

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

Floor Debate
January 15, 2016

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SPEAKER HADLEY PRESIDING

SPEAKER HADLEY: GOOD MORNING, LADIES AND GENTLEMEN. WELCOME TO THE GEORGE W. NORRIS LEGISLATIVE CHAMBER FOR THE EIGHTH DAY OF THE ONE HUNDRED FOURTH LEGISLATURE, SECOND SESSION. OUR CHAPLAIN FOR TODAY IS SENATOR BOLZ. PLEASE RISE.

SENATOR BOLZ: (PRAYER OFFERED.)

SPEAKER HADLEY: THANK YOU, SENATOR BOLZ. I CALL TO ORDER THE EIGHTH DAY OF THE ONE HUNDRED FOURTH LEGISLATURE, SECOND SESSION. SENATORS, PLEASE RECORD YOUR PRESENCE. ROLL CALL. MR. CLERK, PLEASE RECORD.

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

SPEAKER HADLEY: THANK YOU, MR. CLERK. ARE THERE ANY CORRECTIONS FOR THE JOURNAL?

CLERK: I HAVE NO CORRECTIONS.

SPEAKER HADLEY: THANK YOU. ARE THERE ANY MESSAGES, REPORTS, OR ANNOUNCEMENTS?

CLERK: MR. PRESIDENT, YOUR COMMITTEE ON ENROLLMENT AND REVIEW REPORTS LB47 TO SELECT FILE WITH E&R AMENDMENTS ATTACHED. I HAVE THE LOBBY REPORT FOR THIS WEEK TO BE INSERTED IN THE JOURNAL AND AN ACKNOWLEDGMENT OF AGENCY REPORTS THAT ARE ON FILE ON THE LEGISLATIVE WEB SITE AVAILABLE FOR MEMBER REVIEW. AND I HAVE A HEARING NOTICE FROM URBAN AFFAIRS, MR. PRESIDENT. (LEGISLATIVE JOURNAL PAGES 307-308.) [LB47]

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SPEAKER HADLEY: THANK YOU, MR. CLERK. WE WILL NOW PROCEED TO THE FIRST ITEM ON THE AGENDA, MR. CLERK.

CLERK: MR. PRESIDENT, NEW BILLS. (READ LB990-993 BY TITLE FOR THE FIRST TIME.) THAT'S ALL THAT I HAVE, MR. PRESIDENT. (LEGISLATIVE JOURNAL PAGES 308-309.) [LB990 LB991 LB992 LB993]

SPEAKER HADLEY: THANK YOU, MR. CLERK. WE WILL NOW PROCEED TO THE FIRST ITEM ON THE AGENDA.

CLERK: MR. PRESIDENT, SENATOR KRIST WOULD MOVE TO WITHDRAW LB917. [LB917]

SPEAKER HADLEY: SENATOR KRIST, YOU'RE RECOGNIZED TO OPEN ON YOUR WITHDRAWAL MOTION. [LB917]

SENATOR KRIST: THANK YOU, MR. PRESIDENT. GOOD MORNING, COLLEAGUES, AND GOOD MORNING, NEBRASKA. MY EFFORT HERE TODAY IS TO ASK FOR A GREEN VOTE TO WITHDRAW LB917 AND IN A WAY OF EXPLANATION IS VERY SIMPLE. LB917 WAS SUPPOSED TO HAVE BEEN THE BILL THAT REPRESENTED THE COMPROMISE BETWEEN THE CHIEF JUSTICE AND THE LEGISLATURE IN TERMS OF HOW TO GO FORWARD REGARDING OUR OVERSIGHT AND THE OFFICE OF INSPECTOR GENERAL. IN FACT, WE FOUND A COUPLE OF ERRORS THAT NEEDED TO BE CORRECTED, AND THEY HAVE BEEN. LB954 WILL TAKE ITS PLACE. SO I WOULD ASK YOU, PLEASE, FOR A GREEN VOTE AND WITHDRAW LB917. THANK YOU, MR. PRESIDENT. [LB917 LB954]

SPEAKER HADLEY: SEEING NO ONE ELSE IN THE QUEUE, SENATOR KRIST, YOU'RE RECOGNIZED TO CLOSE. SENATOR KRIST WAIVES CLOSING. THE QUESTION FOR THE BODY IS THE WITHDRAWAL OF LB917. ALL IN FAVOR SIGNIFY BY VOTING AYE; OPPOSED VOTE NAY. HAVE ALL VOTED THAT WISH? RECORD, MR. CLERK. [LB917]

CLERK: 32 AYES, 0 NAYS, MR. PRESIDENT, ON THE WITHDRAWAL OF LB917. [LB917]

SPEAKER HADLEY: LB917 IS WITHDRAWN. MR. CLERK. [LB917]

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CLERK: MR. PRESIDENT, THE FIRST BILL ON GENERAL FILE THIS MORNING IS SENATOR LARSON'S LB113. (READ TITLE.) SENATOR LARSON PRESENTED HIS BILL YESTERDAY. COMMITTEE AMENDMENTS WERE PRESENTED BY THE JUDICIARY COMMITTEE. MR. PRESIDENT, THERE WAS AN AMENDMENT TO THE COMMITTEE AMENDMENTS OFFERED BY...I'M SORRY, SENATOR CHAMBERS HAD MOVED TO RECOMMIT THE BILL TO COMMITTEE. I HAVE A MOTION TO RECONSIDER THAT VOTE, MR. PRESIDENT. [LB113]

SPEAKER HADLEY: SENATOR LARSON, IF YOU WILL JUST TAKE A COUPLE OF MINUTES TO EXPLAIN YOUR LB113. [LB113]

SENATOR LARSON: THANK YOU, MR. PRESIDENT. LB113 WOULD GIVE THE STATE OF NEBRASKA OR COUNTIES WITHIN NEBRASKA THE OPTION--IT IS NOT MANDATORY--TO INSTITUTE A POLICY IN WHICH IT WOULD CHARGE ITS INMATES A COPAY UP TO \$10 ON NONEMERGENCY MEDICAL CARE THAT THERE ARE EXCEPTIONS THAT INCLUDE MENTAL HEALTH, PREEXISTING CONDITIONS, CHRONIC ILLNESSES, EMERGENCY MEDICAL CARE. ALL THESE THINGS WOULD NOT BE OR WOULD NOT REQUIRE A COPAY. THIS BILL WAS BROUGHT TO ME BY A SHERIFF. AND THE COUNTIES SUPPORT IT ON THE CONCEPT THAT THEY UNDERSTAND, THOUGH IT MAY NOT BE A LARGE REVENUE GAINER IN THE SENSE OF THE COPAY WILL BE VERY SMALL, IT WILL CUT AND CURB COSTS BECAUSE IT WILL STOP WHAT THEY CONSIDER--MANY CONSIDER--AND HAVE SEEN IN THE COUNTY JAILS FRIVOLOUS VISITS TO THE DOCTOR'S OFFICES OR DENTIST OFFICES JUST TO GET OUT OF JAIL FOR A LITTLE WHILE, IN WHICH THAT TAKES DEPUTIES OFF THE ROAD, COUNTY TAX DOLLARS GOING TO THOSE...YOU KNOW, THAT TIME, AND THEN THOSE TAX DOLLARS PAYING FOR THESE VISITS THAT SOMETHING MIGHT NECESSARILY NOT BE WRONG. IT WOULD BE UP TO THE MEDICAL PROFESSIONAL TO DETERMINE IF IT WAS EMERGENCY OR NONEMERGENCY OR MENTAL HEALTH RELATED OR WHATNOT BECAUSE NONE OF THOSE DO...CAN HAVE A COPAY. IF A PRISONER CANNOT PAY FOR THE MEDICAL SERVICES THEY STILL GET TO GO TO THE DOCTOR, BUT HALF OF WHAT THEY WOULD RECEIVE INTO THEIR COMMISSARY ACCOUNT IN THE FUTURE WOULD GO TO HAVING TO PAY THE COPAY UNTIL THE COPAY WAS MET. I APPRECIATE THE STRONG SUPPORT THAT I'VE HAD AND WILL CONTINUE TO BE HAPPY TO ANSWER QUESTIONS AND WORK THROUGH LB113. THANK YOU, MR. PRESIDENT. [LB113]

SPEAKER HADLEY: THANK YOU, SENATOR LARSON. SENATOR CHAMBERS, YOU'RE RECOGNIZED TO OPEN ON YOUR RECONSIDER MOTION. [LB113]

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SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, THIS IS A MOTION TO RECOMMIT THIS BILL TO A COMMITTEE. THERE WAS A VOTE TAKEN ON THE ORIGINAL MOTION, AND THAT VOTE WENT AGAINST THE MOTION AT THAT POINT, SO THAT'S WHY I'M MOVING TO RECONSIDER. WHEN THE VOTE WAS TAKEN THERE WERE FAR MORE VOTES, IF YOU SPEAK COMPARATIVELY, AGAINST RECOMMITTING THAN RECOMMITTING, BUT WE WERE ONE VOTE SHY OF BEING SURE THAT WE CAN PREVENT A CLOTURE VOTE. THERE WERE 16 VOTES. AND OF THOSE WHO WERE NOT HERE, THERE ARE SOME WHO DON'T LIKE THIS BILL. SO NOW, RATHER THAN MY GOING THROUGH ALL OF THE THINGS THAT I DID YESTERDAY WHICH CREATED A RECORD, I BELIEVE, OF MY ATTITUDE TOWARD THIS BILL, I'M GOING TO SEE WHAT OTHERS MAY HAVE TO SAY. AND THE QUESTION NOW IS WHETHER YOU WANT TO CARRY IT TO CLOTURE KNOWING THERE ARE NOT ENOUGH VOTES TO GET IT OR IF YOU WANT TO BE PRACTICAL AND VOTE FOR THIS RECOMMIT MOTION. TWO MEMBERS OF THE JUDICIARY COMMITTEE WHO HAD VOTED TO SEND IT TO THE FLOOR VOTED TO RECOMMIT YESTERDAY. SO THIS BILL, CONTRARY TO WHAT SENATOR LARSON SAID, DOES NOT HAVE OVERWHELMING SUPPORT IF YOU WANT TO APPLY THAT TERM TO THE LIKELIHOOD OF MOVING THIS BILL FORWARD. IF YOU DECIDE THAT YOU WANT TO TAKE IT TO CLOTURE I WILL CONTINUE TO DEBATE THE BILL. I WILL CONTINUE TO OFFER AMENDMENTS. I WILL OFFER MOTIONS, AND THEN WHEN THAT AMOUNT OF TIME HAS ELAPSED AND SENATOR LARSON ATTEMPTS TO INVOKE CLOTURE AND HE FAILS, THEN YOU CAN LOOK BACK ON THIS SPECIFIC BILL. IT HAS THREE DIGITS IN ITS NUMBER: 1-1-3. KNOCK THAT FIRST ONE OFF AND YOU WIND UP WITH 13. NOW THERE'S SOMETHING CALLED TRISKAIDEKAPHOBIA, WHICH MEANS FEAR OF 13. THAT'S WHY 13 IS DEEMED TO BE AN UNLUCKY NUMBER. SOME HOTELS ON THEIR ELEVATOR WILL NOT LIST A 13th FLOOR EVEN WHEN THERE ARE MORE THAN 13 FLOORS IN THE HOTEL BECAUSE THEY KNOW THAT PEOPLE ARE VERY SUPERSTITIOUS. THERE ARE OTHER INSTANCES WHERE 13 WOULD BE A LOGICAL NUMBER TO ATTACH TO SOMETHING, BUT THAT NUMBER IS SKIPPED AND THE NUMBERING WOULD GO FROM 12 TO 14, 13 NOT MENTIONED. YOU'LL BE ABLE TO LOOK BACK ON THIS DAY OR THIS BILL, UNLUCKY 13, WHEN WE GET TO THE PART OF THE SESSION WHERE TIME TRULY IS OF THE ESSENCE BUT THERE IS MORE TO DO THAN THERE IS TIME TO DO IT. AND THE SCRAMBLING WILL OCCUR. THERE WILL BE ATTEMPTS TO WHAT IS CALLED CHRISTMAS TREEING: WHERE YOU PUT EVERY MANNER OF BILL INTO ONE BILL. THIS IS ONE OF THOSE THAT I FEEL VERY STRONGLY AGAINST. BUT BECAUSE OF CONVERSATIONS I'VE HAD WITH SOME OF THE SENATORS ABOUT THE NEGATIVE POSITION THAT THEY HAVE, I WILL JUST, IF I NEED TO GO ON AND ON AND ON, DO SO WITH THE ASSURANCE THAT ULTIMATELY THIS BILL IS

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GOING TO FAIL. THERE WAS...THERE IS A CHRISTMAS SONG, AND YOU ALL ARE GOING TO GET TIRED OF ME REFERRING TO SONGS. BUT THE REASON YOU DO IT IS BECAUSE THERE'S SOMETHING ABOUT THOSE WORDS THAT AFFECTED PEOPLE TO THE POINT WHERE THE SONG REMAINED POPULAR. AND THE LINES GO: SO TOLL THE BELLS BOTH WIDE AND DEEP; GOD IS NOT DEAD NOR DOETH HE SLEEP; THE WRONG SHALL FAIL, THE RIGHT PREVAIL. THEN IT ADDS: THROUGH PEACE ON EARTH, GOODWILL TO MEN. THEY SHOULD HAVE FOUND A WAY TO RHYME WITH WOMEN IN THERE OR GOODWILL TO ALL PEOPLE, SOMETHING LIKE THAT. BUT I THINK THE POSITION THAT I HAVE TAKEN AND OTHERS AGREE WITH IS THE RIGHT POSITION. SO ON THIS BILL I'M CONFIDENT THAT RIGHT WILL PREVAIL AND THIS BAD BILL WILL FAIL. NOW SENATOR LARSON HAS BEEN UNABLE TO ANSWER QUESTIONS, BUT I WANT TO ASK HIM A COUPLE OF QUESTIONS BEFORE I TERMINATE, IF SENATOR LARSON WOULD YIELD. [LB113]

SPEAKER HADLEY: SENATOR LARSON, WILL YOU YIELD TO A QUESTION? [LB113]

SENATOR LARSON: YES. [LB113]

SENATOR CHAMBERS: SENATOR LARSON, YESTERDAY, WHEN I ASKED YOU WHAT WOULD BE THE SITUATION OF PEOPLE WHO HAD OBTAINED MEDICAL SERVICE BUT THE SHERIFF OR SOMEBODY, WHOEVER MAKES THE DETERMINATION, THOUGHT THAT THAT WAS NOT A LEGITIMATE REQUEST BUT IN ANY CASE THIS \$10 FEE WAS ASSESSED, THE PERSON DID NOT HAVE THAT MUCH AND IT WAS TAKEN OUT OF HIS OR HER ACCOUNT OR THE AMOUNT WAS PAID PERHAPS MORE THAN ONCE, IF THAT PERSON WINDS UP BEING ACQUITTED, IF THAT PERSON HAS THE CHARGES DISMISSED, OR IF IT DRAGS ON AND ON APPEAL THE SUPREME COURT REVERSES, THROWS THE WHOLE THING OUT, AND SAY THERE WAS NO BASIS FOR AN ARREST OR A CHARGE IN THE FIRST PLACE--THIS IS SOMEBODY WHO UNDER THE LAW WAS INNOCENT--WHAT BECOMES OF THE MONEY THAT WAS TAKEN FROM THAT PERSON? [LB113]

SENATOR LARSON: WELL, FIRST OF ALL, IF THEY HAVEN'T BEEN FOUND GUILTY YET OR PLED GUILTY YET, IT'S MY UNDERSTANDING THAT THEY WOULD STILL BE ELIGIBLE FOR REGULAR HEALTH INSURANCE BECAUSE IT'S NOT UNTIL THEY'RE CONVICTED EVEN IF THEY'RE IN PRISON... [LB113]

SENATOR CHAMBERS: NO, THAT'S NOT THE QUESTION. [LB113]

SENATOR LARSON: SO THEY WOULD STILL HAVE THE HEALTH...SO THEY... [LB113]

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SENATOR CHAMBERS: THAT'S ALL RIGHT. DON'T TAKE MY TIME. YOU'RE NOT GOING TO ANSWER, AND THAT'S THE PROBLEM. I GAVE HIM A SPECIFIC SCENARIO, AND HE SHOULD HAVE JUST SAID HE DIDN'T KNOW. IF A PERSON HAS THE CHARGES DISMISSED, IF THE PERSON IS FOUND NOT GUILTY, IF THE PERSON IS CONVICTED IN THE LOWER COURT AND THE SUPREME COURT OVERTURNS IT AND SAYS THERE WAS NO BASIS FOR ALL THIS IN THE FIRST PLACE, SENATOR LARSON DID NOT HEAR ME SAY THAT UNDER THE LAW THAT PERSON IS INNOCENT. SO HE WANTS TO TALK ABOUT SOMEBODY PLEADING GUILTY AND ALL THESE OTHER THINGS. HE CAN GO THROUGH THAT ON HIS TIME. BUT I THOUGHT I WOULD GIVE HIM THE OPPORTUNITY, SINCE IT'S HIS BILL AND HE HAD SOME HOURS TO THINK ABOUT IT, TO GIVE AN ANSWER TO A QUESTION WHICH YESTERDAY HE SAID HE DID NOT HAVE. BUT SINCE HE IS NOT OF A MIND TO ANSWER DIRECTLY, I WILL NOT PURSUE THAT. I WANT MY OPENING TO BE FORTHRIGHT. I WANT TO HAVE TOUCHED ALL THE BASES THAT I THOUGHT NEEDED TO BE TOUCHED, CROSSED THE Ts, DOT THE Is. AND WE'LL AWAIT EVENTS. THANK YOU, MR. PRESIDENT. [LB113]

SPEAKER HADLEY: THANK YOU, SENATOR CHAMBERS, FOR YOUR OPENING. SENATOR SCHNOOR, YOU ARE RECOGNIZED. [LB113]

SENATOR SCHNOOR: THANK YOU, MR. SPEAKER. YESTERDAY I STOOD UP AND TALKED ABOUT A CONVERSATION I HAD WITH MY SISTER WHO HAS WORKED IN A PRISON SYSTEM AS A REGISTERED NURSE. AND SHE TALKED ABOUT ALL THE THINGS THAT HAPPENED MEDICALLY. NOW IT WAS BROUGHT UP BY SENATOR CHAMBERS THAT NONE OF THAT IS IMPORTANT BECAUSE THAT HAPPENED IN CALIFORNIA. WELL, I RECEIVED A CALL IN MY OFFICE WHEN WE WERE DONE YESTERDAY FROM THE PIERCE COUNTY SHERIFF RICK EBERHARDT. AND HE VALIDATED ABSOLUTELY EVERYTHING THAT I SAID. SO THOSE THINGS DO HAPPEN HERE. YOU KNOW, PRISONERS WILL PLAN AND SCHEME AND DO ANYTHING THEY CAN TO I GUESS GET A LITTLE BIT OF FREEDOM. AND WHEN THAT HAPPENS THAT PUTS THOSE HEALTHCARE PROFESSIONALS IN JEOPARDY. AND ALSO, AS SENATOR LARSON SAID, IT NOW TAKES SHERIFFS' DEPUTIES AND LAW ENFORCEMENT OFFICIALS AWAY FROM THEIR DUTIES IN PROTECTING EVERYBODY TO ESCORT PRISONERS. SHERIFF EBERHARDT BROUGHT UP A FEW OTHER POINTS. HE SAID PRISONERS HAVE TO PAY FOR THEIR OWN PHONE CALLS. THEY'RE NOT ALLOWED THAT. SO THIS \$10 FEE FOR THEIR HEALTHCARE HE FELT WAS NOT OUT OF LINE. HE ALSO SAID THAT PRISONERS WILL GO SO FAR AS TO RECEIVE THE HEALTHCARE, YOU KNOW, GET INCARCERATED AND, YOU KNOW, I GUESS, HOWEVER YOU CHOOSE TO DO THAT, THEY'LL RECEIVE SOME HEALTHCARE, GET SOME MEDICATION. AND THEN MIRACULOUSLY, HE SAID,

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THEY'RE BONDED OUT THE NEXT DAY. AND HE SAID, AND THEN THEY TAKE THAT MEDICINE WITH THEM TO DO WHATEVER, TO SELL IT ON THE MARKET, YOU KNOW, AND WHO KNOWS. IT WAS BROUGHT UP YESTERDAY ABOUT ACCOUNTING THAT WOULD HAVE TO TAKE PLACE, AND HE POINTED OUT THAT ALREADY IS IN PLACE. NOW IT'S JUST ONE SMALL EXTRA FEE THAT HAS TO BE ACCOUNTED FOR. HE SAID...LIKE I SAID, HE VALIDATED EVERYTHING THAT I SAID. PRISONERS WILL MANIPULATE THE SYSTEM FOR THEIR BENEFIT. BUT HE FELT THAT A SIMPLE \$10 FEE FOR THEIR MEDICAL CARE WAS NOT OUT OF LINE AND IT WOULD GIVE THE LAW ENFORCEMENT OFFICIALS AN EXTRA TOOL IN THEIR TOOLBOX TO HELP THEM DO THEIR JOB. YOU KNOW, SO IF THIS IS A DETERRENT FOR THEM, THEN THAT WILL HELP THEM. SO WITH ALL THAT BEING SAID, I WILL BE SUPPORTING SENATOR LARSON ON THIS BILL. AND WE'LL SEE HOW THE DEBATE GOES. AND I WILL YIELD THE REST OF MY TIME TO SENATOR LARSON IF HE SO CHOOSES. [LB113]

SPEAKER HADLEY: SENATOR LARSON, YOU'RE YIELDED 1:30. [LB113]

SENATOR LARSON: THANK YOU, MR. PRESIDENT. I WON'T TAKE MUCH TIME. THANK YOU, SENATOR SCHNOOR. I THINK WE ARE HEARING FROM OUR COUNTY SHERIFFS THAT THIS IS AN ISSUE WITH THEIR BUDGET AND COUNTIES ACROSS THE STATE. THIS IS SOMETHING THAT WILL BE VERY SIGNIFICANT IN THE SMALLER COUNTIES, THE HOLT, PIERCE, DODGE, WHEELER, GARFIELD, BOONE, THOSE COUNTIES, WASHINGTON, THOSE COUNTIES THAT ARE STRUGGLING THAT WE SEE PROPERTY TAX CONTINUING TO RISE. [LB113]

SPEAKER HADLEY: ONE MINUTE. [LB113]

SENATOR LARSON: AND THEY HAVE TO WORK VERY HARD TO ENSURE THAT PUBLIC SAFETY IS MET AS WELL AS THE RESPONSIBILITIES THEY HAVE TO DEAL WITH THESE PRISONERS. NOW WE TALKED YESTERDAY THE STATE MIGHT NOT DO THIS BECAUSE IT'S NOT COST EFFICIENT FOR THEM. THAT WOULD BE FINE. THEY WOULDN'T HAVE TO. HOWEVER, I THINK MANY OF OUR COUNTIES WOULD. AND I THINK THAT THIS COULD BE A TOOL FOR THEM MOVING FORWARD TO HAVE IN THEIR TOOLBOX TO WORK TO CUT COSTS IN THE SENSE OF A SMALL COPAY TO STOP FRIVOLOUS VISITS TO THE DOCTORS OR DENTIST IS A GOOD BENEFIT FOR THEM TO HAVE. THANK YOU, MR. PRESIDENT. [LB113]

SPEAKER HADLEY: TIME, SENATOR. THANK YOU, SENATOR SCHNOOR AND SENATOR LARSON. SENATOR BRASCH, YOU ARE RECOGNIZED. [LB113]

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SENATOR BRASCH: THANK YOU, MR. PRESIDENT. AND GOOD MORNING, COLLEAGUES. I WAS VERY INTERESTED IN THIS LEGISLATION AND HAD A CONVERSATION WITH SENATOR BLOOMFIELD ON THE SIDE OF THE FLOOR YESTERDAY EXPRESSING MY CONCERNS WITH IT AND, THEREFORE, WAS NOT IN SUPPORT OF IT. AND SO WHEN WE ADJOURNED I WAS ABLE TO REACH TWO OF OUR THREE COUNTY SHERIFFS. I WANTED TO SPEAK WITH THEM FIRSHTHAND AND FIND OUT WHAT THEIR THOUGHTS WERE, AND I LEARNED A LOT OF THINGS. I ENCOURAGE YOU TO REACH OUT TO YOUR SHERIFFS. FIRST OF ALL, THOSE THAT ARE INCARCERATED, MOST, THE MAJORITY, ARE INDIGENT. HOWEVER, THEY CAN SINGLE OUT A FEW CASES, NOT ALWAYS, NOT MANY, AND ONE OF THE THREE SAID THAT IF THEY LOOK OUT THE WINDOW THE PICKUP THEY'RE DRIVING IS BETTER THAN WHAT THE SHERIFF IS DRIVING BUT ON PAPER THEY ARE INDIGENT. I THINK WE NEED A BETTER WAY TO IDENTIFY THOSE WHO ARE INCARCERATED OF THEIR FINANCIAL MEANS. BUT, YES, MANY ARE TRULY INDIGENT AT THE TIME OF THEIR ARREST. MANY HAVE MEDICAL ADDICTION SITUATIONS THAT NEED TO BE ADDRESSED FOR THEM TO BE READY TO GO TO WORK, YOU KNOW, READY TO GO TO WORK. AND SOME ARE HABITUAL CRIMINALS THAT ARE CONSTANTLY INCARCERATED. THAT DOES OCCUR AS WELL. AND I WAS ALSO TOLD THAT IF YOU'RE A VETERAN AND YOU'RE ARRESTED, THAT THE VETERAN'S ADMINISTRATION DOES NOT COVER ANY MEDICAL COST FOR THOSE WHO ARE INCARCERATED, AND THEY ALSO BELIEVE THAT WAS TRUE FOR ANY OTHER GOVERNMENTAL INCARCERATED PERSON. THEY ALSO SAID THAT IF THEY'RE ABLE TO PAY THE \$10 FEE THEY DID NOT THINK THAT WAS GOING TO BE BURDENSOME IF IT WAS OPTIONAL AND THERE...AS THIS BILL DOES OUTLINE CERTAIN SITUATIONS WHERE IT DOES WORK. THERE WAS A CONCERN AND THE CONCERN I RAISED WITH SENATOR BLOOMFIELD. AND SENATOR SCHNOOR, HE MADE NOTE OF THIS ON THE FLOOR: WELL, THEY PAY FOR THEIR OWN PHONE CALLS. BUT, COLLEAGUES, THOSE PHONE CALLS THEY MAKE, THEY'RE NOT LIKE THE PHONE CALLS WE MAKE HERE. AND I BELIEVE SENATOR CHAMBERS BROUGHT IT TO THE TELECOMMUNICATIONS COMMITTEE AT ONE POINT. A FIVE-MINUTE CALL COULD RANGE \$20 OR MORE. A FAMILY'S PHONE BILL COULD BE \$100 OR MORE TRYING TO TALK TO THEIR INCARCERATED PERSON. SO ONE OF THE THREE SHERIFFS HAD MENTIONED THAT THE CANTEEN COSTS AND THE PHONE COSTS ARE NOT THE ACTUAL COST. THERE IS MONEY THAT GOES BACK TO THE JAIL AND PERHAPS WE DO NEED TO LOOK AT LEGISLATION SO WE ARE NOT CREATING A BURDEN ON A FAMILY WHO MAY HAVE A LOVED ONE THAT IS NO LONGER HELPING TO CONTRIBUTE TO THE INCOME AND ADDING ADDITIONAL BURDEN. BUT I BELIEVE THOSE ARE TWO DIFFERENT BILLS TO LOOK AT. IS IT RIGHT TO TRY TO SET UP A CANTEEN IN A JAIL WHERE THE PRISONER PAYS

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THREE TIMES THE COST OF WHAT THE JAIL DOES? I MEAN, THAT IN MY VIEW NEEDS TO BE DEBATED HERE. AND I ALSO LEARNED THAT THE SYSTEM, THE NAME FOR THE SYSTEM IS CALLED, AND THIS IS WITH A "K," TO KITE. AND THAT'S WHERE THEY SEND... [LB113]

SENATOR SULLIVAN PRESIDING

SENATOR SULLIVAN: ONE MINUTE. [LB113]

SENATOR BRASCH: ...A NOTE OUT THAT I NEED TO GO SEE HERE AND THERE. SOME ARE REAL SITUATIONS. BUT, YES, THERE ARE OTHERS THAT ARE NOT. SO THAT ALSO NEEDS TO BE EVALUATED AS IF IT IS A NONMEDICAL SITUATION. THANK YOU, MADAM PRESIDENT. SO AT THIS POINT--AND I'M READING THE BILL AGAIN--I MAY SUPPORT IT BECAUSE IT IS NOT MANDATORY, BECAUSE THERE ARE EXCEPTIONS, AND ALSO THE SHERIFF CAN GO TO A JUDGE AND GET A MEDICAL BOND WHERE THE COUNTY IS NOT BURDENED WITH THE COST OF A LARGE MEDICAL BILL, AND THAT MANY DO THAT. SOME HOSPITALS WILL NOT ACCEPT MEDICAID I LEARNED; MOST WILL. THERE'S HERE, YOU KNOW, THINGS THAT MAYBE WE COULD MAKE THINGS BETTER. I THINK THIS IS ONE STEP TO TRY TO IMPROVE THE SITUATION. [LB113]

SPEAKER HADLEY PRESIDING

SPEAKER HADLEY: TIME, SENATOR. [LB113]

SENATOR BRASCH: THANK YOU, MR. PRESIDENT. [LB113]

SPEAKER HADLEY: THANK YOU, SENATOR BRASCH. SENATOR CRAWFORD, YOU ARE RECOGNIZED. [LB113]

SENATOR CRAWFORD: GOOD MORNING, MR. PRESIDENT. GOOD MORNING, COLLEAGUES. GOOD MORNING, NEBRASKA. I WANTED TO SPEAK A BIT ABOUT COPAYS. THAT'S A VERY IMPORTANT PART OF THIS BILL. AND FIRST OF ALL, I AGAIN WANT TO REMIND YOU AS YOU LOOK AT THE BILL, AS YOU LOOK AT THE FISCAL NOTE, TO RECOGNIZE THAT OUR DEPARTMENT OF CORRECTIONS HAS SAID THAT IF THIS BILL WERE TO PASS THEY WOULD NOT CHOOSE TO IMPLEMENT IT BECAUSE IT WOULD COST THEM MORE THAN THEY WOULD GAIN. THEY DO NOT SEE IT AS A VALUE. NOW IN SOME OF OUR DISCUSSIONS THAT

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WE'VE HAD YESTERDAY AND TODAY, I'VE HEARD SEVERAL PEOPLE TALK ABOUT THE FACT THAT WE'RE JUST TALKING ABOUT A \$10 COPAY; AND, WOW, I WOULD LOVE TO HAVE A \$10 COPAY, IS WHAT SEVERAL MEMBERS HAVE SAID, THAT'S NOT UNREASONABLE, SO I WANT TO PUT THAT \$10 COPAY IN CONTEXT FOR YOU. WE LOOKED FOR INFORMATION ABOUT WHAT PRISONERS WHO HAVE THE PRIVILEGE TO WORK--AND SO THIS IS ONLY A SMALL NUMBER OF THE PRISONERS WHO ARE ABLE TO DO THIS--OF THE PRISONERS IN THE STATE SYSTEM WHO HAVE THE PRIVILEGE TO WORK. AND WE LOOKED AT THE HIGHEST POSSIBLE WAGE FOR THOSE PRISONERS WHO HAVE THAT PRIVILEGE OF BEING ABLE TO WORK. AND THE HIGHEST POSSIBLE WEEKLY WAGE IS \$18.88 A WEEK. A \$10 COPAY FOR THESE PRISONERS THEN IS 52 PERCENT OF THEIR WEEKLY WAGE. THE HIGHEST-PAID JOB THAT WE COULD FIND THAT WAS AN HOURLY JOB YIELDED A PAY OF \$32.40 A WEEK. A \$10 COPAY WOULD BE 31 PERCENT OF THIS PRISONER'S WEEKLY WAGE. AND AS SENATOR BRASCH NOTED, MANY ARE INDIGENT, MANY DO NOT HAVE AN ABILITY TO GET THESE JOBS. AND AGAIN, THESE ARE THE HIGHEST-PAYING JOBS FOR THOSE FEW PRISONERS WHO HAVE THE ABILITY TO WORK. AND SO IT WOULD INSTEAD FALL ON FAMILY OR THERE JUST WOULD BE NO MONEY. SO NOW TO PUT THAT IN CONTEXT, IF YOU ARE HERE AND YOUR ONLY SOURCE OF INCOME IS YOUR LEGISLATIVE SALARY, THEN YOU MAKE \$230 A WEEK. AND IF YOU WERE TO HAVE A COPAY SIMILAR TO THE PRISONERS' COPAY OF \$10 A WEEK, THAT EQUIVALENT WOULD BE \$119.60 COPAY OR \$71.30 COPAY. SO WE'RE TALKING ABOUT A \$10 COPAY FOR A PRISONER. THAT IS PROPORTIONATELY SIMILAR TO A \$70 TO \$120 COPAY FOR SOMEONE WHO IS IN THIS BODY AND ONLY RECEIVES THEIR LEGISLATIVE SALARY. NOW SOME PEOPLE HAVE TALKED ABOUT A \$50 COPAY THAT THEY PAY AND AN EXPECTATION THAT THE AVERAGE TAXPAYER REGULARLY WOULD PAY A \$50 COPAY AND HOW THIS MAKES THE \$10 COPAY FOR THE PRISONERS REASONABLE. AND LET ME PUT THAT INTO CONTEXT. THE MEDIAN INCOME IN NEBRASKA IS \$51,672. A \$50 COPAY IS ONLY 5 PERCENT OF SOMEONE'S WEEKLY WAGE IF YOU MAKE THE MEDIAN SALARY. SO IF WE WANT TO TREAT PRISONERS SIMILAR TO OUR OTHER WORKERS IN THE STATE WHO HAVE COPAYS, THE 5 PERCENT OF WEEKLY WAGE COPAY WOULD BE 94 CENTS. [LB113]

SPEAKER HADLEY: ONE MINUTE. [LB113]

SENATOR CRAWFORD: SO I PROVIDE THAT INFORMATION TO YOU AND I'M HAPPY TO SHARE IT WITH YOU. IF YOU CARE TO COME BY, I CAN SHOW YOU THOSE NUMBERS. BUT I WANT TO SHARE THAT CONTEXT WITH YOU SO YOU UNDERSTAND WHAT A \$10 COPAY MEANS TO A PRISONER. MOST HAVE NO JOBS. THOSE THAT HAVE THE BEST JOBS, A \$10 COPAY IS 52 PERCENT OF THEIR

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WEEKLY WAGE OR 31 PERCENT OF THEIR WEEKLY WAGE. THANK YOU, MR. PRESIDENT. [LB113]

SPEAKER HADLEY: THANK YOU, SENATOR CRAWFORD. SENATOR BRASCH, YOU ARE RECOGNIZED. [LB113]

SENATOR BRASCH: THANK YOU, MR. PRESIDENT. I DIDN'T GET A CHANCE TO ALSO TELL OF WHAT ELSE I FOUND. I FOUND THAT THE JAILS, THE COUNTIES, UNLESS THEY HAVE 50 PRISONERS, INMATES, THEN THEY CANNOT HAVE COUNTY INSURANCE FOR THE JAILS, AND THAT'S PART OF THE PROBLEM. YOU KNOW, OUR JAILS IN MY DISTRICT DO NOT HAVE 50. SO WHEN...AND I BELIEVE THAT SENATOR CRAWFORD HAS PRESENTED SOME VERY GOOD FACTS. I WILL SPEAK WITH SENATOR LARSON THAT PERHAPS THAT COPAY SHOULD BE PROPORTIONATE; PERHAPS HABITUAL CRIMINALS, REALIZING THAT MAYBE THAT WOULD HELP ON RECIDIVISM THAT IF THIS IS YOUR FIRST TIME INCARCERATED, THAT IT'S THE MINIMUM. THE OTHER IS PERHAPS THERE'S A SCALE FOR THE AMOUNT OF RETURNS TO JAIL. BUT IN SPEAKING WITH TWO OF OUR THREE COUNTIES, ONE OF THE COUNTIES SAID THAT, YOU KNOW, \$10 MAY, YOU KNOW, BE A FAIR SITUATION ONLY IF YOU CAN GET THE \$10. BUT SEVERAL INMATES, SOME, YOU KNOW, THEY ARE...FIRST OF ALL, THEY GET A BILL. SOME HAVE INSURANCE. OTHERS GO TO THE JUDGE FOR A MEDICAL BOND. SO WHEN SENATOR LARSON WAS CALLING OUT THE SMALLER COUNTIES, YOU KNOW, OUR COUNTIES, YOU KNOW, HAVE DIFFERENT METHODS, AND IT IS PART OF WHAT THEY HAVE BUDGETED. BUT THEY WOULD SUPPORT A \$10 COPAY, YOU KNOW, AS THE LAW...AS IS SET UP. BUT LISTENING TO SENATOR CRAWFORD'S COMPARISON, I THINK IT WOULD BE THE RIGHT THING TO DO TO MAKE IT PROPORTIONATE TO THOSE WITH AN INCOME IN INCARCERATION AND ALSO BASE IT ON RECIDIVISM THAT, YOU KNOW, IF YOU ARE A HABITUAL CRIMINAL THEN PART OF YOUR CANTEEN OR CALL MONEY, YOU KNOW, MAY NEED TO BE USED FOR AN EMERGENT...YOU KNOW, A REGULAR MEDICAL VISIT. AND I BELIEVE THE MEDICAL EMERGENCIES HAVE ALREADY BEEN COVERED UNDER THIS BILL. I JUST WANTED TO FINISH WITH THOSE LAST FEW PIECES OF INFORMATION THAT I WAS ABLE TO COLLECT IN A SHORT TIME, SO THANK YOU, COLLEAGUES. THANK YOU, MR. PRESIDENT. [LB113]

SPEAKER HADLEY: THANK YOU, SENATOR BRASCH. SENATOR HANSEN, YOU ARE RECOGNIZED. [LB113]

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SENATOR HANSEN: THANK YOU, MR. PRESIDENT. I JUST WASN'T PLANNING ON RISING AND SPEAKING ON THIS BILL, BUT SENATOR SCHNOOR MADE A COMMENT THAT I THOUGHT WAS INTERESTING AND WORTH NOTING AND WORTH HIGHLIGHTING. SENATOR SCHNOOR RELATED US TO A STORY WHERE AT LEAST ONE COUNTY OFFICIAL IS OF THE OPINION THAT PEOPLE ARE COMMITTING CRIMES IN ORDER TO GET INTO JAIL IN ORDER TO GET HEALTHCARE. AND I THOUGHT THAT WAS A POINT THAT NEEDED TO BE HIGHLIGHTED. SO THE STATE OF ACCESS TO HEALTHCARE FOR SOME OF OUR CITIZENS IS SO DIRE OF A SITUATION THAT THEY WOULD RATHER BE HEALTHY IN JAIL THAN SICK IN OUTSIDE WALKING FREE. I JUST WANT EVERYBODY TO HAVE THAT IN MIND WHEN WE TALK ABOUT OTHER OPTIONS AND OTHER AVENUES IN OUR STATE LATER IN SESSION ON HOW WE ARE GOING TO ADDRESS ACCESS TO HEALTHCARE IN OUR STATE, HOW WE'RE GOING TO ADDRESS MANY OPTIONS OF KEEPING OUR CITIZENRY HEALTHY. THANK YOU, MR. PRESIDENT. [LB113]

SPEAKER HADLEY: THANK YOU, SENATOR HANSEN. SENATOR BLOOMFIELD, YOU ARE RECOGNIZED. [LB113]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. GOOD MORNING, COLLEAGUES. AS I MENTIONED YESTERDAY, I DID NOT ARRIVE AT A FIRM POSITION ON THIS BILL YET. I WONDER IF SENATOR LARSON WOULD BE WILLING TO ANSWER A COUPLE QUESTIONS. [LB113]

SPEAKER HADLEY: SENATOR LARSON, WILL YOU YIELD? [LB113]

SENATOR LARSON: YES. [LB113]

SENATOR BLOOMFIELD: THANK YOU, SENATOR. IF AN INMATE--I GUESS THAT WOULD BE THE PROPER TERM FOR NOW--IN ONE OF THESE COUNTY JAILS GOES TO THE DOCTOR AND THE DOCTOR SAYS, YOU NEED TO COME BACK AND SEE ME AGAIN IN 30 DAYS, DOES HE PAY ANOTHER \$10 WHEN IT'S THE DOCTOR'S REQUEST THAT HE COME BACK? [LB113]

SENATOR LARSON: I DON'T THINK SO. THIS IS FOCUSED MORE ON SELF-INITIATED CARE. SO IF HE SELF-INITIATED THE FIRST CARE AND IT WAS NONEMERGENCY BUT HE HAD...OR WHATNOT OR MAYBE EVEN IF THE DOCTOR SAID HE NEEDED TO COME BACK, WHAT HE DID COME FOR WAS AN EMERGENCY, AND HE WOULDN'T HAVE TO PAY THAT COPAY. BUT IF THE DOCTOR REQUESTS

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HIM TO COME BACK THEN IT WOULD NO LONGER BE SELF-INITIATED CARE, THEREFORE, THE COPAY WOULD NOT BE ELIGIBLE. [LB113]

SENATOR BLOOMFIELD: OKAY. ANOTHER QUESTION I HAD, AND SENATOR BRASCH TOUCHED ON IT A LITTLE BIT. A FEW YEARS AGO WE HAD REPORTS OF THE STATE PRISON CHARGING HORRENDOUS PRICES FOR USE OF THE PHONE. I FIND MYSELF WONDERING IF WE HAVE ANY WAY TO CONTROL THAT SORT OF THING. MOST PHONE CALLS ANYMORE, WITH THE ADVENT OF OUR CELL PHONES, REALLY DON'T COST ANYTHING. AND IF THE COUNTY IS CHARGING A PREPOSTEROUS PRICE FOR THAT OR IF THEY'RE SELLING THEM A SNICKERS BAR FOR \$4, HOW DO WE CONTROL THAT TO MAKE SURE THE COUNTY IS NOT ABUSING THE SYSTEM AS WELL? I WISH YOU WOULD ANSWER THOSE, SENATOR LARSON. AND, MR. PRESIDENT, I'D LIKE TO YIELD THE REMAINDER OF MY TIME TO SENATOR LARSON. [LB113]

SPEAKER HADLEY: SENATOR LARSON, YOU'RE YIELDED 2:38. [LB113]

SENATOR LARSON: THANK YOU, MR. PRESIDENT. I SUPPOSE WE COULD INTRODUCE A BILL TO SAY THAT NO PRISON INMATE SHOULD BE CHARGED MORE THAN FAIR MARKET VALUE FOR CANDY BARS OR TELECOMMUNICATIONS OR WHATNOT. THAT'S NOT IN LB113. LB113 FOCUSES ON INMATE COPAY. WE SET ABSOLUTE LIMITS TO HOW MUCH THAT CAN BE CHARGED. I HEARD SENATOR CRAWFORD TALK ABOUT, YOU KNOW, POSSIBLY A SLIDING SCALE FOR HABITUAL OFFENDERS. WELL, THE CONCEPT IS, IS WE DO STILL HAVE TO STAY WITHIN THE LIMITS OF THE EIGHTH AND FOURTEENTH AMENDMENTS OF THE UNITED STATES CONSTITUTION IN TERMS OF IT CANNOT BE CHARGED AN EXORBITANT AMOUNT. NOW TEXAS CHARGES \$100 PER YEAR FOR ALL HEALTHCARE SERVICES FOR THEIR PRISONERS. THAT HAS BEEN DEEMED CONSTITUTIONAL. TO SAY THAT IF YOU'RE A HABITUAL OFFENDER YOU OWE MORE THAN THIS OFFENDER THAT ISN'T A HABITUAL OFFENDER I WOULD WORRY ABOUT CREATING DIFFERENT WHAT YOU WOULD...ARE WE CREATING...I GUESS YOU'RE NOT CREATING CLOSED CLASSES. BUT YOU WOULD BE TREATING THE SAME CLASS OF PEOPLE THAT ARE IN THE SAME CLASS DIFFERENTLY, WHICH I'M NOT SURE WOULD BE CONSTITUTIONAL. I DON'T KNOW IF THAT'S SENATOR CRAWFORD'S AIM AT THAT. BUT I WOULD SAY THAT THEY--ALL PRISONERS--WOULD BE IN THE SAME CLASS. AND WHEN I SAY CLASS, I MEAN CLASS OF PEOPLE AND YOU HAVE TO TREAT EVERYBODY IN THAT CLASS EQUALLY. [LB113]

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SENATOR KRIST PRESIDING

SENATOR KRIST: ONE MINUTE. [LB113]

SENATOR LARSON: NOW SOMETHING THAT YOU COULD DO POSSIBLY IS SAY IF A COUNTY WISHES TO INSTITUTE A COPAY THE FIRST SELF-INITIATED VISIT CAN BE NO MORE THAN \$2 AND THE SECOND SELF-INITIATED VISIT CAN BE \$5 AND THE... YOU COULD CREATE THE SCALE THAT WAY, BUT EVERYBODY HAS TO BE THE SAME. YOU CAN'T CREATE WITHIN THAT CLASS BASED ON HOW MANY TIMES YOU'VE OFFENDED BECAUSE THEN YOU ARE TREATING THEM DIFFERENT. SO I APPRECIATE SENATOR CRAWFORD'S CONCERNS, BUT HER SOLUTION...AND SHE'S SHAKING HER HEAD. SHE MIGHT AGREE WITH ME THAT IT MIGHT...HER SOLUTION OR THAT CONCEPT WOULD BE UNCONSTITUTIONAL IN MY MIND. SO WE HAVE TO TREAT ALL PRISONERS THE SAME AND...BUT, SENATOR BLOOMFIELD, WE COULD PROBABLY WRITE A LAW SAYING THAT ALL OF THE THINGS AT THE COMMISSARY AND TELECOMMUNICATIONS HAVE TO BE FAIR MARKET VALUE. LB113 ISN'T THAT VEHICLE. [LB113]

SENATOR KRIST: TIME, SENATOR. THANK YOU, SENATOR BLOOMFIELD AND SENATOR LARSON. SENATOR KINTNER...SORRY. MR. CLERK FOR SOME ITEMS. [LB113]

CLERK: I APPRECIATE THAT. THANK YOU, MR. PRESIDENT. VERY QUICKLY, NOTICE OF HEARINGS FROM NATURAL RESOURCES, EDUCATION, AND THE TRANSPORTATION COMMITTEE SIGNED BY THEIR RESPECTIVE CHAIRS. I HAVE A REFERENCE REPORT REFERRING THREE BILLS. AND A FEW NEW BILLS, MR. PRESIDENT. (READ LB994-997 BY TITLE FOR THE FIRST TIME.) THAT'S ALL THAT I HAVE. THANK YOU, MR. PRESIDENT. (LEGISLATIVE JOURNAL PAGES 310-312.) [LB994 LB995 LB996 LB997]

SENATOR KRIST: THANK YOU, MR. CLERK. SENATOR KINTNER, YOU'RE RECOGNIZED. [LB113]

SENATOR KINTNER: THANK YOU, MR. PRESIDENT. YOU KNOW, I'VE LOOKED AT THIS. I DON'T HAVE A PROBLEM WITH THIS LEGISLATION. I THINK IT'S PRETTY SOLID. I JUST TALKED BRIEFLY WITH SOMEONE ASSOCIATED WITH SARPY COUNTY GOVERNMENT. AND THEY SAID, NO, THIS ISN'T A GAME CHANGER. THEY'RE PROBABLY NOT GOING TO SPEND A LOT OF TIME PURSUING PEOPLE THAT ARE INDIGENTS FOR THE MONEY, BUT THEY CERTAINLY...IT'S NOT GOING

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TO HURT IF IT DISCOURAGES PEOPLE WHO ARE FREQUENT FLIERS FROM CONSTANTLY ASKING FOR MEDICAL ATTENTION. SO I THINK IF IT DISCOURAGES THAT AND IT'S DONE PART OF WHAT IT'S SUPPOSED TO DO, SO I SUPPORT THIS LEGISLATION. I THINK IT'S SOLID AND I THINK IT DOESN'T HURT ANYONE THAT LEGITIMATELY NEEDS MEDICAL ATTENTION. THANK YOU, MR. PRESIDENT. I'LL GIVE THE REMAINDER OF MY TIME TO SENATOR LARSON IF HE'D LIKE IT. [LB113]

SENATOR KRIST: THANK YOU, SENATOR KINTNER. SENATOR LARSON, 4:00. AND SENATOR LARSON WAIVES. STILL REMAINING IN THE QUEUE WISHING TO SPEAK: SENATOR CRAWFORD, RIEPE, AND McCOLLISTER. SENATOR CRAWFORD, YOU'RE RECOGNIZED. [LB113]

SENATOR CRAWFORD: THANK YOU, MR. PRESIDENT. I WOULD JUST CLARIFY ON THE RECORD THE IDEA OF A DIFFERENT RATE FOR REPEAT OFFENDER WAS NOT MY IDEA, SO JUST...THAT'S WHY I WAS SHAKING MY HEAD IS THAT WASN'T MY IDEA AND NOT SOMETHING I WOULD RECOMMEND SO, AND AS SENATOR LARSON TALKED ABOUT, POSSIBLY, PROBABLY UNCONSTITUTIONAL ANYWAY. I WANTED TO COME BACK AND AGAIN REINFORCE THE POINT THAT IF YOU ARE...IF \$10 COPAY FOR THE PEOPLE WHO ARE IN THE BEST JOBS IN OUR STATE PRISONS, THAT IS 52 PERCENT OF THEIR WEEKLY WAGE TO 31 PERCENT OF THEIR WEEKLY WAGE. SO I ENCOURAGE YOU TO CONSIDER WHETHER YOU THINK A COPAY FOR HEALTHCARE THAT WOULD BE 50 PERCENT OF YOUR WEEKLY WAGE OR 30 PERCENT OF YOUR WEEKLY WAGE WOULD BE APPROPRIATE. AND AGAIN, A \$50 COPAY IS ABOUT 5 PERCENT OF A WEEKLY WAGE AND FOR THAT TO BE TRANSLATED WOULD BE LESS THAN A DOLLAR. SO AGAIN WE COME BACK TO THE SITUATION OF, IF IT DOESN'T MAKE SENSE, AND THE FISCAL NOTE TO THE STATE SAID IT DOESN'T MAKE SENSE FOR TO US DO THIS AT \$10, AND THE FISCAL NOTE THAT TALKS ABOUT COUNTIES THAT IT'S, YOU KNOW, NOT LIKELY TO MAKE SENSE FROM ANY COUNTIES TO DO IT AT \$10, IF YOU BRING THAT COPAY DOWN TO LESS THAN \$1 OR EVEN \$1, IT MAKES EVEN LESS SENSE. SO YESTERDAY SENATOR RIEPE TALKED ABOUT THE LOGIC OF COPAYS. AND AGAIN, ONE OF THE GREAT THINGS ABOUT SERVING IN THIS CHAMBER IS THAT WE HAVE PEOPLE FROM ALL DIFFERENT BACKGROUNDS, AND THEY BRING THAT EXPERTISE TO THE BODY. AND SENATOR RIEPE AS A HOSPITAL ADMINISTRATOR TALKED ABOUT THE FACT THAT, WHILE IT MAY NOT MAKE FINANCIAL SENSE, THERE ARE OTHER REASONS TO HAVE COPAYS AS WELL, TRY TO INFLUENCE BEHAVIOR WITH COPAYS. AND SO ONE THING YOU MIGHT BE TRYING TO DO WITH A COPAY IS TO TRY TO REDUCE USE OF CARE THAT YOU THINK IS INAPPROPRIATE. AND HE USED THE EXAMPLE OF SOME CASES WHERE THERE'S A HIGHER COPAY FOR INAPPROPRIATE USE OF THE EMERGENCY ROOM. SO I JUST

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WANTED TO ASK A QUESTION OF SOMEONE WHO'S ON THE JUDICIARY COMMITTEE WHO WAS THERE FOR THE HEARING. I WONDER IF SENATOR CHAMBERS WOULD YIELD TO A QUESTION. [LB113]

SENATOR KRIST: SENATOR CHAMBERS, WILL YOU YIELD? [LB113]

SENATOR CHAMBERS: YES, I WILL. [LB113]

SENATOR CRAWFORD: THANK YOU. DID YOU HAPPEN...WERE YOU PRESENT THE DAY THIS BILL WAS HEARD AT THE HEARING? [LB113]

SENATOR CHAMBERS: I BELIEVE I WAS AT THE HEARING, BUT I WASN'T THERE WHEN THEY HAD THE EXEC SESSION. [LB113]

SENATOR CRAWFORD: SURE. SO I THINK ONE OF THE ISSUES THAT WE'VE HEARD RAISED IN THE DEBATE IS A CONCERN THAT PRISON STAFF ARE HAVING TO TAKE TIME TO ESCORT PRISONERS TO THE SICK BAY OR WHEREVER THEY RECEIVE CARE, FRIVOLOUSLY, AND THAT PRISONERS WOULD JUST USE THIS TO GET SOME TIME TO GO SOMEWHERE ELSE AND TALK TO SOMEONE ELSE. I WONDERED IF THERE WAS ANYBODY THAT CAME TO THE HEARING TO TESTIFY THAT THAT WAS A CONCERN THAT THEY HAD. [LB113]

SENATOR CHAMBERS: NOBODY FROM A PRISON SYSTEM OR A JAIL WAS THERE. NACO WAS THERE AND WHOEVER...AND I THINK SENATOR LARSON. THERE WAS NOT A GREAT OUTPOURING OF SUPPORT AT ALL. AND MY ASSUMPTION WAS THAT PEOPLE WOULD SEE WHAT A BAD DEAL IT IS AND IT WILL GO AWAY. NOW THERE WAS A MINISTER WHO WENT INTO SOME DEPTH AS TO WHY THIS WAS NOT A GOOD IDEA. AND I BELIEVE THE ACLU MAY HAVE TESTIFIED AND THEIR TESTIMONY WAS OF SUBSTANCE. NACO, THAT PERSON WAS JUST SPEAKING BECAUSE IT INVOLVED THE COUNTY. THERE WAS NOT ANY KNOWLEDGE OF THE PRISONS, THE JAILS, OR ANY OF THOSE THINGS THAT YOU'RE ASKING ME ABOUT NOW. [LB113]

SENATOR CRAWFORD: OKAY. SO AS A LONG-SERVING MEMBER OF THE JUDICIARY COMMITTEE... [LB113]

SENATOR KRIST: ONE MINUTE. [LB113]

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SENATOR CRAWFORD: ...ISN'T IT THE CASE THAT YOU WOULD REGULARLY HEAR IN BRIEFINGS AND IN BILLS CONCERNS THAT ARE BEING RAISED ABOUT PROBLEMS WITH PRISON WORK FORCE AT STATE LEVEL OR THE COUNTY JAIL? IF THERE ARE WORK FORCE KINDS OF ISSUES, THAT WOULD COME TO YOUR COMMITTEE, IS THAT CORRECT? [LB113]

SENATOR CHAMBERS: THEY DO AND WE'RE LOOKING AT SOME WITH REFERENCE TO THE PRISON. BUT THIS WAS NOT AMONG THOSE. [LB113]

SENATOR CRAWFORD: THAT WAS...I WAS GOING TO ASK IF IN ANY OF THOSE DISCUSSIONS PEOPLE WHO WORK IN THE PRISONS HAVE RAISED THE CONCERN THAT PEOPLE ASKING TO GO TO THE SICK BAY HAS CREATED A PROBLEM IN THEIR WORK FORCE. [LB113]

SENATOR CHAMBERS: WHEN YOU COME TO THE WORK FORCE, THEIR COMPLAINT IS THAT THERE ARE NOT ENOUGH EMPLOYEES TO DO THE REGULAR RUNNING OF THE PRISON, CONSEQUENTLY, THEY HAVE TO PUT IN A LOT OF OVERTIME. SO I DOUBT THAT THIS WOULD BE ON THEIR RADAR AT ALL BECAUSE IT WOULD BE SO INCONSEQUENTIAL AND THEY HAVE MUCH BIGGER ISSUES THEY RAISE ON SOMETHING LIKE THIS. [LB113]

SENATOR KRIST: TIME, SENATOR. [LB113]

SENATOR CRAWFORD: THANK YOU. THANK YOU. [LB113]

SENATOR CHAMBERS: OKAY. [LB113]

SENATOR KRIST: THANK YOU, SENATOR CRAWFORD AND SENATOR CHAMBERS. SENATOR RIEPE, YOU ARE RECOGNIZED. [LB113]

SENATOR RIEPE: MR. PRESIDENT, THANK YOU AND MEMBERS OF THIS SENATE. I WAS TAKEN A BIT BY SENATOR CRAWFORD WHO REFERRED TO SICK BAY AND SO SHE OBVIOUSLY HAS A MILITARY DISTRICT FOR THOSE OF US WHO HAVE SERVED IN THE MILITARY. I ALSO WANTED TO REMIND THIS BODY THAT THE COPAY IS NOT NECESSARILY \$10. IT IS UP TO \$10. SO WE ALREADY HAVE SOME SLIDING SCALE THAT IS OR CAN BE APPLICABLE. I THINK ALSO THERE WAS A COMPARISON OF THE COPAYS IN A PERCENTAGE IN RELATIONSHIP TO THE \$15 OR WHATEVER AMOUNT OF MONEY. I'D LIKE TO ALSO REMIND THE BODY THAT

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THOSE THAT ARE IN THE GENERAL POPULATION OUTSIDE OF THE PRISON SYSTEM DO PAY PREMIUMS. WE ALSO HAVE DEDUCTIBLES, AS SENATOR KOLTERMAN TALKED ABOUT YESTERDAY, THAT MAY BE UP TO \$5,000, \$6,000 FOR THE INDIVIDUAL, \$12,000 FOR A FAMILY. SO I WOULD HOPE THAT THE MOTIVATION FOR THE INCARCERATION SYSTEM ISN'T THAT WE'RE TRYING TO PROVIDE TOTALLY FIRST-DOLLAR COVERAGE. AND I STILL CONTEND THAT COPAYS ARE THERE NOT FOR THE MONEY BUT, RATHER, TO MAKE PEOPLE THINK TWICE BEFORE THEY WANT TO EXECUTE OR MOVE FORWARD WITH RECEIVING THAT CARE. I WOULD ALSO SPEAK AGAINST THE IDEA OF HAVING SOME FORMULA OVER A \$10 COPAY. I THINK WE'VE HAD SOME EXPERIENCE WITH FORMULAS ON EARLY RELEASE OF PRISONERS AND I THINK THAT WE'RE GOING TO SPEND A LOT MORE MONEY TRYING TO COME UP WITH SOME FORMULA AND THEN SOME COMPUTER SYSTEM TO MONITOR IT AND PEOPLE AND THE COST OF IT IS JUST...THE VALUE IS NOT THERE. AND SO I WOULD SERIOUSLY WANT TO DISCOURAGE ANY EFFORT IN THAT DIRECTION. THANK YOU, MR. PRESIDENT. [LB113]

SENATOR KRIST: THANK YOU, SENATOR RIEPE. THOSE STILL WISHING TO SPEAK: SENATOR McCOLLISTER, LARSON, AND BLOOMFIELD. SENATOR McCOLLISTER, GOOD MORNING. YOU'RE RECOGNIZED. [LB113]

SENATOR McCOLLISTER: THANK YOU, MR. PRESIDENT. AND GOOD MORNING, COLLEAGUES. I HAVEN'T SPOKEN ON THE MIKE FOR THE LAST COUPLE OF DAYS SO I THOUGHT I'D GET UP AND MAKE YOU KNOW THAT I'M STILL ALIVE. CONCEPTUALLY I SUPPORT LB113. YOU KNOW, IT WOULD BE A GOOD WAY TO CONTROL SOME OF OUR HEALTHCARE EXPENSES AND WOULD PERHAPS ELIMINATE SOME UNNECESSARY TRIPS TO THE DOCTOR. BUT AS IN EVERYTHING, THE DEVIL IS IN THE DETAILS. I WOULD ASK IF SENATOR BRASCH WOULD YIELD TO A FEW QUESTIONS. [LB113]

SENATOR KRIST: SENATOR BRASCH, WILL YOU YIELD? [LB113]

SENATOR BRASCH: I WILL YIELD. [LB113]

SENATOR McCOLLISTER: SENATOR BRASCH, YOU INDICATED THAT YOU HAD TALKED TO THREE OF YOUR COUNTIES WHETHER THEY WOULD SUPPORT THIS BILL, IS THAT CORRECT? [LB113]

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SENATOR BRASCH: THAT IS NOT CORRECT. I SAID I SPOKE...WAS ABLE TO REACH TWO OUT OF THREE. [LB113]

SENATOR McCOLLISTER: TWO OF THE THREE? [LB113]

SENATOR BRASCH: YES. [LB113]

SENATOR McCOLLISTER: AND THEY INDICATED SUPPORT FOR THIS LB113? [LB113]

SENATOR BRASCH: THEY INDICATED SUPPORT BUT THEY REALLY QUESTIONED THE REALITY OF IT. THEY SAID IT ALL SOUNDS GOOD, BUT AT THE SAME TIME THEY'RE SAYING THEY BRING IN A LOT OF INDIGENTS. SOME INDIGENTS ARE QUESTIONABLE; OTHERS ARE NOT. [LB113]

SENATOR McCOLLISTER: SO THEIR POINT TO YOU WAS THAT IT MAY NOT BE WORTH THE EFFORT TO KEEP TRACK OF THE RECORDS AND KEEP TRACK OF THE INMATES IN THIS WAY, IS THAT CORRECT? [LB113]

SENATOR BRASCH: THAT WAS NOT THE INDICATION. THE INDICATION WAS THERE ARE PROBLEMS BUT THE PROBLEMS ARE AROUND THEIR...THEY HAVE LESS THAN 50 INMATES, SO THEY CANNOT GET THE INSURANCE. WHAT THEY DO IS THEY CAN GO TO A JUDGE AND GET A MEDICAL BOND. THEY SAID IT SOUNDS GOOD, YOU KNOW, THE SOUND OF IT IS GOOD. BUT IF SOMEONE IS TRULY INDIGENT, THAT'S A PROBLEM. THE PROBLEM THAT THEY DID SEE, WHICH I BELIEVE IS ANOTHER BILL, POTENTIALLY AN AMENDMENT, IS THAT TELEPHONE CALLS AND CANTEENS, THE FAIR MARKET VALUE IS NOT THERE. [LB113]

SENATOR McCOLLISTER: THANK YOU. [LB113]

SENATOR BRASCH: THEY SAW THAT AS AN ISSUE. THANK YOU. [LB113]

SENATOR McCOLLISTER: THANK YOU, SENATOR. I WONDER IF SENATOR LARSON WOULD YIELD FOR A QUESTION OR TWO. [LB113]

SENATOR KRIST: SENATOR LARSON, WILL YOU YIELD? [LB113]

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SENATOR LARSON: YES. [LB113]

SENATOR McCOLLISTER: WHAT KIND OF RECORDKEEPING WILL PENAL INSTITUTIONS, COUNTIES AND THE STATE, BE OBLIGATED TO KEEP AS A RESULT OF THIS BILL? [LB113]

SENATOR LARSON: WELL, SHOULD THE STATE CHOOSE TO DO IT OR ANY COUNTY--OBVIOUSLY IT'S PERMISSIVE LANGUAGE--THEY WOULD HAVE TO KEEP A RECORD, AS THEY CURRENTLY DO, OF THE DOCTOR'S VISITS MADE BY THE PRISONERS. WHEN A PRISONER GOES RIGHT NOW, THEY KEEP THAT RECORD. THEY HAVE TO KEEP THE RECORD OF THE VISIT. THEY HAVE TO PAY THE INSTITUTION IN WHICH, WHETHER IT IS THE HOSPITAL OR THE DOCTOR'S OFFICE, TO...FOR THAT VISIT. SO AT THE COUNTY LEVEL I DON'T THINK IT WILL BE THAT BIG OF AN ISSUE. I MEAN HOLT COUNTY AT ANY ONE TIME HAS ANYWHERE BETWEEN, YOU KNOW, PROBABLY FOUR TO TEN PRISONERS. PIERCE COUNTY IS KIND OF THE SAME WAY AND A NUMBER OF THEM. THE STATE IS A LITTLE DIFFERENT ISSUE, AND THAT'S WHY THE STATE SAID THAT THEY FELT LIKE THEY...IT MIGHT NOT BE WORTH IT TO THEM BECAUSE THEY HAVE ANYWHERE BETWEEN 4,600 AND 5,000 PRISONERS AT ONE TIME. SO THE RECORDKEEPING WOULD BE A LITTLE MORE COST INTENSIVE, THEREFORE, THEY DIDN'T THINK IT WOULD BE WORTH IT. [LB113]

SENATOR McCOLLISTER: THANK YOU. THANK YOU. HAVE YOU INDICATED HOW MUCH MONEY A TYPICAL COUNTY WOULD SAVE ON THIS KIND OF PROGRAM? [LB113]

SENATOR LARSON: YOU KNOW, IN THE STATE OF NEBRASKA IT'S A LITTLE MORE DIFFICULT. OBVIOUSLY THE COPAY ISN'T GOING TO BRING IN A LOT OF MONEY. OTHER STATES HAVE SEEN, YOU KNOW, ANYWHERE BETWEEN 15, 20 PERCENT DECREASES IN THE AMOUNT OF COST THAT THEY'VE HAD ASSOCIATED WITH THE HEALTHCARE, SOME MORE. WE'LL CONTINUE TO TRY TO GET SOME OF THOSE NUMBERS, BUT... [LB113]

SENATOR KRIST: ONE MINUTE. [LB113]

SENATOR LARSON: ...THIS IS SOMETHING THAT IS A TOOL IN A TOOLBOX FOR OUR COUNTIES SHOULD THEY CHOOSE TO USE IT. THEY DON'T HAVE TO. [LB113]

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SENATOR McCOLLISTER: THANK YOU. THANK YOU. WELL, AS I HEAR THIS BILL, I AM THINKING IT MAY NOT BE WORTH THE TIME AND MONEY THAT SOME COUNTIES WOULD HAVE TO DEVOTE TO IT. I'M LOOKING AT SENATOR CRAWFORD'S COMMENTS THAT, YOU KNOW, MOST OF OUR COUNTIES AND THE OTHER INSTITUTIONS THAT HAVE PRISONS WON'T BOTHER TO KEEP THE RECORDS. SO THIS BILL SIMPLY IN CONCEPT IS A GOOD BILL. BUT I THINK IN TERMS OF WORKABILITY IT JUST ISN'T THERE. SO I WOULD SUPPORT AN EFFORT TO RECOMMIT THIS TO A COMMITTEE. LASTLY, IT HAS VERY LIMITED PROPONENT SUPPORT. IF A NUMBER OF COUNTIES HAD COME AND SUPPORTED THE BILL, I WOULD FEEL A LOT BETTER ABOUT SUPPORTING IT AS WELL. THANK YOU, MR. PRESIDENT. [LB113]

SENATOR KRIST: THANK YOU, SENATOR McCOLLISTER, SENATOR BRASCH, AND SENATOR LARSON. SENATOR LARSON, YOU ARE RECOGNIZED. [LB113]

SENATOR LARSON: THANK YOU, MR. PRESIDENT. SENATOR McCOLLISTER SHOULD UNDERSTAND THAT NEBRASKA COUNTY OFFICIALS...OR THE COUNTY ASSOCIATION CAME TO SUPPORT IT, MEANING ALL THE COUNTIES CAME TO SUPPORT IT. HIS ASSERTION THAT THE MORE TESTIFIERS THE BETTER MAKES IT A GOOD THING ISN'T NECESSARILY GENUINE. I WOULD SAY THAT EVERY COUNTY SUPPORTS IT. IF THEIR ASSOCIATION OR MANY COUNTIES SUPPORT IT, AT LEAST A MAJORITY OF THE COUNTIES SUPPORT IT, AND THE BOARD OF THE COUNTY OFFICIALS ASSOCIATION SUPPORT IT, SO WHY WOULD THE INDIVIDUAL COUNTIES HAVE TO COME AND DO IT? AND IF A COUNTY DOESN'T WANT TO HAVE IT, IF SENATOR McCOLLISTER AND SENATOR CRAWFORD ARE WORRIED THAT, YOU KNOW, IT MIGHT JUST BE TOO MUCH FOR SOME COUNTIES ON THE EXTRA COST, WELL, FOR THOSE COUNTIES THEY WON'T DO IT. BUT FOR OTHER COUNTIES IT WON'T BE TOO MUCH. FOR OTHER COUNTIES THIS WILL BE A TOOL. I KNOW NEITHER SENATOR CRAWFORD OR SENATOR McCOLLISTER WERE HERE WHEN WE CUT STATE AID TO CITIES AND COUNTIES. THEY DIDN'T HAVE TO MAKE THAT DECISION. I DID. AND IT WASN'T AN EASY ONE. HAVING MADE THAT DECISION TO CUT THE AID, THE STATE AID TO THE CITIES AND COUNTIES, I WANT TO GIVE THEM A TOOL SHOULD THEY CHOOSE TO USE IT. I KNOW WE HAVE A NUMBER OF FORMER COUNTY COMMISSIONERS OR SUPERVISORS IN THIS BODY. SENATOR CAMPBELL IS ONE OF THEM. OH, JUST ONE. LANCASTER COUNTY MIGHT NOT USE IT. BUT WOULDN'T A COUNTY ENJOY AT LEAST THE OPPORTUNITY TO HAVE THAT TOOL? DON'T THE COUNTIES WANT AS MANY TOOLS AS POSSIBLE? WILL SENATOR CAMPBELL YIELD? [LB113]

SENATOR KRIST: SENATOR CAMPBELL, WILL YOU YIELD TO A QUESTION? [LB113]

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SENATOR CAMPBELL: YES, CERTAINLY. [LB113]

SENATOR LARSON: NOW LANCASTER, I KNOW...YOU WERE A FORMER LANCASTER COUNTY COMMISSIONER OR SUPERVISOR? WHAT ARE THEY CALLED? [LB113]

SENATOR CAMPBELL: I WAS A COUNTY COMMISSIONER. [LB113]

SENATOR LARSON: COMMISSIONER, POLK COUNTY SUPERVISOR, SO IT'S...HAVE TO LEARN WHICH ONE. EVERYONE IS DIFFERENT. SO FOR LANCASTER COUNTY, LB113 MAY NOT HAVE MADE SENSE FOR YOU GUYS TO IMPLEMENT BECAUSE OF THE ADDED ADMINISTRATIVE COSTS THAT SENATOR CRAWFORD OR SENATOR McCOLLISTER BROUGHT UP, CORRECT? [LB113]

SENATOR CAMPBELL: THAT IS CORRECT. ALSO, WE PUT INTO OUR JAIL FACILITY A SMALL MEDICAL OFFICE AND SO... [LB113]

SENATOR LARSON: THEY DON'T HAVE TO TAKE THEM TO THE DOCTOR. THEY DON'T HAVE THOSE OTHER COSTS ASSOCIATED THAT THE SMALLER COUNTIES MIGHT ESSENTIALLY. [LB113]

SENATOR CAMPBELL: UNLESS IT WAS A SITUATION IN WHICH WE COULD NOT HANDLE IT THERE. [LB113]

SENATOR LARSON: AN EMERGENT, MORE OF AN EMERGENCY SITUATION IN WHICH LB113... [LB113]

SENATOR CAMPBELL: RIGHT. [LB113]

SENATOR LARSON: ...WOULD NOT REQUIRE A COPAY BECAUSE IT WOULD HAVE BEEN MORE OF AN EMERGENCY SITUATION. [LB113]

SENATOR CAMPBELL: I CHECKED WITH LANCASTER COUNTY AND THEY HAVE NO OFFICIAL POSITION. THE DIRECTOR OF THE CORRECTIONAL FACILITY SAID THEY WILL NOT BE USING IT BECAUSE IT WOULD BE NOT COST EFFECTIVE FROM AN ADMINISTRATIVE STANDPOINT. [LB113]

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SENATOR LARSON: FROM THE ADMINISTRATIVE STANDPOINT, LANCASTER COUNTY, THAT MAKES SENSE. DO YOU THINK SMALLER COUNTIES...DO YOU THINK A COUNTY SHOULD HAVE THE OPTION? DO YOU THINK COUNTIES ENJOY OPTIONS GIVEN TO THEM BY THE STATE SINCE THE STATE OFTENTIMES...WE HEAR ALL THE TIME FROM COUNTIES THAT THE STATE IS PUTTING ADDED BURDENS ON THEM, THE STATE IS REQUIRING THIS FROM THEM. [LB113]

SENATOR KRIST: ONE MINUTE. [LB113]

SENATOR LARSON: NOT JUST LB113, DO COUNTIES IN GENERAL ENJOY IT WHEN THEY HAVE THE OPPORTUNITY TO GO GET...OR FLEXIBILITY IN THE WAY THEY CAN CARRY OUT THEIR OPERATIONS? [LB113]

SENATOR CAMPBELL: I WOULD GUESS ANY LOCAL POLITICAL SUBDIVISION WOULD ENJOY SOME FLEXIBILITY. [LB113]

SENATOR LARSON: THANK YOU, SENATOR CAMPBELL. THAT'S WHAT LB113 IS. IT IS FLEXIBILITY FOR THE COUNTIES. THEY DO NOT HAVE TO DO IT. THEY MAY NOT DO IT. THE CONCEPT THAT SENATOR McCOLLISTER AND SENATOR CRAWFORD BROUGHT FORWARD THAT THE ADMINISTRATIVE COST WOULD JUST BE TOO HIGH, WELL, FOR A FEW COUNTIES MAYBE THEY'RE RIGHT. BUT WHY TELL EVERY COUNTY THAT THEY CAN'T DO IT? WHY NOT GIVE THEM THAT TOOL IN THE TOOLBOX... [LB113]

SENATOR KRIST: TIME, SENATOR. [LB113]

SENATOR LARSON: ...IF THEY CHOOSE TO USE IT? THANK YOU, MR. PRESIDENT. [LB113]

SENATOR KRIST: THANK YOU, SENATOR LARSON AND SENATOR CAMPBELL. SENATOR BLOOMFIELD, YOU ARE RECOGNIZED. [LB113]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. I WOULD HAVE A COUPLE MORE QUESTIONS FOR SENATOR LARSON IF HE WOULD YIELD. [LB113]

SENATOR KRIST: SENATOR LARSON, WILL YOU YIELD? [LB113]

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SENATOR LARSON: YES. [LB113]

SENATOR BLOOMFIELD: THANK YOU, SENATOR. MY UNDERSTANDING IS THAT NO COUNTY IS OBLIGATED TO DO THIS IF WE PASS THIS, IS THAT CORRECT? [LB113]

SENATOR LARSON: CORRECT. [LB113]

SENATOR BLOOMFIELD: THANK YOU. SO THERE IS NO CONTINUITY BETWEEN COUNTIES; THERE'S NO CONTINUITY WHETHER THEY CHARGE \$1 FOR THE TRIP OR \$10? [LB113]

SENATOR LARSON: CORRECT. [LB113]

SENATOR BLOOMFIELD: NO MORE THAN \$10? [LB113]

SENATOR LARSON: NO MORE THAN \$10. [LB113]

SENATOR BLOOMFIELD: OKAY. I STILL HAVE NOT DECIDED WHERE TO GO WITH THIS, BUT YOU CAME AWFULLY CLOSE TO LOSING ME WHEN YOU QUOTED NACO AS REPRESENTING ALL COUNTIES. [LB113]

SENATOR LARSON: I WAS CORRECTED ON THAT THAT... [LB113]

SENATOR BLOOMFIELD: AND YOU NEED TO BE CORRECTED MORE, SENATOR. NACO CAME IN ON A BILL LAST YEAR AND TESTIFIED THAT THEY HAD CONTACTED ALL OF THE COUNTIES ON A BILL AND THAT THE COUNTIES WERE IN AGREEMENT. I WENT TO MY THREE COUNTIES, TO THE COUNTY COMMISSIONERS, AND IT WAS ON LB106 LAST YEAR. AND NONE OF THEM, NOT ONE, HAD HEARD A WORD OUT OF YOUR BELOVED NACO. SO ANYTIME YOU TELL ME THAT NACO HAS SUPPORTED SOMETHING, YOU DIDN'T DO YOURSELF ANY FAVORS. I STILL DON'T KNOW WHERE I AM GOING TO GO ON THIS BILL. I'VE STILL GOT A LOT OF QUESTIONS TO ASK. MY SHERIFFS HAVE NOT CONTACTED ME BACK YET. BUT I MAY ATTEMPT SOME AMENDMENTS BETWEEN GENERAL AND SELECT IF WE GET TO THAT POINT. I WONDER IF AN AMENDMENT THAT WOULD ALLOW A PRISONER ONE TRIP EVERY 60 DAYS WITHOUT HAVING TO BE PENALIZED FOR IT MAYBE WOULDN'T BE IN LINE. I WONDER ABOUT AN AMENDMENT, AND MAYBE IT WOULD NOT BE GERMANE, THAT WOULD ALLOW

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FOR FAIR MARKET VALUE ON COMMISSARY ISSUES. I'VE GOT A WAYS TO GO ON THIS YET. BUT THANK YOU FOR YOUR RESPONSE TO THE QUESTIONS I HAVE, AND PLEASE DON'T BRING NACO INTO THIS ANYMORE. [LB113 LB106]

SENATOR KRIST: THANK YOU, SENATOR BLOOMFIELD AND SENATOR LARSON. SENATOR BRASCH, YOU ARE RECOGNIZED AND THIS IS YOUR THIRD TIME. [LB113]

SENATOR BRASCH: THANK YOU, MR. PRESIDENT. AND THANK YOU ONCE MORE, COLLEAGUES. BECAUSE THERE IS AN OPTION HERE, BECAUSE IT IS UP TO \$10, I WILL SUPPORT THIS. I WOULD BE MORE EXCITED ABOUT IT IF WE WERE ADDRESSING PHONE CALLS AND COMMISSARY FAIR MARKET VALUE, AND MAYBE THAT WILL BE SOMETHING TO CONSIDER LOOKING AT FURTHER. AGAIN, TO BE CLEAR, THE SHERIFF SAID THAT'S GOOD IF YOU CAN DO IT. THE OTHERS SAID, TWO OUT OF THREE, THAT THERE ARE WAYS, BECAUSE THEY ARE UNDER 50 INCARCERATED INDIVIDUALS, TO GO TO A JUDGE FOR A MEDICAL BOND. AND THIS IS FOR NONEMERGENCY. AND LIKE SENATOR BLOOMFIELD, WHEN NACO CAME TO SPEAK AGAINST THE 75 TO 65 PROPERTY TAX REDUCTION, I HAD TWO OF MY COUNTIES COME TESTIFY IN SUPPORT OF MY LB350. SO FOR THE NEW COLLEAGUES IS: DO CHECK WITH YOUR COUNTIES. I'M VERY FORTUNATE THAT I DO HAVE SOME CELL PHONE NUMBERS FOR SHERIFFS IN MY AREA. SO THAT'S SOMETHING SENATOR BLOOMFIELD MAY WANT TO ALSO REQUEST FOR A MORE EXPEDIENT DIALOGUE. BUT, COLLEAGUES, YOU KNOW, WE DO NEED TO ADDRESS, YOU KNOW, HOW DO THESE INMATES GET THERE IN THE FIRST PLACE. ONE OF THE SHERIFFS TALKED ABOUT THE GROWING METH PROBLEMS, ADDICTIONS. YOU KNOW, HOW DO WE GET, YOU KNOW, OUR STATE, YOU KNOW, TO THE POINT OF MEDIATION, HEALTHCARE, WELLNESS, AND WHERE THEY ARE READY TO WORK, READY TO PROVIDE FOR THEIRSELVES, AND OUR INCARCERATION NUMBERS CONTINUE TO BE REDUCED? THANK YOU, MR. PRESIDENT. AND THANK YOU, COLLEAGUES. [LB113 LB350]

SENATOR KRIST: THANK YOU, SENATOR BRASCH. SENATOR CRAWFORD, YOU ARE RECOGNIZED AND THIS IS YOUR THIRD TIME. [LB113]

SENATOR CRAWFORD: THANK YOU, MR. PRESIDENT. AND THANK YOU, COLLEAGUES. SO I WANT TO TALK A BIT MORE ABOUT THE LOGIC OF COPAYS AND WHAT THAT MEANS. AND ALSO WE'VE TALKED ABOUT THE FACT THAT, WELL, THIS BILL JUST CREATES AN OPTION; IT DOESN'T REQUIRE THE STATE TO DO ANYTHING; IT DOESN'T REQUIRE THE COUNTIES TO DO ANYTHING. SO

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WHAT'S THE HARM? SO I'LL TRY TO ADDRESS BOTH OF THOSE ISSUES IN THIS TURN. SO AS WE'VE SAID BEFORE, SOMETIMES A COPAY IS USED TO TRY TO DISCOURAGE ACCESS TO CARE THAT YOU THINK MIGHT BE UNREASONABLE. NOW ON THE FLIP SIDE, WHAT YOU FIND IN MOST OF YOUR PRIVATE PLANS IS WHEN THERE IS A KIND OF CARE THAT YOU WANT PEOPLE TO GET, YOU TAKE OFF THE COPAY. SO MOST OF YOU HAVE PLANS. PROBABLY THEY DON'T CHARGE A COPAY FOR YOUR PREVENTIVE CARE. AND WHAT'S IMPORTANT TO RECOGNIZE IN A PRISON SETTING IS IT'S A CROWDED SETTING WHERE INFECTIONS CAN SPREAD. WE WANT PRISONERS TO GET HEALTHCARE, NOT ONLY FOR THEMSELVES, BUT HAVING A COPAY HAS BEEN IDENTIFIED AS A CONTRIBUTING FACTOR FOR OUTBREAKS OF ANTIBIOTIC-RESISTANT STAPH INFECTIONS. SO ASKING THE PRISONER TO THINK TWICE ABOUT WHETHER TO REQUEST A TRIP TO GET TO RECEIVE MEDICAL CARE TO GET SOMETHING CHECKED, ASK THEM TO THINK TWICE DOES NOT JUST PUT THAT PRISONER AT RISK, IT PUTS THE OTHER PRISONERS IN THAT BAY AT RISK AS WELL. AND THEY ARE INCARCERATED FOR THEIR CRIMES. IT IS NOT THE CASE THAT THEY SHOULD NECESSARILY BE AT HIGHER RISK FOR ANTIBIOTIC-RESISTANT INFECTION BECAUSE WE WANT SOMEONE TO THINK TWICE ABOUT WHETHER THEY SHOULD RECEIVE HEALTHCARE. SO THE SECOND POINT IS TALKING ABOUT, WHY DOES IT MATTER IF WE GIVE THIS TOOL AND IT DOESN'T MAKE SENSE FOR THE STATE TO USE IT AND IT DOESN'T MAKE SENSE FOR MOST COUNTIES TO USE IT, SO WHAT, WE'RE JUST SAYING HERE'S THE TOOL, IT'S UP TO YOU? THE HARM IS THAT IF WE PASS LB113 IT DOES HAVE PERMISSIVE LANGUAGE. SO WE ARE NOT REQUIRING THE STATE OR ANY COUNTY TO DO THIS. HOWEVER, WE ARE SAYING, WITH OUR VOTE, THAT THIS IS A TOOL THAT WE THINK HAS VALUE FOR YOU TO USE. THAT STATEMENT IS THERE. SO I DON'T THINK THAT YOU CAN SAY, DOESN'T MATTER, YOU CAN JUST VOTE FOR LB113, EVEN IF YOU DON'T THINK IT'S A GOOD IDEA FOR THE STATE, EVEN IF YOU DON'T THINK IT WILL REALLY WORK IN ANY COUNTY, WE'RE JUST GIVING THEM A TOOL SO GIVE THEM THE TOOL, BECAUSE PEOPLE HAVE EXPECTED THAT WE HAVE RESEARCHED THIS ISSUE AND THAT OUR VOTE TO PROVIDE THIS TOOL MEANS THAT WE THINK IT'S A GOOD TOOL AND THAT THE STATE SHOULD POSSIBLY USE IT OR COUNTIES SHOULD POSSIBLY USE IT. AND HERE'S A SCENARIO THAT I CAN IMAGINE HAPPENING: PEOPLE GO BACK TO THEIR DISTRICTS AND THEY SAY, I VOTED FOR LB113 BECAUSE I WANT TO MAKE SURE PRISONERS ARE PAYING FOR THEIR HEALTHCARE. AND SOMEONE SAYS, WOW, THAT'S GREAT, IS THAT HAPPENING NOW? AND YOU WOULD HAVE TO HONESTLY SAY, NO, IT'S NOT HAPPENING IN THE STATE. AND YOU MIGHT BE SAYING, NO, WELL, YOU KNOW, OUR COUNTY HASN'T DECIDED TO DO THAT BUT I DID MY PART, I VOTED FOR LB113. THAT WILL THEN CREATE A LOT OF POLITICAL PRESSURE ON THE GOVERNOR, ON THE DEPARTMENT OF

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CORRECTIONS TO IMPLEMENT THIS BILL EVEN THOUGH THEIR ANALYSIS SHOWS IT DOES NOT MAKE FINANCIAL SENSE. [LB113]

SENATOR KRIST: ONE MINUTE. [LB113]

SENATOR CRAWFORD: THANK YOU, MR. PRESIDENT. THE PEOPLE WILL SAY, WELL, I HEARD FROM MY SENATORS THAT THEY PASSED THIS BILL THAT LETS THE DEPARTMENT OF CORRECTIONS CHARGE THIS FEE SO I THINK THEY SHOULD BE DOING THAT AND SO I'M GOING TO PUT PRESSURE ON THE GOVERNOR, PRESSURE ON THE DEPARTMENT OF CORRECTIONS TO MAKE THAT HAPPEN. SIMILARLY, THE SIMILAR KIND OF PRESSURE COULD HAPPEN IN THE COUNTY WHERE THERE WOULD BE PRESSURE ON THE COUNTY COMMISSIONERS TO REQUIRE \$10 COPAYS IN THE COUNTY EVEN THOUGH VERY FEW PEOPLE WOULD HAVE ANY MONEY TO PAY THAT, BECAUSE THE LEGISLATURE PROVIDED THIS TOOL AND IT'S IMPORTANT FOR US TO USE IT. SO I JUST ASK YOU TO THINK CAREFULLY ABOUT WHAT YOUR VOTE FOR LB113 SAYS. EVEN THOUGH IT'S PERMISSIVE LANGUAGE IT STILL IS AN ENDORSEMENT OF THE IDEA. AND IF THIS DOESN'T MAKE SENSE FOR THE STATE, IF IT DOESN'T MAKE SENSE FOR MOST COUNTIES TO REALLY DO IT, IS IT A TOOL THAT WE SHOULD BE ENDORSING? THANK YOU, MR. PRESIDENT. [LB113]

SENATOR KRIST: THANK YOU, SENATOR CRAWFORD. SENATOR BLOOMFIELD, YOU ARE RECOGNIZED AND THIS IS YOUR THIRD TIME. [LB113]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. WE'VE BEEN DOING A LITTLE MORE STUDYING ON THIS AND WE HEARD BACK FROM ONE OF OUR SHERIFFS AND THEY ARE CONFUSED AS TO WHAT THE STATUTE IS NOW. AS CLOSE AS HE CAN FIGURE OUT, UNDER THE AFFORDABLE CARE ACT EVERYONE SHOULD ALREADY HAVE INSURANCE. AND HE WENT TO SECTION 47-701 THROUGH 47-705 AND IT APPARENTLY STATES--AND I HAVE NOT HAD TIME TO PULL IT UP AND LOOK AT IT YET--THAT FIRST, THE PROVIDER WOULD PAY...OR WOULD BILL THE INSURANCE COMPANY, WHICH YOU'RE REQUIRED TO HAVE THROUGH OBAMACARE. YOU SHOULD HAVE INSURANCE. THE REMAINDER GOES TO THE INMATE. AND THEN, AFTER 180 DAYS, IF THEY HAVE NOT COLLECTED FROM THE INMATE, THEN IT GOES TO THE COUNTY. SO I BELIEVE WE'RE DEALING WITH A CONFUSED AREA ALREADY, AND THIS MIGHT JUST MAKE IT WORSE. AND I ANTICIPATE SENATOR LARSON'S RESPONSE BEING THAT THIS REALLY DOESN'T GO TO THAT STATUTE BECAUSE IT'S JUST ALLOWING THE COUNTIES TO DO SOMETHING, BUT I DON'T KNOW THAT YET. THIS IS ANOTHER

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ONE OF THOSE AREAS THAT I WILL HAVE TO LOOK AT BETWEEN NOW AND SELECT. BUT I THINK IT'S AN AREA WE NEED TO BE CAREFUL OF WHERE WE GO. I TALKED TO SENATOR SEILER JUST BRIEFLY ON IT AND HE HAS NOT HAD AN OPPORTUNITY TO LOOK AT IT EITHER. BUT I DO THINK WE HAVE ISSUES GOING FORWARD. I'M GOING TO YIELD TO SENATOR LARSON. HE APPARENTLY HAS SOMETHING TO SAY. [LB113]

SENATOR KRIST: SENATOR LARSON WAIVES. SENATOR LARSON, YOU'RE NEXT IN THE QUEUE. [LB113]

SENATOR LARSON: THANK YOU, MR. PRESIDENT. A FEW THINGS I WANTED TO DISCUSS A LITTLE BIT. I HEARD A FEW COMMENTS FROM SENATOR CRAWFORD TALKING ABOUT HOW MUCH OF A PRISONER'S INCOME WOULD THOSE THAT WORK IN THE STATE FACILITIES--AGAIN, WE ARE ASSUMING THAT ONE OF THE STATE FACILITIES WOULD IMPLEMENT THIS AND I CAN TALK ABOUT THAT FOR A SECOND--BUT HOW MUCH OF THEIR INCOME WOULD GO TO THAT. WELL, WHAT SHE NEGLECTS TO FIGURE IN IS, HER AND I, AS INDIVIDUALS THAT ARE NOT IN PRISON, THE COPAY ISN'T JUST THE ONLY PORTION WE PAY. WE PAY PREMIUMS; WE PAY DEDUCTIBLES; AND WE PAY A COPAY. SO TO SAY THAT ONLY 5 PERCENT OF OUR WEEKLY WAGE GOES TO A COPAY AND 50 PERCENT OF THEIR WEEKLY WAGE IS GOING TO GO TO A COPAY, THEREFORE, IT IS DISPROPORTIONATE, ISN'T GIVING EVERYONE THE WHOLE PICTURE. LET'S DISCUSS WHAT INDIVIDUALS ON A FIXED INCOME, SOCIAL SECURITY WITH MEDICARE--YOU KNOW, THAT'S NOT COMPLETELY FREE--OR INDIVIDUALS UNDER THE CURRENT MARKETPLACE AND AFFORDABLE CARE ACT WITH THOSE RISING HEALTH INSURANCE PREMIUMS--FOR A FAMILY OF FOUR NEARLY \$500 A MONTH AT LEAST, AND THAT'S WITH A \$10,000 DEDUCTIBLE AND A COPAY--SO WHAT PERCENT OF OUR INCOME, PROPORTION OF OUR INCOME, IS THAT? AND TO SAY THAT THAT'S ACCEPTABLE BUT THESE INDIVIDUALS SHOULD ALL GET COMPLETELY FREE HEALTHCARE...WE'RE NOT ASKING THEM TO PAY PREMIUMS. WE'RE NOT ASKING THEM TO HAVE DEDUCTIBLES. THIS IS NONEMERGENCY, SELF-INITIATED CARE, A SMALL AND REASONABLE COPAY SHOULD THEY HAVE THE MONEY IN THEIR ACCOUNT. IF THEY DON'T HAVE THE MONEY IN THEIR ACCOUNT, THEY DO NOT HAVE TO PAY. IT'S AS SIMPLE AS THAT. THEY WILL NEVER BE DENIED HEALTHCARE, PURE AND SIMPLE. WE HEARD THE ARGUMENT THAT, WELL, WE HAVE TO THINK, IS THIS GOOD POLICY, BECAUSE IT WILL CREATE POLITICAL PRESSURE ON OUR COUNTY OFFICIALS AND POSSIBLY OUR GOVERNOR TO INSTITUTE THE LAW THAT WE PASS? WELL, TO THOSE PEOPLE, THOSE COUNTY OFFICIALS AND OUR CURRENT GOVERNOR, WELCOME TO POLITICS. THAT'S WHAT YOU GET. YOU GET POLITICAL PRESSURE. IT'S NOT MY JOB TO TAKE CARE

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OF YOU AND MAKE SURE THAT IT GOES AS EASY AS POSSIBLE. I THINK MANY OF THEM, AS I SAID, MANY COUNTY OFFICIALS WOULD WELCOME THE OPPORTUNITY TO HAVE THIS DECISION. AND THE GOVERNOR, I HAVE FAITH THAT HE IS A BIG BOY AND CAN WITHSTAND ANY POLITICAL PRESSURE FROM ANY SIDE AND DO WHAT HE THINKS IS RIGHT OR IN THE BEST INTEREST OF THIS STATE. A MAJORITY OF NEBRASKA VOTERS ENTRUSTED HIM WITH THE JOB AND GAVE HIM THE OPPORTUNITY FOR ANOTHER THREE YEARS, POSSIBLY ANOTHER SEVEN, TO MAKE THOSE DECISIONS. HE WILL BE ABLE TO WITHSTAND ANY PRESSURE SHOULD HE CHOOSE TO DO SO. [LB113]

SENATOR KRIST: ONE MINUTE. [LB113]

SENATOR LARSON: TO WORRY ABOUT, WELL, IF WE DO THIS THEY WILL GET PRESSURED, IS NOT A REASON TO VOTE AGAINST THIS. THEY'RE ALL ADULTS. THEY ALL HAVE CONVICTIONS AND THEY CAN DO AS THEY PLEASE, STAND UP AND VOTE THEIR CONSCIENCE. SO LIKE I SAID, WHEN WE'RE CONSIDERING THE COSTS, LET'S LOOK AT THE WHOLE PICTURE. IT'S NOT JUST ABOUT THE COPAY. I'M SURE SENATOR SMITH, HE PAYS A PREMIUM, HE HAS A DEDUCTIBLE, AND HE HAS A COPAY. I DO. THESE ARE IMPORTANT THINGS TO CONSIDER WHEN WE MOVE FORWARD. THANK YOU. [LB113]

SENATOR KRIST: THANK YOU, SENATOR LARSON. STILL WISHING TO SPEAK: SENATOR GROENE, SENATOR KEN HAAR, AND SENATOR SMITH. SENATOR GROENE, YOU ARE RECOGNIZED. LAST CHANCE, SENATOR GROENE. SENATOR KEN HAAR, YOU ARE RECOGNIZED. [LB113]

SENATOR HAAR: MR. PRESIDENT, MEMBERS OF THE BODY, I HAVE BEEN LISTENING AND LISTENING TO THIS. AND SENATOR CRAWFORD I THINK BRINGS UP ONE OF THE BEST POINTS I HAVE HEARD AND WHICH MAKES LB113 A QUESTIONABLE SOLUTION THAT WILL BRING VERY NEGATIVE CONSEQUENCES. JUST LOOK AT MY OWN OFFICE HERE. I ENCOURAGE PEOPLE, IF THEY ARE NOT FEELING WELL, TO NOT COME TO WORK BECAUSE I AM IN THAT SAME OFFICE AND SO IS THE REST OF MY STAFF. AND IN A PRISON ENVIRONMENT, IN A LOCKED-UP ENVIRONMENT, CERTAINLY THE SPREAD OF ALL KINDS OF CONTAGIOUS THINGS, FROM COMMON COLDS TO WHATEVER, IS MUCH MORE LIKELY. AND IT JUST SEEMS TO ME THAT IF PEOPLE THINK THEY ARE SICK, THEY OUGHT TO GO TO A DOCTOR. IN THE LONG RUN, STAYING HEALTHY IS MUCH MORE IMPORTANT THAN SOLVING SICKNESS. IF THEY ARE PEOPLE...IF TRACKING NEEDS TO BE DONE, IT SHOULD BE DONE ON THE PEOPLE WHO SEEM TO BE

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ABUSING THIS. AND THAT CAN CERTAINLY COME FROM FEEDBACK FROM THE DOCTORS OR PHYSICIANS' ASSISTANTS, WHOEVER THEY GO TO SEE. SO IF THAT IS THE PROBLEM, THEN WE SHOULD LOOK FOR A SOLUTION WITHOUT THESE VERY PREDICTABLE NEGATIVE CONSEQUENCES THAT SENATOR CRAWFORD HAS BROUGHT UP. I WOULD SAY WITH CERTAINTY THAT IF YOU CAN KEEP YOUR PRISON POPULATION HEALTHY, IT'S GOING TO COST THE COUNTY AND SOCIETY LESS MONEY IN THE LONG RUN. SO I WILL CERTAINLY SUPPORT THE RECONSIDERATION MOTION OF SENATOR CHAMBERS AND OPPOSE LB113. AGAIN, IT IS A QUESTIONABLE SOLUTION THAT WILL BRING VERY NEGATIVE CONSEQUENCES. IT'S A QUESTIONABLE TOOL THAT'S GOING TO RESULT IN DAMAGE TO THE USER. THANK YOU VERY MUCH. [LB113]

SENATOR KRIST: THANK YOU, SENATOR HAAR. SENATOR SMITH, YOU ARE RECOGNIZED. [LB113]

SENATOR SMITH: THANK YOU, MR. PRESIDENT. AND GOOD MORNING, COLLEAGUES. I DID WANT TO JUST RISE VERY BRIEFLY AND COMMENT. I'VE HEARD FROM A COUPLE OF MY SARPY COUNTY COLLEAGUES THIS MORNING. AND I DO APPRECIATE SENATOR LARSON. I THINK HE IS TRYING TO BE FISCALLY RESPONSIBLE HERE AND TRY TO FIND SOME SOLUTIONS FOR NEBRASKA. BUT I DID HEAR FROM MY HOME COUNTY, SARPY COUNTY, AND THEY ARE NOT WEIGHING IN ON THIS ISSUE. AND MY INTERPRETATION OF THAT IS THAT THERE IS NOT A WINDFALL TO BE FOUND HERE FOR MY COUNTY ANYWAY, AND THAT THE COST TO IMPLEMENT OR TO MANAGE THIS COULD EASILY OFFSET THE ADDITIONAL REVENUES THAT WOULD BE GAINED IN THE FISCAL NOTE. SO I'M STILL LISTENING TO THE DEBATE, BUT I DON'T SEE THAT THERE'S A WINDFALL FROM THIS PARTICULAR BILL, NOT, ANYWAY, FOR MY COUNTY. THANK YOU, MR. PRESIDENT. [LB113]

SENATOR KRIST: THANK YOU, SENATOR SMITH. COLLEAGUES, THE SPEAKER WOULD LIKE ME TO ANNOUNCE THAT WE ARE GOING TO ADJOURN TODAY APPROXIMATELY 11:45, 11:45 FOR YOUR PLANNING PURPOSES. (VISITORS INTRODUCED.) SENATOR GROENE, YOU ARE RECOGNIZED. [LB113]

SENATOR GROENE: THANK YOU, SENATOR KRIST. YOU KNOW, THERE IS ANOTHER ANGLE HERE. INCARCERATION ISN'T ONLY TO PUNISH. IT IS TO REHABILITATE. THESE INDIVIDUALS, A LOT OF THEM, THEY'RE SELF-CENTERED. THEY LOOK AFTER THEMSELVES. PART OF WHAT WE SHOULD DO IN REHABILITATION IS TO TEACH THEM HOW TO BE PART OF A COMMUNITY, HOW TO TAKE PERSONAL

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RESPONSIBILITY, HOW TO SHARE THEIR PART OF THE BURDEN OF SOCIETY. THOSE OF US IN THE FREE WORLD, WE HAVE COPAYMENTS, WE HAVE DEDUCTIBLES, WE HAVE INSURANCE PREMIUMS. HERE WE HAVE A CHANCE TO TEACH THEM A LESSON: HEALTHCARE ISN'T FREE, UNLESS YOU ARE IN A PRIVILEGED CLASS, I GUESS, THE SAME PRIVILEGED CLASS THAT GETS FREE HOUSING, FREE FOOD, AND NOW FREE HEALTHCARE. IF WE ARE GOING TO REHABILITATE THESE INDIVIDUALS, WE NEED TO SEND A MESSAGE. THERE'S A COST TO FREEDOM. THERE'S A...YOUR SHARE OF THE COST OF THE GOOD THINGS WE HAVE IN THIS COUNTRY. AND WE'LL GIVE THEM A MESSAGE WITH THIS BILL: YOUR MEDICINE ISN'T FREE, SOMEBODY IS PAYING FOR IT, YOU NEED TO PAY PART OF IT. CALLED MY SHERIFF. HE'S BEEN DOING THIS FOR THREE OR FOUR YEARS ALREADY AND HE'S GOTTEN THREATENED BY SOME GROUPS. THERE'S NO LAW AGAINST IT. WHAT HAS HAPPENED IS IT'S GONE DOWN, THE FRIVOLOUS DOCTOR CALLS. BANK ACCOUNTS HAVE GONE WAY DOWN BECAUSE NOW FAMILIES ARE COMING IN AND ORDERING RIGHT OFF THE KIOSK IN THE LOBBY FOR THEIR RAMEN NOODLES AND THEIR TOOTHPASTE AND THEIR TOOTHBRUSHES. NOTHING HAS BEEN DIFFERENT. BUT THESE SAME FOLKS WHO ARE FREELoadERS ARE NOT...WANT THEIR MEDICINE FREE, THEIR HEALTHCARE FREE. NOBODY IS DENIED ACCESS TO A DOCTOR. THEY GET TO GO. I GOT A DIFFERENT VIEW ON LIFE. I'M A CITIZEN. THEY'RE A CITIZEN. THEY MIGHT BE INCARCERATED. THERE'S NO DIFFERENCE BETWEEN ME AND THEM. YOU PAY YOUR SHARE OF YOUR RESPONSIBILITY IN SOCIETY. NO EXCUSES, YOU PAY IT. SENATOR LARSON'S BILL GIVES THAT MESSAGE. IT'S REHABILITATING THESE FOLKS, TELLING THEM WHAT THE COST OF CITIZENSHIP IS. PART OF IT IS COPAYS AND YOUR HEALTHCARE. THANK YOU. [LB113]

SENATOR KRIST: THANK YOU, SENATOR GROENE. SEEING NO ONE ELSE IN THE QUEUE, SENATOR CHAMBERS, YOU'RE RECOGNIZED TO CLOSE ON YOUR MOTION TO RECONSIDER. [LB113]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, THE PEOPLE OUT HERE, LIKE SENATOR GROENE, WHO MAKE THE STATEMENTS THEY MAKE HAVE NOT THOUGHT THEM THROUGH. IF YOU ARE GOING TO TEACH THEM, WHEN YOU LOCK THEM UP THEY'RE WARDS OF THE STATE. THE STATE AUTOMATICALLY HAS RESPONSIBILITIES AND OBLIGATIONS. THESE PEOPLE ON THE FLOOR DON'T THINK ABOUT THE REALITIES AND THAT'S WHY WE HAVE SUCH BAD LAWS WHEN THERE'S NOT PEOPLE LIKE ME AND OTHERS WHO WILL TRY TO PUT A BRAKE ON THAT NONSENSE. IF HE'S GOING TO TEACH THEM A LESSON, MAKE THEM PAY RENT, MAKE THEM GET A MORTGAGE, EVERYTHING THAT HE DOES OUT HERE. NOW I DON'T KNOW IF HE'S A FARMER,

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BUT HE'S GOT PEOPLE IN HIS AREA WHO ARE FARMERS AND THEY GET FREE FEDERAL MONEY KNOWN AS SUBSIDIES. SO LET THEM BE TAUGHT THAT IN THE CITY WE DON'T GET MONEY FOR DOING NOTHING. SO HE'S VERY SHORT-SIGHTED, HE'S VERY CRUEL, AND COLD IN HIS THINKING. I'M GOING TO GIVE A PARABLE. WELL, IT WASN'T GIVEN IN THE BIBLE AS A PARABLE BUT AS SOMETHING THAT REALLY HAPPENED AS IT WAS NARRATED. JESUS CALLED HIS DISCIPLES AS HE OFTEN DID WHEN HE WANTED TO TEACH THEM AN OBJECT LESSON. SO THEY SAT NEAR WHAT THEY CALLED THE...NEAR THE TREASURY AND PEOPLE WERE GOING, PUT MONEY IN THE ALMS BOX. AND I PARAPHRASE. SO ALL THESE BIG SHOTS LIKE SENATOR GROENE CAME IN AND WITH GREAT OSTENTATION THREW MONEY INTO THE BOX SO PEOPLE KNOW, UH-OH, THERE'S GROENE GIVING A WHOLE LOT OF MONEY. AND THEN JESUS SAID, HOLD ON, FELLAS, JUST LISTEN, WATCH, I WANT TO SHOW YOU SOMETHING. THEN UP STRUGGLES THIS POOR LITTLE WIDOW WOMAN. AND SINCE JESUS TOLD THEM TO WATCH THEY DID, BECAUSE ORDINARILY THEY DIDN'T PAY ATTENTION TO SUCH A PERSON AS THIS. THESE ARE THE NONPEOPLE. THEY'RE THERE. THEY'RE BACKGROUND NOISES. WITH ALL THE PROBLEMS THEY HAVE, NOBODY CARES. WHEN PEOPLE LOOK AT THEM, THEY MAKE THE STATEMENT THAT I DON'T UNDERSTAND HOW RELIGIOUS PEOPLE CAN MAKE: THERE BUT FOR THE GRACE OF GOD GO I. SO GOD'S GRACE MADE THAT PERSON IMPOVERISHED. BUT AT ANY RATE, THIS WIDOW WOMAN CAME UP WITH HER SHAKING LITTLE HAND AND TOOK WHAT WAS CALLED A MITE. I DON'T KNOW WHAT THE ACTUAL FACE VALUE WOULD BE, BUT OBVIOUSLY IT'S A SMALL AMOUNT. SO SHE SHOOK AND DROPPED IT IN THE BOX. AND I'M SURE THE PEOPLE LIKE SENATOR GROENE WERE MOCKING AND SAYING THAT DOESN'T EVEN MEAN ANYTHING, SHE NEEDS HELP HERSELF. AND JESUS PICKED UP ON A "GROENEISM" AND HE SAID, THAT'S THE POINT I WANT YOU TO SEE; SHE NEEDS HELP HERSELF AND OF HER LITTLE, SHE GAVE; NOT ONLY DID SHE GIVE AN AMOUNT THAT REDUCED WHAT SHE HAD OVERALL, SHE HAD A TINY, SMALL AMOUNT LEFT. FOR SO FOR YOU ALL'S INFORMATION AND THE GROENES OF THE WORLD, SHE IN REALITY, IN THE EYES OF GOD, THE GREAT JUDGE WHO IS ALWAYS FAIR, MAKES SURE THAT THE SCALES BALANCE IN JUDGING, SHE GAVE MORE THAN ALL THE GROENES PUT TOGETHER BECAUSE THEY GAVE OF THEIR ABUNDANCE AND HAD AN ABUNDANCE LEFT. SHE GAVE OF HER SMALL AMOUNT AND HAD VIRTUALLY NOTHING. SO WHEN YOU TAKE THESE PEOPLE WHO HAVE VIRTUALLY NOTHING AND YOU WANT TO BE ARROGANT, YOU WANT TO LOOK DOWN YOUR NOSE AND SAY, WELL, THEY DID THIS, THEY DID THAT, THEREFORE, THEY'RE NOT WORTHY, JESUS DIDN'T TALK ABOUT PRISONERS LIKE THAT. HE SAID REMEMBER THE PRISONER AS IMPRISONED WITH HIM. HE TOLD HIS DISCIPLES: I WAS HUNGRY, YOU DIDN'T FEED ME; I WAS NAKED, YOU DIDN'T CLOTHE ME; I WAS

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IMPRISONED, YOU DIDN'T VISIT ME. THEY SAID, WELL, LORD, WE DIDN'T SEE YOU LIKE THAT. HE SAID, I KNOW YOU DIDN'T SEE ME LIKE THAT, BUT IF YOU TREATED THE LEAST OF MY BRETHREN IN THIS WAY YOU DID IT UNTO ME. [LB113]

SENATOR KRIST: ONE MINUTE. [LB113]

SENATOR CHAMBERS: THAT'S FOR THE GROENES AND THE OTHERS WHO REALLY DON'T CARE. BUT NOW TO BE PRACTICAL, IF YOU DON'T VOTE THE RECOMMIT MOTION, I HAVE THREE OTHER MOTIONS PREPARED RIGHT NOW THAT WILL KEEP US TALKING. AND SENATOR LARSON, HE CAN TALK ALL DAY AND KEEP YOU ALL TALKING AND FLOUNDERING--YOU NOTICE I HAVEN'T SAID MUCH-- AND WE WILL GO TO CLOTURE. AND HE'S NOT GOT THE VOTES. SO WHAT I WILL DO, MR. PRESIDENT, AT THIS POINT IS ASK FOR A CALL OF THE HOUSE. AND THEN I WILL TAKE A ROLL CALL VOTE IN REGULAR ORDER. [LB113]

SENATOR KRIST: THANK YOU, SENATOR CHAMBERS. THERE HAS BEEN A REQUEST TO PLACE THE HOUSE UNDER CALL. THE QUESTION IS, SHALL THE HOUSE GO UNDER CALL? THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. PLEASE RECORD, MR. CLERK. [LB113]

CLERK: 28 AYES, 0 NAYS, MR. PRESIDENT, TO PLACE THE HOUSE UNDER CALL. [LB113]

SENATOR KRIST: THE HOUSE IS UNDER CALL. SENATORS, PLEASE RECORD YOUR PRESENCE. THOSE UNEXCUSED SENATORS OUTSIDE THE CHAMBER PLEASE RETURN TO THE CHAMBER AND RECORD YOUR PRESENCE. ALL UNAUTHORIZED PERSONNEL PLEASE LEAVE THE FLOOR. THE HOUSE IS UNDER CALL. SENATOR SEILER, SENATOR KUEHN, SENATOR BOLZ, SENATOR BURKE HARR, SENATOR WILLIAMS, SENATOR SCHUMACHER, PLEASE RETURN TO THE CHAMBER. THE HOUSE IS UNDER CALL. SENATOR SEILER, PLEASE RETURN TO THE CHAMBER. THE HOUSE IS UNDER CALL. OKAY, WE ARE VOTING ON THE RECONSIDERATION, AND THAT'S THE VOTE WE ARE TAKING. THERE'S BEEN A REQUEST FOR A ROLL CALL VOTE IN REGULAR ORDER. MR. CLERK. [LB113]

CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGE 312.) 21 AYES, 25 NAYS, MR. PRESIDENT, ON THE MOTION TO RECONSIDER. [LB113]

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SENATOR KRIST: THE RECONSIDER MOTION FAILS. MR. CLERK. RAISE THE CALL.
[LB113]

CLERK: MR. PRESIDENT, I HAVE A PRIORITY MOTION. THAT MOTION: SENATOR
CHAMBERS WOULD MOVE TO BRACKET LB113 UNTIL APRIL 20, 2016. [LB113]

SENATOR KRIST: SENATOR CHAMBERS, YOU'RE RECOGNIZED TO OPEN ON YOUR
MOTION. [LB113]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE
LEGISLATURE, IF YOU HAD SMART POLITICIANS, THEY WOULD HAVE READ THAT
VOTE. SENATOR COASH IS SMART, BUT SOMETIMES SMART PEOPLE DO THINGS
THAT ARE NOT SMART. BUT IF HE'S READY TO TAKE IT ALL THE WAY TO
CLOTURE, WHEN YOU HAD WAY MORE THAN ENOUGH VOTES TO DEFEAT
CLOTURE, THEN YOU'LL SEE THAT NOT ONLY BY HIM BUT OTHERS. AND I DON'T
KNOW WHAT KIND OF MESSAGE THEY'RE TRYING TO CONVEY. AND REALLY, IT
DOESN'T MATTER TO ME. NOW WE'RE AT THE SITUATION WHERE I'VE GOT TO DO
WHAT I SAID I WOULD DO AND THAT'S TO CARRY US TO CLOTURE. AND THEY
WANT ME TO DEMONSTRATE THAT I'M REALLY ABLE TO DO IT, BECAUSE AFTER
WHAT THIS OLD MAN WITH HIS OLD BONES DID YESTERDAY SHOULD HAVE
WORN HIM OUT BECAUSE SOME OF THE YOUNG BLOODS IN HERE ARE TIRED.
BUT I AM LIKE ONE OF THOSE RUNNERS. THE MORE YOU RUN, THE MORE
STAMINA AND ENDURANCE YOU DEVELOP. SO I WILL JUST GET BETTER AND
STRONGER AS WE GO ALONG. BUT THERE'S NO POINT IN DISCUSSING THIS BILL
BECAUSE IT HAS NO MERIT. AND PEOPLE ARE NOT VOTING ON THIS BILL
BECAUSE OF MERIT. SO JUST ANYTHING THAT IS SAID IS AS VALID AS ANYTHING
ELSE. BUT THERE COMES A POINT WHEN SOMEBODY WHO'S BEEN AROUND HERE
A WHILE APPARENTLY NEEDS TO REMIND OTHERS OF SOME PRACTICAL
POLITICAL CONSIDERATIONS. THAT'S THE WAY I STARTED THIS MORNING. NOW
THOSE WHO SUPPORT THIS BILL ARE NOT GOING TO GET WHAT THEY WANT.
YOU'RE NOT GOING TO GET ENOUGH VOTES FOR CLOTURE. AS WE MOVE ALONG,
IT'S GOING TO BEGIN TO DAWN ON YOU THAT IF THIS MUCH TIME IS TAKEN ON
INSIGNIFICANT ISSUES SUCH AS THIS, THERE IS NO WAY TO RECOUP THAT TIME.
IT DOESN'T MATTER TO ME. THE MORE TIME WE TAKE NOW, THE LESS TIME IS
AVAILABLE DOWN THE LINE. AND WHEN WE...IF WE GET TO PROPERTY TAX,
SENATOR GROENE IS GOING TO BE UP HERE GRUMBLING AND LOOKING SOUR
AND SAYING, WE OUGHT TO DO THIS. YOU KNOW WHY I DO IT LIKE THAT?
BECAUSE I'VE HEARD HIM. I SIT BACK HERE. I WATCH HIM. I LISTEN TO HIM, AND
THE SAME WITH OTHERS OF YOU. SO I'M JUST TALKING TO THOSE OUT THERE IN
TELEVISION LAND WHO WATCH THE LEGISLATURE. I WENT OUT TO VISIT A

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FRIEND OF MINE IN PRISON. YES, I HAVE FRIENDS IN PRISON. AND AS I WALKED THROUGH THOSE HALLS, I WAS GREETED BY INMATES. SOME HAD HANDCUFFS. IT WAS LIKE BEING A ROCK STAR. THEY WATCH WHAT WE DO, THEY LISTEN TO WHAT WE SAY. AND IT PROBABLY MEANS NOTHING TO SOME OF YOU BECAUSE, AS SENATOR GROENE HAS SHOWN ABOUT HIS ATTITUDE, THEY BECOME NONPERSONS. YOU DON'T EVEN LOOK AT THE REALITY THEY'RE CONFRONTING. AND BECAUSE HE MAY HAVE A CHICKEN IN EVERY POT HE SAYS, WELL, THEY NEED TO LEARN, TOO, THAT CHICKENS COST MONEY. SO PUT THIS BURDEN ON THEM AND IT DOESN'T MATTER. IT'S A FUNNY THING. AND I'M BEGINNING TO UNDERSTAND MORE AND MORE SOME OF THE THINGS THAT JESUS MEANT BY WHAT HE SAID WHEN I WATCH THOSE WHO CALL THEMSELVES CHRISTIANS. JESUS SAID, OTHER SHEEP I HAVE WHO ARE NOT OF THIS FOLD. THERE ARE OTHERS WHO CARRY OUT WHAT HE SAID WAS OF VALUE MORE THAN THOSE WALKING WITH HIM EVERY DAY. SO I DO NOT HAVE WHAT SENATOR GROENE HAS IN THE FORM OF SUPERNATURAL SUPPORT AND STRENGTH. ALL THAT I HAVE IS MY BRAIN. ALL THAT I HAVE IS MY UNDERSTANDING BASED ON WHAT I SEE GOING ON AROUND ME. WHAT MY BRAIN, WHAT MY MIND WILL TELL ME IS THAT IF I SEE A PERSON WHO GETS A DEEP CUT AND THAT PERSON YELPS, AND EVERYBODY WHO GETS A CUT LIKE THAT YELPS THE SAME WAY, I KNOW THAT THAT PARTICULAR THING CAUSES PAIN TO A PERSON. AND I'M NOT ONE OF THOSE WHO DELIGHTS IN SEEING OTHERS SUFFER, AS SOME OF MY COLLEAGUES DO HERE. IF SOMEBODY STUMBLES AS SOME OF THESE PEOPLE IN PRISON HAVE DONE, SENATOR GROENE SAYS KICK HIM. I PAY A COPAY. I DO THIS, I DO THAT. AND HE ALSO FREELoadS BY COLLECTING EXPENSES WHILE WE'RE IN SESSION BECAUSE A MAN, NAMELY ME, FOR WHOM I'M SURE HE HAS NO USE WHATSOEVER, FOUGHT TO GET THAT THROUGH THE LEGISLATURE, OVERRODE A GOVERNOR'S VETO, FORCED A LAWSUIT, AND WON AT THE STATE SUPREME COURT LEVEL SO THAT A FREELoader LIKE HIM WILL GET EXPENSE PAYMENTS WHILE IN SESSION. AND THAT HAD NEVER HAPPENED BEFORE I CAME. AND IT NEVER HAPPENED BECAUSE THE GOVERNOR...THE ATTORNEY GENERAL SAID YOU CAN'T DO IT UNDER THE CONSTITUTION. SO HE SHOULD NOT ACCEPT THAT EXPENSE MONEY. HE SHOULD GO BY WHAT THEY SAID IN THE OLD WAYS, IN THE OLD DAYS UNDER THE OLD WAYS. BUT I KNOW THAT'S NOT GOING TO HAPPEN. ANYBODY WHO IF HE OR SHE EXTENDS A HAND WILL HAVE MONEY PLACED IN IT, IS GOING TO EXTEND THAT HAND. BUT THEY FORGET THE WAY IT WAS BEFORE THEY EXTENDED THEIR HAND AND GOT THAT MONEY. THEY NOW CAN ONLY THINK HOW MUCH FORTUNATE THEY...MORE FORTUNATE THEY ARE THAN OTHERS WHO DON'T GET THAT MONEY. THE EXPENSE MONEY DIDN'T MEAN THAT MUCH TO ME. I LIVE A SPARTAN LIFE. LET ME NOT SAY SPARTAN. THAT'S RAISING MY STATUS TOO HIGH. BASED ON THE WAY I LIVE, A SPARTAN LIFE IS

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OSTENTATIOUSLY EXTRAVAGANT. SO IT DIDN'T MAKE ANY DIFFERENCE TO ME. BUT YOU KNOW WHAT MADE ME GO AHEAD AND DO THAT? I HEARD A LOT OF THESE PEOPLE FROM THE RURAL AREAS CRYING ABOUT HOW MUCH IT COST THEM TO BE IN THE LEGISLATURE. AND I COULD HAVE SAID, THAT'S NO CONCERN OF MINE, YOU CHOSE TO COME HERE, YOU KNEW WHAT IT WAS GOING TO COST. BUT, SEE, WHEN I SEE A PERSON'S HAND CUT AND I SEE EVERYBODY WHO HAD THAT CUT YELP, THEN I DON'T HAVE TO HAVE THAT HAPPEN TO ME TO KNOW THAT IT'S PAINFUL. SO I UNDERTOOK TO CHANGE SOMETHING THAT BENEFITED OTHERS FAR THAN IT BENEFITED ME. THEY TALKED ABOUT HOW MUCH IT COST TO DRIVE BECAUSE OF THE GAS, AND IF THEY STAYED HERE, THE EXPENDITURES FOR A PLACE TO STAY. THEY HAD TO ABSORB ALL OF THAT WHILE WE'RE IN SESSION. AND I DECIDED THAT THAT WAS UNJUST, THAT IT WAS UNFAIR. AND EVEN THOUGH THE ONES WHO BENEFITED WERE PEOPLE WHO HAD CONTEMPT FOR ME, I LOOKED AT THE ISSUE. I LOOKED AT THE NATURE OF THE LEGISLATURE. I LOOKED AT THE FACT THAT IT MIGHT BE OF VALUE OVERALL TO HAVE PEOPLE OF DIFFERENT IDEAS, SCHOOLS OF THOUGHT, EVEN THOSE WHO DIDN'T THINK AT ALL, TO BE HERE. THERE SHOULD BE REPRESENTATION AVAILABLE FOR ALL PARTS OF THE STATE AND IT SHOULDN'T JUST COME FROM THOSE WHO ARE WEALTHY. SO I WANTED TO MAKE IT POSSIBLE, TO THE EXTENT THAT I COULD, FOR OTHER PEOPLE WHO BUT FOR THAT EXPENSE MONEY WOULD NOT BE ABLE TO MAKE IT. SO HERE THEY ARE, AND THEY STONE ME. AND I'M OFTEN ASKED, WHY WOULD YOU STRENGTHEN THE HAND THAT WOULD STONE YOU? I SAID, THAT IS THE WAY OF THE WORLD, THAT IS THE WAY OF HUMAN BEINGS, BUT I AM WHAT I AM. AND THEY, BY THEIR CONDUCT, CANNOT CHANGE ME INTO WHAT THEY ARE. AND IT'S NOT BASED ON RELIGION OR ANYTHING ELSE. I AM JUST NOT COMFORTABLE IN THE PRESENCE OF OTHER PEOPLE'S SUFFERING. AND THE THING I FIND MOST CONTEMPTIBLE IS THOSE WHO ARE ON A COMFORTABLE, CUSHY BED LOOKING AT PEOPLE WHO ARE HOMELESS. SOMETIMES THERE ARE PLACES IN LINCOLN HE CAN GO AND SEE PEOPLE OUT THERE WHEN IT'S COLD, STRETCHED OUT ON A SIDEWALK, NOT DRUNK, HUDDLED AGAINST A BUILDING, COLD. AND I'M IN A WARM CAR. I'D NEVER LOOK DOWN MY NOSE AT THOSE PEOPLE AND SAY... [LB113]

SENATOR KRIST: ONE MINUTE. [LB113]

SENATOR CHAMBERS: ...WELL, THEY OUGHT TO DO WHAT I DID AND GET A CAR, GET A HOUSE. THAT'S NOT WHAT JESUS TOLD YOU TO DO. HE SAID, MINISTER TO THE SICK. HE DIDN'T SAY, WELL, WHAT DID YOU GET SICK FOR? WHY DIDN'T YOU STAY AWAY FROM WHAT WOULD MAKE YOU SICK? IT'S YOUR OWN FAULT. I AIN'T GOING TO DO NOTHING ABOUT IT. YOU NEED TO BE TAUGHT A LESSON. AND, BY

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GOD, PEOPLE WHO GET SICK GOT TO PAY MONEY FOR IT. YOU GOT SICK. YOU DIDN'T HAVE MONEY. WELL, GOD IS PUNISHING YOU BY MAKING YOU STAY SICK. YOU'LL LEARN THE LESSON. THAT'S WHAT MY HARDHEARTED, CHRISTIAN FRIENDS WILL SAY. AND I DO HAVE SOME FRIENDS WHO CALL THEMSELVES CHRISTIANS, BUT THEY WILL NEVER MAKE ME BEHAVE LIKE THEY ACT, BECAUSE THERE'S A STANDARD I'VE SET FOR MYSELF. AND NO MATTER WHAT ANYBODY ELSE DOES OR DOESN'T DO, THAT'S THE STANDARD I'M GOING TO MAINTAIN BECAUSE, EVEN THOUGH I DON'T GET A LOT OF IT, IT'S GOOD TO BE ABLE TO SLEEP AT NIGHT. THANK YOU, MR. PRESIDENT. [LB113]

SENATOR KRIST: THANK YOU, SENATOR CHAMBERS. COLLEAGUES, YOU'VE HEARD THE OPENING ON THE BRACKET MOTION. THOSE WISHING TO SPEAK: SENATOR MORFELD AND SENATOR CHAMBERS. SENATOR MORFELD, HOLD ON ONE SECOND. MR. CLERK FOR AN ANNOUNCEMENT. [LB113]

CLERK: SENATOR, EXCUSE ME, SENATOR. JUST VERY QUICKLY, SENATOR WATERMEIER WOULD LIKE A MEETING OF THE PLANNING COMMITTEE AT 11:00 THIS MORNING IN...I'M SORRY, PERFORMANCE AUDIT COMMITTEE, EXCUSE ME, SENATOR, PERFORMANCE AUDIT IN ROOM 2022.

SENATOR KRIST: THANK YOU, MR. CLERK. SENATOR MORFELD, YOU'RE RECOGNIZED. [LB113]

SENATOR MORFELD: THANK YOU, MR. PRESIDENT. COLLEAGUES, I RISE IN OPPOSITION TO LB113, AND THAT'S AFTER MUCH CONSIDERATION AND THINKING ABOUT THE UNINTENDED CONSEQUENCES OF THIS LEGISLATION. I ORIGINALLY WAS ONE OF THE VOTES THAT VOTED IT OUT OF COMMITTEE. AND I THINK THAT WE NEED TO TAKE INTO CONSIDERATION MANY OF THE THINGS THAT SENATOR CHAMBERS SAID, SENATOR CRAWFORD, AND SENATOR COOK AND OTHERS. BUT FIRST WHAT CONCERNS ME MOST ABOUT THIS IS THE ADMINISTRATION OF HOW WE WOULD CARRY THIS OUT. FIRST, WHO MAKES THE DETERMINATION OF WHETHER OR NOT THIS IS AN EMERGENCY VISIT OR OTHERWISE? IS THAT THE DOCTOR? IS THAT THE COUNTIES? IT'S NOT NECESSARILY CLEAR IN THIS LEGISLATION. AND THAT LEADS ME TO MY SECOND CONCERN--LIABILITY. IF THE COUNTY MAKES THE WRONG DECISION OF WHETHER OR NOT IT'S AN EMERGENCY MEDICAL VISIT OR WHETHER IT WARRANTS IT OR WHETHER THE DOCTOR MAKES THAT DECISION OR NOT, AND IT TURNS OUT TO BE AN ACTUAL EMERGENCY VISIT AND SOMETHING HAPPENS TO THAT INMATE, THAT COUNTY IS GOING TO BE ON THE HOOK. BUT IT'S NOT

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CLEAR IN THE LEGISLATION WHO MAKES THAT DETERMINATION. AND EVEN IF THE DOCTOR MAKES THAT DETERMINATION, IT'S NOT CLEAR WHETHER OR NOT THAT WOULD BE A VIOLATION OF HIPAA STANDARDS ON THE FEDERAL LEVEL FOR PATIENT CONFIDENTIALITY. THE THIRD ISSUE THAT I HAVE WITH THIS LEGISLATION IS THE LONG-TERM COST. WE DO NOT WANT TO PREVENT INMATES, WHO NEED CARE, FROM GETTING PREVENTATIVE CARE. IF THEY'RE DENIED PREVENTATIVE CARE, THEN OFTENTIMES THINGS THAT ARE PREVENTATIVE AT THE OUTSET CAN BECOME SERIOUS MEDICAL ISSUES AND COST THE COUNTY AND THE STATE EVEN MORE MONEY. IN ADDITION, WHILE I KNOW THAT THERE'S PROBABLY NOT MUCH SYMPATHY AMONG MANY IN THIS BODY FOR INMATES OR FOR MANY OF THE PEOPLE THAT I REPRESENT MUCH SYMPATHY FOR THEM EITHER, WE ALSO HAVE TO LOOK AT THE ECONOMIC REALITIES OF SOME OF THE FOLKS THAT ARE IN PRISON. THEY'RE NOT MAKING A LOT OF MONEY. I BELIEVE IT WAS FROM \$1.21 TO \$4.72 A DAY. AND IN MANY CASES THEY ALREADY HAVE GARNISHMENTS FOR RESTITUTION FOR VICTIMS AND THEN SOMETIMES CHILD SUPPORT PAYMENTS AS WELL THAT ARE ESSENTIALLY ZEROING OUT THEIR BALANCE EVERY TIME THERE'S MONEY THAT IS EVEN PUT IN. AND UNDER LB605, WE MADE IT MUCH EASIER, AND RIGHTFULLY SO, FOR PEOPLE TO GET RESTITUTION FROM PEOPLE THAT COMMITTED CRIMES. SO IN MANY WAYS THIS IS IMPRACTICABLE, AND IN SOME CASES IT'S THE FAMILIES OR THE MOTHERS OR WHATEVER CASE MAY BE OF THE INMATE THAT WOULD BE PUTTING MONEY IN TO COVER THIS COPAY. MANY OF THESE FAMILIES MAY NOT HAVE MUCH MONEY AT ALL IN THE FIRST PLACE THEMSELVES. SO IN CONCLUSION, COLLEAGUES, I URGE YOU TO SUPPORT THE BRACKET MOTION AND I WILL BE IN OPPOSITION TO LB113. THANK YOU. [LB113 LB605]

SENATOR KRIST: THANK YOU, SENATOR MORFELD. SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB113]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, SINCE I'M JUST BURNING UP TIME, LET ME TELL YOU SOMETHING ELSE THAT I DID. WHEN I CAME DOWN HERE THERE WERE NOT MANY BLACK WOMEN WHO WORKED FOR THE STATE. IN FACT, I HADN'T SEEN ONE BUT MAYBE THERE WERE SOME SOMEWHERE. BUT A BLACK WOMAN WHO WORKS IN MY OFFICE BROUGHT IT TO MY ATTENTION THAT WHEN IT COMES TO PENSIONS IN THIS STATE WOMEN PAY THE SAME AMOUNT IN, BUT WHEN THEY RETIRE THEY DON'T TAKE THE SAME AMOUNT OUT, AND THE JUSTIFICATION WAS THAT WOMEN LIVE LONGER. THEREFORE, WHATEVER FLOWED FROM THAT JUSTIFIED THESE WHITE MEN, WHO ADMINISTERED THE SYSTEM, TO GIVE THEM A LESSER

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PAYOUT. NOW, THIS INVOLVES WHITE WOMEN, BUT WHEN I'D SEE PEOPLE MISTREATED, ALL I SEE IS THE INJUSTICE AND IT'S FALLING ON PEOPLE WHO OBVIOUSLY CANNOT SPEAK FOR THEMSELVES. BUT THE WOMEN HAD COME TO ACCEPT THAT AS THE WAY THAT IT IS. BUT I UNDERTOOK IT AS A CAUSE, NOT FROM NOBILITY BUT JUST BECAUSE IT WAS SO GROSSLY UNFAIR. AND WHEN I ARGUED IT ON THE FLOOR I SAID, WHEN THIS WOMAN RETIRES AND THE WHITE MAN RETIRES AND THEY BOTH GO TO THE STORE--AND THEY HAD THE SAME JOB, MAKING THE SAME MONEY, AND MADE THE SAME PAY-IN BUT THE WHITE MAN GETS MORE--AND THEY'RE EACH BUYING A LOAF OF BREAD AND A QUART OF MILK, THEY DON'T CHECK OUT THE WHITE MAN AT A HIGHER COST THAN THE WHITE WOMAN. SO I SAID, IF IT'S GOING TO COST HER AS MUCH TO LIVE DURING HER RETIREMENT YEARS AS IT COSTS THIS MAN, AND SHE ACTUALLY MADE THE PAY-IN, HOW DO YOU JUSTIFY THAT? WELL, THEY HADN'T THOUGHT ABOUT IT. SO I EMBARRASSED THEM BY TALKING ABOUT HOW WHITE MEN DON'T EVEN RESPECT THEIR WHITE WOMEN BUT THEIR MOTHER WAS A WHITE WOMAN, AND THINGS LIKE THAT. AND I GOT IT PASSED. THERE ARE WHITE WOMEN, I'M SURE, WHO WORK FOR THIS STATE WHO HATE ME WITHOUT KNOWING THAT I'M THEIR BENEFACTOR, CORRECTED SOMETHING THAT FOR ALL THE YEARS THAT THEY HAD PENSION PROGRAMS ADMINISTERED BY WHITE PEOPLE FOR WHITE PEOPLE, WOMEN WERE TREATED UNFAIRLY, AND THAT STOPPED WHEN I UNDERTOOK TO DO IT. THERE'S A WHITE MAN I READ ABOUT IN THE PAPER WHOSE INFANT CHILD DIED, AND HE COULDN'T ACCEPT THAT THE CHILD WAS DEAD, SO HE ACTUALLY WENT TO THE CEMETERY AND DUG UP THE BABY AND TOOK THE CORPSE TO THE HOSPITAL TO HAVE THE CHILD RESUSCITATED. AND THE SHERIFF--AND I CAN GET THE ARTICLES ON THIS--THE SHERIFF WANTED TO PROSECUTE THAT MAN FOR DESECRATION OF A BODY OR A CORPSE OR WHATEVER IT WAS. AND I STOOD ON THE FLOOR AND I CONDEMNED THAT MAN TO SUCH AN EXTENT THAT HE CHANGED HIS MIND. AND AMONG OTHER THINGS I SAID, YOU...HE OBVIOUSLY DOESN'T UNDERSTAND THAT THIS MAN HAD SUCH A DEEP LOVE FOR HIS BABY THAT HE COULD NOT ACCEPT THAT THE BABY WAS GONE. AND WHEN PEOPLE HAVE THAT KIND OF A MENTAL BURDEN, REALITY BECOMES CONFUSED. AND HE DIDN'T TAKE THE BABY'S BODY AND CUT IT UP IN PIECES. HE TOOK THE BABY TO THE PLACE WHERE THEY HEAL THOSE WHO ARE SICK, AND HE HOPED AGAINST HOPE THAT LIFE COULD BE RESTORED TO THIS CHILD. AND FOR THIS COUNTY ATTORNEY TO SAY THAT THIS MAN, WHO OBVIOUSLY NEEDS HELP AND UNDERSTANDING AND LOCKING HIM UP IS... [LB113]

SENATOR KRIST: ONE MINUTE. [LB113]

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SENATOR CHAMBERS: ...NOT GOING TO DO ANY GOOD, THEN OTHERS ON THE FLOOR STOOD UP. I REMEMBER THAT SENATOR HIGGINS SAID SOMETHING, MAYBE SENATOR LABEDZ, BUT OTHER PEOPLE READ THE NEWSPAPER LIKE I DID. OTHER PEOPLE SAW IT, BUT THEY DIDN'T SEE THE NEED TO DO ANYTHING. WHEN I SEE A BAD SITUATION, NOBODY HAS TO INVITE ME. THE KIND OF PERSON THAT I AM AND THE KIND OF PERSON THAT I WANT TO BE IS WHAT LEADS ME TO DO THINGS. AND AS A RESULT, PEOPLE BENEFIT EVEN THOUGH IN A LOT OF CASES THOSE BETTER SITUATED THAN I AM TO HANDLE THE PROBLEM CHOSE TO LOOK THE OTHER WAY. AND THIS PARTICULAR BILL IS ANOTHER EXAMPLE. THE COLD-BLOODED, COLD-HEARTED STATEMENTS BEING MADE ARE ALMOST... [LB113]

SENATOR KRIST: TIME, SENATOR. [LB113]

SENATOR CHAMBERS: ...BEYOND MY COMPREHENSION. THANK YOU, MR. PRESIDENT. [LB113]

SENATOR KRIST: THANK YOU, SENATOR CHAMBERS. SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB113]

SENATOR CHAMBERS: MEMBERS OF THE LEGISLATURE, I ONLY HAVE TO DO THIS FOR 45 MORE MINUTES, AND I AM MORE THAN HAPPY TO DO IT. YOU'RE GOING TO VOTE DOWN THIS MOTION, PROBABLY, TO BRACKET, AND I WILL MOVE TO RECONSIDER IT. THEN I WILL OFFER A MOTION TO SIMPLY BRACKET. WE'LL DISCUSS THAT. I WILL THEN MOVE TO RECONSIDER IT. THEN I WILL OFFER A MOTION TO INDEFINITELY POSTPONE, BUT WE WON'T REALLY GET THAT FAR BECAUSE WE'LL RUN OUT OF TIME. BUT WE'LL TAKE IT UP AGAIN WHEN WE COME BACK NEXT WEEK. IT MATTERS NOT TO ME, AND IT PLAYS INTO MY HANDS. YOU ALL HAVE HEARD THAT SONG, "TIME IS ON MY SIDE," YES, IT IS. YOU'RE GIVING IT TO ME RIGHT NOW WHEN YOU HAVE SO MUCH OF IT THAT YOU SQUANDER IT AND THROW IT AWAY. BUT I TAKE THE LONG VIEW BECAUSE I'VE BEEN HERE SO MANY TIMES. I'VE RUN THIS COURSE SO OFTEN THAT I CAN PREDICT WITH A HIGH DEGREE OF CERTITUDE HOW THE SESSION IS GOING TO GO. I KNOW WHAT'S GOING TO HAPPEN. WHEN WE REACH THE HALFWAY POINT THEN THINGS LIKE THE BUDGET WILL COME OUT HERE, AND BILLS ARE GOING TO START BACKING UP AND BACKING UP. AND THERE IS NO EX-LAX THAT YOU CAN ADMINISTER TO THIS SYSTEM AND MAKE THOSE THINGS MOVE. I AM THE BLOCKAGE. THERE WAS A KING IN FRANCE, AND I THINK HE SAID SOMETHING LIKE, L'ETAT C'EST MOI. THOSE OF YOU ALL WHO SPEAK FRENCH, TRANSLATE IT

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FOR THOSE WHO DON'T. THERE SEEMS TO BE A DESIRE ON THE PART OF PEOPLE IN THIS LEGISLATURE TO FIND PEOPLE WHO HAVE STUMBLERED AND THEN KICK THEM, AND IT MAKES THEM FEEL BIG. I'VE REPEATEDLY MENTIONED HOW MUCH TALLER SENATOR McCOY IS THAN I, BUT LEAVING IT IN THE PHYSICAL, EXISTENTIAL WORLD, I'M NOT GOING TO STAND ON SENATOR KOLTERMAN'S SHOULDER SO I'LL BE TALLER THAN SENATOR McCOY, BECAUSE I'M STILL NOT TALLER. MY HEAD IS HIGHER ABOVE THE GROUND THAN HIS, BUT IT'S NOT BECAUSE MY PHYSICAL BEING STRETCHES FROM THE GROUND UP TO A POINT HIGHER THAN HIS. I'M HIGHER THAN HE IS ONLY BECAUSE I'M STANDING ON SOMEBODY ELSE'S SHOULDERS. WHEN YOU HAVE TO STAND ON SOMEBODY ELSE TO MAKE YOU FEEL LIKE A MAN...I'M GOING TO LEAVE THE WOMEN OUT OF THIS BECAUSE THEY GET MESSED OVER BY WHITE MEN, TOO. AND I GET A LOT OF COMPLAINTS FROM THEM. AND THEY'RE NEVER COMPLAINING ABOUT A BLACK BOSS WHO'S NOT TREATING THEM FAIR OR A BLACK ADMINISTRATOR NOT TREATING THEM FAIR. IT'S ALWAYS A WHITE GUY, EVEN IN THE STATE. I'M GOING TO TELL YOU ALL ANOTHER INCIDENT THAT HAPPENED. JIM EXON WAS THE GOVERNOR, AND HE HAD...I WON'T GIVE HIS NAME. HE'S DEAD NOW, BUT HE'S PROBABLY GOT CHILDREN. BUT I WAS "OFFICING" UP ON THE THIRD FLOOR, AND THIS WOMAN CAME INTO MY OFFICE, A WHITE WOMAN, FACE RED, TEAR-STAINED FACE, A BLOUSE THAT WAS PARTLY UNBUTTONED AT THE TOP. I COULD HARDLY UNDERSTAND WHAT SHE WAS SAYING, AND CINDY WAS THERE TOO. I SAID, WHAT'S THE MATTER? WHAT'S THE MATTER? AND SHE CRIED OUT SOMETHING AND I STILL COULDN'T UNDERSTAND. [LB113]

SENATOR KRIST: ONE MINUTE. [LB113]

SENATOR CHAMBERS: SO AFTER CINDY HELPED SETTLE HER DOWN, I FOUND OUT THAT THIS GUY WHO WORKED FOR THE GOVERNOR HAD TRIED TO ASSAULT HER IN THE OFFICE, AND I WAS THE ONLY ONE SHE KNEW TO COME TO. I DIDN'T KNOW HER AT ALL. SO I WRAPPED A JACKET AROUND HER AND I CALLED EXON. AND HE SAID, DON'T BRING HER THROUGH THE MAIN DOOR; THERE'S ANOTHER DOOR THAT YOU CAN CALL THE BACK DOOR, BRING HER THROUGH THERE. AND TO MAKE A LONG STORY SHORT, HE TOOK CARE OF IT. BUT I'M SURE THERE WERE OTHER WHITE PEOPLE IN THAT OFFICE, BUT SHE FELT COMFORTABLE GOING TO NOBODY BUT ME. AND I DIDN'T ASK FOR HER CREDENTIALS. I DIDN'T ASK HER WHAT SHE BELIEVED. I SAW SOMEBODY WHO HAD BEEN MISTREATED AND SOMEBODY HAD TO STEP IN AND DO SOMETHING ABOUT IT, AND I DID. AND THAT'S WHY, IF SOMETHING HAPPENS IN MY OFFICE, I DON'T CALL THE PATROL, I DON'T CALL THE POLICE. SO SOME OF THESE PEOPLE WHO SAY THERE ARE POLICE ON DUTY TO PROTECT ME, GET THAT STRAIGHT. I

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DON'T CALL THEM. I DON'T ASK THEM FOR ANYTHING. I AM DOING WHAT THE POLICE ARE SUPPOSED TO DO FOR PEOPLE WHO DON'T HAVE CONFIDENCE IN THE POLICE,... [LB113]

SENATOR KRIST: TIME, SENATOR. [LB113]

SENATOR CHAMBERS: ...AND I'M TRYING TO HELP PEOPLE NOW WHO CAN'T HELP THEMSELVES. THANK YOU, MR. PRESIDENT. [LB113]

SENATOR KRIST: THANK YOU, SENATOR CHAMBERS. SEEING NO ONE ELSE IN THE QUEUE, YOU'RE RECOGNIZED TO CLOSE ON YOUR BRACKET MOTION. [LB113]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT AND MEMBERS OF THE LEGISLATURE. NOW I'M GOING TO BROADEN THIS MATTER OUT. OVER 30 YEARS AGO I BROUGHT LEGISLATION TO DECLARE THE FOOTBALL PLAYERS AT UNL TO BE EMPLOYEES AND THEY SHOULD BE COMPENSATED. AND WHEN I WAS TOLD THAT THE NCAA RULES, OR THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION, WAS OPPOSED TO IT, I SAID, I DON'T CARE. I SAID, WHEN IT COMES TO THE RESIDENTS OF THIS STATE, IT'S UP TO THE LEGISLATURE TO DECIDE WHAT IS FAIR FOR THE RESIDENTS OF THIS STATE AND NOT FOR SOME BUCK-HUSTLING CONFEDERACY OF PEOPLE WHO WANT TO EXPLOIT THESE PLAYERS. AND I WAS RIDICULED. I WAS LAUGHED AT. I WAS CONDEMNED. THEY USED TO HAVE A COMIC STRIP CALLED "TANK McNAMARA," AND SEVERAL OF THEIR PANELS WERE SPENT AND DEDICATED TO RIDICULING ME--THAT CRAZY SENATOR UP THERE IN NEBRASKA. I DIDN'T CARE. SO AS TIME WENT ON IT WENT FROM THE FUNNY PAPER, FROM THE NEWS COLUMNS, TO THE EDITORIAL PAGES. AND I PERSEVERED AND BROUGHT THAT BILL YEAR AFTER YEAR AFTER YEAR. FINALLY, UNDER SENATOR JOHANNIS, BECAUSE HIS WIFE WAS IN THE LEGISLATURE THEN--WOMEN ARE MORE SENSITIVE--I GOT A BILL THROUGH THAT WOULD ALLOW A STIPEND SHOULD THE UNIVERSITY WANT TO DO IT. AND THEY HAD BEEN TOLD BY THE NCAA THAT IF YOU DO THIS, NEBRASKA IS GOING TO BE KICKED OUT. AT THAT TIME, NEBRASKA WAS A JUGGERNAUT. I SAID, THEY ARE NOT GOING TO DO ANYTHING TO NEBRASKA BECAUSE NEBRASKA IS A CASH COW FOR THEM, AND WHEN NEBRASKA PROSPERS, THE NCAA AND ALL OF BIG-TIME COLLEGE FOOTBALL PROSPERS. SO WHEN THE UNIVERSITY CONTACTED THE NCAA, THEY WENT FROM SAYING WE'RE OUT OF HERE IF YOU DO IT, THEY SAID, WELL, WE WOULD LOOK AT ALL THE FACTORS AND ALL THE CIRCUMSTANCES; WE WILL NOT MAKE A DEFINITIVE STATEMENT NOW. BIG-TIME COLLEGE FOOTBALL IS A BUSINESS. THEY EXPLOIT THESE PLAYERS. THEY

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WORK HARDER THAN ANYBODY ON THIS FLOOR. THEY WORK HARDER THAN OTHER STUDENTS. AND IF HAVING A JOB AND EARNING MONEY WHILE WORKING FOR THE UNIVERSITY IS BAD, I SAID, THEN YOU STOP GIVING A STIPEND TO THOSE PEOPLE WHO WORK ON THE SCHOOL NEWSPAPER, FOR THOSE WHO WORK IN THESE HALLS WHERE THE STUDENTS ARE LIVING. DON'T GIVE ANY STUDENT ANYTHING. AND IF A STUDENT IS TAKING JOURNALISM AND IS OFFERED THE OPPORTUNITY TO DO AN INTERNSHIP WITH THE JOURNAL STAR, STOP THEM FROM DOING IT BECAUSE A STUDENT SHOULDN'T BE ALLOWED TO EARN MONEY. YOU LET ALL THESE OTHER PEOPLE MAKE THIS MONEY AND ALL KIND OF PEOPLE BENEFIT FROM THE MONEY BROUGHT IN BY THE PLAYERS, BUT THEY CANNOT GET A NICKEL, AND THAT'S GROSSLY UNFAIR. TO UPDATE IT, NOW, WITHOUT ACKNOWLEDGING WHERE IT ALL STARTED, THE NCAA HAS TALKED ABOUT IT. THE UNIVERSITY NOW CAN GIVE A STIPEND TO THE PLAYERS. THEY SAID THEY'RE GOING TO START DOING IT. THE VERY ONES WHO MOCKED AND RIDICULED THE ONE WHO BROUGHT IT UP BEFORE ANYBODY ELSE DID, I WAS ON "DONAHUE," I WAS INVITED TO TALK ON "CNN," WRITE ARTICLES FOR NEWSPAPERS. I CAN EVEN SHOW YOU ALL A COLUMN THAT I WAS PAID BY THE NEW YORK TIMES TO WRITE ON THE SUBJECT. THOSE ARE THE KIND OF ISSUES I TAKE FOR THE PEOPLE WHO HAVE NO VOICE AND ARE EXPLOITED. AND I TOLD THEM THAT THEY WORK AS HARD AS SOMEBODY IN THE CANE FIELD OR IN THE COAL MINE. YOU HAVE THEM AS INDENTURED SERVANTS AND THE CONTRACT WORKS ONLY ONE WAY. THE UNIVERSITY CAN CUT IT OFF WHENEVER THEY WANT TO, BUT THE PLAYER HAS NO ALTERNATIVE AND NO REDRESS. AND HOW ARE YOU GOING TO HAVE A SYSTEM LIKE THIS AT A UNIVERSITY... [LB113]

SENATOR KRIST: ONE MINUTE. [LB113]

SENATOR CHAMBERS: ...WHERE THEY TALK ABOUT JUSTICE, EQUITY, AND ALL THIS FAIRNESS, BUT THOSE ARE THE PLACE YOU FIND THE WORST OFFENSES? WHEN THESE TEAMS WOULD GO TO THE BOWL GAME, THE PLAYERS COULDN'T GET MONEY TO GIVE TO THEIR FAMILIES TO GO, BUT ALL OF THE SCHOOL ADMINISTRATORS GOT FREE TICKETS AND TRANSPORTATION PAID. AND IF THE PLAYER HAD BEEN REARED BY A GRANDMOTHER WHO HAS NO MONEY, THEY COULDN'T GET MONEY SO THAT GRANDMOTHER COULD GO WATCH HER GRANDSON PLAY. THAT'S WHAT I SAW. EVERYBODY SAW IT. BUT IT DIDN'T MEAN ANYTHING TO ANYBODY ELSE, BUT IT MEANT SOMETHING TO ME. THAT SHOULD LET YOU KNOW THAT I'M ACCUSTOMED TO TAKING WHAT OTHER PEOPLE CONSIDER TO BE LOST CAUSES BECAUSE I FEEL AN OBLIGATION. MR. PRESIDENT, I WILL ASK FOR A CALL OF THE HOUSE AND A ROLL CALL VOTE. [LB113]

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SENATOR KRIST: THERE'S BEEN A REQUEST TO PLACE THE HOUSE UNDER CALL. THE QUESTION IS, SHALL THE HOUSE GO UNDER CALL? ALL THOSE IN FAVOR, AYE; OPPOSED, NAY. PLEASE RECORD, MR. CLERK. [LB113]

CLERK: 25 AYES, 0 NAYS TO PLACE THE HOUSE UNDER CALL. [LB113]

SENATOR KRIST: THE HOUSE IS UNDER CALL. SENATORS, PLEASE RECORD YOUR PRESENCE. THOSE UNEXCUSED SENATORS OUTSIDE THE CHAMBER PLEASE RETURN TO THE CHAMBER AND RECORD YOUR PRESENCE. ALL UNAUTHORIZED PERSONNEL PLEASE LEAVE THE FLOOR. THE HOUSE IS UNDER CALL. SENATORS SCHEER, WATERMEIER, FOX, KUEHN, BURKE HARR, HADLEY, MURANTE, AND SCHILZ, PLEASE RETURN TO THE CHAMBER. THE HOUSE IS UNDER CALL. SENATORS MURANTE AND SCHILZ, PLEASE RETURN TO THE CHAMBER. THE HOUSE IS UNDER CALL. SENATOR SCHILZ, PLEASE RETURN TO THE CHAMBER. MR. CLERK, THERE'S BEEN A REQUEST FOR A ROLL CALL VOTE. THE VOTE IS A BRACKET MOTION TO A DATE CERTAIN. MR. CLERK. [LB113]

CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGE 313.) 15 AYES, 25 NAYS, MR. PRESIDENT, ON THE MOTION TO BRACKET. [LB113]

SENATOR KRIST: THE BRACKET MOTION FAILS. MR. CLERK. RAISE THE CALL. [LB113]

CLERK: MR. PRESIDENT, SENATOR CHAMBERS WOULD MOVE TO RECONSIDER THE MOTION JUST TAKEN WITH RESPECT TO BRACKETING THE BILL. [LB113]

SENATOR KRIST: SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB113]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT AND MEMBERS OF THE LEGISLATURE, I'M GIVING YOU ALL A FEW EXAMPLES OF THINGS I'VE DONE, AND IT MIGHT MAKE YOU BETTER ABLE TO UNDERSTAND WHY I HAVE EMPATHY FOR THOSE WHO HAVE BEEN REJECTED BY SOCIETY AND WHO ARE CONSIDERED THROWAWAY PEOPLE. THERE WAS A SENATOR HERE, HER LAST NAME WAS SUTTLE, AND THE SIGNIFICANCE OF THAT NAME WILL COME IN LATER. BUT I RECEIVED A CALL FROM A WOMAN, AND SHE TOLD ME THAT SHE HAD THE KIND OF JOB WHERE SHE HELPED PEOPLE WHO NEEDED ASSISTANCE. AND THIS WOMAN HAD LOST A CHILD AND THE COUNTY SAID THEY'D PAY FOR A CREMATION BUT NOT A BURIAL OR SOMETHING LIKE THAT, AND DID I KNOW

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ANYBODY IN THE COMMUNITY WHO WOULD HELP RAISE SOME MONEY SO THAT THIS CHILD COULD BE BURIED? AND I SAID, WELL, HAVE YOU TALKED TO ANY OF THE MORTICIANS? SHE SAID SHE HAD, AND NONE WOULD DO SO BECAUSE THEY DIDN'T WANT TO START SOMETHING THAT THEY COULDN'T CARRY THROUGH. SO I SAID, WELL, HOW MUCH IS THE FUNERAL? AND IT MAY HAVE BEEN \$2,000 OR \$3,000 AT THAT TIME. SO I TOLD THE WOMAN TO TELL ME WHAT THIS WOMAN SAID SHE WAS GOING TO DO TO GET THE MONEY. AND SHE SAID, THE WOMAN WASN'T SURE, BUT SHE WAS GOING TO GO STAND ON A CORNER OR SOMETHING WITH A SIGN AND ASK FOR MONEY. AND YOU KNOW WHAT IMMEDIATELY CAME INTO MY MIND BECAUSE I'M NOT RELIGIOUS? WHILE THIS WOMAN IS UNDER THE PROFOUND SADNESS AND SORROW OF HAVING LOST A BABY, SHE SHOULDN'T HAVE TO BE OUT ON A STREET CORNER WITH A SIGN BEGGING. SO I TOLD THE LADY I WAS TALKING TO, TALK TO ONE OF THESE MORTICIANS AND FIND OUT HOW MUCH EXACTLY THE FUNERAL IS GOING TO COST, AND I'LL PAY FOR IT. SO SHE FOUND THAT OUT AND I GAVE THE MONEY AND PAID FOR IT. AND I TOLD THIS WOMAN, I'M DOING THIS ON CONDITION THAT YOU DON'T TELL ANYBODY. AND YOU MIGHT WONDER WHY I'M TELLING YOU THIS NOW. IS IT TO GET CREDIT NOW WHEN I PROFESS THAT I DIDN'T WANT IT THEN? I'LL TELL YOU WHY I'M TELLING YOU. BECAUSE I GOT A CALL FROM THE OMAHA WORLD-HERALD, AND I WAS ASKED ABOUT THIS THAT I JUST DESCRIBED. AND I SAID, WELL, I REALLY DON'T KNOW WHAT YOU'RE TALKING ABOUT; YOU MIGHT...SHE SAID, NO, SHE SAID...AND WE WERE ON A FIRST-NAME BASIS BECAUSE I DEALT WITH THIS REPORTER. SHE SAID, ERNIE, I KNOW YOU DID IT BECAUSE I'VE TALKED TO THE ONE WHO CALLED YOU, AND I'VE TALKED TO THE MOTHER, AND YOU DID IT. WHY DID YOU DO IT? AND I SAID, WELL, IT WAS JUST THE THING THAT I OUGHT TO DO. I SAID, BUT WHY DID YOU DO THIS IN THE FIRST PLACE? AND I THINK SHE SAID THAT THE YOUNG WOMAN'S MOTHER, WHO WAS SENATOR SUTTLE, HAD CONTACTED PEOPLE BECAUSE SHE THOUGHT THAT PEOPLE OUGHT TO KNOW WHAT I HAD DONE. AND I INDICATED WHEN I TALKED TO HER ABOUT IT THAT WHEN I DO SOMETHING I DO IT BECAUSE I THINK IT'S RIGHT, AND IF I WANTED CREDIT I WOULD HAVE CALLED THE WORLD-HERALD AND TOLD THEM WHAT I'M GETTING READY TO DO, AND I MIGHT HAVE EVEN ARRANGED TO HAVE A PICTURE WITH THE MOTHER, STANDING THERE NEXT TO HER BENEFACTOR, WHOM SHE WOULD CALL A HERO JUST FOR HAVING DONE WHAT ANY DECENT HUMAN BEING OUGHT TO DO. THAT'S THE KIND OF THING THAT I DO. PEOPLE DON'T KNOW ME. THEY DON'T KNOW ANYTHING ABOUT ME. AND I DON'T CARE WHAT THEY SAY OR WHAT THEY THINK. THAT'S WHY I FUNCTION AS I DO ON THE FLOOR OF THIS LEGISLATURE, BECAUSE I DO WHAT I THINK IS RIGHT AND NOT WHAT OTHER PEOPLE MIGHT WANT TO SEE ME DO OR WISH I WOULD DO OR WOULDN'T DO.

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AND I MAY AS WELL TELL YOU THIS TOO. THERE HAVE BEEN SHOOTINGS IN MY COMMUNITY, AND I WON'T TELL YOU THE NUMBER OF TOMBSTONES THAT I'VE PURCHASED FOR FAMILIES WHEN I DON'T EVEN BELIEVE IN FUNERALS, NONE OF THAT. BUT IT'S NOT MY VIEW AT A TIME LIKE THAT. IT'S THE FAMILY GOING THROUGH SOMETHING. AND IF BUYING A STONE HELPS THEM, THEN I'LL DO IT. AND I'VE DONE IT. AND THAT'S WHAT I DO. AND I'M NOT LIKE THE REST OF YOU WHO CANNOT UNDERSTAND. THERE ARE SOME OF YOU WHO DO UNDERSTAND AND YOU WILL NOT THROW PEOPLE AWAY BECAUSE OTHER PEOPLE CONSIDER THEM THE DREGS OF HUMANITY AND YOU WILL DO WHAT YOU CAN TO TRY TO HELP. IF YOU WERE ALL AS COLD-HEARTED AS SOME OF THE PEOPLE ON THIS FLOOR HAVE SHOWN THEMSELVES TO BE, WE COULDN'T HAVE ANY PROGRAMS FUNDED BY STATE MONEY DESIGNED TO HELP THOSE WHO CANNOT HELP THEMSELVES. AND YOU NEVER KNOW WHEN YOU MIGHT BE IN THAT SITUATION. SIR THOMAS MORE WAS GIVEN A HIGH POSITION BY THE KING, AND IT WOULD BE CONSIDERED IN THIS COUNTRY THE TOP LAW OFFICER IN THE REALM. AND THERE WAS A YOUNG GUY WHO WAS A SNITCH FOR CROMWELL BECAUSE HE DIDN'T LIKE THOMAS MORE. SO THOMAS MORE HAD HIS FAMILY GATHERED TOGETHER, AND HE HAD A YOUNG DAUGHTER WHO WAS THE FIANCE OR HAD A FIANCE, A YOUNG MAN WHO JUST BLURTED THINGS OUT. AND THIS GUY FOR CROMWELL WAS ASKING SOME QUESTIONS THAT MORE DID NOT ANSWER DIRECTLY. BUT WHEN THE GUY LEFT, THE YOUNG MAN SAID, YOU'RE GOING TO LET HIM GO? YOU'RE GOING TO LET HIM GO? AND THE YOUNG MAN...THOMAS MORE SAID, YES, I'LL LET HIM GO, AND GO HE SHOULD UNTIL HE BREAKS THE LAW. AND THE YOUNG MAN SAID, WELL, HE BROKE GOD'S LAW. THOMAS MORE SAID, THEN LET GOD ARREST HIM. AND THEN HE GAVE HIM A LECTURE ON THE LAW, HOW THESE LAWS GROW. IN ENGLAND, THEY GROW THICK FROM COAST TO COAST, BORDER TO BORDER, AND THAT THE LAW IS THERE FOR EVERYBODY. AND SO THIS PERSON, THIS YOUNG GUY SAID, SO YOU WOULD GIVE THE DEVIL BENEFIT OF LAW? AND THOMAS MORE SAID, I WOULD GIVE THE DEVIL BENEFIT OF LAW UNTIL HE BROKE IT. THAT'S THE LAW. AND THE YOUNG MAN SAID WHAT HE WOULD DO WITH THE LAW, AND THOMAS MORE SAID, THEN YOU'D CUT DOWN THESE LAWS TO GET TO THE DEVIL? HE SAID, I'D CUT DOWN EVERY LAW TO GET TO THE DEVIL. AND THOMAS MORE SAID, ALL RIGHT, YOU'VE CUT DOWN ALL OF THE LAWS AND THE LAWS BEING FLAT, THE DEVIL WOULD STOP AND TURN ON YOU, AND THERE WOULD BE A WIND SO STRONG THAT YOU COULD NOT WITHSTAND IT, WHAT WOULD YOU DO THEN? YES, I WOULD GIVE THE DEVIL BENEFIT OF LAW FOR MY OWN SAFETY'S SAKE. SOMETIMES WE NEED TO THINK OF WHAT WE WOULD WANT IF WE WERE IN A SITUATION, HOW WE WOULD WANT TO BE TREATED IF IT WAS US, A MEMBER OF OUR FAMILY. BUT WHEN YOU ARE SECURE YOU DON'T THINK THAT WAY. YOU DON'T GIVE

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CONSIDERATION TO THE FACT THAT EVEN THOUGH YOU'RE STANDING ON SOLID GROUND THERE MIGHT BE YOUR BROTHER WHOSE FOOT IS ABOUT TO SLIP. AND WHY SHOULD I USE THE WORD "BROTHER"? I'M GOING BY THE PRAYER THAT SENATOR BLOOMFIELD AND OTHERS MAKE, ALTHOUGH THEY DIDN'T MAKE REFERENCE TO THIS, OF ONE BLOOD, GOD MADE ALL NATIONS OF MEN. IF THEY ARE ALL OF THE SAME BLOOD, THEY ARE ALL OF THE SAME FAMILY, ONE FAMILY. WILL IT BE COMPRISED OF PEOPLE WHO CARE ABOUT EACH OTHER OR WILL IT BE LIKE THE FIRST FAMILY IN EDEN WHERE ONE OF THE TWO BROTHERS WAS A MURDERER? IS THAT THE MODEL THAT THE LEGISLATURE FOLLOWS, THAT THESE PEOPLE COMMITTED A WRONG SO THEY SHOULD BE PUNISHED TO THE MAXIMUM, ALTHOUGH YOU DON'T EVEN WANT TO BE CRITICIZED? DON'T EVEN WANT TO BE CRITICIZED, AND HERE WE'RE TALKING ABOUT PEOPLE AND THEIR HEALTH, AND WE'RE BARGAINING. [LB113]

SPEAKER HADLEY PRESIDING

SPEAKER HADLEY: ONE MINUTE. [LB113]

SENATOR CHAMBERS: WE'RE BARGAINING OVER MERE PITTANCES. BUT IT'S AN IMPORTANT ISSUE BECAUSE OF THE LACK OF CONSIDERATION FOR THESE PEOPLE AS HUMAN BEINGS. THERE IS SUCH A THING AS HUMAN DIGNITY, WHICH EVERY PERSON HAS AND EVERY PERSON IS ENTITLED TO HAVE LEFT INVIOLEATE. BUT THAT HUMAN DIGNITY IS NOT RESPECTED. AND WHEN WE LOW-RATE AND DOWN THOSE WHO CANNOT HELP THEMSELVES, DIGNITY, IN A DIFFERENT SENSE OF THE WORD, IS WHAT WE STRIP FROM OURSELVES. AND IF WE DON'T WANT TO EAT WHAT'S ON THIS PLATE THEN LET'S NOT TURN IT AROUND FOR SOMEBODY ELSE TO EAT. [LB113]

SPEAKER HADLEY: TIME, SENATOR. [LB113]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB113]

SPEAKER HADLEY: THANK YOU, SENATOR CHAMBERS. SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB113]

SENATOR CHAMBERS: THANK YOU. I LISTEN TO PRAYERS THAT ARE GIVEN HERE, ON OCCASION, BECAUSE I WATCH TO SEE WHEN YOU'RE GOING TO GO INTO SESSION SO I CAN BE HERE. THIS MORNING SENATOR BOLZ GAVE THE PRAYER.

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AND WHEN I WALKED IN I HEARD HER QUOTING FROM WHAT'S CALLED THE LORD'S PRAYER AND SHE WAS...I THINK SHE SAID SOMETHING LIKE, LET THY WILL BE DONE ON EARTH AS IT IS IN HEAVEN. AND SHE STOPPED. YOU KNOW WHAT THE NEXT LINE IN THAT PRAYER IS? GIVE US THIS DAY OUR DAILY BREAD. AND YOU KNOW WHY SHE DIDN'T HAVE TO SAY THAT IN THE PRAYER? BECAUSE THE LOBBYISTS TAKE CARE OF THAT. THAT'S WHERE THE SENATORS GET THEIR DAILY BREAD. YOU TALK ABOUT THESE OTHER PEOPLE LOCKED UP WHO ARE POOR, TEACH THEM A LESSON. THEN WHY DO SENATORS SPONGE AND MOOCH OFF THE LOBBYISTS? HOW DO THOSE TWO THINGS SQUARE? IF YOUR LIFE...I THINK EVERYBODY IN HERE PROBABLY KNOWS WHAT A PLUMB LINE IS. WELL, LET ME JUST SAY IF YOU TIED A PIECE OF STRING ON THAT CEILING AND PUT A HEAVY WEIGHT ON THE BOTTOM END OF IT, AND THERE WAS NO WIND BLOWING, NOTHING OUTSIDE TO INFLUENCE IT, THAT PIECE OF STRING WOULD BE PERFECTLY STRAIGHT. NOW, THAT'S THE MEASURE. IF THE WAY YOU LIVE, THE WAY YOU CONDUCT YOUR AFFAIRS, THE WAY YOU TREAT PEOPLE WOULD BE THE ELEMENTS THAT WOULD DETERMINE THE CONFIGURATION OF YOUR CHARACTER, AND IT WAS PUT AGAINST THAT STRING, WOULD THEY BE PARALLEL? WOULD YOUR CHARACTER BE AS STRAIGHT AS THAT STRING OR WOULD THERE BE SOME WAVES IN IT? YOU ALL KNOW. I CAN'T JUDGE YOU AND, FORTUNATELY, I DON'T HAVE TO BECAUSE ALSO IN THAT BOOK, SENATOR BLOOMFIELD, AND YOU KNOW THIS, IS THE ADMONITION, WHO ART THOU THAT JUDGES ANOTHER MAN'S SERVANT? BUT, SEE, I DON'T HAVE TO ABIDE BY THAT BECAUSE THE BOOK DOESN'T CONTROL ME. BUT I THINK IT'S GOOD ADVICE, AND IT DOESN'T MATTER FROM WHOM IT COMES. SO I THINK THESE PRAYERS ARE IN VAIN. AND I KNOW SENATOR BLOOMFIELD TOOK ISSUE WITH THAT THE OTHER DAY, WHICH IS HIS RIGHT AND PROBABLY HIS DUTY AND OBLIGATION, BUT I HAD SAID THEY HAVE NO IMPACT. WELL, PART OF YOUR PRAYER WAS TO TRY TO GET ME TO DO...YOU DIDN'T MENTION ME BY NAME, BUT YOU'RE A HAT MAKER AND WHEN MY NUMBER COMES ON, SENATOR BLOOMFIELD, I PUT IT ON. SO THE HAT WAS MADE FOR ME AND IT FIT LIKE A GLOVE IN TERMS OF THE KIND OF CONVERSATIONS THAT I HAVE, THE...I DON'T KNOW IF HE USED THE TERM "RIDICULE" BUT, YOU KNOW, BEING VERY HARSH AND MOCKING AND SO FORTH. AND THOSE MAY NOT BE THE WORDS HE USED BUT ALONG THAT LINE. AND I STILL AM. SO THE PRAYER EITHER DIDN'T DO ANY GOOD OR WHAT I'M DOING IS WHAT NEEDS TO BE DONE, AND SENATOR BLOOMFIELD PRAYED A PRAYER THAT WAS IN VAIN. HE MEANT WELL. HE THOUGHT HE WAS DOING THE RIGHT THING. SO FORTUNATELY, HE'S DEALING WITH ONE WHO IS GOING TO LOOK AT THE MOTIVE, THE REASON THAT YOU DID WHAT YOU DID, AND THAT'S WHAT IS IMPORTANT. SOMETIMES THE BEST LAID PLANS, THE BEST EXECUTED

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PLAN WILL GO ASTRAY, BUT WHEN YOU'VE DONE EVERYTHING YOU CAN TO MAKE IT COME OUT RIGHT, NOBODY CAN DEMAND ANY MORE OF YOU. [LB113]

SPEAKER HADLEY: ONE MINUTE. [LB113]

SENATOR CHAMBERS: AND ESPECIALLY WHEN THERE ARE INFLUENCE OUTSIDE OF YOU THAT WILL HAVE A BEARING ON WHAT THE OUTCOME IS. THAT OVER WHICH YOU HAVE NO CONTROL, YOU HAVE NO RESPONSIBILITY FOR. BUT THERE ARE A LOT OF THINGS WE DO HAVE CONTROL OVER. WE ARE RESPONSIBLE. AND WHEN THESE PRAYERS CAN BE UTTERED AND THEN THE CONDUCT DOESN'T SQUARE WITH WHAT THE PRAYER WAS, THEN I FEEL THOSE PRAYERS ARE IN VAIN BASED ON WHAT I WAS TAUGHT WHEN I WAS A CHILD ABOUT PRAYER. AND THEY GAVE ME A MEASURING ROD, BUT I'LL GIVE THAT THE NEXT TIME I SPEAK. IS THAT MY THIRD TIME, MR. PRESIDENT? [LB113]

SPEAKER HADLEY: NO, IT'S NOT. THAT WAS YOUR FIRST TIME, I BELIEVE, SENATOR. THANK YOU, SENATOR CHAMBERS. SENATOR BRASCH, YOU'RE RECOGNIZED. [LB113]

SENATOR BRASCH: THANK YOU, MR. PRESIDENT, AND THANK YOU, COLLEAGUES. I AM LISTENING VERY CLOSELY TO ALL OF THE THINGS THAT ARE BEING SAID HERE ON THE FLOOR. AS I MENTIONED, I CALLED AND SPOKE WITH TWO OF MY THREE SHERIFFS IN OUR DISTRICT. THERE ARE SOME GOOD ARGUMENTS BEING MADE ON WHY TO DO THIS, AND GOOD ARGUMENTS BEING MADE WHY NOT TO DO THIS. AND I'M SITTING HERE THINKING OVER MY LAST PAST SIX YEARS, I HAVE SERVED WITH SENATOR CHAMBERS FOUR OF THOSE YEARS. AND WE USED TO HAVE SOME CONVERSATIONS ON THE FLOOR ABOUT WHETHER HE HAS A HEART OR NOT. SENATOR CHAMBERS, WILL YOU YIELD TO A QUESTION, PLEASE? [LB113]

SPEAKER HADLEY: SENATOR CHAMBERS, WILL YOU YIELD? [LB113]

SENATOR CHAMBERS: EVEN THOUGH I'M A HEARTLESS PERSON, YES, I WILL. [LB113]

SENATOR BRASCH: THANK YOU, SENATOR CHAMBERS. AND I'M NOT SPEAKING OF THE HEART IN THE PHYSICAL PRESENCE. I KNOW ALL OF YOUR PHYSICAL BEING IS THERE. BUT I AM TALKING ABOUT HEART IN THE SENSE OF FEELINGS,

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COMPASSION, TENDERNESS, CARING. SO DO YOU BELIEVE IN THAT SENSE YOU HAVE A HEART? [LB113]

SENATOR CHAMBERS: NO. [LB113]

SENATOR BRASCH: YOU DO NOT. [LB113]

SENATOR CHAMBERS: NO. [LB113]

SENATOR BRASCH: NO. AND SO ANY ACTIONS YOU DO FOR OTHERS, EVEN FOR THESE INMATES, IS IT A MATTER OF...CAN YOU DESCRIBE WHY YOU ARE PLEADING FOR THEM? I HEARD YOU MENTION GRANDMOTHERS, THOSE... [LB113]

SENATOR CHAMBERS: INTELLECT. MY INTELLECT TELLS ME THAT WHEN THINGS ARE OUT OF KILTER SOMETHING SHOULD BE DONE TO BRING IT BACK INTO KILTER. AND WHEN PEOPLE HAVE STUMBLERD OR FALLEN, THEN THE ONLY WAY THEY'RE GOING TO BE PUT BACK IN KILTER IS TO HELP THEM BE UPRIGHT AND GIVE THEM A CHANCE TO START ALL OVER AGAIN. BUT THAT'S STRICTLY FROM WHAT MY MIND TELLS ME, NO HEART, NO EMOTION, NO SENTIMENT, NO NOBILITY, NO RELIGION, NOTHING. [LB113]

SENATOR BRASCH: DID YOU NOT SAY YOU LOVED CHILDREN? IS THAT FROM THE HEART? [LB113]

SENATOR CHAMBERS: THERE IS A DIFFERENT PART OF MY BRAIN THAT COMES INTO PLAY WHEN CHILDREN ARE INVOLVED BECAUSE CHILDREN ARE ONLY CHILDREN, NO COLOR, NO RELIGION, NO IDEOLOGY, AND THEY REMAIN SO UNTIL THEY BECOME CORRUPTED BY ADULTS. SO I SEE ALL CHILDREN AS THE SAME, AND I WANT TO DO WHAT I CAN TO MAKE SURE, TO THE EXTENT I CAN, THAT THEY REMAIN IN KILTER. [LB113]

SENATOR BRASCH: SENATOR CHAMBERS, PLEASE ANSWER YES OR NO. DO YOU LOVE CHILDREN? [LB113]

SENATOR CHAMBERS: THE WORD "LOVE" IS A WORD I DON'T APPLY TO MYSELF. [LB113]

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SENATOR BRASCH: IN THE SENSE THAT THE REST OF THE WORLD USES THE WORD "LOVE," WOULD YOU... [LB113]

SENATOR CHAMBERS: NO, I DON'T APPLY THE... [LB113]

SENATOR BRASCH: YOU DO NOT. [LB113]

SENATOR CHAMBERS: ...ANYTHING THAT THE REST OF THE WORLD DOES. [LB113]

SENATOR BRASCH: I JUST NEEDED SOME CLARITY ON THAT. BECAUSE WHEN I LOOK AT THIS SUBJECT I'M THINKING, WHEN IT COMES TO INCARCERATION, THE CRIME AND THE PUNISHMENT, THAT'S...AND WITHOUT BEING AN ATTORNEY, I BELIEVE THEY SHOULD BE IN BALANCE, THAT THAT IS WHAT OUR JUSTICE SYSTEM IS DESIGNED TO DO. AND ALSO WHEN I LOOK AT INCARCERATION, THAT'S PART OF THE PUNISHMENT. PEOPLE HAVE LOST THEIR FREEDOM. THERE'S A HIGH PRICE FOR FREEDOM. THEY'VE ALREADY LOST FREEDOM. AND THEN WHEN I ALSO LOOK AT INCARCERATION, I HAVE CONSTITUENTS WHO HAVE CONTACTED ME REGARDING THEIR... [LB113]

SPEAKER HADLEY: ONE MINUTE. [LB113]

SENATOR BRASCH: ...INCARCERATED LOVED ONES, AND THE BURDEN THAT THE FAMILY BEARS, THE BURDEN THAT THE INCARCERATED INDIVIDUAL BEARS. AND IN LOOKING AT THIS LEGISLATION, KNOWING THAT IT IS VOLUNTARY FOR THE COUNTIES TO IMPLEMENT IT, THERE IS A \$10 MAXIMUM, AND IF IT'S BEING USED AS A TOOL TO MAKE SURE THAT THE INMATES ARE NOT AS...AND I BELIEVE IT'S THE INMATES THAT DESCRIBE THIS. ACCORDING TO THE SHERIFF, THEY KITE. THEY WRITE A NOTE TO FLY OUT OF THE JAIL AND THEN TO FLY BACK IN. AND THAT'S A METHOD THAT MAY BE USED TO PREVENT THAT. AT THIS POINT I'M STILL LOOKING AT...I BELIEVE THAT IT IS HARMLESS LEGISLATION IN THE SENSE THAT IT MAY NOT BE IMPLEMENTED. [LB113]

SPEAKER HADLEY: TIME, SENATOR. [LB113]

SENATOR BRASCH: THANK YOU, MR. PRESIDENT. [LB113]

SPEAKER HADLEY: THANK YOU, SENATOR BRASCH. SENATOR KRIST, YOU ARE RECOGNIZED. [LB113]

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SENATOR KRIST: THANK YOU, MR. PRESIDENT, AND ONCE AGAIN GOOD MORNING, COLLEAGUES, AND GOOD MORNING, NEBRASKA. I JUST WANTED TO PUT SOMETHING ON THE RECORD. THERE'S BEEN A DISCUSSION ABOUT INMATES AND BEING PAID OR NOT BEING PAID. INMATES WHO ARE ON WORK RELEASE GET PAID AT LEAST THE MINIMUM WAGE, AND IN SOME CASES IT COULD BE MORE. WORK RELEASE INMATES MUST WORK AT LEAST 32 HOURS A WEEK AND PAY RENT TO THE STATE OF \$300 A MONTH. INMATES WHO ARE ON WORK DETAIL GET PAID \$1.21 TO \$3.78 AN HOUR, AND MANY OF THE COUNTIES DO NOT HAVE A WORK PROGRAM. AND THAT, ESSENTIALLY, IS WHAT I HEARD IN COMMITTEE AND YOU'LL NOTICE THAT MY VOTE WAS NOT TO ADVANCE OUT OF THE COMMITTEE. AT LAST REPORT, AND I THINK THIS IS IMPORTANT NOT JUST FOR THIS SUBJECT MATTER BUT ALSO FOR YOU TO TAKE IN MIND WITH THE OVERCROWDED PRISON SITUATION THAT WE HAVE, SOME OF OUR COUNTIES ARE PICKING UP A LOAD IN TERMS OF OUR PRISONERS, STATE PRISONERS, BEING IN THE COUNTY. AND I THINK YOU'D BE SURPRISED TO KNOW THAT IN THAT CONTRACT THAT THEY'RE PAID \$3.78 A DAY, SIX DAYS A WEEK, MAXIMUM AMOUNT, JUST TO BE PLACED IN THOSE COUNTY JAILS. I THINK YOU'D ALSO BE SURPRISED TO KNOW THAT THAT AMOUNT OF MONEY IS APPROXIMATELY A QUARTER OF A MILLION, \$235,000 AND CLIMBING. SO THERE IS A PUSH, I THINK, IN MY MIND, TO TRY TO RECTIFY THAT SITUATION IN TERMS OF THE JAIL POPULATION, THE PRISON POPULATION. THESE INMATES ARE PAID THE HIGHEST AMOUNT IN PART BECAUSE THE PHONE CALLS, COMMISSARY ARE SO MUCH HIGHER. FOR EXAMPLE, A CALL IN LANCASTER COUNTY COSTS AN INMATE \$1.50, \$1.50 TO MAKE A CALL IN LANCASTER COUNTY, WHILE IN HALL COUNTY IT COSTS \$15, \$15 TO MAKE A CALL IF YOU'RE AN INMATE. COUNTY JAILS ARE PAID \$75 TO \$88 A DAY. IT DEPENDS UPON THE SIZE OF THE COUNTY. AND THAT AMOUNT OF MONEY WOULD EQUAL \$6.5 MILLION, \$6,424,000. I THOUGHT THAT WOULD BE INTERESTING DETAIL TO INJECT INTO THE SITUATION. I, AGAIN, DID NOT SUPPORT THIS COMING OUT OF COMMITTEE, AND I WILL CONTINUE TO SUPPORT FOR WHATEVER MOTION TAKES THIS OFF THE SCHEDULE SO WE CAN GET ON TO SENATOR JOHNSON'S BILL, WHICH IS NEXT ON THE AGENDA. AND WITH THAT, I'D YIELD THE BALANCE OF MY TIME TO SENATOR CHAMBERS. [LB113]

SPEAKER HADLEY: SENATOR CHAMBERS, YOU'RE YIELDED 2:00. [LB113]

SENATOR CHAMBERS: THANK YOU. THANK YOU, SENATOR KRIST. THANK YOU, MR. PRESIDENT. WHAT'S HAPPENING HERE IS NOT ANYBODY'S FAULT. SENATOR LARSON HAD A SHERIFF TELL HIM SOMETHING WAS GOING ON, ONE SHERIFF. SO WE, AS A LEGISLATURE, ARE ASKED TO FORMULATE A POLICY FOR ONE SHERIFF

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WHO COMPLAINED, AND THAT SHERIFF DIDN'T EVEN SHOW UP AT THE COMMITTEE. IN LAW SCHOOL THERE'S AN EXPRESSION--HARD CASES MAKE BAD LAW--MEANING THAT THE WHOLE LAW IS NOT GOING TO BE CHANGED BY A COURT BECAUSE OF ONE CASE, NO MATTER HOW BAD IT IS. THEY WILL MASSAGE THAT SITUATION UNTIL IT BECOMES SOMETHING THAT'S DECIDED ON THE FACTS OF THIS CASE ALONE. AND THE DECISION APPLIES ONLY TO THIS CASE, AND IT'S NOT GOING TO BE USED TO DETERMINE WHAT ALL OF THE REST OF THE LAW IS TO BE. SO WHEN YOU...OH, THAT'S ALL RIGHT, MR. PRESIDENT. THANK YOU FOR THAT, BUT THEY'RE NOT GOING TO HEAR, EVEN THOUGH ONE COMES BACK FROM THE DEAD. THAT'S A QUOTE. BUT AT ANY RATE, THESE KIND OF BILLS COME TO US MANY TIMES BECAUSE SOMEBODY FROM A SMALL TOWN WITH SMALL-TOWN WAYS WILL DEAL WITH SOMEBODY WHO THINKS LITTLE THOUGHTS AND WANT TO IMPOSE ON THE ENTIRE STATE SOMETHING THAT IS NOT WORTHY OF THAT STATUS. WE OUGHT NOT ENCOURAGE PEOPLE TO BRING THESE KIND OF BILLS. THAT'S MY VIEW. OBVIOUSLY, IT'S NOT SHARED BY OTHERS, BUT WE EXPRESS OUR OPINIONS. I'M EXPRESSING MINE, AND I'LL VENTURE TO SAY THAT I COULD MAKE A WAGER THAT WHEN WE'RE TALKING ABOUT SOMETHING THAT HASN'T HAPPENED YET BUT WHAT IMPACT IT HAS, MY OPINION WILL BE CLOSER TO THE CORRECT STATEMENT OF WHAT DID TURN OUT THAN YOURS, BECAUSE YOU'RE GOING TO BE VERY EMOTIONAL. [LB113]

SPEAKER HADLEY: TIME, SENATOR. [LB113]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB113]

SPEAKER HADLEY: THANK YOU, SENATOR KRIST AND SENATOR CHAMBERS. MR. CLERK FOR ANNOUNCEMENTS. [LB113]

CLERK: MR. PRESIDENT, NEW BILLS. (READ LB998-1013 BY TITLE FOR THE FIRST TIME.) MR. PRESIDENT, OTHER ITEMS: HEARING NOTICES FROM THE BANKING, COMMERCE AND INSURANCE COMMITTEE; GENERAL AFFAIRS; AGRICULTURE; BUSINESS AND LABOR COMMITTEE; TRANSPORTATION, TELECOMMUNICATIONS, ALL SIGNED BY THEIR RESPECTIVE CHAIRPERSONS. PRIORITY BILL DESIGNATION: THE EXECUTIVE BOARD HAS SELECTED LB954 AS THE COMMITTEE'S FIRST PRIORITY BILL. SENATOR WATERMEIER OFFERS LR412 AND LR413, BOTH THOSE WILL BE LAID OVER, ALTHOUGH WITH RESPECT TO LR413 I HAVE A COMMUNICATION FROM THE SPEAKER DIRECTING THE CLERK TO TRANSMIT LR413 TO REFERENCE COMMITTEE FOR PURPOSES OF REFERRING TO STANDING COMMITTEE FOR PUBLIC HEARING. AN AMENDMENT TO BE PRINTED:

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

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SENATOR SCHNOOR, LB289. MOTIONS FROM SENATOR CHAMBERS TO LB113. NAME ADDS, MR. PRESIDENT: SENATOR SCHNOOR, LB289; SENATOR LINDSTROM, LB289; SENATOR McCOLLISTER AND KRIST, LB276; SENATOR CAMPBELL, LB773, LB844; SENATOR MELLO, LB945; SENATOR HANSEN, LB471; LB18, SENATORS KUEHN, COOK, CAMPBELL, HANSEN, CRAWFORD, AND HOWARD, AND MORFELD, MELLO, AND BOLZ; LR378CA IS SENATOR SCHNOOR, KINTNER, GROENE, SCHEER, BRASCH, AND SULLIVAN; SENATOR BAKER WOULD LIKE TO ADD HIS NAME TO LB880. REMINDER, MR. PRESIDENT: REFERENCE COMMITTEE WILL MEET UPON ADJOURNMENT; REFERENCE WILL MEET UPON ADJOURNMENT. (LEGISLATIVE JOURNAL PAGES 313-321.) [LB998 LB999 LB1000 LB1001 LB1002 LB1003 LB1004 LB1005 LB1006 LB1007 LB1008 LB1009 LB1010 LB1011 LB1012 LB1013 LB954 LR412 LR413 LB289 LB113 LB276 LB773 LB844 LB945 LB471 LB18 LR378CA LB880]

MR. PRESIDENT, I HAVE A PRIORITY MOTION. SENATOR HOWARD WOULD MOVE TO ADJOURN THE BODY UNTIL TUESDAY MORNING, JANUARY 19, AT 10:00 A.M.

SPEAKER HADLEY: YOU'VE HEARD THE MOTION. ALL IN FAVOR SIGNIFY BY SAYING AYE. ALL OPPOSED SAY NAY. WE ARE ADJOURNED.