

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

Floor Debate
March 16, 2016

[LB31 LB235 LB289 LB439 LB467A LB467 LB516 LB643 LB680A LB698 LB698A LB716
LB722A LB744 LB745 LB754A LB754 LB783A LB824 LB843 LB867 LB869 LB883 LB894
LB900 LB956 LB957 LB960 LB960A LB977 LB977A LB981 LB1012 LB1038A LB1081
LB1093 LB1097 LR470 LR471 LR472 LR473 LR474 LR485 LR486 LR487 LR488 LR489
LR490 LR491]

SENATOR WATERMEIER PRESIDING

SENATOR WATERMEIER: GOOD MORNING, LADIES AND GENTLEMEN. WELCOME TO THE GEORGE W. NORRIS LEGISLATIVE CHAMBER FOR THE FORTY-THIRD DAY OF THE ONE HUNDRED FOURTH LEGISLATURE, SECOND SESSION. OUR CHAPLAIN FOR TODAY IS SENATOR JIM SCHEER. PLEASE RISE.

SENATOR SCHEER: (PRAYER OFFERED.)

SENATOR WATERMEIER: THANK YOU, SENATOR SCHEER. I CALL TO ORDER THE FORTY-THIRD DAY OF THE ONE HUNDRED FOURTH LEGISLATURE, SECOND SESSION. SENATORS, PLEASE RECORD YOUR PRESENCE. ROLL CALL. MR. CLERK, PLEASE RECORD.

CLERK: I HAVE A QUORUM PRESENT, MR. PRESIDENT.

SENATOR WATERMEIER: THANK YOU, MR. CLERK. ARE THERE ANY CORRECTIONS FOR THE JOURNAL?

CLERK: I HAVE NONE, MR. PRESIDENT.

SENATOR WATERMEIER: ARE THERE MESSAGES, REPORTS, OR ANNOUNCEMENTS?

CLERK: MR. PRESIDENT, I HAVE NEITHER MESSAGES, REPORTS, NOR ANNOUNCEMENTS AT THIS TIME.

SENATOR WATERMEIER: THE CHAIR WOULD LIKE TO RECOGNIZE SPEAKER HADLEY.

Floor Debate
March 16, 2016

SPEAKER HADLEY: GOOD MORNING, MR. PRESIDENT; GOOD MORNING, COLLEAGUES. TODAY WE WILL WORK ON THE GENERAL FILE THAT'S ON THE AGENDA. DEPENDING ON WHAT WE GET DONE TODAY WILL DETERMINE WHAT WE DO TOMORROW. THIS IS A FLOATING TYPE OF CONCEPT WHAT THE AGENDA IS GOING TO BE. BUT I CAN TELL YOU THAT ON FRIDAY WE WILL BE DOING CONSENT AGENDA ON FRIDAY. AND JUST TO LET YOU KNOW, I HAD OVER 80 REQUESTS FOR CONSENT AGENDA. TO PUT THAT IN PERSPECTIVE, SPEAKER FLOOD HAD 20 REQUESTS THE LAST YEAR OF HIS BEING SPEAKER AND SENATOR ADAMS HAD 40 HIS LAST YEAR, SO IT'S GONE UP FOUR TIMES SINCE ABOUT FOUR YEARS AGO. AND IT'S GONE UP TWICE OVER TWO YEARS AGO. SO JUST AS AN ASIDE, THIS IS SOMETHING THAT YOU MIGHT HAVE TO DEAL WITH AND WORK WITH NEXT YEAR AS TO REALLY WHAT YOU WANT DONE IN A CONSENT AGENDA BECAUSE YOU REMEMBER THAT YOU'RE BASICALLY TELLING, GIVING 80 BILLS TO THE SPEAKER AND SAYING DO YOU THINK THIS IS SOMETHING THAT YOU WANT TO BE DEBATED ON THE FLOOR. SO I JUST TO REMIND YOU OF THAT. THE OTHER REASON I'M REMINDING YOU, I DO HAVE TO WHITTLE IT DOWN BECAUSE THEY DO TAKE TIME. AND WHEN WE'RE IN THE POSITION OF WORRYING ABOUT GETTING TO PEOPLE'S PERSONAL PRIORITY BILLS, COMMITTEE PRIORITY BILLS, AND SPEAKER PRIORITY BILLS, TO ME THEY TAKE PRECEDENCE SO THAT THE NUMBER WILL NOT BE 80 THAT COMES OUT OF THE SPEAKER'S OFFICE, BUT IT WILL BE A SIGNIFICANT NUMBER. AND WE WILL DO THOSE ON FRIDAY AND THEY WILL BE ON THE AGENDA TOMORROW AT THE CLOSE OF DAY OR TODAY. TODAY. I CAN'T REMEMBER. TODAY OR TOMORROW. YOU'LL KNOW AHEAD OF TIME, HOW'S THAT? AND SENATOR LARSON, IF YOU HAVE ANY QUESTIONS, COME AND SEE ME. NO. OTHER THAN THAT, I JUST WANTED TO LET YOU KNOW THAT'S WHEN IT IS. NEXT WEEK IS COMPLETELY FLUID ABOUT WHAT WE'RE GOING TO DO DEPENDING, AGAIN, ON HOW FAR WE GET THIS WEEKEND WHERE WE GET TO GOING. SO THANK YOU, MR. PRESIDENT.

SENATOR WATERMEIER: THANK YOU, SPEAKER HADLEY. MR. CLERK, NEXT ITEM ON THE AGENDA.

CLERK: MR. PRESIDENT, THE HEALTH AND HUMAN SERVICES COMMITTEE OFFERS A CONFIRMATION REPORT REGARDING THREE APPOINTEES TO THE RURAL HEALTH ADVISORY COMMISSION. (LEGISLATIVE JOURNAL PAGE 942.)

SENATOR WATERMEIER: THANK YOU. SENATOR HOWARD, YOU'RE RECOGNIZED TO OPEN ON THE CONFIRMATION REPORT.

Floor Debate
March 16, 2016

SENATOR HOWARD: THANK YOU, MR. SPEAKER. SENATOR CAMPBELL IS OUT SICK TODAY AND IN MY ROLE AS VICE CHAIR, I'LL BE PRESENTING OUR APPOINTEES TO THE RURAL HEALTH ADVISORY COMMISSION. OUR FIRST APPOINTEE IS ROGER WELLS. HE IS FROM ST. PAUL, NEBRASKA, AND WORKS AS A PHYSICIAN ASSISTANT AT HOWARD COUNTY MEDICAL CENTER. HE RECEIVED HIS PHYSICIAN ASSISTANT DEGREE FROM THE UNIVERSITY OF NEBRASKA MEDICAL CENTER AND HOLDS CERTIFICATES IN PRIMARY CARE AND SURGERY. PRIOR TO UNMC, HE RECEIVED A MASTER'S OF SCIENCE IN PHYSICAL EDUCATION FROM EASTERN ILLINOIS UNIVERSITY. FROM 2011 TO 2014, ROGER SERVED ON THE NATIONAL ADVISORY COMMISSION ON RURAL HEALTH AND HUMAN SERVICES AND IS A PAST PRESIDENT OF THE NEBRASKA ACADEMY OF PHYSICIAN ASSISTANTS. HE CURRENTLY SERVES ON THE UNMC PRESIDENT'S ADVISORY COUNCIL AND IS ON THE AMERICAN ACADEMY OF PHYSICIAN ASSISTANTS BOARD OF DIRECTORS. DR. REBECCA SCHROEDER IS BEING REAPPOINTED TO THE RURAL HEALTH ADVISORY COMMISSION. DR. SCHROEDER IS A CLINICAL PSYCHOLOGIST IN PRIVATE PRACTICE IN CURTIS AND NORTH PLATTE, NEBRASKA. SHE RECEIVED HER Ph.D. FROM THE UNIVERSITY OF NEVADA AND HER UNDERGRADUATE DEGREE FROM MINNESOTA STATE AT MOORHEAD. DR. SCHROEDER ARRIVED TO NEBRASKA TO PARTICIPATE IN HER PREDOCTORAL PROGRAM AT FAITH REGIONAL IN NORFOLK AND REMAINED IN NEBRASKA FROM THERE. DR. SCHROEDER HAS AN INTEREST NOT ONLY IN RECRUITMENT AND RETENTION OF RURAL HEALTH PRACTITIONERS, BUT ALSO WORKS TO EXPAND ACCESS TO CARE IN RURAL COMMUNITIES. SHE IS WORKING ON INTEGRATION OF BEHAVIORAL HEALTH AND PHYSICAL HEALTH IN CLINICS TO ADDRESS THAT ACCESS ISSUE. DR. JOHN CRAIG IS ALSO UP FOR REAPPOINTMENT TO THE RURAL HEALTH ADVISORY COMMISSION. HE IS CURRENTLY A RESIDENT AT UNMC IN FAMILY MEDICINE, AND HE RECEIVED HIS UNDERGRADUATE DEGREE AT THE UNIVERSITY OF NEBRASKA AT KEARNEY AND HIS MEDICAL DEGREE AT THE MED CENTER. DR. CRAIG CURRENTLY SERVES AS THE FAMILY PRACTICE REPRESENTATIVE ON THE COMMISSION. HE HAS RECENTLY ACCEPTED A POSITION IN HIS HOMETOWN OF MINDEN, NEBRASKA, AND WILL BE STARTING IN AUGUST. DR. CRAIG HAS BEEN VERY COMMITTED TO THE PATIENT-CENTERED MEDICAL HOME CONCEPT, AND HE WILL CONTINUE TO BE AN EXCELLENT RESOURCE ON THE ADVISORY COMMISSION. I WOULD URGE THE BODY'S ADOPTION OF THESE APPOINTMENTS AND REAPPOINTMENTS TO THE RURAL HEALTH ADVISORY COMMISSION. THANK YOU, MR. PRESIDENT.

SENATOR WATERMEIER: THANK YOU, SENATOR HOWARD. MEMBERS, YOU HEARD THE OPENING ON THE CONFIRMATION REPORT FROM THE HEALTH AND HUMAN SERVICES. ARE THERE ANY DISCUSSION? SEEING NONE, SENATOR HOWARD

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

Floor Debate
March 16, 2016

WAIVES CLOSING ON THE ADOPTION OF THE REPORT. THE QUESTION IS THE ADOPTION OF THE REPORT OFFERED BY THE HEALTH AND HUMAN SERVICES COMMITTEE. ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED? RECORD, MR. CLERK.

CLERK: (RECORD VOTE, LEGISLATIVE JOURNAL PAGES 995-996.) 31 AYES, 0 NAYS, MR. PRESIDENT, ON ADOPTION OF THE REPORT.

SENATOR WATERMEIER: THE REPORT IS ADOPTED. NEXT ITEM ON THE AGENDA.

CLERK: MR. PRESIDENT, GENERAL FILE, LB467A. IT'S BY SENATOR KOLTERMAN. (READ TITLE.) [LB467A]

SENATOR WATERMEIER: SENATOR KOLTERMAN, YOU'RE RECOGNIZED TO OPEN ON THE LB. [LB467A]

SENATOR KOLTERMAN: THANK YOU, MR. PRESIDENT. GOOD MORNING, COLLEAGUES. LB467A IS THE A BILL, THE BILL THAT CREATES A SECOND TIER OF REDUCED BENEFITS FOR STATE PATROL OFFICERS. THE A BILL APPROPRIATES \$77,164 IN CASH FUNDS FOR EXPENSES INCURRED BY NPERs TO COVER COSTS FOR ACTUARIAL STUDY. I.T. PROGRAMMING CHANGES IN UPDATING THE STATE PATROL EDUCATIONAL MATERIALS ARE ALSO INCLUDED. THESE COSTS ARE ASSESSED AGAINST THE STATE PATROL PLAN. IT ALSO APPROPRIATES ADDITIONAL MONEY FROM THE GENERAL FUND IN THE NEXT TWO FISCAL YEARS FOR INCREASED COSTS DUE TO CHANGE IN LB467 THAT INCREASED THE EMPLOYER'S STATE CONTRIBUTION RATE MATCH FROM 16 PERCENT TO 17 PERCENT FOR NEW OFFICERS HIRED ON OR AFTER JULY 1 OF 2016. IT'S NOT A LARGE FISCAL NOTE, BUT I WOULD ENCOURAGE YOU TO VOTE GREEN ON THIS. THANK YOU. [LB467A LB467]

SENATOR WATERMEIER: THANK YOU, SENATOR KOLTERMAN. (VISITORS INTRODUCED.) MEMBERS, YOU'VE HEARD THE OPENING ON LB467A. THE FLOOR IS OPEN FOR DISCUSSION. SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB467A]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT AND MEMBERS OF THE LEGISLATURE, SINCE THIS IS THE PLACE ON THE AGENDA WHERE WE HAVE BILLS THAT NOT ONLY ARE NONCONTROVERSIAL, THEY ARE NOT OF INTEREST TO MOST PEOPLE. I WATCH THEM. AND SINCE ANNOUNCEMENTS USUALLY ARE

Floor Debate
March 16, 2016

MADE AT THE BEGINNING OF A DAY, I HAVE BEEN ASKED BY PEOPLE IN VIEW OF SOME OF THE COMMENTS I MADE THE OTHER DAY, WOULD I SABOTAGE THE CONSENT CALENDAR? I HAD TOLD THE SPEAKER THAT IF ANYTHING HAPPENED THAT WAS SO UPSETTING TO ME THAT I WOULD MESS WITH CONSENT CALENDAR, I WOULD LET HIM KNOW, WHICH I HAVE NOT DONE. BUT TO LET EVERYBODY REST AT EASE, A DEAL HAD BEEN MADE WHICH SOME PEOPLE MAY HAVE FORGOTTEN, WHICH I ENTERED INTO VOLUNTARILY. THERE WAS A CERTAIN ACTION THAT I FELT SHOULD BE TAKEN; AND IF IT WERE NOT, THEN IT MIGHT LEAD ME TO DO THINGS WITH CONSENT CALENDAR. THE ACTION WAS TAKEN AND I WAS SATISFIED, AND I MADE IT CLEAR THAT IF I MAKE A DEAL, I'M NOT GOING TO BREAK IT. AND TO UNDERSCORE THE SERIOUSNESS OF MY INTENT AND TO REASSURE PEOPLE THAT MY WORD COULD BE ACCEPTED, SENATOR KOLTERMAN, BECAUSE THIS IS YOUR BILL, I HAD MADE REFERENCE TO HOW THE DEVIL IS PORTRAYED IN LITERATURE. WHEN THIS BEING WOULD MAKE A DEAL WITH SOMEBODY, THE STAKES ALWAYS WOULD BE THE PERSON'S SOUL, WHATEVER THAT MAY BE. AND THE DEVIL NEVER VIOLATED HIS AGREEMENT. EVERY t WAS CROSSED, EVERY i WAS DOTTED. AND IF THE DEVIL SIGNED HIS NAME TO SOMETHING, YOU COULD TAKE THAT TO THE BANK. SO I HAVE AS MUCH INTEGRITY AS THE DEVIL WHEN IT COMES TO GIVING MY WORD. I WOULD NOT TELL, FOR EXAMPLE, A GROUP OF PEOPLE THAT IF YOU LET ME ON TO YOUR LAND, I WILL RESPECT YOU AND YOUR LAND, THEN VIOLATE WHAT WAS IN THOSE DAYS CALLED A TREATY AND STEAL THAT LAND FROM THOSE PEOPLE. IF THOSE PEOPLE HAD BEEN WORKING WITH THE DEVIL AND THOSE PEOPLE GAVE THEIR WORD TO THE DEVIL THAT SUCH AND SUCH WOULD BE THE AGREEMENT AND THEY BELIEVED IN KEEPING THEIR WORD, THEY COULD COUNT ON THE DEVIL. AND THOSE PEOPLE TO THIS DAY WOULD NOT BE ON LITTLE PIECES OF LAND, LITTLE PATCHES OF LAND THAT ARE CALLED RESERVATIONS BECAUSE THEY TRUSTED PEOPLE WHO DID NOT BELIEVE IN KEEPING THEIR WORD. IN THIS INSTANCE, I'M ON THE SIDE OF THE DEVIL. I BELIEVE THAT IF A TREATY IS ENTERED INTO, IT SHOULD BE KEPT BY BOTH PARTIES. SO WHEREAS EVERYTHING ELSE AS FAR AS I'M CONCERNED IS FAIR GAME FOR ME IN WHAT I CHOOSE TO DO THE REST OF THIS SESSION, CONSENT CALENDAR IS OFF MY RADAR SCREEN. I'D LIKE TO ASK SPEAKER HADLEY A QUESTION, IF HE'S AVAILABLE. [LB467A]

SENATOR WATERMEIER: SPEAKER HADLEY FOR A QUESTION. [LB467A]

SPEAKER HADLEY: YES. [LB467A]

Floor Debate
March 16, 2016

SENATOR CHAMBERS: SPEAKER HADLEY, I WAS LISTENING DOWNSTAIRS AND YOU SAID THAT PEOPLE WOULD HAVE NOTICE IN ADVANCE WHAT BILLS WOULD BE ON CONSENT CALENDAR. BUT WHAT I WANT TO KNOW, IS THE DAY FOR CONSENT CALENDAR FRIDAY? [LB467A]

SPEAKER HADLEY: YES. [LB467A]

SENATOR CHAMBERS: THANK YOU. OH, GO AHEAD. [LB467A]

SPEAKER HADLEY: CAN I JUST SAY ONE OTHER QUICK THING? [LB467A]

SENATOR CHAMBERS: CERTAINLY. [LB467A]

SPEAKER HADLEY: I HAD MISSPOKEN. AND I...NORMALLY NOT CLEAR ON THINGS. IF YOU LOOK AT THE AGENDA AT THE END OF TODAY, IT WILL LIST THE CONSENT CALENDAR BILLS THAT WE WILL TAKE UP ON FRIDAY, SENATOR CHAMBERS. [LB467A]

SENATOR WATERMEIER: ONE MINUTE. [LB467A]

SENATOR CHAMBERS: I MAY AS WELL ASK SENATOR HADLEY ONE MORE QUESTION SINCE HE IS ON HIS FEET. SENATOR HADLEY, HAVE YOU HEARD THE EXPRESSION "GOOD FRIDAY" BEFORE? [LB467A]

SPEAKER HADLEY: I'VE HEARD "GOOD FRIDAY." I DON'T KNOW "GOOD FRIDAY BEFORE," NO. [LB467A]

SENATOR CHAMBERS: NO. HAVE YOU HEARD THE EXPRESSION "GOOD FRIDAY"? [LB467A]

SPEAKER HADLEY: YES. [LB467A]

SENATOR CHAMBERS: COULD ANYTHING MAKE FRIDAY A BETTER FRIDAY THAN IF I WERE NOT TO SHOW UP AT ALL? [LB467A]

SPEAKER HADLEY: OH, NO. WE NEED YOU TO GIVE US GUIDANCE AND HELP AS WE NAVIGATE THE WATERS OF LEGISLATION. [LB467A]

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

Floor Debate
March 16, 2016

SENATOR CHAMBERS: HERE'S WHAT THE LAWYERS SAY: DON'T ASK A QUESTION UNLESS YOU KNOW WHAT THE ANSWER IS. AND THE SPEAKER KIND OF THREW ME A CURVE, SO WITH THAT, I'M THROUGH FOR TODAY, THANK YOU, ON THIS POINT. THANK YOU. [LB467A]

SENATOR WATERMEIER: THANK YOU, SENATOR CHAMBERS AND SPEAKER HADLEY. SEEING NO ONE ELSE IN THE QUEUE, SENATOR KOLTERMAN WAIVES CLOSING. MEMBERS, THE QUESTION BEFORE YOU IS LB467A. ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB467A]

CLERK: 26 AYES, 0 NAYS, MR. PRESIDENT ON THE ADVANCEMENT OF LB467A. [LB467A]

SENATOR WATERMEIER: THE BILL DOES ADVANCE. NEXT ITEM. [LB467A]

CLERK: LB722A IS A BILL BY SENATOR BAKER. (READ TITLE.) [LB722A]

SENATOR WATERMEIER: SENATOR BAKER, YOU'RE RECOGNIZED TO OPEN ON LB722A. [LB722A]

SENATOR BAKER: THANK YOU, MR. PRESIDENT. THIS IS A BILL FOR THE STROKE SYSTEM OF CARE ACT. IT ACTUALLY MENTIONED WHAT THE FIGURES WERE WHEN THE BILL CAME UP LAST TIME, BUT THIS OFFICIALLY, THE A BILL. AND IT IS \$74,646 IN FISCAL YEAR '16-17 AND \$84,492 IN '17-18. THE ORIGINAL BILL, IF YOU LOOK AT THAT FISCAL NOTE, IT WAS \$248,000 IN THE FIRST YEAR AND \$300,000 IN THE SECOND. SO THE AMENDMENTS THAT WE TALKED ABOUT AND GOT ADOPTED REDUCED THAT FISCAL NOTE. THANK YOU, MR. PRESIDENT. [LB722A]

SENATOR WATERMEIER: THANK YOU, SENATOR BAKER. MEMBERS, YOU'VE HEARD THE OPENING ON LB722A. SEEING NO ONE IN THE QUEUE, SENATOR BAKER, YOU'RE RECOGNIZED TO CLOSE. SENATOR BAKER WAIVES CLOSING. THE QUESTION BEFORE US IS THE ADOPTION OF LB722A. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB722A]

CLERK: 31 AYES, 1 NAY, MR. PRESIDENT, ON THE ADVANCEMENT OF LB722A. [LB722A]

Floor Debate
March 16, 2016

SENATOR WATERMEIER: THE BILL DOES ADVANCE. (DOCTOR OF THE DAY INTRODUCED.) MR. CLERK, NEXT ITEM. [LB722A]

CLERK: LB754A IS A BILL BY SENATOR CRAWFORD. (READ TITLE.) [LB754A]

SENATOR WATERMEIER: SENATOR CRAWFORD, YOU'RE RECOGNIZED TO OPEN. [LB754A]

SENATOR CRAWFORD: THANK YOU, MR. PRESIDENT, AND GOOD MORNING, COLLEAGUES. LB754A IS THE A BILL FOR LB754 WHICH ADVANCED ON A 30-0 VOTE ON GENERAL FILE LAST WEEK. LB754 ESTABLISHES THE COMMISSION ON MILITARY AND VETERAN AFFAIRS AND A POINT PERSON TO WORK WITH THE GOVERNOR TO ASSIST THE STATE IN ATTRACTING AND RETAINING MISSIONS AT OUR MILITARY INSTALLATIONS AND TO HELP LEVERAGE ECONOMIC DEVELOPMENT OPPORTUNITIES IN OUR COMMUNITIES TIED TO THESE INSTALLATIONS ACROSS THE STATE. LB754A INCLUDES THE SALARY OF THE POINT PERSON, THE MILITARY LIAISON, AND A STAFF ASSISTANT AND TRAVEL COSTS FOR THE CITIZEN COMMISSIONERS. THE STAFF ASSISTANT POSITION WAS NECESSARY BECAUSE THE DEPARTMENT OF VETERANS' AFFAIRS, WHICH WILL HOUSE THE COMMISSION, HAS REACHED ITS PSL. LB754A IS A SMALL INVESTMENT IN THE STATE OF NEBRASKA'S ECONOMIC FUTURE. WITH THAT, I ENCOURAGE YOU TO VOTE GREEN ON LB754A TO ENSURE THAT NEBRASKA IS IN THE BEST POSITION TO SERVE NEBRASKA'S MILITARY AND VETERAN FAMILIES, AS WELL AS TO COMPETE FOR NEW MISSIONS AND OPPORTUNITIES FOR OUR MILITARY INSTALLATIONS AND TO LEVERAGE THEM FOR ECONOMIC DEVELOPMENT ACROSS THE STATE. THANK YOU, MR. PRESIDENT. [LB754A LB754]

SENATOR WATERMEIER: THANK YOU, SENATOR CRAWFORD. MEMBERS, YOU'VE HEARD THE OPENING ON LB754A. ANYONE HERE TO SPEAK? SEEING NONE, SENATOR CRAWFORD, RECOGNIZED TO...RECOGNIZED TO CLOSE, EXCUSE ME. SENATOR CRAWFORD WAIVES HER CLOSING. MEMBERS, THE QUESTION BEFORE YOU IS LB754A. ALL THOSE IN FAVOR SIGNIFY AYE; THOSE OPPOSED, NAY. RECORD, MR. CLERK. [LB754A]

CLERK: 28 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADVANCEMENT OF LB754A. [LB754A]

SENATOR WATERMEIER: THE BILL DOES ADVANCE. NEXT ITEM. [LB754A]

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

Floor Debate
March 16, 2016

CLERK: SENATOR SMITH OFFERS LB977A. (READ TITLE.) [LB977A]

SENATOR WATERMEIER: SENATOR SMITH, YOU ARE RECOGNIZED TO OPEN ON THE A BILL. SENATOR BRASCH FOR THE TRANSPORTATION DEPARTMENT (SIC), WOULD YOU BE INTERESTED IN OPENING? [LB977A]

SENATOR BRASCH: THANK YOU, MR. PRESIDENT, AND THANK YOU, COLLEAGUES. WHAT LB977A DOES IS IT INCREASES THE EXPENDITURES OF THE DMV TO \$10,379 OF CASH FUNDS IN 2016-2017 TO MODIFY THE VEHICLE TITLING AND REGISTRATION PLATE MANAGEMENT COMPUTER SYSTEMS TO ACCOMMODATE THE NEW BREAST CANCER AWARENESS PLATES. MR. SPEAKER, CAN I YIELD THE REST OF MY TIME TO CHAIRMAN SMITH? [LB977A]

SENATOR WATERMEIER: YES. CHAIRMAN SMITH, 9:00. [LB977A]

SENATOR SMITH: SENATOR BRASCH, I'M SO SORRY FOR THAT. THANK YOU FOR TRYING TO COVER FOR ME. I HAD STEPPED OUT INTO THE ROTUNDA. YES. THE TRANSPORTATION AND TELECOMMUNICATIONS COMMITTEE AMENDMENT TO LB900, THE AMENDMENT SUBSTITUTES FOR THE BILL OR RETAINS THE INTRODUCED LANGUAGE RELATING TO MOTORCYCLE HELMET USE AND THE...I'M SORRY. I'M SORRY, I'M ON THE WRONG BILL. WE'RE ON THE IMPLEMENTS OF HUSBANDRY. MY GOODNESS. [LB977A]

SENATOR WATERMEIER: THE BILL BEFORE US IS LB977A. [LB977A]

SENATOR SMITH: ALL RIGHT. LB977, MY APOLOGIES, MR. PRESIDENT. LB977 IS A COMPREHENSIVE OMNIBUS BILL THAT WAS INTRODUCED AND PRIORITIZED BY THE TRANSPORTATION AND TELECOMMUNICATIONS COMMITTEE. THE BILL CONTAINED A NUMBER OF COMPONENT BILLS. THE PRIMARY WAS THE IMPLEMENTATION OF HUSBANDRY, AND THE A BILL IS SIMPLY A BILL TO FINANCE THAT COMPONENT. AND THAT REALLY CONCLUDES THIS, MR. PRESIDENT. THANK YOU. [LB977A LB977]

SENATOR WATERMEIER: THANK YOU, SENATOR SMITH. AND IN THE SPIRIT OF EASTER, EVERYTHING IS RESURRECTION TODAY. YOU'VE HEARD THE OPENING...MEMBERS, YOU'VE HEARD THE OPENING ON LB977A. ARE THERE ANY DISCUSSION? SENATOR SMITH, YOU'RE RECOGNIZED TO CLOSE. SENATOR SMITH WAIVES CLOSING ON LB977A. MEMBERS, THE QUESTION BEFORE THE BODY IS

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

Floor Debate
March 16, 2016

THE ADOPTION OF LB977A. ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB977A]

CLERK: 29 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADVANCEMENT OF LB977A. [LB977A]

SENATOR WATERMEIER: THE BILL DOES ADVANCE. MR. CLERK, NEXT ITEM. [LB977A]

CLERK: MR. PRESIDENT, SELECT FILE, I HAVE LB698A. NO ENROLLMENT AND REVIEW. SENATOR CAMPBELL WOULD MOVE TO AMEND. (AM2593, LEGISLATIVE JOURNAL PAGE 988.) [LB698A]

SENATOR WATERMEIER: SENATOR CRAWFORD, YOU'RE RECOGNIZED TO OPEN ON YOUR AMENDMENT TO LB698A. [LB698A]

SENATOR CRAWFORD: THANK YOU, MR. PRESIDENT, AND GOOD MORNING, COLLEAGUES. SENATOR CAMPBELL IS OUT TODAY SO I'M INTRODUCING THIS AMENDMENT TO THE A BILL FOR LB698. LB698 IS OUR CONSUMER PROTECTION BILL AND IT INCLUDES SEVERAL CONSUMER PROTECTIONS IN THAT BILL. ONE COMPONENT OF THAT BILL WAS THE BILL THAT I CARRIED ON BEHALF OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, LB869. AND THAT WAS A BILL THAT IS REQUIRED BY...THAT THE DEPARTMENT IS REQUIRED TO PASS TO COMPLY WITH FEDERAL REQUIREMENTS, BUT ALSO TO PROTECT OUR MEDICAID PATIENTS. AND THE BILL REQUIRES THAT CERTAIN HIGH-RISK PROVIDERS ARE FINGERPRINTED AND HAVE A BACKGROUND CHECK. AND THIS AMENDMENT IS A CASH FUND APPROPRIATION. IT'S A CASH FUND APPROPRIATION TO PAY FOR OUT OF THE NEBRASKA STATE PATROL CASH FUND, TO PAY FOR THAT FINGERPRINTING AND SO I URGE YOUR VOTE. THE AMENDMENT ITSELF HAS AN EMERGENCY CLAUSE, SO I WOULD LIKE TO ENSURE WE HAVE ENOUGH GREEN VOTES TO REACH THAT THRESHOLD AS WELL. SO I URGE YOUR GREEN VOTE ON AM2593. [LB698A LB698 LB869]

SENATOR WATERMEIER: THANK YOU, SENATOR CRAWFORD. MEMBERS, YOU'VE HEARD THE OPENING ON THE AMENDMENT, AM2593, ON THE LEGISLATIVE BILL. ARE THERE DISCUSSION? MEMBERS, I WOULD LIKE TO ANNOUNCE THE CUPCAKES TODAY ARE IN HONOR OF SENATOR KOLTERMAN'S BIRTHDAY. HAPPY 50th BIRTHDAY, SENATOR KOLTERMAN. SENATOR CRAWFORD, SEEING NO ONE IN THE QUEUE, YOU'RE RECOGNIZED TO CLOSE ON THE AMENDMENT. [LB698A]

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

Floor Debate
March 16, 2016

SENATOR CRAWFORD: I WAS JUST INFORMED THAT WE DON'T NEED THE 33 VOTES UNTIL LATER, SO I WON'T DO A CALL OF THE HOUSE. BUT I URGE YOUR GREEN VOTE ON AM2593, PLEASE. [LB698A]

SENATOR WATERMEIER: THANK YOU, SENATOR CRAWFORD. MEMBERS, YOU'VE HEARD THE CLOSING ON THE AMENDMENT TO LB698A. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB698A]

CLERK: 27 AYES, 0 NAYS ON SENATOR CRAWFORD'S AMENDMENT. [LB698A]

SENATOR WATERMEIER: THE AMENDMENT IS ADOPTED. [LB698A]

CLERK: I HAVE NOTHING FURTHER ON THE BILL, MR. PRESIDENT. [LB698A]

SENATOR WATERMEIER: SENATOR HANSEN FOR A MOTION. [LB698A]

SENATOR HANSEN: MR. PRESIDENT, I MOVE WE ADVANCE LB698A TO E&R FOR ENGROSSING. [LB698A]

SENATOR WATERMEIER: MEMBERS, ALL THOSE IN FAVOR VOTE AYE FOR THE AMENDMENT. OPPOSED, NAY. THE BILL DOES PASS TO E&R. MR. CLERK, NEXT ITEM. [LB698A]

CLERK: MR. PRESIDENT, GENERAL FILE, SENATOR PANSING BROOKS OFFERS LB843. (READ TITLE.) THE BILL WAS INTRODUCED ON JANUARY 8 OF THIS YEAR, REFERRED TO THE JUDICIARY COMMITTEE, ADVANCED TO GENERAL FILE. THERE ARE JUDICIARY COMMITTEE AMENDMENTS PENDING. (AM2335, LEGISLATIVE JOURNAL PAGE 778.) [LB843]

SENATOR WATERMEIER: SENATOR PANSING BROOKS, YOU ARE RECOGNIZED TO OPEN. [LB843]

SENATOR PANSING BROOKS: THANK YOU, MR. PRESIDENT. GOOD MORNING, COLLEAGUES. HAPPY ST. PATRICK'S DAY EVE. LB843 AMENDS THE STATUTE THAT CRIMINALIZES THE ACT OF PROSTITUTION. I'VE HAD SEVERAL MEETINGS WITH ATTORNEY GENERAL PETERSON, LANCASTER COUNTY ATTORNEY JOE KELLY, AS WELL AS DOUGLAS COUNTY ATTORNEY DON KLEINE. I FULLY APPRECIATE

Floor Debate
March 16, 2016

THEIR DESIRE TO WORK WITH ME AND THE LEGISLATURE TO FIND WAYS TO BEST ADDRESS THIS VERY SERIOUS ISSUE OF HUMAN TRAFFICKING AND PROSTITUTION. DURING THOSE MEETINGS, WE DRAFTED AND AGREED ON LANGUAGE THAT WE WERE ALL COMFORTABLE WITH BEFORE THE HEARING ON THE BILL, AND I PRESENTED AN AMENDMENT TO THE JUDICIARY COMMITTEE REFLECTING THAT LANGUAGE. THAT AMENDMENT IS PART OF THE JUDICIARY COMMITTEE AMENDMENT. IT WILL PROVIDE IMMUNITY FROM PROSECUTION FOR PROSTITUTION FOR ANYONE WHO IS A VICTIM OF TRAFFICKING NO MATTER THEIR AGE. WE KNOW, COLLEAGUES, THAT A HUGE PORTION OF THESE VICTIMS ARE FORCED OR COERCED INTO PROSTITUTION AND DO NOT ATTEMPT TO LEAVE OR REPORT THEIR PREDICAMENT FOR FEAR OF BEING PROSECUTED CRIMINALLY FOR THEIR BEHAVIOR. THIS MAKES THE BATTLE AGAINST HUMAN TRAFFICKING VERY DIFFICULT FOR LAW ENFORCEMENT. VICTIMS ARE AWARE THAT PROSTITUTION IS ILLEGAL AND TOO OFTEN THEY AVOID LAW ENFORCEMENT AND GOVERNMENT HELP FOR FEAR OF ARREST AND PROSECUTION, EVEN THOUGH THEY THEMSELVES ARE VICTIMS OF HUMAN TRAFFICKING. THE HUMAN TRAFFICKING OF WOMEN, MEN, AND CHILDREN FOR SEXUAL OR LABOR PURPOSES IS THE EPITOME OF OUR MODERN DAY SLAVERY. LUCRETIA MOTT ONCE SAID, "I HAVE NO IDEA OF SUBMITTING TAMELY TO INJUSTICE INFLICTED EITHER ON ME OR THE SLAVE. I WILL OPPOSE IT WITH ALL THE MORAL POWERS WITH WHICH I AM ENDOWED. I AM NO ADVOCATE OF PASSIVITY." SIMILARLY, COLLEAGUES, I AM NO ADVOCATE OF PASSIVITY. WE MUST DO EVERYTHING WE CAN TO STOP THIS CONTINUED SALE AND ABUSE OF HUMAN FLESH. THE UNITED NATIONS DEFINES HUMAN TRAFFICKING AS "THE RECRUITMENT, TRANSPORTATION, HARBORING OR RECEIPT OF PERSONS BY IMPROPER MEANS SUCH AS FORCE, ABDUCTION, FRAUD, OR COERCION FOR AN IMPROPER PURPOSE, INCLUDING FORCED LABOR OR SEXUAL EXPLOITATION." WHILE IT SEEMS IMPOSSIBLE TO MOST NEBRASKA CITIZENS TO BELIEVE THAT HUMAN TRAFFICKING IS PRESENT IN NEBRASKA, FACTS CLEARLY SHOW THE CONTRARY. LAW ENFORCEMENT AGENCIES AGREE THAT THE EXISTENCE OF INTERSTATE 80, COUPLED WITH INTERNET SEX ADVERTISING AND THE PROXIMITY OF THE CASINOS ACROSS THE RIVER MAKES NEBRASKA ESPECIALLY VULNERABLE TO HUMAN TRAFFICKING. THERE IS PLENTY OF EVIDENCE THAT TRAFFICKING IS A COMMON OCCURRENCE AT EVENTS LIKE THE COLLEGE WORLD SERIES, NEBRASKA FOOTBALL WEEKENDS, THE STATE FAIR, AND EVEN THE ANNUAL BERKSHIRE HATHAWAY SHAREHOLDERS' MEETINGS. BECAUSE HUMAN TRAFFICKING TAKES ADVANTAGE OF A REUSABLE COMMODITY, HUMAN FLESH, IT IS A VERY PROFITABLE CRIMINAL ACTIVITY, SECOND ONLY TO THE DRUG TRAFFICKING SYSTEM. THERE HAS LONG BEEN THE PERCEPTION THAT PROSTITUTION IS A VICTIMLESS CRIME. THAT COULD NOT BE FARTHER FROM

Floor Debate
March 16, 2016

THE TRUTH. WE NEED TO REALIZE THAT A MAJORITY OF THE PROSTITUTES WERE VICTIMS OF SEXUAL ABUSE AS CHILDREN. SEXUAL ABUSE AT A YOUNG AGE SETS THESE YOUNG WOMEN AND MEN UP FOR PROSTITUTION BY DESENSITIZING THEM FROM THE EXPERIENCE. THEY COME TO BELIEVE THAT THIS IS THEIR VALUE AND THAT THIS IS WHAT IS EXPECTED OF THEM. STATISTICS TELL US THAT THE AVERAGE AGE OF WHEN A CHILD IS FIRST COMMERCIALY SEXUALLY EXPLOITED IS 13. THIRTEEN, COLLEAGUES, IS THE AVERAGE AGE THAT A CHILD IS FIRST SEXUALLY EXPLOITED COMMERCIALY. THE STEPS WE TOOK LAST YEAR BY RECOGNIZING THAT CHILDREN, MOST OF WHOM ARE NOT OLD ENOUGH TO CONSENT TO SEX, SHOULD NOT BE CHARGED WITH PROSTITUTION, RATHER THAT THEY ARE VICTIMS OF THE CRIME. NOW IT IS TIME FOR US TO RECOGNIZE THAT JUST BECAUSE THEY TURN 18, THEY'RE NO LESS VICTIMS. WHEN THE WOMEN...WHETHER THE WOMAN IS IN A HOTEL ROOM OR ON A SIDE STREET IN SOMEONE'S CAR, WHETHER SHE'S TRAFFICKED FROM COUNCIL BLUFFS TO OMAHA OR FROM ARIZONA TO NEBRASKA OR FROM THE CITY TO THE SUBURBS OR THE VICTIM IS A YOUNG WOMAN OR A YOUNG MAN, THE EXPERIENCE OF BEING PROSTITUTED CAUSES IMMENSE PSYCHOLOGICAL AND PHYSICAL HARM. MOST PROSTITUTES HAVE MEN WHO CONTROL THEM PHYSICALLY, EMOTIONALLY, AND ECONOMICALLY. THIS IS CLEARLY NOT A VICTIMLESS CRIME. WITH THAT, I THANK YOU FOR YOUR TIME. I ASK FOR YOUR SUPPORT. SENATOR SEILER WILL TALK ABOUT THE AMENDMENT THAT IS ALSO A PART OF THIS BILL, AND IT'S A VERY IMPORTANT AMENDMENT, WHICH SENATOR MORFELD IS BRINGING. THANK YOU, MR. PRESIDENT. [LB843]

SENATOR WATERMEIER: THANK YOU, SENATOR PANSING BROOKS. AS THE CLERK STATED, THERE ARE AMENDMENTS FROM THE JUDICIARY COMMITTEE. SENATOR SEILER, AS THE CHAIR, YOU ARE RECOGNIZED TO OPEN ON YOUR COMMITTEE AMENDMENTS. [LB843]

SENATOR SEILER: THANK YOU, MR. PRESIDENT AND MEMBERS OF LEGISLATURE. LB843 WITH AM2335 ADVANCED FROM THE JUDICIARY COMMITTEE BY UNANIMOUS VOTE WITH ALL EIGHT MEMBERS PRESENT. MAKES TWO CHANGES: THE FIRST CHANGE IS TO ADD BACK INTO THE GREEN BILL THAT IT IS AN AFFIRMATIVE DEFENSE TO PROSECUTION UNDER THIS SECTION THAT SUCH PERSON WAS TRAFFICKING...WAS A TRAFFICKING VICTIM. THE SECOND CHANGE IS THAT "A PERSON ENGAGING IN THOSE ACTS AS A DIRECT RESULT OF BEING A TRAFFICKING VICTIM AS DEFINED IN SECTION 28-830, SUCH PERSON SHALL BE IMMUNE FROM PROSECUTION FOR A PROSTITUTION OFFENSE." AT THIS TIME, I'D LIKE TO TRANSFER TO SENATOR MORFELD MY TIME TO INTRODUCE THE REST OF THE AMENDMENTS. [LB843]

Floor Debate
March 16, 2016

SENATOR WATERMEIER: SENATOR MORFELD, 9:00. [LB843]

SENATOR MORFELD: THANK YOU, MR. PRESIDENT. MR. SPEAKER, MEMBERS, LB1097 WAS INCLUDED IN THIS AMENDMENT AND WOULD CREATE WITHIN THE DEPARTMENT OF JUSTICE UNDER THE DIRECTION OF THE ATTORNEY GENERAL, THE POSITION OF ADMINISTRATOR FOR THE SEXUAL ASSAULT PAYMENT PROGRAM. THE PURPOSE OF THE PROGRAM AND THE RESPONSIBILITIES OF THE ADMINISTRATOR IS TO COORDINATE THE DISTRIBUTION OF FORENSIC SEXUAL ASSAULT MEDICAL EXAMINATION KITS TO HEALTHCARE PROVIDERS AT NO COST TO THE PROVIDERS. WOULD ALSO OVERSEE MEDICAL TRAINING THROUGHOUT THE STATE AND ADMINISTER THE SEXUAL ASSAULT PROGRAM CASH FUND. LB1097 CAME ABOUT AFTER DISCUSSIONS WITH THE ATTORNEY GENERAL ON THE IMPORTANCE OF ADDRESSING THE ISSUE OF SEXUAL ASSAULT AND ABOUT THE NEED FOR A STATEWIDE FUND TO COVER THE COST OF SEXUAL ASSAULT EXAMINATIONS, AS WELL AS INCREASE TRAINING AND OUTREACH ON THIS IMPORTANT ISSUE. THE FEDERAL VIOLENCE AGAINST WOMEN ACT ADMINISTERED BY THE UNITED STATES DEPARTMENT OF JUSTICE PROVIDES VICTIMS MAY NOT BE BILLED FOR THE COST OF SEXUAL ASSAULT EXAM, REGARDLESS OF WHETHER HE OR SHE CHOOSES TO PARTICIPATE IN THE CRIMINAL JUSTICE SYSTEM. THE CURRENT SYSTEM IN NEBRASKA PLACES THE BURDEN OF PAYING FOR THESE EXAMINATIONS ON THE PRIMARY INVESTIGATING AGENCY. THIS BILL IS DESIGNED TO PROVIDE GREATER ACCESS FOR VICTIMS ACROSS NEBRASKA TO MEDICAL PERSONNEL TRAINED IN SEXUAL ASSAULT EXAMINATIONS AND TO DELIVER A HIGHER STANDARD OF CARE DURING THE PROCEDURES. THIS WILL BE DONE BY FIRST ESTABLISHING THE POSITION OF THE STATEWIDE SEXUAL ASSAULT NURSE EXAMINER, COMMONLY KNOWN AS A SANE ADMINISTRATOR; AND SECOND, SHIFTING THE BURDEN OF PAYING FOR THESE EXAMINATIONS FROM LOCAL LAW ENFORCEMENT AGENCIES TO THE NEWLY CREATED STATEWIDE FUND, WHICH MAY ALSO USE THE FEDERAL FUNDS. AFTER THE CREATION OF A STABLE SOURCE OF INCOME, THIS BILL WILL ENCOURAGE MEDICAL PROVIDERS ACROSS THE STATE TO ESTABLISH SANE PROGRAMS, WHERE THEY ARE LACKING OR IMPROVE THEIR CURRENT PROCEDURES AND STAFF MEMBERS. THE STATEWIDE SANE ADMINISTRATOR WOULD COORDINATE THE DISTRIBUTION OF THESE FORENSIC MEDICAL EXAMINATION KITS AT NO COST TO THE MEDICAL PROVIDERS, OVERSEE TRAINING AND OUTREACH INITIATIVES THROUGHOUT THE STATE, AND ADMINISTER THE SEXUAL ASSAULT PAYMENT PROGRAM FUND. THE PROGRAM FUND WOULD ALSO BE USED TO FACILITATE PROGRAMS THAT REDUCE OR PREVENT CRIMES OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING AND SEX TRAFFICKING. PLEASE NOTE THAT THERE IS NO

Floor Debate
March 16, 2016

FISCAL IMPACT IN THIS BILL AS THE INTENTION IS THAT IT SHOULD BE FUNDED THROUGH A GRANT THROUGH THE VIOLENCE AGAINST WOMEN ACT. THIS LEGISLATION WILL PROVIDE CRITICAL SUPPORT TO THE VICTIMS OF SEXUAL ASSAULT AND WILL ENSURE HIGH-QUALITY CARE AND RESOURCES TO BRING TO THOSE WHO COMMIT THESE, EXCUSE ME, AND BRING THOSE WHO COMMIT THESE CRIMES TO JUSTICE STATEWIDE. I'D LIKE TO THANK THE ATTORNEY GENERAL FOR PROVIDING LEADERSHIP ON THIS IMPORTANT ISSUE AND FOR SENATOR PANSING BROOKS FOR ALLOWING ME TO AMEND IT TO HER BILL. AND I WOULD ENCOURAGE FAVORABLE SUPPORT. THANK YOU. [LB843 LB1097]

SENATOR WATERMEIER: THANK YOU, SENATOR MORFELD AND SENATOR SEILER. MEMBERS, YOU'VE HEARD THE OPENING ON THE AM2335 TO LB843. THE FLOOR IS OPEN FOR DISCUSSION. SENATOR FOX, YOU ARE RECOGNIZED. [LB843]

SENATOR FOX: THANK YOU, MR. PRESIDENT. GOOD MORNING, COLLEAGUES, AND GOOD MORNING, NEBRASKA. I RISE IN SUPPORT OF LB843. SHORTLY AFTER MY APPOINTMENT, I MET JULIE SHRADER FROM OMAHA, WHO FOUNDED REJUVENATING WOMEN, AND THIS IS A GROUP THAT DEALS WITH THE SEX TRAFFICKING TRADE. WE'VE HAD MULTIPLE DISCUSSIONS ABOUT SEX TRAFFICKING IN NEBRASKA AND, UNFORTUNATELY, IT FLOURISHES HERE. AS MY COLLEAGUE, SENATOR PANSING BROOKS STATED, UPCOMING POPULAR EVENTS SUCH AS THE BERKSHIRE HATHAWAY MEETING, THE COLLEGE WORLD SERIES, AND HUSKER FOOTBALL GAMES WILL BRING INCREASED OPPORTUNITIES FOR THIS TRAFFICKING. IT'S TIME TO INCREASE AWARENESS AND TO PROSECUTE OFFENDERS, AND IT'S TIME TO END THE SUFFERING OF THE VICTIMS. SO, COLLEAGUES, I DO URGE YOUR GREEN VOTE ON LB843 AND ITS AMENDMENT. THANK YOU. [LB843]

SENATOR WATERMEIER: THANK YOU, SENATOR FOX. SENATOR BLOOMFIELD, YOU ARE RECOGNIZED. [LB843]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. GOOD MORNING, COLLEAGUES. I WONDER IF SENATOR PANSING BROOKS WOULD YIELD TO A QUESTION OR TWO. [LB843]

SENATOR WATERMEIER: SENATOR PANSING BROOKS, FOR A QUESTION? [LB843]

SENATOR PANSING BROOKS: YES, THANK YOU. I WOULD BE HAPPY TO. [LB843]

Floor Debate
March 16, 2016

SENATOR BLOOMFIELD: THANK YOU, SENATOR. YOU MENTIONED THAT THE WOMEN WERE AFRAID TO COME FORWARD BECAUSE...FOR FEAR OF BEING ARRESTED. HOW DO WE GET THE WORD TO THEM THAT WE HAVE ENACTED SUCH A LAW SO THAT THEY WON'T BE ARRESTED? HOW DO WE CONVEY THAT INFORMATION TO THEM? AND SECONDLY, HOW MANY OTHER STATES AROUND US HAVE SUCH A LAW RIGHT NOW? AND I WOULD YIELD THE REMAINDER OF MY TIME TO THE SENATOR, IF SHE WOULD LIKE IT TO ANSWER THOSE QUESTIONS. [LB843]

SENATOR WATERMEIER: SENATOR PANSING BROOKS, 4:00. [LB843]

SENATOR PANSING BROOKS: THANK YOU. I DON'T HAVE SPECIFICALLY THE NUMBER OF STATES AND I COULD FIND THAT OUT FOR YOU, SENATOR BLOOMFIELD. BUT I KNOW THAT THERE IS A COMPLETE MOVEMENT ACROSS THE COUNTRY TO RECOGNIZE THAT PEOPLE THAT ARE TRAFFICKED HAVE BEEN ARRESTED FAR TOO LONG FOR PROSTITUTION. AS YOU CAN IMAGINE, THEY GENERALLY DON'T HAVE CONTROL OF THEIR FINANCES. THEY DON'T HAVE CONTROL OF MOST OF THEIR LIVES. AND THERE ARE DESPICABLE THINGS ABOUT THEM BEING TATTOOED NOW AS PROPERTY OF THE PERSON WHO IS TRAFFICKING THEM. THERE ARE DESPICABLE THINGS GOING ON RIGHT NOW. SO I DON'T HAVE THOSE NUMBERS. I THINK I CAN GET SOME OF THEM. I DO KNOW THAT CHANGES ARE BEING MADE. MISSISSIPPI, MONTANA, GEORGIA, NEW YORK, THEY HAVE ALL PASSED VERY SIGNIFICANT LEGISLATION ON HUMAN TRAFFICKING. AND I JUST...I THINK THAT WE HAVE MORE THAT WE CAN DO IN THIS STATE IN THAT REGARD; AND I INTEND TO BRING MORE FORWARD NEXT YEAR, MAKING THE LAWS MORE STRINGENT ON THOSE THAT ARE THE TRAFFICK...WE DO NOT NEED TRAFFICKERS IN THIS STATE ANYMORE. AND WE NEED TO SEND A CLEAR AND CONVINCING MESSAGE THAT THEY ARE NOT WELCOME IN OUR STATE. BUT LET'S SEE. THE FIRST QUESTION YOU ASKED, SENATOR BLOOMFIELD, COULD YOU REMIND ME? I'M SORRY. [LB843]

SENATOR BLOOMFIELD: CAN I SPEAK SINCE I YIELDED? [LB843]

SENATOR WATERMEIER: SURE, GO AHEAD. YOU'RE STILL OPEN. THE TWO OF YOU ARE TOGETHER. [LB843]

SENATOR BLOOMFIELD: OKAY, THANK YOU. THE FIRST QUESTION WAS HOW DO WE LET THE WOMEN THAT ARE BEING TRAFFICKED KNOW THAT APPLIES?
[LB843]

Floor Debate
March 16, 2016

SENATOR PANSING BROOKS: YEAH. AND THAT IS A DIFFICULT ISSUE. PART OF IT WE HOPE WILL BE THROUGH MEDIA AND PEOPLE TALKING ABOUT WHAT IS HAPPENING WITH THIS BILL. SECONDLY, OUR ATTORNEY GENERAL HAS A COMPLETE PLAN TO GO TO LAW ENFORCEMENT ACROSS THE STATE TO EDUCATE THEM ON HOW TO...IT'S BASICALLY A SEA CHANGE IN HOW WE UNDERSTAND PROSTITUTION. AND SO WITH HIS HELP, GOING ACROSS THE STATE, HOPEFULLY THE POLICE WILL START UNDERSTANDING THAT AS THEY PICK PEOPLE UP IN A STING OPERATION OR SOMETHING, IF THEY BELIEVE THAT HUMAN TRAFFICKING IS HAPPENING, THEN THEY CAN START TALKING WITH THE VICTIM, START TRYING TO GET INFORMATION. THIS IS OUR BEST WAY TO GET INFORMATION. BECAUSE RIGHT NOW WHEN THEY'RE TREATED AS A CRIMINAL, THEY AREN'T WILLING TO GIVE UP INFORMATION ON THEIR TRAFFICKERS OR ANY OF THAT INFORMATION. SO WE HAVE TO DO IT THROUGH ALL SORTS OF FORMATS, THROUGH MEDIA, THROUGH LAW ENFORCEMENT, THROUGH OUR LEGISLATURE. THAT'S MY HOPE. WE JUST HAVE TO START TALKING ABOUT WE ARE NOT ALLOWING HUMAN TRAFFICKING IN THIS STATE ANYMORE. WE ARE GOING TO COME DOWN ON THIS. [LB843]

SENATOR BLOOMFIELD: THANK YOU. I WONDER IF, YOU KNOW, WE KNOW WHERE THESE VICTIMS ARE EXPOSED THE MOST. IF WE COULD EVEN PUT UP SOME SIGNAGE OR SOMETHING TO LET THEM KNOW THAT IF THEY ARE VICTIMS THEY WON'T BE CHARGED. [LB843]

SENATOR WATERMEIER: ONE MINUTE. [LB843]

SENATOR BLOOMFIELD: THANK YOU. HAS ANY THOUGHT BEEN GIVEN TO THAT SORT OF THING OR? [LB843]

SENATOR PANSING BROOKS: I THINK THAT'S A GOOD IDEA. I THINK THERE ARE SOME GROUPS. THERE'S AN ATTORNEY GENERAL'S GROUP ON HUMAN TRAFFICKING, YOU KNOW, THAT HE HIRED STEPHEN O'MEARA FOR HIS ASSISTANT ATTORNEY GENERAL TO BE ABLE TO WORK ON A LOT OF THIS. SO THAT'S A GOOD IDEA THAT I HOPE THAT THAT GROUP WILL DISCUSS. ALSO THERE ARE PEOPLE IN OMAHA THAT ARE WORKING ON THIS ISSUE. MEGHAN MALIK AND THE WOMEN'S FUND IS WORKING ON THIS RIGHT NOW. SO I THINK THOSE ARE ISSUES THAT I WILL DISCUSS WITH THEM AND SEE IF THAT'S POSSIBLE. THANK YOU FOR THAT IDEA, SENATOR BLOOMFIELD. [LB843]

SENATOR BLOOMFIELD: OKAY. HOW MUCH TIME DO WE HAVE LEFT? [LB843]

Floor Debate
March 16, 2016

SENATOR WATERMEIER: 15 SECONDS. [LB843]

SENATOR BLOOMFIELD: I'LL WAIT. [LB843]

SENATOR WATERMEIER: THANK YOU, SENATOR PANSING BROOKS AND SENATOR BLOOMFIELD. [LB843]

SENATOR PANSING BROOKS: THANK YOU. [LB843]

SENATOR WATERMEIER: SENATOR SCHUMACHER, YOU ARE RECOGNIZED. [LB843]

SENATOR SCHUMACHER: THANK YOU, MR. PRESIDENT, MEMBERS OF THE BODY. IF I CALL YOUR ATTENTION TO PAGE 2, LINE 5 THROUGH LINE 10 OF THE BILL, THAT IS WHAT I THINK NEEDS SOME DISCUSSION HERE. IT'S AN UNUSUAL PROCEDURE. IF THE LAW ENFORCEMENT OFFICER, I TAKE THAT TO MEAN THE POLICEMAN, AFTER A DETENTION FOR INVESTIGATIVE PURPOSES, NOT DEFINED WHAT'S TO HAPPEN IN THIS DETENTION, HOW MUCH INVESTIGATION SHOULD BE DONE, WHETHER IT CAN BE DONE IN THE BACKSEAT OF THE CRUISER, WHETHER IT HAS TO BE AT THE STATION HOUSE, BUT AFTER HOLDING THE PERSON FOR A WHILE AND TALKING ABOUT THINGS, THE OFFICER DETERMINES THAT THE PERSON CHARGED WITH PROSTITUTION OR THE PERSON ENGAGING IN PROSTITUTION IS BECAUSE AT ONE TIME THEY WERE A VICTIM OF TRAFFICKING, THEN SUCH PERSON SHALL BE IMMUNE FROM BEING PROSECUTED FOR PROSTITUTION. I DON'T KNOW OF ANY OTHER SECTION LIKE THIS ANYWHERE IN OUR CRIMINAL LAW WHERE A POLICEMAN CAN DECLARE SOMEBODY TO BE IMMUNE FROM BEING PROSECUTED FOR A CRIME. NOW ALL THE WORDS SAID ABOUT HOW BAD TRAFFICKING IS AND ALL OF THAT, WE DON'T NEED TO GET INTO THAT RIGHT NOW. I THINK WE'VE EVEN PASSED LAWS MAKING THAT ONCE AND TWICE AND TRIPLY ILLEGAL. BUT THIS IS THIS PARTICULAR PROVISION. IT'S UNCLEAR WHAT IS MEANT HERE. I CAN UNDERSTAND IT IF THE PROSECUTOR, WHO IS AN ELECTED OFFICIAL OR HIS DEPARTMENT, DEFERS PROSECUTION, DOES NOT PROSECUTE. THAT'S TYPICALLY WITHIN OUR LAW. BUT I HAVE NEVER SEEN A SITUATION WHERE THE POLICE OFFICER HAS THE ABILITY TO DO SOME KIND OF INVESTIGATION UNDEFINED IN NATURE AND DECLARES SOMEBODY IMMUNE FROM PROSECUTION. SENATOR PANSING BROOKS, WOULD YOU YIELD TO A QUESTION? [LB843]

SENATOR WATERMEIER: SENATOR PANSING BROOKS, FOR A QUESTION? [LB843]

Floor Debate
March 16, 2016

SENATOR PANSING BROOKS: HAPPY TO. [LB843]

SENATOR SCHUMACHER: THANK YOU, SENATOR. WHAT ARE YOU TRYING TO ACCOMPLISH BY THIS LANGUAGE ON PAGE 2? [LB843]

SENATOR PANSING BROOKS: WHAT WE ARE TRYING TO ACCOMPLISH IS TO GET TO THE POINT WHERE VICTIMS OF HUMAN TRAFFICKING WILL START WORKING WITH LAW ENFORCEMENT. AT THIS POINT, THEY ARE UNWILLING TO SPEAK, THEY KNOW THAT THEY ARE SUBJECT TO ARREST, THAT THEY'RE SUBJECT TO IMPRISONMENT, AND THEY ARE NOT WILLING TO TALK TO ANYBODY ABOUT GIVING UP WHO THEIR TRAFFICKER IS. THEY AREN'T WILLING TO DO ANY OF THAT BECAUSE THEY THEMSELVES ARE SUBJECT TO CRIMINAL ARREST. [LB843]

SENATOR SCHUMACHER: ONCE THE OFFICER, THE POLICEMAN, DECLARES THEM IMMUNE, ARE THEN THEY FREE TO PROSTITUTE? [LB843]

SENATOR PANSING BROOKS: IN ACTUALITY, I DON'T BELIEVE THAT THAT'S THE CORRECT READING OF IT. I DON'T BELIEVE THAT...IT DOESN'T SAY THAT THE OFFICER GRANTS THEM IMMUNITY. WE ARE NOW GRANTING THEM IMMUNITY. OFFICERS ALL THE TIME ARREST PEOPLE, THEY LOOK...THEY GO TO A CRIMINAL INVESTIGATION, AND THEY DETERMINE WHAT IS HAPPENING. THEY LOOK AND SEE WHO IS A CRIMINAL, WHO IS NOT A CRIMINAL, WHO IS A VICTIM, WHO IS NOT A VICTIM. THIS IS GRANTING THE AUTHORITY TO THE POLICE TO DETERMINE THAT IF SOMEBODY IS IN HUMAN TRAFFICKING, THE POLICE JUST MAKE DETERMINATIONS ALL THE TIME. ARE YOU INVOLVED IN DRUGS OR NOT? ARE YOU SPEEDING OR NOT? [LB843]

SENATOR SCHUMACHER: THANK YOU, SENATOR BROOKS. [LB843]

SENATOR WATERMEIER: ONE MINUTE. [LB843]

SENATOR SCHUMACHER: OFFICERS DO NOT MAKE DETERMINATIONS OF IMMUNITY FROM PROSECUTION. THEY DON'T DO IT. THEY SHOULDN'T HAVE THAT AUTHORITY, PARTICULARLY ON AN UNDERWORLD ACTIVITY LIKE PROSTITUTION BECAUSE, GEE, THAT'S JUST AN INVITATION FOR CORRUPTION. WHATEVER...IF THE IDEA IS HERE TO BRING FORTH SOMEBODY AND ENCOURAGE THEM TO TESTIFY, AND THEN LET THEM GO BECAUSE THEY FLIP ON SOMEBODY, THAT'S DONE ALL THE TIME AND ALWAYS HAS BEEN DONE ALL

Floor Debate
March 16, 2016

THE TIME. WHERE DID YOU GET THE CAN OF BEER, KID? THEY FLIP. WHERE DID YOU GET THE DRUGS FROM? THEY FLIP. BUT THAT'S AT A LEVEL OF DECISION MAKING AT THE COUNTY ATTORNEY LEVEL AND IT IS ALSO NOT AN IMMUNITY. IT MAY BE A LOOK THE OTHER WAY FOR THIS GO-AROUND. WE ARE SAYING IF THE OFFICER DETERMINES THIS, THE PERSON SHALL BE IMMUNE. [LB843]

SENATOR WATERMEIER: TIME, SENATOR. [LB843]

SENATOR SCHUMACHER: THANK YOU. [LB843]

SENATOR WATERMEIER: THANK YOU, SENATOR SCHUMACHER AND SENATOR PANSING BROOKS. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB843]

SENATOR BLOOMFIELD: THANK YOU AGAIN, MR. PRESIDENT. AND I WOULD WONDER IF SENATOR PANSING BROOKS WOULD YIELD AGAIN. [LB843]

SENATOR WATERMEIER: SENATOR PANSING BROOKS, FOR A QUESTION? [LB843]

SENATOR PANSING BROOKS: YES, I'D BE HAPPY TO. [LB843]

SENATOR BLOOMFIELD: THANK YOU, SENATOR. AND IT'S MORE OF WHAT WE WERE DISCUSSING BEFORE WITH THE SIGNAGE AND WHATNOT. WOULD YOU CONSIDER POSSIBLY PUTTING SUCH SIGNAGE IN REST AREAS AND, FOR GOD'S SAKE, IN TRUCK STOPS? [LB843]

SENATOR PANSING BROOKS: YES. TRUCK STOPS ARE ONE OF THE MOST FREQUENTLY ABUSED PLACES. [LB843]

SENATOR BLOOMFIELD: I AM, UNFORTUNATELY, WELL AWARE OF THAT. IF YOU PULL OFF THE ROAD, TRY TO GET A LITTLE SLEEP IN A TRUCK STOP, THE SIDE OF THE CAB IS BEAT ON PRETTY REGULARLY. [LB843]

SENATOR PANSING BROOKS: WOW. [LB843]

SENATOR BLOOMFIELD: AND SERVICES ARE OFFERED. AND I DON'T KNOW ANYBODY THAT'S FOUND A REAL SUCCESSFUL WAY TO KEEP THEM FROM DOING THAT. AND I THINK IF YOU WOULD CONSIDER SOME SIGNAGE THERE. I DON'T, I

Floor Debate
March 16, 2016

DON'T HAVE A LAW DEGREE. I'M GOING TO LEAVE THAT TO SENATOR SCHUMACHER AND SENATOR CHAMBERS TO DISCUSS THE LEGAL PART OF IT. BUT I WISH YOU WOULD CONSIDER SOME SIGNAGE INTO THOSE TYPES OF AREAS. [LB843]

SENATOR PANSING BROOKS: OKAY. I'D BE HAPPY TO WORK WITH YOU ON THAT. [LB843]

SENATOR BLOOMFIELD: OKAY, THANK YOU. [LB843]

SENATOR PANSING BROOKS: THANK YOU, SENATOR. [LB843]

SENATOR WATERMEIER: THANK YOU, SENATOR BLOOMFIELD AND SENATOR PANSING BROOKS. SENATOR CHAMBERS, YOU ARE RECOGNIZED. [LB843]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. ABRAHAM LINCOLN SAID ON ONE OCCASION WORDS TO THE EFFECT, NEVER PLACE YOURSELF BETWEEN A SKILLET IN THE HANDS OF AN ANGRY WIFE AND THAT ANGRY WIFE'S HUSBAND'S HEAD. THE ONLY THING WORSE THAN BEING PUT IN THAT SITUATION IS TO HAVE TO LISTEN TO TWO PEOPLE TRAINED IN THE LAW DISCUSSING AN ISSUE THAT MIGHT REQUIRE SOME FINE DISTINCTIONS TO BE MADE. BUT HERE'S WHAT I WOULD SAY. IT'S TOO BAD THAT SENATOR STINNER ISN'T HERE BECAUSE HE ALWAYS ASKS ME, WHEN WILL WE GET ANOTHER BIBLE LESSON? BUT THERE IS A VERSE IN THE BIBLE AND TO IRRITATE SENATOR HILKEMANN, THE "BIBBLE," THAT SAYS EAT THE WHOLE ROLL. WE HAVE TO TAKE THE WHOLE THING. SO I'M GOING TO READ THE CURRENT LANGUAGE IN THE LAW AND SKIP THE NEW LANGUAGE. "IF THE LAW ENFORCEMENT OFFICER DETERMINES, AFTER A REASONABLE DETENTION FOR INVESTIGATIVE PURPOSES, THAT A PERSON SUSPECTED OF OR CHARGED WITH A VIOLATION OF SUBSECTION (1) OF THIS SECTION IS A PERSON UNDER EIGHTEEN YEARS OF AGE, SUCH PERSON SHALL BE IMMUNE FROM PROSECUTION FOR A PROSTITUTION OFFENSE UNDER THIS SECTION AND SHALL BE SUBJECT TO TEMPORARY CUSTODY UNDER SECTION 43-248 AND FURTHER DISPOSITION UNDER THE NEBRASKA JUVENILE CODE." THERE ALREADY IS LANGUAGE IN THIS VERY SECTION, SUBSECTION, WHERE IMMUNITY IS GRANTED, NOT BY THE OFFICER. THE IMMUNITY--AND SENATOR SCHUMACHER'S CORRECT ON THIS--IS ADDRESSED TO THE PROSECUTOR. ONCE THE STATUS OF THIS PERSON HAS BEEN DETERMINED, THE PROSECUTOR CANNOT FILE A CHARGE OF PROSECUTION AGAINST THAT PERSON. THE COP, AS SENATOR PANSING BROOKS POINTED OUT,

Floor Debate
March 16, 2016

IS THE ONE WHO MAKES THE ARREST OBVIOUSLY. THIS EXISTING LANGUAGE SAYS A TIME OF DETENTION, "A REASONABLE DETENTION FOR INVESTIGATIVE PURPOSES." THAT'S THE LAW RIGHT NOW. THE ARREST IS MADE, THE PERSON MAY BE DETAINED FOR A REASONABLE PERIOD OF TIME FOR INVESTIGATIVE PURPOSES. IT DOESN'T EVEN SAY NECESSARILY THAT YOU'RE DEALING WITH A CHARGE THAT HAS BEEN MADE. YOU HAVE, IN ORDER TO MAKE AN ARREST, PROBABLE CAUSE THAT A CRIME WAS COMMITTED AND THAT THE PERSON APPREHENDED IS THE ONE THAT COMMITTED THE CRIME. THAT PERSON IS THEN FACED WITH AN ALLEGATION. AN ALLEGATION IS AN ACCUSATION WITHOUT PROOF. NO PROOF HAS BEEN GIVEN. EVEN IF THERE IS EVIDENCE, THE OFFICER DOES NOT MAKE THE FINAL DETERMINATION AS TO WHETHER THE EVIDENCE IS SUFFICIENT TO OBTAIN A CONVICTION BECAUSE ALL THE OFFICER IS INTERESTED IN IS WHETHER THERE'S PROBABLE CAUSE TO MAKE AN ARREST. THE OFFICER DOES NOT DETERMINE GUILT OR INNOCENCE. AND IF AFTER THIS REASONABLE PERIOD OF DETENTION FOR INVESTIGATIVE PURPOSES IT'S DETERMINED THAT THIS INDIVIDUAL QUALIFIES UNDER THE LANGUAGE IN THE STATUTE WHICH RELATES TO TRAFFICKING, THEN THAT PERSON SHOULD BE RELEASED. [LB843]

SENATOR WATERMEIER: ONE MINUTE. [LB843]

SENATOR CHAMBERS: EVEN UNDER THE CURRENT STATUTE, THE JUVENILE IS PLACED INTO TEMPORARY CUSTODY FOR THE PURPOSE OF BEING RELEASED TO HHS OR PURSUANT TO SOME OTHER STATUTE, BUT THE PERSON'S CUSTODY IS NOT CALLED AN ARREST OR BEING UNDER ARREST. IT'S A TEMPORARY THING. SO I THINK SENATOR SCHUMACHER'S RIGHT, THAT THERE NEEDS TO BE SOME DISCUSSION TO CLARIFY WHAT IS INTENDED. BUT I DON'T THINK THAT IT SHOULD BE INTERPRETED AS GIVING THE OFFICER THE AUTHORITY TO GRANT IMMUNITY. IF IMMUNITY IS MENTIONED IN THE STATUTE, IT IS THE LEGISLATURE DECLARING IT. THE PROSECUTOR CANNOT OVERRIDE A STATUTORY GRANT OF IMMUNITY, NO MATTER HOW THE PROSECUTOR MAY FEEL, NO MATTER HOW ANGRY THE PROSECUTOR MAY FEEL. AND HE MAY OR SHE MAY EVEN FILE A CHARGE AND BRING THE PERSON TO TRIAL. BUT THAT.. [LB843]

SENATOR WATERMEIER: TIME, SENATOR. [LB843]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB843]

Floor Debate
March 16, 2016

SENATOR WATERMEIER: THANK YOU, SENATOR CHAMBERS. SENATOR MORFELD, YOU'RE RECOGNIZED. [LB843]

SENATOR MORFELD: THANK YOU, MR. PRESIDENT. I'M JUST RESPONDING QUICKLY TO MY COLLEAGUE, SENATOR SCHUMACHER'S, COMMENTS ON THIS. I WOULD LIKE TO REMIND THE BODY OF A BILL THAT WE PASSED I BELIEVE UNANIMOUSLY LAST YEAR, LB439, THAT WOULD GRANT LIMITED IMMUNITY TO THOSE THAT ARE EXPERIENCING AN ALCOHOL OVERDOSE, THEM OR THEIR FRIENDS. AND WE GRANTED ESSENTIALLY THE SAME TYPE OF IMMUNITY, LITTLE BIT DIFFERENT WORDING IN MY BILL AND NOW LAW, TO THOSE THAT ARE EXPERIENCING AN ALCOHOL OVERDOSE. AND FOR ALL PRACTICAL PURPOSES, IT'S ALWAYS GOING TO BE THE OFFICER THAT DETERMINES WHETHER OR NOT THEY FIT THE CRITERIA FOR THAT AND WHETHER OR NOT THEY CITE THE INDIVIDUAL FOR THAT TYPE OF CRIME. AND SO THIS IS REALLY NO DIFFERENT THAN WHAT WE'RE DOING FOR LB439 AND WHAT WE DISCUSSED LAST YEAR BECAUSE WE WANT TO CREATE INCENTIVES FOR INDIVIDUALS TO COME FORWARD AND GET MEDICAL ATTENTION IN THAT CASE. IN THIS CASE, WE WANT TO CREATE INCENTIVES FOR OFTENTIMES WOMEN, SOMETIMES MEN, BUT MOSTLY WOMEN WHO ARE BEING COERCED BY THREAT OF FORCE IN MANY CASES, BEATEN, AND MANIPULATED IN THE WORST WAYS IMAGINABLE TO BE ABLE TO COME FORWARD AND FEEL COMFORTABLE IN DOING SO TO LAW ENFORCEMENT AND LET THEM KNOW THAT THEY ARE BEING TRAFFICKED. AND THAT'S WHY IT'S IMPORTANT THAT WE HAVE A STRONG, EVEN STRONGER IMMUNITY THAN WHAT WAS PROVIDED IN LB439 FOR THESE WOMEN TO DO THAT. THIS IS APPROPRIATE. WE DO IT IN OTHER AREAS OF THE STATUTE AS SENATOR CHAMBERS BROUGHT UP. AND WE DO IT IN OTHER INSTANCES WHERE PUBLIC SAFETY AND PUBLIC HEALTH PROVIDE. THIS IS AN IMPORTANT PROTECTION. IT'S AN APPROPRIATE PROTECTION AND IT'S NOT UNPRECEDENTED. THANK YOU. [LB843 LB439]

SENATOR WATERMEIER: THANK YOU, SENATOR MORFELD. (VISITORS INTRODUCED.) SENATOR KRIST, YOU ARE RECOGNIZED. [LB843]

SENATOR KRIST: THANK YOU, MR. PRESIDENT. GOOD MORNING, COLLEAGUES. GOOD MORNING, NEBRASKA. WOULD SENATOR SCHUMACHER YIELD TO A QUESTION OR TWO? [LB843]

SENATOR WATERMEIER: SENATOR SCHUMACHER, FOR A QUESTION? [LB843]

Floor Debate
March 16, 2016

SENATOR SCHUMACHER: YES, I WILL. [LB843]

SENATOR KRIST: COULD YOU JUST FOR THE FOLKS IN THE CHAMBER AND OTHERS LISTENING THAT ARE NOT LAWYERS, COULD YOU JUST ARTICULATE AGAIN WHAT YOUR ISSUE IS WITH THE CHANGE IN 43-248? [LB843]

SENATOR SCHUMACHER: YES. THE 43-248 ORIGINALLY SAID THAT IF A LAW ENFORCEMENT DETERMINES AFTER CHECKING INTO IT THAT THE PERSON IS A JUVENILE UNDER 18 THEY WILL GO TO JUVENILE COURT. THAT'S ALL IT SAID. THIS ADDS A COMPLETELY NEW DIMENSION TO IT BECAUSE WE NOW BEGIN TO DEAL WITH ADULTS. AND IT SAYS IF THE OFFICER DETERMINES NO CRITERIA, NO STANDARD, NOTHING ELSE AS TO WHAT KIND OF INVESTIGATION, JUST IN HIS OPINION, I READ THE WORDS FOR WHAT THEY SAY. I THINK A COURT-ORDERED DEFENSE ATTORNEY WILL READ THE WORDS FOR WHAT THEY SAY. IF THE OFFICER DETERMINES THAT THE PERSON DID...GOT INTO PROSTITUTION AS A RESULT OF TRAFFICKING, THEY SHALL BE IMMUNE--"SHALL," NOT "MIGHT BE," NOT "UPON THE APPROVAL OF THE COUNTY ATTORNEY," NOT "UPON SOME HEARING OR OTHER PROCEDURE"-- JUST A NAKED DETERMINATION, AND I SHOULDN'T USE THE WORD "NAKED," JUST A DETERMINATION BY THE OFFICER THAT THEY WERE IN THAT SITUATION, THEY SHALL BE IMMUNE FROM PROSECUTION, IMMUNE FROM PROSECUTION FOR A PROSTITUTION OFFENSE, PERIOD. THAT IS OVERLY BROAD. IT'S NOT SPECIFIC. IT DOESN'T PUT ANY SAFEGUARDS IN THERE. IT IS A SIMPLE DETERMINATION BY THE WORDING OF THE STATUTE. AND YOU CAN JUST BET YOU THAT A DEFENSE ATTORNEY AT SOME POINT WILL MAKE A CLAIM THAT THIS ENTIRE AMENDMENT IS UNCONSTITUTIONAL BECAUSE IT GRANTS SPECIAL PRIVILEGES, NOT BY STATUTE, BUT BY AN OFFICER'S DETERMINATION AND THAT ANY PROSTITUTE IN THE STATE SHOULD EITHER GO FREE OR THE THING BE DECLARED UNCONSTITUTIONAL BECAUSE IT'S AN UNEQUAL PROTECTION OF THE LAW. [LB843]

SENATOR KRIST: OKAY. SO LET'S DRAW BACK TO, AS I ALWAYS TRY TO DO, TO A REAL-LIFE EXAMPLE. I GO INTO BUSINESS AS A PIMP. I HAVE A YOUNG WOMAN OR A YOUNG MAN THAT'S WORKING FOR ME. THAT YOUNG MAN OR YOUNG WOMAN IS ARRESTED BY A LAW ENFORCEMENT OFFICER, YOU. YOU DECIDE THAT IT'S MY FAULT FOR PUTTING THEM IN THIS POSITION, THAT THEY WERE A YOUTH THAT SHOULD HAVE NOT BEEN PUT THERE. AND RATHER THAN CHARGING THEM, YOUR FIRST INSTINCT THEN, BASED UPON THIS NEW STATUTE, WOULD BE THAT THEY SHOULD NOT BE CHARGED, OKAY, CLEARLY THEY SHOULD NOT BE CHARGED AND THAT THEY'RE IN A DIFFERENT CATEGORY.

Floor Debate
March 16, 2016

WHAT DO YOU DO NEXT AS A LAW ENFORCEMENT OFFICER? BECAUSE OBVIOUSLY YOU DON'T WRITE A TICKET THAT SAYS YOU, YOUNG LADY OR YOUNG MAN, ARE IMMUNE TO ANY PROSECUTION FOR THIS PARTICULAR THING. WHAT IS THE LAW ENFORCEMENT...WHAT'S YOUR NEXT STEP AS LAW ENFORCEMENT? [LB843]

SENATOR SCHUMACHER: WELL, I WOULD TAKE IT. IF I HAVE SOMEBODY IN CUSTODY THAT CAN'T BE PROSECUTED THAT IS IMMUNE, THE LAW DOES NOT APPLY TO, I BETTER NOT HOLD THEM VERY LONG OR I'LL BE CROSSING THEIR CIVIL RIGHTS. I BETTER CUT THEM LOOSE BECAUSE I HAVE NO BUSINESS HOLDING THEM. [LB843]

SENATOR KRIST: WELL, WHEN WE HAD THE HEARING, THOUGH, IT WAS OBVIOUS TO US THAT--TO ME ANYWAY--IN THE TESTIMONY THAT THEY FALL THEN INTO A PROPER DETENTION MODE AS A JUVENILE, NOT NECESSARILY AS...AND RELEASED. AND I DON'T THINK THAT'S CHANGED IN 43-248. IF IT HAS, THEN WHAT YOU'RE SAYING IS WE HAVE SOME FIXING TO DO BEFORE THIS GOES FORWARD. [LB843]

SENATOR WATERMEIER: ONE MINUTE. [LB843]

SENATOR SCHUMACHER: SENATOR, AS I READ IT, THIS SUBPARAGRAPH (a) DOES NOT REFER OR IS NOT LIMITED TO JUVENILES. I DON'T SEE ANYTHING ABOUT JUVENILE IN THAT SECTION. MAYBE IT WAS MISSED. MAYBE IT SHOULD BE THERE, BUT I DON'T READ IT THERE. IF SOMEBODY ELSE CAN SHOW ME HOW THAT APPLIES TO ONLY JUVENILES, THEN I MIGHT HAVE A DIFFERENT FEELING. [LB843]

SENATOR KRIST: OKAY. SO, COLLEAGUES, THIS IS A GOOD DISCUSSION, AS SENATOR CHAMBERS SAID, AND I WOULD AGREE. SENATOR SCHUMACHER MAY HAVE FOUND A PORTION THAT DOES NEED SOME FIXING, AS I SAID EARLIER. IT NEEDS TO BE ADDRESSED AND I WELCOME THAT DISCUSSION. THANK YOU, MR. PRESIDENT. THANK YOU, SENATOR SCHUMACHER. [LB843]

SENATOR WATERMEIER: THANK YOU, SENATOR KRIST AND SENATOR SCHUMACHER. SENATOR SCHUMACHER, YOU'RE NEXT IN THE QUEUE. [LB843]

Floor Debate
March 16, 2016

SENATOR SCHUMACHER: THANK YOU, MEMBERS OF THE BODY. I THINK WE HAVE SOME WORK TO DO ON THIS BILL, CERTAINLY NOT OPPOSED TO THE SECOND PART OF IT DEALING WITH WHO PAYS FOR RAPE KITS. BUT THIS LANGUAGE I THINK AS IT'S WRITTEN NOW APPLIES TO ANY AGE. I THINK IT LEAVES TOTAL DISCRETION ABSOLUTE IN THE OFFICER IF THE OFFICER DETERMINES THE PERSON SHALL BE IMMUNE. THAT'S WHAT THAT SAYS. I DON'T THINK THEY MEAN THAT. I THINK THAT NEEDS A LOT OF WORK. BECAUSE IF WE START DECLARING PEOPLE IMMUNE FROM COMMITTING CRIMES, WE ARE CREATING TWO CLASSES OF CITIZEN: THOSE THAT ARE IMMUNE, THOSE THAT WERE NOT. SUPPOSE WE SAID IF SOMEBODY WHO HAS BEEN TRAINED IN THE MILITARY AND BEEN IN BATTLE SLUGGED SOMEBODY, AND THE OFFICER SAYS, WELL, THE MILITARY TRAINING HAS SOMETHING TO DO WITH IT, THEY WILL BE IMMUNE FROM PROSECUTION, IMMUNE FROM PROSECUTION FOR ASSAULTS. THAT WOULD LOOK LIKE WE HAVE SOME PEOPLE WALKING AROUND THAT THE LAW APPLIES TO, SOME THAT IT DOES NOT. THAT I THINK IS HIGHLY PROBLEMATIC. THIS IS NOT LIKE THE SECOND PROVISION OF THE BILL THAT SAYS IF THE PERSON IS UNDER 18, THEY GO TO JUVENILE COURT. SO I DEFINITELY THINK THERE'S SOME WORK THAT NEEDS TO BE DONE, PARTICULARLY IF THERE'S ANY CHANCE THAT THE FIRST PART IS UNCONSTITUTIONAL FOR BEING OVERLY BROAD OR GRANTING SPECIAL PRIVILEGES AND IMMUNITIES. THERE'S NO SEVERABILITY CLAUSE IN HERE AND THE WHOLE BILL GOES DOWN. SO I BELIEVE THAT WE HAVE SOME SERIOUS ISSUES. THIS IS UNLIKE THE ALCOHOL IMMUNITY THING FROM LAST YEAR THAT USED DIFFERENT LANGUAGE UNDER DIFFERENT CIRCUMSTANCES. AND I THINK SENATOR MORFELD IS WELL AWARE OF THE LATENT PROBLEM IN THAT BILL. AND ONE DAY A SMART DEFENSE ATTORNEY WILL PICK UP ON IT. THANK YOU. [LB843]

SENATOR WATERMEIER: THANK YOU, SENATOR SCHUMACHER. SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB843]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT AND MEMBERS OF THE LEGISLATURE, I DON'T AGREE WITH SENATOR SCHUMACHER. FIRST OF ALL, WE HAVE TO GO TO BASICS. THERE ARE NO COMMON LAW CRIMES IN NEBRASKA. THERE ARE NO COMMON LAW CRIMES. NOTHING IS A CRIME IN NEBRASKA UNLESS THE LEGISLATURE SPECIFICALLY DESIGNATE THAT AS A CRIME. AND IN ORDER FOR THAT CRIME TO EXIST, THE LEGISLATURE MUST LAY OUT THE FACTORS OR THE COMPONENTS OF THAT CRIME OR, AS THEY SAY IN LAWYER LANGUAGE, THE ELEMENTS OF THE CRIME. WHEN A PERSON IS CHARGED WITH A CRIME, THE STATE MUST PROVE EVERY ELEMENT OF THE CRIME BEYOND A REASONABLE DOUBT. IF THERE ARE THREE ELEMENTS AND TWO OF THEM ARE

Floor Debate
March 16, 2016

PROVED BUT THE THIRD ONE IS NOT, THE PERSON CANNOT BE CONVICTED BECAUSE EVERY ELEMENT HAS NOT BEEN PROVED. THE LEGISLATURE CAN CRIMINALIZE ANY CONDUCT IT CHOOSES. WHEN THE LEGISLATURE DEFINES CONDUCT OR CIRCUMSTANCES THAT COMPRISE HUMAN TRAFFICKING, THE LEGISLATURE AT THE SAME TIME CAN SAY EVEN THOUGH THIS INDIVIDUAL ENGAGED IN CONDUCT WHICH UNDER THESE CIRCUMSTANCES WOULD CONSTITUTE THE CRIME OF PROSTITUTION, WHEN THESE OTHER FACTORS ENTER IN, THIS CONDUCT WHICH MIRRORS THE OTHER IS ALTERED BY THE CIRCUMSTANCES IN WHICH IT OCCURS AND IT LIFTS IT OUT OF THE REALM OF CRIMINAL CONDUCT. AND SINCE IT IS NOT A CRIME, THAT PERSON IS EXPLICITLY BY THE LEGISLATURE STATED TO BE IMMUNE FROM PROSECUTION. THAT IS DONE BECAUSE YOU COULD HAVE A VINDICTIVE PROSECUTOR OR ONE NOT FAMILIAR WITH THE LAW. SO EVEN WITH THIS GRANT OF IMMUNITY, NOT BY THE COP BUT BY THE LEGISLATURE, A PROSECUTOR COULD STILL FILE A CHARGE. AND ALL THE DEFENSE ATTORNEY WOULD DO IS MOVE FOR A DISMISSAL BY RAISING THIS DEFENSE THAT THIS CONDUCT PUTS THAT PERSON IN THE STATUS OF ONE WHO IS VICTIMIZED BY HUMAN TRAFFICKING. AND THE STATUTE SAYS THIS PERSON IS IMMUNE. THAT IS AN AFFIRMATIVE DEFENSE AGAINST PROSECUTION. AND ONCE THAT IS ESTABLISHED, A JUDGE WILL DISMISS IF A PROSECUTOR WOULD BE DUMB ENOUGH TO BRING A CHARGE. IT'S NOT THE COP GRANTING IMMUNITY. COPS, IN EFFECT, DO THAT ALL THE TIME AND ROUTINELY. THIS IS WHY THEY ARE ALLOWED TO HOLD A PERSON FOR A REASONABLE PERIOD FOR INVESTIGATIVE PURPOSES. IF IT GOES BEYOND THAT REASONABLE PERIOD OF TIME, THEN A DIFFERENT SET OF CIRCUMSTANCES COME INTO PLAY. AND YOU COULD EVEN SAY AN ARREST HAD BEEN MADE AND IT WAS A FALSE ARREST BECAUSE THERE WAS NO BASIS FOR THE ARREST. BUT THAT'S GETTING OFF INTO TANGENTIAL OTHER LEGAL ISSUES. THE LEGISLATURE CAN GRANT IMMUNITY TO CATEGORIES OF PERSONS. WHERE THE LEGISLATURE COULD NOT GRANT IMMUNITY IS TO SAY THAT IF A WHITE WOMAN DOES THIS, IT'S NOT PROSTITUTION. IF A WOMAN OF COLOR DOES IT, IT IS PROSTITUTION. [LB843]

SENATOR WATERMEIER: ONE MINUTE. [LB843]

SENATOR CHAMBERS: WHAT THIS STATUTE DOES IS TO CREATE A CATEGORY OF PERSONS, EVEN DISREGARDING GENDER, AND SAYS IF THIS PERSON IS SUBJECTED TO THESE CIRCUMSTANCES, THAT PERSON IS IMMUNE FROM PROSECUTION. IF A PERSON IS COERCED UNDER THREAT OF LOSING HIS OR HER LIFE TO DO SOMETHING THAT WOULD ORDINARILY BE A CRIME, THAT PERSON MAY BE CHARGED BUT WOULD NOT BE CONVICTED OF A CRIME. THAT'S THE

Floor Debate
March 16, 2016

WAY THE LAW WORKS. AND THE LEGISLATURE HAS EVERY AUTHORITY TO DO THIS. AND IT'S NOT CREATING A SPECIAL CLASS WHICH MEANS PEOPLE SIMILARLY SITUATED ARE TREATED DIFFERENTLY BECAUSE OF WHO THEY ARE. BUT AT ANY RATE, MY TIME IS UP. AND AS MERRILL WORKHOVEN USED TO SAY, THANK YOU FOR YOURS. [LB843]

SENATOR WATERMEIER: THANK YOU, SENATOR CHAMBERS. SENATOR MORFELD, YOU'RE RECOGNIZED. [LB843]

SENATOR MORFELD: THANK YOU, MR. PRESIDENT. I JUST WANT TO REMIND OUR COLLEAGUES THAT WE ARE RIGHT NOW TALKING ON AM2335 WHICH WOULD INCORPORATE LB1097, THE SEXUAL ASSAULT ADMINISTRATOR THAT I INTRODUCED ON BEHALF OF THE ATTORNEY GENERAL. AND I KNOW THAT SENATOR PANSING BROOKS IS GOING TO TALK A LITTLE BIT ABOUT HER INTENT SO I'LL JUST END MY DISCUSSION RIGHT NOW AND LET HER TALK ABOUT THAT. THANK YOU. [LB843 LB1097]

SENATOR WATERMEIER: THANK YOU, SENATOR MORFELD. SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB843]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. THANK YOU. PROSTITUTION LAWS HAVE ALWAYS BEEN SOMETHING THAT STUCK IN MY CRAW. IT'S ONE THING TO TALK ABOUT PANDERING OR PIMPING WHERE A WOMAN IS FORCED INTO A SET OF CIRCUMSTANCES. BUT IF A WOMAN GIVES SEX AWAY, THAT'S NOT A CRIME. BUT IF SHE'S GOING TO BE A SMALL ENTREPRENEUR AND MAKE MONEY, THEN IT BECOMES A CRIME. WHY? SOMEBODY THINKS THAT WHAT SHE'S OFFERING IS WORTH MONEY. AND THEY GIVE HER THE MONEY. YOU KNOW WHAT GEORGE BERNARD SHAW SAID? AND YOU MAY NOT KNOW HE SAID THIS, BUT YOU HAVE HEARD IT, I'M SURE. MARRIAGE IS SO POPULAR BECAUSE IT COMBINES A MAXIMUM OF TEMPTATION WITH A MAXIMUM OF OPPORTUNITY. THAT'S WHAT GEORGE BERNARD SHAW CALLED MARRIAGE. AND LOOK AT THIS DEFINITION OF PROSTITUTION THAT'S IN THE STATUTE NOW. "ANY PERSON WHO PERFORMS, OFFERS, OR AGREES TO PERFORM ANY ACT OF SEXUAL CONTACT OR SEXUAL PENETRATION, AS THOSE TERMS ARE DEFINED IN SECTION 28-318, WITH ANY PERSON NOT HIS OR HER SPOUSE." SO THEN A MARRIAGE LICENSE IS A LICENSE TO COMMIT PROSTITUTION. THAT'S ALL THAT A MARRIAGE LICENSE IS. AND THAT'S THE PROBLEM WITH THE HYPOCRISY OF THIS SOCIETY. PURITANISM STEPS IN AND TRIES TO CALL SOMETHING BY A DIFFERENT NAME AND THEREBY MAKE IT DIFFERENT. WHENEVER SEX IS EXCHANGED FOR MONEY OR ANYTHING

Floor Debate
March 16, 2016

OF VALUE, THAT IS PROSTITUTION. AND YOU KNOW WHAT PROVES THAT IT'S PROSTITUTION? BECAUSE THEY PUT THE WORD "EXCEPT" IN FRONT OF IT. THIS DEFINES THIS ACT AND ANYBODY WHO DOES IT COMMITS A CRIME UNLESS YOU HAVE A LICENSE TO COMMIT PROSTITUTION AND THAT IS CALLED A MARRIAGE LICENSE. AND WOMEN ARE ALWAYS THE TARGETS OF THIS KIND OF LEGISLATION. IT WAS A PART OF THAT NOTION THAT THESE PATERNALISTIC--I SHOULDN'T SAY THAT BECAUSE THAT GIVES THE IDEA THAT YOU HAVE THESE MEN WHO CARE ABOUT PEOPLE. BUT THESE MALE-DOMINATED SOCIETIES WANTED TO KEEP WOMEN SUPPRESSED. WHY DO YOU THINK WOMEN COULDN'T VOTE? WARS DECIMATED THE MALE POPULATION AND THERE WOULD BE MORE FEMALES. IF THEY WERE ALLOWED TO VOTE, THEY WOULD CHANGE THINGS. SINCE THE VOTE WAS GRANTED, A DIFFERENT TACTIC HAD TO BE USED AND THAT WAS CONDITIONING. YOU HAD TO CONDITION FEMALES TO FEEL INFERIOR TO MALES AND YOU DID IT IN THE CLASSROOM. WHEN IT COMES TO MATTERS OF SCIENCE AND MATH AND THOSE THINGS THAT REQUIRE LOGIC, ONE SIDE OF THE MASCULINE BRAIN HANDLES THOSE THINGS BETTER THAN THE FEMININE. WHEN IT COMES TO THINGS THAT ARE CALLED EMOTIONAL OR SENSITIVE OR RELATE TO FEELINGS, THOSE ARE PERTAINING TO WOMEN. WHO DEFINES THESE WORDS? THAT'S WHY IN THE "BIBBLE" AT THE VERY BEGINNING, IT GAVE MAN THE AUTHORITY TO NAME EVERYTHING BECAUSE WHOEVER WROTE THAT "BIBBLE" KNEW THAT THE ONE WHO PROVIDES THE NAMES OR THE TITLES OR THE DESIGNATIONS IS THE ONE WHO CONTROLS. [LB843]

SENATOR WATERMEIER: ONE MINUTE, SENATOR. [LB843]

SENATOR CHAMBERS: ONCE A NAME OR A WORD CARRIES A DEFINITION, WHENEVER YOU APPLY THAT WORD, ALL OF THOSE DENOTATIONS AND CONNOTATIONS, UNDERSTANDINGS AND MISUNDERSTANDINGS ATTACHED TO THAT WORD, AND IT ATTACHES TO THE PERSON ON WHOM THE WORD IS ATTACHED, TO WHOM IT IS ATTACHED. THAT'S WHY SOME THINGS ARE CONSIDERED INSULTING. SOME THINGS ARE CONSIDERED SLANDEROUS IF THEY'RE SPOKEN, LIBELOUS IF WRITTEN. AND IF WHAT THEY SAY STICKS AND STONES MAY BREAK MY BONES BUT NAMES WOULD NEVER HURT ME, THERE WOULD BE NO SUCH CRIME AS SLANDER OR LIBEL. NEVER. BUT MEN CONTROLLED ALL OF THESE THINGS. AND YOU HAVE YOUNG WOMEN IN THIS ROOM RIGHT NOW AND OLDER ONES WHO CAN CONFIRM WHAT I'M SAYING. YOU KNOW WHY I KNOW? NOT BECAUSE I'M A WOMAN, NOT BECAUSE I'VE EVER BEEN A WOMAN, BUT I HAVE INNUMERABLE NIECES; I HAD THREE SISTERS; AND, OF COURSE, MY MOTHER WAS A WOMAN. I'M AWARE OF WHAT HAPPENS TO PEOPLE. [LB843]

Floor Debate
March 16, 2016

SENATOR WATERMEIER: TIME, SENATOR. []

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB843]

SENATOR WATERMEIER: SENATOR CHAMBERS, THAT WAS YOUR THIRD TIME ON THE COMMITTEE AMENDMENT. SENATOR BURKE HARR, YOU'RE RECOGNIZED. [LB843]

SENATOR HARR: THANK YOU, MR. PRESIDENT AND MEMBERS OF THE BODY. SO WE TRIED THIS A COUPLE OF YEARS AGO, SOMETHING SIMILAR TO THIS, WITH JUVENILES WHERE WE SAID, HEY, ARE WE GOING TO--AND AT THE TIME IT WAS SENATOR MCGILL--AND I SAID, I HAVE A REAL PROBLEM BECAUSE THE PERCEPTION IS WE'RE LEGALIZING PROSTITUTION. IF YOU CAN'T PROSECUTE SOMEONE FOR IT, THEN IT'S NOT ILLEGAL. AND DO WE CREATE THE UNINTENDED CONSEQUENCE OF ENCOURAGING PROSTITUTION IF THEY KNOW THEY CAN'T BE CONVICTED OF IT? AND IF YOU THINK, WELL, I'M NOT SURE IF THAT'S TRUE, SENATOR, TALK TO SOME OF THESE INDIVIDUALS THAT HAVE BEEN VICTIMS. AND PROSTITUTES ARE VICTIMS OF SEX CRIMES. THERE'S NO IF'S, ANDS, OR BUTS ABOUT IT. BUT YOU WILL HAVE PIMPS SAYING DON'T WORRY ABOUT IT. YOU WON'T GET IN TROUBLE, YOU WON'T GET PROSECUTED, YOU WON'T GO TO JAIL. I TAKE THAT RESPONSIBILITY ON, I BEING THE PIMP. WE'VE GOT TO WORRY ABOUT THE CONSEQUENCES OF WHAT WE'RE DOING HERE. AND YOU ALSO HAVE TO REALIZE THAT A PERSON WHO IS PROSTITUTING IS A VICTIM AND THAT THAT PIMP CONTROLS THEIR LIFE. AND YOU NEED SOMETHING THAT BREAKS THAT CYCLE, THAT BREAKS THAT DEPENDENCY. AND YOU MAY SAY, WELL, THE PIMP IS GOING TO PAY FOR THE LAWYER. THE PIMP IS GOING TO TAKE CARE OF EVERYTHING AND SHE WILL CONTINUE--OR HE--WILL CONTINUE TO BE UNDER THE THUMB OF THAT PIMP. AND YES, MAYBE THAT WILL HAPPEN. BUT THE OTHER SIDE OF IT IS, THEY'RE NOW IN JAIL OR HOPEFULLY THEY GET PROBATION. AND WE CAN HELP BREAK THAT CYCLE. WE CAN HELP BREAK THAT DRUG ADDICTION. WE CAN ADDRESS THE UNDERLYING ISSUES THAT LED TO THIS HORRIBLE LIFE FOR THIS INDIVIDUAL. IF WE DON'T PROSECUTE AND WE LET THAT WOMAN GO OR THAT MALE, YOU KNOW WHAT ENDS UP HAPPENING? THEY GO ACROSS STATE LINES. THEY GO TO KANSAS CITY NEXT. THEY GO TO DES MOINES NEXT. THEY GO TO MINNEAPOLIS NEXT. AND THERE'S NO RECORD. NO ONE KNOWS IF THIS WOMAN OR HOW LONG OR IF SHE'S EVER BEEN ABUSED. THERE IS NOTHING. THERE IS NOTHING WE CAN DO TO HELP THAT WOMAN. THERE IS A REASON WE LAY A TRAIL. THERE'S A REASON. THIS WOMAN IS A VICTIM. IS PROSECUTION THE BEST WAY? NO. IS LETTING HER GO FREE AND LETTING THEM CONTINUE IN THAT LIFE STYLE, BEING IN ESSENCE AN AIDER

Floor Debate
March 16, 2016

AND ABETTER, A BETTER WAY? I WOULD SAY NO. WE HAVE TO FIND A WAY TO BREAK THAT CYCLE. IF THERE'S ANOTHER WAY, I LIKE HOW WE CAN DO IT IN JUVENILE COURT. WE HAVE A AND B, WHERE A IS CONSIDERED PROSECUTION, B IS PROVIDING SERVICES. BUT THAT'S NOT HOW ADULT COURT WORKS. AND EVEN IN JUVENILE COURT WHERE WE HAVE A AND B, YOU WILL FIND A LOT OF THESE KIDS, BECAUSE YOU DON'T HAVE THE POWER OF THE COURTS AS STRONGLY, YOU CAN'T FORCE THEM TO GO ANYWHERE BECAUSE IT'S B, IT'S SOCIAL SERVICES, A LOT OF THESE PEOPLE JUST FLEE. AND THERE'S NOTHING WE CAN DO ABOUT IT. WE HAVE TO HAVE A MOTIVATING INCENTIVE FACTOR, WHETHER THAT'S BOTTOMING OUT BY GETTING ARRESTED OR WHATEVER IT IS. BUT I CAN'T VOTE FOR A BILL THAT I PERSONALLY THINK HAS THE UNINTENDED CONSEQUENCES OF ENCOURAGING PROSTITUTION BECAUSE WE HAVE NOW MADE PROSTITUTION LEGAL. WHEN YOU CANNOT PROSECUTE FOR SOMETHING, ERGO, IT IS LEGAL. WE CAN GO AFTER THE PIMPS. AND I THINK WE DO. AND WE NEED TO THROW THE BOOK AT THOSE PEOPLE WHO ARE ABUSING THESE YOUNG WOMEN, WHETHER THAT'S HERE, WHETHER THAT'S ISIS. WHOEVER IT IS. WE NEED TO GO AFTER THOSE INDIVIDUALS BECAUSE WHAT'S GOING ON IS HORRIBLE. [LB843]

SENATOR WATERMEIER: ONE MINUTE. [LB843]

SENATOR HARR: THANK YOU. BUT THIS ISN'T THE RIGHT WAY. IT'S FEEL GOOD AND I UNDERSTAND WHY AND I APPRECIATE WHAT SENATOR PANSING BROOKS IS TRYING TO DO HERE, BUT I'M NOT SURE IF THIS WILL HAVE THE RESULT THAT WE WANT. I'M MORE THAN WILLING TO WORK WITH HER BETWEEN GENERAL AND SELECT TO SEE IF THERE IS SOMETHING WE CAN WORK ON, SO THAT THERE IS A COMPROMISE TO MAKE SURE THAT WE STILL HAVE SOMEWHAT OF A THUMB SO THAT LAW ENFORCEMENT CAN GET INVOLVED AND LAW ENFORCEMENT CAN HELP BREAK THAT CYCLE. THANK YOU, MR. PRESIDENT. [LB843]

SENATOR WATERMEIER: THANK YOU, SENATOR HARR. SENATOR PANSING BROOKS, YOU'RE RECOGNIZED. [LB843]

SENATOR PANSING BROOKS: WELL, I APPRECIATE EVERYBODY AND THE DISCUSSIONS THAT WE'RE HAVING. COLLEAGUES, I WANT TO REMIND YOU ALL THAT THIS LANGUAGE CAME AFTER INTENSIVE DISCUSSIONS AND NUMEROUS MEETINGS WITH THE ATTORNEY GENERAL DOUG PETERSON, WITH STEPHEN O'MEARA, HIS ASSISTANT ATTORNEY GENERAL, AND WITH DON KLEINE AND JOE

Floor Debate
March 16, 2016

KELLY, BOTH COUNTY ATTORNEYS FROM LANCASTER AND DOUGLAS COUNTIES. WHAT IS HAPPENING...WHAT IS REALITY IS DIFFERENT FROM WHAT MANY ARE SAYING AND SUPPOSING HERE. THIS DOESN'T MAKE PROSTITUTION LEGAL. WHAT IT DOES IS SAY IF YOU ARE TRAFFICKED, YOU ARE NOT GUILTY OF A CRIME. YOU ARE NOT A CRIMINAL. AND, YES, THIS DOES APPLY TO ADULTS. IN OUR DISCUSSIONS WITH THE A.G. AND THE COUNTY ATTORNEYS, THEY ACKNOWLEDGED THAT 99 PERCENT OF THE TIME WHEN THEY ARREST SOMEBODY FOR PROSTITUTION, THAT PERSON IS UNDER THE CONTROL OF ANOTHER PERSON. THEY ARE TRAFFICKED. THEY ARE NOT IN CONTROL OF THEIR OWN MONEY. THEY ARE NOT IN CONTROL OF THEIR OWN HOMES. I DO FEEL IT'S CONDESCENDING TO SAY THIS LEGISLATION IS FEEL-GOOD LEGISLATION. THERE'S NOTHING FEEL-GOOD ABOUT THE SALE AND ABUSE OF HUMAN FLESH--NOTHING. AND TO SAY THAT THIS IS JUST PABLUM AND WE'RE TRYING...WHAT WE ARE TRYING TO DO IS TO HELP LAW ENFORCEMENT. RIGHT NOW WHEN LAW ENFORCEMENT ARRESTS THE PROSTITUTE, SHE KNOWS THAT THE ONLY WAY OUT IS WHEN HER TRAFFICKER/PIMP--I DON'T LIKE TO USE THAT WORD BECAUSE I THINK THERE ARE PIMPS THAT SOME OF US MAY EVEN KNOW-- BUT HER TRAFFICKER PAYS FOR HER TO GET OUT. SO SHE HAS...IF WE LEAVE IT WITH...IF WE USE IT SO THAT SHE GAINS IMMUNITY, IT'S A GRANTING OF IMMUNITY FROM THE STATE AND NOT FROM...NOT FROM THE POLICE OFFICER. SENATOR CHAMBERS IS CORRECT. RATHER, WE ARE GRANTING THE IMMUNITY BECAUSE WHAT WE NEED IS FOR LAW ENFORCEMENT TO BE ABLE TO DETAIN HER, THAT'S STILL IN THE BILL IN THE LAW. SHE WILL BE DETAINED AND QUESTIONED AND CAN GIVE UP INFORMATION IF SHE'S SEEN AS A VICTIM RATHER THAN A CRIMINAL. HOW MANY OF YOU WANT TO GIVE UP INFORMATION IF YOU THINK THAT YOU'RE ABOUT TO BE ARRESTED AND DETAINED AND CHARGED? SO THE STATUS QUO HAS NOT BEEN WORKING. THEY ARE NOT GIVING UP NAMES OF THEIR TRAFFICKERS. THEY ARE NOT HELPING LAW ENFORCEMENT RIGHT NOW. AND THEN THEY ARE NOT ABLE TO GO AHEAD AND GET SERVICES, AND THAT'S THE OTHER POINT TO THIS. RIGHT NOW JUVENILES CAN BE SPLIT OFF INTO THE (3)(a) AND GET SERVICES FROM HEALTH AND HUMAN SERVICES. THE ATTORNEY GENERAL IS WORKING RIGHT NOW WITH LAW ENFORCEMENT TO ARREST...TO DETAIN THESE WOMEN, EXPLAIN TO LAW ENFORCEMENT THAT THERE ARE SERVICES AVAILABLE. AND SO THEY ARE WORKING WITH PROVIDERS ACROSS THE STATE. THE SALVATION ARMY IS ONE OF THE GROUPS. BUT THE WOMEN'S FUND, ALL SORTS OF GROUPS, THE GROUP THAT SENATOR FOX MENTIONED, ARE WORKING WITH LAW ENFORCEMENT TO PROVIDE SERVICES TO THESE WOMEN WHO ARE IN GREAT NEED. WE NEED TO RECOGNIZE THESE WOMEN AND MEN THAT ARE TRAFFICKED AS VICTIMS. WE NEED TO HELP LAW ENFORCEMENT. [LB843]

Floor Debate
March 16, 2016

SENATOR WATERMEIER: ONE MINUTE. [LB843]

SENATOR PANSING BROOKS: WE ARE GIVING THEM THE IMMUNITY. THIS IS TO ALLOW LAW ENFORCEMENT TO BE ABLE TO GAIN TRUST AND ACCESS TO THE TRUE CRIMINAL WHO IS THE TRAFFICKER. IMMUNITY I.D.s A VICTIM, RATHER THAN A PERPETRATOR. IF THE POLICE RECOGNIZE THAT THERE'S HUMAN TRAFFICKING, THEN THEY WILL BE ABLE TO TREAT THOSE PEOPLE AS VICTIMS AND LEAD THEM OFF TO SERVICES AND ALSO ASK QUESTIONS REGARDING WHO IS TRAFFICKING THEM RATHER THAN SENDING THEM ON TO PROSECUTION. THEY'RE CORRECT. JUVENILES GO TO JUVENILE COURT FOR SERVICES. WE HAVE NO WAY TO PLACE THE ADULT VICTIMS INTO SERVICES. BUT BY LAW ENFORCEMENT WORKING WITH THE VARIOUS GROUPS AROUND THE STATE, THEY CAN HELP PROVIDE SERVICES TO THESE PEOPLE AND THEY CAN WORK TO STOP TRAFFICKING. [LB843]

SENATOR WATERMEIER: TIME, SENATOR. [LB843]

SENATOR PANSING BROOKS: THANK YOU. [LB843]

SENATOR WATERMEIER: THANK YOU, SENATOR PANSING BROOKS. SEEING NO ONE IN THE QUEUE, SENATOR SEILER, YOU'RE RECOGNIZED TO CLOSE ON THE COMMITTEE AMENDMENT TO LB843. [LB843]

SENATOR SEILER: THANK YOU, MR. SPEAKER, MEMBERS OF THE UNICAMERAL. I WOULD LIKE TO JUST POINT OUT THAT, AGAIN, THAT THIS PASSED OUT OF COMMITTEE 8-0 IN FAVOR, NOBODY AGAINST AND NOBODY ABSENT. IT'S INTERESTING TO NOTE THAT THERE WAS NO OPPOSITION TO THIS BILL WHATSOEVER. AND THAT SPEAKING IN THE NEUTRAL WAS THE ATTORNEY GENERAL'S OFFICE AND ALSO A COUNTY ATTORNEYS ASSOCIATION. SO THIS HAD THE BACKING OF BOTH...OF ALL THE PARTIES THAT WERE AT THE TABLE. AND I'M ENCOURAGING YOU ALL TO VOTE FOR LB843 AND AM2335. THANK YOU. [LB843]

SENATOR WATERMEIER: THANK YOU, SENATOR SEILER. MEMBERS, THE QUESTION BEFORE US IS, SHALL THE COMMITTEE AMENDMENT TO LB843 BE ADOPTED? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB843]

Floor Debate
March 16, 2016

CLERK: 27 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF COMMITTEE AMENDMENTS. [LB843]

SENATOR WATERMEIER: THE AMENDMENT IS ADOPTED. DISCUSSION ON ADVANCEMENT OF LB843. SENATOR SCHUMACHER, YOU ARE RECOGNIZED. [LB843]

SENATOR SCHUMACHER: THANK YOU, MR. PRESIDENT AND MEMBERS OF THE BODY. HOPEFULLY, BETWEEN NOW AND SELECT FILE, SENATOR PANSING BROOKS WILL BE AGREEABLE TO SERIOUSLY LOOKING AT THE LANGUAGE ON PAGE 2 AT THE TOP AND RESTRUCTURING THAT PARTICULAR LANGUAGE TO MEET OUR...WHAT I THINK IS COMMON GOAL OF TRYING TO DEAL WITH THIS PROBLEM, BUT TO MEET IT IN A WAY THAT WORKS. I THINK THAT THAT'S VERY IMPORTANT. I THINK AS IT SETS UP NOW, THERE'S A RISK THAT THE ENTIRE ACT WILL BE UNCONSTITUTIONAL. CERTAINLY, IT WILL FRUSTRATE LAW ENFORCEMENT TO NO END IN TRYING TO HELP THESE PEOPLE. IT DOES, REGARDLESS OF HOW YOU READ THIS THING NOW, GIVE A LAW ENFORCEMENT OFFICER THE AUTHORITY TO DECLARE SOMEBODY IMMUNE FOR PROS...IMMUNE FROM...IMMUNE FROM PROSECUTION FOR PROSTITUTION. AND THAT IS...AND NOT JUST FOR THE ONE ACT THAT WAS INVOLVED, BUT IMMUNE. AND THAT PERSON THEN HAS A, WHAT WOULD APPEAR TO BE, AN ABSOLUTE DEFENSE ONCE THEY'RE IMMUNE. AND THAT OFFICER DETERMINATION IS NOT APPEALABLE. I THINK WE NEED TO WORK ON THIS. I'LL BE WILLING TO WORK WITH IT, AS I KNOW SENATOR HARR BE WILLING TO WORK ON THIS IN CLEANING UP THIS LANGUAGE. AND IF WE CAN'T GET IT CLEANED UP, I THINK THAT THE BODY SHOULD HAVE AN OPPORTUNITY ON SELECT FILE TO STRIKE THAT FIRST SECTION SO THAT AT LEAST THE RAPE TESTING PROVISIONS OF THE BILL ARE IN A POSITION TO SURVIVE. THANK YOU. [LB843]

SENATOR WATERMEIER: THANK YOU, SENATOR SCHUMACHER. SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB843]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, I WOULD LIKE TO ASK SENATOR BURKE HARR SOME QUESTIONS, IF HE'S STILL HERE. [LB843]

SENATOR WATERMEIER: SENATOR BURKE HARR FOR A QUESTION. [LB843]

SENATOR HARR: YES. [LB843]

Floor Debate
March 16, 2016

SENATOR CHAMBERS: SENATOR HARR, YOU WORKED IN A PROSECUTOR'S OFFICE FOR A PERIOD OF TIME, DIDN'T YOU? [LB843]

SENATOR HARR: I DID. [LB843]

SENATOR CHAMBERS: SO YOU ARE AWARE OF POWERS THAT POLICE OFFICERS HAVE AND CERTAIN OTHER PREROGATIVES THEY ASSUME, WHETHER THEY'RE LEGAL OR NOT, YOU'RE AWARE THAT SUCH THINGS HAPPEN, CORRECT? [LB843]

SENATOR HARR: I THINK I UNDERSTAND YOUR QUESTION AND I'LL SAY I THINK SO, YES. [LB843]

SENATOR CHAMBERS: OKAY. NOW HERE'S WHAT I'M GOING TO ASK YOU RIGHT THIS MINUTE: A COP COULD SEE TWO PEOPLE DEALING DRUGS. HE COULD PLACE BOTH OF THEM UNDER ARREST AND THAT COP HAS THE ABILITY RIGHT NOW TO RELEASE ONE OF THEM AND TAKE THE OTHER ONE TO JAIL. ISN'T THAT TRUE? [LB843]

SENATOR HARR: THAT IS CORRECT. [LB843]

SENATOR CHAMBERS: THE COP CAN DO WHATEVER HE CHOOSES TO DO, HE OR SHE. NOW, WHEN YOU TALKED ABOUT HAVING SOMETHING TO DO IN THE STATUTE THAT WILL COUNTER PROSTITUTION, AND YOU SAID THESE WOMEN MAY BE GRANTED PROBATION, IT MAY BE VERY EASY TO TALK ABOUT A PERSON GETTING A STRING OF CONVICTIONS AND IT DOESN'T MEAN ANYTHING. BUT THAT'S A THROWAWAY PERSON TO MY WAY OF THINKING. SO WOULD YOU CLARIFY WHAT YOU WERE GETTING AT? [LB843]

SENATOR HARR: YES. WHAT I WAS TRYING TO GET AT IS YOU OFTEN TIME...YOUNG PEOPLE ARE PROSECUTED AND WE HAVE A JUVENILE RECORD, MAY OR MAY NOT SHOW UP. AND THEN THEY GRADUATE AND WE CAN SEE THAT AND WE KNOW HOW LONG THEY'VE BEEN A VICTIM OF SEXUAL ASSAULT BECAUSE OF THEIR NUMBER OF ARREST AND/OR PROSECUTIONS UNDER THIS. HERE, THERE IS NO ARREST; THEY'RE GIVEN IMMUNITY. AND SO WE DON'T KNOW WHAT IS THE BEST TREATMENT. ARE THEY...BECAUSE YOU CAN'T ALWAYS BELIEVE WHAT THEY'RE GOING TO SAY. SO HAVE THEY REALLY ONLY BEEN ON THE STREET FOR SIX WEEKS, OR HAVE THEY BEEN ON THE STREET FOR TWO YEARS? [LB843]

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

Floor Debate
March 16, 2016

SENATOR CHAMBERS: NOW, BEFORE WE GET TOO INVOLVED, LET'S TAKE IT A STEP AT A TIME. SHOW ME WHERE THIS SAYS THE PERSON IS IMMUNE FROM ARREST. [LB843]

SENATOR HARR: IT DOESN'T. IT SAYS THERE'S IMMUNITY, THAT'S CORRECT, YEAH. I DON'T HAVE THE AMENDMENT UP IN FRONT OF ME. [LB843]

SENATOR CHAMBERS: SO UNDER THE LAW RIGHT NOW AS IT'S WRITTEN, RIGHT NOW WITH THIS AMENDMENT, THERE IS NOTHING THAT SAYS THE OFFICER COULD NOT ARREST THIS PERSON, IS THERE? [LB843]

SENATOR HARR: LET ME PULL THE AMENDMENT UP. [LB843]

SENATOR CHAMBERS: OKAY, TAKE YOUR TIME. I WANT TO HOLD THIS TO THE LANGUAGE. AND I HAVE MY LIGHT ON SO WE CAN CONTINUE IF NECESSARY. [LB843]

SENATOR HARR: IT SAYS: SUCH A PERSON SHALL BE IMMUNE FROM PROSECUTION FOR AN OFFENSE. [LB843]

SENATOR CHAMBERS: NOW, SHOW ME WHERE IT SAYS THAT THE PERSON IS IMMUNE FROM ARREST. [LB843]

SENATOR HARR: I DIDN'T SAY...I SAID ARREST OR PROSECUTION, YEAH. [LB843]

SENATOR CHAMBERS: NOW, AN ARREST MUST PRECEDE ANY PROSECUTION, ISN'T THAT RIGHT? [LB843]

SENATOR HARR: YES. [LB843]

SENATOR CHAMBERS: DOES THE OFFICER DETERMINE WHETHER A PERSON IS GOING TO BE PROSECUTED? [LB843]

SENATOR HARR: DOES THE OFFICER...WELL, IF THEY DON'T ARREST THEM, YES. [LB843]

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

Floor Debate
March 16, 2016

SENATOR CHAMBERS: LET'S LOOK AT THE LANGUAGE, BECAUSE COPS DO THAT NOW. THEY GRANT IMMUNITY WHENEVER THEY PICK SOMEBODY UP AND DON'T TAKE THEM DOWNTOWN. [LB843]

SENATOR HARR: I WON'T SAY THEY...I WOULDN'T SAY THEY GRANT IMMUNITY. I WOULD SAY THEY EXERCISE THEIR DISCRETION WHETHER THEY BELIEVE THERE'S PROBABLE CAUSE FOR AN ARREST OR NOT. [LB843]

SENATOR CHAMBERS: THEN LET'S NOT CHANGE IT HERE AND SAY THAT THE OFFICER IS GRANTING IMMUNITY. LET'S TAKE IT THE WAY IT IS UNDER THE LAW. THE OFFICER CAN ARREST A PERSON WHO IS A VICTIM OF TRAFFICKING; ISN'T THAT TRUE? HOW DOES THE OFFICER KNOW? IF THE OFFICER SEES THE PERSON IN CIRCUMSTANCES WHICH WOULD... [LB843]

SPEAKER HADLEY PRESIDING

SPEAKER HADLEY: ONE MINUTE. [LB843]

SENATOR CHAMBERS: ...ORDINARILY DEFINE PROSTITUTION AND AN ARREST CAN BE MADE, ISN'T THAT TRUE? LET ME MAKE IT SIMPLE. WHERE DOES IT SAY THE OFFICER CANNOT MAKE AN ARREST? [LB843]

SENATOR HARR: THAT WAS NOT MY ISSUE. [LB843]

SENATOR CHAMBERS: I DON'T CARE ABOUT YOUR ISSUE, YOU'RE HELPING ME TO MAKE THIS LAW CLEAR FOR THE RECORD. IN THIS NEW LANGUAGE, WHERE DOES IT SAY THE OFFICER MAY NOT MAKE AN ARREST? IT DOESN'T SAY IT, DOES IT? [LB843]

SENATOR HARR: I'M NOT SURE IF IT SAYS...WELL, IT DOESN'T SAY IT IN THOSE WORDS, NO, IT DOESN'T, SENATOR. [LB843]

SENATOR CHAMBERS: NO, IT DOESN'T SAY IT, PERIOD. [LB843]

SENATOR HARR: OKAY. [LB843]

Floor Debate
March 16, 2016

SENATOR CHAMBERS: WHERE DOES IT SAY THE OFFICER SHALL NOT MAKE AN ARREST? THAT'S NOT IN THE LANGUAGE, IS IT? [LB843]

SENATOR HARR: NO, IT IS NOT. [LB843]

SENATOR CHAMBERS: NOW WHO MAKES THE DETERMINATION AS TO WHETHER OR NOT THERE WILL BE A PROSECUTION? WE'RE USING NOT TERMS OF ART, BUT LEGAL TERMS. [LB843]

SENATOR HARR: IF THIS LAW PASSED, WE WOULD, THE LEGISLATURE. [LB843]

SENATOR CHAMBERS: WE STATE THAT HERE. BUT IN THE REAL WORLD AS TO WHETHER OR NOT A CHARGE IS FILED, WHO MAKES THAT DETERMINATION? [LB843]

SENATOR HARR: IN THE REAL WORLD IS, THE PROSECUTOR. [LB843]

SPEAKER HADLEY: TIME, SENATOR. THANK YOU, SENATOR CHAMBERS. SENATOR HARR, YOU'RE RECOGNIZED. [LB843]

SENATOR HARR: THANK YOU, MR. SPEAKER. SENATOR PANSING BROOKS, WOULD YOU YIELD FOR A QUESTION, PLEASE? [LB843]

SPEAKER HADLEY: SENATOR PANSING BROOKS, WILL YOU YIELD? [LB843]

SENATOR PANSING BROOKS: YES. [LB843]

SENATOR HARR: SENATOR, YOU STATED THIS AMENDMENT THAT WE JUST PASSED, AM2335, WAS ORIGINALLY A BILL OF YOURS, IS THAT CORRECT? [LB843]

SENATOR PANSING BROOKS: PART OF IT IS A BILL OF MINE, YES. [LB843]

SENATOR HARR: OKAY, AND WHAT BILL WAS THAT? [LB843]

SENATOR PANSING BROOKS: IT'S, I THINK, LB843. [LB843]

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

Floor Debate
March 16, 2016

SENATOR HARR: NO, WE'RE DEBATING LB843 RIGHT NOW. [LB843]

SENATOR PANSING BROOKS: I KNOW, THAT'S WHAT IT IS. [LB843]

SENATOR HARR: WAS THERE A HEARING ON THE AMENDMENT WE JUST PASSED?
[LB843]

SENATOR PANSING BROOKS: THE AMENDMENT, IT WAS MOSTLY RELATED TO
SENATOR MORFELD'S BILL. [LB843]

SENATOR HARR: OKAY, AND DO YOU KNOW...OKAY, THANK YOU. SENATOR
MORFELD, WOULD YOU YIELD FOR A QUESTION? [LB843]

SPEAKER HADLEY: SENATOR MORFELD, WILL YOU YIELD? [LB843]

SENATOR MORFELD: YES. [LB843]

SENATOR HARR: OKAY, THANK YOU. AND THIS WAS PART OF YOUR BILL, WHAT
BILL NUMBER WAS THAT? [LB843]

SENATOR MORFELD: THAT WAS LB1097. [LB843 LB1097]

SENATOR HARR: AND DID THAT PASS OUT OF COMMITTEE? [LB843]

SENATOR MORFELD: DID IT PASS OUT OF COMMITTEE? I CAN'T REMEMBER IF WE
FORMALLY ADVANCED IT OR NOT. BUT THE AMENDMENT PASSED OUT OF
COMMITTEE, 8-0, YES. [LB843]

SENATOR HARR: OKAY. BUT DID YOUR BILL, LB1097, THAT HAD THE PUBLIC
HEARING ADVANCE OUT OF COMMITTEE, YES OR NO? [LB843 LB1097]

SENATOR MORFELD: I CAN'T REMEMBER IF WE FORMALLY ADVANCED IT OUT OF
COMMITTEE SEPARATELY FROM THE AMENDMENT. [LB843]

Floor Debate
March 16, 2016

SENATOR HARR: OKAY, I WILL ANSWER IT FOR YOU--LB1097 DID NOT ADVANCE OUT OF COMMITTEE. AND WITH THAT, I WOULD YIELD THE REMAINDER OF MY TIME TO THE FLOOR. THANK YOU. [LB843 LB1097]

SPEAKER HADLEY: SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB843]

SENATOR CHAMBERS: THANK YOU. AND, MR. PRESIDENT, THIS IS MY SECOND TIME, I'M GOING TO PUT MY LIGHT ON AGAIN. OH, IT'S ON. MEMBERS OF THE LEGISLATURE, IN COMMITTEES THERE ARE BILLS WHICH ARE HEARD. NOT ALL THOSE BILLS ARE ADVANCED AND THEN CONVERTED INTO COMMITTEE AMENDMENTS IN THE COMMITTEE. WHEN A COMMITTEE HAS BILLS, THEY CAN BE ADVANCED ONE AT A TIME OR AS IT HAPPENS WITH REVENUE, YOU COMBINE A NUMBER OF BILLS IN COMMITTEE THAT WERE HEARD AND YOU DO NOT SEND THEM OUT ONE-BY-ONE AND THEN SAY BUT IN ADDITION TO ADVANCING THEM, WE'RE GOING TO MAKE THEM A PART OF A COMMITTEE AMENDMENT. THESE PROPOSITIONS ARE JOINED TOGETHER IN ADVANCE. BUT HERE'S WHAT SENATOR HARR DOES NOT WANT TO LOOK AT. WE ON THIS FLOOR SHOULD LOOK AT THE LAW AND NOT TRY TO BEFUDDLE THE PUBLIC. THERE IS NOTHING IN THIS NEW LANGUAGE THAT SAYS AN ARREST CANNOT BE MADE. THIS LANGUAGE THAT WE'RE DISCUSSING RIGHT NOW, TALKING ABOUT IMMUNITY, DOES NOT SAY THE PERSON IS IMMUNE FROM ARREST. NOTHING ABOUT ARREST IS MENTIONED HERE. THE OFFICER IS AUTHORIZED TO DETAIN THE PERSON FOR A REASONABLE PERIOD OF TIME FOR INVESTIGATIVE PURPOSES. IF THERE'S NOT PROBABLE CAUSE TO THINK THE PERSON COMMITTED A CRIME, THAT'S WHAT THE INVESTIGATION WOULD BE FOR. LET THEM GO. BUT LET'S SAY THAT THE OFFICER THINKS THAT WHAT THIS PERSON SAID IS A LIE. AND SHE, IN FACT, WAS NOT A VICTIM OF TRAFFICKING AND HE PLACES HER UNDER FORMAL ARREST AND PRESSES A CHARGE. WHEN THEY MENTION WHAT THIS COP HAS DONE, THEY WOULD SAY THE PERSON IS SUSPECTED OF HAVING DONE SUCH AND SUCH BECAUSE THE PERSON HAS BEEN CONVICTED AND NO EVIDENCE HAS BEEN PRESENTED. SO HERE IS WHAT IN EFFECT OR WHAT IN FACT IS A VICTIM OF TRAFFICKING. BUT THE OFFICER IS NOT SURE. SO THE OFFICER PLACES THE PERSON UNDER ARREST, UNDER A FORMAL CHARGE. IF THAT PERSON IS THEN CHARGED BY THE PROSECUTOR IN AN INDICTMENT OR INFORMATION OR COMPLAINT AND SETS A TIME FOR TRIAL, IF THE WOMAN IS INDIGENT, THEN WHEN THE CHARGES ARE FILED, THEN THE WOMAN WOULD BE APPOINTED A LAWYER. IT WOULD BE A MEMBER OF THE PUBLIC DEFENDER'S OFFICE USUALLY. THE PUBLIC DEFENDER WOULD ALSO LOOK AT THE EVIDENCE. AND IF THERE WAS EVIDENCE TO SHOW THIS WOMAN WAS A VICTIM OF TRAFFICKING, THE PERSON WOULD GO TO THE PROSECUTOR AND SAY YOU DON'T HAVE A

Floor Debate
March 16, 2016

CASE. AND THE PROSECUTOR WOULD SAY, WELL, I WANT TO MAKE AN EXAMPLE OF THIS WOMAN SO WE'RE GOING TO TRIAL. THE DEFENSE LAWYER PRESENTS THE EVIDENCE THAT ESTABLISHES THAT THIS WOMAN IS A VICTIM OF TRAFFICKING AND MOVES FOR DISMISSAL AND THE COURT WILL GRANT IT. BUT AS MUCH CRITICISM AS I MAKE OF PROSECUTORS, THEY BEHAVE IN A WAY THAT I THINK IS INAPPROPRIATE IN MANY INSTANCES, BUT NOT ALL OF THEM ARE STUPID. THEY ARE NOT OF A MIND TO WANT TO PROSECUTE A WOMAN WHERE THERE IS A LIKELIHOOD THAT SHE'S BEEN A VICTIM OF TRAFFICKING. THE PROSECUTOR IS AUTHORIZED UNDER THIS STATUTE... [LB843]

SPEAKER HADLEY: ONE MINUTE. [LB843]

SENATOR CHAMBERS: ...WHICH THE STATUTE IS NOT NEEDED ANYWAY TO SAY THAT NO CHARGES ARE GOING TO BE FILED ON THE BASIS OF THIS ARREST. BUT THE IMMUNITY IS THERE IN CASE YOU HAVE SOMEBODY WHO IS VINDICTIVE OR SOMEBODY WHO IS DUMB. AND YOU CAN SHOW THAT THIS SHOULD NOT EVEN MAKE ITS WAY TO A JUDGE. AND YOU CAN HAVE PRETRIAL MOTIONS OR WHATEVER YOU WANT TO DO, BUT THERE IS NOTHING THAT PREVENTS AN ARREST. AND I HOPE THE BODY WILL NOT BE MISLED. I DON'T THINK ANY CHANGE IS NEEDED IN THE LANGUAGE AT ALL. READ THE LANGUAGE AND A COP CAN BE AS VINDICTIVE AS HE OR SHE CHOOSES AND MAKE AN ARREST AND AN ACCUSATION. THAT IS NOT PREVENTED HERE. THE LANGUAGE DOES NOT SAY: SHALL BE IMMUNE FROM ARREST. IT DOES NOT SAY THAT. THE COP CAN STILL DO HIS OR HER JOB AS HE OR SHE THINKS IT OUGHT TO BE DONE. IT'S AFTER THE COP IS NO LONGER IN THE PICTURE THAT WE GET TO THE MATTER OF IMMUNITY. [LB843]

SPEAKER HADLEY: TIME, SENATOR. [LB843]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB843]

SPEAKER HADLEY: THANK YOU, SENATOR CHAMBERS. SENATOR SCHUMACHER, YOU'RE RECOGNIZED. [LB843]

SENATOR SCHUMACHER: THANK YOU, MR. SPEAKER AND MEMBERS OF THE BODY. I DON'T WANT TO BELABOR THIS DISCUSSION ANY LONGER BECAUSE WE DO NEED TO MOVE ON. HOPEFULLY, WE'LL BE ABLE TO CORRECT THESE PROBLEMS BETWEEN NOW AND SELECT FILE. THE PROCEDURE THAT SENATOR CHAMBERS JUST OUTLINED IS ACCURATE. BUT IT'S NOT ACCURATE FOR

Floor Debate
March 16, 2016

IMMUNITY. IT'S ACCURATE FOR AN AFFIRMATIVE DEFENSE. AN AFFIRMATIVE DEFENSE SAYS, HEY, MR. PROSECUTOR, YOU CHARGED ME WITH A CRIME, BUT I GET A FREE PASS BECAUSE I WAS CARRYING A WEAPON AND I HAVE THE AFFIRMATIVE DEFENSE THAT IF I'M DOING SO IN FEAR OF MY LIFE AND A LEGITIMATE BUSINESS, I HAVE AN AFFIRMATIVE DEFENSE. SO I'M A LEGITIMATE BUSINESSMAN FEARING MY LIFE, I CAN CARRY A WEAPON. THAT'S AN AFFIRMATIVE DEFENSE. THAT IS NOT IMMUNITY. IMMUNITY MEANS THE LAW DOES NOT APPLY TO YOU. NOW, SENATOR CHAMBERS MADE THE EXAMPLE OF WHAT IF A POLICEMAN NOW FINDS TWO BURGLARS? HE CAN LET ONE GO AND TAKE THE OTHER ONE DOWN TO THE STATION HOUSE AND START A CRIMINAL PROCEDURE. TRUE. BUT THE ONE HE LET GO DOESN'T HAVE IMMUNITY. HE JUST LET HIM GO. AND WHEN THE COUNTY ATTORNEY GETS THE REPORTS ABOUT THIS GUY BEING PICKED UP AND WHEN THE DEFENSE ATTORNEY SAYS--HOW COME YOU DIDN'T ARREST THE OTHER GUY? HOW COME HE'S NOT BEING HERE PROSECUTED? THE COUNTY ATTORNEY HAS FULL DISCRETION TO ISSUE A WARRANT OR CAUSE A JUDGE TO ISSUE A WARRANT TO PICK UP THE OTHER GUY. THE OTHER GUY GETS NO IMMUNITY, GETS NO SPECIAL PRIVILEGE, GETS NO KING'S X BY THE FACT THAT THE OFFICER LOOKED THE OTHER WAY. MAYBE IT WAS THE OFFICER'S BROTHER-IN-LAW, WHO KNOWS. BUT WHATEVER, THERE'S A DIFFERENCE. NOW THE SITUATION IS WHAT HAPPENS AFTER AN OFFICER PICKS UP A YOUNG MAN FOR BEING A PROSTITUTE AND DETERMINES THAT, YEAH, THE YOUNG MAN WAS A VICTIM OF TRAFFICKING AND TURNS HIM LOOSE? AND THEN, HE HAS IMMUNITY, THE OFFICER GOES OUT ON THE STREET AND THERE THE GUY IS STANDING OUT THERE...NOTICE I USE "GUY," THE GUY IS STANDING OUT THERE ON THE CORNER SOLICITING AGAIN. THAT OFFICER KNOWS HE'S IMMUNE BECAUSE HE GRANTED THE IMMUNITY. HE TURNED HIM LOOSE THE FIRST TIME. HE BETTER NOT ARREST SOMEBODY WHO HE KNOWS IS IMMUNE, WHO CAN'T BE PROSECUTED, BECAUSE THAT IS A FALSE ARREST. THAT IS AN ABUSE OF GOVERNMENT AUTHORITY. THAT IS SOME FEDERAL CIVIL RIGHTS ISSUES THAT ARE RAISED. THAT OFFICER COULD BE SUBMITTING HIS WHOLE DEPARTMENT AND THE WHOLE CITY OR HIS EMPLOYER TO A LAWSUIT BECAUSE HE WAS DELIBERATELY ARRESTING AN IMMUNE PERSON. THIS IS THE WRONG LANGUAGE WRITTEN IN THE WRONG WAY TO ATTEMPT TO DO A GOOD THING. SO LET'S REWRITE IT TO DO WHAT THE GOOD THING IS AND THAT IS TO GIVE THAT YOUNG MAN, WHO'S A PROSTITUTE, HELP AND TO USE THE SYSTEM IN THE BEST TOOLS WE CAN TO DEAL WITH THE ISSUES OF HUMAN TRAFFICKING. THIS IS A WRONG WORD. I NEVER HEARD SENATOR SEILER SAY THAT THE ATTORNEY GENERAL SUPPORTED THIS; THEY WERE NEUTRAL. RIGHT? I WONDER IF THEY'RE STILL NEUTRAL AFTER THIS DISCUSSION? I WONDER IF THEY'LL BE NEUTRAL WHEN THEY HAVE TO TRY TO DEFEND THIS THING

Floor Debate
March 16, 2016

AGAINST A BUNCH OF DEFENSE ATTORNEYS WHO MAYBE WILL EVEN READ THIS TRANSCRIPT AND GET THE UNDERSTANDING THAT THERE ARE SERIOUS PROBLEMS THAT WERE CONSIDERED BY THIS LEGISLATURE AND MAKE THE ARGUMENTS TO THE COURT. I AM VERY HOPEFUL THAT WE CAN FIX THIS THING RATHER THAN FACE A TOUGH DECISION... [LB843]

SPEAKER HADLEY: ONE MINUTE. [LB843]

SENATOR SCHUMACHER: ...OF WHETHER JUST TO NOT PASS IT. WE'RE ALL IN THE SAME PAGE AS FAR AS MOTIVATION, BUT THE TECHNIQUE BEING PROPOSED HERE IS TERRIBLY BUGGY. THANK YOU. [LB843]

SPEAKER HADLEY: THANK YOU, SENATOR SCHUMACHER. SENATOR CHAMBERS, YOU'RE RECOGNIZED, AND THIS IS YOUR THIRD TIME. [LB843]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT AND MEMBERS OF THE LEGISLATURE, I'M GOING TO QUOTE WHAT DAVID WROTE IN ONE OF HIS PSALMS: I AM WISER THAN MY TEACHERS. SENATOR SCHUMACHER SHOULD KNOW BETTER. AND I'M GOING TO REMIND HIM OF SOME THINGS IF HE'S FORGOTTEN THEM. AND I'M DEADLY SERIOUS ABOUT WHAT I'M TALKING ABOUT. A COP CAN ARREST A PERSON AND LET HIM GO. AND IF HE LETS HIM GO, HOW WILL ANYBODY KNOW HE EVEN PICKED HIM UP? BECAUSE THE COP'S NOT GOING TO WRITE IN HIS REPORT THAT I PICKED HIM UP AND I DECIDED TO LET HIM GO. BUT IF HE DID, ALL HE HAS TO DO IS SAY, I DIDN'T HAVE PROBABLE CAUSE FOR AN ARREST. AND THAT TAKES THE COP OFF THE HOOK RIGHT AWAY. AND COURTS ARE VERY WILLING TO GO ALONG WITH WHAT A COP SAYS. AND IF A PROSECUTOR OR A DEFENSE ATTORNEY BROUGHT UP SOMETHING LATER, THE COURT WILL SAY AFTER THE FACT YOU'RE GOING TO SECOND GUESS THE COP. THE COP MADE A DECISION ON THE SPOT AND THE COP'S DECISION STANDS. NOW, IF THE PROSECUTOR THINKS THAT HE CAN ESTABLISH PROBABLE CAUSE FOR THIS PERSON TO BE ARRESTED, LET THE PROSECUTOR ISSUE A WARRANT AND STATE WHEN HE APPLIES FOR THAT WARRANT THE PROBABLE CAUSE FOR THE ARREST. AND THE PROSECUTOR COULD NOT GET A WARRANT ISSUED BY SAYING, WELL, I JUST THINK WE OUGHT TO ARREST HIM. THERE ARE THINGS IN THE LAW, AND I WOULD OPPOSE ANY ATTEMPT TO CHANGE THIS LANGUAGE. IT'S NOT NECESSARY. COPS, THE REASON I MENTIONED THE EXAMPLE IS TO SHOW SENATOR SCHUMACHER AND SENATOR HARR THAT COPS RIGHT NOW DECIDE WHETHER THEY'RE GOING TO TAKE SOMEBODY DOWNTOWN; DECIDES WHETHER THEY'RE GOING TO HAVE A CHARGE BROUGHT. THEY'VE BEEN

Floor Debate
March 16, 2016

KNOWN TO DRIVE PEOPLE AND RIDE THEM AROUND AND AROUND AND THEN LET THEM GO. THAT'S NOT GOING TO CHANGE. THAT'S NOT WHAT THIS BILL IS ABOUT. IMMUNITY IS NOT GRANTED BY THE COP. AND NO COURT WOULD SAY THAT THIS BILL GIVES THE COP THE AUTHORITY TO GRANT IMMUNITY. IT ALLOWS THE COP TO DO WHAT THE COP DOES AND IN NO WAY INFRINGES OR IMPINGES ON WHAT A COP CAN DO. THERE IS NOTHING IN HERE THAT SAYS THE PERSON IS IMMUNE FROM ARREST. IT SAYS FROM PROSECUTION. PROSECUTION IS NOT EVEN AN ISSUE UNLESS SOMEBODY IS ARRESTED AND CHARGED. THAT'S WHEN THE PROSECUTORIAL DECISION IS MADE. AND THE PROSECUTOR WOULD LOOK AT THIS REPORT AND SAY, WELL, THIS IS A VICTIM OF TRAFFICKING AND THIS PERSON CANNOT BE PROSECUTED. WHEN I USE THE TERM "AN AFFIRMATIVE DEFENSE," I WAS TALKING ABOUT THE WORST POSSIBLE CASE SCENARIO. AND I HOPE PEOPLE WILL READ THIS TRANSCRIPT. I SAID, IF YOU HAVE A VINDICTIVE PROSECUTOR WHO MAY KNOW THAT THE PERSON IS A VICTIM OF TRAFFICKING, BUT SAYS I WANT TO MAKE AN EXAMPLE OF THIS WOMAN FOR OTHER PEOPLE WHO ARE IN PROSTITUTION, SO I'M GOING TO CHARGE HER AND TAKE HER TO TRIAL. AS SOON AS THE PROSECUTOR FILES A FORMAL CHARGE, THE DEFENSE LAWYER THEN BRINGS THIS STATUTE AND SAYS YOU CANNOT PROSECUTE HER BECAUSE SHE IS A VICTIM OF TRAFFICKING, YOU CANNOT PROSECUTE. THAT'S HOW THAT COMES UP. AND YOU HAVE PEOPLE SITTING ON THIS FLOOR GOING ALONG WITH WHAT SENATOR SCHUMACHER IS TALKING ABOUT. I REFER TO HIM AS PROFESSOR. I WAS SMARTER THAN SOME OF MY PROFESSORS IN LAW SCHOOL, BELIEVE IT OR NOT, BECAUSE I READ THE CASES AND THEY DIDN'T. THEY WERE NOT ACCUSTOMED TO BEING QUESTIONED, AND I RAISE QUESTIONS. I CAN READ, I CAN UNDERSTAND WHAT I READ. AND THERE'S NOTHING WHATSOEVER THAT SUGGESTS THAT AN OFFICER CANNOT MAKE AN ARREST, NOTHING WHATSOEVER. [LB843]

SPEAKER HADLEY: ONE MINUTE. [LB843]

SENATOR CHAMBERS: THERE IS NOTHING THAT SAYS AN OFFICER DOES NOT NEED PROBABLE CAUSE TO MAKE AN ARREST. THERE IS NOTHING THAT MANDATES AN OFFICER TO MAKE AN ARREST EITHER. IF THERE WAS SOMETHING THAT MANDATED THAT OFFICERS MAKE AN ARREST WHEN THESE COPS SEE ANOTHER COP ABUSING SOMEBODY AND WILL NOT ARREST THAT COP, THAT COP WHO WATCHED THE CRIME BEING COMMITTED AND DIDN'T DO ANYTHING IN TERMS OF AN ARREST SHOULD BE PROSECUTED HIMSELF, AND THAT NEVER HAPPENS. I KNOW WHAT THE REALITY IS OUT THERE. I LIVE IN A COMMUNITY WHERE I SEE IT. OTHER PEOPLE ARE THEORIZING, THEY'RE BEING ABSTRACT. AND I DON'T WANT INNOCENT PEOPLE TO BE PUT THROUGH THAT

Floor Debate
March 16, 2016

MEAT GRINDER. AND I HOPE SENATOR PANSING BROOKS WILL NOT CHANGE THIS LANGUAGE. LIVE IN FAME OR GO DOWN IN FLAME, BUT I THINK THERE WILL BE ENOUGH PEOPLE ON THIS FLOOR WHO WILL UNDERSTAND THE REALITY. AND THIS BILL WILL PASS. AND THIS IS ONE TIME, IF I THOUGHT THE ATTORNEY GENERAL... [LB843]

SPEAKER HADLEY: TIME, SENATOR. [LB843]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB843]

SPEAKER HADLEY: THANK YOU, SENATOR CHAMBERS. SEEING NO ONE ELSE IN THE QUEUE, SENATOR PANSING BROOKS, YOU'RE RECOGNIZED TO CLOSE ON LB843. [LB843]

SENATOR PANSING BROOKS: THANK YOU, MR. PRESIDENT. IT IS IMPORTANT, OBVIOUSLY, TO HAVE THIS DISCUSSION. I'M TRYING NOT TO BE SADDENED BY SOME OF THIS DISCUSSION. THE DISCUSSION THAT WE STILL WANT TO PUNISH WOMEN. WE HAVE A CASE OF A WOMAN THAT WAS ARRESTED 146 TIMES FOR PROSTITUTION AND HER PIMP WAS NEVER ARRESTED. SOMETHING IS DESPERATELY WRONG. WE HAVE AN AG WHO WANTS TO MAKE A DIFFERENCE IN OUR STATE. I COULD NOT COMMEND HIM MORE. WE HAVE COUNTY ATTORNEYS, DON KLEINE AND JOE KELLY, WHO ARE ALSO RECOGNIZING THIS ISSUE AND THE FACT THAT THEY CAN'T GET INFORMATION OUT OF THE PEOPLE WHO ARE TRAFFICKED BECAUSE THEY'RE SO SUBJECT TO ARREST. SENATOR SEILER WAS CORRECT--THE AG AND THE COUNTY ATTORNEYS CAME IN NEUTRAL ON THE GREEN COPY OF THE BILL. BUT THEY ALSO SAID THERE IS AN AMENDMENT THAT WE HAVE SEEN FROM SENATOR PANSING BROOKS AND WE ARE SUPPORTIVE OF THAT AMENDMENT. THEY SAID THAT IN THEIR TESTIMONY. I THEN WENT AND WORKED SIGNIFICANTLY...A NUMBER OF TIMES WITH THEM TO MAKE SURE WE HAD LANGUAGE TO WHICH WE COULD ALL AGREE. THEY ARE ON BOARD. SO IT'S QUITE EASY TO SAY--OH, THEY WERE NEUTRAL, WHEN YOU DON'T KNOW THE WHOLE STORY. THEY ARE NOW ON BOARD WITH THIS LANGUAGE. I HAD SOMEBODY ASK ME OFF THE MIKE IF YOU CAN STILL ARREST FOR PROSTITUTION. GLORIOUSLY, YOU STILL CAN. YOU CAN GO AND ARREST A PERSON FOR PROSTITUTION IF YOU DO NOT BELIEVE THAT THEY ARE BEING TRAFFICKED. HAVE AT IT. NOBODY IS COMING TO ME AND SAYING WHAT ABOUT THE PIMP? WHAT ABOUT THE PEOPLE THAT ARE PURCHASING? BUT, YES, WE CAN STILL ARREST FOR PROSTITUTION, AS LONG AS THEY AREN'T BEING TRAFFICKED AND CONTROLLED BY SOMEBODY ELSE AND OUT OF CONTROL

Floor Debate
March 16, 2016

THEMSELVES AND NOT HAVING THEIR FLESH ABUSED OVER AND OVER. THESE PEOPLE ARE ENTERING THE PROFESSION AT 13. AND NOW WHAT I'M TRYING TO DO IS THAT JUST BECAUSE THEY TURN 18, THAT IS NOT A REASON NOT TO HELP THEM AS VICTIMS. WE NEED TO TREAT PEOPLE WHO ARE TRAFFICKED AS THE VICTIMS THEY ARE; ALLOW LAW ENFORCEMENT TO HELP THEM TO FIND SERVICES, AND NOT ARREST THEM, NOT ADD TO THEIR TRAUMA. NOT ADD TO THE DIFFICULTIES THAT THEY HAVE FINDING ANY OTHER JOB OR ANY OTHER PROFESSION. AGAIN, I HOPE THAT YOU WILL SEE CLEAR TO THE FACT THAT WE HAVE AN ISSUE IN OUR STATE WHICH WE NEED TO DEAL WITH. IT'S AN ISSUE OF THE ABUSE OF PEOPLE IN OUR STATE, IT IS SLAVERY TODAY. AND IF WE CAN DO SOMETHING TO TRY TO WORK IT OUT SO THAT WE CAN GET INFORMATION ON THE TRUE CRIMINALS, THEN, PLEASE, VOTE FOR LB843, MY FRIENDS. THANK YOU. [LB843]

SPEAKER HADLEY: THANK YOU, SENATOR MORFELD. (SIC-SENATOR PANSING BROOKS) HMM? THE QUESTION FOR THE BODY IS THE ADVANCEMENT OF LB843. ALL IN FAVOR VOTE AYE; ALL OPPOSED VOTE NAY. HAVE ALL VOTED THAT WISH? RECORD, MR. CLERK. [LB843]

CLERK: 32 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADVANCEMENT OF LB843. [LB843]

SPEAKER HADLEY: LB843 ADVANCES. MR. CLERK, THE NEXT BILL. [LB843]

CLERK: MR. PRESIDENT, MAY I READ SOME ITEMS, MR. PRESIDENT?

SPEAKER HADLEY: YES, YOU MAY.

CLERK: THANK YOU. NEW RESOLUTIONS: LR485 AND LR486 BY SENATOR MELLO; SENATOR FOX, LR487; SENATOR EBKE, LR488, THOSE WILL ALL BE LAID OVER. AMENDMENTS TO BE PRINTED: SENATOR BOLZ TO LB289; SENATOR HOWARD TO LB643, SENATOR MELLO TO LB1093. (LEGISLATIVE JOURNAL PAGES 997-1001.) [LR485 LR486 LR487 LR488 LB289 LB643 LB1093]

MR. PRESIDENT, THE NEXT BILL ON GENERAL FILE THIS MORNING, LB1081. IT'S A BILL BY SENATOR CAMPBELL RELATING TO PUBLIC ASSISTANCE. (READ TITLE) INTRODUCED ON JANUARY 20; REFERRED TO HEALTH AND HUMAN SERVICES

Floor Debate
March 16, 2016

COMMITTEE. THE BILL WAS ADVANCED TO GENERAL FILE. THERE ARE COMMITTEE AMENDMENTS. (AM2180, LEGISLATIVE JOURNAL PAGE 775.) [LB1081]

SPEAKER HADLEY: SENATOR HOWARD, YOU'RE RECOGNIZED TO OPEN ON SENATOR CAMPBELL'S BILL. [LB1081]

SENATOR HOWARD: THANK YOU, MR. SPEAKER. TODAY I PRESENT TO YOU LB1081, SENATOR CAMPBELL'S BILL, THAT WOULD PERMIT GRANT-FUNDED RESEARCHERS FOR A LIMITED PERIOD OF TIME TO PROVIDE A LIMITED STIPEND TO FAMILIES IN POVERTY WITHOUT OTHERWISE ALTERING THEIR ELIGIBILITY FOR TEMPORARY ASSISTANCE TO NEEDY FAMILIES, OR TANF; THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, OR SNAP; CHILD CARE SUBSIDIES; OR LIHEAP, THE LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM. I'M PRESENTING THIS BILL FOR SENATOR CAMPBELL AS SHE IS OUT SICK TODAY AND I SERVE AS VICE CHAIR OF THE HEALTH AND HUMAN SERVICES COMMITTEE. LB1081 DOES NOT REQUIRE THE STATE TO INCREASE BENEFITS AND THE INCREASED INCOME DOES NOT COME FROM THE STATE. IN FACT, THERE IS NO FISCAL IMPACT TO THE STATE FOR THIS BILL. THE EXCLUSION IS NARROW. IT APPLIES SOLELY TO INCOME THAT RESEARCH PARTICIPANTS RECEIVE AS PART OF A STUDY TO DETERMINE IMPACTS ON CHILD DEVELOPMENT FOR CHILDREN IN POVERTY. I'D LIKE TO GIVE YOU SOME BACKGROUND ON THE PURPOSE FOR THIS BILL. THE MED CENTER HAS BEEN SELECTED AS ONE OF FOUR RESEARCH HOSPITALS IN THE COUNTRY TO HELP CONDUCT THE FIRST U.S. STUDY ON WHETHER INCOME HAS A CAUSAL EFFECT ON THE COGNITIVE SOCIOEMOTIONAL AND BRAIN DEVELOPMENT OF INFANTS AND TODDLERS IN LOW-INCOME FAMILIES. THE STUDY IS FUNDED BY THE NATIONAL INSTITUTE OF HEALTH, OR THE NIH, AND HAS BEEN PILOTTED IN NEW YORK CITY AND WILL BE EXPANDED TO NEW ORLEANS, MINNEAPOLIS, AND IF WE PASS LB1081, IN OMAHA. FOR THE STUDY, A THOUSAND NEW MOTHERS WITH INCOMES BELOW THE FEDERAL POVERTY LINE FROM FOUR DIVERSE U.S. COMMUNITIES WILL RECEIVE MONTHLY CASH PAYMENTS BY DEBIT CARD FOR THE FIRST FORTY MONTHS OF THEIR NEW CHILD'S LIFE. THE FOUR SITES WERE SELECTED BECAUSE THEY ARE DIVERSE IN TERMS OF RACIAL AND ETHNIC COMPOSITION OF LOW-INCOME RESIDENTS, COST OF LIVING, URBAN AND CITY, AND HOW MUCH SUPPORT IS PROVIDED BY STATE SAFETY NET PROGRAMS LIKE TANF. PARENTS IN THE EXPERIMENT GROUP WILL RECEIVE \$333 PER MONTH, OR \$4,000 PER YEAR; WHEREAS, PARENTS IN THE CONTROL GROUP WILL RECEIVE A NOMINAL MONTHLY PAYMENT OF \$20. THE RESEARCHERS HAVE GATHERED SIGNIFICANT FINANCIAL SUPPORT SO THAT THE INCREASED INCOME DOES NOT COME FROM THE GOVERNMENT, BUT THEY WANT TO ASSURE A NO-HARM

Floor Debate
March 16, 2016

APPROACH, NOT ONLY FOR THE SAKE OF THE FAMILIES PARTICIPATING, BUT ALSO BECAUSE WITHOUT THIS BILL AND THE EXCLUSION OF THE INCOME PROVIDED BY GRANT FUNDS FOR THIS STUDY, THE INCOME THEY PROVIDE COULD BUMP FAMILIES OFF OF TANF, SNAP, CHILD CARE SUBSIDIES AND LIHEAP AND NOT ACTUALLY CAUSE AN INCREASE IN INCOME, WHICH IS THE WHOLE POINT OF THE STUDY. EACH INFANT'S COGNITIVE LANGUAGE, MEMORY, SELF-REGULATION, AND SOCIOEMOTIONAL DEVELOPMENT WILL ALL BE ASSESSED. THE STUDY IS SO IMPORTANT TO SEE IF THERE'S A CAUSAL RELATIONSHIP AND NOT A MERE CORRELATION BETWEEN INCOME AND CHILD OUTCOMES. THIS KIND OF EVIDENCE DOESN'T EXIST ANYWHERE. THE RESULTS GAINED BY THE STUDY, NOT TO MENTION THE RENOWN FOR OUR VERY OWN NEBRASKA MEDICAL CENTER, WILL HELP FUTURE LEGISLATORS MAKE SMARTER, MORE INFORMED POLICY DECISIONS ABOUT FUNDING FOR PUBLIC ASSISTANCE PROGRAMS. LB1081 WAS ADVANCED FROM THE HEALTH AND HUMAN SERVICES COMMITTEE UNANIMOUSLY. AGAIN, IT HAS NO FISCAL IMPACT. AND, INCIDENTALLY, IT IS MY PRIORITY BILL THIS YEAR. I'M HAPPY TO TRY TO ANSWER ANY QUESTIONS YOU MAY HAVE ABOUT IT. THANK YOU, MR. PRESIDENT. [LB1081]

SPEAKER HADLEY: THANK YOU, SENATOR HOWARD, FOR THE OPENING. THERE ARE COMMITTEE AMENDMENTS. SENATOR HOWARD, YOU'RE RECOGNIZED TO OPEN ON THE HEALTH COMMITTEE AMENDMENT. [LB1081]

SENATOR HOWARD: THANK YOU, MR. PRESIDENT. AM2180 WAS REQUESTED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO CLARIFY THAT THE EXCLUSION MUST BE PERMISSIBLE UNDER FEDERAL LAW. AND I UNDERSTAND WE'VE RECEIVED LETTERS FROM THE FEDERAL GOVERNMENT STATING THAT THIS IS PERMISSIBLE. THE AMENDMENT ALSO SUNSETS THE EXCLUSION IN SIX YEARS AT THE END OF 2022. AND THE AMENDMENT PROVIDES...INCLUDES LIHEAP OR THE LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM THAT WAS INADVERTENTLY LEFT OUT OF THE ORIGINAL DRAFT. I WOULD APPRECIATE YOUR GREEN VOTE ON AM2180 AND LB1081. THANK YOU, MR. PRESIDENT. [LB1081]

SPEAKER HADLEY: THANK YOU, SENATOR HOWARD. YOU'VE HEARD THE OPENING ON AM2180. SENATOR CRAWFORD, YOU'RE RECOGNIZED. [LB1081]

SENATOR CRAWFORD: THANK YOU, MR. PRESIDENT. AND I URGE YOUR SUPPORT OF LB1081 AND THE COMMITTEE AMENDMENTS. THIS IS REALLY A WONDERFUL,

Floor Debate
March 16, 2016

UNIQUE OPPORTUNITY THAT WE HAVE IN THE STATE OF NEBRASKA TO BE SELECTED FOR THIS PRESTIGIOUS STUDY. AND IT'S A GREAT PARTNERSHIP WITH UNMC AND OUR PHILANTHROPIC PARTNERS. IT DOESN'T COST THE STATE ANY MONEY, BUT WE HAVE A CHANCE TO BE A PART OF THIS INNOVATIVE STUDY. AND SO I URGE YOUR SUPPORT. SINCE SENATOR CAMPBELL ISN'T HERE, I WANTED TO, IN HER PLACE, AND ALSO ON BEHALF OF MANY OF THE REST OF US WHO THINK THIS IS AN IMPORTANT, VALUABLE ASSET TO OUR STATE, THANK SENATOR HOWARD FOR SELECTING THIS AS HER PRIORITY BILL. THANK YOU, MR. PRESIDENT. [LB1081]

SPEAKER HADLEY: THANK YOU, SENATOR CRAWFORD. SENATOR MELLO, YOU'RE RECOGNIZED. [LB1081]

SENATOR MELLO: THANK YOU, MR. PRESIDENT AND MEMBERS OF LEGISLATURE. I RISE IN STRONG SUPPORT OF LB1081, AS WELL AS THE COMMITTEE AMENDMENT, AM2180. I WAS PROUD TO COSPONSOR THIS BILL WITH SENATOR CAMPBELL. WE HAD HAD SOME MEETINGS PRIOR TO THE LEGISLATIVE SESSION ON THIS VERY UNIQUE RESEARCH PROJECT THAT'S PROPOSED IN LB1081. THERE WERE DISCUSSIONS WITH THE EXECUTIVE BRANCH IN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO SEE IF THERE WAS A POSSIBILITY TO MOVE THIS THROUGH A RULES AND REGULATIONS CHANGE INSTEAD OF DOING LEGISLATION. BUT THROUGH THE ONGOING CONVERSATIONS, THERE WAS SOME CHALLENGES WITH INITIAL CONCERNS IN REGARDS TO GET FEDERAL APPROVAL AND HOW LONG THAT WOULD TAKE, SO WE THOUGHT THE BEST APPROACH WOULD SIMPLY BE TO INTRODUCE A LEGISLATIVE BILL TO MAKE SURE THAT THIS SEPARATE INCOME WOULD BE DISREGARDED FOR SPECIFICALLY RESEARCH PROJECT BASED. AS YOU HEARD SENATOR HOWARD DISCUSS IN HER OPENING, THIS IS BEING FUNDED WITH PRIVATE, PHILANTHROPIC DOLLARS TO PROVIDE THE STATE ADDITIONAL RESEARCH IN REGARDS TO POVERTY ALLEVIATION. FOR THOSE OF YOU WHO ARE WELL AWARE, SENATOR CAMPBELL, IF SHE WAS HERE TODAY, WOULD SAY THIS FALLS DIRECTLY IN LINE WITH SOME OF THE ISSUES THAT HAVE BEEN RAISED THROUGH THE INTERGENERATIONAL POVERTY TASK FORCE, OF TRYING TO IDENTIFY WAYS THAT LOOK TO EVIDENCE-BASED RESEARCH TO BEGIN TO ADDRESS WHAT WE KNOW ARE SOME OF THE ONGOING CHALLENGES FOR THOSE FAMILIES WHO ARE LIVING IN POVERTY. I WANT TO EXPRESS MY SINCERE APPRECIATION TO SENATOR HOWARD FOR PRIORITIZING LB1081 AND URGE THE BODY TO ADVANCE THE BILL. THANK YOU, MR. PRESIDENT. [LB1081]

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

Floor Debate
March 16, 2016

SPEAKER HADLEY: THANK YOU, SENATOR MELLO. SEEING NO ONE ELSE IN THE QUEUE, SENATOR HOWARD, YOU'RE RECOGNIZED TO CLOSE ON AM2180. [LB1081]

SENATOR HOWARD: THANK YOU, MR. PRESIDENT. AGAIN, I WOULD URGE THE BODY TO ADOPT AM2180 WHICH PROVIDES FOR A SUNSET, CLARIFYING LANGUAGE FOR THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, AND INCLUDES THE LIHEAP PROGRAM IN THE OVERALL BILL. THANK YOU, MR. PRESIDENT. [LB1081]

SPEAKER HADLEY: THE QUESTION BEFORE THE BODY IS THE ADOPTION OF THE AMENDMENT. ALL IN FAVOR VOTE AYE; ALL OPPOSED VOTE NAY. HAVE ALL VOTED THAT WISH? RECORD, MR. CLERK. [LB1081]

CLERK: 26 AYES, 0 NAYS ON THE ADOPTION OF COMMITTEE AMENDMENTS. [LB1081]

SPEAKER HADLEY: THE COMMITTEE AMENDMENTS ARE ADOPTED. SEEING NO ONE ELSE IN THE QUEUE, SENATOR HOWARD, YOU'RE RECOGNIZED TO CLOSE ON LB1081. [LB1081]

SENATOR HOWARD: THANK YOU, MR. PRESIDENT. I JUST WANT TO REITERATE THAT LB1081 WOULD PERMIT VERY IMPORTANT RESEARCH TO GO FORWARD IN OMAHA WITH THE MED CENTER. AND IT'S VERY IMPORTANT TO POLICYMAKERS, SPECIFICALLY, AS WE SEEK TO UNDERSTAND THE CAUSAL AND CORRELATIVE EFFECTS OF POVERTY ON CHILDREN. I WOULD URGE THE ADVANCEMENT OF LB1081 AND THANK YOU FOR YOUR TIME. THANK YOU, MR. PRESIDENT. [LB1081]

SPEAKER HADLEY: QUESTION FOR THE BODY IS THE ADVANCEMENT OF LB1081. ALL IN FAVOR VOTE AYE; ALL OPPOSED VOTE NAY. HAVE ALL VOTED THAT WISH? RECORD, MR. CLERK. [LB1081]

CLERK: 30 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADVANCEMENT OF LB1081. [LB1081]

SPEAKER HADLEY: THE BILL ADVANCES. MR. CLERK. [LB1081]

CLERK: MR. PRESIDENT, THE NEXT BILL, LB900. IT'S A BILL BY SENATOR BLOOMFIELD. (READ TITLE.) THE BILL WAS INTRODUCED ON JANUARY 11 OF

Floor Debate
March 16, 2016

THIS YEAR; REFERRED TO THE TRANSPORTATION AND TELECOMMUNICATIONS COMMITTEE; ADVANCED TO GENERAL FILE. THERE ARE COMMITTEE AMENDMENTS, MR. PRESIDENT. (AM1957, LEGISLATIVE JOURNAL PAGE 732.) [LB900]

SPEAKER HADLEY: SENATOR BLOOMFIELD, YOU'RE RECOGNIZED TO OPEN ON YOUR BILL. [LB900]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. GOOD MORNING, AGAIN, MEMBERS OF THE LEGISLATURE. I'M PROUD TO BE INTRODUCING LB900 TO ALL OF YOU FOR YOUR CONSIDERATION. THIS IS THE THIRD TIME THAT I'M COMING TO YOU TO CHANGE THE MOTORCYCLE HELMET LAWS IN OUR GREAT STATE, ONCE AGAIN, ADDING MY NAME TO A DISTINGUISHED LIST OF SENATORS WHO HAVE COME BEFORE ME IN AN ATTEMPT TO RESTORE THE FREEDOM TO DECIDE FOR THEMSELVES TO THIS SEGMENT OF OUR POPULATION. THAT LIST INCLUDES FORMER SENATOR JERRY SCHMITT, GEORGE COORDSEN, KENT ROBERT, IN ADDITION TO CONGRESSMAN ADRIAN SMITH; AND OUR CURRENT AUDITOR, CHARLIE JANSSEN. I BELIEVE SENATOR KRIST HAS ALSO CARRIED THE BILL AND A COUPLE OTHERS. THIS IS NOT A NEW ISSUE, BUT I THINK LB900 IS A FRESH, NEW APPROACH TO THE ISSUE. I HAVE LISTENED TO THE ARGUMENTS, THE COMPLAINTS MADE AGAINST REPEALING THE HELMET LAW, AND WITH LB900 I LOOK TO ADDRESS ALL OF THOSE ISSUES BECAUSE RESTORING THIS FREEDOM IS THAT IMPORTANT TO ME. PRESIDENT JOHN KENNEDY SAID, AND I QUOTE--IN GIVING RIGHTS TO OTHERS WHICH BELONG TO THEM, WE GIVE RIGHTS TO OURSELVES AND OUR COUNTRY, END QUOTE. WE WORKED VERY HARD WITH THE DMV AND THE TRANSPORTATION AND TELECOMMUNICATIONS COMMITTEE TO ADDRESS SOME TECHNICAL CONCERNS THE DMV HAD. AM1957, THE COMMITTEE AMENDMENT, REPLACES THE GREEN COPY. LET ME GIVE YOU A FEW DETAILS. AS IN THE PAST, IT WOULD ALLOW INDIVIDUALS 21 AND OLDER TO RIDE WITHOUT A HELMET IF THEY SO CHOOSE, PROVIDING THEY HAVE EYE PROTECTION OR A WINDSHIELD. NEW THIS YEAR: CHILDREN UNDER THE AGE OF EIGHT WOULD NO LONGER BE ALLOWED ON A MOTORCYCLE ON PUBLIC ROADS. THAT ADDRESSES THE ISSUE OF CHILD SAFETY THAT HAS BEEN BROUGHT UP. ON JANUARY 1, 2017, THE HEALTH ADVISORY BOARD WITHIN THE DEPARTMENT OF MOTOR VEHICLES WOULD TERMINATE. BEGINNING ON OCTOBER 1, 2017, THE BRAIN INJURY TRUST BOARD IS CREATED. THIS IS A NINE-MEMBER BOARD APPOINTED BY THE GOVERNOR; THREE MEMBERS FROM ANY OF THE FOLLOWING AREAS OF MEDICINE: GENERAL PRACTICE, NEUROLOGICAL MEDICINE, AND SURGERY...ORTHOPEDIC SURGERY AND PSYCHIATRY. EACH OF THESE MEMBERS MUST BE LICENSED TO PRACTICE IN NEBRASKA. THE

Floor Debate
March 16, 2016

REMAINING SIX MEMBERS SHALL BE FROM THE FOLLOWING: ONE PERSON FROM A PRIVATE OR PUBLIC HEALTH ORGANIZATION, ONE PERSON FROM A DISABILITY ADVISORY OR PLANNING GROUP WITHIN NEBRASKA, A PERSON FROM A SERVICE PROVIDER FOR INDIVIDUALS WITH BRAIN INJURIES, ONE PERSON WITH A BRAIN INJURY, ONE PERSON WHO IS A FAMILY MEMBER OF AN INDIVIDUAL WITH A BRAIN INJURY, AND ONE PERSON FROM THE GENERAL PUBLIC. THE DIRECTOR OF PUBLIC HEALTH OF DHHS AND THE DIRECTOR OF MOTOR VEHICLES WILL SERVE AS EX-OFFICIO MEMBERS OF THE BOARD. IT CREATES A MOTORCYCLE SAFETY AND BRAIN INJURY TRUST FUND, WHICH IS ADMINISTERED BY THE BRAIN INJURY TRUST BOARD. THIS IS SOMETHING THAT WE HAVE HEARD FOR YEARS THAT NEBRASKA NEEDS TO HAVE. THE MOTORCYCLE SAFETY AND BRAIN INJURY TRUST FUND IS FUNDED BY A \$19 INCREASE IN THE REGISTRATION FEES OF MOTORCYCLES. LB900 AUTHORIZES THE BRAIN INJURY TRUST BOARD TO SPEND UP TO 2.5 PERCENT OF THE ANNUAL REVENUE ON MOTORCYCLE SAFETY AND AWARENESS PROGRAMS, AND ALLOWS FOR UP TO 10 PERCENT OF THE ANNUAL REVENUE TO BE USED FOR THE ADMINISTRATION OF THE FUND. ON OR BEFORE OCTOBER 1, 2017, THE BRAIN INJURY SERVICE PROGRAM SHALL BE CREATED. THE PURPOSE OF THIS PROGRAM IS TO PROVIDE SERVICES, SERVICE FUNDING, OR OTHER SUPPORT FOR INDIVIDUALS WITH A BRAIN INJURY WHO ARE NOT ELIGIBLE FOR THE TRAUMATIC BRAIN INJURY WAIVER PROGRAM WITH HHS. FINALLY, IT INCREASES THE FEE FOR CONVICTION OF OPERATING A MOTORCYCLE WITHOUT A CLASS M LICENSE FROM A RANGE OF \$10 TO \$100 TO A NEW RANGE OF \$50 TO \$150. WE AS A STATE AND AS LAWMAKERS IN THE STATE HAVE A DUTY AND AN OBLIGATION TO PROTECT AND NOT TO INFRINGE ON THE PRINCIPLES OF LIBERTY IN THE PURSUIT OF HAPPINESS. LB900 REFLECTS MY STRONG BELIEF THAT AS FREE AMERICANS AND FREE NEBRASKANS, ADULTS SHOULD BE ABLE TO MAKE DECISIONS THAT AFFECT THEIR LIVES AND DO NOT INTERFERE WITH THE LIVES OF OTHERS. WE HAVE, BY LAW, DENIED A PARTICULAR SEGMENT OF OUR POPULATION AND INDIVIDUALS FROM OUTSIDE OUR STATE THIS RIGHT. IN 2015, WE HAD 99,106 INDIVIDUALS IN OUR STATE THAT WERE LICENSED MOTORCYCLE OPERATORS. YOU, WITH A "NO" VOTE ON THIS BILL, CAN SIMPLY SAY TO ALL OF THEM THAT YOU KNOW BETTER THAN THEY DO WHAT THEY SHOULD DO. WITH A "YES" VOTE, YOU CAN GIVE THEM THE CHANCE TO REGAIN THEIR FREEDOM TO CHOOSE AND HELP INDIVIDUALS WHO ARE SUFFERING FROM A BRAIN INJURY. I THINK IT'S TIME WE GIVE THESE FREE MEN AND WOMEN BACK THEIR RIGHT TO DECIDE WHETHER WEARING A HELMET IS SOMETHING THEY WANT TO DO. WE'RE NOT TALKING ABOUT CHILDREN HERE, WE'RE DISCUSSING MATURE, THINKING ADULTS. MANY OF THESE FOLKS MADE THE DECISION WHEN THEY WERE YOUNGER TO SERVE OUR NATION IN THE MILITARY PUTTING THEM IN

Floor Debate
March 16, 2016

HARM'S WAY TO PROTECT AND DEFEND THE RIGHTS OF EVERY ONE OF US. NOW WE'RE TELLING THEM THAT THEY DO NOT HAVE SENSE ENOUGH TO DECIDE WHETHER OR NOT TO WEAR A PROTECTIVE DEVICE AND THAT WE, THE STATE, KNOW BETTER THAN THEY DO AND WE MUST PROTECT THEM FROM THEMSELVES. THE DECLARATION OF INDEPENDENCE SAYS--LIFE, LIBERTY, AND THE PURSUIT OF HAPPINESS; NOT CONFORMITY, CONTROL IN A SAFE COCOON. I HOPE THAT WE CAN PUT "THE SKY WILL FALL" IF WE REPEAL THE HELMET LAW MENTALLY BEHIND US AND MOVE FORWARD RESTORING FREEDOM AND HELPING THOSE WHO TRULY NEED HELP. THANK YOU, MR. PRESIDENT. [LB900]

SPEAKER HADLEY: THANK YOU, SENATOR BLOOMFIELD. AS THE CLERK MENTIONED, THERE ARE AMENDMENTS FROM THE COMMITTEE. SENATOR SMITH, AS CHAIR OF THE TRANSPORTATION AND TELECOMMUNICATIONS COMMITTEE, YOU'RE RECOGNIZED TO OPEN ON THE COMMITTEE AMENDMENT. [LB900]

SENATOR SMITH: THANK YOU, MR. PRESIDENT, AND GOOD MORNING, COLLEAGUES. WITH THE COMMITTEE AMENDMENT AM1957 TO LB900, THE BILL ADVANCED FROM COMMITTEE WITH 6 AYES, 1 NAY, AND 1 PRESENT AND NOT VOTING. THE COMMITTEE (AMENDMENT) SUBSTITUTES FOR THE BILL. IT RETAINS THE INTRODUCED LANGUAGE RELATING TO MOTORCYCLE HELMET USE AND THE \$19 INCREASE IN THE REGISTRATION FEE FOR MOTORCYCLES--SUCH AS NO HELMET FOR 21 AND OVER, MUST WEAR EYE PROTECTION, AND NO PERSON UNDER 8 SHALL BE A PASSENGER ON THE MOTORCYCLE. THE AMENDMENT REVISES THE BOARD PROPOSED BY SENATOR BLOOMFIELD TO ADDRESS BRAIN INJURY CASES. THE NAME "HEALTH ADVISORY SAFETY AND BRAIN INJURY BOARD" IS CHANGED TO "THE MOTORCYCLE SAFETY AND BRAIN INJURY BOARD." THE COMMITTEE AMENDMENT ADDRESSES A REQUEST MADE BY THE DEPARTMENT OF MOTOR VEHICLES AND REPEALS THE EXISTING AUTHORITY FOR THE DEPARTMENT'S HEALTH ADVISORY BOARD. THE NEW MOTORCYCLE SAFETY AND BRAIN INJURY BOARD WOULD CONSIST OF NINE MEMBERS: THREE MEMBERS OF THE MEDICAL COMMUNITY REPRESENTING GENERAL MEDICINE, NEUROLOGICAL MEDICINE, AND ORTHOPEDIC SURGERY OR PSYCHIATRY. THE OTHER SIX MEMBERS WOULD REPRESENT A PUBLIC OR PRIVATE HEALTH ORGANIZATION, A DISABILITY ADVISORY OR PLANNING GROUP, A SERVICE PROVIDER FOR INDIVIDUALS WITH BRAIN INJURY, AN INDIVIDUAL WITH BRAIN INJURY, A FAMILY MEMBER OF AN INDIVIDUAL WITH A BRAIN INJURY, AND A MEMBER OF THE GENERAL PUBLIC. FINALLY, THE AMENDMENT RESTRUCTURES EXISTING LANGUAGE STATING THAT THE DEPARTMENT OF MOTOR VEHICLES SHALL ENSURE INDIVIDUALS RECEIVING AN

Floor Debate
March 16, 2016

OPERATOR'S LICENSE SHALL BE PHYSICALLY AND MENTALLY CAPABLE OF OPERATING A MOTOR VEHICLE SAFELY. MR. PRESIDENT, THAT CONCLUDES MY EXPLANATION OF THE COMMITTEE AMENDMENT AND (MICROPHONE MALFUNCTION). [LB900]

SPEAKER HADLEY: THANK YOU, SENATOR SMITH. (VISITORS INTRODUCED.) MR. CLERK. [LB900]

CLERK: MR. PRESIDENT, I HAVE AMENDMENTS TO THE COMMITTEE AMENDMENTS. THE FIRST IS BY SENATOR MORFELD, IT'S AM2343. (LEGISLATIVE JOURNAL PAGE 933.) [LB900]

SPEAKER HADLEY: SENATOR MORFELD, YOU'RE RECOGNIZED TO OPEN ON YOUR AMENDMENT. [LB900]

SENATOR MORFELD: THANK YOU, MR. SPEAKER. MY AMENDMENT IS VERY SIMPLE. THIS TRANSFERS THE FUNDING...THIS TRANSFERS THE RESPONSIBILITY FROM THE DEPARTMENT OF ROADS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR THE FUND AND THAT WOULD BE THE MORE APPROPRIATE DEPARTMENT FOR THIS. I INTRODUCED THIS ON BEHALF OF SENATOR BLOOMFIELD. I'D LIKE TO ALSO NOTE THAT I STAND IN STRONG SUPPORT OF LB900 AND THE MOTORCYCLISTS' ABILITY TO BE ABLE TO CHOOSE WHETHER OR NOT THEY WEAR A HELMET AS AN ISSUE OF PERSONAL RESPONSIBILITY. AND I WOULD ENCOURAGE YOU TO ADOPT AM2343 AND SUPPORT THE UNDERLYING BILL. THANK YOU. [LB900]

SPEAKER HADLEY: THANK YOU, SENATOR MORFELD. SENATOR BOLZ, YOU'RE RECOGNIZED. [LB900]

SENATOR BOLZ: THANK YOU, MR. PRESIDENT. WELL, IT WILL NOT BE A SURPRISE TO ANYONE ON THE FLOOR OR TO SENATOR BLOOMFIELD THAT I RISE IN OPPOSITION TO THE BILL AND TO THE UNDERLYING AMENDMENTS. IN PART BECAUSE I REPRESENT THE DISTRICT THAT IS HOME TO MADONNA REHABILITATION HOSPITAL AND I HAVE SEEN BOTH THE HUMAN AND THE FISCAL IMPACTS OF RIDING A MOTORCYCLE WITHOUT A HELMET. BUT I WANT TO SPEAK FIRST TO THE FISCAL IMPACTS AND I THINK THAT IS THE MOST PERSUASIVE ARGUMENT FOR WHY THIS BILL IS NOT NECESSARY. TO ME, THE MOST PERSUASIVE REASON TO OPPOSE THIS LEGISLATION IS THAT THERE IS AN OLDER STUDY THAT FOUND THAT 41 PERCENT OF MOTORCYCLE RIDERS IN

Floor Debate
March 16, 2016

NEBRASKA LACKED HEALTH INSURANCE. NOW, THAT STUDY IS A LITTLE BIT OLD, BUT THE NEWER INFORMATION THAT I HAVE RECEIVED SAYS THAT THE NATIONAL HIGHWAY SAFETY INFORMATION SYSTEM SAYS THAT STUDIES SHOW UNHELMETED RIDERS ARE LESS LIKELY TO HAVE INSURANCE AND MORE LIKELY TO HAVE HIGHER HOSPITAL COSTS THAN HELMETED RIDERS WITH SIMILAR CRASHES. SO AS SOMEONE WHO PAYS FOR HER OWN INSURANCE OUT OF HER POCKET, NOT ONLY CONCERNED WITH THE IDEA THAT MY OWN INSURANCE WILL INCREASE, I'M ALSO CONCERNED FROM AN APPROPRIATIONS PERSPECTIVE THAT WE WILL HAVE AN IMPACT ON MEDICAID AND MEDICARE. THE NATIONAL HIGHWAY SAFETY INFORMATION SYSTEM SAYS THAT 59 PERCENT OF FOLKS WHO HAVE A MOTORCYCLE CRASH WITHOUT A HELMET ARE KILLED. AND THOSE ARE, SURPRISINGLY, SOME OF THE MOST EXPENSIVE CASES. THEY ARE THE CASES WHERE WE HAVE EMERGENCY MEDICAL RESPONSES, HOSPITAL STAYS, AND HAVE COSTS, ACCORDING TO THE STATISTICS THAT I HAVE, ON AVERAGE PER CASE, \$1.5 MILLION. COLLEAGUES, THIS JUST ISN'T A FISCALLY RESPONSIBLE PIECE OF LEGISLATION. AND I APPRECIATE THE IDEA THAT THESE WOULD BE PROVIDED TO A BRAIN INJURY TRUST FUND. I HAVE BROUGHT TRUST FUND LEGISLATION MYSELF AND THE TRUST FUND LEGISLATION THAT I HAVE BROUGHT, LB516, SITS ON GENERAL FILE NOW. BUT THE \$1 MILLION THAT WOULD BE ALLOCATED TO THAT TRUST FUND THROUGH THIS BILL IS SIMPLY JUST A DROP IN THE BUCKET WHEN YOU THINK ABOUT THE LONG-TERM IMPLICATIONS OF THE BRAIN INJURIES THAT ARE CAUSED BY RIDING A MOTORCYCLE WITHOUT A HELMET AND BECOMING INJURED. I THINK ONE OF THE WAYS THAT WE CAN FRAME THIS ARGUMENT AND THINK ABOUT WHY IT IS, IN FACT, APPROPRIATE FOR US TO THINK ABOUT THE FISCAL COSTS AND THE COST OF STATE RESOURCES WHEN WE'RE CONSIDERING THIS ISSUE IS THAT COURTS HAVE REPEATEDLY UPHELD MOTORCYCLE HELMET USE LAWS. IN FACT, IN 1972, A FEDERAL COURT IN MASSACHUSETTS TOLD A MOTORCYCLIST WHO OBJECTED TO THE LAW--THE PUBLIC HAS AN INTEREST IN MINIMIZING THE RESOURCES DIRECTLY INVOLVED. FROM THE MOMENT OF INJURY, SOCIETY PICKS THE PERSON UP OFF OF THE HIGHWAY, DELIVERS HIM TO A MUNICIPAL HOSPITAL AND MUNICIPAL DOCTORS, PROVIDES HIM WITH UNEMPLOYMENT COMPENSATION. IF AFTER RECOVERY HE CANNOT REPLACE HIS LOST JOB AND IF THE INJURY CAUSES PERMANENT DISABILITY, MAY ASSUME RESPONSIBILITY FOR HIS AND HIS FAMILY SUSTENANCE. WE DO NOT UNDERSTAND THE STATE OF MIND THAT PERMITS A PLAINTIFF TO THINK THAT ONLY HE HIMSELF IS CONCERNED. COLLEAGUES, I THINK WE'VE HAD THIS DEBATE BEFORE. I THINK I'VE EXPRESSED MY ECONOMIC AND HUMAN CONCERNS BEFORE, BUT AS WE WORK THROUGH THIS BILL TODAY, I'D LIKE TO DISCUSS NOT ONLY THE FISCAL IMPACT AND THE HUMAN IMPACT, BUT ALSO SOME CONCERNS AND QUESTIONS I

Floor Debate
March 16, 2016

HAVE ABOUT THE WAY THAT THE PROPOSED TRUST FUND AND FUNDING STREAMS ARE PUT TOGETHER IN THE BILL, CONCERNS ABOUT GAPS IN OUR EXISTING SYSTEM FOR HOW WE DO AND DO NOT SERVE INDIVIDUALS WITH BRAIN INJURY. AND I HAVE SOME QUESTIONS AND CONCERNS ABOUT HOW WE ARE FRAMING AND THINKING ABOUT INDIVIDUALS WHO RIDE A MOTORCYCLE AS COMPARED TO THE APPLICATIONS... [LB900]

SPEAKER HADLEY: ONE MINUTE. [LB900]

SENATOR BOLZ: ...THAT WE HAVE OF OTHER PEOPLE WHO PARTICIPATE IN PUBLIC ACTIVITIES, SUCH AS HUNTING AND BICYCLING. SO I WANTED TO RISE AND LAY OUT THE COUNTERARGUMENT EARLY IN THE DEBATE BECAUSE I DO THINK IT IS SIGNIFICANT, IT'S IMPORTANT, AND LB900 IS NOT A BILL THAT I CAN SUPPORT AND IT'S A BILL I CAN'T FATHOM THAT THIS BODY WILL SUPPORT. THANK YOU, MR. PRESIDENT. [LB900]

SPEAKER HADLEY: THANK YOU, SENATOR BOLZ. SENATOR GLOOR, YOU'RE RECOGNIZED. [LB900]

SENATOR GLOOR: THANK YOU, MR. PRESIDENT. I WONDER IF SENATOR BLOOMFIELD WOULD YIELD FOR SOME QUESTIONS. [LB900]

SPEAKER HADLEY: SENATOR BLOOMFIELD, WOULD YOU YIELD? [LB900]

SENATOR BLOOMFIELD: YES. [LB900]

SENATOR GLOOR: THANK YOU, MR. PRESIDENT; AND THANK YOU, SENATOR BLOOMFIELD. SENATOR BLOOMFIELD, I APPRECIATE THE FACT THAT YOU'VE RECOGNIZED THIS YEAR THAT THERE IS A HEALTHCARE COST ASSOCIATED WITH THE LACK OF WEARING PROTECTIVE GEAR BY MOTORCYCLISTS AND HAVE TRIED TO ADDRESS THAT WITHIN YOUR BILL, BUT I'D LIKE TO TAKE MY QUESTIONS IN A DIFFERENT ARENA. EXPLAIN TO ME AGAIN THE FEE STRUCTURE ASSOCIATED WITH THIS BILL. [LB900]

SENATOR BLOOMFIELD: IN TALKING TO A GREAT NUMBER OF MOTORCYCLE RIDERS AND OWNERS IN THE STATE OF NEBRASKA, THEY ASKED WHAT WE COULD DO TO HELP GET THIS DONE. AND I SAID, WELL, THE MAJOR COMPLAINT HAS BEEN WE NEED A TRAUMATIC BRAIN INJURY TRUST FUND IN THE STATE OF

Floor Debate
March 16, 2016

NEBRASKA. AND THEY LITERALLY SAID--LET US FUND IT. YOU CREATE IT, WE WILL FUND IT. AND THEY AGREED TO THE \$19 INCREASE IN THE REGISTRATION FEE. [LB900]

SENATOR GLOOR: HOW DOES SOMEBODY, BECAUSE THE ARGUMENT THAT IS MADE FROM A ECONOMIC DEVELOPMENT STANDPOINT IS, WE WOULD HAVE MORE PEOPLE TRAVELING ACROSS THE STATE TO PLACES LIKE STURGIS IF THEY WEREN'T REQUIRED TO WEAR A HELMET. HOW DO WE COLLECT THAT FEE FROM PEOPLE WHO ARE TRAVELING ACROSS THE STATE? [LB900]

SENATOR BLOOMFIELD: YOU DO NOT COLLECT IT FROM PEOPLE WHO ARE TRAVELING ACROSS THE STATE. YOU COLLECT IT FROM THE REGISTERED...THE BIKERS IN NEBRASKA WHO REGISTER THEIR BIKES, STRICTLY ON THE STATE-OWNED BIKES. [LB900]

SENATOR GLOOR: WOULD OUT-OF-STATE RIDERS WHO ARE INJURED BE ELIGIBLE FOR DOLLARS THAT COME OUT OF THAT FUND? [LB900]

SENATOR BLOOMFIELD: THEY WOULD IN ALL LIKELIHOOD, ONCE STABILIZED, BE TRANSFERRED BACK TO THE STATE FROM WHENCE THEY CAME; SO PROBABLY NOT. HOWEVER, ANYONE INJURED IN AN AUTOMOBILE OR FALLING ON A SET OF STEPS OR ANY OTHER NEBRASKA CITIZEN WOULD BE ELIGIBLE. IT'S NOT STRICTLY FOR A MOTORCYCLIST. [LB900]

SENATOR GLOOR: OKAY. ONE OF THE CONCERNS THAT I HAVE DOES RELATE TO FOLKS TRAVELING ACROSS THE STATE WHO ARE NOT STATE RESIDENTS WHO WOULD BE INJURED. I HAVE TO TELL YOU, AND AS YOU KNOW, MY BACKGROUND IN HOSPITALS MAKES ME PRETTY KNOWLEDGEABLE ABOUT THIS. THERE IS NO GUARANTEE THAT OTHER STATES WILL ACCEPT THE TRANSFER OF THOSE PATIENTS BACK. THERE IS NO OBLIGATION FOR THEM TO ACCEPT TRANSFER OF THOSE PATIENTS BACK. AND ESPECIALLY IF THEY'RE CHARITY CASES, THE SORT OF CASES THAT MOST LIKELY NEED TO USE SOME OF THOSE DOLLARS, IT BECOMES DOUBLY, TRIPLY, QUADRUPLY HARD TO CONVINCHE HEALTHCARE INSTITUTIONS IN OTHER STATES THAT THEY SHOULD TAKE SOMEBODY BACK JUST BECAUSE THEY LIVED THERE, WHEN IN FACT, THE INJURY OCCURRED IN THE STATE THAT THEY WERE TRAVELING THROUGH. SO ONE OF MY PROBLEMS AND CONCERNS HERE IS WE STILL ARE ON THE HOOK FOR THOSE OUT-OF-STATE TRAVELERS WHO NOW WOULD BE INJURED AND REQUIRE CARE IN OUR VARIOUS INSTITUTIONS FOR PEOPLE WITH SERIOUS

Floor Debate
March 16, 2016

HEAD INJURIES. TRANSFER THEM BACK SOUNDS GOOD, BUT IN REALITY, IT'S NOT SOMETHING THAT CAN HAPPEN VERY EASILY. AGAIN, I KNOW THIS FROM PERSONAL EXPERIENCE AND HAVING HAD TO PROVIDE LONG-TERM CARE FOR PATIENTS WHO ARE... [LB900]

SPEAKER HADLEY: ONE MINUTE. [LB900]

SENATOR GLOOR: ... INJURED AS A RESULT OF AUTOMOBILE ACCIDENTS OR OTHER PROBLEMS WITHIN THE STATE OF NEBRASKA. YOU HAVE TO GET THEM HEALED USUALLY ENOUGH SO THAT THEY CAN GO HOME OR GO ON AN OUTPATIENT BASIS IN OTHER COMMUNITY. THAT'S ESPECIALLY TRUE WITH INDIGENT POPULATIONS. I DON'T HAVE ANY FURTHER QUESTIONS. THANK YOU, SENATOR BLOOMFIELD. ONCE AGAIN, I'M NOT SUPPORTIVE OF LB900. I APPRECIATE THE EFFORTS TO TRY AND CLEAN THE BILL UP SOME, BUT THERE ARE UNINTENDED CONSEQUENCES AND THERE'S SO MANY COMPONENTS OF THE HEALTHCARE SYSTEM THAT WE DON'T UNDERSTAND THAT OUR DOLLAR AMOUNTS TO THE TAXPAYERS OF NEBRASKA THAT RELATE TO LB900 THAT THIS BILL DOES NOT ADDRESS. THANK YOU. [LB900]

SPEAKER HADLEY: THANK YOU, SENATOR GLOOR. MR. CLERK. [LB900]

CLERK: MR. PRESIDENT, A COUPLE OF ITEMS IF I MAY. NEW A BILL: LB680A BY SENATOR RIEPE. (READ TITLE FOR THE FIRST TIME.) AN ANNOUNCEMENT: NATURAL RESOURCES WILL HAVE AN EXECUTIVE SESSION AT 12:45 TODAY IN ROOM 1525, NATURAL RESOURCES AT 12:45. SENATOR FOX WOULD LIKE TO ADD HER NAME TO LB843. (LEGISLATIVE JOURNAL PAGES 1001-1002.) [LB680A LB843]

AND, MR. PRESIDENT, SENATOR CRAIGHEAD WOULD MOVE TO RECESS THE BODY TILL 1:00 P.M.

SPEAKER HADLEY: MOTION BEFORE YOU IS TO RECESS UNTIL 1:00. ALL THOSE IN FAVOR SAY AYE. OPPOSED, NAY. MOTION PASSES.

RECESS

SENATOR KRIST PRESIDING

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

Floor Debate
March 16, 2016

SENATOR KRIST: GOOD AFTERNOON, LADIES AND GENTLEMEN. WELCOME TO THE GEORGE W. NORRIS LEGISLATIVE CHAMBER. THE AFTERNOON SESSION IS ABOUT TO RECONVENE. SENATORS, PLEASE RECORD YOUR PRESENCE. ROLL CALL. MR. CLERK, PLEASE RECORD.

ASSISTANT CLERK: THERE'S A QUORUM PRESENT, MR. PRESIDENT.

SENATOR KRIST: THANK YOU, MR. CLERK. DO YOU HAVE ANY ITEMS FOR THE RECORD?

ASSISTANT CLERK: NOT AT THIS TIME.

SENATOR KRIST: LET'S PROCEED TO THE FIRST ITEM ON THE AGENDA.

ASSISTANT CLERK: MR. PRESIDENT, UNDER CONSIDERATION WAS LB900. SENATOR BLOOMFIELD HAD OPENED ON IT THIS MORNING. COMMITTEE AMENDMENTS HAVE BEEN OPENED ON. CURRENTLY PENDING BEFORE THE BODY IS AN AMENDMENT FROM SENATOR MORFELD TO THE COMMITTEE AMENDMENTS. (AM2343, LEGISLATIVE JOURNAL PAGE 933.) [LB900]

SENATOR KRIST: OKAY, VERY BRIEFLY, SENATOR BLOOMFIELD, PLEASE REFRESH US ON WHERE WE ARE. [LB900]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. WHERE WE ARE IS JUST STARTED ON LB900, A BILL THAT CREATES THE TRAUMATIC BRAIN INJURY TRUST FUND FOR THE STATE OF NEBRASKA AND FUNDS IT. IT ALSO GIVES THE MOTORCYCLE RIDERS PAST THE AGE OF 21, OR 21 AND OLDER, THE RIGHT TO DECIDE FOR THEMSELVES WHETHER OR NOT THEY WISH TO WEAR A MOTORCYCLE HELMET WHILE RIDING. [LB900]

SENATOR KRIST: OKAY. THANK YOU. THE QUEUE REMAINS FROM THIS MORNING, SO IN THE QUEUE SO FAR, SENATOR BLOOMFIELD, EBKE, HILKEMANN, BOLZ, AND CHAMBERS. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB900]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. COLLEAGUES, THE AMENDMENT THAT SENATOR MORFELD BROUGHT IS A FRIENDLY AMENDMENT. I'M FULLY SUPPORTIVE OF THAT. IT MOVES THE TRUST FUND OVER TO HHS WHERE IT RIGHTFULLY BELONGS. WE ORIGINALLY STARTED WITH IT IN DMV

Floor Debate
March 16, 2016

BECAUSE AS WE WERE LOOKING AT IT AT THAT TIME TO TRY TO PUT IT IN HHS, THEY WERE TELLING US IT HAD TO...WE COULDN'T PUT IT THERE BECAUSE IT WOULD HAVE TIED INTO MEDICAID, WHICH WAS FEDERAL. AND BY GOING THIS ROUTE, WE MANAGED TO GET IT BACK TO HHS WHERE IT BELONGS, UNDER STATE CONTROL. SO THAT'S A FRIENDLY AMENDMENT. I THANK SENATOR MORFELD FOR BRINGING IT. I THANK THE TRANSPORTATION COMMITTEE FOR EVERYTHING THEY'VE DONE ON THE BILL. I APPRECIATE THE FACT THAT IT CAME OUT 6-1 AND 1. THE BILL DOES A LOT OF GOOD THINGS THAT WE'VE BEEN TOLD THE STATE OF NEBRASKA NEEDED FOR A LONG TIME. AND RIGHT AWAY FROM THE OPPOSITION WE HEAR, WHAT IF THIS HAPPENS, WHAT IF THAT HAPPENS. COLLEAGUES, WE CAN "WHAT IF" ANYTHING TO DEATH. THAT'S NOT THE WAY WE DO THINGS IN NEBRASKA. THIS GIVES PEOPLE BACK THEIR FREEDOM. IT HARMS NO ONE. WE'RE TOLD, WELL, WE DON'T HAVE...THEY MAY NOT HAVE INSURANCE. WELL, MY UNDERSTANDING IS THAT UNDER THE AFFORDABLE CARE ACT, EVERYONE HAS TO HAVE INSURANCE. SO THAT ARGUMENT IS OUT THE WINDOW. WE'RE TOLD HOW TERRIBLE IT IS WHEN THESE BIKERS GET INJURED. IT IS. I WOULD REMIND YOU THE NUMBER ONE CAUSE OF TRAUMATIC BRAIN INJURY IS FALLS, HAS NOTHING TO DO WITH MOTORCYCLES; NUMBER TWO, MOTOR VEHICLES OTHER THAN MOTORCYCLES; AND SO ON AND SO ON. WE CAN SET UP STRAW MEN. WE CAN MAKE EXCUSES. BUT THIS IS SOMETHING THAT BENEFITS THE STATE OF NEBRASKA BY CREATING THE TRAUMATIC BRAIN INJURY TRUST FUND THAT EVERYONE SEEMS TO THINK WE NEED, AND THE BIKERS OF NEBRASKA HAVE STEPPED FORWARD AND AGREED TO FUND IT. I DON'T KNOW WHAT MORE YOU WOULD ASK OUT OF THESE PEOPLE. SO LET US GO FORWARD, AND I GUESS ABOUT FIVE AND A HALF HOURS FROM NOW WE'LL SEE WHERE WE'RE AT. THANK YOU, MR. PRESIDENT. [LB900]

SENATOR KRIST: THANK YOU, SENATOR BLOOMFIELD. SENATOR EBKE, YOU'RE RECOGNIZED. [LB900]

SENATOR EBKE: THANK YOU, MR. PRESIDENT. I RISE TODAY IN SUPPORT OF LB900 AND I WANT TO THANK SENATOR BLOOMFIELD FOR THE WORK HE'S DONE THE LAST YEAR, SINCE THE LAST YEAR, TO MAKE THIS BILL MORE PALATABLE TO SOME, ESPECIALLY WITH THE BRAIN INJURY TRUST FUND, THE EXCLUSION OF CHILDREN UNDER THE AGE OF EIGHT FROM RIDING AT ALL, AND, OF COURSE, THE 21 AND OVER. THAT SAID, THERE ARE A COUPLE OF THINGS THAT I'D KIND OF LIKE TO GET ON THE RECORD. LB900 IS, IN MY JUDGMENT, ONLY PARTLY ABOUT WHETHER PEOPLE SHOULD WEAR HELMETS WHEN ON A MOTORCYCLE. PERSONALLY, I THINK THAT EVERYONE SHOULD WEAR A HELMET AND I THINK ONE COULD ARGUE THAT PERHAPS THAT MOTORCYCLES ARE A GENERALLY

Floor Debate
March 16, 2016

RISKIER THAN NECESSARY MEANS OF TRANSPORTATION, BUT THAT'S JUST ME--A MIDDLE-AGED MOM WHO BELIEVES THAT THESE THINGS ARE KIND OF DANGEROUS. THE LAST TIME I WAS ON A MOTORCYCLE WAS IN THE SUMMER OF 1979, BACK BEFORE HELMET LAWS AND BEFORE SOME IN THIS BODY WERE BORN. BUT MY VIEWS OF MOTORCYCLES OR HELMETS ASIDE, THE GREATER QUESTION WE NEED TO ASK IS THIS: WHAT POWER SHOULD THE GOVERNMENT HAVE OVER PRIVATE BEHAVIOR WHICH IS HARMING NO ONE ELSE? AND, YES, I KNOW THE ARGUMENT. PEOPLE WHO AREN'T WEARING HELMETS WHO HAVE ACCIDENTS WHILE RIDING A MOTORCYCLE HAVE A HIGHER INCIDENCE OF BECOMING DEPENDENT ON SOCIETY THROUGH MEDICAID AND DISABILITY PROGRAMS, THEIR FAMILIES HAVE A HIGHER TENDENCY TO NEED ASSORTED SOCIAL ASSISTANCE, AND SO ON. AND, YES, THOSE THINGS MAY BE TRUE. AND YET, IF WE'RE GOING TO MAKE THE CASE THAT WE CAN LIMIT PERSONAL BEHAVIOR FOR THE PUBLIC GOOD IN THE INSTANCE THAT SOMETHING BAD COULD HAPPEN, COULD WE NOT SAY THE SAME THING REGARDING PUBLIC GOOD TAXPAYER DOLLARS AND THE USE OF DRUGS IF YOU'RE ON PUBLIC ASSISTANCE? COULD WE NOT SAY THE SAME THING ABOUT SMOKING AND MAKE IT A "TICKETABLE" OFFENSE TO SMOKE ANYWHERE AT ANY TIME? COULD WE NOT SAY THE SAME THING ABOUT DRINKING ALCOHOL BECAUSE IF YOU DRINK, APART FROM IMPAIRED DRIVING, YOU RUN A HIGHER RISK OF LONG-TERM CONSEQUENCES, LIVER DISEASE, FOR INSTANCE, WHICH WILL COST SOMEONE MONEY, EITHER TAXPAYERS THROUGH AID OR INSURANCE POLICYHOLDERS THROUGH RAISES IN PREMIUMS DUE TO INCREASED COSTS? MY POINT HERE IS SIMPLY THIS. I'M NOT SURE THAT IT'S OUR JOB TO TELL ADULTS HOW TO CONDUCT THEIR PRIVATE LIVES. ARGUABLY, THEY ARE DOING NO HARM TO OTHERS, EXCEPT IN THE ABSTRACT OF POSSIBILITIES SHOULD THEY HAVE AN ACCIDENT. FOR THOSE OF US WHO ARE WILLING TO SAY, DRIVING WITHOUT A HELMET IS DANGEROUS AND WE'RE GOING TO CONTINUE FORBIDDING YOU FROM DOING THAT, ASK YOURSELF THIS QUESTION. IF A MAJORITY OF THIS BODY CAN MAKE THOSE DECISIONS FOR INDIVIDUALS, WHAT IS IT THAT YOU WOULD NOT LIKE IN TERMS OF REGULATING PERSONAL BEHAVIOR, WHICH A MAJORITY OF THIS BODY COULD, IF NOT NOW, SOMETIME IN THE FUTURE, IMPOSE UPON YOU? I BELIEVE IN PERSONAL LIBERTY. I BELIEVE THAT WE OUGHT TO HAVE THE FREEDOM TO MAKE MISTAKES AND DO DUMB THINGS. I BELIEVE THAT PERSONAL RESPONSIBILITY MUST GO HAND IN HAND WITH PERSONAL LIBERTY, AND I ALSO BELIEVE THAT IF WE DON'T HAVE PERSONAL LIBERTY, INCLUDING THE LIBERTY TO LEARN FROM OUR UNWISE DECISIONS, THEN PERSONAL RESPONSIBILITY IS DIMINISHED. I KNOW MANY OF THE MOTORCYCLISTS WHO SUPPORT THIS LEGISLATION. THEY UNDERSTAND THE RISKS THAT WOULD BE ENTAILED IF THEY CHOOSE TO DO WITHOUT THEIR

Floor Debate
March 16, 2016

HELMETS. MANY OF THEM WILL STILL USE HELMETS. ALL THEY'RE ASKING FOR IS THE FREEDOM TO CHOOSE FOR THEMSELVES. AND ABSENT A COMPELLING PUBLIC SAFETY ARGUMENT, I THINK THEIR RIGHTS SHOULD BE RESPECTED. I ENCOURAGE YOUR SUPPORT OF LB900, AM2343, AND AM1957. THANK YOU, MR. PRESIDENT. [LB900]

SENATOR KRIST: THANK YOU, SENATOR EBKE. MR. CLERK. [LB900]

ASSISTANT CLERK: MR. PRESIDENT, I DO HAVE A PRIORITY MOTION. SENATOR HILKEMANN WOULD MOVE TO BRACKET THE BILL UNTIL APRIL 20. [LB900]

SENATOR KRIST: SENATOR HILKEMANN, YOU'RE RECOGNIZED TO OPEN ON YOUR MOTION. [LB900]

SENATOR HILKEMANN: THANK YOU, MR. SPEAKER. GREETINGS, PEOPLE IN NEBRASKA, COLLEAGUES. IT'S WITH NO DISRESPECT TO MY FRIEND SENATOR BLOOMFIELD OR THE SUPPORTERS OF THIS LEGISLATION THAT I FILE THE MOTION TO BRACKET LB900. TO THE CONTRARY, IT IS OUT OF THE RESPECT OF THE LIMITED TIME THAT WE HAVE REMAINING IN THIS SESSION AND ALL OF THE WORK YET BEFORE US. COLLEAGUES, THIS BODY AND THOSE WHO HAVE SERVED BEFORE US HAVE TAKEN UP THIS SUBJECT MANY TIMES. I'VE GOT THE LAST FROM 2007 TO 2015, ALL OF THE BILLS, ALL THE... THAT ATTEMPTS HAVE BEEN THERE AND THE RESULTS HAVE BEEN THE SAME. WE KNOW THE FACTS AND WE KNOW THE PASSIONS OF THOSE ON ALL SIDES OF THIS ISSUE. IT IS MY INTENTION THAT WE TAKE SOME TIME ON THIS MOTION TO GIVE EVERYONE AN OPPORTUNITY TO WEIGH IN, AND THEN WE CAN HAVE A VOTE TO SEE WHERE THE NEXT ACTION TO TAKE US ON THIS. I REMAIN IN OPPOSITION TO LB900, JUST AS I OPPOSED LB31 LAST YEAR. AND EVEN THOUGH I WAS NOT A MEMBER OF THE BODY, I OPPOSED THIS BILL IN 2013 AND 2011 AND 2009 AND 2007. AS A PHYSICIAN, I HAVE WORKED WITH PEOPLE WITH LONG-TERM HEAD TRAUMAS AND INJURIES. ALL OF MY COLLEAGUES... NOT ALL OF MY COLLEAGUES BUT CERTAINLY MOST OF THE COLLEAGUES IN THE MEDICAL PROFESSION ARE VERY MUCH THAT WE NEED TO KEEP THIS HELMET BILL IN PLACE AND THAT IS WHY I RISE TODAY. YOU KNOW, AS I SHARED LAST YEAR, MAYBE A LOT OF YOU WILL BE SURPRISED THAT I MYSELF HAVE ENJOYED MOTORCYCLE RIDING. I DON'T HAVE A MOTORCYCLE AT THE PRESENT TIME. I'M STILL LICENSED TO RIDE A MOTORCYCLE. I FLY AN AIRPLANE; I'M INSTRUMENT RATED AND I ENJOY FLYING. SO I UNDERSTAND HIGH-RISK TYPE SPORTS AND THE ENJOYMENT THAT PEOPLE GET FROM RIDING A MOTORCYCLE, FLYING AIRPLANES. AND I

Floor Debate
March 16, 2016

UNDERSTAND THE RISKS THAT ARE INVOLVED WITH THAT. BUT ONE THING YOU MAY NOT KNOW, AND I'M GOING TO SHARE THIS WITH YOU, I HAVE IT ON PRETTY GOOD AUTHORITY THAT MY DEAR MOTHER, WHO IS IN NORFOLK AND IS LOOKING FORWARD TO CELEBRATING HER 100th BIRTHDAY IN ABOUT SIX WEEKS, IS WATCHING TODAY. AND I WANT TO TELL YOU THAT MY DEAR MOTHER, WHEN SHE WAS IN HER 60s, TOOK UP MOTORCYCLE RIDING. AND WHILE SHE LIVED IN ARIZONA WITH HER HUSBAND AT THAT POINT, SHE DIDN'T GET TO BE 100 BY BEING DUMB. SHE ALWAYS WORE HER MOTORCYCLE HELMET. AND SO, MOM, I SAY GOOD AFTERNOON TO YOU AND I THANK YOU THAT YOU RAISED US WITH GOOD COMMON SENSE. THINGS HAVE NOT CHANGED ON THIS BILL AND I AM...WE'RE GOING TO BE BRINGING YOU SOME EVIDENCE BASED THAT THIS IS BAD LEGISLATION FOR THE STATE OF NEBRASKA. IT IS VERY CLEAR, ALL OF THE EVIDENCE IS, IS THAT CYCLISTS ARE SAFER WHEN THEY'RE WEARING A HELMET. EVERY STATE, EVERY STATE THAT HAS REPEALED THE HELMET BILL, AND THERE HAVE BEEN STATES THAT HAVE REPEALED THIS, HAVE FOUND AN INCREASE NOT ONLY IN THE NUMBER OF DEATHS ON MOTORCYCLES, BUT ALSO THEY'VE ALSO INCREASED THE NUMBER OF SEVERE HEAD INJURIES. AND THE COST, AND WE'LL TALK ABOUT THE COST OF THESE HEAD INJURIES, HAS DONE NOTHING BUT GONE UP AND IT WILL CONTINUE TO RISE. DESPITE OUR...IN SPITE OF TRYING TO ESTABLISH A TRUST FUND THAT WE HAVE HERE, THINGS HAVE NOT BASICALLY CHANGED AND THAT IS, FOR THE STATE OF NEBRASKA, I BELIEVE THAT WE NEED TO KEEP THIS HELMET BILL IN PLACE. AND I PRESENT THIS BRACKET MOTION AT THIS TIME. THANK YOU, MR. SPEAKER. [LB900 LB31]

SENATOR KRIST: THANK YOU, SENATOR HILKEMANN. SENATOR BOLZ, YOU'RE RECOGNIZED. [LB900]

SENATOR BOLZ: THANK YOU, MR. PRESIDENT, AND I RISE IN SUPPORT OF THE BRACKET MOTION. AND I WANT TO USE THIS OPPORTUNITY TO PROVIDE SOME EDUCATIONAL INFORMATION ABOUT THE CURRENT CIRCUMSTANCES OF TRAUMATIC BRAIN INJURY IN NEBRASKA. IN MY DAY JOB, I WORK AS THE EXECUTIVE DIRECTOR OF THE NEBRASKA ASSOCIATION OF SERVICE PROVIDERS, AND ONE OF THE PROJECTS THAT WE HAVE TAKEN ON IS WORKING TO TRY TO EXPAND THE CAPACITY OF DEVELOPMENTAL DISABILITY SERVICE PROVIDERS TO SERVE INDIVIDUALS WITH BRAIN INJURY, BECAUSE MANY OF THOSE SKILL SETS APPLY TO INDIVIDUALS WHO HAVE COGNITION NEEDS. BUT LET ME TELL YOU THAT THE DEMAND IS GREAT AND THE CAPACITY IS SMALL. SO I DO APPRECIATE THE CONCEPT AND THE IDEA OF A BRAIN INJURY TRUST FUND, AND AGAIN WOULD REMIND YOU THAT THERE'S A BILL, LB516, ON GENERAL FILE

Floor Debate
March 16, 2016

THAT WOULD DO JUST THAT, WOULD CREATE A BRAIN INJURY TRUST FUND, BUT IT IS A SMALL STEP FORWARD TO MEET THE DEMAND AND THE CAPACITY. A RECENT NEEDS ASSESSMENT DONE BY THE BRAIN INJURY ASSOCIATION OF NEBRASKA TALKS ABOUT A DESCRIPTION OF SERVICE NEEDS, GAPS, AND BARRIERS. AND SOME OF THIS WORK WAS DONE BY ASSESSING PEOPLE WHO ARE CURRENTLY ON OUR TRAUMATIC BRAIN INJURY REGISTRY. SO NEBRASKA DOES A GOOD JOB OF MAKING SURE THAT WE HAVE THE DATA THAT WE NEED ABOUT INDIVIDUALS WHO HAVE EXPERIENCED A TRAUMATIC BRAIN INJURY. AND ANYONE CAN EXPERIENCE SUCH AN INJURY, WHETHER IT'S IN A CAR ACCIDENT OR A MOTORCYCLE ACCIDENT OR A SPORTS INJURY OR A FALL. WE'RE ALL VULNERABLE. SO SOME OF THE BARRIERS INCLUDE LACK OF FUNDING SOURCES AND FINANCIAL RESOURCES, LACK OF CASE MANAGEMENT AND RESOURCE FACILITATION, LACK OF TRAINING AND CAPACITY FOR SERVICE PROVIDERS, GEOGRAPHIC BARRIERS, NEED FOR EARLY INTERVENTION. AND THE SERVICES THAT ARE MOST NEEDED INCLUDE COGNITIVE TRAINING, COUNSELING, BEHAVIORAL SUPPORTS, COMMUNITY SKILLS TRAINING, EMPLOYMENT SUPPORTS, AND EDUCATIONAL SERVICES. AND THE TRUTH IS, COLLEAGUES, THAT WE ARE REALLY NOT DOING ENOUGH IN OUR STATE FOR INDIVIDUALS WHO EXPERIENCE A TRAUMATIC BRAIN INJURY. WE DO HAVE A TRAUMATIC BRAIN INJURY WAIVER THAT SERVES ONLY 40 PARTICIPANTS AND IT SERVES THOSE PARTICIPANTS IN A INSTITUTIONAL-BASED SETTING, IN A CAMPUS-BASED SETTING CALLED QLI. AND I APPLAUD QLI FOR THE INCREDIBLE WORK THAT THEY DO, BUT IN TERMS OF THE DEMAND VERSUS OUR CAPACITY, WE ARE FALLING FAR, FAR SHORT. AND THE REAL DEMAND IS NOT EVEN IN THAT TYPE OF SETTING. IT'S FOR COMMUNITY-BASED SETTINGS. ALL THE OTHER STATES THAT ARE DOING TRAUMATIC BRAIN INJURY WAIVERS INCLUDE DAY SERVICES, RESPITE, SERVICE COORDINATION, SUPPORTED EMPLOYMENT, ASSISTIVE TECHNOLOGY, CRISIS RESPONSE, VEHICLE MODIFICATION, RESIDENTIAL HABILITATION AND PERSONAL CARE. THESE ARE THE TYPES OF COMMUNITY-BASED SERVICES THAT ARE NEEDED TO SERVE INDIVIDUALS WITH TRAUMATIC BRAIN INJURY, AND, COLLEAGUES, WE ARE FALLING SHORT. NOT ONLY ARE WE FALLING SHORT IN OUR CAPACITY AND IN OUR FUNDING AND IN OUR ABILITY TO SERVE, WE'RE NOT LEVERAGING MEDICAID IN A WAY THAT MAKES THE MOST SENSE FOR OUR STATE. AND UNFORTUNATELY, THE WAY THAT THE BRAIN INJURY TRUST FUND IS DRAFTED IN THIS PIECE OF LEGISLATION WOULD NOT ALLOW US TO MOVE FORWARD IN THE CORRECT DIRECTION. SO I JUST NEED TO RISE AGAIN AND SAY ANYTHING THAT WOULD INCREASE THE NUMBER OF INDIVIDUALS WITH A TRAUMATIC BRAIN INJURY IN THE STATE IS NOT A GOOD DECISION, NOT ONLY BECAUSE OF THE HARM TO INDIVIDUALS AND FAMILIES, BUT ALSO BECAUSE IT WOULD ADD TO THE GROWING LIST OF NEEDS

Floor Debate
March 16, 2016

AND DEMANDS FOR INDIVIDUALS WHO HAVE TRAUMATIC BRAIN INJURIES THAT WE ARE NOT ABLE TO SERVE CURRENTLY. SO, COLLEAGUES, AGAIN, I WOULD URGE YOU TO SIGN ON TO LB516 TO SUPPORT THE CONCEPT OF A BRAIN INJURY TRUST FUND, TO TRY TO MOVE FORWARD TO ADDRESS SOME OF THESE SERVICE GAPS AND NEEDS. BUT FOR GOODNESS SAKE'S, COLLEAGUES, DON'T MAKE THE PROBLEM WORSE BY MAKING IT EASIER AND MORE LIKELY THAT INDIVIDUALS WHO DO NOT WEAR A HELMET END UP IN OUR REHABILITATION HOSPITALS, END UP IN OUR TRAUMATIC... [LB900 LB516]

SENATOR KRIST: ONE MINUTE. [LB900]

SENATOR BOLZ: ...BRAIN INJURY WAIVER, END UP AT QLI, AND END UP IN OUR COMMUNITIES SCRAMBLING AND SEARCHING FOR THE SUPPORTS AND SERVICES THAT THEY NEED. INSTEAD, COLLEAGUES, SUPPORT SOMETHING LIKE LB516 AND GET ON THE TEAM TO MAKE SURE THAT WE ARE BETTER RESPONDING TO ALL INDIVIDUALS WITH TRAUMATIC BRAIN INJURY ALL ACROSS THE STATE. I URGE YOUR SUPPORT FOR THE BRACKET MOTION AND I ENCOURAGE YOU TO CONTINUE THIS IMPORTANT CONVERSATION TO SERVE INJURED INDIVIDUALS IN NEBRASKA. THANK YOU, MR. PRESIDENT. [LB900 LB516]

SENATOR KRIST: THANK YOU, SENATOR BOLZ. SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB900]

SENATOR CHAMBERS: MR. PRESIDENT, MEMBERS OF LEGISLATURE, IN YEARS GONE BY I SUPPORTED THIS KIND OF LEGISLATION STRONGLY. THEN I BECAME NOT QUITE SO SURE. AND BEFORE I SAY WHAT I'M GOING TO DO, I'M GOING TO OFFER SENATOR BLOOMFIELD A DEAL, BUT I WANT TO GIVE MYSELF A MEMORY TEST FIRST. I'VE GOT TO REMEMBER WHAT I WAS GOING TO DO FOR THAT TEST. NO, BUT IT'S A RHYME THAT I LEARNED MANY, MANY YEARS AGO. AND RUDYARD KIPLING WROTE IT, AND FROM TIME TO TIME I'LL GIVE BITS AND PIECES, BUT I WANT TO GIVE MORE OF IT TODAY. ALL WE'RE GOING TO DO IS PASS TIME: OH, EAST IS EAST, AND WEST IS WEST, AND NEVER THE TWAIN SHALL MEET, TILL EARTH AND SKY STAND PRESENTLY AT GOD'S GREAT JUDGMENT SEAT; BUT THERE IS NEITHER EAST NOR WEST, BORDER; NOR BREED, NOR BIRTH, WHEN TWO STRONG MEN STAND FACE TO FACE, THO' THEY COME FROM THE ENDS OF THE EARTH! KAMAL IS OUT WITH TWENTY MEN TO RAISE THE BORDER SIDE. AND HE HAS LIFTED THE COLONEL'S MARE THAT IS THE COLONEL'S PRIDE: HE HAS LIFTED HER OUT OF THE STABLE-DOOR AND RIDDEN HER FAR AWAY.

Floor Debate
March 16, 2016

TURNED THE CALKINS UPON HER FEET AND RIDDEN HER FAST AWAY. UP AND SPOKE THE COLONEL'S SON WHO LED A TROOP OF THE GUIDES: "IS THERE NOT A MAN OF ALL MY MEN CAN SAY WHERE KAMAL HIDES?" THEN UP AND SPOKE MOHAMMED KHAN, THE SON OF THE RESSALDAR, "IF YOU KNOW THE TRACK OF THE MORNING-MIST, YOU KNOW WHERE HIS PICKETS ARE. AT DUSK HE HARRIES THE ABAZAI--AT DAWN HE IS INTO BONAIR, BUT HE MUST GO BY FORT BUKLOH TO HIS OWN PLACE TO FARE,, SO IF YOU TRAVEL TO FORT BUKLOH AS FAST AS YOU CAN FLY, BY THE FAVOR OF GOD YOU MAY CUT HIM OFF ERE HE WIN TO THE TONGUE OF JAGAI. BUT IF HE BE PASSED THE TONGUE OF JAGAI, RIGHT SWIFTLY TURN YOU THEN, FOR THE LENGTH AND THE BREADTH OF THAT GRISLY PLAIN IS SOWN WITH KAMAL'S MEN. THERE IS ROCK TO THE LEFT, AND ROCK TO THE RIGHT, AND LOW LEAN THORN BETWEEN, AND YOU MAY HEAR A BREECH-BOLT SNICK WHERE NEVER A MAN IS SEEN." THE COLONEL'S SON HAS TAKEN A HORSE, AND A RAW ROUGH DUN WAS HE, WITH THE MOUTH OF A BELL AND THE HEART OF HELL, AND THE HEAD OF THE GALLOWS-TREE. THE COLONEL'S SON TO THE FORT HAS WON, THEY BID HIM STAY TO EAT--WHEN YOU RIDE AT THE TAIL OF THE BORDER THIEF, YOU SIT NOT LONG AT YOUR MEAT. HE'S UP AND AWAY FROM FORT BUKLOH AS FAST AS HE COULD FLY, TILL HE IS AWARE OF HIS FATHER'S MARE IN THE GUT OF THE TONGUE OF JAGAI, TILL HE IS AWARE OF HIS FATHER'S MARE AND KAMAL UPON HER BACK, AND WHEN HE COULD SPY THE WHITE OF HER EYE, HE MADE THE PISTOL CRACK. HE HAD FIRED ONCE, HE FIRED TWICE, BUT THE WHISTLING BALL WENT WIDE. YOU SHOOT LIKE A SOLDIER, KAMAL SAID. SHOW NOW IF YOU CAN RIDE. IT'S UP AND OVER THE TONGUE OF JAGAI, LIKE BLOWN DUST-DEVILS GO, THE DUN HE PLUNGED LIKE A WOUNDED BULL BUT THE MARE LIKE A NEW ROUSED DOE. THE DUN HE LEANED AGAINST THE BIT AND SLUGGED HIS HEAD ABOVE, BUT THE RED MARE PLAYED WITH THE SNAFFLE-BAR, LIKE A MAIDEN PLAYS WITH A GLOVE. THERE WAS ROCK TO THE RIGHT, ROCK TO THE LEFT, LOW LEAN THORN BETWEEN, AND THRICE HE HEARD A BREECH-BOLT SNICK THO' NEVER A MAN WAS SEEN. THE DUN HE FELL AT A WATER-COURSE--IN A WOEFUL HEAP FELL HE, AND KAMAL HAS TURNED THE RED MARE BACK, AND PULLED THE RIDER FREE. HE HAS SET HIM...PULLED THE...KNOCKED THE PISTOL OUT OF HIS HAND-- SMALL ROOM WAS THERE TO STRIVE. "T'WAS ONLY BY FAVOR OF MINE," QUOTH HE, "THAT YOU RODE SO LONG ALIVE. IF I HAD BOWED MY HEAD ON MY BREAST AS I HAVE KEPT IT HIGH, THE KITE THAT WHISTLES ABOVE US NOW WERE GORGED TILL SHE COULD NOT FLY. IF I HAD RAISED MY BRIDLE-HAND, AS I HAVE KEPT IT LOW,... [LB900]

SENATOR KRIST: ONE MINUTE. [LB900]

Floor Debate
March 16, 2016

SENATOR CHAMBERS: ...THE LITTLE JACKALS THAT FLEE SO FAST, WERE FEASTING ALL IN A ROW." THERE'S ROCK TO THE RIGHT, ROCK TO THE LEFT, AND LOW LEAN THORN BETWEEN. I THINK MY TIME IS JUST ABOUT UP SO I'M GOING TO STOP. AND IF I'M RECOGNIZED AGAIN THEN I'LL COMPLETE IT, AND THEN I WILL HAVE A DEAL TO OFFER TO SENATOR BLOOMFIELD. AND HE AND I ARE NOT THE DREAM TEAM. ON THIS, WE'RE MORE LIKE THE NIGHTMARE PAIR. [LB900]

SENATOR KRIST: THANK YOU, SENATOR CHAMBERS. (VISITORS INTRODUCED.) THOSE STILL WISHING TO SPEAK: SENATOR BLOOMFIELD, GROENE, KINTNER, HILKEMANN, BAKER, AND OTHERS. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB900]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. I WILL REFUTE SOME OF THE SO-CALLED STATISTICS, BUT I WILL DO IT AT A LATER TIME. I WOULD LIKE TO LET SENATOR CHAMBERS FINISH HIS THOUGHTS, SO I WOULD YIELD MY TIME TO HIM. [LB900]

SENATOR KRIST: SENATOR CHAMBERS, 4:49. [LB900]

SENATOR CHAMBERS: THANK YOU, SENATOR BLOOMFIELD. AT THIS POINT, THE COLONEL'S SON HAD CHASED THE BORDER THIEF, HIS HORSE HAD FALLEN, THE BORDER THIEF PULLED HIM AWAY, PULLED HIM UP. AND THEN IT GOES ON. AND I GOT TO RECOLLECT MY THOUGHTS NOW. SENATOR BLOOMFIELD KIND OF CAUGHT ME OFF GUARD THERE A BIT: THEN LIGHTLY SPOKE THE COLONEL'S SON, "DO GOOD TO BIRD AND BEAST, BUT COUNT WHO COME FOR THE BROKEN MEATS BEFORE THOU MAKEST A FEAST. THEY WILL FEED THEIR HORSE ON THE STANDING CROP, THEIR MEN ON THE GARNERED GRAIN. AND THE THATCH OF THE BYRES WILL SERVE THEIR FIRES WHEN ALL OF THE CATTLE ARE SLAIN. BUT IF YOU THINK THE PRICE BE HIGH IN STEER AND GEAR AND STACK, GIVE ME MY FATHER'S MARE AGAIN, AND I'LL FIGHT MY OWN WAY BACK! BUT IF YOU THINK THE PRICE IS FAIR, THY BRETHREN WAIT TO SUP, THE HOUND IS KIN TO THE JACKAL-SPAWN--HOWL, DOG, AND CALL THEM UP!" KAMAL HAS GRIPPED HIM BY THE HAND AND SET HIM UPON HIS FEET. "NO TALK SHALL BE OF DOGS," SAID HE, "WHEN WOLF AND GRAY WOLF MEET." THE COLONEL'S SON A PISTOL DREW AND HELD IT MUZZLE-END, "YOU HAVE TAKEN THE ONE FROM A FOE," SAID HE, "WILL YOU TAKE THE MATE FROM A FRIEND?" "A GIFT FOR A GIFT"...AND I'M GETTING CLOSE TO THE DEAL BUT NOT YET. "A GIFT FOR A GIFT," SPOKE KAMAL STRAIGHT, "A LIMB FOR THE RISK OF A LIMB. THY FATHER HAS SENT HIS SON TO

Floor Debate
March 16, 2016

ME, I'LL SEND MY SON TO HIM!" WITH THAT, HE WHISTLED HIS ONLY SON, WHO DROPPED FROM A MOUNTAIN-CREST--HE TROD THE LING LIKE A BUCK IN SPRING, AND HE LOOKED LIKE A LANCE AT REST. "HERE IS THY MASTER," KAMAL SAID, "WHO RIDES...LEADS A TROOP OF THE GUIDES, AND THOU MUST RIDE AT HIS LEFT SIDE AS SHIELD ON SHOULDER RIDES. AND THOU MUST EAT THE WHITE QUEEN'S MEAT AND ALL HER FOES ARE THINE, AND THOU MUST HARRY THY FATHER'S HOLD FOR THE PEACE OF THE BORDER-LINE." THEY HAVE LOOKED EACH OTHER BETWEEN THE EYE AND THERE HAVE FOUND NO FAULT. THEY HAVE TAKEN THE OATH OF BROTHER-IN-BLOOD ON LEAVENED BREAD AND SALT: THEY HAVE TAKEN THE OATH OF BROTHER-IN-BLOOD ON FIRE AND FRESH-CUT SOD, ON THE HILT AND THE HAFT OF THE KHYBER KNIFE, AND THE WONDROUS NAMES OF GOD. THE COLONEL'S SON HE RIDES THE MARE AND KAMAL'S BOY THE DUN, AND TWO HAVE COME BACK TO FORT BUKLOH WHERE THERE WENT FORTH BUT ONE. "HAVE DONE! HAVE DONE!" SPOKE THE COLONEL'S SON. "PUT UP THE STEEL AT YOUR SIDES! LAST NIGHT YOU STRUCK AT A BORDER THIEF--TONIGHT 'TIS A MAN OF THE GUIDES!" OH, EAST IS EAST, AND WEST IS WEST, AND NEVER THE TWAIN SHALL MEET, TILL EARTH AND SKY STAND PRESENTLY AT GOD'S GREAT JUDGMENT SEAT; BUT THERE IS NEITHER EAST NOR WEST, BORDER; NOR BREED, NOR BIRTH, WHEN TWO STRONG MEN STAND FACE TO FACE, THO' THEY COME FROM THE ENDS OF THE EARTH. NOW, IF SENATOR BLOOMFIELD WILL YIELD, I'D LIKE TO ASK HIM A QUESTION AND STRIKE A DEAL IF WE MAY. [LB900]

SENATOR KRIST: SENATOR BLOOMFIELD, WILL YOU YIELD? [LB900]

SENATOR BLOOMFIELD: YES, I WILL. [LB900]

SENATOR CHAMBERS: SENATOR BLOOMFIELD, THIS MIGHT BE CALLED EARNEST MONEY IN A SENSE. I WILL GIVE YOU A VOTE FOR SURE FOR CLOTURE. IN EXCHANGE FOR THAT WOULD IT BOTHER YOU IF, SINCE ALL THEY'RE GOING TO BE DOING IS TAKING TIME, IF I WOULD TALK ABOUT SOMETHING WHICH MEANS A GREAT DEAL TO ME WHICH IS THE MOUNTAIN LION? WOULD YOU MIND IF SOME OF MY TIME SPEAKING ON YOUR BILL WOULD BE DEDICATED TO THAT? [LB900]

SENATOR BLOOMFIELD: SENATOR CHAMBERS, I DO NOT MIND. AND EVEN IF I DID, I COULDN'T PREVENT IT. SO, NO. I THINK ONCE WE GET SOME OF THESE WILD-EYED IDEAS THAT HAVE BEEN THROWN OUT THERE REFUTED, FEEL FREE, SIR, TO DO AS YOU WILL. [LB900]

Floor Debate
March 16, 2016

SENATOR CHAMBERS: AND THAT'S WHY I GAVE THAT LONG POEM, BECAUSE THERE WAS A PART IN IT THAT SAID, A GIFT FOR A GIFT. WE'VE EXCHANGED GIFTS. I WILL GIVE YOU A CLOTURE VOTE AND I'M GOING TO VOTE FOR THE BILL, AND I'LL TELL YOU WHY. THE CONSTITUTION GIVES EVERYBODY THE RIGHT TO BE A FOOL. WHEN I WAS IN THE ARMY, WE HAD WHAT WERE CALLED HELMET LINERS. [LB900]

SENATOR KRIST: ONE MINUTE. [LB900]

SENATOR CHAMBERS: THEY'RE JUST PLASTIC. THEY CALL IT POLYETHYLENE OR SOMETHING NOW. THE STEEL POT WAS WHAT YOU PUT ON TOP OF THAT, AND I DON'T THINK IT WOULD STOP A BULLET. I NEVER SHOT AT ANYBODY; NOBODY SHOT AT ME, FORTUNATELY, SO I DON'T KNOW. BUT WHAT PASSES FOR HELMETS ARE NOT ANYTHING FOR THESE MOTORCYCLES. THEY WOULDN'T PROTECT YOU FROM ANYTHING. AND WHAT THESE EXPERTS ON CONCUSSIONS HAVE SAID ABOUT FOOTBALL HELMETS, IT'S NOT SO MUCH WHAT'S ON YOUR HEAD. IT'S WHAT HAPPENS WHEN YOUR BRAIN HITS THE INSIDE OF THE SKULL. AND I WOULD SAY IT'S NOT SO MUCH WHAT'S ON THE HEAD AS WHAT'S INSIDE THE SKULL THAT COUNTS. IF YOU DON'T HAVE GOOD SENSE, YOU CAN WEAR ARMOR AND YOU WOULD NOT RIDE SUCCESSFULLY. IF YOU HAVE INTELLIGENCE, THERE WERE TIMES WHEN PEOPLE DIDN'T EVEN THINK ABOUT WEARING ANYTHING ON THEIR HEAD EXCEPT MAYBE THEIR HAIR, AND IT WOULD BE LONG BUT NOT FOR PROTECTION. SO I INTEND TO VOTE CLOTURE, AND I WILL VOTE FOR THE BILL. SO OBVIOUSLY, WITH ALL DUE RESPECT TO SENATOR HILKEMANN, I'M AGAINST HIS BILL. BUT SO PEOPLE CAN PRONOUNCE HIS NAME CORRECTLY, IT'S "L" BEFORE "K" AS IN MILK WHEN YOU MAKE WHEY. SO IT'S NOT HICKELMAN (PHONETICALLY), IT'S NOT HINKELMAN (PHONETICALLY), IT'S HILLKAMAN (PHONETICALLY). [LB900]

SENATOR KRIST: TIME, SENATOR. [LB900]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB900]

SENATOR KRIST: THANK YOU, SENATOR CHAMBERS. SENATOR GROENE, YOU'RE RECOGNIZED. [LB900]

SENATOR GROENE: MR. PRESIDENT, I STAND IN SUPPORT OF LB900 AND AM2343 AND AGAINST THE BRACKET MOTION. FREEDOM IS WHY I STAND. PERSONAL RESPONSIBILITY IS PARAMOUNT TO FREEDOM IN AMERICA, SO IS MINDING

Floor Debate
March 16, 2016

YOUR OWN BUSINESS. THE MEDICAID ARGUMENT HOLDS NO WATER ANYMORE. WE ALL KNOW THAT WITH OBAMACARE. AGREE WITH OBAMACARE OR NOT, NOBODY CAN BE DENIED HEALTH INSURANCE. YOU CAN BE LAYING IN A HOSPITAL BED FOR 20 YEARS WITH HEAD TRAUMA FROM FLYING AN AIRPLANE, AND YOU CAN GET INSURANCE. AND THEY CAN NO LONGER CHARGE YOU ANY MORE THAN THE OTHER PERSON WHO WEARS A HELMET AND IS AFRAID TO GET OUT OF BED IN THE MORNING. YOU CAN NO LONGER BE DENIED HEALTH INSURANCE. THERE'S ALSO NO LIMITS ANY MORE, NO CAPS. USED TO BE \$1 (MILLION), \$2 (MILLION), \$3 MILLION CAPS. THERE IS NO CAP ANYMORE. IT MUST BE COVERED BY THE INSURANCE COMPANY. SO MEDICAID ARGUMENT HOLDS NO WATER. AND I WON'T GO INTO OTHER PERSONAL BEHAVIOR AND CHOICE THAT COSTS US BILLIONS IN SOCIAL DISEASES BECAUSE OF CHOICE OF BEHAVIOR IN MEDICAID AND IN HEALTH INSURANCE. I STAND ALSO BECAUSE I COME FROM NORTH PLATTE IN THE MIDDLE OF THE STATE WHERE WE HAVE...WE ARE A HOTEL STOPOVER CENTER, DIRECTLY IN BETWEEN DENVER, CHEYENNE, AND OMAHA. OUR HOTELS SIT EMPTY IN THE SUMMER BECAUSE MOTORCYCLISTS ARE STAYING IN SALINA, KANSAS; GREELEY, COLORADO; CHEYENNE; BISMARCK, NORTH DAKOTA; BECAUSE THEY GO AROUND THIS STATE AS THEY HEAD TO THE BLACK HILLS AND OTHER DESTINATIONS FOR TOURISM. YOU ARE HARMING OUR TOURISM. YOU ARE HARMING FREE CHOICE. MY TOURISM BUREAU IS FOR LB900. WE SEE IT. I SEE IT AS I TRAVEL THAT HIGH PLAINS AREA IN MY CAREER. THE INTERSTATES ARE FULL IN KANSAS, COLORADO, THE TWO-LANE HIGHWAYS. YOU KNOW ONE OF THE MOST SCENIC ROUTES IN THE WHOLE UNITED STATES IS HIGHWAY 2 THROUGH THE SANDHILLS. THAT IS A FAVORITE ROUTE FOR MOTORCYCLISTS, BUT THEY DO NOT TAKE IT BECAUSE SOME SENATORS BELIEVE THEY KNOW WHAT'S BEST BEHAVIOR FOR THOSE INDIVIDUALS. THAT IS WRONG. NO ONE SHOULD DO THAT. IT IS WHAT FREEDOM FIGHTS ALWAYS. IT'S WHAT THIS NATION IS, IS THAT HUMAN TENDENCY TO CONTROL, TO KNOW WHAT'S BEST FOR SOMEBODY ELSE. THAT IS A HUMAN TENDENCY THAT DEFIES FREEDOM. IT DEFIES IT. YOU HAVE NO RIGHT TO DICTATE TO SOMEBODY ELSE THEIR BEHAVIOR WHEN IT DOES NOT AFFECT YOU, AND THAT IS WHAT YOU'RE DOING. I'M GLAD I KNOW WHICH SENATORS BELIEVE THAT BECAUSE I DON'T WANT TO LIVE BY YOU, BECAUSE YOU'RE GOING TO COME OVER AND TELL ME TO PICK THE DOG POOP UP IN MY YARD, YOU'RE GOING TO TELL ME HOW SHORT TO CUT MY GRASS AND HOW HIGH TO RAISE MY FENCE, BECAUSE YOU KNOW WHAT'S BEST FOR ME. PLEASE RETHINK THIS AND GIVE SENATOR BLOOMFIELD HIS CLOTURE VOTE AND ALLOW FREEDOM IN THIS COUNTRY. YOU KNOW, A LOT OF FOLKS DRIVE THEIR MOTORCYCLES THEIR ENTIRE LIVES AND NEVER HAVE AN ACCIDENT, NEVER HAVE AN ACCIDENT. A LOT OF PEOPLE DO HAVE ACCIDENTS AND THEY'RE

Floor Debate
March 16, 2016

NEVER HARMED. THIS ONE-TO-ONE BELIEF THAT IF YOU HAVE A...ON A MOTORCYCLE AND YOU HAVE AN ACCIDENT, YOU'RE GOING TO HAVE HEAD TRAUMA IS ABSOLUTELY FALSE. [LB900]

SENATOR KRIST: ONE MINUTE. [LB900]

SENATOR GROENE: I ASKED SENATOR BLOOMFIELD ABOUT THESE 40 SO-CALLED TRAUMA CASES IN THE STATE OF NEBRASKA, AND HE SAID, AS FAR AS HE CAN FIGURE OUT, THERE'S 2 OF THEM BECAUSE OF MOTORCYCLES, AND HE WASN'T SURE IF THEY WERE WEARING A HELMET OR NOT, THAT ARE LONG-TERM CARE. MIND YOUR OWN BUSINESS. ALLOW OUR HOTELS TO BE FILLED, ALLOW PEOPLE TO RIDE THEIR BIKES THE WAY THEY WANT TO RIDE THEM IN A FREE SOCIETY AND A FREE COUNTRY. SO PLEASE, GIVE SENATOR BLOOMFIELD HIS CLOTURE VOTE. THANK YOU. [LB900]

SENATOR KRIST: THANK YOU, SENATOR GROENE. SENATOR KINTNER, YOU ARE RECOGNIZED. [LB900]

SENATOR KINTNER: WELL, THANK YOU, MR. PRESIDENT. WE ARE HERE AGAIN, YET ANOTHER YEAR, TRYING TO DO THE SAME THING WE'VE BEEN DOING FOR MY FOURTH YEAR HERE, I THINK. IT'S BEEN FOUR TIMES WE'VE TRIED TO MOVE THIS. AND I GOT TO TELL YOU, WHEN I RAN MY VERY FIRST TIME, I TOLD PEOPLE I'M NEVER GOING TO VOTE FOR A BILL TO PROTECT YOU FROM YOUR OWN ACTIONS IN A LEGAL ENDEAVOR. AND I DO NOT SUPPORT HELMET BILLS. WELL, A SEAT BELT IS FEDERAL, BUT I DON'T LIKE THAT STUFF EITHER. YOU NEED TO TAKE RESPONSIBILITY FOR YOUR OWN ACTIONS. YOU NEED TO RISE AND FALL BASED UPON WHAT YOU THINK IS RIGHT. AND SOMETIMES YOU'RE GOING TO CHOOSE WRONG AND YOU'LL PAY THE CONSEQUENCES. BUT I AM NOT HERE TO TELL YOU WHAT TO DO AND HOW TO DO IT. SOMETIMES I THINK THAT WE GET ELECTED HERE AND WE JUST THINK WE'RE SMARTER THAN THE PEOPLE THAT SENT US HERE. NOW THAT WE'RE HERE AS SENATORS, WE KNOW MORE THAN THE PEOPLE OUT THERE. WELL, THE MAJORITY OF PEOPLE IN MY DISTRICT JUST WANT TO BE LEFT ALONE. THEY JUST DON'T FEEL THE NEED TO HAVE GOVERNMENT TELL THEM HOW TO MAKE THEIR LIFE CHOICES. AND I'VE SUPPORTED THIS EVERY YEAR I'VE BEEN HERE. I THINK THIS IS GOOD POLICY. AND I THINK TO TRY TO TELL PEOPLE HOW TO LIVE THEIR LIFE AND WHAT TO DO AND WHERE TO GO AND HOW TO GO THERE AND ALL OF THAT STUFF IS WAY BEYOND WHAT WE OUGHT TO BE DOING. LET'S EDUCATE OUR KIDS, LOCK UP THE BAD GUYS. LET'S MAKE SURE WE GOT SOME GOOD ROADS TO DRIVE ON,

Floor Debate
March 16, 2016

AND LET'S JUST STOP TELLING PEOPLE HOW TO LIVE THEIR LIFE. I THINK WE'D BE FAR BETTER OFF IF WE DID THAT. MR. PRESIDENT, I FULLY SUPPORT SENATOR BLOOMFIELD'S BILL. AND I WILL YIELD THE REMAINDER OF ANY TIME I HAVE TO SENATOR CHAMBERS. [LB900]

SENATOR KRIST: SENATOR CHAMBERS, 2:50. [LB900]

SENATOR CHAMBERS: THANK YOU,... [LB900]

SENATOR KRIST: TAKE A BREATH. [LB900]

SENATOR CHAMBERS: ...MR. PRESIDENT. AND THANK YOU, SENATOR KINTNER. MEMBERS OF THE LEGISLATURE, A PECULIAR THING IS GOING ON IN MY BRAIN RIGHT NOW, NOT A RHYME, BUT I'M LISTENING TO ARGUMENTS WITH WHICH I AGREE. THEY APPLY TO RIDING A MOTORCYCLE WITHOUT A HELMET. BUT AT BOTTOM IS THE NOTION THAT A PERSON WITH HIS OR HER LIFE HAS A RIGHT TO DO WHAT HE OR SHE PLEASES. I THINK THE MOST CRITICAL JUNCTURE IN A PERSON'S LIFE--IF HE OR SHE HAS RECEIVED A DIAGNOSIS OF SIX MONTHS OR LESS TO LIVE, A PROGNOSIS THAT HE OR SHE WILL NEVER RECOVER. A PERSON SUFFERING EXCRUCIATING PAIN AND DESPITE THE ADMINISTRATION OF THESE VARIOUS NARCOTICS, THE PAIN OUTFRONS THE ABILITY OF THE MEDICINE TO GIVE ANY RELIEF, CONTRARY TO WHAT A DOCTOR SAID BEFORE THE JUDICIARY COMMITTEE, THERE ARE INNUMERABLE INDIVIDUALS WHO HAD EXCRUCIATING PAIN. AND THAT'S WHERE WHAT THEY CALL PALLIATIVE CARE, PALLIATIVE CARE COMES IN WHERE THEY PUT YOU INTO A COMA-LIKE STATE AND DENY YOU FOOD AND WATER, AND ALLOW YOU TO STARVE TO DEATH AND DIE FROM DEHYDRATION. AND THAT ACCORDS WITH SOME PEOPLE'S RELIGIOUS NOTION OF WHAT GOD REQUIRES. BUT THESE PEOPLE PROBABLY DO SUFFER AND THEY'RE IN THE COMA SO THAT THEY CANNOT CRY OUT. THEY CANNOT ASK FOR HELP. AND SOME HAVE DESCRIBED FROTHING THAT COMES FROM THE NOSE, FROM THE MOUTH, AND NOTHING CAN BE DONE FOR THAT PERSON. SO IF THIS INDIVIDUAL HAS MADE IT CLEAR THAT HE OR SHE WANTS TO DIE WITH DIGNITY, WANTS TO LEAVE THIS PLACE GENTLY, AND HAS MADE THAT CLEAR AND THAT PERSON HAS HIS OR HER MENTAL FACULTIES AND WANTS TO LEAVE THIS PLANET IN THAT WAY, THE GOVERNMENT, THE CHURCH, INDIVIDUALS SHOULD NOT STAND BETWEEN THAT PERSON AND HIS OR HER LAST WISH. AND IF THERE ARE DOCTORS WHO VOLUNTARILY WILL ASSIST THAT PERSON BY PRESCRIBING WHAT AMOUNTS TO A LETHAL DOSE OF A BARBITURATE, SUCH DOCTOR SHOULD BE ALLOWED TO DO SO WITHOUT FACING CRIMINAL

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

Floor Debate
March 16, 2016

SANCTION. NO DOCTOR IS REQUIRED TO PARTICIPATE IN THIS LAST WISH OF A PERSON. BUT SHOULD THERE BE A DOCTOR WHO INTERPRETS HIS OR HER HIPPOCRATIC OATH TO FIRST DO NO HARM,... [LB900]

SENATOR KRIST: TIME, SENATOR. [LB900]

SENATOR CHAMBERS: ...INCLUDED IN HIS OR HER UNDERSTANDING IS THAT HARM IS DONE WHEN A PERSON IS SUFFERING NEEDLESS, USELESS PAIN AND AGONY. [LB900]

SENATOR KRIST: TIME, SENATOR. [LB900]

SENATOR CHAMBERS: OH, I THOUGHT YOU SAID A MINUTE. I'M SORRY. THANK YOU. [LB900]

SENATOR KRIST: I MISSED YOUR MINUTE CALL. I APOLOGIZE. SENATOR HILKEMANN, YOU ARE RECOGNIZED. [LB900]

SENATOR HILKEMANN: THANK YOU, MR. SPEAKER. IS SENATOR GROENE STILL HERE? JUST WONDERING IF YOU WOULD ANSWER A REAL QUICK QUESTION FOR ME. [LB900]

SENATOR KRIST: SENATOR GROENE, WILL YOU YIELD TO SENATOR HILKEMANN? [LB900]

SENATOR GROENE: YES, SIR, I'LL ANSWER A QUESTION. [LB900]

SENATOR HILKEMANN: YEAH. I WAS REALLY CURIOUS WITH YOUR OPENING COMMENTS ABOUT THIS LB900. YOU SAID THAT EVERYBODY IS COVERED BY MEDICAID NOW. [LB900]

SENATOR GROENE: NO, I DID NOT SAY THAT. I TALKED ABOUT INSURANCE. YOU CANNOT BE DENIED HEALTH INSURANCE IN THE STATE...IN THE UNITED STATES NOW. FOR ANY PRECONDITION, EXISTING CONDITION, YOU CANNOT BE DENIED. [LB900]

SENATOR HILKEMANN: EVEN IN THE STATE OF NEBRASKA? [LB900]

Floor Debate
March 16, 2016

SENATOR GROENE: YES. IF THAT PERSON IS LAYING IN THAT BED AND HIS WIFE OR SPOUSE GOES INTO AN INSURANCE COMPANY AND SAYS I WANT HEALTH INSURANCE FOR MY FAMILY, YOU CANNOT BE DENIED FOR AN EXISTING CONDITION. [LB900]

SENATOR HILKEMANN: ARE YOU SAYING TO ME PUBLICLY THAT YOU ARE GOING TO VOTE FOR THE EXPANSION OF MEDICAID IN NEBRASKA SO THAT WE COVER PEOPLE? [LB900]

SENATOR GROENE: WAIT A SECOND! THAT'S ONE PART OF THE WHOLE BILL. THAT HAS NOTHING TO DO WITH THE MANDATE THAT AN INSURANCE COMPANY HAS TO INSURE AND CANNOT TURN ANYBODY DOWN FOR A PREEXISTING CONDITION. THERE'S NO RELATIONSHIP THERE, SIR. [LB900]

SENATOR HILKEMANN: SO YOU'RE SAYING THAT EVEN THE POOREST OF THE POOR NOW, THAT FALL...MAYBE FALL IN THE CRACKS, WOULD GET MEDICAID COVERAGE ON THIS? [LB900]

SENATOR GROENE: NO, I DIDN'T SAY THAT. I SAID IF THEY WANT TO BUY HEALTH INSURANCE, IF THEY WANT TO GO ON THE HEALTH INSURANCE EXCHANGE AND PAY THE PORTION THAT THEY NEED TO PAY, THEY CAN GET HEALTH INSURANCE. [LB900]

SENATOR HILKEMANN: WELL, SENATOR, THAT REALLY SURPRISES ME BECAUSE... [LB900]

SENATOR GROENE: AND YOU CANNOT GET A DRIVER'S LICENSE TO OPERATE A VEHICLE WITHOUT INSURANCE. [LB900]

SENATOR HILKEMANN: ...I'M NOT IN FAVOR OF MEDICAID EXPANSION. [LB900]

SENATOR GROENE: I'M NOT EITHER. [LB900]

SENATOR HILKEMANN: SO THAT JUST SURPRISED ME WHEN YOU MADE THAT COMMENT. I THOUGHT MAYBE THERE HAD BEEN A CHANGE OF... [LB900]

SENATOR GROENE: YOU BETTER CHECK THE TRANSCRIPTS. THANK YOU. [LB900]

Floor Debate
March 16, 2016

SENATOR HILKEMANN: SO...WELL, WE'LL DO JUST THAT ON THAT ONE. BUT THAT SURPRISED ME JUST A LITTLE BIT ON THAT ONE. YOU KNOW, I GOT AN E-MAIL I'M GOING TO READ TO YOU THAT I RECEIVED LAST YEAR. IT'S FROM A RESIDENT IN MY DISTRICT. HE SAID: I'M A RESIDENT OF DISTRICT 4 AND I'M AN OWNER OF THREE MOTORCYCLES, TWO OF WHICH ARE LICENSED FOR ROAD USE, ONE FOR OFF-ROAD USE ONLY. MY PERSONAL HISTORY BEGAN WITH OFF-ROAD RIDING AT AGE 47 WHEN MY YOUNGEST WANTED A DIRT BIKE. I LEFT THE SELLER'S HOME WITH TWO DIRT BIKES AND A TRAILER. AT 65, I'M STILL RIDING AS MUCH AS I CAN TODAY, THOUGH NOT ON OFF-ROADS. IN RIDING OFF-ROAD, I VERY QUICKLY, AND TO SOME EXTENT THE HARD WAY, LEARNED ABOUT RIDER SAFETY GEAR. NATURALLY, THE HELMET WAS PRESENT FROM DAY ONE. BY THE TIME MOST PEOPLE TURN 47, THEY ARE A LITTLE MORE UNDERSTANDING OF THE FRAGILITY OF LIFE, SO THAT WAS A NO-BRAINER. THERE'S MORE. FOR 37 YEARS, I HAVE BEEN AN INDEPENDENT INSURANCE AGENT. WHILE I AM NOT LICENSED IN THE LIFE AND HEALTH LINES, I DO UNDERSTAND THINGS WHICH CRANK THE HEALTHCARE SYSTEM WHEN THEY SHOULDN'T, LIKE PEOPLE NOT WEARING SEAT BELTS, NOT PURCHASING HEALTH INSURANCE, AND OF COURSE TO INCLUDE FAILURE TO WEAR HELMETS WHEN RIDING MOTORCYCLES OR OPERATING ATVs. HOW MANY ATV INJURIES DO WE READ ABOUT WHERE THE OPERATOR OR THE PASSENGER WAS WITHOUT HELMETS? FAR TOO MANY, AS YOU KNOW. ALL OF THIS TO TELL YOU THAT I DEEPLY APPRECIATE YOUR WORK--LAST YEAR IT WAS CALLED LB31, THIS YEAR IT'S LB900--FROM ADVANCING. I'M SURE YOU'RE AWARE THIS MATTER IS BROUGHT UP... [LB900 LB31]

SENATOR KRIST: ONE MINUTE. [LB900]

SENATOR HILKEMANN: ...EVERY SINGLE SESSION. YOUR ARGUMENT ABOUT THE COST OF ANY REPEAL IS ABSOLUTELY SPOT ON. THANK YOU VERY MUCH FOR YOUR WORK ON BEHALF OF DISTRICT 4. I RECEIVED A SIMILAR LETTER THIS MORNING FROM ONE OF MY CONSTITUENTS, AN AVID CYCLIST, RIDER, SAYING, SENATOR, MAKE SURE THAT WE ARE...THAT WE KEEP THOSE HELMETS IN PLACE. I KNOW, SENATOR, THAT YOU'VE ADDED THIS TRUST FUND AND THINKING THAT THIS IS GOING TO BE HELPFUL OF IT. I THINK THAT ONE OF OUR ESTEEMED SENATORS SIMPLY MADE A COMMENT IN THE PAPER THAT WHEN THE VERY FIRST ACCIDENT OCCURS, WE'RE GOING TO BE BANKRUPTING THAT FUND. AND WE'LL BE TALKING ABOUT THAT LATER ON IN FURTHER AMENDMENT. [LB900]

SENATOR KRIST: TIME, SENATOR. [LB900]

Floor Debate
March 16, 2016

SENATOR HILKEMANN: THANK YOU, MR. SPEAKER. [LB900]

SENATOR KRIST: THANK YOU, SENATOR HILKEMANN. SENATOR BAKER, YOU ARE RECOGNIZED. [LB900]

SENATOR BAKER: THANK YOU, MR. PRESIDENT. WOULD SENATOR HILKEMANN YIELD TO A COUPLE QUESTIONS? [LB900]

SENATOR KRIST: SENATOR HILKEMANN, WILL YOU YIELD? [LB900]

SENATOR HILKEMANN: BAKER? YES. [LB900]

SENATOR BAKER: SENATOR HILKEMANN, THERE WILL BE A VOTE COMING BEFORE TOO LONG ON YOUR BRACKET MOTION. MY QUESTIONS OF YOU, IF THERE ARE 17 OR MORE PEOPLE WHO VOTE TO BRACKET, WILL YOU TAKE THAT AS A SIGN THAT THERE WOULD NOT BE ENOUGH VOTES FOR CLOTURE? [LB900]

SENATOR HILKEMANN: YES, SENATOR BAKER, I WOULD. [LB900]

SENATOR BAKER: OKAY. AND WHAT IF THERE'S FEWER THAN 17? SAY THERE'S ONLY FIVE OR SIX VOTES TO BRACKET. WOULD YOU CONSIDER THAT A SIGN THAT THERE MAY INDEED BE ENOUGH VOTES FOR CLOTURE? [LB900]

SENATOR HILKEMANN: I WOULD TAKE THAT AS A SIGN THERE MAY BE VOTES FOR CLOTURE. [LB900]

SENATOR BAKER: AND UNDER THAT CIRCUMSTANCE, WOULD YOU BE WILLING TO STOP EXTENDED DEBATE IF THAT WERE THE CASE? [LB900]

SENATOR HILKEMANN: LET ME CROSS THAT BRIDGE WHEN I GET TO IT, IF THAT'S THE CASE. [LB900]

SENATOR BAKER: OKAY. MR. PRESIDENT, WOULD SENATOR BLOOMFIELD YIELD TO A COUPLE QUESTIONS? [LB900]

SENATOR KRIST: SENATOR BLOOMFIELD, WILL YOU YIELD? [LB900]

Floor Debate
March 16, 2016

SENATOR BLOOMFIELD: YES, MR. PRESIDENT, I WILL. [LB900]

SENATOR BAKER: SENATOR BLOOMFIELD, AN UPCOMING BRACKET MOTION VOTE, IF THERE ARE MORE THAN 17 PEOPLE WHO VOTE TO BRACKET THE MOTION, EVEN THOUGH THE MOTION DOESN'T PASS, WOULD YOU TAKE THAT AS A SIGN THERE ARE NOT ENOUGH VOTES FOR CLOTURE? [LB900]

SENATOR BLOOMFIELD: NO, SENATOR, I WOULD NOT, BECAUSE WE HAVE PEOPLE COMMITTED TO GIVING US CLOTURE VOTES THAT HAVE NOT COMMITTED TO VOTING FOR THE BILL OR SUPPORTING IT, AND THEY MAY AT THAT POINT VOTE FOR THE BRACKET, WHERE THEY WOULD ALSO VOTE TO GIVE ME CLOTURE LATER ON. [LB900]

SENATOR BAKER: WHAT IF IT WERE MORE THAN THAT? WHAT IF IT WERE 20, 22 OR 23 VOTES TO BRACKET YOUR MOTION? WOULD YOU SEE THAT AS A SIGN THAT YOU DON'T HAVE ENOUGH VOTES? [LB900]

SENATOR BLOOMFIELD: SENATOR, IF THERE IS EXTENDED DEBATE BEYOND THIS MOTION, IT WILL NOT BE I EXTENDING IT. IT WILL BE THE OPPOSITION. [LB900]

SENATOR BAKER: THEN, SENATOR BLOOMFIELD, LAST YEAR ON THE VOTE ON CLOTURE, THERE WERE 24 YESES, 18 NOS, 4 OF US NOT VOTING, 3 EXCUSED AND NOT VOTING. DO YOU THINK THAT YOU HAVE...YOUR BILL IS ENOUGH DIFFERENT THIS YEAR THAT YOU HAVE FLIPPED NINE VOTES IN SOME MANNER? [LB900]

SENATOR BLOOMFIELD: YOU WILL OBSERVE THERE WERE ALSO THREE OR FOUR MEMBERS GONE LAST YEAR. SO, YES, I THINK WE HAVE FLIPPED TO THE POINT WHERE WE CAN GET PAST AND SURVIVE CLOTURE IF NECESSARY. [LB900]

SENATOR BAKER: OKAY. [LB900]

SENATOR BLOOMFIELD: IT'S REALLY TOO BAD WE HAVE TO GO THERE. IT WOULD BE NICE JUST TO GET AN UP AND DOWN VOTE ON THIS. BUT, OBVIOUSLY, THE OPPOSITION IS NOT GOING TO ALLOW THAT. [LB900]

Floor Debate
March 16, 2016

SENATOR BAKER: SO WHAT YOU'RE TELLING ME, NO MATTER WHAT THE VOTE IS ON THE BRACKET MOTION, UNLESS IT PASSES, YOU ARE GOING TO PRESS AHEAD. IS THAT WHAT YOU'RE TELLING ME? [LB900]

SENATOR BLOOMFIELD: IT'S NOT I THAT'S PRESSING AHEAD, SENATOR. I'M SIMPLY TRYING TO GET AN UP OR DOWN VOTE ON A BILL. [LB900]

SENATOR BAKER: OKAY, THANK YOU, SENATOR. [LB900]

SENATOR BLOOMFIELD: THANK YOU. [LB900]

SENATOR KRIST: THANK YOU, SENATOR BAKER, SENATOR HILKEMANN, AND SENATOR BLOOMFIELD. SENATOR LARSON, YOU ARE RECOGNIZED. [LB900]

SENATOR LARSON: THANK YOU, MR. PRESIDENT. I RISE IN OPPOSITION TO THE BRACKET MOTION FROM SENATOR HILKEMANN, AND UNDERSTAND THE COMMENTS OF SENATOR GROENE AND SENATOR CHAMBERS. THEY MAKE EXCELLENT POINTS. I EVEN UNDERSTAND SENATOR CHAMBERS' POINTS THAT HE'S MAKING ON HIS OTHER BILL THAT'S STUCK IN JUDICIARY COMMITTEE. COLLEAGUES, THIS IS TRULY ABOUT THE FREEDOM TO CHOOSE. AND MY PERSONAL PHILOSOPHY WITH GOVERNMENT IS IT'S GOVERNMENT'S RESPONSIBILITY TO PROTECT INDIVIDUALS FROM OTHER INDIVIDUALS, NOT INDIVIDUALS FROM THEMSELVES. AND I TRY TO LIVE BY THAT IN TERMS OF MY VOTING POLICIES IN HERE. HENCE, YOU'LL SEE ME STAND UP AND SUPPORT THINGS LIKE GAMING. YOU'LL SEE ME SUPPORT THINGS LIKE DEREGULATING INDUSTRY SUCH AS ALCOHOL OR TOBACCO. YOU'LL SEE ME SUPPORT REPEALING THE HELMET LAW. GOVERNMENT'S ROLE IS TO PROTECT INDIVIDUALS FROM OTHER INDIVIDUALS, NOT FROM THEMSELVES. AND THE HELMET LAW IS AN ATTEMPT TO TELL, AS SENATOR GROENE SAID, SENATOR BLOOMFIELD, TO TELL AN INDIVIDUAL THAT WE KNOW BETTER THAN THEY DO. AND THAT'S NOT RIGHT. I DON'T THINK THAT I SHOULD HAVE THAT ABILITY. SENATOR GROENE ALSO BROUGHT UP A GREAT COMMENT IN TERMS OF ECONOMIC DEVELOPMENT. TO THINK IF THERE'S A HALF MILLION PEOPLE THAT GO TO STURGIS, IT COULD EASILY BE ASSUMED THAT WE'RE LOSING A HUNDRED THOUSAND OF THOSE PEOPLE TO CIRCUMVENTING THE STATE AND MOST OF THOSE IN RURAL NEBRASKA. IF THEY WERE TO SPEND \$10 GOING UP AND \$10 GOING DOWN, THAT'S \$20, TIMES 100,000, THAT'S \$2 MILLION IN ECONOMIC ACTIVITY TO RURAL NEBRASKA. THAT'S \$2 MILLION IN SALES TAXES. WELL, IT WOULDN'T BE \$2 MILLION IN SALES TAXES. IT'D BE 5.5 PERCENT OF \$2

Floor Debate
March 16, 2016

MILLION. IT COULD BE LOCAL OPTION SALES TAXES. AND IT'S MONEY INTO OUR RURAL COMMUNITIES. AND THEY SAY EVERY OUTSIDE DOLLAR IS WORTH 4-TO-1 COMPARED TO AN INSIDE DOLLAR SPENT IN A RURAL COMMUNITY. O'NEILL, NEBRASKA, HAS TWO MAJOR U.S. HIGHWAYS, U.S. 20/275 AND 281--20 AND 275 ARE THE SAME ONE AT THAT PART. PHIL JACKSON, FORMER COACH OF THE LAKERS, DOES RIDE THROUGH O'NEILL EVERY YEAR BECAUSE HE LOVES THE DRIVE. THINK OF HOW MANY OTHER PEOPLE WOULD IF THEY HAD THE FREEDOM TO CHOOSE. GOVERNMENT'S ROLE ISN'T HERE TO TELL... [LB900]

SENATOR KRIST: ONE MINUTE. [LB900]

SENATOR LARSON: ...WHAT WE CAN AND CAN'T DO, AND PROTECT INDIVIDUALS FROM OURSELVES. WE PROTECT INDIVIDUALS FROM OTHER INDIVIDUALS, FROM COMMITTING POOR DECISIONS AGAINST OUR FELLOW MAN, NOT TO PROTECT OURSELVES FROM MAKING OUR OWN POOR DECISIONS. THANK YOU, MR. PRESIDENT. [LB900]

SENATOR KRIST: THANK YOU, SENATOR LARSON. (VISITORS INTRODUCED.) SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB900]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT AND MEMBERS OF THE LEGISLATURE, I'LL TELL YOU A SITUATION WHERE I THINK A SEAT BELT OUGHT TO BE MANDATORY AND A MOTORCYCLE HELMET--IF A MOUNTAIN LION HAPPENS TO BE A PASSENGER. IT WOULD HAVE TO BE A SIDECAR OR ONE OF THOSE THREE-WHEEL VERSIONS. THERE WOULD HAVE TO BE A SEAT RESTRAINT AND THE MOUNTAIN LION WOULD HAVE TO WEAR A HELMET. OTHER THAN THAT, WHERE THE RIDER IS MAKING THE CHOICE, LET THE RIDER RIDE IN THE WAY HE OR SHE SEES FIT. OBEY THE TRAFFIC LAWS AND EVERYTHING ELSE THAT ANYBODY MUST DO. BUT THE HELMET IS NOT GOING TO MAKE THAT MUCH DIFFERENCE. I'VE SEEN PEOPLE RIDING MOTORCYCLES WITH HEAVY-DUTY HELMETS THAT FROM THE APPEARANCE MIGHT LOOK LIKE THEY COULD DO SOME GOOD, AND THEY DRIVE LIKE A FOOL. TWO CARS--THIS HAS BEEN ON THE INTERSTATE--THEY ARE SIDE-BY-SIDE, BUT THERE'S ENOUGH SPACE, IF SOMEBODY MOVES VERY RAPIDLY, TO GO BETWEEN THEM. AND I'VE ACTUALLY SEEN CYCLE RIDERS GO BETWEEN CARS IN A SITUATION LIKE THAT. SOME OF THEM WILL DRIVE ABREAST OF A CAR AND THEN GUN THEIR MOTOR, I GUESS TO STARTLE THE PERSON OR SAY HERE I AM, LOOK AT ME. NONE OF THAT HAS ANYTHING TO DO WITH SENATOR BLOOMFIELD'S BILL. WEARING A HELMET WILL NOT MAKE YOU A COURTEOUS, GOOD DRIVER; NOT WEARING A HELMET

Floor Debate
March 16, 2016

WILL NOT MAKE YOU A COURTEOUS OR A GOOD DRIVER. WHATEVER YOU ARE WHEN YOU'RE NOT WEARING THAT HELMET IS WHAT YOU WILL BE WHEN YOU WEAR IT. SOME PEOPLE SAY IF YOU WEAR IT, YOU WILL BE SAFER. THERE MIGHT BE CERTAIN TYPES OF ACCIDENTS WHERE A HELMET MIGHT LESSEN THE DAMAGE. FOR EXAMPLE, IF YOUR HEAD IS SLIDING ON THE PAVEMENT, MAYBE SOME ABRASIONS, BRUISES, AND WHATNOT YOU MAY NOT GET. BUT IF SOMEBODY HITS YOU WITH A CAR, YOU'RE NOT GOING TO SURVIVE. AND THERE ARE CYCLISTS WHO HAVE BEEN IN ACCIDENTS, THEY WERE WEARING HELMETS AND DIED. THERE HAVE BEEN PEOPLE IN CARS, WEARING SEAT BELTS, IN ACCIDENTS AND DIED. IN SOME SITUATIONS, THE PERSON COULD NOT RELEASE THE SEAT BELT AND WOULD BURN TO DEATH. SO ALL KIND OF CONTINGENCIES ARE OUT THERE AND THEY CAN ARISE. IF A PERSON KNEW IN ADVANCE WHAT BAD THING WAS GOING TO HAPPEN, HE OR SHE WOULD AVOID IT. THERE WAS A COMIC BOOK I READ A LONG TIME AGO, AND THIS GUY WAS GOING TO RUN FROM ONE POINT TO A PLACE CALLED MARATHON. IT WAS 26 MILES AND SOME YARDS. SO HE KNEW THAT IF YOU FOLLOWED THE COURSE THAT ANOTHER RUNNER HAD FOLLOWED, IT WAS SO ROCKY, UP AND DOWN, THAT YOU WOULD DIE FROM EXHAUSTION. SO INSTEAD OF TAKING THAT COURSE, HE FOUND ONE THAT WAS MORE LEVEL AND HE MADE IT ALMOST TO MARATHON, BUT IN RUNNING THROUGH THE LOW COUNTRY THERE WAS A BIT OF SWAMP THAT HE HAD TO RUN THROUGH AND A COPPERHEAD BIT HIM AND HE DIED FROM POISONING. NEITHER RUNNER MADE IT TO MARATHON. BOTH MET AN UNKIND FATE THAT INTERVENED UNFORESEEN. ALL OF THOSE THINGS ARE POSSIBLE. I'M NOT GOING TO GO INTO GREAT LENGTH OR DEPTH ABOUT FREEDOM WHEN IT COMES TO RIDING WITH A HELMET. OTHERS HAVE DONE THAT AND WILL CONTINUE TO DO IT. BUT I'M GOING TO CONTINUE TO PUSH FOR THE RIGHT OF A PERSON... [LB900]

SENATOR COASH PRESIDING

SENATOR COASH: ONE MINUTE. [LB900]

SENATOR CHAMBERS: ...TO ALWAYS RETAIN HIS OR HER HUMAN DIGNITY. WHEN YOU LOSE THE ABILITY TO SPEAK, YOU LOSE THE ABILITY TO SWALLOW, YOU CANNOT ELIMINATE WASTE, AND YOU'RE LYING THERE BUT YOU'RE CONSCIOUS, AND PEOPLE WHO MEAN THE MOST TO YOU WALK INTO THE ROOM AND YOU SEE THE CHANGE ON THEIR FACE. YOU SEE THE FEELING OF REVULSION, AND THERE'S NOTHING YOU CAN DO ABOUT IT. AND THOSE PEOPLE SAY YOU HAVE TO DO THIS BECAUSE GOD WANTS YOU TO DO THIS. THAT IS A GOD THAT REALLY IS A DEVIL IN DISGUISE. THERE IS NO CONCEPT OF A BEING WHICH

Floor Debate
March 16, 2016

SOME PEOPLE DESCRIBE TO ME AS GOD WHO WOULD WANT ONE OF HIS CREATURES TO SUFFER ENDLESS AGONY FOR NO PURPOSE AND DESTROY THE VERY THING THAT MADE THAT INDIVIDUAL A HUMAN BEING, NAMELY, HIS OR HER PERSONAL DIGNITY AND SELF-RESPECT. THANK YOU, MR. PRESIDENT.
[LB900]

SENATOR COASH: THANK YOU, SENATOR CHAMBERS. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB900]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. IT COMES AS NO BIG SURPRISE THAT I RISE IN OPPOSITION TO THE BRACKET MOTION. WE HAVE HEARD THIS IDEA BEFORE. COLLEAGUES, IF WE DON'T PASS IT THIS YEAR, YOU'RE GOING TO HEAR IT AGAIN. I WON'T BE HERE TO BRING IT. THIS IS MY LAST GO-AROUND ON IT. BUT YOU HAVE NEVER SEEN THIS PARTICULAR BILL. SENATOR HILKEMANN SAID THERE'S NO DIFFERENCE. I WAS AMAZED. HAD HE EVEN READ THE BILL? I'M NOT SURE HE HAS BECAUSE THERE IS A TREMENDOUS DIFFERENCE BETWEEN WHAT WAS OFFERED IN LB31 AND THIS BILL. WE HAVE \$1 MILLION BEING OFFERED TO THE STATE BY THE MOTORCYCLE RIDERS OF NEBRASKA TO CREATE A TRAUMATIC BRAIN INJURY TRUST FUND. COLLEAGUES, WE'RE WELL AWARE THAT THAT ISN'T ENOUGH TO TAKE CARE OF THE PROBLEMS, BUT IT'S A START. IT'S MORE THAN WE'VE EVER HAD. AND WE'RE TOLD THERE'S NO DIFFERENCE. WE DON'T EVEN ALLOW PEOPLE UNDER THE AGE OF EIGHT ON THE MOTORCYCLE UNDER THIS BILL. THAT WASN'T IN LB31. WE'RE TOLD THERE'S NO DIFFERENCE. SENATOR COASH MENTIONED A COUPLE WEEKS AGO ABOUT WHEN CERTAIN THINGS COME UP, PEOPLE SCURRY TO THE OTHER SIDE OF THE CHAMBER, TO THEIR OWN SEPARATE SIDES. THAT'S WHAT WE'RE SEEING HERE. PEOPLE ARE OPPOSING THIS BILL THAT HAVE NO IDEA WHAT'S IN IT. WE MENTIONED REMOVE THE MOTORCYCLE HELMET AND THEIR MIND IS MADE UP. AND IF IT'S NOT MADE UP, THE LOBBY OUTSIDE WILL FINISH MAKING IT UP FOR THEM. I HAVE PASSED OUT SEVERAL ITEMS SO FAR. THERE WILL BE MORE TO COME. THE MAP OF THE UNITED STATES WITH GREEN AND GRAY AND RED, WHITE, AND BLUE. THE RED, WHITE AND BLUE, IF YOU'VE LOOKED AT IT, ARE STATES THAT HAVE NO HELMET LAWS WHATSOEVER. THE GREEN ARE STATES THAT HAVE SOME LIMITED FORM, LIKE WHAT I'M TRYING TO GET HERE. AND THE GRAYS HAVE COMPLETE HELMET LAWS. COLLEAGUES, THE STATES THAT HAVE REPEALED THEIR HELMET LAWS ARE NOT RUSHING OUT EN MASSE TO REINSTATE THEM. IF ALL THESE HORRENDOUS THINGS THAT WE HEARD WERE GOING TO HAPPEN IF THE HELMETS ARE REPEALED WERE HAPPENING, WE'D HAVE STATES LOOKING TO PUT THE LAW BACK IN EFFECT. IT'S NOT HAPPENING. ONE OF THE THINGS I PASSED OUT IS A LABEL OUTSIDE OF A

Floor Debate
March 16, 2016

MOTORCYCLE...A LABEL ON THE INSIDE OF A MOTORCYCLE HELMET, WHICH FLAT-OUT TELLS YOU THAT IT WON'T PROTECT YOU IN ALL CRASHES. THAT'S FAIRLY COMMON SENSE. BUT IF YOU READ, THEY WILL ALSO TELL YOU THAT IT WON'T PROTECT ANYTHING FOR A NECK INJURY. COLLEAGUES, THEY DO, IN FACT, CAUSE NECK INJURIES. I ALSO BELIEVE THEY CAUSE ACCIDENTS BECAUSE YOU LOSE PERIPHERAL VISION, AND IN SOME CASES YOU LOSE FORWARD VISION DEPENDING ON HOW YOU RIDE. THEY DIMINISH THE AMOUNT YOU CAN HEAR. SO, AGAIN, WE'RE GOING TO GET THE GLOOM AND DOOM. [LB900 LB31]

SENATOR COASH: ONE MINUTE. [LB900]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. I'VE ALSO HAD CIRCULATED INFORMATION FROM THE MICHIGAN HIGHWAY PATROL. MICHIGAN IS, I BELIEVE, THE LAST STATE TO REPEAL. TAKE A GOOD LOOK AT THAT, STUDY IT. SENATOR HILKEMANN SAID THAT INJURIES WERE GOING UP; NOT THE CASE. TAKE A LOOK. LOOK AT THE ACTUAL NUMBERS AND STOP BEING TOLD WITHOUT VERIFYING WHAT'S GOING ON. THANK YOU, MR. PRESIDENT. [LB900]

SENATOR COASH: THANK YOU, SENATOR BLOOMFIELD. SENATOR FRIESEN, YOU'RE RECOGNIZED. [LB900]

SENATOR FRIESEN: THANK YOU, MR. PRESIDENT. I STAND OPPOSED TO THE BRACKET MOTION. I DO SUPPORT SENATOR BLOOMFIELD AGAIN IN HIS BILL TO REPEAL THE HELMETS. I KNOW IT'S BEEN BROUGHT MULTIPLE TIMES, BUT WE'RE GOOD AT THAT HERE IN THE LEGISLATURE. WE'VE DONE THAT TO MANY OTHER THINGS IN THE PAST. AND THERE ARE VERY FEW NEW IDEAS AND I THINK THIS IS PROBABLY THE FIRST TIME THAT THIS HAD AS MUCH CHANGE TO IT AS IT'S EVER PROBABLY HAD. SO I LOOK AT THE...WHEN I LOOK AT IT, AT LEAST, I LOOK AT THE NUMBER OF BRAIN INJURIES AND MOST OF THEM OCCUR JUST ACCORDING TO FALLS. THAT WOULD BE NUMBER ONE. SO MAYBE, YOU KNOW, WE SHOULD PUT A FEE ON LADDERS WHEN WE BUY THEM OR PEOPLE WHO CLIMB UP ON THEIR ROOFS AND HAVE TO BUY A PERMIT. IF YOU FALL DOWNSTAIRS, MAYBE THERE SHOULD BE SOME SAFETY WARNINGS AT THE TOP OF YOUR STAIRS TO KEEP YOU FROM FALLING DOWN. WE CAN'T PROTECT OURSELVES FROM OURSELVES. AND THIS GOES BACK TO AGAIN, I THINK, FREEDOM TO CHOOSE. THERE'S PEOPLE THAT CHOOSE LOTS OF, I WOULD CALL IT, DANGEROUS HOBBIES. YOU KNOW, SKY DRIVING WOULD BE ONE, CLIFF CLIMBING, I JUST...YOU CAN GO DOWN THE LIST. PEOPLE GET HURT DOING THINGS EVERY DAY. DRIVING MOTORCYCLES SHOULDN'T BE ANY MORE A WAY

Floor Debate
March 16, 2016

WE HAVE TO PROTECT THEM THAN WE DO ANYONE ELSE. IT'S A CHOICE. I THINK MOST PEOPLE WOULD CHOOSE TO WEAR A HELMET. I CHOOSE NOT TO DRIVE A MOTORCYCLE. I DON'T SEE ANY REASON TO. SO I...THOSE THAT WANT TO, I WILL SUPPORT THEIR CHOICE. I WILL YIELD THE REST OF MY TIME TO SENATOR BLOOMFIELD. THANK YOU, MR. PRESIDENT. [LB900]

SENATOR COASH: SENATOR BLOOMFIELD, YOU'VE BEEN YIELDED 3:10. [LB900]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. THANK YOU, SENATOR FRIESEN. WHO SHOULD MAKE THAT DECISION FOR YOU? IS IT THE OBLIGATION OF THE STATE OR IS IT YOUR OWN FREE WILL? I HAVE MAINTAINED ALL MY LIFE THAT GOVERNMENT REACHES TOO FAR INTO OUR LIVES AND THIS IS ANOTHER TYPICAL GOVERNMENT OVERREACH. WHERE DO WE DRAW THE LINE? YOU KNOW, MAYOR BLOOMBERG, I BELIEVE, SAID WE SHOULDN'T DRINK OVER 16-OUNCES OF SODA A DAY. SHOULD THAT BE A LAW HERE IN NEBRASKA? WE WERE TOLD AT ONE TIME THAT BEEF ISN'T GOOD FOR YOU. SHOULD WE PASS A LAW TO LIMIT OUR INTAKE OF BEEF? COLLEAGUES, WHAT YOU DO WITH YOUR BODY IS YOUR BUSINESS; NOT THE STATE'S. THANK YOU, MR. PRESIDENT. [LB900]

SENATOR COASH: THANK YOU, SENATOR BLOOMFIELD. SENATOR HILKEMANN, YOU'RE RECOGNIZED. [LB900]

SENATOR HILKEMANN: THANK YOU, MR. SPEAKER. WONDERING IF SENATOR BLOOMFIELD WOULD ASK...WOULD TAKE A COUPLE OF QUESTIONS FROM ME. [LB900]

SENATOR COASH: SENATOR BLOOMFIELD, WILL YOU YIELD? [LB900]

SENATOR BLOOMFIELD: YES, MR. PRESIDENT, I'D BE GLAD TO ASK SENATOR HILKEMANN A COUPLE QUESTIONS. [LB900]

SENATOR HILKEMANN: SENATOR BLOOMFIELD, ONE OF THE THINGS THAT I'VE APPRECIATED ABOUT YOU THROUGHOUT THIS COURSE OF SERVING WITH YOU FOR THESE TWO YEARS IS THAT WHENEVER IT COMES TO ANY TYPE OF GOVERNMENT TYPE OF INTERVENTION OR BILLS, AND THAT'S WHAT YOU'RE USING HERE TODAY IN THIS, IS YOU'RE SAYING THE GOVERNMENT SHOULDN'T BE INTERFERING IN THIS AND MAKING THIS DECISION. IS THAT CORRECT? [LB900]

Floor Debate
March 16, 2016

SENATOR BLOOMFIELD: YES, THAT'S CORRECT. [LB900]

SENATOR HILKEMANN: WELL, SENATOR, I DID READ YOUR BILL, AND I READ IT VERY CAREFULLY. [LB900]

SENATOR BLOOMFIELD: THEN, SENATOR, HOW COULD YOU SAY THERE WAS NO DIFFERENCE IN WHAT WAS OFFERED LAST YEAR? [LB900]

SENATOR HILKEMANN: WELL, YOU'VE GOT ME THERE. [LB900]

SENATOR BLOOMFIELD: THANK YOU. [LB900]

SENATOR HILKEMANN: ALL RIGHT. BUT I WANT TO TELL YOU, I LOOKED THROUGH THAT BILL AND I WAS RATHER ASTOUNDED. YOU ARE CREATING AN ENTIRE GOVERNMENT AGENCY. [LB900]

SENATOR BLOOMFIELD: I'M PAINFULLY AWARE OF THAT. IT'S WHAT THE BIKE PEOPLE ASKED ME IF I WOULD DO SO THAT THEY COULD FUND THE TRAUMATIC BRAIN INJURY THAT THE MEDICAL PEOPLE HAVE ASKED FOR. YOU ARE TALKING ABOUT PEOPLE HERE THAT MAKE \$40,000, \$50,000 A YEAR, OFFERING UP THE MONEY TO FUND SOMETHING THAT THE MEDICAL PROFESSION HAS ASKED FOR. I WONDER, SENATOR HILKEMANN, WHERE ARE THE DOCTORS THEN PUT INTO THIS TRUST FUND? [LB900]

SENATOR HILKEMANN: WELL, IF THEY'RE RIDING A MOTORCYCLE, THEY'LL BE PUTTING INTO IT. THEY'LL BE FORCED TO PUT IN. THEY'LL HAVE NO CHOICE. [LB900]

SENATOR BLOOMFIELD: WELL, IF WE GET THIS BILL PASSED, THEY'LL APPRECIATE YOUR HELP (INAUDIBLE). [LB900]

SENATOR HILKEMANN: THEY'LL HAVE NO CHOICE BUT TO PUT INTO IT. SO YOU'RE SETTING UP A COMMISSION OF NINE MEMBERS. THAT'S A RATHER LARGE COMMISSION. AND THEN... [LB900]

SENATOR BLOOMFIELD: (MICROPHONE MALFUNCTION)...LARGE. IT IS A RATHER LARGE COMMISSION, BUT I... [LB900]

Floor Debate
March 16, 2016

SENATOR COASH: PLEASE, JUST ASK AND ANSWER QUESTIONS. [LB900]

SENATOR HILKEMANN: OKAY. THANK YOU. MR. SPEAKER, I APOLOGIZE FOR THAT. SO HOW MANY MEMBERS ARE GOING TO BE PART OF THIS BOARD, SENATOR? [LB900]

SENATOR BLOOMFIELD: IT'S A NINE-MEMBER BOARD APPOINTED BY THE GOVERNOR. [LB900]

SENATOR HILKEMANN: OKAY, WHO'S... [LB900]

SENATOR BLOOMFIELD: BUT I DID NOTICE, SENATOR, IF YOU WOULD ALLOW, THAT ONE OF YOUR AMENDMENTS WOULD TAKE IT TO 12. [LB900]

SENATOR HILKEMANN: THAT WAS THE ORIGINAL INTENT OF THIS BILL, SENATOR. NOW, TELL ME, SENATOR, HOW MUCH MONEY IS THIS NINE-MEMBER PANEL GOING TO SPEND? [LB900]

SENATOR BLOOMFIELD: IT IS ANTICIPATED THAT THE FEE INCREASE WILL BRING IN JUST UNDER \$1.1 MILLION A YEAR TO THE TRUST FUND. [LB900]

SENATOR HILKEMANN: OKAY. AND I NOTICED IN THAT BILL--AGAIN, I READ THE BILL--THAT IT SAYS THAT THE ADMINISTRATIVE FEE WILL NOT BE GREATER THAN 10 PERCENT. [LB900]

SENATOR BLOOMFIELD: THAT IS CORRECT. WE WOULD HOPE IT WOULD BE MUCH SMALLER THAN THAT. BUT TO GET IT UP AND RUNNING, WE GAVE THEM A LITTLE EXTRA LEEWAY. AND HOPEFULLY, IN YEARS TO COME, THAT CAN BE REDUCED AND PERHAPS WE CAN ADD MORE TO THE EDUCATION PART OF THE BILL. [LB900]

SENATOR HILKEMANN: OKAY. WELL, THE INTERESTING THING IS...AND WE'RE GOING TO TALK ABOUT THAT EDUCATION PORTION OF THE BILL BECAUSE I ALSO READ THAT YOU HAD AN EDUCATION PORTION TO IT, SENATOR. AND NOW IT'S INTERESTING, YOU SAY THAT THE BILL SAYS YOU'RE GOING TO HAVE 10 PERCENT, UP TO 10 PERCENT, FOR THE ADMINISTRATION FUND. BUT IT DOES NOT...YOUR BILL DOES NOT ACCOUNT FOR THE EXPENSES OF THESE NINE PEOPLE THAT WILL SERVE ON THAT BOARD. [LB900]

Floor Debate
March 16, 2016

SENATOR BLOOMFIELD: THAT WOULD BE INCLUDED IN THAT 10 PERCENT, SENATOR. [LB900]

SENATOR HILKEMANN: WOULD YOU ACCEPT AN AMENDMENT TO THIS BILL THAT WOULD CHANGE THAT, BECAUSE IT'S NOT CLEAR? [LB900]

SENATOR COASH: ONE MINUTE. [LB900]

SENATOR BLOOMFIELD: IT APPEARS ABUNDANTLY CLEAR TO ME, BUT IF THERE IS A LANGUAGE CHANGE THAT NEEDS TO BE PUT IN THERE, AS SENATOR MORFELD'S AMENDMENT DID IMPROVE THE BILL, I'M WILLING TO ENTERTAIN THAT. BUT I DON'T BELIEVE WHAT YOU'RE TALKING ABOUT DOES THAT. [LB900]

SENATOR HILKEMANN: OKAY. AND THE OTHER THING, I NOTED THAT 2.5 PERCENT OF THIS MONEY IS TO BE UTILIZED FOR SAFETY PROGRAMS. IS THAT CORRECT, SENATOR? [LB900]

SENATOR BLOOMFIELD: IT IS UTILIZED FOR SAFETY TRAINING AND EXPENSE, WHATEVER YOU WANT TO CALL IT. [LB900]

SENATOR HILKEMANN: OR EDUCATION, I BELIEVE IT SAID. [LB900]

SENATOR BLOOMFIELD: YES. [LB900]

SENATOR HILKEMANN: IS THAT CORRECT? OKAY. WELL, IT'S INTERESTING, SENATOR, BECAUSE THE DAY THAT YOU HAD THE HEARING ON THIS BILL, OUR APPROPRIATIONS COMMITTEE ENDED UP SOON AND SO I GOT TO LISTEN TO THE ENTIRE DEBATE. [LB900]

SENATOR COASH: TIME, SENATORS. TIME. [LB900]

SENATOR HILKEMANN: THANK YOU, SENATOR. THANK YOU, MR. SPEAKER. [LB900]

SENATOR COASH: THANK YOU, SENATOR BLOOMFIELD AND SENATOR HILKEMANN. SENATOR BOLZ, YOU'RE RECOGNIZED. [LB900]

Floor Debate
March 16, 2016

SENATOR BOLZ: THANK YOU, MR. PRESIDENT. I WANT TO JUST TAKE A DEEP BREATH AND TAKE A STEP BACK AND THINK ABOUT THIS NOT JUST IN THE TERMS THAT WE'VE BEEN TALKING ABOUT IN MEDICAL COSTS AND OTHER CONCERNS BUT ALSO THINK ABOUT IT FROM A FAIR AND LOGICAL POINT OF VIEW. I APPRECIATE THE DESIRE FOR THE FREEDOM TO RIDE WITHOUT A HELMET, AND SO I WAS THINKING ABOUT OTHER EXPECTATIONS THAT WE HAVE IN OTHER CIRCUMSTANCES. AND I PULLED SOME STATUTES WHERE WE HAVE EXPECTATIONS OF PEOPLE TO DO OR WEAR CERTAIN THINGS SO THAT WE CAN LIVE TOGETHER IN COMMUNITY. SO I WANT TO GIVE YOU SOME EXAMPLES. THE FIRST EXAMPLE OF SOMETHING THAT WE IN STATUTE ASK PEOPLE TO WEAR IS AN ORANGE HUNTING VEST SO THAT, YOU KNOW, SOMEONE WHO'S OUT HUNTING, IF SOMEONE ELSE IS PARTICIPATING IN THAT ACTIVITY, THAT AN UNINTENDED INJURY DOESN'T HAPPEN. AND SO THE STATUTE SAYS THAT ANY PERSON HUNTING DEER, ANTELOPE, WILD TURKEY, ELK, OR MOUNTAIN SHEEP DURING AN AUTHORIZED FIREARM SEASON IN THIS STATE SHALL DISPLAY ON HIS OR HER HEAD, CHEST, AND BACK A TOTAL OF NOT LESS THAN 400 SQUARE INCHES OF HUNTER ORANGE MATERIAL, EXCEPT AS EXEMPTED BY RULES AND REGULATIONS OF THE COMMISSION. SO THAT'S AN EXAMPLE OF SOMETHING THAT WE ASK PEOPLE TO DO SO THAT WE CAN BE TOGETHER IN A COMMUNITY AND PARTICIPATE IN THINGS AND ALL BE ABLE TO ENJOY ACTIVITIES. ANOTHER EXAMPLE IS BICYCLES. I'M A BICYCLIST AND WHEN I RIDE MY BICYCLE AT NIGHT, I'M REQUIRED TO HAVE A RED FLASHING LIGHT. AND THAT'S NOT FOR ME, THAT'S NOT BECAUSE IT'S IN MY BEST INTEREST, BUT IT'S BECAUSE THE OTHER PEOPLE SHARING THE ROAD WITH ME DESERVE TO BE ABLE TO SEE ME. THEY DESERVE TO BE ABLE TO AVOID HITTING ME. AND SO THE STATUTE HERE, 60-6,319, SAYS THAT NO...THAT BICYCLES SHOULD BE EQUIPPED WITH TIRES BEARING A WHITE OR SILVER RETROREFLECTIVE MATERIAL. THERE'S PROVISIONS ABOUT HOW SPOKES SHOULD BE AFFIXED TO WHEELS. IT TALKS ABOUT THE EXPECTATIONS OF COMMERCIAL DEALERS WITH COMPLYING WITH THE SECTION TO MAKE SURE THAT BICYCLISTS CAN SHARE THE ROAD IN AN APPROPRIATE MANNER. AND, OF COURSE, PERHAPS THE MOST CLEAR OR SIMILAR EXPECTATION IS THE EXPECTATION THAT PEOPLE WEAR THEIR SEAT BELTS, AND SO 60-6,273 REFERENCES THE OCCUPATION PROTECTION SYSTEM, THE THREE-POINT SAFETY BELT SYSTEM, AND THE FACT THAT IF THERE'S EVIDENCE THAT A PERSON WAS NOT WEARING A SAFETY BELT THERE ARE CONSEQUENCES. SO I BRING THESE EXAMPLES UP BECAUSE I THINK THERE'S MAYBE A MISPERCEPTION THAT THIS IS AN UNFAIR TARGETING OF A SPECIFIC GROUP OF PEOPLE, AND I DON'T PERCEIVE IT THAT WAY. I THINK THAT THERE ARE LOTS OF PIECES IN OUR STATUTES THAT MAKE REASONABLE REQUESTS AND PROVIDE REASONABLE EXPECTATIONS OF ONE ANOTHER SO THAT

Floor Debate
March 16, 2016

TOGETHER IN COMMUNITY WE CAN DRIVE DOWN OUR ROADS TOGETHER, WE CAN PARTICIPATE IN ACTIVITIES TOGETHER, AND WE CAN HELP KEEP EACH OTHER SAFE. SO I WANT TO RAISE THAT AS SOMETHING THAT MAYBE PUTS THIS IN A LITTLE BIT MORE OF A CONTEXT OR PERSPECTIVE. I ALSO WANT TO SPEAK BRIEFLY TO THE CREATION OF THE BRAIN INJURY TRUST FUND. AND IF SENATOR BLOOMFIELD WOULD ANSWER A QUESTION, I'D APPRECIATE IT. [LB900]

SENATOR COASH: SENATOR BLOOMFIELD, WILL YOU YIELD? [LB900]

SENATOR BLOOMFIELD: CERTAINLY. [LB900]

SENATOR BOLZ: SENATOR BLOOMFIELD, I'M JUST CURIOUS. AS I READ AND UNDERSTAND YOUR LEGISLATION, YOU'VE PUT THE TRUST FUND UNDER THE UMBRELLA... [LB900]

SENATOR COASH: ONE MINUTE. [LB900]

SENATOR BOLZ: ...OF THE DMV. IS THAT RIGHT? [LB900]

SENATOR BLOOMFIELD: IT WAS ORIGINALLY PUT THERE. SENATOR MORFELD'S AMENDMENT MOVES IT TO HHS. [LB900]

SENATOR BOLZ: OKAY. WHY WAS IT ORIGINALLY PUT IN THE DMV? [LB900]

SENATOR BLOOMFIELD: TO KEEP ME FROM HAVING TO TRY TO SHEPHERD TWO SEPARATE BILLS THROUGH IN A 60-DAY SESSION WHEN I ONLY HAVE ONE PRIORITY. [LB900]

SENATOR BOLZ: I SEE. SO...AND I'M CURIOUS. MY BILL, LB516, WAS INTRODUCED AND HEARD LAST YEAR. WHY DIDN'T IT MAKE SENSE FOR YOU TO COSPONSOR THAT BILL? [LB900 LB516]

SENATOR BLOOMFIELD: SENATOR, I CAME TO YOU LAST YEAR AND ASKED ABOUT COSPONSORING THAT BILL. [LB900]

SENATOR BOLZ: WELL, FORGIVE ME IF I DON'T REMEMBER THAT. [LB900]

Floor Debate
March 16, 2016

SENATOR BLOOMFIELD: AND I WAS PRETTY WELL TOLD NO. [LB900]

SENATOR BOLZ: FORGIVE ME IF I DON'T...FORGIVE ME I DON'T REMEMBER THAT. I'D WELCOME YOUR COSPONSORSHIP ON THAT BILL, BUT I THINK MOVING THE TWO SEPARATELY MAKES MORE SENSE. MY PERSPECTIVE IS THAT THOSE ARE TWO DIFFERENT ISSUES. [LB900]

SENATOR COASH: TIME, SENATORS. [LB900]

SENATOR COASH: THANK YOU, SENATOR BOLZ AND SENATOR BLOOMFIELD. SENATOR GROENE, YOU'RE RECOGNIZED. [LB900]

SENATOR GROENE: THANK YOU, MR. PRESIDENT. BACK TO TOURISM: IT'S NOT ONLY THOSE GOING TO THE BLACK HILLS. IN MY OCCUPATION, I STAY IN A LOT OF HOTELS ON THE HIGH PLAINS FULL OF MOTORCYCLISTS. THEY'RE GOING ACROSS COUNTRY, THE TRIP OF THEIR LIVES. THEY'RE GOING TO THE ROCKY MOUNTAINS. THEY DO NOT COME THROUGH NEBRASKA. ALL THE STATES AROUND US, EXCEPT FOR MISSOURI, ALLOWS PEOPLE TO RIDE IN PEACE WITHOUT A HELMET. FATALITIES IN THE HIGH PLAINS IS RARE. IT'S VERY SAFE DRIVING OUT THERE. IT'S IN THE OPEN COUNTRY. BUT AGAIN, HERE'S THAT URBAN-RURAL THING. SOMEBODY IN OMAHA MIGHT GET HIT, BUT YOU'RE DOING TO DICTATE IT TO US OUT WEST IN THE HIGH PLAINS AREA, WITH THE OPEN HIGHWAYS AND THE SCENIC VIEWS, BECAUSE IT'S BEST FOR YOUR NEIGHBORHOOD. MAYBE WE OUGHT TO PUT AN AMENDMENT ON HERE, IF A LOCAL COMMUNITY WANTS TO HAVE THEIR OWN LITTLE LAW AND RESTRICT THEIR NEIGHBORS, THEY OUGHT TO BE ABLE TO DO IT. BUT WHY RESTRICT US? THERE'S A REASON WE LIVE IN THE RURAL AREAS. WE LIKE FREEDOM. WE DON'T LIKE TO BE BOTHERED BY THE DICTATES OF OUR NEIGHBORS. WE ALL GET ALONG, WE HELP EACH OTHER OUT WHEN WE NEED TO, BUT WE DON'T FORCE OUR BELIEFS ON OUR NEIGHBOR. ALSO, AS TO THE HEALTHCARE AND MEDICAID, I BELIEVE THERE'S A LONG PROCESS YOU HAVE TO GO THROUGH TO APPLY FOR MEDICAID. IF YOU ARE A PERSON WHO CAN AFFORD A MOTORCYCLE, YOU HAVE INSURANCE. YOU PROBABLY HAVE A GOOD JOB AND YOU CAN AFFORD THE GAS. SO YOU HAVE HEALTH INSURANCE. YOU ALREADY HAVE HEALTH INSURANCE. THAT HEALTH INSURANCE COMPANY CAN'T DENY YOU ACCESS. AND LET'S SAY FIVE YEARS DOWN THE ROAD YOU BECAME ELIGIBLE FOR MEDICAID, YOUR FAMILY STILL HAS HEALTH INSURANCE BECAUSE YOU CANNOT BE DENIED IT. THAT WAS THE FIRST TIME I THINK I BELIEVE I SAID YOU ARE GUARANTEED MEDICAID. I DIDN'T EVEN SAY YOU

Floor Debate
March 16, 2016

WERE GUARANTEED IT. WHAT I'M TELLING YOU IS YOU DON'T NEED IT WITH OBAMACARE IF YOU'RE A RESPONSIBLE CITIZEN. ALSO, I SEE LB716 BY SENATOR KOLOWSKI IS COMING UP ON BICYCLISTS. SENATOR BLOOMFIELD HAS SHOWED US THAT AT OVER 15 MILES AN HOUR YOU'RE IN DANGER. YOU BETTER WEAR A HELMET. YOU MIGHT SEE AN AMENDMENT ON LB716 FROM ME THAT SAYS EVERY BICYCLIST HAS TO WEAR A HELMET WITH THE SAME DICTATES AND THE SAME QUALIFICATIONS OF A HELMET THAT A MOTORCYCLIST HAS TO WEAR. I CAN THINK OF TWO DEATHS IN OUR AREA LATELY, THREE, WHERE BICYCLISTS WERE HARMED, WERE KILLED. THEY DIDN'T HAVE HELMETS ON. MOMENT OF SILENCE. I CAN THINK OF ONE MOTORCYCLIST, THAT YOUNG MAN THAT WAS KILLED GOING TO WORK BEFORE DAWN. HE HAD A HELMET ON. HE WAS KILLED. BECAUSE WHAT'S GOOD FOR THE GOOSE IS...WHAT'S GOOD FOR THE GOOSE IS GOOD FOR THE GANDER, RIGHT? SENATOR HILKEMANN, WOULD YOU ANSWER A QUESTION? [LB900 LB716]

SENATOR COASH: SENATOR HILKEMANN, WILL YOU YIELD? [LB900]

SENATOR HILKEMANN: YES, SENATOR, I WILL. [LB900]

SENATOR GROENE: HILL...HILKEMANN. [LB900]

SENATOR HILKEMANN: IT'S FINE. [LB900]

SENATOR GROENE: MY IRISH BRAWG (PHONETICALLY) MISPRONOUNCES YOUR NAME. I GOT MY GREEN TIE ON TODAY. DO YOU WEAR A HELMENT WHEN YOU'RE ON THE BICYCLE? [LB900]

SENATOR HILKEMANN: ABSOLUTELY. [LB900]

SENATOR GROENE: DO YOU THINK EVERYBODY SHOULD WEAR A HELMET ON A BICYCLE? [LB900]

SENATOR HILKEMANN: I THINK EVERYBODY SHOULD WEAR A HELMET WHEN THEY'RE RIDING A BICYCLE. [LB900]

SENATOR GROENE: SHOULD WE MANDATE THAT EVERYBODY WEARS A HELMET ON A BICYCLE? [LB900]

Floor Debate
March 16, 2016

SENATOR HILKEMANN: YES, SENATOR, I THINK WE SHOULD. [LB900]

SENATOR GROENE: ALL RIGHT. YOU MIGHT SEE AN AMENDMENT. THANK YOU. ANYWAY,... [LB900]

SENATOR COASH: ONE MINUTE. [LB900]

SENATOR GROENE: ...THE DIFFERENCE BETWEEN A BICYCLIST AND A MOTORCYCLIST IS THE BICYCLIST, I BELIEVE, MOST PEOPLE BELIEVE THEY'RE SAVING THE PLANET FROM GLOBAL WARMING; AIN'T BURNING FOSSIL FUELS. BUT ANYWAY, TOURISM IS A BIG ISSUE FOR US. KANSAS, COLORADO, WYOMING, SOUTH DAKOTA, NORTH DAKOTA, TEXAS IS 21 AND OVER DO NOT HAVE TO WEAR A HELMET; MISSOURI, EXCUSE ME, NOT MISSOURI, ARKANSAS. YOU CAN SEE HOW THEY COME ACROSS AND THE ROUTES THEY TAKE, THE MOTORCYCLE TOURISTS, AS THEY COME TO DRIVE THE ROADS OF THE ROCKY MOUNTAINS AND THE BLACK HILLS. [LB900]

SENATOR COASH: TIME, SENATOR. [LB900]

SENATOR GROENE: THANK YOU. [LB900]

SENATOR COASH: THANK YOU, SENATOR GROENE. SENATOR SCHNOOR, YOU'RE RECOGNIZED. [LB900]

SENATOR SCHNOOR: THANK YOU, MR. PRESIDENT. SENATOR HILKEMANN, WILL YOU YIELD TO A QUESTION? [LB900]

SENATOR COASH: SENATOR HILKEMANN, WILL YOU YIELD? [LB900]

SENATOR HILKEMANN: YES, I'LL YIELD. [LB900]

SENATOR SCHNOOR: I JUST HAD TO CLARIFY SOMETHING YOU SAID AFTER WE STARTED, AN HOUR, HOUR AND A HALF AGO. YOU PUT IN THIS BRACKET MOTION BECAUSE YOU THINK THIS IS A WASTE OF TIME. IS THAT CORRECT? [LB900]

Floor Debate
March 16, 2016

SENATOR HILKEMANN: I WANT TO...DIDN'T SAY IT'S A WASTE OF TIME, SENATOR.
[LB900]

SENATOR SCHNOOR: WHAT DID YOU SAY THEN? [LB900]

SENATOR HILKEMANN: I SAY...WHAT I'M SAYING IS LET'S FIND OUT WHERE THIS BODY IS. SINCE THIS IS AN ISSUE THAT WE HAVE DISCUSSED LAST YEAR AND WE TOOK A FULL EIGHT HOURS IN THAT DISCUSSION LAST YEAR, LET'S...WITH THE TIME RESTRAINTS THAT WE HAVE IN THIS SHORT SESSION, THIS IS GOING TO BE A TRIAL VOTE. [LB900]

SENATOR SCHNOOR: BUT SOMEWHERE...OKAY, THAT'S ALL MY QUESTIONS. SOMEWHERE IN THERE YOU ALSO SAID, AND "WASTE OF TIME" MAY NOT BE THE EXACT WORDS, BUT THAT'S WHAT YOU WERE INSINUATING, THAT WE'RE WASTING OUR TIME, WE HAVE BETTER THINGS THAT WE CAN BE DOING. SENATOR CHAMBERS, WILL YOU YIELD TO A QUESTION? [LB900]

SENATOR COASH: SENATOR CHAMBERS, WILL YOU YIELD? [LB900]

SENATOR CHAMBERS: YES, I WILL. [LB900]

SENATOR SCHNOOR: THIS IS ALWAYS DANGEROUS ASKING YOU A QUESTION, BUT (LAUGHTER) HOW LONG HAVE YOU BEEN HERE? [LB900]

SENATOR CHAMBERS: A LONG TIME. [LB900]

SENATOR SCHNOOR: NOT TODAY BUT... [LB900]

SENATOR CHAMBERS: FORTY-THREE YEARS, FORTY-ONE YEARS. [LB900]

SENATOR SCHNOOR: OKAY, THAT'S CLOSE ENOUGH. HOW MANY TIMES HAVE YOU BROUGHT THE MOUNTAIN LION BILL? [LB900]

SENATOR CHAMBERS: I STARTED DOING THAT, I BELIEVE, IN 2014. BUT THE DEATH PENALTY BILL I BROUGHT EVERY SESSION THAT I WAS HERE. SOMETIMES IT WOULD CARRY OVER. BUT I CONSTANTLY BROUGHT IT OVER AND OVER AND OVER, AND WAS DEFEATED OVER AND OVER AND OVER, BUT I DID NOT QUIT.

Floor Debate
March 16, 2016

AND THEN, WHEN IT FINALLY WAS ENACTED INTO LAW, I COULD NOT HAVE ANTICIPATED AT THE BEGINNING OF THAT SESSION THAT IT WOULD BE SUCCESSFUL. BUT SINCE YOU NEVER KNOW WHEN THE OPPORTUNITY MIGHT KNOCK AT THE DOOR, YOU HAVE TO BE THERE POISED, WITH YOUR MUSCLES BUNCHED, SO IF IT OPENS A CRACK YOU CAN GO RIGHT THROUGH IT. AND SINCE YOU CAN'T PREDICT IT, YOU BETTER JUST KEEP DOING IT AND BEING READY ALL THE TIME. [LB900]

SENATOR SCHNOOR: OKAY. THANK YOU. THAT'S ALL MY QUESTIONS FOR YOU. MY POINT BEING, SENATOR CHAMBERS DIDN'T THINK THAT WAS A WASTE OF TIME. SENATOR HILKEMANN THINKS THERE'S BETTER THINGS WE COULD BE DOING. AND ALL THIS IS A MATTER OF PERSPECTIVE. WE HAVE ONLY ONE REQUIREMENT HERE IN THIS LEGISLATURE--WE HAVE TO PASS A BUDGET. THAT'S IT. WE'VE ALL READY BEEN THROUGH ONE LEVEL OF DEBATE. IN THEORY, WE COULD BE DONE NEXT WEEK. SO AFTER THAT, I THINK WE'RE WASTING OUR TIME. WE DON'T EVEN NEED TO BE HERE BECAUSE WE'VE MET OUR CONSTITUTIONAL REQUIREMENT. SO IT'S A MATTER OF PERSPECTIVE. SENATOR BLOOMFIELD SAID HE HAS DONE THIS EVERY YEAR. SENATOR CHAMBERS HAS DONE IT HIS ENTIRE...EVERY YEAR BEING IN THE LEGISLATURE. THEY DON'T FEEL IT'S A WASTE OF TIME. SO THAT'S ALL I WANTED TO POINT OUT. I'M IN FAVOR OF LB900. I'M A MOTORCYCLE RIDER. I WILL MAKE A CHOICE TO WEAR MY HELMET, ESPECIALLY WHEN I'M RIDING IN THE CITY BECAUSE THAT'S THE MOST DANGEROUS PLACE. BUT OUT ON THE OPEN ROAD, I'LL THINK OTHERWISE. BUT I AM OPPOSED TO THIS BRACKET MOTION. I'M IN SUPPORT OF THE BILL AND...I MEAN, IF...WHEN AND IF WE EVER GET TO IT. AND I'LL DEAL WITH EVERY AMENDMENT AS THEY COME ALONG. SO THANK YOU, MR. PRESIDENT. [LB900]

SENATOR COASH: THANK YOU, SENATOR SCHNOOR. SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB900]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, AND I SAY TO SENATOR BLOOMFIELD FOR THE WAY HE HAS PERSISTED--SONNY, YOU MAKE ME THINK OF MYSELF WHEN I WAS A KID. AND I SAY TO SENATOR HILKEMANN FOR HIS ATTEMPTING TO BRING A BRACKET MOTION WHEN HE KNOWS IT WON'T WORK--JUNIOR, YOU REMIND ME OF MYSELF WHEN I WAS A KID. THESE ARE COURSES THAT WE TAKE AND PURSUE BASED ON HOW MUCH WE BELIEVE IN WHAT WE'RE DOING. ONE THING I'LL SAY, AS I LOOK AROUND THIS CHAMBER, SENATORS ARE NOT QUITE AS SCARCE ON SENATOR BLOOMFIELD'S BILL AS MOUNTAIN LIONS ARE IN THIS STATE, BUT

Floor Debate
March 16, 2016

THEY ARE MUCH SCARCER WHEN I AM BRINGING A BILL. SO I THINK THAT IS AN INDICATION THAT THERE'S MORE INTEREST IN THIS BILL THAN THERE IS IN THE BILLS THAT I HAVE BROUGHT. BUT WHETHER THERE IS ONE PERSON INTERESTED, MEANING THE INTRODUCER, OR ENOUGH PEOPLE TO OVERWHELMINGLY DEFEAT THE KINDS OF MOTIONS THAT I BRING AND SEE THEM OVERWHELMINGLY DEFEATED, THE KEY IS HOW MUCH THE ONE PUSHING THE ISSUE BELIEVES IN TRYING TO SUCCEED. IT DEPENDS, ON THE OTHER HAND, HOW MUCH THE ONE WHO IS OPPOSED TO IT IS WILLING TO FIGHT TO KEEP IT FROM BEING SUCCESSFUL. I'VE BEEN ON THE SIDE OF PUSHING SOMETHING AGAIN AND AGAIN AND AGAIN. I'VE BEEN ON THE SIDE, JUST THIS SESSION, OF FIGHTING AGAIN AND AGAIN AND AGAIN. AND IN MY SIGHTS RIGHT NOW IS THAT SO-CALLED RIGHT TO FARM BILL TO POLLUTE THE CONSTITUTION WITH SOMETHING LIKE THAT, WHEN IT COMES HERE, THAT IS GOING TO TAKE A LONG TIME. AND THERE ARE PEOPLE WHO WILL PROBABLY TELL ME--AREN'T THERE BETTER THINGS TO DO? AND MY RESPONSE, IF THEY ASKED ME THAT DIRECTLY, IS THAT EACH OF US CONDUCTS OUR AFFAIRS IN THE WAY WE BELIEVE. SO MAYBE THERE ARE THINGS MORE IMPORTANT TO WHOEVER THE QUESTIONER MIGHT BE THAN THIS, BUT IT OBVIOUSLY WOULDN'T BE A SITUATION WHERE OTHER THINGS ARE MORE IMPORTANT TO ME. THERE ARE OTHER BILLS I COULD CALL BY NAME, BUT I DON'T WANT TO DO THAT BECAUSE CIRCUMSTANCES COULD CHANGE AND I DON'T WANT PEOPLE TO BE FOREWARNED. BUT THAT RIGHT TO FARM, AS IT'S CALLED, IS ONE OF THE WORSE, MOST PERNICIOUS THINGS THAT HAS COME BEFORE THIS BODY AND IT HAS NOTHING TO DO WITH THE YOUNG, NAIVE, BAMBOOZLED, TRICKED, TOOKEN SENATOR WHOSE NAME I WON'T CALL AND WILL DO NOTHING TO POINT HIM OUT. IN FACT, I'LL SPREAD MY FINGERS SO IT'S LIKE A SHOTGUN, YOU WON'T KNOW WHICH THE PELLET IS AIMING AT. THAT IS ONE BAD PIECE OF LEGISLATION. AND I'VE BEEN DOING RESEARCH ON THE CONSTITUTION, AS SOME PEOPLE PRONOUNCE IT, AND WE'RE GOING TO HAVE A BATTLE ROYAL ON THAT ONE. SO IF PEOPLE WANT TO BE ANGERED, COME AND SEE. IF THEY WANT TO BE AMUSED, COME AND SEE. IT'S GOING TO BE LIKE A SUPERMARKET. WHATEVER YOU WANT, AT SOME TIME DURING THAT DISCUSSION, YOU WILL FIND IT, BUT YOU'VE GOT TO BE THERE. SENATOR HILKEMANN REALIZES THAT THE RARER A THING IS, THE MORE VALUE IT WOULD HAVE. IF DIAMONDS WERE AS PLENTIFUL AS THE SANDS ON THE BEACH AND SAND ON THE BEACH WAS AS RARE AS DIAMONDS, THE VALUE OF EACH WOULD FLIP BECAUSE RARITY ADDS TO VALUE,... [LB900]

SENATOR COASH: ONE MINUTE. [LB900]

Floor Debate
March 16, 2016

SENATOR CHAMBERS: ...ADDS TO DESIRABILITY. SO IF YOU ARE REALLY GOING AFTER SOMETHING WORTHWHILE, EVEN IF IT'S A PIECE OF LITERATURE, THE GOOD WRITER IS GOING TO MAKE YOU DIG, MAKE YOU CONCENTRATE, WORK HARD TO GET AT HIS OR HER MEANING. SO SENATOR BLOOMFIELD KNOWS FROM THE EFFORTS HE'S PUTS FORTH THAT IT'S A STEEP HILL TO CLIMB. BUT HE'S GOING TO CONTINUE TRYING TO CLIMB IT. AND FOR TODAY, I'M VOTING AGAINST THE BRACKET MOTION. I WILL VOTE FOR THE CLOTURE MOTION. AND SHOULD THAT SUCCEED, I WILL VOTE FOR THE BILL. AND THAT'S THE DEAL THAT I STRUCK WITH SENATOR BLOOMFIELD BY HIM AGREEING NOT TO BE OFFENDED IF I TALK ABOUT WHAT I WANT TO TALK ABOUT DURING THIS TIME. EVEN THOUGH HE SAID HE CAN'T STOP ME, IT'S STILL BETTER TO DO THINGS WITH A PERSON'S CONSENT THAN AGAINST THAT PERSON'S WILL. IF IT'S WITH THE PERSON'S CONSENT, YOU RIDE WITH THE TIDE.. [LB900]

SENATOR COASH: TIME, SENATOR. [LB900]

SENATOR CHAMBERS: ...AND GO WITH THE FLOW. THANK YOU, MR. PRESIDENT. [LB900]

SENATOR COASH: THANK YOU, SENATOR CHAMBERS. SENATOR HUGHES, YOU'RE RECOGNIZED. [LB900]

SENATOR HUGHES: THANK YOU, MR. PRESIDENT. GOOD AFTERNOON, COLLEAGUES. I'M GOING TO SUPPORT THIS BILL, AS I DID LAST YEAR, BECAUSE I BELIEVE IT IS A FUNDAMENTAL RIGHT IN THIS COUNTRY THAT WE HAVE AS PERSONAL FREEDOM. THE CONSTITUTION DOESN'T PROTECT US FROM DOING STUPID THINGS, NOR DO I THINK IT SHOULD. ALTHOUGH, THERE IS A LINE THAT EACH OF US NEEDS TO DECIDE UPON AS TO WHAT FREEDOMS WE ARE WILLING TO GIVE UP AND WHAT FREEDOMS WE'RE NOT WILLING TO GIVE UP. SEVERAL OF MY COLLEAGUES HAVE TALKED ABOUT THINGS THAT ARE IN PLACE NOW: SEAT BELTS, HUNTER ORANGE, RED LIGHTS ON YOUR BICYCLE, THOSE ARE FREEDOMS THAT WE HAVE GIVEN UP. IF I WANT TO GO HUNTING, I PREFER TO WEAR CAMOUFLAGE. THE IDEA THAT HUNTER ORANGE IS NOT A COLOR THAT OCCURS IN NATURE, THEREFORE THE ANIMALS WON'T BE SCARED OF IT WAS THE WAY IT WAS SOLD. THERE'S A LOT OF THINGS THAT WE GIVE UP. I WANT TO TALK A LITTLE BIT ABOUT THE OCCUPATIONS WITH THE LARGEST NUMBER OF FATALITIES: NUMBER ONE IS TRUCK DRIVERS; NUMBER TWO IS FARM OCCUPATIONS; THREE--CUSTOM...CONSTRUCTION LABORERS; FOUR--SUPERVISORS; AND DOWN THE LIST, ABOUT SEVEN OR EIGHT, IS CASHIERS.

Floor Debate
March 16, 2016

CASHIERS IS IN THE TOP TEN. SHOULD MAYBE WE REQUIRE ALL CASHIERS TO WEAR FLACK JACKETS? UNDERSTANDING THESE ARE OCCUPATIONS THAT YOU NEED TO PROVIDE FOOD AND SHELTER FOR YOUR FAMILY, IT IS DIFFERENT THAN RIDING A MOTORCYCLE, BUT THEY'RE ALL PERSONAL CHOICES. IF YOU'RE CONCERNED ABOUT YOUR SAFETY, YOU MAY WANT TO LOOK THROUGH THE LIST OF OCCUPATIONS AND GO DOWN TOWARD THE BOTTOM AND ROOFERS IS ONE OF THE BOTTOM ONES, OR FISHERMEN. IT'S AT WHAT POINT ARE WE WILLING TO GIVE UP OUR FREEDOM? AND RIDING A MOTORCYCLE WITHOUT A HELMET, I'M PROBABLY NOT GOING TO DO THAT. BUT I'M CERTAINLY NOT GOING TO BE THE ONE TO TELL MY FRIENDS OR OTHER CITIZENS IN THE STATE OF NEBRASKA THAT I'M A STATE SENATOR, I HAVE THE POWER, I CAN MAKE YOU DO WHAT I SAY. THAT'S NOT OUR JOB. THAT PROBABLY IS OUR JOB. BUT THERE ARE LINES THAT EACH OF US HAVE TO DRAW IN OUR OWN MIND AS TO WHAT WE'RE WILLING TO ALLOW FOR RISKS IN OUR LIVES AND WHAT WE WON'T. AND THAT LINE IS DIFFERENT FOR EACH OF US. BUT MY LINE IS ALLOWING PEOPLE THAT WANT TO RIDE MOTORCYCLES IN THE STATE OF NEBRASKA WITHOUT A HELMET, THEY SHOULD HAVE THAT OPPORTUNITY. I TALKED TO A LOT OF MOTORCYCLE RIDERS AND THEY SAY--IF I'M OUT ON THE HIGHWAY, I'LL WEAR MY HELMET. BUT IF I WANT TO RUN DOWNTOWN FOR SUPPER, TO GET A HAMBURGER, I DON'T WANT TO HAVE TO MESS WITH IT. BUT THAT'S PERSONAL CHOICE, THAT'S PERSONAL FREEDOM. THANK YOU, MR. PRESIDENT. [LB900]

SENATOR COASH: THANK YOU, SENATOR HUGHES. SENATOR McCOLLISTER, YOU'RE RECOGNIZED. [LB900]

SENATOR McCOLLISTER: THANK YOU, MR. PRESIDENT. I FOUND THIS TO BE ENTERTAINING AND ENLIGHTENING AND I'LL YIELD THE BALANCE OF MY TIME TO SENATOR HILKEMANN. [LB900]

SENATOR COASH: SENATOR HILKEMANN, YOU'VE BEEN YIELDED FIVE MINUTES. [LB900]

SENATOR HILKEMANN: THANK YOU, SENATOR McCOLLISTER. FIRST OF ALL, I WANT TO SAY JUST... WE HAD A LITTLE HEATED EXCHANGE BETWEEN SENATOR GROENE AND SENATOR BLOOMFIELD AND MYSELF. AND I WANT THE PEOPLE OUT THERE TO UNDERSTAND THAT THESE ARE NOT OF ANY... WE HOPE THESE ARE NOT TAKING... WE DON'T TAKE THIS PERSONAL WHEN WE ASK THESE QUESTIONS. IN FACT, I WANT TO TELL EVERYBODY IN THE STATE OF NEBRASKA A VERY WONDERFUL THING THAT SENATOR BLOOMFIELD DOES FOR MY FAMILY.

Floor Debate
March 16, 2016

I LEARNED LAST YEAR, IT CAME TO ME THAT MY GREAT-GREAT-GRANDPARENTS WHO IMMIGRATED FROM GERMANY ARE BURIED IN A COUNTRY CEMETERY NEAR WINSIDE. AND I'VE BEEN OUT TO THAT CEMETERY A FEW TIMES AND THEY WERE BURIED...MY GREAT GREAT-GRANDFATHER I NEVER KNEW, AND MY GREAT-GREAT-GRANDMOTHER, I HAVE A PICTURE OF HER...OF ME WITH HER WHEN I WAS PROBABLY ABOUT TWO OR THREE YEARS OLD, AND THAT'S THE ONLY REMEMBRANCE, I DON'T...I CERTAINLY DON'T REMEMBER...BUT ANYWAY, SENATOR BLOOMFIELD ON HIS OWN ACCORD PROVIDES THE MAINTENANCE AT THAT PARTICULAR CEMETERY, AND FOR THAT I'M GRATEFUL. AND SO IF IT SOUNDED LIKE WE WERE HAVING THIS HEATED DISCUSSION, WE WERE TALKING ABOUT THIS BILL, BUT I JUST WANT TO SAY THAT I VERY MUCH APPRECIATE THAT. AND SENATOR GROENE, YOU AND I HAVE HAD THESE CONVERSATIONS ON MEDICAID AND THINGS OF THIS SORT, AND I WAS INTERESTED IN THAT WHEN I TALKED ABOUT THE MEDICAID EXPANSION. SO I HOPE THAT WE JUST REALIZE THAT THESE ARE THE DISCUSSIONS THAT WE'RE HAVING AT THIS TIME. BUT WE NEED TO GET BACK TO THE TOPIC. I'M GOING TO DO THAT NOW. AND I WAS ASKED THE QUESTION ABOUT RIDING A BICYCLE BECAUSE EVERYONE HERE KNOWS THAT I'M A ACTIVE CYCLISTS. AND, CERTAINLY, WHEN YOU SIGN UP, IF YOU'RE GOING TO DO THE BRAN RIDE OR YOU DO THE RAGBRAI RIDE, OR ANY OF THOSE RIDES, YOU HAVE TO SIGN A STATEMENT THAT YOU WILL USE A HELMET. AND FRANKLY, I'M NOT...PROBABLY THE REASON WE DON'T HAVE THIS...BECAUSE I DON'T KNOW, I DON'T THINK I'VE EVER RIDDEN WITH A CYCLIST WHO WASN'T WEARING A HELMET BECAUSE IT JUST...IT'S JUST PART OF THE GEAR WHEN YOU GET ON YOUR BIKE. BUT I THINK...IT JUST GOES WITH CYCLING ITSELF AND...BUT THE FACT...LET'S LOOK AT SOME OF THE FACTS THAT HAVE HAPPENED HERE BECAUSE WE'RE GETTING A LITTLE BIT AWAY FROM THAT. IN FLORIDA, FOR EXAMPLE, THEY USED TO HAVE THE UNIVERSAL HELMET LAW. AND ONCE THAT UNIVERSAL HELMET LAW WAS REPEALED, THE STATISTICS TELL US THAT FROM ABOUT 97 PERCENT COMPLIANCE WITH THE HELMET BILL IT'S DOWN TO 50 PERCENT THAT ARE WEARING THE HELMET AT THE PRESENT TIME. SO WE HAVE A VERY INTERESTING STUDY. AND AS I MENTIONED EARLIER, LET'S DO SOME EVIDENCE-BASED STUDY INSTEAD OF WHAT OUR FEELINGS ARE AND THINGS OF THAT SORT. AND SO THERE'S A VERY GOOD STUDY THAT WAS DONE RELATIVE TO THE FLORIDA'S REPEAL. AND LET ME JUST READ A LITTLE BIT THE SUMMARY FROM THAT REPEAL EFFORTS: THE EFFECTS OF FLORIDA'S REPEAL OF ITS ALL RIDER MOTORCYCLE HELMET USE LAW... [LB900]

SENATOR COASH: ONE MINUTE. [LB900]

Floor Debate
March 16, 2016

SENATOR HILKEMANN: ...ARE SIMILAR TO THOSE SEEN AT OTHER STATES THAT HAVE REPEALED SUCH LAWS IN RECENT YEARS. BASED ON THESE FINDINGS, IT IS REASONABLE TO CONCLUDE THAT THE FOLLOWING ARE LIKELY OUTCOMES IN A STATE CONSIDERING ELIMINATION OF AN ALL RIDER HELMET LAW. AND I WILL WAIT TO GIVE THOSE...THE FINDINGS OF THAT UNTIL ANOTHER TIME AT THE MICROPHONE. AND THANK YOU, MR. SPEAKER. [LB900]

SENATOR COASH: THANK YOU, SENATOR HILKEMANN. SENATOR BOLZ, YOU'RE RECOGNIZED. [LB900]

SENATOR BOLZ: QUESTION. [LB900]

SENATOR COASH: THE QUESTION HAS BEEN CALLED. DO I SEE FIVE HANDS? I DO. QUESTION IS, SHALL DEBATE CEASE? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. SENATOR BOLZ. [LB900]

SENATOR BOLZ: (MICROPHONE MALFUNCTION)...OF THE HOUSE, PLEASE. [LB900]

SENATOR COASH: THERE HAS BEEN A REQUEST TO PLACE THE HOUSE UNDER CALL. THE QUESTION IS, SHALL THE HOUSE GO UNDER CALL? ALL THOSE IN FAVOR VOTE AYE; OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB900]

ASSISTANT CLERK: 18 AYES, 0 NAYS TO GO UNDER CALL, MR. PRESIDENT. [LB900]

SENATOR COASH: THE HOUSE IS UNDER CALL. SENATORS, PLEASE RECORD YOUR PRESENCE. UNEXCUSED SENATORS OUTSIDE THE CHAMBER PLEASE RETURN TO THE CHAMBER AND RECORD YOUR PRESENCE. ALL UNAUTHORIZED PERSONNEL PLEASE LEAVE THE FLOOR. THE HOUSE IS UNDER CALL. SENATORS SULLIVAN, SCHEER, MORFELD, KOLOWSKI, SMITH, BRASCH, LARSON, KINTNER; SENATOR KOLTERMAN, PLEASE CHECK IN. SENATOR KOLOWSKI, PLEASE CHECK IN. SENATOR CRAWFORD, PLEASE RETURN TO THE CHAMBER AND RECORD YOUR PRESENCE. ALL MEMBERS ARE PRESENT AND ACCOUNTED FOR. SENATOR BOLZ, HOW WOULD YOU LIKE TO PROCEED? [LB900]

SENATOR BOLZ: ROLL CALL, REGULAR ORDER, PLEASE. [LB900]

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

Floor Debate
March 16, 2016

SENATOR COASH: MEMBERS, THE QUESTION FORE THE BODY IS, SHALL DEBATE CEASE? THERE HAS BEEN A REQUEST FOR A ROLL CALL VOTE. MR. CLERK, PLEASE READ THE ROLL. [LB900]

ASSISTANT CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGE 1003.) VOTE IS 27 AYES, 5 NAYS, MR. PRESIDENT. [LB900]

SENATOR COASH: DEBATE DOES CEASE. SENATOR HILKEMANN, YOU ARE RECOGNIZED TO CLOSE ON YOUR MOTION TO BRACKET. [LB900]

SENATOR HILKEMANN: THANK YOU, MR. SPEAKER. AND THANK YOU FOR THOSE VOTES FOR...CALL OF THIS QUESTION. I INTRODUCED THIS BRACKET MOTION BECAUSE I WANT TO SEE ONCE WHERE WE ARE ON THIS PARTICULAR ISSUE. IT'S AN ISSUE THAT WE HAVE DEBATED LAST SESSION AND WE HAVE HAD SOME DEBATE ON IT TODAY. AND SO THE PURPOSE OF THIS IS TO JUST SEE WHERE WE ARE. AND SO I ASK ALL OF THOSE OF YOU WHO ARE PLANNING TO NOT SUPPORT THIS BILL TO VOTE TO BRACKET THIS MOTION SO WE KNOW WHERE WE ARE STANDING ON THIS. SO IF YOU'RE...SO THAT IS WHAT I WOULD REQUEST. THANK YOU VERY MUCH, MR. SPEAKER. [LB900]

SENATOR COASH: THANK YOU, SENATOR HILKEMANN. MEMBERS, YOU'VE HEARD THE CLOSING ON THE MOTION TO BRACKET. SENATOR HILKEMANN. [LB900]

SENATOR HILKEMANN: YES, LET'S HAVE A ROLL CALL VOTE, REGULAR ORDER. [LB900]

SENATOR COASH: THERE HAS BEEN A REQUEST FOR A ROLL CALL VOTE IN REGULAR ORDER. MR. CLERK, PLEASE READ THE ROLL. [LB900]

ASSISTANT CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGE 1003.) VOTE IS 17 AYES, 25 NAYS, MR. PRESIDENT. [LB900]

SENATOR COASH: THE MOTION FAILS. RAISE THE CALL. WE RETURN TO DISCUSSION. SENATOR HILKEMANN, YOU ARE RECOGNIZED. [LB900]

SENATOR HILKEMANN: THANK YOU, MR. SPEAKER. WE WERE TALKING ABOUT THE FLORIDA...WHAT HAPPENED IN FLORIDA WHEN THEY REPEALED IT. AND

Floor Debate
March 16, 2016

WHAT I WOULD LIKE TO SAY IS THAT THE FINDINGS OF THIS REPORT ARE THAT WHEN YOU TAKE AWAY THAT...THE UNIVERSAL HELMET LAW, THAT THE HELMET USE WILL DECLINE MARKEDLY FROM VIRTUALLY FULL DAYTIME COMPLIANCE TO VOLUNTARY USE BY ABOUT 50 PERCENT OF RIDERS. HELMET USE LIKELY WILL DECLINE AMONG ALL RIDERS, REGARDLESS OF RESTRICTIONS REMAINING IN THE LAW, WHICH IS...USUALLY REQUIRED BY YOUNG RIDERS IN THAT PARTICULAR INSTANCE BECAUSE OF ENFORCEABILITY FACTORS. MOTORCYCLE REGISTRATIONS WILL INCREASE. THIS IN TURN WILL CONTRIBUTE TO AN INCREASE IN THE NUMBER OF MOTORCYCLE CRASHES OF ALL DEGREES OF SEVERITY. MOTORCYCLE FATALITIES WILL INCREASE SIGNIFICANTLY, TYPICALLY BY 50 TO 100 PERCENT COMPARING YEARS FOLLOWING THE LAW CHANGE WITH THE YEARS IMMEDIATELY BEFORE THE REPEAL. THE FATALITY RATE PER REGISTERED MOTORCYCLE WILL ALSO INCREASE. NOW THESE FLORIDA RESULTS ALSO SHOWED THAT NONFATAL, SERIOUS INJURIES INCREASED MORE THAN LESSER INJURIES FOLLOWING LAW REPEAL. INJURED MOTORCYCLISTS HOSPITAL ADMISSIONS INCREASED BY 40 PERCENT FOLLOWING THE LAW CHANGE. ADMISSIONS FOR HEAD, BRAIN, SKULL INJURIES INCREASED BY MORE THAN 80 PERCENT FOLLOWING THE LAW CHANGE. TOTAL GROSS TREATMENT COSTS FOR THESE CASES MORE THAN DOUBLED, AND THE COST PER CASE ALSO INCREASED SUBSTANTIALLY. FEWER THAN 25 PERCENT OF HOSPITALS ADMITTED MOTORCYCLISTS FOR HEAD, BRAIN, SKULL INJURIES HAD TREATMENT COSTS UNDER \$10,000 INDICATING THAT THE LAW'S MEDICAL INSURANCE PROVISION IN FLORIDA, THEY REQUIRE A \$10,000 MEDICAL LIABILITY, WOULD HAVE BEEN INADEQUATE TO COVER THE COSTS INCURRED. SO ONLY ABOUT TWO-THIRDS OF ADMITTED MOTORCYCLISTS HAVE MEDICAL INSURANCE. THE FLORIDA LAW CONTINUES TO REQUIRE THAT HELMET USE FOR RIDERS BE UNDER THE AGE OF 21, WHICH IS WHAT...WHICH WE HAVE HERE, WHICH THIS BILL INDICATES, SO THE DATA INDICATES THAT THIS PROVISION IS NOT BEING OBSERVED. THE NUMBER OF UNDER 28...ONE YEAR MOTORCYCLISTS KILLED IN FLORIDA IN THE TWO YEARS AFTER THE LAW CHANGE NEARLY TRIPLED COMPARED TO THE TWO YEARS BEFORE THAT CHANGE. ALMOST ONE-HALF OF THE POST-LAW CHANGE VICTIMS WERE NOT HELMETED COMPARED TO ABOUT 26 BEFORE THE LAW CHANGE WENT INTO EFFECT, WHICH IS A NET INCREASE OF 188 PERCENT. THE NUMBER OF YOUNG MOTORCYCLISTS INVOLVED IN CRASHES OF LESSER SEVERITY INCREASED BY ABOUT 47 PERCENT. NOW THAT'S THE FLORIDA DATA. WE HAVE DATA ON OTHER STATES, PENNSYLVANIA HAS GONE THROUGH THE REPEAL. WE HAVE THE DATA ON MICHIGAN. WE HAVE THE DATA ON LOUISIANA. AND AS WE GO FORWARD ON THIS BILL AT THIS POINT, WE WILL CERTAINLY BE TALKING ABOUT SOME OF THOSE DESCRIPTIONS AS WELL. ONE OF THE THINGS THAT IS BEING PROPOSED

Floor Debate
March 16, 2016

HERE, BESIDES TALKING ABOUT THE...WHAT HAPPENS WHEN THE REPEALS GO INTO A PLACE IS...WE KEEP HEARING ABOUT WHAT IS GOING TO HAPPEN IF WE DO THIS, WE'RE GOING TO HAVE THIS GREAT INFLUX OF CYCLISTS THROUGH OUR STATE BECAUSE OF STURGIS. WELL, THERE'S CERTAINLY EVIDENCE TO INDICATES THAT THAT, TOO, IS NOT THE CASE BECAUSE THERE ARE OTHER MAJOR BIKE RALLIES OTHER THAN STURGIS, AND I UNDERSTAND STURGIS IS THE REALLY, REALLY BIG ONE, BUT, FOR EXAMPLE, FLORIDA HAS A BIG BIKE RIDE, IT'S CALLED THE DAYTONA BEACH BIKE WEEK AND IT ATTRACTS ABOUT 550,000 PEOPLE. NOW THE INTERESTING THING IS THAT IN FLORIDA THEY DON'T REQUIRE A HELMET. [LB900]

SENATOR COASH: ONE MINUTE. [LB900]

SENATOR HILKEMANN: BUT YOU CAN'T GET TO FLORIDA WITHOUT RIDING THROUGH A STATE THAT DOES HAVE HELMETS. WASHINGTON, D.C., THEY HAVE WHAT IS CALLED THE ROLLING THUNDER RIDE FOR FREEDOM AND THIS ATTRACTS ABOUT 500,000 PEOPLE. IT IS OUTSIDE THE NATION'S CAPITAL AND THIS...AND D.C. REQUIRES ALL OF THE RIDERS TO USE HELMETS. AND THE STATE...OR D.C. IS SURROUNDED BY STATES THAT HAVE...REQUIRE HELMETS. SOUTH CAROLINA--MYRTLE BEACH HAS THEIR BIG BIKE WEEK AND THEY HAVE...THEY ATTRACT OVER 350,000 TO THAT. SO HELMETS ARE NOT REQUIRED IN SOUTH CAROLINA, BUT THE STATE IS SURROUNDED BY STATES THAT ALL REQUIRE HELMETS...OR THEY HAVE THE UNIVERSAL HELMET LAW. [LB900]

SENATOR KRIST PRESIDING

SENATOR KRIST: TIME, SENATOR. [LB900]

SENATOR HILKEMANN: THANK YOU, MR. SPEAKER. [LB900]

SENATOR KRIST: THANK YOU, SENATOR HILKEMANN. SENATOR GROENE, YOU ARE RECOGNIZED. [LB900]

SENATOR GROENE: THANK YOU, MR. SPEAKER...OR PRESIDENT, CORRECT MYSELF THERE. ONE THING I HAVEN'T HEARD, WHICH WE NORMALLY HEAR WHEN WE ATTEMPT TO TAKE FREEDOMS AWAY FROM OUR NEIGHBORS, IS THAT WHAT HARM WILL IT DO TO SOMEBODY ELSE'S RIGHTS? DRUNK DRIVING, WE ALL KNOW WHY WE HAVE LIMITATIONS OF THAT, YOU CAN...YOUR RIGHT TO

Floor Debate
March 16, 2016

GET DRUNK AND HARM SOMEBODY ELSE IN AN ACCIDENT. CERTAIN EQUIPMENT MUST BE ON A VEHICLE: HEADLIGHTS, TAILLIGHTS, BRAKE LIGHTS, TURN SIGNALS, BECAUSE YOUR ACTIVITY, IF YOU DON'T WARN YOUR NEIGHBOR WHAT YOU ARE DOING, COULD HARM YOUR NEIGHBOR; YOU TURN IN FRONT OF HIM WITHOUT A TURN SIGNAL. THAT ALL MAKES SENSE. WE DO IT, YOU KNOW, IF YOU WANT TO BE AN ARMED ROBBER THEY HAVE LAWS AGAINST THAT BECAUSE YOU CAN HARM YOUR NEIGHBOR. YOU MIGHT CONSIDER THAT FREEDOM, BUT YOUR NEIGHBOR AIN'T TOO ENTHUSED ABOUT BEING HELD UP, SO WE HAVE LAWS AGAINST THAT. I HAVE NOT HEARD THE OPPONENTS OF LB900 EXPLAIN TO ME HOW I AM HARMED, SENATOR BLOOMFIELD IS HARMED, OR THEY ARE HARMED IF A MOTORCYCLIST DOES NOT WEAR A HELMET. THAT, TO ME, IS THE GUIDELINES WHEN I DECIDE IF I'M GOING TO TAKE A RIGHT AWAY FROM SOMEBODY. IS MY RIGHT INFRINGED ON? IS MY NEIGHBOR'S RIGHT INFRINGED ON? THAT IS THE ONLY TIME WE, AS ELECTED OFFICIALS, SHOULD TAKE AWAY THE RIGHTS OF SOMEBODY ELSE FOR WHATEVER BEHAVIOR THEY WISH TO TAKE PART IN. BUT YET I HAVEN'T HEARD SENATOR HILKEMANN EXPLAIN TO ME HOW I AM HARMED, HOW HE IS HARMED, IF A MOTORCYCLIST IN THE HIGH PLAINS AREA WHERE I LIVE DOESN'T HAVE A HELMET ON. HE CAN'T SHOW ME THAT. SO WHAT TELLS ME IS THAT HUMAN NATURE THAT MOST OF THE WORLD LIVES UNDER, SOMEBODY KNOWS WHAT IS BEST FOR SOMEBODY ELSE. SOMEBODY KNOWS WHAT RELIGIOUS TENETS YOU MUST FOLLOW BECAUSE SOMEBODY ELSE KNOWS WHAT'S BEST FOR YOU. WE TRY TO AVOID THAT IN AMERICA. THAT IS WHY SENATOR BLOOMFIELD KEEPS BRINGING THIS BACK BECAUSE HE BELIEVES THAT. WE TRY TO AVOID THAT. AS FAR AS SENATOR HILKEMANN, I GOT IT RIGHT THAT TIME, ABOUT DRIVING THROUGH STATES THAT REQUIRE HELMET LAWS, YES, THEY HAVE NO CHOICE. THEY HAVE NO CHOICE. AROUND NEBRASKA THEY DO HAVE A CHOICE TO DRIVE THROUGH STATES THAT DO NOT REQUIRE HELMETS. AND THEY DO DRIVE AROUND THE STATES...THE STATE OF NEBRASKA TO AVOID THE HELMET LAW, TO PARTAKE IN WHAT THEY APPRECIATE AS THEIR FREEDOM. AS FAR AS DISAGREEMENT WITH SENATOR HILKEMANN, I WAS GOING TO INVITE HIM TO EASTER DINNER BECAUSE THAT'S ALL WE DO AT FAMILY GET-TOGETHERS IS DEBATE. IN FACT, MY KITCHEN TABLE IN MY CABIN, I'M GOING TO PUT UP A SIGN, I HAVEN'T GOT IT DONE YET, THAT SAYS--AT THIS TABLE WE TALK RELIGION AND POLITICS, LEAVE YOUR PERSONAL STUFF TO YOURSELF; BECAUSE THAT IS WHERE I COME FROM. SO NO, I ADMIRE SENATOR HILKEMANN STANDING TOE-TO-TOE IN DEBATE AND THAT'S WHAT MAKES AMERICA GREAT. BUT, PLEASE, DO NOT IMPOSE YOUR WILL, YOUR BELIEF WHAT IS GOOD FOR SOMEBODY ELSE ON OTHERS. THAT IS THE LOWEST OF HUMAN NATURE AND HUMAN BEHAVIOR IS WHAT PEOPLE ACROSS THE WORLD ARE STRIVING TO AVOID. THEY WISH THEY HAD THE

Floor Debate
March 16, 2016

FREEDOMS WE HAVE, BECAUSE THERE ARE PEOPLE IN THEIR COUNTRIES WHO DICTATE TO THEM HOW TO LIVE AND WHAT FREEDOMS THEY CAN AND CANNOT HAVE BECAUSE THEY FEEL WHAT THEY BELIEVE TO BE BEST FOR THEM. [LB900]

SENATOR KRIST: ONE MINUTE. [LB900]

SENATOR GROENE: AND THAT'S WHERE I STAND ON THIS. YES, IT'S ECONOMIC ACTIVITY FOR MY TERRITORY, FOR MY AREA ON TOURISM. YES, IT IS FOR MY SON AND MY SON-IN-LAW WHO WOULDN'T INVITE ME TO DINNER IF I DIDN'T TAKE A STAND ON THIS BILL. I HAVE NEVER BEEN ON A MOTORCYCLE, ONCE OR TWICE AS A YOUTH. I HAVE NO URGE TO BE ON ONE. I HAVE NO PASSION FOR IT. I LIKE QUIET. I LIKE ROLLED-UP WINDOWS AND THE LESS NOISE I CAN GET THE BETTER. BUT THAT IS MY CHOICE. BUT IT'S ALSO MY CHOICE TO MAKE SURE ANYBODY ELSE WHO TAKES A DIFFERENT PATH HAS THAT FREEDOM TO DO SO. AND I STAND HERE IN SUPPORT OF LB900 AND AM2343. THANK YOU. [LB900]

SENATOR KRIST: THANK YOU, SENATOR GROENE. SENATOR CHAMBERS, YOU ARE RECOGNIZED. [LB900]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, I'M IN FAVOR OF THIS BILL AND FOR ONCE I'M IN A POSITION OF HELPING SOMEBODY ELSE RUN THE CLOCK. IF I DIDN'T BELIEVE THAT THE BILL WAS WORTHWHILE, I WOULD NOT DO IT. SENATOR BLOOMFIELD AND I GET ALONG PRETTY WELL ON MOST ISSUES. SOMETIMES HE'S MISTAKEN AND DOESN'T KNOW WHICH END IS UP, BUT THAT HAPPENS TO EVERYBODY WHO IS NOT SHARING THE DEGREE OF PERFECTION THAT I HAVE MANAGED TO SHARE IN FROM TIME-TO-TIME. BUT WE ALL MAKE MISTAKES. THE THING THAT I WOULD SUGGEST IS THAT YOU DO WHAT YOU ALWAYS TELL ME TO DO--LET THE BILL GO TO SELECT FILE, THEN LET THINGS JUST KIND OF SIMMER, LET THEM MARINATE AND WE'LL SEE IF IT LOOKS BETTER, SMELLS BETTER, TASTES BETTER ON SELECT FILE. AND THOSE PEOPLE WHO THINK THAT A PERSON WEARING A HELMET ON A MOTORCYCLE IS A GOOD THING CAN STILL HOLD TO THAT BELIEF. BUT HOW MUCH DIFFERENCE DOES IT MAKE TO ANY OF US ON THIS FLOOR IF THERE ARE A HUNDRED PEOPLE RIGHT NOW IN LINCOLN RIDING MOTORCYCLES WITHOUT HELMETS? DO YOU EVEN THINK ABOUT IT? DOES IT EVER CROSS YOUR MIND? THE ONLY TIME YOU MIGHT THINK ABOUT IT IS IF YOU HAPPEN TO BE AWARE THAT THE LAW SAYS A PERSON MUST WEAR A HELMET AND YOU SEE A CYCLIST WHO IS NOT WEARING ONE. NOW SENATOR GROENE HAS TALKED ABOUT "BUSYBODYISM," MEDDLESOMENESS, THOSE

Floor Debate
March 16, 2016

THINGS ARE WORDS THAT APPLY TO THE PURITANS. THE PURITANS WERE NOT GOOD PEOPLE. THE PURITANS WERE VERY MEDDLESOME, NARROW-MINDED, HATEFUL, INTOLERANT PEOPLE, AND HELL TO THEM WAS BEING SOMEPLACE WHERE EVERYBODY HAD TO MIND THEIR OWN BUSINESS. A PURITAN WOULD COMMIT SUICIDE BEFORE VOLUNTARILY BEING IN A SET OF CIRCUMSTANCES LIKE THAT. A LOT OF THINGS THAT COME DOWN TO US, BY WAY OF SO-CALLED HISTORY, ARE REALLY DISTORTIONS, OR THEY ARE OUT-RIGHT FALSEHOODS. IT MIGHT HAVE BEEN NAPOLEON WHO SAID SOMETHING TO THE EFFECT THAT A GOOD FACE HAS TO BE PUT ON HISTORY BECAUSE EVERYTHING BEHIND IT IS SO FOUL. AND THAT BASICALLY IS TRUE. COUNTRIES TRY TO PUT THE BEST FACE ON EVERYTHING THAT THEY HAVE DONE, THE MISDEEDS. BUT IF THAT REALLY MEANT SOMETHING TO THEM, DON'T COMMIT THOSE KIND OF ACTS THAT YOU'RE GOING TO HAVE TO DISAVOW IN THE FUTURE AND LIE ABOUT NOT HAVING DONE THEM. AND IF YOU SAY, WELL, YOU CAN'T CHANGE THE PAST, SO YOU WANT TO PRETTIFY IT, THEN DON'T REPEAT IT. DON'T DO THE THINGS TODAY THAT YOUR DESCENDANTS ARE GOING TO HAVE TO BE EMBARRASSED ABOUT, JUST LIKE WHITE PEOPLE ARE EMBARRASSED ABOUT THINGS TODAY. YEAH, IF I SAY THE WORD "WHITE", PEOPLE KIND OF TENSE UP, THEY BECOME UNCOMFORTABLE. YOU KNOW WHY? BECAUSE THEY WONDER WHAT ELSE I'M GOING TO SAY. AND IF WHAT I WOULD SAY ABOUT THE RACISM IN THIS COUNTRY WERE A LIE, PEOPLE COULD LOOK AT THAT AND TAKE IT THE SAME WAY THEY DO IF I WRITE WHAT I CALL AN ALLEGORY OR A FABLE. IT MIGHT BE AMUSING; IT MIGHT NOT BE, BUT DOESN'T MAKE ANYBODY TENSE UP. BUT YOU LET SOMETHING THAT IS AN UNPLEASANT TRUTH CUT CLOSE TO THE QUICK, AND PEOPLE WILL FLINCH EVEN BEFORE THEY FEEL THE PAIN. AND THERE HAVE BEEN EXPERIMENTS WHICH HAVE DEMONSTRATED THIS. SO, IF YOU BELIEVE AND MEAN WHAT YOU SAY... [LB900]

SENATOR KRIST: ONE MINUTE. [LB900]

SENATOR CHAMBERS: ...ABOUT PERSONAL FREEDOM, ACT ON IT. IF YOU DON'T BELIEVE IT, SAY YOU DON'T BELIEVE IT. THE TENSION ARISES WHEN YOU ARTICULATE A POSITION AND SAY IT IS WHAT YOUR CONVICTION IS, BUT YOUR CONDUCT IS NOT GOING TO MEET UP TO IT. AND WHEN YOU HAVE THAT INTERNAL CONFLICT, IT PRODUCES DEPRESSION, IT PRODUCES ANXIETY. AND IF IT WERE DEEP ENOUGH, IT COULD EVEN CAUSE A DISSOCIATION AND YOUR PERSONALITY WOULD FALL APART AND YOU WOULD NEED TO GO TO SOMEBODY WHO CAN TRY TO PUT IT BACK TOGETHER. AND IF THE PEOPLE TRYING TO PUT TOGETHER YOUR FRACTURED PSYCHE HAVE NO MORE ABILITY THAN ALL THE KING'S HORSES AND ALL THE KING'S MEN IN TRYING TO PUT

Floor Debate
March 16, 2016

HUMPTY-DUMPTY TOGETHER AGAIN, YOU WILL NEVER BE MADE WHOLE. AND THIS SOCIETY IS SO SHOT THROUGH WITH HYPOCRISY THAT YOU HAVE PEOPLE ALWAYS PUTTING UP A FALSE FRONT, A FALSE FACE... [LB900]

SENATOR KRIST: TIME, SENATOR. [LB900]

SENATOR CHAMBERS: ...SAYING THINGS THEY DON'T MEAN TO PEOPLE THEY DON'T RESPECT. OH, TIME? [LB900]

SENATOR KRIST: YES, SIR. [LB900]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB900]

SENATOR KRIST: THANK YOU, SENATOR CHAMBERS. SENATOR BLOOMFIELD, YOU ARE RECOGNIZED. [LB900]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. SENATOR HILKEMANN, I ASSURE YOU I WILL CONTINUE TO TAKE CARE OF YOUR GREAT-GRANDFATHER'S GRAVE AS LONG AS THE GOOD LORD GIVES ME THAT ABILITY. THE WEEDS MIGHT GET A LITTLE TALLER FROM TIME-TO-TIME, BUT WE'LL TRY TO AVOID THAT. COLLEAGUES, I PASSED OUT A MAP. YOU ALL GOT IT. SENATOR HILKEMANN MENTIONED THE RALLIES IN FLORIDA. YOU CAN'T GET THERE WITHOUT GOING ACROSS A HELMETED STATE. IT'S GOT TO BE ONE OF THE MOST BEAUTIFUL STATES IN THE UNION TO RIDE A BIKE IN WITH THE POSSIBLE EXCEPTION OF NEBRASKA. SO THEY STRAP ON THEIR HELMET, THEY RIDE TO FLORIDA BECAUSE THEY HAVE NO ALTERNATIVE TO GET THERE. THEN THE HELMET COMES BACK OFF, IF THEY CHOOSE TO DO THAT. YOU MENTIONED THEY HAD UPWARDS OF 500,000. STURGIS HAS UPWARD OF A MILLION. STATE OF SOUTH DAKOTA LAST YEAR TOOK IN ROUGHLY A BILLION DOLLARS FROM THAT RALLY. SOMEONE MENTIONED, I BELIEVE IT WAS SENATOR SCHNOOR, MAYBE IT WAS SENATOR HILKEMANN, MENTIONED THE ROLLING THUNDER. THREE OR 4 YEARS AGO I WAS DOWN IN KANSAS, WE WERE HEADED OUT ON A SOUTHWEST VACATION. I COULDN'T FIND A MOTEL ROOM WHEN I STOPPED. WE ENDED UP IN COLORADO BEFORE I COULD GET A MOTEL ROOM BECAUSE THEY WERE ALL FULL OF BIKES BECAUSE PEOPLE WERE RIDING THROUGH KANSAS, NOT COMING THROUGH NEBRASKA TO GET TO ROLLING THUNDER. HOW MANY DOLLARS DO WE PIDDLE AWAY BY TELLING THESE PEOPLE, DON'T COME TO OUR STATE? WE HAVE THIS PRETTY LITTLE BOOKLET NOW WITH WHAT IS APPARENTLY THE STATE SLOGAN--VISIT NEBRASKA, VISIT NICE. WE'RE TELLING THE BIKERS--WE

Floor Debate
March 16, 2016

DON'T CARE IF YOU COME TO NEBRASKA, WE HATE YOUR GUTS, STAY OUT, GO SOMEWHERE ELSE. HOW NEBRASKA NICE IS THAT? WE'RE TELLING THEM--WE KNOW WHAT YOU SHOULD DO WHEN YOU GET HERE. THAT'S NEBRASKA NICE. WE DON'T TELL THEM THEY CAN'T SMOKE A CIGARETTE. WE MAY HAVE A HIGHER TAX ON IT IF SENATOR GLOOR GETS HIS WAY, BUT WE DON'T TELL THEM THEY CAN'T SMOKE IT. WE DON'T TELL THEM THEY NEED TO PUT A CONDOM ON THAT CIGARETTE SO THEY DON'T INHALE. COLLEAGUES, THIS IDEA THAT WE TELL PEOPLE WHAT THEY CAN AND CAN'T DO IS RIDICULOUS. SENATOR BOLZ MENTIONED THE RED LIGHTS ON THE BICYCLE. I'M NOT SURE IF THAT IS A STATE ORDINANCE OR A CITY ORDINANCE. I WONDER IF SHE'D LOOK AT THAT AND GET BACK TO ME ON IT? SENATOR CHAMBERS MENTIONED THE RARENESS OF THE COMMODITY, HE USED DIAMONDS AND SAND. I SEE FREEDOM AS A RARE COMMODITY. MAYBE I APPRECIATE IT A LITTLE MORE THAN SOME OTHERS DO. [LB900]

SENATOR KRIST: ONE MINUTE. [LB900]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. I NEVER GOT TO KNOW MY GREAT-GRANDFATHER. HE DIED AT AGE 36 FROM COMPLICATIONS FROM BEING IN ANDERSONVILLE CIVIL WAR PRISON CAMP. THOSE OF YOU WHO ARE NOT FAMILIAR WITH THAT, IT WAS A PRISON CAMP IN GEORGIA THAT WAS THE MOST NOTORIOUS OF THE CIVIL WAR. MY GREAT-GRANDFATHER WAS TAKEN PRISONER THERE AND IS LISTED AS "SURVIVED." THAT IS HOW THEY GRADE PEOPLE THAT WENT THROUGH ANDERSONVILLE. MY DAD WAS A WORLD WAR I VET. I'M A VIETNAM VET. MY SON IS AN AFGHAN VET. A LOT OF THESE BIKERS ARE VETS. THEY HAVE EARNED AND DESERVE THEIR FREEDOM. THANK YOU, MR. PRESIDENT. [LB900]

SENATOR KRIST: THANK YOU, SENATOR BLOOMFIELD. SENATOR HILKEMANN, YOU ARE RECOGNIZED. [LB900]

SENATOR HILKEMANN: THANK YOU, MR. SPEAKER. AND THIS IS MY FIRST TIME, I THINK, TO SPEAK ON SENATOR MORFELD'S AMENDMENT. IS THAT CORRECT? IT'S MY SECOND TIME. OKAY, THANK YOU. WELL, WE'RE GOING TO HAVE SOME FURTHER DISCUSSION ON THIS, SENATOR. AND SO WE NEED TO TALK ABOUT SOME OF THE REASONS WHY IT'S IMPORTANT THAT WE KEEP THESE HELMETS IN PLACE. NOW THIS IS NOT MY STATISTIC. THIS IS COMING FROM THE NATIONAL HIGHWAY TRANSPORTATION SAFETY BOARD. AND THE QUESTION IS--WHY IS IT IMPORTANT FOR MOTORCYCLISTS TO WEAR HELMETS? WELL, THE ANSWER IS

Floor Debate
March 16, 2016

RELATIVELY SIMPLE: COMPARED WITH CARS, MOTORCYCLES ARE AN ESPECIALLY DANGEROUS FORM OF TRAVEL. THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION ESTIMATES THAT PER MILE TRAVELED, THE NUMBER OF DEATHS ON MOTORCYCLES IN 2013 WAS MORE THAN 26 TIMES THE NUMBER OF DEATHS IN CARS. AND PART OF THAT JUST BECAUSE IS...BECAUSE OF THE WONDERFUL PERFORMANCE OF MOTORCYCLES. I REMEMBER RIDING MINE AND ENJOYING IT. I'D GET ON SOME OF THOSE BACK ROADS, AND I HAVE TO ADMIT THAT A LOT OF TIMES I'D OPENED IT UP AND I REALLY ENJOYED THAT FREEDOM, THAT SENSE, THAT FEEL OF BEING ON THAT BIKE. AND SO I UNDERSTAND WHY THEY BECOME MORE DANGEROUS. NOW THEY ARE MAKING THEM SAFER. THERE IS MORE OF THE DISC BRAKES AND THINGS OF THAT SORT, BUT MOTORCYCLES ARE CERTAINLY MORE PRONE TO CRASH INJURIES THAN CAR OCCUPANTS, BECAUSE MOTORCYCLES ARE UNENCLOSED LEAVING RIDERS VULNERABLE TO CONTACT WITH THE HARD ROAD SURFACES, OTHER VEHICLES, AND FIXED OBJECTS SUCH AS TREES. THIS IS WHY WEARING A HELMET, AS WELL AS OTHER PROTECTIVE CLOTHING, IS SO IMPORTANT. SO THEN, WELL, IF WE HAVE TO WEAR THEM, HOW EFFECTIVE ARE HELMETS? HELMETS DECREASE THE SEVERITY OF HEAD INJURIES, THE LIKELIHOOD OF DEATH, AND THE COST OF MEDICAL CARE. HELMETS ARE HIGHLY EFFECTIVE IN PREVENTING BRAIN INJURIES WHICH OFTEN REQUIRE EXTENSIVE TREATMENT AND MAY RESULT IN LIFELONG DISABILITY. I'VE WORKED WITH THOSE PEOPLE WITH LIFELONG DISABILITIES, AND THEY ARE UP AT PLACES LIKE QLI AT MADONNA. THE NHTSA ESTIMATES THAT IN THE EVENT OF A CRASH, UNHELMETED MOTORCYCLISTS ARE THREE TIMES MORE LIKELY THAN HELMETED RIDERS TO SUFFER TRAUMATIC BRAIN INJURIES. THREE TIMES. AND THAT MOTORCYCLE HELMETS WILL REDUCE THE LIKELIHOOD OF A CRASH FATALITY BY 37 PERCENT. THIRTY-SEVEN PERCENT. NORVELL AND CUMMINGS FOUND A 39 PERCENT REDUCTION IN THE RISK OF DEATH AFTER ADJUSTING FOR THE EFFECTS OF THE RIDER'S AGE, THEIR GENDER, AND SEAT POSITION. AND RECENT LITERATURE REVIEWS ESTIMATED THAT HELMETS REDUCED THE RISK OF DEATH IN A CRASH BY 42 PERCENT, AND THE RISK OF HEAD INJURIES BY AS MUCH AS 69 PERCENT. SO THAT'S SOME OF THE DATA THAT WE'RE GOING TO BE TALKING ABOUT AS WE GO ON THROUGH THE REST OF THIS AFTERNOON. THEN THE QUESTION COMES IN-- ARE SOME HELMETS MORE EFFECTIVE THAN OTHERS? [LB900]

SENATOR KRIST: ONE MINUTE. [LB900]

SENATOR HILKEMANN: WELL, HELMETS COME IN A VARIETY OF TYPES AND STYLES. I PERSONALLY HAD THE ONE, IT WAS A FULL HELMET, AGAIN, I'M NO LONGER RIDING, THEREFORE I DON'T HAVE THAT HELMET. IT WAS A GREAT

Floor Debate
March 16, 2016

HELMET. I HAD THAT FULL FACE ON IT. I DIDN'T...AT LEAST, YOU KNOW, PEOPLE SAY THAT THIS IS...I'M COMFORTABLE. I DIDN'T FIND IT PARTICULARLY UNCOMFORTABLE. AND, CERTAINLY, APPRECIATED NOT GETTING FLIES AND BUGS AND SO FORTH IN MY EYES. SO THEY'VE TALKED ABOUT STUDYING THE EFFECTIVENESS OF THESE DIFFERENT HELMET TYPES AND THAT THEY FOUND THAT RIDERS WHO WEAR THE FULL TYPE HELMET COVERAGE ARE SAFER THAN THOSE WHO RIDE HELMETS WHICH ARE HALF COVERAGE-TYPE HELMETS. AND SO, MR. SPEAKER, I WILL CLOSE WITH THAT AND WE'LL COME BACK. WE'VE GOT LOTS OF DATA THAT WE'LL BE TALKING ABOUT LATER ON HERE TODAY. THANK YOU. [LB900]

SENATOR KRIST: THANK YOU, SENATOR HILKEMANN. SENATOR CHAMBERS, YOU ARE RECOGNIZED. [LB900]

SENATOR CHAMBERS: MR. PRESIDENT AND MEMBERS OF THE LEGISLATURE, I PAY ATTENTION TO MY COLLEAGUES, BELIEVE IT OR NOT. AND WHEN I WAS ENGAGING IN THE EXTENDED DEBATE, REFERENCE WAS MADE TO THIS EDITORIAL BY SOME OF THOSE WHO ARE ENGAGING IN EXTENDED DEBATE TODAY. WORLD-HERALD EDITORIAL--AN ADDICTION TO FILIBUSTERS, JANUARY 25, 2016: THE NEBRASKA LEGISLATURE HAS BIG ISSUES ON ITS PLATE DURING THIS YEAR'S SESSION AND ONLY 60 DAYS TO GET IT ALL DONE. LAWMAKERS FACE COMPLICATED DECISIONS ABOUT PROPERTY TAX RELIEF AND REWORKING OF STATE AID TO SCHOOLS. THEY NEED TO DEBATE BIG TICKET PROPOSALS TO PROVIDE MORE PRISON BEDS AND SCRUTINIZE THE NEGOTIATED AGREEMENT TO MOVE FORWARD ON JUVENILE JUSTICE REFORM. STATE SENATORS NEED TO RENDER JUDGMENT ON A WATER RIGHTS AGREEMENT FOR THE NIOBRARA RIVER BASIN. AND THEY'LL HAVE TO DECIDE HOW MUCH TO GIVE THE UNIVERSITY OF NEBRASKA TO MEET ITS BUILDING NEEDS. BUT THERE IS A LIMIT...THERE'S A LIMITED TIME AND THE START OF THE SESSION HAS RAISED A MAJOR CONCERN. SIX OF THE FIRST EIGHT BILLS HAVE BEEN FILIBUSTERED TRIGGERING HOURS OF PROTRACTED DEBATE AND DELAY. THIS SUCCESSION OF FILIBUSTERS IS SIPHONING AWAY TIME THAT WOULD BE BETTER SPENT IN COMING WEEKS WHEN TOP TIER LEGISLATION COMES UP FOR DEBATE AND RESOLUTION. SO FAR, THE MOST SIGNIFICANT BILL TO ACTUALLY MOVE FORWARD HAS BEEN A BAN ON FLOATING LANTERNS. BUT BROTHERS AND SISTERS, THAT STOPPED A LOT OF FIRES, IT WAS IMPORTANT. FILIBUSTERING IS A LEGITIMATE TACTIC THAT OUGHT TO SERVE AS AN EMERGENCY BRAKE ON ILL-CONSIDERED POLICIES. FILIBUSTERS ARISE FROM HONEST DIFFERENCES THAT WARRANT DEBATE AND IT'S NO SURPRISE THAT EXTENDED DEBATE IS BROKEN OUT THIS SESSION ON DIVISIVE ISSUES SUCH AS GUN POLICY AND FARM

Floor Debate
March 16, 2016

OWNERSHIP. AND I MIGHT ADD WHETHER OR NOT THE UNIVERSITY OF NEBRASKA OUGHT TO DO AWAY WITH TRANSPARENCY WHEN IT COMES TO SELECTING A PRESIDENT. AND WHEN I TALK AT LENGTH ON THAT, THE WORLD-HERALD IS HAPPY BECAUSE I'M ON THE SIDE THAT THEY HAPPEN TO BE ON. AND THEY THANK THE LORD FOR EXTENDED DEBATE. BUT I TELL THEM--DON'T CALL ME LORD IN FRONT OF OTHER PEOPLE BECAUSE IT MAKES IT SEEM LIKE I'M ARROGANT. LET ME CONTINUE. THE PROBLEM ISN'T ANY SINGLE FILIBUSTER NOR ANY PARTICULAR LAWMAKER. RATHER, IT'S THAT FILIBUSTERING IS BEING INCREASINGLY USED AS IF IT WERE PART OF THE NORMAL COURSE OF DOING BUSINESS. DIGRESSION. IT IS. IT HAS BECOME A PART OF THE NORMAL COURSE OF DOING BUSINESS. WHY EVEN OL' "SILENT HILKEMANN" IS TALKING AT GREAT LENGTH TODAY; AND I'M ENJOYING IT, TO BE HONEST. I USED TO WONDER IF SENATOR HILKEMANN WAS PAYING ATTENTION. IT JUST TOOK THE RIGHT THING TO BRING HIM OUT. AND HE'S BEEN HOLDING FORTH QUITE AT LENGTH TODAY AND I THINK HE HAS DONE A FAIRLY GOOD JOB. PRACTICE MAKES PERFECT, SONNY, SO KEEP WORKING AND YOU'LL GET BETTER. IN A SITUATION NOT UNLIKE THE U.S. SENATE, THESE FILIBUSTERS ARE FORCING BILL SPONSORS TO FIND MORE THAN A MAJORITY OF VOTES TO WIN PASSAGE OF BILLS. RATHER THAN THE 25 NEEDED TO PASS THE BILL ITSELF, IT IS TAKING 33 VOTES, THE NUMBER TO END FILIBUSTERS, TO DECIDE LEGISLATION'S FATE IN MANY CASES. SPEAKER GALEN HADLEY OF KEARNEY TOLD THAT TO THE WORLD-HERALD. THIS PROBLEM HAS BEEN BUILDING FOR THE PAST SEVERAL YEARS. A WORLD-HERALD NEWS ARTICLE IN 2013 REPORTED THAT THE USE OF THE FILIBUSTERS WAS AT A 7-YEAR HIGH. THE FOLLOWING YEAR, ANOTHER WORLD-HERALD ARTICLE DESCRIBED FILIBUSTER-RELATED STRAINS DURING THE YEARS OFTEN RANKER A SHORT SESSION. THE POINT ISN'T THAT FILIBUSTERS SHOULD NEVER BE USED, BUT THEY SHOULD BE USED JUDICIOUSLY AS IN THE CASE OF SENATOR CHAMBERS. I JUST THOUGHT I WOULD THROW THAT IN FOR THE SAKE OF FULL DISCLOSURE. STATE SENATOR HEATH MELLO OF OMAHA, NOW IN HIS EIGHTH AND FINAL YEAR AT THE LEGISLATURE, POINTS TO SEVERAL SPECIFIC WAYS... [LB900]

PRESIDENT FOLEY PRESIDING

PRESIDENT FOLEY: ONE MINUTE. [LB900]

SENATOR CHAMBERS: ...TO ADDRESS THE PROBLEM. COMMITTEES WHICH GET THE FIRST LOOK SHOULD TAKE GREATER CARE IN INITIALLY VETTING PROPOSED LEGISLATION. IF A TEST VOTE SHOWS THAT A BILL HAS ONLY MEAGER SUPPORT DURING A FILIBUSTER, SPONSORS SHOULD PULL THE

Floor Debate
March 16, 2016

LEGISLATION BACK RATHER THAN ALLOWING HOURS MORE POINTLESS TIME WASTING DEBATE. HA. AND MELLO SAYS--LAWMAKERS SHOULD LEARN THE EXAMPLE SET BY THE PREDECESSORS, CITING SENATORS MIKE FLOOD, LAVON HEIDEMANN, AND BRAD ASHFORD WHO NEGOTIATED COMPROMISES ON LEGISLATION WHEN IT BECAME CLEAR THAT THINGS WOULD OTHERWISE STALL. QUOTE, SENATORS HAVE A RESPONSIBILITY TO EACH OTHER BECAUSE OF THE LIMITED AMOUNT OF TIME IN A SESSION TO LOOK FOR COMPROMISE ON A LEGISLATIVE BILL IF IT'S GOING TO GET FILIBUSTERED, UNQUOTE, MELLO SAID. ALL THE FILIBUSTERING AT THE STATE CAPITOL THREATENS TO UNDERMINE LAWMAKERS' ABILITY TO ADDRESS THE PEOPLE'S IMPORTANT BUSINESS, BOGGING DOWN THE LEGISLATION AND THE TYPE OF BICKERING AND INEFFECTIVENESS ROUTINELY ON DISPLAY IN WASHINGTON WHERE THE REPUBLICANS ARE IN CHARGE. [LB900]

PRESIDENT FOLEY: TIME, SENATOR. [LB900]

SENATOR CHAMBERS: DID YOU SAY TIME? [LB900]

PRESIDENT FOLEY: THAT'S TIME, SENATOR. THANK YOU VERY MUCH. [LB900]

SENATOR CHAMBERS: THANK YOU. [LB900]

PRESIDENT FOLEY: MEMBERS, WHILE THE LEGISLATURE IS IN SESSION AND CAPABLE OF TRANSACTING BUSINESS, I PROPOSE AND DO HEREBY SIGN THE FOLLOWING LEGISLATIVE RESOLUTIONS: LR470, LR471, LR472, LR473, AND LR474. SENATOR BOLZ, YOU ARE RECOGNIZED. [LR470 LR471 LR472 LR473 LR474]

SENATOR BOLZ: THANK YOU, MR. PRESIDENT. AND THE DEBATE THIS AFTERNOON AFFORDS US AN OPPORTUNITY TO DISCUSS SOME OF THE GREAT WORK THAT IS BEING DONE IN NEBRASKA AROUND TRAUMATIC BRAIN INJURY AND TO TALK A LITTLE BIT ABOUT HOW SOMETIMES THE PROGRAMS AND SERVICES THAT WE PROVIDE THROUGH STATE FUNDING REALLY WORK. AND SO I WANT TO TALK A LITTLE BIT ABOUT MADONNA REHABILITATION CENTER, WHICH IS IN MY DISTRICT, DISTRICT 29, AS WELL AS QLI, WHICH IS THE MAIN PROVIDER OF SERVICES THROUGH OUR TRAUMATIC BRAIN INJURY WAIVER, WHICH IS, OF COURSE, THE WAIVER THAT WE'VE PUT FORWARD, INVESTED STATE DOLLARS IN AND PULL DOWN SIGNIFICANT FEDERAL MATCH TO SERVE THIS POPULATION. SO I WANT TO TELL YOU ABOUT JOHN DUNNING FROM WAYNE, NEBRASKA. JOHN WAS THE CHIEF INFORMATION OFFICER FOR WAYNE

Floor Debate
March 16, 2016

STATE COLLEGE AND DRIVING HOME ONE DAY HE WAS THE VICTIM OF A TORNADO. AND HE WAS DRIVING HOME AND HE DROVE INTO A DITCH AND HIS TRUCK'S WINDOWS IMPLoded AND HE WAS HIT BY FLYING DEBRIS. AND I'M PROUD TO REPORT THAT MADONNA REHABILITATION CENTER PATCHED JOHN UP, HELPED HIM THROUGH HOSPITALIZATION AND REHABILITATION. AND NOW JOHN IS BACK IN HIS ROLE AS CIO AT WAYNE STATE COLLEGE. HE'S A GOAL AWARD WINNER FROM MADONNA REHAB. AND IT'S NOT JUST HIS HARD WORK AND DEDICATION, IT'S ALSO THE EXPERTISE AND THE COMMITMENT TO PROVIDING BRAIN INJURY SERVICES FROM THE STATE THAT HELPED HIM TO RECOVER. ANOTHER STORY FROM QUALITY LIVING, CONVENIENTLY, ALSO A MAN NAMED JOHN, HE SAYS--LIFE CAN TAKE SOME UNEXPECTED TURNS, AND THE ONE I TOOK FIVE YEARS AGO IMPACTS MY LIFE EVERY DAY. I WAS LIVING AND WORKING IN FLORIDA WHEN I LOST CONTROL OF MY MOTORCYCLE ON AN EVENING RIDE. I WAS 30 AT THE TIME OF MY INJURY AND I HAVE A LOT OF LIFE STILL TO BE LIVED. BUT AS I LAID IN MY HOSPITAL BED WEEKS AFTER THE ACCIDENT, I REALIZED THAT I HAD NO IDEA WHAT LIFE WOULD LOOK LIKE. QUESTIONS AND DOUBTS BEGAN TO CREEP INTO MY MIND. AND THEN I LEARNED ABOUT QLI AND THE PROGRAM THAT THEY COULD OFFER ME. I SPENT SIX MONTHS AT QLI AND IT MADE A HUGE IMPACT ON MY LIFE. IN FACT, I'M NOT SURE HOW A REHABILITATION PROGRAM COULD GO MUCH BETTER. WHEN I ARRIVED AT QLI I WAS DEPENDENT ON OTHERS FOR ALMOST EVERY ASPECT OF MY DAY. BY THE TIME I LEFT, I WAS ENTIRELY INDEPENDENT. AND SO I THINK SOME OF THE COMMON GROUND THAT WE HAVE, SOME OF THE COMMON GROUND THAT WE HAVE DISCUSSED ON THE FLOOR TODAY, AND TO HIS CREDIT, THAT SENATOR BLOOMFIELD HAS REFERENCED, IS CONCERN FOR INDIVIDUALS WHO DO EXPERIENCE TRAUMATIC BRAIN INJURIES. AND I THINK IT IS AN OPPORTUNITY FOR US TO TALK ABOUT HOW WE COULD DO EVEN BETTER IN THE STATE. RIGHT NOW, OUR STATE HAS A VERY LIMITED WAIVER. AND I THINK THAT THE DISCUSSIONS THAT ARE HAPPENING THROUGH THE LONG TERM SUPPORTS AND SERVICES INITIATIVE, THROUGH DIRECTOR LYNCH, GIVES US AN OPPORTUNITY TO TALK ABOUT HOW WE COULD BETTER USE THOSE DOLLARS AND EXPAND OUR WAIVER TO PROVIDE LESS COSTLY COMMUNITY-BASED SERVICES. SOMETIMES RESPITE CARE, REHABILITATION SERVICES, AND TARGETED TECHNOLOGY AND OTHER KINDS OF SUPPORTS CAN ACTUALLY MOVE PEOPLE FROM THAT HIGHER, MORE INTENSE LEVEL OF CARE BACK INTO THEIR HOMES AND THEIR COMMUNITIES IN A REALLY SUCCESSFUL WAY. SO I APPRECIATE THE OPPORTUNITY TODAY TO DISCUSS SOME OF THE REALLY GOOD WORK THAT IS BEING DONE IN THE STATE. LEVERAGING OUR STATE PROGRAMS, OUR FEDERAL PROGRAMS, AND LEADING TO SUCCESS STORIES LIKE BOTH OF THE JOHNS THAT I DISCUSSED TODAY. I ALSO HEARD ON THE MIKE A REQUEST

Floor Debate
March 16, 2016

QUESTION ABOUT WHETHER OR NOT MY RED BICYCLE LIGHT IS A STATE OR LOCAL ORDINANCE. AND I'M REFERENCING NEBRASKA REVISED STATUTE 60-6,318 WHICH SAYS: EQUIPMENT ON BICYCLES--LIGHTS AND BRAKES. WHEN IN USE AT NIGHTTIME, BICYCLES SHALL BE EQUIPPED WITH A LIGHT VISIBLE FROM A DISTANCE OF AT LEAST... [LB900]

PRESIDENT FOLEY: ONE MINUTE. [LB900]

SENATOR BOLZ: ...500 FEET TO THE FRONT OF A CLEAR NIGHT AND WITH A RED REFLECTOR ON THE REAR OF A TYPE WHICH IS APPROVED BY THE DEPARTMENT OF MOTOR VEHICLES OR LOCAL AUTHORITY WHICH IS VISIBLE ON A CLEAR NIGHT FROM ALL DISTANCES BETWEEN 100 FEET AND 600 FEET TO THE REAR WHEN DIRECTLY IN FRONT OF LAWFUL LOWER BEAMS OF HEADLIGHTS ON A MOTOR VEHICLE. A RED LIGHT VISIBLE FROM A DISTANCE OF 500 FEET TO THE REAR MAY BE USED IN ADDITION TO SUCH RED REFLECTOR. SO THE SAFETY EQUIPMENT THAT I HAVE ON MY BICYCLE, AND I OVERDO IT, I'VE GOT A FRONT LIGHT, I'VE GOT A BACK LIGHT, I'VE GOT A REFLECTOR, AND I HAVE REFLECTIVE TIRES. SO NOT EVERYONE MAKES THAT CHOICE. BUT THE POINT IS THAT WHEN WE TAKE SAFETY PRECAUTIONS AND WHEN WE USE THE EQUIPMENT THAT IS AVAILABLE TO US, WE CAN PROTECT OURSELVES AND WE CAN PROTECT OTHERS AND WE CAN SHARE THE ROAD SAFELY. SO WITH THAT, THANK YOU, MR. PRESIDENT. [LB900]

PRESIDENT FOLEY: THANK YOU, SENATOR BOLZ. SENATOR KINTNER, YOU ARE RECOGNIZED. [LB900]

SENATOR KINTNER: WELL, THANK YOU, MR. PRESIDENT. AND IT'S INTERESTING LISTENING TO MY COLLEAGUES. THEY COME AT THIS FROM DIFFERENT ANGLES AND DIFFERENT BELIEF SYSTEMS, DIFFERENT IDEOLOGIES, BUT I TRULY BELIEVE THEY'RE ALL SINCERE, THEY ALL BELIEVE THAT THEY HAVE A POSITION THAT IS BEST FOR OUR STATE. I DON'T BEGRUDGE ANYONE WHO THINKS THAT THEIR POSITION...I'VE HEARD A LOT OF PEOPLE COME AT THIS FROM DIFFERENT ANGLES, I DON'T BEGRUDGE ANYONE ON THIS. BUT I DO BELIEVE THAT WE NEED, AS A BODY, TO FALL ON THE SIDE OF THE INDIVIDUAL. TO FALL ON LETTING THEM MAKE THEIR CHOICES ON THEIR LIFE, AS TO WHAT IS BEST FOR THEIR LIFE. WE'VE GOTTEN TO THE POINT, WE TELL THEM WHAT KIND OF LIGHT BULBS THEY HAVE TO USE, WHAT KIND OF TOILETS THEY HAVE TO USE, WHAT KIND OF GAS MILEAGE THEIR CAR HAS TO GET. YOU HAVE TO WEAR A HELMET, YOU HAVE TO WEAR A SEATBELT. AND IT JUST NEVER SEEMS

Floor Debate
March 16, 2016

TO STOP. SENATOR HILKEMANN, LET ME JUST SAY THIS AS A FRIEND OF YOURS, A COLLEAGUE OF YOURS, AND USUALLY MORE THAN NOT AN ALLY OF YOURS, YOU WILL NEVER GET AHEAD IN THE CONSERVATIVE MOVEMENT WHEN YOU ARE CARRYING WATER FOR THE WELFARE STATE. YOU WILL NEVER GET AHEAD AS A CONSERVATIVE, IF YOU ARE GOING TO BE A CONSERVATIVE, YOU'RE NEVER GOING TO GET AHEAD AND BE A LEADER IN THE CONSERVATIVE MOVEMENT IF YOU ARE LEADING THE CHARGE TO MAKE PEOPLE SUBMIT TO GOVERNMENT, TO TAKE AWAY THEIR CHOICE. AND I THINK THAT IS JUST A SIMPLE STATEMENT. YOU CAN DO AS YOU LIKE, YOU ARE AN INTELLIGENT MAN AND YOU CAN MAKE DECISIONS AS TO WHERE YOU GO. BUT YOU CERTAINLY HAVE A TOUGH TIME SELLING PEOPLE THAT YOU'RE A CONSERVATIVE REPUBLICAN WHEN YOU ARE LEADING A FILIBUSTER FOR MORE GOVERNMENT. LIKE I SAID, WE CAN ALL COME AT THIS FROM DIFFERENT ANGLES, I DON'T BEGRUDGE ANYONE. I TRULY DON'T. I THINK EVERY SINGLE PERSON WHO HAS SPOKEN IS ABSOLUTELY SINCERE AND IS GOING THE DIRECTION THAT THEY FEEL MOST COMFORTABLE. BUT THE DIRECTION I'M MOST COMFORTABLE IN IS LESS GOVERNMENT AND MAXIMUM FREEDOM. THANK YOU, MR. PRESIDENT. I WILL YIELD THE REMAINDER OF MY TIME TO SENATOR HILKEMANN SINCE I MENTIONED HIM. [LB900]

PRESIDENT FOLEY: THANK YOU, SENATOR KINTNER. SENATOR HILKEMANN, TWO MINUTES. [LB900]

SENATOR HILKEMANN: THANK YOU, SENATOR KINTNER, I APPRECIATE THAT. IN FACT, I WOULD LIKE TO...I DON'T THINK YOU WERE ON THE FLOOR WHEN I ASKED SENATOR...WOULD SENATOR KINTNER, WOULD YOU YIELD TO A QUESTION? [LB900]

PRESIDENT FOLEY: SENATOR KINTNER, WILL YOU YIELD, PLEASE? [LB900]

SENATOR KINTNER: CERTAINLY. [LB900]

SENATOR HILKEMANN: I DON'T THINK YOU WERE ON THE FLOOR WHEN I HAD AN EXCHANGE WITH SENATOR BLOOMFIELD, BECAUSE AS I MENTIONED TO HIM, HE HAS ALWAYS BEEN ONE OF THOSE WHO HAS ALWAYS BEEN FOR LESS GOVERNMENT. AND YOU AND I SERVE ON THE APPROPRIATIONS COMMITTEE AND YOU AND I HAVE AGREED, OFTENTIMES, WHEN IT COMES TO SOME OF THESE EXTRA GROUPS THAT WE WANT TO...WE'RE ALWAYS AGAINST IT. DO YOU

Floor Debate
March 16, 2016

REALIZE HOW MUCH GOVERNMENT THIS PARTICULAR TRUST FUND ESTABLISHES IN THIS STATE? [LB900]

SENATOR KINTNER: YOU KNOW WHAT? HE BELIEVED THAT WAS THE WAY TO GET RID OF THIS LAW; HE THOUGHT THAT WAS THE COMPROMISE HE HAD TO MAKE AND I WILL LEAVE THAT TO HIM. [LB900]

SENATOR HILKEMANN: SO, IF YOU ARE...BUT IF YOU ARE FOR THIS BILL, THAT MEANS THAT YOU ARE FOR MORE GOVERNMENT BECAUSE THIS ESTABLISHES...THIS ESTABLISHES A BOARD OF NINE PEOPLE; IT ALLOWS THEM TO SPEND UP TO 10 PERCENT OF THE TRUST FUND SIMPLY FOR ADMINISTRATION. THAT DOES NOT ACCOUNT, FROM WHAT I READ IT, THAT DOES NOT ACCOUNT. AND I KNOW THAT YOU AND I, IF WE WERE ON THE APPROPRIATIONS COMMITTEE, IF THIS BILL CAME IN LIKE THAT, YOU AND I WOULD BE ON THE SAME SIDE ON THAT AND WE WOULD NOT APPROVE THIS TYPE OF A TRUST FUND. [LB900]

SENATOR KINTNER: WELL, THE FIRST THING WE HAVE TO LOOK AT WHAT WE ARE DOING. WE ARE GETTING RID OF A GOVERNMENT MANDATE. PART TWO OF THE BILL IS IT SETS UP A FUND. SOMEONE IS GOING TO HAVE TO ADMINISTER THAT FUND. I MEAN, YOU CAN...IF YOU HAVE A BETTER WAY TO ADMINISTER THE FUND, AMEND THE BILL AND DO IT. I MEAN, I'M NOT TOO WORRIED ABOUT HOW THE FUND IS ADMINISTERED, I'M WORRIED ABOUT GETTING RID OF THIS GOVERNMENT MANDATE. [LB900]

SENATOR HILKEMANN: ARE YOU AWARE OF THE FISCAL NOTE ON THIS PARTICULAR BILL? [LB900]

SENATOR KINTNER: I DON'T KNOW, I HAVEN'T LOOKED AT IT IN A WHILE, BUT I SAW THAT THERE WAS ONE, YES. [LB900]

SENATOR HILKEMANN: YET THERE'S A SIGNIFICANT FISCAL NOTE WITH THIS BILL, IT RUNS INTO THE HUNDREDS OF THOUSANDS. AND, SO, THEREFORE, SENATOR... [LB900]

PRESIDENT FOLEY: TIME, SENATOR. [LB900]

SENATOR HILKEMANN: I WOULD SAY THE CONSERVATIVE ROUTE... [LB900]

Floor Debate
March 16, 2016

PRESIDENT FOLEY: TIME, SENATOR. THANK YOU, SENATOR HILKEMANN AND SENATOR KINTNER. MR. CLERK, ITEMS FOR THE RECORD. [LB900]

ASSISTANT CLERK: MR. PRESIDENT, THANK YOU. YOUR COMMITTEE ON NATURAL RESOURCES REPORTS LB824 TO GENERAL FILE WITH AMENDMENTS. NEW A BILL: (READ LB783A AND LB1038A BY TITLE FOR THE FIRST TIME.) I HAVE A REFERENCE REPORT ON GUBERNATORIAL APPOINTMENTS. AMENDMENTS TO BE PRINTED: SENATOR HOWARD TO LB235; SENATOR WATERMEIER TO LB867; SENATOR WATERMEIER, LB744; SENATOR HOWARD, LB894; SENATOR KRIST, LB894. THAT'S ALL I HAVE AT THIS TIME. THANK YOU. (LEGISLATIVE JOURNAL PAGES 1004-1012.) [LB900 LB824 LB783A LB1038A LB235 LB867 LB744 LB894]

PRESIDENT FOLEY: THANK YOU, MR. CLERK. SENATOR HILKEMANN, YOU'RE NEXT IN THE QUEUE. [LB900]

SENATOR HILKEMANN: THANK YOU... [LB900]

PRESIDENT FOLEY: SENATOR, THIS IS YOUR THIRD OPPORTUNITY, ALSO. [LB900]

SENATOR HILKEMANN: OKAY. THANK YOU, MR. SPEAKER. I JUST...I JUST WANTED TO SET...I THINK THAT THE CONSERVATIVE ROUTE ON THIS IS NOT TO ESTABLISH MORE GOVERNMENT, CERTAINLY WITH THAT TRUST FUND WOULD BE DOING. SENATOR CHAMBERS READ A WONDERFUL EDITORIAL FROM THE WORLD-HERALD AND I THINK THAT WE SHOULD LOOK AT WHAT OUR OWN LOCAL PEOPLE ARE SAYING ABOUT THAT AS WELL. AND ON FEBRUARY 21 OF THIS YEAR, THE WORLD-HERALD HAD AN EDITORIAL RELATIVE TO THE HELMET BILL AS WELL. AND IT SAYS: IT HAS BECOME A FAMILIAR PATTERN IN RECENT YEARS WHEN A NEW LEGISLATIVE SESSION OPENS AT THE STATE CAPITOL, A NEW EFFORT ARISES TO ABOLISH THE STATE'S HELMET LAW. THAT LAW ON THE BOOKS SINCE 1989 REQUIRES MOTORCYCLE RIDERS TO WEAR HELMETS. OPPONENTS HAVE FAILED FOR YEARS TO OVERTURN THE LAW. A KEY REASON FOR THEIR FAILURE IS THAT A MAJORITY OF NEBRASKA LAWMAKERS ARE AWARE OF ANOTHER PATTERN CITED BY THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION. WHENEVER A STATE HAS WEAKENED OR DONE AWAY WITH THE HELMET REQUIREMENT, IT IS SEEN AS AN INCREASE IN...IT HAS SEEN AN INCREASE IN ITS MOTORCYCLE FATALITIES AND INJURY RATES. WITNESSES FROM NEBRASKA MEDICAL INSTITUTIONS AND NONPROFITS EMPHASIZED THAT FACT DURING A RECENT HEARING ON LB900, THE LATEST PROPOSAL TO WATER DOWN THE HELMET LAW. LB900 WOULD REMOVE THE HELMET REQUIREMENT

Floor Debate
March 16, 2016

FOR RIDERS AGE 21 AND UNDER, THE AGE GROUP THAT IN 2014 ACCOUNTED FOR NEARLY 9 IN 10 NEBRASKA MOTORCYCLE INJURIES. UNDER LB900, HELMETS WOULD BE REQUIRED ONLY FOR RIDERS 20 YEARS OLD OR YOUNGER. ACCORDING TO THE NEBRASKA OFFICE OF HIGHWAY SAFETY, THAT AGE GROUP ACCOUNTS FOR ONLY 1 PERCENT OF THE STATE'S LICENSED MOTORCYCLE RIDERS. A STUDY BY THE NHTSA FOUND THAT WHEN STATES LIMIT THE HELMET REQUIREMENT TO ONLY THOSE UNDER AGE 21, HELMET USE FALLS FOR THAT AGE GROUP. IN TEXAS, USAGE FELL TO ONLY 29 PERCENT OF YOUNG RIDERS, GRAVELY INCREASING THEIR RISK OF INJURY. SUCH CONSIDERATIONS ILLUSTRATE WHY DRIVING ISN'T A RIGHT BUT A PRIVILEGE WITH RESTRICTIONS AND OBLIGATIONS BASED ON THE PUBLIC INTEREST. THE TRANSPORTATION AND TELECOMMUNICATIONS COMMITTEE VOTED 5-1 ON FRIDAY TO SEND LB900 TO THE FULL LEGISLATURE FOR DEBATE. DURING THE COMMITTEE HEARING ON THE BILL, DR. LORI TERRYBERRY-SPOHR, A CLINICAL NEUROPSYCHOLOGIST FROM MADONNA IN LINCOLN, CITED THE TROUBLING MEDICAL RESULTS IN FLORIDA, WHICH I REFERRED TO EARLIER, ONCE THAT STATE REMOVED ITS HELMET REQUIREMENTS FOR RIDERS 21 AND OLDER. HOSPITAL ADMISSIONS FOR HEAD INJURIES IN FLORIDA ROSE BY 82 PERCENT IN A THREE-YEAR PERIOD AND THE NUMBER OF INJURED MOTORCYCLISTS ADMITTED TO HOSPITALS WENT UP BY 40 PERCENT. COMPARE THAT, SHE SAID, TO WHAT HAPPENED IN NEBRASKA ONCE THE STATE READOPTED ITS HELMET LAW IN 1989 AFTER A 12-YEAR ABSENCE. SERIOUS HEAD INJURIES FELL BY 22 PERCENT IN A 1992 STUDY. IT IS TELLING THAT LB900 ITSELF ACKNOWLEDGES THE SEVERITY OF THIS PROBLEM. THE BILL PROPOSES THAT NEBRASKA INCREASE MOTORCYCLE FEES TO CREATE A TRAUMATIC BRAIN INJURY FUND TO HELP COVER MEDICAL COSTS; PRIVATE INSURANCE GENERALLY FALLS FAR SHORT OF THOSE EXPENSES. [LB900]

PRESIDENT FOLEY: ONE MINUTE. [LB900]

SENATOR HILKEMANN: THE FEE INCREASES WOULD GENERATE ABOUT A MILLION DOLLARS ANNUALLY. ANDY HALE WITH THE NEBRASKA HOSPITAL ASSOCIATION SAID THAT AMOUNT WOULDN'T COME CLOSE TO ADDRESSING THE TOTAL NEED IN NEBRASKA, WHICH IN 2013 EXCEEDED \$11 MILLION. ONLY 9 PERCENT OF THAT COST WAS COVERED BY MEDICARE OR MEDICAID. AS A RESULT, HOSPITALS WOUND UP BEARING MUCH OF THE COST AS UNCOMPENSATED CARE. A CONSIDERABLE SHARE OF THE EXPENSE, HE SAID, THEN BECOMES A HIDDEN COST OR A TAX SHIFTED TO INSURERS AND PRIVATE PAY PATIENTS. TERRYBERRY-SPOHR, WITH MADONNA HOSPITAL, SAID NEBRASKA'S ALREADY HEAVY HOSPITAL COSTS FOR MOTORCYCLE INJURIES

Floor Debate
March 16, 2016

WOULD CLIMB IF LB900 BECAME LAW BECAUSE THE RIDER INJURY RATE WOULD SURELY RISE. AND IT CONCLUDES: SUCH CONSIDERATIONS ARE WHY NEBRASKA HAS KEPT THE HELMET LAW ON THE BOOKS SINCE 1989, AND STATE SENATORS WOULD BE WISE TO KEEP IT UP. [LB900]

PRESIDENT FOLEY: TIME, SENATOR. [LB900]

SENATOR HILKEMANN: THANK YOU, MR. SPEAKER. [LB900]

PRESIDENT FOLEY: THANK YOU, SENATOR HILKEMANN. SENATOR CHAMBERS, YOU ARE RECOGNIZED. THIS IS YOUR THIRD OPPORTUNITY, SENATOR. [LB900]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT AND MEMBERS OF THE LEGISLATURE, THIS IS NOT EVEN MY BILL. BUT HERE I AM PARTICIPATING IN PARTICIPATORY REPRESENTATIVE DEMOCRACY. I CANNOT SAY THAT THERE IS ANYTHING THAT COULD BE FAINTLY RELATED TO SEX APPEAL ABOUT DISCUSSING MOTORCYCLE HELMETS, UNLESS YOU TALK ABOUT SOME OF THE PEOPLE WHO MIGHT BE ON THOSE MOTORCYCLES AND THEN IT'S A DIFFERENT SUBJECT MATTER. BUT WHEN SOMEBODY FEELS THAT AN ISSUE IS IMPORTANT ENOUGH TO GO TO THE MAT ON, I WILL EITHER LISTEN WHEN I'M DOWNSTAIRS DOING OTHER WORK AND COME UP IF THERE IS SOMETHING I CAN CONTRIBUTE, OR I WILL BE HERE. I'M PAID TO BE HERE. EVERYTHING I DO, I'M PAID TO DO; NOT PAID WELL. BUT SOMETIMES PEOPLE ASK ME--DON'T YOU GET TIRED OF HAVING TO FIGHT BAD BILLS? I SAY THAT'S WHAT I'M PAID TO DO. THAT'S A PART OF MY JOB AND I KNOW IT'S A PART OF MY JOB. AND THAT'S GOING TO LEAD ME TO ANOTHER DIGRESSION. NOBODY PUT A PISTOL TO MY HEAD AT ANY POINT DURING THE 41 YEARS I'VE BEEN IN THIS LEGISLATURE. NOBODY TOLD ME THAT I HAVE TO COME DOWN HERE EVERY DAY, AND NOBODY COULD MAKE ME COME DOWN HERE EVERY DAY. NOBODY MAKES ME COME HERE DURING THE SUMMERTIME, ON HOLIDAYS AND WEEKENDS. I DO IT VOLUNTARILY. AND IF I'M DOING THAT AS WHAT I PERCEIVE TO BE A PART OF MY JOB, THEN WHY SHOULD I BE GIVEN ANY PARTICULAR CREDIT OR CLAIM FOR JUST DOING WHAT MY JOB IS? ALTHOUGH I DIDN'T KNOW IN GREAT DETAIL WHAT WOULD BE INVOLVED IN BEING A MEMBER OF THE LEGISLATURE, I WAS HERE ENOUGH YEARS, AND I LEARNED PRETTY QUICKLY WHEN I'M DEALING WITH SOMETHING THAT DOESN'T HAVE A LOT OF MOVING PARTS AND IS RELATIVELY SIMPLE, LEARNED PRETTY QUICKLY WHAT IS INVOLVED IN BEING IN THE LEGISLATURE. I STILL CHOSE TO BE HERE. WHEN I WAS HERE WE MADE \$400 A MONTH BEFORE TAXES. AND SOMETIMES THEY SAY, WELL, THAT IS SUCH A PIDDLY LITTLE AMOUNT,

Floor Debate
March 16, 2016

YOU DON'T EVEN HAVE TO PAY TAXES BECAUSE IT MAKES MORE TROUBLE FOR US AT IRS THAN IT IS WORTH. AND IN FACT, IF SOMEBODY MAKING THAT LITTLE AMOUNT OF MONEY FILES A TAX RETURN, THEN WE'RE GOING TO BE VERY, VERY SUSPICIOUS BECAUSE NOBODY IS THAT HONEST. THEN LO AND BEHOLD, NOT ONLY DID THEY FIND OUT THAT I'M HONEST WHEN IT COMES TO MY TAXES, WHEN THE FBI WAS COMPILING A FILE ON ME AS A POSSIBLE SUBVERSIVE, THEY PUT ME ON THE AGITATOR FILE AND SOME OTHER...THE RABBLE-ROUSER FILE. AND PEOPLE ASKED ME HOW I FEEL ABOUT THAT; I SAID--IF THERE WAS NO RABBLE, THERE COULDN'T BE ANY ROUSING. AND IF YOU HAVE A WASHING MACHINE, THE THING THAT MAKES CLOTHES GET CLEAN IS THE AGITATOR. WITHOUT IT, YOU JUST HAVE SOAKING, THINGS SITTING THERE IN THEIR OWN DIRT. BUT AT ANY RATE, THE FINAL PAGE ON ONE OF THOSE REPORTS THAT THEY DID ON ME, SENATOR FRIESEN, I DON'T KNOW WHY THEY SAID IT--HE ALWAYS PAYS HIS BILLS. I'M SUPPOSED TO. A BILL OR A DEBT MEANS THAT I'VE RECEIVED SOMETHING OF VALUE THAT I SOUGHT. AND AFTER I GET WHAT IT IS THAT I SOUGHT, I SHOULD PAY FOR IT. THE THINGS THAT I GET CREDIT FOR MAKE ME WONDER WHAT KIND OF PLACE IS THIS AND WHAT KIND OF PEOPLE DO THOSE DEAL WITH WHO WANT TO GIVE ME CREDIT FOR DOING WHAT MY JOB IS, WHAT I'M PAID TO DO, WHAT I VOLUNTARILY DO. SO, WE EACH, AS I'VE SAID BEFORE, WILL CONDUCT OUR AFFAIRS THE WAY WE THINK WE SHOULD. [LB900]

PRESIDENT FOLEY: ONE MINUTE. [LB900]

SENATOR CHAMBERS: WHEN YOU LOOK AROUND THIS CHAMBER, YOU SEE THAT THE MAJORITY OF OUR COLLEAGUES CONDUCT THEIR BUSINESS SOMEWHERE OTHER THAN ON THE FLOOR OF THE LEGISLATURE. WE DON'T KNOW WHAT THEY ARE DOING. THEY COULD BE TALKING TO THE TSA ABOUT HOW TO IMPROVE WHAT THEY DO AT THE AIRPORT. THEY COULD BE TALKING TO THE CIA ABOUT HOW TO GET A BETTER FIX ON THE HEAD OF NORTH KOREA. THEY COULD EVEN BE TALKING TO MR. KERRY, GIVING HIM SOME TIPS ON WHAT TO DO WHEN THEY ENGAGE IN THE SYRIAN PEACE TALKS. WE DON'T KNOW THAT. ALTHOUGH WE HAVE STRONG DOUBTS ABOUT ANY OF OUR COLLEAGUES DOING ANY OF THAT, BECAUSE IF YOU'D ASK THEM WHAT'S GOING ON IN SOUTH KOREA, THEY MIGHT SAY--WHERE IS KOREA? REALLY? AND ONE OF THE DIFFICULTIES, ONE OF THE PERPLEXITIES THAT I FACE ON THIS JOB IS THAT WE REACH A POINT WHEN WE ARE IN MID-FLIGHT, WHEN THE CHAIRPERSON WILL SAY--ONE MINUTE. THEN YOU WILL TEND TO GO ON... [LB900]

PRESIDENT FOLEY: TIME. [LB900]

Floor Debate
March 16, 2016

SENATOR CHAMBERS: AND THEN...SEE. [LB900]

PRESIDENT FOLEY: SENATOR BLOOMFIELD, YOU ARE RECOGNIZED. THIS IS YOUR THIRD OPPORTUNITY, SENATOR. [LB900]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. SENATOR HILKEMANN ASSURES ME HE HAS READ THE BILL AND STUDIED THE BILL. HE SAID THERE IS NEARLY A MILLION DOLLAR FISCAL NOTE. COLLEAGUES, THERE'S \$8,000...LET ME GET THE BIFOCALS...\$9,025. THEN THERE'S \$88,460, BUT THAT'S OFFSET BY NEW REVENUE COMING IN. SO WE'RE LOOKING AT A FISCAL NOTE OF \$9,025 TO GET THE PAPERWORK DONE. SO, AGAIN, WHAT INFORMATION ARE WE GOING BY? WE ARE GETTING STATISTICS FROM FLORIDA. I WONDER IF THAT'S THE SAME STATISTICS FROM FLORIDA THAT WAS USED EIGHT OR NINE YEARS AGO? PLEASE, COLLEAGUES, LOOK AT THE INFORMATION THAT WE PROVIDE TO YOU; STUDY IT A LITTLE BIT. THE OLD SAYING IS THAT NUMBERS DON'T LIE...FIGURES DON'T LIE, BUT LIARS WILL FIGURE. I'M NOT ACCUSING ANYBODY OF THAT, BUT WHAT IT BOILS DOWN TO IS YOU CAN MAKE STATISTICS SAY PRETTY MUCH WHATEVER YOU WANT. AND WE...AS I'VE SAID BEFORE, AND I PASSED THEM OUT TO YOU, THE STATISTICS FROM MICHIGAN DON'T BACK UP ALL THE DOOM AND GLOOM THAT WE'RE HEARING ON THE FLOOR. THE STATISTICS FROM IOWA--ON A PER REGISTRATION BASIS, DON'T SHOW A HUGE DIFFERENCE IN FATALITIES. SOME YEARS WE ARE ACTUALLY HIGHER WITH THE HELMET THAN IS IOWA WITHOUT IT. LOOK CAREFULLY AT WHAT WE'RE DOING. REMEMBER THE YEARNING TO BE FREE AND LET'S PROCEED TO THAT POINT. IT LOOKS LIKE WE HAVE ABOUT AN HOUR AND 15 MINUTES LEFT TODAY AND AN HOUR-AND-A-HALF OR SO TOMORROW, AND THEN WE'LL GET DOWN TO THE NITTY-GRITTY ON THIS. BUT SENATOR HILKEMANN, AGAIN, PLEASE BE ACCURATE. THANK YOU. [LB900]

PRESIDENT FOLEY: THANK YOU, SENATOR BLOOMFIELD. SENATOR KRIST, YOU ARE RECOGNIZED. [LB900]

SENATOR KRIST: THANK YOU, MR. PRESIDENT. AND GOOD AFTERNOON, COLLEAGUES; AND GOOD AFTERNOON, NEBRASKA. FIRST TIME I HAVE SPOKEN ON THIS BILL IN SEVEN YEARS, BUT EVERY YEAR I'VE SPOKEN ON THIS BILL. I CARRIED IT AT ONE POINT. I AM FOR PERSONAL FREEDOM. SENATOR HILKEMANN, SENATOR LATHROP WOULD BE PROUD OF YOU CARRYING ON THE FILIBUSTER BECAUSE THERE ARE DIFFERENT POINTS OF VIEW AND I'D LIKE TO GIVE YOU MINE. I BELIEVE, IN THE WORDS OF JOHN WAYNE, LIFE IS TOUGH. IT'S

Floor Debate
March 16, 2016

TOUGHER IF YOU ARE STUPID. I'VE SAID THAT EVERY YEAR THAT I'VE GOTTEN UP TO SPEAK ABOUT THIS BILL. I REALLY THINK THERE ARE TIMES AND PLACES THAT MOST MOTORCYCLE RIDERS WOULD SAY--IT IS IN THE BEST INTEREST OF MY WELL-BEING TO HAVE A BRAIN BUCKET TO RELY ON, BUT NOT ALL THE TIME. AND THE WAY THIS BILL IS WRITTEN AND THE AGE OF REASON BEING WHAT IT IS, WE'RE NOT ASKING SOMEONE WHO IS NOT ABLE TO MAKE A DECISION FOR THEMSELVES, THEY ALL ARE CAPABLE OF MAKING A DECISION. I'D LIKE TO RETURN TO A POINT WHERE WE DON'T...IN THE CASE OF AN ADULT BIKE RIDER, WE DO NOT FORCE THEM TO WEAR A HELMET, BUT WE ALLOW THEM THE OPPORTUNITY TO MAKE A DECISION TO WEAR THAT HELMET. AND IT EXERCISES PERSONAL FREEDOMS AND PERSONAL RIGHTS. I THINK THAT'S WHAT THIS DISCUSSION IS ABOUT. PHILOSOPHICALLY, AS I'VE SAID MANY TIMES ON MANY DIFFERENT ISSUES, YOU ARE EITHER ON ONE SIDE OR THE OTHER ON THIS EQUATION PHILOSOPHICALLY. MOST OF YOU CANNOT BE CONVINCED TO MOVE PAST THAT CENTER LINE. BUT IF YOU CAN, AND HERE'S WHAT I WOULD STRESS TO YOU--THERE ARE A NUMBER OF REASONS WHY THIS IS THE RIGHT THING TO DO: ECONOMIC GENERATORS, RECREATIONAL OPPORTUNITIES, THE FREEDOM TO DO WHAT THE CONSTITUTION ALLOWS YOU TO DO; ENCUMBRANCE OF A GOVERNMENT TELLING YOU TO DO SOMETHING IS PROBABLY THE ANTITHESIS OF THAT ARGUMENT. I BELIEVE SENATOR BLOOMFIELD HAS TRIED AT LEAST THREE TIMES TO ACCOMMODATE ALL THE CONCERNS AND GET IT OUT OF COMMITTEE AND HE SUCCEEDED. AND I THINK SENATOR BLOOMFIELD DESERVES AN UP OR DOWN VOTE, AS MANY OF YOU DESERVE AN UP OR DOWN VOTE. THE FACT THAT WE CAN FILIBUSTER, BECAUSE WE DON'T BELIEVE IN THE INTRODUCER'S INTENT OR IN THE BILL ITSELF, DOESN'T MEAN WE HAVE TO FILIBUSTER. SENATOR BAKER ASKED SOME INTERESTING QUESTIONS EARLIER: IF THIS TEST VOTE GOES THIS WAY, IF IT GOES THAT WAY, AND YOU HAVE TO ASK YOURSELF THAT QUESTION. AT WHAT POINT DO I PULL THE PLUG ON SOMETHING I FEEL VERY PASSIONATE ABOUT? AND DO I TAKE IT TO THE MATTRESS, AS HAS BEEN SAID SEVERAL TIMES? SENATOR BLOOMFIELD, I HOPE YOU TAKE IT TO THE MATTRESS ONE MORE TIME. I HOPE YOU GO TO A CLOTURE VOTE. AND MY WISH IS THAT YOU WILL GET YOUR CLOTURE VOTE AND A TRUE UP OR DOWN. I THINK YOU KNOW THAT THAT'S NOT THE END OF IT. THERE'S ANOTHER TWO ROUNDS PLUS A POTENTIAL GUBERNATORIAL VETO. BUT YOU HAVE TO STAND FOR SOMETHING; AND IF YOU HAVE TO STAND FOR PERSONAL FREEDOMS, THAT'S A GOOD THING TO STAND FOR. AND I'LL BE THERE FOR YOU FOR CLOTURE AND FOR THE FINAL VOTE. I'VE HAD AN OPPORTUNITY TO SPEND SOME TIME... [LB900]

PRESIDENT FOLEY: ONE MINUTE. [LB900]

Floor Debate
March 16, 2016

SENATOR KRIST: ...AND THOSE FOLKS IN THE MOTORCYCLE COMMUNITY HAVE BEEN VERY GOOD TO ME AND VERY HELPFUL TO ME IN GETTING REELECTED. AND THAT ONE ELECTION THAT I HAD THE WIN, AND I ONLY WON IT BY 55 VOTES, THEY WERE THERE KNOCKING ON DOORS. BUT THAT'S NOT WHY I'M DOING WHAT I'M DOING; AND THAT'S NOT WHY SENATOR BLOOMFIELD IS DOING WHAT HE'S DOING. HE'S DOING IT TO TRY TO RESTORE PERSONAL FREEDOMS, WHICH I BELIEVE ARE AN INTEGRAL PART OF THIS DISCUSSION. WHAT I DON'T THINK IS A GOOD PART OF THIS DISCUSSION IS--YOU'RE NOT REPUBLICAN ENOUGH; YOU'RE NOT CONSERVATIVE ENOUGH. LEAVE THAT ONE IN YOUR BAG OF TRICKS FOR SOMETHING, I DON'T KNOW, MAYBE THE MEDICAID DISCUSSION. THAT IS ALWAYS APPROPRIATE. SENATOR HILKEMANN, I APPLAUD WHAT YOU'RE DOING, BECAUSE IT'S SOMETHING THAT YOU BELIEVE IN. CONTINUE, AND HOPEFULLY AT THE END OF THIS DISCUSSION THERE WON'T BE WINNERS AND LOSERS, THERE WILL BE STATESMEN WHO HAVE CARRIED ON DISCUSSIONS ON THIS FLOOR AND A VOTE THAT IS TAKEN. THANK YOU, MR. PRESIDENT. [LB900]

PRESIDENT FOLEY: THANK YOU, SENATOR KRIST. SENATOR HANSEN, YOU ARE RECOGNIZED. [LB900]

SENATOR HANSEN: THANK YOU, MR. PRESIDENT, AND THANK YOU, COLLEAGUES. THIS IS MY FIRST TIME RISING ON LB900 AND I SPOKE ON THE SIMILAR BILL ONLY JUST A FEW TIMES LAST YEAR. I WILL SAY THIS IS A DIFFICULT ISSUE FOR ME. I HAVE BEEN PRETTY CONSTANT IN MY STANCE. I VOTED FOR THE BRACKET MOTION EARLIER, AND WHEN WE GET TO A VOTE ON LB900, I DON'T BELIEVE I WILL BE VOTING FOR IT. BUT I JUST WANTED TO RISE AND ADDRESS SOME POINTS OF THE DISCUSSION. THERE HAS BEEN A LOT OF THINGS SAID AND A LOT OF COUNTER ARGUMENTS. WE CAN TALK ABOUT LOST REVENUE FROM PEOPLE NOT GOING TO STURGIS BECAUSE THEY TAKE...TAKE ROUTES AROUND NEBRASKA, AND WE CAN TALK ABOUT ALL SORTS OF THINGS. BUT ONE OF THE ELEMENTS I JUST WANTED TO RISE AND KIND OF REMIND FOLKS ON WAS WHEN WE WERE TALKING ABOUT HEALTHCARE AND HEALTH INSURANCE, THERE'S KIND OF THIS TIE OF, YOU KNOW, OBVIOUSLY THE LOGICAL TIE BETWEEN MOTORCYCLE HELMETS AND EITHER WHETHER THEY DO OR DON'T, THAT'S BEEN DEBATED, BUT HOW THEY IMPACT INJURIES AND, THEREFORE, HEALTHCARE SYSTEM, AND A RELATED PART OF THAT IS OUR HEALTH INSURANCE. AND AT ONE POINT IN TIME TODAY, I'LL BE HONEST, I HAVEN'T HAD A CHANCE TO ADDRESS THIS NOW, THERE'S BEEN A COUPLE PEOPLE YOU HAVE INDICATED THAT ALL NEBRASKANS SHOULD HAVE HEALTH INSURANCE OR HAVE ACCESS TO CARE AND HAVE SAID SOME THINGS KIND OF THAT NATURE. AND I'LL JUST REMIND EVERYBODY THAT EARLIER THIS SESSION

Floor Debate
March 16, 2016

WE HAD A BILL WHERE WE WERE DEBATING CHARGING INMATES COPAYS, AND I ROSE AND SPOKE AT THAT TIME, AND ONE OF THE JUSTIFICATIONS FOR ALLOWING COUNTIES TO CHARGE INMATES COPAYS FOR THE MEDICAL CARE WAS THAT PEOPLE WERE COMMITTING CRIMES TO GET IN JAIL TO GET MEDICAL CARE. AND I JUST WANT TO REMIND EVERYBODY OF THAT IS IF THE ACCESS TO HEALTHCARE IN NEBRASKA IS SO DIRE, AND I'M NOT CHALLENGING THAT STATEMENT, BUT IF ACCESS TO HEALTHCARE IN NEBRASKA IS SO DIRE THAT PEOPLE WITH DEBILITATING ILLNESSES OR CHRONIC ILLNESSES ARE WILLING TO GO TO JAIL TO GET RELIABLE ACCESS TO A DOCTOR, WELL THAT IS...WE SHOULD KEEP THAT IN MIND FOR THIS DEBATE AS WELL. SO HOWEVER YOU FEEL ABOUT THIS, HOWEVER YOU FEEL ON THE PERSONAL FREEDOMS, ON THE REVENUE ENHANCEMENTS, ON THE TOURISM, ON ALL THE DIFFERENT ARGUMENTS, I THINK THAT'S FAIR. BUT LET'S NOT PRETEND LIKE THERE AREN'T NEBRASKANS WHO ARE STRUGGLING TO HAVE ACCESS TO HEALTHCARE, TO HAVE ACCESS TO HEALTHCARE RELIABLY. AND LET'S NOT ACKNOWLEDGE...LET'S ALSO ACKNOWLEDGE THAT THERE ARE PLENTY OF PEOPLE WHO, WHILE SURE THEY CAN GET GUARANTEED SERVICE IN THE EMERGENCY ROOM, THAT'S, ULTIMATELY, GOING TO COME BACK TO US, THE REST OF NEBRASKANS EITHER THROUGH HIGHER PREMIUMS OR THROUGH STATE PROGRAMS. THANK YOU, MR. PRESIDENT. [LB900]

PRESIDENT FOLEY: THANK YOU, SENATOR HANSEN. SENATOR SCHNOOR, YOU ARE RECOGNIZED. [LB900]

SENATOR SCHNOOR: THANK YOU, SIR. SENATOR BLOOMFIELD, WILL YOU YIELD TO A QUESTION, PLEASE? [LB900]

PRESIDENT FOLEY: SENATOR BLOOMFIELD, WOULD YOU YIELD, PLEASE? [LB900]

SENATOR BLOOMFIELD: YES, I WOULD. [LB900]

SENATOR SCHNOOR: SOMETIME EARLIER TODAY YOU HANDED OUT SOME DATA, MOTORCYCLE HELMETS STATISTICS, AND WHERE IS THIS INFORMATION FROM? [LB900]

SENATOR BLOOMFIELD: DEPENDING ON WHICH ONE YOU'RE LOOKING AT, HOLD IT UP IF YOU WOULD, PLEASE, SENATOR. [LB900]

Floor Debate
March 16, 2016

SENATOR SCHNOOR: CAN YOU READ THIS? [LB900]

SENATOR BLOOMFIELD: NO, BUT I CAN RECOGNIZE IT. [LB900]

SENATOR SCHNOOR: TRANSPOR...YEAH, YOU...BUT I CAN'T READ IT RIGHT HERE.
[LB900]

SENATOR BLOOMFIELD: THE SAME ONE...MOTORCYCLE HELMETS
STATISTICS...RIGHT IN THE MIDDLE OF IT. [LB900]

SENATOR SCHNOOR: TRAFFIC CRASH REPORTING SYSTEM, MOTORCYCLE
HELMET STATISTICS. [LB900]

SENATOR BLOOMFIELD: I BELIEVE THAT IS MICHIGAN INFORMATION. [LB900]

SENATOR SCHNOOR: OKAY. WELL, I GUESS, WHERE IT IS FROM COULD BE
IRRELEVANT, BUT I GUESS...I WAS TOLD BY YOUR LEGISLATIVE AIDE THAT IF
YOU GO BACK TO 2008, THAT THAT WAS THE LAST YEAR THAT THE MOTORCYCLE
HELMET LAW WAS IN PLACE IN THE STATE. [LB900]

SENATOR BLOOMFIELD: NO, ACTUALLY, SENATOR, THEY REPEALED, I BELIEVE,
IN 2012. [LB900]

SENATOR SCHNOOR: OKAY. ALL RIGHT. WELL, MY QUESTIONS ARE STILL THE
SAME. IF YOU LOOK AT THESE NUMBERS, AND LET'S GO ALL THE WAY BACK TO
THE FIRST PAGE, 2006, THE TOTAL MOTORCYCLE CRASHES WERE 3,303;
FATALITIES WERE 110. THE NEXT YEAR, OVER 400 MORE MOTORCYCLE CRASHES,
FATALITIES WERE 120. MY POINT BEING, THESE ARE ALL OVER THE BOARD
WHETHER THERE WERE MOTORCYCLE HELMETS WORN OR NOT. YOU KNOW,
SOMETIMES THE CRASHES WERE LESS; SOMETIMES THERE WERE MORE. SO, THIS
STATISTICS YOU'RE SHOWING, THE FACT THAT WHETHER YOU'RE WEARING A
HELMET OR NOT, IT HAS NOT REALLY CHANGED ANYTHING IN THE STATE.
[LB900]

SENATOR BLOOMFIELD: THE CHANGE IS INSIGNIFICANT, AND THAT'S WHAT
WE'RE TRYING TO POINT OUT. STATISTICS GO UP AND DOWN DEPENDING HOW
WARM IT IS IN MARCH OR APRIL; HOW LONG THE RIDING SEASON IS; HOW MANY
RIDERS THERE MAY BE. [LB900]

Floor Debate
March 16, 2016

SENATOR SCHNOOR: WELL, THAT'S WHAT I WANTED TO REITERATE. SENATOR HILKEMANN WAS TALKING ABOUT STATISTICS SHOW THAT WHEN WE...MOTORCYCLE HELMET LAWS IS REPEALED THAT THE CRASHES...OUR DEATH RATE AND INJURY RISES. AND THIS STATISTIC SAYS THAT IS FALSE. IT REMAINS RELATIVELY...I MEAN, IT STILL CHANGES UP AND DOWN FROM YEAR-TO-YEAR, BUT THERE IS NO SIGNIFICANT DIFFERENCE. WOULD YOU AGREE WITH THAT? [LB900]

SENATOR BLOOMFIELD: ABSOLUTELY. AND THAT'S...I MENTIONED EARLIER THE STATISTICS OUT OF IOWA WHERE THEY HAVE ZERO HELMET REQUIREMENTS AND THE FATALITY STATISTICS...WE ARE FREQUENTLY HIGHER WITH THE HELMET THAN IOWA IS. AGAIN, IT EBBS AND FLOWS WITH THE RIDING SEASON AND WHAT'S GOING ON. [LB900]

SENATOR SCHNOOR: OKAY. THAT'S ALL MY QUESTIONS, SENATOR. [LB900]

SENATOR BLOOMFIELD: THANK YOU. [LB900]

SENATOR SCHNOOR: MY POINT BEING, YOU KNOW, WE'RE GOING TO STAND HERE...YOU KNOW, OBVIOUSLY, WE'RE KILLING TIME. I THINK PEOPLE HAVE THEIR MINDS MADE UP HOW THEY'RE GOING TO VOTE FOR IT. I WILL ALWAYS BE IN FAVOR OF REPEALING THIS. AS SENATOR KRIST SAID, IT'S ABOUT PERSONAL FREEDOM. AND I'M VERY MUCH IN FAVOR OF GIVING PEOPLE THAT RIGHT. WE CAN'T REGULATE EVERYTHING. YOU KNOW, WE COULD SAY...YOU KNOW, WE CAN SAY FLYING AN AIRPLANE IS DANGEROUS, BECAUSE IT IS. BUT YET WE DON'T MANDATE THAT ALL PRIVATE PILOTS WEAR HELMETS. YOU KNOW, ANY PILOT, SENATOR KRIST ISN'T HERE TO ASK, BUT PILOTS IN THE MILITARY, THEY WEAR HELMETS FLYING HELICOPTERS. THEY DON'T WEAR HELMETS FLYING A FIXED WING AIRPLANE. BUT YET PLANES STILL CRASH, AND PEOPLE STILL DIE. SO BY MANDATING THIS, YOU KNOW, ARE WE SAVING LIVES? ARE WE SAVING MONEY? AND IT'S A MATTER...I THINK IT'S A MATTER OF PERSPECTIVE AND WE'LL ARGUE IT, OBVIOUSLY, FOR ANOTHER THREE OR FOUR HOURS, AND THEN WE'RE GOING TO VOTE. BUT LET'S THINK ABOUT, YOU KNOW, THE FREEDOMS THAT WE WANT PEOPLE TO HAVE. LET'S GIVE THAT TO THEM INSTEAD OF TAKING IT AWAY. [LB900]

SENATOR SCHEER PRESIDING

SENATOR SCHEER: TIME, SENATOR. [LB900]

Floor Debate
March 16, 2016

SENATOR SCHNOOR: THANK YOU. [LB900]

SENATOR SCHEER: THANK YOU, SENATOR BLOOMFIELD AND SENATOR SCHNOOR. SENATOR KOLOWSKI, YOU'RE RECOGNIZED. [LB900]

SENATOR KOLOWSKI: THANK YOU, MR. PRESIDENT. I STAND IN OPPOSITION TO LB900 PURELY ON A SAFETY ISSUE. THE WHOLE ISSUE OF HAVING SOMETHING SAFEGUARDING THE HEAD, THE BRAIN, ALL THE REST WHEN YOU HAVE A SEVERE ACCIDENT THAT CAN HAPPEN ON THE ROADWAYS, IS EXTREMELY IMPORTANT TO ME TO NOT HAVE THE PHYSICAL IMPAIRMENT AND SOMETIMES LIFE-ALTERING EXPERIENCE OF BRAIN DAMAGE. ONE OF THE ISSUES THAT HAS BEEN TALKED ABOUT WAS THE STURGIS EXPERIENCE THAT GOES ON EVERY SUMMER WITH THE RALLY THAT GOES ON THERE. ONE OF THE THINGS THAT WE DON'T MISS OUT ON SO MUCH IS THAT NOT EVERYONE EXITS OR GOES AROUND NEBRASKA IN ORDER TO GET TO STURGIS. IF YOU'VE SEEN PICTURES OF STURGIS, AND I HAVE NOT BEEN THERE PERSONALLY MYSELF FOR THAT RALLY BUT FRIENDS HAVE BEEN THERE AND I'VE SEEN PICTURES FROM THE EXPERIENCES THERE, AND MANY, MANY PEOPLE PULL A CARRIER WITH THEIR BIKES IN THE BACK AND GO THROUGH OUR STATE, ACROSS OUR STATE TO GET TO STURGIS. IT'S A VERY COMMON PRACTICE, AND THEY SAVE THE WEAR AND TEAR ON THEIR MOTORCYCLES. AND WHEN THEY GET THERE, THEN THEY DO THEIR RIDING IN THE AREA WITH THE EVENTS AND ALL THAT GOES ON THERE. SO THERE ARE TWO WAYS OF LOOKING AT...OR MULTIPLE WAYS OF LOOKING AT THE STURGIS EXPERIENCE AND THE ECONOMIC IMPACT UPON OUR STATE WHEN PEOPLE ARE CROSSING OUR STATE. IN MY 41-YEAR CAREER IN PUBLIC EDUCATION, THERE WERE TIMES WHEN WE DID LOSE STUDENTS. IT'S A VERY SAD SITUATION IN THE HIGH SCHOOL, ESPECIALLY AS YOU'RE APPROACHING THE SPRING OF A YEAR WITH GRADUATION AND ALL THE OTHER ACTIVITIES, WHEN THERE IS A STUDENT DEATH FOR WHATEVER REASON. I NEVER HAD A STUDENT MOTORCYCLE ACCIDENT IN THOSE 41 YEARS THAT COST THE LIFE OF A STUDENT. STUDENTS WERE INJURED, BUT THEY NEVER LOST THE LIFE COMPARED TO A TRUCK OR A CAR ACCIDENT WHERE KIDS HAVE BEEN KILLED. AND THAT'S A VERY, VERY DIFFICULT THING FOR FAMILIES AND THE CLIMATE OF YOUR BUILDING AND ALL THE THINGS THAT GO ON AS FAR AS THE LOSS OF A FELLOW STUDENT AND LOVED ONES FROM FAMILIES. MY BROTHER WAS A STATE TROOPER, AND NOT ONLY A STATE TROOPER, NOT ONLY STATE POLICE FOR 20 YEARS, HE WAS ALSO A TRAINING INSTRUCTOR AT THE ACADEMY IN ILLINOIS. AND WHEN YOU GO THROUGH THE TRAINING ACADEMY, A VERY RIGOROUS EXPERIENCE FOR 14, 15 WEEKS, YOU ARE THEN PLACED IN THE CHICAGOLAND AREA FOR AT LEAST ONE YEAR, SOMETIMES TWO YEARS. IN

Floor Debate
March 16, 2016

THAT TIME PERIOD, YOU GET TO SEE JUST ABOUT EVERYTHING YOU CAN IMAGINE IN THE VERY DENSE POPULATION OF THE CHICAGOLAND COUNTIES, AND EXPERIENCES THAT THEY GAIN IN THAT TIME PERIOD PREPARES THEM WELL. IT'S A VERY HARDCORE INDUCTION, AND YOU COME OUT VERY SEASONED BY THE TIME YOU HAVE COMPLETED THAT WITH THE NUMBER OF ACCIDENTS, INCIDENTS THAT YOU SEE ON THE ROADWAYS, AS WELL AS WITHIN THE CITIES AND THE BOUNDARIES OF THE AREA. THEN YOU'RE PLACED STATEWIDE, WHEREVER YOU MIGHT HAVE A REQUEST IN FOR OR THERE'S OPENINGS AND RETIREMENTS TAKING PLACE IN THE STATE. THOSE ARE HOW THEY GO ABOUT DOING THAT, AS FAR AS PLACEMENT. THE PERSONAL EXPERIENCES, SEEING TERRIBLE ACCIDENTS ON THE MAJOR FREEWAYS, ESPECIALLY IN THE CHICAGO LAND AREA, WHEN YOU HAVE THOSE WITH MOTORCYCLES,... [LB900]

SENATOR SCHEER: ONE MINUTE. [LB900]

SENATOR KOLOWSKI: ...THEY ARE VERY TRAGIC AND THERE'S NOT A LOT OF SURVIVING THAT TAKES PLACE WITH OR WITHOUT A HELMET. THAT'S FROM EITHER AN ACCIDENT WITH A VOLKSWAGEN ALL THE WAY UP TO AN 18-WHEELER, AS FAR AS THE CHANCE OF SURVIVING THOSE ARE VERY MINIMAL WITH THE DENSITY OF TRAFFIC AND THE ACCIDENT RATES THAT HAPPEN IN THAT AREA. BUT YOU DO INCREASE YOUR PROPENSITY OF SURVIVAL BY HAVING A HELMET AND USING OTHER WEARABLE DEVICES THAT MIGHT PROTECT ELBOWS AND KNEES AND EVERYTHING ELSE, DEPENDING ON HOW PEOPLE OUTFIT THEMSELVES. SO I THINK IT'S A NO-WIN PROPOSITION... [LB900]

SENATOR SCHEER: TIME, SENATOR. [LB900]

SENATOR KOLOWSKI: ...WHEN YOU'RE ON A MOTORCYCLE AND...THANK YOU, MR. PRESIDENT. I APPRECIATE THE TIME. [LB900]

SENATOR SCHEER: THANK YOU, SENATOR KOLOWSKI. SENATOR FRIESEN, YOU'RE RECOGNIZED. [LB900]

SENATOR FRIESEN: THANK YOU, MR. PRESIDENT. WELL, I THINK THE ONLY THING I COULD SAY PROBABLY THAT WOULD MAKE THIS BILL BETTER IS IF WE'D TAKE THE BRAIN INJURY TRUST FUND OUT OF THERE AND LOWER THE FEES FOR GETTING A MOTORCYCLE REGISTRATION. SO WITH THAT, I WILL YIELD MY TIME TO SENATOR BLOOMFIELD. [LB900]

Floor Debate
March 16, 2016

SENATOR SCHEER: SENATOR BLOOMFIELD, YOU'RE YIELDED 4:35. [LB900]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. THANK YOU, SENATOR FRIESEN. I HAD A SERIES OF THINGS HERE. YOU KIND OF CAUGHT ME OFF GUARD THERE. I WASN'T QUITE PREPARED. BUT I WONDER IF SENATOR HILKEMANN WOULD YIELD TO A QUESTION. [LB900]

SENATOR SCHEER: SENATOR HILKEMANN, WILL YOU YIELD FOR A QUESTION? [LB900]

SENATOR HILKEMANN: YES, I WILL. [LB900]

SENATOR BLOOMFIELD: THANK YOU, SENATOR. YOU HAVE BEEN BRINGING UP THE SIZE OF THIS NEW COMMITTEE THAT I PROPOSED TO CREATE AND THAT I AM ACTUALLY CREATING MORE GOVERNMENT. ARE YOU OF THE BELIEF THAT WE DON'T NEED A BRAIN INJURY TRUST FUND? [LB900]

SENATOR HILKEMANN: OH, I THINK WE NEED TO KEEP THE BRAIN INJURY TRUST FUND, YES. [LB900]

SENATOR BLOOMFIELD: OKAY. HOW DO YOU PROPOSE TO MANAGE THAT IF WE DON'T HAVE A COMMITTEE OF SOME SORT TO DO SO? [LB900]

SENATOR HILKEMANN: WELL, SENATOR, I JUST WANTED TO POINT OUT THAT THIS IS...WE'RE TALKING ABOUT LESS...THROUGHOUT MY TIME WITH YOU, YOU'VE ALWAYS TALKED ABOUT LESS GOVERNMENT. THIS IS NOT LESS GOVERNMENT; THIS IS MORE GOVERNMENT. BUT WHILE I HAVE THE MIKE FOR JUST A MOMENT I WANT TO APOLOGIZE TO YOU BECAUSE YOU ARE EXACTLY RIGHT. I USED THAT TERM "MILLION DOLLARS" INSTEAD OF...WHEN I LOOKED AT THAT FISCAL NOTE IT SAID \$100,000 AS FAR AS WHAT WE'RE GOING TO PAY THIS INDIVIDUAL TO RUN. AND WHEN YOU'RE ON THE APPROPRIATIONS, WE NEVER SEE ANYTHING FOR ANYTHING LESS THAN ABOUT A MILLION DOLLARS, SO, YEAH. [LB900]

SENATOR BLOOMFIELD: OKAY. AS I SAID BEFORE, WE ALL LOOK AT NUMBERS AND OUR EYES GLAZE OVER AND WE READ SOMETHING THAT WASN'T THE WAY IT APPEARED, AND THAT'S NOT AN ISSUE. I JUST...I WANTED TO MAKE CLEAR THAT THE FISCAL NOTE WAS NOWHERE NEAR A MILLION DOLLARS ON THIS. IT'S

Floor Debate
March 16, 2016

ACTUALLY \$8,000 EXPENDITURE TO HANDLE THE PAPERWORK. SO I GUESS, SINCE WE'VE GOT THAT AIR CLEARED, THANK YOU, SENATOR. [LB900]

SENATOR SCHEER: THANK YOU, SENATOR BLOOMFIELD AND SENATOR HILKEMANN. SENATOR KUEHN, YOU'RE RECOGNIZED. [LB900]

SENATOR KUEHN: THANK YOU, MR. PRESIDENT, AND THANK YOU, COLLEAGUES. AS WE MOVE ON THROUGH THE AFTERNOON AND TAKE A LOOK AT AM2343 AND THE UNDERLYING BILL, LB900, I DID WANT TO STATE THAT LAST YEAR I HAD OPPOSED THE HELMET REPEAL. I WAS NOT SUPPORTIVE OF THE LEGISLATION. AND ONE OF THE THINGS I TALKED TO SENATOR BLOOMFIELD ABOUT WAS MY CONCERNS RELATIVE TO YOUTH AND RELATIVE TO THE TASK FORCE. AND I WANT TO GIVE HIM CREDIT FOR BEING WILLING TO INCLUDE ADDITIONAL SAFEGUARDS AND PROTECTION AS HE CAME ALONG, AND THAT IS WHY I WILL BE SUPPORTING LB900 AND SUPPORTING SENATOR BLOOMFIELD IN HIS EFFORT TO REALLY NOT ONLY JUST BRING ALONG THE LIBERTY ISSUE, BUT ALSO ADDRESS SOME OF THE CONCERNS THAT I CERTAINLY AS A SENATOR HAD ADDRESSED WITH HIM LAST YEAR. AND I APPRECIATE HIS WILLINGNESS TO WORK TOWARD IT. AND HEARING THE EXCHANGE WITH SENATOR HILKEMANN AND SENATOR BLOOMFIELD, CERTAINLY NONE OF US LIKE THE IDEA OF MORE TASK FORCE, MORE GOVERNMENT COMMITTEES, AND ALL OF THAT, BUT I DO THINK THAT IT WAS A GOOD-FAITH EFFORT ON THE PART OF SENATOR BLOOMFIELD TO ADDRESS THE ISSUES WITH REGARDING THE HEAD INJURIES AND THE FOLLOW-UP FROM POTENTIAL HEAD INJURIES FROM HELMETLESS RIDERS. I WOULD ALSO LIKE TO POINT OUT THAT THE MOTORCYCLE RIDERS THEMSELVES ARE FUNDING THAT TRUST FUND, SO THEY ARE SELF-IMPOSING THE ADDITIONAL FEES TO FUND THE ABILITY TO RIDE HELMETLESS, AND SO TO THAT END I THINK IT IS AN INCREASED LEVEL OF PERSONAL RESPONSIBILITY. THESE ARE INDIVIDUALS WHO, TO HAVE THE TRADE-OFF FOR THE ABILITY TO MAKE THEIR CHOICE AS TO WHETHER OR NOT TO UTILIZE A HELMET, HAVE AGREED TO BEAR THE COSTS ASSOCIATED WITH THAT CHOICE. AND I THINK THAT'S WHAT RESPONSIBILITY AND ACCOUNTABILITY OF GOVERNMENT IS AND SHOULD BE. SO WHILE CERTAINLY I HAVE JOINED SENATOR HILKEMANN MANY TIMES IN THE ISSUE AND DISCUSSION ABOUT THE SIZE OF GOVERNMENT AND THE PERVASIVENESS OF GOVERNMENT, I THINK WHEN WE HAVE A GROUP WHO IS SELF-ASSESSING THEMSELVES AND FUNDING FOR THEIR OWN CHOICES, THAT THAT CERTAINLY IS ONE THAT WE HAVE TO GIVE SOME CREDIBILITY AND CREDENCE TO. SO AS WE LOOK FORWARD TO THE UPCOMING VOTE ON LB900 AND WHETHER WE BREAK THAT DOWN TO THE CHOICE OF PERSONAL LIBERTY, THE ABILITY TO MAKE YOUR OWN CHOICES WITH REGARD TO A HELMET

Floor Debate
March 16, 2016

AMONG ADULTS, I HOPE THAT WE ALL LOOK IN FAVOR OF ALLOWING ADULTS TO MAKE THAT CHOICE AND RECOGNIZE THAT CHILDREN UNDER 20 STILL REQUIRED TO HAVE THAT HELMET. WE'RE NOT PUTTING THOSE WHO ARE NOT OF AGE TO MAKE THAT SOUND DECISION AT RISK, BUT WE ARE ALLOWING ADULTS TO MAKE THAT CHOICE. WITH THAT, THANK YOU, AND I YIELD ANY ADDITIONAL TIME TO THE CHAIR. [LB900]

SENATOR SCHEER: THANK YOU, SENATOR KUEHN. SENATOR KRIST, YOU'RE RECOGNIZED. [LB900]

SENATOR KRIST: THANK YOU, MR. PRESIDENT. GOOD AFTERNOON, COLLEAGUES, AND GOOD AFTERNOON, NEBRASKA AGAIN. I APOLOGIZE FOR MY TARDINESS TO THE MIKE. I JUST WANT TO REEMPHASIZE A COUPLE OF THINGS ABOUT THIS BILL AND HOW IT'S MATURED IN THE TIME THAT I'VE BEEN HERE. ESSENTIALLY THE ADD-ON FACTORS TO THIS BILL WERE AND HAVE BEEN AN ATTEMPT TO MAKE IT MORE PALATABLE. BUT THE BASIC BILL IS STILL INTACT, AND THAT IS OF PERSONAL FREEDOMS, GUARANTEE OF PERSONAL FREEDOMS, A CONSTITUTIONAL ISSUE I THINK THAT NEEDS TO BE PAID PARTICULAR ATTENTION TO. THE DOOM AND GLOOM THAT IS SPREAD THROUGH STATISTICS BACK AND FORTH, I THINK, IF YOU'VE BEEN HERE FOR MORE THAN ONE DEBATE, THERE'S A LOT OF REPETITION, THERE ARE A LOT OF THINGS THAT WE HEAR THAT ARE SITUATIONALLY...I'M NOT SAYING THEY'RE NOT TRUE, BUT THEY'RE SELECTIVE FACTS. AND THEN THERE'S JOURNALS THAT HAVE BEEN PUBLISHED, MEDICAL OPINIONS THAT HAVE BEEN PUBLISHED THAT ARE TRUE. BUT I DON'T THINK THOSE...FOR ME, THAT PART OF THE DISCUSSION IS MOOT WHEN IT COMES TO THE REAL DECISION THAT WE ARE TALKING ABOUT TODAY. YOU KNOW, THERE'S A SAYING THAT...I GUESS I'LL DISPENSE WITH THE SAYING. I'LL JUST SAY THIS: I BELIEVE THAT DIFFERENT FOLKS WILL COME IN FROM DIFFERENT SIDES AND DIFFERENT PERSPECTIVES TO SUPPORT ISSUES, AND YOU'LL FIND THAT WE ON THIS FLOOR WILL SURROUND A SUBJECT MATTER, NOT NECESSARILY A PHILOSOPHY, AND WE CAN SUPPORT EACH OTHER IN DIFFERENT WAYS. SENATOR CHAMBERS IS SUPPORTING THIS BILL FOR HIS REASONS, SENATOR KRIST FOR HIS REASONS. I'M SURE THAT THERE'S A COUPLE DEMOCRATS THAT ARE SUPPORTING IT FOR DIFFERENT REASONS AND THAT'S NOT IMPORTANT. WHAT'S IMPORTANT IS THAT THERE ARE A COLLECTIVE OF FOLK WHO HAVE BROUGHT THIS FORWARD AGAIN, WITH THANKS TO SENATOR BLOOMFIELD'S INITIATIVE, AND I BELIEVE IT DESERVES AN UP OR DOWN. THAT MEANS WE HAVE TO GET THROUGH A CLOTURE VOTE. SO IT WOULD BE VERY IMPORTANT TO US TO HAVE THE MEMBERSHIP HERE. AS I UNDERSTAND IT FROM THE SPEAKER'S POSITION, WE WILL END SOMEWHERE AROUND 5:00. THIS BILL

Floor Debate
March 16, 2016

WILL STILL NEED ANOTHER HOUR AND 45 MINUTES TOMORROW OR WHENEVER IT COMES BACK UP, AND I WOULD HOPE THAT AT THAT POINT WE DON'T HAVE 10 OR 12 OR 13 PEOPLE CHECKED OUT, THAT WE'RE HERE ON THE FLOOR TO EXERCISE THE RIGHT THAT WAS VOTED IN OUR FINGER TO VOTE RED OR GREEN. WITH THAT, I WOULD YIELD THE BALANCE OF MY TIME TO SENATOR CHAMBERS IF HE WOULD WISH TO TAKE IT. [LB900]

SENATOR SCHEER: SENATOR CHAMBERS, YOU'RE YIELDED 1:40. [LB900]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. THANK YOU, SENATOR KRIST. AND THERE'S JUST ENOUGH TIME FOR ME TO END THIS EDITORIAL THAT I WAS READING. THE LAST SENTENCE, TWO SENTENCES ON FILIBUSTERS: "SENSIBLE STEPS ARE POSSIBLE TO AVOID THE ROUTINE RESORT TO FILIBUSTERING. NEBRASKA LAWMAKERS SHOULD USE THEM, SO THEY'LL HAVE ADEQUATE TIME TO DECIDE THE BIG ISSUES THAT NEED TO BE THOROUGHLY ADDRESSED." WHO DECIDES WHETHER AN ISSUE IS BIG? [LB900]

SENATOR SCHEER: ONE MINUTE. [LB900]

SENATOR CHAMBERS: THEN WHO DECIDES WHETHER IT NEEDS TO BE ADDRESSED? ALWAYS WE GET DOWN TO THE MATTER OF THINGS THAT ARE PERSONAL, THAT CAN BE DECIDED ONE WAY OR THE OTHER, AS SENATOR KRIST WAS POINTING OUT, BASED ON OUR INDIVIDUAL PREDILECTIONS. SO WE SHOULD REALIZE THAT THERE ARE PEOPLE WHO ARE GOING TO SEE SOME THINGS AS BEING MORE IMPORTANT THAN OTHERS OF US WILL SEE. BUT THEY'VE GOT THE RIGHT UNDER THE RULES TO PURSUE IT TO THE ENDS OF THE TIME BEFORE CLOTURE, AND I WILL DEFEND THEIR RIGHT TO DO IT. I DON'T SAY THAT I LIKE TO SEE IT ALL THE TIME. I WISH THEY'D BECOME MORE INTERESTING IN WHAT THEY SAY ON THE FLOOR. IF THEY CAN'T REMEMBER POEMS TO RECITE, GET SOME THINGS TO READ TO US, TO IMPROVE OUR MINDS AND OUR EDUCATION. BUT IF YOU CAN'T DO THAT, KEEP DOING WHAT YOU'RE DOING THE BEST YOU CAN AND YOU MIGHT STRIKE A CHORD WITH SOMEBODY. BUT I THINK WE OUGHT TO, WHEN CLOTURE COMES, DEFEAT CLOTURE AND, AS SENATOR KRIST SAID, GIVE THIS BILL AN UP OR DOWN VOTE. THANK YOU, MR. PRESIDENT. [LB900]

SENATOR SCHEER: THANK YOU, SENATOR CHAMBERS. THANK YOU, SENATOR KRIST. SENATOR GROENE, YOU'RE RECOGNIZED. [LB900]

Floor Debate
March 16, 2016

SENATOR GROENE: THANK YOU, MR. PRESIDENT. I AGAIN STAND IN SUPPORT OF LB900 AND AM2343. SENATOR FRIESEN MAKES A GOOD POINT THAT SOME THINGS HAVE BEEN ADDED THAT REALLY DOESN'T CHANGE...BECAUSE THEY'RE THERE, DOESN'T CHANGE MY VIEW THAT PERSONAL FREEDOM AND NOBODY IS BEING HARMED OR COULD BE HARMED. IF SOMEBODY WEARS A HELMET OR NOT, IT'S NONE OF MY BUSINESS. BUT IT'S A GOOD POINT THAT PROPONENTS OF THE MOTORCYCLISTS WHO DO NOT WANT TO WEAR A HELMET ARE WILLING TO COMPROMISE. THEY'RE SAYING, HEY, WE'RE WILLING TO PAY OUR OWN WAY, THAT ONE OR TWO MAYBE INSTANCES HAPPENS EVERY ONCE IN A WHILE THAT SOMEBODY MIGHT HAVE HEAD TRAUMA BECAUSE THEY DIDN'T HAVE A HELMET ON, BECAUSE, REMEMBER, MOST OF THE HEAD TRAUMA, HELMET OR NO HELMET, YOU'RE GOING TO GET IT. ASK A FOOTBALL PLAYER, AND THEY'RE GOING A LOT SLOWER, OR A BICYCLIST. BUT THERE IS A LOT OF ACTIVITIES BECAUSE OF FREEDOM WE ALLOW IN THIS COUNTRY THAT HOPEFULLY PEOPLE AREN'T GOING TO STOP. AND SOME ARE TRYING. THEY'RE TRYING TO STOP YOUTH FOOTBALL AND TRYING TO STOP EVEN SOCCER, HITTING THE BALL WITH YOUR HEAD, BECAUSE, YOU KNOW, I'M AFRAID TO GET OUT OF BED IN THE MORNING. BICYCLISTS, THERE IS NO REASON TO BE BICYCLING WITH PUBLIC TRANSPORTATION AND CARS THAT WILL GET YOU THERE A LOT FASTER. SOME PEOPLE DRIVE THEM TO WORK BUT REALLY IT'S, YOU KNOW, YOU CAN GET HURT. YOU CAN GET RUN OVER BY HUGE VEHICLES, SO MAYBE WE OUGHT TO OUTLAW THAT. ROCK CLIMBING, I MEAN, PEOPLE CAN GET HURT. MY GOD, WE BETTER KEEP THEM IN BED EVERY MORNING, DON'T ALLOW THEM TO DO THAT. FLYING AN AIRPLANE, YOU KNOW, OR A GLIDER, YOU CAN GET HURT. SOMEBODY MIGHT GET HARMED, END UP IN THE HOSPITAL. MAYBE WE OUGHT TO OUTLAW THAT. BOWLING, I SEEN A PERSON BUCKLE HIS KNEE ONE TIME. MY GOSH, IT ADDED TO OUR HEALTH COST. MAYBE WE OUGHT TO STOP THAT. WHERE DO YOU DRAW THE LINE? WHY THE VEHEMENT ANGER TOWARDS MOTORCYCLISTS? WHERE DID IT COME FROM? WHAT I'VE SEEN IS BACK IN THE '70S THE FEDERAL GOVERNMENT, ALL KNOWING, ALL SEEING, SAID YOU WOULDN'T GET SOME ROAD MONEY IF YOU DIDN'T HAVE A HELMET LAW. EVERYBODY HAD TO DO IT. BUT THEN THE PEOPLE ROSE UP IN A LOT OF STATES, AND THAT LAW GOT CHANGED. NO LONGER CAN THE FEDERAL GOVERNMENT DICTATE THAT YOU'RE GOING TO LOSE ROAD FUNDING IF YOU DON'T HAVE A HELMET LAW. THERE'S AN AWFUL LOT OF NEBRASKANS RISING UP AND HAVE CONTINUED TO RISE UP, LED BY SENATOR BLOOMFIELD, THAT SAYS ENOUGH IS ENOUGH, ESPECIALLY IN RURAL NEBRASKA. WE LIVE DIFFERENT THAN YOU FOLKS DO. WE DO. IT'S A DIFFERENT CULTURE. NOT CRITICIZING ANYBODY, BUT OUR HORIZONS ARE A LOT FURTHER AWAY. IT ISN'T THE BACK OF THE NEIGHBOR'S HOUSE, 100 FEET AWAY FROM YOU. WE CAN ACTUALLY SEE FOR

Floor Debate
March 16, 2016

MILES. WE CAN ACTUALLY SEE THE STARS AT NIGHT. AND THAT'S WHY PEOPLE COME TO OUR AREA WITH THEIR MOTORCYCLES. THEY ENJOY THAT FREEDOM. NOBODY GETS HURT. FIND ME HOW MANY FOLKS HAVE BEEN HURT IN AN ACCIDENT WEST OF GRAND ISLAND, OR YORK EVEN, NORTH OF COLUMBUS, RIDING A MOTORCYCLE BECAUSE THEY DIDN'T HAVE A HELMET ON, OR EVEN IF THEY HAD A HELMET, IF THEY SURVIVED THE ACCIDENT. IT'S RARE OUT THERE. SO YOU FOLKS IN URBAN AREAS, SOME OF YOU, NOT ALL OF YOU--A LOT OF FOLKS APPRECIATE FREEDOM THAT LIVE IN THE CITIES, TOO--ARE LOOKING IN YOUR BACK, OUT DOWN YOUR STREET AND YOU SEE THE KID WITH NO... [LB900]

SENATOR SCHEER: ONE MINUTE. [LB900]

SENATOR GROENE: ...WITH A MOTORCYCLE AND YOU'RE SCARED HE'S GOING TO GET HURT, TREMBLING THAT THAT PERSON MIGHT GET HURT, YOU CARE SO MUCH FOR THEM. THAT'S WHY WE LIVE OUT WEST, BECAUSE WE TAKE CARE OF EACH OTHER BUT WE MIND OUR OWN BUSINESS IN THE RURAL AREAS. THAT'S AN ATTITUDE I WISH WE COULD KEEP IN AMERICA. IT'S WHAT THE BASIC...OUR FREEDOMS ARE BASED ON IS MIND YOUR OWN BUSINESS AND DO NO HARM TO YOUR NEIGHBOR, TWO TENETS THAT MAKES FREEDOM AVAILABLE IN A COUNTRY. THIS FLIES IN THE FACE TO TRY TO FORCE PEOPLE CERTAIN BEHAVIOR THAT HAS NO...ANY DAMAGE TO YOU OR HARM TO YOU AT ALL, TO HIS NEIGHBOR, BUT YET WE FORCE THIS UPON THEM BECAUSE WE KNOW WHAT'S BEST. SO I APPRECIATE EVERYBODY SUPPORTING SENATOR BLOOMFIELD ON LB900 AND GIVE HIM A CLOTURE VOTE. AND THEN LET'S, AS SENATOR CHAMBERS SAYS, LET'S GO UP AND DOWN WITH IT. THEN YOU CAN VOTE NO. BUT GIVE THE PEOPLE A VOTE ON THIS FINALLY. THANK YOU, MR. PRESIDENT. [LB900]

SENATOR SCHEER: THANK YOU, SENATOR GROENE. WAITING IN ORDER TO SPEAK: SENATOR KOLOWSKI, KINTNER, AND SCHNOOR AND OTHERS. SENATOR KOLOWSKI, YOU'RE RECOGNIZED. SENATOR KOLOWSKI WAIVES. SENATOR KINTNER. [LB900]

SENATOR KINTNER: WELL, THANK YOU, MR. PRESIDENT. YOU KNOW, I TOTALLY AGREED WITH WHAT SENATOR CHAMBERS SAID. I DON'T HAVE A PROBLEM WITH THE RIGHT OR THE OPPORTUNITY, AT LEAST I DON'T THINK IT'S A RIGHT, BUT THE OPPORTUNITY TO FILIBUSTER AS A MINORITY TO RAISE THE THRESHOLD AS TO WHAT YOU THINK OR WHEN YOU THINK A BILL GOES BEYOND WHAT THIS BODY SHOULD BE DOING. SENATOR CHAMBERS HAS ON NUMEROUS OCCASIONS

Floor Debate
March 16, 2016

THIS YEAR FILIBUSTERED. I PROBABLY HAVE SUPPORTED ABOUT A THIRD OF THEM AND OPPOSED THE OTHER TWO-THIRDS OF THE TIME THAT HE'S FILIBUSTERED. BUT THE FACT OF THE MATTER IS HE'S USING THE RULES THAT WE HAVE IN PLACE FOR A REASON. AND SENATOR HILKEMANN IS DOING THAT. WE MAY NOT LIKE IT BUT HE'S DOING IT, AND I THINK IT MAKES US A BETTER BODY. IT SLOWS US DOWN. SOMETIMES IT MAKES US COMPROMISE, SOMETIMES IT MAKES BILLS BETTER, SOMETIMES IT JUST SLOWS US DOWN AND WE PASS IT ANYWAY, AND QUITE OFTEN IT STOPS CONTROVERSIAL BILLS. SO YOU KNOW, WE'VE ALL BEEN ON BOTH SIDES OF THIS. WE'VE BEEN THE VICTIM AND WE'VE BEEN THE PERPETRATOR. SO YOU KNOW, I'M NOT GOING TO STAND HERE AND COMPLAIN BECAUSE IT'S TAKING MORE TIME THAN WE WANT. THIS IS GOVERNMENT. THIS IS A REPUBLICAN FORM OF GOVERNMENT. IT'S MESSY. IT'S NOT SUPPOSED TO BE PRETTY. BUT WHEN THIS HAPPENS, I ASSURE YOU EVERYONE GETS THEIR SAY, EVERY POINT OF VIEW GETS OUT THERE, AND WE ALL MAKE OUR CASE. AND THE PEOPLE READING ABOUT IT AND THE PEOPLE WATCHING IT GET THEIR SAY, AND THERE'S NOTHING WRONG WITH THAT. WHEN I SAT DOWN THERE IN SENATOR FOX'S CHAIR ON THE LITTLE PODIUM HERE, I HAD PASTED A QUOTE FROM JOHN F. KENNEDY. IT WAS A VERY SHORT QUOTE, BUT I LOVE THE QUOTE. IT SAID: PROSPERITY'S WAY IS FREEDOM'S WAY. AND I THINK THAT IS ALWAYS, ALWAYS THE CASE. RESTRICTIVE GOVERNMENT AND GOVERNMENT REGULATIONS AND TAXES ARE NEVER PROSPERITY'S WAY. THEY ALMOST NEVER LEAD TO PROSPERITY. AS WE LOOK AT THIS ISSUE BEFORE US, I'M A LITTLE BIT AMAZED AT THE LENGTHS SOME OF THE OPPONENTS OF THIS BILL WILL DO TO PUT PEOPLE UNDER THE HEAVY HAND OF GOVERNMENT. IT'S SO IMPORTANT THAT YOU KISS THE RING OF GOVERNMENT, THAT YOU DO WHAT ALMIGHTY GOVERNMENT SAYS YOU MUST DO, IN THIS CASE WEAR A HELMET, THEY'RE WILLING TO FILIBUSTER IT ON THE FLOOR TO PUT YOU UNDERNEATH THE HEAVY HAND OF GOVERNMENT. THAT, TO ME, IS AMAZING. AND WHEN YOU LOOK AT WHO IS DOING THE FILIBUSTERING--IT'S DOUBLE AMAZING. AND I WILL AT THIS POINT, IF I HAVE ANY TIME LEFT, I MENTIONED SENATOR CHAMBERS, I WILL YIELD IT TO SENATOR CHAMBERS. [LB900]

SENATOR SCHEER: SENATOR CHAMBERS, YOU'RE YIELDED 1:30. [LB900]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. THANK YOU, SENATOR KINTNER. MEMBERS OF THE LEGISLATURE, WHEN WE HAVE A SET OF CIRCUMSTANCES LIKE THOSE WE CONFRONT TODAY, THERE ARE PEOPLE DOING WHAT I OFTEN DO WHO DON'T DO IT ORDINARILY. AND YOU KNOW WHAT THEY FIND OUT? THAT WHEREAS IT LOOKS EASY WHEN I DO IT AND THEY WONDER

Floor Debate
March 16, 2016

WHY, WHEN YOU HAVE TO DO IT YOURSELF IT'S NOT QUITE SO EASY. BUT, SEE, I PICK BIG ISSUES THAT... [LB900]

SENATOR SCHEER: ONE MINUTE. [LB900]

SENATOR CHAMBERS: ...ENVELOP ME AND I RUN OUT OF TIME BEFORE I RUN OUT OF THINGS TO SAY. I CAN'T WAIT, FOR EXAMPLE, FOR THAT UNL BILL ON SECRETLY SELECTING A PRESIDENT TO COME BACK. I CAN'T WAIT FOR SENATOR McCOLLISTER'S GAME AND PARKS BILL TO COME BACK. I CAN'T WAIT FOR THAT RIGHT TO HARM OR FARM TO HARM OR WHATEVER THAT THING IS, WHERE THEY'RE GOING TO TRY TO CONTAMINATE THE CONSTITUTION. I'M JUST LAYING, WAITING FOR THAT. BUT ON SOMETHING LIKE THIS, IF WE WOULD ALL BE COMPLETELY FRANK, THERE ARE NOT EIGHT HOURS' OR SIX HOURS' WORTH OF ISSUES TO BE SERIOUSLY DISCUSSED. WE ALL KNOW THAT WE'RE JUST RUNNING OUT THE CLOCK. BUT TO KEEP IT FROM BEING IN VAIN, THIS BILL SHOULD GET AN UP OR DOWN VOTE. AND IF IT'S ACTUALLY VOTED ON, THAT MIGHT STRENGTHEN THOSE WHO ARE OPPOSED TO IT. [LB900]

SENATOR SCHEER: TIME, SENATOR. [LB900]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB900]

SENATOR SCHEER: THANK YOU, SENATOR CHAMBERS. THANK YOU, SENATOR KINTNER. SENATOR SCHNOOR. SENATOR SCHNOOR, YOU'RE RECOGNIZED. [LB900]

SENATOR SCHNOOR: I'M HERE. THANK YOU. THE...LOOKING AT SOME MORE STATISTICS. NOW I HAVE NEVER BEEN TO STURGIS AND I HONESTLY HAVE NO DESIRE. YOU KNOW, I DON'T REALLY SEE THE JOY ABOUT BEING AROUND MILLIONS OF PEOPLE. I'M KIND OF LIKE SENATOR GROENE. I LIKE BEING OUT IN THE COUNTRY WHERE YOU CAN SEE THE HORIZON. BUT THE FACT OF THE MATTER IS, STURGIS BRINGS IN A HUGE AMOUNT OF REVENUE TO SOUTH DAKOTA, OVER \$800 MILLION ANNUALLY. AND THE FACTS ARE THAT PEOPLE SKIRT AROUND NEBRASKA, ESPECIALLY GIVEN THE FACT THAT STURGIS IS ON THE WEST SIDE OF THE STATE; THEY CAN JUST GO UP THROUGH WYOMING AND BE 50 MILES OFF COURSE. SOME OTHER STATISTICS WHEN WE LOOK AT THREE STATES--NEBRASKA, SOUTH DAKOTA, AND IOWA--THE PERCENTAGE OF FATALITIES BASED ON MOTORCYCLE LICENSE, OF ONE, TWO, THREE, FOUR, FIVE, SIX...OF SEVEN YEARS, NEBRASKA HAD THE HIGHEST FOR FIVE YEARS, AND WE

Floor Debate
March 16, 2016

HAVE A HELMET LAW; THE PERCENTAGE OF INJURIES OF THAT SAME TIME FRAME--ONE, TWO, THREE, FOUR, FIVE, SIX...OF SEVEN YEARS--AND WE HAVE A HELMET LAW. SO THOSE STATISTICS ALONE SHOW US THAT IT'S NOT GOING TO DECREASE THE INJURIES OR THE DEATH TOLL BASED ON MOTORCYCLE RIDING WITH OR WITHOUT A HELMET. YOU KNOW, I HAVE A DIFFERENT BELIEF AS WELL. I THINK WHEN IT'S YOUR TIME, THE GOOD LORD'S GOING TO TAKE YOU. IT DOESN'T MATTER WHETHER YOU HAVE A HELMET OR NOT. IT DOESN'T MATTER WHETHER YOU'RE ON A MOTORCYCLE OR WALKING DOWN THE STREET. WHEN IT'S YOUR TIME, IT'S YOUR TIME. AND YOU CAN'T LIVE IN FEAR EVERY DAY WONDERING WHAT'S GOING TO HAPPEN TOMORROW. I'VE RIDDEN A MOTORCYCLE MY ENTIRE LIFE...WELL, I WON'T SAY MY ENTIRE LIFE. I STARTED RIDING A MINIBIKE WHEN I WAS PROBABLY SIX. AND UP UNTIL I WENT IN THE MILITARY, I NEVER WORE A HELMET. NOW IT MAY NOT BE THE SMARTEST THING IN THE WORLD, BECAUSE I DID SOME PRETTY STUPID STUFF, BUT I SURVIVED. IN THE MILITARY I RODE MOTORCYCLES AS PART OF MY JOB. WE WOULD...AND I JUMPED OUT OF AIRPLANES. WE WOULD RIG UP MOTORCYCLES AND PARACHUTE THEM OUT OF AIRPLANES AND THEN JUMP AFTER THEM AND "DERIG" THEM AND RIDE THEM DOWN RUNWAYS. NOW THAT WAS FUN. WAS IT DANGEROUS? [LB900]

SENATOR SCHEER: ONE MINUTE. [LB900]

SENATOR SCHNOOR: THANK YOU. IT'S A MATTER OF PERSPECTIVE. BUT IT WAS FUN AND YOU WERE PAID TO DO IT. BUT WE WORE HELMETS. WHY? BECAUSE WE WERE TOLD TO. THAT WAS THE REGULATIONS. YOU HAD TO WEAR THEM. SINCE I'VE GOTTEN OUT, I'VE RIDDEN A MOTORCYCLE NOW. YOU KNOW, NOW I RIDE STREET BIKES. AND I HAVE A HARLEY AND I WEAR A HELMET. WHY? BECAUSE IT'S THE LAW. I WAS IN SOUTH DAKOTA AND I WORE...I WENT WITHOUT A HELMET FOR A COUPLE DAYS AND IT FELT A LITTLE AWKWARD, ACTUALLY, BECAUSE I HAD BEEN WEARING THEM FOR SO LONG. BUT I WILL PROBABLY CHOOSE TO WEAR A HELMET. BUT THE KEYWORD IS THERE, IS THAT IT'S A CHOICE. SO LET'S GIVE THE FOLKS THE OPTION. THANK YOU, SIR. [LB900]

SENATOR SCHEER: THANK YOU, SENATOR SCHNOOR. SENATOR FRIESEN, YOU'RE RECOGNIZED. [LB900]

SENATOR FRIESEN: THANK YOU, MR. PRESIDENT. I WILL YIELD MY TIME TO SENATOR BLOOMFIELD. [LB900]

Floor Debate
March 16, 2016

SENATOR SCHEER: SENATOR BLOOMFIELD, YOU'RE YIELDED 4:50. [LB900]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. THANK YOU, SENATOR FRIESEN. YOU KNOW, WE'VE TALKED ABOUT THE INJURIES VERSUS THE TYPE OF VEHICLES. WHERE WOULD YOU FEEL MORE SECURE ABOUT NOT BEING IN DANGER OF GETTING A TRAUMATIC BRAIN INJURY THAN SITTING IN THE CAB OF A SEMI-TRUCK WITH 80,000 POUNDS SURROUNDING YOU, STOPPED, SITTING STILL? YOU WOULDN'T THINK IT POSSIBLE THAT YOU COULD POSSIBLY GET HURT IN THAT POSITION. WELL, IF THERE WOULD HAPPEN TO BE ANOTHER TRUCK THAT DIDN'T BOTHER TO STOP AND HE RAN INTO THE REAR END OF THAT LOADED 80,000-POUND TRUCK, THE DRIVER COULD INDEED GET A TRAUMATIC BRAIN INJURY. IT HAPPENED TO MY SON-IN-LAW. WE TALKED ALSO ABOUT HOW MUCH MORE DANGEROUS MOTORCYCLES ARE THAN CARS. CARS ARE MORE DANGEROUS THAN AIRPLANES. SO WHAT? DO WE WANT TO REQUIRE ANYBODY THAT NEEDS TO GO FROM HERE TO THE WEST COAST THAT THEY HAVE TO FLY BECAUSE IT'S SAFER? NOBODY WANTS TO DO THAT. IT GOES BACK TO TRYING TO PROTECT US FROM OURSELVES. IT'S JUST NOT SOMETHING GOVERNMENT SHOULD DO. WE'VE TALKED ABOUT HOW MUCH GOVERNMENT IS CREATED WITH THIS NEW FUND. I WAS RESISTANT TO THAT MYSELF, SENATOR HILKEMANN, BECAUSE I DON'T LIKE CREATING MORE GOVERNMENT. BUT WHEN THE PEOPLE WHO ARE WILLING TO FUND THIS CAME TO ME AND ASKED ME TO DO IT SO THAT THEY COULD PRESENT THIS GIFT TO THE STATE OF NEBRASKA, I ACQUIESCED. WHO COULD BENEFIT FROM THIS? ANYBODY IN NEBRASKA THAT IS SUFFERING FROM A TRAUMATIC BRAIN INJURY. ONCE THIS FUND IS UP AND GOING, AND I WOULD ACTUALLY HOPE THE STATE OF NEBRASKA WOULD FIND FURTHER MEANS OF FUNDING IT. BUT SENATOR KRIST'S LA A FEW YEARS BACK WAS IN A TERRIBLE AUTOMOBILE ACCIDENT. A MIRACLE OF GOD AND A MIRACLE OF MEDICINE PUT HIM BACK ON THE LEGISLATIVE FLOOR, OR ON THE MEND, WHERE HE IS A GREAT AIDE FOR SENATOR KRIST. YOU COULD TALK TO MR. KROGH ABOUT WHETHER OR NOT A TRAUMATIC BRAIN INJURY MIGHT HAVE LESSENED HIS FINANCIAL BURDEN A LITTLE BIT, TRAUMATIC BRAIN INJURY TRUST FUND, BECAUSE HE MIGHT HAVE BEEN ABLE TO APPLY HAD WE HAD ONE IN PLACE. THE FUND THAT WE ARE CREATING HERE, AS I HAVE SAID BEFORE, IS NOT THE END-ALL, BE-ALL. IT'S A START. IT'S A STEP IN THE RIGHT DIRECTION. AND WHAT ARE WE GIVING UP FOR IT? WHAT DO WE HAVE TO DO IN ORDER TO GET THIS GIFT? GIVE THE PEOPLE BACK THEIR RIGHTS. GIVE THEM BACK THE FREEDOM THAT SO MANY OF THEM FOUGHT TO PRESERVE. I DON'T BELIEVE IT'S ASKING TOO MUCH. [LB900]

SENATOR SCHEER: ONE MINUTE. [LB900]

Floor Debate
March 16, 2016

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. TOMORROW, HOPEFULLY, WE'LL GET TO A VOTE. I GUESS FOR SURE WE WILL GET TO A VOTE AT SOME POINT. AT THAT TIME, I'M GOING TO ASK YOU TO SUPPORT SENATOR MORFELD'S AMENDMENT THAT MOVES THIS OVER TO HHS, I'M GOING TO ASK YOU TO SUPPORT THE TRANSPORTATION COMMITTEE AMENDMENT WHICH BECOMES THE BILL, AND I'M GOING TO ASK YOU FOR YOUR CLOTURE VOTE AND THEN A VOTE TO PASS AND RESTORE FREEDOM TO THE BIKE RIDERS OF NEBRASKA. THANK YOU, MR. PRESIDENT. [LB900]

SENATOR SCHEER: THANK YOU, SENATOR BLOOMFIELD. SENATOR SCHNOOR, YOU'RE RECOGNIZED, AND THIS IS YOUR THIRD TIME, SENATOR. [LB900]

SENATOR SCHNOOR: THANK YOU, SIR. I'D LIKE TO...YOU KNOW, ALWAYS TALK ABOUT ALLOWING PEOPLE JUST TO BE FREE, HOW IMPORTANT. HOW MUCH...I DON'T KNOW HOW MUCH WE CAN DISCUSS THAT, OR I GUESS WE CAN'T DISCUSS THAT TOO MUCH OF THE IMPORTANCE OF THAT. AND THIS IS EXACTLY WHAT I THINK THIS IS ABOUT, THE FREEDOM TO MAKE A CHOICE. YOU KNOW, I DON'T GET TO RIDE A WHOLE LOT ANYMORE WITH MY JOB ON THE FARM AND HERE AND CAMPAIGNING. YOU KNOW, IT KEEPS YOU KIND OF BUSY. BUT THERE IS A BIT OF FREEDOM THAT YOU GET FROM RIDING DOWN THE ROAD. AND SOME PEOPLE THINK OR FEEL THAT THERE IS MORE FREEDOM WHEN YOU DON'T HAVE TO WEAR A HELMET. AND THAT'S THEIR RIGHT TO FEEL THAT WAY. LIKE I HAD SAID EARLIER, I WILL...IF I'M RIDING, I WILL LIKELY WEAR A HELMET, ESPECIALLY WHEN I GET INTO THE CITY WHERE THERE'S SO MANY MORE CARS OUT THERE AND THERE'S THAT MUCH MORE OPPORTUNITY FOR SOMEBODY TO NOT SEE YOU. BUT IT'S ABOUT CHOICE. THAT'S WHAT I LOOK AT. YOU KNOW, WE CAN ARGUE THE AMOUNT OF MONEY THAT'S BEING LOST, AND THAT IS PROBABLY TRUE. BUT WE'VE SHOWN THE STATISTICS THAT HAVING THE HELMET LAW IS NOT REALLY MAKING ANY DIFFERENCE. IT GOES UP; IT GOES DOWN. SO THEN WHY IS IT THERE? WHY ARE WE...WHY DO WE ALWAYS PUSH THAT WE HAVE TO KEEP THIS HERE? I JUST DON'T UNDERSTAND THAT. SO LET'S GIVE IT A CHANCE. LET'S GIVE PEOPLE SOME FREEDOM INSTEAD OF CONTROLLING EVERYTHING. ONE OF OUR JOBS HERE, OUR MAIN JOB, IS TO ENACT LEGISLATION, MAKE LAWS, BUT WE ALWAYS SEEM TO ADD TO IT. THE STACK OF PAPERS ALWAYS GETS HIGHER. WE NEVER TAKE ANYTHING AWAY. WE ALWAYS PUT MORE RESTRICTIONS ON PEOPLE. WE NEVER GIVE PEOPLE MORE FREEDOM, AT LEAST THAT'S MY PERSPECTIVE IN MY SHORT TENURE HERE. WE ALWAYS SPEND MORE MONEY. WE NEVER SEEM TO SAVE ANY MONEY. OUR TAXES GET HIGHER. [LB900]

Floor Debate
March 16, 2016

SENATOR SCHEER: ONE MINUTE. [LB900]

SENATOR SCHNOOR: THANK YOU, SIR. IT COSTS US MORE YEAR AFTER YEAR AFTER YEAR, AND SO WHERE DOES THIS...WHERE DO WE END? OR WHERE DO WE STOP THIS? YOU KNOW, MAYBE THIS IS ONE LITTLE THING WE COULD DO TO GIVE SOMEBODY SOME FREEDOM. YOU KNOW, THIS DOESN'T AFFECT EVERYBODY. THIS ONLY AFFECTS A SMALL PERCENTAGE. SO WHY DON'T WE DO THAT? WHY DON'T WE GIVE SOME FREEDOM INSTEAD OF TAKING IT AWAY? THANK YOU, MR. PRESIDENT. [LB900]

SENATOR SCHEER: THANK YOU, SENATOR SCHNOOR. SENATOR KINTNER, YOU'RE RECOGNIZED. [LB900]

SENATOR KINTNER: WELL, THANK YOU, MR. PRESIDENT. AS THE HOUR GROWS LATE TODAY AND THE SENATORS GROW WEARY AFTER A DAY OF REGULATING, TELLING PEOPLE HOW TO LIVE, IT'S TIRING. IT'S TIRING DOING THAT. IT'S HARD ENOUGH TO RUN YOUR OWN LIFE. BUT WHEN YOU COME IN HERE AND YOU TRY TO RUN 1.9 MILLION OTHER PEOPLE'S LIVES, IT CAN KIND OF WEAR YOU OUT. I SEE SOME TIRED SENATORS HERE. YOU KNOW, IF THERE'S ONE THING I THINK I WOULD TELL MY FELLOW SENATORS, IF I COULD TELL THEM ANYTHING: MIND YOUR OWN BUSINESS, JUST MIND YOUR OWN BUSINESS, WORRY ABOUT YOUR OWN LIFE. I WOULD LIKE TO SEE IF SENATOR LINDSTROM WOULD YIELD TO A QUESTION OR TWO. [LB900]

SENATOR SCHEER: SENATOR LINDSTROM, WOULD YOU YIELD, PLEASE? [LB900]

SENATOR LINDSTROM: YES. [LB900]

SENATOR KINTNER: YOU REMEMBER BACK IN 2014, IT WAS A HOT SUMMER DAY. HE'S GOING DOOR TO DOOR. REMEMBER THOSE DAYS WALKING UP THE DRIVEWAY AND TALKING TO PEOPLE IN THEIR DRIVEWAY AND KNOCKING ON THEIR DOOR? AND MAYBE IF THEY DIDN'T ANSWER, YOU WENT AROUND TO THE BACK OF THE PATIO, AND THEY'RE GRILLING OUT, SMOKING CIGARS, AND YOU WOULD STOP IN AND TELL THEM WHAT YOU STOOD FOR. IF YOU WOULD HAVE TOLD PEOPLE THAT YOU WANTED TO REGULATE THEIR LIFE AND TELL THEM HOW TO LIVE THEIR LIFE, DO YOU THINK YOU WOULD HAVE WON? [LB900]

Floor Debate
March 16, 2016

SENATOR LINDSTROM: WELL, I WOULD PROBABLY GET IN MORE TROUBLE TRESPASSING BY GOING AROUND THE BACK WAY BUT... [LB900]

SENATOR KINTNER: YOU MEAN YOU NEVER DID THAT? REALLY? I DID ALL THE TIME. [LB900]

SENATOR LINDSTROM: NO, I SUPPOSE I PROBABLY WOULD HAVE GOTTEN FAR LESS VOTES IF I WOULD HAVE COME UP TO THE DOOR AND SAID THAT. [LB900]

SENATOR KINTNER: SO BASICALLY, WHEN YOU RAN, YOU SAID, LOOK, I BELIEVE IN LIMITED GOVERNMENT. YOU PROBABLY SAID SOMETHING TO THE EFFECT THAT WE...OUR TAXES ARE TOO HIGH, AND YOU CAN SPEND YOUR MONEY BETTER THAN WE CAN. DID YOU SAY SOMETHING IN THAT AREA? [LB900]

SENATOR LINDSTROM: YEAH, I WOULD SAY THAT'S PRETTY ACCURATE. [LB900]

SENATOR KINTNER: DO YOU RECALL ANYONE ASKING YOU FOR MORE GOVERNMENT? DID ANYONE SAY, YOU KNOW, MR. QUARTERBACK--I'M SURE THEY RECOGNIZE YOU AS A FAMOUS QUARTERBACK--DID ANYONE SAY, YOU KNOW, COULD YOU GIVE ME MORE GOVERNMENT, I MEAN, I CAN'T RUN MY LIFE, THESE KIDS ARE RUNNING EVERYWHERE, IT'S A TOUGH LIFE, COULD YOU GIVE ME MORE GOVERNMENT TO RUN MY LIFE? DID ANYONE SAY ANYTHING LIKE THAT TO YOU? [LB900]

SENATOR LINDSTROM: NOT ON THE CAMPAIGN TRAIL, BUT CERTAINLY DOWN HERE. [LB900]

SENATOR KINTNER: YEAH, DOWN HERE, RIGHT, WHICH IS A GOOD REASON TO GET OUT OF LINCOLN AND GO HOME OCCASIONALLY, AND YOU DO THAT EVERY NIGHT. [LB900]

SENATOR LINDSTROM: I DO. [LB900]

SENATOR KINTNER: SO IS THERE ANYTHING YOU CAN TELL ME ABOUT WHERE WE ARE NOW, NOW THAT YOU'RE DOWN HERE, VERSUS WHAT YOU HEARD AND WHAT YOU SAW WHEN YOU WERE RUNNING? IS IT...YOUR LAST ANSWER I THINK IS GOING TO GIVE ME THE CLUE AS TO WHERE YOU'RE GOING. HOW DIFFERENT

Floor Debate
March 16, 2016

IS IT DOWN HERE TO COMPARED TO THE REALITY OF REAL PEOPLE IN YOUR DISTRICT? [LB900]

SENATOR LINDSTROM: WELL, BEING ELECTED DOWN HERE IS MUCH DIFFERENT THAN CAMPAIGNING. YOU'RE DEALING WITH THOUSANDS OF, YOU KNOW, I SUPPOSE, THOUSANDS OF ISSUES. YOU'RE TALKING MAYBE ABOUT FIVE DIFFERENT ISSUES ON THE CAMPAIGN TRAIL, AND IT'S JUST...AND GETTING ALONG WITH PEOPLE DOWN HERE, IT'S JUST A LOT MORE GOING ON THAN ON THE CAMPAIGN TRAIL. [LB900]

SENATOR KINTNER: THANK YOU, SENATOR LINDSTROM. I JUST WANTED TO GET YOU TO THE MIKE ONE TIME TODAY. SO I GOT YOU ON THE MIKE. THANK YOU VERY MUCH. [LB900]

SENATOR LINDSTROM: THANK YOU, SENATOR KINTNER. [LB900]

SENATOR KINTNER: SENATOR EBKE, WILL YOU YIELD TO A QUESTION? [LB900]

SENATOR SCHEER: SENATOR EBKE, WOULD YOU PLEASE YIELD? [LB900]

SENATOR EBKE: YES. [LB900]

SENATOR KINTNER: SENATOR EBKE, YOU'RE NOT THAT FAR REMOVED EITHER. YOU'VE HAD A BUNCH OF TOWN HALL MEETINGS. YOU'VE TALKED TO A LOT OF PEOPLE IN YOUR DISTRICT. YOU'VE HAD COFFEES AND TOWN HALL MEETINGS. ARE PEOPLE COMING UP AND TELLING YOU IN ANY GREAT NUMBERS, OR AT ALL, JEEZ, SENATOR EBKE, I NEED MORE GOVERNMENT, I NEED A LITTLE HELP RUNNING MY LIFE, I CAN'T MAKE DECISIONS ABOUT MY LIFE? HAS ANYONE SAID THAT TO YOU? [LB900]

SENATOR SCHEER: ONE MINUTE. [LB900]

SENATOR EBKE: NO, THEY HAVEN'T LATELY. AND ACTUALLY I WAS AT A...SPOKE TO A LIONS CLUB IN BYRON, NEBRASKA, ON MONDAY EVENING, AND THEIR MESSAGE TO ME WAS LEAVE US ALONE AND CUT OUR PROPERTY TAXES. [LB900]

Floor Debate
March 16, 2016

SENATOR KINTNER: IT'S LIKE THE PEOPLE IN MY DISTRICT--LEAVE ME ALONE AND CUT MY PROPERTY TAXES. WELL, THANK YOU VERY MUCH, SENATOR EBKE. AND I BET YOU I COULD GO AROUND AND TALK TO MOST OF THE SENATORS HERE AND THEY WOULD TELL YOU THE SAME THING, THAT THERE'S NO ONE BEGGING THEM, PLEASE RUN MY LIFE FOR ME, PLEASE REGULATE MY LIFE MORE, PLEASE TELL ME WHAT I NEED TO DO, PLEASE PROTECT ME FROM MY OWN ACTIONS. I JUST DON'T THINK ANYONE...WELL, VERY FEW PEOPLE, AND THERE MAY BE A FEW. I JUST DON'T THINK ANY REASONABLE NUMBER OF SENATORS WOULD ANSWER YES TO ANY OF THAT. THANK YOU, MR. PRESIDENT. [LB900]

SENATOR SCHEER: THANK YOU, SENATORS KINTNER, LINDSTROM, AND EBKE. SENATOR EBKE, YOU'RE RECOGNIZED. [LB900]

SENATOR EBKE: THANK YOU, MR. PRESIDENT. IT'S BEEN A COUPLE OF HOURS SINCE I'VE SAID ANYTHING, SO I THOUGHT I MIGHT JUMP IN HERE BEFORE WE DECIDE TO ADJOURN FOR THE EVENING. IT'S BEEN HEARTENING, EVEN THOUGH WE'VE BEEN FRUSTRATED AT TIMES AND EVEN THOUGH WE'VE BEEN A LITTLE LIGHTHEARTED AT TIMES AS WELL, IT'S BEEN HEARTENING TO HEAR SOME REAL DISCUSSION ABOUT IDEAS, ABOUT THE IDEAS OF FREEDOM AND LIBERTY AND HOW BIG GOVERNMENT SHOULD BE AND WHAT IT SHOULD BE INVOLVED IN, IN OUR LIVES, SO I APPRECIATE THAT. I WAS TALKING TO SENATOR CHAMBERS A LITTLE BIT EARLIER ABOUT A PARTICULAR FORMER SENATOR. MY OFFICE STAFF AND MYSELF HAVE ENGAGED IN A LITTLE BIT OF HISTORICAL RESEARCH IN THE LAST COUPLE OF MONTHS AND ARE FINDING SOME INTERESTING CHARACTERS. IN 1956, THERE WAS A MAN BY THE NAME OF WILLIAM PURDY WHO REPRESENTED THE NORFOLK AREA, SENATOR SCHEER, AND HE RAN ON A PROMISE THAT HE WOULD NEVER SAY ANYTHING AND THAT HE WOULD NEVER INTRODUCE ANY LEGISLATION--AND HE WAS ELECTED, AND HE SAT AND CAST HIS VOTES THE WHOLE TIME THAT HE WAS IN OFFICE, AND THEN HE LEFT--AND THAT HE WOULDN'T RUN FOR ELECTION, SO THAT WAS...HE SERVED ONE TERM. I'M BEGINNING TO THINK THAT THERE IS SOME SORT OF A SPECIAL RELATIONSHIP BETWEEN THE PEOPLE OF THE 11th AND THE 17th DISTRICT. BACK IN 1976, THERE WAS A MAN BY THE NAME OF JOHN MURPHY WHO SERVED YOUR DISTRICT, SENATOR BLOOMFIELD. AND HE INTRODUCED A RESOLUTION, AND HE WAS...AS I...FROM WHAT I CAN TELL, HE WAS FAIRLY CONSERVATIVE. AND HE INTRODUCED A RESOLUTION WHICH SURPRISINGLY ON THE FLOOR, PUZZLING EVERYBODY, APPEARED TO HAVE GOTTEN A FAIR AMOUNT OF SUPPORT FROM SENATOR CHAMBERS TO THE POINT WHERE THEY WERE REFERRING TO IT AS THE MURPHY/CHAMBERS RESOLUTION IN THE

Floor Debate
March 16, 2016

FLOOR DEBATE. SO I THINK THAT THIS IS A GOOD SIGN. HIS PARTICULAR RESOLUTION WAS SUCCESSFUL IN THE END. SO TAKE THAT FOR WHAT IT'S WORTH, SENATOR BLOOMFIELD. AGAIN, I THINK THAT IT'S IMPORTANT FOR US TO TALK ABOUT LIBERTY AND FREEDOM AND THE ROLE OF GOVERNMENT. AND I THINK THAT THIS DEBATE HAS MADE SOME PROGRESS. YOU KNOW, WE'VE TALKED ABOUT THAT A LOT--HOW BIG DO WE WANT GOVERNMENT TO BE, HOW MUCH OF AN IMPACT SHOULD IT HAVE ON OUR PERSONAL LIVES, AND, YOU KNOW, WHAT SHOULD THE GOVERNMENT BE ABLE TO TELL US TO DO WHEN WE AREN'T HURTING ANYBODY ELSE? THOSE ARE GOOD CONVERSATIONS FOR US TO HAVE, I THINK, AND I APPRECIATE THE OPPORTUNITY TO MAKE MENTION OF IT ONE MORE TIME. AND IF SENATOR BLOOMFIELD HAS ANYTHING TO ADD, I WOULD BE HAPPY TO YIELD HIM THE REMAINDER OF MY TIME. [LB900]

SENATOR SCHEER: SENATOR BLOOMFIELD, YOU'RE YIELDED 2:00. [LB900]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. THANK YOU, SENATOR EBKE. YOU HAD THE FIRST NAME WRONG ON MURPHY. I BELIEVE IT WAS BOB MURPHY, WAS IT NOT, SENATOR? WOULD SENATOR CHAMBERS YIELD TO A QUESTION THERE? [LB900]

SENATOR SCHEER: SENATOR CHAMBERS, WILL YOU PLEASE YIELD? [LB900]

SENATOR BLOOMFIELD: SENATOR CHAMBERS, COULD YOU ENLIGHTEN US A LITTLE BIT MORE ON SENATOR BOB MURPHY AND YOUR COMPACT? [LB900]

SENATOR CHAMBERS: SENATOR JOHN MURPHY? SURE. [LB900]

SENATOR BLOOMFIELD: JOHN MURPHY? OKAY. [LB900]

SENATOR CHAMBERS: YEAH. [LB900]

SENATOR BLOOMFIELD: I WAS THINKING THE NAME WAS BOB. [LB900]

SENATOR CHAMBERS: SENATOR MURPHY WAS A GENTLEMAN WHO AT THAT TIME WAS OLDER THAN I WAS AT THAT TIME, BUT I NOW AM OLDER THAN HE WOULD BE EVEN IF HE WERE STILL ALIVE. THINGS HAPPEN THAT WAY. BUT HE HAD VISION PROBLEMS, WORE VERY THICK GLASSES, AND HIS WIFE SAT RIGHT NEXT TO HIM. SHE READ THE BILLS FOR HIM, ALL THE AMENDMENTS AND

Floor Debate
March 16, 2016

THINGS LIKE THAT. AND EVERY NOW AND THEN HE WOULD COME UP WITH AN IDEA GOOD ENOUGH, AS SENATOR EBKE POINTED OUT, THAT I WOULD SUPPORT HIM ON. AND HE WAS A PERSON WHO THOUGHT OUT HIS POSITIONS; AND EVEN IF YOU DISAGREED WITH HIM, YOU COULD SEE THE RATIONALE THAT HE HAD FOR IT. [LB900]

SENATOR BLOOMFIELD: I GOT TO MEET SENATOR MURPHY JUST A COUPLE TIMES BEFORE HE PASSED AWAY. [LB900]

SENATOR SCHEER: ONE MINUTE. [LB900]

SENATOR BLOOMFIELD: AND AT THAT POINT HE WAS TOTALLY BLIND. AND IT WAS THE UNDERSTANDING OF HIS CONSTITUENTS THAT HAD HE LEFT DOWN HERE AND TAKEN CARE OF HIS EYES, HE MIGHT HAVE SAVED THEM, OR THEY MIGHT HAVE LASTED LONGER. BUT HE WAS SO DEDICATED TO WHAT HE WAS ATTEMPTING TO DO HERE THAT HE STAYED THE COURSE; AND THAT BEING BEFORE TERM LIMITS, HE DID WHAT HE COULD UNTIL HE COULDN'T ANYMORE. THANK YOU, MR. PRESIDENT. [LB900]

SENATOR SCHEER: THANK YOU, SENATORS EBKE, BLOOMFIELD, AND CHAMBERS. MR. CLERK, FOR MESSAGES. [LB900]

ASSISTANT CLERK: MR. PRESIDENT, YOUR COMMITTEE ON ENROLLMENT AND REVIEW REPORTS LB698A AS CORRECTLY ENGROSSED. COMMITTEE ON EDUCATION REPORTS LB883 AS INDEFINITELY POSTPONED. ENROLLMENT AND REVIEW REPORTS LB745 TO SELECT FILE WITH AMENDMENTS; LB956 TO SELECT FILE WITH AMENDMENTS; LB957 TO SELECT FILE WITH AMENDMENTS; LB981 TO SELECT FILE; LB960 TO SELECT FILE WITH AMENDMENTS; LB960A TO SELECT FILE; LB467A TO SELECT; LB722A, LB754A, LB977A ALL TO SELECT FILE. AMENDMENTS TO BE PRINTED: SENATOR MELLO TO LB1012; SENATOR COASH TO LB894. RESOLUTIONS: LR489 BY SENATOR CRAWFORD AND LR490 BY SENATOR CRAWFORD, BOTH CALL FOR INTERIM STUDIES; LR491 BY SENATOR SEILER, THAT WILL BE LAID OVER. (LEGISLATIVE JOURNAL PAGES 1012-1016.) [LB698A LB883 LB745 LB956 LB957 LB981 LB960 LB960A LB467A LB722A LB754A LB977A LB1012 LB894 LR489 LR490 LR491]

FINALLY, MR. PRESIDENT, A PRIORITY MOTION. SENATOR KUEHN WOULD MOVE TO ADJOURN UNTIL THURSDAY, MARCH 17, 2016, AT 9:00 A.M.

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

Floor Debate
March 16, 2016

SENATOR SCHEER: SENATORS, YOU'VE HEARD THE MOTION FOR AN
ADJOURNMENT. ALL THOSE IN FAVOR SAY AYE. ALL THOSE OPPOSED. WE ARE
ADJOURNED.