

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

Floor Debate  
February 14, 2018

---

[LB78 LB275 LB310 LB345 LB472 LB480 LB486 LB618 LB710 LB744 LB745 LB757  
LB758 LB760 LB784 LB807 LB829 LB948 LB1001 LB1024 LB1069 LB1091 LR314 LR316]

PRESIDENT FOLEY PRESIDING

PRESIDENT FOLEY: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the twenty-seventh day of the One Hundred Fifth Legislature, Second Session. Our chaplain for today is Senator Walz. Please rise.

SENATOR WALZ: (Prayer offered.)

PRESIDENT FOLEY: Thank you, Senator Walz. I call to order the twenty-seventh day of the One Hundred Fifth Legislature, Second Session. Senators, please record your presence. Roll call. Mr. Clerk, please record.

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

PRESIDENT FOLEY: Thank you, Mr. Clerk. Are there any corrections for the Journal?

CLERK: I have no corrections.

PRESIDENT FOLEY: Thank you, sir. Any messages, reports, or announcements?

CLERK: Enrollment and Review reports LB744, LB757, and LB758 as correctly engrossed. Revenue Committee reports the following bills, Mr. President. LB760 to General File, LB1091 to General File, and LB745 to General File with amendments, those signed by Senator Smith as chair. Hearing notice from Health and Human Services Committee. That's offered by Senator Riepe. Priority bill designations: Senator Thibodeau, LB948, Senator Erdman LB829. And Mr. President, I have a communication from the Judicial Resources Commission. That will be acknowledged as received in the Legislative Journal. That's all that I have, Mr. President. (Legislative Journal pages 641-642.) [LB744 LB757 LB758 LB760 LB1091 LB745 LB948 LB829]

PRESIDENT FOLEY: Thank you, Mr. Clerk. While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign the following legislative resolution, LR314. (Doctor of the day introduced.) Members, we'll move to Select File. You'll note that the

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

Floor Debate  
February 14, 2018

---

bills with an asterisk will be taken up first. I believe the first bill, Mr. Clerk, will be LB472. Is that correct? (Legislative Journal page 642.) [LR314 LB472]

CLERK: Yes, sir, Mr. President, LB472. Senator Wishart, I have Enrollment and Review amendments. (ER98, Legislative Journal page 404.) [LB472]

PRESIDENT FOLEY: Senator Wishart. [LB472]

SENATOR WISHART: Mr. President, I move the adoption of the E&R amendments to LB472. [LB472]

PRESIDENT FOLEY: Members, you've heard the motion to adopt the E&R amendments. Those in favor say aye. Those opposed say nay. The E&R amendments are adopted. Anything further, Mr. Clerk? [LB472]

CLERK: Nothing further, Mr. President. [LB472]

PRESIDENT FOLEY: Senator Wishart. [LB472]

SENATOR WISHART: Mr. President, I move to advance LB472 to E&R for engrossing. [LB472]

PRESIDENT FOLEY: Members, you've heard the motion to advance LB472 to E&R for engrossing. Those in favor say aye. Those opposed say nay. LB472 advances. Next bill would be LB78. [LB472]

CLERK: LB78, Senator, I have no amendments to the bill. [LB78]

PRESIDENT FOLEY: Senator Wishart. [LB78]

SENATOR WISHART: Mr. President, I move to advance LB78 to E&R for engrossing. [LB78]

PRESIDENT FOLEY: Members, you heard the motion to advance LB78 to E&R for engrossing. Those in favor say aye. Those opposed say nay. LB78 advances. Next bill is LB345. [LB78 LB345]

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

Floor Debate  
February 14, 2018

---

CLERK: I have no amendments to LB345, Senator. [LB345]

PRESIDENT FOLEY: Senator Wishart. [LB345]

SENATOR WISHART: Mr. President, I move to advance LB345 to E&R for engrossing. [LB345]

PRESIDENT FOLEY: Members, you heard the motion to advance LB345 to E&R for engrossing. Those in favor say aye. Those opposed say nay. LB345 advances. LB486. [LB345 LB486]

CLERK: LB486, Senator, I have E&R amendments first of all. (ER100, Legislative Journal page 405.) [LB486]

PRESIDENT FOLEY: Senator Wishart. [LB486]

SENATOR WISHART: Mr. President, I move the adoption of the E&R amendments to LB486. [LB486]

PRESIDENT FOLEY: Members, you heard the motion to adopt the E&R amendments. Those in favor say aye. Those opposed say nay. The E&R amendments are adopted. Anything further, Mr. Clerk? [LB486]

CLERK: Nothing further on the bill, Mr. President. [LB486]

PRESIDENT FOLEY: Senator Wishart. [LB486]

SENATOR WISHART: Mr. President, I move to advance LB486 to E&R for engrossing. [LB486]

PRESIDENT FOLEY: Members, you heard the motion to advance LB486. Those in favor say aye. Those opposed say nay. LB486 advances, and then LB480. Excuse me, LB618. [LB486 LB618]

CLERK: Mr. President, I have E&R amendments. Senator. (ER102, Legislative Journal page 408.) [LB618]

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

Floor Debate  
February 14, 2018

---

PRESIDENT FOLEY: Senator Wishart. [LB618]

SENATOR WISHART: Mr. President, I move the adoption of the E&R amendments to LB618. [LB618]

PRESIDENT FOLEY: Members, you heard the motion to adopt the E&R amendments. Those in favor say aye. Those opposed say nay. The E&R amendments are adopted. Anything further, Mr. Clerk? [LB618]

CLERK: Nothing further, Mr. President. [LB618]

PRESIDENT FOLEY: Senator Wishart. [LB618]

SENATOR WISHART: Mr. President, I move to advance LB618 to E&R for engrossing. [LB618]

PRESIDENT FOLEY: Members, you heard the motion to advance LB618 to E&R for engrossing. Those in favor say aye. Those opposed say nay. LB618 advances. LB480. [LB618 LB480]

CLERK: LB480, Senator, does have Enrollment and Review amendments. (ER105, Legislative Journal page 491.) [LB480]

PRESIDENT FOLEY: Senator Wishart. [LB480]

SENATOR WISHART: Mr. President, I move the adoption of the E&R amendments to LB480. [LB480]

PRESIDENT FOLEY: Members, you heard the motion to adopt the E&R amendments. Those in favor say aye. Those opposed say nay. The E&R amendments are adopted. Anything further on this bill, Mr. Clerk? [LB480]

CLERK: Nothing further, Mr. President. [LB480]

PRESIDENT FOLEY: Senator Wishart. [LB480]

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

Floor Debate  
February 14, 2018

---

SENATOR WISHART: Mr. President, I move to advance LB480 to E&R for engrossing. [LB480]

PRESIDENT FOLEY: Members, you heard the motion to advance LB480 to E&R for engrossing. Those in favor say aye. Those opposed say nay. LB480 advances. Now, I believe we move back to LB310. [LB480 LB310]

CLERK: We do, Mr. President. LB310 on Select File. The Enrollment and Review amendments have been adopted. Senator Harr has the next three amendments, but I've been asked to withdraw those amendments on his behalf. So AM1613, AM1612, and AM1611 are to be withdrawn. Mr. President, then I have Senator Friesen, AM1610 as an amendment to the bill. (Legislative Journal page 397.) [LB310]

PRESIDENT FOLEY: Senator Friesen, you're recognized to open on AM1610. [LB310]

SENATOR FRIESEN: Thank you, Mr. Lieutenant Governor. As all of you will recall the last time we discussed LB310, some issues came up with some wording in the language about what happens on the bridge if suddenly there is an accident and who would be liable. So Senator Schumacher pointed that out to me and we worked out language to correct that situation. And so that...basically what this amendment is, it just addresses that liability concern of when two vehicles are on a bridge, or what happens when a bridge fails, and it spells that out in better detail. So basically it's a cleanup language from the last time we spoke on this that Senator Schumacher pointed out had a problem. Thank you, Mr. Lieutenant Governor. [LB310]

PRESIDENT FOLEY: Thank you, Senator Friesen. Is there any discussion on AM1610? Seeing none, Senator Friesen, you're recognized to close. He waives closing. The question for the body is the adoption of AM1610. Those in favor vote aye; those opposed vote nay. Have you all voted who care to? Record, please, Mr. Clerk. [LB310]

CLERK: 26 ayes, 0 nays, Mr. President, on the adoption of Senator Friesen's amendment. [LB310]

PRESIDENT FOLEY: AM1610 is adopted. Mr. Clerk. [LB310]

CLERK: I have nothing further on the bill, Senator Wishart. [LB310]

PRESIDENT FOLEY: Senator Wishart for a motion. [LB310]

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

Floor Debate  
February 14, 2018

---

SENATOR WISHART: Mr. President, I move to advance LB310 to E&R for engrossing. [LB310]

PRESIDENT FOLEY: Members, you heard the motion to advance LB310 to E&R for engrossing. Those in favor say aye. Those opposed say nay. LB310 advances. I believe our next bill is LB256. Excuse me, LB275. [LB310 LB275]

CLERK: Yes, Mr. President. Before that, an announcement, if I may. General Affairs Committee has an Executive Session right now in room 2022. With respect to LB275, Senator Wishart, I have Enrollment and Review amendments, first of all. (ER101, Legislative Journal page 405.) [LB275]

PRESIDENT FOLEY: Senator Wishart. [LB275]

SENATOR WISHART: Mr. President, I move the adoption of the E&R amendments to LB275. [LB275]

PRESIDENT FOLEY: Members, you heard the motion to adopt the E&R amendments. Those in favor say aye. Those opposed say nay. The E&R amendments are adopted. Mr. Clerk. [LB275]

CLERK: Mr. President, I do have an amendment to the bill, but I have a priority motion. Senator Chambers would move to bracket the bill until April 18 of 2018. (MO216, Legislative Journal page 643.) [LB275]

PRESIDENT FOLEY: Senator Chambers, you're recognized to open on your bracket motion. [LB275]

SENATOR CHAMBERS: Thank you. Mr. President, members of the Legislature, quoting that vacuous, ex-president, the one I call the hollow man, the one who does not cast a shadow at high noon, the one who would not leave a footprint on the finest sand, Ronald Reagan. Here we go again. When you see a bill that has Senator Hughes's name on it, you can expect me to say something or other. When he offered a recommendation that we confirm somebody, I didn't deal with that. This is one of his bills and I'm following the saying that was given to me by Senator McDonnell for use whenever I thought it was appropriate. I would always point out that old Joseph Kennedy, the father of John Kennedy, Attorney General Robert Kennedy and others, said don't get mad, get even. And that's when Senator McDonnell brought me an addendum or an amendment which says, forgive your enemies, but don't forget their names. Senator Hughes is not my enemy. That would restrict him too much. Senator Hughes is an enemy of the people.

Floor Debate  
February 14, 2018

---

When I opened the newspaper this morning, I saw a headline in the Lincoln Journal Star, deregulation gets three-party push. A group of my colleagues were out in that Rotunda outside of Ernie's Chambers. They were in the Rotunda talking about doing away with unnecessary, and in some cases, expensive regulation. Yet that black-tailed prairie dog bill goes far beyond anything that they're concerned about. I'm not going to take all of this morning to talk about the prairie dog bills, but I'm going to take a considerable amount of time talking about other things that are relevant, not to Senator Hughes's bill necessarily. If what I say is relevant to that bill, it's purely coincidental. I sent a rhyme around today and somebody thought that it was so good that it ought to be shared with more than just the senators. So by popular request, I'm going to read it. It's called the Tale of the Ax. Once there was a man who loved to buy and sell antiques. When he met a prospect off his hat comes and he speaks. Great success he had by being such a friendly feller, sometimes he was purchaser; others he was seller. Passing through a small quaint town aiming to do some shopping, he espied an old man who was busily a-chopping. In his hands an ancient ax caught antique dealer's eye. That's a mighty old ax, quote he, yup, came the reply. Served me well, the old man said. These decades I have honed it. Goes way back. George Washington, himself, it was who owned it. No, don't tell me, gasped the dealer, genuinely amazed. Yup, old George himself chopped with it, he rejoined unfazed. Staring at the ax, it's held up well, the dealer said. Yup, it had three brand-new handles and a brand-new head. Now, there was a certain logic to what he said. There is a certain logic to every rhyme that I present to this body. That one could have something to do with Senator Hughes's bills. I am still smarting for what he did when I wanted to repeal that execrable black-tailed prairie dog bill. I prioritized it, and I'm wondering if I should have taken more interest in you all's constituents than you do. That bill has nothing whatsoever to do with me or the people who elected and sent me down to this Legislature. Maybe some things that don't pertain directly to my district and the people in it and the people of my kind, meaning my complexion and my ethnic derivation, who may be scattered around the state, maybe I ought to deal only with those issues. Then it wouldn't matter to me what kind of trash winds up in the statute books if it does not have a negative bearing directly on the constituency I just denominated. But there is something in me that will not allow me to take that approach. I am a member of this Legislature, as I've said on numerous occasions, and will undoubtedly make the claim again. I think there is a certain level of quality that should attend every enactment this Legislature makes. When a bad piece of legislation winds up as a law in the books, the statute books, and I become aware of it, I feel obliged to try to do something about it. When an oath was administered to all of us, we were standing in a kind of semicircle up at the front of the Chamber facing the chair where the attorney...not the attorney general, the Lieutenant Governor sits usually. And we all had to raise our right hand, which I had no objection to doing. Then the Chief Justice knowing the Constitution of the United States, knowing the Constitution of this state, is aware that in both documents an oath is administered by allowing the individual taking the oath to swear or affirm. When affidavits are signed, a person does it on oath or affirmation. I never swear. When I signed the papers to run for the Legislature, on the back of one of them it simply said, I swear such and such. I crossed a line

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

Floor Debate  
February 14, 2018

---

through swear and wrote above it, affirm. The Secretary of State looked at it, he said, well, there you go, making trouble for me again. I just want there to be in every official document...digressing, that is not one that I made an issue of, although I will at some point. They should reflect what the law is. A person swears or affirms. There are places throughout the statutes where people are told when they are taking oaths for various offices, to swear. It does not have the alternative, or affirm. I had a bill drafted to do that and it didn't go anywhere because I guess the Christians were too upset with it and didn't think that should be in the statute books every place where an oath was administered. I pointed out the irony, and by the way, I'm digressing from what I want to talk about this morning. But in football, since you all understand football and would not sit still for a minute if money was going to be cut from the football program that would hinder its success as a football team, but you will cripple the university because you have no respect for education. [LB275]

PRESIDENT FOLEY: One minute. [LB275]

SENATOR CHAMBERS: You said time? [LB275]

PRESIDENT FOLEY: One minute, Senator. [LB275]

SENATOR CHAMBERS: Oh, thank you, Mr. President. You don't respect education. Being not too well-educated yourself, you don't see the value of it. And you're thinking probably goes like this, why, I ain't got no education, look where it's gotten me. I say, uh-huh. And you show exactly why you need some education. But anyway, I like to bring information whether members on the floor accept it or not. It will be a matter of the record. Thank you, Mr. President. [LB275]

PRESIDENT FOLEY: Thank you, Senator Chambers. Continuing discussion, Senator Ebke. [LB275]

SENATOR EBKE: Thank you, Mr. President. Today is Valentine's Day, colleagues. And I want to show a little bit of love to some folks. Last Friday when most of you were in a recess day, six members of your Judiciary Committee were holding hearings and we held hearings on nine bills. I want to especially thank Senator Chambers for driving down from Omaha and Senator Halloran for not driving back to Hastings on a day when we had inclement weather. And I also want to thank my committee staff. Both of our legal counsels, Tim Hruza and Dick Clark, spent a significant amount of time preparing for the day and they each took half of the day in terms of bills. I also want to thank, and this is a special thank you to our committee clerk, Laurie Vollertsen. She had to get nine bills ready for us to hear. She had to print out all of the stuff that's attendant. She...and this is after a 7:30 conclusion on Thursday night. So she had a short turnaround time. She had it all ready. Things went pretty smoothly. We went from 9:00 to 4:30.

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

Floor Debate  
February 14, 2018

---

So, I want to thank my colleagues. I want to thank my staff, and please don't introduce so many bills next year. Thank you, Mr. President. [LB275]

PRESIDENT FOLEY: Thank you, Senator Ebke. Senator Chambers. [LB275]

SENATOR CHAMBERS: Thank you, Mr. President, and thank you, Senator Ebke. And I'm glad you made note of what the staff had done because they are not the invisible people in reality. They are what makes the machinery of this place operate. But that's when you drive a car, the engine often is taken for granted. When you turn the key, you expect the engine to start. You expect it to continue running until you turn off the key. Most people when they look at a car will see the exterior and the parts of it that have nothing to do with what the essential function of that vehicle is. So when there are people who do very essential things that allow the Legislature to operate more or less without too many hitches, they are often taken for granted. I don't think we pay them enough. I don't think we give them salary increases that are merited and I think we behave and act too stingily toward the Legislature itself. You give the Governor what he wants, and if he doesn't ask for something, so what? He's got a lot of personal money. He has hired people with his own money. But we look after all these other entities. The court will look after itself. The executive branch looks after itself. And the Legislature is going to travel on the cheap trying to impress somebody who is not going to be impressed anyway. I don't get much money, but I'm paid to do what I do and I knew when I came here I was not going to ever get a raise. I was not going to have insurance provided. I was not going to have a pension. I was going to get a lot of heartache and pain if I had a heart. But since I don't, I have to empathize with those of you who do. Senator Ebke pointed out today is Valentine's Day. A heart is the symbol of that. All of those movements of the heart that people are supposed to have, I don't experience that. But I've been around people so long that I'm aware of what they go through, the expression on their faces when they are feeling certain emotions. So I can imitate that as I would be able to do were I a highly-sensitized robot. I could be programmed to respond to expressions that human beings have on their faces because accompanying those expressions are certain brainwave activities, and when my sensing mechanism picks up that brainwave, I know what the human being is feeling. I know how to contort or shape my face to show sympathy or understanding toward what that human being is experiencing. So for those of you who have a heart, I hope your heart is not breaking today because somebody you felt deeply about didn't return what it is that you feel. Now, back to what I was talking about. Swearing, meaning an oath. Do you know what these hypocritical Christians do? You know what they do? They put a Bible out there and they want you to put your hand on the...you put your left hand on the Bible, they say left hand because it runs straight to your heart if you got one. That's not true, but they say that. Then you raise your right hand and then you do solemnly swear, whatever they tell you to say and you're not going to do it anyway, so you're lying when you take the oath. [LB275]

PRESIDENT FOLEY: One minute. [LB275]

Floor Debate  
February 14, 2018

---

SENATOR CHAMBERS: When you go to court, they say you swear to tell the truth, the whole truth and nothing but the truth. But in your mind, you say, everything but the truth. You're not going to tell the truth. But here is the peculiar thing. That book on which you put your hand to take an oath, or swear, tells you, and Jesus said it, don't swear at all. Don't swear by your head because you can't make one hair white or black. Don't swear by Jerusalem because it is the City of the King. Don't swear by the earth, and yet, here they are swearing on the book that tells them don't swear. When we come down here, we are supposed to enact wise and just laws. We took an oath that we would... [LB275]

PRESIDENT FOLEY: Time, Senator. [LB275]

SENATOR CHAMBERS: Thank you, Mr. President. [LB275]

PRESIDENT FOLEY: But you may continue on your third opportunity. [LB275]

SENATOR CHAMBERS: We took an oath and you should read what it says in the Constitution. The form of the oath is there. And paraphrasing, whoever takes that oath of office is going to serve in that office and to the best of his or her ability discharge the duties of that office. How can we say we're discharging the duties of the office when we're not even here? How can we say we're acting in accord with our best ability when we don't even read the bills that we introduce? How can we say any of the things are being done that we swore an oath, or took an oath to do, when we are violating those things constantly? What it indicates is that this is something like a company that puts on stage shows. Shakespeare said the whole world is a stage and we are but poor actors. So this is a place where people act. And those who take seriously what we do take offense at that, because by virtue of being a member of this outfit, the negative things that attach to this outfit for the sloppy, careless, incompetent work we often churn out attaches to everybody. So I do what I can to try to undo the damage that is done by my colleagues. And I shall continue to do that as long as I'm a member of this Legislature. And when I'm asked by people, why do I work as hard as I do? Why do I come down here in good weather and bad, why do I come here when we're not in session, I tell them I'm paid to do it. If I get a good bill that helps a lot of people, I don't have to be...I'm paid to do everything I do as a member of the Legislature. I am hired. I accepted the terms of my employment and I give this little bit of explanation. I am paid. I am not paid well, but I am paid. And as long as I'm being paid, the amount that I agreed to work for, I'm not being treated unjustly. It might be unwise for the public not to give an adequate salary for the work we're expected to do. But the public does whatever it chooses to do. And there again, when you have an uneducated public, there is a failure to recognize the essential nature of the legislative branch of government, whether it's at the state level or the federal level. This is the only branch where the people are represented, where the people are represented as people. We enact the laws. They supposedly are designed to be clearly and unambiguously

Floor Debate  
February 14, 2018

---

written so that people will know what this government allows a person to do without being punished. To tell you on the other hand, if you do certain things over here and it's found out, you will be punished. It is a thou shalt, thou shalt not, and in-between, thou mayest. If you want to, you can do it. If you don't want to do it, you don't have to do it. But if you undertake to do it, you're going to be held to a certain standard. [LB275]

PRESIDENT FOLEY: One minute. [LB275]

SENATOR CHAMBERS: Here's an example. You don't have to buy a car if you don't want to. You don't have to drive a car if you buy it. But if you buy the car and you drive any car on the streets and highways of this state, there are certain requirements you're going to have to meet whether you want to or not. And if you don't, then the power of the state will be brought to bear on you and you'll be punished. Now, I'm saying all that on this bill because the one who introduced the bill persuaded enough of you to take simpleminded action that compels me to take a lot of your time to try to inform you of why such things as that should not be done. Thank you, Mr. President. [LB275]

PRESIDENT FOLEY: Thank you, Senator Chambers. (Visitors introduced.) Senator Chambers, you're recognized to close on your bracket motion. [LB275]

SENATOR CHAMBERS: Thank you, Mr. President. This morning I went up to the desk and I got more ammunition. My ammunition consists of a pad for writing on, and a pen with which to write. The pen is not mightier than the sword if you're in a sword fight. But if you have the accoutrements of a certain office, that pen is able to do things such as sparing somebody's life who has been sentenced by the state to die. Signing a warrant that will authorize the state to kill one of its citizens. So in those instances, the pen has a lot of power. And I want to call something to my colleagues' attention because it applies to what I do on this floor. I can let your bills live and move across the floor, or I can give them a lot of agony. The one who has the most power in any government is the one who can grant mercy or clemency. If a jury convicts somebody of first-degree murder, all they've done is prepared the way to make this person death eligible. If the court, or the three-judge panel, will sentence that person to die, they are just administering an action that their job tells them to do, but they don't do the killing. The warrant is to be executed by the Department of Corrections. And they will find people who work for the state who will volunteer to carry out the killing. I spent time with three of the men who were executed by this state and I watched everything and everybody, but I would not view the execution. And I watched how nervous these guards and these watchers were when I would simply stand across the hall and stare at them. Whereas the state is killing one person, there are overall close to a dozen who become complicit killers for the state. When time comes for that person's life to be taken, the one who would have the true power is the one who can say, I stay that judgment and

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

Floor Debate  
February 14, 2018

---

this person shall not die. Whoever has that power has more power than anybody else in a society. And in most cases, it would be a king, a premiere, prime minister, who would have the power to grant clemency. By analogy, I have power over your bills. The rules of the Legislature give me that power and I can exercise it as I'm doing this morning on Senator Hughes's bill, or I can refrain from exercising it. Nobody can compel me to either exercise it or refrain from exercising it. But the thing that you all should not do, which Senator Hughes did, is remember this, if your head is in the lion's mouth, don't pull the lion's tail. There will be a price to pay. And I tell you over and over, I'm going to exact my price. When Shakespeare wrote the Merchant of Venice, you heard or read about the exacting of a pound of flesh. And I'm going to get my pound of flesh, not just from Senator Hughes, but from those who lemming-like follow his lead. Senator Hughes led you all to be against a piece of legislation that would take a bad law off the books. Had he read the law? No. Why not? When you're a member of this Legislature, it's not necessary to read the law. It's not necessary to read your bill. [LB275]

PRESIDENT FOLEY: Time, Senator. [LB275]

SENATOR CHAMBERS: Thank you, Mr. President. [LB275]

PRESIDENT FOLEY: Thank you, Senator Chambers. Members, you heard the debate on the bracket motion. The question before the body is the adoption of the bracket motion. Senator Chambers. [LB275]

SENATOR CHAMBERS: I would ask for a call of the house and a roll call vote. [LB275]

PRESIDENT FOLEY: There's been a request to place the house under call. The question is, shall the house go under call? All those in favor vote aye; those opposed vote nay. Record, please. [LB275]

CLERK: 21 ayes, 3 nays to place the house under call. [LB275]

PRESIDENT FOLEY: 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 Baker, if you could check in. Senator Chambers, we're lacking Senator Riepe at this point. Thank you, Senator Chambers, we will proceed. There has been a request for a roll call vote. The question for the body is the adoption of the bracket motion. Mr. Clerk, please call the roll. [LB275]

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

Floor Debate  
February 14, 2018

---

CLERK: (Roll call vote taken, Legislative Journal page 643-644.) 0 ayes, 42 nays, Mr. President. [LB275]

PRESIDENT FOLEY: The bracket motion is not adopted. I raise the call. Mr. Clerk. [LB275]

CLERK: Mr. President, an announcement, if I may. Banking Committee Exec Session at 10:00 in room 2022. Senator Chambers would move to reconsider that vote just taken, Mr. President. [LB275]

PRESIDENT FOLEY: Senator Chambers, you're recognized to open on your reconsideration motion. [LB275]

SENATOR CHAMBERS: Thank you. Mr. President, and members of the Legislature, continuing where I left off. Since I referred to an article, I should go ahead and read it so that it will be clear in giving a brief statement about it, I was not misrepresenting the thrust of the article. It was in this morning's Lincoln Journal Star, which is February 14, headline, deregulation gets three-party push. It's written by Don Walton. The broad legislative push for deregulation in Nebraska got a bipartisan-even tripartisan-nudge Tuesday from a variety of state senators as the Platte Institute unveiled a study pegging the cost of state regulations on the private sector at \$473.8 million annually. I am digressing. This that I'm saying is not in the article. That Platte Institute sticks its nose in a lot that the Legislature does. But I have not heard them. I have not read anything they wrote about the wrongfulness of a bill that will allow people's property to be levied against, to be put into foreclosure, taken from them, and they not even be given any legal notice as to why the county is going to do it. Now, that Platte Institute has said nothing about that. They are looking for political and publicity acknowledgment. This that I'm talking about is more important than these regulations that these senators got together to do something about. Not one of them is going to turn a civil action into a criminal action. Not one of them is going to be a levy against your property, require it to go into foreclosure, and even if it's foreclosed upon, that is not all that will happen to you. Now, the Platte Institute is as quiet as a mouse. I think they're a bunch of hypocrites. Nebraskans follow the monkey see, monkey do philosophy. If they see that there's such a thing as a think tank someplace, not a stink tank, a think tank. There was a little skunk and he read philosophy and he was taken by something that Rene Descartes said. Descartes said, I think, therefore I am. Well, the little skunk, as he ate a yam, said, I stink, therefore I yam. See, everybody wants to be a philosopher. And I think that the skunk's evidence of his existence is far more impressive than that which Descartes talked about. Who even knows if you're thinking? Nobody. But if you're stinking, everybody with olfactory nerves that are working...let me continue with this article. Seven state senators, including Republicans and Democrats, along with Senator Laura Ebke of Crete, the Legislature's sole, s-o-l-e, it says, but I would spell that s-o-u-l. That is a lady with a lot of soul. And if you're in with the in-crowd, you know what soul

Floor Debate  
February 14, 2018

---

means. If you're not, you'd be thinking about some kind of ghost or spirit or something that leaves your body when you croak. The Legislature's sole Libertarian party member gathered in the Capitol Rotunda to support the deregulation effort during a news conference. And this article, like Santa Claus, whistled and shouted and called them by name. I'm not going to ask anybody to answer, but how many reindeer, less Rudolph, did Santa Claus have hooked to his sleigh? He had eight. In all of the depictions, the reindeer have antlers, don't they? I read that the only gender of reindeer that has antlers is the female. So if that's true, and I believe it is, Santa Claus is pulled all over the world by eight females. They're the ones who bring the happiness to the little children who have been deceived by their parents into thinking that this overrate gentleman comes down a little bitty chimney and gives them things. And for all I know, that could be true in other places. I don't know what happens and doesn't happen any place where I'm not present. But at any rate, he whistled and shouted and called them by name. Now Dasher, now Dancer, now Prancer, now Vixen. On Comet, on Cupid, on Donner, and Blitzen. To the top of the porch, to the top of the wall, now dash away, dash away, dash away all. And there was this little old driver, so lively and quick...is Senator Quick here? Anyway...I don't think he was named after Senator Quick. But Senator Quick could be named after him. I knew in a moment it must be Saint Nick. But at the very end, I heard him exclaim as he drove out of sight, Merry Christmas to all and to all a good night. Did he say Merry Christmas or did he say Happy Christmas? Think about it. That's something that people who get an inferior education would puzzle over all day when all they have to do is go get this rhyme and see what was said. And that brings me back to what's happening to the university. I'm going to read in here and see if any of the regulations are such that they would hurt the university if they remained in place. Let me continue. Ebke is the sponsor of a bill, LB299, that would require the Legislature to regularly review occupational licensing laws over a five-year cycle. Senator John Murante of Gretna, a Republican, has sponsored a proposal, LB948, at the request of Governor Pete Ricketts that seeks to broadly reduce state agency rule making. Senator Adam Morfeld of Lincoln, a Democrat, is the sponsor of a measure, LB756, that would prohibit local ordinances that ban short-term residential rentals such as those provided through Airbnb. I think Senator Larson had brought something like that and it met an appropriate fate, as will Senator Morfeld's if it comes before us. Continuing. Joining them in the Rotunda were Senators Tony Vargas of Omaha. Well, as usual, he's not here. He's somewhere, though. He and I are going to have a little chat. Oh, I see him. He's under the balcony. We still are going to have a little chat, but not right now. Senator Tony Vargas of Omaha, a Democrat, and Senators Suzanne Geist--there she stands under the balcony about to make her departure--of Lincoln, Dan Watermeier, of Syracuse. Who can tell me the translation of Watermeier? It means water carrier. Like meister, except it's not the meister, it's the servant. Water carrier. Ask him. [LB275]

PRESIDENT FOLEY: One minute. [LB275]

Floor Debate  
February 14, 2018

---

SENATOR CHAMBERS: Continuing. Of Syracuse. And Theresa Thibodeau of Omaha, all Republicans. Quote, the efforts of these senators from each party represented in the Unicameral shows that scrutinizing and cutting red tape is a nonpartisan issue that lowers barriers of economic growth and creates more pathways to a paycheck for hard-working Nebraskans, unquote, said Nicole Fox, director of government relations for the Platte Institute. And I will wait until I'm recognized before I finish the article. Thank you, Mr. President. [LB275]

PRESIDENT FOLEY: Thank you, Senator Chambers. You may continue. [LB275]

SENATOR CHAMBERS: This is quoting. Continuing. Quote, beyond the obvious financial cost of compliance, excessive regulation also imposes a hidden tax from lost economic opportunities, unquote, she said. Quote, over the years more and more regulations have been added at the state and federal levels which has increased the complexity and cost of doing business and has ultimately hindered Nebraska's economy, unquote, Platte policy director, Sarah Curry, said. And you know, I'm sure Senator Williams doesn't like all the regulations on banks. Do you know that it's against the law for a banker to red-line areas and not give loans to black people or whoever lives within that red-lined area? Bankers would like to get rid of that regulation. It's against the law to charge more than a certain amount of interest. That's an undue regulation. They're hindered from making as much money as they could make otherwise. Bankers are not allowed to steal from their depositors. You know they'd like to get rid of that if they could. Why do these people at that Platte Institute pick and choose those regulations? I don't know. But nowhere did I hear or read where anybody is concerned about, and again I'll just touch on the bill briefly, a law that will allow an unsupported, unsubstantiated, unverified complaint from a disgruntled neighbor lead to people coming on your land without you ever being notified, spreading poison all over your land. If you're a farmer, destroying or severely damaging your standing crops, and you have no action you can take about it because they're exempt from anything you would want to do. And you cannot charge them with trespass because they've been authorized to do it and you've received no notice. They have no warrant. There has been no involvement of the court. Where's the Platte Institute? Like that Little Boy Blue, under the haystack fast asleep doing what will get them a lot of publicity. But those laws that can hurt people and the people who can be hurt by it, don't even know it. And they're quiet, and the Legislature is even worst than being quiet. They are actively complicit in keeping that kind of legislation on the books. Then, after they have destroyed your crops, poisoned your land, they'll charge you a \$100 a day fine for 15 days for not having done what they wanted you to do, without notifying you that you have to do it. So now you have in addition to the damage to your property, a \$1,500 fine. And that is certified to the register of deeds and it's to be a charge against your property in the form of a lien. The treasurer is involved also. When all these get together and finish, this \$1,500 fine is tacked on to your tax bill, and becomes a part of your taxes, which I'm not aware of that being authorized by the statutes, other than this terrible thing that I'm talking about. And that's not all.

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

Floor Debate  
February 14, 2018

---

They then put your property into foreclosure, and you have gotten no notice. But that's not all. It's like those commercials on television. [LB275]

PRESIDENT FOLEY: One minute. [LB275]

SENATOR CHAMBERS: This, that I'm sending you, will clean your hands. It's a dollar ninety-five cents. Send it right away. But that ain't all. Answer in the next ten minutes and we'll send you another one free and there will be no shipping and that ain't all. We'll send you a roll of tissue so you can wipe your hands if you don't like them to be sticky. That's what that bill does because that ain't all. Any other action that can be taken against you will be taken and that ain't all. This county attorney is ordered to bring a criminal charge against you. Thank you, Mr. President. [LB275]

PRESIDENT FOLEY: Thanks, Senator Chambers. Senator Chambers, you may continue on your third opportunity. [LB275]

SENATOR CHAMBERS: Thank you, Mr. President. When you are convicted, and that's what the language of the statute says, when you are convicted, there is a fine that you pay under the general law of this state when you're convicted of an infraction. So that fine, and the \$1,500, all of that, and this Legislature goes along with it and the Platte Institute goes along with it also. Who is concerned about the ordinary people of this state. Where is all that pretended outrage that I hear on this floor. Sometimes it manifests itself when people are talking about property taxes. We're going to hear some comments on both sides when we consider cutting the university for your children, those of you in this Legislature and wherever else, and have children, are expected to go to obtain an education. Cut education. As I mentioned, the senators say it is, we don't need no education and since we don't need no education, your children ain't going to get no education either. And that's about the way we talk. No education. I don't see any outrage expressed on the floor of this Legislature because some rich man wants to cut education, which is a pathway to success and prosperity. He doesn't have to worry about it because he had a rich daddy. And as a result, he's a spoiled brat. And he's going to cut the university, and this Legislature will go along with it, but I won't go along peaceably. I have education, and a lot of mine comes from the effort I put forth. When I attended that Jesuit school known as Creighton University, I never spent much time in the classroom. But I spent a whole lot of time in the library and always read far more on my own than any class I took required in order to pass an exam, because I didn't flunk exams and I didn't flunk classes. When time came for me to graduate and I graduated in four years, I didn't realize that was something special, because the course is four years, and you graduate. Then I found out that people don't ordinarily graduate in four years. Naive me, graduating from Technical High School, which was not supposed to be an academic environment. I didn't know that 18 hours a semester was a heavy load. One hour equates to how

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

Floor Debate  
February 14, 2018

---

much time you spend in a classroom. When I worked on construction, when I was in high school, I worked on Saturdays, and in the summer I worked more than 18 hours in three days. And yet I had five days to carry 18 hours of classwork and that was supposed to be a heavy load. It wasn't for me. Same thing in law school. And they held me out of law school, not because I flunked classes or exams... [LB275]

PRESIDENT FOLEY: One minute. [LB275]

SENATOR CHAMBERS: ...but I didn't attend classes, and I passed all the exams. Shouldn't that have made them proud? Not by a long shot. I didn't need them telling me what to do. So now, having self-educated to a great extent myself, I recognize and appreciate the value of education, however acquired. And most of our children are going to do it in a classroom setting. And when I see those classrooms cut, education is diminished. The opportunity to be educated is diminished. And if Nebraska becomes pitiful enough, they may have trouble remaining in good standing in the Big 10. They're concerned about the academic standing of their universities. Thank you, Mr. President, and I would ask for a call of the house and roll call vote. [LB275]

PRESIDENT FOLEY: There's been a request to place the house under call. The question is, shall the house go under call? All those in favor vote aye; those opposed vote nay. Record, please. [LB275]

CLERK: 11 ayes, 0 nays, Mr. President, to place the house under call. [LB275]

PRESIDENT FOLEY: The house is under call. Senators, please return to the Chamber and record your presence. The house is under call. Senators Bostelman, Wishart, Riepe, Murante, Linehan, and Friesen, please return to the Chamber and record your presence. The house is under call. Senator Chambers, we're lacking Senator Wishart at this point. We'll proceed. Thank you very much. The question for the body is the adoption of a reconsideration motion. There's been a request for a roll call vote. Mr. Clerk. [LB275]

CLERK: (Roll call vote taken, Legislative Journal pages 644-645.) 0 ayes, 39 nays, Mr. President. [LB275]

PRESIDENT FOLEY: The reconsideration motion is not adopted. I raise the call. Mr. Clerk. Items for the record, please. [LB275]

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

Floor Debate  
February 14, 2018

---

CLERK: Mr. President, the notice...I have notice of hearings from Health and Human Services and the Government Committee. And a confirmation report from Natural Resources. Senator Chambers would move to recommit the bill, Mr. President. [LB275]

PRESIDENT FOLEY: Senator Chambers, you're recognized to open on your recommit motion. [LB275]

SENATOR CHAMBERS: Thank you. Mr. President, members of the Legislature, this bill was advanced by the Transportation and Telecommunications Committee, so if you vote to recommit it, they will have the opportunity to look at it again, and determine whether or not they would like to send it out here again, put it into my clutches and allow me to do, again, what I'm doing today. I read something interesting. It might have been in yesterday's paper, that on that date, King Henry the VIII had one of his wives, her last name was Howard--oh, I don't see Senator Howard--had her executed. And the way they executed people in those days was by lopping off... [LB275]

PRESIDENT FOLEY: Senator Chambers. [LB275]

SENATOR CHAMBERS: Yes. [LB275]

PRESIDENT FOLEY: Could I interrupt you for a moment. We've got some special guests here I want to acknowledge them, and Senator McDonnell needs to depart. Today is actually Edward Danner Day declared by Senator McDonnell's LR244 of last year. Senator Danner was a State Senator elected to the Legislature in 1962 and today we're very lucky to be joined by his children...excuse me, his grandchildren and great-grandchildren. We have with us Spencer Danner, Lori Danner, Spencer Danner, Jr., and Makayla Danner. They're all with us under the south balcony. Could they please rise so we could welcome you to the Nebraska Legislature. Thank you, Senator Chambers, you may continue. [LB275]

SENATOR CHAMBERS: Thank you, Mr. President. Members of the Legislature, because of that methodology of execution, Rudyard Kipling may have written a line that appears in a poem that he wrote called "If". And you know what the first couple of lines do? They acknowledge the work done by the executioner in England and this is what those lines say. If you can keep your head when all about you are losing theirs and blaming it on you, who would those lines fit more perfectly than an executioner. People all around you are losing their heads and blaming it on you. Maybe he did not have in mind the executioner, but words can take on more than one meaning. However, that bad bill that became law called the Black-Tailed Prairie Dog Management Act contains words which because the law is legal terminology, has very definite and contradictory meanings. There are places in that law which says notice shall contain A, B, C, D, and the rest of

Floor Debate  
February 14, 2018

---

it to notify the landowner, who is the victim of a complaint by a disgruntled neighbor. That landowner is to receive this notice. But before you get to that notice which covers about a page of text in the statute book, there's a sentence that says, failure to publish that notice or to serve it does not excuse a person from being held accountable for everything in that act. In other words, you're held accountable for knowledge that you never receive. That kind of craziness was put in the statute books by this Legislature. And there are people in this Legislature who want to keep that kind of bad language in the statute books. I say again, where is the Platte Institute? Where is the Republican party? They're always talking about less government, less regulation, and property rights, too high property taxes. What tax is higher than the state being able to come in and take your property, foreclose on it, take it, without any compensation. How about when the state can poison your land? That's what's allowed under that law. And you all want to keep it there, so I'm going to keep you here. And I'm going to make you pay, and you can thank Senator Hughes. Jesus was nice. He said when the blind lead the blind, they'll both fall into the ditch. What about when the stupid lead the stupid? The ignorant lead the ignorant? An ignorant man led enough of you ignoramuses into keeping that bad law on the books. Why do I say he's ignorant? I-G lacking. He didn't have knowledge of the law. He had never read it. He had never read it, and said, but follow me. Dummies. And it probably gave him a great sense of pride, propped up his ego. He was able to get this Legislature, which includes Senator Hilgers, I see striding down the aisle, into keeping bad, crazy legislation on the books. He knows notice should be given before people come on your land and poison it. He knows notice should be given before you're going to have to pay \$1,500 in fines. He knows all of that, but he laid aside his knowledge, because an ignorant person that he liked better than he likes me said, do what I tell you to do, and you did it. Not all of you. I got the list. But enough of you did it to produce a bad result, and what's happening now is part of that bad result. But what am I taking from you? Time. It's not your property. Nobody is running up a fine on you of \$100 a day that you don't know about. And then when it reaches \$1,500, the county attorney is mandated to bring a criminal charge against you. What kind of craziness is that? That didn't even happen in Nazi Germany. Show me in Nazi Germany law where that happened to German citizens. Show me where it happened under Mussolini. You cannot. It happened in the United States of America in the state of Nebraska, right here where you all make the law. And you can erase those bad laws, but you're not going to do it, so I'm going to take time and I'm going to work and I'm going to work and I'm going to work. Here's what should give you satisfaction. While I'm taking your time and letting you...or making you sit here, I am working. I am standing up. Do you all realize that the "Bible" says the number of a man's years, the Bible said it, and you all say you believe the "Bible" although one of the Gershwins said, the things that you're liable to read in the Bible they ain't necessarily so. And I prove that, because the days, the number of a man's years are three score and ten... [LB275]

PRESIDENT FOLEY: One minute. [LB275]

Floor Debate  
February 14, 2018

---

SENATOR CHAMBERS: ...for those who won't know when they go to the university that a score comprises 20. Three times 20 will equal 60, plus 10 would equal 70. So you can say that either I broke the "Bibble's" law, or that through mercy at the hands of the one who can extend mercy, I'm living on borrowed time. My ticket should have been punched ten years ago. But it hasn't happened. And I know that these Christians will run out of here straightway and say, Lord, I'll fast two weeks if you'll grant my prayer to kill Ernie Chambers, kill him dead. And Lord, I'm not asking you to do something bad, I'm just asking you to fulfill the scripture. Look, God, look here... [LB275]

PRESIDENT FOLEY: Time, Senator. Thank you, Senator Chambers. (Visitors introduced.) Continuing discussion. Senator Erdman. [LB275]

SENATOR ERDMAN: Mr. Speaker, good morning. How do you follow that, right, Senator Chambers? I have received some information from Sheridan County. They, as you know, are the only one that ever implemented the Prairie Dog Management Plan and some of the things that he shared with me yesterday when I spoke with Jack Andersen was they have never fined anyone. They have formed a committee to control prairie dogs and it's working quite well in our county and they have accomplished what their goal was to make their land more productive. So it is working there, no one has been penalized. So I would like to ask Senator Chambers a question if he would yield. [LB275]

PRESIDENT FOLEY: Senator Chambers, would you yield, please? [LB275]

SENATOR CHAMBERS: Yes. [LB275]

SENATOR ERDMAN: Senator Chambers, it's my understanding that this bill is very important to you, removing the prairie dog? [LB275]

SENATOR CHAMBERS: To me, yes, yes. [LB275]

SENATOR ERDMAN: So on a scale of 1 to 100, how important is it? [LB275]

SENATOR CHAMBERS: I'm going to quote a very wise man, 150. [LB275]

SENATOR ERDMAN: 150. I thought that would be the case and I appreciate that. So I would ask, would you be willing to negotiate? [LB275]

Floor Debate  
February 14, 2018

---

SENATOR CHAMBERS: It depends on what the terms of the negotiation are. [LB275]

SENATOR ERDMAN: Okay. Here are the terms of negotiation. I listened to your comments the last couple of days and I listened to your comment about the fine being unconstitutional, where it is intended to go. And I would be willing to do this. I would be willing to join you on changing that provision in the prairie dog bill if you would be willing to help me pass property tax relief exclusively 829, LB829. [LB275 LB829]

SENATOR CHAMBERS: Oh, you mean, that's...that's...you call that negotiation? [LB275]

SENATOR ERDMAN: Yeah. [LB275]

SENATOR CHAMBERS: Well, the answer is, politely, no. [LB275]

SENATOR ERDMAN: I thought you might have a different answer, but I understand. Thank you for your time. But let me just say this, Senator, as I listened to you, you know, you call us stupid and idiots and all that, and I understand what you're saying there, and I happen to understand that sticks and stones may break my bones, but names can never hurt me if I don't let them. But a great philosopher once said, when the debate is lost, generally the tool of the loser is slander. And so I don't appreciate being called an idiot or stupid or racists and you've referred to me as racist in the past, and we've had that conversation in person and in private, and I would ask you if I may be the most compassionate racist person you ever knew. You can answer me off the mike. But, you know that my concern about your well-being this summer was just exactly that. And I'm not racist. So for the record, I want the record to show that. Thank you. [LB275]

PRESIDENT FOLEY: Thank you, Senator Erdman. Senator Chambers. [LB275]

SENATOR CHAMBERS: As I was saying before I was so pleasantly interrupted by Senator Erdman, the law is on the books. The law permits everything I mention to take place. There were laws in Nazi Germany that placed horrendous restrictions on Jews and allowed for what was called the final solution. But not every Jew was made subject to it. There were some Jews who collaborated with the Nazis. And although the law said every Jew can be subject to this, it was not carried out on every Jew. But the very law's existence was a crime against humanity. So the fact that those yahoos up in Sheridan County have not done all the things that are allowed, the law allows it and they use the things in that law to threaten and intimidate people to go along with what they wanted. They use it to threaten and intimidate people. And if you listen carefully to what Senator Erdman said, they told him they never fined anybody. If I understood, they got some things accomplished that they wanted by threatening and intimidating. Is that the way

Floor Debate  
February 14, 2018

---

things are done in America? When it comes to black people, it has always been that way. I'm trying to rescue you all from what happened to us. And you won't listen. But I'm going to continue because I wish that there had been somebody during those days who would have stood for us and said when that Declaration of Independence said, we hold these truths to be self evident, that all men are created equal, that they're endowed by their creator with certain inalienable rights, among them, life, liberty, and the pursuit of happiness and to procure these rights, governments are instituted among men deriving their just powers from the consent of the governed. Then it goes on to say, when any government becomes destructive of those ends--and to make a long story short--revolution is justified. We were not considered human beings. And at the time, Thomas Jefferson and his thuggish friends served that notice on England. Thomas Jefferson was a slave holder. And that term "men" can be taken literally because women were in virtual bondage, also. And because at some point black men were acknowledged as males, black men got the right to vote before white women, because women were not to be allowed to vote. Some snotty-nosed hillbilly could walk up to the registrar, wiping snot on his sleeves and it congeals, chewing tobacco and it's running down into his beard, and they say, what do you want? Well, I comes here to...I wants to vote. This is a white hillbilly, I wants to vote. And just before he came, there was a highly-educated, refined, white woman... [LB275]

PRESIDENT FOLEY: One minute. [LB275]

SENATOR CHAMBERS: ...who approached the registrar and said, I would like to register to vote. And he said, don't you know you can't vote? You ain't smart enough to vote. That's the registrar talking like a fool. Then the fool that I described comes up right after her and he says, I want to register to vote and I can't write. So he said, well, just put your mark there because I can't write neither. We don't have to do no writing around here, because we don't need no education. And those ignoramuses were allowed to vote. And we couldn't and women could not vote in America. And they talk about teaching Americanism. They dare not teach Americanism. When you talk about teaching what really happened, that's when the racists come out of the woodwork and say, don't talk about that, you're trying to rundown America. The truth runs them down, then so be it. [LB275]

PRESIDENT FOLEY: Time, Senator, but you may continue on your third opportunity. [LB275]

SENATOR CHAMBERS: Thank you, Mr. President. I'm behaving like an educated man. I'm following the rules of the game. And that's what I'll continue to do. It's 10:33. I don't know when we'll take a break, but usually we won't go past 12 o'clock. Now, if you think I cannot take time for an hour and a half, you've got another think coming because my engine is starting to warm up now. And that's when a machine works very well. All of the parts are engineered, tooled, and fitting where they are supposed to fit, turning as they're supposed to turn, the teeth of the gears

Floor Debate  
February 14, 2018

---

mesh perfectly with the teeth of other gears and when one turns right, the other one turns left. And they transfer energy and all together, valves, pistons, and whatnot will make that engine run. And all you have to do is make the payments and turn the key and it does what you want it to do and will go where you tell it to go. Why, you can tell that car to run into a wall, and that's what it will do. But back to what I'm talking about here. Senator Erdman asked, would I be willing to work to change a part in that law. No. You can't bring a clean thing out of an unclean thing. You can't make a silk purse out of a sow's ear and I will not try to clean up the mess that the previous Legislature left. The whole thing ought to go. The bill is bad throughout the law. I read to you where the terms of that law said that it could not conflict with any recovery program that is operational or in place pursuant to the Endangered Species Act. And yet the black-footed ferret fits into that category. They live in prairie dog burrows and these poisoners from the county can spread poison over all your land. They don't follow the law. They don't have to because they're white. And the law is meant to be broken when you are white. But let it happen to you. I'm probably the one you'd come running to because I read your law. Silly me. I take it seriously. I read your Constitution. I take it seriously. You know what your Declaration of Independence before it was accepted in final form was going to do? It was going to condemn England for engaging in the slave trade. They had a provision to condemn England for traveling miles over the sea to capture unoffending persons, dragging them back to England and putting them in slavery. Then some of those so-called fathers said, well, hold on, Tommy, wait a minute. Why are you condemning us? He said, well, I'm talking about England. He said, well, you made a hat that fits our head. We're the ones who do that. Tom got out a big old eraser and he said, wait a minute. [LB275]

PRESIDENT FOLEY: One minute. [LB275]

SENATOR CHAMBERS: They said, uh-uh, no eraser, give me that and they tore it into smithereens, I'm sure because they wanted no evidence of it. That slave holding group of barbarians had the nerve to condemn another country for doing what they were doing. And these young people probably didn't know that's what's in their American history because it's not taught. This is the land of the free and the home of the brave. America is better than anybody in the world. America is a better country than ever existed on the face of the earth. Well, just for beginnings, look at the art produced in Italy and show me comparable art produced in the United States. Was there a Leonardo da Vinci produced by America, a Michelangelo? And America has a higher level of civilization than any other country. [LB275]

PRESIDENT FOLEY: Time, Senator. [LB275]

SENATOR CHAMBERS: Was that my third time? [LB275]

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

Floor Debate  
February 14, 2018

---

PRESIDENT FOLEY: That was your third time. You're now recognized to close on your recommit motion. [LB275]

SENATOR CHAMBERS: Thank you, Mr. President. And I have my next motion prepared. Yes, I want my colleagues to sigh. I hear everything. I hear everything. Actually, I don't, but I hear enough to make people think that I do. Members, I'm going to keep doing what I'm doing, and let me tell you what ultimately the goal is. Naturally, along the way, I want to get rid of that Black-Tailed Prairie Dog Management Act. I want to demonstrate what an educated person is supposed to do and how an educated person is supposed to act. Now, you may not agree with anything I say, you may not like anything I say, but I bet I say it with better grammar than these other people who've condemned me. The ones who will cut money from the university, do they behave like educated people? Would you want them to go someplace and speak in your behalf if it was a serious issue? They don't even know what the issue is, and they're going to speak for you? These Luddites are going to damage the university. That's what they're going to do because that man sitting over there in the Governor's chair told them to do it. He's rich. He doesn't care what happens to the university. He doesn't need to know anything. And I'll tell you again, like I've said before, I respect no man who lets somebody make fun of and insult his mama and his daddy, as Donald Trump did to the two Ricketts that brought junior into the world...Pete. He's not junior. When I say junior, that means younger than the daddy. What do they care? They don't care if you don't get a job, if you can't take care of your family. All he has to do is say, daddy, give me a couple hundred thousand dollars. And daddy say, well, why be cheap. I don't want you to come back before next week, I'll give you \$350,000, how is that, sonny? And all Trump had to say, those Ricketts better watch themselves because they've got a lot to hide, and those Ricketts got quiet as "meces". And Sylvester hates "meces" to pieces and I understand now why Sylvester said that. That's what he did. Trump publicly put down the Ricketts family and they swallowed it and the "Bibble" describes that as being as a dog returning to its vomit. I'm using words. That man I'm talking about is cutting money from programs that is needed to help those of our brothers and sisters who have mental disabilities, who have physical disabilities, and he's hurting them. And yet these Repelicans go along and follow behind him like those children follow the Pied Piper of Hamelin. Republican women are docile. They are dominated. They are put in the inferior role and it said on the news, prominent Republican women, not talking about Nebraska except that one who stepped down from her position as representing the "Repelican" party... [LB275]

PRESIDENT FOLEY: One minute. [LB275]

SENATOR CHAMBERS: ...when Donald Trump defended a man who had committed sexual improprieties with teenage girls. She said, I quit. And then Trump...I mean, it doesn't matter whether I say Trump or Ricketts, they're both the same, except that Trump is the boss, appointed somebody else. The news story said prominent Republican women are finding it difficult to

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

Floor Debate  
February 14, 2018

---

swallow what Trump is doing in defending these people who not only committed sexual harassment, but domestic violence, and Trump justified it. He defended them. He said, well, the guy said he didn't do it. Well, when they caught Jesse James he said, I didn't do it. When they caught Bruno Hauptmann, he said, I didn't do it. When they had those Nazis on trial at Nuremberg, they said, I didn't do it. [LB275]

PRESIDENT FOLEY: Time, Senator Chambers. Members, you've heard the debate on the recommit motion. The question for the body is the adoption of the motion. [LB275]

SENATOR CHAMBERS: Roll call vote after a call of the house. [LB275]

PRESIDENT FOLEY: A call of the house has been requested. The question is, shall the house go under call? All those in favor vote aye; those opposed vote nay. Record, please. [LB275]

CLERK: 12 ayes, 2 nays to go under call, Mr. President. [LB275]

PRESIDENT FOLEY: The house is under call. Senators, please return to the Chamber and record your presence. The house is under call. Senators, please return to the Chamber. The house is under call. Senators Kolterman, McCollister, Hansen, Baker, Williams, Scheer, Lindstrom, Larsen, Murante, Schumacher, and Brewer, please return to the floor. The house is under call. Senator Schumacher, if you could check in, please. All unexcused members are now present. The question for the body is the adoption of the recommit motion. There's been a request for a roll call vote. Mr. Clerk. [LB275]

ASSISTANT CLERK: (Roll call vote taken, Legislative Journal pages 646-647.) The vote is 0 ayes, 40 nays on the motion to recommit, Mr. President. [LB275]

PRESIDENT FOLEY: The recommit motion is not adopted. I raise the call. Mr. Clerk. [LB275]

ASSISTANT CLERK: Mr. President, Senator Chambers would move to reconsider the vote on the recommit motion. [LB275]

PRESIDENT FOLEY: Senator Chambers, you're recognized to open your reconsideration motion. [LB275]

SENATOR CHAMBERS: Thank you, Mr. President. I'm old, like Ol' Man River, and I'm going to be like Ol' Man River, I'm going to just keep rolling along. Mr. President, members of the

Floor Debate  
February 14, 2018

---

Legislature, I was talking about how women who, especially those in the "Repelican" party, are docile, subjugated. They are the recessives, if you're talking about dominant and recessive. And when they talk about the women being on the move, they're not ever talking about Republican women and certainly not those in Nebraska. You don't hear...you're...you got one person in the Senate, and her name never comes up when time comes to lead out on something that benefits women that is of consequence. And Trump shows his disrespect for women every time he sends that poor Huckabee woman out there to tell these lies for him. And what the reporters will say, you say this, but Trump never says it. Then she gulps and she looks like she's one of those from the dawn of the dead, or the body snatchers, a vacuous blank expression. Why am I here, what am I doing here, then she recovers herself and says, well, he just quoted that to me. He quoted that to me just before I came here, that's exactly what he quoted to me. Why can't he speak for himself? When time comes to take credit for a surge in the stock market, he's got plenty to say. But again, when it comes to him not explaining why sanctions that Congress voted to be imposed on Russia...were you all aware of that? Do you watch the news? Are you aware that Congress voted to impose sanctions on Russia? You all know that? And do you know that the orange man nullified that? They have not been imposed because Trump said no, your president. And I just had a little conversation with the chairperson of the Government Committee and my resolution that I offered last time will get a hearing where the appropriate officials in Washington are asked to consider whether or not Trump falls within the purview of the Twenty-fifth Amendment to the United States Constitution. You don't have to impeach, you don't have to have a vote as you do with impeachment. You charge in the House, you try in the Senate. Bill Clinton was impeached. Most people think that means kicked out of office. Impeached is like the indictment. That's what the impeaching act is. Then the Senate tries the person and Clinton was acquitted. Interestingly, the lawyer who represented him was a black woman. A black woman got the white President acquitted when he had been impeached by his fellow white men. Then he asked her, would she come to work for him. It was not written this way, but I bet she said, not on your life. Because I'm a lawyer, if I had to, and my ethics required it, I'd represent Jack the Ripper, but I wouldn't become an associate of Jack the Ripper. I'd never work for you. But she presented cogent arguments that persuaded the Senate that they shouldn't convict him. I know, you all know, that a Repelican Congress is not going to vote to impeach Trump unless political fortunes continue to go bad. There was a legislative race somewhere down in that part of the country that's benighted. I believe it was a woman Democrat who won over a "Repelican." That's the third time something like that happened. And these politicians who have to stand for election, unlike Trump, are sampling the wind. If there is a movement of the wind going in a different direction, I better get off this Trump train and let him go on his own. He can sink if he wants to. Instead of it being the king Trump ocean liner, it's the second act of the Titanic. They're not going to go down with him. And they're beginning to get nervous because elections are showing that people are voting against the ones that Trump supports. And he's constantly losing ground. And he is an inveterate, pathological liar. He is a demented denier. He's a consummate falsifier and he puts that poor Huckabee woman...her daddy is the one I think ran for president last time

Floor Debate  
February 14, 2018

---

around, not this time. This is a headline in today's Lincoln Journal. Wray: FBI provided info. Subhead: Agency disputes claim that probe of ex-aide Porter was "ongoing". Trump lied. He lies all the time. He has told so many lies that they're not counted anymore. Some weeks ago the Washington Post had documented over 100 lies that he had told. Then they said, what's the use. He can't do anything but lie. And I'm going to read this article, may as well put something on the record. It was written by Deb Riechmann and Zeke Miller of the Associated Press. Washington. Contradicting the White House, the FBI said Tuesday it gave the Trump administration, on multiple occasions last year, about a top aide accused of domestic abuse by his two ex-wives and the investigation wrapped up in January. They gave him this information on multiple occasions, and the investigation ended in January. Then Trump started tell his lies and making that Huckabee woman stand up there and look like a fool. That shows the disrespect for women. It shows she has no respect for herself, and that Kellyanne Conway. Continuing. That account by FBI Director Christopher Wray challenged the White House assertion that Rob Porter's background "investigation was ongoing." And officials first learned the extent of accusations against him only last week just before he abruptly resigned. The FBI said that's not true. They knew long before then. And they are lying, lying, lying. Your President is a liar. He's lying. And Ricketts still loves him. He...Trump showed that kind of strange relationship toward Putin. So you know what Putin said? I'm not the groom and he's not my bride. Trump... [LB275]

SPEAKER SCHEER PRESIDING

SPEAKER SCHEER: One minute. [LB275]

SENATOR CHAMBERS: ...had cheesed up to him so much that Vladimir Putin had to let him know, ain't nothing going on here. I'm not married to him. And I'm going to finish this article, but not right now. I'll have to be recognized, and the time continues its endless flight and I'm facilitating it, and I shall continue to do so, and a kind person gave me a Snicker to sustain my energy level. I'm going to save it for celebration over the noonhour. Thank you, Mr. President. [LB275]

SPEAKER SCHEER: Thank you, Senator Chambers. You're next in the queue. However, there are no others, if you'd like to close. You're recognized, Senator Chambers. [LB275]

SENATOR CHAMBERS: Thank you, Mr. President. That account by FBI Director Christopher Wray challenged the White House assertion that Rob Porter's background investigation was ongoing, and officials first learned the extent of accusations against him only last week just before he abruptly resigned. Raised testimony marked the latest development in a scandal. I repeat, a scandal, that has called into question the judgment of senior members of the White House staff, put new stress on the administration's already strained credibility with the public

Floor Debate  
February 14, 2018

---

and drawn accusations of tone-deaf handling of abuse allegation. That's on that self-admitted sexual predator. Trump is a self-confessed sexual predator. Continuing. The week-long fallout from the allegations against Porter, President Donald Trump's staff secretary, has thrown the West Wing into chaos, not seen since the earliest months of the administration and has sparked new demands, new rounds of recriminations inside the White House. It's like a circle. And this cartoonist has drawn it. And everybody is pointing to the person to his or her right. He did it. He did it. She did it. She did it. He did it. That's what Trump's whole operation is like. When he was going to take office he said, you can tell the ability and knowledge of a man by the type of people that he appoints. You're going to see me appoint some fantastic people. You're going to see me appoint some people who are great. And how many of them have been fired? How many of them have quit in shame? And yet, these white people still go for him. I guess birds of a feather sleep together or flock together. Continuing. You know why I say white people, because we had such a few simpleminded Uncle Tom's and Aunt Jemima's voting for him, it doesn't even register. That Omareso, Omarosa, whatever her name was, she thought that if she sold out the race and went to this guy who kicked her off his program twice, she's going to go somewhere, and then he kicked her to the curb again. And she was boo-hooing and blubbering on some program called "Big Brother." Supposed to be reality TV. Continuing the article. Privately, officials acknowledge that the public timeline offered last week--that the administration first learned of the ex-wives charges against Porter last Tuesday--was flawed at best. They were being nice. It wasn't flawed. It was an outright lie. Continuing. Several senior officials including Chief of Staff, John Kelley and White House Counsel, Don McGahn--I'm not too familiar with him--were aware of the broad allegations against Porter for months, officials said. Kelley found out after requesting an update on the large number of senior staffers operating without full security clearances, according to a senior administration official who spoke on condition of anonymity, to discuss internal discussions. Now, they don't have security clearance. Exchange Obama for Trump. And he says, you know when I was on the south side of Chicago, I was grabbing women's genitals. And they let me grab their genitals. [LB275]

SPEAKER SCHEER: One minute. [LB275]

SENATOR CHAMBERS: Because I went to Harvard and I was the first black person to be in charge of Harvard's Law Journal. Oh, yeah, they let me do that. And that came out, would he have been president? And then he has an incompetent administration like this sucker, and he lies, lies, lies. You know like I know. And then he had the nerve to say because these Democrats wouldn't stand up and applaud, that was unpatriotic, un-American, and maybe even treasonous because they wouldn't clap for a liar? And yet when that racist white Congressman hollered out when President Obama was giving a speech to the joint session of Congress, you lie, you lie. White people didn't think anything was wrong with that. That's the racism that I'm talking about. [LB275]

Floor Debate  
February 14, 2018

---

SPEAKER SCHEER: Time, Senator. [LB275]

SENATOR CHAMBERS: Thank you, Mr. President. [LB275]

SPEAKER SCHEER: Senator Chambers, you are recognized, and you will have your close after this. [LB275]

SENATOR CHAMBERS: Thank you. As for those who may not know, when he said close, he spells it c-l-o-s-e. I always have my clothes, c-l-o-t-h-e-s. If President Obama had done half of what this man...not half, 1/100th, they would have run him out of town on a rail and would have wanted to put a noose around his neck and string him up from the Statue of Liberty, which is the American way of dealing with black people in the land of the "tree and the home of the slave". Just put President Obama where Trump is. And these racists were putting things out on the Web and other places comparing Michelle Obama to an ape, an a-p-e. White people doing it. White people. I would measure Michelle Obama against Ivana and Ivanka and all of them, and Michelle would be head and shoulders above all of them. These racists condemned Michelle for having put her arm around the Queen when she was in England because nobody touched the Queen. And you know what the Queen told them? Confirming what Michelle said, the Queen touched her first, and put her arm around Michelle Obama, and these racists were upset because no white woman had ever had that happen. And for a black woman to do it and be treated by the Queen like that was unheard of, and it couldn't be allowed to go by without false comments. That's the racism that I'm talking about and will continue to talk about. Continuing. That paragraph was about all of these people operating without full security clearances but having access to classified information. Suppose President Obama had done that? Suppose President Obama or President Bush, either of them. I'm going to pronounce this guy's name McGahn. McGahn told Kelley last fall there was concern about information in the background investigation involving Porter's ex-wives, the official said, and Kelley expressed surprise that Porter had previously been married. White House Press Secretary Sarah Huckabee Sanders told reporters Monday, quote, the White House had not received any specific papers regarding the completion of that background check, unquote. Yet, Wray testified that the FBI sent the White House it's preliminary report in March 2017, that's last year, and its completed investigation in late July of last year. Soon after that, the agency received a request for a followup inquiry and it provided that information in November of last year. Porter was interviewed about the allegations in September, an official said. Quote, and then we administratively closed the file in January and then earlier this month we received some additional information and we passed that on as well, unquote, Wray added in his Congressional testimony Tuesday without elaboration. Proved that Trump lied. And that doesn't even phase you all here in Nebraska. Continuing. The FBI does not make recommendations about whether to grant or deny a security clearance, officials said. Leaving the determination up to the employee's agency... [LB275]

Floor Debate  
February 14, 2018

---

SPEAKER SCHEER: One minute. [LB275]

SENATOR CHAMBERS: ...in Porter's case, the White House. Sanders maintained Tuesday that her statement about an ongoing investigation was accurate because Porter's clearance hadn't received a final sign-off from the White House Office of Personnel Security. That is totally unintelligible and it means nothing. They have that woman losing whatever little integrity she may have had. I don't know what kind of job she can get after she leaves the White House, and maybe they told her, you better stay up here and keep making a fool out of yourself because you can't get a job anywhere else. You've never had a job like this, you'll never have another one like this. And if you watch cable, look at her when she is telling those lies. [LB275]

SPEAKER SCHEER: Time, Senator. [LB275]

SENATOR CHAMBERS: Thank you, Mr. President. [LB275]

SPEAKER SCHEER: Thank you, Senator Chambers. And there are no others wishing to speak. Senator Chambers, you're welcome to close on your reconsider motion. [LB275]

SENATOR CHAMBERS: Thank you. Mr. President and members of the Legislature, I made up my mind I was going to burn up all of today, another day, another legislative day, in the Ernie's Chambers. This is not Mr. Roger's neighborhood. This is Ernie's Chambers and I'll do what I said I'm going to do. And I'm going to take the rest of this morning, and maybe tomorrow. Who knows? I know, but it's for you to wonder about. Maybe some of you all should take a day off tomorrow. Now, I'm not saying you should, but I'm suggesting that might be what you want to do. Oh, but if you don't come here, you won't get your per diem, will you? And as little money as we get, that little per diem means so much to my colleagues and they can thank me for getting that. Somebody told me the other day that Senator Groene did thank me for getting that done, and I didn't remember it being said, but I'll acknowledge what he said. Maybe you all pay attention to him. On these things that I'm talking about, you can ignore it, but the world is becoming an increasingly dangerous place, and every time there goes out all over the world the lies that your President tells, the way his top officials, this Kelley who is supposed to be the, quote, adult, unquote, in the White House. When he had information on what Porter had done in terms of domestic violence, he nevertheless praised him as an honorable man. That's what Kelley did. Then when the blowback came, he wanted to say, well, he really didn't know. Then the FBI testifying before Congress pointed out all of the times, the occasions when they gave information to the White House about what this fellow named Porter was doing, but Trump lied. Kelley lied. Sarah Huckabee Sanders, she's just a parrot, but all of them lied. They have been caught in lie after lie after lie. And some of you all get offended when I merely state the fact that your President is a liar. Then he denies that he lied. One woman quoted what Trump had said. She

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

Floor Debate  
February 14, 2018

---

quoted what he had said, and he called her a liar. She quoted him, and he called her a liar, that he never said it. You all know you can't trust him. You know he's a crazy man. He is demented. And he's doing things that endangers your country. World leaders see what a fool he is. South Korea's president. Watch them. He say, wait a minute, my country is not going to be put in the middle of something with North Korea because they got a fool in the White House that those white people put there, and he's telling me what I ought to do. So North Korea and South Korea are coming together. Then poor Pence who thought he was going to go to the Olympics where North Korea was going to walk under the same flag with South Korea, and push the two of them apart. But they showed that they have a common origin, a common ancestry, and whether people like it or not, they have a common destiny. So Pence said, there is no daylight between America and South Korea thinking that because he's a white man, he can tell all of these people whom Americans do not respect... [LB275]

SPEAKER SCHEER: One minute. [LB275]

SENATOR CHAMBERS: ...that they should not tell South Korea, they should not talk to North Korea. And Kim Jong Un has invited the President of South Korea to come to North Korea for a summit. And there is more for him to gain by talking to North Korean officials than in being a fool like this guy who is your President. He put a big tariff on solar equipment saying he wants to protect American jobs, but American installers of solar equipment were getting it from China, so when the equipment doesn't come in because of Trump... [LB275]

SPEAKER SCHEER: Time, Senator. [LB275]

SENATOR CHAMBERS: ...these installers now have no work. [LB275]

SPEAKER SCHEER: Time, Senator. [LB275]

SENATOR CHAMBERS: Oh, thank you, Mr. President. I will ask for a call of the house and a roll call vote. [LB275]

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. [LB275]

CLERK: 12 ayes, 1 nay, Mr. President, to place the house under call. [LB275]

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

Floor Debate  
February 14, 2018

---

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 Kolterman, Baker, Kuehn, Williams, Lindstrom, Murante, McDonnell, Wayne, Bostelman, and Walz, please check in. Senator Lindstrom, Murante, Wayne, McDonnell. The house is under call. Please check-in. Senator Lindstrom, Senator Wayne, the house is under call. Would you please return to the Chamber. Senator Chambers, we're still waiting for Senator Lindstrom and Wayne. Is it permissible to move forward? Well, I've given them an opportunity to get here. Thank you, Senator Chambers. Mr. Clerk, roll call in regular order. [LB275]

CLERK: (Roll call vote taken, Legislative Journal pages 647-648.) 1 aye, 36 nays on the motion to reconsider. [LB275]

SPEAKER SCHEER: Motion to reconsider does fail. Senator Pansing Brooks, for what purpose do you rise? [LB275]

SENATOR PANSING BROOKS: I have a request for a moment of personal privilege. [LB275]

SPEAKER SCHEER: Senator, please state your point. [LB275]

SENATOR PANSING BROOKS: Thank you. Colleagues, I'm rising today on Valentine's Day to, number one, wish you all happiness and love in your lives. And I have a wonderful thing that happened last night that seems perfectly appropriate to this day of love. And last night when I was out at a Walgreens not in my district, and it's only because that is a part of the story, I had been at another meeting and it was about 8:00 at night and I was trying to find Valentines that I thought were appropriate for all of you, so I was wandering through and I chose something. And started to pay for them, and then decided, no, I didn't really like those after all. So I cancelled the purchase, went back, chose some other Valentine, these, so you could have little lollipops. And when I got back up in line again, the person behind me was a young man, and he had an armful of these type of Valentines that are generally for students where you would pass them out in the classes and things. And I said, oh, are you doing a little procrastination here on Valentine's Day, you're buying a lot? And he said, oh, well, I'm buying them for some kids that can't afford to get Valentines. And I said, oh, you are? Well, that's so nice. Why are you doing that? What's it for? And he said, well, I teach at a Title X school, and there are kids that can't afford to do it, and so I want to make sure that those kids have the ability to pass out Valentines as well. And I said, well, what school is it by chance? And he said, it was Saratoga. His name is Tim Oehring. He's a resource teacher at Saratoga Elementary. That is the Title X School in my district. We happen to both not be at the Walgreens that is in my district, but...so I sort of feel like things were meant to be, but if you think about it, every day teachers are out doing good and kind things for our

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

Floor Debate  
February 14, 2018

---

students across Lincoln, across the entire state of Nebraska. And it was such a good story about kindness and love and compassion for kids, some of those who are the most vulnerable in our state and in our society. And I just wanted to stand up and give that Valentine message of love, and help us to remember why we're really here and what we're really trying to do for people. And those teachers, those public schoolteachers, are doing it, and the other teachers, are doing it every single day of their lives, and we need to remember that as we move forward in the decisions we make. So thank you, Mr. President. Happy Valentine's Day, everybody. [LB275]

SPEAKER SCHEER: Thank you, Senator Pansing Brooks. Next item, Mr. Clerk. [LB275]

CLERK: Mr. President, Senator Hughes would move to amend with AM1638. (Legislative Journal page 484.) [LB275]

SPEAKER SCHEER: Senator Hughes, you're welcome to open on AM1638. [LB275]

SENATOR HUGHES: Thank you, Mr. President. Good morning, colleagues. AM1638 is just a technical cleanup. It's just...if you look on your computer, it's to say we're adding one section in. Appreciate a green vote. [LB275]

SPEAKER SCHEER: Thank you, Senator Hughes. Senator McCollister, you are recognized. [LB275]

SENATOR MCCOLLISTER: Thank you, Mr. President. Good morning, colleagues. Mine is more of a point of personal privilege as well. My topic for my short talk here this morning is District 66. You may recall Senator Wayne made the statement that the reason that Westside School District was formed is because of some kind of racial motivations. Said we didn't want integration. And according to my rendition of history, which came from District 66, that wasn't the case, not at all. If you look on page two of the handout that I gave you, you'll see the rendition and I'll read just a short paragraph. The three districts operated independently and successfully until enrollment began dropping at Underwood High School. During the winter of 1943, a movement began to close the high school and send the students to the Omaha Public Schools. Some residents were already paying tuition to send their children to high schools in Omaha. Why not send all the Underwood students, residents said, taking advantage of the free Douglas County tuition fund? Even after the merger, residents of Oakdale and Loveland areas sent these children to Omaha High Schools because Underwood was not large enough to accommodate them. But here's the key sentence. But the Omaha Public Schools, already crowded, said they would not accept the students, and anyway, this movement was countered by another group who felt that their small, close knit community education was necessarily a part of the educational program for their children. So rather than having a sinister motivation from

Floor Debate  
February 14, 2018

---

opening this district, it wasn't that way, at least my rendition of history. So just wanted to mention that, and perhaps correct the record. Thank you, Mr. President. [LB275]

SPEAKER SCHEER: Thank you, Senator McCollister. Senator Chambers, you're recognized. [LB275]

SENATOR CHAMBERS: Thank you. Mr. President and members of the Legislature, this is another day, not in the neighborhood, but in Ernie's Chambers, and I assure you that we're going to have more of these days. And you all think I'm going to run out of gas, but see, I see progress. I see progress. One of the hardest people I thought that I would have in this Chamber to persuade was Senator "Ghost". Senator Geist. But you know why I don't feel that way anymore? Heard the angels of her higher nature almost broke through this morning, and what that angel of that higher nature told her to do was vote with me. But she was able to quickly squelch it and say go back where you came from. If I vote with him, if I go along with anything he says, then I'm going to be out of step with everybody else, and I have to live with these other people not him. So she changed quickly from yes to no. But even as she changed from yes to no, there was not just the space, there was a sound made, not a complete word, but almost an apology. I don't know if it was an apology for having said yes, or an apology for now having to back up and say no. But there's hope. There's hope. Don't show me an opening, because you'll never escape. My web is like one of those kind, the harder, once you're caught in it, the harder you struggle, the more tightly you become enmeshed. But even without the help of Senator Geist, or any other senator, when I make up my mind that I'm going to do something, I will do it. If I'm the one who sees something, then I'm the one who has the obligation. And I do want to bring up again what my slogan was last session, the three l's. The least, the last, and the lost. They are the ones we should be ministering to, but we don't. We help keep them in that marginalized position, and grow uncomfortable, then irritated, then angry when somebody reminds us that our primary responsibility are those who have the greatest need of our ministrations, but we're determined that we're not going to do it because there's somebody who has a tighter hold on us than Jesus, and that person sits in the Governor's chair. He calls the shots. If you went by what Jesus said, he said this people draws nigh unto me with their mouth, but their hearts are far from me. Every time you all pray, it lets me see that you know, but you won't do. And the "Bibble" said, he who knows his master's will and doeth it not shall be beaten with many stripes. In other words, where much is known, much is required. You all know better than what you're doing, and what you're refraining from doing that we ought to be doing. [LB275]

SPEAKER SCHEER: One minute. [LB275]

SENATOR CHAMBERS: I'll go so far since it's Valentine's Day to say that you're better people than you show by your actions to be. Maybe that's why if the myth is true, that Jesus died for all

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

Floor Debate  
February 14, 2018

---

of you hardheaded, backward people, he must have seen something in you better than what you saw in yourself, and must have thought that what is in you is better than what your conduct showed. I think he was mistaken. And I'm giving him a challenge. They're your people, Jesus. Then tell them to do what you told them to do. Not what I say. You tell them to do what you told them to do. [LB275]

SPEAKER SCHEER: Time, Senator. [LB275]

SENATOR CHAMBERS: And that's what I'm telling Jesus. Not in a prayer... [LB275]

SPEAKER SCHEER: Time, Senator. [LB275]

SENATOR CHAMBERS: ...but in a demand. Thank you, Mr. President. [LB275]

SPEAKER SCHEER: Thank you, Senator Chambers. Senator Wayne, you are recognized. [LB275]

SENATOR WAYNE: Thank you. Thank you, Mr. Speaker. I just want to...I think it's important that people understand the context and where you get information. I'm currently running off a different source of information regarding Westside District 66. And you can't ignore the context of it. In Omaha there always was as the city of Omaha grew, so did the school district. I remember the Legislature during the same time around Learning Community talked about one city, one school district. And the reason that was talked about is because historically as Mountain View and the city grew, Mountain View became a part of Omaha Public Schools. As Arlington or right outside of close to Bennington grew, it became of Omaha Public Schools. So as the city grew, it always grew with it, except for one area in 1949, and that's when a special provision was passed to allow District 66 to occur. What had happened in Omaha Public Schools because it was a desegregated area, you had cities...areas like Central and Tech High and Senator Chambers can recall that they tried to push, if you were not an athlete, to Tech High, but people of color and blacks and Hispanics started going to Central. And the fear as Omaha grew west, so would the school district. So special legislation was passed carving out Westside out of that fear. No, you won't read that on Westside's Web site page because that's a dark secret in history that we don't want to talk about, but there will be a handout coming out that talks about as the city of Omaha grew and desegregation grew, and it's no different when the city of Omaha took over the area of Millard Public Schools. There was a backhand deal done in the early '70s between city of...Omaha City Council and Omaha, or Millard Public Schools that as long as you didn't annex our schools, we would calm down because they went down to the city hall and marched and said, we don't care really about the city of Omaha taking over Millard, what we don't want is our schools to be integrated with those kids. That's on record. So to think that didn't happen in 1949

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

Floor Debate  
February 14, 2018

---

in Omaha, Nebraska, is eluding the context of when special legislation in 1949 was passed to carve out District 66. So I'm not going to let that go unchecked because that's what happens today. The same fight when the city of Omaha took over Elkhorn. Yes, there was some grumbling about the fire and police, but the biggest concern was, don't take over our schools. That was the entire context and the fight of the one city, one school district. And they specifically...the reason Omaha Public Schools couldn't take over Westside, because that is the only carve-out in statute. And you have to look at the area of Westside and go back through the history, and I'll pass out another handout of the red lining in Omaha to demonstrate that the area that was not red lined obviously was the Dundee area and around to the south which now comprises of Westside School district. The most influential and powerful people in the '40s, '50s, '60s, and '70s resided in that district, and we cannot sit here and act like they did not come down here and carve out special legislation to allow those historically white, suburban districts to combine into their own school district. So I would challenge that every day when somebody says Westside wasn't a carve-out. I will challenge that every day when we talk about the equities of our school systems and what goes on in north Omaha. I will challenge that every time we talk about urban versus rural... [LB275]

SPEAKER SCHEER: One minute. [LB275]

SENATOR WAYNE: ...because there is a difference that we need to start acknowledging that the fact of the matter is is my ancestors couldn't go out and homestead in western Nebraska and get 1,000 acres today that I can go borrow off of and invest. There is a legacy that we have to deal with, and we are not going to ignore it or to push it aside saying that on some Web site that Westside produced that it didn't happen. I will challenge that every day on this mike because that is the history that I grew up in the Omaha that I represent. Thank you, Mr. President. [LB275]

SPEAKER SCHEER: Thank you, Senator Wayne. Mr. Clerk, you have a motion on the desk. [LB275]

CLERK: Mr. President, I do. Senator Hughes would move to invoke cloture pursuant to Rule 7, Section 10. [LB275]

SPEAKER SCHEER: It is the ruling of the Chair that there's been full and fair debate afforded to LB275. Senator Hughes, for what purpose do you rise? [LB275]

SENATOR HUGHES: I'd like a call of the house and a roll call vote in regular order, please. [LB275]

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

Floor Debate  
February 14, 2018

---

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. [LB275]

CLERK: 23 ayes, 2 nays, Mr. President, to place the house under call. [LB275]

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 Kolowski, would you check in, please. Senator Halloran, could you check in, please. Senator Groene. Senator Bolz, would you please check in. Senator Murante, would you please return to the floor. The house is under call. Senator Hughes, we're still waiting for Senator Murante. Could we please go ahead? There's been a request for a roll call vote in regular order. Mr. Clerk. The cloture motion will take 33 affirmative votes. [LB275]

CLERK: (Roll call vote taken, Legislative Journal pages 648-649.) 44 ayes, 0 nays, Mr. President, to invoke cloture. [LB275]

SPEAKER SCHEER: Motion to invoke cloture is adopted. Next vote shall be adoption of AM1638. All those in favor please vote aye; all those opposed vote nay. Have all voted that wish to? Please record, Mr. Clerk. [LB275]

CLERK: 45 ayes, 0 nays, Mr. President, on the adoption of Senator Hughes's amendment. [LB275]

SPEAKER SCHEER: AM1638 is adopted to LB275. Next item to be voted on is the advancement to E&R engrossing to LB275. All those in favor please vote aye; all those opposed vote nay. Have all voted that wish to? Mr. Clerk, please record. [LB275]

CLERK: 45 ayes, 0 nays, Mr. President, on the advancement of LB275. [LB275]

SPEAKER SCHEER: LB275 is advanced to E&R Engrossing. I raise the call. Mr. Clerk for items. [LB275]

CLERK: I do, Mr. President. Enrollment and Review reports LB710 as correctly engrossed. Business and Labor Committee reports LB784 and LB1024 to General File. Senator Watermeier offers LR316. That will be laid over. I have an amendment to be printed. I have an amendment to be printed by Senator Brewer to LB807. Name adds: Senator Lowe to LB1001; Senator Bries

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

Floor Debate  
February 14, 2018

---

LB1069. (Legislative Journal pages 649-653.) [LB710 LB784 LB1024 LR316 LB807 LB1001 LB1069]

I have a priority motion, Mr. President. Senator Williams would move to adjourn the body until Thursday morning, February 15, at 9:00 a.m.

SPEAKER SCHEER: Colleagues, you have heard the motion. All those in favor of adjournment say aye. All opposed say nay. We are adjourned.