EXPANSION. THIS IS DRAWING DOWN OUR GENERAL FUND DOLLARS...OR OFFSETTING OUR GENERAL FUND DOLLARS. THANK YOU, MR. PRESIDENT. [LB472]

SENATOR COASH: THANK YOU, SENATOR KRIST. MR. CLERK. [LB472]

CLERK: MR. PRESIDENT, SENATOR SCHUMACHER WOULD MOVE TO AMEND THE COMMITTEE AMENDMENTS WITH AM1171. IT IS ON THE SYSTEM NOW, SENATOR, SO YOU KNOW. (LEGISLATIVE JOURNAL PAGE 1093.) [LB472]

SENATOR COASH: SENATOR SCHUMACHER, YOU ARE RECOGNIZED TO OPEN ON YOUR AMENDMENT. [LB472]

SENATOR SCHUMACHER: THANK YOU, MR. PRESIDENT. MEMBERS OF THE BODY, AS I LISTENED TO THE DEBATE, I REALIZED WE'VE GOTTEN WAY, WAY FAR AHEAD OF OURSELVES. WE ENDED UP TALKING ABOUT, OH, WE CAN GET OUR \$400 MILLION BACK FROM THE FEDERAL GOVERNMENT THAT OUR TAXPAYERS SEND IN; OR WHAT HAPPENS IF 90 PERCENT FEDERAL FUNDING GOES AWAY; OR HOW, BY NOT SPENDING OUR SHARE OF THE FEDERAL MEDICAID BUDGET, WE CAN RUN THE FEDERAL GOVERNMENT FOR 59 MINUTES, ALL THOSE KIND OF THINGS. WE HAVE TO LOOK AT THE BIG PICTURE. WE HAVE TO MAKE A STRATEGIC DECISION. AND LET'S GO BACK IN TIME A LITTLE BIT. EARLY 1970s, THE SMART THINKERS WERE LOOKING AT HEALTHCARE AND DEBATING WHETHER OR NOT WE SHOULD HAVE A PROGRAM OF FEDERAL HEALTH INSURANCE, UNIVERSAL COVERAGE, ALL KINDS OF TALK ABOUT HMOs. AND

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KAISER PERMANENTE I THINK WAS A THING AND THERE WAS A THING IN PUGET SOUND UP IN WASHINGTON STATE AND THERE WAS ALL KIND OF DIFFERENT EFFORTS. BUT ONE THING WAS DRIVING THAT, AND THAT WAS A REALIZATION THAT DEMOGRAPHICALLY WE WERE GOING TO HAVE THESE BABY BOOMERS PRODUCING A BUNCH OF BABIES, THEY WERE ALSO GOING TO GET OLD OVER THE NEXT 60 YEARS, AND WE WERE GOING TO HAVE BURDEN FROM THAT. WE WERE ALSO GOING TO HAVE A GREAT DEAL OF BURDEN BECAUSE WE WERE GOING TO HAVE MEDICAL TECHNOLOGY MAKE PEOPLE LIVE LONGER AND THAT TECHNOLOGY WOULD, CHANCES ARE, BE VERY, VERY EXPENSIVE. AND WE HAD AN INSURANCE PROBLEM. AND IT WAS COMING AND WE KNEW IT WAS COMING. AND WE KIND OF CHOSE TO GO INTO THE '70s AND THE '80s AND BLOW OFF THE ISSUE. IN THE '80s, A COUPLE OF THINGS HAPPENED THOUGH, ONE OF WHICH THERE WAS SOME TAX GIMMICKRY THAT WAS DONE THAT MADE IT POSSIBLE FOR EMPLOYERS TO PAY FOR INSURANCE FOR THEIR EMPLOYEES, DEDUCT IT, AND IT NOT BE INCOME TO THE EMPLOYEES. BIG PUSH, GOT CADILLAC INSURANCE POLICIES BOUGHT FOR EMPLOYEES INSTEAD OF PAYING FOR HIGHER WAGES. SECOND THING WAS A VERY SIGNIFICANT THING AND I THINK IT WAS PRESIDENT REAGAN THAT WAS BEHIND IT AND SAID, LISTEN, IF SOMEBODY SHOWS UP AT AN EMERGENCY ROOM, YOU GOT TO GIVE THEM FREE CARE FOR A LITTLE WHILE--I THINK IT WAS 24 HOURS--AND YOU GOT TO TAKE CARE OF THEM. YOU JUST CAN'T LAY THEM ON A GURNEY AND ROLL THEM DOWN TO THE CORONER'S OFFICE. LET THEM...TAKE CARE OF THEM. GOT TO BE EMERGENCY ROOM CARE. WELL, GUESS WHAT HAPPENED. OUR HOSPITALS BEGAN INTERPRETING THAT LAW ABOUT EMERGENCY ROOM CARE AS A MANDATE THAT NOT...WHEN THEY SHOWED UP YOU HAD TO CARE FOR THEM, NOT JUST STOP THEIR HEART FROM BEATING WILDLY. IF THEY NEEDED A BYPASS, YOU GAVE THEM A BYPASS. IF THEY NEEDED A TRANSPLANT AND YOU HAD A HEART, YOU GAVE THEM A TRANSPLANT. YOU SPENT ALL KINDS OF MONEY. BUT THERE WAS NO FREE LUNCH IN THE SYSTEM. MONEY HAD TO COME FROM SOMEWHERE. WELL, WHERE DID IT COME FROM? WELL, IT CAME FROM A VERY SIMPLE THING. THEY GAVE THE FREE CARE AWAY AND THEY CHARGED THE OTHER PATIENTS MORE. WHETHER THAT WAS INSURANCE OR MEDICARE, MEDICAID, WHATEVER, THEY CHARGED IT MORE, A LITTLE BOOKKEEPING WORK ON THE PART OF HOSPITAL ADMINISTRATORS. AND SO WE BEGAN TO HAVE PROBLEMS WITH THAT SYSTEM. IN THE 1990s, HILLARY (CLINTON) TOOK A SHOT AT IT AND SCREWED IT UP AND DIDN'T GET "HILLARYCARE" PASSED. WE BLEW IT OFF SOME MORE. THOSE OF YOU THAT WERE SITTING ON BUSINESS BOARDS OR BUYING YOUR OWN INSURANCE SAW INSURANCE RATES GO UP AND UP AND UP AND UP, AND PEOPLE BEGAN TO DROP THEIR INSURANCE. AND THAT COMPOUNDED THE PROBLEM AND THEY WENT UP AND UP AND UP. THAT WAS

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LONG BEFORE WE HEARD OF OBAMA. WE THOUGHT OBAMA MUST BE A VACUUM CLEANER OF SOME KIND OR MAYBE A SPANISH DANCE. WE...THAT IS WHERE WE WERE: OUT OF CONTROL, WITH NO POSSIBLE WAY TO DEAL WITH IT. AND THAT LED TO THE SITUATION OF "ROMNEYS CARE" IN MASSACHUSETTS. IT LED TO THE SITUATION OF TRYING TO DO SOMETHING WITH THE OBAMA EFFORT THAT FIZZLED OUT AND ENDED UP WITH OBAMACARE, WHICH IS KIND OF AN ABORTED EFFORT AT IT BUT, NEVERTHELESS, IT'S AN IMPLEMENTED ABORTED EFFORT. THE BABY LIVED. AND I THINK WE NEED TO MAKE A FUNDAMENTAL DECISION HERE, RIGHT OFF THE BAT, BECAUSE IF WE SAY WE DO NOT LIKE THIS AMENDMENT I PROPOSED, THEN WE HAVE TO DECIDE HOW WE'RE GOING TO PAY FOR NOT LIKING IT AND WHETHER OR NOT THE WAY WE'RE DOING IT NOW IS SMART OR WHETHER IT WOULD BE SMARTER TO DO IT ALONG SOMEWHAT OF THE LINES OF LB472. SO THE AMENDMENT THAT I PROPOSE ROLLS BACK THE CLOCK. I LISTENED TO SENATOR KINTNER. I ALSO LISTENED TO SENATOR MORFELD SAY, COME ON, GIVE US A PLAN THAT SOLVES THE PROBLEM. THIS PROBLEM DOESN'T COST...THIS PLAN COSTS US NOTHING, SOLVES THE PROBLEM COMPLETELY. NO MORE HIDDEN TAXES THROUGH OUR INSURANCE. NO NEED FOR EXPANDING MEDICAID. IT'S A VERY SIMPLE MOTION. IT SAYS: NO HOSPITAL OR EMERGENCY ROOM SHALL PROVIDE CARE TO A PERSON FOR LONGER THAN 24 HOURS. I THINK THAT'S THE FEDERAL STANDARD--IF THERE IS A DIFFERENT ONE, WE'LL STICK IT IN THERE--AFTER SUCH PERSON HAS BEEN ADMITTED TO THE HOSPITAL OR EMERGENCY ROOM UNLESS SUCH PERSON HAS PROOF OF FINANCIAL RESPONSIBILITY SUFFICIENT TO COVER THE REASONABLY ESTIMATED COST OF CARE TO BE DELIVERED BEYOND THAT 24-HOUR PERIOD. FINANCIAL RESPONSIBILITY MEANS PERSONAL ASSETS, INSURANCE, GUARANTEE OF PAYMENT BY SOME PERSON OR ENTITY WITH ENOUGH MONEY--MAYBE A CHURCH, MAYBE A CHARITY, MAYBE ONE OF YOU IN THIS ROOM, MAYBE THE REPUBLICAN PARTY, MAYBE THE DEMOCRATS, I DON'T KNOW, BUT SOMEBODY WHO'S GOT ENOUGH DOUGH TO HANDLE IT--OR THEY'RE COVERED BY AN EXISTING GOVERNMENT PROGRAM--MEDICARE, FOR EXAMPLE OR THEY'RE ALREADY ON MEDICAID. FINANCIAL RESPONSIBILITY DOES NOT INCLUDE CHARITY CARE FROM A HEALTHCARE PROVIDER UNLESS SUCH HEALTHCARE CAN BE DELIVERED WITHOUT INCREASING THE COST OF OTHERS. THERE. SOLVED. WHAT COULD BE SIMPLER THAN THAT? NOW, WE AMEND THIS, WE'VE TAKEN CARE OF THE HEALTH PROBLEM IN NEBRASKA. DONE. FINISHED. THINK OF ALL THE MONEY WE'VE SAVED THE FEDERAL GOVERNMENT, SAVED OURSELVES, LOWERED INSURANCE COST. WOW. GOT A FEW PEOPLE IN THE CORONER'S OFFICE BUT, YOU KNOW, THE STATE ANATOMICAL SOCIETY CAN PUT THAT TO GOOD USE. BUT WE DEFEAT THIS AMENDMENT THEN WE HAVE TO DECIDE, HOW DO WE CARE FOR THESE PEOPLE?

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AND IS THE WAY WE'RE DOING IT NOW, WITH HIDDEN INSURANCE COST, SMART? IS IT SMART TO TURN DOWN THE \$400 MILLION A YEAR TO SAVE THE FEDERAL GOVERNMENT 59 MINUTES OF OPERATING TIME? THOSE ARE ISSUES WE CAN REACH BUT ONLY IF WE FIRST MAKE A DECISION ON THIS. WE MAKE A SOCIAL JUDGMENT AND A DECISION THAT WE WANT TO CARE FOR PEOPLE WHO DON'T HAVE MONEY, THEN WE HAVE TO FIGURE OUT THE MECHANISM. AND WE GOT TO DO IT RESPONSIBLY TO OURSELVES AND OUR TAXPAYERS, WHETHER EMERGENCY ROOM CARE IS THIS SMARTEST WAY OR SOME OTHER KIND OF PREVENTIVE DOCTOR'S OFFICE VISITS OR WHAT'S SMART. WE'VE GOT TO SUDDENLY GET OUT OF THE POLITICAL WORLD OF TRYING TO SAY, OH, THIS IS OBAMACARE OR, OH, THIS IS...THE FEDERAL GOVERNMENT IS GOING TO LEAVE US HIGH AND DRY OR, GEE, WE GOT TO SAVE THE FEDERAL GOVERNMENT FROM ALL THIS SPENDING AND BALANCE THE FEDERAL BUDGET, ALL OF THAT KIND OF STUFF. LET'S GET IN THE REAL WORLD. AND THIS PUTS US THERE. MAKE THIS CHOICE, WE'RE DONE; DON'T MAKE THIS CHOICE, WE BETTER PAY A WHOLE LOT MORE ATTENTION TO THE ARGUMENT THAN WHAT'S BEEN PAID SO FAR. AND THE NUMBERS ARE REALLY SCARY AND SIGNIFICANT. SO I PUT THIS OUT THERE FOR THE BODY TO DISCUSS AND FOCUS ON THE REAL ISSUE. DO WE CARE FOR THESE PEOPLE OR NOT? IF, YES, WE CARE FOR THEM, THEN WE FIGURE OUT THE BEST WAY TO DO IT. IF NO, THEN WE GOT THE PROBLEM SOLVED. THANK YOU. [LB472]

SENATOR COASH: THANK YOU, SENATOR SCHUMACHER. MEMBERS, YOU'VE HEARD THE OPENING TO AM1171. SENATOR SCHUMACHER, YOU ARE NEXT IN THE QUEUE. [LB472]

SENATOR SCHUMACHER: I'LL GO OUT OF THE...WAIVE THIS TIME TALKING. [LB472]

SENATOR COASH: SENATOR KEN HAAR, YOU ARE RECOGNIZED. [LB472]

SENATOR HAAR: MR. PRESIDENT, MEMBERS OF THE BODY, I STAND IN FAVOR OF LB472 AND AM676. I'M SURE THERE WILL BE MORE TIME TO EXPRESS SOME THOUGHTS I HAVE. BUT SENATOR GLOOR HAS SOME REALLY IMPORTANT INFORMATION, SO I'M GOING TO YIELD MY TIME TO HIM. [LB472]

SENATOR COASH: SENATOR GLOOR, YOU'VE BEEN YIELDED 4:40. [LB472]

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SENATOR GLOOR: THANK YOU, SENATOR HAAR. I OWE YOU. SENATOR SCHUMACHER GOES BY THE NOM DE PLUME OF "PROFESSOR." TODAY, HE'S A BIT OF A WILD-EYED PROFESSOR. I NEED TO POINT OUT TO THE BODY...AND I UNDERSTAND SENATOR SCHUMACHER IS MAKING A POINT, MAKING IT VERY WELL. BUT THERE IS A LITTLE FEDERAL LAW CALLED EMTALA, EMERGENCY MEDICAL TRANSPORT AND LABOR ACT. IT'S A FEDERAL LAW THAT SAYS THAT ANY PATIENT WHO PRESENTS TO EMERGENCY ROOM HAS TO BE CARED FOR UNTIL THEY ARE STABLE. AND STABLE IS NOT DEFINED, UNFORTUNATELY. THIS ACT CAME ABOUT AS A RESULT OF A NUMBER OF BAD, POOR OCCURRENCES, PRIMARILY WOMEN AND BABIES DYING IN AMBULANCES AS THEY WERE BEING TAKEN FROM PRIVATE HOSPITALS TO, PARDON MY TERM BUT THERE IS NO OTHER WAY TO DESCRIBE IT, THE "POOR" OR "WELFARE" HOSPITALS IN LARGE CITIES. AND CONGRESS SAID, ENOUGH OF THAT; HOSPITALS, IF YOU HAVE AN EMERGENCY ROOM, YOU'RE GOING TO TAKE CARE OF PATIENTS UNTIL THEY ARE STABLE. AND STABLE MAY MEAN DAYS. STABLE MAY MEAN WEEKS. AND WHAT'S IMPORTANT ABOUT THAT IS NOT ONLY TO POINT OUT TO THE BODY THAT I APPRECIATE THE SENTIMENT AND THE SOLUTIONS THAT ARE INCLUDED IN AM1171, BUT, FOLKS, OUR OWN GOVERNMENT TREATS HEALTHCARE LIKE A RIGHT, NOT A PRIVILEGE. WE HAVE A SCHIZOPHRENIA IN OUR SOCIETY RIGHT NOW WITH HEALTHCARE IN THAT WE'RE ALL EXCITED ABOUT MARKET REFORM, YET WE WORK UNDER STIPULATIONS FROM MEDICARE, WHO PAY MOST OF THE BILLS IN HEALTHCARE IN THIS COUNTRY, WITH REGULATIONS THAT ALL OF OUR HOSPITALS OPERATE UNDER AND AFFECT ALL INSUREDS, REGARDLESS OF WHETHER IT IS STATE INSUREDS OR PRIVATE INSUREDS. I MEAN IT'S A SCHIZOPHRENIA. AND IT MAKES THESE DISCUSSIONS DIFFICULT FOR US BECAUSE WE CAN SAY, WE'RE GOING TO DO IT THIS WAY, WE'RE NOT GOING TO DO IT THIS WAY, THE PROGRAM STINKS, HEALTHCARE IN OUR STATE STINKS. BUT UNDERSTAND, PART OF IT IS BECAUSE THE FEDERAL GOVERNMENT DICTATES ALREADY, LONG BEFORE THE AFFORDABLE CARE ACT WAS EVEN A GLEAM IN THE PRESIDENT'S EYE, THAT IT'S A SERVICE. AND HOW WE BRING MARKET FORCES INTO IT IS EXTREMELY, EXTREMELY DIFFICULT. AND HOW WE WORK THROUGH DEBATES LIKE THIS ALSO BECOMES VERY DIFFICULT. I'M CLEARLY NOT IN SUPPORT OF AM1171 EXCEPT FOR THE LEVEL OF DIALOGUE IT MAY GENERATE IN US. AND I HAVE TO POINT OUT IT'S ALSO ILLEGAL UNDER FEDERAL STATUTES--JUST A LITTLE ASIDE ON THAT. BUT THE SENTIMENT INCLUDED IN IT CLEARLY IS PART OF THE DEBATE THAT WE'RE HAVING TODAY. WE HAVE TO--I'M GOING TO SAY IT AGAIN--WE HAVE TO CHANGE THE DELIVERY MODELS. OTHERWISE, WE'RE THROWING GOOD MONEY AFTER BAD; OTHERWISE, WE'RE PAYING A LOT OF MONEY AND WE'RE NOT GETTING ANYTHING FOR THAT MONEY, REGARDLESS OF THE STIPULATIONS AND THE REGULATIONS WE

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OPERATE UNDER THE FEDERAL GOVERNMENT. THIS BILL, LB472, ATTEMPTS TO DO THAT. IT IS VERY FORWARD THINKING. DON'T JUST SAY YOU DON'T LIKE THE BILL BECAUSE IT'S CLOUDED IN... [LB472]

SENATOR COASH: ONE MINUTE. [LB472]

SENATOR GLOOR: ...SMOKE OF THE AFFORDABLE CARE ACT AND YOU DON'T LIKE THE AFFORDABLE CARE ACT. I GET THAT, I REALLY DO. I DIDN'T LIKE THE AFFORDABLE CARE ACT WHEN IT FIRST CAME DOWN THE PIPE EITHER, BUT IT'S THE LAW OF THE LAND. AND, INTERESTINGLY ENOUGH, MANY OF YOUR CONSTITUENTS DON'T LIKE THE AFFORDABLE CARE ACT EITHER, EXCEPT THEY LIKE THE FACT THAT THERE ARE NO LIFETIME MAXIMUMS. THEY LIKE THE FACT THAT THEIR KIDS ARE COVERED UNTIL AN OLDER AGE. THEY LIKE THE FACT THAT THEY CAN'T BE DENIED COVERAGE FOR PREEXISTING CONDITIONS. AND THE LIST GOES ON AND ON. THEY LIKE THAT. THEY JUST DON'T LIKE THE AFFORDABLE CARE ACT. WE HAVE TO BE CAREFUL AS WE WALK THROUGH THESE DISCUSSIONS THAT WE DON'T USE BROAD BRUSHES TO PAINT EACH OTHER OR PAINT OUR HEALTHCARE SYSTEM OR PAINT SOLUTIONS. MY THANKS AGAIN TO SENATOR HAAR TO POINT OUT A LITTLE PROBLEM WITH AM1171 AND I WILL GIVE HIM MY TIME BACK WHEN I'M NEXT ON THE MIKE. THANK YOU. [LB472]

SENATOR COASH: THANK YOU, SENATOR GLOOR. SENATOR NORDQUIST, YOU ARE RECOGNIZED. [LB472]

SENATOR NORDQUIST: THANK YOU, MR. PRESIDENT AND MEMBERS. A COUPLE OF THINGS I WANT TO RESPOND TO FIRST, BEFORE I GET STARTED. SENATOR KINTNER ASKED...CHALLENGED US TO POINT OUT A FEDERAL PROGRAM WHICH HAS COME IN UNDER BUDGET. THERE WAS ONE THAT CAME TO MY MIND RIGHT AWAY AND I LOOKED IT UP. IT'S CALLED THE AFFORDABLE CARE ACT. AND THE CONGRESSIONAL BUDGET OFFICE REPORT FROM MARCH 9, 2015, SAID IT'S \$142 BILLION, OR 11 PERCENT, UNDER BUDGET. SO THERE IS ONE FEDERAL PROGRAM THAT HAS...COMING IN UNDER BUDGET. SENATOR KOLTERMAN POINTED OUT SPECIFIC PREMIUM RATES ON THE EXCHANGE. IN THE FIRST YEAR OF THE AFFORDABLE CARE ACT, I BOUGHT MY OWN COVERAGE ON THE EXCHANGE WITHOUT A SUBSIDY. AND HE POINTED OUT THAT A FAMILY OF FOUR COVERAGE WITH A--I THINK HE SAID--\$6,000 DEDUCTIBLE IS AS MUCH AS \$1,200 A MONTH OR \$14,000 A YEAR. THERE IS NO DOUBT THAT INSURANCE IS EXPENSIVE. BUT THERE'S TWO FAMILIES, TWO FAMILY SITUATIONS THAT WOULD HAVE TO PAY

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THAT FULL COST IN NEBRASKA: THOSE THAT MAKE OVER \$93,000 A YEAR--FOR A FAMILY OF FOUR, THEY MAKE TOO MUCH TO GET A SUBSIDY--AND THOSE THAT MAKE LESS THAN \$20,000 A YEAR WOULD HAVE TO PAY THE FULL \$14,000 COST OF THAT PREMIUM. THAT IS THE PREDICAMENT THAT WE'RE IN HERE, FOLKS. PEOPLE MAKING LESS THAN \$20,000 A YEAR, THERE IS NO POSSIBLE WAY FOR THEM TO BUY INSURANCE. THEY WILL BE UNINSURED UNLESS YOU CAN COME UP WITH A WAY FOR A FAMILY OF FOUR TO LIVE ON THE REMAINING \$6,000 A YEAR FOR ALL OF THE OTHER COSTS THAT THEY HAVE. BUT I WANTED TO TAKE THIS TIME TO TALK ABOUT ANOTHER ECONOMIC HIT THAT WE WILL FACE IN NEBRASKA IF WE DON'T EXPAND MEDICAID AND THAT IS THE EMPLOYER PENALTIES. IF YOU ARE AN EMPLOYER WITH MORE THAN 50 EMPLOYEES, STARTING IN 2016--RIGHT NOW IT IS 100; IN 2016, IT GOES DOWN TO 50 EMPLOYEES--YOU FACE A \$2,000-PER-EMPLOYEE PENALTY IF YOU DON'T PROVIDE THEM ADEQUATE COVERAGE. THAT'S IN THE LAW; THAT'S HERE TO STAY. IF WE EXPAND MEDICAID FOR THOSE LOW-INCOME WORKERS, THAT PENALTY IS GONE. SO IN NEBRASKA, JACKSON HEWITT DID A STUDY. THEY DID IT OF EVERY STATE. BUSINESSES IN NEBRASKA THAT EMPLOY LOW-INCOME WORKERS ARE FACING ABOUT \$16 MILLION WORTH OF PENALTIES. SOME HAVE HIT THIS YEAR IF THEY HAVE MORE THAN 100 EMPLOYEES. STARTING IN 2016, IF THEY HAVE MORE THAN 50 EMPLOYEES, THEY WILL FACE IN TOTAL \$16 MILLION WORTH OF PENALTIES. NOW THINK IF YOU ARE A BUSINESS OWNER AND YOU ARE THINKING ABOUT SETTING UP SHOP. I'LL TAKE MY DISTRICT WHERE I CAN THROW A STONE MAYBE NOT QUITE ALL THE WAY TO COUNCIL BLUFFS BUT I CAN GET IT PARTWAY ACROSS THE MISSOURI RIVER. I COULD THROW A STONE AND HIT IOWA. SO IF I'M AN EMPLOYER HAVING MORE THAN 50 EMPLOYEES, I CAN CHOOSE TO SET UP SHOP IN IOWA WHERE MY LOW-INCOME WORKERS ARE GOING TO GET COVERAGE AND I DON'T HAVE TO PAY A PENALTY. OR I CAN CHOOSE TO SET UP SHOP IN NEBRASKA WHERE MY WORKERS DON'T HAVE COVERAGE AND I HAVE TO PAY A PENALTY. THAT IS THE INCENTIVE...THE DISINCENTIVE THAT WE'RE FACING HERE BY NOT EXPANDING MEDICAID. AND THERE IS NOTHING WE CAN DO TO GET RID OF THESE PENALTIES. THE ONLY WAY THEY GO AWAY IS WITH AN ACT OF THE FEDERAL GOVERNMENT. SO YOU ADD THAT ON TOP OF THE IMPACT TO THE HOSPITALS THAT I TALKED ABOUT AND THE DSH CUTS AND THE REDUCTION OF STAFFING THAT OUR HOSPITALS ARE GOING TO FACE IF THERE...IF SOME OF...IF ALL OF THEM CAN KEEP THEIR DOORS OPEN. WE KNOW THAT THAT'S...THERE'S A POSSIBILITY THAT THAT WON'T EVEN HAPPEN. BUT OUR HOSPITALS ARE GOING TO SEE A SHRINKING BOTTOM LINE WHILE IOWA'S AND COLORADO HOSPITALS ARE GOING TO SEE A GROWING BOTTOM LINE. THEY'RE GOING TO BE ABLE TO HIRE THE HEALTHCARE WORK FORCE THAT WE WILL BE EDUCATING BUT WE WILL NOT BE ABLE TO RETAIN IN

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OUR STATE. SO THOSE TWO PIECES, THEY DON'T HAVE A STATE FISCAL IMPACT.  
[LB472]

SENATOR COASH: ONE MINUTE. [LB472]

SENATOR NORDQUIST: BUT THEY HAVE A HUGE IMPACT TO EMPLOYERS, WHETHER IT'S A HEALTHCARE EMPLOYER OR A NONHEALTHCARE EMPLOYER IN THE STATE OF NEBRASKA. THE ECONOMIC BENEFITS HERE EXTEND BEYOND THE ECONOMIC BENEFITS OF THE STATE BOTTOM LINE. WE'VE TALKED ABOUT THE COUNTY AID. IN DOUGLAS COUNTY WE ARE TALKING \$3 (MILLION) TO \$4 MILLION A YEAR OF PROPERTY TAXES THAT'S GOING TO COVER CARE THAT CAN BE OFFSET BY THIS. IN LANCASTER COUNTY ANOTHER COUPLE OF MILLION DOLLARS. IN SARPY COUNTY IT WAS ABOUT A MILLION DOLLARS. SOMEBODY PULLED NUMBERS FROM SENATOR SCHNOOR'S DISTRICT. IN DODGE COUNTY IT'S \$80,000. SIGNIFICANT PROPERTY TAXES ARE BEING SPENT TO PROVIDE COVERAGE FOR THE UNINSURED. AND ON A...ONE OF MY FUTURE NEXT TIMES I WANT TO TALK MORE SPECIFICALLY ABOUT HOW WE HAVE TAKEN STEPS IN RECENT YEARS TO CREATE A BETTER MEDICAID PROGRAM BY EXPANDING MANAGED CARE IN THE STATE. WE WERE A LEADER IN THE COUNTRY IN EXPANDING MANAGED CARE. EVERY ABLE-BODIED ADULT AND CHILD IN MEDICAID... [LB472]

SENATOR COASH: TIME, SENATOR. [LB472]

SENATOR NORDQUIST: THANK YOU. [LB472]

SENATOR COASH: SENATOR CAMPBELL, YOU'RE RECOGNIZED. [LB472]

SENATOR CAMPBELL: I WILL YIELD MY TIME, MR. PRESIDENT, THANK YOU, TO SENATOR DAVIS. [LB472]

SENATOR COASH: SENATOR DAVIS, 5:00. [LB472]

SENATOR DAVIS: THANK YOU, MR. PRESIDENT. I RISE IN SUPPORT OF THE UNDERLYING BILL. I'VE BEEN INVOLVED IN THE DEBATE FOR SOME TIME ON MEDICAID EXPANSION, DID A STUDY LAST SUMMER TO LOOK AT WHAT THE EFFECTS OF NOT EXPANDING THE PROCESS...THE CONCEPT, IN THE STATE OF NEBRASKA, WERE. AND THE MORE YOU LOOK AT IT, THE MORE YOU REALIZE



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THAT THIS IS JUST A COMMON-SENSE AND LOGICAL APPROACH. BUT I HAVE HEARD SOME MEMBERS IN HERE AND SOME PEOPLE IN THE LOBBY TALK ABOUT THE CURRENT MEDICAID SITUATION, WHO QUALIFIES AND WHO DOESN'T. I JUST THINK IT'S IMPORTANT TO GET THAT ON THE TABLE. AND WHEN WE DO THAT, WE CAN MOVE ON AND TALK ABOUT THEN WHO IS GOING TO QUALIFY AFTERWARDS. SO I DID ASK SENATOR NORDQUIST IF HE COULD ELABORATE ON THAT A LITTLE BIT. AND, SENATOR NORDQUIST, CAN YOU TELL US, WHO QUALIFIES FOR MEDICAID TODAY? [LB472]

SENATOR COASH: SENATOR NORDQUIST, WILL YOU YIELD? [LB472]

SENATOR NORDQUIST: YES. AND I HEARD SENATOR DAVIS' QUESTION TO RUN THROUGH MEDICAID ELIGIBILITY RIGHT NOW. AND IT'S BASED ON CATEGORIES OF POPULATIONS. OUR LARGEST IN NUMBER BUT PROBABLY SMALLEST IN COST IS CHILDREN. OR IT'S NOT OUR SMALLEST IN COST, BUT THERE ARE 145,000 CHILDREN, WHICH IS ABOUT 64 PERCENT OF OUR MEDICAID POPULATION, BUT THEY ONLY ACCOUNT FOR 27 PERCENT OF THE MEDICAID COSTS, SO CHILDREN AT OR BELOW 100 OR 200 PERCENT OF THE FEDERAL POVERTY LEVEL, SO A VERY SIGNIFICANT POPULATION. NEXT WOULD BE PREGNANT WOMEN AT OR BELOW 185 PERCENT OF THE FEDERAL POVERTY LEVEL. THERE ARE SOME PARENTS, THEY HAVE TO BE VERY LOW INCOME, ABOUT 54 PERCENT OF THE FEDERAL POVERTY LEVEL OR BELOW, WHICH IS ABOUT, I THINK, \$6,000 A YEAR OR SOMETHING, SO EXTREMELY LOW-INCOME PARENTS ARE ELIGIBLE. SENIORS WITH LOW INCOME AND LOW ASSETS WITH NURSING HOME CARE, AND THEY MAKE UP 7...8 PERCENT OF THE POPULATION AND 21 PERCENT OF THE COST. AND THEN BLIND AND DISABLED MAKE UP 15 PERCENT OF THE POPULATION AND 45 PERCENT OF THE MEDICAID COST. SO THE BULK OF THE MONEY IN MEDICAID IS GOING TOWARDS THE AGED, BLIND, AND DISABLED POPULATIONS. BUT THOSE ARE THE ONLY CATEGORIES THAT ARE ELIGIBLE. IF YOU ARE A PARENT THAT MAKES ABOVE \$54,000, ABOVE \$6,000 A YEAR OR SO, YOU ARE NOT ELIGIBLE, OR IF YOU ARE A CHILDLESS ADULT, WHICH MEANS YOU'RE A 20-YEAR-OLD IN COLLEGE WHO, YOU KNOW, IS WORKING A MINIMUM-WAGE JOB, OR YOU ARE AN EMPTY NESTER. I BELIEVE THERE IS A CONSTITUENT OF YOURS WE HEARD A STORY ABOUT, RANCHERS IN YOUR DISTRICT THAT ARE...DON'T HAVE CHILDREN, ARE EMPTY NESTERS MAYBE, AND HAVE LOW INCOMES AND WOULD QUALIFY FOR THIS. SO THOSE ARE THE PEOPLE WHO ARE FALLING INTO THE GAP RIGHT NOW, THE 77,000 THAT WE PROJECT DON'T HAVE ACCESS TO ANY HEALTH COVERAGE. [LB472]

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SENATOR DAVIS: THANK YOU, SENATOR NORDQUIST. AND ONE OF MY CONSTITUENTS THAT SENATOR NORDQUIST IS REFERRING TO IS A WOMAN WHO HAD COLON CANCER AND LOST HER INSURANCE WHEN THE AFFORDABLE CARE ACT WAS PASSED. SO WE'VE HEARD A LOT OF TALK ABOUT OBAMACARE AND HOW BAD IT WAS. AND LET'S REMEMBER THAT WHAT HAPPENED WITH THE BILL WAS IT WENT TO THE RECONCILIATION COMMITTEE AND THERE WERE CHANGES MADE AND THE BILL DIDN'T GET FIXED AND SO THERE ARE PROBLEMS WITH IT. I RECOGNIZE THAT AND I THINK THOSE OUGHT TO BE FIXED. THAT IS NOT SOMETHING THAT WE IN HERE CAN DO. WE CAN'T FIX THE PROBLEMS IN WASHINGTON. BUT, YOU KNOW, CONGRESS NEEDS TO SIT DOWN TOGETHER AND WORK THROUGH THOSE PROBLEMS AND FIX THE UNDERLYING BILL, WHICH HAS COME IN UNDER BUDGET, AS YOU'VE HEARD, AND I THINK IS BRINGING BENEFIT TO SOME STATES. SO I WANT TO TALK A LITTLE BIT ABOUT THE BANKRUPTCY RESEARCH THAT WE DID THIS SUMMER. IT WAS DONE BY APPLESEED. WE DRILLED INTO THREE COUNTIES. I ONLY PULLED ONE BECAUSE I THOUGHT, YOU KNOW, TO TRY TO GO THROUGH ALL OF THEM WOULD PROBABLY NOT BE AS HELPFUL. BUT THE COUNTY THAT I SELECTED TO SHARE WITH YOU TODAY WAS DAWSON COUNTY, AND THAT... [LB472]

SENATOR COASH: ONE MINUTE. [LB472]

SENATOR DAVIS: THANK YOU, SIR. THAT HANDOUT WAS HANDED OUT EARLIER. IT TALKS ABOUT THE AMOUNT OF DECLARED MEDICAL DEBT OUT OF A PARTICULAR PARCEL OF BANKRUPTCY DEBT AND THEN...AND YOU CAN GO TO THE BOTTOM OF THE SHEET AND SEE JUST HOW THAT IMPACTS THE WHOLE STATE...THE WHOLE COUNTY OF DAWSON COUNTY. SO ABOUT \$4,667,000 OF UNSECURED DEBT EXISTED IN DAWSON COUNTY FOR 2014. OF THAT, DECLARED AS MEDICAL DEBT WAS ABOUT 10 PERCENT OF THAT. SO THAT MEANS 90 PERCENT OF THAT DEBT IS SOMETHING ELSE, WHETHER THAT'S CREDIT CARD DEBT, DEBT ON A CAR, DEBT ON A HOUSE, PERSONAL DEBT, CREDIT EXTENDED BY A GROCERY STORE, CREDIT EXTENDED BY A DRUG STORE. IT DOESN'T MAKE ANY DIFFERENCE. THOSE MERCHANTS ARE LOSING THAT REVENUE. THAT'S AN UNINTENDED CONSEQUENCE OF WHAT'S WRONG WITH THE MEDICAL SYSTEM TODAY. WE NEED A LOT OF FIXES, FOLKS, NO QUESTION ABOUT THAT. BUT... [LB472]

SENATOR COASH: TIME, SENATOR. [LB472]

SENATOR DAVIS: THANK YOU. THANK YOU. [LB472]

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SENATOR COASH: SENATOR SCHEER, YOU ARE RECOGNIZED. [LB472]

SENATOR SCHEER: THANK YOU, MR. PRESIDENT. I'D LIKE TO HAVE MY COMMENTS GO MORE TOWARDS THE BILL AND WHAT THE BILL REALLY SAYS. I CAN'T SAY THAT I'M OPPOSED TO THE BILL BUT I CAN'T SAY THAT I'M SUPPORTIVE OF THE BILL BECAUSE THE BILL IN AND OF ITSELF DOESN'T DO ANYTHING. THE BILL SIMPLY PUTS TOGETHER A 16-MEMBER COMMITTEE. THE COMMITTEE THEN HAS HEARINGS AND DEVELOPS A BUNCH OF INFORMATION AND SOME SUGGESTIONS. PER THE BILL, PAGE 9, LINE 7, THE DEPARTMENT, MEANING HEALTH AND HUMAN SERVICES, WITH THE ADVICE, NOT REQUIRED TO DO ANYTHING THAT WE REQUEST, BUT WITH THE ADVICE OF THE TASK FORCE SHALL DEVELOP THE MEDICAID DEMONSTRATION WAIVER. THAT'S IT. THE DEPARTMENT IS GOING TO DEVELOP THE WAIVER. NOW, I COULD MAYBE SUPPORT THAT, I MAYBE WOULD BE AGAINST IT, BUT WE DON'T KNOW WHAT THAT WAIVER IS GOING TO LOOK LIKE. IT MAY BE A REALLY GREAT DEAL, AND I WOULD LOVE TO SUPPORT THAT. IT MAY BE A TERRIBLE DEAL, AND I WOULD NOT SUPPORT THAT. BUT IT NEVER COMES BACK TO THE LEGISLATURE FOR ANY TYPE OF APPROVAL. IT JUST MOVES FORWARD AND AT SOME POINT IN TIME THE GOVERNOR CAN SIGN OR NOT SIGN IT. WE ARE ALLOWING THAT TO BE TAKEN AWAY FROM THE LEGISLATURE. IF WE'RE GOING TO DECIDE AND DEVELOP SOMETHING THAT'S GOING TO EXPAND MEDICAID OR PROVIDE MEDICAID COVERAGE TO A SET PORTION OF OUR POPULATION, WE OUGHT TO KNOW WHAT WE'RE VOTING ON. WE DON'T. THERE ARE THINGS IN THE BILL THAT TELL US THAT THEY SHOULD BE CONSIDERED OR THEY'D LIKE TO HAVE BE PART OF, BUT NONE OF THAT IS REQUIRED BECAUSE THE DEPARTMENT IS GOING TO DO IT. I ASKED ONE OF MY FELLOW SENATORS. I SAID, WHY ARE WE DOING THIS IF IT REALLY COMES DOWN TO, THE FACT OF THE MATTER, IT IS UP TO THE GOVERNOR? AND THE ANSWER WAS, BECAUSE THE GOVERNOR WON'T DO IT. WELL, THEN THIS MIGHT ALL BE A CASE OF FUTILITY BECAUSE WE'RE SITTING HERE DISCUSSING SOMETHING THAT MIGHT NEVER MEET FRUITION. I'M TRYING TO DEVELOP AN AMENDMENT RIGHT NOW, ODDLY ENOUGH, THAT WILL GIVE US THE OPPORTUNITY TO HAVE THIS COMMITTEE, HAVE THE COMMITTEE DIRECT THE DEPARTMENT TO COME UP WITH SOME TYPE OF A WAIVER APPLICATION, AND THEN THAT WAIVER APPLICATION WILL COME BACK TO THE FLOOR FOR ITS APPROVAL. BUT AT LEAST AT THAT POINT IN TIME, WE'RE VOTING ON EXACTLY WHAT WE'RE GOING TO APPLY FOR. THEN WE CAN HAVE A REAL DISCUSSION. IS THAT GOOD FOR THE STATE OR IS IT BAD FOR THE STATE OR DO WE NEED TO TWEAK IT? ALL OF THAT CAN BE DONE ONCE WE KNOW WHAT WE ARE VOTING ON. RIGHT NOW, WE'RE JUST VOTING ON AN UNNAMED COMMITTEE. NONVOTING MEMBERS FROM THE LEGISLATIVE FLOOR, I BELIEVE THERE'S FOUR, MAYBE

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FIVE, AND THE REST ARE DEPARTMENT HEADS--THEY'RE NOT ELECTED--AND SOME APPOINTEES BY THE GOVERNOR. WE DON'T KNOW WHO THOSE PEOPLE MIGHT BE. AND THEY'RE GOING TO DEVELOP WHATEVER WE'RE GOING TO DO AS A STATE. I DON'T THINK THAT'S THEIR JOB. I THINK THAT'S OUR JOB. AND IF WE ARE GOING TO LET THEM TRY TO DEVELOP THAT, WE CERTAINLY SHOULD, AS A BODY, BE APPROVING WHATEVER THEY COME UP WITH. I THINK THAT IS WHAT WE WERE ELECTED FOR, NOT TO LET COMMITTEES DETERMINE POLICY AND THE FUTURE OF THIS STATE. [LB472]

SENATOR COASH: ONE MINUTE. [LB472]

SENATOR SCHEER: NOW, I'D LIKE TO HAVE THAT DISCUSSION. AND THIS BILL DOES PROVIDE SOME THINGS THAT I WOULD LIKE TO SEE PART OF THAT. THANK YOU, MR. PRESIDENT. BUT IT DOESN'T TELL US WHAT THE WAIVER IS, AND NO ONE ON THIS FLOOR...AND EVEN SENATOR MORFELD--WELL, GIVE ME A BETTER IDEA. WELL, YOU KNOW WHAT? WE DON'T HAVE AN IDEA HERE BECAUSE WE DON'T HAVE A PLAN IN FRONT OF US. WHAT WE HAVE IS A SUGGESTION FOR A COMMITTEE TO DEVELOP THE PLAN. LET'S BE HONEST WITH OURSELVES. THIS ISN'T THE PLAN. IT'S A COMMITTEE. AND ONCE THE COMMITTEE DEVELOPS THE PLAN, IT IS NOT EVEN DEVELOPING THE PLAN, IT GOES TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES. AND QUITE HONESTLY, OVER THE LAST SEVERAL YEARS I HAVEN'T BEEN OVERLY IMPRESSED WITH THEM. WE HAVE NEW MANAGEMENT IN TOWN. HOPEFULLY, THEY'RE GOING TO DO A MUCH BETTER JOB. AND I HOPE THEY WILL. BUT I STILL BELIEVE IT IS UP TO THIS BODY TO MAKE THAT FINAL DETERMINATION OF WHAT THAT SHOULD LOOK LIKE, EITHER UP OR DOWN. THIS BILL DOES NOT DO THAT. THANK YOU, MR. PRESIDENT. [LB472]

SENATOR COASH: THANK YOU, SENATOR SCHEER. SENATOR PANSING BROOKS, YOU ARE RECOGNIZED. [LB472]

SENATOR PANSING BROOKS: THANK YOU, MR. PRESIDENT. I RISE FIRST TO SPEAK JUST BRIEFLY, SO THAT WE ARE GERMANE, ABOUT THE BILL OR THE AMENDMENT FROM SENATOR SCHUMACHER. HE BASICALLY WANTS TO SAY, DO WE WANT TO CARE FOR PEOPLE OR NOT? DO WE WANT TO LEAVE PEOPLE ON THE PAVEMENT OUTSIDE THE DOOR OF THE HOSPITAL, MOANING IN PAIN OR IN SICKNESS, OR NOT? AND I WOULD SUGGEST THAT I DO WANT TO TAKE CARE OF THOSE PEOPLE AND I THINK MOST PEOPLE DO. SO I WANT TO SPEAK ABOUT THE FACT THAT MEDICAID WORKS AND IT DOES AFFECT A VULNERABLE PART OF

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OUR POPULATION. AGAIN, 36 PERCENT OF MY DISTRICT LIVE AT OR BELOW \$25,000 HOUSEHOLD INCOME, RIGHT WHERE WE'RE STANDING RIGHT NOW. AND THE NEBRASKA JOURNAL OF MEDICINE (SIC) OFFERS THAT FOR EVERY 176 PEOPLE WHO ARE MEDICAID COVERED, ONE DEATH CAN BE PREVENTED. AND THAT'S THROUGH A STUDY THAT THE NEBRASKA JOURNAL OF MEDICINE (SIC) DID. AND SO THAT WOULD MEAN THAT WE COULD HAVE 500 DEATHS AVOIDED IF WE CAN CLOSE THAT GAP. THE URBAN INSTITUTE STUDY SHOWED THAT UNINSURED PEOPLE HAVE A MUCH GREATER DIFFICULTY IN GAINING ACCESS TO HEALTHCARE THAN MEDICAID ENROLLEES. FORTY-TWO PERCENT OF THE PEOPLE WITHOUT INSURANCE INDICATED THAT THEY LACK A USUAL SOURCE OF CARE. BUT PEOPLE THAT ARE COVERED BY MEDICAID SAID THEY...THAT ABOUT 12 PERCENT OF THE PEOPLE HAVE...LACK A USUAL SOURCE OF CARE. THE AMAZING THING IS THAT THE GROUP THAT WE'RE TALKING ABOUT ARE AGED 19-64 AND GENERALLY THEY HAVE BETTER HEALTH AS A GROUP. BUT THEY REPORT MANY UNMET NEEDS. THOSE THAT DO NOT HAVE INSURANCE REPORT THAT 23 PERCENT OF THEM DO NOT HAVE CONSTANT ACCESS TO MEDICAL HEALTH VERSUS 9 PERCENT OF THOSE UNDER MEDICAID. THOSE WITHOUT INSURANCE REPORT THAT 32 PERCENT DO NOT HAVE ACCESS TO DENTAL CARE VERSUS 18 PERCENT OF THOSE UNDER MEDICAID. AND THE SAME THING HOLDS TRUE FOR PRESCRIPTION DRUGS. TWENTY-SIX PERCENT OF THOSE UNINSURED HAVE NO ACCESS AND HAVE UNMET NEEDS VERSUS 14 PERCENT OF THOSE UNDER MEDICAID. THESE ARE PEOPLE THAT HAVE GREAT NEEDS AND THOSE DOLLARS TEND TO DO MORE TO PREVENT LONG-TERM CATASTROPHIC HEALTH OUTCOMES. MEDICAID LEADS TO MORE POSITIVE HEALTH OUTCOMES. QUEST DIAGNOSTICS SAID THAT HIGHER RATES OF NEW DIABETES IN CASES ALSO CLOSE THE GAP. DIABETES WAS DIAGNOSED LATE...THAT IS DIAGNOSED LATER ACCELERATES AND IT CAN CREATE GREATER INCIDENCE OF HEART ATTACKS, OF KIDNEY FAILURE, OF LEG AND FOOT AMPUTATIONS, AND THAT LEADS TO GREATER EXPENDITURE OF DOLLARS. THE STATES THAT HAVE CLOSED THE GAP HAVE NEWLY IDENTIFIED PEOPLE WHO HAVE BEEN FOUND TO HAVE DIABETES. THAT'S GONE UP 23 PERCENT VERSUS 0.4 PERCENT IN THOSE STATES THAT HAVE NOT CLOSED THE GAP AND EXPANDED MEDICAID. EVERYONE IS CLEARLY AWARE OF THE FACT THAT EARLY DETECTION, PARTICULARLY AMONG THE POOR WHO HAVE DISEASE AND DIDN'T KNOW IT, END UP CONSTITUTING MUCH MORE SEVERE LONG-TERM CONSEQUENCES. IN ADDITION, DEPRESSION DROPPED 30 PERCENT VERSUS THOSE THAT WERE UNINSURED. THOSE REENTERING OUR SOCIETY AFTER INCARCERATION, ABOUT 90 PERCENT OF THOSE PEOPLE ARE UNINSURED. THE COUNCIL OF STATE GOVERNMENTS WROTE THAT A LACK OF INSURANCE... [LB472]

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SENATOR COASH: ONE MINUTE. [LB472]

SENATOR PANSING BROOKS: THANK YOU, MR. PRESIDENT. THE COUNCIL OF STATE GOVERNMENTS WROTE THAT THE LACK OF INSURANCE INCREASED THE MORTALITY AND THE MORBIDITY, AND IT WAS COMPOUNDED BY THE MENTAL ILLNESS OF THOSE THAT ARE INCARCERATED, THE SUBSTANCE ABUSE, THE INFECTIOUS DISEASES, AND THE CHRONIC HEALTHCARE ISSUES. IN FACT, IT IS THE...THE COUNCIL FOR STATE GOVERNMENTS FOUND THAT THOSE WHO ARE INCARCERATED AND THEN RELEASED HAVE SEVEN TIMES THE AMOUNT OF DISABILITY AND MORTALITY AS OPPOSED TO THOSE UNDER MEDICAID. WE NEED TO CLOSE THE GAP BECAUSE IT LEADS TO FINANCIAL STABILITY. THERE IS...IT LEADS TO THE FACTOR THAT WE HAVE WAY LESS BANKRUPTCY BECAUSE OF THE MEDICAL DEBT BEING A SIGNIFICANT FACTOR IN THE LIVES OF THOSE WHO ARE SUBJECT TO A LACK OF INSURANCE. LB472 COULD SAVE AT LEAST \$142.7 MILLION IN NEBRASKA ON BANKRUPTCIES ALONE. [LB472]

SENATOR COASH: TIME, SENATOR. [LB472]

SENATOR PANSING BROOKS: THANK YOU, MR. PRESIDENT. [LB472]

SENATOR COASH: THANK YOU, SENATOR PANSING BROOKS. SENATOR MURANTE, YOU ARE RECOGNIZED. [LB472]

SENATOR MURANTE: THANK YOU, MR. PRESIDENT. MEMBERS, GOOD AFTERNOON. I RISE IN OPPOSITION TO LB472 AND ALL OF THE UNDERLYING AMENDMENTS, ALTHOUGH I HAVE TO SAY, SENATOR SCHUMACHER, IN A RECENT RETREAT FOR MY BUSINESS, WE ALL TOOK PERSONALITY PROFILES. AND MY BROTHER, AFTER THESE PERSONALITY PROFILES CAME THROUGH, THEY ALL HAVE LITTLE CHARACTERIZATIONS FOR WHAT YOUR PERSONALITY PROFILE LOOKS LIKE, AND HE GOT THE LABEL "CREATIVE STORM." AND I THINK, SENATOR SCHUMACHER, THAT IF YOU TOOK THAT TEST, YOU WOULD ALSO BE THE CREATIVE STORM OF THE NEBRASKA STATE LEGISLATURE. YOU ARE A TORNADO OF IDEAS, I HAVE TO SAY THAT. UNFORTUNATELY, SOME OF THEM ARE NOT VERY GOOD. AND I THINK THAT'S WHERE WE ARE AT WITH AM1171. SENATOR, I HAVE TO SAY, I REALLY LIKE YOUR IDEAS IN THE GOVERNMENT, MILITARY AND VETERANS AFFAIRS COMMITTEE, AND I THINK YOU SHOULD BRING MORE OF THEM TO THE COMMITTEE WHICH I CHAIR. BUT SENATOR GLOOR I THINK ABLY POINTED OUT SOME OF THE FAULTS OF THIS BILL, NAMELY THAT IT VIOLATES FEDERAL LAW AND PROHIBITS HOSPITALS FROM PROVIDING

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CARE EVEN IF THEY WANT TO. SO I AM GOING TO YIELD SENATOR SCHUMACHER SOME TIME IN THE HOPES THAT PERHAPS HE WOULD WITHDRAW AM1171 AND WE CAN CARRY ON THE BUSINESS OF DISCUSSING THE MERITS OF LB472. SO I WILL YIELD THIS THE REMAINDER OF MY TIME TO SENATOR SCHUMACHER. [LB472]

SENATOR COASH: SENATOR SCHUMACHER, YOU'VE BEEN YIELDED 3:30. [LB472]

SENATOR SCHUMACHER: GOSH, SENATOR MURANTE, IF YOU LIKE MY IDEAS IN GOVERNMENT, HOW COME NONE OF MY BILLS EVER GET OUT? (LAUGHTER) YOU KNOW, I AM SO DISAPPOINTED. I THOUGHT WE HAD THIS THING WHIPPED. AND SENATOR GLOOR SAYS THAT, AH, THERE IS A FEDERAL LAW THAT SAYS THEY GOT TO BE STABLE. WELL, YOU KNOW, WE COULD HAVE TAKEN THE "24 HOURS" OUT AND PUT "STABLE." WHAT'S MORE STABLE THAN BEING DEAD? BUT I HAVEN'T HEARD ANY SUPPORT FOR MY GREAT IDEA. NOBODY HAS COME UP AND SAID, YOU KNOW, YOU ARE RIGHT, LET THEM DIE IN THE STREETS, TURN THEM OUT AS SOON AS WE CAN. WE THINK THIS IS A LITTLE EXTREME, MAYBE TWEAK IT. NO. APPARENTLY, THE BODY IS IN GENERAL AGREEMENT THAT THESE PEOPLE SHOULD BE CARED FOR. ONCE WE CROSS THAT BRIDGE AND SAY, OKAY, NOT ONLY STABLE BUT STABLE-PLUS--THEY DON'T COME BACK UNSTABLE LATER--ONCE WE CROSS THAT BRIDGE WE ARE COMMITTED TO FIGURING OUT HOW TO CARE FOR THEM. AND CARE IS NOT FREE. EVEN CHARITY CARE IS NOT FREE BECAUSE SOMEBODY ELSE GETS THE BILL THROUGH SOME HOSPITAL ACCOUNTING TRICKERY. SO WHERE DOES THAT LEAVE US? PEOPLE GOING TO EMERGENCY ROOM TO GET VERY EXPENSIVE CARE FOR SNIFFLES OR MAYBE SOMETHING MORE SERIOUS, INSTEAD OF GOING TO A NURSE PRACTITIONER OR SOME LESSER EXPENSIVE SOURCE OF CARE FOR THE ASPIRIN AND ORANGE JUICE. IT LEAVES US PAYING TAXES. I JUST DID MY INCOME TAXES, DIDN'T LIKE IT, PAYING TAXES TO THE FEDERAL GOVERNMENT AT AN ENHANCED RATE TO FUND IT AND THEN SAYING, NO, NO, NO, NO, WE DON'T WANT THE MONEY, KEEP OUR MONEY, RUN THE FEDERAL GOVERNMENT FOR 59 MINUTES. IT LEAVES US IN A POSITION WHERE WE HAVE A PERCENTAGE OF OUR POPULATION WHICH DOES NOT HAVE THE MOST EFFICIENT FORM OF DELIVERY SYSTEM AND WHICH WE APPARENTLY DO NOT WANT TO DENY CARE TO. I AM SO DISAPPOINTED THAT I DIDN'T GET AN OUTCRY OF SUPPORT FOR AM1171. IT SOLVED THE PROBLEM. [LB472]

SENATOR COASH: ONE MINUTE. [LB472]

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SENATOR SCHUMACHER: AND SO, IN A SPIRIT OF DEJECTION AND DISAPPOINTMENT AND NOW HAVING TO FACE THOSE MEAN DECISIONS OF HOW WE PAY FOR THIS CARE THAT WE'RE GOING TO GIVE AWAY, I'D ASK THAT AM1171 BE WITHDRAWN. [LB472]

SENATOR COASH: AM1171 IS WITHDRAWN. RETURNING TO DISCUSSION ON LB472 AND THE COMMITTEE AMENDMENT, SENATOR HANSEN, YOU ARE RECOGNIZED. [LB472]

SENATOR HANSEN: THANK YOU, MR. PRESIDENT. AND I WOULD YIELD MY TIME TO SENATOR CAMPBELL. [LB472]

SENATOR COASH: SENATOR CAMPBELL, YOU ARE RECOGNIZED. [LB472]

SENATOR CAMPBELL: THANK YOU, MR. PRESIDENT. I'M VERY SORRY ABOUT SENATOR SCHUMACHER'S SADNESS, REALLY, BUT THE FEDERAL GOVERNMENT WOULD HAVE BEEN CALLING US IMMEDIATELY, I THINK. I WANT TO ADDRESS SEVERAL ITEMS THAT HAVE BEEN TALKED ABOUT OR QUESTIONS ON THE FLOOR, AND I'M SURE WE WON'T GET TO ALL OF THEM. BUT ONE OF THE CONCERNS WAS THAT THE ADMINISTRATION OF THIS WOULD ALL BE UNBELIEVABLE. I DID SOME CHECKING IN TERMS OF THE STAFF FOR THE MEDICAID DIVISION. IN FY 2014, THEY EMPLOYED 464. OKAY? THEY ARE NOW BUDGETED FOR 612. AND THE LATEST COUNT IS THAT THEY HAVE 576. AND YOU SAY TO YOURSELF, HOW DID WE GO FROM 2014 TO WHAT NOW IS 576? THAT'S BECAUSE IN THE LAST BIENNIUM BUDGET WE INCREASED THE STAFF IN THE MEDICAID DIVISION TO BE READY FOR THE ACA AND ANYTHING ELSE THAT SHOULD COME ALONG. SO WHEN WE START TALKING ABOUT ALL THE STAFF THAT'S GOING TO BE NEEDED AND SO FORTH, WE ALREADY HAVE A VERY GOOD START HERE. AND THIS STAFF IS SURVEYING 225,000 NEBRASKANS. A VAST MAJORITY OF THAT IS CHILDREN. SECOND COMMENT IS I'VE HAD A CONVERSATION WITH SENATOR SCHEER. I CERTAINLY AM OPEN TO HIS AMENDMENT. HE AND I HAVE HAD A GOOD DISCUSSION. HIS AMENDMENT WILL BE TO THE BILL, LB472. SO AT SOME POINT HERE, WE WILL TAKE A VOTE ON THE AMENDMENT TO CLARIFY THE TASK FORCE AND MAKE SURE THAT'S CONSTITUTIONAL, AND THEN WE WILL GO MOST LIKELY TO SENATOR SCHEER'S AMENDMENT. I WOULD ENCOURAGE YOU TO STAY WITH US TO AT LEAST GET TO SENATOR SCHEER'S. SO IF YOU ARE CONTEMPLATING WHERE ARE YOU IN ALL OF THIS, WE NEED TO GET THAT AMENDMENT ATTACHED, THE BILL'S AMENDMENT, AND THEN WE NEED TO BE ABLE TO HAVE A GOOD DISCUSSION



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ON SENATOR SCHEER'S AMENDMENT. I WANT TO COVER THE MEDICAID REDESIGN TASK FORCE. WHERE DID THIS COME FROM? SENATOR STINNER CAME UP TO ME THIS MORNING AND SAID, COULD YOU KIND OF TALK ABOUT THIS, HAVE WE EVER REALLY LOOKED AT MEDICAID IN THIS STATE? THE MEDICAID REDESIGN TASK FORCE THAT IS IN THE BILL IS MODELED AFTER THE MEDICAID REFORM COUNCIL THAT WAS ESTABLISHED EARLY ON IN GOVERNOR HEINEMAN'S ADMINISTRATION. AND BACK THEN THERE WAS NOT THIS CONSTITUTIONAL QUESTION. BUT THE CHAIR OF THE HEALTH AND HUMAN SERVICES COMMITTEE AND THE GOVERNOR APPOINTED A MEDICAID REFORM COUNCIL BECAUSE THE LEGISLATURE WAS CONCERNED THAT MEDICAID WAS HAVING AN ESCALATED CLIMB. AND THE LEGISLATURE SAID, IS THERE SOME WAY THAT WE CAN BEND THAT CURVE, WHICH IS EXACTLY WHAT SOME OF YOU ARE ASKING. THE REFORM COUNCIL DID EXTENSIVE STAKEHOLDER MEETINGS ACROSS THE STATE OF NEBRASKA, ANYONE WHO WANTED TO TESTIFY, PROVIDERS ALL ACROSS THE STATE. AND ACTUALLY, SOME OF THE BEST SUGGESTIONS ON HOW TO REFORM THE MEDICAID PLAN AT THAT POINT CAME FROM PROVIDERS. WHAT HAPPENED IS THE COUNCIL THEN PUT THEM IN RECOMMENDATIONS AND WHAT WE DID WAS FORWARD THOSE TO THE LEGISLATURE. THE LEGISLATURE SAID, WE WANT THAT COUNCIL TO STAY IN PLACE, SO EVERY YEAR, WE SAID, WE'RE GOING TO REVIEW THOSE RECOMMENDATIONS. [LB472]

SENATOR COASH: ONE MINUTE. [LB472]

SENATOR CAMPBELL: AND WE SAID TO THE DEPARTMENT--THANK YOU. MR. PRESIDENT--HOW ARE WE DOING, ARE WE MAKING PROGRESS HERE? WE DID MAKE SIGNIFICANT PROGRESS. AND SO, WHEN THIS WAS PUT TOGETHER IN THE BILL, I USED THAT AS A MODEL BECAUSE I FELT IT WAS A SIGNIFICANT MECHANISM TO RESIGN MEDICAID FOR THE FUTURE. THANK YOU, MR. PRESIDENT. [LB472]

SENATOR COASH: THANK YOU, SENATOR CAMPBELL. SENATOR DAVIS, YOU ARE RECOGNIZED. [LB472]

SENATOR DAVIS: THANK YOU, MR. PRESIDENT. I WANTED TO FINISH A LITTLE BIT AND TALK A LITTLE BIT MORE ABOUT RURAL NEBRASKA AND WHY I THINK IT'S SO IMPORTANT THAT RURAL SENATORS LOOK AT WHAT THIS CAN DO FOR YOUR DISTRICTS BECAUSE WE LIVE IN THE PART OF THE STATE THAT HAS THE MOST UNINSURED PEOPLE, THE MOST PEOPLE WHO DON'T HAVE EMPLOYER-PROVIDED

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INSURANCE, THE MOST PEOPLE WHO FALL WITHIN THE MEDICAID GAP OF 100 PERCENT OF POVERTY TO 133 PERCENT. WE'RE GOING TO BEAR THE BRUNT OF THE...OF NOT EXPANDING MEDICAID AND THAT'S GOING TO HURT OUR COMMUNITIES, EACH AND EVERY ONE OF THEM, AS WE HAVE PEOPLE FALLING BETWEEN THE CRACKS, TAKING THE BANKRUPTCY, AND THOSE KIND OF DEVELOPMENTS THAT ARE HAPPENING OUT THERE. SO I THINK SOME OF YOU MAY HAVE HEARD ME TALK ABOUT THIS LAST YEAR BUT I WILL TALK IT ABOUT AGAIN TODAY BECAUSE I THINK IT'S IMPORTANT. YOU KNOW, I HAVE FIVE HOSPITALS IN MY DISTRICT. AND I'VE WORKED VERY CLOSELY WITH THEM FROM THE BEGINNING TO FIND OUT WHAT THEY THOUGHT ABOUT MEDICAID EXPANSION BECAUSE, IN MANY RESPECTS, TO ME THAT IS...KEEPING OUR HOSPITALS IN OUR COMMUNITIES IS A VITAL THING, VERY, VERY IMPORTANT. SO I'VE GOT ONE COMMUNITY...WELL, I...LET ME SAY, FIRST OF ALL, I'VE GOT 2,169 UNINSURED PEOPLE IN MY DISTRICT. THAT WOULD BE THE FOURTH-LARGEST COMMUNITY IN DISTRICT 43. THINK ABOUT WHAT THAT'S LIKE. AND FOR THE RURAL SENATORS, THAT'S A TOWN THE SIZE OF GENEVA OR MILFORD, ORD, IMPERIAL, SUPERIOR, OR SYRACUSE. SO THINK OF THAT BLOCK OF PEOPLE WITHOUT INSURANCE AND THAT'S WHAT I'M DEALING WITH IN MY DISTRICT. I'M ALSO DEALING WITH SOME HOSPITALS THAT ARE HAVING A LITTLE BIT OF A HARD TIME MAKING ENDS MEET BECAUSE OF THE COST OF CARE, OF THE UNREIMBURSED CARE, ETCETERA. SO IN ONE OF MY PARTICULAR HOSPITALS, TWO YEARS AGO HAD 11 DAYS' WORTH OF CASH FLOW ON HAND, 11 DAYS BETWEEN SHUTTING THE DOORS AND KEEPING THEM OPEN. LAST YEAR IT WAS SEVEN. I DON'T KNOW WHAT IT IS THIS YEAR, BUT I KNOW THAT THAT HOSPITAL IS GOING TO HAVE TO FIND A FIX SOMEWHERE OR IT'S GOING TO CLOSE. AND IN THAT PARTICULAR COMMUNITY, THERE ARE ABOUT...I THINK IT'S ABOUT 20 PERCENT OF ALL THE...21 PERCENT OF THE ANNUAL RETAIL SALES IN THAT COMMUNITY ARE RELATED TO THAT HOSPITAL; 12.3 PERCENT OF THE RETAIL SALES IN THAT COUNTY ARE RELATED TO THAT HOSPITAL. THAT HOSPITAL HAS 119 FULL-TIME JOBS AND 40 PART-TIME JOBS. NOW THIS IS IN A COMMUNITY OF 1,600 PEOPLE, SO THINK OF THE IMPACT OF HAVING THAT CLOSE. THEN YOU THINK ABOUT THE HEALTHCARE COSTS, THE HEALTHCARE...LACK OF HEALTHCARE AND WHAT THAT'S GOING TO DO TO THE FOLKS THERE. HOW ARE THEY GOING TO EVER RECRUIT PHYSICIANS? WHAT'S GOING TO HAPPEN TO THE NURSING HOME? YOU HAVE THIS CASCADING EFFECT WHEN YOU LOSE YOUR HOSPITALS. NOT EVERYBODY IN MY DISTRICT THINKS MEDICAID EXPANSION IS A GOOD IDEA. BUT WHEN I LOOK AT MY HOSPITAL SITUATIONS, I THINK, YOU KNOW, THESE HOSPITALS ARE KEY TO THE SURVIVAL OF RURAL NEBRASKA. WE'VE GOT TO HAVE THEM. SENATOR NORDQUIST TALKED EARLIER ABOUT NOT EXPANDING AND HOW YOU CAN HAVE A BUSINESS DEVELOPMENT. AND I SAY, IF

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I WERE GOING TO BE DEVELOPING A NEW AND INNOVATIVE PRODUCT AND I REALLY DIDN'T HAVE THE RESOURCES, I CERTAINLY WOULDN'T BE LOOKING TO A STATE THAT'S NOT GOING TO HAVE HEALTHCARE FOR ITS PEOPLE. I'D GO TO A STATE LIKE COLORADO, WHICH HAS MEDICAID EXPANSION, OR IOWA AND SET MY SHOP UP IN THAT COMMUNITY, IN THOSE STATES WHERE THEY ARE WILLING TO PROVIDE THE CARE. I THINK THIS IS A GOOD BILL. I THINK SENATOR CAMPBELL HAS WORKED AWFULLY HARD WITH IT, SO HAS THE COMMITTEE. I'M GOING TO YIELD THE REST OF MY TIME TO SENATOR CAMPBELL IF SHE WOULD LIKE IT. THANK YOU, MR. PRESIDENT. [LB472]

SENATOR COASH: SENATOR CAMPBELL, YOU'VE GOT 1:20. [LB472]

SENATOR CAMPBELL: I'LL PASS. [LB472]

SENATOR COASH: SENATOR CAMPBELL WAIVES. SENATOR CRAWFORD, YOU ARE RECOGNIZED. [LB472]

SENATOR CRAWFORD: THANK YOU, MR. PRESIDENT. AND I RISE AGAIN IN SUPPORT OF LB472. JUST LIKE TO RESPOND TO A COUPLE OF THE COMMENTS THAT HAVE BEEN MADE AS WE'VE GONE ALONG. SENATOR KINTNER ASKED IF WE HAD EVER SEEN A FEDERAL PROGRAM THAT HAS COME IN AT BUDGET OR SAVED MONEY. I'D LIKE TO TALK BRIEFLY ABOUT TWO EXAMPLES AND I USE THESE TWO EXAMPLES BECAUSE I THINK THEY ARE MOST CLOSELY RELATED TO WHAT WE ARE TRYING TO DO IN LB472 AND MEDICAID REDESIGN. IN THE 1980s, WE CHANGED THE WAY...THE FEDERAL GOVERNMENT MADE CHANGES IN THE MEDICARE SYSTEM AND INSTITUTED A PROSPECTIVE PAYMENT SYSTEM. SO THIS WAS A MEDICARE REDESIGN AT THE FEDERAL LEVEL. THE CONGRESSIONAL BUDGET OFFICE ESTIMATED THAT, BETWEEN 1983 AND 1986, THAT THAT WOULD SAVE \$10 BILLION. COLLEAGUES, IT ACTUALLY SAVED MORE THAN TWICE THAT. IT ACTUALLY SAVED \$21 BILLION IN THAT TIME FRAME. IN 1997, AGAIN, THERE WAS A FEDERAL CHANGE IN MEDICARE AND PART OF THE BALANCED BUDGET ACT IN 1997. AND THERE WAS AN ESTIMATED SAVINGS THAT THAT WOULD BE OF \$100...EXCUSE ME, \$112 BILLION. AND, ACTUALLY, IN THE FIRST YEAR, IT SAVED 50 PERCENT MORE THAN THAT AND IN 1999 SAVED 113 PERCENT MORE THAN EXPECTED. COLLEAGUES, THERE IS A DYNAMIC THAT KICKS IN WHEN YOU RESTRUCTURE A HEALTHCARE SYSTEM AND WHEN YOU CHANGE THE INCENTIVES, CHANGE THE WAY YOU PAY FOR SERVICES. IT KICKS IN A DYNAMIC THAT ACTUALLY TENDS TO ACCELERATE THE SAVINGS. AND SO I GIVE THOSE TWO EXAMPLES NOT ONLY TO ILLUSTRATE THAT WE DO HAVE

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FEDERAL PROGRAMS THAT COME IN WITH HIGHER SAVINGS THAN EXPECTED BUT ALSO TO SHOW WHAT TENDS TO HAPPEN IN THESE CASES WHEN WE ENGAGE IN HEALTHCARE REFORM THAT CHANGES THE INCENTIVES OF THE SYSTEM IF IT'S BASED ON EVIDENCE, IF IT'S BASED ON WHAT WE'VE SEEN BEING SUCCESSFUL ELSEWHERE. GENERALLY, OUR SAVINGS ARE ACTUALLY GREATER THAN EXPECTED, AND THOSE TWO ARE JUST TWO EXAMPLES AT THE FEDERAL LEVEL THAT DEMONSTRATES THAT THAT'S WHAT HAPPENS. WE ALSO HEARD SAID THAT THE HEALTH OUTCOMES ARE NOT DIFFERENT. AND I THINK THAT QUOTE COMES FROM AN EARLY STUDY OUT OF OREGON AND IT ACTUALLY WAS A VERY POORLY WRITTEN ABSTRACT DESCRIBING THE STUDY. THE STUDY WAS LOOKING AT MEDICAID RECIPIENTS VERSUS THOSE WHO WERE NOT IN THE STATE OF...IN THAT SAME STATE OF OREGON. AND THE STUDY WAS LOOKING AT DIABETES AND BLOOD PRESSURE AND MENTAL HEALTH, ACTUALLY. AND SO IT WAS TRUE THAT THE MEDICAID PATIENTS DID NOT GET THEIR DIABETES OR BLOOD PRESSURE UNDER BETTER CONTROL IN THE SHORT TIME OF THE STUDY. I MEAN, THOSE ARE TOUGH CONDITIONS TO CONTROL AND THAT DID NOT HAPPEN. HOWEVER, THAT SAME STUDY DID TALK ABOUT THE FACT THAT THERE WAS A DIFFERENCE IN MENTAL HEALTH OUTCOMES AND IT WAS ALSO A KEY DIFFERENCE IN THAT THE MEDICAID PATIENTS IN OREGON AT THAT TIME DID NOT SUFFER CATASTROPHIC EXPENSES OR CATASTROPHIC HEALTH CONDITIONS BECAUSE OF UNMET HEALTH NEEDS. SO WHILE THEIR DIABETES NUMBER AND THEIR BLOOD PRESSURE NUMBER WASN'T UNDER BETTER CONTROL AT THE TIME OF THE STUDY, THEY DID HAVE SIGNIFICANT HEALTH OUTCOMES THAT WERE DIFFERENT. NOW, LATER, WE ACTUALLY HAVE A NEW ENGLAND (MEDICAL) JOURNAL STUDY THAT COMPARES THREE EXPANSION STATES TO THREE SIMILAR NONEXPANSION STATES TO TRY TO SEE IF THERE WERE HEALTH OUTCOMES. AND IT LOOKED AT A PRETTY SUBSTANTIAL OUTCOME, AND THAT IS DEATHS. AND SO THIS WAS AN UPDATE OF THE DEATH IMPACT THAT SENATOR PANSING BROOKS MENTIONED THAT WAS DONE EARLIER IN OREGON. AND IN THIS CASE, WHAT THEY FOUND COMPARING STATES THAT HAVE EXPANSION TO STATES THAT DON'T IS THE STATES THAT... [LB472]

SENATOR COASH: ONE MINUTE. [LB472]

SENATOR CRAWFORD: THANK YOU, MR. PRESIDENT. THE STATES WITH EXPANSION REDUCED THE NUMBER OF DEATHS PER 100,000 BY 19. SO THOSE ARE SUBSTANTIAL HEALTH OUTCOME DIFFERENCES. AND ACTUALLY, ONE OF THE GREAT PARTS OF SENATOR GLOOR'S INNOVATION ON HEALTH HOMES IN OUR OWN MEDICAID SYSTEM HERE IN NEBRASKA IS ASKING THEM TO TRACK WHAT HAPPENS IN THOSE HEALTH HOMES WHEN WE'VE RESTRUCTURED THOSE

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CLINICAL PRACTICES FOR MEDICAID HERE IN NEBRASKA. AND JUST A COUPLE OF RESULTS FROM A COUPLE OF THE CLINICS HERE IN NEBRASKA: IN ONE CASE, THE BLOOD SUGAR WAS UNDER CONTROL UP 41 PERCENT; THE CHOLESTEROL UNDER CONTROL UP 40 PERCENT; BLOOD PRESSURE CONTROL UP 64 PERCENT; ONE OTHER CLINIC, THE CHOLESTEROL CONTROL UP 42 PERCENT; BLOOD PRESSURE CONTROL UP 69 PERCENT. SO HERE IN NEBRASKA, WHEN WE HAVE INNOVATED WITH HEALTH HOMES, WE HAVE SEEN INCREASES IN THOSE SAME, SPECIFIC HEALTH OUTCOMES HERE, AND I EXPECT WE WILL SEE EVEN MORE OF THAT IF WE PASS LB472. THANK YOU, MR. PRESIDENT. [LB472]

SENATOR COASH: THANK YOU, SENATOR CRAWFORD. SENATOR SCHILZ, YOU'RE RECOGNIZED. [LB472]

SENATOR SCHILZ: QUESTION. [LB472]

SENATOR COASH: THE QUESTION HAS BEEN CALLED. DO I SEE FIVE HANDS? I DO. THE QUESTION BEFORE THE BODY IS, SHALL DEBATE CEASE? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB472]

CLERK: 28 AYES, 4 NAYS, MR. PRESIDENT, TO CEASE DEBATE. [LB472]

SENATOR COASH: DEBATE DOES CEASE. SENATOR CAMPBELL, YOU ARE RECOGNIZED TO CLOSE ON THE COMMITTEE AMENDMENT. [LB472]

SENATOR CAMPBELL: THANK YOU, MR. PRESIDENT. COLLEAGUES, WE HAVE HAD PROBABLY ONE OF THE BEST DISCUSSIONS ON THE USE OF MEDICAID EXPANSION DOLLARS FOR MEDICAID REDESIGN IN THE THREE YEARS. I FEEL REALLY GOOD ABOUT THE DISCUSSION. I WOULD URGE A VOTE "YES" ON THE AMENDMENT OF THE COMMITTEE IN ORDER TO GET US TO A GOOD DISCUSSION ON SENATOR SCHEER'S AMENDMENT. I THINK HE HAS SOME WORTHY IDEAS AND THAT WE NEED TO GET TO THEM. THIS IS THE AMENDMENT. WHAT THE AMENDMENT DOES IS CLARIFIES THE CONSTITUTIONALITY OF THE COMMITTEE AND I WOULD ASK FOR YOUR "YES" VOTE. I WOULD LIKE A CALL OF THE HOUSE AND ROLL CALL IN REGULAR ORDER, MR. PRESIDENT. [LB472]

SENATOR COASH: THANK YOU, SENATOR CAMPBELL. (VISITORS INTRODUCED.) THERE HAS BEEN A REQUEST TO PLACE THE HOUSE UNDER CALL. THE

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QUESTION IS, SHALL THE HOUSE GO UNDER CALL? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB472]

CLERK: 34 AYES, 2 NAYS, MR. PRESIDENT, TO PLACE THE HOUSE UNDER CALL. [LB472]

SENATOR COASH: THE HOUSE IS UNDER CALL. SENATORS, PLEASE RETURN TO THE CHAMBER AND RECORD YOUR PRESENCE. ALL PERSONNEL PLEASE LEAVE THE FLOOR. THE HOUSE IS UNDER CALL. SENATOR BRASCH, PLEASE CHECK IN. SENATOR RIEPE, PLEASE CHECK IN. SENATOR KOLTERMAN, PLEASE CHECK IN. SENATORS GARRETT AND LARSON, PLEASE RETURN TO THE CHAMBER AND RECORD YOUR PRESENCE. THERE HAS BEEN A REQUEST FOR A ROLL CALL VOTE IN REGULAR ORDER. THE QUESTION BEFORE THE BODY IS, SHALL AM676 BE ADOPTED? MR. CLERK, PLEASE READ THE ROLL. [LB472]

CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGES 1093-1094.) 22 AYES, 24 NAYS, MR. PRESIDENT, ON ADOPTION OF COMMITTEE AMENDMENTS. [LB472]

SENATOR COASH: COMMITTEE AMENDMENT IS NOT ADOPTED. RAISE THE CALL. NEXT ITEM, MR. CLERK. [LB472]

CLERK: MR. PRESIDENT, SENATOR SCHEER WOULD MOVE TO AMEND WITH AM1174. (LEGISLATIVE JOURNAL PAGES 1094-1095.) [LB472]

SENATOR COASH: SENATOR SCHEER, YOU'RE RECOGNIZED TO OPEN ON AM1174. [LB472]

SENATOR SCHEER: THANK YOU, MR. SPEAKER. I AM GOING TO WITHDRAW MY AMENDMENT ON A TEMPORARY BASIS. I'VE BEEN ASKED TO PULL THIS. THERE SEEMS TO BE SOME CONCERN THAT THE BILL DOES NOT HAVE VIABILITY. I CERTAINLY THINK MY AMENDMENT WOULD MAKE THE BILL BETTER. BUT ON THE SAME HAND, IF WE'RE GOING TO BE SPENDING A LOT OF TIME ON THAT AND ULTIMATELY NOT BE ABLE TO MOVE THE BILL, I'D JUST AS SOON PROVIDE THAT OPPORTUNITY TO THE FLOOR AS WELL. SO WITH THAT, I WOULD WITHDRAW AM1174. [LB472]

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SENATOR COASH: AM1174 IS WITHDRAWN. RETURNING TO DISCUSSION ON...MR. CLERK, DO YOU HAVE A MOTION? [LB472]

CLERK: MR. PRESIDENT, I DO. SENATOR McCOY WOULD MOVE TO INDEFINITELY POSTPONE. SENATOR CAMPBELL, YOU HAVE THE OPTION TO LAY THE BILL OVER AT THIS TIME, SENATOR. [LB472]

SENATOR COASH: SENATOR CAMPBELL. [LB472]

SENATOR CAMPBELL: MR. PRESIDENT, WE WILL TAKE UP THE MOTION. [LB472]

SENATOR COASH: SENATOR McCOY, YOU ARE RECOGNIZED TO OPEN ON YOUR MOTION. [LB472]

SENATOR McCOY: THANK YOU, MR. PRESIDENT AND MEMBERS. AND I THINK IT'S CLEAR BY THE VOTE ON THE COMMITTEE AMENDMENT JUST NOW THAT THERE IS INSUFFICIENT SUPPORT TO ADVANCE LB472, AND I CERTAINLY DO NOT SUPPORT IT. AND AT THIS TIME, I'D LIKE TO IPP IT. THANK YOU, MR. PRESIDENT. [LB472]

SENATOR COASH: MEMBERS, YOU'VE HEARD THE MOTION ON...YOU'VE HEARD THE OPENING ON THE MOTION TO INDEFINITELY POSTPONE. RETURNING TO THE QUEUE...SENATOR CAMPBELL, YOU HAVE AN OPPORTUNITY TO RESPOND. [LB472]

SENATOR CAMPBELL: THANK YOU, MR. PRESIDENT. COLLEAGUES, AFTER SPENDING A GREAT AMOUNT OF TIME THINKING ABOUT THIS AND HAVING AN OPPORTUNITY TO TALK TO A GREAT NUMBER OF YOU, THIS IS AN ISSUE THAT SHOULD BE THOUGHT OF AS WHERE ARE WE GOING INTO THE FUTURE? FOR THE PEOPLE WHO ARE JUST COMING TO THE LEGISLATURE, ALL OF THE VOTES FROM HERE ON OUT FOR THE REST OF THE SESSION ARE GOING TO BE ON LARGE ISSUES. THEY ARE GOING TO BE ON ISSUES THAT SET A FUTURE VISION FOR NEBRASKANS. LB472 IS ONE OF THOSE BILLS THAT CAN SET US ON A PATH FOR THE FUTURE. IT CAN HAVE MEANING TO ALL NEBRASKANS AS WE BRING BACK THOSE DOLLARS AND INVEST THEM IN OUR STATE. WE'VE HEARD SO MUCH ABOUT PROPERTY TAX RELIEF, TAX RELIEF, WHAT DO WE NEED TO DO? BUT WE ALSO NEED TO HAVE IN THE STATE A HEALTHY WORK FORCE, A PRODUCTIVE WORK FORCE, A WORK FORCE THAT WE WILL NEED IN THE FUTURE. WE ALL HAVE VISIONS FOR WHERE NEBRASKA CAN GO. HEALTHCARE IS ONE OF THOSE

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INFRASTRUCTURE PIECES THAT NEEDS TO BE IN PLACE. I WOULD HIGHLY ENCOURAGE YOUR NO VOTE ON SENATOR McCOY'S MOTION AND ALLOW US SUFFICIENT TIME TO CONTINUE THE DISCUSSION ON THIS EXTREMELY IMPORTANT POLICY DECISION. THANK YOU, MR. PRESIDENT. [LB472]

SENATOR COASH: THANK YOU, SENATOR CAMPBELL. RETURNING TO DISCUSSION, SENATOR WILLIAMS, YOU ARE RECOGNIZED. [LB472]

SENATOR WILLIAMS: THANK YOU, MR. PRESIDENT. AND AFTER THE EVENTS THAT JUST TRANSPIRED IN THE LAST COUPLE OF MINUTES, MORE THINGS RUN THROUGH SOMEONE'S HEAD RIGHT NOW, LIKE HOW LUCKY WOULD WE BE IF SENATOR SCHUMACHER HAD FURTHER TO DRIVE AT NIGHT THAN JUST COLUMBUS. AND I SAY THAT TONGUE IN CHEEK KNOWING THAT THIS IS A VERY SERIOUS MATTER THAT WE ARE TALKING ABOUT. AND I WANT TO MAKE IT VERY CLEAR TO EVERYONE THAT THE COMMENTS THAT I AM MAKING HAVE NOTHING TO DO WITH THE CURRENT PRESIDENT OF THE UNITED STATES. THEY HAVE NOTHING TO DO THAT I DON'T HAVE A HEART BECAUSE I'M A BANKER. BUT THEY HAVE EVERYTHING TO DO WITH WHAT I HAVE DONE FOR THE LAST 40-SOME YEARS OF MY LIFE, WHICH IS ANALYZE RISK. AND I'M CONCERNED ABOUT THE RISK THAT WE HAVE FACING US WITH LB472. IN THE BUSINESS THAT I'VE BEEN INVOLVED WITH FOR A LONG TIME, WE DO WHAT ARE CALLED RISK ASSESSMENTS. AND RISK ASSESSMENTS IS WHERE YOU LOOK AT THE FREQUENCY OF WHAT, OR THE LIKELIHOOD OF WHAT THAT RISK IS GOING TO BE, WHETHER THAT FREQUENCY OR LIKELIHOOD IS HIGH OR LOW. AND THEN YOU MEASURE THAT AGAINST THE SEVERITY OF THAT RISK, WHETHER THAT IS HIGH OR LOW. FOR INSTANCE, IN MANY BUSINESSES, WHEN YOU'RE TALKING ABOUT CONTINUITY PLANNING OR DISASTER PLANNING, YOU WILL WEIGH THOSE KIND OF THINGS. AND SOMETIMES YOU'LL HAVE A SITUATION WHERE YOU HAVE A FREQUENCY THAT COULD BE VERY HIGH, LIKELY THAT IT WILL HAPPEN, BUT THE RISK THAT WOULD HAPPEN WITH THAT, THE COST OF THAT, IS LOW. FOR INSTANCE, WHEN YOU HAVE A SHORT-TERM POWER OUTAGE, SOMETHING LIKE THAT, YOU KNOW, YOU CAN... YOU KNOW IT'S GOING TO HAPPEN FAIRLY REGULARLY IF YOU LIVE IN AREAS LIKE I LIVE IN. BUT YOU COVER THAT RISK WITH THINGS LIKE UNINTERRUPTED POWER SOURCES ON YOUR COMPUTERS AND ALL OF THAT. SO YOU WEIGH THAT RISK. THE RISKS THAT ARE MUCH MORE DIFFICULT TO DEAL WITH ARE THE RISKS THAT HAPPEN WHEN THERE IS A LOW FREQUENCY THAT THEY'RE GOING TO HAPPEN, BUT WHEN THEY DO HAPPEN, THE COST OR THE SEVERITY IS VERY HIGH. WE'VE SEEN THAT HAPPEN WITH A TORNADO THAT COULD HAPPEN. YOU'VE SEE THAT HAPPEN WITH A VENDOR OF A VERY SPECIALIZED PRODUCT TO YOUR BUSINESS



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THAT ALL OF A SUDDEN GOES BROKE, AND YOU DON'T HAVE THE ACCESS TO THAT. AND THAT'S MY UNDERLYING CONCERN RIGHT NOW, FROM A RISK PERSPECTIVE WITH LB472. WE ARE BANKING ON THE FACT THAT THE FEDERAL GOVERNMENT CONTINUES TO HONOR THE 90 PERCENT THAT HAS BEEN TALKED ABOUT IN THE DEBATE THAT WE'VE HAD HERE TODAY. IF THAT CHANGES, THE RISK THAT WE ARE TAKING IS MUCH GREATER THAN WHAT WE ARE ACCEPTING. OUR OWN CONGRESSIONAL DELEGATION IN WASHINGTON WOULD CHANGE THOSE PROVISIONS IF THEY COULD. I CLEARLY UNDERSTAND THAT THERE IS A PROVISION, I THINK, UNDER SECTION 13 OF LB472 THAT RECOGNIZES THAT IF THAT CHANGES, THIS PROGRAM GOES AWAY. I HAVE NEVER SEEN US IN OUR HISTORY, ONCE WE GIVE SOMETHING TO SOMEBODY,... [LB472]

SENATOR COASH: ONE MINUTE. [LB472]

SENATOR WILLIAMS: ...TAKE IT BACK AWAY. SO I THINK FROM A RISK PERSPECTIVE, WE ARE PUTTING OUR STATE AT GREAT LONG-TERM RISK WHEN THE INTENT WITH THIS IS WONDERFUL. AND I HAVE SINCERE EMPATHY FOR THOSE PEOPLE THAT ARE STRUGGLING BECAUSE OF WHAT HAS BEEN CREATED, COMMONLY REFERRED TO AS A DOUGHNUT HOLE. I ALSO HAVE GREAT EMPATHY FOR THOSE BUSINESSES THAT ARE AFFECTED THAT ARE NOT BEING PAID FOR THE HEALTHCARE COSTS THAT THEY ARE PROVIDING. WE HAVE THOSE IN MY DISTRICT, THOSE HOSPITALS THAT HAVE BEEN TALKED ABOUT. I TALKED ABOUT ONE OF THOSE HOSPITALS YESTERDAY THAT CURRENTLY IS GOING THROUGH A \$23 MILLION EXPANSION AND YET THEY'RE ASKING FOR PAYMENT UNDER LB472. I THINK THIS IS A RISK THAT IS TOO GREAT FOR US TO ACCEPT. [LB472]

SENATOR COASH: TIME, SENATOR. [LB472]

SENATOR WILLIAMS: THANK YOU, MR. PRESIDENT. [LB472]

SENATOR COASH: THOSE STILL WISHING TO SPEAK: SENATORS BRASCH, KINTNER, KOLTERMAN, CHAMBERS, MORFELD, AND OTHERS. SENATOR BRASCH, YOU ARE RECOGNIZED. [LB472]

SENATOR BRASCH: THANK YOU, MR. PRESIDENT, AND GOOD AFTERNOON, COLLEAGUES. LB472 IS NOT A SIMPLE BILL. THE INTENT, THE HEARTS ARE GOOD. WE ALL WANT TO HAVE A GOOD HEART. WE ALL WANT TO DO THE RIGHT THING. HOWEVER, FUNDING THIS, SOMETHING THAT IS NOT SUSTAINABLE, IS NOT

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DOING THE RIGHT THING. MEDICAL CARE IS BASICALLY BROKEN. I DON'T KNOW WHERE IT'S BROKEN. OUR PHYSICIANS ARE EXCELLENT. THE SERVICES THEY PROVIDE ARE EXCELLENT, BUT THE COSTS HAVE ESCALATED THROUGHOUT THE INDUSTRY. I BELIEVE IT WAS TWO INTERIM PERIODS AGO THAT I WAS INVITED TO SHADOW ONE OF OUR PHARMACISTS IN OUR DISTRICT. HE SHOWED ME THE PAPERWORK, THE REGULATIONS, THE PROBLEMS. AND IT WASN'T THE PHARMACEUTICAL COMPANIES. IT WAS THIRD-PARTY ENTITIES THAT REGULATE AND CONTROL WHERE MEDICINE COMES AND GOES; WHAT WILL BE PAID, WHAT WILL NOT BE PAID; WHAT IS GENERIC WILL BE ACCEPTED, WHAT IS BRAND WILL NOT BE ACCEPTED. AND HE SHOWED ME MANY SITUATIONS. I SIGNED ALL THE PAPERWORK. NAMES COULD NEVER, EVER BE REPEATED. AND IT'S A HUGE PROBLEM. AND HE SHOWED ME IT WAS A NATIONAL PROBLEM. IT WAS IN NATIONAL MAGAZINES. IT'S BEEN ON 60 MINUTES. YOU KNOW, THE MEDIA HAS HIT IT, BUT THE PROBLEM HAS NOT BEEN RESOLVED. DID THEY WANT LEGISLATION? NO. THEY WERE A LITTLE BIT CONCERNED ABOUT WHAT THE EFFECTS WOULD BE, HOW IT WOULD COME BACK TO THEM, WOULD THERE BE A PENALTY TO PAY AT THE PHARMACY LEVEL. WHEN I MENTIONED IT TO A HOSPITAL ADMINISTRATOR, OH, MY GOODNESS, THEY HAVE MANY, MANY PROBLEMATIC THIRD-PARTY COST ENTITIES. THE WAY THEY HANDLE DIABETIC TESTING NEEDLES, THINGS THAT ARE NORMALLY THROWN AWAY, NOW HAVE TO HAVE AN ADMINISTRATOR TO MANAGE USED AND DISPOSED-OF ITEMS IN THE HOSPITAL. THE COSTS ARE BUILDING. IN MY DISTRICT AND ACROSS THE STATE, WE DID HAVE SOME MAJOR HEALTHCARE PROVIDERS THAT WERE CHALLENGING COST DISCREPANCIES AT THE DIFFERENT FACILITIES ACROSS THE STATE. THESE COSTS ARE GROWING. THEY ONCE WERE AN 800-POUND GORILLA. NOW THEY'RE NOW 8,000 POUNDS. BY JUST SIGNING A CHECK THAT IS OUR MONEY, NO MATTER HOW YOU LOOK AT IT, WHETHER IT'S ON THE STATE LEVEL OR FEDERAL MONEY, BY JUST PAYING MORE AND MORE IS NOT GOING TO HELP HOLD THESE COSTS DOWN OR BRING THEM DOWN. WE CANNOT AFFORD THIS. AND TO OUR NEW COLLEAGUES HERE, THIS IS SOMETHING THAT WE HAVE SPENT FULL DEBATE TIME ON, AGAIN AND AGAIN AND AGAIN. WE HAVE LOOKED AT EVERY POTENTIAL THING THAT WE CAN DO TO FIND OUT HOW WE CANNOT BASICALLY KEEP PAYING MORE, AND ALSO NOT PAY MORE FOR SERVICES THAT WE CANNOT GUARANTEE. IT'S SOMETHING THAT WE CAN'T AFFORD. I HAD TALKED WITH A CONSTITUENT ABOUT THE AFFORDABLE CARE ACT. AT ONE POINT, THEY WERE HAPPY TO GO TO ONE OF THE OUT CARE PATIENT CENTERS. I DON'T KNOW, LINC CARE I BELIEVE IS THE NAME OF ONE OF THEM. THEY MAYBE WENT THERE TWICE A YEAR. MOST THEY SPENT OUT-OF-POCKET WAS A COUPLE HUNDRED DOLLARS. NOW THEY HAVE TO PAY \$300-PLUS A MONTH... [LB472]

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SENATOR COASH: ONE MINUTE. [LB472]

SENATOR BRASCH: ...AND PAY A PENALTY OF \$900 IF THEY DON'T DO THAT. SO HOW DO WE MANAGE SOMETHING WE CAN'T AFFORD? THANK YOU, COLLEAGUES. THANK YOU, MR. PRESIDENT. [LB472]

SENATOR COASH: THANK YOU, SENATOR BRASCH. SENATOR KINTNER, YOU'RE RECOGNIZED. [LB472]

SENATOR KINTNER: WELL, THANK YOU, MR. PRESIDENT. I WANT TO HANDLE A COUPLE OF THINGS HERE. I CAN'T LET MY GOOD FRIEND, SENATOR NORDQUIST, OFF THE HOOK WHEN HE PIPED UP AND SAID, WELL, THE OBAMACARE IS COMING UNDER COST. WELL, LET'S LOOK AT A COUPLE THINGS. NUMBER ONE, THEY STARTED TAXING A COUPLE OF YEARS BEFORE THEY STARTED SPENDING, AND THAT THREW THE BOOKS OFF JUST A LITTLE BIT. I'M NOT SURE IF THEY'VE CAUGHT UP. BUT THE NUMBER ONE REASON IS BECAUSE MEDICAID EXPANSION WAS CUT OFF BY THE SUPREME COURT. AND THAT'S WHY WE'RE ARGUING THIS. IF THIS WAS PART OF OBAMACARE, IT WOULD BE VERY, VERY EXPENSIVE. SO TO SAY THAT THIS HAS COME IN UNDER COST I DON'T THINK IS THE RIGHT WAY TO LOOK AT IT. AND THE OTHER THING IS THAT YOU'VE GOT A NUMBER OF STATES THAT HAVE JUST DECIDED THAT THEY DON'T WANT TO BE A PART OF THIS, AND SOME OF THE ONES THAT HAVE ALREADY BECOME A PART OF IT ARE LOOKING FOR WAYS TO GET OUT. I THINK THEY'RE GOING TO FIND IT VERY DIFFICULT TO GET OUT. I DID WANT TO MENTION, SOME OF THE REPUBLICAN...SO-CALLED REPUBLICAN STATES--OHIO, NEVADA, NEW MEXICO--THAT HAVE GOTTEN...DECIDED THAT THEY WANTED TO BE PART OF MEDICAID EXPANSION, THEY'RE IN A DIFFERENT PLACE THAN WE ARE. FOR INSTANCE, IN OHIO, THEY WERE ALREADY PAYING I THINK UP TO 180 PERCENT OF POVERTY. AND ALL THEY DID WAS SHIFT THE PEOPLE FROM THE STATE MONEY TO THE FEDERAL MONEY. IT WAS JUST A SHIFT. AND BY THE WAY, AFTER THEY DID THAT, LAST YEAR THEIR BUDGET GREW 17 PERCENT. I WAS HAVING A CONNIPION FIT LAST YEAR WHEN OURS WENT UP 7 PERCENT. I COULDN'T IMAGINE BEING IN OHIO AND WATCHING IT GO UP 17 PERCENT. BUT IT'S A LITTLE DIFFERENT. THE LEGISLATURE WOULDN'T GET ON THIS FREE MONEY IN OHIO, SO WHAT GOVERNOR DID IS HE WENT AROUND THE LEGISLATURE. AND THERE'S A CONTROLLING BOARD WITH APPOINTED MEMBERS, AND HE JUST HAD THE CONTROLLING BOARD JUST WAVE A MAGIC WAND AND VOTE TO DO THIS. SOME OF MY FRIENDS IN THE LEGISLATURE THERE SUED THE GOVERNOR, AND THEY DID NOT WIN IN COURT. BUT, NO, THIS WAS NOT ADOPTED BY THE LEGISLATURE IN OHIO. IT WAS AN END RUN AROUND THE LEGISLATURE. THAT'S WHY OHIO IS A

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MEDICAID EXPANSION STATE. A COUPLE OF THINGS THAT I WANT TO LOOK AT HERE. YOU KNOW, YOU HEAR MY LIBERAL FRIENDS TELL US THAT, HEY, THIS IS GOING TO CREATE JOBS. WELL, THINK ABOUT THIS. IF YOU'RE NOT CREATING WEALTH, WHAT KIND OF JOBS ARE YOU CREATING? NOW, SEE, YOU DON'T CREATE WEALTH. ALL THIS DOES IS TAKE MONEY FROM ONE PERSON AND GIVE IT TO ANOTHER PERSON. NO WEALTH HAS BEEN CREATED. SO SOMEONE SOMEWHERE IS LOSING. I DON'T KNOW IF IT'S GOING TO BE IN OUR STATE OR CALIFORNIA, NEW YORK. BUT EVERYONE CAN'T BE A WINNER ON THIS. THE OTHER THING IS THAT ACCORDING TO THE CONGRESSIONAL BUDGET OFFICE, MEDICAID EXPANSION WILL CAUSE A DROP IN LABOR AS SOME NEW ENROLLEES WITHDRAW FROM THE WORK FORCE TO REMAIN ELIGIBLE. SO WE'VE TALKED ABOUT THE CLIFFS. NOW WE'RE CREATING A NEW CLIFF, THAT PEOPLE HAVE TO MAKE A DECISION: DO I STAY WITH MY HAND OUT AND GET MY GOVERNMENT BENEFITS, OR DO I WANT TO WORK AND TRY TO BE PRODUCTIVE? THAT IS NOT A GOOD SITUATION TO PUT SOMEONE IN, AND THAT'S A MORAL HAZARD. AND WE'RE ASKING THEM TO MAKE A VERY TOUGH DECISION. THE NEXT THING I WANT TO LOOK AT IS, FROM A CONSERVATIVE PERSPECTIVE, IS THERE A WAY TO CONSERVATIVELY DO THIS WITH FREE-MARKET PRINCIPLES? AND THE ANSWER IS NO. NOW SOMEONE SAID, WELL, WHAT DO YOU CONSERVATIVES WANT TO DO? WELL, IT DOESN'T MATTER WHAT WE WANT TO DO BECAUSE YOU CAN'T GET A MEDICAID WAIVER FROM THE OBAMA ADMINISTRATION. SO ANYTHING THAT WE'D WANT TO DO TO ATTEMPT TO TACKLE THIS PROBLEM ISN'T GOING TO HAPPEN UNTIL 2017, AT LEAST, WITH A NEW DEMOCRAT OR REPUBLICAN PRESIDENT THAT MIGHT GIVE US A MEDICAID WAIVER AND... [LB472]

SENATOR COASH: ONE MINUTE. [LB472]

SENATOR KINTNER: ...ALLOW US TO DO SOMETHING THAT WORKS FOR OUR STATES. BUT THERE'S THREE PRINCIPLES YOU NEED TO LOOK AT HERE. DO YOU WANT TO SEE GREATER GOVERNMENT CONTROL OVER HEALTHCARE DOLLARS AND DECISIONS, OR DO YOU WANT TO SEE LESS? DO WE BELIEVE GOVERNMENT'S ROLE IN HEALTHCARE SHOULD BE SMALLER OR BIGGER? IF YOU'RE CONSERVATIVE, YOU'D SAY SMALLER. AND THE NEXT THING IS CONSERVATIVES BELIEVE GOVERNMENT SHOULD CONTROL FEWER HEALTHCARE DOLLARS, NOT MORE. SO DO YOU WANT OUR STATE TO HAVE MORE HANDS...MORE MONEY IN THE HANDS OF GOVERNMENT CONTROL ON HEALTHCARE OR LESS? I THINK THE THIRD THING IS DO WE WANT TO REINFORCE OBAMACARE OR DO WE NOT? AND THE PEOPLE IN MY DISTRICT AND THE PEOPLE ACROSS THIS STATE HAVE SAID THEY WANT NOTHING TO DO WITH THIS MESS CALLED OBAMACARE. THEY DON'T CARE HOW YOU DRESS IT UP.

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THEY DON'T CARE IF YOU CALL IT MEDICAID EXPANSION. THEY DON'T WANT TO HAVE ANYTHING TO DO WITH IT. AND THANK YOU, MR. PRESIDENT. [LB472]

SENATOR COASH: THANK YOU, SENATOR KINTNER. MR. CLERK. [LB472]

CLERK: MR. PRESIDENT, I HAVE A UNANIMOUS CONSENT REQUEST. SENATOR CHAMBERS WOULD ASK UNANIMOUS CONSENT TO BRACKET LB472 UNTIL JUNE 5, 2015. [LB472]

SENATOR COASH: ARE THERE ANY OBJECTIONS? SENATOR CHAMBERS, YOU ARE RECOGNIZED TO OPEN ON YOUR MOTION TO BRACKET. [LB472]

SENATOR CHAMBERS: MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, WE CAN BE ON THIS BILL AND MAYBE WE WILL BE. SO I WILL CONVERT MY UNANIMOUS CONSENT MOTION REQUEST TO A MOTION. I WILL SPEAK, THEN I'LL PULL THE MOTION, AND WE CAN THEN GO ON AND DO WHATEVER ELSE WE'RE GOING TO DO WITH THE BILL THIS SESSION. I CAME UP HERE THE OTHER DAY WHEN I SAW THINGS DEVELOPING THAT I THOUGHT WERE DETRIMENTAL TO THE INSTITUTION OF THE LEGISLATURE. TODAY I STAYED OUT OF THE DEBATE BECAUSE, FRANKLY, I WASN'T SURE I COULD TRUST MYSELF TO PARTICIPATE BECAUSE I'VE BEEN THROUGH THIS BEFORE. I'M GOING TO DO SOMETHING THAT MIGHT SHOCK SOME OF YOU. BUT WHEN I WAS A LITTLE BOY, I HEARD IT SAID THAT WHEN YOU ARE VERY ANGRY, COUNT TO TEN BEFORE SAYING ANYTHING. SO THIS WILL PLEASE SENATOR HILKEMANN. I DIDN'T JUST COUNT. I SAID OUR FATHER WHICH ART IN HEAVEN, HALLOWED BE THY NAME. AND I WAS STILL ANGRY, BUT I WENT THROUGH THE ATTEMPT. I'VE HEARD PEOPLE SAY SOME VERY CRUEL THINGS ON THE FLOOR TODAY, VERY DISMISSIVE THINGS, VERY INSENSITIVE THINGS. IF I HAD USED THIS LEGISLATURE TO STEP INTO A LUCRATIVE JOB WHERE MY FAMILY WOULD BE TAKEN CARE OF, WHERE I WOULD HAVE HEALTHCARE, YOU'D NEVER HEAR ME SAY IF EVERYBODY GOT A JOB, THEN THEY WOULDN'T HAVE TO WORRY. WELL, NOT EVERYBODY CAN GET IN THE LEGISLATURE AND USE IT AS A STEPPINGSTONE TO A LUCRATIVE JOB. THOSE KIND OF THINGS SHOULD NOT BE SAID ON THIS FLOOR. BUT PEOPLE ARE FREE TO SAY WHAT THEY WANT TO, AND I WILL RESPOND. BUT IT'S CRUEL, WHEN YOU'VE GOT A JOB, TO SAY SOMETHING LIKE THAT. IT'S CRUEL FOR THE GOVERNOR, WHO HAS A RICH DADDY WHO TOOK CARE OF HIM, TO SAY HE'S AGAINST MAKING MEDICAL CARE AVAILABLE FOR THOSE WHO DON'T HAVE IT. AND THE GOVERNOR CAN SAY ALL HE WANTS TO OF WHEN HE WAS A BOY HE CUT KINDLING AND WHATEVER HE SAID HE DID AS A BOY, BUT WHICH PERSON

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IN HERE WOULD BELIEVE THAT IF BABY RICKETTS GOT SICK HIS DADDY WOULDN'T GET HIM THE BEST MEDICAL CARE? SO HE DOESN'T HAVE TO WORRY ABOUT IT. AND BECAUSE HE NEVER HAD TO WORRY ABOUT IT, HE CANNOT FEEL ANYBODY'S PAIN. THERE WAS A SONG THAT SAID IT'S SO EASY TO HURT OTHERS WHEN YOU DON'T FEEL PAIN. AND THEY NEVER FELT IT SO THEY CANNOT KNOW WHAT IT MEANS TO HURT. I'VE NEVER BEEN SERIOUSLY ILL. I'M ON MEDICARE. I DON'T USE IT BECAUSE I HAVE A BETTER PLAN THAN SENATOR SCHUMACHER MENTIONED: DON'T GET SICK. TELL THE PEOPLE WITHOUT MEDICAL CARE, DON'T GET SICK. THAT'S THE ATTITUDE ON THIS FLOOR. IF YOU WERE LIKE JONATHAN SWIFT AND YOU SAW HOW THE ENGLISH TREATED THE IRISH, YOU WOULD HAVE WRITTEN SOMETHING IF YOU WERE OF A LITERARY BENT CALLED A MODEST PROPOSAL WHERE HE RECOMMENDED THAT THE CHILDREN OF IRISH PEOPLE BE USED AS FOOD FOR THE BRITISH. AND HE SUGGESTED THE DIFFERENT WAYS THESE LITTLE CARCASSES COULD BE PREPARED. AND NOT ONLY WOULD TITILLATE AND TAKE CARE OF THE BRITISH, IT WOULD CUT DOWN THE EXCESS POPULATION IN IRELAND. NOW WITH AS DUMB AS THE PEOPLE ARE IN THIS STATE AND ON THIS FLOOR, THEY WOULD HAVE SAID JONATHAN SWIFT WAS RECOMMENDING THAT THERE BE CANNIBALIZING OF IRISH CHILDREN. THAT'S WHAT I HAVE TO DEAL WITH. I HAVE EDUCATION, AND I'M DEALING WITH PEOPLE WHO DON'T. SO THEY RUN OFF WITH SOMETHING AND MAKE THE LEGISLATURE LOOK LIKE FOOLS--NOT ME. THEN I HEAR SOMEBODY ELSE TALK ABOUT THE GOVERNMENT IS TOO BIG. BUT THAT PERSON NEVER THINKS THE GOVERNMENT IS TOO BIG TO MAKE SURE THAT IT'S LARGE ENOUGH TO ACCOMMODATE HIS RELATIVE HAVING A JOB, A PUBLIC JOB BEING PAID FOR BY THE TAXPAYERS. THE GOVERNMENT IS NOT TOO BIG WHEN A RELATIVE OF HIS HAS A JOB WHICH HAS MEDICAL BENEFITS. SO HE CAN EASILY SAY HE DOESN'T LIKE A PROGRAM. HIS FAMILY IS TAKEN CARE OF. THE ONE WHO TALKED ABOUT PEOPLE GETTING JOBS AND BUYING INSURANCE, AND EVEN IF THEY GOT JOBS THEY WOULDN'T HAVE ENOUGH. NEBRASKA IS A LOW-PAYING STATE. HE'S GOT A GOOD JOB, CAN PAY FOR ANY ILLNESS THAT BEFALLS ANY MEMBER OF HIS FAMILY OR HIMSELF, AND HE SAYS GO OUT AND GET A JOB, COLDLY, INSENSITIVELY, CRUELLY. AND THAT'S WHAT THEY'RE ASKING THE REST OF YOU ALL TO GO ALONG WITH. THERE ARE PEOPLE JUDGING US, BUT BASED ON WHAT YOU ALL BELIEVE OR PROFESS TO BELIEVE, ONE GREATER THAN EVERYBODY PUT TOGETHER IN THIS PLACE IS DOING SOME JUDGING. AND THAT ONE SAID AT ONE PLACE, I WAS SICK AND YOU DID NOT MINISTER TO ME. AND THEY SAID, LORD, WHEN WERE YOU SICK? YOU KNOW WE'D HAVE COME TO YOU. HE SAID THAT'S EXACTLY WHAT I KNOW. SO BECAUSE YOU DIDN'T DO IT TO THE LEAST OF THESE, MY BRETHREN, YOU DIDN'T DO IT TO ME. AND HE WAS TRYING TO MAKE ANOTHER POINT WITH THOSE HARDHEADED, INSENSITIVE PEOPLE. AND

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HE SAID THEY WILL NOT BELIEVE THE ONE RETURNED FROM THE DEAD. AND THE ONE THEY SAY THEY BELIEVED IN DID RETURN FROM THE DEAD, AND HE TOLD THEM WHAT TO DO, AND THEY DON'T BELIEVE. BUT THEY PRAY EVERY MORNING. THAT'S WHAT THEY DO. THEY HEAR WHAT I'M SAYING. THEY'RE PRETENDING NOT TO LISTEN, BUT THEY HEAR EVERY WORD BECAUSE THEY RECOGNIZE THEMSELVES BEING DESCRIBED BY MY WORDS, AND THAT'S WHAT I WILL DO. AND YOU SEE NOW WHY SOME OF THOSE PEOPLE WANTED TO CRUCIFY JESUS BECAUSE IF THEY HAD IT THEIR WAY, THEY WOULD GET A NOOSE AND TAKE ME TO THE NEAREST LIMB AND STRING ME UP. YOU THINK I DON'T KNOW WHAT'S GOING ON HERE? YOU THINK I DON'T KNOW WHAT THEIR ATTITUDE IS? THEY SHOW THEIR ATTITUDE BY POOR PEOPLE WITH THEIR OWN COMPLEXION. AND IF THEY WILL DO THAT TO THEIR OWN, WHAT WOULD THEY DO TO ME? OR AS JESUS SAID, IF THIS IS WHAT THEY DO IN THE GREEN TREE, WHAT WILL DO THEY DO IN THE DRY? THAT'S WHAT WE'RE TALKING ABOUT. THEY'RE TALKING ABOUT NUMBERS AND FIGURES, AND I'M TALKING ABOUT HUMAN BEINGS. AND YOU ALL MAKE ME THE VICIOUS PERSON, AND I'M THE ONE WHO SPEAKS FOR THOSE THAT YOU ALL WON'T SPEAK FOR AND YOU DON'T CARE ABOUT. MY FRIEND "GENERAL" GARRETT WANTS MEDICAL MARIJUANA, BUT HE DOESN'T WANT MEDICAL CARE FOR OTHER PEOPLE AND THEIR CHILDREN, THEIR CHILDREN. THESE ARE OUR CHILDREN, AND WE DON'T CARE? WELL, I DO. AND I'M GOING TO DO EVERYTHING I CAN TO HELP THEM OR EXPOSE THOSE WHO WON'T. AND YOU THINK I OWE ANYTHING TO THESE PEOPLE WHEN THEY DON'T FEEL THEY OWE ANYTHING TO THE SUFFERING PEOPLE IN THIS STATE WHOM WE ARE SWORN TO HELP? AND I CARE ABOUT THEM, THE DAY THEY CARE ABOUT THE CHILDREN, I CARE ABOUT THEM. OH, IF IT WAS A FETUS, THEY CARE. BUT A CHILD, A WORKING FAMILY, HAVEN'T YOU HEARD THEM TALK ABOUT FAMILY VALUES? HAVEN'T YOU HEARD THAT? I HEAR IT ALL THE TIME. I LISTEN TO THE PRAYERS OFFERED MORE CLOSELY THAN YOU ALL DO, AND THEY DON'T MEAN ANYTHING TO ME WHATSOEVER BECAUSE THE ONE WHO PRAYS UP THERE IS PRAYING TO PEOPLE BECAUSE THAT ONE PRAYING UP THERE KNOWS THERE'S NOBODY LISTENING, AIN'T NOBODY HOME. AND THEY MAKE A MISTAKE THINKING THEY COME HERE, AND THE WORDS THEY UTTER MEAN ANYTHING TO THE PEOPLE, THE FEW WHO COME TO THIS CHAMBER. YOU OUGHT TO BE ASHAMED OF YOURSELVES. I DON'T KNOW HOW YOU CAN STAND TO GO TO WHATEVER CHURCH YOU GO TO IF THEY KNOW HOW CRUEL YOU ARE RIGHT HERE. EVERY SERMON COULD BE BASED ON ANY LEGISLATOR IN A CHURCH CONGREGATION. BUT THE PREACHERS WILL SHOW CONSIDERATION TO YOU. BUT YOU DON'T CARE ABOUT THE PEOPLE WHOM WE HAVE AN OBLIGATION TO HELP. [LB472]

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SENATOR COASH: ONE MINUTE. [LB472]

SENATOR CHAMBERS: WELL, LET ME BE THE VILLAIN. LET ME BE THE DEVIL. AND IF I'M OF MY FATHER THE DEVIL, HE'S A BETTER FATHER TO ME THAN YOUR FATHER GOD IS TO YOU, BECAUSE MY FATHER THE DEVIL TELLS ME TO HELP THOSE WHO CANNOT HELP THEMSELVES; DON'T JUST YACKETY-YAK, DO IT. AND YOUR FATHER GOD TELLS YOU TO DO IT, AND YOU TELL YOUR FATHER GOD, GO JUMP IN THE LAKE AND TAKE THAT JESUS WITH YOU. YEAH, I MEAN IT. AND MY LIGHT IS ON AND I'M GOING TO TALK SOME MORE AND SOME MORE AND SOME MORE. THANK YOU, MR. PRESIDENT, AND GOD BLESS AMERICA. [LB472]

SENATOR COASH: SENATOR CHAMBERS, YOU'RE NEXT IN THE QUEUE. [LB472]

SENATOR CHAMBERS: I KNEW THAT. I HEAR THE MUTTERINGS, AND I CAN READ SOME PEOPLE'S THOUGHTS BECAUSE SOME PEOPLE IN HERE ARE BETTER THAN WHAT THEIR VOTES ARE SHOWING THEM TO BE. THEY'RE FOLLOWING A PARTY LINE. BUT THEY BELONG TO THE WRONG PARTY. YOU OUGHT TO CONSIDER SOME OF THE THINGS THAT MORALISTS TELL YOU. IF THIS WERE YOUR LAST DAY ON EARTH, AND WHAT YOU DO HERE TODAY IS THE LAST THING YOU DO, WOULD MY FRIEND WHOM I RESPECT GREATLY, "BROTHER" WILLIAMS, SAY, WELL, I'M...I WANT TO LOOK AT RISK MANAGEMENT; THAT'S THE LAST THING I WANT TO DO TODAY? SENATOR KOLTERMAN: WELL, I DON'T GO FOR THIS FOR WHATEVER REASON. THAT'S WHAT MY LAST DAY WILL BE. MY GOOD FRIEND "GENERAL" GARRETT, YOU KNOW WHY I SAY...MAYBE I SHOULD SAY I'M HIS FRIEND. I DON'T KNOW IF HE'S MY FRIEND NOW. "GENERAL" GARRETT: WELL, I DON'T WANT TO GO THAT WAY. AND SOME OF THESE OTHER PEOPLE, IT WOULDN'T MATTER WHAT DAY IT WAS BECAUSE THEY ARE SO DEEPLY DYED IN THEIR HYPOCRISY AND CRUELTY THAT THEY COULDN'T CHANGE IF THEY WANTED TO. THEY HAVE WHAT THE "BIBBLE" REFERRED TO AS A SEARED CONSCIENCE. THEY CANNOT BE RESCUED. THEY CANNOT BE REACHED. THEY CANNOT BE REASONED WITH. SO THE NEXT TIME YOU HEAR SOMEBODY TALK THAT STUFF ABOUT WHAT WOULD YOU DO IF THIS WERE YOUR LAST DAY, IT'S NONSENSE. AND THAT'S WHY, NOT BECAUSE THERE'S A HEAVEN THAT GOD WILL PUT ME IN OR A HELL THAT A GOD WILL SEND ME TO. IT'S BECAUSE OF WHAT I THINK OF MYSELF BASED ON WHAT MY MIND, MY INTELLIGENCE TELLS ME I OUGHT TO DO. AND I DON'T HAVE TO HURT TO KNOW THAT SOMEBODY ELSE IS HURTING AND I SHOULD DO WHAT I CAN TO ALLEVIATE THAT IF I CAN. SO I CAN LIVE MY LAST DAY THE WAY I LIVE EVERY DAY BECAUSE I AM WHAT I AM, UNLIKE THESE HYPOCRITES WHO GET INTO THE CAMPAIGN MODE. THEN THEY DO ALL OF THIS LYING, LINING UP A JOB, WALKING THE PARTY LINE, RUNNING



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FOR THE NEXT OFFICE. THAT'S NOT ME, AND YOU ALL KNOW IT. AND YOU ALL KNOW EXACTLY WHO I'M TALKING TO, AND THEY KNOW WHO I'M TALKING TO AND TALKING ABOUT. I'M A GROWN MAN AND NOBODY IS GOING TO PUT A MUZZLE ON ME UNLESS HE'S BIG ENOUGH TO PUT IT ON PHYSICALLY, AND HE MIGHT GET A BANQUET, BROTHERS AND SISTERS, BUT ALONG THE WAY, I'LL GET A SANDWICH, UNLIKE THAT SONG THAT I REALLY LIKE. I FORGET WHICH ONE OF THE BEATLES SANG IT, BUT HE SAYS, IF YOU'RE BIG ENOUGH TO TAKE IT, IF YOU'RE BIG ENOUGH TO TAKE IT. SO THIS SESSION OF THE LEGISLATURE WILL BE LIKE ALL THE OTHERS. THE CRUEL PEOPLE, THE ANTI-PRESIDENT OBAMA PEOPLE WILL PREVAIL. THEN THEY'LL GO OUT INTO THE HUSTINGS AND THE IGNORANT PEOPLE IN THE RURAL AREAS AND TELL THEM HOW MUCH THEY CARE ABOUT THEM AND HOW MUCH THEY'RE TRYING TO HELP THEM. SENATOR KINTNER TALKING ABOUT PROGRAMS, HE HAS NEVER SPOKEN AGAINST THE FARM PROGRAMS. THESE PEOPLE FROM THE FARM AREA SHOULD HAVE SEEN A HEADLINE ON ONE OF THE EDITORIALS IN THE LINCOLN JOURNAL STAR ABOUT FARM SUBSIDIES STILL FLOWING. YOU DON'T HEAR HIM TALK ABOUT THAT, DO YOU? WHEN DID THEY START TALKING ABOUT PARITY, AROUND 1913? THEY'RE GOING TO HELP THE FARMERS. OKAY, THIS IS MARKET PRICE. AND THIS IS WHAT IT COSTS YOU TO PRODUCE. [LB472]

SENATOR COASH: ONE MINUTE. [LB472]

SENATOR CHAMBERS: SO WE'RE GOING TO MAKE UP THE DIFFERENCE. AND THEY LIKE THAT. THAT'S WHAT CREATES LEECHES. THAT'S WHY AGRICULTURE HAS BEEN CONSIDERED A LEECH FOREVER. THEY'RE ALWAYS SUBSIDIZED. THEY'RE ALWAYS SUCKING FROM THE SUGAR-TIT OF THE FEDERAL GOVERNMENT. THEY'VE ALWAYS DONE IT. THEY'RE DOING IT NOW. THEY COULDN'T FUNCTION WITHOUT IT. AND THEN THEY'VE GOT THE NERVE TO TALK ABOUT SOME WELFARE LEECH LYING ON A COUCH. AND THEY COULDN'T SURVIVE WITHOUT THEIR SUBSIDIES, AND THEY TAKE THEM. I'M GOING TO SEE IF SOMEBODY CAN GOOGLE FOR ME--IF THAT'S WHAT THE TERM IS--ALL THE PEOPLE IN NEBRASKA IN THE AGRICULTURAL COMMUNITY WHO ARE RECEIVING FARM SUBSIDIES. AND IF AND WHEN I GET IT, I'M GOING TO READ EVERY NAME ON THE FLOOR OF THE LEGISLATURE. IT WILL BE WHEN THE ROLL IS CALLED, NOT UP YONDER BUT DOWN HERE. THANK YOU, MR. PRESIDENT. [LB472]

SENATOR COASH: THANK YOU, SENATOR CHAMBERS. SENATOR MORFELD, YOU'RE RECOGNIZED. [LB472]

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SENATOR MORFELD: THANK YOU, MR. PRESIDENT. I YIELD MY TIME TO SENATOR SCHUMACHER. [LB472]

SENATOR COASH: SENATOR SCHUMACHER, YOU ARE YIELDED 5:00. [LB472]

SENATOR SCHUMACHER: THANK YOU, MR. PRESIDENT, MEMBERS OF THE BODY. WE SPENT EIGHT HOURS TALKING ABOUT AMBER LIGHTS LAST YEAR. I CAN'T EVEN REMEMBER THE BILLS THAT WE FILIBUSTERED SO FAR THIS YEAR THAT WE SPENT EIGHT HOURS ON. AND ONE THAT DEALS WITH \$400 MILLION BASICALLY IN CASH, PAID FOR BASICALLY BY OUR TAXPAYERS WITH OUR IRS RETURNS, WE'RE WILLING TO WALK AWAY FROM AFTER--WHAT IS IT--THREE HOURS? DOESN'T MAKE GOOD SENSE TO ME. THE FRESHMAN CLASS IS YET TO BEGIN TO BE EXPOSED TO THE DYNAMICS OF THIS ISSUE. LET ME RECAP SOME. I WAS ON THE MOVE FROM THE GOVERNMENT COMMITTEE TO THE INSURANCE COMMITTEE AFTER MY FIRST YEAR. ONE OF THE ISSUES WE FACED: SHOULD WE ESTABLISH A STATE EXCHANGE? WE DIDN'T DISCUSS IT. WHY DIDN'T WE DISCUSS IT? WELL, BECAUSE THEY WERE GOING TO OVERTHROW OBAMACARE IN THE COURTS. WE DIDN'T NEED TO DISCUSS IT. FORTUNATELY, THE GOVERNOR DIDN'T SAY, WE DEFAULT TO THE FEDERAL SYSTEM. HE AFFIRMATIVELY SAID, WE SELECT THE FEDERAL SYSTEM. THAT MAY BE ENOUGH TO PULL OUR FAT OUT OF THE FIRE IF THE SUPREME COURT ACTS AND SAYS THAT WE HAVE TO DESIGNATE THE FEDERAL SYSTEM AS OUR SYSTEM IN ORDER TO MAINTAIN THE PEOPLE IN THE STATE WHO ARE ALREADY RECEIVING INSURANCE SUBSIDIES ON THE EXCHANGE. BUT WE MAY TALK ABOUT THAT A LITTLE BIT MORE TODAY BEFORE WE BURY THIS THING IN A VERY, VERY, VERY QUESTIONABLE MOOD. WE COULD HAVE SELECTED OUR HEALTH BENEFITS, THE MINIMUM BENEFITS. DID WE DO IT? NO, WASN'T GOING TO HAPPEN. SUPREME COURT WAS GOING TO THROW OUT OBAMACARE. WE VOTED DOWN MEDICAID ONE TIME. WHY? BECAUSE ROMNEY WAS GOING TO GET ELECTED. HE WAS GOING TO THROW OUT OBAMACARE. WE VOTED IT DOWN LAST YEAR. WHY? WELL, OF COURSE THE REPUBLICANS WERE GOING TO TAKE THE CONGRESS. THEY WERE GOING TO REPEAL OBAMACARE. WHAT ARE WE DOING NOW? WELL, BACK OF OUR MIND WE THINK, YOU KNOW, THIS SUMMER MAYBE THE SUPREME COURT WILL REPEAL OBAMACARE. THEY AREN'T GOING TO REPEAL OBAMACARE. THEY'RE GOING TO TELL US MAYBE THAT WE HAVE TO SELECT THE FEDERAL EXCHANGE AFFIRMATIVELY, SOMETHING WE MIGHT WANT TO CONSIDER DOING RIGHT HERE AND NOW. BUT IT'S NOT GOING AWAY. IT IS NOT GOING AWAY. WE'RE NOT GOING BACK AND SAYING THAT KIDS CAN'T BE KEPT ON THEIR PARENTS' INSURANCE ACCOUNTS. WE'RE NOT GOING BACK TO ALL THE THINGS THAT, TAKEN AS A WHOLE, AS SEPARATELY, PEOPLE WILL POLL AND SAY THEY WANT.

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IT'S NOT GOING TO HAPPEN. WE TALK ABOUT RISK ANALYSIS. WHAT'S A 100 PERCENT RISK? THAT WE'RE GOING TO LOSE \$400 MILLION BY NOT TAKING ADVANTAGE OF IT. THAT'S A 100 PERCENT RISK. AND THIS IDEA THAT WE HAD--I THINK THIS PROBABLY WAS A VERY MISLEADING PIECE OF INFORMATION THAT THE PROPONENTS PUT OUT--TELLING ME I HAD 1,050 PEOPLE IN MY DISTRICT THAT WERE UNINSURED. THEY'RE NOT UNINSURED. NONE OF YOU HAVE ANY UNINSURED. WE HAD SENATOR GLOOR TELL US THAT WE HAVE TO TAKE CARE OF THEM UNTIL THEY'RE STABLE, FOREVER AND FOREVER MAYBE, IN A HOSPITAL. THEY GOT BETTER INSURANCE THAN YOU AND I HAVE. THEY DON'T HAVE TO GO TO SOME NURSE PRACTITIONER WITH A SHINGLE HANGING OUT. THEY CAN GO RIGHT INTO THE EMERGENCY ROOM, FANCY PLACE WITH ALL KINDS OF EQUIPMENT, ALL KINDS OF STAFF STANDING BY AND HAVE THEIR SNIFFLES TREATED TAX FREE, NO PAPERWORK. DON'T TELL ME THEY'RE UNINSURED. THEY'RE POORLY INSURED BY A SYSTEM THAT DOESN'T ADDRESS THE ISSUES, THAT PRETENDS THAT THAT EMERGENCY ROOM VISIT COSTS THEM ABSOLUTELY NOTHING. THERE IS NO FREE LUNCH. ONCE WE MAKE THE DECISION THAT THEY GET CARE IN THAT EMERGENCY ROOM, WE PAY FOR IT. WHEN I WRITE MY INSURANCE CHECK OUT OR YOUR EMPLOYER WRITES YOURS OUT, THE BILL IS THERE... [LB472]

SENATOR COASH: ONE MINUTE. [LB472]

SENATOR SCHUMACHER: ...BECAUSE THERE IS NO FREE LUNCH. I THINK WE NEED TO TALK ABOUT THIS. WE NEED TO SOBER UP A LITTLE BIT AWAY FROM THE POLITICAL RHETORIC. WE HAVE A BUNCH OF PEOPLE THAT NEED CARE, AND WE'RE GOING TO CARE FOR THEM. WE'VE HEARD THAT TODAY. WE'RE GOING TO PAY FOR THAT CARE THROUGH ONE MECHANISM OR ANOTHER. ONE MECHANISM, WE SEND OUR MONEY TO WASHINGTON, AND WE KICK IN A DOUBLE TIME WITH OUR INSURANCE PREMIUMS. THERE IS NO FREE LUNCH. WE CAN GET THAT \$400 MILLION, OR WHATEVER THE NUMBER IS, BACK HERE. MAYBE THE FEDERAL GOVERNMENT WILL PULL IT BACK. BUT I BET YOU YOU'RE CASHING YOUR SOCIAL SECURITY CHECKS, THOSE OF YOU THAT ARE ON SOCIAL SECURITY. WHY? ARE YOU CONCERNED THAT YOU BETTER NOT BECOME DEPENDENT ON THOSE CHECKS BECAUSE THE FEDERAL GOVERNMENT MAY PULL THEM BACK? YOU'RE GOING TO BALANCE THE FEDERAL BUDGET WITH 59 MINUTES OF PAYMENTS? THAT'S WHAT THIS AMOUNTS TO. FIFTY-NINE MINUTES IS WHAT THIS WILL RUN THE FEDERAL GOVERNMENT. [LB472]

SENATOR COASH: TIME, SENATOR. [LB472]

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SENATOR SCHUMACHER: YOU'RE GOING TO DO THAT? THANK YOU. [LB472]

SENATOR COASH: THANK YOU, SENATOR SCHUMACHER. SENATOR GLOOR,  
YOU'RE RECOGNIZED. [LB472]

SENATOR GLOOR: THANK YOU, MR. PRESIDENT. THANK YOU, MEMBERS.  
SENATOR RIEPE POINTED OUT THAT MY PREVIOUS COMMENTS ABOUT THE  
CIVILITY IN THIS DISCUSSION IS PROBABLY DUE TO THE FACT THAT WE HAVE 18  
NEW SENATORS IN THE BODY. I DON'T KNOW THAT I COMPLETELY AGREE WITH  
THAT, BUT IT'S NICE TO THINK THAT THAT MAY BE THE CASE. AND WITH THAT, I  
WOULD YIELD THE REST OF MY TIME TO SENATOR SCHUMACHER, WHO I ENJOY  
LISTENING TO ON THIS PARTICULAR TOPIC. THANK YOU. [LB472]

SENATOR COASH: SENATOR SCHUMACHER, YOU'VE BEEN YIELDED 4:30. [LB472]

SENATOR SCHUMACHER: I DON'T KNOW HOW I GET MYSELF IN THESE PICKLES.  
(LAUGHTER) I REALLY DON'T LIKE WELFARE. FOLKS, WHAT ARE THE  
ARGUMENTS FOR DOING THINGS THE WAY WE ARE? LET ME COUNT THE WAYS.  
THE SUPREME COURT IS GOING TO THROW OUT OBAMACARE. BEEN THERE,  
DONE THAT, NOT GOING TO HAPPEN. THAT WOULD BE LAUGHED AT IN MOST  
STATE LEGISLATURES, THAT IT'S JUST GOING TO THROW IT OUT AND IT'S GOING  
TO GO AWAY AND THE HUNDREDS OF MILLIONS OF DOLLARS THAT HAVE BEEN  
SPENT IN INFRASTRUCTURE WITH INSURANCE COMPANIES AND HOSPITALS AND  
EVERYTHING ELSE IS JUST GOING TO GO AWAY. AND THEN WE'LL BE BACK TO  
HEAVEN, THE WAY IT WAS BEFORE WE THOUGHT...HEARD OF OBAMA, WHEN HE  
WAS A...OBAMA MEANT A VACUUM CLEANER OR SOMETHING. WHAT? THE COST  
OF HEALTHCARE WAS SKYROCKETING AND SO WAS INSURANCE. WE WON'T GO  
BACK TO HEAVEN. WE WERE IN HELL. WELL, OKAY. WHAT ELSE MIGHT HAPPEN?  
WELL, YOU KNOW, MAYBE THE FEDERAL GOVERNMENT WILL RUN OUT OF  
MONEY, AND IT'LL CUT BACK. AND THERE'S BEEN A PROGRAM HERE, THERE,  
AND EVERY ONCE IN A WHILE THEY CUT BACK ON. AND SO WE BETTER NOT USE  
A MORE EFFICIENT WAY FOR CARING FOR PEOPLE IN THE INTERIM. MAYBE THAT  
WILL HAPPEN. COME ON, GUYS. REALLY? THEY'RE GOING TO CUT BACK ON THIS  
PROGRAM? NOT ANY MORE CHANCE OF THAT THAN THEM CUTTING BACK ON  
YOUR SOCIAL SECURITY CHECK OR YOUR MEDICARE OR THE HIGHWAY FUND  
OR THE FARM FUND OR WHATEVER OTHER FUNDS WE ARE SO DEPENDENT ON  
FROM THE FEDERAL GOVERNMENT. THE FEDERAL GOVERNMENT IS NOT GOING  
TO BALANCE ITS BUDGET. MAYBE WHEN I WAS SITTING IN SENATOR CURTIS'  
OFFICE IN 1976 IF WE HAD TAKEN A DIFFERENT COURSE, WE COULD BALANCE

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THE BUDGET. WE'RE WAY PAST THAT POINT. WE'VE TAKEN OFF IN AN AIRPLANE. WE'VE SET OFF THE LANDING GEAR, AND WE'RE FLYING WITHOUT IT. WE'RE GOING TO FLY. VERY SOPHISTICATED MONETARY POLICY ON AN INTERNATIONAL BASIS IS GOING TO KEEP US FLYING OR IT'S GOING TO CRASH US BAD. AND IF IT CRASHES US BAD, OBAMACARE IS GOING TO BE THE LEAST OF OUR WORRIES. WE HAVE A VEHICLE HERE THAT IF WE JUST SLOW DOWN A LITTLE BIT AND SAY, LOOK IT, IS IT SMART TO GIVE UP \$400 MILLION A YEAR? DO WE REALLY BELIEVE THAT OBAMACARE IS JUST GOING TO GO AWAY AND OUR HEALTHCARE PROBLEMS ARE GOING TO BE SOLVED? WE'RE GOING TO PAY FOR THESE PEOPLE SHOWING UP IN THESE HIGH-FLYING EMERGENCY ROOMS WHETHER WE LIKE IT OR NOT. ARE WE DOING IT NOW IN THE MOST EFFICIENT WAY? THERE IS NOBODY IN HERE THAT SAYS THIS IS THE MOST EFFICIENT WAY. IF THERE IS, SPEAK. PUSH YOUR BUTTONS. TELL US THIS IS THE SMARTEST THING TO DO. I HAVEN'T HEARD THAT FROM ANYBODY YET. HAVEN'T HEARD ANY OF THE OPPONENTS, OR PROPONENTS FOR THAT MATTER, SAY THAT THERE'S A BETTER WAY. SENATOR CAMPBELL HAS STRUGGLED WITH THIS FOR THREE YEARS. WE'VE TURNED BACK MONEY EQUAL TO THE CLOSING OF OFFUTT AIR FORCE BASE FOR A YEAR. THAT'S A 100 PERCENT RISK, AND THAT'S A HECK OF A LOT OF MONEY. [LB472]

SENATOR COASH: ONE MINUTE. [LB472]

SENATOR SCHUMACHER: I THINK WE NEED TO SLOW DOWN AT THE VERY LEAST. AND I'LL TALK ABOUT THIS LATER. I'VE GOT MY BUTTON ON. MAYBE THERE WILL BE MORE COST. IF WE'RE ALL INTENT ON WALKING AWAY FROM THIS \$400 MILLION A YEAR, IF WE'RE ALL CONCERNED ABOUT THE FEDERAL GOVERNMENT CRASHING AND NOT BEING ABLE TO BALANCE ITS BUDGET AND WHATEVER OTHER NONSENSE THERE IS, WE'RE ALL SO CONCERNED ABOUT THAT THEN MAYBE WE SHOULD USE THIS AS A VEHICLE TO AFFIRM THE FEDERAL PROGRAM EXCHANGE IS OUR EXCHANGE IN THE EVENT THAT THE SUPREME COURT SAYS WE HAVE TO DO THAT IN ORDER TO CONTINUE TO INSURE OUR PEOPLE WHO ARE NOW RECEIVING EXCHANGE SUBSIDIES. THIS IS NOT GOING AWAY. THIS IS A BURDEN THAT WE'RE GOING TO LIVE WITH AND WE'RE GOING TO HAVE TO ADAPT TO AND WE'RE GOING TO HAVE TO THINK CLEAR ON. AND WE CAN'T BE JUST POLITICAL KNEE JERKS. THIS IS ONE OF THE MOST IMPORTANT THINGS THIS LEGISLATURE OR EVEN THE FRESHMAN CLASS WILL HAVE TO DEAL WITH IN THEIR TERM HERE, FAR EXCEEDING IMPORTANCE TO TRYING TO SEE IF WE CAN SHAVE A HALF A POINT OR SOMETHING OFF OF THIS TAX OR ANOTHER. [LB472]

SENATOR COASH: TIME, SENATOR. [LB472]

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SENATOR SCHUMACHER: THIS IS THE REAL STUFF WE'RE HERE...THANK YOU.  
[LB472]

SENATOR COASH: THANK YOU, SENATOR SCHUMACHER. SENATOR KRIST, YOU'RE  
RECOGNIZED. [LB472]

SENATOR KRIST: QUESTION. [LB472]

SENATOR COASH: QUESTION HAS BEEN CALLED. DO I SEE FIVE HANDS? I DO. THE  
QUESTION IS, SHALL DEBATE CEASE? ALL THOSE IN FAVOR VOTE AYE; ALL  
THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB472]

CLERK: 26 AYES, 5 NAYS, MR. PRESIDENT, TO CEASE DEBATE. [LB472]

SENATOR COASH: DEBATE DOES CEASE. SENATOR CHAMBERS, YOU'RE  
RECOGNIZED TO CLOSE ON YOUR MOTION. [LB472]

SENATOR CHAMBERS: MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, I ASK  
THAT WE ALL VOTE FOR THE BRACKET MOTION. AND MORE THAN THAT, I HAVE  
NOTHING TO SAY. THANK YOU. [LB472]

SENATOR COASH: MEMBERS, YOU'VE HEARD THE CLOSING ON THE MOTION TO  
BRACKET. THE QUESTION IS, SHALL LB472 BE BRACKETED? ALL THOSE IN FAVOR  
VOTE AYE; ALL THOSE OPPOSED VOTE NAY. HAVE ALL VOTED WHO WISH?  
RECORD, MR. CLERK. [LB472]

CLERK: 28 AYES, 16 NAYS, MR. PRESIDENT, ON THE MOTION TO BRACKET THE  
BILL. [LB472]

SENATOR COASH: LB472 IS BRACKETED. MR. CLERK. ITEMS, MR. CLERK? [LB472]

CLERK: MR. PRESIDENT, SOME ITEMS. ENROLLMENT AND REVIEW REPORTS  
LB70A AS CORRECTLY ENGROSSED. ENROLLMENT AND REVIEW ALSO REPORTS  
LB419, LB559, LB156, AND LB106A TO SELECT FILE, SOME HAVING ENROLLMENT  
AND REVIEW AMENDMENTS ATTACHED. SENATOR CRAWFORD OFFERS LR174;  
THAT WILL BE LAID OVER. AND, MR. PRESIDENT, YOUR COMMITTEE ON  
AGRICULTURE, CHAIRED BY SENATOR JOHNSON, REPORTS LB377 TO GENERAL

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FILE WITH COMMITTEE AMENDMENTS ATTACHED. (LEGISLATIVE JOURNAL PAGES 1095-1100.) [LB70A LB419 LB559 LB156 LB106A LR174 LB377]

MR. PRESIDENT, A PRIORITY MOTION: SPEAKER HADLEY WOULD MOVE TO ADJOURN THE BODY UNTIL THURSDAY MORNING, APRIL 9, AT 9:00 A.M.

SENATOR COASH: MEMBERS, YOU'VE HEARD THE MOTION. ALL THOSE IN FAVOR SAY AYE. OPPOSED, NAY. WE ARE ADJOURNED.