

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate January 28, 2022

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

McCOLLISTER: Let us pray, colleagues. One ship drives east and another west with the selfsame winds that blow; 'tis the set of the sails and not the gales that sends them the way they go. Like the winds of the sea are the ways of fate as the voyage along through life; 'tis the set of the soul that sets the goal and not the calm or the strife. Amen.

HUGHES: Thank you, Senator McCollister. I recognize Senator Geist for the pledge.

GEIST: I pledge allegiance to the Flag of the 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. I call it the order the sixteenth day of the One Hundred Seventh Legislator-- Legislature, Second Session. Senators, please record your presence. Roll Call. Mr. Clerk, please record.

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

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

CLERK: I have no corrections.

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

CLERK: There are, Mr. President. The Health Committee reports LB1004 to General File. I have a series of agency reports received on the legislative website. They're there and available for member review. I also have the lobby report as required by state law. And an announcement, Mr. President. The Health Committee will have an executive session next Monday morning at 9:45 in Room 1510. Health Committee next Monday at 9:45 a.m. in Room 1510. And finally, Mr. President, a new resolution, LR289 by Senator Slama. That will be laid over at this time. That's all that I have.

HUGHES: Thank you, Mr. Clerk. Colleagues, Senator Machaela Cavanaugh would like to recognize Dr. Joe Miller of Omaha, who is serving as the family physician of the day today on behalf of the Nebraska Academy of Family Physicians. Dr. Miller, if you would please rise to be

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recognized by your Nebraska Legislature. Speaker Hilgers, you're recognized for an announcement.

HILGERS: Thank you, Mr. President. Good morning, colleagues. I wanted to give you an end-of-the-week update. I have two updates at the end, one about scheduling for next week and then a second one about something going on in February. Before I do that, I, I want to just take a step back and talk a little bit about where we are in the schedule. I've made this a point every one of my week-- end-of-week announcements, but there's been some conversation on the floor and even anecdotally in some of my off-the-mike conversations with some folks who have sort of talked about, hey, look, we're moving into big issues early, and almost suggesting maybe too fast for to dis-- to discuss these big policy issues. And I just want to take a step back and remind everyone of the facts of where we are. Number one, where we are is we're already a quarter of the way through the session. We're on day 16. We're already a quarter of the way through. And in fact, when you take into account veto overrides, layover days at the end, we're almost practically speaking a third of the way through session, a third of the way through session. We have only moved 6 out of 106, 2022 priority bills. So we're a third of the way through, we only have 6 of the 106 done. Between now and full-day debate, we only-- we have five weeks of debate. Those are half-day debates. One bill and-- I'm sorry, in any of those weeks, we have just under 14 hours of debate time on the floor. One bill that goes to cloture on each of the three rounds is over 14 hours. So in the next five weeks, if we have just five bills that happen to go to cloture on each of those rounds, that's all we can do. The time is limited. Coming out of into full-day debate, we have one of the most complex budget scenarios that we've had, maybe in modern memory, not just a interim budget. We have an ARPA budget. We are dealing with cash reserve transfers. That's in mid-March, we think. That's going to be a couple of weeks of time. On the back end of that, we only have two full weeks, we think, if all goes well. Two full weeks to finish all the rest of the work that we have. So I just want to lay those facts on the table because we don't have time. We don't have time to stretch. We don't have time to sort of limber up. We have to get into big issues now. My priority is to get through all the 2022 priorities. I've said this consistently every week since we started. I think it's very unlikely that we won't get through them all. But we are going to do everything we can to try to do so. And that is why '22, 2022 priority bills that are identified by, by the priority sena-- prioritizing senator that are on General File or Select File in our recorded report of the floor and with the hand delivery to my office, will get scheduled. And at least for the next two or three weeks, they will get scheduled right away. So my

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scheduling methodology that I've laid out from the beginning and I've repeated every week is those priority bills will come up. And I appreciate the senators who have already taken me up on that invitation to get their work done early. So those include a number of senators, but includes Senator McKinney, Senator Kolterman, Senator Machaela Cavanaugh, Senator Briese and others. So I know there are some issues that are going to take time with hearings and we've got to work through, and that's OK, I understand that. I'm not asking for all the priority bills to come out right now. But I want to make really clear, if we don't make good use of this time now, we are going to look back on day 55 and say, what were we doing? So keep the big picture in mind as we move forward. As we move forward into next week, here is what our schedule looks like as of now, keeping in mind, of course, if another priority bill gets prioritized, reported to the floor and hand-delivered to my office, I will schedule that as soon as I possibly can. If we don't get it to-- to today, Senator Kolterman, his priority bill, you saw that showed up on the agenda yesterday, LB767. That's on my list. On Monday, we will have Senator Machaela Cavanaugh's priority bill on Select File, that is LB376. I also have received in my office, and it has been voted out of committee, Senator Briese's priority bill, LB986. Once that's reported to the floor, that will go on the agenda for next week. So those are the ones that I have now. I will try to do Final Reading, generally speaking. We don't have much on Final Reading now, generally speaking, as we did last year-- at the end of the week, as we have today. But over the next few weeks with half-day debates and depending on what, what you all bring me in terms of your priorities, that will be the biggest variables in influencing what we have on the floor. And we will continue to be nimble. The last announcement I have, many of you have seen these ties around, individual senators have been wearing. These are ties from the American Legion. They are also women's scarves from the American Legion. And Senator Clements and Senator Pansing Brooks and myself on pres-- the day after President's Day, of course, were not here on Presidents Day, the day after President's Day, which is February 22nd, we will be wearing these ties and scarves, and we would encourage you and invite you all to join us in doing so. Some of you have these ties and some, some have the scarves. If you don't have one and you would like one, we are going to be bringing around an order form to individual senators today. And hopefully you can join us in a symbol of patriotism for our country on that day together as one body. With that, I hope everyone has a great weekend. I know this is our only five-day week of the year and I appreciate your work this week, and have a great weekend as we go into next week. Thank you, Mr. President.

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

CLERK: Mr. President, LR14 is on Final Reading. I do have a motion. Senator McCollister would move to return the resolution for a specific amendment, that amendment being to strike the enacting clause.

HUGHES: Senator McCollister, you're welcome to open on your motion.

McCOLLISTER: Thank you, Mr. President, and good morning, colleagues. This is one of those big issues: convention of the states. I stand here this morning to voice my opposition to LR14 as written. However, I would first like to applaud Senator Halloran for remaining steadfast in his commitment to LR14's passage and acknowledge he does so out of great concern for the future of our beleaguered country. Thank you, Senator Halloran. In the debate on Select File, I should acknowledge that I was pleased that this body voted to adopt FA63 and do feel this provision has improved the resolution. But the proposition is still too risky, in my view. Mr President, can I have a gavel?

HUGHES: Colleagues, could you please hold it down?

McCOLLISTER: Though the language of L4-- LR14, the Nebraska version of the convention of the-- of states, is limited to proposing constitutional alterations to just three amendments. They are a fiscal constraints on the federal government, limit the power and the jurisdiction of the federal government, and to limit the terms of office for officials and members of Congress. I think these calls, as well as intentioned as they are, could result in a creation of a creature we cannot control. Rather, the concerns we all share embodied in LR14 should be conveyed to our congressional representatives in the nation's Capitol for diligent resolution.

HUGHES: Senator McCollister. Colleagues, let's please be respectful.

McCOLLISTER: An early issue I have with this resolution is that none of the calls in the language adequately serve to protect the First Amendment, Second Amendment and any language in the Constitution as it exists today. A convention of the states would allow alteration of these precious documents in such a convention of the states. This alone should disqualify the proposition from our consideration. When considering fiscal restraints on the federal government, the first im-- the first impetus of the Nebraska call are the budget constraints that a convention of the states would impose. A better resolution is that Congress needs to regain its fiscal sanity. Budget controls have worked in the past and should be reinstated. A federal debt of

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trillions of dollars is certainly a frightening figure on its face, but we have heard many times throughout these rounds of debate that our children and grandchildren will be subjected to the crippling debt. But to resort to scare tactics in an effort to irresponsibly slash our national budget could truly imperil our country. Better yet, carefully decrease our deficits and bring these budget-- budgets into balance over a reasonable number of years. Limiting the power and the jurisdiction of federal government, good luck with that. The Nebraska budget prior to the pandemic included one-third of its money from the federal government. This argument will be difficult to decouple, and I assume all states have a familiar-- a similar dependent financial relationship with the federal government. Too drastic a severance could result in a crisis. More measured long-term division orchestrated by Congress would be in the best interest of the country. Lastly, our term limits of Congress representatives is difficult to argue against in this proposition. Citizens United, the Supreme Court ruling, increased the power of incumbency to the detriment of the country. So perhaps a constitutional amendment for this purpose should be considered. Many have argued against a convention of states because of the potential for a runaway convention. Could a state introduce an amendment for consideration of stripping all real power from the President? I think so. Some proponents have argued that a convention would allow for elimination of the Department of Education, Department of Energy, the federal income tax and even the IRS. The mock convention of states from 2016 even gave Congress the ability to override any existing or proposed federal regulations, while also repealing the federal income tax and requiring a congressional supermajority to impose any new taxes. All of these concerns that I have listed do not touch on the fact that no structure for convention has ever existed or been seriously considered to be made into law. Who may represent a state at a convention? Shall each representative from any one state have a final vote or will each state have one vote? Will the public be able to view all the proceedings? Will the convention be allowed to ignore Nebraska's original three objectives outlined in LR14 as the Convention of 1787 ignored its charge? Again, I find myself unable to support a congressional-- a constitutional convention of states while basic procedural measures are unknown. The motivation for a conventions is real and valid, but the convention of states is the wrong vehicle. It's true that the federal government needs to have many of its operations closely evaluated for efficiency, effectiveness and the ability to positively affect the lives of Americans. I am still, however, still opposed to the call, as outlined in LR14, because there are simply too many questions outstanding for me to support it at this time. Thank you, Mr. President.

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HUGHES: Thank you, Senator McCollister. Debate is now open on FA67. Senator Hunt, you're recognized.

HUNT: Thank you, Mr. President. Good morning, colleagues. I rise in support of FA67 and in opposition to LR14, as I've stood in opposition all four years that I've been here. Or what-- this is my third year? I don't know. Whatever. Every single year that I've been here. What I've said-- when I was first learning about the idea of the convention of states, I don't think that it's inherently a scary idea. It's not that I'm scared of the idea, and it's not that those who are opposed to LR14 are afraid of giving power to the people or afraid of trying something new, it's that when you really follow what would happen with a convention of states to its logical conclusion. You see, OK, there's a lot of things that could happen that wouldn't really turn out the way we want. Every time we hear discussion about a convention of states, a lot of the discussion is around fears of a runaway convention, and that's kind of where a lot of my opposition is coming from. And, you know, people ask questions like, once you've sent your delegates, how do you keep them from rewriting the entire constitution? But the idea that we could send our delegates to a convention with a limited scope and a limited purpose, it isn't really realistic. I also have a problem with the way LR14 made it to Final Reading. Nebraskans, LR14 is on Final Reading because of vote trading, because Senator Halloran went around here for years and years trying to find a path for this resolution to, to be passed in Nebraska, and he exchanged a lot of votes for that. And this isn't something that fundamentally your representatives in the Nebraska Legislature support. And it gives me a lot of concern that we are here representing the people of Nebraska and that we're possibly going to move forward a resolution that we don't really support and that could be really damaging to our nation. We advanced to Final Reading LR14 with this amendment, this sort of compromise amendment to, to kind of void it after five years saying, if there's no convention of states in five years, then LR14 is over, we're going to have to, like, bring another bill and do it again. But colleagues, think about how we work in here. There's nothing preventing a future Legislature from striking that, from bringing another, another convention of states resolution or an amendment or something that, that gets rid of that five-year clause. So I think that some of us in here are kind of sitting back thinking you've really done something. Thinking, wow, we really found a compromise and everyone is happy. But they're going to pull the rug out from under you and pick up the football like in Charlie Brown, because there's no reason that next year they can't just take that five-year thing out. And anyway, I actually kind of wonder if that five-year clause that we put in LR14 would even work because,

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colleagues, think about, you know, how a resolution would work if we were to go into special session. We'd have to have 33 of us who agree that there's an issue that we want to commit a special session for. We all sign the letter saying that-- we give it to the Secretary of State, we give it to the Governor. And if something changes after we deliver that letter and we decide we don't want to go into special session anymore, we don't write another letter. You can't, you can't take it back because that's not the rules. That's not how it works. We would have to go into special session and then vote to adjourn and then be done but--

HUGHES: One minute.

HUNT: Thank you, Mr. President. And I'm not sure that that's not how it would work with, with a convention of states resolution as well. It's not like we can resolve to go into a convention of states and then say-- send another letter and say, oh, never mind. I have questions about if that's actually the way it would work. I don't really have a problem with the idea of a balanced budget amendment. I've heard lots and lots of arguments about why that's not a good idea. I don't know if I really have a problem with that. I don't know if I really have a problem with term limits. I mean, all of these ideas that people want to discuss with convention of states, all of them are good things to discuss. They're the types of things that we discuss in the Legislature all the time.

HUGHES: Time, Senator.

HUNT: People-- thank you, Mr. President.

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

LATHROP: Thank you, Mr. President, and colleagues, good morning. I have been opposed to LR14 and I have not spoken on the bill-- or the resolution. And I thought I would, now that we are on Final Reading. Senator Halloran, I share your concern over the national debt. I, I am frightened by the national debt. I have conducted myself in a conservative personally, and in my business in a conservative way. It is frightening. And you know, I look at the resolution and here is my concern about the resolution. It first talks about go there and do term limits, let's get term limits and then let's put some constraints on the, on the budgeting process. And there's a third one. Here's my concern, that we're looking for a simple solution to a complex problem. And in my experience down here and being a political observer, complicated problems aren't solved with simple solutions. Having served with half of the body that was not yet term-limited when

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I first arrived, I can tell you my judgment, my opinion is this body is not better off because of term limits. It's an easy answer for people when they are upset with how things are going. We just say, throw the bums out. I keep voting for my guy, but I don't like your guy. So we end up with term limits in Nebraska, and it's not been good for this institution in my experience. That's my own personal opinion. Secondly, with respect to the debt, it scares the daylights out of me. It scares-- that amount of debt is frightening. And you know what, in the last two presidential elections, I don't even think I heard a question. In the months-- in the election cycles that followed the Clinton administration, the last time we did balance a budget, they would ask presidential candidates, what do you want to do about the deficit? I promise I'll get it under control in two years or three years or whatever their promises. They don't even talk about it anymore. But what, what if we pass this and what if they did that? Have you thought about it? I mean, will they go after farm programs first. How are they going to get to that place? What will they do to get to whatever it is you want them to do? See, my judgment is this, that the problem in this country is our division. It's our division. And are we contributing to that division or are we trying to solve it? This doesn't solve it. It offers the people who are fiercely engaged in the very activities that create the division: we have the answer. It's simple. We'll get everybody together and have term limits. It won't fix it. You know, my former colleague, now U.S. Senator Deb Fischer, voted for the infrastructure bill. She was roundly criticized, roundly criticized. And by the way, Senator Fischer was a steadfast advocate for infrastructure when she was here. Steadfast. Came up with a quarter cent of sales tax for roads because she believed that that was important.

HUGHES: One minute.

LATHROP: And then when she got to the United States Senate, she voted for the infrastructure bill. And you know why she was criticized? Not because we don't need infrastructure, but because, because she gave Joe Biden the win. This, this gives the illusion of doing something about a problem in this country. And we can, as elected officials, contribute to that division by feeding the people, the, the talking heads and the pundits that have monetized all of the division. The guy who has a radio station or a TV station, or I should say a network, and he's getting people mad all the time. You can't help the Democrats. So what are we going to do? If we're going to function as a republic, we got to work together. And the the difficult problems that you want to address with this.

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HUGHES: Time, Senator.

LATHROP: Did you say time?

HUGHES: Time, Senator. Thank you, Senator Lathrop. Senator Erdman, you're recognized.

ERDMAN: Thank you, Mr. President. Good morning. I see the queue has got about 10 or 12 names in there, and I don't normally get involved in helping run a filibuster but I will this morning. I was wondering if Senator McCollister would yield to some questions.

HUGHES: Senator McCollister, will you yield?

[RECORDER MALFUNCTION].

HUGHES: Senator McCollister, will you yield?

ERDMAN: Does that count against my time?

McCOLLISTER: I finally made it. Yes, I will yield.

ERDMAN: Senator McCollister, in your rambling, I guess I'll call it that, anyway, your comments, you had mentioned that we may eliminate certain things. And could you enumerate those again? It was like the Education Committee, IRS. Could you go through that short explanation of what you said?

McCOLLISTER: You want the list or an explanation?

ERDMAN: Well, no, I just want the list. There was three or four that you listed that we could eliminate these things.

McCOLLISTER: Well, I know some ad-- adherents have wanted to eliminate the Education Department, the Energy Department, the EPA, eliminate income taxes and the IRS.

ERDMAN: OK. OK. So out of those things that you just mentioned, the EPA, the IRS and the Department of Education, I have no problem agreeing they should be eliminated. So to me, if that's what could happen in a constitutional convention, I'm all for that.

McCOLLISTER: I understand.

ERDMAN: Because those-- that's all the questions I have for you. That, that is three of the agencies that need to be eliminated. So using that to try to explain to me why I should be a conven-- against

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convention of states doesn't work. I'm all for that. But what you need to understand, those things aren't on the schedule. They're not on the agenda. And so we're going to stand up here this morning and we're going to talk about filibustering, or we're going to filibuster the convention of states, and I think that's a good idea because there's a lot of other bills coming up that I hate. I shouldn't say that word, I guess. You're not supposed to use strong opinions, but I tell you what, I'm glad we're doing this this morning because it prevents us from getting to other bills that I dislike. So whether we waste time on this bill or we waste time on the ones I don't like, it's all the same. It's still wasting time. And so everyone listening back home, you need to understand you're in a better position this morning because we are wasting time and we're not passing bills to spend more of your money or to place some restrictions on your freedoms. But the other issue that comes to mind is we're not also, we are not fixing the problem with the vaccine mandates and other, other-- and the other rights that you've currently lost or they've been taken from you. And so we will filibuster this for two hours or whatever the limit is, and then we'll vote. And Senator Halloran had 32, 33, 35 votes last time. I would assume nothing has changed. And so we'll move forward and pass this, but we'll waste three or four hours or whatever it is. So when people suggest some of those things that we may eliminate, they're in my wheelhouse. I like it. The Department of Education needs to be eliminated. I would agree. EPA needs to go away. The IRS, that is an agency that needs to be eliminated, for sure. So I'm all for those things being eliminated, but I am going to vote for LR14. Thank you.

HUGHES: Thank you, Senator Erdman. Senator John Cavanaugh, you're recognized. The gallery will be quiet or you'll be escorted out, thank you. Senator Cavanaugh.

J. CAVANAUGH: Thank you, Mr. President. So I appreciate that we're back on this conversation, and I wanted to rise and, and kind of say where I'm at. So I previously on the two rounds of this, and I believe the last time we voted on this in 2021, I was a present and not voting on, I think, each of the iterations of this issue. And we've had some debate and, you know, some of it has been more substantive than other parts, and I try always to have the conversation go towards where answering questions that I-- my genuinely held questions about this issue. Over the course of this, I've had a lot of people contact me on both sides, my constituents being in favor of this and being opposed to it. And so I just wanted to rise, since we're debating this and we're on the final vote, to explain how I'm going to vote or why I'm voting the way I'm going to vote, because I think there's a lot of people here who just clapped who I think deserve an explanation.

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People, my constituents deserve an explanation for why I'm voting the way I'm voting. So I had previously voted present and not voting and it was-- some people ask you, why do you vote present and not voting? And it's sometimes people don't want to take a position. I voted that way because I was genuinely saying, saying to myself and to others that I was not a yes and I was not a no yet, but I was in-between. And at this point today, I'm going to vote no because of-- I think a lot of people have rightly articulated questions with this issue. I've heard from people and people have legitimate concerns and beefs, arguments, complaints about how our government, federal government in particular, functions. There is a political climate that is detrimental to progress in this country, and I-- so I understand. And people of both political stripes, Senator Halloran-- or I'm sorry. Well, Senator Halloran of course, but Senator Erdman has a lot of complaints about the federal government that are different than the complaints that I have. But that doesn't mean that they're no less valid about the fact that we have a government that doesn't work how we want it to. So I'm a no, not because I don't share your complaints and not because I don't think that we need to take approaches to fix it, I'm a no because amending the Constitution should be very difficult, that we have standards in place to make it difficult. And it is. This is a difficult process. But when we talk about how it's going to work, there are-- the people advocating for the convention have answers, but they're not based-- they're based on how conventions went 250 years ago, which again, that convention was a runaway convention and didn't stick with the call. But I don't think that, that we know, we are sure how this is going to play out, whether it's going to be constrained. I, I also have my concerns about how it would play out if it adhered to the answers that we've been presented. One state, one vote, I don't think that's the way we should make these decisions anymore. I don't think, if we're going to amend the Constitution, that the state of Nebraska, though I represent people in the state of Nebraska, why should the 1.9 million people in the state of Nebraska get the same vote as the 50 million people of California? I know most people here are going to disagree with what the perspective of the people of California are going to bring to that conversation, but that is not democracy. That is not-- we shouldn't be making these-- these major law changes on that process. And I know that's the answer that we've gotten from people, is that it would be one state, one vote. I'm not convinced that that's how a convention of states would be structured, either. I don't think we have any assurance that's how it would be structured. And I think that the-- it's important that we make sure we have a little bit more work, not by people here. Senator Halloran--

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HUGHES: One minute.

J. CAVANAUGH: --has done all the work that could possibly be done on this issue in the state in Nebraska. And I commend him for that work and I commend him for the conversations he's had with me about these issues. But it needs more work at the national level. We need to have some certainty attached to this at the national level about how these sorts of things are going to work if we are going to have a convention of states, so we aren't flying in blind like this. And so we can actually know whether we can have a constrained call or not. So I'm going to be a no today. I'm not going to try and spend a whole lot of time talking about this. I think plenty of people have their opinions. But I appreciate everybody contacting me, I appreciate everybody's enthusiasm about this. But at this point, I can't vote for this. Thank you, Mr. President.

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

DeBOER: Thank you, Mr. President. I want to say thank you again to Senator Halloran for working with my objections on this LR last time when we voted through the amendment to put in a five-year rescision. And I'm going to vote for the bill, the LR as a result. That takes away my concern that we just have something sitting out there for 30 or 40 years. It's a very different world in 30 or 40 years. You never know what's going on. I've heard some interesting points today. I want to address the issue of the runaway convention. The biggest fear people have about the runaway convention is that technically it's possible. True. Can't deny that. But the other one is, well, it's happened before, it happened with the Articles of Confederation. The art-- the Articles of Confederation were a few years old when that happened. We live in a very different world right now. Our Constitution is precious to a lot of us in a way that the Articles of Confederation just hadn't had time to sink in. I just don't think we're living in the same circumstances. The Articles of Confederation, when they, they met to discuss amending the Articles of Confederation, they all had to drive on their horses and wagons to get there and sit in an un-air-conditioned room and try and figure it out. We just don't live in the same world. Now I know that technically it's possible there could be a runaway convention, and that is something that gives me pause, I admit. But I think within the constraints of a very constrained call and with the cameras on them in ways that didn't happen the last time, I think the people will care about their Constitution and won't want to completely overturn it. I agree there are no simple solutions in here. There are no simple solutions in here

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that's really true. But this isn't about a solution. This is about a conversation to see if we can get to a solution. And I don't think we help our division when we won't have a conversation. Now maybe the solution is we have this conversation first and then we come together later with the convention of states, but this has already started. I just don't see what the danger is of having the conversation. I, too, share the concern about the national debt. This is something that, you know, keeps all of us up at night. If we're going to have a conversation, a serious conversation about it-- and by the way, if we're talking about a simple solution, do you think getting all of the delegates together to come up with a solution-- it's not going to be easier for them than it is for Congress or us or anyone else. That's going to be a very difficult process. They'll have cameras on them too. I don't think they come to a solution quickly. I don't think they come to a solution lightly. If they do, then trying to get the rest of us to agree to a-- to it is a problem. This is a country where we govern by the consent of the governed. And in order to get the consent of the governed, we have to have something which has broad appeal. If it doesn't have broad appeal, I'm just not worried it's going to get passed, it's going to get agreed to, it's going to get-- this is not something where I think it's just going to get swiped in underneath it. And for the point about the five-year rescision could get taken away. Sure. But that would take the same thing as passing a new bill. There would literally be no difference in the vote count between passing a new bill and passing of an amendment to get rid of the five-year rescision. So I have confidence that this body in five years will either take up a new bill or take up the rescision amendment to take it off. Either way, it's the same function. They would need 33 votes if there's a filibuster, but in five years they can have that conversation.

HUGHES: One minute.

DeBOER: Right-- thank you, Mr. President. Right now, I think we should pass this bill-- or LR and open up the conversation. Thank you, Mr. President.

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

HALLORAN: Thank you, Mr. President. Good morning, colleagues. Well, we, we are back to the fear of the unknown. Senator McCollister would you yield to a question, please?

HUGHES: Senator McCollister, will you yield?

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McCOLLISTER: Certainly will.

HALLORAN: Thank you, Senator McCollister. You have expressed a lot of anxiety and concern about how a convention of states would be conducted and how we would conduct ourselves or our delegates might conduct themselves at a convention. Is that right?

McCOLLISTER: That's correct.

HALLORAN: You're on Government, Military and Veterans Affairs Committee with me?

McCOLLISTER: I am indeed.

HALLORAN: There's a bill I have in front of that committee, LB195, a faithful delegate bill. Did you vote that out of committee so we could discuss those issues?

McCOLLISTER: I think that bill is from last year. Is that correct, Senator Halloran?

HALLORAN: It's still in committee.

McCOLLISTER: Yeah, I don't think it's come up for an exec session yet.

HALLORAN: Would you vote that out of committee?

McCOLLISTER: I need to review the bill before I--

HALLORAN: Oh, we hear this all the time, I need to review the bill. You know the bill full well, it's a bill that states and specifies from this body how delegates would perform at a convention of states. What they would be allowed to do and not to do. It would give clarity to this body, and this body would participate in designing that bill to make sure that delegates don't go beyond the call of the convention. You understand that, I know you do. You're a smart man. Would you vote that out of committee?

McCOLLISTER: Well, Senator Halloran, I think the faithful delegate provisions you speak of hasn't been tested. I'm not sure whether it would, indeed--

HALLORAN: Thank you, Senator McCollister.

McCOLLISTER: --make that delegate--

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HALLORAN: Thank you, Senator McCollister. You know, when the founding fathers designed this bill, they had great anxiety. They had great anxiety about the potential for runaway centralized federal government. They designed that federal government, but they, they had anxiety that it-- someday it may, it may be go beyond its reach and beyond its call. It's not a question, Senator. I'm not asking you a question. But that was their anxiety. And that's why they designed Article V. The very first draft of Article V at the convention, the very first draft was specifically allowed for only the states to call for a convention of states to propose amendments. They changed that in the final reading, they changed that and they added Congress and two-thirds of Congress, so they had two options. Let me ask you a question I asked previously on this floor of another senator. Can you show me in the Constitution, Senator McCollister, can you show me in the Constitution, where either Congress or a convention of states amends-- has a constitutional authority to amend the Constitution?

McCOLLISTER: Well, I can't point to a specific clause in the Constitution, but I do know convention of states is in that, in that, in the Constitution. However--

HALLORAN: Senator McCollister.

McCOLLISTER: --it's a vacuous comment, and it's not--

HALLORAN: Thank you, Senator McCollister. It's not a vacuous comment. Article V is very clear. We often have an aptitude at times to make very simple language, such as Article V. I put this on everyone's-- had, had the pages put this on everyone's desk. Article V is very simple language and it, and it very specifically says there's two steps, Senator McCollister, two steps in amending the Constitution. One is where Congress, two-thirds of Congress or states call for a convention of states for what purpose, what purpose? Proposing amendments to the Constitution. That's not amending the Constitution, Senator McCollister. The second step is a very fundamental and important one, and that is ratifying. Ratification is what puts it in the Constitution or does not put it in the Constitution. Who has that right, Senator McCollister, to ratify? Would you yield to that question, Senator McCollister?

McCOLLISTER: Senator, can you repeat the question?

HALLORAN: Who has--

HUGHES: Senator McCollister, will you yield?

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HALLORAN: One minute? Time?

HUGHES: Yes, one minute. Senator McCollister, will you yield?

McCOLLISTER: Yes.

HALLORAN: Who has the authority in the Constitution, as specified in the Constitution-- what body has the authority to, to ratify an amendment, proposed amendment and put in the Constitution?

McCOLLISTER: Well, the states, of course.

HALLORAN: The states. That was-- the founding fathers were very, very specific. Used the word equal many, many times in the drafting of the Constitution, and they used equal in this sense too. They said the states should have equal footing with Congress in proposing amendments. That's all they can do is propose. And then the states have the authority to ratify before it becomes an amendment. There's a lot of fuss going on around here about what might happen if this happens or that happens. The fact of the matter is, proposing is something we do here in this body all the time.

HUGHES: Time, Senator.

HALLORAN: Thank you.

HUGHES: Thank you, Senator Halloran and Senator McCollister. Senator Blood, you're recognized. Senator Blood, you're recognized.

BLOOD: Thank you, Mr. President. We were confused which one you wanted. Fellow senators, friends all, I'm not sure I stand up in favor of Senator McCollister's motion, nor on the underlying bill. And I haven't really spoken a lot on this bill and I'm going to talk to you a little bit about why. I know people have talked about runaway conventions and what's the real purpose of this and, and why do we need this to happen? And I've heard a lot of really good things on the floor today on both sides, Senator Halloran. And I hate to say sides. From all of our peers. I think that's a better way to put it. But for me, the issue that I've had from the very, very beginning, and I have this issue with a lot of bills, not just this bill and I bring bills forward about the same issue, is who's behind and where does the money come from? So I look at names like Mark Meckler, Michael Farris, Tom Coburn, Jim DeMint and I start following the money. Who is funding this? How are people making money and are they getting wealthy off of this? And I would say in at least two of those cases, those individuals are getting very wealthy. Which that's the American way,

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and I don't fault them for it. And I know friends in the balcony that we have a deceased, recycled government, and I don't disagree with that. And I think there's some middle ground when it comes to term limits. Should we have term limits or no term limits. We should definitely have term limits, but it should be in a way that it doesn't give the power to special interest groups and lobbyists like what we have going on in Nebraska right now. And what I saw when I looked at some of the money path, and agree with the issue or not, again, this is the funding that I've been seeing since this issue started, is that you see money being laundered through, through (c)(3) organizations to push for the state legislation. And I'm not sure that I'm OK with that. And it doesn't mean that what you have to say isn't valid. What it says to me, though, is something that I have always been concerned about, and that is dark money in politics. And that is something that you, the folks that come to my office and talk to me about this issue, keep saying that, that that's a problem. That we don't want big money in government, especially at the federal level. But yet we have it at both the state and federal level, and it seems to be that big money is OK, especially when it's dark money, as long as we get our way. And again, I'm not sure I'm OK with that. I have a dark money bill. The same people that are pushing for this bill refuse to kick out my dark money bill from committee. You know why? Because there's a lot of people that may not be in this body today if that money hadn't come in to save their campaigns at the last minute. And I wonder if you're OK with that as long as you get your way. And so I'm obviously thinking out loud, but I looked back historically through some of the meetings that they've had trying to bring people into the convention of states. And we know that Wolf-PAC has been in here and American Promise has been in here, and they want a convention of states because they wanted to overturn Citizens United. And the reason they wanted to overturn Citizens United is for the same reason that I'm kind of talking about today, that, that they wanted to make sure that there was not unlimited corporate spending on elections, but they were shunned from some of those meetings because it didn't fix-- it didn't match the mission of the other groups, and it was thought to be too liberal. And for me, I thought convention of states was not to be about party, but the people in policy. But that's not historically what I'm seeing. And that makes me uncomfortable.

HUGHES: One minute.

BLOOD: Mark Meckler, who again has made millions off of this, declared that when it came to that corporate spending and overturning Citizens United, that it was one of the greatest free speech decisions in American history. So saying that and then pushing for conventional

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states because there's too much big money in government to me is hypocritical. And so to be really frank, friends, I agree, diseased, recycled governance, something has to be done. But when you follow the path, when you follow the money, it makes me uncomfortable as to who is behind it and what their true intentions are. Thank you, Mr. President.

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

GROENE: Thank you, Mr. President. I have supported Senator Halloran's LR14, and I plan to do it in the future. Did your heart stop there a little bit, Senator Halloran? But anyway, I, I actually think it's a futile effort, as I've said before. If, if we've got judges now and legislators who don't support the Constitution of the United States, even this Legislature last took away people's rights on their-- to be represented in court, the free decision to do that, and said they have to. Why would a-- what would a convention of states do us any good if we don't have judges who follow the Constitution now and legislators? So anyway, I've got a real curious question for Senator McCollister. We've seen him on the floor yesterday about questioning Senator Flood about his change of a vote. And I've been questioned by the public about my change on the-- on medical marijuana, medical cannabis and I have explained it. And Senator Flood explained his. Senator, I got a question for Senator McCollister. He's very vehement about being against this, but he was the deciding 30th vote to-- to have a rule suspension to bring this bill back, which was already dead. Senator McCollister, can you explain to the-- would you take a question and explain to the body why you brought back from death with your deciding vote on the rules suspension on LR14 to bring us to this position now?

HUGHES: Senator McCollister, will you yield?

McCOLLISTER: I will yield. Everybody makes mistakes, Senator.

GROENE: That was pretty serious mistake. As vehement you are against this, so I guess, gosh, I'm glad in seven years, I'm never traded a vote. I'm going to leave here with my integrity, but it is what it is. Those who do, got to live with it and then they fight. I guess pretty good fight to change that mistake, but I stand as I said, I do appreciate the 5-year sunset on it and we don't need-- if there's a crisis in America and those-- the proponents of a-- of this constitution of the states or convention of the states, they can't get it done in five years, I guess it's not, not that critical to have it done. So thank you and I stand in support of LR14 for cloture.

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HUGHES: Thank you, Senator Groene. Senator Pansing Brooks wishes to announce the following guests visiting the Legislature. We have 22 students, two teachers and one sponsor from the fifth and eighth grade from Blessed Sacrament School here in Lincoln. They are seated in the south balcony. Would you please rise to be recognized by your Nebraska State Legislature. Thank you for coming today. Returning to the queue, Senator Pansing Brooks, you're recognized. Senator Pansing Brooks waives. Senator Flood, you're recognized.

FLOOD: Thank you, Mr. President. Members, it's unfortunate that we're in a filibuster on Final Reading here, but nevertheless, I want to thank Senator Halloran. And I want to tell you a story about Senator Halloran. He has taken this cause under his wing and he has gone about the state. I hadn't been in the Legislature very long, and he told me that week that he was going to be meeting with some of my constituents at the Norfolk Public Library. And I walked into a room that was packed to the brim with over 300 people that were well-educated about what he was talking about. And Senator Halloran in that room on that day with my constituents, he reinforced in me why this is important. And when we looked, him and I together, when we looked out onto that crowd of people, many of whom are here today, I saw the extreme fear about where our country is going, about the overreach of the federal government, about their dissatisfaction with Congress, about the overreach of the regulations that are made by bureaucrats in Washington and not lawmakers elected by the people. And I asked myself, what else besides this could we do to change the course of this country? And the answer is, this is the process that's outlined in our Constitution. What Senator Halloran is doing, he is following the rules. He has put together a strategy together with other states to do exactly what the framers of the Constitution intended. And when the people are acting, America is working. When the laws are, you know, construed for the help of those that make them, for the benefit of those who make them, we aren't-- it isn't, it isn't as our framers intended. What Senator Halloran is doing with this resolution-- and by the way, this thing doesn't go down the hall at the end of this debate, it goes straight to Washington. There are very few legislative vehicles that leave the hand of the Speaker or the President of the Legislature, signed by the Clerk and go straight to the United States Congress. And what we're doing today is we're raising our hand as a state and we're saying we want change. And you have to trust the people. A lot of people in here have expressed concerns that this will happen at the convention or that will happen at the convention. There are a lot of patriots in America. And they're not all in one party. They're not all in one state. They're not all in one city. They are all across this land. And if we want to make the

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systemic change that we're talking about today, this is the process. We're not doing anything dangerous. We're following our own rules. We're following our own Constitution. And there's a lot of people in that balcony today and there's a lot of people in my legislative district that really want the Constitution followed. And when they see a problem, they want to do something to fix it. The people that sit up in that balcony today, they have a thousand things they could be doing. There's somebody up in that balcony last week that had took off a shift at the Pizza Ranch in Norfolk because he wanted to be here. People have given up their day to come down here and watch us and ultimately hold us accountable for making the changes that they feel need to be made to move America forward. My neighbors are up there, your constituents are up there. They have a lot better places to be, but they're here today because they know what we're doing and they know how absolutely important it is. And I want to stress something. What Senator Halloran is doing here is absolutely the process.

HUGHES: One minute.

FLOOD: It's in the Constitution. It's, it's the way that states can express themselves. It's the way that the people can express themselves. And at the end of the day, by voting yes for this, I am expressing the frustration of thou-- of thousands, literally thousands of Nebraskans that want to see something changed. So enough of the fearmongering, enough of the doomsday scenario. There is an amendment on here that eliminates this in five years. We are going a place where our, our founders intended, and we're doing it the way that they intended. So I'm going to vote yes on LR14. I'm going to vote no on Senator McCollister's motion. I'm going to vote no on returning to Select File if we get there. And I look forward to this getting sent to Washington by the first of next week. Thank you, Mr. President.

HUGHES: Thank you, Senator Flood. Senator McCollister, you're recognized.

McCOLLISTER: Thank you, Mr. President. And Senator Flood and the rest of our colleagues, I think we all want change. What I'm simply saying is the Article V convention of the states is the wrong vehicle. I've been studying this issue for at least five years. Many people have talked to me about the issue. I know it's important to them. But I came up with nine reasons not to support a convention of the states. Let me give you those nine reasons. States can't limit the scope of the convention. Secondly, dysfunctional Congress decides the convention rules. Third, convention could change ratification rules or suspend the rules. We know about suspending the rules, we've done that on occasion in this body. Nebraska has proposed three amendments. The

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Freedom-- so-called Freedom Group has proposed ten, Governor Abbott in Texas has proposed nine. How do we winnow down all of these resolutions that the various states are presenting? The call by the states does not appear to be uniform. That's a problem, I think. Next, once delegates are selected, states apparently have no control over the delegates or the process itself. No set method for delegate selection is established, dysfunctional Congress is to determine that. Number eight, delegate selection proportional to the state population or equal for each state in the U.S. Senate. One person, one vote. Is that fair representation? Can Congress-- lastly, can Congress overturn the convention's proposed amendments? The runaway convention argument is based on the idea that Article V convention of states, for the purpose of proposing amendments, cannot be limited. That is argument based on how two-thirds of the Congress are proposing requirements for a controlled-- is far more controlled by comparison, making the argument of this traditional mode much safer. This is a false premise. Actually, it also shows little regard for the law, political reality, history, legal precedent and the Constitution itself. There are numerous redundant examples of legal protections against ultra vires amendment. Go beyond the legal authority being proposed by convention of states. The COS mode of proposing amendment is actually a far more controlled and limited than the traditional two-thirds of the Congress and in no way authorizes a new constitutional convention. However, I think that's a false statement. I think there's-- in answer to a question Senator Halloran presented to me. There's precious little specificity in the Article V call. It's in-- interpreted by Congress and we have no idea what will ultimately result in that proposition. Thank you, Mr. President.

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

HUNT: Thank you, Mr. President. Colleagues, we're here on Final Reading with a bill that the majority of us don't support. It is bad government. It's bad policy to pass a bill that we know is harmful with a limit on it, when that limit, that five-year limit could be changed at any time. We shouldn't even open that door. People might say, well, it's true of any bill, that we can change it in the future, but the difference here is that we don't usually intentionally pass a policy that there isn't really support for, and that we know is bad, and just put a limit on it to appease people. Other bills that we pass can be changed in the future. Yes, every bill we pass can be changed in the future, but I, I think we all agree that we should be passing policies that there's actually a majority agreement supporting it, and that a substantial portion of the body thinks it's a good idea. To me,

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this five-year clause saying, if there's no convention of states and there's no Founding Fathers roleplay ceremony and we don't, you know, do this big conventional reenactment for fun, if the country doesn't decide to do that, then in five years this goes away. But this bill, this resolution doesn't have the support of the body, and we're only pretending it does because of compromises and vote trading. And that's bad government to suddenly lend our support to something that has an arbitrary and easily removable limit. And trust me, if you're looking for a reform, if you want to change the system, I am not the one, like, I'm not the one to say that I'm holding that up. I agree that Congress is broken. I agree that the system is messed up. But this idea is wild. And given the current political climate that we have in our country, highly racialized, voting rights under attack. Half the country thinks the President wasn't elected, that's wild. On the brink of authoritarianism. Something like this in these modern times is literally not going to go well for the American people. I don't support a convention of states because it opens the door for other special interest groups to fund this thing and have a direct line to making wholesale changes to the U.S. Constitution. Even the most limited convention of states that does stay neatly within its boundaries, which I-- the only argument that I've heard from Senator Halloran and other supporters of convention of states about why you're going to stay within the bounds of the call, is trust us. Just trust us. Just believe us, we're not going to do anything bad. Why on earth would anybody trust that? Look at the way the country is right now. Even the most limited convention of states that stays within its proposed boundaries could devastate Nebraska's state budget. It could weaken crucial federal protections of voting rights by changing federal law to the will of a small percentage of the population. I support changing leadership, changing policies, changing culture through access to the ballot. And as we see in state, by state, by state, the erosion of that access to the ballot--

HUGHES: One minute.

HUNT: --voting-- shortening the number of days for early voting, getting rid of polling places, making it harder for elderly and disabled people to vote. All of these different things. That's what all of you folks should be angry about. What you should be angry about is the inability of regular citizens to cast their vote because of the erosion of voting rights. Not saying, oh, we don't like the way things are going, so why don't we just rewrite the Constitution? That is fantastic. It's a fantasy. We have a good democracy, if we can keep it, if we can protect it, and the basis of that is voting rights, and

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that's the thing that we should really be protecting. Thank you, Mr. President.

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

VARGAS: Thank you very much. I just wanted to weigh in here, and largely for two reasons. One, I haven't really weighed in on this. And I wanted to be able to explain my vote and myself. First is, I do want to thank Senator Halloran and also Senator DeBoer. One of the reasons why I moved this along is largely because there was some amendment and there was some movement in that direction. I'd really never had supported this in the past. Senator Halloran knows that. I don't take lightly amending our Constitution, and I don't think anybody takes it lightly. I think there's different interpretations of the urgency around that, and I think that's the debate that's being had here. And I do appreciate Senator Halloran for that. And I guess to Senator Flood's point, look, we're having the conversation. It is important. But it's still whether or not we are convincing enough individuals in the body that this is enough for us to open up. Because I don't think it should be taken lightly, personally. I'm concerned that the calls for our convention to amend, look, it should be difficult to do this. It should take time and resources. It shouldn't be an easy process because the conventions could put-- it's not a doomsday, it's a could. It could put a lot of our cherished freedoms like rights and protections in jeopardy. It could not. The point is that there isn't the guidance to then allow or dictate or make sure that there are those things that are put in place. But I think it is a part of sort of the perspective and the ideology on whether or not you believe that that is OK or whether or not you want to not open that up. Because there is no guidance about the convention and that's a concern for me. It's a concern for how we should approach this. And like many others have stated, I do have concerns about the balanced budget requirements, the debt ceiling limits and other financial restrictions that could limit our country's ability to respond to national security concerns. I think it should concern all of us. It's just whether or not we believe this is the mechanism. I'm concerned about the political polarization that is coming through politics right now and that leading to how this can be a really disastrous conflict. I wish there was more civility, and then that we can rely on that being the case for us to have the conversation. But less of that is happening. It's for that that I'm not in support of this right now, not because it's not a good idea. We haven't debated it, but I've heard a lot more information even since the last round of debate. And I do commend Senator Halloran for his work on this because he might have convinced enough people to be on board with him and he might still in the end.

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And that is the process of this. I have been here before, even with my meatpacking plant bill, I had certain number of votes heading into one round and then I didn't the next round. And this could still go through. But at the end of the day, I just wanted to make it clear for myself that it's not the Chicken Little, whether or not the sky is going to fall, it's when there's a lack of-- there's a lack of the process in there. It worries me because there are many things that currently exist in the Constitution that we all hold sacred. And the ones that I'm looking at that I'm most concerned about making sure to protect, those are the ones I'm most worried about. So I appreciate the debate, I just wanted to make sure that that's clear. And I do appreciate Senator Halloran for doing this. I will be a no vote on this, but on the bill itself, moving it beyond Final Reading into law. But thank you very much and I appreciate the time.

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

BRANDT: Thank you, Mr. President. Thank you, Senator Halloran for bringing LR14. Through all the debate, this is the first and only time I'm going to speak on this. I serve on the Judiciary Committee. And if you serve on the Judiciary Committee, a lot of the arguments that get brought before you are about the Constitution. We hear a lot of debate about our First Amendment rights, our Second Amendment rights. It just sort of depends which legislation is in front of us. And as such, I, I am a believer that the Constitution that we have is a very good document. I believe that the way to fix some of the problems being addressed in LR14 is simply to elect people that will get the job done. And that just doesn't seem to be working. We don't elect new representatives, we don't elect new senators, we don't elect new congressmen. And it's taken me four years to get to this point. Four years ago, the national deficit was about \$24 trillion. Today, it is pushing \$30 trillion. I have had hundreds of frustrated Nebraskans contact me on the need to do something, and I believe this can be the way forward. I support LR14. I do not support the other two amendments. And I would give the rest of my time to Senator Halloran, if he would like that.

HUGHES: Senator Halloran, 3:33.

HALLORAN: Thank you, Senator Brandt. I appreciate that. So there's been some comments here I would like to refute just a little bit. Senator Blood expressed some concern about people making money off of this. All you taxpayers up here, I'm sure you're all concerned about someone spending their volunteer time, they may get paid for it. Mr. Meckler is being reimbursed for his expenses, but he's devoted to the concept that Article V is important. It's part of the Constitution.

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Part of the Constitution we all swore to uphold, our state Constitution and our federal Constitution. When we made that oath, we didn't say, well, we uphold the U.S. Constitution except for these words in Article V, which are dangerous because, as Senator Megan Hunt said: This is wild. These Founding Fathers were just wild, crazy guys, right? They had this concept that states should be on equal footing with Congress. Folks, what this gets down to, this is an issue of a question of states versus state sovereignty and power, as detailed in the 10th Amendment, and the federal government's power, which is detailed in the 10th Amendment. Equal footing. That's what the Founding Fathers had, had concern about. But back to Senator Blood's concern about dark money, she never expressed any concern about Common Cause Nebraska, which is an affiliate of Common Cause national, which is funded by George Soros-- partially funded by George Soros. But that's OK. George Soros can influence you all, some of you folks that are opposed to the Constitution or Article V, and give you notes about how to oppose it. But I think these fine people in the balcony and the fine people watching on, on, on the network would have a little bit of concern about George Soros having any impact on this. Senator Megan Hunt is on Government, Military and Veterans Affairs, as well as Senator Blood and Senator McCollister, and I'm anticipating that they will vote LB195, the faithful delegate, out so that we can debate it here on the floor. Senator Megan Hunt, would you rise to a question, please?

HILGERS: One minute. Senator Hunt, would you yield?

HUNT: Yes.

HALLORAN: Senator Megan Hunt, we share positions on that committee, Government, Military and Veterans Affairs. One-- LB195 has not made it out of committee. Would you vote that to the floor so we can put some definition to what delegates can and cannot do and should and shouldn't do and, and penalties accordingly?

HUNT: Senator Steve Halloran, can you remind me what that bill is? What's that one?

HALLORAN: It's a faithful delegate amendment which details through by description of this--

HUNT: No, no, no. I'm not going to support that because there's nothing in Article V that says a faithful delegate amendment can put any bounds on what can happen in the constitution [SIC] of states--

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HALLORAN: Well, there you have. Thank you, Senator. Thank you, Senator Hunt.

HUNT: You're welcome, Senator Steve Halloran.

HALLORAN: What she's-- what she's-- what she's saying is, is that she's stand up here and complain that there's no detail on how a convention of states will be run and what delegates can and can't do, and yet she doesn't want to bring to the floor a bill that would define that by this body. Sorry. You know, you can't have the argument both ways.

HUGHES: Senator Halloran, that's time on what you were yielded, but you're on your own time and you're next in the queue. You may continue.

HALLORAN: I'm on my own time. Thank you, Mr. Speaker. Well, as though it's not colorful enough the way it is, let me add a little additional color to this question. I've said several times that this is a question about state sovereignty versus federal authority. We're coming up on an election this next fall, general election. A lot of serious issues, a lot-- a lot of candidacies will be dealt with in that election. And I think it's important to make note, Senator Flood made a very positive comment in support of LR14, call for an Article V convention of states, saying that it's the process. And it is the process clearly defined in the Constitution. I think it's important for the voters to recognize there are three-- there are three people in this body running for Congress. Senator Flood has made a statement that he supports state sovereignty, that he supports equal footing on the part of the states with Congress to propose amendments. But I find it interesting the other two candidates that are running for Congress are voting against this. They're making a public statement that they think Congress should be the exclusive authority to propose amendments to the Constitution. That's important to take note, voters. They want to go to Congress and they aren't going to propose any of these proposed amendments. They aren't going to go there and propose limiting their terms of office. They aren't going to go there and propose limiting-- having fiscal restraint placed upon Congress. They aren't-- and they can stand up and correct me on this, I hope they do. They're not going to go up there and limit some of the regulatory authority and grant it back to the states. Elections have consequences. Senator McCollister says, well, we need to let that process work and we can fix all of our problems in Congress if we just elect the right people. Well, pay attention, voters. I know you are. Because several can-- two candidates for Congress here don't seem to

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be very supportive of the states having this right to do it, as laid out in Article V of convention of states. Thank you, Mr. Speaker.

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

BLOOD: Fellow senators, friends all, I continue to not stand in support of Senator McCollister's motion and still indifferent to LR14. And since Senator Hollister [SIC] wanted to bring me into the conversation, I just want to make it really clear. You said he was devoted-- Mr. Meckler was devoted to, to the cause and giving volunteer time. Mr. Meckler has made millions off of this. So good on him for volunteering and becoming a, a millionaire. To me, that's a red flag. So fair enough, we both have our opinions, and I respect yours. And as far as Common Cause, again, I brought my dark money bill because I am sick and tired of dark money filtering into our elections, filtering into our causes. So be it Common Cause Nebraska or be it whomever, it's all wrong, Senator Hall-- Halloran. So to try and pick something because I-- I don't know if you're trying to infer that perhaps I support causes that aren't as conservative as yours is just shenanigans. That's all it is, it's really not anything concrete. So here's the one thing that I remembered, and I had to go back through my notes from years ago. But there's a radio called Red Eye Radio, are you familiar with that? Red Eye Radio is traditionally a conservative radio station-- or radio program, I should say. And Mr. Meckler, who is-- who we were talking about is a volunteer, was asked if there is a bulletproof, really good way to stop the same process from cycling over and over again after we get new amendments at a convention. And his statement, his verified statement was, and I'm going to give you the short and blunt answer, which is no. Now, I know that Mr. Meckler is not the people in the balcony and is not the convention of states. But as you said, he is the well-paid volunteer that is, is walking around and promoting this and pushing this. And he does that because it does help him with all of his subcompanies that he has. He gets speaker fees and he writes books, and good on him for finding his lane and for making money from it. But then again, I follow the money. I follow the money, and whether it would be convention of states or certain peoples' elections in here, and, and I'm not going to start pointing out who the candidates are because I think that that's wrong when we campaign on the floor. Well, that's just me. I look at how the money is filtered, and I see all of these donations that have been filtered through Vanguard Charitable endowment programming. And I know the response is going to be, but here's, here's what the-- somebody tell me rich people's names from Nebraska. I'm drawing a blank. Hollands, the Holland family does, and they give to, to organizations that we don't agree with because we

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think they're liberal. So it's OK that dark money filters through this organization because you guys are doing it on this side. This us versus them narrative and never seeking truth and fixing the true underlying issues in our campaigns will mean that no matter what we do, we are never going to see what we truly want to see, which is truth in our elected officials. Which are people like me, like you that know what it's like to live paycheck to paycheck have to deal with when we run for office. That we're not older, wealthy people, we're people who have to have jobs in order to, to be a state senator because we only get paid \$12,000 a year. But when we compete in a campaign--

HILGERS: One minute.

BLOOD: --we don't have the benefit of this dark money in the last 30 days because we have to show where our money comes from. I just want to put in perspective that it isn't the cause and your concerns that are falling on deaf ears. The concern is where does the money come from and what's, what's the real motive behind it? And I'm not sure that it's your motive. I think there's some "big money" motive that you're not hearing about because you're being given smoke and mirrors. And that, that is my concern. My concern is not you, what your-- your beliefs are not valid and your concerns are not valid. My belief is there is too much "big money" at every level of government and they do a great job of hiding it. And they do a great job of having people stand on the floor to say, oh, but look over here, the other party is doing it too. Well, it's both wrong. It's all wrong.

HUGHES: That's time, Senator. Thank you, Senator Blood. Senator Lowe, you recognized.

LOWE: Thank you, Mr. Speaker. Well, Senator Vargas and I must have been thinking along the same lines because I got back down here and he happened to mention it. And so we're going to get to the meat of the problem. So sit back, I'm going to read a story. There once was a big farm near a vast field, and here there lived a hen named Penny. She was great friends with everyone. And those who knew her gave her many names. She was also known by Chicken Little and Henny Penny. One morning, Henny Penny was plucking worms in the henyard. An acorn dropped from a tree onto her head. She had no idea what had hit her, however, and so she started shouting: The sky is falling, the sky is falling. She ran around in circles for a while and calmed herself and then got right to waddling. She had to alert the king. She waddled and waddled and waddled until she found her excellent friend, Rooster Booster. What's the matter, Henny Penny, he asked? Oh, Rooster Booster, the sky is falling, the sky is falling, and we must alert the

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king, she cried. Oh, we must, we must, he cried back. Henny Penny and Rooster Booster waddled and waddled and waddled until they saw their wonderful pal, Ducky Chucky. Henny Penny, Rooster Booster, hello. Fine day, isn't it? Ducky Chucky giggled with a splash to the water. Oh, Ducky Chucky, the sky is falling, the sky is falling, and we must alert the King, Henny Penny exclaimed. Oh, we must, we must, Rooster Booster chimed in. He looked at the concern on his friend's faces, nevertheless, and shrugged his wonders away. Henny Penny, Rooster Booster and Ducky Chucky waddled and waddled, waddled until they met up with brawny Goosey Brucey, falling with ease at the other end of the pond. Oh, Goosey Brucey, Henny Penny began, the sky is falling, the sky is falling, and we must alert the king. Oh, we must, we must, Rooster Booster chimed in. Ducky Chucky looked back up at the blazing sun and again wondered how the sky could fall on a warm summer's day, such as this. Goosey Brucey wanted to protect his fowl friends and he wanted to join them on their journey to a nearby place, but he had questions about the sky above. Henny Penny, he started, how do you know the sky is falling? Well, it fell right on my head, she answered. Goosey Brucey puffed his chest feathers instantly and moved right along, shrugging. His question went away. They also met up with Turkey Perky, and the same thing went on. Henny Penny, Rooster Booster, Ducky Chucky, Goosey Brucey and Turkey Perky waddled and waddled and waddled until they could, until they could see the place just beyond the farmer's field. As they waddled over the hill of the vast field, they saw a flash of reddish brown before them. It was Mr. Fox. None of the fowl friends had, had met this sly creature before, but they had heard rumors of his trickery and appetite. Henny Penny, Rooster Booster and were obviously though desperate to keep moving. Ducky Chucky suddenly shivered for-- forgetting the day's heat, while Goosey Brucey's chest became even puffier. Turkey Perky just stopped and smiled.

HILGERS: One minute.

LOWE: Thank you, Mr. President. Rooster-- I'll cut this short. Rooster Booster and Mr., Mr. Fox came out of a hole. While they were distracted by the quacking and splashing, Goosey Brucey looked at Turkey Perky, who gave him the signal and they stood right under the tree over the hole. The goose puffed his chest as hard as he could muster and bumped the trunk of the-- trunk of the tree, causing the tree to shake. Several acorns fell covering the hole and hitting Mr. Fox, knocking him out cold. And Henny Penny figured out what it was, it was not the sky, but just an acorn. And they all went back to their pens. The moral of the story, the sky is falling, is a groundless or absurd conviction that some catastrophic consequence or imminent

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danger is underway. There is no imminent danger. This is just LR14.
Thank you, Mr. Speaker.

HUGHES: Thank you, Senator Lowe. Senator Lathrop, you're recognized.

LATHROP: Thank you, Mr. President and colleagues. Excuse me, I wasn't quite prepared for this. Or I wasn't at my usual place when my name was called. I want to pick up on, on a point I was making previously on the mike, which was the idea that LR14 offers a simple solution to a complex problem. And I want you to imagine that we actually-- this actually passes and it and enough states do it and the con-- constitutional convention is called. So we're an equally, nearly equally divided country right now. How is that going to work? Is that really-- is that going to be any different than the legislative process that's going on in Congress right now? So I watch as an outsider, these campaigns. I watch as an outsider, as a citizen, what goes on in Washington. And every time one side says, we're going to do this, they run across Washington, D.C., to a different press conference and they go, oh my God, if you do that, it's the end of the world. They're trying to take everything away from working people. And then the other side will say, we're going to do something for working people. You're going to ruin the economy. This won't end the division. The division will play out in this process. At the end of the day, at the end of the day, we need to get our country back to a place where the division isn't such an important part of the political process, it isn't central to the political process. Right now, right now, we have a good portion of the country watching one 24-hour cable news station or listening to a particular AM radio station. And we have another half of the country or another portion of the country watching their preferred 24-hour cable station or listening to their talk radio that, that reinforces what they, what they believe, and none of it's balanced. And it's worse than that. We're making enemies out of the other side. I have plenty of friends who are not in my political party, a lot of-- a lot of friends that are not in my political party, and I have conversations about politics with many of them, at least for a while, until they get mad. I mean, I can see it. They get angry. I'm like, wait a minute, you're a friend of mine. We're not going to get angry about this. We don't need to get angry about this, we can have a conversation about it. But now we have elected people and people running for office feeding that angry-- feeding that anger. And they're raising money off of the anger. So we now have, and this is my gripe, we now have places that hold themselves out as a news outlet offering commentary, and it's one thing to say, you know, the rollout of Obama's website for--

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HILGERS: One minute.

LATHROP: --health care was not well done. That's probably a fair criticism. The guy would probably agree with you. But now it's, this person is dumb. This person is wrong. These people are the enemy. That's why we, we can't figure out what to do with our budget. We label everybody those tax-raising Democrats or those spending Democrats or those Conservatives that cut the taxes to the point where we can't balance a budget. We're making enemies out of other Americans. And we're talking past each other. That's the problem. And this isn't the fix. This isn't the fix. Stop looking at these crazy websites that are telling you and feeding you misinformation. How much time do I have?

HILGERS: Four seconds.

LATHROP: Thank you.

HILGERS: Thank you, Senator Lathrop. Senator McCollister, you're recognized and this your third opportunity.

McCOLLISTER: Thank you, Mr. President. A lot of the discussion this morning has been based on faithful delegates. Senator Halloran has a bill before the Government Committee, LB191, that talks about faithful delegates. But in that analysis he made, we may have a faithful delegate provision in Nebraska law, what about the other states? They may not have that same, same kind of provision. A gentleman that we all know, former Senator Paul Schumacher says, Congress does the call after the 23 states ask for it, and arguably sets the rules and selects the delegates and apportions the delegates. For certain, the State Legislature cannot constrain the voice of a delegate. So I just don't think even if LB191 were to pass, we really could constrain the delegates that would show up. So I think that's one issue that we haven't dealt with specifically. And we talk about Congress administering the convention of the states. Why do we believe that Congress, a dysfunctional Congress, can do any better with a convention of the states as they have with so many other issues that they're now facing? As I also argued that we have a lack of specificity with an Article V convention. The Constitution provides that two-thirds of the state can call for a convention to amend the Constitution, but it provides virtually no other guidance. A lack of specificity. It is na-- naive to believe that Congress won't play an impactful role in shaping the convention. There's nothing stopping Congress from controlling the date, time, location, delegate process and other convention operations. The Constitution also doesn't say how a convention would make decisions, and a convention could either

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establish a new way for the nation to ratify those decisions, such as a national referendum. Who knows? With so much at stake, corporations, wealthy individuals and other well-heeled special interests would be expected to huge-- spend huge amounts of money to influence the choosing of delegates, and they can delegates themselves once the convention starts. Just not enough detail for us to move forward with this proposition. It's a fearful thing. It's a crea-- if we create this creature, there's no idea what this creature could do. Mr. President, I yield the balance of my time to Senator Hunt.

HILGERS: Senator Hunt, 2:00.

HUNT: Thank you, Senator McCollister. Thank you, Mr. Speaker. This is wild. And I didn't say that the Founding Fathers were wild and crazy guys. I'm saying this is playtime for people who want to be Founding Fathers. We are not Founding Fathers, we are petty fools and here who are term-limited. And a lot of you were here because the billionaire in the northeast corner who acts like a king. And people who stormed the Capitol on January 6th are not Founding Fathers or patriots. The people who showed up here last February for, for the gun bill hearings with their white supremacist gear on and their automatic rifles, they aren't Founding Fathers or patriots. Patriotism is exercising the right to use your voice, the right to vote. It's not overturning everything you disagree with with violence. And I would also note just how out of touch this debate is.

HILGERS: One minute.

HUNT: Hospitals are at capacity. COVID testing sites are taking hours for folks to be able to get tests. Schools are closing due to staffing shortages, I had a meeting with my school district a couple of weeks ago and the superintendent told me we're not taking the problem seriously. These kids aren't going to have teachers. We can't get people to work in health care. They're leaving because they're burned out because of the behavior emblemized by a lot of people here in this body who are supposed to be leaders of the people of Nebraska. Businesses in Nebraska, restaurants, venues are desperate for efforts to support workforce development and fill great jobs. And yet here we are playing government with our three-corner hats, acting like we're going to make a new little constitution and have some fun like a Civil War reenactment or something.

HILGERS: That-- Senator, that's time. But you're next in the queue, so you may continue. This your third opportunity.

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HUNT: Thank you. And I understand that what I'm saying is offensive to some people who are here, but it's not offensive. It's stupid. I can't hear them. One thing about the five-year clause on LR14, when does the five years start and stop exactly? Could the next Legislature change the LR in any way in the next five years? And where in this, where in this process, where in Article V does it give us the authority to put a sunset on a resolution for a convention of states? You have to ask, does the sunset expire immediately or is it self-executing? Would there need to be affirmative action or a future-- of a future Legislature to repeal it? Or does it just automatically go away? We don't know. We don't know. For the folks who are strict textualists of the Constitution, there's no mention of time limits in the Constitution, and there's no mention of how we can keep the call for the convention of states narrow. There's nothing in there about a faithful delegate clause or anything like that. So, no, I'm not supporting a bill for faithful delegate this and that to come out of Government Committee, because then we're in the same exact place that we're in with LR14, which is calling for a convention of states that has no parameters on it during one of the most divided political times in our country's history. When I feel like, you know, 25, 30 percent of the country, depending on what polls you look at, are ready for a violent civil war. What on earth are we debating this for when people can't get tested for COVID in this pandemic? Some of you aren't even vaccinated. Don't wear masks, think that's more unhealthy than getting this deadly disease. And I'm on here, I'm a, I'm a single mom, my kid is at school, I got to be here in Lincoln talking about Founding Fathers reenactment playtime. This is not what the people of Nebraska are concerned about right now. Thank you, Mr. President.

HILGERS: Thank you, Senator Hunt and Senator McCollister. Senator Wayne, you're recognized.

WAYNE: Thank you, Mr. President. I'm not going to talk about this bill. What I'm going to talk about is the Governor has confirmed that he is not going to apply for the \$120 million that taxpayers from Nebraska have already paid into the federal government for an emergency renter assistant fund. Let me remind everybody, we've already paid our taxes in. So if we don't apply for it and it's just sitting there waiting for us, the federal government is going to distribute it to other states. So our tax money will go to California to help their renters and landlords. And what's so ironic about this is in the Governor's budget, he put \$10 million for rental assistance for commercial property. So it's OK to use federal dollars for commercial businesses to make sure their renters can get paid or their landlords can get paid, but the people of Nebraska cannot get those

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same services. Again, we are putting profits over people. And you might ask why that's interesting, or why I'm concerned about that. There are actual census tracts in my district, Senator Vargas' district, and Senator McKinney's district that have higher unemployment rates today than we did in the 2000-2008 recession. They have higher unemployment rates. And here's kind of why. If you get COVID, sometimes you can't go to work unless you're a teacher in Omaha Public Schools. And when you sit for two or three weeks not being able to get a paycheck, you have nowhere to go. Then you may lose your job because you're trying to figure out what to do next. Or even if you don't lose your job, you went three weeks, two weeks without pay, you can't pay your rent. When you can't pay your rent, you get a fee on top of that. And it just becomes this snowball effect to where you can't catch up. Every other state in the country has applied, except for us. Now, I know we're unique with the Unicameral. I know we do a lot of unique things, but this is money that Nebraskans have already paid into the federal government, and we're just choosing to not apply. It's irresponsible. Let me repeat, it's irresponsible. Thank you, Mr. President.

HILGERS: Thank you, Senator Wayne. Senator Pansing Brooks, you're recognized.

PANSING BROOKS: Thank you, Mr. President. I rise to talk about a couple of things. First off, Senator Halloran misspoke when he talked about what my position will be and what I'm doing and how I'm planning to move forward. Yes, there are three of us that are running for Congress. That has nothing to do with what's going on here right now. But I'll tell you, I would be in favor of this if we had limitations on it. I would be in favor. I, I do want to do something about this federal budget. The federal budget is out of control. I have appreciated the fact that Senator Halloran has submitted those numbers to us every year. Every year until-- even, even through all sorts of administrations. And I, I really appreciate that, his bringing that, and it's been his passion and it's been a really important thing to make us all aware of what is going on. But to say that I'm not going to be in favor of, of-- or that, that others here aren't in favor of lowering that budget, or trying to look at whether or not we can, we can amend to have a balanced budget like Nebraska does, I want to bring-- I want things like that-- the Nebraska way to go to Washington. I want our nonpartisanship in this body to go to Washington and I'll fight for it. I, I also-- I've just been labeled as being against term limits. Term limits all depend on whether or not-- how long they are and for what cause. Right now, we have term limits in this body and there's been a lot of discussion about whether

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or not the amount of time is appropriate and how we should do it. That's an important huge discussion. But to be told that I am totally against term limits, yes, I do think that the primary way to get term limits is to vote, vote people in and out. But I will, I will acknowledge that Senator Halloran is correct, that we have had trouble voting people in and out of office and that people, once they're in office, seem to remain. But again, I don't expect people to place in my mouth or on my, my little vote, my little voting device. And I, I don't expect for people to tell me how I will or won't vote, when you have no idea. I'm going to vote for Nebraskans. If Nebraskans want term limits and enough let me know and in, in the district and or-- in my, in my legislative race and in my legislative district, then I vote according to that. And I'll tell you that I am not being-- I am not getting an overwhelming number of people writing and now I may get a lot from today from up above, but I'm not getting a lot of constituents writing saying, we want this convention of states. I've been watching it. I want to know. I want to listen. So again, colleagues, let, let's not place words, or votes, or expectations, or presumptions in other people's mouths. I won't do that to the rest of you, and I don't expect it to happen to me. If we have rules, if we have a path, a plan, I want to see it. If we have a body that can oversee the fairness--

HILGERS: One minute.

PANSING BROOKS: --of the convention, that can determine whether or not people are being improperly discriminated against, or if we can see that the budget is truly going to be affected positively, that, that'll be great. I want to see that. I think it's important that we-- the numbers on the federal budget are horrifying. So Senator Halloran, thank you for bringing this bill year after year. But also we need more ideas, and just because California isn't doing it one way, are we going to follow what California does? Is this by two votes per state? Or is it by representation at which point the larger states take over? What is it? There's no, there's no rule. There's no determination about how this will go forward. I can't vote on something-- I don't understand what you want to get out of it. A balanced budget is one thing.

HILGERS: That's time, Senator.

PANSING BROOKS: Representation of people is--

HILGERS: That's time, Senator. Thank you, Senator Pansing Brooks. Senator Flood, you're recognized.

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FLOOD: Is that Senator Flood or Senator Blood?

HILGERS: Senator Flood.

FLOOD: Okay, I have to check these days. It's about five false alarms a day. Good morning, members, Mr. President. We're, we're nearing a vote on this here in a little bit. And I, I want to hit a point that I, that I think is about integrity in our process in American government, in Nebraska government. When you have a constitution that provides a process, when you have a state statute that provides a process-- people that get up and go to work every day rely on what's in front of them. They, they want to know what the rules are. They want to know how to change things within the rules. And one of the great things I think that I've seen since returning to the Legislature is that there are a lot more constituents of mine that have involved themselves in the political process, and they start by reading the United States Constitution. What happens when people read the Constitution? They see that there's a process to change something. They feel very strongly that something needs to be changed. And then they come down to their state government. They're following the process and we tell them, no, this is too dangerous, you can't do that. What message does that send to people that work every day, that pay their taxes, pay their mortgage, put their kids through school, do everything they can to do things right? Live under our laws. Obey the laws. And then we tell them when they come down here, no, we know better than you. We can't do that. We shouldn't do that. We shouldn't do something that is explicitly outlined in the Constitution. Now there are some of you that disagree with that, and you've voiced that concern today. But there are some of you in this body that have basically ridiculed people that want this to happen. You fed into their very suspicions about how politics works, how government works, how the Legislature works, by ridiculing and diminishing what they believe is important. If you want to stand up on the floor and say, I respectfully disagree with calling an Article V Convention for these reasons, that's part of the process. But to make fun of them, to rub it in their face, to use language that's incendiary. Why? What are you accomplishing? You're actually destroying the trust that we want people to have with their government. I think people in the balcony today and the people watching that are in favor of this, they can take no for an answer. That's part of the process. That's why this is hard to change the Constitution. Nothing we're doing here is like a rocket sled on rails. Think about this for a second. 34 states, if I'm correct, have to pass these resolutions, send them to Congress. Then there's the convention process. Oh, and by the way, on the back end, 34 states have to ratify. How many? 28. 38. I'm sorry. 38 states have

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to ratify. That is not very easy in a divided America. But it's the process. And although you may disagree with people that want that changed, what's your answer? What's your plan? How are you-- if you say, hey, I agree with their frustration, then put forward a proposal to change it. And the reality is, they're proposing to do it through the channels that are provided, and it's the only option that I see to accomplish the goals that they want to achieve, that we all want to achieve. And so at the end of the day, somebody has to--

HILGERS: One minute.

FLOOD: --recognize that you may be on the other side of this, but let's not minimize their position because we're not minimizing yours. Thank you, Mr. President.

HILGERS: Thank you, Senator Flood. Senator Halloran, you are recognized. This is your third opportunity.

HALLORAN: Thank you, Mr. Speaker. Colleagues. I did hand out a page that demonstrates that Mr. Hamilton narrowly defined and described the role of Congress in this process of a convention of states. There's been a lot, a lot has been said here. I think Senator McCollister's alluded that once a convention is called, that the states lose any control over it and it all goes to Congress. I don't know if you had a chance to read this. It's a quote from Hamilton. But narrowly, down at the bottom, he says nothing in this particular is left to the discretion of that body, meaning Congress. And of consequence, all the declamation about this inclination to change vanishes in error. The language that Mr. Hamilton uses in this passage could not be clearer regarding the validity of an Article V Convention and the inability of Congress to prevent such a convention once it has been called by two-thirds of the states. Congress' role is basically a mailbox. A mailbox to gather and aggregate these calls, various calls for a convention of states. Someone has to be an authority, a trusted authority to be able to count those and to be able to say, OK, the number has been hit, 34 for this particular call for a convention of states. That's their primary role. Now they can initially suggest a place and a time, but again, their role is just as a suggestion to do that. The states will have complete control over when and where a convention of states will be held. And I might add, once a convention of states is called, every state in the Union will be vying to have that historic convention of states in their state. And it would be historic. It'd be, it'd be watched. C-SPAN will be there. This will not be cloaked behind closed doors. This will be very open and transparent, as it should be. I'm, I'm not going to continue to spend the time adding, adding to the filibuster of my own resolution, but I,

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I think those that have supported this through General and Select, and I encourage you to continue that in Final Reading. This is our Constitution at work. It is a process, as Senator Flood said, and it's one that the founding fathers laid out in front of us as an opportunity for states to have equal footing with Congress. Thank you, Mr. Speaker.

HUGHES: Thank you, Senator Halloran. Senator Machaela Cavanaugh, you're recognized.

M. CAVANAUGH: Thank you, Mr. Speaker. Good morning, colleagues. I rise in opposition to LR14. I actually don't know what is in the floor amendment, but I can't imagine that anything at this point would bring me along. And I am going to yield the remainder of my time to Senator McCollister.

HILGERS: Senator McCollister, 4:38.

McCOLLISTER: Thank you, Mr. President. Good afternoon again, colleagues. I need to begin, since this is probably, probably my closing. I need to salute Senator Holleran for his efforts on this. I think we can all agree that the country is in a hell of a mess. What I would argue is the convention of the states is the improper vehicle to make those changes that need to occur. There are a few issues with this call that I think we've talked about this morning that you need to hear again. Lack of specificity. The convention of the states is just a brief mention in the Constitution. And so I think we're really doing a risky thing if we were to issue this call and pass this, this bill. I stated there is nine issues that I found with the convention of the states. First, the states can't limit the scope of the convention. Secondly, dysfunctional Congress decides convention rules. Nothing we've heard today indicates that that's not correct. Convention could change ratification rules or suspend the rules. Nebraska proposed three amendments. The Freedom Group proposed 10, Governor Abbott from, from Texas proposed nine. The call of the states does not appear to be uniform. That's an issue we haven't heard much about today. Once the delegates are selected, states apparently have no control over the delegates or the process itself. And it's just a crazy proposition. There's no set method for delegate selection established. Dysfunctional Congress is going to do that. And we've seen how effective Congress is in the last three or four decades, and it's not very successful. Delegate selection proportional to the state population or equal for each state, like the U.S. Senate. One person, one vote. How do we take care of that issue? And finally, can Congress overturn the convention's proposed amendments? Perhaps so. As I said earlier in my opening, we're creating a cult, a creature we can't

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control. We're creating a creature we can't control. So I would ask you to vote down this proposition and move forward from there. Thank you, Mr. President.

HILGERS: Thank you, Senator McCollister and Senator Cavanaugh, Senator John Cavanaugh, you're recognized.

J. CAVANAUGH: Thank you, Mr. Speaker. Well, I've already said my piece on this, but I, Senator Wayne brought up the issue and so I looked it up. The Nebraska Examiner has the story about the Governor refusing to take rental assistance. And Senator Wayne correctly pointed out that the Governor is asking for money for commercial properties. It is \$120 million for rental assistance for people outside of Douglas and Lancaster County. And so this is money-- again, I've said it many times, help people stay in their houses, keep the lights on, keep the heat on-- those such things. In everybody else, except for the Douglas and Lancaster County Senators' districts, that is Sarpy County, that is Washington County, that is Lincoln County. So all of these other counties are losing out on money that will help people stay in their houses, keep the lights on, keep the heat on because the Governor says that we need to be responsible. I'm sorry that's Senator Wayne. But the Governor says, the federal government has said that you no longer need any impact of COVID to qualify for funding, and that was specifically allocated to address the impact of COVID. So I mean, I, I hope we take that into consideration when we're considering other appropriations as well. We should not be using taxpayer money to pay people's rent without a good reason. I would argue that helping people stay in their houses and keep the lights on, keep the heat on, and, across all of Nebraska is a good reason. But I guess the Governor doesn't agree that keeping people in their houses is a good reason. It's irresponsible spending like this that has ushered in a record inflation and surging national debt. In this case Nebraska, has elected, has elected not to take part. As Senator Wayne said, only state not to elect to take part. This money, \$120 million, is going to go back to the federal government and they're going to spread it out across other states because we refuse to take care of the people when we have the opportunity to help the people in Nebraska, outside of Douglas and Lancaster County. And so, in this article by the Nebraska Examiner, they interviewed an individual in Sarpy County who-- can't find the quote here, but they said that they could use the help. The apartment association could use the help in Sarpy County. They could use it other places. This is money that doesn't go to the tenant. It goes directly to the landlord. I have volunteered in the tenant-- in the Douglas County Tenant Court in the last several months, and I have helped facilitate people get these applications in Douglas County and

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to process them. And what happens is you get together with the landlord, they agree to take the money. They set a specific dollar amount that they need that then goes to-- in Douglas County, it's a match that helps people facilitate this. They get that information, they process the application with that information and they cut a check to the landlord so it doesn't go to the tenant. It doesn't go anywhere else. It goes right into the hands of business owners to get their money back. Previously, the way this was working in landlord-tenant court was-- they would go to evict somebody, and then they'd have to come with a separate action for-- to get, collect, to collect the past due, and they and landlords will tell you they've come and testified on some of my bills how hard it is for them to collect this money. What this does-- helps people stay in their houses, helps landlords, property owners keep their, pay their, their taxes, pay their bills, collect their money that they are owed in an easy, efficient fashion, and it comes from the federal government. And so to turn this down and to say that we don't have a good reason to help people stay in their houses is ridiculous. To say that we don't take \$120 million of federal money for people in Nebraska, outside of Douglas and Lancaster County, that that is ridiculous. So we should be taking this money. We should be going-- ensuring that we take all of the federal money that's available to us. This is relevant to this conversation because we're talking about our relationship to the federal government, and I probably am running out of time. But I, as I like to be a person who admits--

HILGERS: One minute.

J. CAVANAUGH: --you know, their mistakes or corrections. Senator Flood today is speaking in, in a very, I think, constructive fashion. And he's right. People deserve and can handle being told, I disagree with them. And so, and I told Senator Halloran, and I've told the people here, and I told my constituents, I'm going to be a no on this. I'm just not there. And being a yes, I disagree with how this is going to administer it and how or how it's going to be enacted and some of the outcomes I, I think I would disagree with. So that's why I'm no, I continue to be a no. I thank you for your time and I would ask, encourage everybody to read that article from the Nebraska Examiner. Thank you, Mr. Speaker.

HILGERS: Thank you, Senator Cavanaugh. Senator Day, you're recognized.

DAY: Thank you, Mr. Speaker, and good morning colleagues. This is the first time that I've stood up and talked on this issue, on the mike, on all three rounds, I think, including even the poll motion that, that originated this coming out of committee, partially because I

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don't have a lot to say. I have a lot of constituents who support this. I have a lot of constituents who do not support this. And so I've sat and listened to debate and tried to be thoughtful about the decisions that I have made. But I will say that my main concern from the beginning and my main concern with a lot of pieces of legislation and resolutions that we have here in this body that-- I think we all know that sometimes bills and resolutions are introduced, particularly in election years and in the years surrounding them, to serve as campaign fodder and to feed the worst parts of what's happening in politics in the United States today. And from the beginning, I have said that I will not sign on to any resolutions and I will not move any bills that are introduced only to serve as publicity for candidates or to be used as mailer info to be used against candidates. And I, I echo the concerns of Senator Lathrop that he mentioned earlier when it comes to knowing that, you know, 90 percent of what we see in the media today surrounding politics is inflammatory and usually false. And again, I think that, as elected officials, it's part of our job to make sure that we're not feeding into the conspiracy theories that surround government in the United States. So I also wanted to mention to Senator Flood-- he stood up on the mike a few minutes ago and was talking about colleagues making fun of colleagues who disagree with them and using language that is incendiary. And I appreciate that sentiment, and I wholeheartedly agree. I think we can respectfully disagree with each other, particularly when it's on the record and on the mike, and when the public is listening and our constituents at home are listening. And all I have to say, is that I hope that he keeps that same energy when members of this body stand up on the mike and say vulgar, and offensive, and grotesque things about other people in this body, as they have done recently, particularly about some of the women in this body. And I hope that he, the next time that happens, stands up, and stands up for the rest of us too. So how much time do I have left?

HILGERS: 2:12.

DAY: OK, I will yield the rest of my time to Senator Megan Hunt.

HILGERS: Senator Hunt, 2:06.

HUNT: Thanks, Senator Jen Day. Those were great remarks. I think that Senator Lowe just had his Yertle the Turtle moment reading a children's book on the record during extended debate. The sky is falling, being the message of Henny Penny. And my point in this is this is so outside the realm of anything Nebraskans are asking us to talk about. Hospitals being at capacity, teachers having to take time off, and these kids have nobody to teach them. You know, hospital beds

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are low, not because we literally are low on hospital beds, but because we're low on staff and we don't have people to take care of them. That's how the sky is falling. For some people, the sky really is falling. And there's nothing in LR14, and there's nothing that we're doing here this morning that's going to help any of them.

HILGERS: One minute.

HUNT: Thank you, Mr. President. The sky is falling for people who need assistance with their rent, who need assistance staying in their homes, and all of the taxpayers here in Nebraska who give their money to the federal government. And then our conservative Governor turns around and says, no thank you to that money that we've already paid into. That is not conservative behavior. And that's how the sky is really falling. And it's also worth reaffirming that the reason federal spending is out of control, which LR14 purportedly seeks to solve, is because of military spending, and tax cuts for the rich and corporations, and all the things that the people pushing for this resolution support. So miss me with the sky is falling, the sky is not falling if we can't play our Founding Fathers game and do a convention of states. The sky is really falling for people, who are probably watching this, appalled at how we're wasting our time talking about this type of thing instead of the things that our assistance and services--

HILGERS: That's time, Senator.

HUNT: --that they need to help them. Thank you, Mr.

HILGERS: Thank you, Senator Hunt and Senator Day. Mr. Clerk, do you have a motion on your desk?

CLERK: I do have a motion, Mr. President.

HILGERS: Colleagues, we're on Final Reading. If you would please return to your desks and check in before we turn to the motion. Colleagues, we had a technical issue. Would you please recheck in. Senator Walz, please check in. Senator Blood, Senator Groene, please check in. Senator Hughes, please return to the Chamber. We're on Final Reading. All unexcused members are now present. Mr Clerk, for the motion.

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

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HILGERS: It is ruling of the Chair that there has been full and fair debate afforded to LR14. Senator Holleran, for what purpose do you rise?

HALLORAN: Could we still have a call of the house? I see Senator Stinner is not here.

HILGERS: Senator Halloran, we're on Final Reading, so all unexcused Senators, we are, you, you're entitled to wait for all unexcused Senators to be present, which they are. Would you like a roll call vote, Senator Halloran? A roll call vote in reverse order has been requested. The question before the body is the motion to invoke cloture. Mr. Clerk, please call the roll.

CLERK: Senator Wishart voting no. Senator Williams voting yes. Senator Wayne voting yes. Senator Walz, not voting. Senator Vargas voting no. Senator Stinner. Senator Slama voting yes. Senator Sanders voting yes. Senator Pansing Brooks voting no. Senator Pahls voting yes. Senator Murman voting yes. Senator Moser voting yes. Senator Morfeld voting no. Senator McKinney voting no. Senator McDonnell voting yes. Senator McCollister voting no. Senator Lowe voting yes. Senator Linehan voting yes. Senator Lindstrom voting yes. Senator Lathrop voting no. Senator Kolterman voting yes. Senator Hunt voting no. Senator Hughes voting yes. Senator Hilkemann voting yes. Senator Hilgers voting yes. Senator Matt Hansen. Senator Ben Hansen voting yes. Senator Halloran voting yes. Senator Groene voting yes. Senator Gragert voting yes. Senator Geist voting yes. Senator Friesen voting yes. Senator Flood voting yes. Senator Erdman voting yes. Senator Dorn voting yes. Senator DeBoer voting yes. Senator Day not voting. Senator Clements voting yes. Senator Machaela Cavanaugh voting no. Senator John Cavanaugh voting no. Senator Briese voting yes. Senator Brewer voting yes. Senator Brandt voting yes. Senator Bostelman voting yes. Senator Bostar voting yes. Senator Blood not voting. Senator Arch voting yes. Senator Albrecht voting yes. Senator Aguilar not voting. 33 ayes, 10 nays to invoke closure, Mr. President.

HILGERS: The motion to invoke cloture is adopted. The next vote.

CLERK: It's McCollister motion.

HUGHES: Next vote is on the McCollister motion. All those in favor vote aye; all those opposed vote nay. Have all those voted who wish to? Please record, Mr. Clerk.

CLERK: 8 ayes, 36 nays, Mr. President, on the adoption of the motion to return for specific amendment.

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HILGERS: The motion fails. Mr. Clerk, please read the bill.

CLERK: Mr. President. LR14, introduced by Senators Halloran, Bostelman, Brewer, Briese, Clements, Erdman, Friesen, Gragert, Ben Hansen, Kolterman, Lindstrom, Linehan, Lowe, McDonnell, Murman, Slama, Williams, Hilkemann, Flood. [Read LR14 on Final Reading.]

HILGERS: All provisions involved relative to procedure having been complied with, the question is, shall LR14 pass? All those in favor vote aye; all those opposed vote nay. Have all those voted who wish to? Please record, Mr. Clerk.

CLERK: Voting aye: Senators Arch, Bostar, Bostelman, Brandt, Brewer, Briese, Clements, DeBoer, Dorn, Erdman, Flood, Friesen, Geist, Gragert, Groene, Halloran, Ben Hansen, Hilgers, Hilkemann, Hughes, Kolterman, Lindstrom, Linehan, Lowe, McDonnell, Moser, Murman, Pahls, Sanders, Slama, Wayne, Williams. Voting no: Senators Albrecht, John Cavanaugh, Machaela Cavanaugh, Hunt, Lathrop, McCollister, McKinney, Morfeld, Pansing Brooks, Vargas, Wishart. Not voting: Senators Aguilar, Blood, Day, Walz, Matt Hansen, and Stinner. 32 ayes, 11 nays. 4 excused, or excuse me, 4 present not voting; 2 excused not voting, Mr. President.

HILGERS: LR14 passes. While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign LR14. Items for the record, Mr. Clerk.

CLERK: I do. Mr. President. Thank you. Hearing notices from the Appropriations Committee, and from the Transportation and Telecommunications Committee signed by their respective Chairpersons. Also I have a Reference Report referring legislative, I'm sorry, gubernatorial appointment for a confirmation hearing. Your Committee on Revenue reports LB986 to General File with committee amendments attached. Senator Wayne, an amendment to LB999 and to LB798 to be printed. That's all that I have at this time, Mr. President.

HILGERS: Thank you, Mr. Clerk. Turning to the next item on the morning's agenda.

CLERK: Mr. President, returning to LB568. E&R amendments were adopted yesterday or the 26th, two days ago, excuse me, was considered yesterday for a while. When the Legislature left the issue, Senator Pansing Brooks had pending AM1510, Mr. President.

HILGERS: Senator Pansing Brooks, would you like to take a minute just to refresh us on the pending amendment?

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PANSING BROOKS: I'd be happy to. Thank you, Mr. Speaker. Good morning, Nebraskans. Well, it's very interesting because Senator Lowe this morning read Henny-- about Henny Penny and the sky falling and that's what was going to be my reference this morning. Yesterday, we heard all sorts of information about how the sky's going to fall and, you know, it, it-- if my bill passes and, you know, it would have been comical if not for the fact that we are playing politics with the lives of children. That, my friends, is not comical, but very serious. And this bill makes it so all it does is say county attorneys have to expend every effort to try to put the child in diversion and then it gives money to the counties for diversion, actual money to counties. I have the judges on board, I have the county attorneys on board, I have the counties on board and the judges, the advocates. But somehow we're missing the fact that we need to get kids in school and keep them in school and then help them however is possible. So that's what this bill is about. I have worked with everybody. I feel really positive about it. I have people that said they were going to support it if I got the county attorneys on board. That has not happened. This bill will not make it to cloture, just to let you know. But people want to go ahead and play games and that's fine and play politics on the floor. That's fine. That's a decision that people have to make. And I would say to the constituents in Nebraska, I wouldn't put up with it if I were you. So thank you so much, Mr. President.

HILGERS: Thank you. Senator Pansing Brooks. Debate is now open on AM1510. Senator Hunt, you're recognized.

HUNT: Thank you, Mr. Speaker. I rise in support of AM1510 and in support of LB568 and also want to reiterate the-- that Senator Pansing Brooks really did everything right on this bill. She's worked on it for years. She's brought people to the table. She's made sure that all of the stakeholders had their voices heard in solving this problem that all of us recognize exists. She worked her votes and she addressed the opposition to her bill, opposition from people who said, well, I don't like the fact that the county attorneys are against it. She continued to work over the interim with the county attorneys and look at this, opponents. Now the county attorneys support it. The county attorneys say with the changes incorporated in AM1510, they will be in support of her legislation. Now, colleagues, I don't know what more we're supposed to do down here. I don't know what we can do better for Nebraskans or for the integrity of this institution than have the hearing on the bill, address the opposition to the bill, solve those problems, count our votes, and say, great, sounds like we have an agreement, let's move forward. I definitely do not appreciate the constant carceral responses to kids who need help, who need a

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trauma-informed response. One that's not, you know, coming with punishment first. Education is the most important building block in preparing kids for adulthood and we have to do everything we can to make sure these kids succeed in school. When a kid is absent for too many days, they need resources and support to get back on a path to success. They don't need to be sent to a juvenile facility where we hear they end up in solitary confinement and things like that. That is ridiculous. And when kids in these circumstances are met with these harsh punishments, they don't learn a lesson. They aren't scared straight. They don't go, oh, I'm sorry, I'm going to behave perfectly from now on. It just results in them falling even further behind. Our current law is really overreliant on using juvenile courts to intervene when kids have too many absences when oftentimes we're not even looking at like a criminal reason. We're making these kids who need help feel like criminals, feel like they need to be punished, feel like they've done something bad, and this just increases the challenges these kids are facing instead of getting them back on the path and getting them back in school where we do have resources that those kids need. When kids are pushed into the juvenile justice system because of missing school, the ability for them to find success, to turn them-- their own lives around, it becomes even harder. When you're a teenager, when you're young, when you're already dealing with the stress of life, not to mention the stress of the pandemic, of being out of school for so long, plus, all of the other, you know, challenges that people that age face, they don't need adults here in the Legislature, who have no idea what they're going through, turning around and telling them shame on them, saying the way to get you to act right is to punish you.

HILGERS: One minute.

HUNT: And Senator Pansing Brooks, we all know, because we all know her, has the compassion and the empathy to listen to those kids, to importantly, listen to the parents of those kids, and say, look, we've identified that we have a problem. Now how am I going to get all the stakeholders and all of the interested parties around to find a solution to that problem? Oh, county attorneys have a problem with our solution? Let's work on that. She worked on that. Colleagues, I don't know what more you can ask of somebody. This is not the place for political grandstanding. That's absolutely true. And those of you who understand the work that Senator Pansing Brooks has put into this, the opposition that she was able to take off of it, you know that this is the right vote to make. I don't know why we can't get 33 votes on this. It's ready to go. Thank you, Mr Speaker.

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

PANSING BROOKS: Thank you, Mr. Speaker. Thank you, Senator Hunt, for your supportive words. Again, Nebraskans, people who were saying, why, why bring this? Why would you bring this again? There was more heated discussion about this than the death penalty. And, you know, I brought this so kids will stay in school. Kids need to be in school. I fundamentally believe-- I know it's shocking, but kids must go to school. Now what are some of the reasons that they might skip school? What are some of the reasons that we know exist where a child is not going to school? Well, I had a case where one of my children was being bullied and fortunately, I had the wherewithal to deal with that, get that child some help, both within the school and in the community because it was devastating. The bullying was devastating. And she-- and that child refused to go to school at that point. Fortunately, my husband and I have the ability to work through issues, find different solutions. But what if the parents are not as capable or as-- or have as many alternatives or opportunities as Loel and I do? What about that? What then? Well, let's take the child to court and put them into the system and then, then they'll learn. They're being bullied? They'll learn. Keep them in, in school. Levy more harm against them. They already feel harmed by the school without the support and now we want to put them in-- straight into the courts. Now it's true, a lot, a lot of, of communities have diversion, but a lot don't. A lot have really good diversion programs, but a lot don't. Diversion should be the first, first choice to keep our kids in school. These are our kids that we want to keep in school. There is a price to be paid for hurting our kids and sending them straight into the, into the juvenile justice system with a truancy charge. I, I have no problem with-- you know, yesterday things came up about mandatory minimums and, and oh, a 12-year-old shot or stabbed another 12-year-old. Well, that has nothing to do with truancy, my friends. Those are crimes and I'm not talking about that. What I am talking about is a child is missing school and whether you want to use truancy or excessive absences, both are allowed in our statutes, which I had a lawyer in the body and a nonlawyer arguing with me about. Both are in the-- in our statutes and used in education statutes. So if you want to change it to truancy, that's fine. Go ahead. That's not the issue. The issue is our kids need to be in school and by going to court, they and their parents have to-- they have to leave school, the parents have to take off work, so-- and meanwhile, this bill, because of what it does, Probation has decided that we-- they can shift \$1 million to the counties, \$1 million or more. It's between \$1 million and \$3 million depending on how we do this.

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HILGERS: One minute.

PANSING BROOKS: Thank you. So do the counties want this money or is this like, oh my gosh, we shouldn't have the county attorneys using every effort to put them into diversion and use the community aid dollars to help our kids? No, we should tie up the courts, spend money in the courts, keep those kids in court. They need, they need repercussions for their terrible acts, which may be based on economics, taking care of a family member at home-- we have cases of that-- abuse, neglect, and now we're going to take them into the courts rather than giving them help, rather than putting them into diversion, giving them the mental health or the other things that they may need. And yes, there are all sorts of people across the state that don't have diversion. That's why this, this is beautiful because the money will go into community aid to bolster diversion--

HILGERS: That's time, Senator.

PANSING BROOKS: --across the state. Thank you, Mr.--

HILGERS: Thank you, Senator Pansing Brooks. Senator Groene, you're recognized.

GROENE: Thank you, Mr. President. Listening to Senator Pansing Brooks, you would think that police officers are waiting outside the doors of the homes and grabbing kids and taking them down to prison and, and the, the county attorneys are just waiting to press charges. Folks, you ought to look up 79-209. That's a compulsory attendance-- nonattendance school district duties. Read that. Read what the schools do prior, prior to a student being out 20 days, all right? They are-- they have to contact the parents, as Sen-- apparently Senator Pansing Brooks was contacted. They have to create a plan for the student before they hit the 20 days: (i) the physical, mental, or behavioral health of the child, (ii) educational counseling, (iii) educational evaluation, (iv) referral to community agencies, economic services, (v) family or individual counseling, (vi) assisting the family and working with other community services, (vii) referral to restorative justice practices or services. This all happens in the school when they first notice a child is starting to miss school, all right? Then if they continue to miss and they miss 20 days, absent more than 20 days per year, "the school shall notify the child's family." Apparently, Pan-- Senator Pansing Brooks did. It must have worked, brought her family's attention to the problem, and her child turned out fine. In writing prior to referral to the child to the county attorney. "Failure by the school to document the efforts required by subsection (2) of this section is a defense to prosecution under

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79-201," which is habitual truancy. Now it goes to the county attorney. Now they can try to work with the child and family on diversion. Now this is at-- if you're over 12 years of age. If you're over-- under 12, the family can be charged in court. For their child now being over that, now we're talking a diversion program. So the kid doesn't do diversion. He didn't go to school, doesn't go to diversion. Single parent says I got-- lost control of my child. I want him in school, but I can't do anything. What's, what's my choices? Well, the county attorney says, well, we can charge him with truancy. We can charge him with truancy. It's just a-- it's less than a misdemeanor and we can get him in front of a judge and then we can put him into probation and we can drug test him. We can monitor him. We can tell him he has to go to school. It's the last, very last resort. And what I hear from judges, what I hear from county attorneys, it works. It's that last rope, that last handout to that kid to change your ways, happens seldom, very seldom. The system works. You heard Senator Vargas. "Recidividity" has really dropped. It works. We need to have that last chance to help that kid and truant-- charge of truancy does that. I hear more from parents embarrassed they got that letter. It's not about the kid, it's about them. My god, I'm prominent family. I got a letter. We can't have that. Too bad. It's about the kid and it's about the kid being in school. I, I've offered an amendment. Senator Pansing Brooks, we can do the funding. I've talked to the Supreme Court representatives and they're-- they like it. They would just like it changed a little bit-- if you see I dropped another amendment-- to make sure it comes out of general funds. Nobody's come over to me and talked. So we got about an hour and it's going to die because I am not going to take that last chance away from them kids to have one last opportunity--

HILGERS: One minute.

GROENE: --for adults in the room to say, you go to school. Senator Pansing Brooks is very misleading about the way the system works. It is the last straw for that child. It's the last straw. And they're from the age of 12 to 16, because after 16, you don't have to go to school. And by the way, if that-- any time that child says, I'm going to go to school tomorrow, it's all over, folks. It's all over. Charges are dropped, kid is in school. This isn't the normal crime where you committed it and you're paying. You can-- this is one of those where you can have forgiveness. Just go back to school. We're not mean to these kids, we're loving these kids. We're giving them a chance, throwing a rope to them when the parents won't do it. We need the law. We need truancy in the system.

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HILGERS: That's time, Senator.

GROENE: Thank you.

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

FLOOD: Thank you, Mr. President and members. I am opposed to LB568. I am going to support AM1510 because it's an insurance policy should LB568 pass. But Senator Pansing Brooks has asked why I was a yes on General File and I'm a no on Select File and I want to, want to address that head-on. Last year in early March, a 12-year-old girl brutally and violently stabbed another 12-year-old female victim in a park in Stanton, Nebraska. The sheriff immediately reached out after he couldn't get that 12-year-old offender into any kind of detention services and the offender ended up going right back into the same community that she had left, in close proximity to the victim. Set the scene last year, Senator Pansing Brooks had a number of bills that were on the floor being considered for juvenile justice. Each bill says, you know, the, the bill that she had was LB307. It was about providing counsel to juveniles in the juvenile court system. On March 22, after getting a call from the Stanton County Sheriff, I added my name to LB537, which was a bill-- which is a bill authored by Senator Geist that completely reworks the juvenile justice system and takes steps that I think are necessary. And by signing onto that bill March 22 of last year, I was signaling I want change. My sheriffs want change. Law enforcement wants change. And I started hearing about this. What LB307, which is the bill that allows, that allows juveniles to have counsel, showed up the day before, on April 6, I filed an amendment that essentially provided for the detention of people under the age of 13. On April 7, that bill, LB307, was heard on the floor of the Legislature and Senator Pansing Brooks was very offended that I had filed that amendment and wanted it withdrawn. Her and I started having a conversation off the mike about juvenile justice reform and I said, I want you to meet with my law enforcement and she agreed. She said this summer, I will do that. If you read the transcript from April 7, 2021, you'll see where we reached an accord. I was interested in finding a solution. On its face, each one of these attempts by Senator Pansing Brooks, she can say, well, I brought this group on, I brought this group on. When you look at the totality of what she has done to juvenile justice reform in Nebraska, we are compromising public safety. That is the truth. That's why people here that have gone to their county attorneys, they're told things like they're frustrated. Some of the county attorneys have learned helplessness because they haven't-- they don't feel they've been heard for ten years. Now, she's got the county attorneys association that say

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they'll accept AM510 [SIC], which is LB568. I'll tell you the county attorneys that some of you are talking to today are sick of it. I'm sick of it. I wanted a solution. I want a solution to detention, but I'm not going to vote for any more of these juvenile justice reforms until we start talking about reintroducing real accountability into the system. Real accountability isn't diversion for everyone. It isn't you have to, you have to step-- go through these 15 steps in order to get there. What is excessive absenteeism? The bottom line is she can make this about whatever it else is she wants to talk about when it comes to why there's opposition on this.

HILGERS: One minute.

FLOOD: The reality is, there are real problems across Nebraska and we need real solutions. And one of those solutions, I think, is taking a step backward, reaffirming a-- the justice system's ability to detain somebody under the age of 13, the real ability for a-- for probation officers to use detention and make sure that, hand-in-hand, county attorneys that want to use diversion, use diversion. But at the end of the day, I want to reiterate, juvenile court is not a county court. It is not a district court. It is in the best interest of the child. And I trust the judges in juvenile court to manage a process that focuses on the legal standard, which is the same one that I think everybody wants here, and that is to act in the best interest of the child. I'm opposed to LB568. I'm going to vote no on LB568 and I hope it ends here. Thank you, Mr. President.

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

ERDMAN: Thank you, Mr. Speaker. Good morning, again. I was going to tell the story about the three bears, but I want to get John Lowe's book on the, on the things that he read. That was-- Senator Lowe, I wanted to clap when you got done, but that's inappropriate in here. So I just want to tell you I appreciate that. So I haven't spoken on this bill yet, but I want to say a few things about Senator Pansing Brooks' opening when she made the comment that the Department of Education, Mr. Blomstedt, is in favor of this. My personal opinion, anything that Blomstedt is in favor of, I'm opposed to. That department is poorly ran, poorly managed, is an agency or a, a department that needs to go away. I'll give you an example. In '19 or in '20, June of '20, there were some residents, constituents in my district, in a school district that filed a complaint on their superintendent about their school, about teachers teaching in areas they weren't certified to teach in. They filed that in June. The department never looked at it until January 7 of the next year. While they were investigating this issue, the department approved his credentials for another ten years while he

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was under investigation. I don't need to tell you what they did last year when they did the CSE and the CRT. That was brought about because of the department's support for the State Board of Education. So if you have a bill that you're bringing to us, especially in front of me, that you want me to vote for and you credit the Department of Education as being in support, you're probably going to get a no vote out of me. And so the Department of Education supports LB568. That's good enough for me to be no every time. But I also want to leave you with this. I have never spoken to one county attorney who thinks this is a good idea, not one. But for some reason, I'm supposed to vote for something that Omaha or Lincoln or whatever they think this will be a benefit and it should be applied in my counties where not one person thinks it's a good idea. So I will be no on all of these amendments and I'll be no on LB568. And if I have any time left, I would yield that to Senator Moser.

HILGERS: Senator Moser, 2:13.

MOSER: Thank you, Senator Erdman, and thank you, Mr. Speaker. I talked to our county attorneys office about this bill and they're not as, as excited about its passage or upset by its potential passage as some. They already have a diversion plan and they feel that the current system is working. And if we change the law, they're going to try to adapt and, and do the best they can. But I don't get the impression from them, even though they give it kind of tacit approval if it, if it passes. I don't think it's necessary and so I voted against this earlier and I'm going to vote against it again. You know, I, I just don't think it improves accountability for our actions. It-- you know, if, if the kid needs to see the judge in his robe and have the fear of God put in him, you know, maybe that's what they need. I, I think that the--

HILGERS: One minute.

MOSER: --judges and the county attorneys can figure this out without this bill. So that's why I'm not going to vote for it. Thank you.

HILGERS: Thank you, Senator Moser and Senator Erdman. Senator Lowe, you're recognized.

LOWE: Thank you, Mr. Speaker. I'd like to yield my time to Senator Groene.

HILGERS: Senator Groene, 4:51.

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GROENE: Thank you, Senator Lowe. Yes, I accept. I'd like to remind you that-- well, first, I'd like to say yes, I've heard from I think it was Colfax County once, Cuming County, my county, that diversion is really working well. It, a couple of them told me they liked this bill. I said, why, why do you need this bill if it's already working for you? They just went quiet. What they were basically doing is bragging that they're doing it the right way and that's in statute already. But this doesn't-- what this bill does is that mother, that single mother, single parent-- I don't want to be "sexious"-- that single parent turns her own child in and the county attorney, there's no court anymore, the county attorney said-- it goes to county attorney and if the county attorney has time-- I've been trying to talk to my county attorney. They're overwhelmed with meth. Parents under meth, not the kid, the parents-- under 12 and, and trying to take care of those kids and press charges against the parents for truancy and other things and they can't keep their office staffed. Now we're going to tell this county attorney who's overwhelmed that you under no binding law that says you have to press charges for a crime, but we would like you to visit with these parents and act like a social worker and help their kid get into diversion, although they don't have to. All right, now the parent comes back, says, my kid won't go to diversion and diversion says the kid is not in diversion and the mother's crying and saying, what can you do, county attorney? Well, we used to have a last straw, ma'am. We used to have this last straw that we could charge your child with truancy. We could get him into court. It's less than a misdemeanor. The judge could say, you're going on probation and now we've got some accountability. Now we got drug testing, all right? Now we got a bracelet so you can track, track if they're in school or not. That's gone, that's gone. Now you've got an overwhelmed county attorney in Lincoln County. Do you think they're going to have time to work with parents on diversion programs when they can't even keep up with the court, the court docket on juvenile cases and other cases? Remember, they don't just do juvenile. The charge of truancy is not mean, punishing children. It is helping that child. Do you understand that? We're trying to help these children with a charge of truancy so they don't have a record that's a felony. It's not even a misdemeanor, but we can get them into, we can get them into, into probation. This is so basic, common sense. Actually, this part of-- besides what Senator Flood said about what do you do with a 12-year-old murderer, I asked my, my sheriff and my-- one of the judges out there, what happens when a kid's just 12 or 13 years old and completely wiped out on meth? And just destroyed a whole bunch of property and you got him in a police cruiser, what do you do with them? Well, according to what-- Senator Pansing Brooks wants us to hug

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them because we changed that law that I can't put them into a cell for a while. We don't have any place to take them.

HILGERS: One minute.

GROENE: But besides that, this part of juvenile changes has worked, the diversion part. I'm trying to fund it. Senator Pansing Brooks' original bill did not fund it. She just wanted to get rid of truancy because she got a letter in the mail one time. It was the approp-- it was, it was the committee itself that put the funding into the bill with an amendment. That part of it, I agree with. And I think some other senators do too, but we're going to let it die. We're going to kill this thing because nobody talked to me. Oh, I will say one senator did, he's trying to work something out. Truancy works. There's a reason and a purpose for it and it's to help kids. So I am, of course, a red on LB568 and, and some of my friends, I told Senator Flood-- he said AM1510, it makes a, makes a bad bill better. I said no. I said no bad bill can be made better.

HILGERS: That's time, Senator. Thank you, Senator Groene and Senator Lowe. Pursuant to the agenda, we will now turn to the next item. Mr. Clerk.

CLERK: Mr. President, Senator Machaela Cavanaugh would move to withdraw LB1126.

HILGERS: Senator Machaela Cavanaugh, you're recognized to open on your motion.

M. CAVANAUGH: Thank you, Mr. Speaker. Good almost afternoon, colleagues. I would like to withdraw LB1126. It is duplicative from other bills that have been introduced this year and so I wanted to be respectful of the body's time. I hope you will vote green. Thank you.

HILGERS: Thank you, Senator Cavanaugh. Debate is now open on the motion to withdraw. Seeing no one in the queue. Senator Cavanaugh, you're recognized to close. Senator Cavanaugh waives closing. The question before the body is the adoption of the motion to withdraw LB1126. All those in favor vote aye; all those opposed vote nay. Have all those voted who wish to? Please record, Mr. Clerk.

CLERK: 33 ayes, 0 nays on the motion to withdraw the bill.

HILGERS: The motion is adopted. Mr. Clerk for items.

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CLERK: Mr. President, the LR14 was presented to the Secretary of State at 11:29 a.m. Amendments to be printed: Senator Groene, LB568; Senator Arch, LB376; Senator Briese, LB986. Mr. President, the Health Committee has rescheduled their Executive Session for Monday, January 31, at 9:30 a.m. Health Committee at 9:30 a.m. in Room 1510. Name adds: Senator Murman to LB845; Briese, LB906; Brewer, LB1265 and LB1272. New resolution: LR290 offered by Senator Pansing Brooks. That'll be laid over, Mr. President. Senator Friesen would move to adjourn the body until Monday, January 31, at 10:00 a.m.

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