

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate July 28, 2020

HUGHES: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber, Chamber for the fiftieth day of the One Hundred Sixth Legislature, Second Session. Our chaplain for today is Senator Blood. Please rise.

BLOOD: Thank you. For those who believe there is a God who bends his ear to listen, let us pray. We pray today for our vulnerable populations. Please protect Nebraska's elderly and those suffering from chronic disease. Please watch over those struggling financially right now, especially those who are uninsured. We pray for Nebraska's families with young children at home. We lift up these parents and caretakers and pray that they can grow their networks of support and find solutions to real daily problems like affordable childcare and what options are best to educate their children. We pray for our frontline healthcare workers and those deemed essential. Please keep them and their families safe and healthy. We pray for those who have and will continue to protest. We do hear you. We do see you. We pray for those who are home and dealing with mental health or other issues that have them feeling overwhelmed, unloved, or unnoticed. May they be able to find the support they need and find the strength they need to move forward. We pray also today for our colleagues, that we all make decisions based on the wants and needs of our constituents across the state. Give us a keen understanding that the laws we make should not be about our personal opinions or personal likes and dislikes, but of those we represent, and help to give us those-- help give us those same people a clear voice in the Legislature. And may the peace of God, which surpasses all understanding, guard the senators' hearts and their minds. Father, we praise you for the gift of unity that the spirit creates in our relationships. Lastly, we pray for those infected and the sick with COVID-19. Please sustain their bodies and lift up their spirits, embrace their families, especially those who can't be with their loved ones when they are needed most. In your name, we pray, amen.

HUGHES: Thank you, Senator Blood. I call to order the fiftieth day of the One Hundred Sixth Legislature, Second Session. Senators, please record your presence. Roll call. Mr. Clerk, please record.

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

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

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CLERK: I have no corrections.

HUGHES: Thank you. Are there any messages, reports or announcements?

CLERK: Mr. President, Enrollment and Review reports LB927 as correctly engrossed. That's the only item I have.

HUGHES: Thank you, Mr. Clerk. We will now proceed to the first item on the agenda. Mr. Clerk.

CLERK: Mr. President, returning to LB1008, major appro-- appropriations bill. Appropriations Committee amendments were considered and adopted yesterday. When the Legislature left the issue pending, Senator Cavanaugh's AM3205.

HUGHES: Senator Cavanaugh, would you please give us a brief reminder of what your amendment does?

CAVANAUGH: Good morning, Mr. President. Yes. My amendment takes control of the unspent, unallocated CARES Act funds that have come to our state and allocates a portion of them to several program areas within the Department of Health and Human Services.

HUGHES: Thank you, Senator Cavanaugh. Senator Blood, you're recognized.

BLOOD: Thank you, Senator. I stand in support of Senator Cavanaugh's amendment and the underlying bill. And with that said, I want to tell everyone a story. And not a silly story with a moral that I found in Reader's Digest or on the Internet, but a story that will hopefully speak truth to power in support of this amendment. So when the pandemic hit Nebraska in March, the Legislature was shut down. We came back and approved funding to make sure Nebraskans were protected. But then we went back to our jobs, our farms, our homes, our lives. But I felt, as I know many did in this room, that there was still much more work to be done. And so my office, my friends and volunteers helped me make calls. We made calls to area seniors, we made calls to area families, we made calls to area businesses, over 18,000 calls in all. And if we couldn't reach them by phone, we reached out to them by mail. We asked the number one most important question, are you OK? Can we help? What resources can we offer to you? And as a result, we helped hundreds of people, not only in District 3, but 20 percent of the people that we ended up helping were from other districts as far away as Kearney because word got out that we wanted to help. We

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provided cleaning supplies, food and resources to Neb-- to Nebraska residents. Like many offices, we advocated on their behalf because of the backlog of unemployment. We delivered healthy snacks and hand sanitizers to first responders and hand sanitizer to area childcare centers who were still providing services for parents who were still working and in a panic because no hand sanitizer could be found, and much, much more. So I participated in Senator Cavanaugh's online listening sessions, and I had my own as well. And I heard the concerns of our residents and nonprofits that provide services to these residents. I've watched the federal government continue to toss out money for immediate relief, yet still ignoring the systemic problems that caused these already struggling families to struggle even more. Sure, they can go and tighten their belts, as was discussed on the floor yesterday. But here's the thing. Eventually, when you tighten something enough, you choke it. You kill that person off. And during this whole time, with all that our office did and other offices did, we could still see people suffering. And I still felt helpless and wanted to do more. And I remembered when Mr. Feeken, my high school government teacher, talked about the Depression where 20 percent of the nation's schoolchildren were malnourished. School budgets were cut. There were tens of millions out of work. Food riots broke out. And our parents and our grandparents started to question what they've been taught, and that is that if a man worked hard enough, he would always be able to take care of himself and his family. So if you don't like this amendment and what this amendment proposes to do, I've heard some really good suggestions on the floor from people like Senator Lathrop. I've heard many of you say that you do want to help. So this is our opportunity to come together and find a way to do that very thing. Go over to Senator Cavanaugh, work with Senator Cavanaugh. If we can make this better, I don't know anybody more flexible than Senator Cavanaugh. Nebraska is-- I heard somebody laugh on that. I think she's flexible. Nebraska is a pretty great state to live and to raise our families. And I want to keep it this way. I don't know how we can hear these voices, how we can see Nebraskans' faces--

HUGHES: One minute.

BLOOD: --coming to us for help and not reach across the aisle and work together in this, in true bipartisan fashion to make this amendment better and to make Nebraska a better place to live. Thank you.

HUGHES: Thank you, Senator Blood. Senator Cavanaugh, you're recognized.

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CAVANAUGH: Good morning, colleagues. I wanted to respond to some of the quest-- the questions that were made yesterday. The CARES, the CARES Act-- sorry, the CARES Act requires that payments, that the payments from the coronavirus relief fund only be used to cover expenses that, one, are necessary expenditures incurred due to a public health emergency with respect to the corona disease; or two, were not accounted for in the budget, most recently approved as of March 27, 2020, the date of the enactment of the CARES Act for the state or government; and three, were incurred during that period, the period that begins on March 1, 2020, and ends on December 30, 2020. The purposes of AM-- the purposes proposed in AM3205 are in line with federal law and guidance for corona relief-- coronavirus relief funds. The CRF guidance states: The requirement that expenditures be incurred due to the public health emergency means that expenditures must be used for actions taken to respond to the public health emergency. These may include expenditures incurred to allow the state, territorial, local or tribal government to respond directly to the emergency, such as by addressing medical or public health needs, as well as expenditures incurred to respond to second order effects of the emergency, such as by providing economic support to those suffering from employment or business interruptions due to COVID-19. Although a broad range of uses is allowed, revenue replacement is not permissible. Use of funds-- use of fund payments. The appropriations in AM3205 would fall, would all fall under the eligible purposes list, listed in number 5 in the CRF guidance: Expenses associated with the provision of economic support in connection with COVID-19 public health emergency. The CRF frequently asked questions goes on to provide more detailed guidance relevant to the provisions in AM3205. And I can send a link out to where that, where that is online. Would providing a consumer grant program to prevent eviction and assist in preventing homelessness be considered an eligible expense? Yes, assuming that the recipient considers-- the receipt-- recipient considers the grants to be necessary expense incurred due to COVID-19 public health emergency and the grants meet the other requirements for use, for the use of fund payments under the Social Security Act outlined in the guidance. I would encourage, colleagues, that you go to the Governor's website that has the COVID release-- relief funds and outlines how they're being utilized. I also would encourage you to take a look at the document that Senator Vargas was referencing yesterday that has data on our districts. Page 34 of that document talks about renters. The smallest percentage of renters in a district is 16 percent. If 16 percent of your constituents isn't worth your time and consideration, that is unfortunate. The median number of

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renters in a district in this state is 34 percent. So on average, everyone in this body has approximately 34 percent of their constituents who are renters. Thirty-four percent of your constituents are possibly facing eviction due to this pandemic, 34 percent of your constituents.

HUGHES: One minute.

CAVANAUGH: And you have an opportunity with this amendment to help 34 percent of your constituents. That's pretty amazing. What other bill could you possibly pass that would help that many people in your districts? I can tell you that it is not a property tax bill. This bill directly impacts the lives of Nebraskans. It puts food in the mouths of children, it keeps a roof over their head, it makes sure that they have access to safe childcare. It makes sure that our workforce stays in the workforce, that we continue to have economic stimulation in this economy by infusing money into that economy and making sure that families that are struggling don't have to struggle as much-- one less thing that they have to worry about during a global pandemic. I really encourage you to take time to look over what this--

HUGHES: Time, Senator.

CAVANAUGH: Thank you.

HUGHES: Thank you, Senator Cavanaugh. Senator Vargas, you're recognized.

VARGAS: Thank you very much, President. I appreciate Senator Cavanaugh for what she's bringing here and trying to do. I'm going to approach this from a little bit of a different angle. It is, I think, the larger conversation that we're having is it is-- I think Senator Erdman was kind of asking these questions. Was there the opportunity to have a little bit more say over where we-- what we do with CARES Act dollars? And I think the answer is yes. We had a briefing with the Planning Committee, NCSL spoke to us. And my ask to them was, I would really like to know how other states over the last three months have approached reacting to the needs of CARES Act dollars. How has the executive branches reacted to that? So I thought it would be helpful to give a little bit of a snapshot of what this looks like. So many states approached oversight and conversations of distributions and where they go in very different ways. Mississippi, for example, the legislature and Governor Tate Reeves reached an agreement over control of the state's \$1.25 billion allocation from the CARES Act dollars.

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The legislature then is appropriating the funds and the governor will administer them. In Delaware, Governor John Carney had the appropriation authority with significant advisory and oversight role, but worked with the joint finance committee and the controllers general office. In Oklahoma, the house appropriations and budget committee is requiring the governor to publish daily reports on a website, which I encourage you all to look at, the Oklahoma Checkbook website, regarding the spending of federal coronavirus relief dollars. And in Idaho, Governor Brad Little established-- this is really interesting. He established a COVID-19 financial advisory committee to oversee the distribution of about \$1.25 billion in federal aid that the state received. The committee is headed up by the governor's budget chief and includes both lawmakers, state agencies, local government officials, tribal representatives, and other leaders. The Idaho state controller, Brandon Woolf, is reporting all of the relief funds spending on government transparency website. I bring this up because I think one of the larger questions that we brought up and we're talking about here is, was there an opportunity for us all, and not just us, others outside, other entities and stakeholders in collaboration with the Governor's Office to have more, more collaboration? And the answer is yes. Maybe then we wouldn't be in the scenario we are right now. It's not that I disagree or agree with what Senator Cavanaugh is doing. But ultimately, there is an opportunity for us to learn from this. This may not be the last time we get federal funds. And I hope to God we don't have another pandemic in the future or a natural disaster. But when we do, it's important, I think, we understand on the record that there are-- there's no one-size-fits-all mechanism for how to go about administering these dollars. And many states, and not just states on the coasts or in Midwest, states all over the country and states that are either Democrat or Republican are all approaching this in different ways. And the reason they're doing it is because they're trying to figure out the mechanism to find that balance, to listen to as many people as possible, because ultimately that funding is going to go out to our constituents. I say that because there's a possibility that some of these conversations could have been-- we could have gotten ahead of them. And if we did, then we could have had some unanimity in--

HUGHES: One minute.

VARGAS: --in how we make sure these dollars go out to how we define from our districts the highest need and the most vulnerable populations. So, colleagues, I just want to make sure that we're aware

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of that. And if you haven't already checked out, NCSL recently put-- posted a database not just of how they've done oversight, but they've now done a database on how spending is happening across the country by each state. You can see exactly how much every single state and in what areas they're spending. I think it's helpful for the public to know that. I think it's helpful for our colleagues to know that because this is the way that we can-- you know, what better way to improve how we do things than by learning how others do them? And I-- by also standing on our own and figuring out what we stand for. But I encourage you to check out this database from NCSL because it's very enlightening to see where other states, especially in our competitive array, I would say, in the Midwest, how they're spending their dollars and how they went about--

HUGHES: Time, Senator.

VARGAS: --ensuring oversight. Thank you.

HUGHES: Thank you, Senator Vargas. Senator Hunt, you're recognized.

HUNT: Thank you, Mr. President. I don't think that we're talking enough about what Senator Cavanaugh's amendment here would mean for businesses, for economic stimulus in Nebraska, for supporting small businesses, which is supporting workers. But it seems like every day in my district in midtown Omaha we hear about another business is closing for good, another business closing forever because of COVID-19. And that's as cases increase in Nebraska. It's as we enter fall, and what we know is likely to be a tough winter here in Nebraska, as unemployment benefits run out for people around the country. Businesses are still closing and that's leaving workers without jobs. That's leaving people open to eviction and homelessness and food insecurity. And we have funds here that we can do something with to address that. And that's the expectation that Nebraskans have of us right now. Small and local businesses, many of you are small business owners and you understand that you already have to beat the odds to achieve success, even in the best of times. Even when we're not in a global pandemic, it's very hard to succeed as a small business, to stand up to the competition, to the ubiquity of retail giants and tech disruptors and all of the things that happen to, to disrupt our dreams as small business owners. We know that we have to be nimble and creative and resilient. And small businesses have always known that. They've always known how to do more with less. And that's one of the key characteristics of every entrepreneur and every self-starter. But COVID-19 has made staying in business on Main Street

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almost impossible. Even with all hands on deck in the nonprofit world, even with all of our community organizations showing up to offer aid, there's only so much aid that we can gather from community members until government needs to do what we are really here to do and step in and protect the safety of our citizens. What else are we here for them for? That's what they elect us to do. They don't elect us to stay out of the way and leave them alone all the time. Sometimes there is an appropriate time to step in and we've got money to do that. This is money that we can only spend through the end of the year. So where do we want to spend it? We get to decide. We did have conversations between when we adjourned in March and now about how we should spend that. We did have serious conversations, Nebraskans and colleagues, about how those coronavirus relief funds should be appropriated by the Legislature. And instead, the Governor decided how to spend most of that. And I think that he made some great decisions with how to spend a lot of it. But it's not that we didn't have the conversations among us as colleagues about how to appropriate them in the Legislature. It's just that, honestly, we didn't have the political will to take the power and do that. Senator Cavanaugh has the political will to do that. She says, we hold the purse strings. We have the right to appropriate these funds in a way that is most effective, that, that our constituents are telling us they most need. But a lot of you don't have the political will to have that conversation. But that's what is happening right now. And that's, of course, what can happen off the mike and under the balcony and collaboratively. And that's what I want to see happen. Every closure of a small business in a community is a loss, and it brings a unique kind of grief, not just to the business owner, but to the workers, to the entire community. And some of these businesses have been open for decades. The Dundee Dell closed in my district a few weeks ago; they've been open for 86 years. Leo's Diner in Benson closed; they announced their closure yesterday.

HUGHES: One minute.

HUNT: They've been open for over 60 years. These are community institutions that are going away, that we had the power to do something about. We're not seeing action at the federal level. The president is saying it's up to the states. So are we gonna keep kicking the can or are we going to step up and say this is an opportunity that we have to really help people? Small businesses are in desperate need of real relief. And it hurts so much to hear about all of these COVID-19-related closures, because I know that we could have done something about it. This conversation is good. I think it's

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giving us homework. I think that we should adopt this amendment and we should also continue to work on it. And I would like some of you to talk about what we are doing to recognize the urgency of this economic stress that this pandemic has brought to Nebraska. I would like you to talk about what we have prioritized, what we have on Select File and Final Reading that we can go back into and modify--

HUGHES: Time, Senator.

HUNT: --to serve the times that we're in today. Thank you, Mr. President.

HUGHES: Thank you, Senator Hunt. Senator Cavanaugh, you're recognized.

CAVANAUGH: Thank you, Mr. President. Thank you, Senator Hunt. I agree with Senator Hunt. This is an opportunity for this body to be talking about something that's important to the people of this state. You certainly-- I don't expect people to agree with me entirely on, on, on how this money is being distributed. But I would encourage you to engage in the conversation, because this money can't go to property tax relief, but it can go to people, could go to businesses. And so let your constituents know that you're here for them, and-- and let's talk about what we should be doing as a Legislature with these dollars to address the pandemic. It is our job, it is our responsibility. I did hold listening sessions. I invited everyone in the body to participate in those listening sessions and several of you did. I want to share a letter that was a follow up to one of them from Robert Pattinson [SIC] from Kids Can I am Robert Patterson, CEO of Kids Can Community Center, an Omaha nonprofit providing early childhood education and out-of-school programs for children ages 18 months to 13 years old. As many of my peers-- as with many of my peers, nonprofits are typically expected to fill in the gate-- the gaps, equalize opportunities, and support those most in need. At Kids Can, we have been providing full-day childcare 12 hours a day, 5 days a week since March 30. It wasn't an easy choice to stay open, but the right choice. Those parents never had the privilege to isolate at home. They were the ones we depended on to keep our community going in their jobs of grocery stores, healthcare, food service and more. Parents have been put in a tough spot the past few months with the changing return to school plans. The light at the end of the tunnel has been moved even further away. For many, that light doesn't even exist anymore. At Kids Can, we are doing our best to assist parents this fall. We are forging our traditional-- forgoing our traditional before and afterschool programs at our center. Instead, we will offer full-day childcare for

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elementary students on the alternate dates when they are not in school. We surveyed our families and that emerged as the most pressing need, partic-- particularly with school starting in just four weeks. However-- this was dated in July-- 11th. However, parents who work full time may not traditionally be eligible for childcare subsidies, but certainly cannot afford all-day childcare two or three days each week. For example, a family with two kids in school would have a new childcare bill of up to \$800 each month. The cliff effect has taken on a whole new meaning during COVID-19. Many of our families were finally able to make progress to self-sustainability. I fear without assistance that gap we have all worked to narrow will widen once again. At Kids Can, we are trying to be nimble, proactive and equitable. We ask the state to do the same and consider temporarily altering the restrictions to allow more families access to childcare subsidies during this tumultuous time. I-- the pages passed out a document which I think explains in more detail how these, these allocations would work and who administers them, who receives them, why and how much. So I encourage you to take a look at that and I encourage you to, to talk with each other, talk with me. I would love to hear from all of you about how you think this money should be spent. I hope, whether you agree with how I, I think it should be spent, that you agree that this is our job.

HUGHES: One minute.

CAVANAUGH: Thank you, Mr. President. I will yield the remainder of my time. Thank you.

HUGHES: Thank you, Senator Cavanaugh. Senator Chambers, you're recognized.

CHAMBERS: Thank you, Mr. President. Members of the Legislature, I support Senator Cavanaugh's amendment. And toward the end of the day yesterday, Senator Lathrop had offered some legal arguments and discussion with reference to exactly what this bill will do under this amendment. I hope he will continue that discussion. But Senator Cavanaugh handed out this morning a chart, and it has a number of segments or boxes explaining how much money will go where, who will administer it. In all cases, DHHS will do the-- be the administrator. But the entities or individuals or groups who can benefit are listed. And you can see that for each amount of money that she has in her amendment, there is an explanation across this sheet of all of the information that would be needed. But having been in this Legislature as many decades as I have, and part of two centuries, I'm not

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anticipating that this amendment will be adopted. I listened to the negative expressions yesterday. And since the Governor is involved, there are too many people beholden to him to vote for something that may in any way verge away from what the Governor has been empowered to do or what he would like to be empowered to do. When you consider the percentage of the population in Nebraska which will reside in Douglas County, then look at the relatively piddling amount of this CARES money that goes to Douglas County, you will see that there is nothing in the way of a balance. That argument is not going to sway anybody. The argument that I'm going to offer next will not sway anybody. There is an operation called Family First-- Families First, I get their publication. This money places families first. But the ones who are a part of that organization should be doers of the word and not hearers only. That's what we have in the Legislature-- hearers: advocates for various organizations, various religious or other positions. But when we're dealing with actual people in need, and as a Legislature we possess the authority and the power to help them, and at this point there is money available from the federal government to give some of that help, there is going to be a flint-like negative attitude toward this effort. A bill that is opposed to a certain type of abortion has been offered and supported by people who are called pro-life. Critics of that kind of activity says in reality they're pro-birth, because once whatever we call that which passes through the birth canal--

HUGHES: One minute.

CHAMBERS: --comes into this world as a full-fledged human being, in being, all of a sudden there is no interest. So with all of the furor over Senator Geist's bill, there should be a corresponding willingness to make the wherewithal available so that the children can be properly reared. They need housing, food, clothing, medical care, and we're in a position to tie all of these principles together and show those prayers uttered every morning are not just words. I'm going to put on my light just for the record, not that I will persuade anybody to do anything. Thank you, Mr. President.

HUGHES: Thank you, Senator Chambers. Senator Blood, you're recognized.

BLOOD: Thank you, Senator. Fellow senators, friends all, I continue to stand in support of the amendment and the underlying bill. I would ask that Senator Cavanaugh yield to some questions.

HUGHES: Senator Cavanaugh, will you yield?

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CAVANAUGH: Yes.

BLOOD: Senator Cavanaugh, can you tell me, please, how many of the senators you invited to participate in the two listening sessions that we-- that you, you did?

CAVANAUGH: Forty-eight.

BLOOD: Forty-eight. So every senator in here was asked to participate in one of two sessions, one during the day and one in the evening to kind of give some flexibility. Is that correct?

CAVANAUGH: Yes.

BLOOD: So out of those 48 senators, how many participated in both of the sessions?

CAVANAUGH: I think 14.

BLOOD: Approximately 14?

CAVANAUGH: I believe so. Yeah.

BLOOD: And so did you ask these senators more than once to participate?

CAVANAUGH: Yes, I sent an email to everyone. And then I sent a follow-up email to everyone.

BLOOD: OK. And, you know, there's stuff going on on the farms.

CAVANAUGH: Absolutely, yeah.

BLOOD: And I know people are back to work and really busy, and I certainly do understand that. So knowing this and what information you received, you put together research. It was intimated yesterday that this wasn't well researched. And I guess I know differently. But I want to hear, did you research this?

CAVANAUGH: Yes.

BLOOD: OK. So you researched this and then you broke it down based on what?

CAVANAUGH: Based on feedback that we heard at those sessions from community advocates and individuals. And based on what we had been

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hearing over the last several months from constituents and advocates. And then I worked with the-- with several advocacy groups to figure out how to appropriately distribute the funds so that we were maximizing the funds that we have available and, and what people needed most.

BLOOD: Now, we've discussed multiple times how many calls my office made and the type of community outreach we did. We, we were passionate about it. And it's my understanding that it was same for your office. So not only did you do the listening sessions, but did you also reach out to your constituents, reach out to area businesses and have dialogue with them about how you can help them and what, what needs they might have?

CAVANAUGH: Yes, I spoke a lot with small businesses. A lot of the community around hairdressing, especially once that reopened in May in the Omaha area. That was a large contingent of people that I heard from in Omaha and across the state. And a big need there, in addition to just financial resources, was also childcare, because most people in that business have young children. And so trying to balance that with schools being closed and having to reopen. Or if they didn't reopen, not having-- qualifying for unemployment any longer. There were lots of concerns around all of those logistics. So just working through that with a lot of different people.

BLOOD: And then I do have one last question before then I speak a little bit. So would you say that you are open to any senator on this floor who would like to come to you and make this amendment more palatable-- more, more palatable, maybe more accepting for their personal likes and dislikes? Would you be open to somebody coming to you and perhaps amending your amendment?

CAVANAUGH: I would love to talk to anyone about any changes that they think--

HUGHES: One minute.

CAVANAUGH: --would make this a stronger piece of legislation.

BLOOD: Thank you, Senator Cavanaugh. I, again, stand and say that we are in a nonpartisan body. And the Unicameral is unique and the Unicameral is awesome here in the United States because we have the ability to move things forward quickly without partisan B.S. And so I ask you to really consider the intent behind this amendment. And I

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want you to consider what you have heard from your constituents and not-- let's not make this political. Let's make this about Nebraskans. Thank you.

HUGHES: Thank you, Senator Blood and Senator Cavanaugh. Senator DeBoer, you're recognized.

DeBOER: Thank you, Mr.-- excuse me. Thank you, Mr. President. I'm listening to this debate, just as I think it is important to point out that, for folks who are watching from home, that your senators were not, I don't know, sitting around not doing senatorial stuff during the time that we were on hiatus. I think I was on a call with most everyone in this room at least at some point as we were trying to work from home, like everyone else who is able to do that. I did attend listening sessions put on by Senator Cavanaugh, by Senator Vargas, in person by the Judiciary Committee. We heard a lot of people. There is a lot of pain. I'd like to hear more about this issue. I think, Senator Hunt, would you-- I think I'd yield the rest of my time to hear more about this issue.

HUGHES: Senator Hunt, you're yielded 4:00.

HUNT: OK. Thanks, Senator DeBoer, I appreciate that. I'm looking at-- I'm looking at the white paper, the, the write-up here that Senator Cavanaugh distributed about this amendment that, that breaks down how the coronavirus relief funds are appropriated into all of these different departments and all of these different programs. Grant program to increase childcare capacity for school-aged children, housing stabilization, a one-time \$500 payment to each child eligible for the Aid to Dependent Children program, one-time \$500 payment to Nebraska families with demonstrated loss of 50 percent or more in total household income, temporary food assistance, temporary childcare subsidies. All of this assistance is temporary. The pandemic is temporary too. But the economic effects that this is going to have on families in Nebraska could have such devastating effects like the business closures I've talked about that are now going to, you know, affect communities for, for decades and generations to come. When a small business is owned by a family, you know, that's a generational effect that that has on that business and on that community. And all of these aspects of Senator Cavanaugh's AM3205 are also about worker protections. And when we talk about worker protections, we're also talking about small business owner protections, because so many of the protections and advantages that we give to big companies and big corporations, both in this state and at the federal level, are things

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that aren't available to small business owners. Many of you know that as small business owners, I certainly know that. And we can also talk about unemployment in Nebraska and how our system here is affecting people. And while I applaud the Department of Labor for their hard work that they did in processing the really high number of unemployment claims that we had since March, we continue to see thousands of Nebraskans filing for unemployment benefits. And my office hears from Nebraskans every day who still haven't gotten a single check. And some people might say, oh, it's because they're not eligible. They didn't fill it out right. Well, there's two things about that. A lot of these people are in a system for the very first time that they never thought they would be a part of, because they have a steady job, they have a stable income, they have a salary. And then the pandemic hits and they find out that they don't have that safety net that they thought they did. So they're put into a system that they have to figure out how to understand for the very first time. And there's a learning curve there. And I think that we need to be gentle and give people grace with that. And the other thing is that we-- I respect the workers of the Department of Labor, and I think they're doing an excellent job. But it's run by humans and humans make mistakes. And of the hundreds of constituent services that we've done, the constituent requests that we've done to help with people's unemployment, we've found dozens and dozens of mistakes that would have slipped through the cracks--

HUGHES: One minute.

HUNT: --if my staff hadn't gone back and helped them with that. And, you know, claims are still averaging over 5,000 claims a week, which is up from an average of 3,440 at the height of the Great Recession. And there are still more than 51,000 Nebraskans currently receiving unemployment benefits. But they're going to fall off a cliff and lose that \$600 federal benefit amount, which expires this week. So a quarter of the people who have to apply still have to wait over a month before they're approved. So what this amendment does with money that we have to spend anyway, that I do not believe that we should put into some kind of rainy day fund, because it's raining now. These appropriations will be a huge help. It's temporary. It's into programs that already exist. Nothing new has to be invented or devised. It's really just kind of a cash stimulus injection into the people who really need it most right now. The house is on fire now. We don't put this into a rainy day fund--

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HUGHES: Time, Senator.

HUNT: --because it's raining now. Thank you, Mr. President.

HUGHES: Thank you, Senator Hunt. Senator Kolterman, you're recognized.

KOLTERMAN: Question.

HUGHES: The question has been called. Do I see five hands? I do. The question is, shall debate cease? All those in favor vote aye; all those opposed vote nay. Have you all voted? Record, Mr. Clerk.

CLERK: 27 ayes-- excuse me. 27 ayes, 9 nays, Mr. President, to cease debate.

HUGHES: Debate does cease. Senator Cavanaugh, you are recognized to close on your amendment.

CAVANAUGH: Thank you, Mr. President. I appreciate that there are those that want to move forward with the day. And, and so I, I will just speak to what, what we've been talking about here one last time. Thank you all for, for taking the time to listen and consider this amendment. I, I hope that you will join me in moving this forward. I just want to reiterate that this is our moment. This is our opportunity to do something for the people of Nebraska during a global pandemic. Holding onto funds that we can't spend past December 30 in hopes that the federal government will make some changes that there's been no movement on is-- I actually think it's unconscionable, when people are struggling and people are hurting. We have an opportunity to address the immediate needs of the citizens of this state. And whether we do it through this amendment or some other option or opportunity, I encourage us to do it. I encourage us to stand up together and do something for the people of Nebraska who are hurting during this pandemic. Property taxes are important. They will be important for years to come. But people are struggling. They're concerned about their families, they're concerned about their health. They don't know what to do. They're trying to balance work and childcare and keeping a roof over their heads and keeping people fed. And those are stressful things to do in regular times. But when you're afraid that going outside is going to result in someone in your family dying, that's, that's more than anyone should really have to bear. And we're all bearing it together as a society. So please consider what it is I'm trying to do here today. I hope that you will join me in, in taking control of these funds, as is our duty. And we don't have to

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distribute them this way, but we should be distributing them. We shouldn't be keeping them in a bank account unutilized, in hopes that the federal government does something else. It's our job to utilize them, not the Governor's and not the federal government's. So I encourage you to vote for this amendment and to vote for the underlying bill. And thank you.

HUGHES: Thank you, Senator Cavanaugh. Colleagues, the question is, shall the AM3205 be adopted to LB1008? All those in favor vote aye; all those opposed vote nay. There's been a request to place the house under call. All those in favor of-- the question is, shall the house go under call? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 32 ayes, 8 nays to place the house under call.

HUGHES: The house is under call. Senators, please record your presence. Those unexcused senators outside the Chamber please return to the Chamber and record your presence. All unauthorized personnel please leave the floor. The house is under call. Senator Groene, please check in. Senator McDonnell, the house is under call. There's been a request to place to-- for a roll call vote in reverse order. Mr. Clerk.

CLERK: Senator Wishart, not voting. Senator Williams, voting no. Senator Wayne, voting yes. Senator Walz, voting yes. Senator Vargas, not voting. Senator Stinner, voting no. Senator Slama, voting no. Senator Scheer, voting no. Senator Quick, voting yes. Senator Pansing Brooks, voting yes. Senator Murman, voting no. Senator Moser, voting no. Senator Morfeld, voting yes. Senator McDonnell, voting no. Senator McCollister, voting yes. Senator Lowe, voting no. Senator Linehan, voting no. Senator Lindstrom, voting no. Senator Lathrop, voting yes. Senator La Grone, voting no. Senator Kolterman, voting no. Senator Kolowski, voting yes. Senator Hunt, voting yes. Senator Hughes, voting no. Senator Howard, voting yes. Senator Hilkemann, voting no. Senator Hilgers, voting no. Senator Matt Hansen, voting yes. Senator Ben Hansen, voting no. Senator Halloran, not voting. Senator Groene, voting no. Senator Gragert, voting no. Senator Geist, voting no. Senator Friesen, voting no. Senator Erdman, voting no. Senator Dorn, voting no. Senator DeBoer, voting yes. Senator Crawford, voting yes. Senator Clements, voting no. Senator Chambers, voting yes. Senator Cavanaugh, voting yes. Senator Briese. Senator Brewer, voting no. Senator Brandt, voting no. Senator Bostelman, voting no. Is that right, Senator? No? Thank you. Senator Bolz, not voting. Senator

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Blood, voting yes. Senator Arch, voting no. Senator Albrecht, voting no. 16 ayes, 28 nays, Mr. President, on the amendment.

HUGHES: The amendment is not adopted. Next item. I raise the call. Yes. Record-- items for the record.

CLERK: Thank you, Mr. President. A series of study resolutions starting with LR431, Senator Bostelman; LR432, Briese; LR433, Briese; Matt Hansen, LR434; Halloran, LR435; Walz, LR436; Friesen, LR437; Friesen, LR438; LR439 and LR440, those by Senator Friesen. Mr. President, consistent with the major proposal designation, Senator Friesen offers the next amendment, AM3185.

HUGHES: Senator Friesen, you're recognized to open on your amendment.

FRIESEN: Thank you, Mr. President. So I've been in this body now this is my sixth year, and I don't recall ever having a bill really with an appropriations because we were-- when I first got here, I mean, the Appropriations Committee, we did have some money to spend. But you're a freshman senator, you don't, you don't get many bills pushed out because you just don't have that opportunity. And after that, our revenue disappeared and we have never had money for the floor to spend really until this year. And going into this in January, we were all kind of excited to see our Cash Reserve back up to where they belong, in fact, back up to where they'd been. We had some money for the floor, we had some money for property tax relief. And then the COVID-19 hit. Part of the frustration with people that don't serve on the Appropriations Committee is that when we have a bill that has a fiscal note, we can't even get it to the floor for discussion. It doesn't get the opportunity to even get to the floor. So when the Appropriations Committee comes with funding, it used to be that these appropriations, these spending things were just buried in the budget and we just ran it through. And I applaud Senator Stinner and the rest of the Appropriations Committee for at least making it more transparent on what we're doing. So I do appreciate how much it's changed since I've first come here. And I think this just gives everybody an opportunity to discuss those bills, like if they would have come through a committee process different than that, rather than through appropriations. And so it, it will give people an opportunity to discuss and talk about whether or not these are appropriate spending of our dollars when, when we're going forward now. I mean, yes, we have the money now. We have even 80-some million for the floor to spend yet this year. But when we look at our out-years and the unknowns that we have with the stimulus money and when it runs out and

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what our economy might look like come this next January or even the year after, we should be very, I guess, stingy in our spending and try to prepare for those out-years if, if that truly does happen, if a vaccine doesn't show up, if our economy just doesn't turn around, if-- if when the unemployment benefits, the whatever the next stimulus is, when those dollars run out and people are still on unemployment, we're gonna have a revenue problem. We can't, we can't handle our system with 8, 9, 10 percent unemployment suddenly. So I, I am cautious about the out-years. I don't know that we'll have any revenue to spend. And so, therefore, it's probably prudent for us not to be spending any dollars. Maybe it should all go in the Cash Reserve and then maybe in January we'll know more of where we're at and we can decide then what, what spending needs to be done and what doesn't. We'll know more about what the federal government might have done with more stimulus or allowed us to do with the stimulus dollars we do have or the COVID spending dollars. So what this, what this bill does, I just, I'll just go through the list a little bit here. It just takes out \$250,000 for the Child Advocacy Center increase. Provider rates, takes \$3.7 million from that. And that was a Senator Hilkemann bill, the first bill was Senator Stinner. Senator Vargas had \$1.5 million for the public health departments. You know, some of these, some of these agencies in different departments also did get some federal dollars sent directly to them. So and I, again, I don't know that we have really tracked that or I sure haven't, and I haven't seen any numbers on what they may have gotten from some of those of that one point-some billion dollars the state got. Senator Bolz, the \$4.14 million there, and there was a drafting error. There's an amendment I have that corrects that. It did-- it should have separated out that the CHIP program would have just been cut by \$250,000. The remaining \$3.8 million would have come out of the Medicaid program. So there was a drafting error that I do have an amendment here that I will file that will fix that. It takes out the \$250,000 for EMS training from Senator Walz. Senator Hansen has court competency treatment, \$300,000. Corrections career skills education from McDonnell, that was \$500,000. Senator Vargas had a million dollars for the Opportunity Grant program. Senator Bolz, \$250,000 for the Water for Food Institute. Senator Wishart, \$250,000 for the State Patrol sex assault forensic list-- forensic list. Senator Williams, it takes out the \$10 million for rural workforce housing. McDonnell has another one for \$230,000 for developmental districts funds. And Stinner, Senator Stinner had a million dollars for the community college dual enrollment. So those are, those are the items that, that are contained in the amendment that would be up for discussion. You know, we, we can look at it as any one of these can go

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back in, any or all of them. But I think this is an opportunity to look at those items that we are spending money on and see if it's appropriate in today's environment. I am looking forward, I guess, to the discussion. We, we do, again, if we could track some of the money that the federal government has given to some of these groups, maybe the need isn't there right now and maybe there is a better use for that money and spending. I mean, Senator Cavanaugh had a lot of ideas out there of what needed funding. Maybe, maybe what we're sending it to now isn't quite appropriate at this time. You know, when we, when we look going forward and we look at the federal deficit and, you know, when we first-- I remember Senator Erdman, I think, put out a federal deficit or Senator Halloran did that. Senator Halloran had that way-- each day he put out the federal deficit. Well, I haven't seen it in a while, but I have a feeling it's quite a bit higher than the last time you put it out. And we haven't really talked about that for a long time. And it still concerns me. Our, our economy in a lot of states is in serious trouble. Nebraska is one of the shining spots yet, if we call it that, that is not in deep, serious debt. That maybe some states I think are gonna have difficulty climbing out of and how that will be addressed down the road, no one even has a clue as to how we're gonna approach that, much less our federal government's deficit. At some point in time, interest rates will go up. We will see inflation come back, and that makes it really difficult for everyone's budgets. And so I think that's something we all need to keep in mind is, is every time they send out a stimulus, whether it's a trillion or two trillion or three trillion, it's, it's all borrowed money or printed money. And we at some point in time have to just cut back our spending, not be increasing our deficit. So with that, I'm looking forward to the discussion and I, I hope we can move forward with a bill in the end. Thank you, Mr. President.

HUGHES: Thank you, Senator Friesen. Senator Hilgers, you're recognized for an announcement.

HILGERS: Thank you, Mr. President. Good morning, colleagues. One quick housekeeping note. As I mentioned yesterday, the, the deadline for interim study resolutions is today at noon. Bill Drafters has reported to me that all requested drafts of those resolutions have been returned to offices. So if you're missing one or if you don't have one, please contact Bill Drafters right away, because the deadline is at noon today. Thank you, Mr. President.

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HUGHES: Thank you, Senator Hilgers. The next three in the queue are Senators Bolz, Lathrop and Stinner. Senator Bolz, you're recognized.

BOLZ: Thank you, Mr. President. I stand in opposition to this amendment, and I would like to ask Senator Friesen a few questions if he would yield.

HUGHES: Senator Friesen, will you yield?

FRIESEN: Yes, I would.

BOLZ: Thank you, Senator Friesen. I'm having a hard time following your, your logic train here with this amendment. So let me ask you a few questions to, to try to pull it apart, because I disagree with the policy choices you're making here, and I want to walk the body through them. First, I want to say yesterday we had a very positive exchange about diplomacy on the floor. And I understand that you're concerned about future spending as well as property tax relief, which has been a priority of yours very consistently throughout your time in the Legislature. You and I have had several conversations about that subject matter, haven't we?

FRIESEN: Yes, we have.

BOLZ: And, and, and in those conversations we've, we've had a back and forth. I've tried to listen. I've put ideas on the table. Is that, is that fair?

FRIESEN: Yes.

BOLZ: OK, very good. Thank you. Did you discuss these ideas about the budget with, with me or Senator Stinner?

FRIESEN: I don't believe I've had the opportunity to do that. No.

BOLZ: Very good. So I start out from a place where I say, you know, I have, have tried very consistently to be open-minded about property tax relief and, and work with you on your priorities. I'd ask the same from you. I don't understand your organizing principle here. It seemed in some of your conversations that maybe you were questioning some of the bills in front of the Appropriations Committee that were the Appropriations Committee members. But at the same time, you're striking bills that are not Appropriations Committee members. So that, that confused me just a little bit. And I'm not certain that I understand why you have chosen to strike the sections that you've

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chosen. So let's start with Section 19, which actually happens to be related to a Senator Hansen bill, LB1161, and it funds outside competency assessments for individuals in jails. And I'm confused about that because this is funding a bill that you actually voted for last year and it relates to LB376, which is a bill that you've brought in the past about the pressure that county jails have in serving individuals with mental illness. So can you help me understand why you're removing our funding for outside competency?

FRIESEN: OK. Just so you understand, I guess, the direction I took here, it wasn't just targeting Appropriations members. I targeted spending in general. You'll notice I left two things in. It was Senator Geist, the mental health courts and Senator McDonnell's the young adult courts.

BOLZ: Very good. Could you address the outside competency question?

FRIESEN: I, I didn't target that one. I have no understanding--

BOLZ: It's Section 19--

FRIESEN: Yeah, I--

BOLZ: --the outside competency.

FRIESEN: I didn't--

BOLZ: Did you unintentionally strike that area?

FRIESEN: No, I did not unintentionally. I was targeting all the spending for discussion. It doesn't say that I was going to vote for or against any of these items when they come up. I was bringing this to the floor for the discussion.

BOLZ: Well, I guess I, for discussion, I think that this body wisely supported Senator Hansen's bill last year to allow for outside competency restoration in county jails. And I think that funding it this year is appropriate. I similarly don't understand some of your comments about organizations or entities that got federal funds, and therefore we should question whether or not they should get state funds. One of the reasons I'm confused about that is that it seems that your amendment is addressing only health and human services organizations for, for making cuts, even though a broad range of organizations and entities received CARES Act dollars.

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HUGHES: One minute.

BOLZ: So for example, rural broadband and livestock producers got CARES Act dollars, but I don't see any, any issues that address those things. I see cuts to Health and Human Services. Further, the CARES Act dollars must be spent out by the end of the year, whereas this budget goes through July 1 of next year. So I'm confused as to why we would focus on public health-- public health aid and federally qualified health centers in a year when we're all struggling with a, a coronavirus pandemic, and those staffing needs continue. So I'm also confused about why we would strike funding for developmental disability service providers. I've heard lots of conversations this year on the floor about protecting our most vulnerable populations. The, the developmental disability individuals are some of the most vulnerable folks all across our state and we are not fully funding those services. If we don't fully fund those services--

HUGHES: Time, Senator.

BOLZ: --we can't afford staff. I don't understand the organizing principle here and I don't support the amendment. Thank you, Mr. President.

HUGHES: Thank you, Senators Bolz and Friesen. Senator Lathrop, you're recognized.

LATHROP: Thank you, Mr. President. Colleagues, I am standing in opposition to the Friesen amendment. And I want to-- there's a number of things on this list that I-- that are concerning to me. But I want to start maybe, maybe I'll have time to cover two of them. The first one, though, is the competent-- competency restoration. Senator Bolz referred to this as funding a bill that was passed last year. It was a Hansen bill. Let me tell you, that came out of Judiciary Committee. And just so that you understand what we're talking about when we talk about restoring someone's competency, what we learned in our hearing is that on average, current law before the Hansen bill passed, it required that anyone who couldn't understand a judge from a defense lawyer, they weren't competent enough to know what the role of the judge was, what their defense lawyer did and what the prosecutor did, which is kind of the standard, those people had to go to the Regional Center to have their competency restored. The average wait time for someone to have a trip down to the Regional Center to have their competency restored is 100 days. And while they're in county jail waiting for their hundred days to go by and their number to be called

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so that they can go down to the Regional Center, so someone can put enough medication in them so they understand what the judge's role is in a trial, they're isolated. So now we have someone who is, I'll use the term insane, sitting in isolation in county jails across the state for 100 days waiting to get to the Regional Center to have their competency restored. This bill was very thoughtful, you passed it last year. And now we've got to fund it or that doesn't get any better. You-- this is magical thinking to think that we can pass a bill that requires that somebody spend some money or hire somebody and that we're not going to pay for it. We don't do that, and these people will spend 100 days in isolation waiting to go down to the Regional Center. Also in here are provider rates. And you may not know this, but years ago I chaired a special investigative committee into the Beatrice State Developmental Center that led to years of that investigative committee looking into problems with developmental disabilities. One of the things that we found, one of the things that we found is we were so cheap with our providers that they were leaving the state. And then when we wanted to put people in community, we couldn't find a place for them because the providers all left. They said, I can't do this anymore. I can't-- I can't. It's one thing, like maybe we passed the hat at church and we throw a little money in the pot and maybe we can keep us going for a little while, but they left. And they were very, very clear in front of that committee and in front of the Health Committee, which I think Senator Howard will talk about their rate study. We can't treat these people poorly or they're going to quit helping us, and they're going to quit treating the people and providing services to the people. And the same is true with behavioral health. But go back to-- go back to the day when we closed the Regional Centers and said we got a better plan. It's the whole Olmstead thing, right? We're going to treat people in the least restrictive environment, so we'll close these Regional Centers and we'll put people out in the community and treat them there. But we didn't do that. We haven't made good on that promise. And again, again, we have to pay behavioral health providers fairly or they're going to quit. They're going to go do it somewhere else.

HUGHES: One minute.

LATHROP: These things are-- pardon me?

HUGHES: One minute.

LATHROP: OK. Thank you, Mr. President. We have to provide for decent provider rates for the developmentally disabled and the behavioral

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health and mental health so that folks can get that care in the community. Otherwise, guess what's going to happen? Those behavioral health issues are going to show up at the county jail and ultimately in the prison, and they'll end up getting their mental healthcare down in Lincoln, not at the Regional Center, but at the Department of Corrections. Those are three things I could cover in the five minutes that I have. And I'll put my light on and talk about some of the others momentarily. Thank you, colleagues.

HUGHES: Thank you, Senator Lathrop. Those in the queue are Senator Stinner, Williams and Groene. Senator Stin-- Stinner, you are recognized.

STINNER: Thank you, Mr. President. Members of the Legislature, I stand in opposition to this amendment. And I-- I think it, if the theory is that we should not spend any more money because of the uncertainties in front of us and all of the economic rhetoric that we can put together, then I'll probably support this idea. But the end game here is to cut these expenditures for property tax, which is another expenditure. Now, we already put \$275 million of income sales tax and miscellaneous tax into what's called property tax relief fund. Nobody likes it. We're trying to change the way we distribute those income tax, sales tax, and miscellaneous tax. It is an expenditure. It comes out of General Funds. So if the idea we're going to cut this and then add it and think we're going to add to a property tax relief, that is unbalanced. And the one thing that I've tried to do since I've been in the Legislature is keep a sense of balance. Keep perspective. The idea that, that we're just selecting some-- where's the Governor's \$4 million? Why don't we put it all on the table then? But we're going to save it. We're going to put it all in the rainy day fund. That's more balanced than what this is all about. The other idea that these agencies that we're talking about that are getting some help from General Fund money, they're getting federal money. It's specifically for COVID. They can't use it for general operating. So, you know, we can talk about that and we can discuss that and we can discuss this. But I have a philosophical problem with what we're trying to do here. It is unbalanced. We forgot about workforce development, we forgot about, about helping the DA-- the Department of Health and Human Service people, behavioral health people, DD. They're short of breaking even on what they're providing in services. We proved that. We proved it through a study. All we're trying to do is take a niche, a niche that's focused and strategic. And that's what we're trying to do here. So that's aid to individuals. But we also have a Corrections

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problem, we got an overcrowding problem we've got-- we have to address. We have to address. So we put a little niche in there with specialty courts. But if we're going to pull-- if this is a philosophy and it sounds really good in a newspaper, it's real good political rhetoric. We don't have money, we're not going to spend money. Well, if you turn around and spend it in property tax, it comes out of here. It's a spend. Now, what I'd like to do is to keep a sense of balance. If indeed we want property tax, let's keep a sense of balance about what we have strategically to do in front of us. And yes, I did break this out, it used to never be broken out, so that you can look and identify every spend that we agreed to in the appropriations process. There's nothing nefarious. There's nothing hidden in this budget. But, you know, when I-- when we had to make that adjustment from 138 plus over the 3 percent to 90, and for me to stand up here and say, oh, we're going to cut this because I have to get more money for another type of spend, not gonna do it.

HUGHES: One minute.

STINNER: We have to run the government, folks, and we're still maintaining that 3 percent. Three percent spend in good times and in bad is, is a pretty good number. Now, that one thing that you have to keep in, in focus here is we're dealing with estimates. And I get the fact when I started out in this COVID thing, there was a 10 percent decline. We used 500,000-- or \$500 million and we templated that out. And we came up with a shortfall in the 3 percent minimum of \$235 million-- that meant we had to cut. So I got on a webinar with Platte Institute and said, hey, that takes property tax off the table, because we don't have the money to do it. We have to adjust down. Well, guess what? We made, made up some ground, 630, we had \$100 million more. Some of that had to do with the great runway that we were, we were running from a--

HUGHES: Time, Senator.

STINNER: Thank you.

HUGHES: Mr. Clerk.

CLERK: Mr. President, Senator Friesen has a revised, a revised amendment, a technical change only. He would like to withdraw AM3185 and offer as a substitute AM3212. Mr. Speaker, I understand you've agreed to that.

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HUGHES: Is there unanimous consent? So ordered. Senator Friesen, you're recognized to move your substitute.

FRIESEN: Thank you, Mr. President. Again, this is just a technical change. It's the same general outline. It just fixes a drafting error that they had. So it makes no substantive changes to it, but it does correct those items that I mentioned earlier. And that was under Senator Bolz's where you talked about the CHIP program and Medicaid. So just to clarify that those numbers were backwards. I think they took too much out of the CHIP program. And so with, you know, if, if-- I just want to clarify again, and I think people didn't listen correctly the first time, but I don't think I ever brought up once that I was going to spend this money on property tax relief. That not was my intent at all, I didn't say that. So don't read that into it. I'm just brought it for discussion on the floor. Let's talk about what's in it and whether or not it needs it. I'm just laying it out there for people to look at. You can bring up any other amendments you'd like to look at other spending. I'm OK with that. But that, the intent was just to talk about it on the floor. And I think all of you are kind of jumping up and doing that and I appreciate it. It says what you're doing with it. Senator Lathrop, you described the need for that. We need to hear that. But I did never intend that this was-- this is one-time money. This does not fix our property tax problem. That was not my intent. Thank you, Mr. President.

HUGHES: Thank you, Senator Friesen. Returning to discussion, those in the queue are Senators Williams, Groene and Howard. Senator Williams, you are recognized.

WILLIAMS: Thank you, Mr. President. And good morning, colleagues. And I stand in opposition to the Friesen amendment for many reasons. First of all, I would like to thank the Appropriations Committee and Chairman Stinner for their hard work in having many hearings on lots of difficult topics and working through those in a systematic way. As the committee chair of the Banking, Commerce and Insurance Committee, that's what we do there. We believe that our committee works hard. We are the experts in those areas. And I believe the Appropriations Committee does that also. When I look at provider rates, we talked about nursing homes yesterday, the importance of that. Thinking about workforce development. I also sit on HHS, and I recognize the needs there and the portions of this budget the, the Appropriations built in some modest increases there that are certainly nec-- necessary in the Corrections issues. I don't think it is bad to

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discuss these things at all. But at the same time, I think we have to be realistic about the future. We certainly live in uncertain times, but I would also say there are great opportunities in these difficult times that we need to continue to be smart about. One that Senator Friesen singled out is a bill of mine, LB773 that is included in the appropriations bill, \$10 million to continue the extremely successful workforce housing grant program. In 2017, this body passed LB518 and used what was \$7.1 million of state money. That \$7.1 million investment, and I will clearly use that term, turned into nearly \$100 million of brick and mortar, building over 570 housing units in the state of Nebraska, helping to address a critical need that we have in growing our state is the lack of middle-income housing. LB773 incorporated into the appropriations budget allocates another \$10 million. We had over twice as many applications the first go round as we were able to fill. Think about that \$100 million and how much sales tax was raised for this state by the purchase of the materials for those homes and apartments. Think about the income tax that was paid by the people that sold the products, developed the land, did all those kind of things. And as equally important, think about that we now have \$100 million of property on the tax rolls in our state. If that doesn't address the property tax issue, I don't know what does. So I would argue strenuously that this inclusion of the \$10 million as an investment into this for the future makes a great deal of sense, along with the other items that the Appropriations Committee has worked so hard to put. Again, we have uncertain times. It is difficult. The Appropriations Committee has adjusted their budget. The Forecasting Board has given us their best shot at what's going to happen in the future, and it's up to us to make those difficult decisions. But I've never seen that shutting off the spigot continues to grow anything. We have to be mindful--

HUGHES: One minute.

WILLIAMS: --of the expenses that we get-- that we allocate, that the dollars that we allocate. But it's not time to hang up a "we're closed for business" sign on everything. Many of these expenditures, as Senator Stinner noted, are for very necessary things that this state needs to continue to step up and fund at an appropriate level. Again, I stand in opposition to the amendment and in support of the appropriations underlying budget. Thank you, Mr. President.

HUGHES: Thank you, Senator Williams. Senator Groene, you're recognized.

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GROENE: Thank you, Mr. President. I stand in support of AM3185. We have a budget process. During that process, this body works with the Executive Branch on funding for Executive Branch departments. We did that two years ago. The Executive Branch did not ask for any of these HHS funding. We all came to agreement a year ago that we would adequately fund HHS Department. And we did. Why now do we have these adjustments? We also have a Speaker directive that we do not proceed with bills that have an A bill. Apparently that does not apply to the Appropriations Committee. I really do appreciate the Chair of the Appropriations Committee outlining these and show these bills that came to his committee that they funded. Do you understand they can do a bill without an A bill, basically, because it just goes directly to them? They not only vote on the bill, they vote right away to spend it and add it into the budget. We do not get to do that. Got a problem with these A bills going directly to the Appropriations Committee because now we have 5 people can make that decision, not 49, majority of the Appropriations Committee. We're being told that things have changed, and indeed they have. The Forecasting Board has predicted that over the next three years-- this fiscal year, this fiscal year is going to take the biggest hit. Senator Bolz said this isn't CARES money that's got to be spent this year, this money will be spent this year. In the three-year forecasting, it's this year where the funds are lowest, a negative even. But yet this is additional spending. Governor didn't ask for it. Now, folks out there, this isn't new funding where we start with a goose egg at zero. Millions of dollars have already been appropriated to each of these programs. And we did it in process, in the budget process. Yes, there are times we need to adjust the budget. Perfect example is the flood money, emergency money. We needed that. Another perfect example is the pay raise for the prison guards. But you know what's nice about both those? The Executive Branch and the Legislature agreed on those. They both agreed. Collegiality, you talk about me? The individuals who introduced these bills to the Appropriations Committee, did they sit down with HHS, did they sit down with the Governor and negotiate? No. The powerful position on the Appropriations Committee, where they have 20 percent of the votes they need right away and they get their appropriation bill. You and I don't get ours, because we listen to the Speaker. Everybody follows it. The Education Committee, Telecommunications, Agriculture, but not the Appropriations Committee. They get to spend the money. Especially if they spent money, they ask me as Education Chair to take away from our schools, \$25 million. And

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it matches exactly what they spent. And those people who voted for that, boy, they tell me they're big proponents of public education.

LINDSTROM: One minute.

GROENE: But they took the money away, asked me to do it. And I did it. The committee voted it on Education Committee. We were told we didn't have the money. So we thought education would sacrifice. But no, that wasn't the case. Appropriations Committee had better ideas. Now you tell the schools that you took that money away because you had something better to do with it. Adjust budgets that the Governor didn't agree to, we didn't agree to. But you stick in an \$11 billion bill that we have a hard time saying no to. That's not right. That's not good process. Thank you.

LINDSTROM: Thank you, Senator Groene. Senator Howard, you're recognized.

HOWARD: Thank you, Mr. President. Good morning, colleagues. I am in vehement opposition to AM3185. I'm just about as mad as I usually get when people try to take money out of the Health Care Cash Fund. But there are two pieces that I think, Senator Friesen, I doubt your intention was as such. But one of them, I'll, I'll do the two pieces where I think they actually cause harm to our General Fund. And so I'll start with the developmental disabilities rate methodology. So federally, we were required to reassess our rates, and for Health and Human Services members, we had some closed-door meetings with Courtney Miller where she went over our rate methodology with us. We were required by the feds to look at the rates that we were already paying DD providers. And once we concluded that rate methodology, we were subsequently provided by the fed-- required by the federal government to meet that rate methodology. If we don't meet that rate methodology, we actually have to return about 5 percent of the funds that we have already received. So if we don't fund the rate methodology, not only will our providers not be getting paid enough, but we will actually have to take money out of the General Fund that we have already received as part of our match in DD. So that, incidentally, causes more harm to our General Fund by not meeting the rate methodology for developmental disabilities. I'm certain Senator Friesen didn't mean to put in an amendment that would harm our General Fund and cost us more money and cause harm to people with disabilities. But I think that's because, you know, this is a new area for Senator Friesen, obviously. The other piece of this that I want to just note is the Children's Health Insurance Program. Our CHIP program is different than Medicaid.

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So for every dollar that we spend in Medicaid, we get about 54, 57 cents back. For every dollar that we spend for children's health insurance, right now, we get 80 cents back. So if we don't expend the funds in Children's Health Insurance Program, we will be missing out on over \$3 million from the federal government that's already been set aside for kids in the state of Nebraska, already been set aside. So those are, I think, the two where I think we would have sort of a fiscal challenge in the future if we decided to move forward with this amendment. But I retain my vehement opposition. I want to talk about the child-- I'll do the child advocacy centers. And if I have time, I'll talk about healthcare overall and COVID. Child advocacy centers do the forensic interviews after a child has been sexually assaulted or sexually abused. Unfortunately, in this state, we have an increase in children who are experiencing this. So our CACs are our frontline for helping kids tell us their story because it's easier for them to be in a place where they feel safe to tell us about the worst experience they will hopefully ever have in their lives. And so when you take money away from the CACs, they don't have the staffing, they don't have the medical expert who can be there to do the sexual assault kit for that child. They don't have the worker, the therapist who can sit in the room. They don't have the person who can work with that kid who has had a horrific experience. So \$250,000 seems like a small price to pay to make sure that that child who has been molested and abused has the opportunity to feel safe. So I'll talk about health centers, and then if I have time, I'll talk about public health. Our federally qualified health centers ended up being on the frontline of COVID. And I think about OneWorld because I used to work there, but also because all I heard from my previous colleagues there was that--

LINDSTROM: One minute.

HOWARD: --you've got to see what we are doing. I'll put my light on again. You've got to see what we're dealing with. We are dealing with a positivity rate of over 50 percent. And we are doing as many tests as we can possibly do because these folks that we work with don't have computers, don't speak English, don't want to go to TestNebraska, can't get online. And so we're doing all of those tests. They received additional COVID funds, but not enough for what the state of Nebraska was demanding of them to make sure that we understood the infection rates in south Omaha, that we understood the infection rates in our meatpacking plants, which are extremely dangerous because we don't know how COVID is transmitted. And so when you think about the federally qualified health centers, there's one out there-- there are

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seven all over the state. Five hundred thousand dollars seems a small price to pay to make sure that they can continue providing services to people who are uninsured and making sure that the work that needs to continue for COVID continues on. On my next time on the mike, I'm going to talk about the public health departments because we have a lot to discuss there. Our positivity rate has--

LINDSTROM: Time, Senator.

HOWARD: Thank you, Mr. President.

LINDSTROM: Thank you, Senator Howard. Senator Wishart, you are recognized.

WISHART: Thank you, Mr. President. Colleagues, I rise in strong opposition to this amendment and in support of LB1008. I think most of you know me, I tend to be a pretty cool cucumber. In fact, when I get my temperature taken every day, I run at a cool 97 degrees. Tell you, if you took my temperature right now, I'd be well over 100 degrees. There is a theme that runs through this amendment that is very disappointing to me. It is a theme where we're going to balance our budget on the backs of victims of sexual assault and violence. And that's abhorrent to me that we would even consider passing an amendment to do that. Senator Howard eloquently discussed the appropriations that we're giving to the child advocacy centers, the front line for kids and the voice for kids who have, who have experienced sexual assault that we can't even imagine. And none of you sat through the hearings or have to-- or probably few of you have toured one of these centers and seen the incredible work that they do to support children in Nebraska. The other issue that is very important to me is the bill I brought. And you can ask any member of the Appropriations Committee, I fought hard for this bill to be in this budget. It's \$250,000, \$250,000 that we would look at cut-- cutting that go to help us end a backlog of sexual assault evidence kits, kits that exist in our state. And it-- so it addresses two issues. The first is that our state, we have a large number of old, untested sexual assault kits that were not previously submit-- submitted to the state crime lab for testing. And two, we have a 12-month delay, a 12-month delay right now in our state in processing sexual assault kits for recent and prospective sexual assaults at the crime lab. And actually, by the time since I've introduced this bill and since it's gotten here today, we're now at a 13-month backlog. We're growing in terms of the time it is taking for a victim of sexual assault to get evidence to the crime lab processed so that our law

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enforcement agents can track down the perpetrator and bring some level of comfort to that victim. Jurisdictions across the country have taken action to test all sexual assault kits and have found staggering rates of serial offenders. In a county in Ohio, they tested over 7,000 kits, resulting in the identification of 838 serial offenders. One rapist had been linked to 17 victims. In Detroit, they tested over 11,000 untested kits, resulting in the identification of 824 serial rapists. The Wayne County prosecutor's office has obtained 211 convictions, and DNA from the testing of these kits has been linked to crimes committed in 40 states and Washington, D.C. If you sat through this hearing, you would have seen testimony from law enforcement, from women's funds, from organizations that support us getting on track so we make sure that we are a state that prioritizes public safety. The crime lab has worked with law enforcement agencies across the state to create a process for tech-- for testing approximately 2,000 kits. The crime lab obtained a one-time federal grant to test these kits, which ends at the end of 2020 and cannot be renewed. This \$250,000 will allow them to keep going at the rate that they currently have been going so that we make sure we don't continue to fall further and further behind in providing justice to victims--

LINDSTROM: One minute.

WISHART: --of sexual assault. Colleagues, I find the statements that the appropriations process is unfair as completely not true. I sit in the Appropriations Committee. I have had senators come to me like Senator Gragert and articulate why their legislation needs to be incorporated in our budget. Any of you are welcome to talk to me. And frankly, few of you have. I remember several years ago Senator Slama came to me. She had a very important issue for her district at the last minute that came up and needed to be put into our budget. And she clearly articulated why it needed to be put in our budget. And we fought for that in Appropriations Committee and we made it happen. So if any of you are feeling like you've been left out of this process, I would first point the fingers at yourselves and say, have you clearly articulated and talked to the Appropriations Committee about the importance of issues in your district?

LINDSTROM: Time, Senator.

WISHART: Thank you.

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LINDSTROM: Thank you, Senator Wishart. Senator Cavanaugh, you're recognized.

CAVANAUGH: Thank you, Mr. President. I rise in opposition to Senator Friesen's amendment and in support of the underlying bill. This is in complete contrast and contrary to what I was trying to achieve with our CARES Act dollars. We have a vulnerable population in the state. We have multiple vulnerable populations in this state. And this bill-- this amendment seems to galvanize the state's support of those populations. And I am disheartened that we are having this conversation now. The developmental disability aid, cutting that by \$3.7 million because of the rate increase, our, our developmental disability providers have been struggling for a very long time. And now with the accommodations that need to be made because of COVID, this is-- it's going to be even harder for them to provide the necessary services. So I have a lot of thoughts on, on this, but I, I would like to hear more from Senator Bolz. And so I will yield her the remainder of my time, if she would like it.

LINDSTROM: Senator Bolz, 3:45.

BOLZ: Thank you, Mr. President. And thank you, Senator Cavanaugh. I want to address a couple of things going on on the floor this morning. The first is Senator Moser, who has passed out a sheet of bills from the Appropriations Committee that are included in LB1008. I do, as, as an eight-year member of this body, I do want to take a step back and a deep breath and say I think it's in the best interests of this body and of our state if, if we give each other the benefit of the doubt in terms of trying to work our committees with thoughtfulness and integrity. Certainly I have brought bills to the Appropriations Committee and worked to get them funded. The same is true that there have been pieces of legislation that I have brought forward and cared passionately about and had to cut in difficult economic times. In fact, Senator Watermeier and I both did that when we served on Appropriations a couple of years ago, cutting the Master Teacher Program and the Microsoft skills programs. We did that because it was the-- it was the least harmful strategy to try to get to a balanced budget. So we've done that on both sides of the ledger. And Senator Moser, I would just like to say with a little-- to articulate what is true, every bill that you have brought to this Legislature, you have brought to a committee on which you serve. You've introduced three bills, all of which go to Natural Resources. You serve on that committee. So I think we should respect one another's expertise. I

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will cross-check, but I believe that one of those bills passed and I believe that I voted for it, because we do need to give each other the benefit of the doubt in terms of respecting that we have expertise, experience, and background on the committees in which we serve. And sometimes we are best positioned to move those pieces of legislation forward. Two of the bills that I have brought to this committee and that are part of this budget and would be stricken in this amendment are actually not bills that are, are related to a, a policy proposal that I personally brought. They're actually related to the rate methodologies that are used by our Department of Health and Human Services. As Senator Howard so eloquently articulated, the Department of Health and Human Services sets a rate methodology, and it's only appropriate that Senator Hilkemann brought the bill to fund that methodology. Similarly, the funds that are in this bill related to mental health are trying to right-size the rates for mental health based on the rate methodology--

LINDSTROM: One minute.

BOLZ: --that the Department of Behavioral Health utilizes. We're not even fully funding that rate methodology. We are addressing the rates that are most disproportionate, the rates that are 15 percent or more out, out of balance. So I want the body to understand that these initiatives aren't simply about what "Senator Smith" or "Senator Jones" or "Senator Whoever" would like to see. They are thoughtful proposals and they are built on fiscal analysis that have a grounding not only in what senators understand, but in what the providers and communities are working with and with what the Department of Health and Human Services deems fair. So I would encourage the body to dig into the budget bill and have a depth of understanding about why we bring what we bring and take a look at those rates. Sometimes folks are being paid less--

LINDSTROM: Time, Senator.

BOLZ: --than individuals and in fast food. So thank you, Mr. President.

LINDSTROM: Thank you, Senators Cavanaugh and Bolz. Senator Clements, you're recognized.

CLEMENTS: Thank you, Mr. President. I'm gonna stand in support of the amendment. I was not part of-- I wasn't involved in picking the items that were in this amendment. And I may not have picked all those,

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probably would have picked some different ones. Appreciate the comments, people who are defending certain items that they feel strongly about. But the, the budget we have was that-- adopted in 2019 is a two-year budget through this fiscal year. The amendment does not eliminate funding for the programs that are mentioned, it keeps them level at 2019 amounts. And the Appropriation members, we do try to prioritize spending as the majority of the members in the committee see fit. And I think it's good for all senators in the Legislature to have some input in the budget. And we've-- I know I've had some comments that people don't feel like they have input. I do thank Senator Stinner for putting the significant increases on page 16, make it very transparent. It is good that they're able to see, rather than having to dig through the budget and be able to see what those changes were. But there was plenty of money in March when we were putting these items together and now there isn't. And so I think some reduction in new spending is reasonable. And I appreciate the comments people have had. And I am planning to vote yes, and maybe we can fine tune it further after this. And I'd like to yield the rest of my time to Senator Friesen.

LINDSTROM: Senator Friesen, 3:00.

FRIESEN: Thank you, Senator Clements. So I, I've appreciated everybody getting up and talking about their expenditures. One thing I want everyone also to keep in mind is that we built a biennial budget last year that funded all of these programs. And over that time frame, either they have become more important this year and have to add money to them or we intentionally funded them low last year and now we're just bringing them up to where they should be. I can't answer that. But I think we're having a good discussion on these items. I'm not taking offense anywhere; it's a good, healthy discussion. But we did fund all these things in our biennial budget and now we're adding to that because either it must not have been important enough last year to add the right amount or we're just trying to add to it this year. Again, when we're talking about we're, we're in a period now where we're short of revenue, and at the same time we're giving up close to \$200 million in the Advantage Act this year. We're talking about giving away \$100 million in the new LB720. And yet everybody says we don't have enough funding for this and for that. And at the same time, it's a little bit hypocritical to give away money. If that's our highest priority, then so be it. But everybody talks about how important this is. And it needs to be addressed, and we're having a good conversation on that. We're going to talk about the CARES Act

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decoupling from the federal tax code here in the next few days. If we get that out of committee, we're going to bring that to the floor. Do we do any kind of tax cuts and help stimulate our businesses that have been hurting? Or do we keep our-- decouple our tax code to give us more revenue to fund--

LINDSTROM: One minute.

FRIESEN: --things that are important to us? Those are discussions we're all going to have yet. But I thought that this was important to discuss our spending. And if anybody wants to add to this list, I'd be more than happy to talk about it. But again, it is-- it is not under these conditions we're operating in recently what I would call fair amongst all the committees. Because people can bring me bills, too, that have an A bill, but I can't get them anywheres. But if I'm on Appropriations, I can take them and work them in. But the other committees are not allowed to do that. We can't bring A bills. So, again, I'm-- I've no problem with that. We're operating under the rules we are. And I'm just wanting to point it out and have that discussion. And I think that's what's important about this, is to have that discussion because all the other committee processes work the same. And eventually it gets to the floor and we all get to talk about each individual bill.

LINDSTROM: Time, Senator.

FRIESEN: Thank you, Mr. President.

LINDSTROM: Thank you, Senators Clements and Friesen. Senator Vargas, you're recognized.

VARGAS: Thank you very much, President. OK, I'm just pulling up a list here. So what a morning. OK. So, you know, here's one thing I want to make sure that's really clear. Senator Friesen, I understand what, what, what point you're trying to make and, you know, that are you using the word fair or fairness? And I think that's, that, that's the hard part about this. I don't want anybody to get-- misconstrue the following, which is if you are making and bringing a bill and it's neither changing law that is eliminating some provision or regulation or adding some regulation or you're initiating a new program, then it's going to get referenced to a subject matter-specific committee. And that committee will then take up and it will have-- and if it has a cost, it will obviously have an A bill and then we'll be debating those, those new changes here on the floor. And as a reminder, and I'm

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more saying this for a point of education for everybody, any, any time we're referencing, and Executive Board knows this, when we're referencing bills our, our our primary look at when we reference bills to Appropriations is pretty much are we adding bills to an existing agency or division? That's-- and when we do, like, for example, when we're adding funding for, let's say, child welfare program, then it will come to Appropriations because we're not dealing in sort of a policy realm, we're just dealing with whether or not it's being appropriated or not. So I just wanted to make it really clear, because, you know, when we're taking up a bill that's in Appropriations, it is-- it is an addition or a reduction or of some sort to a program or an existing agency and something that's already been in full operation. So, for example, like, you know, Senator Williams has mentioned his rural workforce housing. And I commend, you know, Senator Wayne has carried a lot of water on talking about middle, middle-income workforce housing. This is, this is good. There's a reason why we just can't appropriate money to urban workforce housing, there is not an urban workforce housing or middle-income housing program. We can't do it. It's why it has to go through the deliberative process and why we have to talk about it here. So this is a reminder, because what we're really talking about is if a committee of nine that is geographically balanced and the intent is that it represents enough balance that we can have a thoughtful discourse and conversation and put together a budget that represents not only recommendations that we receive from the Governor and the Executive Branch, but also represents what I believe is an appropriate step forward for our state in investing in what our needs are and also in what some of the needs are for the state. You know, people mentioned provider rates, that's not something-- that is based on studies from DHHS. People have mentioned, you know, I've mentioned public health and I've been advocating for it because they have been pushed to the brink with flooding and now are pushed to the brink with COVID-19. You know, we've mentioned federal qual-- federally qualified health centers. And that's because when people are uninsured, they have a long-term cost to our state. And we're trying to figure out a way to then make strategic investments. And even when we're talking about rural workforce housing, the economic impact of workforce housing, either urban or rural--

LINDSTROM: One minute.

VARGAS: --is substantial to our state in terms of investments. All of these can be tied to some level of cost-savings or investments. I've

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said this on the mike before. These are not superfluous, you know, fleeting issues. We have brought in agencies and entities to then be able to testify, pro or con on this and no different from any of the other committees. But one difference is the historical knowledge of, of what we are debating and how much we have spent and growth and how things have been cut and, and, and been-- we've been saving in our first two years here. This is a prudent step to ensure that we are growing our state and protecting our most vulnerable in a time where we need every individual possible to be in our workforce. So I say that because it's not as easy as saying that this is maybe unfair or we're spending--

LINDSTROM: Time, Senator.

VARGAS: Thank you.

LINDSTROM: Thank you, Senator Vargas. Senator McCollister, you're recognized.

McCOLLISTER: Thank you, Mr. President. Good morning, colleagues. The words of Senator Friesen, Erdman, Halloran and Clements, I've heard those words before. In fact, I used those very similar words in my campaign for in-- for this body in 2014. However, once you get to the body and go through the budget in some detail you, you learn that those cuts that they propose, those cuts actually hurt people: special purpose courts, mental health providers, community healthcare centers, people on the lowest rung of the ladder. They're the ones who get hurt. But I understand that message because in 2000-- in 1980, when the farm crisis occurred in our company, we had to cut a third of the budget in order to stay viable. When interest rates were 15, 16 percent and a lot of the people we were doing business with ran out of business, went out of business, yeah, we felt that, that effort-- or that particular situation in spades. Now, are we-- do we have an analogous situation here no-- here now? No. We've done a good job, I think, managing the budget. And Senator Stinner has done a good job of describing that situation where we've kept the, kept the budget at an increase of something around 3 percent. Senator Linehan will tell you that the budget increases or at least state revenues increase by 4.7 percent. So you would think over time that that difference between the 3 percent and that 4.7 that we could generate money for property tax. And matter of fact, we have \$275 million in the property tax relief fund. So our efforts have resulted in help for our taxpayers. I think we need to be judicious in some-- in the way we go about this particular effort. And I therefore am against the amendment and will

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support the budget. Thank you, Mr. President. I relinquish the balance of my time to Senator Howard.

LINDSTROM: Did you say Senator Howard, Senator?

McCOLLISTER: Yes.

LINDSTROM: Senator Howard, 2:30.

HOWARD: Fantastic. Thank you, Mr. President. My last time on the mike, I didn't get to talk about our public health departments. And I want to just take a minute and talk a little bit about them and the funding that they would be receiving or would not be receiving, according to AM3185. I will reiterate my full opposition to AM3185. So our public health departments in this state are actually quite new. We have one of the youngest public health infrastructures in the country, and public health departments impact every single county in our state. And so \$1.5 million for infrastructure and general funding is actually quite reasonable because they've already been underfunded for a consistently long amount of time. In addition to all of their regular duties as part of COVID, they have been conducting our contact tracing, our technical assistance for schools, for organizations, for events. Any county that wants to have a fair should, should and is talking to their public health department. That's not something that was in their original job description. And they're also doing all of our data monitoring. So when you look at our, our data sheet on DHHS's website, a lot of those numbers are coming from our public health departments. That's the only way that we have an accurate representation of how COVID has really infiltrated our state. I would also note for the record that it sends a terrible message for us to essentially underfund our public health departments in the middle of a pandemic. Over the past three weeks, our positivity rate has been consistently--

LINDSTROM: One minute.

HOWARD: --going up in this state, and I'm not sure if people are recognizing. We talk about surges in Douglas County. We talk about surges in Lincoln, Lancaster County, but that positivity rate is consistently going up across the state in almost every county. The only county of note where we've had a decrease is in Dakota County where they went from 52 percent to 44 percent. And you shouldn't be bragging about that because the average positivity rate is around 11 percent. So they just went down in double digits, but they didn't go

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down in actual cases. And so I think our public health departments are our, are our backbone and our first line when we're fighting COVID. And so to underfund them, to defund them seems incredibly ill-advised at this time. Thank you, Mr. President.

LINDSTROM: Thank you, Senators McCollister and Howard. Senator Wayne, you're recognized.

WAYNE: Thank you, Mr. President. I do think this amendment goes too far. But what's being ignored is that 40 percent, 41 percent of what Friesen is proposing to cut is rural for-- rural workforce housing out of his total cut, \$10 million. We continue to ignore that issue. And for those who are at home, I'm just going to be transparent with you. This is all about, this budget is all about LB720. This is all about property tax relief. This is all a game being negotiated by six people. Not understanding that those six people, and I hope the Speaker and everybody on this is listening, those six people don't represent my community. And in fact, the people in the room negotiating don't come from my community. And if they think they're going to bring a certain number of people to the table, then that leaves me with the same choice that Senator Chambers always reminds me of. Time is your friend. And there are bills, two of them which are mine, that we can go the full distance even though I support them. I am tired of backroom deals instead of having a full conversation. We can allocate \$10 million, but we want to argue about special needs and those kind of things to workforce housing when on the floor that was supposed to be a one-time deal? Senator Vargas is correct. We can't put the money into Urban because they killed Senator Vargas's bill because it would have cost \$10 million. The six is not even diverse. It's the same problem we've been having for the last hundred years in Nebraska. And it's a shame. So the Dems who are in the room thinking they're bringing Dems on board, it's not going to happen. Any moderate Republicans out there? Not gonna happen. We're assigning values in appropriation, an actual number to each bill and to what we're doing with this money. But this extra spend of \$24 million is one-sided. And if we could have a bigger conversation about property tax relief-- yes, Omaha suffers from property tax problems too, but I'm not a get along get along where you're just gonna tell me how to vote. I knocked on too many doors to do that. So the "sacred six" who are negotiating, time's up. You've had all session to figure this out. I'm disgusted with how we've acted when we got back here and then this deal. We have bills that are still on the floor and we're supposed to end at 5:00 every day. Well, we can get one or two bills done a day, if that. And

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I know Senator Chambers is watching downstairs and he'll come up, and this will be the last 12 days and we're gonna have fun--

LINDSTROM: One minute.

WAYNE: --because he ain't never got to do it with somebody. He never had a teammate to sit here and just do this all day. When I have an African-American Commission so the Governor can have a direct link to the African-American community and I'm having a hard time moving it because it costs \$250,000, I'm supposed to just sit back and say, OK? Well, we can spend \$10 million, \$18 million over three years for workforce housing because of a backroom deal. All bets are off. African-American Commission is sitting out of committee, it costs \$250,000, and I'm having a hard time bringing it to the floor. But we can spend \$10 million to build more housing when my community is not even represented to the Governor right now.

LINDSTROM: Time, Senator. Thank you, Senator Wayne. Senator Bolz, you are recognized.

BOLZ: Thank you, Mr. President. I wanted to briefly address some of the comments about committees not having an opportunity to bring A bills to the floor. I share that frustration. I've worked on policy proposals for years in this body that haven't had their, their moment on the floor because of our fiscal picture. And that's not easy. Senator Stinner will tell you that the year that we had to bring two budgets to cut enough dollars to balance our budget was particularly painful. So that, that approach affects all of us equally. I would like to remind the body that before we went to recess, we left \$133 million for the floor, there's still \$90 million for the floor. So cutting these proposals that for the most part are investments in programs that already exist, are making right programs that already exist doesn't make any sense in a year where we do have resources on the floor that we can use per our choices. The other point that I would mention is if you are concerned about your spending, and that's appropriate, I affirm that. That's absolutely correct. We've got a \$400 million hole to fill next year. If that's your concern, the appropriate-- let me say that differently-- an appropriate response might be to put those dollars in the Cash Reserve, to save them for future years when our outlook is less sunny. So I just want to reiterate to the floor that we not only left resources for the floor before coronavirus, but resources remain on the floor post coronavirus. And if you are concerned about expenditures in the out-years, I would encourage you to consider whether or not we should

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put those dollars in the Cash Reserve or leave them alone and, and have them there for future use. And with that, I will yield the remainder of my time to Senator Stinner.

LINDSTROM: Senator Stinner, 3:00.

STINNER: Thank you, Senator Bolz. I guess I was looking at this particular handout, the Senator Moser's. It, it doesn't work this way, folks, I know that Education thinks they're put upon, that this is a tit for tat. It doesn't work that way. We actually brought-- at, at the outset, we brought \$133 million. So that was all you could say. That was part of this \$133 we brought to the floor. Now it's \$90, you can say it's part of the \$90. So I know Education likes to say, oh gosh, you know, we, we gave Appropriations \$25 million so therefore they spent \$25 million. Doesn't work that way. The last piece of my puzzle on the budget side is going to education and trying to figure out how we fit this all together. So far, I think that's worked pretty well since I've been Chair. Senator Groene and I have talked it over and sometimes I asked for 50 and he said, well, I can do this. And so then we just kind of compromise. But a tit for tat, this is where Appropriations got the money was out of Education or the changes associated with recertification or more dollars coming in from the insurance tax side of things. That's where the changes are that you see. The Governor comes in before certified budget, certified budget then we tried it up-- you true it up once again for this bi-- part of the biennium due to your actual collections. So it can go plus or minus depending on what those adjustments are. Just wanted to clarify that. And the other thing I do want to point out is, we are dealing with estimates and I get the fact that, that we're doing the best we can, and I get the fact we have that deficit. I'm concerned about it. I'm probably--

LINDSTROM: One minute.

STINNER: --more concerned than anybody else here. So to say that I'm going to stand up here and, you know, beat, beat on the table to spend more money, that's not my style. So anyway, I would hope that you would vote, vote red on this amendment. Let's get the budget passed, let's get it to the Governor. Thank you.

LINDSTROM: Thank you, Senators Bolz and Stinner. Senator Friesen, you're recognized.

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FRIESEN: Thank you, Mr. President. So I think we've, I think we've had a pretty good discussion here. A few more points, I guess I just want to make in listening to the different conversations is, you know, I know any of the COVID expenses that any of the agencies incurred or any of the health centers all can be giving funds through the Governor's COVID fund yet. That's why he's holding so much. So I guess if there's a need at OneWorld for more testing and more dollars, I do think that avenue is there for him to still disburse funds, especially COVID-related funds. That shouldn't be a problem. And I guess I want to reiterate, these are not cuts. These are stopping increases in spending. Everybody's tried to frame this as we're cutting programs. We're not cutting programs. We're cutting the extra funding that's proposed to put into these programs. They were all, I assume, budgeted last year in our biennial budget, and now we're trying to make them a little larger. So, again, I just want to clarify some statements on the floor. I don't believe these are cuts to programs. These are just not going to increase these budget items. Again, there were, there were some savings. And I think Senator Stinner touched on it a little bit about the savings we had in the TEEOSA where increased valuations that are happening right now, and in cities across the state that we got commercial and residential properties jumping in value. And this is exactly what happened to ag 10 years ago. And I do feel their pain, I felt it five years ago. And I think we need to fix how we fund K-12 education. And it should be one of our priorities because it is going to get more painful as those housing values shoot up and commercial properties. I have again heard of huge increases in Hall County and other counties. So it's coming and it's just going to get worse. Ag land, the values are trending to flat, but I think they did go up a little bit this year. So their, their decline is probably over. Appreciate, I guess, the conversation we've had, because the first budget I ever sat through in this body, we had about probably a total of three hours' discussion on the budget. It has improved a lot, and I do thank the Appropriations Committee for how they presented their budget. And I will still make the case that when we don't bring money to the floor or allow this process to happen, it is not fair that some people can't bring an appropriations bill to the floor and others can. With that, I will withdraw my motion, my amendment. Thank you, Mr. President.

LINDSTROM: Without objection, the motion is withdrawn. Mr. Clerk, you have a motion on the desk.

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CLERK: Mr. President, I do. Speaker Scheer would move to invoke cloture pursuant to Rule 7, Section 10.

LINDSTROM: It is the ruling of the Chair that there has been full and fair debate afforded to LB1008. Speaker Scheer, for what purpose do you rise?

SCHEER: I rise for a call of the house, please. And a machine vote is fine on cloture. Thank you.

LINDSTROM: 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; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 30 aye-- 30 ayes, 1 nay, Mr. President, to place the house under call.

LINDSTROM: 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 Hunt, please return to the floor. The house is under call. Mr. Speaker.

SCHEER: You can go ahead and proceed, please.

LINDSTROM: Members, the first vote is the motion to invoke cloture. The Speaker has requested a machine vote. All those in favor vote aye; all those opposed vote nay. Have you all voted that care to?

CLERK: I'm sorry, Senator Morfeld, voting yes. Senator Slama, voting yes.

LINDSTROM: Record, Mr. Clerk.

CLERK: 40 ayes, 7 nays, Mr. President, to invoke closure.

LINDSTROM: The motion is adopted. The next vote is on the advancement of LB1008. All those in favor say aye. Those opposed say nay. LB1008 is advanced. Next bill, Mr. Clerk.

CLERK: Mr. President, may I read some items first?

LINDSTROM: You may.

CLERK: Thank you.

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LINDSTROM: Raise the call.

CLERK: Thank you, Mr. President. Mr. President, some study resolutions. Well, first of all, confirmation reports from the Health and Human Services Committee, those signed by Senator Howard. A study resolution, Senator Cavanaugh, LR441; Senator Vargas, LR442, that will be laid over; and LR443, laid over; LR444, laid over, all by Vargas; Stinner, study resolution, LR445; Hughes, LR446; Vargas, LR447, that will be laid over; LR448, Vargas, laid over; LR449 study; LR450 study, those by Senator Vargas; LR451, Vargas, laid over; Vargas, LR452 study; Geist, LR453 study. That's all that I had, Mr. President.

LINDSTROM: Thank you, Mr. Clerk.

CLERK: Mr. President, next bill, LB1009. I have Enrollment and Review amendments, first of all, Senator Slama.

LINDSTROM: Senator Slama for a motion.

SLAMA: Mr. President, I move that the E&R amendments to LB1009 be adopted.

LINDSTROM: The question is the adoption of the E&R amendments to LB1009. All those in favor say aye. All those opposed say nay. The amendments are adopted.

CLERK: Senator Stinner, as Chairman of the Appropriations Committee, would move to amend with AM3120.

LINDSTROM: Senator Stinner, you're welcome to open on AM3120.

STINNER: Thank you, Mr. President. Members of the Legislature, AM3120 transfers excess cash from the Governor's emergency cash fund back to the Cash Reserve, known as the rainy day fund. LB1198, enacted in March, transferred \$83.6 million from the Cash Reserve fund to the Governor's emergency cash fund to cover costs related to the COVID-19 outbreak. Subsequent to that, the state received \$1.1 billion from the federal government through the CARES Act, which could be used for similar projects. Through fiscal year '19-20, they had expended \$18.6 million, with \$2.5 million of encumbrances, leaving a balance of \$62.5 million that has, that has been-- not been obligated. This amount could increase to over \$70 million as shifts in the cash to the federal funds continues into July. The committee amendment transfers \$60 million of the funds to the govern-- out of the Governor's emergency fund to the cash fund. This would leave roughly \$10 million

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in contingencies against expenditures. Actually, if we move \$60, it moves-- it keeps \$23 million as a contingency that can be carried over after the CARES Act at December 31. So the Governor would like to hold back \$10 million for contingencies. We're actually saying until that is reimbursed by the federal government, that \$18 million, we'll keep that in place. So I think that the Governor can execute what he needs to execute, certainly with the use of the federal funds. And then subsequently, if nothing else is passed, we'll have-- he'll have the opportunity to use these to bridge anything that we need to bridge, which will bring us back into session for the next biennium. With that, I would ask for your green vote.

LINDSTROM: Thank you, Senator-- Senator Stinner. Senator Wayne, you're recognized.

WAYNE: Thank you, Mr. President, so because we got this little glass plexiglass and, Senator Chambers, you're over, we're just gonna volley back and forth for a little bit, if that's all right. Let's just take us all the way to lunch and we'll start up again afterwards. This is not a indictment on the bill itself. I will probably support it. But the one thing I have is time and we're going to take time. And so to all my clients who are watching over lunch and after five or six, I will call you back and deal with your, your cases, because it looks like every day I'm going to be talking on the mike. I would like to ask Senator-- will Senator Stinner yield for a question?

LINDSTROM: Senator Stinner, would you yield, please?

STINNER: Yes, I will.

WAYNE: Senator Stinner, it's my understanding there's about \$90 million on the floor for bills, is that correct?

STINNER: Yes.

WAYNE: Thank you. So where I'm confused, if there is \$90 million on the floor for bills, then why are we not allowing bills with fiscal notes-- and it's not a question for you, Senator Stinner, this a rhetorical question. Thank you for your time, Senator Stinner. Then why are we not allowing bills to the floor that have a fiscal note? That's a great question for this body. If there is \$90 million on the floor, has all of that been decided it's going to property tax relief or going to LB720? I don't know, because I'm not in the room negotiating. But my community would like to know. My community would

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like to know why we can't have an African-American Commission because it costs \$250,000 when there is a Native American Commission, when there is a Hispanic Commission. And I can tell you that when we look at the history, African-Americans in Nebraska have suffered a lot. And I would think the Governor would want this commission as a way to bounce ideas and to talk directly to people who are represented by African or-- and from African-American communities as a way to have conversations, as a way to build community relations. For me, when I introduced a bill, what it was, was there was an equal opportunity commission a long time ago that served as that purpose. But over time, administration has decided to take the power that it was and to change it more into an equal opportunity commission where they now oversee EEO complaints and those type of things. So it transformed to not having the same purpose that it was when it was started in the late '60s. So that voice has been lost. And after reviewing the other commissions and watching them my first two years come and testify on different bills, I thought, well, why isn't there an African-American Commission? So we proposed one. Came out of committee unanimous. I did have a procurement requirement that they would do studies every day or at least every two years. And so there was a fiscal note above and beyond the \$250,000. I added an amendment to remove-- remove those studies. So all we're talking about is funding a basic agency. Now, this isn't my ask, my ask isn't give Justin \$250,000 and he'll be quiet, because this is larger than that. There are a lot of bills that I've seen come on this floor that died for a fiscal note. There are-- and that's been every year. I remember Senator Burke Harr had like proposed rule change the first year because he was so mad at the Fiscal Office. I'm not mad at the Fiscal Office. I think sometimes my fiscal notes are a little large. But how is there \$90 million on the floor but yet, Senator Pansing Brooks can't find \$67,000? How is there \$90 million on the floor when we cut \$20 million from public education? How is there \$90 million on the floor when we can't establish an urban workforce development middle, middle housing?

LINDSTROM: One minute.

WAYNE: I can-- I might do this, spend time going through each bill that was introduced, because that's a good way to take up some time. And looking at the fiscal note and saying, why is this such a good bill stuck in committee? Because it has a fiscal note. But there is \$90 million on the floor per Appropriations. Now, I know some of you want all that to go to property tax. I know some might want all of that to go to LB720. I don't know, because there's \$90 million on the

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floor and we have tons of bills that are not on the floor having that conversation. So we're going to have that conversation, we're going to force this conversation today, and we're going to force it the next 12 days we have. And if I continue to maybe get cut off or there's procedures, then we'll just start introducing motions to recess and sine die, because those are nondebatabile. And I can do a roll call vote. That means I will take at least 20 minutes, every hour--

LINDSTROM: Time, Senator.

WAYNE: --on a motion.

LINDSTROM: Thank you, Senator Wayne.

WAYNE: Thank you, Mr. President.

LINDSTROM: Thank you. Senator Chambers, you're recognized.

CHAMBERS: Thank you. Mr. President, members of the Legislature, now we have reached that point in the session. This place to me is like a Ku Klux Klan klavern. I watch what you white people support and I know the things you're not going to support. And I write for my own edification those who are gonna vote against and those who are gonna vote for, because you're in the Governor's pocket or the "Repelican" Party's pocket, but you're certainly not here on your own. Nobody would be that predictable. I did not want to use what I call the Chambers method, as long as Senator Wayne felt like he could talk to you all, reason with you, be logical, and obtain some things of value for the constituency he represents. I didn't want it to seem that I would stand in the way. Now, you all have pushed him across that line. You're nice, pretending to be nice. But what you really are always comes out. Another reason I hadn't embarked on this prior to now is because I won't be back after January. So I did not want to create an environment that would make it difficult for Senator Wayne and whoever takes my place to try to get along with you all. But it's not going to happen. I'm not boasting, but I can show you articles where white people like you all said I'm the most intelligent person who's been here. I know how to use the rules. Whenever you all have offered a rules change and you've done it over a dozen times, and I've got the articles, the people in the know say, those rules are not gonna stop me because you all are dumbbells. You can't think, I can. You act on emotion. But I know you. I know you better than you know yourselves. You don't have to know yourselves because you've always got a lot of help. As I've stated, white people's interests parallel. They overlap,

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they intersect. So some of you all get tired, there are others to carry on for you. And you're not required to live by your wits as I am, where I have to carry certain issues alone, year after year after year. And I've done it and I'll continue to do it while I'm here. But I'm not gonna make it difficult for those who are trying to do something. But when they are pushed over that line and see it themselves, for me, all bets are off. I don't have to do any thinking to keep up with you all. I don't have to run fast. I could keep us here till noon. Oh, we only got 30 minutes. Anybody could do that. And I'm not gonna tell you everything I'm going to do as I do it. But now I've been freed to start talking about how corrupt you all are when you have these elections. Certain women are to be respected by all of you all, and you're afraid to say anything. But another one who has done nothing, who has no taint of scandal about her, and you are watching her trampled into the dirt. You're watching her character assassinated. You all jumped up to defend Senator Slama, not one of you spoke for Ms. Plam-- Palmtag, who did nothing except have the gall to run for an office. You all know some of the things you came and told me about the one running against Ms. Palmtag. You all know it.

LINDSTROM: One minute.

CHAMBERS: So we're going to have these last 10 days, if this is the 50th day, a change, and I'm not going to let you know exactly what I'm going to do until I do it. Maybe most of the morning will go by and I won't say anything. Maybe I'll say something all morning, but it's up to me to determine how I will comport myself. Why are you all thinking that you can pass a rule to stop me? And you've never been able to do it. One that they thought was what they call the atomic option. The session ended before they could use it. Naturally, I spoke against it. When we came back the following January and were dealing with the rules, I made a motion to repeal it and the Legislature sensibly repealed it.

LINDSTROM: Time, Senator.

CHAMBERS: Thank you, Mr. President.

LINDSTROM: Thank you, Senator Chambers. Senator Bolz, you're recognized.

BOLZ: Thank you, Mr. President. Senator Wayne, I support your African-American Commission and appreciate your advocacy for that piece of legislation. And I understand your interest in having this

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conversation on the floor this morning. But since we are raising questions about the \$90 million on the floor and where we are at from a fiscal perspective, and since it's been promised that we'll be here until lunch, I'm going to use this opportunity to walk us back through the General Fund financial status. So, colleagues, if you'll look with me on line 29, I think it's worth reminding the body that we do have \$90 million on the floor for the current biennium, '20-21. But when you look to the out-biennium, 2022-23, we have a \$403 million deficit. So we do have money on the floor this year. But if you look to the next year, we also know that we have a shortfall that will be need-- need to be dealt with. And I wish you Godspeed as you deal with that shortfall next year, as I will be term-limited. I think it's also worth noting, line 36 is your ongoing revenues versus appropriations, sometimes referred to a structural balance. And in the far right columns, you'll see a shortfall of \$247 million and then \$339 million. In other words, your ongoing revenues coming in versus your expenditures, and you've got a shortfall there. The last line that I want to draw our attention to is at the very bottom, the very bottom line, the third column over, line 7 in the second box there is your projected unobligated ending balance, which is at \$382 million. In other words, your savings account, your Cash Reserve, which is significantly lower than when we left in March, is, if I'm remembering correctly, about 7.5 percent of your ongoing General Fund expenditures significantly below that advised 16 percent to weather an economic downturn. So certainly the conversation about the use of that \$90 million is an appropriate conversation. It's an appropriate question to ask why we would make certain decisions about bills on the floor. But I also would caution the body to not just look at line 29 and see that positive \$90 million number, but make sure you look at the rest of the numb-- numbers as well, including your significantly decreased Cash Reserve, your out-year shortfall, and your structural imbalance. So that is a quick refresher on your General Fund financial status. And I will, I will end it there and let Senator Wayne and others continue to discuss the issues on the floor. Thank you, Mr. President.

LINDSTROM: Thank you, Senator Bolz. Senator Wayne, you're recognized.

WAYNE: Thank you, Mr. President, and thank you, Senator Bolz, for that refresher. I do think it's important. I do understand that fiscally looking forward, we might have a little bit of issues that need to be corrected, which is all the more reason why I don't understand \$10 million going to rural workforce development for housing. And the reason why I feel like that's a thorn in my side is because the first

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year I remember Senator Albrecht and I having multiple conversations because I was either the 33rd or the 34th vote to get that over the hump. And I was told multiple times this was a one-time expenditure. We're just going to do it one time to make sure we boost this out there. And here we are less than my full term and we're back here again with another \$10 million. So \$8 million the first time, now we're doing \$10 million, that's \$18 million. But we just heard this financial outlook of, well, next year we might have problems. Well, I don't think we're being smart about that. So we'll continue to have those, those conversations. And I do just want to bring up a point that I think we missed yesterday in the debate. I think it had more to do with who introduced the amendment than actual the debate. Nebraska is on a second wave that's going to come sooner or later with COVID. And it isn't the hospital expenses necessarily that are going to drown this economy. It's the fact that you have to be down for 14 days with no work. You can't work. And oftentimes, if you get exposed again or somebody in your house, you're down for a month. We all know people right now who are missing work, who don't-- who can't work because they were exposed to COVID or even had it. So think about that. When you talk about the gap, the wealth gap and the communities that are going to get hit the hardest, this is not just Omaha. I passed out yesterday underneath my hub zones, the economic redevelopment areas. And let me tell you what that represents: 125 percent current, back when I did this, 125 percent of the state's average unemployment rate and 20 percent poverty. That's what these maps you saw yesterday represent. And they are across the state. And if those individuals have to miss two weeks of work, even if some people want to call it a bad flu, that's two weeks of no income, are most likely hourly people, and then they have a hospital bill on top of that. You think farming is struggling right now with bankruptcies? Wait till they get the hospital bill and they can't work their part-time job at the local grocery store. During the winters they can't truck, because from November they can't drive around because they're-- they, they can't operate the truck right now because of what they're on. There is a second wave. And according to what Senator Bolz just said, we should probably go back and look at this again. We should probably go back and put the \$10 million in our rainy day fund to make sure we have money going on later. Like we're ignoring that. We're saying it's just a bad flu and some other people are saying everything else. But the everyday impact of not being able to work on an hourly job is going to cause significant problems. Ask how long some of the colleagues around here or staff or friends of staff have been out of work. And if they weren't on a salary job, could they pay their rent? Could they pay

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their mortgage? Could they pay their small business? It's a drought season, as I heard in farm land. You add COVID to that, what are we gonna do? But there's \$90 million on the floor that's being negotiated by the "super seven."

LINDSTROM: One minute.

WAYNE: It was a seven, not six. I want to correct that. The "super seven." And by the way, nobody in the room looks like me as far as complexion, but we're going to make a decision for everybody on this floor. And just in process alone, we should just stop everything and say we're not going to do that. Just process alone, we should say seven people don't represent us, so we're just gonna stop. Everybody get up and talk about their issue. And let's just drag every bill out until the "super seven" understands that they're not super. And if I got to be the only one who does it because everybody else is gonna be complicit with the "super seven," then so be it. But that hasn't been how this process worked and that's not what I thought this process was about. Bills who get voted on, who are approved by this body should have an up or down vote on the A bill--

LINDSTROM: Time, Senator.

WAYNE: --associated with them. Thank you, Mr. President.

LINDSTROM: Thank you, Senator Wayne. Senator Clements, you're recognized.

CLEMENTS: Thank you, Mr. President. I'd like to get back to LB1009 and AM3120. I support AM3120. First comment, I believe Senator Bolz misspoke. On the green sheet today, the General Fund financial status, the \$89,605,000 is line 30. I think she said line 29, but line 30 is the money for the floor. Just making that clear. But back to the amendment. The amendment talks about back in March our emergency meetings allocated \$83.5 million to the Governor for COVID expenses should he need it. And I commend the Governor for being frugal. And about \$21.1 million has been obligated out of that, leaving \$62.5 million not spent. This amendment would take \$60 million of that \$62.5 million, put it back into the Cash Reserve. The \$83.6 million was taken out of our Cash Reserve and it will increase the bottom line, the \$382 million you see, you can add \$60 million if this amendment passes. It does leave \$2.5 million to the Governor still for any

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unknown expenses that he may have. And I support that, support AM3120. And thank you, Mr. President.

LINDSTROM: Thank you, Senator Clements. Senator Chambers, you're recognized.

CHAMBERS: Thank you. Mr. President, members of the Legislature, I shall have things to read to you that I think you missed out on when you were going to school because you were taught by racists. Now, let me tell you something I've been saying which makes me very uncomfortable. I keep saying, you white people. That's not my way. You know why I'm doing it? No, but I'm gonna tell you. Your Governor came to my part of town, talking to black ministers and black so-called leaders. I don't-- I don't accept that. They don't call me a leader. They don't call white people-- they don't call the Speaker a leader. Any time a black person says something, he or she is what they call a Negro leader. We don't need leaders. But anyway, he referred to the assembled people as "you people." That's one of the most derogatory, insulting, inflammatory things that a racist can say to black people. And you say, well, he didn't know. You always say you didn't know. You need to find out. I didn't know what I said on the floor about Senator Slama would offend any of you all. Oh, you didn't know that? Everybody knows. That's the way you always turn everything around. And I'm gonna say it again, you all know what you've told me. Then you gonna put up that sanctimonious face. You gonna pop up here and talk like everything's all right. Well, I'm gonna say what I've got to say, and I'll take all of the time that I need. I'm looking at Senator Erdman looking at me, and I bet he doesn't even know that that massive statue of freedom on top of the Capitol building in Washington, D.C., was put there by a black engineer. You all didn't know a black man did, did you? And it was written about contemporaneously, The New York Times, and I'll present that documentation to you. You talk about your revolution and black men were slaves. Britain made fun of you and talked about your fanc-- your fanciful slavery, and you are enslaving people in literal slavery with chains, you hypocrites, you racists. You need somebody to put it to you. And it won't make any difference. Crispus Attucks, as I told you uninformed ignoramuses, was the first person to die in the so-called American Revolution. It was written about in the newspaper, they have a statue to him now. But you know what that newspaper also carried? No, you don't know. It carried advertisements to sell and buy slaves. On one page praising this black man who died for American freedom and on the next page of the same newspaper advertising selling black people like cows, pigs, and

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chickens. And you wonder why I get upset. You ought to wonder why I'm not upset every single minute that I'm down here. I'm listening to you all, watching you. You don't have to know anything. You can get a job without knowing anything. They used to tell us, you're not qualified for the job. So black people went to school, got all kinds of degrees. Go for the job. And then there's a happiness test. They say, well, with your qualification, we don't think you'd be happy on this job. And then they don't hire you because you're too qualified. White people are schemers, they are backstabbers--

LINDSTROM: One minute.

CHAMBERS: --they are liars, they are cheats, they are thieves, they are rapists. Why don't you all get upset when I tell you how Thomas Jefferson and George Washington and the rest of them raped black women? And I never said I'd rape Slama. I never applied that word when talking about her. But it's in the newspaper. That's the way white people do, they don't take care to record what we say. I know what I said. Did you say one minute, Mr. President?

LINDSTROM: Twenty-five seconds now.

CHAMBERS: OK. Then I'll stop at this point. Thank you.

LINDSTROM: Thank you, Senator Chambers. Senator Wayne, you're recognized. This is your third time.

WAYNE: Thank you, and I'll file an amendment so we can keep talking here in a second. Again, so I was talking to the Speaker, so I probably do need to correct it. He was, I guess he was going to allow my bill to come out. I guess I wasn't patient enough. So we did talk about that, so that falls on me. But that doesn't change, that doesn't change the issue with the process. I think what's fair, and I guess let me throw out an idea. There are a lot of bills either on Final Reading or on Select or maybe General File that have an A bill or will have an A bill. We know what they are. We should print them up, put them all on the floor along with the \$90 million. And we can have a conversation up or down if that's going to be included or subtracted from the \$90 million. But the reason why the process matters to me is because once we get past this, it goes to Final Reading. Then that's the end of the budget. The only way to change a budget is to bring it back off of Final Reading, change the budget or whatever, allocate those dollars to whatever bills, and then go back to Final Reading. Now think about that and think about timing. The Governor vetoes

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something, what are we going to do? Come back in for a special session for a line item veto? That's the problem where we are right now, it's a timing. And per our constitution, it has to sit one day on Final Reading. So you've already got one day gone. Per our constitution, if we pull it back it has to sit another day. So that's two days. That cuts us down to eight. This is the game being played by the "super seven," negotiating what's going to happen to all-- to this \$90 million, cutting a deal so they have supposedly enough votes and everything goes. Now, I don't know about you, but I knocked on some hot days, went out and knocked some doors. I don't have the luxury of Senator Chambers. He's built a legacy that he doesn't have to go knock on doors. He can go to the corner and people come to him. But I'm not, I'm not there. I have to go knock on doors. And I spent a lot of hours while raising a family. You don't get to take that voice and those people who talk to me on those doorsteps, and erase it from this process and say the "super seven" gets to pick. That's happened far too long in my community. And I think it's just disingenuous to the process and to everybody here. At first, I thought it was the issue with Appropriations, but then you start talking and figuring out what's really going on and it's not. The process of Appropriations has been this way forever. So it is what it is. But this \$90 million sitting on the floor and this "super seven" negotiating, I think is just completely wrong. So it's 11:50, it's my last time. I will maybe file an amendment. And if I don't get there in time, I'll wait until the next bill comes up. But we might have some random recess or adjournment motions because those are nondebatable. We might have a little fun today. We can talk about the rules, maybe go through some rules. But I am going to spend time looking at bills and looking at fiscal notes and figuring out why they're not on the floor, why we're not having a conversation and why the "super seven," who may get called out by name, why they're not supporting that bill being on the floor. Because it's just fundamentally wrong. So \$90 million. Colleagues, I want to make sure we hear that. It's \$90 million-- \$89 million, Senator Clements, I know you're big on numbers and I don't want to overstep that--

LINDSTROM: One minute.

WAYNE: --and say 90. But I think we can do better and we should do better. And there are a lot of people who I know off the mike have told me their frustration about the "super seven." And I'm hoping they're getting the space right now to step up and say something. Because as long as we sit back and don't say anything, then we are

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complicit in the process. We are, we are giving our voice, the community you represent, away to the "super seven." And we're talking \$90 million-- \$89 million. That's a lot of money that can go to help a lot of things. And if Senator Bolz is right, we have a financial outlook that we need to look at, then maybe we should be more conservative and have that conversation Friesen was talking about, about saving our money. But we can't have it both ways, colleagues. We have bills. Senator Lindstrom's bill, he can't respond, he's on the, on the chair, but--

LINDSTROM: Time, Senator.

WAYNE: Oh, that was a good time right there.

LINDSTROM: Mr. Clerk, for items.

CLERK: Amendments to be printed: Senator Briese to-- I'm sorry, Senator Brewer, to LB781; Senator Linehan to LB518. Resolutions LR454, Ben Hansen; LR455, Wishart; LR456, Walz; McCollister, LR457; Vargas, LR458; Vargas, LR459. Name add, Mr. President. Senator Crawford would like to add her name to LR373. Senator Matt Hansen would move to recess the body until 1:30 p.m.

LINDSTROM: The motion before us is to re-- recess until 1:30. All those in favor say aye. All those opposed say nay. We are in recess.

[RECESS]

WILLIAMS: Good afternoon, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber. The afternoon session is about to reconvene. Senators, please record your presence. Record, Mr. Clerk.

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

WILLIAMS: Thank you, Mr. Clerk. Do you have any items for the record?

CLERK: I have nothing at this time.

WILLIAMS: Thank you, Mr. Clerk. We will proceed to the first item on this afternoon's agenda. Mr. Clerk.

CLERK: Mr. President, the Legislature was discussing LB1009. E&R amendments have been adopted, Senator Stinner, as Chair of Appropriations, has pending AM3120.

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WILLIAMS: Thank you, Mr. Clerk. Seeing no one wanting to speak, Senator Stinner, you may-- waive closing? Senator Slama for a motion. Members, the question is, shall the AM21-- excuse me, AM3120 be adopted? All those in favor vote aye; those opposed vote nay. Have you all voted? Record, Mr. Clerk.

CLERK: 40 ayes, 0 nays on adoption of Senator Stinner's amendment, Mr. President.

WILLIAMS: The amendment is adopted.

CLERK: Mr. President, Senator Wayne would move to return LB1009 to the Appropriations Committee.

WILLIAMS: Senator Wayne, you're recognized to open on your amendment.

WAYNE: Thank you, Mr. President. So colleagues, as I was thinking, and some people were looking at me when I keep saying my community, I think there's a misconception of what my community or who my community is, so I wanted to take a little bit of time to educate this body on when you think of Nebraska and you take every aspect of Nebraska and you put that into one legislative district, that is my community. My community racial makeup is about a third, a third, but then the last third is, is broken up even more because it's Hispanic, Karen-- we have about 6,000 Karens. We have the largest in the, in the state as far as refugees from that area. Then we have Sudanese, Somali, and a lot of refugees in our area. I have one of the most diverse districts, so I'm explaining this to you because oftentimes people think, well, why do I talk about property tax, why do I talk about all these different issues? And I'm going to walk you through my district. First, I'm going to talk to you about the airport, which is the big circle, little hook you see on that map. So I have airport industry. I have all the logistics that go with the airport industry. But what you'll see when you look at this map is there's not a lot of ways in and out of the airport, so that has hampered jobs and economic development. And if you ever drive down by Eppley, you'll see a lot of open land because you just can't add more trucks. This body approved a study that is being matched now with federal dollars through MAPA, Metro Association for Transportation [SIC]. I said that wrong, I'm going to get an email. But what they're doing is they're mapping out a potential bridge to link up with I-80 and how that would work, and I-29, to open up that economic development area. But what's interesting about the economics of my district, because most of the time, again, I think when people-- and somebody-- I won't say who-- a

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couple people approached me afterwards going to lunch about my community. They think I'm just referring to African Americans and I'm not. My community is very diverse and I'll give you the economics of it. I have two-- Metro Area Planning Agency-- thank you, Senator Clements-- so I don't get that email. I have one person who is in the Fortune 500 billionaires list to two homeless shelters. I have an area that is north of the red line, called Ponca, where there are multimillion-dollar homes. But I have an area that, if you look where it says Arthur Sworn [SIC]-- Storz and 75 going north has some of the deepest, darkest poverty you'll see in the state. I also have areas up by Ponca that our country, in the sense of forest, ranchers, a bee-- a bee farm, cattle operation, horse-training facilities. And geographically, only half of my district is actually inside the city limits. So I don't know if you'll recall the first year Senator Hilgers brought a bill about preemption and where I was and all the threats and everything I got from that, which was fun, but that's because half of my district was dealing with some of the issues that was in that bill. It didn't go anywhere because we didn't get the deal that I, I think many of us wanted. But there are reasons that I take votes to stay at the table because my community is so different. I also, as you see, have multiple lakes, recreation, one lake that continues to suffer from zebra mussels, which I love to hear Senator Erdman talk about the lack of-- he's paying money for boats and, and, and fees and they don't inspect. But every other year, Lake Cunningham drains to deal with the issue. So a huge economic area is shut down almost every other year from zebra mussels. So when you talk about Nebraska and all the issues you all deal with, rural, it's in my district. I'm not like every other urban senator. When you talk about the problems with zebra mussels or the lack of inspections and things that happen with boating, if you'll see, I have a marina that goes to the Missouri; you see I have a lake that literally shuts down every two or three years. I have all that. So there isn't an issue that doesn't come before this body that I don't get phone calls about. When you talk about tax breaks for LLCs, that's a lot of my constituents up and around Ponca. When you talk about middle housing and a lack thereof and SIDs and how that promotes and perpetuates segregation, that little corner right above 680, that little neighborhood, that used to be an SID no later than six years ago. And if you look north, there's a couple neighborhoods that still have SIDs. There is not an issue in Nebraska that my district doesn't deal with. And this whole time, I've tried to be fair being down here. I've tried to talk through issues. ConAgra, let me tell you an interesting story about my district. You see that big lake right there? That's, that's Lake

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Cunningham. The other lake, that little-- big-- small lake, that lake was built by the NRDs and the federal government for ConAgra. That's where the headquarters was going to go. This Legislature passed a tax break to move them downtown. That's took huge jobs from my district. That lake is still sitting there for sale by ConAgra for about \$10 million if anybody wants to buy it. I don't have any-- I'll put sweat equity in it with you, but I can't really put any cash up, but I would love to go boating and fishing there. There isn't an issue. That's what I love about my district. That's why when I get up here and I see some injustices about affordable housing, I say, that's it, there's nothing else for me to do because my community, my community, the entire community has suffered multiple times at the hand of this body. This isn't just black people I'm talking about, although there is a lot that we can talk about when it comes to the black tax. And we got four hours. We're going to get to that today, too. But my community is very diverse. We have a-- an area where we have more Mormons come across the country and stop because the Trail of Tears-- I'm sorry, the Mormon-- Mormon-- Oregon Trail-- the Mormon Trail-- sorry, Trail of Tears. I was talking-- looking at Brewer and got sidetracked. Sorry, Brewer, my bad. They stop there because there's a significant marker where they stopped and they had to stay there when it was wintery and had to survive a storm. We have a temple right up the street and we have a historic Mormon museum that literally people from all over the country come and stay. That's my district. So when I say my community needs tax breaks, well, I'll tell you where that's at. That's east of the red line and that's east of 30th Street. So red line, 30th Street, go to the river, that's historic Florence. That's small houses that can sell no more for \$100,000, maybe it's \$125,000, where generations after generations moved here when Nebraska was first forming, built their homes there, and they are now paying more in property taxes than they ever did for their mortgage. So it's real. Now you see where Highway 75 goes and then it stops at Kansas Ave.? Well, if we go a little farther, that's where the interstate tried to pick up, over Ernie's objection, that went through the heart of north Omaha and split it. But here's the interesting thing. District 13, somehow it stopped. District 11, with Ernie, it kept going. Now how is it possible that one state senator can stop it from going into their district but the other state senator couldn't the same year? I will submit to you it has everything to do with the color of his skin and that affects my community today.

WILLIAMS: One minute.

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WAYNE: Why? Because Senator Friesen and other people came down and we sat at the Harold's cafe and you see over 1,000 trucks with hogs, rocks, literally driving down Highway 75 where I have apartment complex and multiple small homes with kids trying to cross the street. It's like, it's like the old frog where you have to hop across the, the street. That is a highway built by this state to destroy Senator Chambers' community and they said ah, we're just going to keep going up my, my community, make it very hard for economic development. The reason the airport hasn't developed? Because we haven't developed the infrastructure around it. That directly affects north Omaha and jobs in north Omaha. That's not black/white. That's economics. I haven't even started on the criminal justice system. That's going to happen about 3:45. We're going to talk about economics.

WILLIAMS: Time, Senator. Thank you, Senator Wayne. You are next in the queue. You may continue.

WAYNE: So we have jobs. So here's why it's important, and I guess let me back up to under-- help you understand why this area of development around the airport is so important and why it can't happen: because if I am opening up a logistic company and I want to be by the airport, the only route I have is up that Arthur Storz Parkway [SIC] to 75 and either I got to go through a neighborhood with stop signs or I got to go all the way back downtown, through downtown to connect to the interstate. Now why is that important and why can't you just go south? Well, because we have ten days out of the year with College World Series where it's impossible to go downtown. We have multiple marathons throughout the year, multiple parades throughout the year, all downtown, making access to the in-- the interstate damn near impossible. Otherwise, I have to go up 30th Street, which is Highway 75, and stop at multiple stop signs and multiple lights through a neighborhood. So that area can never grow and it hasn't been able to grow for over 40 years. So why was the public transit bill so important to me last year and I say, well, enough is enough? Because all the job formation is happening in south Sarpy Count-- south-- south-- north Sarpy-- northwest Sarpy County. And there's no way to get there from my community, from Senator Chambers' community. So we talk about property taxes and, and why we're committed to standing up and fighting LB720 to solve a property tax issue. That's the same passion that when I look at my community. It isn't that I want to be here all day talking, but I can point out every part of my community, the systematic, government-endorsed action that has lent to an economic gap, period. We're arguing about middle housing? Well, let's

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talk about that. We had sanctioned redlining in Omaha, in this district, that went all the way up to State Street. So those houses weren't necessarily in the best condition, so you either have really low-income housing or you have, up in Ponca, up by my neighborhood, houses that cost \$200,000 or more. So those who want to live in my district either have to go above-- underwater on their mortgage or have a house in a devalued neighborhood, and, yes, it's devalued. And it wasn't until this year you got \$30,000 jumps in valuations to try to correct the market because they've been devalued intentionally by this government. So let's move up to Curtis on the south side. So where Pratt is, we have-- Ames Street is the next major line. It was-- this year's the first year Ames got paved; otherwise, you were literally driving through a third-world country on one of the main streets. Now why is that important? There was the Ames-Benson corridor that was sanctioned by the city. The whole idea was to use sales tax funds to redevelop the area. Has anybody been on Maple Street and seen Benson and all the great development? Yet I still have boarded up areas in my district on Ames Street. That's intentional. We can call it local city issue. But when I see a \$10 million budget going to rural for workforce housing and I can point to each neighborhood where we have been neglected for the last 40 years, I'm supposed to just stand quietly.

WILLIAMS: One minute.

WAYNE: That's not going to happen. So I'm trying to give you a sense of this isn't a racial issue. I'll tell you when it is. This is an economic issue that this Legislature and this government has continued to put on my community, the entire community. So let's keep talking about it. So when the floods occurred, obviously, a lot of this area was taken over by water, but what wasn't happening is the OPPD. So let me point out where OPPD's power plant is. OPPD's power plant is where those two little lakes are underneath of-- like five or six, they're not actually lakes. It's just flood areas behind-- lower than the interstate. So when people talk about me not liking public power, I have a plant in my district, literally. But let me tell you what that plant did to my district. It burned coal for a lot of years, asthma rate is higher in my district than anywhere else.

WILLIAMS: Time, Senator. Thank you, Senator Wayne. Senator Chambers, you're recognized.

CHAMBERS: Thank you. Mr. President, members of the Legislature, I'm going to support everything that my young brother presents to this

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body and I'm going to support it in every way that I can. We have tried, and when I say "we" now, I don't just mean, mean myself and Senator Wayne. Black people, ever since we've been in this country, have tried to do everything that white people said we must do and it was more than white people had to do, then we were not given the reward that our labor justified. We learn early on that we're being lied to, we're being taken advantage of, and we're going to be walked on if we let these people walk on us. So since the white people in general were cowardly and, like, wouldn't confront me, they send the police and the police did their dirty work. And I mean it was dirty. They kicked in people's doors when they didn't have a warrant. They would make children get down on their knees on the ground, these grown white cops, and I resisted that. That's why I have all those arrests on my record. That was their way of getting even with me, sworn to uphold the law and they could do these things to me and they had no conscience. So if I deal with cops on an individual basis, I see them as individuals. But when they keep talking about a few bad apples, but all these good apples never do anything about it, then all of them are bad apples. And Michael Jackson trying to reach you all saying one bad apple can spoil the whole bunch, girl and boy and man, woman, and child. And that's what we've been going through ever since we've been in this country. No white person could go through personally what I have in this country and be sane. But see, what white people can do, and it's understood, is take up an automatic weapon and go kill a lot of people. Show how forgiving we are, inattentive, and making ourselves available for victims, these elderly black people, and some who were not completely elderly, were having Bible study. A young white guy came in. They welcomed him to the Bible study. I think he killed nine of them in Bible study. There were black people on a Sunday morning in a church called Ebenezer Baptist Church and people who are black bring their little children to church. And these brave white devils-- that's what the Muslims called them, not the Muslims who are Orthodox but those called the black Muslims, the nation of Islam. They believe in self-defense. Elijah Muhammed named white people blue-eyed devils and they couldn't get over that, that this man would dare label us devils. And I really thought it was unfair for him to do that, too, unfair to the devil. The devil doesn't carry on like white people. You can make a deal with the devil. Your literature shows it. And the devil always keeps his end of it. But the white people who make the deal want to renege when time comes to pay the piper.

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WILLIAMS: One minute.

CHAMBERS: So Sunday morning, they're probably singing-- what's that song-- "Nearer My God to Thee" and "Oh Precious Lord," and then there was a tremendous explosion, shook the building, and little girls were killed. These brave white men murdered little girls in church on Sunday morning. And you wonder why I'm upset with white people? And then I watch the way you all do right here and wherever you are, not every white person, and you know why that's so? Because not all of those are white. One drop of our blood will make you black. That's what white people lay out. And we are going through some of these things right now at the hands of the police in Omaha, but white people are going through it, too, because when they demonstrate--

WILLIAMS: Time, Senator.

CHAMBERS: Thank you, Mr. President.

WILLIAMS: Thank you, Senator Chambers. Senator Cavanaugh, you're recognized.

CAVANAUGH: Thank you, Mr. President. I-- since we're taking time on this bill, I thought, why not take a little bit more time to talk about what the people in Nebraska need? We talked last night, we talked this morning about my amendment to the previous bill. And I would hope that there would have been more interest in what we could do to serve the people of Nebraska through that amendment. There's still an opportunity. We can still find ways to work on this, but there doesn't seem to be the political will in this body to do our job and that is frustrating. That is really, really frustrating. In April, I had conversations with members of this body about those dollars and the fact that I thought we should be pursuing stewardship of those dollars and there was no political will. Then the Governor started a testing program using \$27 million to outsource our state's coronavirus testing to a company in Utah and there was no political will to do any oversight over that. It was a no-bid contract for \$27 million to a company that wasn't a healthcare company, that had not been vetted, that turned out to have all kinds of scandals of financial corruption, but yet we did nothing. Then Senator Blood had a press conference and brought together advocates from the disability community to talk about their experience with that program. The media reported on it, letters were sent to the Governor's Office, and yet we did nothing. People with developmental disabilities, people with physical disabilities, people who don't speak English, people who don't have a car, people

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who don't have Internet can't get tested through TestNebraska and TestNebraska is the state's testing program. Now in order to get tested through TestNebraska, you also have to be willing to give your private information to a private company out of state and the contract maybe says that they can't sell it. It doesn't say that they can't make a profit off of it. You can go to your public health department to get tested and you don't have to give any of that or have any of those criteria. You can just be a person in Nebraska who needs to be tested and that's enough to get you tested. But our public health departments are struggling with testing because our state is investing in testing through TestNebraska. And the fact that we have a contract that doesn't meet ADA requirements? Happy 30th anniversary, ADA. Nebraska doesn't care. We'll spend \$27 million to not care. We'll quibble over \$24 million to cut funding to people with developmental disabilities and victims of sexual assault and children who are victims of sexual assault, but we'll be totally OK with spending \$27 million on a testing program that is the epitome of inequity in this state.

WILLIAMS: One minute.

CAVANAUGH: If you are rich and you are white, you can get tested. If you are anything other than that, go to your local public health department that we are not funding and hope that they have been able to access testing outside of the state. And I have talked to your public health departments, colleagues. I have not just talked to Dr. Adi Pour. I have talked to the public health departments across this state. And I can guarantee that there are a lot of people in this body that haven't talked to their public health departments, which is really disappointing during a pandemic. You probably should have talked your public health departments to find out if they had adequate access to testing or if they had to rely on TestNebraska to roll through their town sometime. Thank you, Mr. President.

WILLIAMS: Thank you, Senator Cavanaugh. Senator Wayne, you're recognized.

WAYNE: Thank you. And thank you, Mr. President. And, and I want to stay a little bit here on economics because, again, I can't keep stressing this. I truly believe if people have good-paying jobs, 80 to 90 percent of our social issues kind of-- they don't go away, but they become less prevalent. You got a good-paying job and you can take your kids and loved one out to the movie, you're not so stressed about everything. You got time to spend with your family. If you've got a

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good-paying job, you can take the weekend off and spend time with your family instead of working three or four jobs. So I'm going to focus a little-- keep trying to stay focused on economics here and development around my neighborhood because I think it's important, because, again, a couple of senators had asked me, when I speak of my community, am I, am I talking about just black folks? And I'm trying to demonstrate to you that it's broader than that, that my community is so diverse it's, it's-- there isn't an issue in front of the Legislature I do not get a phone call on, which is probably why I went through so many AAs and committee clerks in three years. It's too much work answering all this stuff. But I want to point out, if you look at the interstate, the red line, to where Highway 75 is, and you'll see State Street. So the street right next to State, the "S," that's 36th Street. And if you were to draw a marker from the interstate to 36th Street and then back down to where the street ends, where it says "S-T," back down to 75, those are all unpaved roads. I don't think you just heard me. Those are unpaved roads. So think about the value of homes on an unpaved road in the middle of the city, city. I'll take you to another area. You see where it says 65th on the south side of the map or the, the, the low-- 65th? From there about to the next main street, which is Ames, those are multiple unpaved roads. And I just don't mean unpaved, like actually when I go out to rural Nebraska and I see the gravel on some of these roads, that is better than the unpaved roads in my-- unpaved in Omaha means you need a new suspension after you drive down the street. We're not talking potholes. We're talking craters. So again, how do we value homes on unpaved streets? And why does that-- why is that an economic issue? Because that's something, as everybody know, homeownership, just like the family farm, you can pass down generation to generation. But from generation to generation, that area has stayed deprived of the resources it's needed to simply build a paved street. And it's not just our district. Senator McCollister and I, we keep arguing back and forth about who has the most unpaved roads in the city of Omaha. And he lives-- not he lives, but his district, where the unpaved roads are, are some of the nicest homes in, in Omaha. And they were done by SIDs, which historically discriminated against folks, and they built the infrastructure cheap so the roads deteriorated. I can tell you there was never any roads in this area. I know because I have a concrete company and one day I was just like, let me see how far I can go down. No, it's all just unpaved. It was never even done. It's-- but I also have some of the beautiful area right there. We have forest. And those are some great houses, but they're all unpaved road. And I remember Senator Friesen, Chairman of Transportation, taking a small tour with me and he just was

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dumbfounded. I would ask him a question, but he's walking. But you can nod your head if it's-- he was dumbfounded. He was like, how do you have streets like this in the middle of Omaha? Because it's in our community. And as you go further south, where it says 75, you have asphalt over--

WILLIAMS: One minute.

WAYNE: --asphalt over bricks, and that's mostly what Senator Chambers' district is, is brick road with asphalt over the top. And what happens if a hole starts? It isn't just a small little hole. It takes out the whole street because it's brick sewers on top of brick road with a little bit of asphalt on top of it. So what companies want to come down and say, hey, we're going to build a, a logistic company that is five minutes away from the airport? Wait a minute. You can't-- wait. We can't drive those trucks on there? They weigh too much? OK, we'll pass, because let me tell you the little secret. And I'm going to run out of time, so I'm going to push-- I already pushed my button. Am, am I next in the queue? Probably not. I will wait to tell this story about the one street that connects the airport and why no trucks can go on it. Thank you, Mr. President.

WILLIAMS: Thank you, Senator Wayne. Senator Chambers, you're recognized.

CHAMBERS: Thank you. And Mr. President, Senator Wayne can move to reconsider, so this bill is available for other things anyway. I was just talking to my seatmate and she was telling me that there are some testing sites unavailable to disabled people. It's not accessible. If you can't drive up, then you can't get tested. There is no consideration given to that. And we got hypocrites running around here. You all pray every morning? Biggest, worst, hypocritical exercise that can happen. It's blasphemous. It's sacrilegious. Then you wonder why I won't participate. And then you play like that rag up there means something to you and the one who wrote a song about-- National Anthem, you call it-- a slaveholder. And that disqualifies anybody from being a moral or righteous person to me, but not to you all because you don't think slavery is bad. But as I was saying this morning, the British mocked Americans who talked about being enslaved to Britain and not one of them had a chain. But that's what white people said and that's what they teach their children. And all of these fables are handed down as true. You all were never owned as property. You all get mad when I own you for a little bit of time on the floor of this Legislature. Suppose I could put chains on you and

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you don't like this and chains on your women. See, you all don't want to talk about that. That's on my mind every time one of these racists is to be honored. Senator Slama had a bill called Americanism and I wanted to substitute Presidents' Day as the holiday for schoolchildren, rather than George Washington's birthday. And she led an effort, joined in by the "Klanners" on this floor, to keep George Washington, even though she knew, because she had been given a primer, about the slaveholding, the raping of black women, the raping of little girls. You all will never have that brought home to you, but words will bring you all in an uproar when I'm the last man who would ever even say anything to a woman if she doesn't want me to speak to her, and pilloried. And you think it bothers me? You all are like children on the playground: I don't like what Senator Chambers says. And then the Governor trots his wife out there and tells her, write this letter condemning him. You got a coward for a Governor and he is a racist. And before we get through this afternoon, I'm going to read what a minister said he experienced while the Governor was talking to them and referred to black people as "you people." That's why I kept referring to you all as "you white people," so when I got around to this black man making his statement, you all could think back to how offended you were when I referred to you as "you white people." But that doesn't hurt you. I'm not in a position to harm you and I wouldn't harm you.

WILLIAMS: One minute.

CHAMBERS: And more of you can get help from me than anybody else on this floor. You all talk about something happening to a colleague? I handed out some of that trashy stuff that was said against me by your white brothers and sisters, orchestrated by your white Republican Party. It doesn't bother you. You're hypocrites. You need to have it put in your face. And nobody else will do it because you all are looking for something from somebody and you dare not offend them. And you're all afraid of the Governor. He's not worthy of fear. He's worthy of contempt. He hides behind his wife and he attacks women. He is the one who started this whole thing by attacking a woman and not one of you stood on the floor and said anything about it. Oh, you don't care about older women, huh? You'd throw them away too, huh? When they've given their adult life loyally to your party and they are kicked to the curb--

WILLIAMS: Time, Senator.

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CHAMBERS: --for Jell-O? Thank you, Mr. President.

WILLIAMS: Thank you, Senator Chambers. Senator Cavanaugh, you're recognized.

CAVANAUGH: Thank you, Mr. President. Sorry, I was sitting off to the side there and lost track of the queue. So I just-- there's, there's quite a few articles and I'm-- I don't think that I need to print them off. I can send them to, to the body, if they would like to read them, about the TestNebraska program. There was a national story in The New Yorker about the companies associated with TestNebraska that really digs into the financials of those companies and how unscrupulous they are and how the, the data is probably not secure. I would like to, to talk a moment about how this body has engaged or been engaged with, with our Governor. So the pandemic happened. We, we came back in March and we voted on that, that budget bill. And that Friday before we came back, this body had a conference call with the Governor where we were able to have a dialogue about what his intentions were and, and ask questions. And the last time the Governor spoke with this body was that day until Friday. And I just think that that's something that the public should be aware of, that the Governor, during a pandemic, did not speak to the Legislature between the end of March and the end of July; \$1.2 billion were appropriated, were sent to the state and, and he decided how to spend them. He decided how to spend broadband funds when the Committee for Transportation and Telecommunications' priority bill was a broadband bill that was the result of a two-year task force that members of this body sat on and worked with all of the various entities that were interested in broadband, including the PSC. And the Governor didn't engage with us at all, didn't engage with our committee, didn't engage with anyone, just decided how to spend \$40 million. But again, we're quibbling over \$24 million to help people in need. We're trying to cut that back, but we're totally fine with the Governor spending \$40 million without any advice whatsoever from the budget branch of the government, which is us. He did some programs that maybe we all agree on, some small-business grants, some grants to agricultural business, some good things in there. But did he work with us on it? He didn't have to-- we didn't have to reconvene. We didn't have to hold hearings. We could have had a committee or a commission of senators put together, maybe call up the Appropriations Committee and say, hey, Appropriations Committee. I've got \$1.2 billion here that I've got to figure out how to utilize for the people of Nebraska; you know, what I would really appreciate is your advice on this because you are the budgeting branch of government, this is your role,

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and even though you're not going to do it in that official capacity, I respect this branch of government enough to engage you. But the Governor has showed us no respect, none. We are all elected by the citizens of this state--

WILLIAMS: One minute.

CAVANAUGH: --to represent them and the Governor isn't showing us respect. And I frankly don't feel like we're showing ourselves respect because we are not taking control and doing our job. We need to stand together, get the political will to do our job, and appropriate funds and move the business of Nebraska forward. Thank you.

WILLIAMS: Thank you, Senator Cavanaugh. Senator McCollister, you're recognized.

McCOLLISTER: Thank you, Mr. President. Good afternoon, colleagues. I guess we're riding on Senator Wayne's nickel this afternoon. In that debate, who has the most unimproved roads, I think the distinction perhaps goes to Senator Wayne. There's been a road-building program in my part of Omaha, helped a lot by the financing option that we passed here a couple years ago. The purpose for my speaking this afternoon is to go back to a comment I made yesterday about the Omaha Police rounding up about 130, 140 people on Saturday night, taking them into the police station, putting them in a rather small holding area, all those people together during the time of COVID, and not releasing them because of a computer error until Sunday afternoon-- inexcusable. That should be a core competency of the Omaha Police and the judicial system in Omaha and it's inexcusable. I still have not received an explanation from the Omaha Police Department or the judicial system in Omaha and I'm going to be very curious to know what the heck happened because, yes, we cannot allow destruct-- destruction of property. Nobody should do that. But the description that I've heard of what occurred on Saturday night didn't give any indication that property was being destroyed, so I am anxious to get that information. And thank you, Senator Wayne, for the opportunity to make a few comments.

WILLIAMS: Thank you, Senator McCollister. Senator Wayne, there is no one left in the queue. Would you like to use this as your close on your amendment to recommit?

WAYNE: Both. I want to keep talking for the whole 15 or--

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WILLIAMS: I'm sorry. You've already used three times.

WAYNE: Oh.

WILLIAMS: This is your close.

WAYNE: All right, sounds good. Thank you. So it's not a nickel. We are, we are riding on my golden nugget. We're going to be here for a while and it's, it's had a lot of value, so we're going to have fun today. So I want to continue on the economics and the impact on my district while we have this map. So I'm going to go back to OPPD for a second, which is that significantly large area that has the two little lakes next to the Missouri River. So they, they burned coal for-- since I was little. What coal does for economic value is it devalues the area around. And what we've seen also over the last 30 years, higher risk of asthma, which deals with health issues. You have higher risk of asthma. You have higher health issues. You have higher costs. That's a simple one. Then I want to talk a little bit about this area and it comes to the redlining. So I think people need to really understand when we talk about property in this area and the economic impact redlining had. Redlining was not just saying we're going to put up walls around certain areas and that's where only African Americans can live. It also told the private industry, Senator Stinner and Senator Williams, banks can't lend to these area or we think it's bad to lend to these areas. So people couldn't buy their homes or oftentimes, if they fell on economic hard times, they couldn't refinance their mortgage, so they would often lose their homes. So the homes that are actually there, people have had for generations upon generations and have been economically depressed for many of the things we've already talked about, roads and everything like that. So I just think that's really, really important. And then I want to talk-- so we talk about the airport and there's this Arthur Storz Park-- Storz Parkway [SIC] and you'll see 16th Street and you see this line going all the way up next to the river and you see these little water spots. Those water spots are actually MUD. MUD has a facility there that cleans water and moves water and does a lot of things. Well, there's pipes that run both to the Missouri and to the other side of that area, so the streets there can't handle cargo traffic. So what happens is, when you leave the airport, you go up that little-bitty street and then you take a left. You see one street that goes all the way through, right above the 75 sign, about eight blocks, and you get back on the neighborhood and you literally drive through the neighborhood. So there's never going to be economic development if

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we don't figure out an infrastructure for this area. That's clear on the map. Nobody will invest. So when we talk about LB720, Senator Kolterman, why it's not a big deal to me while it is to the rest of the state, because if you look at this area, who's going to put a \$50 million facility in an area where you can't drive in and out of with trucks? Who's going to build the heavy telecom center when you have all this old brick, sewer, and "unfunctionable" roads that makes it hard for people to go to and from work? So LB720 doesn't appeal to my community. Think about that. But what it does appeal to are the owners of businesses in part of my community up in Ponca and on the north side of 60th Street and State area. It does appeal to them because they're owners of companies. But to the everyday person who works at a company, there's no jobs that are going to be created--

WILLIAMS: One minute.

WAYNE: --massively from LB720 in my district. Now let's talk a little bit about my district economics when it comes to off-the-books procurement. You'll see on 60th Street, State to 72nd, just a wide-open area. That's Omaha Country Club. That's where a lot of deals and a lot of millionaires were made. And guess what? I wasn't allowed to be there until about the '80s. That's my district. Now I could caddy in the '80s, but I couldn't sit there on the golf course and cut that deal. That's in my district. So when I talk about procurement, it's because when I walk the neighborhoods and I, and I talk to the families all around this area, they made their money off of government contracts and I listened to the stories of how deals were made at OCC and how generations upon generations--

WILLIAMS: Time, Senator.

WAYNE: Thank you.

WILLIAMS: Thank you, Senator Wayne. Members, the question is, shall the recommit motion be adopted? All those in favor vote--

WAYNE: [INAUDIBLE]

WILLIAMS: 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, Mr. Clerk.

CLERK: 26 ayes, 5 nays to place the house under call.

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WILLIAMS: The House is under call. Senators, please record your presence. Any unexcused senators outside the Chamber, please return to the Chamber and record your presence. Any unauthorized personnel, please leave the floor. The house is under call. All members are present. Mr. Clerk, there's been a request for a roll call vote. Senator Wayne.

WAYNE: The board is reading a cloture vote. Did, did that get announced?

CLERK: We're fixing it.

WAYNE: OK.

CLERK: No, you're voting on your motion to recommit the bill, Senator.

WAYNE: Thank you.

WILLIAMS: Mr. Clerk.

CLERK: Are you done? OK. Senator, did you request reverse or normal?

WAYNE: Normal.

CLERK: Thank you. Senator Albrecht.

ALBRECHT: No.

CLERK: Voting no. Senator Arch.

ARCH: No.

CLERK: Voting no. Senator Blood.

BLOOD: No.

CLERK: Voting no. Senator Bolz.

BOLZ: No.

CLERK: Voting no. Senator Bostelman.

BOSTELMAN: No.

CLERK: Voting no. Senator Brandt.

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BRANDT: No.

CLERK: Voting no. Senator Brewer.

BREWER: No.

CLERK: Voting no. Senator Briese.

BRIESE: No.

CLERK: Voting no. Senator Cavanaugh.

CAVANAUGH: Not voting.

CLERK: Not voting. Senator Chambers.

CHAMBERS: Yes.

CLERK: Voting yes. Senator Clements.

CLEMENTS: No.

CLERK: Voting no. Senator Crawford.

CRAWFORD: No.

CLERK: Voting no. Senator DeBoer.

DeBOER: No.

CLERK: Voting no. Senator Dorn.

DORN: No.

CLERK: Voting no? Senator, you said no, right? OK. Thank you. Senator Erdman.

ERDMAN: No.

CLERK: Voting no. Senator Friesen.

FRIESEN: No.

CLERK: Voting no. Senator Geist.

GEIST: No.

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CLERK: Voting no. Senator Gragert.

GRAGERT: No.

CLERK: Voting no. Senator Groene.

GROENE: No.

CLERK: Voting no. Senator Halloran.

HALLORAN: No.

CLERK: Voting no. Senator Ben Hansen.

B. HANSEN: No.

CLERK: Voting no. Senator Matt Hansen.

M. HANSEN: No.

CLERK: Voting no. Senator Hilgers.

HILGERS: No.

CLERK: Voting no. Senator Hilkemann.

HILKEMANN: No.

CLERK: Voting no. Senator Howard.

HOWARD: No.

CLERK: Voting no. Senator Hughes.

HUGHES: No.

CLERK: Voting no. Senator Hunt.

HUNT: No.

CLERK: Voting no. Senator Kolowski.

KOLOWSKI: No.

CLERK: Voting no. Senator Kolterman.

KOLTERMAN: No.

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CLERK: Voting no. Senator La Grone.

La GRONE: No.

CLERK: Voting no. Senator Lathrop.

LATHROP: No.

CLERK: Voting no. Senator Lindstrom.

LINDSTROM: No.

CLERK: Voting no. Senator Linehan.

LINEHAN: No.

CLERK: Voting no. Senator Lowe. Senator McCollister.

McCOLLISTER: No.

CLERK: Voting no. Senator McDonnell.

McDONNELL: No.

CLERK: Voting no. Senator Morfeld.

MORFELD: No.

CLERK: Voting no. Senator Moser.

MOSER: No.

CLERK: Voting no. Senator Murman.

MURMAN: No.

CLERK: Voting no. Senator Pansing Brooks.

PANSING BROOKS: No.

CLERK: Voting no. Senator Quick.

QUICK: No.

CLERK: Voting no. Senator Scheer.

SCHEER: No.

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CLERK: Voting no. Senator Slama.

SLAMA: No.

CLERK: Voting no. Senator Stinner.

STINNER: No.

CLERK: Voting no. Senator Vargas.

VARGAS: No.

CLERK: Voting no. Senator Walz.

WALZ: No.

CLERK: Voting no. Senator Wayne.

WAYNE: Not voting.

CLERK: Not voting. Senator Williams.

WILLIAMS: No.

CLERK: Voting no. Senator Wishart.

WISHART: No.

CLERK: Voting no. 1 aye, 45 nays, Mr. President, on the motion to recommit the bill.

WILLIAMS: The motion fails. Members, we are still under call. Mr. Clerk for a motion.

CLERK: Mr. President, Speaker Scheer would move to invoke cloture pursuant to Rule 7, Section 10.

WILLIAMS: It is a ruling of the Chair that there has been full and fair debate afforded to LB1009. Members, the first vote is the motion to invoke cloture. All those in favor vote aye; those opposed vote nay. Have you all voted? Record, Mr. Clerk.

CLERK: 43 ayes, 4 nays, Mr. President, to invoke cloture.

WILLIAMS: The motion to invoke cloture is adopted. Members, the next vote is on the adoption of LB1009. Slama for a motion.

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SLAMA: Mr. President, I move that LB1009 be advanced to E&R for engrossing.

WILLIAMS: Thank you, Senator Slama. All those in favor say aye. Opposed same sign. Motion carried. Raise the call. Mr. Clerk.

CLERK: Mr. President, the next bill is 7-- LB910. Senator Slama, I have E&R amendments, first of all.

WILLIAMS: Senator Slama for a motion.

SLAMA: Mr. President, I move to adopt the E&R amendments to LB910.

WILLIAMS: Members, you've heard the motion. All in favor say aye. Opposed say nay. Motion carried. We have an amendment to the bill from Senator Chambers. Mr. Clerk.

CLERK: Well, we'll put it in the system, Senator, the amendment you just provided to me.

WILLIAMS: Senator Chambers, you're recognized to open on your amendment.

CHAMBERS: Mr. President, members of the Legislature, I handed out what I am pleased to refer to as an "ERNIE-GRAM." And there was a column in it, maybe it was an editorial, but it said how Senator Chambers could tie the Legislature in knots using the rules. Well, sometimes in the process of tying the Legislature in knots, there's a little instruction that goes on. Most people don't read the E&R amendments. I do and I know that at some point, amending an E&R amendment would come in handy. Now the E&R amendment-- amendments have been adopted, so now it would be considered an amendment to the bill. But so that you will know where to look if you're interested, it would be page 1 of the E&R amendments. There's only one page. In line 3, the current language says, strike "telephone" and written-- and show as stricken. Oh, so I cannot make my amendment because that was-- that takes away what I was going to do. So then I will just let things coast until I draft a different amendment. Mr. President, I would withdraw that amendment.

WILLIAMS: The amendment is withdrawn.

CLERK: I have nothing further on the bill at this time, Mr. President.

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CHAMBERS: I'm preparing an amendment, so I'm going to turn on my light so I can talk while I prepare it.

WILLIAMS: Senator Wayne, you're recognized.

WAYNE: Thank you. And I, and I-- I'm just-- I'm going to come back to the OCC and how it's relevant today, but I do want to mention-- I brought up MUD and I want to mention why this is important for my district. MUD employs a lot of people in my district, as does OPPD. I just want to remind this body we voted on an amendment, and at least we talked about it multiple times on the floor, we are going to do rural workforce housing for \$10 million, but it'll only cost \$6 million to the state to make, make drinking water not taxable. I want us to put that in perspective. Senator Lindstrom had a bill. We talked about taxing water. It'll cost us \$6 million to not tax water, but we are going to put \$10 million-- and we talk that's too much, can't do it, but we are going to put \$10 million for rural workforce housing. Tax water, build some houses-- that's just interesting. I think giving a tax break on water benefits everybody. But let's go to OCC and how it's relevant today. So OCC, Omaha Country Club, lot of deals were cut. Kiewit had a lot of memberships there and built a lot of government contracts and I don't hold any negative feelings towards that. But why is it relevant today and what I'm talking about? Because there were generations upon generations of deals being cut in my district in which many people in my district could not participate. The economic effects of that is felt today. But why does that matter in terms of LB720? Because there is a project UNMC wants, Nebraska Medicine, where the construction and the ideas and the drawings are already being talked about, have been talked about for months, but nobody in that room looks like me. It's no different than what was going on at OCC. The architects, the engineers, the people who are going to draft the RFPs, all of them are sitting around a room, having a conversation, going to D.C., talking about here's what this facility is going to look like, here's how much money we need. They got a cost to the facility because they have a design for what it's going to cost. The same conversation, many of them the same people who were on the greens in OCC in my district, are cutting out and leaving out people who are not at the table. And if we do private dollars, like MECA did, they don't have to go through a procurement process. That is why this is relevant today. That is why I stand up and say, well, then let's just take time because maybe I'm not explaining myself on why my district, my community is being affected by these in a, in a way that is so detrimental that I can't just allow the day to go through and

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all these bills to be passed, because it's happened so many times in my community. To the south of OCC-- and again, we're 60th and State Street, so now we're on 72nd. If you keep going south, you'll see Sorensen Parkway. And if you keep going south, you'll see a big piece of land. That's another golf course. That's Benson Golf course. That's a public course. Lot of deals were made on pub-- that public course. And in fact, just to the south of that, east of that, there was apartments that were built there using government financing and they were really, really nice a long time ago.

WILLIAMS: One minute.

WAYNE: And now, the reason I'm pointing that out, they're still nice today, but there were deals being cut. And that little creek that rolls through there, and I call-- it's a crick, not a creek, but they call it Cole Creek. I think it's Cole Crick. NRD spent tons of money redoing that and it goes all the way to the south and the city spent tons of money, along with NRD, redoing that in the last five years. My parents still live right over there. And not one contractor came from the community. It came from Canada: Graham Construction. Their trucks are still there. There's so much construction work going on, a Canadian company has come to Omaha, excluded local companies at the taxpayers' expense. That's where our government dollars are going.

WILLIAMS: Time, Senator. Thank you, Senator Wayne. Senator Matt Hansen, you're recognized.

M. HANSEN: Thank you, Mr. President, and good afternoon, colleagues. I appreciate this discussion we're having today and I appreciate the conversations we're having. I could tell you-- I cannot-- I know-- I don't think I could speak for-- well, I won't try to speak for any of the senators, but I can tell you for myself, I'm struggling with the concept of there's a lot of times in the debate we've had on the floor this week where it really just doesn't feel like what we're debating is connected to the outside world or the outside world as it exists today, on July 28, and not the outside world as we left it back in March. Fundamentally, so many things have changed and are just new and unprecedented. And in part because of our structure and our rules and our norms, ones that I support and defend and appreciate, we're constrained in how fast and how nimble we can be in reaction and I just didn't want that to go unsaid. I was-- I had originally meant to hop up on the budget or the last budget bill and talk about it while we had some time, but didn't get a chance before the cloture motion. But there are still tens and tens of thousands of Nebraskans

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collecting unemployment in, in record numbers that are just unprecedented. And the CARES Act and the extra \$600 in unemployment assistance is, is supposed to expire this week. I understand that there's, frankly, negotiations going on at this very moment in Washington, so who knows how that'll turn out, but that's a-- that's-- there are potentially 50,000 Nebraskans receiving a grand total of \$30 million in unemployment assistance who don't know if they're going to get it for this week or not because it expires midweek and if it's not renewed, it doesn't count as a full week. Therefore, they don't get the unemployment assistance for this current week. And we don't really have a vehicle to address that here in the Legislature short of picking new priorities, short of doing all sorts of different things, which we really don't have a clear vehicle to do. We are a little stuck. I just wanted to kind of jump up and rise and acknowledge that of I'm still trying to figure out how it's best to move forward. I'm still trying to figure out what's going on. I don't want constituents at home to think that people aren't considering that. It's just a tough spot to be in where we have to deal with, again, the unfinished business of the state we had from last year-- not last year, from, from the spring, as well as all of the new developments and reactions to federal law and federal changes that we're having. This seemed as good a time as any to get up and acknowledge that. I didn't necessarily want to take up too much time. I'm personally kind of a little torn between keeping my head down for my own personal safety and the safety of those around us, to just trying to spend as little time in this Chamber as possible versus spending as much time as we can talking about all the issues in front of us. I've been kind of erring towards the latter, trying to stand in the balcony, go back to my office when I'm not actively in debate, and I just wanted-- I don't necessarily have a whole long point to go this, but I feel like we're spending some time this afternoon and these are things that have been kind of weighing on me these eight days since we've been back and I haven't had a chance to address. So I just wanted the opportunity to put those in the record. I didn't need to take my full five minutes. Hopefully I didn't. So thank you, Mr. President.

WILLIAMS: Thank you, Senator Hansen. Mr. Clerk for a motion.

CLERK: Mr. President, Senator Chambers would move to amend the bill.

WILLIAMS: Senator Chambers, you're recognized to open on your floor amendment.

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CHAMBERS: Thank you. Mr. President, members of the Legislature, I believe this bill has-- I'm looking at-- it has 52 pages, so I'm going to draft an amendment to strike each page. And since I want to be orderly, I'm going to write an amendment to strike each page and that will avoid confusion. In some instances, there will be something on a page that I'm striking, which carries over from the previous page. But since you're not going to adopt any of these amendments, it doesn't really matter. I could have taken one page and say, strike each line, strike line 1. It goes down. I reconsider; strike line 2, the same thing, and all the way down. But that-- that's not very imaginative. I decided I would go after bigger fish, so to speak, and I will offer amendments to strike a page at the time. I doubt that there are many people who have read this bill. And when I say the bill, I mean in its entirety. I'm not going to read what is on the page that I'm striking just yet, but that's going to make it easy for me because by the time we get to page 5, for example, rather than try to find something extraneous to talk about, I will just begin reading very slowly what is on the page I'm moving to strike. And if I play my cards right, so to speak, it will take me several minutes to read, word for word, each word on that page. And as I read it, if I decide to do that, I just want to tip you off so you won't be surprised. For example, on page 4, I would say in line 1 what we're striking is the following: investment act, underline, period. That would be stricken. Then when we go to line 2, we would see the abbreviation for "Section," which is "S-e-c.," followed by the number 2, followed by a period, which is then followed by-- and then read. And that way, the bill, or as much of it as I can read before we get to cloture, will have been read into the record. It will give an easy job to the transcribers because they can just get a copy of the bill and type what's on that page. And I don't believe there is anybody walking in shoe leather who would go back and listen to the tape recording to see if what was typed by the transcribers really had been stated by me or whether they just typed what is on the page itself. See, this can get very complex, but it could be very interesting. It's not a brain teaser, but it can be a mind stretcher. And as you're listening intently to every word that I utter, and those of you who doubt me or think I would trick you, can get a copy of the bill and read along with me. And that way, we will make sure that all things are done decently and in order. I'm giving a little instruction and practical training to those who will be here when I'm gone. Unfortunately, the new people will not have the benefit of this instruction. Were I to come back in January, maybe it sounds like such a good idea to me right now, I would do that, not with the entire bill, but just enough of it to demonstrate what that would

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consist of. But while I'm just kind of ranging free, I would like to try to persuade people to stop saying something in my presence that does to me what somebody running their fingernails over a chalkboard would do. They will use the word "testament." A person has done something or other and people will say that is a testament to that person's strength. No, they mean testimonial. It is a testimonial, not a testament. Testament has an entirely different meaning. And if you want to look in the dictionary, you can find it, or you might consider the "Bible." There is an Old Testament and a New Testament. Now you might think the word "testament" means a story and you might be wrong. Billy Joel sang a song. He sings songs that fit almost any situation. He said, you may be right, you say I'm crazy, but it just might be a lunatic you're looking for; turn out the light, don't try to save me, you may be right, you may be wrong, but for all I know, you may be right. So what I'm telling you, if you think testimony means a book, that may be wrong. But for all you know, it may be right. And since you're not curious about things to the extent that I am, you will not look it up because the people you talk to will not listen with any more precision in their attentiveness to what you are showing by way of precision in terms of how you misuse that word. Now I could sing a few bars of it, could be a lunatic you're looking for, but I don't want you to think that I am a lunatic. But before the day is over, I may become intoxicated by the exuberance of my own verbosity and would, under that type of intoxication, burst into or break into song. But I doubt that will happen this afternoon. You see what a good spirit I'm manifesting? When inside, for all you know, I could be a bubbling volcano about to erupt at any time. And maybe not, but what I want to do is take some time and, being of advanced years, I don't want to move too quickly because I may exhaust the amount of energy that I have at my advanced age. I'm sure you all see me "crippin'" around these halls, struggling up and down the stairs, not knowing what step may be the next or my last, so I have to act in accord with the principle of conservation of energy. I don't want to expend any more energy than the absolute minimum--

WILLIAMS: One minute.

CHAMBERS: --necessary to achieve what it is I'm trying to do. You all write the rules. You could try to write a rule to stop me from doing this and it would just give me more grist for my mill. And as you know, the wheels of the gods turn slowly, but they grind exceedingly fine. It doesn't say exceedingly, but exceedingly fine. It should be an adverb, but people who deal in religion are not careful about parts of

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speech or grammar or syntax, so you get a lot of gobbledygook which ministers make you think God put on that page, but God didn't. And the next time I'm recognized, I might give you a riddle to see if you can figure it out.

WILLIAMS: Time, Senator.

CHAMBERS: And my light is on. Thank you, Mr. President.

WILLIAMS: Thank you, Senator Chambers. You are next in the queue. You may continue.

CHAMBERS: Thank you. Mr. President, the person that I'm interested in you naming, when the "Bible" was translated, the King James version, this person was 49 years old. If you turn to the 49th psalm in the King James version and, starting at the first word, count 49 words from that first word and underline the 49th word, then, starting from the end of that psalm, but forget the word "selah," and start with the words and count 49 from the end and put the two words together and you'll have this person's name who was 49 years old at the time the King James version was translated. Is that interesting to you? Those are the kind of things that people with time on their hands and not much on their mind may come up with. I could give you a hint because you're not going to do it. I would like to ask-- who was I-- I'd like to ask Senator Pansing Brooks a question if she would respond.

WILLIAMS: Senator Pansing Brooks, would you yield?

PANSING BROOKS: I will.

CHAMBERS: Now Senator Pansing Brooks, I'm not going to tell you the year that the King James version of the "Bible," as I call it, was translated. But it was in the--

_____ : 1644.

CHAMBERS: Somebody said 16-something.

_____ : '44.

PANSING BROOKS: 1649.

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CHAMBERS: 16-- all right. Now what we're going to do with Senator Pansing Brooks, because she was given a time period when this person that I'm talking about was 49 years old.

PANSING BROOKS: Oh, OK.

CHAMBERS: Now Senator Pansing Brooks, I'm going to give you the first syllable of this person's last name and I'm going to see if you can guess what the second one would be.

PANSING BROOKS: The second syllable?

CHAMBERS: The first word, 49th word from the beginning, would be "shake." What do you think would be the word, the 49th word from the end?

PANSING BROOKS: Um--

CHAMBERS: No, that's not it.

PANSING BROOKS: OK. Sheba.

CHAMBERS: "Shakesheba?" No, that's not it.

PANSING BROOKS: Oh, to "shake," OK, sorry.

CHAMBERS: To be or not to be, that is the question, whether 'tis more-- does that give you a hint?

PANSING BROOKS: Shakespeare.

CHAMBERS: Brevity is the soul of wit.

PANSING BROOKS: Yes.

CHAMBERS: Something is rotten in Denmark.

PANSING BROOKS: Let's line up the lawyers.

CHAMBERS: All-- all right. That's all I'll ask you. And I'm going to ask if Senator DeBoer would re-- yield to a question.

WILLIAMS: Senator DeBoer, would you yield?

DeBOER: I'd be happy to.

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CHAMBERS: Senator DeBoer, with all that has been said and the hints that were given, what do you think the second syllable of this person's name would be?

DeBOER: That would be William Shakespeare.

CHAMBERS: Voila!

PANSING BROOKS: [INAUDIBLE]

CHAMBERS: Yes. Oh, did she say "'speare?"

_____ : She did.

CHAMBERS: Oh, then she got it right.

WILLIAMS: One minute.

CHAMBERS: My ears were not attuned. I apologize to Senator Pansing Brooks. But Senator DeBoer, thank you for being so alert and on your toes. The first, that 49th word is "shake," the 49th word from the beginning. The 49th from the end is the word "spear," and Shakespeare was 49 years old when that book was translated. Now you can believe that or not believe it, but there might be another 49 in there somewhere. What you do when you want to stimulate people to think, you give them information, then if they really are going to be good students, they'll check it to see whether or not it's true. Mr. President, I'm going to stop now and I will continue the next time I'm recognized.

WILLIAMS: Thank you, Senator Chambers, Senator Pansing Brooks, and Senator DeBoer. Senator Wayne, you're recognized.

WAYNE: Thank you. So now that we've gone for a little bit, I'm going to announce my ask. Here-- people want to know. What do I want? It isn't the \$250,000 for the African American commission. It's bigger than that. So what I am going to ask each person who's listening and each member in this body, since we have the "super seven," I want to build the "magnificent 17." And so here's what I'm proposing. We have \$89 million on the floor, which is \$90 million. Seventeen members is roughly a third of our body. So we want \$30 million. I'm looking for 16 more senators to help me build a coalition of how we're going to spend \$30 million on the floor for things that we feel could help everybody. And one person, two persons, three, five people in the group may say property tax relief and that's fine. If we want, out of

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the \$30 million, \$30 million to go to property tax relief, which I don't think that will happen, that's fine. But we are going to come up with 17 people who have bills that are near and dear to their heart that hopefully don't cost \$10 million like the rural workforce housing plan. But we are going to come up with 17 people. That's my ask. So I'm going to keep going until we build a core of 17 and I don't care if it's 150 bills that we put together at \$5,000 apiece. That number doesn't equal \$30 million, by the way. My point is, 17 of us can come together and say, what do we need for our districts, what do we need for the state, and there's a \$30 million value on it. So the floor and the sup-- "super seven" can negotiate the \$60 million all they want, but I know there are at least 17 members in this body who feel that there are certain things important, whether it's \$61,000 for sex trafficking, whether it's \$200,000-- that's a 444 number; that could be a judge. That's never good. The point of it is, is the "magnificent 17" is starting today and we'll see where the "super seven" and the "magnificent 17" come out. So I'm, I'm, I'm going to say this again for those who maybe were talking in the lounge and didn't pay attention. I have one ask. Let's build the "magnificent 17." And what that is, is going to be 17 senators who want to come together for \$30 million of the \$90 million on the floor and let's put a plan together. And maybe that'll help us get to LB720 and property tax relief, maybe it won't, but the one thing it will do is allow this body to continue to move forward. Otherwise, I don't see the point. If we're going to give up our voice to the "super seven," which, by the way, just bothers me because the "super seven" is not even demographically representative of the body. For all the people who got up here and argued about what happened before, ask who's on the "super seven." Ask how many females are on the "super seven." Ask how many African Americans or minorities are on the "super seven." And so before we get up and talk about decorum and what's right or wrong and what's, what's sexist or what's not, we are allowing seven people, who do not represent this body, make the biggest policy decisions of this decade.

WILLIAMS: One minute.

WAYNE: I have a problem with that. So the "magnificent 17," we don't care if you're a Democrat, Republican, conservative or liberal. We're asking you to come to the table with a bill that has a fiscal note. It has to be out of committee. Hopefully it's a priority because I got-- we've got to figure out some rules if it isn't, but if it's a priority or if it's something we can attach to a priority that has a fiscal note, \$30 million dollars is on table for the "magnificent 17." That's

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my ask. That's my demand. That's where I'll be. You can shoot me a text. You can email me. You can call me. If you're scared to meet with me because of the group and you don't want to be shunned, we can meet somewhere else. I'm OK. But I'm looking for 17 people who are not going to give up their voice and who are willing to stand up for at least a third of the \$90 million on the table. That's fair.

WILLIAMS: Time, Senator.

WAYNE: That's reasonable. That's how you negotiate. Thank you, Mr. President.

WILLIAMS: Thank you, Senator Wayne. Senator Gragert, you're recognized.

GRAGERT: Thank you, Mr. President. Point of personal privilege, privilege?

WILLIAMS: For what purpose do you rise?

GRAGERT: Point of personal privilege. It is with a heavy heart that I report former Senator Elroy Hefner of Coleridge passed away on Sunday, 26 July 2020. Senator Hefner served the Legislature for 16 years. I send my prayers to the family and may God bless Elroy. Thank you.

WILLIAMS: Thank you, Senator Gragert. Senator Chambers, you're recognized and this is your third time.

CHAMBERS: Thank you, Mr. President. As Fats Domino said, yes, it's me, but I'm not in love again because I wasn't in love the first time. The point, the point that Senator Wayne is making, they would need-- when I say "they," those who are under the "mysterious seven" or whoever they are would need 33 votes for cloture. And if there are 17 on the other side, they can't get 33, even by the Governor's math, even by the math of the "Repelican" Party, even by the math of your leader and savior, Donald Trump. So if there are 17 he's looking for, all he needs to look for, minus two-- he's there, I'm there. Two from 17 leaves 15. Are there 15? Is there another? I'm not going to give you an auctioneer's cry because people would think that I'm trying to sell the rights of the citizens to the highest bidder. There's something peculiar, or as I quoted Shakespeare, "rotten in Denmark," when a company in Sarpy County compounds a drug used in execution-- in an execution, maybe more than one drug, but some of the ingredients came from a company which definitely did not want its drugs used for that

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purpose. The Governor who started a brouhaha by attacking a woman to help another woman get elected and that other woman, says a lot about sexism, had nothing to say on behalf of the woman whose reputation is being besmirched, whose credibility is being destroyed, so there is no sisterhood there. There is a "mehood" that she believes in: herself. So when she invokes feminist notions or feminism or femaleness, she doesn't believe it in herself because she is the tool by which another woman, who is unoffending and hasn't done anything wrong, is being assassinated in her character. Now somebody who would do that is certainly not a role model for our young women that the Governor's wife was talking about or I don't know what young women she's talking about. Maybe there ought to be a poll and it can be done on the, the gadget. I was trying to think of a word that would make it sound like I know what these things are-- social media. How many of you think that a female who is being benefited by the destruction, the vicious destruction of another female, that destruction is being orchestrated and it was approved by the Governor because he wants to destroy that other female's character and ruin her standing in her community among her neighbors? How many of you would want to be the woman who would participate in the destruction of that innocent woman?

WILLIAMS: One minute.

CHAMBERS: Because the one who's doing that is being held up by the Governor's wife and the "Repelican" Party as a role model for all the young women in the state, all the young women and all the older women, too, because she said all of the women are involved. I think that's insane. But when people lose their way and they're going to stand by their man, then strange things are said, strange things happen, and we're going to have the opportunity today and in days to come to go over a lot of issues and a lot of notions. Some will be frivolous; others will be deadly serious. How many times do I have to speak on this, Mr. President?

WILLIAMS: This is your third time. You will have a close.

CHAMBERS: Thank you.

WILLIAMS: Thank you, Senator Chambers. Senator Wayne, you're recognized.

WAYNE: Thank you, Mr. President. So after I announced the "magnificent 17," we've already started conversations. And I was informed that there's already a "superior 17." So we're not actually on opposite

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sides yet because we're trying to figure out the numbers here, but the process has started. And I'm, and I'm being dead serious about this. The process is going to start. And so I don't know who's all on the "magnificent 17" because that was just started a minute ago. I guess Senator Chambers spoke, so that would have been six minutes ago. And the "superior seventeen," I just came up with that name. That's not what they're called, but it's another group of people who have interests that are similar and that's the point. We have to have-- we have groups right now that can stop LB720. We have groups right now that can stop property taxes. And we have groups right now that can stop any deal that comes from the "super seven." The only way this is going to work is if the two "17s" actually sit down, if there are two "17s," or the two "15s" or the "elite eight" or the "fab five," whatever name we come up with, if they sit down and we actually talk. And I don't think it's behind-the-scenes negotiations and things like that because I think people already know where they are. The problem is, is we haven't had space on this floor to have that conversation. I don't know if it'll take three or four bills that are only worth \$100-- \$100,000 to bring three or four people because nobody-- and this is the part I think people don't understand about this issue and I hope people are at home listening. Nobody is just adamantly opposed to property tax relief. Nobody is just adamantly opposed to tax credits for corporations. Some people just don't like it. And as I pointed out, I don't know how LB720 works in my district that well, but I'm willing to say, OK, it doesn't hurt my district, so let's have a conversation and let's figure out what works for my district and how we can get that done to help my district because we're helping somebody else's district by LB720. And there's not a, a wheel-and-deal value. Only reason why I'm assigning values of \$30 million and \$90 million is because there are, and I recognize there are issues that are just fundamentally who you are. There are issues about SNAP benefits. There are issues about abortion. There are issues about X, Y, and Z, small businesses, government intervention. That's just who you are and that is a value no number can put on there. I get that. But when we sit down and we talk about property tax, there is a value. When we talk about a tax credit, there is a value; there is a number we are assigning to that value. So now, if we're just talking about dollars and values as it relates to the, the, the dollar amount, then we sit down and talk. And I said this yesterday. For property tax relief, the perception is 80/20, rural versus urban. I disagree on how big property taxes are in urban, but I'm saying the perception is property tax relief is going to favor 80 percent rural, only 20 percent. So then what's on the flip side of that? There, there's a

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value of \$600-- \$600 million. Then what's the value flipped the other way so the urban senators can perceive the same value coming to them? That's, that's how negotiations are done. I worked for a railroad company on management side, but every election I was union endorsed and my job was literally, literally to negotiate with unions from a management perspective. But the reason why negotiations were successful--

HILGERS: One minute.

WAYNE: --because we could understand the value. There are some things, like discipline and due process, you can't put a value to that. But there are things, like rates of pay, breach of contracts, penalties, that you do assign a number. And when you can assign a number, you negotiate that number. That hasn't happened. So what I'm asking, and I'm truly asking, is for senators, if there is a bill with a fiscal note and you're all anti-property or anti-tax credit or anti-something else and you just don't want to pass anything, if it's not a core value, a social value, but it's a dollar value because property tax means something to small farmers and small businesses and homeowners, then we got to spread that value to where everybody feels that they can vote for it. This is negotiation 101.

HILGERS: Time, Senator.

WAYNE: Thank you, Mr. President.

HILGERS: Thank you, Senator Wayne. Seeing no one else in the queue, Senator Chambers, you are welcome to close on your amendment.

CHAMBERS: Thank you. Mr. President, members of the Legislature, there are bills on here that I don't even care about, so I'm not going to offer any delaying motions at this point, such as a reconsideration or whatever. But as we get toward the end, then I will begin to do that because we should not get into another subject before 5:00. I do not control Senator Wayne. Nobody does and nobody should. But I have spoken at length on some of these bills. We're now on LB910. Oh, that's only the third bill. And Senator Stunner-- I mean Senator Stinner, the stunner, is the one who is in charge of this bill. But at any rate, I'm in the business of consuming time now and that's what I will do. And you all ought to watch me very closely and carefully and see if my advanced age, I'm beginning to show wear and tear. And you may notice it before I will. How many situations have you read about in fiction or watched in movies where everybody is aware of something

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pertaining to an individual, but that individual is blind to it? I may not be aware of the fact that I'm wearing down, but you all might be aware of it. But if you are, don't tell me because that, in and of itself, will energize me because a charge to keep, I have. I have staked my claim. This session has not dealt with the betterment of the people I'm concerned about. Senator Geist hijacked one of my expressions, "the least, the last, and the lost," in defense of her abominable anti-abortion bill, but she's entitled to bring any bill she wants to on any subject and to characterize it however she pleases. But based on the bills we bring, we invite people to judge the level of our morality and our ethics. Now if somebody is very concerned about a zygote, an embryo, a fetus, but not concerned about hungry children, there's something haywire there, or as Elmer Fudd would say, who can't pronounce his Rs, something very "scwewy" going on there. And that's the way the people are on the floor of this Legislature. You take all these religious positions, this "churchified" stuff, but it is not what it ought to be when it fails to lead you to go all the way to the logical conclusion of what you started yourself. If you say a human being exists at the instant of conception--

HILGERS: One minute.

CHAMBERS: --then when whatever that is, based on the disputing, passes through the birth canal in the normal or usual way and you don't care whether that which is now born has food to eat, has shelter, has booties to put on its little feet, then you're a hypocrite and that goes for whoever does it. Whoever does it, that person is a hypocrite and that's what we have. When propositions are put before us to give aid and support to children and the so-called conservatives vote no, they show what they are. Now I love language. I like words. Write out the word "conservative." Make it plural. And every time--

HILGERS: Time, Senator.

CHAMBERS: --you see "conservative," buried in the midst of--

HILGERS: Time, Senator.

CHAMBERS: --"conservative" is racist. Oh, you-- I'm sorry, Mr. President.

HILGERS: Time.

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CHAMBERS: Thank you.

HILGERS: Thank you, Senator Chambers. Members, you've heard the debate. The, the question is, shall FA122 be adopted? All those in favor vote aye; all those opposed vote nay. Have all those voted who wish to? Record, Mr. Clerk.

CLERK: 1 aye, 24 nays on the amendment.

HILGERS: The amendment is not adopted.

CLERK: I have nothing further on the bill, Mr. President.

HILGERS: Thank you, Mr. Clerk. Senator Slama for a motion.

SLAMA: Mr. President, I move that LB910 be advanced to E&R for engrossing.

HILGERS: Members, you've heard the motion. All those in favor, favor say aye. Opposed say nay. The motion is advanced. Next bill.

CLERK: Mr. President, LB1052. Senator Slama, I have Enrollment and Review amendments pending.

HILGERS: Senator Slama.

SLAMA: Mr. President, I move that the E&R amendments to LB1052 be adopted.

HILGERS: This is debatable motion. Senator Chambers, you are recognized.

CHAMBERS: Thank you. Mr. President, these amendments that I'm drafting are very difficult to do. So in order that I have enough time to draft one, I've got to say a word or two and hold the bill right here. I'm not going to say at this moment how long I will remain on this bill. And however long I decide to stay doesn't mean anything in terms of what Senator Wayne decides to do. But I am going to have something to say on every bill. And since I'm opening, I have ten minutes and we can divide the time remaining by ten. There are 60 minutes in an hour. How many bills can be processed in that amount of time? I didn't say how many will be, how many may be, but how many can be and nobody on this floor can give the answer, other than myself, and I wouldn't be correct. I know how much time I will take and I could divide that total amount of time into however much time remains between now and

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5:00. But somebody else may have different ideas. And as you know, the best laid schemes of mice and men, aft gang agley, or as the football coach said, oft go "arrie" (PHONETIC], but as people with a little education say, oft go awry. Now this coach has a football for a head and a basketball for a brain, so when he sees the letters a-w-r-y he doesn't see "awry." He sees "arrie." And who's to say that those four letters should not be pronounced "arrie?" It's a matter of convention. And if it's agreed by those who make determinations about pronunciation that a-w-r-y should be "awry," that is the correct pronunciation, but it may not really even be that. Dictionaries don't tell you what's correct. Dictionaries tell you the usage that is out there, then you make a determination from there. But when we're going to school, we're taught all kinds of things that are not true. We're never thought to think critically or analytically. We're given slogans. We're given cliches: for example, "i" before "e," except after "c," or when sounded like "ay," as a "neighbor" and "weigh." But if you take the "e" and the "i," it doesn't always fit that rule, as they call it, or you take the "i" before the "e." You might have the word "siege," and "seize." One of them has "i" before "e," the other has "e" before "i", but they're both pronounced like a long "e"--

HILGERS: One minute.

CHAMBERS: --and no "c" is anywhere in the word. So they mislead children in these schools and I think that is not a good thing to do. But as a result of that, people in America don't think with any depth. And when they talk to people who have been educated in other countries, then it's glaringly evident how inferior the education is in this country. And Ivy League schools are not all they're cracked up to be either and I've lectured at a couple of them during my earlier days. Now MIT is not among-- an Ivy League school, but I lectured there and at Carnegie Mellon University, which some people may not have ever heard of. But for those who know anything about educational circles--

HILGERS: Time-- time, Senator. You-- you're--

CHAMBERS: Thank you, Mr. President.

HILGERS: You're next in the queue. You may continue.

CHAMBERS: Thank you, Mr. President. White people judge black people incorrectly because they don't know what we know and they don't know much themselves. They are blown away by badges and titles. For

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example, somebody says, I graduated from Yale. Well, so what? Or Ha-- Harvard-- so what? What do you know? A lot of people pass through Ivy League schools and education passes through them. And they have a piece of paper or parchment that says they attended there so long and got this degree, but that piece of paper doesn't mean anything. And even if you can, as I can, cite the alphabet backwards or forward or take any letter and tell you what the number is that corresponds to that letter, that doesn't mean anything. That's just something that you can memorize. It's a trick. It does not comprise thinking. In fact, once you learn the trick, if you think, then it'll throw you off your game. You have to let it just flow and be automatic. One thing follows the other and don't think about it and it will take care of itself if you memorize it correctly. Questions are not asked where questions ought to be. Students are not encouraged to ask questions. I was in a law class called constitutional law at Creighton and I disagreed with the majority Opinion in the case. There are nine judges on the Supreme Court. Five said aye, four said nay, and I agreed with the four. And the professor asked, how presumptuous am I, a freshman in college-- in law school, challenging or pretending to know as much as these five judges? What do you say to that, Mr. Chambers? I said, well, Professor, it's not just me; there are four judges of the Supreme Court who see it the way I see it. So I'm a law student, but those four judges on the Supreme Court are on a par with the five who went the other way. And the students kind of put their hands over their mouths and laughed because they didn't like this professor anyway. And I just looked at him and he didn't say anything else to me. Then all the rest of that class, when he'd have a question that he wanted answered and I'd raise my hand, he'd never call on me, wouldn't call on me. I guess he thought I was impudent, thought I was impertinent because I came there thinking and he was accustomed to dealing with white students who were so happy to be there, they learned what the professor wanted and that's what they gave back. That was never me. And I question everything. I question even the question that I pose and I break down the words. What does each word mean? Does it mean something different if it's in a different setting with different words or will it always mean the same thing--

HILGERS: One minute.

CHAMBERS: --no matter what setting it's in? And that might, in some people's mind, go nowhere. Somebody who's never lifted weights will see you go through the same motion 12 times to what is called a set. And they say, why do you have to do it 12 times? That's not going to

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do anything. Well, you don't know what the person is doing those 12 repetitions for. So to you, because you don't have the understanding, don't see anything there of value, you have to try to be able to lift yourself out of where you are and the way you do and see things to consider how other people might be seeing it. And you get a notion of that by listening to them, paying attention to them, observing them, which is what I do around here. And it's why I can say you all are a bunch of hypocrites because I listen to you speak so passionately on some things and if that passion were real--

HILGERS: Time, Senator.

CHAMBERS: --it would carry over. Thank you, Mr. President.

HILGERS: Thank you, Senator Chambers. You're next in the queue. This is your third opportunity.

CHAMBERS: And then I have a right to close, correct?

HILGERS: No, Senator Chambers. There's not-- you don't have a pending amendment.

CHAMBERS: Say it again?

HILGERS: There's no-- you don't-- you do not have a pending amendment on the-- on this bill.

CHAMBERS: Oh. Thank you, Mr. President. Then I think I'd better get busy. Do you see how the Chairperson would never just answer a question not asked? But if you ask the right question, it will be answered and it will let you know where you are and where you need to be if you want to get from point A to point C, but you're not even at point B. So I think I better throw something down on this pad right quick, summon one of our highly competent pages, place something on the desk that will be a motion, then I can speak for a while longer on this bill. I would hate for the introducer of this bill to feel that I'm slighting her because I didn't think enough to give, if not the very best, at least some of what I've given other bills in the way of attention. At this rate, I could go on all day and into the night and you all would be sitting right here and I could mock you if I chose. I could chastise you if I chose. But that's not what my purpose is today. I was summoned to this floor by some things that Senator Wayne stated, truths which are undeniable but will not be accepted because we are in a political setting and politicians in a setting like this

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are not free agents in the sense of being at liberty to do what the higher angels of their nature inform them they ought to do. Who is pulling that string? With my good friend-- well, let me not be presumptuous-- with Senator-- he's looking. I just wanted to be sure that without me even calling his name, he knew who I was talking to. See how quick some people are? But he and I have kind of an understanding. Senator Clements is fortunate to have the man for a father that he has and when Senator Clements gains more of those traits, Senator Clements will be much better off. But see, he is a very young man compared to his father and myself. So because of the amounts of time that I and his father have been in the world, we've seen things that he has only read about. And if these youngsters are intelligent, the things that they have not seen but only read about, if they have the opportunity to listen to or converse with somebody who actually saw them or participated, then there is a level of understanding, there is a totality of understanding--

HILGERS: One minute.

CHAMBERS: --that is not reached simply by reading about occurrences. That's why Senator Clements and I will always be able to be civil to each other, meaning he will not walk up behind me and hit me upside the head with a baseball bat, nor would I do that to him, and yet we disagree. When I say aye, he says nay; when he says aye, I say nay, depending on which of us is called first, if we take the roll call in the regular order or in reverse order. But in most instances, we are not going to vote the same way and that, believe it or not, gives balance to the universe. Everything in the universe must be exactly as it is at every instant or the universe will be thrown out of kilter and it would be all over, Rover. Now you don't know whether that's true or not.

HILGERS: Time, Senator.

CHAMBERS: Thank you, Mr. President.

HILGERS: Thank you, Senator Chambers. Mr. Clerk for an amendment.

CLERK: Mr. President, Senator Chambers would move to indefinitely postpone the bill.

HILGERS: Senator Chambers, you're welcome to open on your motion.

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CHAMBERS: Thank you, Mr. President. And I like the fact that you use the word "welcome." That is such an inviting term. But what I was going to say, when people are theorizing, they may be right, they may be wrong, but they lay that out there in order to try to advance knowledge. It gives them a foothold. There is a very high rock-faced structure and they want to get from here, where I'm standing, to the top. There are no large projections, so they have to proceed very, very cautiously and carefully. So they slide their hand up until they might find a crevice into which they can insert at least part of their fingers, enough of them to support their weight if they want to lift themselves off the ground using that crevice as the solid point in this whole process. Scientists proceed, if they're worth their salt, step by step and they want to verify what it is they think they have reached as a conclusion. And they always hold open the possibility that they could be wrong, not wrong in the sense of erroneously drawing the conclusion, but wrong if they conclude that every individual of this class that I'm studying would be the same in every respect. People can say and feel certain that every lemon will be sour. But until every lemon has been tasted, that absolute statement cannot stand as true. You test enough or study enough individuals in a group and when you find a common element, then you apply that to every other member of that group, wherever they may be found. And because that is the methodology, they have sometimes come across insects that they would have put in a certain category based on the external appearance. But then upon closer study, it may have-- you call them "feelers"-- that are longer than others of their kind, little variations that make a difference. And then the rest of us, who look at what scientists have done or have an interest in it, will know that we are even more limited than they are because we don't even master everything that they've presented to us. One thing you can bet your bottom dollar on, if you have one, if I say that a hen dips snuff, if you look under her right wing, you'll find tobacco stains, which is another way of saying, if I say that I'm going to do something, then I'm going to do it. I don't need your approval. I don't need your presence because the clock on the wall has a hand that continues to go around or if it's digital, those numbers change. But whether the clock stops, if it's one with hands or digital, time continues moving. There were some members of the Legislature and they needed more time because it was the last day of their session and they had a clock on the wall. So before that clock reached midnight, somebody broke the clock, and thereby, midnight was never reached in that Chamber. But a bill that they had enacted into law purportedly was struck down because the court said time is not controlled by a clock; if every clock on earth

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stopped, time continues to move; midnight was reached; you had not done what needs to be done by midnight; this bill is struck down. I'm not making this up. And I don't remember whether somebody threw a book or threw a shoe or whatever, but it broke that clock before it reached midnight. So there might be a way to keep track of all the time that we're using to make sure that when midnight comes, one second past midnight, you're into the next legislative day. That's why I know you're not going to go past midnight, so the longest I will ever have to go is midnight. If we do go one second past midnight, you all are not going to stay 24 hours again, from midnight here till midnight the next. You know that and I know it. You've got things you want to do, places you want to go. But when I say I will take time, that's precisely what I intend to do. And whether you listen or not, whether anybody listens or not, every word spoken is going to be transcribed and that becomes the official legislative history. You all probably get-- oh, no, I'm not supposed to say that-- you white people probably get offended at some things I say, but you really are criminal-- criminally inclined. Do you realize that the Federal Bureau of Investigation did not come into being because of black people committing crimes? Did you know that? What about the CIA? There's an anti-racketeering law whose initial is the acronym RICO that deals with racketeering by white people. Why do we have all these law enforcement agencies that came into existence because of the criminality of white people? Then you've got the nerve to point at somebody else and call them criminals. Al Capone was not black. Because his name ended in a vowel, he probably was Italian or Sicilian. But his name was not Al Capone or "Caponay" [PHONETIC]. His name was "Cornpone." His name was-- and his first name was not Al. His name was Albert. His name was Albert "Cornpone" and his girlfriend was named "Pork Chop." And I did some research and I wrote a, a poem about them. And it takes you from the ev-- it ev-- it takes you through the evolution where they went from Albert "Cornpone" to Al Capone and "Pork Chop" became known as Mae. When they went to the big city, because they came from the country, they ran moonshine. And "Pork Chop" could drive a car. I don't know whether in my rhyme "Cornpone" could drive better than she could, but she certainly drove better than a sheriff who tried to chase her down because she had moonshine. She made a curve and he didn't and he went off the road. And he was so embarrassed that he told "Pork Chop," if she didn't tell anybody what happened and let him say that the car was in an accident, "Cornpone" would never be stopped running his moonshine, nor would "Pork Chop." And that's how they flourished. But then a preacher came who preached against them. And he didn't call them hillbillies. He called them

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"hellbillies" because that's where they were going. And pretty soon they got tired of having these kind of messages preached about them every Sunday, so they moved to Chicago and that's when they had to change their name. So instead of Albert "Cornpone," he shortened Albert to Al. And if you say "C'pone," that looked kind of European.

HILGERS: One minute.

CHAMBERS: So they dropped the apostrophe and "Cornpone" became Capone. Albert "Cornpone" morphed into Al Capone and his dealing in moonshine and with what he learned made him master the ins and outs of the rackets and he rose up the ranks. But this was not a black man; Mae was not a black woman-- white people. Jesse James was white. Frank James was white. The Dalton brothers were white. "Billy the Kid" was white. All of those people who were at the shootout at Tombstone, Arizona, there was a particular ranch where it happened-- Ike Clanton was one of them, to give you another hint-- some people call it--

HILGERS: Time, Senator.

CHAMBERS: Thank you, Mr. President.

HILGERS: Thank you, Senator Chambers. Debate is now open on the motion. Senator Erdman, you are recognized.

ERDMAN: Thank you, Mr. President. I stand in support of Senator Chambers' indefinitely postpone motion. If we get that far, Senator Chambers, I'm putting a green on that one. But what I stood up to tell you today is this morning we talked about the budget and Senator Friesen had introduced a motion that caused quite a stir. But what Senator Friesen was trying to say is this budget that we think we have this money is not going to be there. In '17, we had a similar situation we're facing now. It was a lot worse. We had-- excuse me-- \$1.1 billion budget deficit and we supposedly balanced that budget. And on the latter part of that session, I had made a motion to adopt the prior year's budget because I said we were \$250 million too high by doing that. October of that year, the forecasting board met and said, we're \$220-- \$238 million out, so I didn't miss it too far. So what I'm here to tell you today is same thing's going to happen. Florida has just come out and figured that they're going to be down \$2 billion because of COVID. Now we may be in good shape today, but the people that we pay to do forecasting for us, the people that know forecasting were not in agreement with the forecasting board. And I happen to feel the same as I did in '17, that this is exorbitant and

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we are not going to have the revenue that we think we have. And so we'll make adjustments again because we missed it, but we'll already have spent the money that we shouldn't have spent. So as we look about what happened with COVID, a lot of the nonessential businesses were closed. Nonessential to who? How about the beauty salon or the barbershop or the little restaurant in my, in my district that was closed? Nonessential to who? Nonessential to the people in the eastern part of the state? They were essential to the people who owned it. They're essential to the people who live there. And the other question you have to ask is, how many government employees were furloughed? How many government employees were laid off because of COVID? How many government employees applied for unemployment insurance? The answer is probably zero. Why is that? It's because we continued to pay our taxes and the government continued to employ everybody who they do employ and they suffered nothing. And so all the small businesses had to do what they had to do to try to get through, use savings or whatever they could. But if you had a job with the government, don't worry about it, you're going to be fine. So this is a warning. You'll see if I'm right or not come October, when the forecasting board meets, if they take back everything that they supposedly had given you on the 23rd. So somebody-- maybe somebody in the media will write this down. Today's the 28th of July and we'll see the latter part of October how close I was. As I said this morning, or yesterday, agriculture is in the doldrums. Agriculture is in a bad way and agriculture is the economic engine that drives this state. And William Jennings Bryan once said, if you destroy the cities and leave the farms, the cities will spring up like magic. And he said, if you destroy the farms--

HILGERS: One minute.

ERDMAN: --weeds will grow in the city's streets, right? So what we're going to do, we're going to find out if he was right. We'll find out. We're headed there. And so the revenue is not going to be there and we're going to have a difficult time balancing our budget. And so it's going to be a situation where we find ourself filling that gap in again when we return. So that's a deviation from what Senator Chambers have been talking about, but you need to think about that as we start moving these budgets, these bills that have a fiscal note for the state. And that's why Senator Friesen did what he did. I wish he'd have left his bill up. I'd have voted for it. Thank you, Mr. President.

HILGERS: Thank you, Senator Erdman. Senator Wayne, you are recognized.

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WAYNE: Thank you, Mr. President. So I want to talk a little bit more about my district because I didn't get to finish talking about that. And I think it's important that people understand when I'm talking about my, my community, it's not, it's not just, you know, necessarily one thing or the other. And I do want to remind the fact that we talked about taxing water and, and we talk about tax relief, but nobody's willing to spend \$6 million on not taxing really the-- who gets hit the hardest is the urban poor. And I, and I just want to remind everybody about what this taxing of water is for those who might be tuning in and saying, what is, what is Senator Wayne talking about taxing water? Well, if you go in and you buy a bottle of water at the store or you go to the gas station and you like the bubbly water, like I like, you just pay for it and there's no tax on it. But if you drink water out of your water faucet, you're actually taxed. Think about that. That costs \$6 million, high estimate is \$8 million a year to the state of Nebraska if we were to reduce that tax that hurts poor people more because poor people save their dollars and they drink more tap water. That's just facts. If you have less income, you're not out buying bottled water just to buy bottled water. So you hurt people who are using water for formulas for their kids. We, we tax that. We don't tax food, but we tax water for formula for kids if it comes out of your faucet. But I will not let go of the \$10 million we are going-- we, we appropriated to rural workforce housing. That's-- that is just unbelievable and why I, I won't vote for the budget and, and that's just where it's going to be. So going back to the map of, of, of my great district and how we were talking about all of the, the diversity that I see in my district, we use a lot of water in our district in a lot of, a lot of things. But I also wanted to talk about this water tax a little bit more and how it ties to the utilities because utilities don't pay taxes. And what we're going to have with Senator Lindstrom's bill coming up is towers that are being built by ERAs that will lease the poles to private industries don't have to pay taxes. But if I am Sprint or a telecom company who builds my own towers and I want to lease them to somebody else, I do have to pay taxes. So I have an amendment that will take care of that issue. But again, we stand on here as conservatives and say we don't want government getting into private company, private industry like the land bank and everything else, but we're going to allow public power to get into the telecom industry. Now they may not run the telecom industry, but what they are going to do is beat every lease by at least \$0.07 because that's our sales tax. They're going to be able to go to every telecommunication company and say, use our towers because we know from the gate we're \$0.07 cheaper per dollar, but we're OK

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with them playing in that industry. These are the inconsistencies that continue to happen across my district and across the state and why I get a little frustrated about it. So we're talking about housing that's going to come back up. I'm just giving you a preview of how many--

HILGERS: One minute.

WAYNE: --how long we're going to be talking here on every bill. And a couple of them are my bill and Senator Groene's bill on micro-TIF. And I'm going to start going through the housing on these maps and what was redlined, what couldn't be bankable, what was bankable and how that affects today, since we're going to talk about property taxes, how schools are reliant on property taxes. And you know what happens when you're landlocked? You only get to share the value of the property there to fund your schools. You know who that hurts? Urban core, black and brown and poverty areas that are in my district. But we don't want the state to do it, but we want to rely on local when property taxes are too high. So we're going to have a-- it's only 4:00. I don't know how long we're going today, but I'm just letting you know I'm-- I was sidetracked with some negotiations for the "magnificent 17" and so we'll keep going with that, but--

HILGERS: Time, Senator,

WAYNE: --we'll have more time today. Thank you.

HILGERS: Thank you, Senator Wayne. Senator Chambers, you are recognized.

CHAMBERS: Thank you, Mr. President. Earlier today, I had talked about the black slave who had put that big Statue of Freedom, as it's called, on top of the dome of the Capitol Building in Washington, D.C. To show the irony that black people are constantly confronted with, here is a slave masterminding the placement of that statue, which is called Freedom, on top of the Capitol Building in the land of the free and the home of the brave-- that's what you white people see-- as I've stated, the land of the tree and the home of the slave for black people. You all don't see the irony because you're privileged, you're spoiled, you think that everything you do is right, but a lot of know-- you know you're as dumb as a post and were you not white, you couldn't even get a job. There was some guy who went before the city council to speak for an effort to get a repeal of the constitutional provision in Nebraska's Constitution that bans affirmative action. He

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said he knows that affirmative action is needed because he, as a white man, got a job, job as a truck driver over a black man who had far more ability and a lot of white people know that. All you need to be is white. This little black kid and a little white kid were sitting by the train tracks. And every time this locomotive went by, the engineer would toot that whistle. And the little white boy said, don't you wish you was white so you could be an engineer and toot the whistle? He said, all I wish is that I had a chance. But even as children, they knew the difference. If you're white, you're all right, but you're not right all the time. I'm going to give you a little information on that black slave. The great colonial mansions and famous antebellum-- antebellum means before the war, the Civil War. The great colonial mansions and famous antebellum structures were built by slaves, among them Monticello, Mount Vernon, the College of William and Mary, the Wren Building and Nomini-- Nomini Hall. And these are places where black people couldn't even go, yet black slaves built it. You all didn't know slaves had that ability. But when they came from Africa snatched up, they were not savages. Here's what they brought with them. By-- based on colonial records, they were millers, brewers, weavers, butchers, tanners, bakers, leather workers, shoemakers, blacksmiths, carpenters, shipwrights, brick masons, foremen, coopers, gold and silversmiths, as well as sailors, whalers, and pilots. And this is based on the colonial records of what these so-called inferior black slaves were doing. When they came from Africa, they knew things, they did things, they had a society, a civilization. Check when the Library of Timbuktu existed. But you all aren't going to do that. Most famous of the structures built by slave labor were the White House and the Capitol at Washington. It was a Negro slave, a highly skilled mechanic who performed the delicate and difficult task of fitting the Statue of Freedom on the dome of the Capitol, the New-York Tribune-- I had said earlier the New York Times, my mistake-- the New-York Tribune, December 2, 1863, in an article entitled "The Negro Slave and the Statue of Freedom. See what these white people wrote? They don't even--

HILGERS: One minute.

CHAMBERS: --think about it. How can you juxtapose those words, "the Negro slave" and the "Statue of Freedom?" And the arrogance that you white people show on this floor, the arrogance, the lack of intelligence, the absence of knowledge, the blindness, the walking in lockstep because your Governor ordered it. Now if you're going to talk about what women ought to do, they ought to be all supporting that

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woman who is being character assassinated by the Governor and his henchmen and hoodlums. But that's not going to happen. That's not going to happen. She's the innocent one in all this. Nobody else is, not Senator Slama, not Dan Welch, not Governor Ricketts, none of them.

HILGERS: Time, Senator.

CHAMBERS: Thank you, Mr. President.

HILGERS: Thank you, Senator Chambers. Senator Wayne, you are recognized.

WAYNE: Thank you, Mr. President. I'm going to just drift here for a different direction, but I want to tell a little basic thing that maybe you'll find interesting and maybe you don't. You know, what's different about our community than probably most of the people in here is that when you dial 911, you don't have to think about who shows up. What goes through the community I represent's head is, I dial 911, I have to make sure I don't overreact, I have to make sure that a cop who comes to my house is one of the good ones. You know, what's different in our community than in most communities is that our mental-- our first line of mental health is our police officers. Our primary care doctor is the EMT. That bill is oftentimes a lot more expensive. I just wanted to give you that perspective and here's why. I got a text message-- that's why I was kind of off the mike-- of a former client and this is what made me think of this. In Douglas County, if you are a mother or a father and you somehow end up in a situation of domestic violence and if you are of black and brown nature, but now it's getting to a point I'm seeing it everywhere, and you dial 911, you can end up being charged with child neglect or abuse. So one of the questions an officer is going to ask during that situation is, was your kids present? Man comes home, beats you, woman comes home, beats you, the question they ask is, was your kids present? If you answer yes, that is child endangerment and you will be charged in juvenile court. Think about that. Think about the chilling effect that has throughout our communities. But what I will tell you is oftentimes those same charges don't happen in juvenile court in the western part of Omaha and here's why. I won't charge you if you put a protection order on and if you can get an ex parte order within the next 48 hours granting you custody of your kid and not allowing the person, the father or the mother who did the violence, access to your kid without supervised visits. Now tell me who can navigate the system and hire an attorney and get that done in 48 hours? That just happened because the week before I came down here, I had an ex parte order

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delivered to a judge at 4:15 and he signed it and that kept these kids from going into foster care. And that just happened to be-- sometimes you get calls, even though you have a profession. They lean on the senator card and they say they're from your district so you've got to, you know, help them out, which is fine. But these two kids would have ended up in foster care for the weekend, maybe longer, through no fault of her own. And if anybody wants to--

HILGERS: One minute.

WAYNE: --go sit on the sixth-- you said time or one minute? Time or one minute?

HILGERS: One minute.

WAYNE: If you want to go sit on the sixth floor with me in Douglas County-- and we could talk about it. How many of these cases are through no fault of the mother, but she doesn't know how to go down and get an ex parte order? And guess what? During COVID, it's ten times harder to go down and get it. They sure don't know an attorney who can file and draft a complaint to get a divorce or a complaint for custody and child support and have an ex parte order delivered within 48 hours and most of the time it's 24 hours. That's just one example that happens daily in my community and you see my community is from all over. Poverty is a different set of standards--

WAYNE: Time, Senator.

HILGERS: --than those who have money. Thank you, Mr. President.

HILGERS: Thank you, Senator Wayne. Senator Chambers, you are recognized.

CHAMBERS: Thank you, Mr. President, and thank you, Senator Wayne. I'm going to complete this, this item. Anyway, the article is titled "The Negro Slave and the Statue of Freedom." The article: When the bronze castings were being completed at the foundry of Mr. Mills, the foreman who had superintended the work from the beginning and who was receiving eight dollars a day, struck, and demanded ten, a Negro took the striker's place as superintendent and the work went on. The black master builder lifted the ponderous masses and bolted them together, joint in joint, piece by piece, till they blended into the majestic freedom, unquote. A work titled On the Rotunda and Dome in the Capitol Library gives the name of this slave. It says, "Mr. Mills at that time

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owned a highly intelligent slave named Philip Reed, who had been employed about his foundry as an expert and admirable workman. Mr. Reed, the former slave, is now in business for himself and highly esteemed by all who know him." That is found at pages 194, 195 in the 1869 publication Capitol and the Dome. This is what black people were doing and they tell you that we were savages. Look at me and compare me to you all. And I didn't have the best of educational opportunity, but I did a lot of reading because I learned quickly while I was going to church as a little person what they said, these grown people, was in the Bible wasn't there at all. So I began to mistrust and distrust adults. And if they'll lie in church, they'll lie everywhere, including in school. But I'll go into this in more detail someplace else. My parents taught me to respect teachers and didn't alert me that they were going to read a degrading story called Little Black Sambo and I, as the only black child-- child, would be laughed at by the white children. That's what grown white people do to us. These brave, superior, supreme white people would do things like that to a small black child. If those white teachers had not mistreated me as a child, then you might not be dealing with the kind of black man that you deal with, me, here on the floor. They didn't destroy me. But some of my classmates, they did. They sampled alcohol, drugs, and didn't live as long as they should have. So it gives me an obligation and a responsibility to try to make the record straight, to the point I can't, in terms of how we were mistreated by white people and try to put a set of circumstances in place where you all cannot continue it, but you still always outnumber us and you don't have any compassion, you don't have any understanding because you lack knowledge and you lack curiosity that would lead you to learn something. Here is-- until I told you this, you didn't know that a black slave masterminded the construction of that big statue you will see on top of the Capitol Dome in Washington, D.C., every time they show that building. And the building itself was constructed by slaves--

HILGERS: One minute.

CHAMBERS: --people you teach, to the black children, are inferior to you all, you all. You can't even read without stumbling. You mispronounce words, the master race. You're supreme. I'm inferior, you think. You want to believe that. You'll never make me bend my knee to you. You'll never make me bow my head. I won't scratch when I don't itch and I won't laugh when something is not funny. And I don't care whether it's a cop, whether it's the Governor, the mayor, all they are are human beings who were given titles. And some of them were given

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lethal weapons and a license to use them on us whenever they feel like it and they will always be acquitted. And that's the difference between white cops killing black people and crazy black people killing each other. The black killer is--

HILGERS: Time, Senator.

CHAMBERS: --put in prison. Thank you, Mr. President.

HILGERS: Thank you, Senator Chambers, and you have your close remaining. Senator Wayne, you are recognized and this is your third opportunity.

WAYNE: So I want to talk a little bit about COVID, not in a negative way or anything like that, but I think it's important that we understand how the impact of schools is going to also detrimentally affect our sales tax that nobody seems to talk about. And I'm just going to go with OPS because that's what I know. So there are a lot of teachers who get their base pay, but then they also get extra pay for extracurricular activities. Whether it's coaching football, whether it's going to games, going to football, doing raffles, being there as part of their extra duties, there's extra pay. OPS announced yesterday that there are no more extra activities, so no more weightlifting, which is kind of a precursor to probably no more-- no seasons. For some of these teachers-- and not just teachers, building engineers, and I'll get to the bus drivers and contracts with that-- that's potentially anywhere from \$10,000-20,000 out of their pocket. All that overtime, all that extra pay gone. Let's look at bus driving. The buses we have in Omaha Public Schools with a contractor actually runs on natural gas or propane. I can't remember what the contract is. But all that fuel cost goes away, so all that fuel tax that local districts get goes away. Think about the ag industry and food. If OPS does where half of their students are only there half the time and they're at home half the time, the purchase of meat products and vegetables all go down. But the kids still have to eat and they're at home or at day care, so those hourly workers have to have increased costs, increased costs because of our school system changing its hours, but less money coming in because of our school system changing their hours. This is a recipe for disaster here. And we know, statistically speaking in Nebraska, black and brown communities seem to be hit a little differently and most of those people who are being affected are on hourly jobs. So what I see happening in the next three to four to six months is our revenues are-- continue to go down and workers from these communities are going to miss a lot of work. And

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when they miss a lot of work, there's less money for them to take care of their families, less money to pay things, less money to go out, less sales tax. This is why we're all in this together. And I think we just keep missing that boat. And it may be because it's an election season, maybe because we're all backed in our own corners, but I think you have to think about that. City of Omaha lost est-- they estimate up to \$80 million in revenue without College World Series. But I will tell you, think of the impact of the lack of hotels where we used to have tons of hotels being filled up at a premium price, workers cleaning those hotels every day, workers servicing those people when they come in every day. All of that has dwindled. Those are just facts. That hourly job--

HILGERS: One minute.

WAYNE: --particularly in Omaha and other cities, and it's not just Omaha, Grand Island, everywhere else, there are going to be local consequences. Then at the end of that, and this is where it's going to get interesting, 90 days from now, 100 days from now when that medical bill comes due, we can't afford it. So I'm going to predict with a drought and COVID, bankruptcies across Nebraska are going to go up and I think the ag community is going to get hit just as hard, if not harder, than north and south Omaha and areas where there are meatpacking plants and areas where there are these hourly jobs on the front line because they have no choice but to go to work, just like the farmer. And we have \$230 million we discussed yesterday and we decided--

HILGERS: Time, Senator.

WAYNE: --we're really not going to do anything with it. Thank you, Mr. President.

HILGERS: Thank you, Senator Wayne. Seeing no one else in the queue, Senator Chambers, you're welcome to close on your motion.

CHAMBERS: Thank you, Mr. President. I'm going to continue about the slave artisans on the next bill. Senator Wayne touched on some things that I will not repeat. But you know what I see? I see white people for the first time suffering on a large scale what black people have always been through. There are people on this floor who talked about, well, you're looking for a handout, you're not working. Well, why? How about the government giving this free money to all these white people all over the country? You all aren't rejecting it; you're a bunch of

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hypocrites. One thing good about "Cyrus the Virus," Cyrus is putting everybody on the same level. And now you white people who never had to, as you say, ask for anything, you got to go to one of these food banks. You've got to ask the government to give you \$600 a week when you're not working for it and you're not looking at your neighbor saying, you're getting a free handout because you're all white and you're all hypocrites and you're liars, you're cheats, and you are downright thieves. You know why I say all that? Because you've got companies, billion-dollar companies getting some of that money that's designed for poor people and out-of-work people and the big companies are getting it and your white congressmen and senators know it. Donald Trump knows it and nothing is done about it and you all don't mention it because you've got your hand stuck out too. When your child is crying because he or she is hungry, then all you want is something to feed that child and you don't care who gives it to you and you'll go get some free food for your child. Well, you-- you moochers, you white spongers. Maybe God is showing you something through "Cyrus the Virus," which you didn't learn from Jesus Christ. He tried to tell you. You wouldn't listen, so he brings you down. And maybe that's why the Governor, Senator Slama, Dan Welch, and those neo-Nazis at the Nebraska Republican Party headquarters are having a problem because they're trying to bring down this innocent woman and the people on this floor have said nothing about her. You all jumped to the aid of Senator Slama, who's benefiting from the character assassination of a woman who all she did was be faithful to the Republican Party and stay on the Earth long enough to no longer be a young woman and now she's kicked to the curb. She's the victim. Why don't you all stand on this floor and say something about her? Senator Erdman was thanked by Senator Slama, Senator Clements, but not-- neither one of them said anything about the woman who is the true victim. But I will because I'm not afraid of the Governor or all of you put together and you're going to get your comeuppance, thanks to "Cyrus the Virus." And if they won't believe-- and this is for Senator-- poor, young Senator McCollister, the idealist, the dreamer. If they don't believe "Cyrus the Virus" is real, you know they're going to deny climate change. But for those people who won't wear masks, they're selfish, they are disregarding of other people, and they will breathe their globules out there, unconcerned about how many people are harmed--

HILGERS: One minute.

CHAMBERS: --because some silly jackass in the White House told them, don't wear the mask. But he's starting to talk about something

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different now for political reasons. See, it's not the death tolls that are doing it. It's the political polls. He's concerned about the polls, not the tolls. Kill everybody, as long as he can try to raise his poll numbers. That's your President. The Governor praises Donald Trump and talks about how wonderful it is to work with him and you all don't say anything about that. I'm speaking out about a woman and in behalf of a woman who's being set upon by all these big shots. You all sit around quiet, so I'm the villain. Let me be the villain. Let me be the villain. Mother Nature will not put anything on somebody, one of her children, that that child cannot stand up under. That's why I carry a heavier load--

HILGERS: Time, Senator.

CHAMBERS: --than you all. Thank you, Mr. President.

HILGERS: Thank you, Senator Chambers. Colleagues, the question is, shall the motion to indefinitely postpone LB1052 be adopted? All those in favor vote aye; all those opposed vote nay. Senator Chambers, do you wish to be recognized?

CHAMBERS: Yeah, Mr. President, to withdraw that motion.

HILGERS: Without objection, the motion is withdrawn.

CLERK: Mr. President, I have nothing further on the bill at this time.

HILGERS: The pending motion was the motion to adopt the E&R amendments. Colleagues, all those in favor say aye. Opposed say nay. The amendments are adopted.

CLERK: Now I have nothing further on the bill, Mr. President.

HILGERS: Senator Slama for a motion.

SLAMA: Mr. President, I move that LB1052 be advanced to E&R for engrossing.

HILGERS: Colleagues, you've heard the motion. All those in favor say aye. Opposed say nay. The bill is advanced. Next bill.

CLERK: LB1124. I have E&Rs first of all, Senator.

HILGERS: Senator Slama for a motion.

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SLAMA: Mr. President, I move that the E&R amendments to LB1124 be adopted.

HILGERS: You-- colleagues, you've heard the motion. All those in favor say aye. Opposed say nay. The amendments are adopted.

CLERK: I have nothing further on that bill, Senator.

HILGERS: Senator Slama.

SLAMA: Mr. President, I move that LB1124 be advanced to E&R for engrossing.

HILGERS: Colleagues, you've heard the motion. All those in favor say aye. Opposed say nay. The bill is advanced. Next bill.

CLERK: LB923. No E&Rs. Senator Wayne would move to amend with AM3210.

HILGERS: Senator Wayne, you're recognized to open on your amendment.

WAYNE: Thank you. This is a simple amendment. I don't know if it's-- if the-- Senator Lindstrom is going to recognize it as friendly or not, but I did give him a heads-up this morning about it. Here's what this bill does and I, and I hope people really listen here. This bill allows-- right now in telecom, labor, you pay a sales tax on. If you are telecom industry, you pay sales tax on your labor. This bill does two things. One, it says, if you are a contractor and you're working for ERAs, but actually it's all public power if this were to pass, you don't have to pay sales tax on your labor. That's-- it's a tax break, so it's going to cost money to the state. I want to be clear about that. It has a fiscal note, but I think it should be even higher than that and I'll tell you why here, part two. The second thing this bill does is says leases-- and why this is important, if public power has a, a tower and they want to lease it to or lease space to Sprint-- I'm using Sprint because I have a Sprint phone-- Sprint pays that lease fee. Well, the Department of Revenue says you have to pay it-- a sales tax on that. What this bill does is say we're going to eliminate that sales tax. Now ten years ago, they didn't pay a sales tax, but the department said, when reading the statute-- this is like four or five years ago-- when reading the statute, you should have to pay a sales and use tax, a sales tax on that lease. This bill says, no, we're going to ignore that. Again, this is a cost to the state because what we're saying now is, if you are leasing that in public power or public-- or ERAs or anything, public utilities, what we are saying is,

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if we are leasing you that tower or that space on that tower, you no longer have to pay sales tax, the person, the person in the private industry. Now on the flip side of it, you'll say that's good. But here's what my-- my amendment limits that. My amendment says, as long as it's with-- for the purposes of transmitting power, so if it's a public entity, a public utility, public power is transmitting power, correct, they do not have to pay sales tax. But if it's not exclusively used for public power, i.e., Sprint, they should still have to pay sales tax and here's why this is important. We've changed our tax code to incentivize private companies-- telecom, actually-- to build in rural Nebraska. That's what our tax code has done. What we are telling the private industry, we don't want you to build towers anymore because (1) you have to pay tax on your labor; but (2) anytime you lease it, which they often do to a competitor, you still have to pay tax on it, but if you're a utility, you don't. So what we're saying now, and my bill is trying to-- my amendment is trying to eliminate this, we are saying-- let me be clear. We are saying, public utilities, rural electric, you can now lease towers at a financial advantage than the private industry. So why would Sprint or Verizon ever build a tower in rural when they build this big tower, but yet rural electric may have a tower down the street? I can lease it from rural electric cheaper because they don't have to pay sales tax. That's the fundamental problem here. You're taking away a sales tax and you are allowing public utilities, public power, ERAs, to now play in the space of telecom at an advantage. They don't have to pay sales tax. So what my amendment does is say we don't care if you're leasing for the purposes of transmitting power, but if you're selling space for antennas and anything else in the private market, you got to play fair with the private industry. If they got to pay a tax, you have to pay a tax. And nobody is disputing what I'm saying here, so this body is going to decide whether we want government to lease telecommunication at a cheaper rate or we're going to allow public-- or we're going to allow private industry to compete on the same playing field. And if I'm wrong about this, I'm pretty sure Senator Friesen will stand up and say that. But I forwarded the emails from ERA, the rural association, and, and they agree. That's what my amendment is trying to stop. And their answer is, well, why can't we-- why shouldn't we be able to, why shouldn't we be able to lease to the private industry? Well, I think it creates a-- I think it does a disservice for the years and years and years of telecom trying to invest and paying tax. And now we're going to say, if you're public power or ERAs, we're going to give you a leg up. I think that's unfair to what the investment has been made. And I think overall, we are

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going to lessen the impact of telecom ever doing business when they'll let government build it and just lease from government. And I don't think that's fair, nor do I think that's right. So I'd ask you to vote green on my amendment and I would ask you to still vote green on the underlying bill because we are limiting ERAs and public power to only deal with transmission of power, not play in other spaces. Thank you, Mr. President.

HILGERS: Thank you, Senator Wayne. Debate is now open on AM3210. Senator Friesen, you are recognized.

FRIESEN: Thank you, Mr. President. I guess I'm going to have to ask some questions yet because I don't see where this is relevant. What we're dealing with here is the rural cooperatives that are-- down the road could possibly be the leasing space on their poles for broadband. So I-- right now, our current law prohibits public power from offering broadband services to customers. And there is a process where they can lease dark fiber to private industry if they want to, but it's a cumbersome process and we're trying to make that easier. But in no way are we ever saying that public power can actually offer Internet service over that broadband because they operate under a different set of tax laws than private industry. So I'm not sure what we're getting at here. When we had this hearing in Revenue, and if any of the other Revenue Committee members want to jump in here, I mean, we, we ran into a situation this year where the Department of Revenue was starting to make rulings on certain things, saying that, well, they've just read through things and they decided we should have been charging sales tax on this or on that. And so it was-- this process has been going on for years and there's no sales tax obligation and suddenly, the department ruled that now, no, you, you should have been charged the sales tax all along. And one of the other issues we dealt with was some farm equipment, seed tenders. They've been building seed tenders for 15 years as farm equipment. Suddenly, the Department of Revenue thought that we should be charging sales tax on that farm equipment, so we needed to clarify law and tell the Department of Revenue, no, you shouldn't have been. And I-- I'm waiting-- I'll, I'll let Senator Wayne get on the mike again and explain this a little better because right now, I don't-- there's just not a lot of towers out there and most of what we're talking about is attachments to power line poles where there might be a public-private partnership that allows a private industry to partner with a rural electric to hang fiber on those poles. I don't know that the-- I don't know that it would be beneficial for the power district to own the fiber when they can go

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into a public-private partnership and get what they need and what the private partner needs. We don't know where we're going to be that yet because we've not allowed them to do that. We're trying to get that passed. That's LB992. So this is confusing to me. I-- I'm not sure what we're trying to get at here. Right now, I'm going to stand in opposition because it looks to me like it might make it more difficult for us to get broadband out into rural areas. So I need more clarification before I'm going to support this. So at this moment, at least, I would say I want you to vote red, red on AM3210. Let's discuss this a little further and see once if we can, I guess, figure out what the problem is because we also have statutes in the transportation and telecommunications that talk about leasing space on power poles and what the tax implications are. We've talked about this other times in our committees, Revenue and in Transportation. So I look forward to the discussion and I guess some clarifying of, of what we're actually trying to accomplish. Thank you, Mr. President.

HILGERS: Thank you, Senator Friesen. Senator Lindstrom, you are recognized.

LINDSTROM: Thank you, Mr. President, and good afternoon, colleagues. The question was asked whether or not this was a friendly amendment. It is not. I do appreciate the heads-up from Senator Wayne just to let me know that he was going to bring this. Just to go back to our, our original discussion on General File and, and just to give you a little bit of historical perspective on this, last year, I introduced a bill and passed a bill, LB218. LB218 is the sister bill to LB923, which dealt with OPPD, NPPD, and we were able to pass that, again, 48-0. One senator was excused. This particular bill, we, we discussed it with the Rural Electric Association with including that originally back in-- with LB218 at the time. They had to look at it a little bit closer. There was a couple issues or discrepancies in how both those groups were, were treated. We ultimately brought this bill in Revenue Committee. Again, we didn't have any opposition to this bill. It came out of committee 8-0. It really is just a clarification bill. Senator Wayne made a comment that it eliminates a tax. The problem is they haven't ever been taxed on this for as long as I've looked, numerous decades. So if we do start to, to tax this, one, we've already done it for OPPD, NPPD. We're singling out the rural electric cooperatives in this case and they've never been taxed on this. To Senator Friesen's point, Department of Revenue started to look at different things. This just clarifies what they, they can or can't do. I'm not sure if this is directed towards the cooperatives or if this is-- this amendment is

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directed towards telecommunications. When it comes to the tax side, this, this bill is in that particular statute. If we want to talk about the telecommunications statute, that's a whole other issue in Section 86. But I do appreciate Senator Wayne's passion on this issue. I just don't think this is getting at the heart of, of-- when we're talking about public power, OPPD, NPPD, we've already addressed that issue. We are specifically dealing with the rural electric cooperatives. And really, if, if we're going to do that for-- what we did last year with a vote of 48-0, this seems like a fair bill, LB923, to keep things even on that regard. So I'd be happy to answer any questions on that. But again, I'd appreciate your red vote on AM3210 and your voice vote for LB923. Thank you, Mr. President.

HILGERS: Thank you, Senator Lindstrom. Senator Moser, you are recognized.

MOSER: Thank you, Mr. President. Listening to the discussion of the amendment, I think there's some confusion about what Senator Lindstrom's bill does. It exempts some parts from sales tax when they are included in a construction project or placed on a pole. These have never been taxed before, but the Department of Revenue changed the-- their ruling and said that they felt that sales tax should be charged on these parts that go into attachments to the poles and various parts. And these REAs are cooperatives. They take their cost for power and then they add their overhead, divide that out, and that's what their electric rates are. So if we make them pay sales tax, then the state will get sales tax, but the REAs will have to charge more for their power because they have to cover their costs. And I don't believe that there's sales tax paid on pole rent. If a utility wants to rent a pole to a phone company or a telecom of any kind, they charge, you know, \$1.50 a pole a year or whatever their rate is. But I don't believe that there's any sales tax paid on that lease, as I understand it, and the senators that I checked with didn't think there was either. And so I'd encourage a red vote on AM3210 and a green on LB923. Thank you.

HILGERS: Thank you, Senator Moser. Senator Wayne, you are recognized.

WAYNE: Will Senator Lindstrom yield to a question or two?

HILGERS: Senator Lindstrom, would you yield?

LINDSTROM: Yes, I will.

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WAYNE: So if I am Verizon and I build a tower, do I pay sales tax on my labor?

LINDSTROM: If you're Verizon, it's my understanding that you do. If you're a public power cooperative, we do not have sales tax on labor to maintain, repair, or build.

WAYNE: Correct. So if I am Verizon and I am leasing tower space to Sprint, do I pay sales tax on that lease?

LINDSTROM: Can you repeat the question? I'm sorry [INAUDIBLE].

WAYNE: If I am Verizon and I built a tower and I am now leasing a portion of my tower to Sprint, do I pay sales tax on my lease?

LINDSTROM: It would be my understanding you would.

WAYNE: So what we're saying, and this is-- tell me if this is correct. Rural electric and public power, because actually I voted for that bill last year and this is-- my amendment corrects both of them. But underneath your bill, if it were to pass, rural electric and public power can now build a tower without paying sales tax, correct?

LINDSTROM: Again, we're just clarifying. They haven't ever before, so this is just a clarification. If we don't do this, you could make the argument it would be a tax increase for just the rural electric cooperatives.

WAYNE: Well, but, but private industries have to pay that tax if they build a tower, right?

LINDSTROM: Sure, but we have public power in the state in Nebraska, which is unique, yes.

WAYNE: I understand that. But so if I'm public power, I do not have to pay that sales tax, correct? I'm--

LINDSTROM: Correct.

WAYNE: So then if-- again, if I'm public power or rural electric and I lease that, I don't have to pay sales tax on that either.

LINDSTROM: That would be correct.

WAYNE: But if I'm private, I do.

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LINDSTROM: Correct.

WAYNE: So what this bill does, and very succinctly does, it allows government to build towers cheaper and lease them cheaper. And I am OK-- let me be clear. If this is what the body wants to say, that's fine. But I just want to compare this to the end-user consumer like me, who drinks water, who pays a tax on it, but now, if I'm a corporation, I don't have to pay sales tax to build for public power and even if I wanted to lease, so we're allowing them to compete in this market. This is the simplest thing I can explain. We're allowing public power and rural electric to compete in a space, build a tower cheaper and lease it cheaper, and we know it's at least \$0.07 on every \$1. We know that because that's our sales tax. I think that is fundamentally unfair to the private industry. We are treating private industry differently. Now where I will agree with Senator Lindstrom, if it has to do with power, which is what my amendment does, we shouldn't pay sales tax on it. That-- we have public power. We should not have to pay sales tax on it. But once they jump into the private telecommunication market, they should. We can even keep, which is what my amendment does, if they're building the tower for power purposes, no sales tax. But what if they're exclusively building it for telecommunication? Underneath his bill, no sales tax. We are allowing government to compete directly with the industry. More importantly, we are saying, if you are doing this in conjunction with public power, you don't have to pay taxes, big corporation, but God forbid I drink tap water. I do. How do we justify these two things here, colleagues? This is another corporate tax break for a public utility company or companies, but the end users in my district pay for water, pay tax on water.

HILGERS: One minute.

WAYNE: I'm at a loss when Senator Lindstrom just explains that private industry still has to do this tax. Why aren't we exempting private industry? Why aren't we treating everybody the same? But no, we're allowing backroom deals with private companies to build towers in a public partnership that they don't have to pay leases. We're competing directly with the market that public power was not intended to compete with. I would ask for your green vote on AM3210 and the underlying bill. Thank you.

HILGERS: Thank you, Senator Lindstrom and Senator Wayne. Senator Linehan, you are recognized.

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LINEHAN: Thank you, Mr. President. I rise against-- I'm having a hard time reading-- AM3210 and in strong support of LB923. I remember the hearing on this and it's very much like Senator Friesen and Senator Lindstrom has explained. Department of Revenue is going to tax something they've never taxed. I don't think that agencies should be able to change the rules in the middle of the game. So we had the hearing. No one, private industry or otherwise, showed up in opposition. And the committee-- and we don't always see eye-to-eye on everything on the Revenue Committee, so the committee kicked this out with all 8 voting yes. So again, I would like you-- I would like red on AM3210 and support Senator Lindstrom's bill. Thank you.

HILGERS: Thank you, Senator Linehan. Senator Wayne, you are recognized.

WAYNE: Would Senator Linehan yield to a question?

LINDSTROM: Senator Linehan, would you yield?

LINEHAN: Most certainly.

WAYNE: I agree with you on the changing in the middle of the game. My, my only issue with this is, and I guess I'm asking for a response, is why not exempt everybody, including private industry? Why only exempt public utilities?

LINEHAN: Well, if you want us to do that, Senator Wayne, then you can bring a bill next year and we'll look at it. But nobody in the private industry came in concerned about this. We'd already done it for OPPD and other public powers, so it seemed unfair, totally unfair, that we would not treat all public power the same way.

WAYNE: Correct and--

LINEHAN: As you well know, I have empathy for sales tax on lots of things. But this, again, going back to the very-- even if the Department of Revenue believed that we should, in fact, be paying sales tax on this, they should, they should have come to the Legislature and had us discuss it. I am just very much against any agency changing the rules in the middle of the game and we shouldn't send any messages to agencies that that's OK.

WAYNE: I agree with you on that. I appreciate that. What my amendment actually does is say we're treating all public power the same, including OPPD and rural electrics. They'll all be treated the same,

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that in the space in which you were created, public power transmission, no sales tax. But we are actually picking and choosing winners and losers-- oh, thank you, Senator Linehan. We are actually picking winners and losers this way. And you do pay tax on your pole rent. So this also has a fiscal note, a deduction of \$139,000, and it goes up every year. I think that's a little light on the fiscal note, me personally, but neither here nor there. There's \$130,000 we won't bring in. I, I don't know how we can continue to say \$130,000 is OK here, but \$61,000 for 20 kids is not OK. Not a fair comparison it is, but-- because it all involves our budget, it involves dollars. Senator Friesen, will you yield to a question?

HILGERS: Senator Friesen, would you yield?

FRIESEN: Yes, I would.

WAYNE: If this bill passes, my analogy of allowing public power or rural electric to play in the telecom space, is that correct?

FRIESEN: In what aspect? No, I don't think so.

WAYNE: That they can, they can build poles cheaper and lease them cheaper because they don't have to pay sales tax.

FRIESEN: No, I don't believe that's correct.

WAYNE: So they-- well, then the introducer of the bill and you have a different understanding because the introducer, Senator Lindstrom, agreed with me on that.

FRIESEN: Well, I, I think we're talking about different things. And if we could sit down off the mike and clarify, I guess, what you're wanting and what I'm seeing, I think there's confusion yet. I've been working with my staff trying to figure out what we're trying to do here and, and I am not-- I am still confused. And so I don't think that I have seen that there's any rural electricians out there building towers to lease communications space on and I don't think they can do that. Now do they have some towers out there that they have for their own communication purposes that they may lease space on? I don't know that I can answer that. But again, the, the number of towers they have, I, I just don't know even what's out there. I, I cannot answer that. And so I, I looked at this more when-- during the hearing that it is just a, a change in how the Department of Revenue viewed

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something. And that's where Senator Linehan kind of mentioned that, you know, if we're going to have this policy, it should be--

HILGERS: One minute.

FRIESEN: --put in place by the Legislature, not by the Department of Revenue. And I have, for one, have tried to raise sales tax on things and stuff. So I'm not objecting to the idea of the sales tax. It's just we need to be consistent.

WAYNE: Thank you. Thank you. I have a fundamental problem. And I, I do agree we shouldn't change the, the rules and the game, but I have a fundamental problem allowing private companies to still be taxed and then saying public power or public-- ER-- rural electrics do not have to. I have a fundamental problem that we are giving tax breaks to corporations, but individual end users of public utilities don't get the same break. So I obviously see where this is going, but this is the exact reason why every bill for the rest of this session is going the distance because we're inconsistent on this floor. This bill doesn't expend poli--

HILGERS: Time, Senator.

WAYNE: Thank you.

HILGERS: Thank you, Senator Friesen, Senator Linehan, and Senator Wayne. Senator Wayne, that was-- you have your closing remaining. Senator Groene, you are recognized.

GROENE: I meant to take it off, but I did want to make the point, I guess, Senator Lindstrom said. I was against this. I was on Senator Wayne's side. But when we gave it to O-- OPPD and Nebraska Public Power and we left off the little guys, then I became a populist and said the little guys deserve it too. We already did it. And the rural-- as Senator Friesen said, we need broadband. We need broadband bad. And if we-- if it saves a nickel here and there that somebody is tempted to bring broadband to rural Nebraska, we got to try to do it. Thank you.

HILGERS: Thank you, Senator Groene. Seeing no one else in the queue, Senator Wayne, you're welcome to close on your amendment.

WAYNE: Thank you, Mr. President. I-- it's interesting that we want to use government to solve broadband problems, but if I introduce a bill to create a statewide network of broadband ran by the government, you

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would jump up and object. This bill does not expend dollars, but we lose \$133,000, but we're OK with that because it's a tax break to private corporations to work with rural electric. But if I build my own tower, I still have to pay the labor cost, sales tax on labor, and I still have to pay whatever sales tax for if I lease it to anybody else. That's a fundamental problem that we are treating government different. And it's amazing that the conservative colleagues of mine are OK with this. And the answer is, we already did it a year ago, so we can't ever correct it. Well, I can go a lot of places where we already did it, from tax incentives to property taxes to LB147. There's already Supreme Court cases that say you can do it, so why do we need a law? We can go down that path, but we're here to solve things. I don't think we're here to create disadvantages in the private industry. So this vote will play out the way it does. We'll allow private contractors and private telecommunication companies to be treated differently. And if we want to encourage rural to lease and build your Internet out there through the, through the public power, then I am going to bring a bill and we are going to allow public power to open up their dark cable and we're going to do it and we're going to let public power run cable. Let's just cut through it all. If they can do it cheaper and not pay sales tax and rent poles and not pay sales tax, let's do it that way because that's essentially what we're saying. And Lindstrom agreed they can build it cheaper and they can lease it cheaper by this bill, but we're OK with that. So I don't want to talk about government shouldn't play around in the land bank no more. I don't want to hear that because private industry hasn't stepped up. That's why you still have houses that are not affordable or lots that are being ruined because the private industry didn't step up and we're trying to put government to help out and we're against that. Well, I'm ready to move to the next bill and spend a couple hours on it. With that, I'll ask you to vote green for AM3210 and we'll go from there.

HILGERS: Thank you, Senator Wayne. Members, you've heard the debate. The question is, shall AM32-- I'm sorry.

WAYNE: [INAUDIBLE]

HILGERS: There has been a request to place the house under call. The question is, shall the house go under call? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 23 ayes, 6 nays, Mr. President, to place the house under call.

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HILGERS: 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 Wayne, did you request a roll call vote?

WAYNE: Yes, I did.

HILGERS: In regular or reverse order?

WAYNE: Regular.

HILGERS: Senator Vargas, please check in. Senator Wayne, we have everyone but Senator Stinner. How would you like to proceed? All members are now present. A roll call vote in regular order has been requested. The vote is, shall AM3210 be adopted? Mr. Clerk, please call the roll.

CLERK: Senator Albrecht.

ALBRECHT: No.

CLERK: Voting no. Senator Arch.

ARCH: No.

CLERK: Voting no. Senator Blood.

BLOOD: No.

CLERK: Voting no. Senator Bolz. Senator Bostelman.

BOSTELMAN: No.

CLERK: Voting no. Senator Brandt.

BRANDT: No.

CLERK: Voting no. Senator Brewer.

BREWER: Yes.

CLERK: Voting yes. Senator Briese.

BRIESE: No.

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CLERK: Voting no. Senator Cavanaugh.

CAVANAUGH: Not voting.

CLERK: Not voting. Senator Chambers.

CHAMBERS: Not voting.

CLERK: Not voting. Senator Clements.

CLEMENTS: No.

CLERK: Voting--

CLEMENTS: No.

CLERK: --no. Senator Crawford.

CRAWFORD: No.

CLERK: Voting no. Senator DeBoer.

DeBOER: Not voting.

CLERK: Not voting. Senator Dorn.

DORN: No.

CLERK: Voting no. Senator Erdman.

ERDMAN: No.

CLERK: Voting no. Senator Friesen.

FRIESEN: No.

CLERK: Voting no. Senator Geist.

GEIST: No.

CLERK: Voting no. Senator Gragert.

GRAGERT: No.

CLERK: Voting no. Senator Groene.

GROENE: No.

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CLERK: Voting no. Senator Halloran.

HALLORAN: No.

CLERK: Voting no. Senator Ben Hansen.

B. HANSEN: No.

CLERK: Voting no. Senator Matt Hansen.

M. HANSEN: Not voting.

CLERK: Not voting. Senator Hilgers.

HILGERS: Not voting.

CLERK: Not voting, Senator Hilkemann.

HILKEMANN: No.

CLERK: Voting no. Senator Howard.

HOWARD: No.

CLERK: Voting no. Senator Hughes.

HUGHES: No.

CLERK: Voting no. Senator Hunt.

HUNT: No.

CLERK: Voting no. Senator Kolowski.

KOLOWSKI: Not voting.

CLERK: Not voting. Senator Kolterman.

KOLTERMAN: No.

CLERK: Voting no. Senator La Grone.

La GRONE: No.

CLERK: Voting no. Senator Lathrop.

LATHROP: No.

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CLERK: Voting no. Senator Lindstrom.

LINDSTROM: No.

CLERK: Voting no. Senator Linehan.

LINEHAN: No.

CLERK: Voting no. Senator Lowe.

LOWE: No.

CLERK: Voting no. Senator McCollister.

McCOLLISTER: No.

CLERK: Voting no. Senator McDonnell.

McDONNELL: No.

CLERK: Voting no. Senator Morfeld.

MORFELD: Not voting.

CLERK: Not voting. Senator Moser.

MOSER: No.

CLERK: Voting no. Senator Murman.

MURMAN: No.

CLERK: Voting no. Senator Pansing Brooks.

PANSING BROOKS: Not voting.

CLERK: Not voting. Senator Quick.

QUICK: No.

CLERK: Voting no. Senator Scheer.

SCHEER: No.

CLERK: Voting no. Senator Slama.

SLAMA: No.

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CLERK: Voting no. Senator Stinner.

STINNER: No.

CLERK: Voting no. Senator Vargas.

VARGAS: No.

CLERK: Voting no. Senator Walz.

WALZ: No.

CLERK: Voting no. Senator Wayne.

WAYNE: Yes.

CLERK: Voting yes. Senator Williams.

WILLIAMS: No.

CLERK: Voting no. Senator Wishart.

WISHART: No.

CLERK: Voting no. 2 ayes, 38 nays, Mr. President, on the amendment.

HILGERS: The amendment is not adopted. I raise the call.

CLERK: I have nothing further on the bill, Mr. President.

HILGERS: Senator Slama for a motion.

SLAMA: Mr. President, I move that LB923 be advanced to E&R for engrossing.

HILGERS: You've heard the motion. All those in favor say aye. Opposed say nay. The bill advances. Mr. Clerk for items.

CLERK: Yes, sir, I do have some. Enrollment and Review reports LB1008 as correctly engrossed. Enrollment and Review reports LB1053, LB1002, and LB992 to Select File. Amendments to be printed: Senator Wayne, LB1009; Senator McDonnell, LB965 and LB965A; Senator Lathrop, LB966; Senator Hughes, LB632; Senator Brewer, LB848; Senator Quick to LB424. New resolution: Senator McDonnell, LR424, that will be laid over. And, Mr. President, a priority motion. Senator Pansing Brooks would move to adjourn the body until Wednesday, July 29, at 9:00 a.m.

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HILGERS: Members, heard-- you've heard the motion. All those in favor say aye. Opposed say nay. We are adjourned.