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Government, Military and Veterans Affairs Committee
April 03, 2018

[LR257 LR292 CONFIRMATION]

The Committee on Government, Military and Veterans Affairs met at 12:00 p.m. on Tuesday, April 3, 2018, in Room 1507 of the State Capitol, Lincoln, Nebraska, for the purpose of conducting a public hearing on LR292, LR257, rules and regulations, and gubernatorial appointments. Senators present: John Murante, Chairperson; Tom Brewer, Vice Chairperson; Tom Briese; Mike Hilgers; and John Lowe. Senators absent: Carol Blood; Theresa Thibodeau; Justin Wayne.

SENATOR MURANTE: All right, folks, as members begin to make their way down from the Chamber to the Government Committee, we will begin with our formalities. Welcome to the Government, Military and Veterans Affairs Committee. For the record, my name is John Murante. I am the State Senator for District 49, which includes Gretna and western Sarpy County, and I am the Chairman of this committee. We are here today for the purposes of conducting several public hearings. We'll be taking the issues up in the order in which they appear on the agenda outside of this room. If you wish to testify on any of the matters before us, we ask that you fill out one of these green sheets of paper, which are located on either side of the room. If you are here and do not wish to testify but you do wish to express your support or opposition for any of the matters before us, we ask that you sign in on one of these sign-in sheets that are, again, located on either side of the room. We ask that you begin by stating and spelling your name for the record, which is very important for our Transcribers Office. If you do testify, the order of proceedings is that the introducer will be given an opportunity to open. Then we will listen to proponent testimony, followed by opponent testimony, then neutral testimony, and the introducers will be given an opportunity to close. We ask that you listen carefully and to try not to be repetitive. We do use the light system in the Government Committee. Each testifier is allotted three minutes to testify. When the yellow light comes on you have one minute remaining and we ask that you begin concluding your remarks. When the red light comes on your time is expired and we will open the committee up to any questions they may have of you. If you have any prepared statements, any exhibits, or anything you would like distributed to the committee, we ask that you provide 12 copies to our page. If you don't have 12 copies, just provide what you have to our page and she will make copies for you. We are still in the process of our members making their way down, but I will proceed to the introduction of members. Senator Lowe, welcome.

SENATOR LOWE: I'm State Senator John Lowe, District 37, southeast half of Buffalo County.

SENATOR BRIESE: Tom Briese, District 41, Senator Kate Sullivan's successor. (Laughter)

SENATOR HILGERS: Mike Hilgers, District 21, northwest Lincoln and Lancaster County.

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SENATOR BREWER: Tom Brewer, District 43, 13 counties of northwestern Nebraska.

SENATOR MURANTE: Senator Blood has notified us that she will not be with us today. I do expect Senator Wayne and Senator Thibodeau to be joining us shortly. So with that, let's proceed to our first item on the agenda, the appointment of Jeanna Stavas to the Nebraska Tourism Commission. Welcome. [CONFIRMATION]

JEANNA STAVAS: (Exhibit 1) Thank you. Good afternoon. To tell you a little bit about myself, I am the owner-operator and innkeeper at Whispering Pines Bed and Breakfast in Nebraska City and have been... [CONFIRMATION]

SENATOR MURANTE: And can you start by stating and spelling your name for the record for us? [CONFIRMATION]

JEANNA STAVAS: Jeanna is J-e-a-n-n-a, last name is Stavas, S-t-a-v-a-s. [CONFIRMATION]

SENATOR MURANTE: Thank you. [CONFIRMATION]

JEANNA STAVAS: Owner-operator-innkeeper of Whispering Pines Bed and Breakfast and have been for almost 13 years, and that's in Nebraska City. We have five rooms and six acres of property. I am an Iowa native but spent time out in Arizona and down in Texas and 15 years in corporate technology industry. I am, although an Iowa native, a Husker fan. My father was born and raised in Nebraska, so that's covered there. Decided to return to my Midwest roots. And with my passion for people, food, and travel, and being a life-long learner, bought a bed and breakfast and I'm very excited about running that. I was immediately involved in the local community. I serve on the Otoe County Visitors Committee and have for 12 years there. Got involved in the state aspects of tourism on the board of the Nebraska Association of Bed and Breakfasts. I spent 7 years on that and have been a member of the Bed and Breakfast Association for 13 years. I also serve on the LB840 Citizens Review Committee since that's inception ten years ago. I am a Leadership Nebraska City graduate in 2009 and I'm now on their advisory council and alumni chair there. And entrepreneurship is a different world and one that excited me to get into. And, you know, you plan things and they may or may not go as planned, but you struggle and find the ways through. Been some challenges over the years but I really enjoy what I do and the tourism industry is really an exciting place to be. I enjoy speaking to upcoming entrepreneurs. I spend time with UNL or with their entrepreneur program volunteering my time to talk about what it's like to become an entrepreneur and go through that. I'm excited about the opportunity to serve on the Tourism Commission and I'll represent southeast Nebraska, eight counties in District 3. So does anyone have any questions? [CONFIRMATION]

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SENATOR MURANTE: All right. Thank you very much for your testimony. Are there any questions? I see none. [CONFIRMATION]

JEANNA STAVAS: Okay. [CONFIRMATION]

SENATOR MURANTE: Thank you very much for coming down today. [CONFIRMATION]

JEANNA STAVAS: Thank you. [CONFIRMATION]

SENATOR MURANTE: We'll proceed to proponent testimony to Jeanna Stavas' proponent...appointment to the Tourism Commission. Are there proponents? Is there any opposition testimony? Is there any neutral testimony. Seeing none, that closes the hearing on Jeanna Stavas' appointment to the Tourism Commission. Thank you very much for coming down. And next we welcome back Senator Kate Sullivan, who has been appointed to the Nebraska Accountability and Disclosure Commission. Senator, welcome back. [CONFIRMATION]

KATE SULLIVAN: (Exhibit 1) Thank you, Senator. Glad to be here. I'm Kate Sullivan, K-a-t-e S-u-l-l-i-v-a-n, of Cedar Rapids, Nebraska. And, yes, I did serve two terms in our great Nebraska Unicameral; served with Senator Murante. And my sitting senator is here today so I actually asked him to be going easy on me. (Laughter) I feel that there is so much to be in awe about in our Nebraska Legislature and Nebraska government. And when I ran for the Legislature, as I've said to people many times, I felt that everyone should have a role in doing public service, and have done a variety of things through the years. I was on the school board in Cedar Rapids for 12 years. My biggest step, clearly, was the Nebraska Legislature and I valued very much the time that I was there. But as I stepped away from it, decided that maybe there was a way that I could continue to be involved in some way. And so that's when I decided to apply to be a member of the Nebraska Accountability and Disclosure Commission. I do hope you'll approve me because I've been on to one meeting so far (laughter) and really am impressed, not just because Frank is here but because of the way the staff operates. One of the phrases that I've heard Frank use, and I think this is clearly true, because as a senator I worked with his staff when we had to file all the reports, and the staff and the commission aren't in the position of playing gotcha and trying to find some ways that political public officials are doing something wrong. That's not why we're there at all. We're governed by the Nebraska Public Accountability Act and that gives us our marching orders. And thus far, it's been interesting to see the kinds of concerns that citizens bring forth about elected officials. Some are very valid; some, you know, that's part of the role of the staff of the commission as well as the commission members themselves to decide if there is basis to explore and examine if something has gone wrong. So that's where I am. It's been nice to be a little more laid back in my life since I'm no longer in the Legislature, but as I said, I really

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value that experience. And I hope that I can bring some of that experience to bear in how I operate on the commission. Thank you. [CONFIRMATION]

SENATOR MURANTE: All right. Thank you very much for your testimony. Are there questions for Senator Sullivan? Any grueling, hard-ball questions, Senator Briese? You're known for that. (Laughter) [CONFIRMATION]

SENATOR BRIESE: I can't think of any offhand, but thank you for being here. Thank you for stepping up. [CONFIRMATION]

KATE SULLIVAN: You're welcome. [CONFIRMATION]

SENATOR MURANTE: All right. Seeing none, thank you very much for your testimony today. [CONFIRMATION]

KATE SULLIVAN: Thank you. [CONFIRMATION]

SENATOR MURANTE: Thank you for your willingness to serve. Are there any proponents wishing to speak on Senator Sullivan's appointment to the Accountability and Disclosure Commission? Is there any opposition testimony? Is there any neutral testimony? Seeing none, that closes the hearing on Kate Sullivan's appointment to the Accountability and Disclosure Commission. Our next three items are statutory requirements. We have been notified by the Nebraska Performance Audit Committee that there are three rules and regulations which are statutorily required under state law to be promulgated but that they have not been and, accordingly, we are statutorily required to have a public hearing on those. So we are here today to discuss those one by one. We will start with the hearing on the Department of Corrections rules and regs from LB446. Director Frakes, I believe this is your first time in the Government, Military and Veterans Affairs Committee. [CONFIRMATION NDCS RULES AND REGS]

SCOTT FRAKES: Maybe. [NDCS RULES AND REGS]

SENATOR MURANTE: Maybe. Welcome. [NDCS RULES AND REGS]

SCOTT FRAKES: Thank you. Good afternoon, Chairperson Murante and members of the Government, Military and Veterans Affairs Committee. My name is Scott Frakes, F-r-a-k-e-s. I'm the director of the Nebraska Department of Correctional Services, NDCS, and I'm here today to provide testimony regarding rules and regulations from LB446, was passed in 1994. The department has been following the model rules of procedure adopted by the Attorney General.

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The statutory requirement to promulgate the model rules has been in place since 1994. However, upon reviewing statutory requirements for promulgation of rules, the department identified that the rules had not been adopted. The department remedied--I can't get the word out--remedied this immediately by initiating the rule-making process to promulgate the rules. The proposed rules, Title 72, Nebraska Administrative Code, Chapter 2, established the process for declaratory orders, rule-making petitions, and contested cases under the Administrative Procedure Act. The proposed rules mirror the model rules of procedure adopted by the Attorney General. The rules are nearing the end of the process. The passage of LB948 would also remedy the issue as it removes the requirement that agencies promulgate rules of procedure that mirror the rules promulgated by the Attorney General. Thank you for the opportunity to testify today. I would be happy to answer any questions. [NDCS RULES AND REGS]

SENATOR MURANTE: All right. Thank you very much for your testimony. Are there any questions? I see none. Thanks for coming down today, much appreciated. [NDCS RULES AND REGS]

SCOTT FRAKES: Thank you. I'm going to take this opportunity publicly. Senator Brewer, your support of the veterans group, the Native American groups at the penitentiary is greatly appreciated. Thank you very much. [NDCS RULES AND REGS]

SENATOR BREWER: And if you get a chance, there will be a new sweat lodge within the next few days I think.

SCOTT FRAKES: I signed the document yesterday.

SENATOR BREWER: Thank you.

SCOTT FRAKES: Thank you, sir.

SENATOR MURANTE: All right. Is there any additional testimony on the Department of Corrections rules and reg? I see none. Proceeding next to the hearing on the department...on the Tourism Commission's rules and reg from LB1053. Anyone here from the Tourism Commission to testify? I see none, closing the hearing on the Tourism Commission. And finally, the hearing on the Secretary of State rules and regs from LB964. I don't see anyone from the Secretary of State's Office and I see no one wishing to testify, so that closes the public hearing on the Secretary of State's rules and regs. Which brings us to LR292. Senator Clements, welcome back to your Committee on Government, Military and Veterans Affairs. [NDCS RULES AND REGS NTC RULES AND REGS SOS RULES AND REGS LR292]

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SENATOR CLEMENTS: (Exhibit 1) Thank you, Mr. Chairman and members of the Government Committee. I'm Senator Rob Clements, R-o-b C-l-e-m-e-n-t-s. I represent Legislative District 2 and I'm here to introduce Legislative Resolution 292. LR292 was an idea brought to me last year by Mr. Phil Boehr, a friend who teaches music at Lincoln Christian School. Last year he created an excellent production called "Nebraska Prairie Memories Last" in honor of Nebraska's 150th anniversary, which was performed for the Nebraska Music Educators Convention on November 17, 2017. This production included a version of a Nebraska state pledge that is close to the one you see in the resolution before you. Since then, some minor changes have been made as I worked with Mr. Boehr on this project. I was unable to introduce a resolution last year in coordination with our NE 150 celebration, so I decided to present it to you for your consideration this year. In addition to performing this program last year, they performed this year on March 4 in the Capitol Rotunda and recited this pledge. Mr. Boehr is here today to testify in favor of the resolution and will explain the pledge and share what inspired him to offer it. I have also provided you with a list of pledges from 17 other states to give you some context as you consider LR292. I'll gladly work with the committee to address any concerns you may have. I thank you for your consideration of LR292 and I will now answer any questions you may have. [LR292]

SENATOR MURANTE: All right. Thank you, Senator Clements. Are there any questions? I see none. Thanks for coming down, much appreciated. [LR292]

SENATOR CLEMENTS: Thank you. [LR292]

SENATOR MURANTE: Proceeding to proponent testimony. Welcome. [LR292]

PHILIP BOEHR: Well, thank you very much. It's good to be here. Senator Clements and I have worked together. My name is Phil Boehr, B-o-e-h-r, and as he said, I've been teaching at Lincoln Christian School for quite a while, actually 45 years, and have just had more time more recently to write programs and, as he said, we present...I wrote and presented the sesquicentennial program with 275 students and later on with 50 and other numbers of students on the other occasions. It's interesting that Nebraska has a state insect, a state fish, bird, mammal, state fossil, even a state beverage--Kool-Aid, but we do not have a state pledge. There are 17 states that have a state pledge. I thought it was interesting that two of the states seem to have taken the occasion, possibly--I don't know the history behind this--of around 150 years of being a state is when they finally made a pledge for their state, particularly Louisiana and Mississippi, I'm sorry, Georgia and Mississippi. The first pledge was 1935 and that was by Georgia and that was 153 years after they became a state. Here we are at 150 years after our statehood. And after studying the history of Nebraska and all the wonderful people and, of course, there are those less noble things that have taken place in Nebraska, as we know, but many noble stories, and I wanted that to be a part of our heritage to remember the past and also to look towards the future as well with this, with a

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pledge. And I was particularly impressed with four qualities as I wrote the program and put together various stories from the past, and those qualities were courage, faith, resourcefulness, and service. Those are in the resolution as well as to why we're doing this, this presentation. Particularly courage, it takes courage to stand up for what you believe is true and one of the reasons that you're involved in this body of the Legislature is to stand for things that are good for our community and for our...I particularly noticed that in the homesteaders, the Pony Express riders, the story of Chief Standing Bear, and our people in the military, as well as many other examples of courage. Our motto is: In God We Trust. That speaks to the area of faith. Both George Washington, Abraham Lincoln, and framers of our constitution affirmed the need to rely on God. There's also the emphasis of faith in our fellow man as well as faith in ourselves and our ability to do what we need to do. Resourcefulness is seen throughout the history of Nebraska as people used the resources, whether they be personal or influence or available natural resources. We see that with Native Americans where they used absolutely every part of the buffalo, as presented to our children in 4th grade. J. Sterling Morton used his influence to start Arbor Day and got some trees. We certainly appreciate those. George W. Norris brought about this body, the Unicameral, through using the resourcefulness of his position and his great honor as one of the top Legislatures (sic--legislators) ever in our country. Rae Wilson, the North Platte Canteen, a 25-year-old who brought about all these volunteers. An attitude of service also presents itself, especially right here. You have chosen to serve in this body and I'm sure it's not because of the big bucks but because of your willingness to serve and your valuing of serving our state. We appreciate that so much. This pledge, we want it to be a challenge for everyone to serve, whether it be as a soldier, school teacher, scientist, speaker, social worker, or sanitation engineer. And as our Lord said, he who would be greatest among you should be the servant of all. I also noted that on our flag we have the state motto. I don't know how many times that's been quoted. I hope that it's...that is a rule that we live by that there's that "Equality Before the Law." Several of you are lawyers and that would be important to you especially. I also see, and I was reviewing each of your Web sites, not extensively, but realize that you are involved in things. Obviously, this committee, you're honoring those who have served our country just by the name of the committee. You, several of you have encouraged our youth to investigate the possibility of service through the Unicameral Youth Legislature. You honor the past, one who's been a member of the museum board, and, of course, Chief Standing Bear, the day that was presented, May 12, 2017. You are involved in public service. And Justin Wayne's TrailBlazers--I guess he's not here--his company, the TrailBlazers, says this for their mission statement: We are hoping to build a better tomorrow and are shaping our world's environment for future generations. So I believe you are representative of the character qualities that are presented in this pledge, which is why I think this wording would fit our state. I would ask that you advance this resolution, that the citizens of Nebraska can have a state pledge that expresses our appreciation for the past. So it is somewhat of a sesquicentennial pledge. After the 150 years we've seen what has gone on and what are the nobler character qualities, and also a pledge to follow the motto: "Equality Before the Law." Thank you so much for your time. Do you have any questions? [LR292]

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SENATOR MURANTE: All right. And thank you for your testimony. Are there any questions? I see none. [LR292]

PHILIP BOEHR: Okay. Thank you. [LR292]

SENATOR MURANTE: Thank you. Thank you for bringing this to us. Is there additional proponent testimony on LR292? Is there opposition testimony to LR292? Welcome. [LR292]

NATHAN LEACH: (Exhibit 2) Dear Mr. Chairman, members of the Government, Military and Veterans Affairs Committee, my name is Nathan Leach, N-a-t-h-a-n L-e-a-c-h, and I'm here speaking on behalf of myself in opposition to LR292. This resolution calls on Nebraskans to "show respect for Nebraska and its rich history." Standing alone, there is nothing wrong with this innocent-enough encouragement. My concern, however, is the flagrant disrespect lawmakers have shown this Legislature as an institution, our history of nonpartisanship, and the people of Nebraska. What standing does this Legislature have to tell Nebraskans to respect our history when on the first day this Legislature met members attempted to allow the Lieutenant Governor to unilaterally abolish the use of nonpartisan floor ballots, which have been in place since the first day this Unicameral met in 1937? What standing does this Legislature have to tell Nebraskans to respect our history after taking a record 49 legislative days, all on the taxpayers' dime, filibustering the adoption of our historically nonpartisan rules, a debate which included members standing on the floor and stating that this body is not nonpartisan and has never been nonpartisan? And then, after swearing up and down that your intent in refusing to adopt these rules was to make filibustering more difficult, this Legislature has had more cloture votes than any Legislature before it. Instead of making filibustering more difficult, the Speaker has made it easier than ever to stop legislation. All you have to do is debate a bill for three hours on General File. What standing does this Legislature have to tell Nebraskans about respect when so many of you are content with an executive branch pouring money into local legislative campaigns, allowing the Governor to purchase votes and allegiance in the body, as Senator Erdman spoke to this afternoon saying Governor Ricketts has complete control over the Revenue Committee and its Chairperson? What can this Legislature tell us about respect when a member of this body, who represents my home community in Kearney, refused to even debate his opponent after the UNK college Republicans had put hours into organizing the forum? That same senator was quoted in an article published by the Kearney Hub on March 7, "I will do everything I can to make sure UNK gets as much money as possible." Then, two weeks later, he was one of only ten senators to vote to increase spending cuts at the University of Nebraska. How can you vote to advance a resolution calling for Nebraskans to respect the state and its history when there are members on this committee who blatantly lie to their community? What standing does this Legislature have when members of the Referencing Committee have actively circumvented history and precedent in misreferencing bills and refuse to adopt Senator Chambers' motions to reference? What standing do you have when you elect some knuckleheaded senators to lead

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committees, not because of their experience or expertise but because they have an "R" next to their name? And finally, what standing does this Legislature have to encourage Nebraskans to respect our history when this Legislature completely disregarded the precedent of keeping social issues out of the budget and include an unnecessary endangerment to Title X funds in this state, the provision which the Chair of the Appropriations Committee said on the floor is designed to defund Planned Parenthood, while meanwhile senators mislead Nebraska and pretend as if it was to do something else? On the north side of this building is the phrase, "The Salvation of the State is Watchfulness in the Citizen," and I am grateful for the opportunity to be here and to watch as you continue the lawmaking process. Thank you, Mr. Chairman. [LR292]

SENATOR MURANTE: And thank you for your testimony. Are there any questions? I see none. Thanks for coming down. Is there additional opposition testimony to LR292? Is there any neutral testimony to LR292? Welcome. [LR292]

JAMES WOODY: Thank you. Good afternoon, Chairman Murante and members of the Government, Military and Veterans Affairs Committee. My name is James Woody. For the record, that is J-a-m-e-s W-o-o-d-y. I live in Senator Pansing Brooks's district. As a transplant to the great state of Nebraska, I offer the following testimony on LR292 in a neutral capacity. I'd like to begin with a head nod to Senator Brewer's AM1863 to Senator Harr's LB807 which, as amended, would formally recognize in writing Chief Standing Bear as worthy of recognition in the National Statuary Hall. The hall is important to me because one of my ancestors, the great Cherokee statesman Sequoyah, had his statue installed there in 1917, the first Native American so honored. One of the driving forces behind Sequoyah's desire to create a written Cherokee language was the belief that the Cherokee people would never be treated equally under the law by the white man until we had access to his system of law. Gaining the ability to read and then actually reading the laws that we are subject to is, in my opinion, one of the most self-empowering things a citizen can do. Chief Standing Bear was the first Native American to be recognized by a court as a man, implying that he had rights a white man was bound to respect. Having Chief Standing Bear and Sequoyah side by side in the National Statuary Hall seems eminently appropriate to me. LR292 makes reference to the motto of the great state of Nebraska: "Equality Before the Law." It is my belief, that noble motto notwithstanding, that Nebraska does not respect all people before the law equally. Nebraska does not treat with equal protection before the law members of the LGBT class in matters of employment, as addressed by Senator Morfeld's LB173. Nebraska does not treat with equal protection before the law members of the juvenile class in matters of guaranteed right to counsel against legal prosecution, as addressed in Senator Pansing Brooks's LB158. It is preposterous to me and an insult to my Native heritage that Nebraska would reach back to a single act 140 years gone by and assert that the recognition of one Native American's rights by a U.S. District Court implies that Nebraska treats all people equally before the law today. I made earlier reference to my being a transplant here. I appreciate that LR292 still recognizes me as a proud citizen of Nebraska. I settled here after an eight-year

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Navy enlistment for the educational opportunities provided by the University of Nebraska, an organization I encourage this body to continue funding accurately. My wife and I, our family, we stayed here in Nebraska because of the warmth of the Nebraska people, though not always the warmth of the Nebraska weather. The people here remind us of the good people back in Oklahoma, where we both grew up. Those people are in a state of crisis right now. They're on day two of a statewide teachers' strike because their state legislature refuses to fully fund education. I fear that that strike may be a harbinger of things to come here in Nebraska because of the parallels between the two states. Not too long ago Nebraska, an ag state, has \$7 corn and it drove the state's economy. Not too long ago Oklahoma, an energy extraction state, had \$160 oil barrel and it drove the state's economy. Oklahoma then implemented tax reform, similar to the Governor's LB947, slashing income tax rates for corporations, including oil producers. Then, when oil dropped to \$60 a barrel, \$1.3 billion in tax revenue evaporated into thin air. That state navigated the revenue shortfall by ballooning their class sizes, by refusing to buy new desks and new textbooks, and by moving most districts to four-day school weeks. I fear the implications for Nebraska if we follow down the road of Oklahoma. Thank you. [LR292]

SENATOR MURANTE: All right. Thank you. Are there any questions? I see none. Thank you for your testimony. Any additional neutral testimony to LR292? Seeing none, Senator Clements, you are recognized to close. [LR292]

SENATOR CLEMENTS: Thank you, Mr. Chairman. I would like to comment that I was really pleased with the Nebraska 150 Celebration and especially because my great-great-grandfather came to Nebraska 150 years ago this year, in 1868, a year after we became a state. That's made me more interested in the 150 Celebration. This pledge is not mandatory, as a statute might be. It's a resolution. And the pledge encourages all Nebraskans to show respect for Nebraska and its rich history at appropriate occasions by reciting this pledge. And I'd just like to read it into the record. "As a citizen under the flag of the great State of Nebraska, I pledge to honor our nobler past by emulating the courage, faith, resourcefulness, and service of past citizens and by supporting our motto, 'Equality Before the Law.'" And I believe my family, as citizens for 150 years here, have emulated those attributes and I would appreciate your consideration on passing this resolution. Thank you. [LR292]

SENATOR MURANTE: And thank you. Any final questions for Senator Clements? I see none. Thank you, sir, for bringing this before us, much appreciated. [LR292]

SENATOR CLEMENTS: Thank you. [LR292]

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SENATOR MURANTE: And that closes the hearing on LR292. And we welcome back once again State Senator Ernie Chambers to introduce LR257. Senator Chambers, welcome back to your Committee on Government, Military and Veterans Affairs. [LR292 LR257]

SENATOR CHAMBERS: Thank you, Honorable Chairman Murante. Members of the committee, I'm Ernie Chambers. I represent the 11th Legislative District and I'm here to talk about a resolution that I offered. The President can be removed either by means of impeachment, where the House would press charges, the Senate would serve as a court to hear those charges and determine whether he's guilty or not guilty. The Twenty-Fifth Amendment to the U.S. Constitution gives an alternative methodology. Since you may have a copy of the resolution, I'm not going to take a lot of time on the specifics. But what is laid out as a procedure is based on the belief or suspicion that the President is no longer capable, for whatever reason, of discharging the duties of the office. Specifically named officials would come together, and if they agree then the President is taken out of commission and the Vice President immediately becomes acting-President. There's a process that is appended to what I've said that allows the President to challenge this and then there can be a rejoinder by the other side. If everything goes the way those who brought the action would want, then the President would be out, the Vice President would become no longer acting-President but the President instead of the then-sitting President. And when I consider that alternative, I'm...it gives me pause. At the time that I brought this resolution last year, it was near the end of the session and there was no chance for it to get a hearing because of the press of business, and you all can see how toward the end things get kind of jammed up. And no resolution is considered to be too consequential, even one that would attempt to amend the constitution, if that has to stand against bills that the body generally feel...feels need to be pushed forward. So I'm going to read briefly from a Lincoln Journal article that was written last year, May 17, 2017, because it indicates that I was looking beyond just some of the kinds of headline actions that the President was involved in, telling, giving information to people and things of that kind which he ought not to have done: Chambers said his resolution was not inspired by the whirlwind of recent news surrounding Trump's controversial disclosure of classified information to Russian officials and his firing of FBI Director James Comey. Those were important and significant issues but I had something deeper in mind. Instead, Chambers said Trump's foreign policy decisions, particularly those regarding North Korea and the Middle East, have the potential to do great harm to Americans. The President has behaved like a, quote, deranged, demented, drunken idiot, unquote, and underestimated Kim Jong-un, insulting the North Korean leader and stirring him to test more missiles, Chambers said. Quote, Kim Jong-un is not crazy. He is not a fool. And he's a much faster learner than Donald Trump. What is happening in the Middle East and with North Korea indicates that I was prescient--I saw in advance what was going to happen. Anybody who reads and pays attention to the news could see it. In the Middle East, Israel, under the prodding of Netanyahu toward Donald Trump, named Jerusalem the capitol of Israel, and Jerusalem is land that was to be part of the two-state agreement or settlement. Since that was done, it meant that

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the two-state idea was gone, that the Palestinians would continue to be oppressed and their territory occupied by a foreign force. The ones who came to Israel were not people who live there. They came from Europe, a lot of them, and some guy named Balfour, or "what for," was involved. But at any rate, they set up a state. The King David Hotel was blown up by Jewish, what do they call, terrorists and the city, the state of Israel, called the Jewish state, was put in place. Well, Jimmy Carter, who is a Protestant, elderly gentleman, Pope Francis, who is a Catholic, an elderly gentleman, the Crown Prince of Saudi Arabia, who is not elderly but very, very rich, all said that there should be the two-state solution, that the Palestinians and the Israelis should have their land. The other day there was a demonstration by Palestinians, not on Israeli proper territory. There is a fence with razor wire and soldiers to keep those people from coming back to their own land. They were not to be building of settlements on the land occupied by the Palestinians. But Netanyahu is facing a fusillade of criminal charges preferred by the Israeli police--he hasn't been indicted yet--went against what America's policy was, what Israel had agreed, and what the U.N. required of not building Jewish settlements on Palestinian territory. That has been going on unabated. Then when the Jews are there that becomes Jewish territory. There's a degrading rhyme about the Japanese, which applies to what Israel is doing and what the Americans did to the Native Americans: How courteous the Japanese; / He always say, "Excuse it, please." / Smile and say, "I beg your pardon"; / Walks into his neighbor's garden; / Smile and grins a friendly grin; / Invites his friendly family in. / And then he bows his friendly bow; / "So sorry, this my garden now." That's what the Jews did, that's what the white people from Europe did, and it's what Netanyahu wants to keep going forward. So the Palestinians massed outside that fence and were objecting. No guns, nothing: 15 of them were killed, 700 injured with live fire from the Jews. And if that happened anywhere else there would be an outcry. There was an outcry by the European Union, human rights groups, and the U.N. They demanded an investigation and Netanyahu said there will be no investigation. He feels protected by Trump. He has made bellicose statements toward Iran. Now Iran has weaponry. Israel has nuclear weapons. I'm not antisemitic but I know it goes in America and I've already heard people saying, and they post it, America is not going to go to war with these Jews. So Netanyahu can try to attack Iran. He may want to use nuclear weapons. But Iran can fight back. That is, in a nutshell, is what I was concerned about happening in the Middle East. I could see it coming and it's going to get increasingly worse because Netanyahu is like a wounded, cornered beast, and before he would go down he'll bring everybody down with him. There have always been Israelis who objected to Netanyahu. They had demonstrations. They even had newspapers who objected to what he was doing. But under the aegis of Trump, he has gone as crazy as Trump. When it comes to North Korea, Trump talked about fire and fury such as North Korea would ever dream about. And he was flexing his muscle, rattling sabers, and the military men were trying to keep him quiet. They knew that America is not ready for a nuclear war with North Korea or Russia or any other nuclear power. They know that this so-called missile defense system does not work. They cannot intercept a missile coming to America. But at any rate, instead of cringing and running and hiding, as Trump thought the "Rocketman," as he called him, would do, Kim Jong-un stepped up

his nuclear testing and his missile that will reach the United States was developed. He has a fuel that he can use in his missiles now that will carry it to the United States. It doesn't have to be as heavy as liquid fuel. But at any rate, Trump was somewhat restrained by some of the military people. Kim Jong-un is now a nuclear power nation. All he wanted, if you paid attention from all of this, was to sit down at the international table and be treated like a man. He knew they never would because the white Europeans and their flunkies do not treat anybody who is not equally powerful as equals. So now Kim Jong-un is at the table, and there's another fall out. He has met with the head of South Korea. He visited South Korea. Trump said, well, I'm responsible for this. He's responsible for everything, including the opioid outbreak. If there was malaria, he's responsible for that. Anything that's in the headlines that people are talking about, he did it. All right? So now North Korea and South Korea still have a line but the line has been breached and the top men in both countries are talking to each other, not threatening. And North Korea sent athletes to the winter games in South Korea. In the realm of diplomacy, things that in this world don't seem like anything, carried profound significance. And that visit of those athletes and some of the top officials from North Korea in South Korea at the Olympics had profound significance and the American intelligence community recognized it. But Trump does not recognize the American intelligence community. So what else? Kim Jong-un said, well, North and South Korea are talking. Now there's a huge country which abuts both of these countries, so maybe I ought to knock on the door and go visit there. So he got in a highly...well, you would call it an armored train, and went to China and talked to the head of China, who is now numbered by Americans among the world's dictators. And they weren't arguing; they were talking. They probably are transacting trade deals, arms negotiations. And now there's somebody else just slightly across the sea, not too far away. The country is called Japan and the head of Japan is making overtures to North Korea. So now what Trump has succeeded in doing is bringing together North Korea, South Korea, China, and Japan. And for all of the smart, white farmers who put Trump in office, they can see how he carries on. Not only does he ignore the military people, he ignores his economic advisers. There was a fellow named Cohn, Gary "ice cream" Cohn, and he told Trump, after he found out that Trump was talking about the tariffs, don't do that, that will start a trade war. So Trump got on his gadget and put trade wars are good, trade wars are easy to win, and I'm going to slap some tariffs on Chinese steel and aluminum. Now the amount of steel and aluminum that China sends to the United States, compared to China's overall economy, is infinitesimally small, inconsequential, insignificant, and anything that is not sold to America can be picked up by other people. Trump has got Americans thinking that it's great again and nobody else exists in the world. But here's what China said: Okay, there's one of your fellows who makes whiskey so we're going to put a tariff. By the way, they study American history and they know American geography. They know the difference between North Dakota and South Dakota, South Carolina and North Carolina, Virginia and West Virginia, New York and New Orleans. They know all that. So they found out the state where...I don't know if it's Jim Beam because I don't consume alcoholic beverages, but that's where this guy who was a big shot in the Senate lives. So they're going to put tariffs on that. Harley Davidsons are made in

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Wisconsin, and somebody comes from Wisconsin. So they're going to put tariffs on Harley Davidson. Then all of these farmers, all these farmers who voted for Trump, they got a lot of pigs, so the biggest tariff is going to be on pork--25 percent. And now all of those farmers, who praised Trump for being strong and talking bad to China, are now telling him, you got to back off, we...this is hitting us in the farm belt, this is hitting us hard, we shouldn't have to bear the brunt of everything that is coming to America because of things that the President has said. But China knows what China is doing. China is not flying at random, hit and miss. They think not only strategically in this area but globally. They are making huge investments in countries and on continents that have been ignored by the United States. They are running up so much debt...letting these countries run up so much debt that they control ports, p-o-r-t-s, strategic ports in other parts of the world. And the debt these countries owe to China are so staggering that China can actually take possession of the country if they chose, but they don't choose. When the North Koreans do talk to Trump, if they do, North Korea will have a plan, a goal that they want to achieve, and it won't be all this posturing and bellicose and the senseless, nonsensical things that are said for public consumption. Kim Jong-un comes from a long line of Kims and they educate and pass things on to their descendants. These are not crazy people. And Americans make a mistake of, anybody they dislike, branding them as insane and crazy. Smart people are saying Trump should not sit down with Kim Jong-un. It would be like a grown man talking to a child. I honestly believe that Donald Trump is showing initial or early stages of dementia. He says so many lies that they've started documenting them and they say on average he tells 4.5 untruths a day and now it's up to 6. They had documented, the new...The Washington Post, which Trump hates, over 100 significant lies that he had told. People don't even look at that anymore because it's inconsequential. They say that's just Trump's way. And one of the people he had to get rid of, Ms. Snow, admitted that she had to tell lies for him. And I just happen to have, and I'm speaking fast because I know you all have things to do and I don't want to take all your time, but I have some of the people that quit or Trump fired, and he had scandals. If Obama had had that many scandals, they'd had run him out of town on a rail. From Bannon through Porter, who beat his wife; Pruitt, who had a sweetheart deal in a condo of a big-shot lobbyist who represents the fossil fuel industry, which Pruitt is supposed to govern. And don't get me on Perdue. Here they go: Veterans Affairs Secretary David Shulkin, whom Trump tweeted resigned, and Shulkin was shocked. Everybody knew Trump had fired him. National Security Adviser H.R. McMaster; Secretary of State Rex Tillerson; special assistant and personal aide to the President, John McEntee; Economic Adviser Gary Cohn; Communications Director Hope Hicks, who is a hick and turned out to be hopeless, but she told lies, she did everything she was supposed to so she had to be thrown under the bus. And some of these people wound up charged with crimes; others took plea deals and are cooperating with Mr. Mueller. Communications Director Josh Raffel, R-a-f-f-e-l; staff secretary Rob Porter, wife beater two times over. Trump understands that. He said, here's your problem, you use too much force above the belt. You ought to use less force below the belt between the legs. That's the way you get away with it. That's Trump. That's your leader who's making America a laughingstock. And other people in other countries think he is

diagnosably crazy, not just demented. My characterization is kind. Continuing: Communications Director of the White House Office of Public Liaison Omarosa Manigault Newman--dumb as a post. He had humiliated her twice on his program. She is what black people refer to as an Aunt Jemima--she'll sell out the race to get something for herself. And then he threw her under the bus too. Deputy National Security Adviser Dina Powell; Health and Human Services Secretary Tom Price; National Security Aide Sebastian Gorka, he was one of those quasi-Russians who talked with the accent and everybody thought he was so intelligent. And he was so bad that people told Trump, he's worse than you, get him out of here. Not all these people were fired; some quit. They couldn't take it anymore. Communications Director Anthony Scaramucci; Chief of Staff Reince Priebus; Press Secretary Sean Spicer; Communications Director Michael Dubke; FBI Director James Comey; Deputy Chief of Staff Katie Walsh; National Security Adviser Michael Flynn. And scandals among them. And he continues to do these kinds of things. He had said when he was campaigning, you never telegraph to your enemy what you're going to do. Obama was crazy because he said they're going to start pulling troops out of Iraq and Afghanistan. So Trump got carried away when he was talking to some "Repelicans." The roar of the crowd, that dementia settled on him, he forgot he's President of the United States and other people are listening, including the enemy. He said, we're getting out of Syria real soon, real soon. He repeats things. And the Department of State, the Department of Defense were flabbergasted. They didn't know this. They had not heard it, nobody had heard it. Trump hadn't even thought it until the euphoria of all that applause overcame him. That could be considered a part of the Middle East. He's been sending more troops into Iraq and Iran, and he mentioned that involvement in that area was one of the dumbest things that America had ever done, one of the worst things in the history of America. And guess who engineered it? John Bolton. You know who John Bolton is? The President's Chief Security Adviser. And when he was at the U.N., he was like a bull in a china shop. He's the one who talked about a possible nuclear strike against North Korea and perhaps Iran. That's what you all got? That's what you want? I probably sounded very unreasonable when I offered the resolution and I probably seem unreasonable to you all now. But there are people in other parts of the world and this country who are concerned for this country. And when Trump got on his hobbyhorse and was angry because the Easter bunny, he found out, was not real, the Easter bunny didn't have a lot of chickens working for him that laid these colored eggs, and he found out that there's no Easter bunny and he said, curses, DACA is dead, no more DACA. And while I'm at it, NAFTA may go too. Because what's that...Mexico, them Mexicans ain't doing what they're supposed to do and, by God, I said they would pay for the wall and they don't want to do it. So they want NAFTA so we can trade and I ain't going to let that happen. I'm going to kill NAFTA too, that's what I'm going to do. And then he dropped a bomb on the Pentagon. He had wrangled a lot of money out of Congress to get a budget for the military like they had never had before. And guess what he said in one of his demented moods: I am going to divert money from the Pentagon's budget and build the wall. That's what I'm going to do. And the people in the Pentagon had never heard it and they said, fortunately, that can't be done without Congressional approval. He's stupid. It would be better if

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he were only stupid. I think he's crazy. That's what he said he's going to do. Hadn't he told all these yahoos that Mexico was going to build the wall, pay for it? Don't worry about the clock. The end of the world might come before I get through, now that I'm thinking about it. (Laughter) I talked to you all on the floor about Amazon but I'll say it for this record. He's trying to destroy Amazon, this large company--he's supposed to be a businessperson--because the one who owns Amazon also owns The Washington Post, and they're not nice to Trump. They report the truth, which he can't stand. So he's saying that the taxpayers are subsidizing Amazon because for every package Amazon sends through (inaudible), the taxpayers are cheated by \$1.20. And as I pointed out, which the officials of the Postal Service said, they cannot send any item for less than the cost. That's why when you get these bills from companies--you all don't get bills but I do--put a stamp here because the post office won't deliver it without a stamp. They're not going to deliver an envelope without a stamp, and he's talking about they're delivering these packages for less than what it costs, said they don't pay taxes. They paid \$129 million in taxes, income tax. Trump won't show his tax returns. And if Amazon would decide to send or deliver those packages a different way, the deficit that the Postal Service has is going to deepen because the packages are the only things making money for them. I'm winding it up now, wrapping it up. I just made a couple of notes here because when you get my age sometimes you forget things. I want to be sure I don't forget anything that's important. It's nice to have power. I see what Trump is going through. I have this committee in my hands for a few more minutes. But I've taken enough time. And here's what I did this for, to show that it's not that I just don't like the way Donald Trump combs his hair or that he wears big suits or that he cheats on his wife or that he molests women, that he makes fun of the disabled, that he uses profanity, that he characterized Africa and Haiti with one of the most vulgar obscenities imaginable. There are tangible dangers confronting this country because of Trump. He pulls out of treaties and that is causing other nations to feel that America's word means nothing. It cannot be relied on. They cannot treat with America's diplomats because Trump will undercut what they have said. And every time one of the diplomats says something, they have to ask, is this you, is it your President, will your President stick with this? You all don't want to wake up and see a mushroom cloud over this country. They know where your power grids are. They know where your financial industry computers are. And if Wall Street were destroyed, that would upset every economy all over the world because those wires, that cloud, all of these gadgets go everywhere. They're all interlaced and interconnected. And in the same way that smoke from those western fires were found far into the center of the country, imagine what will happen with atomic fallout. If they dropped a nuclear bomb anywhere on the East Coast, somewhere in America just to show they don't discriminate, and then on the West Coast, they could trigger earthquakes because the fracking in Oklahoma shows it doesn't take much, where these fissures exist, to cause an earthquake. You all need to be worried for your country. You know why I say your country? We've been catching hell ever since we've been here. We've never had a sense of security. Any white man can take our life, any cop can kill us, and we have nothing for us. Maybe the thing that will give us the greatest pleasure is to see in your face what we feel in terms of the hopelessness. And now the moment has come...of truth

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has come for you. You all ought to send this resolution out, which you won't do, but at least there might be some publicity about it, if the news people carry it, and I will mail it out. If you have any questions of any kind, I will answer them forthrightly, in two words or fewer. (Laughter) Okay. Thank you. [LR257]

SENATOR MURANTE: Is that a promise? [LR257]

SENATOR CHAMBERS: I don't make promises... [LR257]

SENATOR MURANTE: The two words or fewer provision. [LR257]

SENATOR CHAMBERS: And when people repeat what I say, I think they're making fun, so deal is off. [LR257]

SENATOR MURANTE: (Laugh) Are there any questions? Senator Brewer. [LR257]

SENATOR BREWER: Thank you, Mr. Chairman. Well, Senator Chambers, you'd be disappointed if I didn't come back and ask you a question here. And you covered a huge spectrum of stuff. But you knowing me and my military mind, I'm going to narrow it down to something that's probably going to be an immediate decision, and that has to do with North Korea. Now our situation is he now has a missile that can reach the United States. He's weaponizing the nuclear bomb to the point it can be placed on the missile and delivered. The fear, of course, is that of an EMP bomb, or else a detonation at altitude that then would cause the disintegration of all electronics within that bursting radius, which if it was centered up somewhere over the west, it would probably take out everything from California to Omaha. So do you see, depending on how the talks go and if they happen, a point where if we know that that capability is there that we should do anything before it actually could transpire, or do you think we should just hang on and trust the decisions that North Korea makes will be reasonable? [LR257]

SENATOR CHAMBERS: I think what North Korea is looking for, what they're looking for is what happened between Russia and the United States, a balance of power, a balance of terror. I don't want my people destroyed, you don't want your people destroyed, so we'll argue and fight like scorpions in a bottle but neither of us will push the button. [LR257]

SENATOR BREWER: Mutual assured... [LR257]

SENATOR CHAMBERS: I don't think North Korea is crazy. [LR257]

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SENATOR BREWER: Mutual assured destruction. [LR257]

SENATOR CHAMBERS: Say it again. [LR257]

SENATOR BREWER: We called it mutual assured destruction back then. [LR257]

SENATOR CHAMBERS: Uh-huh. Yes. [LR257]

SENATOR BREWER: We understood each other's capability. All right. Thank you. [LR257]

SENATOR MURANTE: Are there additional questions? Senator Lowe. [LR257]

SENATOR LOWE: I ask this gently. This is the longest I've ever seen you sit. Is your backside tired? (Laughter) [LR257]

SENATOR CHAMBERS: Do you see how I'm leaning forward in this chair? It's all I can do to remain seated. [LR257]

SENATOR LOWE: Thank you, Senator. [LR257]

SENATOR MURANTE: Any final questions? I see none. [LR257]

SENATOR CHAMBERS: May I stay for the rest of the hearing? [LR257]

SENATOR MURANTE: Absolutely. [LR257]

SENATOR CHAMBERS: I play by the rules. Thank you very much. [LR257]

SENATOR MURANTE: All right. Are there proponents to LR257? You're in favor of LR257? [LR257]

LARRY STORER: Afternoon, gentlemen... [LR257]

SENATOR MURANTE: Good afternoon. [LR257]

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LARRY STORER: ...and ladies. My name is Larry Storer from Omaha, Nebraska. Do I need to give the address? [LR257]

SENATOR MURANTE: No address, but spell your name for us. [LR257]

LARRY STORER: Thank you for bringing this up today. And thank you, Senator Chambers. He might be surprised that I'm sitting here in a proponent's chair today, but I do so for a reason, and maybe some of the same reasons that you do. It needs to be discussed. What needs to be discussed is our constitution and our form of government. We are a constitutional republic. We are not a democracy. We're not a representative democracy. I do disagree in most situations with Mr. Chambers and probably some of you. What's going on today is, if I understand most of Senator Chambers, his information is from the mass media. The mass media is not necessarily being honest with us, the American citizens. And just because we believe what the mass media says about Mr. Trump does not make him incapable or unfit for office. We do not run a President out of office according to the media. Did we not learn those lessons in past history? There's a governmental process for that. But I thank the senator for bringing this up because it needs to be debated on the floor for educational reasons if nothing else. We also have an education bill, a civics bill, an Americanism statute that ought to be part of this debate, and the debate should be, do we run a President out of office? Do we have any business spending taxpayer money today talking about that? Is that the proper process, is it not? Who's right; who's wrong? I do enjoy listening to Senator Chambers. In a way, he's a lot like I am. I like to say it in my words. I like to say it my way. I am not a lobbyist for anybody except myself as a taxpayer and a parent and a husband, but most of all an American citizen, and I think this republic should remain a republic and not be influenced by outside sources such as printed in your own little white thing that says who the lobbyists are: Common Cause, OpenSky Policy, George (inaudible) affiliates, Wolf-PAC. I sent most of you an e-mail last night with excerpts from part of one of the testimonies on bills where 63-some pages of testimony from people outside of the state of Nebraska lobbying you to propose and pass an alternate resolution to LR6. What I read in those pages, and I'm not an attorney, the one attorney that testified that day was just recently out of law school but he was an expert. I'm a lot older than he is and I've probably read more than he did. And in my e-mail I tell you that he might need to read the Founding Fathers' words again and dig a little deeper because they warned us about being a democracy. They educated themselves. They didn't have Facebook. And they read a lot of great books, a lot of great history, and that was why they formed the republic that they did. And those people, Wolf-PAC people, tried to convince us that Article V will turn into be a constitutional convention. If you read the Founding Fathers, they said no way, that will never happen. That was not their intentions. So here we have mass media people. Oh, there are 50 states, they're in 50 states, four full-time paid employees, and they can quote this and quote that, and they have 63 pages of time. My three minutes are up. So what I'm telling you today is thank you. Thank you. Take this to debate. Our citizens in Nebraska need

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that debate on the floor so we know who understands the constitution and who doesn't. Thank you. [LR257]

SENATOR MURANTE: Thank you. Are there any questions? I see none. Thank you. Oh, excuse me. Larry, would you spell your name? Larry? Larry, could you spell your name for the record for us? [LR257]

LARRY STORER: S-t-o-r-e-r. [LR257]

SENATOR MURANTE: Okay. Thank you. [LR257]

LARRY STORER: Store with an R on the end. [LR257]

SENATOR MURANTE: Got it. Additional proponent testimony to LR257. Is there any opposition testimony? Is there any neutral testimony? Welcome back. [LR257]

JAMES WOODY: Thank you. Good afternoon, Chairman Murante and members of the Government, Military and VA, Veterans Affairs Committee. My name is James Woody. For the record that is J-a-m-e-s W-o-o-d-y. I live in Senator Patty Pansing Brooks's district. I respect the three-minute time that we have allotted to speak here on LR257. I had intended this to be the conclusion of five minutes on LR292 and I continue. A previous testifier on LR292 had strong words to this committee regarding the One Hundred Fifth Legislature, this Legislature, and their blatant disrespect for the nonpartisan heritage of the Nebraska Unicameral and for their tacit consent of overreach into the...by the executive branch into the work of the Legislature. I would fully enjoin myself to their testimony. Partisanship in Oklahoma is divisive; it separates family members. Partisanship prevents that state legislature from addressing hard issues facing the state and it causes massive suffering for the people of the state. Governor Fallin calls Oklahoma a pro-life state. They eliminated, via the budget on a party line vote, all Title X programming, which impairs poor women's access to contraception. And what happened in Oklahoma, my home state, they have the third highest teen pregnancy rate in the nation. One in five of those teen pregnancies are not the child's first pregnancy. These children are often born into poverty. One in four of every minor child in Oklahoma lives in poverty. These political battles that we fight and maybe win in the Unicameral can have real-life consequences for the people outside this building. I would leave you with comments from Admiral Hyman G. Rickover, father of the United States Navy nuclear power program: Intelligence, the central virtue of moral life, is being able to judge the limitations of knowledge. Though there is no substitute for intelligence, it is not enough. People may be intelligent but lack the courage to act. To find purpose in life, one must be willing to act to put excellence in one's work and concern for what is right before personal interest. Thank you, Chairman. [LR257]

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SENATOR MURANTE: Thank you for your testimony. Any final questions? I see none. [LR257]

JAMES WOODY: Thank you all. [LR257]

SENATOR MURANTE: Thank you. Additional neutral testimony on LR257. Seeing none, Senator Chambers, you are welcome to close. [LR257]

SENATOR CHAMBERS: "When, what to my wondering eyes should appear," is that clock correct? [LR257]

SENATOR MURANTE: I believe so, yes. [LR257]

SENATOR CHAMBERS: Okay. I'm not going to take all that time. Here's what I will say. It's not said to shock anybody. And maybe...I always promote people who have been in the military. Maybe General Brewer would feel that I shouldn't say it. But I think if there is any group as a whole...and I'm not talking about the fringe people who go AWOL or the guys who do crazy things just to be doing them, but people who've thought about being in the military, knows what the oath is that is taken, doesn't take it like a "John Wayne" but is very serious about it, the country means something genuine to that person. Patriotism is more than a word. Loyalty is more than a slogan. The badges, the bits of metal and ribbon are outer testimonies to the world that you've done, up to this point, what you ought to have done. I don't think that President Trump would ever be obeyed if he gave an order to launch nuclear weapons. He wouldn't be obeyed. I think the janitor who works for the President, if he saw the President pick up the phone, he'd pull the plug out of the wall. That's all he can do. If the President reached for the button and the janitor can't do anything about that, but there's a guy from Australia who is there and he's worried about what might happen. He'd pull out his big old knife and cut the President's hand off. And if those efforts failed I think a military man or woman would sacrifice life to save the country. That person would understand that there is no winner once the nuclear weapons begin to be activated. No place on earth would people be safe. Maybe all of humankind would be wiped out, and maybe not. But this person would be well-aware of how unprepared any country is to intercept all of the missiles that might be directed. If some get through, then not just the blast, not just the heat, but the lingering contamination would continue to kill for nobody knows how long. So I think this person would be the one that I talked about in my one-act, one-scene play. The General, who is facing court martial, and he would give this little speech about every one of you took the same oath that I did that you would defend this country and protect it against all enemies, foreign and domestic. Every one of you, as I have done, has been on the battlefield, risking my life as you've risked yours protecting this country from enemies, foreign. Many people forget "domestic." If any of you were in the position I was in when I acted, you would

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have done exactly as I did. And then, rather than tell what he did, there would be a headline in the paper: General so-and-so tried by court martial, sentenced to death for assassinating the President. The President would just be one man. That title, Commander in Chief, would just be words. And in the same way that this General had risked life on a battlefield, maybe just to protect a piece of land just to save his own life, would be willing to do what was necessary to save country and maybe humanity. One small act by one man; one giant service for humanity. And then he'd die like a soldier. And they'd probably shoot him. They wouldn't hang him. That's demeaning. That is degrading. That's reserved for a sneak thieves, robbers, and pickpockets. But anyway, I don't have anything else to say. [LR257]

SENATOR MURANTE: All right. Are there any final questions? I see none. [LR257]

SENATOR CHAMBERS: And I'm not being sarcastic: I appreciate the committee members, those of you who are here, having given me this opportunity. [LR257]

SENATOR MURANTE: Thank you. [LR257]

SENATOR CHAMBERS: See you at 1:30. [LR257]

SENATOR MURANTE: All right, in six minutes. (Laughter) That closes the public hearing on LR257 and ends our hearings for the day. [LR257]