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Floor Debate
February 01, 2018

[LB51 LB56 LB109 LB157 LB211 LB256 LB389 LB479 LB480 LB694 LB695 LB729 LB743
LB757 LB821 LB936 LB1001 LB1054 LR297 LR298 LR299 LR300 LR301 LR308 LR309]

SPEAKER SCHEER PRESIDING

SPEAKER SCHEER: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the nineteenth day of the One Hundred Fifth Legislature, Second Session. Our chaplain for today is the Reverend Darin Bentzinger from the Panama Presbyterian Church in Panama, Nebraska, located in Senator Baker's district. Would you please rise?

REVEREND BENTZINGER: (Prayer offered.)

SPEAKER SCHEER: Thank you, Pastor Bentzinger. I call to order the nineteenth day of the One Hundred Fifth Legislature, Second Session. Senators, please record your presence, it's roll call. Mr. Clerk, please record.

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

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

CLERK: I have no corrections.

SPEAKER SCHEER: Thank you. And are there any messages, reports, or announcements?

CLERK: Your Committee on Enrollment and Review reports, LB256, LB157 and LB480 to Select File. That's all that I have, Mr. President. (Legislative Journal page 491.) [LB256 LB157 LB480]

SPEAKER SCHEER: Thank you, Mr. Clerk. While the Legislature is in session and capable of transacting business, I do propose to sign and do hereby sign LR297, LR298, LR299, LR300 and LR301. Mr. Clerk, first item. [LR297 LR298 LR299 LR300 LR301]

CLERK: Mr. President, LB743, a bill introduced by Senator Lindstrom. (Read title.) It was introduced on January 3 of this year, referred to the Banking, Commerce and Insurance Committee. The bill was advanced to General File. I do have...no committee amendments. I do have an amendment to the bill from Senator Kolterman. [LB743]

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SPEAKER SCHEER: Senator Lindstrom, you're welcome to open on LB743. [LB743]

SENATOR LINDSTROM: Thank you, Mr. President. LB743 comes to us from the director of insurance. The bill would amend our statutes related to insurance producers and three subject areas. First, the bill would update and modernize provisions related to requirements of insurance producer continuing education. Some current requirements regarding providers for continuing education activities such as the issuance of certificates of completion have become obsolete and would be eliminated. Additionally, current law does not provide for an expiration date on approving continuing education course. This has become a source of confusion for producers. LB743 would limit approval of these courses to four years. Next, the bill would eliminate the requirement that an insurance producer must complete 40 hours of approved education before receiving an insurance producer license. The director of insurance told the committee that this has been the conclusion at the department, that there exists no strong correlation between completion of the prelicensing hours and successful passage of the licensing examination. Prelicensing education would still be available, but it would be voluntary. Finally, the bill would enact the National Association of Insurance Commissioners about a law on public adjusters. Public adjuster is a person who for compensation provides assistance to an insured in a filing and settlement of property claim against an insurer. Public adjusters should not be confused with any company adjuster or independent adjusters who represent the insurer as employees or contractors. Again, a public adjuster represents the insured. Currently there are individuals in Nebraska who do public adjusting. But they do not...excuse me, but they do have to do it in a roundabout way. They do it by becoming licensed as an insurance consultant, but that is a misfit. Insurance consultants are high level insurance professionals who help their clients manage risk in a way more akin to risk managers in a company. To become an insurance consultant an individual must first be licensed as an insurance producer for at least three years. That is not really necessary to become a public adjuster. Adoption of the NAIC Model Act for the public adjusters would add an array of consumer protections to our law. The bill would specify contract terms, require disclosure documents, and prohibit a public adjuster from representing an insurer or working for or receiving any compensation for a business or an individual that performs work pertaining to damage related to a claim. Public adjusters would be required to serve with objectivity and complete loyalty to the interest of the insured. Public adjusters would have to pass an examination and maintain continuing education requirements. The director of insurance could suspend, revoke, or refuse to issue or renew a license and could levy administrative fees for violations of the act. The bill would provide that a public adjuster may charge an insured a fee of not more than 15 percent of any insurance settlement or proceeds. However, the fee may not be more than 10 percent of the insurance settlement or proceeds resulting from a catastrophic disaster. The fee caps are optional for states in the model act. Our director of insurance has recommended to us that noncatastrophic fee cap be set at 15 percent. This bill does not negatively affect home repair contractors. They can speak to insurers on behalf of homeowners now and the bill would not change that. Under the bill, a contractor could not charge a separate

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fee to a homeowner for speaking to the insurer without being licensed. So if the contractors do not charge separate fees, they should have no concerns with this bill. I understand that there have been concerns raised by members of the construction industry that this law might somehow be used against them to regulate their activity on insured repair claims. There is no intention to regulate contractor conduct with this bill. Contractors performing work for insured property owners, including those performing work based on assignment of an insured claim, will still be free to negotiate with the insurance company regarding those repairs or replacements they believe are necessary and appropriate and should be covered by any insurance policy covering the property that they are performing work upon. Again, LB743 comes to us as a model act from the NAIC, an organization which is made up of all American insurance regulators. With enactment of this bill, Nebraska would join the clear majority of states that separately license public adjusters. LB743 advanced from the Banking, Commerce and Insurance Committee with an 8-0 vote and I would urge the body of its advancement to Select File. Thank you, Mr. President. [LB743]

SPEAKER SCHEER: Thank you, Senator Lindstrom. Mr. Clerk. [LB743]

CLERK: Mr. President, Senator Kolterman would move to amend the bill with AM1702. (Legislative Journal page 488.) [LB743]

SPEAKER SCHEER: Senator Kolterman, you're recognized to open on your amendment. [LB743]

SENATOR KOLTERMAN: Good morning, colleagues. Thank you, Mr. President. I rise in support of this legislation. This is good legislation that was brought to the Banking and Insurance Department by the Department of Insurance. They've done an admirable job of putting together some changes that have needed to be made to the insurance regulations, and I support it wholeheartedly. The only change that I would make to the bill is on page 19, line 10, where it talks about a public adjuster may charge the insured a reasonable fee for public adjuster services. A reasonable fee shall be any payment, commission, fee or other thing of value equal to or less than 15 percent of any insurance settlement or proceeds. I feel that by putting a cap on that, we're hurting our consumers to a certain extent by...on the smaller claims. Most of these claims that we're talking about where you use a public adjuster are anywhere in the neighborhood of \$2,000 to \$7,000, and by putting that fee on there, we're going to limit the amount of public adjusters that might be interested in coming to the state. I've got a lot more information on that, but this is good legislation. My amendment makes it even better. And I look at it as a friendly amendment and I would ask that you support AM1702, take that cap off and let the open market, the free markets exist. With that, I'd ask that you support AM1702 with a green vote. Thank you. [LB743]

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SPEAKER SCHEER: Thank you, Senator Kolterman. (Doctor of the day introduced.) Senator Kolterman, you're light is on. Do you want to be recognized or was that for the amendment? [LB743]

SENATOR KOLTERMAN: That was for the amendment. [LB743]

SPEAKER SCHEER: Seeing no one wishing to speak in regards to the amendment, Senator Kolterman, you're welcome to close. Senator Kolterman waives closing. The question before you is the adoption of AM1702 to LB743. All those in favor please vote aye; all those opposed vote nay. Have you all voted that wish to? Please record. [LB743]

CLERK: 32 ayes, 0 nays on adoption of Senator Kolterman's amendment. [LB743]

SPEAKER SCHEER: The amendment is adopted. Going back to LB743. Seeing no one wishing to speak, Senator Lindstrom, you're welcome to close on LB743. [LB743]

SENATOR LINDSTROM: Thank you, Mr. President. I'll make this quick. That was a friendly amendment and I would urge the body to vote for LB743 as amended. Thank you, Mr. President. [LB743]

SPEAKER SCHEER: Thank you, Senator Lindstrom. The question before us is movement of LB743 to advance to E&R Initial. All those in favor please vote aye; all those opposed vote nay. Have all voted that wish to? Please record, Mr. Clerk. [LB743]

CLERK: 36 ayes, 0 nays on the advancement of LB743. [LB743]

SPEAKER SCHEER: LB743 is advanced to E&R Initial. Next item, Mr. Clerk. [LB743]

CLERK: Mr. President, LB757, a bill by Senator Morfeld. (Read title.) The bill was introduced on January 3 of this year. At that time it was referred to the Judiciary Committee. The bill was advanced to General File. There are Judiciary Committee amendments, as well as an amendment to those committee amendments by Senator Morfeld. (AM1648, Legislative Journal page 469.) [LB757]

SENATOR WILLIAMS PRESIDING

SENATOR WILLIAMS: Senator Morfeld, you're recognized to open on LB757. [LB757]

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SENATOR MORFELD: Thank you, Mr. President. Colleagues, today I introduce you my priority bill LB757. And before I go any further, I want to thank the Attorney General and his staff for their help in crafting this legislation. This past summer, following the massive Equifax data breach which impacted a third of Nebraskans, I worked in partnership with the Attorney General's Office to ensure that we have commonsense consumer protection regulations, as well as to extend the Attorney General's authority to protect Nebraskans in the event that a breach occurs. As most of us remember, last summer we saw one of the largest data breaches in American history. Approximately 145 million Americans had sensitive personal data and information compromised at the hand of Equifax, one of the nation's largest crediting agencies. Social Security numbers, birth dates, and even driver's licenses were exposed, including my own, and including statistically about a third of this body. As a result, roughly 700,000 Nebraskans found themselves at risk of identity theft for their entire lifetime. Equifax's response was irresponsible and insufficient. Nebraskans found themselves having to pay out of pockets to freeze their accounts as a result of Equifax's inability to keep their information safe and secure. The legislation I have brought to you today ensures that the hard-earned dollars and credit of every Nebraskan is put before consumer reporting agencies like Equifax. I find it disturbing and completely illogical that a company and industry can lose our financial data and then turn around and make a profit off, or even charge consumers minimal fees for simply trying to protect themselves from that loss of data that was no fault of their own. In addition, one of our colleagues, Senator Anna Wishart, brought up the point that none of us as consumers have chosen to give any of our personal information to any of these reporting agencies and yet they profit off it even when they lose it. Now, I do think to have credit scores and credit reporting industries is necessary. I don't dispute that. That being said, given the staggering loss of information and the need as consumers to now take additional measures to protect our financial livelihoods, I think we must act as a Legislature. Further, I would note that I significantly narrowed the scope of this legislation to strike a middle ground, which is why I only included credit freezes and substantially similar services to those credit freezes. Personally, I do not think anyone should be charged for any credit monitoring from here on out given the scope of the data breach. However, I also know that the credit monitoring industry must have the resources to provide some of their services, and I believe eliminating minimal fees for security freezes and giving more enforcement authority to the Attorney General is an appropriate course. This legislation strikes an appropriate balance by providing consumers access to security freezes at no charge, and allowing reporting agencies to innovate and charge for other products or bundled services. In LB757, security products that are substantially similar to security freeze are the only products equal to a security freeze and not products lesser or greater than a security freeze. Those are the only ones that are allowed for free under this bill. So I just want to repeat, only the security freeze and not products that are lesser or greater than a security freeze. This legislation's common sense consumer protection regulations are implemented as follows. First, it mandates that the individual commercial entities in Nebraska that hold personal information must implement and maintain reasonable security measures and practices. These are already industry

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standards that are well-known. Next, LB757 guarantees that if a consumer reporting agency provides personal information to a third party, that third party maintains the same security procedures and practices. Finally, the legislation assures that if there is a security breach that does occur, the consumer reporting agency shall not charge any fee for placing temporary lifting or removing a security freeze. If the breach does occur, the Attorney General will now have increased power to issue subpoenas and likewise seek and recover economic damages to a Nebraskan or Nebraskans. The industry brought concerns to me that they're concerned that substantially similar products were not well-defined. We worked with them and came up with language that simply tightens the definition of what is covered. It is my intention that security freezes remain free to consumers in all cases. If a security freeze combined with another product such as a dark Web search or something like that, I don't have a problem with a company charging more for additional services as long as the security freeze remains free. Once again, that is the intent of this bill and the amendment to the committee amendment that I will provide reflects that. It is important now for Nebraskans to follow the lead of other states that have begun to implement these consumer protection regulations as a result of the massive Equifax data breach. I urge your favorable consideration of LB757 and look forward to taking the necessary steps to protect all Nebraskans. Thank you, Mr. President. [LB757]

SENATOR WILLIAMS: Thank you, Senator Morfeld. As the Clerk stated, there are amendments from the Judiciary Committee. Senator Ebke, as Chair of the committee, you are recognized to open on the amendment. [LB757]

SENATOR EBKE: Thank you, Mr. President. The committee amendment simply makes changes to language to incorporate some of the industry standard terminology that Senator Morfeld mentioned. The amendment further recognizes and restructures the provisions of the section in a way that better conforms to industry requirements and appropriately references applicable federal laws. There is, as Senator Morfeld mentioned, an amendment to the amendment that he is bringing that also just further clarifies post his work with the industry. So I would ask for your green vote at the appropriate time on AM1648. [LB757]

SENATOR WILLIAMS: Thank you, Senator Ebke. Mr. Clerk. [LB757]

CLERK: Mr. President, Senator Morfeld would offer AM1689 as an amendment to the committee amendment. (Legislative Journal pages 492-495.) [LB757]

SENATOR MORFELD: Thank you, Mr. Clerk. Senator Morfeld, you're recognized to open on your amendment to the committee amendment. [LB757]

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SENATOR MORFELD: Thank you, Mr. President. Colleagues, this amendment to the committee amendment is crafted after negotiations and working with the credit industry and the Attorney General's Office to make clear that the security freeze is free, but other products that are bundled with the security freeze can also be charged for. So we just wanted to make sure that the intent was clear and I was happy to work with the credit agencies and the Attorney General's Office, along with several other industry partners in the Judiciary Committee amendment and I urge your green vote. Thank you, Mr. President. [LB757]

SENATOR WILLIAMS: Thank you, Senator Morfeld. Debate is open on the amendment to the committee amendment. Seeing no one willing to debate, Senator Morfeld, you're asked to close on your amendment. Senator Morfeld waives closing. The question is, shall we adopt the committee amendment, AM1689? Excuse me, we're adopting AM1689 to the committee amendment. Those in favor please vote aye; those opposed vote nay. Record, Mr. Clerk. [LB757]

CLERK: 34 ayes, 0 nays on adoption of the amendment to the committee amendments. [LB757]

SENATOR WILLIAMS: The amendment is adopted. Moving back to the committee amendment, Senator Ebke waives closing. Senator Schumacher, you are recognized. [LB757]

SENATOR SCHUMACHER: Thank you, Mr. President, and members of the body. It looks like this one is moving through rather fast and I don't know if we've had sufficient discussion on it because I'm not sure what I'm voting on. Not that it's the first time. But we're dealing with these credit reporting agencies. They're involved in a lot of things with, you know, credit cards, mortgages, whatever. I assume that they charge the financial institutions that use them fees. Somehow those fees get charged back to the consumer and we all want security, but is this going to add to our cost? Is there a...can we just throw out there that, yeah, you'll use reasonable security and if we throw that out there, what does that mean? I think we all realize we're in an age where data breaches are just going to happen. The Pentagon has been breached. You know, Hillary's e-mail was breached. Gosh, there couldn't be anything more secure than that. But I would like to hear a little bit more discussion so I feel that this is thought through and what these particular provisions of Title V of the Gramm-Leach-Bliley Act mean, if anyone knows. What 42 USC, 1320d, 0 to 9 say. And I'm a little reluctant because I think I sense big bucks here and big security issues, so I'm not saying I'm against this. I'd just like to know a little bit more of what I'm voting for, and/or against, for that matter. So I'd like to hear a little more from Senator Morfeld about the details of what this does, what cost, what resources we are requiring or not requiring the Attorney General or county attorneys to expend. Whether or not if I bring a lawsuit based upon this law because of a change in law in some other state that we say we will apply if it's stricter than ours--I don't know if I've ever seen that in language before--complies with a state law that provides greater protection to personal information than the protections in this section.

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So if Hawaii passes a law that's more strict, that costs a lot of money to enforce, are we obligating ourselves? If I sue somebody under this law, do I get attorney fees? Who bears the cost of it? Can I compel the Attorney General to sue somebody for me? I'd like to know a little bit more and I stand simply because I sense big money and big issues involved here and we talk about something with ten minutes of debate. I'm not sure we've given it adequate consideration. Certainly I do not feel we've given it adequate consideration for me to make a judgment as to whether or not it's smart. And I am bothered by this thing that we are insisting somebody else comply...that the commercial agencies comply with the most strict state law out there. Is that an unlawful delegation of authority that we can delegate to Hawaii to make a law that we've got a...that we are dittoing? I don't know. But I wanted to just slow down the freight train here for just a second so that we're at least comfortable when we push those buttons. Thank you. [LB757]

SENATOR WILLIAMS: Thank you, Senator Schumacher. Seeing no one in the queue, Senator Ebke, are you willing to close on the committee amendment? Senator Ebke waived closing. The question shall be the adoption of the committee amendments to LB757. All those in favor vote aye; opposed vote nay. Has everyone voted who wishes to vote? Mr. Clerk, please record. [LB757]

ASSISTANT CLERK: 30 ayes, 0 nays on the adoption of committee amendments, Mr. President. [LB757]

SENATOR WILLIAMS: Committee amendment is adopted. We'll move to further debate on LB757. Senator Erdman, you're recognized. [LB757]

SENATOR ERDMAN: Thank you, Mr. President. Good morning. I was wondering if Senator Morfeld might stand to a question? [LB757]

SENATOR WILLIAMS: Senator Morfeld, will you yield? [LB757]

SENATOR MORFELD: Yes. [LB757]

SENATOR ERDMAN: Senator Morfeld, I see, or I hear that we're going to prohibit Equifax from collecting the \$10 fee to put a freeze on my credit account, is that correct? [LB757]

SENATOR MORFELD: No, it's actually a \$3 fee that you would have to collect. [LB757]

SENATOR ERDMAN: So, are you telling Equifax how much they can charge for their fees for the services? [LB757]

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SENATOR MORFELD: No, we're just saying that Equifax and the other credit agency may not charge a fee for the credit freeze. They can charge fees for other services such as credit locks, extensive credit monitoring, dark Web searches, things like that, but not for the freeze. [LB757]

SENATOR ERDMAN: Okay. All right. I'm kind of in Schumacher camp this morning. I probably need to learn more about this bill, little confused on what it's trying to do, but I do appreciate you answering the question. Thank you. [LB757]

SENATOR MORFELD: Thank you. [LB757]

SENATOR WILLIAMS: Thank you, Senator Erdman and Senator Morfeld. Seeing no one in the queue, Senator Morfeld, you're asked to close on LB757. [LB757]

SENATOR MORFELD: Thank you, Mr. President. And thank you, Senator Schumacher, for bringing up some of these concerns. I've written down some of the concerns and questions that he has and I will get back to him and the rest of the body in response to those. I will say that the reason why we put in that if a company actually complies with a higher level than just what is considered the reasonable industry standard, then they don't have anything to worry about in terms of compliance with this act. That's the purpose of that. So if Hawaii has really high security standards for all their companies that hold personal data for their state residents and a company complies with Hawaii's standards, then they don't have to worry about not being...implementing reasonable standards under this Nebraska law. That's the purpose of that. In addition to resources, we've worked very closely with the Attorney General's Office. They helped us draft this legislation actually and they were confident that under their current resources, they would be able to use the consumer protection division of the Nebraska Attorney General's Office to be able to enforce this law. I think it's important to note that the reason why we're making these changes and why we're making credit freezes free is because a third of Nebraskans' data has been lost. My data has been lost. Many of your data has been lost. Your Social Security numbers, your driver's license numbers, your date of birth, all of that information is out there. And the only security that we have right now is knowing that there is so much data that was lost that it would be tough for them to steal everybody's information and defraud everyone. That's pretty cold comfort and that's why we want to allow the highest level of protection for credit to be free. And that's the security freeze. My intent is not to put these industries out of business or anything like that. I understand the importance of credit industry. But my intent is to work with the Attorney General's Office to make sure that Nebraskan consumers have the best access to freezing their security...or excuse me, freezing their personal information and their credit information so that their financial data can be protected in these precarious times. Thank you, Mr. President. [LB757]

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SENATOR WILLIAMS: Thank you, Senator Morfeld. The question is the advancement of LB757 to E&R Initial. All those in favor vote aye; and those opposed vote nay. Have you all voted? Record, Mr. Clerk. [LB757]

ASSISTANT CLERK: 34 ayes, 0 nays on the motion to advance the bill, Mr. President. [LB757]

SENATOR WILLIAMS: The bill advances. Mr. Clerk. Items for the record, please. [LB757]

ASSISTANT CLERK: Mr. President, thank you. I have notice of committee hearings from the Executive Board for February 8th, 12th, 14th, and 21st. I have a designation of LB936 from the Performance Audit Committee as their priority bill. Amendment from Senator Brewer to LB1054 to be printed. That's all I have at this time. (Legislative Journal pages 495-496.) [LB936 LB1054]

SENATOR WILLIAMS: Next item, please.

ASSISTANT CLERK: Mr. President, Senator Hughes would move to withdraw LB821. (MO195, Legislative Journal page 486.) [LB821]

SENATOR WILLIAMS: Senator Hughes, you're welcome to open on your withdrawal motion. [LB821]

SENATOR HUGHES: Thank you, Mr. President. Good morning, members of the body. I'm requesting the withdrawal of LB821 for your consideration. This bill was brought to me by the Power Review Board which thought the affected parties were all on the same page. It turns out the bill needs some work in collaboration between the parties and they have agreed to do that over the summer. So I respectfully ask your support for this withdrawal motion. Thank you. [LB821]

SENATOR WILLIAMS: Thank you, Senator Hughes. Senator Chambers, you're recognized. [LB821]

SENATOR CHAMBERS: Thank you. Mr. President and members of the Legislature, as I stated the other day that whatever an introducer of a bill wants, when it's along the lines of withdrawing the bill, I will support that being done. But Senator Hughes and I have developed a rather unique relationship this session, so anything that has his name on it is going to be dealt with by me. And I want to make one thing clear to Senator Hughes at this point. Senator Hughes, I had over \$5,000 worth of tree trimming done around my house and the name of the company is Hughes

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Company. I'm not even going to ask you if you have anything to do with it because they did one of the best jobs I've ever seen done anywhere. So that's one time when your name is not going to create a problem. And the only other reference other than when I'm talking on a bill, is that I'll mention that I see Howard Hughes up on that board. If you look up there, Howard Hughes. Now, nobody knows where Howard Hughes is. They don't even know if he's alive or dead. But maybe that is Howard Hughes streaming something from the great beyond so that those who have ears to hear and eyes to see will perceive it and be aware that Howard Hughes is somewhere hovering over our activities. And as long as we do not do something with which he disagrees, then everything will be all right. But should we cross him, I don't know whether the walls will shake, the windows will break, whether the cake will not be baked or whatever, but we'll just have to see. I'm going to talk about the bill that Senator Hughes led the onslaught against because a bad law was involved. I'm going to mention something in the law. If you are going to be sued, the law requires that the one suing you give you notice. That means inform you in the way the law says you must be informed or the action cannot stand. There is a provision in law that says, if the person who is to be the defendant is not served within a certain amount of time after the petition or the action is filed, then by operation of law, your action is dismissed. It's dismissed by operation of law. That shows how important the law considers notice to be. Well, Senator Larson...well, he's not here. But he thought that he had caught Senator Krist in some kind of dereliction when Senator Krist mentioned, you don't have to get notice. And so Senator Larson popped up and popped off, wrong as he often is. So I decided what I would do is bring provisions of the law itself. But before I do that, I'd like to engage Senator Hilgers, the resident lawyer, "Jr.", because the resident lawyer is "Professor" Schumacher. The lawyer pretender is Senator Chambers. There is a word for that: P-o-s-e-u-r. It's pronounced poser, but it's not a poser. It's somebody who professes or pretends or purports to be something which he or she is not. I'm going to ask Senator Hilgers if he would yield to a question or two. [LB821]

SENATOR WILLIAMS: Senator Hilgers, would you yield? [LB821]

SENATOR HILGERS: Absolutely. [LB821]

SENATOR WILLIAMS: One minute. [LB821]

SENATOR CHAMBERS: Senator Hilgers, when the law mandates that notice be given in the filing of a lawsuit, if you file that lawsuit and you don't give notice within the time required by law, will your lawsuit be kept alive? [LB821]

SENATOR HILGERS: No, the court will dismiss it. Typically without prejudice, but it will be dismissed. [LB821]

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SENATOR CHAMBERS: Right. And because I only have a minute, I will stop at this point and then take it up further. Thank you, Mr. President. [LB821]

SENATOR WILLIAMS: Senator, you're next in the queue, you may continue. [LB821]

SENATOR CHAMBERS: Thank you. Senator, in your experience in dealing with the law, have you ever come across a place in the law where notice is required, but then that law will say, however, if the recipient for whom notice is to be provided doesn't get the notice, then it remains as though he or she did and the failure to serve notice doesn't mean anything? [LB821]

SENATOR HILGERS: Senator Chambers, certainly in the litigation context, I can think of no instance in which someone's obligations or responsibilities would begin to accrue without notice...without actual notice to that individual. [LB821]

SENATOR CHAMBERS: Thank you. And members, that's not a trick question. It's to let you all know that there are provisions in the law of a general nature that apply across the board. Now, I'm going to read something from this law. When Senator Hughes attacked my bill, and I'm talking about the black-tailed prairie dog bill, he hadn't read the law. But I'm going to continue dealing with that issue and I may prioritize my bill and have it out here again, but I want to prepare the way by letting you all know how bad that law is. At 23-3806, (1)(a) Notices for management of colonies shall consist of two kinds. General notice and individual notices, which notices shall be on a form prescribed by this section. Now I want Senator Hilgers to pay attention to this very next sentence. Failure to publish general notice or to serve individual notices as provided in this section shall not relieve any person from the necessity of full compliance with the Black-tailed Prairie Dog Management Act. Isn't that saying on its face, the one who is going to be subjected to this action by the county need not receive general or personal notice? [LB821]

SENATOR HILGERS: The way that I read that sentence, yes, Senator Chambers, that's what it's saying. [LB821]

SENATOR CHAMBERS: Thank you. And I'm not using trickery. Members of the Legislature, do you all know the things that you are subjected to under this bill? People can come on your property. They can start spreading poison. They can trample your crops and you will be billed for it. Now, remember, you didn't get notice. You don't have to be given notice. So you don't know anything about this and after 60 days, a fine begins to accrue at the rate of \$100 a day. After 15 days, and you didn't know about it, your bill is \$1,500. And when it reaches that amount, it is turned over to the assessor and it is attached to your tax bill. And that \$1,500, about which you know nothing, accrues interest just like your taxes. And if you still don't pay it, then a lien is placed against your property and you don't know that. You have no notice. You don't comply and

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your property then goes into foreclosure. And since you don't have notice, you don't know anything about this. In the event that foreclosure occurs, that is not the only punishment against you. The law specifically says, these are not the sole remedies. Any other punishment... [LB821]

SENATOR WILLIAMS: One minute. [LB821]

SENATOR CHAMBERS: ...allowed under the law will be brought to bear on you and you never had notice. And that's what you all want. That's what Senator Hughes wanted. And you all are going to let somebody who hasn't read the law, who is not trained in the law, who has not enough respect for the law to even read it, to lead you all out of the wilderness into the swamp. Well, you're in the swamp now and I'm the swamp master. I am the one who controls the quicksand and I shall not release you. [LB821]

SENATOR WILLIAMS: Thank you, Senator Chambers. You're next in the queue and this is your third time to speak. [LB821]

SENATOR CHAMBERS: Correct, and I'm not going to vote against what Senator Hughes wants to do. I am trying to save this idiotic Legislature from its own stupidity. You all voted to put that trash in the statute. I'm being the garbageman voluntarily. I will collect the trash that you all put in the statute. You will not read and you will not heed. I know the feeling Noah had now, tried to tell those foolish people, I talked to God. I think they knew who God was. God told me that you all need to straighten up and fly right and if you don't straighten up and fly right now, you're going to have to be able to swim forever because a rain is coming, a flood will result and you will be drowned out, all of you. And they laughed at him. Just like the climate change deniers have you all laughing at that. This will be the second flood. Only it will be technological in nature. You don't pay attention. But we are not dealing with anything that cataclysmic. All that I'm trying to get us to do is correct an error that was made. A trampling on private property rights that you will not find anywhere in these statutes and none that are so blatantly set forth in the statutes of any country, even a tyranny. And the court need not be involved in any of this. Oh, and I forgot to tell you, the county attorney will be involved to bring a charge against you and all those are called an infraction, that under the statutes of Nebraska is a crime. That which started out as a civil matter based on an unsubstantiated complaint, when you got no notice of it, is converted into a criminal matter. And what I'm going to do when I get to another of Senator Hughes' bills or another bill I decide to use, I shall provide for you all a copy of the statutes, which will be a waste of time. But I'm going to lay it out for you. And I'm going to lay it on you and I am not going to quit. We're past one-third of the way through this session. You all think I cannot take some more days away from you? Sometimes the discussions will be on bills where I don't have to offer amendments or motions of this kind because the bill will merit discussion. But I want to serve notice on the Governor if his bill comes out here, I'm going to take control of

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that bill. English bulldogs were bred and famous for their gripping power. They get a grip and they will not let go. When I take hold of the Governor's bill, the gripping power of the bulldog by comparison, will be as a one-day-old baby taking hold of something and gripping it with all the strength in its tiny little hand. I shall not let it go. And I want you all to challenge me and I'm going to offer my bill again by prioritizing it. And when you all kill it, I tell you this, mark well what you do. I have not undertaken a project of this kind with such determination since I've been in the Legislature. [LB821]

SENATOR WILLIAMS: One minute. [LB821]

SENATOR CHAMBERS: But I never had somebody stand up who had not read the law and make a fool out of so many of my colleagues. Made a fool out of you. Admitted he did not read the law. He didn't know what the law said. So he said, I'm ignorant. But since you all are more ignorant than I am, the less ignorant one shall lead the more ignorant ones and then I throw in what Jesus said, the blind lead the blind and they both fall into the ditch. You're in the ditch now. But as Billy Joel said, send me a message, I'll throw you a line. You all send me a message and I'll throw you a line. And I'll pull you out of that morass that Senator Hughes led you all into. But if you don't, you're asking for what I'm going to give you. And when you ask me, it shall be given. Thank you, Mr. President. [LB821]

SPEAKER SCHEER PRESIDING

SPEAKER SCHEER: Thank you, Senator Chambers. Seeing no one else wishing to speak, Senator Hughes, you're welcome to close on your motion. [LB821]

SENATOR HUGHES: Thank you, Mr. President. Just to bring us back full circle, this bill was brought to me by the Power Review Board. They needed to...wanted to make something happen. Turns out the parties were not all on the same page and they have agreed to work on it over the summer, and I will be part of that process. So I would appreciate a green vote on my motion to withdraw LB821. Thank you. [LB821]

SPEAKER SCHEER: Thank you, Senator Hughes. The question before us is the motion to withdraw LB821. All those in favor please vote aye; all those opposed vote nay. Have all voted that wish to? Please record. [LB821]

CLERK: 32 ayes, 0 nays, Mr. President, on the motion to withdraw the bill. [LB821]

SPEAKER SCHEER: LB821 is withdrawn. Mr. Clerk. [LB821]

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CLERK: Mr. President, LB51, it's a bill by Senator Schumacher. (Read title.) Senator Schumacher presented his bill yesterday, Mr. President. Committee amendments were adopted. I do have a motion to the bill, Mr. President. (Legislative Journal page 496.) [LB51]

SPEAKER SCHEER: Thank you. Senator Schumacher, could you give us a two-minute thumbnail of the bill and I will then allow Senator Williams two minutes as well. [LB51]

SENATOR SCHUMACHER: Thank you, Mr. Speaker. This bill is a fairly simple bill and right now when you don't pay your taxes, the county can assign those taxes to a bidder who gets 14 percent interest on the money if he pays your taxes for you. And then after a period of time, which not to exceed three years, he can collect the taxes from you with 14 percent interest. Fourteen percent interest was an interest rate that was set when interest rates at the bank were around 15 percent back in 1981. Has never been adjusted. What this...the county treasurers argue that such a high interest rates encouraged people to pay the taxes, so it don't lower the interest rate. At the same time, that's a pretty outrageous rate of interest for something that essentially is covered by a first mortgage because taxes come ahead of about everything. So this simply proposes that when they sell these taxes, if there is more than one bidder, the bidders can bid against each other and go to 14 percent, 10 percent to wherever the market finds itself. And then the difference between what it sells for and what it...the 14 percent goes to the county funds for the county to be used presumably as property tax relief. Naturally, people who buy these things want to keep it just the way it is at 14 percent. I understand that. But I also spent a great deal of time in Revenue Committee listening to folks complain about too high taxes and we need to get money from somewhere else, and this seems like a good place to get it. Thank you. [LB51]

SPEAKER SCHEER: Thank you, Senator Schumacher. Senator Williams for a two minute. [LB51]

SENATOR WILLIAMS: Thank you, Mr. President. And again, I just want to rise in opposition to this. Again, we're trying to fix something that is working very well at the present time. I would point out, Senator Schumacher is certainly correct that the 14 percent, if you compared it to a bank loan, would be a high rate of interest. The problem is, this isn't a comparable type of rate. This is a rate which incensed...incensed people to pay their taxes, which is what the counties want. That's why the counties were neutral on this. If you look at your committee statement, Senator Schumacher was the only one that spoke in favor of this legislation. There were a number of people that spoke in opposition, and then a few counties spoke in a neutral capacity. The system is working the way it is today. Therefore, I don't think it needs to be changed and again, having the high rate of interest does help the counties by causing people to really want to pay these taxes. So I'll just say that much for now, Mr. President. [LB51]

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SENATOR HUGHES PRESIDING

SENATOR HUGHES: Thank you, Senator Williams. Mr. Clerk for a motion. [LB51]

CLERK: Mr. President, Senator Schumacher would move to indefinitely postpone LB51. [LB51]

SENATOR HUGHES: Senator Schumacher, you're recognized. [LB51]

SENATOR SCHUMACHER: Thank you, Mr. President, and members of the body. I've always wanted to do this. I heard it was tried once and it blew up on the guy who tried it, but nevertheless, I've been here for seven years and haven't had a chance to take this shot. And I wouldn't be taking it today because I think my bill is a good bill and would ask you in the end to vote for it after it's all said and done. But I also hear the folks that are getting the 14 percent interest have rung the phones a few times, hired a few lobbyists, shook the tree a little bit. And there is apparently what's going to be a filibuster that's going to cost us three or six hours of legislative time that neither you or I want to spend. Okay? This is either a good idea or it's a rotten idea. The arguments I've heard saying it's a rotten idea aren't terribly strong, including the one that Senator Williams just made that said, you know, it's an incentive for people to pay their taxes, but we aren't changing what the people pay. We're just changing where the money goes. And I understand if I was buying this and I had a business set up to buy 14 percent interest, I'd sure be hiring lobbyists and pulling every string I could in order to get the bill out of the way and to sit on my 14 percent interest, which if this bill fails, folks out there and listening in, get in and take advantage of the picnic because it's 14 percent interest. It's effectively a first mortgage. Pick the certificates and even if you buy a few losers, and you won't because very, very, very, very few go to foreclosure. I know that because I was a county attorney. They get stuck with the ultimate foreclosures of the really bad property. They all pay up, except for really, really pieces of junk that don't amount to anything. And there is very little of that. So what I'm doing here, because I don't want to kill your time, and I don't want to kill my time because we got a lot of things to do, is find out what you think. If you think that, you know, you've gotten the phone ringing, you've gotten the white slips of paper, and that you know, life is well and we really don't need to capture any money along the way for the counties, for the things we ask the counties to do and mandate that they do, and then vote for the IPP motion, let's get on with life. If on the other hand, you think that, you know, this has got merit, what the heck, let's let the market develop a level. Let's let it come into play. We are very high on this interest rate. There's no reason somebody should have a picnic, then vote against the IPP motion. And that will send a message, hopefully, to folks who want to filibuster that, you know, that's an abuse of the filibuster. The filibuster is an extremely powerful tool that should remain at the level that we have now of 33 votes in order to move on because there are significant pieces of legislation which need to have that kind of vote and will have long-term impact on the state. Be really unwise to change that 33 rule. At the same

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time, for Mickey Mouse stuff like we kill a lot of time on, that really shouldn't be filibustered, really that the proponent gets...you know, introduces something and all of a sudden find themselves in the middle of a filibuster, we should have a way to take the sense of the body if the support isn't there, move on, and if the support is there, rely on our colleagues to have some common sense and get out of the way of a vote. And so that's what I'm doing with this. It may blow up on me. It will be a little bit of an experience I haven't had before. At the same time, it may be successful in showing us a way out of this filibuster situation where folks filibuster fairly insignificant pieces of legislation. This bill is here not because of a priority. It's here because of the way things evolve and it just came up on the agenda. Good bill. And I'm just asking for your judgment one way or the other so life can go on. Thank you. [LB51]

SENATOR HUGHES: Thank you, Senator Schumacher. Mr. Clerk. [LB51]

CLERK: Mr. President, a priority motion. Senator Chambers would move to bracket the bill until April 18 of 2018. [LB51]

SENATOR HUGHES: Senator Chambers, you're recognized to open on your motion. [LB51]

SENATOR CHAMBERS: Mr. President, members of the Legislature, when I spoke on Senator Hughes's motion to withdraw his bill, I made clear how far I would go when I stated I would do what the introducer of a bill wants, I said, when it comes to withdrawing it. This is not a motion to withdraw. This is a motion to kill the bill. Sometimes a person must be saved from himself or herself. This bill on this floor having come out here is as much mine as it is Senator Schumacher's for my purposes. I think it is a profoundly important piece of legislation, not just because it says 14 percent and that amount would be much higher than a legitimate...what is considered a legitimate rate of interest. And Senator Williams, a banker, tried to point out that the circumstances are different because that is a bank loan, which is where he operates. Every smile he makes, every claim he stakes, every cake he bakes, every snack he makes, for goodness sakes, I am not going to let this bill go on Senator Schumacher's motion without having some words to say. I was going to discuss the bill and it's in the context of my trying to bring some decency to this Legislature. If 14 percent will use that...would be that incentive...I don't use the word "incent" as a verb. Maybe it's a verb. Incent would be short for incentive. But incentive is a noun. Incent, if you were going to make an infinitive I guess, would be to incent. He wants to incent people to pay taxes. Well, if 14 percent does so much good, why not make it 20 percent or 30 percent or confiscate the property? You all do not think. You all do not have a set standard of morality. Yours operates on a sliding scale. You will argue vociferously, forcefully that A means A means A because it's something you like. But when the very same principle comes into play on something you don't like, then A doesn't really mean A. Because if you have an upper case A and you simply flip it on its head and erase that bar that connects the down stroke to the up

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stroke, you don't have A anymore, you have V. And who in the world would say A and V are the same? And that analogy fits because today you want to turn what is considered morally justified on its head and justify something that is profoundly immoral. There are not people on this floor representing the interest of those who truly need that representation. Who are you to say why somebody fails to pay his or her taxes? Why is the Governor trying to get a cut in the tax rates for the rich people when they've got the wherewithal to pay them, but they don't want to pay their taxes? You'll go for that, but you're going to go for it...I won't say over my dead body because some people will take it as a challenge rather than as a figure of speech. So I'm going to worry you on this bill for a while. And I'm going to talk about morality and make a strong pitch for you to stop those hypocritical prayers you utter every morning. Why do you do it? You know what you're doing? You're putting your hand beneath your rectum, you're defecating it, then what you have in your hand, you're throwing it in God's face and say, take that and like it and if you don't like it, do something about it. You have no respect for this so-called religion. And you know who is leading the charge for religion in this country, talking about religious freedom? The "pumpkin man" who has no respect for people. You all who are Christians know that he was making fun of a disabled person during his campaign when he crooked his arms in front of his body and made faces when he was talking against a reporter who happens to have an affliction that he was approximating. He ridiculed the man and you Christians follow him. Your "Bible" tells you not to get a divorce; marry once and that's it. He had multiple marriages and the so-called evangelicals support him. Why do they support him? Because he said, fall down and worship me and I'll give you what you want. I'm going to read for you all one of these days the three theorems of Trumpism. One comes from the devil's playbook, one comes from Hitler's playbook, and the other comes from, believe it or not, Abraham Lincoln's playbook. I figured all that out and I'm going to take a day and I'm going to read it. And since I'm a slow reader when I'm studying, I'm going to be a slow reader when I read those things so that time will pass as I read. "...time, time, time, In a sort of Runic rhyme, To the tintinnabulation that so musically wells From the bells, bells, bells, bells, Bells, bells, bells--From the rhyming and the chiming of the bells." That comes from a poem by Edgar Allan Poe. The title may not surprise you, it's called "The Bells." "Hear the sledges with the bells--Silver bells! What a world of merriment their melody foretells! How they tinkle, tinkle, tinkle, In the icy air of night? While the stars that oversprinkle All the heavens, seem to twinkle With a crystalline delight." Then those words that I quoted, "Keeping time, time, time" and so forth. I'm going to take some time, time, time. You all, to show your hypocrisy before you jump into that pool, you will say, especially if you're a Catholic, morality is not relative. You know why I know what Catholics say? When I went to Creighton--it's a Jesuit school--they had on a table in the library a collection of very large books bound with black cardboard or black leather. It was so long ago I cannot say for sure but they were black, very large, and the collective title was The Catholic Encyclopedia. And I read those books to find out what Catholicism is about. And I thought that those who write Catholic encyclopedias or at least that one would know what Catholicism is about, so I read it vociferously. Vociferously? Come on, Chambers, you don't read vociferously, not even you. You

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might read voraciously, but you don't read vociferously. Why are you going to mislead these innocent rubes who take what you say literally and expect it to be true? Well, I will tell you this, in the person of one individual... [LB51]

SENATOR HUGHES: One minute. [LB51]

SENATOR CHAMBERS: ...there were two battling forces, one was good, one was evil. The good one had a title, doctor, Doctor Jeekell (phonetically) or Jekyll. I say Jeekell because the unlearned when you say Doctor Jekyll and Mr. Hyde, they take that as Heckle and Jeckle, because they've heard a word that sounds like it, Heckle and Jeckle. So I'll say Doctor Jeekell and Mr. Hyde. Mr. Hyde has that title that shows respect--it's not honorific exactly, because it's not Your Honor or doctor or those kind--and his first name was Edward. What was Jekyll's first name? Was it Henry? [LB51]

SENATOR HUGHES: Time, Senator. [LB51]

SENATOR CHAMBERS: Thank you, Mr. President. [LB51]

SENATOR HUGHES: You are next in the queue. [LB51]

SENATOR CHAMBERS: If, brothers, sisters, friends, enemies, and neutrals, if it was Henry and if he was in England, a certain part of England, they drop the "h's" and it would have been Enery, without an "h." But you know what's peculiar about that region of England, they drop the "h" where there is an "h" and they add an "h" where there is no "h." So if the word is "hawk" they would pronounce it "awk", dropping the "h." If the word is "owl" without an "h" it becomes "howl." If it's "eagle" without an "h" it becomes "heagle." So "e" is going to talk to you about the "heagles" and the "howls" but not about the "awks." That's the way people talk. And in different parts of the world within one country, sometimes one city, often one region, people do things with the language that are not done in other parts of that location. It can be called colloquialisms, it can be called slang, there are even different words by which you describe things like that. And if you get a good dictionary, it will put some of those words in, define them and let you know what it is. Now, I think I will talk as we go along this session about Doctor Jekyll--I say Jekyll for you all because you know the difference now between Heckle and Jeckle--about Doctor Jekyll and Mr. Hyde and why I identify with Mr. Hyde and not Doctor Jekyll. I did not see Edward Hyde as wicked. I did not see Mr. Hyde as evil. I saw Mr. Hyde as a creature created by Doctor Jekyll, by messing where he shouldn't have been messing and brought forth Edward Hyde. Edward Hyde throughout the story never acted contrary to his nature. A thing must act in accord with its nature if it doesn't have an intellect that will allow it to choose to do otherwise. A turtle will always be a turtle. If turtles speak, a turtle will never speak fox. A fox will never speak

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turtle. They speak the language of their species. The one who acted contrary to his nature was Doctor Jekyll. Doctor Jekyll was a creature who had a choice. Doctor Jekyll had various alternatives placed before him. He could have chosen any one of them, a combination of them, or left that area alone entirely, but he chose to dabble and he let loose something that he did not understand at first and which he could not control subsequently. You can do things with fiction that you cannot do with facts. Whether or not a person could compound a substance that would permit the separation, if two such concepts exist in one person... [LB51]

SENATOR HUGHES: One minute. [LB51]

SENATOR CHAMBERS: ...the evil and leave the good. But if that which is left is Doctor Jekyll and it's considered good, how could he be considered good when he unleashed that which he knew was evil. But you can say, well, he didn't know the nature of the evil. Well, if you don't know where this road is going to take you, but you know there are roads that lead you into danger, don't take the road. If you take the road, the consequences that attend having taken that road are justifiably visited upon you. You made a choice. You did not consciously make the choice to have the bad things that happened happen. You made the choice to put your feet on a path and follow it, so at least you were creating a situation where you were willing to risk whatever the consequences would be. [LB51]

SENATOR HUGHES: Time, Senator. Thank you Senator Chambers. Senator Williams, you are recognized. [LB51]

SENATOR WILLIAMS: Thank you, Mr. President. If you can imagine that picture that you see at times, that picture that is there with that young child sitting on the front steps with every toy imaginable around him and the caption underneath says, so many toys, so little time. Senator Chambers, you are reminding us again of how little time we have. I would like to congratulate and thank Senator Schumacher for a lot of things, one of them is being wise about the future of this bill. Senator Schumacher and I agree on a lot of things, much more than we disagree on. He said, is this a good or bad bill? He's going to tell you it's a good bill. I'm going to tell you it's a bad bill, but I'm also going to tell you that I agree completely this is not a bill we should take the time on that we have said is deserving of a bill for filibuster. And when I suggested that Senator Schumacher's mother might have the opportunity to view him a lot on closed circuit TV over the course of the debate, a lot would be maybe five or ten minutes, not six hours. So I agree with the concept of moving forward and making a decision on this bill, up or down. We're on General File. We've got plenty of time on Select File and Final Reading if somebody wants to take additional time or more discussion on this. We have a concept here that has been in place for many years. When people don't pay their property taxes we have in statute created an interest rate that the counties charge. And after about three years of people not paying their taxes, our

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counties have put in practice a sale of those tax liens, And the 14 percent, as Senator Schumacher said, was put in back in the 80s, it was 9 percent before that, and it was put in to encourage--I will use that word, Senator Chambers, rather than incent--it was put in to encourage people to pay those taxes. We need people to pay those taxes because that's what funds our county government, our schools, other taxing entities, our hospitals that receive the dollars collected by the county. The current system has worked and is working. It's not something that we need to jump in and find a different way to make it work. It is also working because many of the people that are buying these tax lien systems right now are local. In my county, they are typically bought by local area people. My concern, among others, is that if we change this to a bidding system as proposed by LB51, we will discourage rather than encourage the local people from participating in this process and we're much more likely to have large buyers from outside the areas... [LB51]

SENATOR HUGHES: One minute. [LB51]

SENATOR WILLIAMS: ...even larger hedge funds that may participate in that. So I think this is a simple bill and I think it is something that we should not spend a great deal of time on at this level of debate--I agree with Senator Schumacher completely on that--and protect the use of our rules and protect the use of the filibuster for those things that really do matter. So I would encourage you to do one of several things. First one, if Senator Chambers leaves his bracket motion up, that would take care of this legislation, so you could simply vote in favor of the bracket motion. If not, and we get to it, Senator Schumacher has proposed the unorthodox method of filing an IPP motion on his own bill. [LB51]

SENATOR HUGHES: Time, Senator. [LB51]

SENATOR WILLIAMS: Thank you, Mr. President. [LB51]

SENATOR HUGHES: Thank you, Senator Williams. Senator Kuehn, you are recognized. [LB51]

SENATOR KUEHN: Thank you, Mr. President, and good morning, colleagues. I have had a number of local constituents and individuals who participate in this process of purchasing unpaid property taxes and they've expressed some concerns to me. And I want to make sure to get on the record some of the questions that they have asked. I was wondering if Senator Schumacher would give an opportunity for some more camera time and yield to a question or two. [LB51]

SENATOR HUGHES: Senator Schumacher, will you yield? [LB389]

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SENATOR SCHUMACHER: Yes, I will. [LB389]

SENATOR KUEHN: All right. Thank you, Senator Schumacher. One of the concerns that has been addressed to me by some local constituents is that primarily at this point in time the market, if you will, is local, meaning it's local individuals or in-state individuals who take advantage of this process. The concern they have expressed to me is that the process of bidding down would simply make this a market that is then dominated by hedge funds, large investors from out of state who would be able to bid them down to a cheaper rate and then we would then be taking from a local process and exporting it to an already consolidated financial industry. Thoughts or a response to that question and concern? [LB51]

SENATOR SCHUMACHER: First of all, the interstate market is already present in these bidding things. This is not a case of little guy showing up to get 14 percent interest. It's a round robin thing. If the big guy shows up, he gets the 14 percent when his turn to bid comes up. And then the next person in line gets to bid on the next certificate, and the next person the next certificate. They're there already. And, in fact, there's nothing prohibiting you from acquiring a certificate and then turning around and selling it over to a large either operator that may be in Omaha or more often in Florida or an investor from there. Because all you do is you would make some instant money by middle-manning it. You basically get a fee by going to the sale and sitting in a chair. And, in fact, some of these operators put several local people in the local chair so when they go around round-robinning, they get three or four bids in a row in order to get the 14 percent interest. And if you trace that money back and you're on my end of the scale where you have a client comes said, you know, I didn't think I...I must have forgot about these taxes and now I got this letter from ABC, LLC in Palm Beach, Florida, saying that if I don't pay them the taxes plus the 14 percent interest that's been laying around for three years, he's going to take my house, he's going to sue me. And you say, well...and you try to figure out who that LLC in Palm Beach, Florida, is and you have a real, real hard time figuring it out. They're not even challenged as to whether or not they can apply it to the Nebraska law to register with the Secretary of State, and many of them haven't. If, in fact, this brings big money in, more than already is here, then what that's telling us is there's big money to be made and there's big money to be made on that spread on interest that, for nothing else, should go to the county rather than a usurious rate of interest to some investor who is using this process quite successfully, hiding behind the skirt maybe of a local bidder that shows up at the local courthouse because they really don't know where Lexington, Nebraska, is and they don't want to go there to bid if you're from Palm Beach, Florida. [LB51]

SENATOR KUEHN: So if that's your concern, in addition to the interest rate, then why not address the sale of these certificates or the consolidation of these certificates and prohibit that process where an undisclosed individual from out of state may be purchasing and then strong-arming? Several constituents have reached out... [LB51]

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SENATOR HUGHES: One minute. [LB51]

SENATOR KUEHN: ...and indicated that they do this process independently, that they are dealing with it locally and did not indicate--and I'll check with them again--that they have participated in the process and they fear that very system of a large conglomerate or hedge fund strong-arming local communities. So would you have an interest then in closing the loophole or restricting the sale of these certificates if that's a concern that you have that may already be existing? [LB51]

SENATOR SCHUMACHER: It's in this bill that prevents collusion. [LB51]

SENATOR KUEHN: How would you define the collusion then, just the sale or...? [LB51]

SENATOR SCHUMACHER: Did we have time here? Was time called? [LB51]

SENATOR HUGHES: No. You have 13 seconds. [LB51]

SENATOR SCHUMACHER: Oh, well, we'll do it on the next go around. [LB51]

SENATOR KUEHN: All right. Thank you, Senator Schumacher. [LB51]

SENATOR HUGHES: Thank you, Senator Kuehn and Senator Schumacher. Senator Crawford, you are recognized. [LB51]

SENATOR CRAWFORD: Thank you, Mr. President, and good morning, colleagues. I want to have some conversation about the interest rate and implications of the interest rate. And so I would ask Senator Schumacher if he would yield to a question, please. [LB51]

SENATOR HUGHES: Senator Schumacher, will you yield? [LB51]

SENATOR SCHUMACHER: Yes. [LB51]

SENATOR CRAWFORD: Thank you, Senator Schumacher. So we've had some conversation about 14 percent and whether that's usurious or what load that puts on someone who might get behind on their property tax payment. But my understanding is that even with this bid-down process it's still the case that that person delinquent in taxes still has to pay 14 percent. If it gets

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bid down to 10 percent, that doesn't change what the delinquent property taxpayer has to pay. Is that correct? [LB51]

SENATOR SCHUMACHER: That's correct. It would mean the county gets 4 percent. Now, we can get into the bid-down implication of that penalty phase maybe a little later on in the conversation but you are correct, the county gets the 4 percent and the guy in Florida only gets 10 percent. [LB51]

SENATOR CRAWFORD: Okay. So we're not necessarily easing the situation for the person who gets behind on property taxes, we're mainly talking about who gets...how the money gets distributed if someone is behind and has to pay 14 percent. They still might get that letter that tells them they have to pay...they're still going to get a letter and they're still going to have to pay the 14 percent. [LB51]

SENATOR SCHUMACHER: That's correct. Initially a few years ago I tried to approach this by let's just reduce the interest rate, which would be the smart thing and the right thing to do. However, this interest rate, the way our statutes are structured is referred to by several other statutes in different areas such as interest rate on workmen's compensation judgments on appeal. Okay? And the same theory was, we want the employer to pay up rather than appeal and put the worker at disadvantage so we have the 14 percent dittoed into there. And so there was opposition from all these other people had nothing to do with taxes, that came into play. And, you know, I looked at the big check going to the guy in Florida that my client says, look it, why do I have to do this? I didn't realize I was borrowing money at 14 percent from some guy in Florida. And I look at that and I say, well, at least the county should get the money. [LB51]

SENATOR CRAWFORD: You get a letter from the county? [LB51]

SENATOR SCHUMACHER: No, you get the letter from actually the person holding the certificate. [LB51]

SENATOR CRAWFORD: Right, you still get the letter from the guy in Florida. [LB51]

SENATOR SCHUMACHER: Right, right. But at least the county gets some of the check. [LB51]

SENATOR CRAWFORD: Okay, the county gets paid back. Now, one other issue. And I just...this was just brought to my attention in an e-mail was in 2013, the Legislature eliminated the bid-down process on percent of ownership and again part of that issue--I guess we were both

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here at that time--but if there are implications in terms of...so the county gets part of the percent. I guess the issue is also though the process for the county would also be more complex if you have a bid-down process. So I guess I would ask the question about that trade-off for the county between getting some of that cut versus a perhaps more complicated process in terms of the bidding process itself and in terms of the collections and follow-up process. [LB51]

SENATOR SCHUMACHER: I don't think there's any complexity that's introduced here. Right now they go down and, do you want it? Okay, you get it. Next person in line...next certificate, you want it? You get it. Round robin, everybody gets 14 percent. Now you say this certificate is up and it's at 14 percent, does anybody want to pay 13.5 percent, now 13 percent, now 12.5 percent, now 12 percent and takes it down. That's what the process does. They should be able to do that. There was no argument that this would be incredibly complex. In fact, the argument on it was... [LB51]

SENATOR HUGHES: One minute. [LB51]

SENATOR SCHUMACHER: ...we don't want to take it down by one-tenth of a percent. It has to be, I believe the bill says half a percent increments in the bid-down so it's something that the system can handle relatively easy. And that's...it should not be more complex. [LB51]

SENATOR CRAWFORD: So there isn't an additional round of bidding, because you bid down interest rate and then another round of bidding? [LB51]

SENATOR SCHUMACHER: No. You just...you go down just like an auction. When it gets down to 9.5 percent, say, is there any other bidders take it at 9 percent? Do I see 9 percent? If nobody bids, then the guy gets it at 9.5 percent, sold. [LB51]

SENATOR CRAWFORD: Okay. Thank you, Mr. President. Thank you, Senator Schumacher. [LB51]

SENATOR HUGHES: Thank you, Senator Crawford and Senator Schumacher. Senator Chambers, you're recognized and this is your third time. [LB51]

SENATOR CHAMBERS: Thank you. Mr. President, members of the Legislature, this is the kind of conversation we would not have had if Senator Schumacher had spoken and presented the offer to kill this bill. I know this Legislature, they would have killed it just to be rid of it, because they like chicanery, they like to extort money from the citizens whom they say they're trying to help. Senator Erdman has a bill designed, he said, to help taxpayers. Who's going to pay that 14

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percent to whomever gets it? If somebody can't pay the taxes, how are they going to pay heaped on interest rates, whoever is going to get it. You all won't look at the nature of the problem and the one who is really bearing the load. I do. I live around people like that. And Senator Schumacher, they also get those letters from a New York company, but it's somebody outside of Nebraska. So these people standing up here talking about locals, either they are deliberately misleading this body or don't know what they're talking about. Based on how they discuss other issues, I'd say they don't know what they're talking about. I said "chicanery." What does chicanery come from? Chicane. If...oh, Larson is not here. I was going to say he could look it up in the dictionary and tell you if I'm fooling you or if I'm right. Chicane is something crooked. It's also called a dog leg, because a dog's leg is crooked. Do you accept that? So if you get from chicane, the word "chicanery, then that which wears that title is something that's crooked, it's not straight. It's hoodwinking. It's running a shell game. And that's what you all do. Senator Crawford touched on what ought to be done in a situation like this, and that's to lower the interest rate. If you want people to pay their taxes, don't extort the money and say 14 percent will make them pay. I say if you're going to engage in chicanery do it, make it 25 percent. Do you want to take their property? You say, well, no. Well, if they can't pay their taxes and it goes into foreclosure, are they going to bid at the foreclosure and be able to purchase their own property? There are cities where they have stolen property from poor people for next to nothing and the poor person whose home it is cannot bid because they do not have the money. And this is known. And these hustlers are the kind that Senator Kuehn is trying to protect are the ones who play this game, because people sit in legislatures like you all and create systems where the poor can be walked on, the poor can be sold for a pair of shoes, the poor can be denied food, they can be denied medical care. And then you all hypocritically stand up here and talk about protecting the taxpayers. You mean those like you. Senator Groene doesn't care about ordinary people. He talks about school boards. He talks about NRDs. When are you going to talk about the people? Well, when you want to hide what you're doing and make it sound better, when you want to try to put a little perfume on manure then you throw an, oh, yeah, the people. I tell you how magicians work, they're really illusionists. You distract with the left hand and do the trick with the right hand, but it's still a trick, trickery, treachery. Why do you think people call all politicians crooks, whether it's on the local level or federal level? Because they have seen how people who wear the title politician are dishonest. They are for sale and the people are the ones that suffer. [LB51]

SENATOR HUGHES: One minute. [LB51]

SENATOR CHAMBERS: And then you all stand on this floor and talk about the people this, the people that. They're paying too much for school aid, paying too much for that. You don't care about those people. You don't spend time with them unless you're running around trying to get them to vote. You don't visit them to see, are you sick? Is your child sick? Is there anything I can to help you? I don't want you to have to come begging to me, I'm reaching out to you. Some people all they have is their personal pride and it doesn't let them ask for help. They shouldn't

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have to ask for help. Your Jesus didn't make them do that. He knew what people needed and he came to minister to them and he offered it. And he said, if you want it, it's here for you. When he divided up those fishes and the little bread, he didn't make you show identification. If you were hungry, even if you were a crook, it was there and you could take it, too. Thank you, Mr. President. [LB51]

SENATOR HUGHES: Thank you, Senator Chambers. (Visitors introduced.) Senator Erdman, you are recognized. [LB51]

SENATOR ERDMAN: Thank you, Mr. President. Good morning again. This issue has drawn some discussion. Senator Schumacher, you said you didn't want to filibuster this, it looks like you accomplished your purpose. That's good, because we needed more discussion on this. As a county commissioner for 12 years, this is a procedure that I'm somewhat familiar with. Each first Monday in March at about 9:00 a.m. our treasurer holds an auction to sell those certificates that weren't paid. And we have people show up, as Senator Schumacher rightly described. They are registered in as they show up, they start with number one, they work through that group until they get to the end and they start over again. They go through that process until all properties are purchased that people want to buy. And so this bill, if I understand it as Senator Schumacher wrote it, will not change the interest rate that the taxpayer that is delinquent has to pay. They're going to pay 14 percent. The difference is, he wants some of this revenue that's between the bid-down process or number and the 14 percent to go to the county. This could be a problem for the county. Most of those treasurers aren't auctioneers. They'll have to figure out a method to bid this down. In our county it's not a huge deal. We don't have a significant number of people and the western counties don't. We may have 20, 30 people show up. In the eastern counties you may have 500. So that may be a process that takes more than a day. I would like to ask Senator Schumacher a question if he would stand for a question. [LB51]

SENATOR HUGHES: Senator Schumacher, will you yield? [LB51]

SENATOR SCHUMACHER: Yes, I will. [LB51]

SENATOR ERDMAN: Senator, you mentioned in your answer to Senator Kuehn about collusion and this would prevent collusion. Can you explain how you would prevent that? [LB51]

SENATOR SCHUMACHER: Right. Basically, what this bill does, because it anticipates everybody has a little crook in them, would say that if you and I go in and we decide we--and we're the two bidders--and we decide that we're not going to...we want 14 percent. And I say to you, well, let's get together on this deal. I'll bid 14 percent on the first one and you don't bid against me, you don't offer to go to 13.5 percent. I'll let you have the second one at 14 percent.

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And we're going to beat the system by this agreement between the two of us. And so...and we can have a number of people doing this. So what they passed this law, it's still 14 percent in our pockets; we win. Now this law says, we get caught doing that, we're done bidding at these things. [LB51]

SENATOR ERDMAN: Okay, that...you've brought up the crux of my question. My question is, how do you prove that? [LB51]

SENATOR SCHUMACHER: How do you prove anything? I think that maybe the special prosecutor is going to define how you prove collusion for us in Washington. But, basically, something like that is provable. It's the kind of thing that prosecutors, that attorneys deal with all the time. Proving is what a commonsense person will believe. [LB51]

SENATOR ERDMAN: Okay. In my other life that I have besides making this wonderful \$12,000--and I knew that's what it was, so I'm not complaining about that--I work for an auction company. And we sell real estate, farm machinery, whatever needs to be auctioned, we sell that. We have known in past auctions where collusion happened. We know it. We could not prove it. It's nearly impossible. And I don't believe there's any chance on God's green earth that if you have sophisticated buyers, like you say there are in this market, that you will ever prove collusion. And so consequently, we're going to try to prove something that can't be proved. But one of the issues that you have...that's all I have Mr. Schumacher. Thank you. One of the issues you have... [LB51]

SENATOR HUGHES: One minute. [LB51]

SENATOR ERDMAN: Did you say time? [LB51]

SENATOR HUGHES: One minute. [LB51]

SENATOR ERDMAN: Okay, thank you, sir. One thing you have is, people who buy the certificates, they pay a fee to do this. If you buy these certificates on the first day of March and the taxpayer comes in on the 15th of March and pays the taxes, you get interest of 14 percent for 14 days. All of those fees that you paid stay with the county. So it may not be advantageous for you to pay those taxes if somebody comes in and buys those before they're delinquent two or three years. And there are other ramifications of making that decision. I had looked at doing this, but I've talked to some people who do this. One gentleman bought a place in Scottsbluff, went by, looked at the place, looked real nice. Paid the taxes for three years. At the tax sale he paid the taxes, got the deed, went to the house, nothing left. So it isn't all a bed of roses for those people

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who buy these taxes. There's a lot of risk. And those people consider that risk, but you need to remember, this is going to be more work to the county treasurer... [LB51]

SENATOR HUGHES: Time, Senator. [LB56]

SENATOR ERDMAN: Thank you. [LB56]

SENATOR HUGHES: Thank you, Senator Erdman and Senator Schumacher. Senator Schumacher, you're recognized. [LB56]

SENATOR SCHUMACHER: Thank you, Mr. President. Purely by accident this has turned out maybe to be a meaningful discussion, but Senator Chambers always raises meaningful issues and I never cease to learn from him. Here I filed a motion I thought was a trump card and he just raised me on it. You know? But one of the things that have come up and it's kind of interesting, and in listening land if you're listening and you're a young lawyer, listen up, this may be big bucks for you. But when I was a county attorney and prosecuting these tax sale certificates--and it's not all that much work, and people pay up long before it goes through to a judgment in all but a tiny percentage of the cases--ran across some opinions, might have even been an Attorney General's Opinion--I'm not sure it was Nebraska or not, but it might have been--that said when you structure things this way and you have a penalty for nonpayment, that is not constitutional because it's a penalty that is assessed without due process and without proper hearings and steps and that that can be recaptured upon a suit brought on behalf of the person hurt. Now, you imagine all the money that has been captured by counties and investors standing in the shoes of the county--for which the county might be liable--on that spread over the statute of limitations period. And it comes up I would guess to be a very, very big number taken by 25 percent, 33 percent. If you score on it, it would be a nice judgment and a good retirement for a young attorney maybe 30 years old. And I sometimes wonder why I didn't chase that down once I left the county attorney's office, but I found other ways to make money. But that's out there yet. And what this thing is saying today, is that it's okay to impose this penalty as an incentive which is exactly the issue. And I agree with Senator Chambers, the right way to do this would be to just drop the 14 percent down to something. But you bring in the whole knocking on the glass back there from every one of the other people in unrelated areas that it affects, including things like workmen's comp interest payments and then I think there are some other things that are affected by it. But yeah, the bill is a good bill. The only reason there's opposition is somebody making really good money and a lot of it out of state from the process the way it is. Let the market determine it. It's really interesting to hear free market people who'll swear on the bible that that's the way we should do, get government out of it, free market, let the market bear, let the auction speak to argue against a system which does exactly that. And should this bill not pass--it may or may not--I encourage you to maybe take up the arguments that--and even if it passes, you can

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still do it--Senator Chambers raises to lower the 14 percent down. That was brought at a time when the banks were charging more interest so people simply...instead of going to the bank and borrowing money at 15 percent, 16 percent,... [LB51]

SENATOR HUGHES: One minute. [LB51]

SENATOR SCHUMACHER: ...they borrowed from the county at 11 percent, earlier than that 9 percent, which was raised to 14 percent, so that they wouldn't be treating the county as a bank. And that made the bankers happy, of course. It's kind of like everybody who gets interest, kind of birds of a feather flock together. You always defend the other guy's right to more interest. And so that's what this is about. And I almost apologize for consuming four minutes that I said I wouldn't consume. Thank you. [LB51]

SENATOR HUGHES: Thank you, Senator Schumacher. Senator Linehan, you're recognized. [LB51]

SENATOR LINEHAN: Thank you, Mr. President. I've actually enjoyed this discussion, it's informative. I do question comparing the 14 percent interest that you're charging someone who is already delinquent, because if I understand banking, your credit...what credit interest rate you have to pay frequently is tied to your ability to pay bills and also tied to the fact that you have been late in paying bills before. And where I agree 14 percent interest sounds high, it's not near as high as almost every credit card on the market today. I think the last time I got an advertisement, which I get like every other day from credit card companies, the interest rate they were bragging they would give me 7 percent or 8 percent for 12 months but then of course at the end of the 12 months, the rate would increase to 18 percent. So when we live in a world where people...whether it's because...I don't believe everybody has a little bit of crook in them, but I do believe that people can be greedy. So when we live in a world where we have people who get an advertisement in the mail that says I'll only charge you 10 percent but then if you read the small print after I go put \$10,000 on that card thinking I've got a deal and then 12 months later my interest rate jumps up to 18 percent, I don't find 14 percent in this particular case to be an abuse. Thank you, Mr. President. [LB51]

SENATOR HUGHES: Thank you, Senator Linehan. Senator Williams, you're recognized. [LB51]

SENATOR WILLIAMS: Thank you, Mr. President. And following Senator Schumacher, I will certainly be very brief also. Just wanted to, again, defend the banking industry that was brought up in Senator Schumacher's last time on the mike. The banking industry has absolutely nothing to do with this, yet people keep wanting to throw that in this. The discussion about banks that is

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realistic to have in this is, what are normal type interest rates that are being paid and charged? And the case here is that you can't compare a normal type business interest rate to the rate we are looking at here. Senator Schumacher also pointed out the financial interest that was there maybe for those that testified in opposition to this bill and mentioning that everyone that had testimony and opposition had that financial interest. I would simply close by saying, how many people testified in favor of this piece of legislation? None, except for the introducer. No one came forward, the counties, a taxpayer, no one stepped up and said hey, this is a good idea. And Senator Schumacher's bill is not a bill that changes what the interest rate charged to the delinquent taxpayer is. Even under this legislation, the rate that that person pays is 14 percent. So I would encourage us all to move forward. You decide whether this is a good bill or a bad bill and let's vote. Thank you, Mr. President. [LB51]

SENATOR HUGHES: Thank you, Senator Williams. Seeing no one else in the queue, Senator Chambers, you are welcome to close on your bracket motion. [LB51]

SENATOR CHAMBERS: Thank you, Mr. President. Members of the Legislature, I have not yet begun to fight. I'm just playing around the edges, nibbling around the edges, if you will. I'd like to ask Senator Williams a question or two. [LB51]

SENATOR HUGHES: Senator Williams, will you yield? [LB51]

SENATOR WILLIAMS: I certainly would. [LB51]

SENATOR CHAMBERS: Senator Williams, under the law could your bank charge 14 percent interest on a loan of any kind? [LB51]

SENATOR WILLIAMS: Generally, yes. There are a few restrictions that would limit that, but generally, yes. [LB51]

SENATOR CHAMBERS: Why don't you charge 14 percent then? [LB51]

SENATOR WILLIAMS: Because it would not be the market or a fair thing to do in most cases. [LB51]

SENATOR CHAMBERS: Wait a minute, there was a word before "fair." It would be...it would have to do with the what? [LB51]

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SENATOR WILLIAMS: The market. [LB51]

SENATOR CHAMBERS: Oh. And when you say market, you don't mean like somebody making a mark. You mean the place where people who might be competitors, who are trying to appeal to a certain group, and this pool is appealed to by me offering what they want at a lesser rate than what somebody else would offer and therefore they might come to me. Simply put, is that about what the market is talking about? [LB51]

SENATOR WILLIAMS: It would be...a competitive rate might be a choice of words that would describe that. [LB51]

SENATOR CHAMBERS: Okay. But that's because there is more than one person who's offering whatever it is the people who comprise this market or this pool is interested in, right? [LB51]

SENATOR WILLIAMS: Yes. [LB51]

SENATOR CHAMBERS: And if there were only one, then that person would have a monopoly, correct? [LB51]

SENATOR WILLIAMS: They would if it was a normal business transaction, yes. [LB51]

SENATOR CHAMBERS: And if there were two and they colluded, then that could be called a type of illegal monopoly? [LB51]

SENATOR WILLIAMS: Maybe colluded monopoly. [LB51]

SENATOR CHAMBERS: Okay. Thank you. Members of the Legislature, banks don't charge that much because they can't get away with it. If they could, they would. If they could, they would. You've heard people talk about not allowing two big companies together to come together because they would thereby control the market and ultimately it would cost the consumers more money, simply put. Somebody said something about this 14 percent having been charged a long time and people have gone along with it. This is one of the evils that the public endures because they have no wherewithal to rectify it. So because they tolerate something for a long time, which they cannot change, does not mean they accept it. When Senator Kuehn talks about helping the little racketeers as opposed to the big racketeers, he's talking about protectionism. You pay protection to the Legislature and they will let you extort from the people and the big shots from someplace else won't be able to extort, but the extortion is going to occur, it just depends on who is going to benefit from it. And I'm surprised at these rural senators talking about, if a bill like

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Senator Schumacher is offering, it would put some of these little folks out of business. You all use the word "folks" when you're trying to be folksy. I'm sure that when you're talking to these big shots who are telling you what to do, you don't refer to them as "folks." You refer to them as "Mister." So what am I getting at? I heard these rural people squeal like pigs with their nose under a gate when Ted Turner came to this state and started buying property. He couldn't buy it if it wasn't for sale. There has to be a willing seller for Ted Turner to buy them up, the property. [LB51]

SENATOR HUGHES: One minute. [LB51]

SENATOR CHAMBERS: And how does he make a person willing to sell? Offering them some money. They want money. And he had more money than these pipsqueaks around here. So they said, find a way to either stop him or to prevent everybody else's land value going up because he has raised the price. He cornered the market and he raised the price and we can't pay it and we don't want to pay it, protect us, so give us a break at the expense of the people who live in the cities. And some of these people who want the break are getting free money from the government that the taxpayers put there and they call them farm subsidies. And they don't just get it in their own name, they incorporate. You have to do research to find out which of these senators are getting these hundreds of thousands, tens of thousands and other amounts in government payments. It's a public record. They are getting money that the taxpayers put in there for not doing anything other than taking it based on the land that they have and will not use except in certain ways or not use at all. [LB51]

SENATOR HUGHES: Time, Senator. [LB51]

SENATOR CHAMBERS: Thank you, Mr. President. I would ask for a call of the house and a roll call vote. [LB51]

SENATOR HUGHES: There's been a request to place the house under call. The question is, shall the house go under call? All in favor vote aye; all those opposed vote nay. Record, Mr. Clerk. [LB51]

CLERK: 22 ayes, 1 nay to place the house under call. [LB51]

SENATOR HUGHES: 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 Stinner,

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Senator Wishart, Senator Smith, Senator Scheer, Senator Friesen, the house is under call. Senator Chambers, did you want a roll call vote? [LB51]

SENATOR CHAMBERS: Yes, if you please. [LB51]

SENATOR HUGHES: In regular order? [LB51]

SENATOR CHAMBERS: Yes. [LB51]

SENATOR HUGHES: Mr. Clerk. [LB51]

CLERK: (Roll call vote taken, Legislative Journal pages 496-497.) 26 ayes, 14 nays, Mr. President, on the motion to bracket. [LB51]

SENATOR HUGHES: The motion is adopted. Raise the call. Items. Mr. Clerk. [LB51]

CLERK: Thank you, Mr. President. Very quickly, new resolutions: LR308 by Senator Pansing Brooks; LR309 by Senator Hughes. Those will be laid over. I also have a hearing notice from the Revenue Committee. [LR308 LR309]

SENATOR HUGHES: Mr. Clerk.

CLERK: Mr. President, Senator Chambers would move to unbracket LB51. [LB51]

SENATOR HUGHES: Senator Chambers, you're recognized to open on your unbracket motion, on your motion. [LB51]

SENATOR CHAMBERS: Thank you, Mr. President. Members of the Legislature, we all work together here, we all cooperate together here and we learn from each other if we're willing to be taught. But there are some issues which deserve to be treated more seriously than this bill has been treated. Even with the discussion we've had, it was not on the bill itself, although some of the conversation dealt with that. We were dealing with a motion that had been up there. And now, if you vote to unbracket it, we'll just put it back where it was before that other vote with Senator Schumacher's motion to kill pending. And at that point, you may be able to give him what he says he would want by his motion, but that's not really what he wants. This is a good bill, in my opinion. This is one of those where we have a large problem and the entire problem cannot be consumed in one gulp. I would like to see that interest rate lowered. This that Senator

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Schumacher is presenting deals with one aspect of a problem created by this system based on charging people 14 percent interest on their unpaid taxes. And by the way, under the prairie dog bill, those people's property when the lien is placed on it, based on an unsupported complaint from a neighbor, that fine is going to draw 14 percent interest also, which you all don't care about. That's why I say it's hypocrisy. I bet I could ask each one of the people who voted to bracket the bill could not explain what the bill is even about. You got your orders, you got your marching orders. Marching? You didn't get marching orders from that lobby, you got your crawling orders, you got your groveling orders. You got your sycophant orders. And we can see it, but then on other issues you're going to play like you're standing tall because the lobbyists let you. I can tell when I came from way out there in the hinterlands where my office is now, when I enter through the back door whether it's an issue that relates to what the lobbyists are interested in or something that pertains to the public. If it pertains to the public, it's empty out there. I can walk straight through the door. But if it's something that pertains to special interest groups, they are as thick as thieves--I mean sheaves, sheaves of wheat, not thieves who steal. That's how I can tell what we're debating in the morning. I study this place. I've been in here 43 years. Shouldn't I know something about it? But you don't respect knowledge, but you respect somebody who can make you take a lot of time when you don't want to take time on what that person wants to discuss. Do you realize that work is work only when you'd rather be doing something else? If you're doing something you like, it's not work. But if there's something else you want to do but you've got to do that other thing, then that other thing comprises work. Somebody made the statement that if you look at who testified on this bill, only one person testified in favor and there were others who testified against it. When a critter dies out in the desert and the sun shines on that critter and it emits an aroma, the vultures, the buzzards gather. Where the carcass is, there will buzzards be gathered together. This is a bill that was one that drew people who are like buzzards when they want to extort something from the public. You know why there were not people there to testify on this bill? People didn't know about the bill. They didn't understand the significance of it or maybe they were at work trying to earn the money so they can pay those taxes. And the ones who were there are the ones who do make money from this bill; I meant oppose it. Who make money from the issue being dealt with by the bill. That's why they're there. We all know that. And you're going to stand up here and pretend that when you see these people on the bill having testified then they're doing it because of altruism. That's insane; but it's not, because you all understand and you know the public doesn't. And that's how you can run so many games down on them. It's why bills can get through here without the public being here. The reason Senator Halloran's bill talking about freedom of speech will draw a lot of people, because there are people who were aware of it and knew how pernicious it is, so they were there to go on record. They understood the implications and they were there. A lot of these bills the public knows nothing about. And when we're discussing these kind of issues look how empty the Chamber is. Look at it. When the Governor's bill is here, you think it's going to be this empty? I think it will be, because I'm going to take hold of that bill. I'm going to say about that bill what Darth Vader said when he was chasing Luke Skywalker,

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because Luke Skywalker was Luke runner. Luke was in his little spacecraft flying, trying to get away and Darth Vader told him, stay on the leader, because they were distracted. That's what he told them, stay on the leader. Then when Darth Vader had him lined up Darth Vader said, I have you now. Brothers and sisters, I'm going to stay on the leader. And when that bill comes out here I'm going to say, I have you now. And the Governor, you know what he's going to say? I detect a disturbance in the force. And then what are those others who support the Governor going to say? Obi-Wan Kenobi, help us. You are our only hope, Obi-Wan Kenobi. You all didn't realize that Star Wars was so prophetic of what's going to happen around here, did you? I'm going to be the only one having fun this session, but it's going to be a kind of fun I wish I didn't have to have. I wish you all could be reasoned with, but you cannot be. So if I'm dealing with people who only speak Greek, I ought not speak Italian. I have to speak the language you understand. There's a guy named Ovid and who wrote a piece called The Art of Love or something like that. And he said to an ignorant maiden of learning: do not speak, for she thinks you conger when you speak Greek. When you speak a language people do not understand, there's not going to be communication of the kind you want. Oh, you'll communicate something to them, but they'll think you're mouthing incantations and evil spells and they will react to you accordingly. So I have to speak the language that you all understand. You all have the numbers, so you think you can sit back and let those numbers prevail. Well, I know how to take time, I have stamina, I have endurance. I know how to be implacable (Phonetic) or implacable, however you choose to pronounce it. I know how to be relentless. I know how to be tenacious. And I'm going to show you that at 80 years old, I'm not bluffing. Senator Schumacher made an allusion to cards. He played his card and I trumped it. So now, call my hand. Tell me, put up or shut up. And what would shut me up is if I run out of endurance. [LB51]

SPEAKER SCHEER PRESIDING

SPEAKER SCHEER: One minute. [LB51]

SENATOR CHAMBERS: And I'm willing to lay odds of any amount that you want that I'll outlast people on this floor. I have something that moves me and motivates me that's stronger than what moves or motivates you. There's an old Christian...you're waiting with baited breath but you'll have to wait until I'm recognized. [LB51]

SPEAKER SCHEER: Thank you, Senator Chambers. Senator Chambers, you are next and you're recognized. [LB51]

SENATOR CHAMBERS: There's a song that says, "I Heard the Bells on Christmas Day," and if I can get these lyrics right. The wrong shall fail, the right prevail. Then through peace on earth, good will to men is what it says. But I consider you all wrong and I consider myself right. You're

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going to fail and I'm going to prevail. Does that mean I'll have things work out the way that I want them to? I have no way of knowing. But I know I can make you fail by stopping you from getting what you want. Now I told you, you ought to have Senator Hilgers convene an emergency session of the Rules Committee and show the public how powerful one black man is. How you've got to change the rules to try to control me, because you don't want somebody on this floor talking incessantly about what pertains to the welfare of the people. There's no way, in view of the conversation Senator Hilgers and I had on that black-tailed prairie dog bill, that any of you who call yourselves conservatives could want that to stay on the books. It lays out a complex notice form, but then it says even if you don't get the notice you're held accountable as though you did. What kind of craziness is that? Only in the Nebraska Legislature. And if somebody other than a black man whom you all hate had brought it to you, you would have passed it unanimously. It would have been in keeping with your so-called, so-called conservative values. Respect for property rights, opposition to overreaching by the government. The government told you, if we're going to send these people on your land you have to be given notice. That sounds good. But they write those things in pencil, then they erase that by saying, but if you don't get the notice it makes no difference. All of these obnoxious, hurtful things are going to come to bear on you as though you had notice. If we were talking about something that applied to bankers, Senator Stinner would not have voted against my bill. But he doesn't care about what happens to ordinary people and their rights. Senator Clements, a banker, the same thing. That's why I wrote that rhyme about the sharks. The banker was in the water splashing and a shark came toward him and veered away. He's splashing. Another shark comes and veers away. A third shark comes and veers away. And on the raft, which the banker was on with a skeptic and a preacher, still had those two guys and they were discussing what happened. The preacher said, it's obvious that God was directing those sharks, that's why they didn't go after the banker and get him. And the skeptic, more realistic, said, no. Shark vis-a-vis loan shark. It was a matter of professional courtesy. The sharks respected the loan shark and that's why they let the banker live. They recognized one who is in the same line of work as they are. My rhymes have a purpose. See, when you write rhymes, when you do satire, when you write anything that you think about, you want people to read what's on the lines and get a message. The ones who think a little bit deeper will look between the lines and get an additional message. But those who are really thinkers will see what's behind the lines and get the real message. That's what happens when you think. And when you are a thinker among nonthinkers, nothing is so frustrating. It would be like me wanting to discuss geography... [LB51]

SPEAKER SCHEER: One minute. [LB51]

SENATOR CHAMBERS: ...and you don't even accept the notion that the earth is not flat. And you know why you don't accept it? Well, look at this floor, this floor is flat, the world must be flat. That's why Jonathan Swift said that you have a few jackasses sitting around a table in a coffeehouse and because they make noise that each other will hear, they feel that the yapping and

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braying that they hear sitting around their table is what's going on in the whole world, because they think their table comprises the whole world and everything that is in it. You all ought to be ashamed of yourselves, you ought to read more, you ought to pay more attention, you ought to take more interest in what's happening to the ordinary people. But instead of that, you're looking out for those who gouge the ordinary people. We should lower that 14 percent interest rate. I think we had a bill in here that Senator...he's not here, but I'll call his name anyway, Senator Lindstrom had and offered to kill a motion... [LB51]

SPEAKER SCHEER: Time, Senator. Time, Senator. [LB51]

SENATOR CHAMBERS: Oh, thank you. [LB51]

SPEAKER SCHEER: Thank you, Senator Chambers. Senator Schumacher, you're recognized. [LB51]

SENATOR SCHUMACHER: Thank you, Mr. Speaker, members of the body or so many left of the body that is left in here. It's a far more interesting morning than I anticipated. Here I tried this deal to get a sense of the body on...by using an indefinitely postpone motion. Senator Chambers never ceases to amaze me. He brackets, now he's unbracketing. But I'm wondering if the vote on the bracket motion may not reflect something other than let's go on. Maybe Senator Chambers' persistence has brought me back a little bit to common sense. Maybe the right thing to do--and I think I can do it with one of these pieces of paper and offer that to the body--is to forget about this notion of bid down. It's certainly before us, all this has had a hearing, it's certainly germane, that what we do is just strike the contents of the bill and insert 11 percent as the rate of tax. Does that solve our problems with it? We make it a little fairer so the guy in New York or Palm Beach doesn't quite walk away with so much gold in his pocket. We make it an interest rate that was good enough in 1981 when the banks were charging...well, in '81, it probably was about 11 percent, 12 percent on a...and this loan is a secured loan. It's not like a credit card loan, where there's no security. If you disappear, if you die, they're out. This is secured by a piece of real estate. So you're going to get your money, just a really, really high probability of it. So, if we roll back time just a little bit, still leave plenty of money for greed, to 11 percent because now banks, on a first mortgage, I don't know what they're charging on a first mortgage, probably around 5 percent. There's another 6 percent spread there. So was my approach kind of not thinking of the real people that matter when I said let's leave it at 14 percent? Maybe I was not creative enough when I developed this and said, listen, let's try doing it this way with the bid-down procedure. What if we just take it to 11 percent? The bill is before us. I'm interested in hearing some comments whether that's a good idea, because chances are this won't come this far again in a long time. And won't get here to the floor again in a long time without somebody burning up a priority. Is 11 percent a better figure across the board? Certainly, then it won't be any more work

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for the county treasurers and all the work they have to do. It would be easy to understand, it was fair enough to bring in bidders in 1981, may be fair enough...it certainly will be fair enough now, because the spread between bank rates and the statutory rate is far greater for far more food for the greed. That would be an interesting discussion that we should have. We've got time to have it. I'm interested to hear what people think of that idea. Or are we just what we are? But this is I think... [LB51]

SPEAKER SCHEER: One minute. [LB51]

SENATOR SCHUMACHER: ...is what I think legislative debate is about, on issues before us. We know there's problems with the issue. We can walk away from the problem and say, oh, well, the lobby wins again. Or we can say, let's fix the problem and the problem may be the 14 percent, not the way the 14 percent is divided. And so I would support Senator Chambers' motion to unbracket it. We might be able to fix a problem here today and also teach a lesson. Pigs get fat, hogs get slaughtered. Thank you. [LB51]

SPEAKER SCHEER: Thank you, Senator Schumacher. Senator Chambers, you're recognized. [LB51]

SENATOR CHAMBERS: Thank you. Mr. President, members of the Legislature, if I am constantly railing about my colleagues not paying attention, not being reasonable, then I should not fall into that category myself. Senator Schumacher is making an offer. I cannot resist it. It's not going to hurt the counties, it's not going to hurt the big shots in New York and Florida and wherever else they come from. But it will, however minor a bit of help it is, help that person whose taxes are delinquent. And especially should we give it this consideration when the Governor, Senator Erdman, and others are talking about property tax relief. Whether you call it a penalty or the tax, it revolves around property and the people who need the help the most are the ones who get a tiny bit of help if we would lower that 14 percent. And I know there are people out there who call themselves conservatives who will say, well if they manage their money better and all these other things they say that they don't do that well themselves, then they wouldn't be delinquent on their taxes. I think what we should do as a Legislature is every once in a while do something that benefits the people. Billy Preston had written a song, "I Wrote a Song That Ain't Got No Melody." I'm going to sing it to my friends, but I'm not going to sing it. He said, I'm going to write a song that ain't got no moral, where the bad guy wins every once in a while. The bad guy wins every once in a while. The Legislature is the bad guy. Every once in a while the Legislature should do something to help that amorphous group designated "the people." It's small, but it's better than what exists now. If we unbracket the bill, Senator Schumacher would offer his amendment. Senator Crawford raised the point specifically that even if the bill were enacted in its present form, the taxpayer, the delinquent person still has to pay that 14 percent.

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This gives us a chance to do something about that aspect of the problem. And if the vultures, if the buzzards are still interested, they can still try to make some money. You can still have that protectionism that Senator Kuehn and these other people want so that the gougers, the buzzards, and the vultures will be the domestic kind rather than those from far away. They're just concerned about the identity of the buzzards and vultures. They're not interested in helping the people. You will hear the Governor talk about the people need property tax relief. No, some people. This is something that helps the people who are at ground zero and you're not willing to consider it? This is not an argument by me being advanced... [LB51]

SPEAKER SCHEER: One minute. [LB51]

SENATOR CHAMBERS: ...because of what happened to my prairie dog bill. Senator Hughes has staked out that territory. But this happens to be one of those bills that relates in a related fashion I think to what is wrong with that prairie dog bill. It disregards the valid interests of people who can be harmed without even knowing they are in jeopardy. And the county is the one allowed to take advantage of them. In this situation that Senator Schumacher's bill addresses, we have the opportunity to do something. I think 11 percent would be as much of an incentive for somebody to pay taxes if the interest rate is to be the incentive. And if you think that the tax rate itself is what counts, then raise it to 20 percent. [LB51]

SPEAKER SCHEER: Time, Senator. [LB51]

SENATOR CHAMBERS: You said time? [LB51]

SPEAKER SCHEER: Yes, Senator. [LB51]

SENATOR CHAMBERS: Okay. [LB51]

SPEAKER SCHEER: Thank you, Senator Chambers. Senator Hilgers, you're recognized. [LB51]

SENATOR HILGERS: Thank you, Mr. President. Good morning, colleagues. I just wanted for the record and especially for those of us who are new here, so I would exclude Senator Chambers and the "Professor" who has asked whether or not an unbracket motion is a thing that exists in our rules. And the answer is, yes, as Senator Chambers I'm sure knows, and it's in Rule 6(e), which references when the unbracket motion can be brought. I understand with my conversation with the Clerk, it has not been used with any sort of regularity over the last several years, but back in the '70s I believe it was used far more often. So just for the record purposes

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because we are making a record here and the answer to that question, we do have an unbracket motion and it is in our Rule Book. So thank you, Mr. President. [LB51]

SPEAKER SCHEER: Thank you, Senator Hilgers. And just so those that are listening have it correct, it is Rule 6, Section 3(e). Senator Schumacher, you're recognized. [LB51]

SENATOR SCHUMACHER: Thank you, Mr. Speaker, members of the body. This certainly didn't go the way I thought it would, short and sweet this morning one way up or one way down but we're making progress, because I've been keeping track of the objections to LB51. Well, the big guys can push the little guys out. Who knows what collusion is. Let's keep this excessive rate of interest here. Well, the poor people still have to pay 14 percent so we're really not doing them any good. All those arguments against the bill bring out what the legislative process is supposed to be. But not one of them said that the interest rate was fair at 14 percent, not one. Particularly, if they can even that in with a highly lucrative secured property with a small, small number of junky properties that they would not have security on, which is very few. So I'm having drafted...we may not get to it this year, but I'm having drafted an amendment, which if we unbracket the bill and if I withdraw my motion to indefinitely postpone, we could consider that seems to be what the argument has led us to, too high an interest rate. And contrary to my earlier belief that we had to change that Section 41 or whatever that affects all the other sections that gave me fits a few years ago when I tried to do this, we can probably do it internally within the language of this particular bill without touching all those other issues. So let's think about it. Is there any reason that 11 percent on a secured piece of property is not fair when it was fair in 1981 when interest rates were a whole lot higher at what you get on a CD than what you can get now? I think now on a CD you're lucky if you get 3 percent and maybe 2 percent, maybe 1 percent depending on the length of it. So that's kind of a bit of the proposition before us today. Now, the folks in the lobby, the hired guns, the people making 3 percent more than certainly what could ever be justified, have got something to think about. And even if we run out of time this year on this one, which we might, maybe they should count their lucky stars and next year not oppose reformation. But we might get to it, we might even surprise ourselves. I'd yield...well, I can see that he's talking to Senator Hilgers, but thank you, Mr. Speaker. [LB51]

SPEAKER SCHEER: Thank you, Senator Schumacher. Senator Chambers, you would be recognized. There is someone following you in the queue and this would be your close. What would be your choice? There is someone behind you in the queue. If you speak, this would be your close. Would you like to wait? Okay. Senator Williams, you're recognized. [LB51]

SENATOR WILLIAMS: Thank you, Mr. President. Good morning again, everyone, and thank you, Senator Chambers, for waiving that so I'd have an opportunity to speak one last time on this. This has been a strange set of events today and how this has turned and twisted and how

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people who have not been part of this discussion and are not part of the testimony have been brought in to receiving criticism for what they are doing and what they're trying to do. Senator Schumacher has now been talking about offering an amendment that would substantially change the bill as originally presented and as originally heard at hearing last January, over a year ago now. I will agree, the conversation that we have had this morning has led us down a path of talking about the interest rate rather than the complicated bidding process that has been included in LB51. And I would remind people again, if you look at your committee statement, there were no people that testified in favor of this bill, a number of them testified neutral. I will guarantee you if an amendment is offered that lowers the 14 percent to 11 percent as suggested by Senator Schumacher, there will be substantial opposition. And the opposition certainly will come from some of those companies that have been criticized here. But it's also going to come from the counties, the municipalities, the other people that benefit from having the current system in place. I would suggest that if that is the direction we should go and if that's the direction Senator Schumacher would like us to go, that that should be a separate piece of legislation giving each one of those people the opportunity to take advantage of our system which gives the public the opportunity to come to a public hearing and talk about what they like, what they don't like and provide us as some people call the second house approach. That could probably be done yet this session. We're still in the hearing process. I think a special hearing could probably be held for that. If not, it could come next year. Senator Schumacher won't be here, I'm sad about that. That's another discussion about term limits that we could spend time on. But I think it's just simply unfair that we would go a direction that was not contemplated by anyone at the time the hearing took place in January of 2017. So I would encourage you, if and when we get to a vote, that we do not vote to unbracket this legislation. I think that would almost be unprecedented. We voted as a body to bracket it to a date certain. I know the rules allow this motion but I would encourage us to, again, hold fast to our pledge of doing things right and following the process... [LB51]

SPEAKER SCHEER: One minute. [LB51]

SENATOR WILLIAMS: ...and I would again argue that this bill has not had a full and fair hearing as it would be proposed with the proposed amendment by Senator Schumacher. Thank you, Mr. President. [LB51]

SPEAKER SCHEER: Thank you, Senator Williams. Seeing no one left in the queue, Senator Chambers, you're welcome to close on your unbracket motion. [LB51]

SENATOR CHAMBERS: Thank you. Mr. President, members of the Legislature, this morning there have been people who discussed the bill. I didn't criticize them because they're on a different side of the bill from the side that I've taken, I've criticized people who have not taken any interest at all. And I can't make them take an interest, but I can put in the record what I think

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ought to be done on a bill like this and that's what I've done. I will use every means under the rules that I can to keep an issue before us that I deem to be important. And people say, well, it's all about you. It certainly is, who else can it be about other than me, because I have my mind, I have my thoughts, and I have my agenda, but it's never a personal one. I don't live in the rural areas, I don't have prairie dogs where I live. But I understand people who have their rights taken away from them when they're made to believe that they have certain rights and those rights are disrespected in a way. And to these white people it might seem like a stretch. I see those people who are victimized by that prairie dog bill, victimized the same way black people are. They put in the law, they say this is the law. Then they say, but it doesn't apply to you. In the prairie dog bill it says it explicitly. You must be given notice, however even if you don't get the notice you can fall under all of the negatives of that law. And this body of conservatives, as they call them...you don't know what conservative means. It means racist, looking backwards, being against black people, against Latinos, Native Americans, the LGBT community, women who won't be made to heel. Those are the ones that these so-called Nebraska conservatives are for. They bring bills that will cut the budget for the university. I'll tell you all something you haven't thought about. You let the standards for UNL fall sufficiently low and they will be expelled from the Big Ten. The Big Ten talks about academic standards of a school also. You all think only about football because you got a football for a head and a basketball for brains. You do not think and I'll keep saying that. And I don't care how upset you get or people out there. But there are now people out there writing me letters, happy that I deal with the issues that I do because they're not dealt with on the floor of the Legislature. And some of them say, "even though I don't agree with you." But whether they agree or not, I'm going to do what I think needs to be done, say what I think needs to be said. Senator Williams is interested in the companies that I consider to be rapacious--look that up in the dictionary--who might not like our lowering the interest rate on these delinquent taxes. Are you concerned about those companies or are you concerned about your fellow Nebraskans? These are Nebraska people you're talking about. You ought to vote for this motion. You ought to unbracket the bill. You ought to let those of us who think that that tax should be lowered have our day. And if you kill this bill, it's not mine. But I think I have demonstrated to you how many days I can take. You are feeding my fire, the fire in my belly. You will never allow it to be banked. It's always going to be blazing. And when you all get tired, when you start thinking it's near lunch hour and your belly is starting to dictate to you, I will still be going strong. [LB51]

SPEAKER SCHEER: One minute. [LB51]

SENATOR CHAMBERS: If there's nobody on this floor except me but the clock is running, I will take all of that time and I will lecture about art, music, literature, the "Bible," you hypocrites, that orange man in the White House, the specific lies he has told, the liar, the denier, the falsifier whom the Governor says has been a joy to work with. And I'll throw the Governor in, too. And what I'm going to bring to you all is that statement where he said he's going to form

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a coalition of these dumbbells in the Legislature to stop me. And I call them "Ricketts' crickets," and they can chirp if they want to, but they're not going to stop me. They'll stop first. But on this bill, don't give me a second club. Forget about me, think about the people who will be helped. Let the discussion of reducing that interest rate go forward. [LB51]

SPEAKER SCHEER: Time, Senator. [LB51]

SENATOR CHAMBERS: I would ask for a call of the house and a roll call vote. [LB51]

SPEAKER SCHEER: There's been a request to place the house under call. The question is, shall the house go under call? All those in favor please vote aye; all those opposed vote nay. Please record. [LB51]

CLERK: 19 ayes, 1 nay to place the house under call. [LB51]

SPEAKER SCHEER: 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 Krist, Senator Riepe, Senator Murante, Senator Wayne, Senator Briese, Senator Geist. Senator Walz, would you check in, please? Senator Vargas, Senator Morfeld, Senator Kuehn. Senator Krist, Senator Riepe, Senator Vargas, please return to the floor. The house is under call. Senator Riepe, please return to the floor. The house is under call. Senator Chambers, it might appear as though Senator Riepe has left the building. Do you mind if we proceed without him? Thank you. There's been a request for a roll call in reverse order. Mr. Clerk. [LB51]

CLERK: (Roll call vote taken, Legislative Journal page 499.) 4 ayes, 28 nays, Mr. President, on the motion to unbracket LB51. [LB51]

SPEAKER SCHEER: The motion fails. Mr. Clerk. Raise the call. [LB51]

CLERK: Mr. President. Some items, if I might. Hearing notices from the Transportation Committee. And an amendment to be printed by Senator Friesen to LB479. Name adds: Senator Brewer to LB109; Senator Bolz to LB211; Senator Briese to LB694; Senator Hansen to LB695; Senator Briese to LB695; Watermeier to LB729; Senator Hansen to LB1001. [LB479 LB109 LB211 LB694 LB695 LB1001 LB729]

Mr. President, Senator Bolz would move to adjourn the body until Friday morning, February 2, 2018, at 9:00 a.m.

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SPEAKER SCHEER: You've heard the motion to adjourn. All those in favor please say aye. All those opposed say nay. The ayes have it.