

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 23, 2021
Rough Draft

HUGHES: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the sixty-sixth day of the One Hundred Seventh Legislature, First Session. Our chaplain for today is Senator Bostelman. Please rise.

BOSTELMAN: Good morning, Nebraska. Good morning, colleagues. This morning, our prayer is provided to us, prepared to us by Pastor Palomaki from Redeemer Lutheran Church in David City, Nebraska. Join me in prayer. Almighty God, you have given us this good land as our heritage and allowed us to prosper under a form of government which has brought great benefit to many. Give us thankful hearts to remember your generosity and strength, our desire to do that which contributes to the common good of the people of this state. Bless our land with productive agriculture, honest industry, fruitful labor, truthful education, and an honorable way of life. Save us from irreconcilable division, violent discord, and selfish pride. Support us in defending our liberties and formulating just and equitable laws and in carrying out the responsibilities of offices entrusted to us. Give to the members of this legislative body a spirit of wisdom, mutual respect, and collaboration, that the proper and necessary work of government be advanced and justice and peace reign in our land through Jesus Christ, our Lord. Amen.

HUGHES: Thank you, Senator Bostelman. I recognize Senator Sanders for the Pledge of Allegiance.

SANDERS: Please join me in the Pledge of Allegiance. I pledge allegiance to the flag of United States of America, and to the republic for which it stands, one nation, under God, indivisible, with liberty and justice for all.

HUGHES: Thank you, Senator Sanders. I called to order the sixty-sixth day of the One Hundred Seventh Legislature, First Session. Senators, please record your presence. Roll call. Record, Mr. Clerk.

ASSISTANT CLERK: There is a quorum present, Mr. President.

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

ASSISTANT CLERK: No corrections this morning.

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

Transcript Prepared by Clerk of the Legislature Transcribers Office
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Rough Draft

ASSISTANT CLERK: Two items this morning, Mr. President. Various agency reports that have been electronically filed with the Legislature, available through the Legislature's website, and a report of registered lobbyists for the current week as required by statute. That's all I have this morning.

HUGHES: Thank you, Mr. Clerk. Speaker Hilgers, you're recognized.

HILGERS: Thank you, Mr. President. Good morning, colleagues. We are now at the end of the week and I wanted to give you an update going into next week where we-- what we will be working on. Before I do that, two sort of housekeeping items: number one, starting today and going forward, unless it changes, the temperature checks on the-- coming in will-- that will now be optional. We've been working with Director Lopez and Lancaster County Health throughout this pandemic on the changes that we-- the measures that we've implemented here. We've, we've continued to communicate with her and her office as the risk dial has changed, as the vaccine numbers have gone up or changed, and so this one is one change that we are able to implement now. We've talked to her about it. They, they have-- they are good with that change. So going forward, you'll also notice that the doors are open now on both sides. So the-- we have had some members who have expressed that they, they liked the ability to have their temperatures checked in the morning, so we're going to continue to have those thermometers out there. The Red Coats are going to have those, so if you want to have your temperature checked, you, you're able to do so. It just no longer will be mandatory coming in. So that's, that's housekeeping item number one. Housekeeping item number two is the consent calendar are now-- as part of your agenda. The final decisions have been made. We will have two more consents; one will be next Tuesday-- I'm sorry, next Monday and then the following Tuesday. Again, the first part of the week. One, one note, though, I will tell you the printed agenda has both. So what you've got in front of you on your desks, on the blue sheet on the back will have next-- the following week's. However, online, it just has next week. So if you go online, you'll only see next week's, but if you want to see the following week-- we want to give as much advance notice as possible-- that is on the printed copy that you have in front of you. So going into the next two weeks, as I mentioned yesterday, the next two weeks, we're going to have a lot of-- a significant amount of work that we're going to need to get done. I gave you the list of the bills that-- yesterday that we-- I intend to get through. I'm going to ask everyone to familiarize yourself with those bills. What-- we will do our very best to give you advance notice of the bills as they're coming up in

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Floor Debate April 23, 2021
Rough Draft

advance, but in order to get that work done, we, we need to remain nimble and flexible in the scheduling process and so just be prepared. There might be some changes going from day to day in order to get that work done. So just those-- the bills I gave yesterday, be prepared to debate those over the next two weeks. A couple of people have asked me. I think it's worth repeating. We are starting at 10 a.m. next week. We will have a regular lunch hour. Each day the following two weeks, including the last day of the week, we will-- I'm planning on having a, a short dinner recess at-- around 7 p.m. each of those days, except for the last day of the week, reserving the right to maybe trim our-- the, the lunch hour if needed or, or even the dinner break if needed to be able to get our work done. So that's the, that's the-- that is the schedule as planned, so plan for that. We will adjust as needed as we go in each day and I'll give as much of an advance notice as I possibly can. Going into next week, bill wise, as I told you, it's a little bit different, I think, the next two weeks because we've just got a lot of work to get done and I want to remain nimble and flexible. That being said, I think having advance notice of some bills that we think are going to have extensive debate are-- is valuable in advance. And so next week, I wanted to give you an update on that. So next week on Wednesday morning, I will be scheduling LB364. Senators-- Senator Linehan's priority bill on opportunity scholarships. So that will be Wednesday morning. I also intend-- there are two Revenue Committee priority bills, LB432 and LB595. I intend to-- we currently intend to schedule those on the first part of the-- of next week as well. Beyond that, we'll do our best to schedule everything else in a way that allows us to get our work done and be efficient and have robust debate on the issues that need it. And so, you know, really pay close attention to those agendas as they come out. If you have any questions about any of your bills, if you're on that list of 20, please let me know. As I mentioned yesterday, we will also get some Select File done and some Final Reading done on bills that are not part of those 20. The primary goal next week, the next two weeks, is to get those General File-- those bills through General File and have those debates complete. That's all I have this morning. If you have any questions, please let me know. I think otherwise have a, have a really good weekend and we'll get to work starting on Monday. Thank you, Mr. President.

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

ASSISTANT CLERK: Mr. President, first bill this morning, LB528, introduced by Senator Walz. It's a bill for an act relating to law; to

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Floor Debate April 23, 2021
Rough Draft

update academic accreditation terminology in state law; change provisions related to school lands; to change tax levy notice provisions; eliminate certain obsolete school and school district provisions and terminology; eliminate a form requirement; eliminate provisions relating to expired grant program; eliminate obsolete bonded indebtedness requirements; to redefine terms and eliminate obsolete provisions under the Tax Equity and Educational Opportunity Support Act; to eliminate certain county clerk and county board duties; change certain learning community coordinating council provisions; redefine terms relating to Nebraska educational savings plan trust; to define terms, eliminate a term, change provision under the Meadowlark Act; to require hotline telephone numbers on student identification cards; to repeal a requirement relating to the residency of school land leases [SIC]; repeal the original sections; and to outright repeal various sections. The bill was read for the first time on January 19 of this year. It was referred to the Education Committee. That committee reports the bill to General File with committee amendments.

HUGHES: Thank you, Mr. Clerk. Senator Walz, you're recognized to open on LB528.

WALZ: Thank you, Mr. President and members of the Legislature. LB528 is the technical bill introduced to update statutes primarily due to outdated language, but it does include some changes deemed to be minor. It incorporates changes brought to the committee's attention from the Nebraska Department of Education, the Coordinating Commission for Postsecondary Education, the Board of Educational Lands and Funds, and the State Treasurer's Office, as well as updates identified by the committee. Much of this bill was introduced last year and the E&R amendment was used as a framework with just a few new provisions added. Some of the highlights of the bill include: it updates references to "regionally accredited" postsecondary institutions to simply "accredited" in order to reflect changes made by the U.S. Department of Education. It harmonizes language related to property tax requests because total budgeted operating expenditures sometimes decrease at school districts. However, current statutory language only references how much total budgeted operation-- operating expenses will exceed the prior year's budget. It provides similar procedures for adjustment of valuation of educational service units due to annexations as currently exists for adjustment of valuation of school districts due to annexation. When property is transferred after valuations are certified, ESUs' taxing ability and core service aid amounts do not accurately reflect current valuations and this change

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 23, 2021
Rough Draft

corrects that difference. It clarifies terminology related to the distribution of funds to educational service units and the Educational Service Unit Coordinating Council for core services and technology infrastructure, as well as shifts payments-- payment dates to the last business days of the month instead of the first business day to be consistent with the TEEOSA payments. It changes the dates for two reports to be filed with the Legislature by the learning community from January 1 to February 1 of each year and it eliminates language no longer needed in the statute. It amends the Nebraska Reading Improvement Act to clarify dates, harmonize and correct statutory language. Thank you to Senators Linehan and Pansing Brooks for working on this language. It strikes language no longer needed due to the enactment of LB370-- LB377 in 2018, which eliminated three school classifications. It makes non-- nonsubstantive changes to the statutes related to education. It cleans up language to conform to current law. For example, "high school district" is changed to "school district" because all school districts now have high schools. It expands the list of eligible programs for the Community College Grant-- Gap Assistance Program. This was introduced by Senator Bolz last year and amended into the bill on General File. It changes the eligibility requirements for the Access College Early Scholarship Program to better target the most at-need students if they are attending a school that has been adopted-- that has adopted the community eligibility provision of the free and reduced lunch program and this was introduced by Senator Murman last year and amended into the bill on General File. It requires suicide prevention phone numbers on student identification cards, which was introduced by Senator Crawford last year and amended into the bill on General File. It changes some provisions related to leases on school lands, including restrict-- the restriction of a lease to 264-- to 4-- 640 acres, the requirement that lease sales must happen in the county treasurer's office, that only Nebraska residents can lease school lands, and it changes to-- the default period from six months to 60 days. It removes a date restriction for purchasing computer technology equipment or Internet access from the college savings plans, thus making such purchases an eligible higher education expense. And finally, it clarifies language regarding contributions in the Meadowlark program by changing "qualified contributions" to "contributions." Thank you for your time and please green-- please vote green to advance LB528.

HUGHES: Thank you, Senator Walz. As the Clerk stated, there are amendments from the Education Committee. Senator Walz, as Chair of the committee, you are recognized to open on the amendment.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 23, 2021
Rough Draft

WALZ: Thank you. The committee amendment, AM556, extends the sunset of the effective educators program to the school year 2020-2021 to allow for unexpended funds due to the pandemic to be utilized. It does not, however, allow any new funds to be added to the program. It allocates the funding source for the effective educators program income from solar and wind on school lands to be included in the school apportionment beginning in 2022. It changes the date by which the State Treasurer reports income on lands to the Nebraska Department of Education from Martin Luther King Day to January 25 of each year and adds that such report shall also be certified to the Chairperson of the Education Committee of the Legislature. It clarifies that the purchases of a computer technology, equipment, and Internet access, access and related services are qualified higher education expense from the college savings plans after January 1, 2022. And finally, AM556 incorporates two bills into LB528: Senator Briese's LB3 and Senator Vargas' LB558. Senator Briese's bill will-- requires NDE to establish and maintain a website that allows the public to access school districts' expenditure and performance data. Each school district is required to have a prominently displayed link to the NDE site on its website and publish in the newspaper, along with its required budget hearing notification, that such website is available. Senator Vargas' bill allows for certified teachers from another state to receive a two-year temporary certificate to teach in Nebraska. It also creates an alternative path to certification that the commissioner may grant to applicants via a two-year temporary certificate. I urge you to vote green to adopt AM556.

HUGHES: Thank you, Senator Walz. Mr. Clerk, an amendment to the committee amendment.

ASSISTANT CLERK: Senator Walz would offer AM770.

HUGHES: Senator Walz, you're welcome to open on AM770.

WALZ: All right, I think this-- OK, this is a simple amendment that prevents the inadvertent striking of the definition of agreements in the bill as they relate to solar and wind agreements on school lands. I urge you to vote green to adopt this amendment. Thank you.

HUGHES: Thank you, Senator Walz. Debate is now open on LB258 and the amendments attached. Senator Linehan, you're recognized.

LINEHAN: Good morning, Mr. President. Thank you. I'm going to support this bill. There's-- a lot of work went into it, but I do want to talk

Transcript Prepared by Clerk of the Legislature Transcribers Office

Floor Debate April 23, 2021

Rough Draft

about some changes between now and Select. If you go to page 29, line 27, we're doing away with the effective educators program. This was a bill by another senator in 2015 to encourage schools to-- it was a grant program to help teachers be more effective. It, it didn't get used. That's why we're doing away with it. I guess it strikes me as being problematic because of term limits. You can be here, work really hard, get something passed, and then in a fix-it bill, the department just does away with it. Senator Pansing Brooks is-- isn't here this-- I don't see her. If she's here, somebody let me know. Two years ago when the fix-it bill came, the Department of Ed took it upon themselves to completely gut the reading bill. Thankfully, we read it and saw it and they agreed to change it, but the most disturbing thing about LB528 and the fix-it bill is on page 69, which is starts-- it's about line 12 to line 22. It's-- so it's about the learning community. And I wasn't here when the learning community was put together, but I remember it being very intense. It was about OPS suing the rest of the schools in Douglas County to be one school district. So it was a big campaign, one city, one school. It involved the Governor's race. It was hotly contested and they had a huge compromise and the compromise was they were going to strive, in Douglas and Sarpy County, to make sure that there was an equal opportunity for every child in that county. So I'll read the sentence. "The goal of the diversity plan shall be to annually increase the socioeconomic diversity of enrollment at each grade level in each school building within the learning community until such enrollment reflects the average socioeconomic diversity of the entire enrollment of the learning community." In this fix-it bill, we're striking "annually" and we're striking "until such enrollment reflects the average socioeconomic diversity of the entire role of the learning community," so we're giving up basically. We talked yesterday a lot about our great schools and we have some great schools, but we have a significant problem in the learning gaps in Nebraska. We have the largest learning gap in the country between white students and students of color. So are we going to give up or is this something that maybe we should talk about before we just decide to strike an agreement that was made in 2015? Like I said, I'm going to let this go this morning, but we need to talk about this before we get to Select. Thank you very much, Mr. President.

HILGERS: Thank you, Senator Linehan. Senator Briese, you're recognized.

BRIESE: Thank you, Mr. President, and good morning, colleagues. AM556 truly is a Christmas tree of ideas and I'm going to defer to the judgment of the Education Committee on those ideas, as it was advanced

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 23, 2021
Rough Draft

unanimously. And I do want to thank Chairman Walz and members of the Education Committee for including the contents of my LB3 in AM556. It's found in Sections 2 and 3 of the amendment. Section 2 requires a school district in its notice of budget hearing and on its website to direct the reader or the patron to what most likely will be the Nebraska Education Profile website. Specifically, it states that for more information on statewide receipts and expenses and to compare costs per pupil and performance to other districts, go to the website. In the print version of this notice, the name is given. In the online version, there is to be a link to the website. The NEP website is already up and running. However, I don't think all the information is on there yet, so they're going to have to get it on there. But they already have the information, so there is no fiscal note associated with this. And this information is to include receipts classified by source such as state, federal, whatever-- local source-- expenditures classified by function cost per pupil in cumulative student performance. The provisions of Sections 2 and 3 are simply to make our patrons and our taxpayers aware of a very easy to navigate, easy to understand tool where they can get all sorts of information on their particular school and information that they can compare to other school districts and how that-- it would compare to every other school district in the state. At the end of the day, these provisions are about transparency and transparency and accountability go hand in hand and anything we can do to inform our taxpayers and enhance transparency is good for all of us. It's good for our schools, it's good for our taxpayers, and I would urge your adoption of the amendment. Thank you, Mr. President.

HILGERS: Thank you, Senator Briese. Senator Vargas, you're recognized.

VARGAS: Thank you very much, President-- Speaker. Good afternoon, colleagues-- or good morning, colleagues. Again, I'd like to thank Senator Walz and the members of the Education Committee for their hard work on this bill. Include-- I support the bill. Included in the bill is my bill, LB558. I handed out a one-pager on this. It's something that we've worked on for a couple of years now. This bill came out of Education Committee unanimous with no fiscal impact and had the support of-- the NSEA had worked on it with us, Nebraska Catholic Conference, the Platte Institute, and, and other stakeholders, so I just want to thank them for that. I introduced LB558 to address the teacher shortage that communities all across Nebraska have experienced over the past several years. This issue has been significantly amplified by the COVID-19 pandemic and as we've seen, teachers retire earlier than they had planned and an even greater shortage of teachers

in the classroom due to exposure to or becoming positive for COVID-19. Now, my hope is LB558 will provide one solution to this problem by establishing reciprocity for individuals who hold teaching certificates in good standing in other states and allowing them to teach in Nebraska. This would allow the Department of Education to issue a temporary certificate to applicants who have completed a teacher education program and possess a certificate to teach in good standing from another state. Additionally, temporary certificates could be issued to individuals who hold a bachelor's degree or higher from a regionally accredited college university and have passed the appropriate subject area exam or Praxis. Temporary certificates would be valid for up to two years, at which time the certificate holder would be required to obtain a Nebraska teaching certificate. Finally, temporary certificate holders would be required to the same criminal background check that Nebraska teachers are subject to. I think these are simple steps that we can take to help address our teacher shortage and improve schools and educational experiences for kids. I've worked again with the NSEA, the Catholic Conference, the Department of Education, the Platte Institute, and others to make sure that we got their stakeholder engagement and to get consensus on this bill. We've worked on it for a couple of years now. And with that, I would like to once again thank Senator Walz and members of the Education Committee for unanimously voting this into the committee bill and I'm happy to answer any questions you may have. Thank you very much.

HILGERS: Thank you, Senator Vargas. Senator Erdman, you're recognized.

ERDMAN: Thank you, Mr. Speaker, and good morning. I'm always a little concerned or should I say leery when someone says this is just a little cleanup bill. I see several things in this bill that are of concern to me and one of them is learning community. As Senator Linehan alluded to in her comments, she wasn't here when the learning community started, neither was I. But over time, you began to realize some of those things were put in place. Maybe it needed to have a sunset and the learning community is one of those. The learning community probably started out to be what it was intended to be and did what it was supposed to, but we've now become something other than what was intended. And for those of you who are new-- in the last election-- a couple of years ago, I introduced a bill to eliminate the learning community and I believe that bill would still be appropriate today. They have lost their way and they're doing nothing according to what they were in charter-- "enchartered" to do when they started. And so I spoke with Senator Wayne about this. He understands it far better than I do. And I don't see him in the body today, but I will have a

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 23, 2021
Rough Draft

conversation with Senator Wayne about the learning community. So until I get that conversation with Senator Wayne, I would wonder if Senator Walz would yield a question?

HILGERS: Senator Walz, would you yield?

WALZ: Yes.

ERDMAN: Senator Walz, you mentioned that you're changing the provisions on school lease land, the amount of land someone can lease or hold as a lease. Can you explain why that change was necessary?

WALZ: Yeah, you know, there are times when somebody wants to, for example, purchase 642 acres. That's why the change was made.

ERDMAN: You-- what you're saying is when the land is put up for sale, it may be more than 640 acres?

WALZ: Yes.

ERDMAN: And so then you've made a statute change so that if it's, if it-- what if it's 639? Does it include that?

WALZ: Yeah.

ERDMAN: So it changes-- so it's the whole legal description no matter what the acreage is?

WALZ: I don't think there's a limit to how much land somebody can purchase.

ERDMAN: OK, but it said in there that if-- didn't it say something about if it's adjacent to-- did it mean adjacent to the land that you currently own as the bidder of the-- of buying the school lease? Was that, that meant-- is that what that meant?

WALZ: Can you repeat that question?

ERDMAN: I said when I read it the other day-- I didn't read it this morning, but the other day I read it and it said something about land being adjacent to the school lease and there was a provision that they could buy that land or there was some qualification about being adjacent to that land that you could purchase it. I'm-- I wasn't sure what all that verbiage was about. Do you remember what the conversation was about that?

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 23, 2021
Rough Draft

WALZ: Lease, not purchase. Is that what you're talking about, somebody leasing the land, not purchasing the land?

ERDMAN: Right, yeah. Was that, was that a provision that came to you that they said we need to have another provision so that people can lease that land even if they're next to it or what was the, what was the reason for all the discussion? I'm having trouble figuring out what the purpose of changing the statute on the school lease land is.

WALZ: I could read you a letter that we received from the Board of Educational Lands and Funds if that will help you.

ERDMAN: That would be good, thank you.

WALZ: Yes?

ERDMAN: Yes, please.

WALZ: OK. All right. So the current statute restricts any one tenant to leasing a maximum of 640 acres of the school trust land. This restriction was codified over 100 years ago to--

HILGERS: One minute.

WALZ: --deter spectators from leasing large tracts of school land, then subleasing those tracts at a markup. We no longer have that problem. Further, sections of the land are rarely exactly 640 acres. Some contain a few more than 640, for instance, 642. Typically, we lease grass sections in their entirety. However, the present statute technically would require us to split a 642-acre section into two leases--

ERDMAN: OK.

WALZ: --with each lease being held by different people. Do you want me to continue?

ERDMAN: Yeah, I understand. OK, I, I appreciate that. So there was a change of date on-- I think it was AM556 on page-- probably-- I don't remember the page number, but anyway there was a big change from filing it from January-- from February to-- January to February. Was there a problem with getting the filing done soon enough for the learning community that they had to change the date?

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 23, 2021
Rough Draft

HILGERS: That's time, Senator. Thank you, Senator Walz and Senator Erdman. Senator Groene, you're recognized.

GROENE: Thank you, Mr. President. I stand in support of LB528 and AM556 as amended by AM770. Some things in there that are pretty similar to what the bill was last year. The option student-- excuse me, the wind energy, that was in-- something that needed to be done on school lands. Our constitution and, and-- probably makes it clear that all income from school lands needs to be dispersed equally across the state to school per student. But at one time, somebody was looking for funding for a project and they pulled off the wind energy leases. There isn't that many, but there is enough money that it needs to be in the-- where it belongs, dispersed. Secondly, there's one-- Senator Vargas and I don't agree on a lot on education, but his attempts to broaden access to individuals to be teachers in the state of Nebraska is good. His LB558 is a good bill. We need more people with life experiences and, and we shouldn't be arrogant that somehow our standards for teaching is better than other states that have set up their own guidance on who can be a teacher. So it a-- it broadens-- it allows people to teach, gives them a two-year time window that will help rural Nebraska. I hope he continues to bring bills to broaden that where life experience, retired military individuals, people who want a life change and have had lived life, managed people and can become substitute teachers-- we need to broaden that base because there's a shortage because of what's happening in the classroom and what's happening in our schools. Teachers are-- and young people are not seeking that occupation. But there's one thing I, I want to add on what Senator Linehan said. An idea popped into my head. I bet Senator Wayne would like this one. Inside the learning community, we need to bring a bill. We need to say that if you're going to accept option students in-- within the learning community, the makeup of the-- your total option students must reflect the diversity of the learning community or of the school district that you accepted the option students. That is not happening now. And I mean diversity in disabilities, diversity in race. The urban schools are taking the students who they think will fit in. We need to change the option law and say you have to take the same makeup proportionally of the school district that you are taking option students from. I think Senator Linehan has hit on something here that we need to pursue next year. Thank you and that-- I will support-- unless something changes and something is brought to my eye, I will support the bill. Thank you.

HILGERS: Thank you, Senator Groene. Senator Walz, you're recognized.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 23, 2021
Rough Draft

WALZ: Thank you, Mr. President. You know, I absolutely have to agree with Senator Linehan. This is an issue that has to be talked about. I can tell you if there's one thing for sure, it's that we are both very compassionate about children and about the opportunity to succeed in life, so I, I completely understand. This really does speak to a bigger, bigger issue, though. When we as the Legislature enact legislation, we often require the completion of reports and I think that this is something that has been a concern of Senator Linehan's. Some are required to be submitted to the standing committee that has jurisdiction over that subject matter or agency. Other times, reports are required to be submitted to the Clerk of the Legislature or simply to the Legislature and sometimes it's a combination. In reality, regardless of the statutory language, these reports are updated electronically on the Legislature's website and there's no mechanism for oversight then on compliance. And this has been a challenge for myself and I-- and my staff and we have been discussing this issue and we've been beginning to work to address that issue even more broadly than what Senator Linehan's concerns are today. The ultimate plan for our committee is to make sure that we are downloading the reports under our jurisdiction on a timely basis, reviewing for compliance, and distributing to the committee members. We have already begun the task by compiling a list of more than 40 required reports, but we're not done yet. It is a very time consuming and tedious process and I can tell you that my staff have been working very hard on this. Unfortunately, verifying compliance will not likely be completed until the interim and therefore, we hadn't caught the problem that has been pointed out to us today. This is an important discussion that perhaps the committee chairs, all committee chairs and the Speaker should have. In my committee, we are and we have been working on it more broadly than the concerns that have been brought here today and-- however, today the focus should be on the bill in front of us and I would ask that we refocus the topic and get a green vote for the adopted amendment and adopt the bill.

HILGERS: Thank you, Senator Walz. Senator Erdman, you're recognized.

ERDMAN: Thank you, Mr. Speaker. I appreciate that. I, I was wondering if Senator Walz would yield to maybe one more question?

HILGERS: Senator Walz, would you yield?

WALZ: Yes.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 23, 2021
Rough Draft

ERDMAN: Senator Walz, do you have amendment-- AM556 in front of you there?

WALZ: I will find it.

ERDMAN: OK.

WALZ: What's the question, what's the question?

ERDMAN: Page 55, line 12, the stricken line says "less the amount of income from solar and wind agreements on school lands." Is this the provision that Senator Groene was talking about? Because those revenues were excluded before, you're adding those back in as to being distributed from school lease land, is that correct?

WALZ: Yes.

ERDMAN: So that, that was the issue that-- do you know if there are wind generation facilities on school lease land?

WALZ: Yes, there are.

ERDMAN: Would you know how many?

WALZ: I do not know how many. I can find out for you.

ERDMAN: OK, because I've-- we have several school leases in, in my district and I've never seen a wind tower on any of them. This seems kind of peculiar. If you could find that out, I'd appreciate that.

WALZ: I sure will.

ERDMAN: OK. All right, thank you for answering that. So let me, let me finish up with this. My impression or my opinion of the Department of Education has somewhat dwindled or diminished over the last four or five years. Some of the things that has been requested for the department to do have been done poorly and the Department of Education needs to understand that they work for the people and I don't know that they understand that. The last health training or educational curriculum for health in the school system is a debacle and they need to understand that we're not going to put up with that. Some of the issues that we've had with the department, when we filed complaints against school districts, takes months and months and months for them to act on it. That is not appropriate, it's not efficient, and it's not what we charge them to do. And so the department needs to pick up

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 23, 2021
Rough Draft

their game a little bit and if they don't, we need to look at doing something different with that agency. But it's a problem not only for me, but many in my district and if we continue to go down the road and try to jam these kind of educational things down people's throats, they're going to lose more students than they've lost already because people aren't going to stand for it and have their kids go to that kind of a school. So we'll see what happens in the future, but in my opinion, as I said earlier, the Department of Education is not highly thought of in my opinion. Thank you.

HILGERS: Thank you, Senator Erdman. Senator Wayne, you're recognized.

WAYNE: Thank you, Mr. President, and colleagues, I have a-- we talk about education. I need to give some perspective on the learning community and how this body has failed many of the kids that I represent in Omaha. The learning community was initially passed and that was the initial board that I was first elected to in 2008. We had a charge of creating a diversity plan. We had a charge of closing the achievement gap. We had a charge of-- actually taxing authority to do both of those two things. There was a critical vote of the learning community at Westside that night. I'll never forget it. And it was a vote to allow individual school districts to determine building capacity. And what happened was OPS was outvoted and those who represented those areas were outvoted that night by the surrounding members of the learning community because they wanted to determine their own capacity. By determining their own capacity-- I'm not saying their reasons weren't real. If you passed a bond in Bennington, you should probably have a right to say whether you're building that you built on that bond and your taxpayers are paying for are at capacity or not. But by doing that, within a week, every building outside of OPS was at capacity unless you could punt, pass, or kick and somehow you had a room to go to that school. But outside of that, you couldn't do anything. So as subdistrict 2 that I represented, we started looking at the achievement gap in elementary schools. And this is over ten years ago and we created a couple plans, hub-and-spoke concept around Adams Park, which was some of our lowest achievement-- or our biggest achievement gaps and lowest scores, and we were going to build a building-- or actually lease a building from the city of Omaha, build a building, and actually we pass-- we passed a 1 cent tax levy off of this idea. OPS became so scared that we were going to build a school, they came down here and we in this body changed it to where we couldn't build any brick and mortar. The intention of that building was to serve as a hub for all the after-school kids to go to a place where they can have more learning outside the school, but still within

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Floor Debate April 23, 2021
Rough Draft

a structured setting. So we passed a bill saying you can no longer build brick and mortar, so that idea went out the window. We couldn't do diversity plan because everything was capped. So we have no idea where the socio-economics are in Douglas County and Sarpy County and then we came down here and did more with the learning community to, to move it away and now we're getting ready to do-- get rid, get rid of the one report that probably would give us information about where we are and the fact that if you taking option kids or out-- into a school district, we should probably know how that looks, which brings up my second point, before I even get to the achievement gap, because I'm probably going to take a little bit of time because I'm going to read some numbers from-- the good thing about having everything on the cloud is I can pull up the actual report that I made from that learning community in 2008. And the sad part, the achievement gap has actually grown since then, has grown and yet this bill does nothing to close that achievement gap. Maybe that's not the intent, but by not having that be the intent, the implicit part of that is we're still going to allow the achievement gap to grow. And I haven't seen anything out of Education Committee and I'm on the committee that would actually change that, but what I did bring this year was a couple option enrollment bills. And why is this important and why I think everybody should understand this, because from a state's perspective, a kid who lives in my district is worth \$5,000 because that's the value we put on in this body for the kid who lives in my district and goes to their neighborhood school, but if that same kid hops on a bus or his parent has the ability to drop them off at Westside, we as a state now say that kid is worth \$10,000.

HILGERS: One minute.

WAYNE: How does that make sense when it's less than 15 minutes away from that neighborhood school, that a state decided that it's more important for that school district to get \$10,000 than the neighborhood school? That's what we do down here and how it affects our community. So that means the kid who has an active parent who chooses to opt in to Westside is now removed from that school. That means that's less parental involvement in that school. It isn't a equal or equitable opportunity where we just put everybody in the lottery system and say who gets to go to Westside? The active parent gets to do that. So the inactive parent, the one who-- the kid who is most voiceless never gets that opportunity. And as a state, we put less value on his education and we wonder why the achievement gap continues to grow in Omaha. We wonder why kids are not being--

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Floor Debate April 23, 2021
Rough Draft

HILGERS: That's time, Senator.

WAYNE: Thank you, Mr. President.

HILGERS: Thank you, Senator Wayne. Senator Pahls, you're recognized.

PAHLS: Thank you, Mr. Chair or-- I'm, I'm listening to what Senator Wayne had to discuss-- was discussing. I too have that concern about the achievement gap. I was-- happened to be an administrator of one of those schools who received a lot of additional kids outside of my attendance area because-- they went to the school because the school is a high-achieving school and I give that credit to the staff that I had. I think it's something we need to take a look at. I don't know if this is the time to just-- to talk about the learning community, but there were a few of us who were down here when that was initiated and I tell you, there was a lot of blood let on this floor because at that time, Omaha wanted to take over all of this suburban school dist-- so we fought back and forth on that, the learning community concept, because there was a law in the 1800s that would allow Omaha to take over all of the schools and we had to fight that. And part of the agreement was this-- the development of the learning community, which is the right choice. Apparently, there are some issues that, that I'm not aware of that have been discussed on here on the floor in the past, but I urge you to go back and read the transcripts when this is happening. This was not a flip of a light switch. This was hours of discussion, hours of negotiations. You think property tax is a big issue? That was a big issue. I do think that the learning community is something we should discuss. Perhaps not on this bill to the extent that it needs to be discussed, but I can assure you a lot of thought went into that. In fact, just to let you know how controversial it was, my school board would be on this side one day and on this side the next day. I was basically being whipped back and forth trying to figure out what would be the best thing actually for my community because I had just retired from that. My freshman year down here, I said Jiminy Christmas, I'm a freshman senator, retired from a school district, and they wanted to take over the school district. You don't think I had a lot of personal stress on that? That I put on myself, but that was such an issue that the, the Millard School Board-- I, I would almost say-- they would flip until eventually they came to consensus. So I felt like I was a yo-yo, up and down. So it's not just something that we just-- like I said, like a switch we turn on and off. Read the transcript. Then you can see why, through all the negotiations, the reason that came about. I mean, initially, it just had a lot of things, even why they were going to pay to be on the

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Floor Debate April 23, 2021
Rough Draft

board. I mean, it was, it was amazing. The option part of it, I, I do question that because at one time, I had more students opting in to my building that were from my attendance area because they were out seeking buildings that was-- that were doing very well, that was doing very well. And I was fortunate because I had a staff and I am concerned about the fact-- we have a-- called into the Department of Education. What do we do about-- what is the procedure that we go about when we have low-performing schools? And I have not received all that information because that's the area-- that's what we need to emphasize, not to have the child go to another district or even to another school within that district unless there is an unbelievable need to. We ought to make each school-- that's one thing I, I appreciated about Ernie Chambers.

HILGERS: One minute.

PAHLS: Thank you. Ernie said what-- we want good in one school, we should do it in all of our schools. He's talked about it in his district. He was concerned about the option, people moving out, and so was I at that time because I, I take pride in that individual school. Some of these schools actually have additional needs. I've heard somebody say, like, out in my rural school, if a student with special needs come to their, their particular school, it blows their budget. So this is not just something that is a simple thing that be-- we can be resolved on a, a dialog that we're going to have this morning. If we have concerns about the learning community, we can make changes. To be honest with, honest with you, when I was down here with Deb Fischer, she made a make-- a significant change in the learning community. In fact, I'm not to-- if I'm to understand it, you can have a learning community out in your neck of the woods if you so choose.

HILGERS: That's time, Senator.

PAHLS: Thank you.

HILGERS: Thank you, Senator Pahls. Senator Wayne, you're recognized.

WAYNE: Thank you, Mr. President. I, I just want to give people a quick-- a real history of, of Omaha and why we're here as far as schools and why this is so important. Does anybody know how actually Millard School District is still Millard-- or why Millard School District is still Millard School District? Here's what happened. There was a law in, in the 1800s saying as Omaha Public-- as the city of Omaha grew, Omaha Public Schools had the option to grow. So there was

this community called Benson. If you ever been to a bar, it's a great area. It's a-- that was it's own little area. Arlington was it's own little area. Where I lived over by Millard was it's own little area. That's why I still call it Millard and Florence. They were all little, small villages, but as the city grew, OPS incorporated them there. But here's what happened in the '70s. What happened in the '70s is OP-- the city of Omaha annexed Millard. Riots happened-- not from black folks, white folks-- and there was a backroom deal done in the Omaha City Council chamber with the school district saying we'll take your school-- we will leave your schools out, just stay a part of Omaha and end the problems that we're having and that's how Millard stayed the same. They didn't want their students going to school with black and brown kids. That was just in the '70s. That's during my lifetime. Prior to my lifetime, Tech High School and Central High School started to grow in the '40s, predominantly African-Americans. As they started growing into the Dundee area, there was a huge fear among Westside that black and brown folks might start going to their school and they were such small communities, they could be annexed by the city of Omaha. In 1947, this body created the first public charter school district by creating Westside inside the city limits to make sure black and brown kids didn't go to Westside. That's still on the books to this day. You can literally drive through Omaha Public Schools, through Westside, and go back to Omaha Public Schools and not leave the city of Omaha. How does that make any sense? Now, one city, one school district? I'm going to give you a little secret. It wasn't about money. It wasn't about taxes because if you run the numbers, TEEOSA would have offset most of the money we would have gained in property taxes by accumulating Millard and potentially Elkhorn. It was about test scores. It was an easy way for our test scores to jump, but we don't want to have that conversation either. So time and time again, this body has made a decision to put north Omaha, south Omaha, black and brown kids at the back of the bus and the achievement gap hasn't changed. And in fact, it has grown by 2 points in 2019. We have to do better and the reason I'm talking about the learning community on this bill, because it's actually germane to the bill. There's a section in there on the learning community. I always try to stay on topic, but I'm looking through the academic needs back in 2008-- STAR scores, many of them-- at 4th grade proficiency--

HILGERS: One minute.

WAYNE: --many of them were at 27, 30 percent. That has not changed. The test may have changed, but we're not doing the job. And we can blame OPS, but that's not the answer. We have said-- we have

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Floor Debate April 23, 2021
Rough Draft

systematically designed OPS to struggle. There are structural changes that probably need to happen in OPS, I'm not denying that, but we as a body have to start addressing some of the other issues that go along with that. So I'm going to go a little bit off topic, but I just want you to understand what the kids in my community are dealing with when we come from here. Senator Brewer and I had multiple conversations about this and I'm, and I'm going to just give you a perspective that most of you probably don't understand. We send 18 to 35-year-olds overseas--

HILGERS: That's time, Senator.

WAYNE: Is that time?

HILGERS: That's time, Senator.

WAYNE: Thank you.

HILGERS: Thank you, Senator Wayne. Senator Pahls, you're recognized.

PAHLS: I, I promise I will not continue talking about the learning community, but there are a lot of facts that we can play with. One reason why Omaha didn't take over Millard when it took over the Millard school system, when it took over the town of Millard is because they didn't want to buy-- pay for all the new schools because that area was exploding. It was exploding. The population was growing. They did not want to have take on that additional expense. That's part of the thing that we're not talking about. And another thing, too, I, I understand the idea that if we have certain populations located in certain parts of the city, we need to be concerned about that. My goal as an educator is to correct that. That's why the Department of Education needs to get involved in this and to help those students. There needs to be a team that goes into a building and help analyze that. It's-- it happens in other states. Why can't we have that happen here? It does take-- I know in the past they have removed some principals and some teachers from some of the buildings. Maybe that's one of the issues, I don't know, but Millard, at one time, we said let's do it the other way around. Why don't we take over Omaha? Because we thought we were a very high-performing school district and also it was down here with Ernie Chambers. We had, at one time-- and it became sort of a joke-- I shouldn't say as a joke, but it was one of those things that was tossed around and I even went to Ernie Chambers about this. Maybe we need to split Omaha up. Maybe it has outlived its life. Maybe it needs to be smaller because research says

when you hit around 25,000, you start going downhill. I know there are major school districts throughout the, the United States, but there is a limit to when school districts start plateauing. Not saying that we need to split up Omaha, but maybe that was an option we should have taken a look at. But then again, you start messing people around. In fact, I even suggested it to Ernie Chambers because I really had a lot of respect for the person. Once you got him off the floor, he was a unique individual. I made a comment to him, well, Ernie, if you think that people like me are messing around with your community, I suggest you try to be the superintendent of part of the community. And he looked at me and smiled and, and, you know, he is a very smart person. He says Rich, I get it. You know, I get it. I don't think we should backslide any school anywhere throughout the state. That's why part of my intent is to help those rural schools receive some additional money. I get it. We got to get that thorn out of our side so we can move on. That's why, believe it or not, I brought up a little bit about exemptions yesterday to say hey, there are a lot of thorns out there. Let's just don't pick on one. Let's try to pull them all back a little bit. But again, the learning community, love to have discussion on it. I, I don't want to have Senator Walz's bill stall here just because I have a need to talk. Thank you.

HILGERS: Thank you, Senator Pahls. Senator Wayne, you're recognized. This is your third opportunity.

WAYNE: Thank you, Mr. President. I'm not trying to destroy her bill or anything like that. I just-- Senator Walz's bill-- I just-- there are some things that I just-- while, while we're all listening, I think it's important that we talk about this. So I was getting ready to say Senator Brewer and I were having conversations and, and I really want you to understand where some of the kids in our community are coming from. So we on a regular send 18 to 35-year-olds over to war. We send them overseas, they see combat, they see people get shot, they see their friends get shot. They see the people that they consider their new family lose a loved one. And when they come back-- there is an expectation in America-- when they come back, they will get evaluated because most of them are going to deal with some type of PTSD. Most of them are going to deal with some small level of PTSD, if not grand level of PTSD. Take that same mindset and put that in an eight-year-old kid who just heard a gunshot down the street from his house before he goes to school the next day. Take that same mindset of a little bit or maybe grand PTSD and think about that kid whose loved one got shot or maybe they got grazed by a stray bullet. And they go to school and they're supposed to sit there and learn and they're

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 23, 2021
Rough Draft

supposed to sit there and take a test, but nobody's dealt with the core issue of that child is already suffering from PTSD. Now, what we want to do-- and this is not a knock on us-- but what we want to do is we want to have social workers think about coats and dirty houses and I get that. That's important too, but we're not dealing with the core issue of young people who are literally growing up in a war zone. Now, let's come full circle on our budget, come full circle on lottery dollars. We're setting aside \$115 million roughly for a potential idea of a new prison. Last night, we were having a conversation and I can tell you in Omaha, it's generational. If we were able to isolate 20 to 30 families in Omaha, 90 percent of our crime would probably stop. It's not that they are bad people. That's not it at all. But it's generational and PTSD and these issues become a norm, so when they interact with the police, that's a norm culture. When they interact with somebody, instead of walking away, they want to fight. That's a norm culture because that's the war zone they grew up in, but we ignore that. We don't address it. But here's what I'm trying to tell you today. The state is still paying for it. We're going to pay for it one way or another and we're scared or afraid or unwilling to reach outside of our comfort zone to say we need to take a little bit of time and resources to change this. But structurally, we got a problem, structurally when a kid in north Omaha going to his neighborhood school-- and it's not just north Omaha. Senator Aguilar, it's Grand Island. Senator Friesen, it's Grand Island. One kid living on one side of the tracks in Grand Island is worth \$5,000, but if he options in or she options in to Grand Island Northwestern, they're now worth \$10,000. Tell me how that makes sense. Tell me. And I brought a bill to eliminate that and I guarantee you it won't get out of of, it won't get out of committee because that extra--

HILGERS: One minute.

WAYNE: --\$5,000 is how Westside is surviving today. So what are we going to do to address that? What are we going to do to address the generational things that are happening in Omaha? But it's not just Omaha because here's what is going to happen. Columbus is going to start seeing the effects of this. Grand Island is starting to see the effects of this. This is going to become across the state. So let's talk a little bit more about data and why I struggle with all education bills because they don't ever go to the heart of what I'm thinking is needed for our community. As much as you all talk about property tax, that's how I feel about education. And I'll always have an education bill trying to address it, but structurally, we have a

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Floor Debate April 23, 2021
Rough Draft

problem. We have a problem when in 2019, black students had an average score of 31 points.

HILGERS: That's time, Senator.

WAYNE: Thank you.

HILGERS: Thank you, Senator Wayne. That was your third opportunity. Senator Moser, you're recognized.

MOSER: Thank you, Mr. Speaker. I was wondering if I could ask Senator Wayne a couple of questions?

HILGERS: Senator Wayne, would you yield?

WAYNE: Yes.

MOSER: The original concept of the learning community was to-- from what little I know about it, I don't want to, to-- but I guess that's why I'm asking the question, to learn more about it. One of the original tenets of that was to equalize the valuation amongst the school districts and pool that money so that the poorer schools got more funding and supposedly, they would be able to improve their scores.

WAYNE: That was the original intent and then we removed the taxing authority for that option, I believe, three or four years ago--

MOSER: The Legislature or--

WAYNE: --common levy-- the Legislature. Yeah, the Legislature removed the common levy.

MOSER: Were, were you here when that happened?

WAYNE: I was not. I think it was five or six years ago, sorry.

MOSER: Um-hum and when you say that a student from a poorer school is only worth \$5,000 and a student from a school with more funding is worth \$10,000, explain what the-- what you're talking about there.

WAYNE: It, it's not poorer school. It's about our option enrollment funding and how it works is if you, if you opt in to another school district outside of your school district and that school district is not equalized--- I think is what the word I want to say--- you get additional funds.

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Floor Debate April 23, 2021
Rough Draft

MOSER: Who pays those funds?

WAYNE: The state. So we are encouraging people to leave their school district.

MOSER: But the state only gives-- if they come from one school, they only get \$5,000. If they come from a different school, they get \$10,000?

WAYNE: Yes. So if a kid goes to their neighborhood school in Omaha, he gets-- the state covers roughly \$5,000. If that kid were to opt in to Westside, they would get \$10,000. If they go to Grand Island Public School, the state gives a little bit less than \$5,000, but if they go to Grand Island Northwest, that kid is now worth \$9,000.

MOSER: Whose decision is that?

WAYNE: Ours.

MOSER: The Legislature set that up?

WAYNE: Yes.

MOSER: Have you entered a bill to try to rectify that?

WAYNE: Yes.

MOSER: Is it going to come up for debate?

WAYNE: No.

MOSER: Is it stuck in committee?

WAYNE: Yes.

MOSER: Sounds like an interesting bill to me.

WAYNE: Yes.

MOSER: I would yield the rest of my time to Senator Wayne. I'd like to hear some more about his concerns. Thank you, Mr. Speaker.

HILGERS: Senator Wayne, 2:15.

WAYNE: Thank you, Mr.-- thank you, Mr. President, and thank you, Senator Moser. So in 2019, the black students had on-average score

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 23, 2021
Rough Draft

that was 31 points lower than that of white students. This is Nebraska and this is fourth-grade scores. This performance gap actually widened since 2002, roughly by 17 points. We're going backwards. In 2019, Hispanic students had on-average score that was 20 points lower-- lower than white students. This performance gap has not changed a whole lot, significantly different than where it was in 2002. So again, there's probably a couple-- maybe ten more minutes and I'm not going to hold up anything else. There's an important OPS pension bill we need to talk about that I, that I support, but my, my point is, colleagues, when we look at lottery dollars and when we look at any funding, we have to be intentional. We have to be uncomfortably intentional about where we are placing dollars.

HILGERS: One minute.

WAYNE: And that takes a lot of work. That takes this body to have a broader and bigger conversation than just what we're talking about on this floor. But the history is there and what people lost-- when, when Senator Chambers divided OPS on the floor, what people forgot about this whole ordeal is he divided it among attendance boundaries. And when he divided among attendance boundaries, the next day, everybody says he is segregating OPS. He is being racist. No. What's left off of that equation is OPS already-- attendance zones were segregated. He divided it by OPS's attendance zones and that hasn't changed. What we've done now is-- in our attendance zones is we're going to create pathways. You'll have nine different pathways, but when you get to--

HILGERS: That's time, Senator.

WAYNE: --high school, you're limited to four. Thank you, Mr. President.

HILGERS: Thank you, Senator Wayne and Senator Moser. Senator Lathrop, you're recognized.

LATHROP: Thank you, Mr. President. Colleagues, I listened with great interest to Senator Wayne's remarks this morning. In the Judiciary Committee, Senator McKinney often asks why don't we make this investment up front in my community? The conversation that we're having this morning that Senator Wayne's offering for our consideration is exactly what we hear or what we need to be doing. Colleagues, Correction-- Corrections-- those problems in Corrections, the long-term problems in the Department of Corrections are about whether we're going to make the investment up front in the

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 23, 2021
Rough Draft

communities. The education of children in OPS is critical to that. If we don't make changes and address the problems in the OPS school district-- and it's not limited to OPS. Ralston has the same demographic. Colleagues, this is an important conversation. I support the bills. I support the amendments. I will just say what Senator Wayne's talking about goes to what Senator McKinney brings up every day in Judiciary Committee and every day on this floor. We need to make those investments if we want to do something about the pipeline from north Omaha to the Department of Corrections. So thank you for bringing this up, Senator Wayne, and I'll yield you the balance of my time.

HILGERS: Senator Wayne, 3:35.

WAYNE: Thank you, Mr. President. Thank you, Senator Lathrop. So we're having a conversation, but really it's just me talking, so that's kind of why I'm going to stop after this one, not because I, I ran out of time. I could file motions if I want to keep talking. But at the end of the day, what's interesting is nobody else is engaged, so that, that kind of sends an interesting message to me about the level of, of commitment. We as a body-- when I say have to be intentional-- because this just isn't a OPS issue, the achievement gap is across our entire state. It's across our entire state and it leads to a path where employers look at things, people moving here look at things, they look at their neighborhood schools, and we have designed a system that is fundamentally flawed and our TEEOSA formula is fundamentally flawed. So let me give you an example. TEEOSA has been around for 27 years, 28 years. It literally was changed at least 24 times. We change it every year. And when I was the president of the school board, we knew that we were projecting a \$100 million loss, so we would call up our lobbyist, John Lindsay. I'm just-- I'm opening up the curtains here. And we would say go down there and cut our losses to \$20 million or \$30 million. We could-- we can, we can live with that. And we would just come down-- all the school districts would be united when they came down and then we would just peel off and we would get our cut and we went back home. We didn't care about the rest of the bill. And literally the-- every year we would do that. That's why I have no faith in TEEOSA because it's been manipulated so many times. It's just literally how it works. You just cut a deal. We figure out how to tweak it here, change a word here. You're good. That has-- that is a policy-- when we talk about property tax, Senator Briese, that's our problem. And what, what it-- I'm trying to calm down because what annoys me the most is many of our colleagues get up here and talk about what's racist, what's--

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Floor Debate April 23, 2021
Rough Draft

HILGERS: One minute.

WAYNE: --what's disheartening or what's happening to black people all across America, but nobody is being intentional about how to solve the problems that are really affecting it. And I'm tired of people getting up here, hijacking my community for their floor speech or their cause without really sitting down and being intentional. So let me be clear. You can't be more offended than the black people in the room when it's a black issue. You can't cry about what we need to do about police and this and that for black people if you're not going to get up and fight for the education changes that need to occur. I'm tired. I'm tired of the same conversation, but we have a bill here--

HILGERS: That's time, Senator.

WAYNE: --and we're having a conversation and everybody's quiet.

HILGERS: That's time, Senator. Thank you, Senator Wayne and Senator Lathrop. Senator Pahls, you're recognized.

PAHLS: Thank you and Senator Wayne, I, I agree totally with you. My family is an example that. When I opened my big mouth about needing an intervention team for a school that is having problems, lo and behold, state board, they got it. I mean, they said-- I have the information. They say we do have for each school designated as a priority school, the Commissioner of Education-- and most of you probably know this if you've been here because this apparently was when I was gone-- shall appoint an intervention team. The intervention team shall assist the school district-- and I'm not going to read on and on, but also the, the intervention team, which consists of five people, they go in there, they take a look at the school-- and I'm telling you, if it's working, the scores that the good senator's talking about, we, we should be knowing about. The State Department of Education should be able to give us the answers. Maybe a couple of us ought to go over there and talk if, if the-- I don't know if the Department of Ed speaks much to the Education Committee, but apparently these things are in place. I'm-- just was that naive not to know that. But if, if our achievement scores are extremely low, we ought to know why and how do we-- can remedy. And it does not always involve just the school. It's a social issue, totally. But I just think that we do have some of the assets. Now we need to jack them up maybe or maybe I need to find out a little bit more information about it because this is my field in the past and I always bragged about the achievement level of our schools. I was different-- dealing with a different clientele. I

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Floor Debate April 23, 2021
Rough Draft

agree. I understand that. But the reason why I, I value education, because I know-- I was born on the other side of the tracks, but the thing I had going for me, I was white. It was that simple. But education has brought my family out of the doldrums. It's unbelievable what some of my brothers and sisters have done. So education, if we're going to make any changes, that's where it needs to start. That's why I'm still talking to my rural counterparts. We need to help your schools out there. We need to be fair about it. We need to take a look at the total package of taxes. I'm talking about income tax, sales, exemptions, property. We need to take a look at the whole thing. Don't just pick and choose something that's going to be of benefit to me. But anyway, I apologize to the Department of Education because I implied that nothing was happening and it is happening. I just need to take a look and see what they do with the information they get because a team goes in there and sets standards for a school. For the most part, it should improve, but Senator Wayne said the scores are actually gone down. And that's not just in Omaha, there are other-- probably areas throughout the state that have that same issue. I do not believe the achievement test scores are the only thing. It's one factor because those achievement test scores can be somewhat manipulated. I don't know if you realize I've had schools with high-achieving scores and lower-achieving scores. My lower-achieving schools actually were doing better than my peers because you get a baseline data, data. If you score above that baseline data, that's signs of improvement.

HILGERS: One minute.

PAHLS: Thank you. If you're a high-scoring school, you may not be achieving what you should be achieving. We know that by the tests that are involved. There's a baseline there. So let's say a school is really achieving high. You say oh, they're great. Well, they may not be achieving to the level that they should be and some of those are achieving way above what they should be. It's a very complicated process. Just-- cannot just look at the test scores. You have to go deep down into that and look at the community. And if there's a shortage of something, you help them with that. I assure you, Senator, this is the last time I will speak on this bill because I do support it. The only question I have-- I have one final question, Senator Walz, one final question.

HILGERS: Senator Walz, would you yield?

WALZ: Yes.

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Floor Debate April 23, 2021
Rough Draft

PAHLS: As I was reading through the--

HILGERS: That's time, Senator.

WALZ: Oh.

PAHLS: Saved by the bell.

HILGERS: Thank you, Senator Pahls and Senator Walz. Senator Pahls, that was your third opportunity. Sen-- Senator Erdman, you're recognized and this is your third opportunity.

ERDMAN: Oh, thank you, Mr. Speaker. I appreciate that. So, you know, Senator Wayne said not too many are engaged. I want to tell him that I am engaged and I wouldn't have stood up and said anything. And so when I did the bill to eliminate the learning community several years ago, the people who brought that idea to me were the people who the learning community was supposed to be serving. They were those who were supposed to receive the benefits of learning community and so the people that came in opposed to elimination were the people that organized the unit-- the learning community or supported it, the three-piece suits from the university and all the others. When those folks came to my office and asked for help with the issue they have, I didn't look at those people as being people of color or black or whatever. I looked at them as constituents of the state of Nebraska that needed help. And it's kind of peculiar to have a senator from District 47 that could not be further away from the learning community get involved in trying to solve their issue. And so here we are five years later and the issue hasn't changed, but what I shared with Senator Wayne is that I would be willing to help him solve the problem. Now, that may seem kind of peculiar that I would be concerned about somebody in Omaha, but I am because they live in Nebraska and so I wondered if Senator Wayne would yield to a question?

HILGERS: Senator Wayne, would you yield?

WAYNE: Yes.

ERDMAN: Senator Wayne, you and I had a short conversation off of the mike about me helping solve the issue that you have. Do you remember that?

WAYNE: Yes.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 23, 2021
Rough Draft

ERDMAN: I asked you if you could help me understand what issue can I help you with? Have you had time to think about that?

WAYNE: Yes.

ERDMAN: Could you share that?

WAYNE: So I think structurally we have to figure out a way to change or do better by TEEOSA. We have to eliminate the option enrollment, but specifically we need to have a bigger conversation around this PTSD and providing more direct resources not to school districts, but to kids.

ERDMAN: OK, does it surprise you that someone as far from Omaha as I am, that I'd be interested in helping your people?

WAYNE: No. We've had these conversations and, you know, even my first year with the felon voting bill, you stood by me all three rounds and I think it was because you look at Nebraska as a whole.

ERDMAN: I do, I do and I look at every person who lives in Nebraska as a resident of Nebraska that I represent and it's my intention to help everyone. I don't care where they live or who they are. And I would commit to you that I'll try to help you solve this issue.

WAYNE: I appreciate it. Thank you, sir.

ERDMAN: Thank you.

HILGERS: Thank you, Senator Wayne and Senator Erdman. Senator Erdman, that was your third opportunity. Senator Vargas, you are recognized.

VARGAS: Thank you very much. I rise because part of this conversation is centering around education and I want to offer my two cents here; one as a former-- well, a couple of different reasons. One, I was very similar to many of the kids that we're talking about here. I was in the free and reduced lunch program growing up. I was a public school teacher. I was a public school board member. And sometimes the hardest conversations we have are that everything is working out just fine. It's not. I can tell you fundamentally the achievement gaps, the opportunity gaps that Senator Linehan talked about absolutely exist. We have to do a better job of educating our youth, specifically our highest need, Latino, African-American, Native American, and many other subgroups and identities and refugees. We have to do a better job. That does mean more targeted resources-- and what Senator Wayne

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 23, 2021
Rough Draft

is talking about-- not to the school, but making sure that it's going to the students. It's because it's not always reaching the students. These services and the supports are not always reaching our highest-needs students, our students with IEPs, or our students that are lower income or have higher need. Otherwise, we wouldn't have the achievement gaps we still have. We have been clawing to make sure we're addressing that. I know we've been trying to do that in Omaha, but we're still not doing everything that we possibly can yet. That's why we fight here about making sure we're talking about equity, not equality. A couple of things I want to comment too because I do think it's important. I don't think it's a bad thing to say that our education system isn't meeting the needs of our kids. That's not a bad thing to say. When we're-- when, when Senator Linehan is talking about, you know, the evaluation of teachers or the proficiency scores that Senator Wayne's talking about, part of the reason is the only way we can make better decisions on how we can do a better job to support our schools is if we have data and transparency on how we're actually doing. It's why when we talk about things like standardized tests-- yes, I don't think they're the only measure that we should be utilizing for our students, but it's usually the major and only measure that's utilized to get into college or to some postsecondary education. We can't coddle our communities and set lower expectations for them for what's possible. They're going to be entering the workforce and we need to make sure that they're as prepared as possible. Unfortunately right now, the metrics and any type of assessments that we use, formative, standardized are the only things that we have to be able to evaluate how well our system is operating and how well students are learning. But that doesn't mean that's the only thing that we need to focus on. It's not a bad thing that, you know, Senator Pahls is asking about looking at the improvement and turnaround of districts or schools. That's not a bad thing that we should be asking about-- or whether or not we can expect more from our school districts. That's not a bad thing. When we talk about our-- all of our other systems of government right now, we expect our Corrections system to be better. We expect our system of banking to be better. We expect every single system of foster care, child welfare to be better. The question is how do we do it? And it's true, sometimes we get on the mike here and we talk about the needs that we need to address, but we don't actually put anything behind it and it is frustrating. I'm not going to lie. It's one of the reasons why I continue to bring education bills because I continue to see that there are inequities in the system for black and brown families and kids and it's not just funding. Funding is one aspect of it for the kids, but

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 23, 2021
Rough Draft

making sure the services-- and we're having the right conversations about where kids need to be.

HUGHES: One minute.

VARGAS: It's one of the reasons I supported Senator Linehan's third-grade reading bill when it was originally introduced in its original form. We have to expect-- continue to expect more and also continue to support those that are doing that. I've said it before. You could be very pro teacher and also pro reform and expect more from the system. We have to take a good, hard look at what we actually need to invest in and I've been on the mike talking about we just-- it's not about throwing money at the problem, but it's also not about taking money away or, or dissolving the money that's going to be going there simply. That's not the, the answer either, but we need to talk about these inequities and outcomes that exist because the educational outcomes connect to our workforce issue. There are 50,000 people right now that don't have a high school degree in the state of Nebraska. We have six--

HUGHES: Time, Senator.

VARGAS: Thank you.

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

LINEHAN: Thank you, Mr. President. I'm only going to take a second here and then I'm going to yield, yield my time to Senator Wayne. I think Senator Walz has said she will work on this between now-- she has said-- she has definitely said she would work on this between General and Select, so I think this conversation has been very good this morning and I would yield the rest of my time to Senator Wayne.

HUGHES: Senator Wayne, 4:35.

WAYNE: Thank you, Mr. President. Colleagues, I will-- I'm going to ask this of you that while I really want to keep this conversation going, if you look at our agenda, 11:00 a.m., we're going to start on LR14, so I would ask you, if you're not-- we can still have this conversation going, but I think it's important we move this bill and, and maybe start a little bit on Senator Kolterman's opening because I think it's a really important bill for OPS and ties into what we're talking about today. But just real quick, while I finish up, how is this all connected to everything we're talking about? If a kid continues to get disciplined in school for whatever reason, that

disciplinary record is used in their PSI when they go before a judge. So your school record is used as part of your sentencing and it's always used in juvenile as part of their overall evaluation. So when they do a complete PSI, which is a pre-sentence investigation on-- and that typically happens on any felonies, not necessarily misdemeanors-- part of that section is your education history and they go through your discipline history. And if you are a person who gets in fights or causes-- you are not a, a-- law abiding, you have a problem with following the rules and you're graded negatively. That's part of our judicial system and how this all ties together with Senator Lathrop, Senator Walz, the Revenue Committee. All of this ties together with why we are building a new prison or thinking about it, why we are moving forward. We used to-- literally we had 800 tickets to last year I left OPS of actually students being ticketed on campus or being pulled from their school on a warrant. So the safest place for them to go is school, but if they have a ticket or was in something outside of school, officers were literally walking in schools to do that and arrest them. So kids were even scared to come to school. We were literally charging eighth, eighth-graders and high school kids in juvenile if they get in a fight in school with a criminal charge-- mutual fight-- in juvenile. So a school fight is no longer a school fight. It is now a criminal offense and you wonder why our prison system is overcrowded. So I hope we vote on this bill moving forward and work on some things that I heard they were talking about from Select-- General to Select, start the conversation around Kolterman's bill, around OPS pension. And here's the biggest reason why we should do OPS pension. Sorry, Senator Kolterman. You see what problems I just talked about in OPS. How about we let that board spend time running the school system instead of worrying about where investments are going? Let's, let's, let's take that little burden off of them. That, that seems like the best reason we can give. We have enough problems, but this is all connected, all connected. And I hope today we just had a little bit of conversation to start moving that ball forward. Thank you, Mr. President.

HUGHES: Thank you, Senators Linehan and Wayne. Senator McKinney, you're recognized.

McKINNEY: Thank you. I rise in support of the bill. I'm on the Education Committee and one of the reasons I ran for office was because of the educational gaps in my community. We've historically had the lowest test scores and the worst outcomes and it seems as though nothing is ever changing, but we're always hearing that people care about our community. I also was a kid that went to school in OPS

who got in trouble a lot. I was sent from the class all the time, getting suspended. I was laughing with somebody the other day. It's not really funny, but I spent a majority of my middle school, seventh and eighth grade, in in-school suspension, sitting in front of a cubicle and not interacting with the school. Luckily, I didn't fall through the cracks, but, but those young men that we saw on the news over the weekend with the shooting at the Westroads, those kids fell through the cracks. And I've spoken to multiple people and they all said that we knew that they were going to fall through the cracks. We could see it, but we have nothing in place right now to prevent those kids from being on the news last weekend and commit murder or those type of offensive-- offenses and that's a problem for me. We can't continue to say we care about kids and continue to allow kids to be failed. Honestly, that's what we're doing as a state, as a city, as a school district. Everybody's failing these kids, but these kids are thugs and murderers to a lot of people. And there's people laughing about it and it-- and that's a problem for me. I'm always going to advocate for education, especially for my community, because right now there are kids walking through high school halls in OPS with failing grades and nobody cares about them. And they're just going to school every day and everybody knows they're going to, they're going to fail. You could literally-- I'm almost sure of a-- graduate high school averaging a D in OPS, but nobody talks about how do you average a D and graduate high school? Make it make sense. We have to fix the system, the grading system, how we distribute our resources, and everything else if we ever want to prevent the issues because after this prison-- if it's built, we're going to build another one if we don't fix the problem at the head. We have to get real on these issues. It starts with funding more resources for education, more investment into north Omaha. These kids are growing up poor, they're feeling hopeless, and nobody's coming in. I don't know if you all know, but-- I don't know if you all know what it feels like to walk from school and get shot at. I do. And then you got to walk in the same building and walk from that same school the next day and nobody's coming to save you and you got to hope you don't get shot. This is what those kids are going through that we call thugs and we judge every day. We really have to think about this. We have to invest in these kids and I yield the rest of my time back to the Chair.

HUGHES: Thank you, Senator McKinney. Senator Aguilar, you're recognized.

AGUILAR: Thank you, Mr. President and members. Senator Wayne, I certainly want to thank you for enlightening me to the difference in

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 23, 2021
Rough Draft

funding for my district. I did not know it was that severe. Shame on me for not knowing that, but it's something that bothers me and something I promised to help work on, try to get that straightened out. One of the problems I see is I can't help but notice when you're speaking about OPS and some of the issues, the achievement gaps, the difference in funding, I see a lot of my colleagues with their heads down, some of them in private conversations, some of them looking ahead to the next piece of legislation. That's part of the problem. Colleagues, we need to pay attention to these issues. It is just wrong. It is just wrong and it needs to be corrected. Thank you, Mr. President.

HUGHES: Thank you, Senator Aguilar. Senator DeBoer, you're recognized.

DeBOER: Thank you, Mr. President. I just wanted to stand up very briefly because we are trying to get to a vote and say that I agree that these funding issues need to be looked into. I agree that TEEOSA needs to be looked into. I have a bill for that. LB132 would form the School Finance Commission to look into it. I've brought it every year I've been here. Before me, Senator Kolowski. Before that, Senator Briese. It's time to do this bill. It has been prioritized by the Planning Committee. It's LB132. Please look at it. I agree that we need to do all of this and now I'll get off the mike. Thank you, Mr. President.

HUGHES: Thank you, Senator DeBoer. Seeing no one else in the queue, Senator Walz, you're welcome to close on your AM770.

WALZ: Thank you, Mr. President. I really want to take a minute and thank everybody for the conversation, a conversation about actually educating our students. We're actually taking time and thinking about and focusing on our students regardless of where they live. We need to continue to have intentional discussions like this about the learning gap, about class size. We need to have discussions about supports for kids and maybe look at expanding the needs portion of the TEEOSA formula to make sure we're meeting the unique needs of each kid in each community. We need to have more conversations on how we recruit more diverse teachers in our schools. Maybe we need to have conversations about option enrollment because I don't think that any child should have to move from their community to go to a good school. I think every school should be a good school. So we do have to strive to do better and again, I so much appreciate this conversation. And with that, I'm going to close and ask you for your green vote on AM770, AM556, and LB528. Thank you, Mr. President.

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Floor Debate April 23, 2021
Rough Draft

HUGHES: Thank you, Senator Walz. Colleagues, the question before us is the advancement or the, the adoption of AM770 to LB528. All those in favor vote aye; all those opposed vote nay. Have you all voted? Record, Mr. Clerk.

ASSISTANT CLERK: 45 ayes, 0 nays on the adoption of AM770.

HUGHES: AM770 is adopted. Returning to debate on AM556. Seeing no one in the queue, Senator Walz, you're welcome to close on AM556. Senator Walz waives closing. Colleagues, the question before us is the adoption of AM566 to LB528. All those in favor vote aye; all those opposed vote nay. Have you all voted? Record, Mr. Clerk.

ASSISTANT CLERK: 46 ayes, 0 nays on the adoption of committee amendments.

HUGHES: The committee amendment is adopted. Debate is now open on LB528 as amended. Seeing no one in the queue, Senator Walz, you're welcome to close. Senator Walz waives closing. Colleagues, the question before us is the advancement of LB528 to E&R Initial. All those in favor vote aye; all those opposed vote nay. Have you all voted? Record, Mr. Clerk.

ASSISTANT CLERK: 44 ayes, 0 nays on the advance of the bill, Mr. President.

HUGHES: LB528 is advanced. Speaker Hilgers.

HILGERS: Thank you, Mr. President. Good morning, colleagues. As you note on the agenda, we were going to start the pull motion on LR14 no later than 11 a.m. Because LB147 has committee amendments, there is not enough time to even start that and get all the way through the openings of both the bill and the committee amendments without having to go off the agenda, so we're going to start LR-- the pull motion on LR14 now. And because I've had a few people ask me, I think it's implied in the agenda, but I want to make clear this is the last thing that we're doing today. So after this, we will be adjourning. Thank you, Mr. President.

HUGHES: Thank you, Speaker Hilgers. Mr. Clerk.

ASSISTANT CLERK: Mr. President, I do have items. Your committee on Enrollment and Review reports LB17, LB561, and LB561A. All those placed on Final Reading. In addition, LB485 and LB2 have been placed on Select File with E&R amendments. I have amendments to be printed:

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 23, 2021
Rough Draft

Senator Blood to LB131, Senator Ben Hansen to LB644, Senator John Cavanaugh also to LB644. That's all I have at this time.

HUGHES: Thank you, Mr. Clerk. We will now proceed to LR14.

ASSISTANT CLERK: Mr. President, Senator Halloran would move pursuant to Rule 3, Section 20(b) to place LR14 on General File.

HUGHES: Thank you, Mr. Clerk. Senator Halloran, you're welcome to open on LR14.

HALLORAN: Thank you, Mr. President and members of the Legislature. As we begin the debate on my motion to pull LR14, a resolution to Congress for a convention of the states to propose amendments to the United States Constitution, from the Government, Military and Veterans Affairs Committee, I want to first share that I have the greatest respect for the Government, Military and Veterans Affairs Committee and the committee process itself. Since LR14 is my priority bill, I would like the chance to have the whole Legislature debate it. Therefore, I filed this pull motion. Pull motions aren't used very often and arguably, they shouldn't be. However, the committee is at an impasse with a vote of 4 in favor, 2 against, and 2 not voting. There were not enough votes to kill my legislative resolution, nor were there sufficient votes to move it out of the committee to the floor for full debate. Process is important and I'm not putting process aside. I am following the rules as they are prescribed. Some object to pull motions because they feel that it usurps the committee process. I am a committee chair myself and the Chair of the Government, Military and Veterans Affairs Committee, he himself supports this LR14 pull motion. Outside of this body, the second house has made a compelling case as to why this resolution should be pulled from the committee to the committee hearing. Eighteen people testified in support of LR14 and three people spoke in opposition. I have received-- and I'm pretty confident that your offices have as well-- hundreds of calls and emails asking for this to have a debate on the floor. There is overwhelming support from the second house in favor of LR14. Senators, fellow Nebraskans, I'm sponsoring LR14, a call for an Article V convention of the states because I took an oath to uphold and support the Constitution of the United States and the state of Nebraska. That oath, which we have all taken, does not say-- I repeat-- does not say I do solemnly swear that I will support the Constitution of the United States, except for that part of Article V that gives the states equal footing with Congress to propose amendments to the Constitution. No, there are no exceptions in this oath. We take an oath to defend the

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 23, 2021
Rough Draft

U.S. Constitution in its entirety, no exceptions. The U.S. Constitution is not a buffet. It's not a smorgasbord from which we can choose what we like and discount what we don't like. It is all or none. Some opponents of LR14 will be selectively discounting that part of Article V of our Constitution, which gives the states equal footing, equal footing with Congress in regard to proposing amendments to the Constitution. Colleagues, we must keep our oath. Since the focus of LR14 centers on Article V of the U.S. Constitution, I have had a copy of Article V and a copy of LR14 delivered to your desk for your reference. LR14 calls for the state of Nebraska to call for a limited Article V convention of states, which would discuss and potentially propose amendments to the U.S. Constitution. It takes two-thirds of the states, 34 states, with matching resolutions to call a convention. Currently, 15 states have passed resolutions that match-- and that's very important-- that match the language in LR14. Once that 34-state threshold is met, and an Article V convention of states is called and through a convention process, amendments are proposed. Those proposed amendments would still have to be ratified by three-fourths of the states, that's 38 states as laid out in Article V of the U.S. Constitution. Now, that's a high threshold for ratification, but it should be. LR14 calls for a convention to propose amendments in the following areas: (1) impose fiscal restraint on the federal government, (2) limit the power and jurisdiction of the federal government, and (3) limit the terms of office for its officials and members of Congress. By requiring matching resolutions by 34 states, it naturally creates a structured framework for the topics discussed during the convention. All 34 states will be disciplined from their own state legislatures and from other states to stick to limiting discussion to these three topics. So let us now focus on how Nebraska would handle a ratification process of proposed amendments to the federal Constitution, be they either proposed by Congress or a convention of states. Given that a proposed amendment to the United States Constitution would be referenced to our State Legislature's Government, Military and Veterans Affairs Committee, the same process of public notice, public testimony, committee member, member questions would be engaged. Then the bill would have to go through the Executive Committee process of voting the bill out of committee. If passed out of committee, it would be on to the Legislature floor for debate. If the bill is allowed to be fully debated and the bill is passed by the Nebraska Legislature, it would be ratified by the state of Nebraska. A similar process will be needed to be conducted by the other 49 bicameral states. If and only if a minimum of 38 of the state-- 50 states ratify a proposed amendment to

Transcript Prepared by Clerk of the Legislature Transcribers Office

Floor Debate April 23, 2021

Rough Draft

the United States Constitution does that amendment actually become part of our Constitution. That's an extremely high bar to achieve as well and it should be. To date, 33 amendments, 33 amendments to the United States Constitution have been proposed, 27 of those-- and those were proposed through Congress-- 27 of those have been ratified by the requisite number of states. Six amendments that were proposed by Congress have yet to be ratified, so Article V clearly works. Article V obviously works. We have 27 examples of working with. The 27 amendments proposed by Congress and ratified by the United States is clearly evidence that it works. The two-thirds of Congress method of proposing amendments is clear, clear evidence that Article V works. Three-fourths of the states needed to ratify an amendment obviously works. Question: why is two-thirds of the states proposing amendments somehow dangerous? Colleagues, consider this: it takes approximately 2,500 state legislatures-- legislators just like us and three-fourths of the states, 38 different states, and at least 76 different state legislative houses to vote yes to ratify a proposed amendment by a simple majority regardless-- whether Congress proposing or a convention of states. I believe this incredible safeguard has served our republic very well and it should make all of us confident in the Article V process. Thank you, colleagues, for your attention and I encourage you to support your oath of office and to support this pull motion for LR14. Thank you, Mr. President.

HUGHES: Thank you, Senator Halloran. Senator Morfeld, you're recognized.

MORFELD: Thank you, Mr. President. Colleagues, as I've risen for the last seven years that I've been in the Legislature, I rise in opposition to not only the pull motion, but the underlying concept and bill. So first off, I just want to start off by saying you are not violating your oath of office by opposing a call for a convention of the states. That's absurd. There's nothing in the Constitution when you raise your hand and take that oath of office that says you must support a call for a convention in the states. There's absolutely nothing in the Constitution that says that. So by-- you voting against this is not violating your oath of office, it's not upholding your vote-- oath of office. It's just simply one of the many different options that you have in the Constitution to be able to amend it. I have opposed this consistently and quite frankly, I don't know where the overwhelming support is coming from because primarily the, the emails that I've received have been overwhelmingly in opposition and the reason why it's in opposition is because it's dangerous. The reason why there's bipartisan opposition to this concept is because we

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 23, 2021
Rough Draft

all know it's dangerous. Why? We have one example of it happening. You know the last time that we had a constitutional convention? It was with the Articles of Confederation. They were supposed to make amendments to it and they all got together, scrapped it, and came up with a new constitution. Now we can have an argument and a discussion about whether we like our new Constitution or not, the one that we're operating under right now, but the bottom line is, is the only precedent we have for a constitutional convention is one that completely dismantled the current constitution at the time, the Articles of Confederation. That's the only precedent that we have. That's why both conservative and liberal jurists, Supreme Court justices, both for former and current, have said that this could easily be uncontrolled. Why? Because there's no precedent other than the precedent of the Articles of Confederation, where they literally took the Articles of Confederation, scrapped them, even though it was supposed to be limited in nature, what they were looking at, and came up with a new constitution. I have studied this issue extensively. I've even gone to one of the conferences that is a pro convention of the states conference and talked to the people and asked them OK, so where in the Constitution does it allow for this to be limited? Senator Halloran says you can be-- I think he said disciplined by their legislatures if they go-- if they're out of the scope. Where's that in this call? Is there, is there a, is there a crime? Is there some kind of penalty for the representatives? I've read the legislation just before coming on the mike again and I, I can't see anything, so how are they going to be disciplined? Colleagues, a convention can set their own rules and they can write their own rules. The conference I went to that is driving this effort, they were working on writing their own rules before the convention was even called. Second, they can most definitely set their own agenda. There are no guardrails and for anybody who has said there are guardrails simply because you put it in the resolution, they do not have any precedent to support that. In fact, the only precedent is that they completely scrapped the entire constitution last time and created a new one. I know many folks have told me-- they've been, like, well, what's the big deal? It takes another ten or 11 states or something like that, you know, it's not a big deal. Well, the problem is, is that if all the states that are considering this say that, we're suddenly going to have a constitutional convention and does anybody think right now that we should be having--

HUGHES: One minute.

Transcript Prepared by Clerk of the Legislature Transcribers Office

Floor Debate April 23, 2021

Rough Draft

MORFELD: --a constitutional convention in Washington, D.C.? Does anybody honestly think that that's going to go well? Does anybody honestly think that there's not a danger that they could amend other constitutional amendments that we all hold dear, whether it be the First Amendment, the Second Amendment, the Fourth Amendment, the Fifth Amendment, maybe states rights, the Tenth Amendment? Colleagues, this seems like a benign concept and I think we can all agree something needs to be done with the federal debt. I can agree with Senator Halloran on that, but this is a dangerous way to approach it. And if the body decides to move forward with this and the body decides to not only pull it out, but then pass it, I think a lot of us are going to be looking at this a few years from now and really regretting that we did it because, quite frankly, you think the interests are powerful right now in Washington, D.C.? Just--

HUGHES: Time, Senator.

MORFELD: --wait until there's a constitutional convention. Thank you, Mr. President.

HUGHES: Thank you, Senator Morfeld. Senator Erdman, you're recognized.

ERDMAN: Thank you, Mr. President, and good morning. I appreciated Senator Halloran's efforts to do this. He's been working on this for years. I checked this morning with my office people to see, in their opinion, how many emails we have received since I came to the Legislature about conventional states. We are estimating we received over 1,000 emails and about 95 percent or more are in favor of convention of states and the 5 percent generally are people that don't live in Nebraska. And you've all gotten those and you understand that they're all sent by a group who sent those to them and they changed the name at the top and sent it to us. And so Senator Morfeld is all worried about what's going to happen if we pass this. We will be-- I believe Senator Halloran said we'd be the 15th state. We're by no means the last state. I wish we were, but we're not and so we need to have more than what has already adopted it do the same before it becomes a convention. So it's an issue that we deal with and we deal with it on a consistent basis here every day with the emails that we receive, but as I said earlier, the prob-- the comments that I receive from the people in Nebraska comment about-- a lot of them comment about the budget. And we have printed trillions of dollars in the last couple of years and our national debt, according to this document that Senator Halloran has sent out, how much the debt has grown-- he does that periodically-- has grown like crazy. Not only will my grandkids

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Floor Debate April 23, 2021
Rough Draft

pay off this national debt, but their grandkids may as well. And if you think that everything in Washington, D.C. today is fine and we're OK and we don't need a convention of states to rein things in, then you have a totally different opinion than I have because we're thinking about packing the Supreme Court, we're thinking about printing more money that we don't have, and we're doing all those things that we would not do in Nebraska because we have a balanced budget amendment. And that's the same thing that the state of Nebraska has put in place and I think 26 or 27 other states have, have the same issue. So if you're fine with the government running out of control like they are today, then we just need to continue the road we're on. But if you're concerned that we may be spending a little too much money, if you're concerned about the way things are in Washington, D.C. and they need to be reined in, if you're concerned about all the issues that are coming down and executive order and all the things that are happening to us, then we need a convention of states. And so I was wondering if Senator Halloran would yield to a question?

HILGERS: Senator Halloran, would you yield?

HALLORAN: Yes, I will.

ERDMAN: Senator Halloran was I correct we'd be the 15th state?

HALLORAN: There are currently 15 states that have passed this very same language and resolution, so we would be 16th.

ERDMAN: We would be the 16th state. And how many are needed?

HALLORAN: 34.

ERDMAN: 34? Amazing. I wish we were 33 or 34. We'd be closer, but I appreciate your efforts. I will be voting green on the pull motion and I'll also be voting green on the convention of states resolution when it gets to the floor. Thank you.

HILGERS: One minute. Thank you, Senator Halloran and Senator Erdman. Senator Brewer, you're recognized.

BREWER: Thank you, Mr. President. I wanted to come in first and talk about the issue of, of the Government Committee and this being pulled. As a Committee Chair, you're, you're never happy about the fact that bills are pulled, but I think there's a point too where you have to be realistic that if there are no options, no way that it can ever see the light of day if it's not pulled because you have a deadlock

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 23, 2021
Rough Draft

committee that is never going to change in their view of the world-- and if anybody tracks the Government Committee, I think it was designed by the Committee on Committees to be that very thing, a deadlock, four-on-four committee. We pass issues out of the committee that are very specific to the state and those issues we're able to address, but when it comes into the more controversial issues, it is a deadlock that is insurmountable. There are other bills that we probably should be discussing here on the floor that aren't going to make it because of that reason, but this one here, I believe is worthy of our time. I am not an attorney, really don't have a desire to ever be one, but I think we need to have a discussion on the fact this-- the convention of states that's being proposed-- these amendments-- is not a constitutional convention, as I understand it, but I'm going to give some time here at the end for Senator Halloran to help clear that up because I think we need to make sure that we understand exactly what we're discussing here today and not have any smoke and mirrors trying to confuse stuff. I hold the Constitution as dear as, as anyone. You don't live the life that I've lived and not have that the bedrock of what you do. So I'm not excited about changing it either, except I see no other path ahead. It's great to say well, something will come up. We'll figure something out. It'll work out. The, the truth is we're on a death spiral with our budgeting and with that-- the way things are being run right now, I don't see that changing. We will spend until the system collapses and we're no longer the nation that we were. So I would like to yield the remainder of my time to Senator Halloran to help us better understand what we're asking for today.

HILGERS: Senator Halloran, 2:35.

HALLORAN: Thank you, Mr. Speaker. Thank you, Senator Brewer. It's-- there's, there's been a lot of confusion about it-- and some of it's very purposeful, I would say most of it's very purposeful-- some confusion about the difference between a constitutional convention and a convention of states. I don't know how the founding, founding fathers could be more unambiguous in their language in Article V. It's simple, straightforward. They, they understood that the basic common man at the time should be able to understand the Constitution and that's the way they wrote it and it is very, very clear. But let's take you back just a little bit in time. I don't know-- how much time do I have left?

HILGERS: 1:50.

HALLORAN: And I'll continue this on the next time on the mike, but let's do a little Cliff Notes version of history, right, 1776. What happened? Well, we fought a vicious war, declared independence from Britain, and then for the next ten years, we were under a very loosely written Articles of Confederation and it proved not to be very workable. It proved to be absolutely not workable. There was no means in Articles of Confederation for treaties to be drawn. There was no means in the Articles of Confederation to tax. As much as I don't like taxes, it's a necessary evil and they had war cost to, to, to contend with and they could not tax. There were a number of issues that the Articles of Confederation were not working for this young country and so they--

HILGERS: One minute.

HALLORAN: --they met in Philadelphia, as we all know, in 1787. And there was no confusion on the call for that convention, Senator Morfeld. They understood clear-- clearly that they were meeting to, to write a new constitution to replace the failed Articles of Confederation, simple as that. They weren't, they weren't misusing any directive from their, their colonies when they went. They understood they were rewriting a whole new constitution, one that would work for them, and they formed a new government with that. They formed government with checks and balances, right? Executive branch, legislature, judiciary, and the intention was to have that kind of sense of balance between those, those power structures. Well, Article V was written that way too. They decided that there had to be two means of proposing amendments, not just leaving it in the hands of Congress. Why would Congress fix its own heavy handedness and overreach?

HILGERS: That's time, Senator.

HALLORAN: They had no compulsion to do that. Thank you.

HILGERS: Thank you. Senator Halloran and Senator Brewer. Senator Lowe, you're recognized.

LOWE: Thank you, Speaker Hilgers. I stand in support of the pull motion and of LR14. As our federal government continues to grow and our state's rights diminish, I see that our countries-- I see that the country that our founding fathers envisioned is now being dumped and is turning toward the type of government that our founding fathers fought, lost their fortunes, their families, and their lives to. Our

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Floor Debate April 23, 2021
Rough Draft

state, our state should have and was granted by our Constitution to self-governance of our lands, our laws, and our people. That is why each of our states have their own legislatures. And then we have given power and our legislatures have given power to our counties, cities, towns, and villages because this is how our founding fathers wanted our government to run. A quote from Democracy in America in 1840 by Alex de Coquille [SIC]: abuses against the people by the federal government, these abuses are not mere instances, but bad policy. The federal government has been subjecting us to soft tyranny in which the government does not shatter all men's wills, but like regularly-- regularly, that's a tough word-- regularly-- Senator Pahls, I think you and I have the same problem today-- softens, bends, and then guides them. If we do not halt these abuses, we run the risk of becoming nothing more than a flock of timid, industrious animals of which the government is the shepherd. With that, I yield the rest of my time to Senator Halloran to continue on with his thoughts.

HILGERS: Senator Halloran, 3:00.

HALLORAN: Thank you, Mr. Speaker. Thank you, Senator Lowe. A continuation of a maybe extended Cliff Notes version on early American history. So there, there was no confusion on the part of the delegates or as they called them at the time and more accurately, commissioners to the, the-- the meeting in Philadelphia in 1787 took all summer. There was no confusion why they were there. They knew they had to create a solid constitution for the country to replace the Articles of Confederation. They didn't even have a currency under the Articles of Confederation, not one that worked. They had what they called the continental and it became inflated and became worthless and thus the term worthless as a continental came about. So they knew they had to create a new constitution. So early on in the convention in 1787 in Philadelphia-- a hot summer, I'm sure, no air conditioning-- one of the early things they talked about and discussed was, well, so what about this, what about this possibility of amending the Constitution? They understood and they were humble. They knew it wasn't going to be a perfect document and that it was going to have to be amended from time to time. So they said well, OK, let's discuss this. Well, the first proposal was-- the first proposal that was in Article V came from Mason. Mason said let's have it so that two-thirds of the states have to call for a convention of states for the purpose of proposing amendments to the Constitution and that it would have to be ratified by three-fourths of the states, right? Didn't say anything about Congress in that first draft. Well as the summer went on, Hamilton came into the picture and he was more of a, a big government person

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Floor Debate April 23, 2021
Rough Draft

and he took out that language. He took out that language and he put in that an amendment could be brought about if proposed by two-thirds of Congress--

HILGERS: One minute.

HALLORAN: --two-thirds of Congress and then it would have to go through that ratification process. But they took out the states. Well, Mason came along and when it got down to the final, final reading, he saw that that had taken place and that language had been replaced. And he said whoa, whoa, whoa, wait a minute, time out. He probably didn't say time out, but he said that's, that's not what we discussed. And so they ultimately agreed to put, put a convention of states, a call for a convention of states, two-thirds of the states, to propose amendments in addition to and with two-thirds of Congress. They wanted balance. That was the nature of what they were creating in the Constitution and it was an important thing to do and I'm glad it's there and that's why we're calling for Nebraska to participate in Article V and uphold our Constitution. Thank you.

HILGERS: Thank you, Senator Halloran and Senator Lowe. Senator Brieser, you're recognized.

BRIESE: Thank you, Mr. President. Good morning, colleagues. I rise today in support of Senator Halloran's motion to move LR14 to General File and I want to thank Senator Halloran for his persistence on this issue. We're talking about a pull motion here today and in the past, some colleagues have expressed concern about the use of a pull motion, suggesting it circumvents the committee process and I don't buy that argument at all. This resolution was introduced properly, referenced to a committee, had a fair hearing, and when it came down to it, there was a deadlock in the committee. And this is a deadlock on a resolution that's been introduced in this body, I don't know how many years in a row, and in that time, in the years I've been in this body, I have received more phone calls, more emails, and heard from more constituents on this issue than any other issue except property tax relief. And I can't think of anything that my constituents are more passionate about than this issue than property tax relief. This is something that Nebraskans have been demanding for many years and they've demand-- been demanding it loudly. And so I don't buy the argument that a procedural choice isn't appropriate because when the people-- when the second house of Nebraska is making so much noise on an issue, I think it really warrants something to break the deadlock and have the debate on the issue. And have to be clear here too, this

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Floor Debate April 23, 2021
Rough Draft

pull motion, it's allowed by our rules. I think it's Rule 3, Section 20(b), if I have that correctly. And I was wondering if Senator Clements would yield to a question?

HILGERS: Senator Clements, will you yield?

CLEMENTS: Yes.

BRIESE: Thank you, Senator Clements. Senator Clements, you chair the Rules Committee, correct?

CLEMENTS: Yes.

BRIESE: And you-- this past-- or this year, how many submissions for rules changes did you receive?

CLEMENTS: 21.

BRIESE: 21. Did anyone suggest a change to Rule 3, Section 20(b)?

CLEMENTS: There was no proposal to change the rule on pull motions.

BRIESE: OK, thank you, Senator Clements. And so no one asked to change this rule and so I, I think if you object to the use of a pull motion, well then try, try to change the rule next year, but it's in our Rules. It can be used. We need to be using it in this case. And as far as a proposal itself, I believe that the burgeoning federal debt is really one of the greatest threats to our democracy that we face today. And, and folks, we do not have the ability to rein it in in Washington. Folks in Washington do not have the political fortitude to do what needs to be done on this issue. And furthermore, I'm a believer in term limits. We have term limits here in this body and I believe that they should be in place for members of Congress. And, and this, too, is an issue that doesn't get done without us pushing on it and so adoption of this LR will, at the very least, send a message that we're serious about these issues, that we understand and we hear Nebraskans' concerns about these issues and we believe wholeheartedly that something needs to be done. And yes, if the chips fall into-- if the dominos fall correctly, it could eventually force the issue. And I would yield the rest of my time to Senator Halloran. Thank you, Mr. President.

HILGERS: Senator Halloran, 1:35.

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Floor Debate April 23, 2021
Rough Draft

HALLORAN: Thank you, Mr. Speaker. Thank you, Senator Briese. I'm not, I'm not wanting to and I'm sure most of us aren't wanting to turn this into the lengthy floor debate that I'm trying to pull it to the floor to have. I mean, we can repeat, repeat, and repeat all the issues surrounding this if you'd like, but I think it's set. I'm not sure it's going to change anyone's mind on how they're going to vote on a pull motion and that's all this is, a pull motion, bring it to the floor. Doesn't mean it's going to pass on the floor once it's there. It's a pull motion. I will say that there's been a lot of misinformation that has been sent to all of us. A lot of it comes from outside sources outside of the state of Nebraska trying to influence what we do on something that should be our business, but we get that all the time. That's nothing unusual. So I, I would ask you to consider the source of some of these, of some of these blogs and emails that are, are misleading and most of them center around this constitutional convention idea, which is a misstatement. It is not a constitutional convention and I would challenge anyone, anyone to point out the language and the straightforward language in Article V to point out the language that indicates that, that this would be a constitutional convention. It's not there. The language is not there. We can pretend it's there, but it's not.

HILGERS: That's time, Senator.

HALLORAN: It's a very explicit-- one minute?

HILGERS: That's time.

HALLORAN: Out of time? I was having so much fun. Thank you.

HILGERS: Thank you, Senator Halloran and Senator Briese. Senator Friesen, you're recognized.

FRIESEN: Thank you, Mr. President. Generally, I am not a big supporter of pull motions, but I, I do believe that this particular pull motion deserves a green vote because it's such an important issue. And I, I truly believe our federal government right now today is broken. They're talking of changing their filibuster rules. They're, they're-- it is by far the most partisan bodies we've seen in a long time and they're unable to really accomplish anything in a partisan manner whatsoever. They're not doing the people's business anymore and I do believe it's time for the convention of states. I'm not concerned about it. I've, I've been to a mock convention of states. My biggest concern would be that they don't do anything and they can't reach an

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Floor Debate April 23, 2021
Rough Draft

agreement on anything and they come home and they would be like our body in, in D.C. So I think the-- you know, the idea of the pull motion-- and, and I-- again, being in a-- a Committee Chair, it is a big decision. Typically, you know, if you're holding a bill in committee, that means it's not ready to come out. It's not-- it either doesn't have the votes, but in our structure here, we sometimes have committees that are, are split and their votes are so that it ties up and no one can move anything. So this is an opportunity, I guess, to at least get this to the floor to address some issues. I do believe it's important enough that we have that discussion on the floor. I don't know where the vote count is, but I think it would be an interesting discussion for this body to have, so I will support this pull motion. I'll yield the rest of my time to Senator Halloran.

HILGERS: Senator Halloran, 3:10.

HALLORAN: Thank you, Mr. Speaker. Thank you, Senator Friesen. I'm not going to consume the time, but as the morning goes on, if others want to yield time, I may have more to counter if someone-- if I need to. Thank you, though. Back to you.

HILGERS: Thank you, Senator Friesen and Senator Halloran. Senator Pansing Brooks, you're recognized.

PANSING BROOKS: Thank you, Mr. Speaker. I stand opposed to the pull motion. I am against a convention of states. The-- Senator Lowe talked about tyranny and I'll tell you what, talk about tyranny and chaos if we have a convention of states. This is one of those situations where you need to be careful what you wish. And I think most of you think that conservative ideas are going to be dealt with and that you're going to get all the things that you care about supported and protected and I just would not be betting on that if I were you. So, you know, the problems with the convention of the states is that the convention gets to write its own rules. They get to set it-- their own agenda influenced by powerful interest groups. They could change the-- they could choose a new ratification process for any kind of amendment to the Constitution. They can also-- there's also no other body, including courts, that would have any authority over the convention or any decisions made by the convention. So I stand totally against the pull motion and the idea of the convention of states and will happily bring up those arguments on the floor. Now I give the rest of my time to Senator Morfeld.

HILGERS: Senator Morfeld, 3:35.

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Floor Debate April 23, 2021
Rough Draft

MORFELD: Thank you, Mr. President. I want to provide a little bit more detail and context to some of the things that Senator Halloran is stating on the floor. First, I looked up some primary source documents with the Library of Congress just to fact-check some of the things that Senator Halloran was saying. First, when the delegates first met, their call was to amend the Articles of Confederation and in fact, in the Library of Congress archives here, they actually state when the delegates to the constitutional convention began to assemble at Philadelphia in May 1787, they quickly resolved to replace rather than merely revise. So their original purpose was to revise the Articles of Confederation. Now I agree with their decision to replace the Articles of Confederation. I think it was a flawed document and I don't think it was meeting the needs and the issues of the time, but let's be honest here. Like, that's what happened, OK? There wasn't a clear and unambiguous call to just replace the constitution. That's not where they started. That's where they ended, but that's not where they started. Second, we can talk about the, the nuances between the terminology and nomenclature of a constitutional convention as to a convention of the states. It's the same thing. It's splitting hairs. Yes, it's a convention of the states, but essentially it's a constitutional convention. So if Senator Halloran wants to split hairs on things that don't really have any difference in meaning, then he can do that, but either way, this is a group of people coming together to discuss the Constitution and have a convention on the Constitution in itself. And so those are all things that are neither here nor there, but that's what this is. This is a constitutional convention. There are no guardrails and there are no guidelines for that. If you actually go and look at the nonpartisan Congressional Research Service document that outlines an Article V convention for proposing constitutional amendments, historical perspectives for Congress-- it's an October 22, 2012, document-- if you look at that, even the nonpartisan Congressional Research Office notes that there's a ton of unknowns. There's a ton of unknowns and not only that, nobody knows who has jurisdiction if the constitutional convention goes awry, if they decide to create their own agenda, if they decide to go outside the call.

HILGERS: One minute.

MORFELD: It's not clear that the Supreme Court actually has the ability or the jurisdiction to be able to do anything about it because the Supreme Court has often looked at these things as what they consider political questions. And when they consider something a political question, they say this is not up for us to decide. That's a

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 23, 2021
Rough Draft

decision for the legislature, for Congress, whatever the appropriate body is. So we can go through the history all we want, but the bottom line is there is no precedent for a convention of this kind. There is nobody that can guarantee you that they will be able to confine it and there is nobody that will be able to guarantee you that the Supreme Court or any of us will have jurisdiction over anything that they decide, particularly when the actual call doesn't even have any penalties for the people going outside that scope of that jurisdiction. This is dangerous, colleagues. It doesn't seem dangerous. It seems kind of benign, seems kind of like a good idea for the issues we care about--

HILGERS: That's time, Senator.

MORFELD: --but it can lead to dangerous consequences. Thank you, Mr. President.

HILGERS: Thank you, Senator Morfeld and Senator Pansing Brooks. Senator Hunt, you're recognized.

HUNT: Thank you, Mr. Speaker. I'll add my little two cents on this. I'll have a whole dollar. I agree that Congress is broken. I agree that our system is messed up. I agree that the American people have to act together to do something about it, but this idea is bananas. And given the current political climate that we have in this country, highly racialized, voting rights under serious threat in many, many states and at the federal level, and on the brink of authoritarianism, slowly walking back some really wild stuff that happened in the last four years, something like this is not going to go well for the American people. I do not support a convention of states because it opens the door for special interest groups and other possibly nefarious actors, you know, people who don't really have the best of intentions, to make wholesale changes to the U.S. Constitution. And if you have a problem with money in politics now and money in Congress and dark money influencing the laws and the, the society that we live in, if we open up the U.S. Constitution to be influenced by these groups, you don't think they're going to ratchet up the spending on that as much as they possibly can? Even the most limited convention of states that stays neatly within the proposed boundaries could not only devastate Nebraska's state budget, but it could totally mess up voting rights and all kinds of other constitutional rights that we depend on right now. Take, you know, what's been said about the Government Committee, that, that the Government Committee was deadlocked and that's why LR14 had to be pulled out of committee onto General File.

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Floor Debate April 23, 2021
Rough Draft

Yeah, it's absolutely deadlocked and yeah, that's absolutely on purpose. As a person who served on the Committee on Committees, we worked really hard over several days to make sure that that Government Committee was 4-4. And why? Because we have a ton of voter suppression bills coming through that committee and we knew that we would. We have winner-take-all elections. We have voter ID. We have extremely expensive bills proposed to supposedly make our elections more secure, but it would actually just disenfranchise even more people and we had to keep those ideas in committee. And that is for the people of Nebraska and that's why we did that work in Committee on Committees. That doesn't mean that-- you know, it, it's in our rules that you can pull a bill out of committee. It doesn't, it doesn't mean it's wrong to pull it, but yeah, it was absolutely kept in committee and I think that that's the best way that our political system can work is when we have multipartisan, multi-ideology putting their heads together to decide what's best for the state. So that's what we tried to put together on the Government Committee. I want to emphasize that the quote unquote limited scope of the text of LR14 could allow a nearly infinite number of proposals and spending cuts and changes to government. These ideas about discipline and limitation and the focus of the convention is not based on anything except optimism. They're basically saying we promise, we promise that we'll do a really good job at the convention. There's no reason to think that it's going to go the way they want it to go. I also have a, you know, a copy of the official proposals of the simulated convention of states, which were adopted September 23, 2016, in, yes, colonial Williamsburg. And I have often joked that a constitutional convention would be like a founding fathers, three-corner hat role-playing, but that's not super far from what the evidence shows. There are people who are obsessed with the founding fathers and fantasize about being them and want to role-play being founding fathers right down to the tri-corner hat and the musket and a big group of them tried to overthrow the government--

HILGERS: One minute.

HUNT: --this year on January 6, by the way. And I think that's where this kind of activity needs to stay, in the realm of fantasy and playacting. And if people want to make change in their government, they should get involved in government and stop trying to do things like voter suppression. Stop trying to prevent people from accessing the ballot and become engaged in the civic process by working to expand voting rights in elections, not by trying to do some partisan, paternal, authoritarian things like this. Some of the proposals in the simulated convention of states are honestly really terrifying. Section

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 23, 2021
Rough Draft

1 enacts a debt ceiling, which would possibly spell the end of the dollar in a very short time. Section 2 would render useless most offers of federal aid. All federal election money, for example, requires some kind of state match and that would be outlawed by this. And yes, I'm concerned about what's happening in Washington, D.C., which is why I support free and fair elections. Also, Senator Halloran is the Chair of the Agriculture Committee--

HILGERS: That's time, Senator.

HUNT: --and-- thank you.

HILGERS: Thank you, Senator Hunt. Senator Morfeld, you're recognized.

MORFELD: Thank you, Mr. President. I won't get up and, and speak too much more on this because I know that folks are probably set in their way one way or another and I've made most of my comments. I'll give Senator Hunt a little bit more of my time if she'd like it to finish her, her comments. But in any case, I, I-- going back from the substantive aspects of this, one, there will be no guardrails to this because there is no precedent on how you would actually enforce those guardrails. And it's been, it's been found by legal experts both within Congress and outside that there is no clear jurisdiction for the Supreme Court if people feel as though something has gone awry. Two, we all know how this works. In politics, when people can't find a consensus or enough support, they make deals. So what's going to happen is, is people are going to try to make deals to get something passed and that deal might include your First Amendment. It might include your Second Amendment. It could include your fourth or fifth. And Senator Halloran is over there smiling and laughing and it's all fun and games until that happens because he has absolutely no idea, no clue how this could go awry and none of us do, including me, because there's no precedent for it. There's no precedent for it. There's no guardrails for it. There's no way to ensure that we can enforce those guardrails and there's absolutely no way that we can ensure that people at this constitutional convention will make deals to get something passed. That's exactly what will happen. That's exactly what happened at the last constitutional convention we had and it will happen at the next one. So colleagues, again, this is no laughing matter. This is not something to just blithely give somebody that you generally like or support a vote. This could have serious consequences in our democracy, could have serious consequences for the state of Nebraska. It's a dangerous idea, particularly during these political

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 23, 2021
Rough Draft

times, and I yield the rest of my time to Senator Hunt. Thank you, Mr. President.

HILGERS: Senator Hunt, 2:55.

HUNT: Thank you, Senator Morfeld. I was going to point out in 2015, Nebraska farmers received \$750 million in federal aid. The primary goal of a convention in LR14 is to pass a balanced budget amendment, which would make aid like that go away forever. There are also a lot of people bemoaning the national debt as if we didn't cause it. Military spending, for example, has been astronomical in this country for very little returns. It doesn't even reflect the practicality of the way war is waged today. An adversarial country right now could hire 6,000 hackers for the price of one fighter jet that we're still exporting all over the world while our own departments and our own government is being hacked all the time by other countries. And we don't have the infrastructure to deal with that, but we're not allocating our funds in Congress very well to deal with that and that's why. What's happening here is the work of politics. It's the sausage being made and something like LR14 isn't going to circumvent that process. It isn't going to make it easier or clearer or give the future to the will of the people the way we want it to and are, like, very optimistic fantasy about how this is going to work out. We all oppose the growth of the national debt. We just don't agree on a solution, just like we all oppose rising property taxes. We just don't agree on a solution. That doesn't mean that we're not working on solutions. It means that politics is happening, partisanship occurs, people come from ideologically different places, and the solution to this is not to authoritatively take over the Constitution. It's to get more people involved civically. It's to expand voting access. It's to make sure people have access to the ballot. It's to make running for office accessible and, and possible for everybody. In this body, we don't have--

HILGERS: One minute.

HUNT: --a Jewish colleague. We don't have a Muslim colleague. We've never had a Muslim state senator. We just have our first Asian-American state senator. I don't have to point out to you the dearth of diversity and difference and representation that we have in Nebraska. And maybe that has something to do with the lack of diversity statewide and the willingness to suppress the vote statewide with some of the other bills that we saw coming through Government Committee. The key to making sure that the country works for

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 23, 2021
Rough Draft

everybody, whether it's at the state level or at the federal level, is representation and that's nothing that LR14 addresses. A lot of the proponents of LR14 have been explicitly against these bills to end voter suppression and increase voter access. And I would tell those opponents if you want to get serious about making sure that government reflects the will of the people, you have to make sure that the government looks like the people. Thank you, Mr. Speaker.

HILGERS: Thank you, Senator Hunt and Senator Morfeld. Senator Groene, you're recognized.

GROENE: Thank you. I stand in support of the pull motion. I've been reading the Rule Book. Anything in this Rule Book that we do on this floor is not an abnormal procedure. It is within the rules because in politics, things that are kind of ugly that we don't like happen. Senator Hunt, I appreciate you explaining to the body how the makeup of the Government Committee was manipulated in the Committee on Committee. That's politics. It was manipulated. Deals were made. Individuals who we would consider like-minded did not vote like-minded for positions on committees because a deal is made. That happens all the time in this body. So to correct that error that is done behind door-- doors, we have rules that we can enact-- act on, on this floor in the bright sunshine of this Chamber when the sun's out. That is what Senator Halloran is doing. When the majority of the people of Nebraska, when the majority of the people in Nebraska want something and it is held up by a few senators who play politics instead of bipartisanship, we follow the rules. That is why I will support this pull motion and quite frankly, it should happen more often. It is a major rule in our book and if you're a Chairman and get insulted by it, then you shouldn't be a Chairman because you should respect the rules more than anybody. Now that isn't a comment on Senator Brewer or any Chairman in this, in this body because that hasn't been said. Senator Brewer stood up and said he respects the rules above ego. That is a Chairman. I could go on and on about things that happen on this floor that somebody comes over and says you can't do that, that's not a friendly amendment. Well, read the rules-- amendment. Read the rules. When you are representing your district and the majority of Nebraskans, you have no other choice but to bring an amendment to a bill, friendly or not, if you have character. I fully support the pull motion and I will be green and I would hope those of us with higher values would support that and let's have a full debate on LR14 later in the session. Thank you.

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Floor Debate April 23, 2021
Rough Draft

HILGERS: Thank you, Senator Groene. Senator Halloran, you're recognized.

HALLORAN: Thank you, Mr. Speaker. Just to rectify a few things that have been discussed on the floor that frankly are-- it's, it's discouraging that they are as deceptive as they might be, but that's the way things happen sometimes. One is I mean, we've been talking about a runaway convention and I know Senator, Senator Pansing Brooks suggested that, you know, the, the convention of states could make their own rules. Well, it's going to be a combination of, of legislator-- likely legislators from 50, from 50 states and that's going to be the first order of business when they meet and that's to make the rules, just like they would have in their own state legislatures. And they'll all be familiar with rulemaking and abiding by those rules. And most all of them, 80 percent of them go by Mason's Rules and so they'll be familiar with that. This won't run off the rails because they don't understand how to conduct a meeting. I think Senator Morfeld said they could even change the ratification process. Well, let's think about that. Ratification process is embedded in Article V, so to change that-- I, I think Senator Morfeld will agree-- to change that, it would, it would require Congress to call for a-- call for or propose an amendment to change Article V so that that would be taken out. They can't just arbitrarily break the Constitution at a convention of states, Senator Morfeld. That's silly. And the reason I laughed during-- he, he made a comment about well, you never know what's going to happen at this thing. You never, you never know. They'll do away with the Second Amendment, First Amendment, Thirteenth Amendment, and he went down the list or maybe the Bill of Rights. Now, I'm sorry, that's patently absurd. Can you imagine 50 states coming together with three or five representatives from each state and someone proposes doing away with the First Amendment? OK, fine. You can try scaring people that that's going to happen, but that's not going to happen. We have a runaway Congress, so we're worried about a, a runaway convention. So when they formed Article V-- I know Senator Morfeld says there's no guardrails, there's nothing in Article V that explains how it would function and, and, and how it would keep in check. Well, I would ask Senator Morfeld-- I'm not asking him, by the way, he can use his own time for this-- but I would ask him to show me in Article V where it does say that Congress has any guide rails. There are no guardrails for Congress. They just formed Congress. They just formed Congress in Philadelphia and they had some trust and confidence in the structure they were creating that they, that they wouldn't need the guardrails because they, they put in-- into the

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 23, 2021
Rough Draft

checks and balances of having the Congress and the executive branch, the judiciary branch, but there were no guardrails built into it. Why aren't-- why isn't Senator Morfeld concerned that if Congress proposes an amendment to the Constitution, there are no guide rails for Congress? Well, he'll say there's precedent. Well, that's true, but we'll quickly set a precedent with this, with a convention of states. And that's what scares people to death is if we express our sovereignty as states and adhere to Article V and, and keep Congress in check from overreaching by using Article V to call for a convention to propose amendments to the Constitution, that scares Congress. I understand that and it should, right, because we have the authority to keep them in check. And folks, they need to be kept in check. Thank you.

HILGERS: Thank you, Senator Halloran. Senator Hilkemann, you're recognized.

HILKEMANN: Thank you, Mr. Speaker, I rise-- I'm interested in this debate that we're having this morning. I go back to the very first year that I was a senator here, Senator Laura Ebke brought up this idea of the convention of states. And that was really the first that I had been exposed to the convention of states and she and I were having a very good discussion. I was trying to learn what, what are the advantages? What's this all about? About 43 minutes into the debate, one of our former senators got up and put an IV-- or an IPP motion on it and the IPP motion passed by one vote and that was the end of the discussion on convention of states. We-- so I didn't really get my answers about what could be the convention of state. We had-- these same arguments were, were brought up as we're having heard about the runaway convention. As it has been mentioned, I think all, all of us get people who say I support the convention of states. We get those emails. I know they're generated by, they're computer generated from people who sign in on that. But I think it's an interesting concept that we should talk about and, and so I'd say what are we afraid of if we talk about this? Let's just have a discussion on this particular issue and I-- we brought it up at one of my coffee and conversations. It was brought up. And I mean to tell you, you talk about a heated debate, particularly among conservatives even. I had conservatives that were this, this-- we have to have the convention of state. I had conservatives say if you do this, this is going to get rid of the-- this is going to get rid of our Second Amendment rights and all this, all this discussion of how "horribleizing," how terrible things would be. Can we not have a civil discussion about the issue and maybe learn more about it? That's why I signed onto Senator Halloran's motion

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 23, 2021
Rough Draft

today, this issue. I think we need to talk about it. Some people have said well, we better kill it now before it ever gets out because if we get it out, then you never know. Well, that's, that's exactly what we're afraid of with the whole convent-- as being argued, we don't know what's going to happen if we get it out. Well, I'm still here to, to, to hear. I know that this-- it's problematic for people saying it-- we-- is this the right way to bring things to floor debate? I've certainly had some issues I would have liked to have gotten out of committee that I couldn't get out and this is one avenue that's available. So let's see how this vote goes. I'm just-- I'm still in this-- I would be willing to learn more about the convention of states. If this doesn't happen, it doesn't happen. That's a-- I'm not going to lose a lot of sleep over it, but certainly we've, we've-- I think that-- are we afraid of discussing this particular issue and are we afraid of what the vote might be? Those are the concerns that I have. I'll, I will see how this all folds out. I have-- if there are some time left, I would give it to Senator Halloran if he would like it.

HILGERS: Senator Halloran, 1:22.

HALLORAN: Thank you, Mr. Speaker. Thank you, Senator Hilkemann. I yield back that time to the Chair.

HILGERS: Thanks, Senator Halloran and Senator Hilkemann. Senator Erdman, you're recognized.

ERDMAN: Thank you, Mr. Speaker. I heard the comments that Senator Morfeld made about the First Amendment and the Tenth Amendment and all those amendments. He's making an assumption that we still have the First Amendment. We do not because just say something that people don't like and see if you have free speech. So we don't have the First Amendment anymore. That's been taken away by political correctness and so we think we do, but I just caution you that don't try it because it could be the end of your political career. Ask some of those who have said things that they wish they hadn't. And Senator Hilkemann commented that we get those computer-generated emails of people in support. Well, I received one this morning and when I say this morning, I mean 2:44 a.m. A constituent from Kimball wrote the following and I think it's important that you understand what's on these people's minds and hearts. The email says, Dear Senator Erdman, we absolutely need this to go through for many different reasons. There is no way this does not benefit the people. We need to get this ridiculousness of how much spending is going on and what is being,

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 23, 2021
Rough Draft

what is being spent on curbed. In addition, there are too many government employees to what legitimately needs to be established for the better running of the government. There are a lot of needless and flagrant programs that need to be terminated. The fact that there is-- that there should be mandatory term limits is something I have always thought should be implemented. If the representatives that got into office knew that they were there for a specific and definite amount of time only, they'd be more apt to do and get done what they committed to do when they were campaigning and spend more time on the matters that truly needed to be addressed and executed. In addition, with the knowledge they are not in office indefinitely, may lessen the issue or issues of becoming part of the corruption that is so rampant today. It is time that the realization of the government working for the people is acknowledged and adhered to and not the people doing the bidding for the government. I thought that was well written. That was their personal thoughts. It wasn't a email that was copied from another website. It was their opinion and I get those all of the time. People are frustrated with the way the government has been going as far as spending their money and the things that we put in place that weren't intended to be there. So Senator Halloran has done exactly what he should have done. And the Committee on Committees tried, as they did, to make those committees function as best they could. And because of the way the committee structures are set up, it was, it was, it was-- it turned out to be what it is. The Unicameral has a unique committee system and a lot of people think that testifying in front of the committee makes a difference. It changes people's minds. Sometimes it may. I think most often it does not. And so we brag about the fact that every bill gets a hearing and they think that is significant and most often it is not.

HILGERS: One minute.

ERDMAN: Thank you. So the reason Senator Halloran had to do this is because that committee is not interested, as Senator Hilkemann had commented and I appreciate that, allowing us to have a discussion. If you can't have a discussion about an issue, you can never solve it and so I appreciate Senator Halloran taking the initiative to do a pull motion and I am, as some would say, a strong supporter of LR14 and the pull motion. Thank you.

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

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 23, 2021
Rough Draft

CLEMENTS: Thank you, Mr. President. I stand in support of LR14 to place this proposal on General File. I'm a cosponsor of LR14 and have been in the past as well. And the reason for that is that we do have a problem with-- at the federal level that Congress could fix or could propose changes, but has not and has shown that they do not have any desire or ability to change the way things are. So we-- the people have ability in the Constitution to do that. And the problems I see that we need to change our number one, government regulations. The government, the federal government is taking over state authority. Our states need more authority to govern ourselves. We try to do some things, but then we say oh, there's a federal regulation or federal statute against that. We can't do that the way we want to do it. Building roads is one of those. And my career is in banking. Last time I counted, we have 33, 33 federal regulations to obey daily as bankers and we get an examination every year or so looking at all 33 to make sure we've been perfect on jumping through those hoops every day. And of course, there are days when we missed something and we get written up for a violation of that. The current rule for violating a federal banking law is \$1 million per day that is-- exists and they could wipe me out in a week if they wanted to. Next problem is well, the proposal would be federal term limits is the length of time congressmen stayed in office. The voters in my district complain about federal government and how the representatives change over time and adopt the Beltway mindset and I've, I've seen that too and I would support term limits for federal representatives. And then the third one-- left that till last-- is because of the national debt, the U.S. debt clock-- usdebtclock.org-- thank you for passing that out, Senator Halloran-- and it says currently \$28.2 trillion that we are in debt. And for those watching usdebtclock.org, would stagger you how fast the clock is running. Per citizen in the U.S., I noticed it shows \$85,341 of debt. That's my share. I have five children and spouses, so the ten of them have \$850,000 in liability and I guess they're going to have to work that out for themselves. But I have 13 grandchildren, one granddaughter born just last year. With \$85,000 of liability, the 13 grandchildren would owe \$1.1 million to their share of the federal debt. And I'd like to pay that for them and get them out of debt, but I kind of need to get into retirement and have something to live on myself. So I guess my grandchildren are going to have to figure out how to--

HILGERS: One minute.

CLEMENTS: --pay \$1.1 million. And I am concerned to see how fast that clock is ticking and running ever faster and I think Congress have

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 23, 2021
Rough Draft

shown-- both Democrats and Republicans in Congress have failed to do anything about slowing that spending down and that's-- those are the reasons that I support LR14. I asked for your green vote. Thank you, Mr. President.

HILGERS: Thank you, Senator Clements. Senator McCollister, you're recognized.

McCOLLISTER: Thank, Mr. President, and good morning-- still good morning, colleagues. I stand in opposition to the pull motion for Article V convention of the states. However, I understand the motivation of Senator Halloran and others that have made comments about our Congress, the national debt, and the sad state of affairs in our country. No question there's items that we need to deal with and Congress hasn't done it. You take a look at many of the programs that we have seen in this country, particularly the entitlement programs, they need to be reformed. No question about that. However, I think convention of the states is probably an improper way to deal with it. Why do I say that? About three years ago, I really studied this issue and I came up with nine or ten areas of concern. Let me repeat those and then I'll, I'll relinquish the balance of my time to Senator Halloran. First, states can't limit the scope of the convention. Secondly, dysfunctional Congress decides convention rules. Third, convention could change ratification rules or suspend the rules. Fourth, Nebraska proposed three amendments. The Freedom Group proposed ten. Governor Abbott from Texas proposed nine. The call by the states does not appear to be uniform. Once delegates are selected, states apparently have no control over the delegates or the process, process itself. No set method for delegate selection established, dysfunctional Congress to determine. Delegate selection proportional to state population or equal for each state, U.S. Senate, one person, one vote of representation. Finally, Congress can overturn the convention's proposed amendments. That's the problem I have with the convention of the states. I yield the balance of my time to Senator Halloran.

HILGERS: Senator Halloran, 2:52.

HALLORAN: Thank you, Mr. Speaker. Thank you, Senator McCollister. Senator McCollister had sent me those questions and if we had another three hours, we could go through each one of those with the answers I gave you, but I think it's just one more reason we should vote green on the pull, pull motion to bring it to the floor and we'll go in depth on all these questions, Senator. We don't have enough time to do

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 23, 2021
Rough Draft

it on this debate, but I would be glad to do it when we bring it to the floor. We do have answers for all those questions and I think they're honest questions, but I think they're a little bit loaded to some of the bias that, that has been expressed by others that this is a constitutional convention, which it's not. A little bit of trivia pursuit here, when, when the meeting in Philadelphia ended in 1787, when they had finished drafting the Constitution replacing the Articles of Confederation, what did they do? What did they do? Did they say that was, that was good enough, that's the Constitution now, we're done, sign off, let's go home? No, they didn't do that. They put it through a ratification process. It had to go to the colonies to be ratified. How long did that take? It took three years. It took three years for them to ratify the U.S. Constitution. The process works and they implemented that into Article V, that same similar process for proposing amendments to the Constitution. I yield my time back to the Chair. Thank you.

HILGERS: Thank you, Senator Halloran. Senator Lathrop, you're recognized.

LATHROP: Thank you, Mr. President and colleagues. Sometimes I stand here at the mike and talk about the good old days and I, and I know when I start that conversation or when I start that talk, there's some eye rolling that goes on around in here. But there was a time in this body when we recognized that not everything in the Rule Book ought to be employed by members and, and that's true. For example, we could change the agenda. The Speaker sets the agenda. The rules let us change the agenda. We could start dropping those motions and we would have chaos. We-- it's a, it's a motion that we can make, but it's not one that contributes to the orderly process. One of the things that I've come to respect-- certainly was true in the old days and I'm only going back, like, to 2007 and those eight years I was here-- is we don't support pull motions, right? We don't support pull motions. Even though they are available in the Rules, they can contribute to chaos. This year, apparently we're only dealing with one, but what stops us from dealing with 35? What stops us from, from turning into well, my bill didn't get out of Revenue or my bill didn't get out of the Urban Affairs Committee or the Judiciary Committee and now we normalize a process that can lead us to chaos in the way we function. That would be true if we started to file motions to change the agenda. There are some things that are in the Rules, but the unwritten rule has a purpose and the unwritten rule in the old days, colleagues, was you don't do the pull motion because it can contribute to the-- it can contribute to disorderliness and not the proper function of the body.

I think it's a dangerous thing to normalize pull motions. We saw a flurry of them a couple of years ago. I can tell you at some point, at some point, if you normalize these, you will-- you, your own interests, will at some point probably come to regret that we've normalized the pull motion. They are, they are a bad part of what is available to us in the Rules, just as it would be chaotic to try to start filling motions to set the agenda or take up the time with motions to set the agenda, which we all have a right to do as well. So I don't-- I'm not going to spend the little bit of time that I have talking about the merits of Senator Halloran's resolution. That's for another day if this motion prevails. I would just implore you to imagine that you are a member of the Revenue Committee, that somebody has put a bill in there and you're-- you don't think it's good policy and now we're going to start pulling bills out of the Revenue Committee or out of the Appropriations Committee or out of you name the committee. There's a reason we set up the structure. There's a reason we do it by caucus. There's a reason we try to balance the committees. They have been balanced. This one, this particular resolution didn't appeal to a majority of the members on the Government Committee and in my judgment, it ought to stay there rather than be the subject of a pull motion. And for that reason, I'd ask you to vote against the pull motion. Thank you.

HILGERS: Thank you, thank you, Senator Lathrop. Senator Matt Hansen, you're recognized.

M. HANSEN: Thank you, Mr. President. I rise a minute-- full disclosure, opposed to the pull motion, voted no on this bill in committee, will continue to oppose this bill, as I have since it was first introduced by Senator Ebke, I think six or seven years ago now. But I want to talk a little bit process because some of mike-- some of the discussions we've had the microphone today have indicated that this pull motion deserves to pass because Government is not representative of the body or more specifically, that the Committee on Committees' process was unfair or mischievous or not collegial or what have you. I want to remind the body that I'm on Government Committee because I got kicked off of Judiciary over my own objection and I got kicked off Judiciary over my own objection because of how our rules work that when it switched from Chairwoman Ebke to Chairman Lathrop, the first congressional district caucus lost a seat. And I get that and I understand that, but I had a path to keep that seat because another senator was moving to Revenue and then there were some new variations and machinations to keep him off Revenue. And these are the dominoes that fall and led to me getting bumped off the committee. I

would have, would have-- had ranked as my top choice and wanted to stay on to get on Government. And so, yes, I was on Government and yes, I was able to use my long study of this LR, the multiple hearings I've been through, the multiple times we've discussed it to, to vote no and ultimately that was one of the no votes that kept it in committee. Elections have consequences. If your desire is to stack a committee in such a way that has repercussions-- because all of us have to serve on a committee. We all have to serve on five days worth of committees. And if you're going to go and say this is our committee priority and we're going to work to keep other senators off, that has repercussions because we have to land somewhere. I have to serve in a committee three days a week, Wednesday through Friday, and it ended up being Government because I couldn't stay in Judiciary because another senator was blocked from getting on Revenue. So if we're getting down to brass tacks and accusing people of being mischievous or what have you, that's what happens. That's what happens. And before anybody disputes the facts I'm sharing, this was four years ago or I guess three years ago now after I was reelected. And I ultimately chose to stay on Government because it was a committee, at that point, I had served on and I knew I couldn't still get back on Judiciary because there weren't the open seats on Judiciary because the same two people from my caucus were still on Judiciary. So if we're going to blame this all on the Committee on Committees' process, blame them on not being collegial, we in the body have to serve on committees. You have to put us somewhere. And there's been continued frustration that, you know, a certain committee isn't representative, that there maybe are too many Lincoln people on it or too many progressives on it or too many Democrats on it if we want to get partisan. Well, yes, if there's a committee that has too many progressives on it, that means there's a committee that has too few progressives on it because it has to be balanced across the whole body. That's, that's the give and take. That's the give and take. And so yes, I voted no. Yes, the Government Committee deadlocked 4-4 on a couple of things, not many things, but this was one of them and it was 4-4 because of the machinations that other senators had did to stop other senators from getting their top committee choices. And this isn't sour grapes. This is just saying if we're going to start laying out legislative business on the floor and accusing people of being mischievous or misleading or strategizing, yes, that happens and it happens both directions, in all directions, what have you, and then we also have to live with the consequences about it. If you're upset that there's too many Lincoln senators on a committee, recognize that this is the first session in 15 years we've

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 23, 2021
Rough Draft

had a Lincoln senator able to serve on Revenue of either party, of any ideology. I mean, we have to serve somewhere.

HILGERS: One minute.

M. HANSEN: Thank you, Mr. President. So colleagues, and the last point I want to make is I know some of you are expressing interest and desire in a pull motion because I-- the phrasing was you wanted to learn more about LR14. Some of us, including some of us who have spoke on this microphone, know tons about it. We've worked on it for many years. I've tried to get to yes. I've tried to see the other sides. I never feel great holding something in committee, but we understand it and there's a certain point where if a committee can't move something forward, that should indicate something, that should indicate that this isn't just a casual issue to learn more about on the floor of the Legislature as we're actively moving forward. It's something the committee has studied, studied and couldn't get to a resolution on. Thank you, Mr. President.

HILGERS: Thank you, Senator Hansen. Senator Morfeld, you're recognized.

MORFELD: Question.

HILGERS: 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 all those voted who wish to?

ASSISTANT CLERK: 32 ayes, 5 nays to cease debate, Mr. President.

HILGERS: Debate does cease. Senator Halloran, you are recognized close in your motion. You're recognized the close on your motion.

HALLORAN: You know, I'm going to hurry this on towards lunch and just waive closing. I would like to have a call of the house, though, if I could.

HILGERS: There's been 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. Please record, Mr. Clerk.

ASSISTANT CLERK: 32 ayes, 2 nays, Mr. President.

HILGERS: The house is under call. All unexcused senators, please return to the Chamber. All unauthorized personnel, please leave the

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 23, 2021
Rough Draft

floor. The house is under call. Senator Halloran, you have requested a roll call vote in, in regular order. Thank you. Senator Ben Hansen, please check in. Senator Erdman, please check in. Senator Machaela Cavanaugh, please check in. Senator Slama, please return to the floor. The house is under call. All unexcused senators are now present. The question before the body is, is the motion-- the adoption of the motion to place LR14 on General File. A roll call vote in regular order has been requested. Mr. Clerk, please call the roll.

ASSISTANT CLERK: Senator Aguilar, voting yes, Senator Albrecht, not voting. Senator Arch, voting yes. Senator Blood. Senator Bostar, voting no. Senator Bostelman, voting yes. Senator Brandt, voting yes. Senator Brewer-- excuse me, Senator Brandt, you voted no. Senator Brewer, voting yes. Senator Briese, voting yes. Senator John Cavanaugh, voting no. Senator Machaela Cavanaugh, voting no. Senator Clements, voting yes. Senator Day. Senator DeBoer, voting no. Senator Dorn, voting yes. Senator Erdman, voting yes. Senator Flood, not voting. Senator Friesen, voting yes. Senator Geist, voting yes. Senator Gragert, voting yes. Senator Groene, voting yes. Senator Halloran, voting yes. Senator Ben Hansen, voting yes. Senator Matt Hansen, voting no. Senator Hilgers, voting no. Senator Hilkemann, not voting. Senator Hughes, not voting. Senator Hunt, voting no. Senator Kolterman, not voting. Senator Lathrop, voting no. Senator Lindstrom, voting yes. Senator Linehan, voting yes. Senator Lowe, voting yes. Senator McCollister, voting no. Senator McDonnell, voting yes. Senator McKinney, voting no. Senator Morfeld, voting no. Senator Moser, voting yes. Senator Murman, voting yes. Senator Pahls, voting yes. Senator Pansing Brooks. Senator Sanders, voting yes. Senator Slama, voting yes. Senator Stinner, not voting. Senator Vargas, voting no. Senator Walz, not voting. Senator Wayne, not voting, Senator Williams, voting no. Vote is 23 ayes, 14 nays, Mr. President.

HILGERS: The motion is not adopted. I raise the call. Mr. Clerk for items.

ASSISTANT CLERK: Mr. President, items. A communication from the Governor. LB65, LB105, LB180, LB224, LB265, LB312, LB414 were received in his office on April 20 and have been signed and delivered to the Secretary of State. New Resolution: LR107 by Senator Groene and others; pertains to various aspects of the Constitution. With that, I have a communication from the Speaker referring LR107 to the Reference Committee to be referred to the appropriate standing committee. Amendments to be printed: Senator Friesen to LB131, Senator Hilkemann to LB644, Senator Machaela Cavanaugh to LB432. An announcement: the

Transcript Prepared by Clerk of the Legislature Transcribers Office

Floor Debate April 23, 2021

Rough Draft

Revenue Committee will meet today upon adjournment in Room 2022. Name adds: Senator McCollister to LB51, Senator Ben Hansen to LB84, Senator Vargas to LB147, Senator Matt Hansen to LB147, Senator McCollister to LB452, Senator Vargas to LB644 and to LB649, Senator Bostar to LR102. And finally, a priority motion. Senator Murman would move to adjourn until Monday, April 26, 2021, at 10:00 a.m.

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