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Floor Debate
January 23, 2017

[LB8 LB10 LB11 LB45 LB46 LB56 LB57 LB62 LB85 LB103 LB106 LB119 LB188 LB195
LB419 LB456 LB553 LR12 LR13 LR14]

PRESIDENT FOLEY PRESIDING

PRESIDENT FOLEY: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the thirteenth day of the One Hundred Fifth Legislature, First Session. Our chaplain for today is Senator Williams. Please rise.

SENATOR WILLIAMS: (Prayer offered.)

PRESIDENT FOLEY: Thank you, Senator Williams. I call to order the thirteenth day of the One Hundred Fifth Legislature, First Session. Senators, please record your presence. Roll call. Mr. Clerk, please record.

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

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

CLERK: I have no corrections.

PRESIDENT FOLEY: Thank you, sir. Are there any messages, reports, or announcements?

CLERK: Mr. President, two items: Banking Committee offers notice of hearing for January 30 and January 31, those signed by Senator Lindstrom, as Chair. (Legislative Journal page 319.)

PRESIDENT FOLEY: Thank you, sir. While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign the following three legislative resolutions: LR12, LR13, and LR14. Speaker Scheer, you're recognized. [LR12 LR13 LR14]

SPEAKER SCHEER: Thank you, Mr. Lieutenant Governor. A quick message this morning: We will pass over the rules portion of the morning in debate. There are several that are working on some things trying to come up with a final product, so we will move directly to the four bills that are on the agenda. We'll do that again, work on bills tomorrow. And then Wednesday morning we will start the process of finishing with permanent rules. So you can plan your scheduling accordingly. Today and tomorrow will be bill introduction on the floor and then Wednesday we'll

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return to the rules to get those finished up before the end of the week. Thank you, Mr. Lieutenant Governor.

PRESIDENT FOLEY: Thank you, Mr. Speaker. We'll now proceed to the first item on the agenda, which is a motion to withdraw. Mr. Clerk.

CLERK: Mr. President, Senator Brasch would move to withdraw LB106. [LB106]

PRESIDENT FOLEY: Senator Brasch, you're recognized. [LB106]

SENATOR BRASCH: Thank you, Mr. Lieutenant Governor, and good morning, colleagues. When I introduced LB106, I was unaware that Senator Howard was going to introduce LB188, a bill that is very similar to LB106 with an essentially identical intent. Senator Howard and I, as well as our staffs, have discussed the similarity of our bills. And with Senator Howard's legal expertise and background and experience in working with Children and Family Services, it serves the need and importance of moving this forward to have Senator Howard introduce a bill of this nature into committee. This does not change my passion for this issue, and I hope to see Senator Howard's bill passed out of committee and onto the floor this session so the body can debate a topic of this magnitude. Thank you, colleagues. And thank you, Lieutenant Governor. [LB106 LB188]

PRESIDENT FOLEY: Thank you, Senator Brasch. Debate is now open on the motion to withdraw LB106. Seeing no senators wishing to speak, Senator Brasch, you're welcome to close on the motion. She waives close and the question before the body is the adoption of the motion to withdraw LB106. All those in favor vote aye; those opposed vote nay. Have you all voted who care to? Record please, Mr. Clerk. [LB106]

CLERK: 34 ayes, 0 nays, Mr. President, on the motion to withdraw the bill. [LB106]

PRESIDENT FOLEY: The motion is adopted. We'll now proceed to General File, LB56. Mr. Clerk. [LB106 LB56]

CLERK: Mr. President, LB56 was a bill originally introduced by Senator Morfeld. (Read title.) The bill was introduced on January 5 of this year; at that time referred to the Banking, Commerce and Insurance Committee. The bill was advanced to General File. At this time, I have no amendments to the bill, Mr. President. [LB56]

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PRESIDENT FOLEY: Thank you, Mr. Clerk. Senator Morfeld, you're recognized to open on LB56. [LB56]

SENATOR MORFELD: Thank you, Mr. President. Colleagues, LB56 changes the law to allow two years instead of the current three of accounting experience in the Office of the Auditor of Public Accounts and the Department of Revenue in order to qualify to sit for the certified public accountants exam and receive their license. Current law requires two years of experience in private practice and three years of experience in the public sector under the supervision of a licensed CPA. Surrounding states require only one year of practice. Two years of practice are required for foreign countries. Colleagues, very simply this is a work force issue. Government accountants make less than those in private practice and it's difficult enough to attract accountants to work for government. By changing the law to require two years of experience, instead of the three for work in the Department of Revenue and State Auditor's Office, helps level the playing field for hiring good people and keeping them. I brought this bill on behalf of the Auditor. And LB56 passed unanimously from the Banking, Commerce and Insurance Committee with no opposition. I urge you to advance LB56 to Select File. Thank you. [LB56]

PRESIDENT FOLEY: Thank you, Senator Morfeld. (Doctor of the day and visitors introduced.) Debate is now open on LB56. Senator Chambers, you're recognized. [LB56]

SENATOR CHAMBERS: Thank you. Mr. President, members of the Legislature, for the next few days, perhaps, I'm going to do as I've done in the past, have some opening remarks. These bills that are before us today are what I call peewees. They're not controversial. They don't do anything of consequence that would cause anybody to have heartburn, in my opinion. So my taking a little time is not going to hurt. I'd like to start with the rules. Some people don't think I ought to be allowed to say what I'm going to say on this floor, and I'll serve notice right now. Nobody is going to tell me what to say. Nobody is going to tell me how to say it. Content on the floor of a legislative assembly is not going to be censored by anybody. As a matter of fact, the constitution, the U.S. Constitution, the state constitution, constitutions throughout this country at the state level point out that things spoken in debate cannot be called to account, the one who speaks them, in any other place. Do you know why that is? Not to encourage...what can I say-- inflammatory rhetoric as some people call the speech patterns of people they disagree with. They are designed to encourage and shield robust, muscular, untrammled, uninhibited debate of issues that are of importance to the public. I have my own way of doing things and saying things. Now since I grew up in the city and I'm 80 years old, I may have had more experiences and a greater variety of experiences than an old white gentleman from an urban...from a rural area. Now if it came to combines, tractors, acres, metes and bounds, landmarks, maybe they could tell me something, people who fit the description or whom my description would fit. But I can learn about that by reading. I'm going to read something today to let people know, for those who don't know, that the integrity, the reputation of the Legislature is always relative to anything that we

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say and anything that we do. Those principles underlie everything that we do. And if some of these people who have gotten into positions of what they call power through a rigged system of elections, as happened on the first day, and they never could have gotten elected to a chairmanship otherwise, have what some call a Napoleonic complex, a term used other than Napoleonic complex is tin-pot dictator. Where did the term "tin-pot" come from? People are not sure. But they think it might have something to do with the poor quality of pots that were made from tin. So anything that is lesser in quality and utility is referred to as tin-pot. A tin-pot dictator is a person who has never had any authority before, gets a little authority like chairpersonship of some committee like, well, Education, for example, and think that they now are legislators of a higher order. Well, some people on this floor might know what a... [LB56]

PRESIDENT FOLEY: One minute. [LB56]

SENATOR CHAMBERS: ...tricorn is, t-r-i-c-o-r-n. It's not three varieties of corn. It describes a hat. It's a hat whose brim is raised in three areas, the kind that Napoleon wore. So some of these tin-pot legislative would-be dictators have on metaphorical tricorns. They think that they're going to wield authority over somebody like me. They think they're going to make me talk as if I grew up on a farm, not that I fell off the turnip truck, that I'm still on the turnip truck. That's not going to happen, brothers and sisters. I'm going to say what I think is important and I'll say it whenever an issue is before the body. And I will ask that question that came from a fable. [LB56]

PRESIDENT FOLEY: Time, Senator. [LB56]

SENATOR CHAMBERS: Who...thank you, Mr. President. [LB56]

PRESIDENT FOLEY: But you may continue. You're next in line. [LB56]

SENATOR CHAMBERS: Thank you. I'll give you a little background. Mice and rats are not members of the same species. Mice are not little rats. But at any rate, for the sake of the fable, the mice were having a convention and they decided that since the cat is very, very stealthy; very, very practiced and learned in the art of predation when it comes to mice, decided that there was a way to protect themselves. And the way to do that would be to put a bell on the cat. Then whenever the cat moves, no matter how stealthily, there would be the tinkle, tinkle, tinkle or the jingle, jingle, jingle. So as these fables would have it, an old rat was watching, listening, was highly amused. And after they got through with all of their discussions, all of the conclusions that they could arrive at, which brought them to the one of putting this bell on the cat and you all, some of you, know the question that the rat asked. Who shall bell the cat? They hadn't thought of that. Senator Groene thinks the things that I say are a waste of time. I can tell him the feeling certainly is mutual. But I've never tried to shut him up. He's amusing a lot of times. There have

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been inflammatory statements made on the floor against me. One incident went several days running. Things were read from the newspaper. Did I with a stone face walk out of the Legislature? No. I stood here just like I am now. I listened to the children as they vented their little spleens and they were bold and brave. They brought up things that had happened in the past, for example, my comments about religion that they felt defamed their specific religion although I had never mentioned it. They're the ones who know their religion. And if what I said fit but they didn't want it told, they should have just been quiet because nothing gets the duck in trouble but his bill. So I let them ramble on and ramble on and say what a horrible person that I am, how terrible what I said was. The Governor got involved. Mayor Stothert got involved. The federal representatives from Nebraska in Congress, they got involved. The senators got involved and I had a chance to experience metaphorically what a white mob looks like; how a white mob gets together; and how, like in the old days, they want to project great strength, but it always took a white mob to go after one black man, go after one black man. So I stood here and I listened. When they got through to sum up my comment, I quoted Santa Claus: ho, ho, ho, ho, ho, and told them what they could do. But I don't use profanity as some people do on this floor. I don't use obscenities as some people do on this floor. And there is a word that I've been using and it's "masturbate." That word can be used in polite company. What other word are you going to use? Would you have me say, Senator Kintner took himself in hand? Is that what you want me to say? That he played with himself? That better? He diddled himself? Is that better? He climbed the pole? Is that what you want, you people in this Chamber who use language on a routine basis that I will not use under any circumstances? One senator said that was jarring to hear what I said. But it's not jarring... [LB56]

PRESIDENT FOLEY: One minute. [LB56]

SENATOR CHAMBERS: ...what Kintner did because he said he doesn't see a reason to do anything to Kintner. That is jarring to me. When I see us go contrary to our duties as legislators, I see us fail to take action which we ought to take in keeping with our oath and our promise to the public to operate at a higher level, hold ourselves to a higher standard; and when your buddy does it, all of that goes out the window. I'm going to stop at this point, Mr. Speaker, Mr. Chair, and put on my light for one more time. [LB56]

PRESIDENT FOLEY: Thank you, Senator Chambers. You are recognized for the third time. [LB56]

SENATOR CHAMBERS: That's one more time on this bill. And a lesson is being taught also-- what can be done on bills. I haven't offered a motion. I haven't offered an amendment. I could keep us on Senator Morfeld's bill all morning. But I'm not going to do it. I do things in my own time when I think there's a strategic or a tactical reason to do so. But I'm going to read and I'm

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going to give the page number in the Rule Book, although it's Section 11 of Rule 2. The page number is 12. "Sec. 11. Personal Privilege. Personal privilege shall be, first, those affecting the rights, dignity, and integrity of the Legislature collectively." You tell me that a senator who violated the criminal law is not negatively affecting the dignity and integrity of the Legislature collectively. A man who, through the misuse, the criminal misuse, Senator Halloran, of state resources, a state-provided laptop, engages in a pornographic act of moral turpitude, which was highly publicized, does not reflect on the dignity, integrity, and I will add reputation of the Legislature collectively. We cannot determine what any member in here is going to do. But after a member deliberately violates the law, deliberately engages in a pornographic act of moral turpitude, there is something we can do if the dignity, the integrity, the reputation of the Legislature means anything. Some people on this floor are more offended by what I say than by what he did. If I am using common, ordinary English to describe what he did and that is abhorrent, then how much more abhorrent is the activity my words are describing? I would ask those who have more facility with the English language than I have to give me some words to use. And we will tell everybody what that code word stands for. And if I don't mind doing it that way, I will have one of you all do that because I'm going to say it my way. We are adults. We are grown people. If any of you deal with lobbyists, I know the kind of things not only you hear but that you do. You think the stuff that you all do and say around these lobbyists is spoken to somebody who is going to keep a confidence? I'm the one who keeps confidences if I promise. And I always tell people, I will keep your secret better than you will. And when the individual asks, how can such a thing be, I say, you told me and I won't tell anybody. That's the kind of person that I am. And you think a man such as I am, who lived the life that I had to live as a black man in a racist society, operate in a sometimes Ku Klux Klan-acting Legislature, is going to let some man stand up because he got a chairmanship and govern the content of what I say, tell me what I say, whether it relates to the topic or not? The dignity, the integrity, the reputation of the Legislature attaches to everything we do on this floor; and I will talk about what I think is damaging to the integrity, the reputation, and dignity of this Legislature. And I'd like anybody on this floor or any collection of bodies on this floor to come up here and try to stop me. [LB56]

PRESIDENT FOLEY: One minute. [LB56]

SENATOR CHAMBERS: I'm not like you. I'm the man you wish you were. If you were that man, I wouldn't have to do this now because Kintner wouldn't be here. But you want me to do all of the dirty work. You want me to shovel all of the garbage, and maybe I'll be compelled to do that. But I'm going to do it on my own terms and when I choose to do so. And by the way, I don't care what you do with the rules. They'll hurt you, not me. You cannot stop me with any rule. But they'll stop you because you don't think like I think. You don't even read bills. But we're going to embarrass some people on the floor this session by asking them first, have you read the bill? Read provisions of the bill. What does that mean? You want to put something in the statute

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books that governs people and you don't even know what it means? We're going to have some good times here. Thank you, Mr. President. [LB56]

PRESIDENT FOLEY: Thank you, Senator Chambers. Senator Morfeld, you're recognized to close on LB56. [LB56]

SENATOR MORFELD: Thank you, Mr. President. I urge all of you to please vote green on this bill. If you have any questions, feel free to ask. Thank you. [LB56]

PRESIDENT FOLEY: Thank you, Senator Morfeld. The question before the body is the advance of LB56 to E&R Initial. All those in favor vote aye; those opposed vote nay. Have you all voted who care to? Record please, Mr. Clerk. [LB56]

CLERK: 35 ayes, 0 nays, Mr. President, on the advancement of LB56. [LB56]

PRESIDENT FOLEY: LB56 advances. Next bill is LB45. Mr. Clerk. [LB56 LB45]

CLERK: LB45 was a bill originally introduced by Senator Watermeier. (Read title.) Introduced on January 5, reported to General File without committee amendments, Mr. President. [LB45]

PRESIDENT FOLEY: Thank you, Mr. Clerk. Senator Watermeier, you're recognized to open on LB45. [LB45]

SENATOR WATERMEIER: Thank you, Mr. President. Good morning, Nebraska. Today I bring you LB45. LB45 proposes to allow nonfederalized Reservists to be eligible for Military Honor license Plates. Accordingly, the bill authorizes the Department of Motor Vehicles to design Reservist plates. I introduced a similar bill last year, LB732. It was advanced by the Transportation Committee on an 8-0 vote. However, the bill was not prioritized and could not find a bill to amend it and so it was left on General File. This year LB45 was also advanced on an 8-0 vote. The only testifier was John Hilgert, the director of the Nebraska Department of Veterans' Affairs, who testified in support of the bill. This year's version does include language suggested by the Department of Motor Vehicles regarding vehicles registered in the name of a trust. If the trust includes a qualified veteran's name, it would be eligible for Military Honor Plates. Since the law currently allows an eligible person to apply for the plates, language needed to be added to deal with these trusts, which are very common. As I understand, this has occurred a few times since Military Honor Plates were first introduced and has occurred in the past with handicapped or disabled person's plates. The language in LB45 is similar to the language used previously to address the trust issue for handicapped and disabled persons. The issue was

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initially brought to my attention when a constituent called my office informing me that, as a Reservist, he did not qualify for the Military Honor Plates even though he had served ten years with the Army Reserves at posts such as Fort Hood, Fort Bliss, Fort Dix, Fort Belvoir, and Fort Knox. He had a service-connected injury and was surprised when he found out that he did not qualify. I did some research and found that Reservists could not qualify unless they were federalized, which then allowed them to qualify for the plate of the entity that called them up to duty. Currently military members of the Reserves must serve on active duty that is not considered training before they are eligible for a Military Honor license Plate. Basic training or job training does not make them eligible for the plates. Active duty, which would be such things as deployment, mobilization or activation as a contingency operation. This does not necessarily have to involve combat or overseas duty and can even include local service as long as it is in accordance with Title X of the United States Code. Under LB45, eligible for the Military Honor Plates is expanded to include reserve duty as well as active duty. Likewise, the statute pertaining to the registry established by the Department of Veterans' Affairs is also amended to include active duty or reserve duty in the Armed Forces of the United States. Eligibility for these plates is determined using this registry. If LB45 is passed, previously denied Reservists would need to reapply for this registry. The Military Honor Plates are established by LB383 introduced by former Senator Charlie Janssen several years ago. These plates just became available last year. As proposed in LB45, there would be 11 designs for Military Honor Plates rather than the current design of 6. It would create a Reservist companion plate for the current categories of U.S. Army, Navy, Marine Corps, Coast Guard, and the Air Force plates. The National Guard is already a Reservist unit so it doesn't need a separate Reservist plate. Since the design has already been created for these plates and LB45 would only require the insertion of the word "Reserve," the Department of Motor Vehicles indicated that the minor computer programming expenses to accommodate this could be handled with existing appropriations, so no fiscal note. Therefore, the passage of LB45 would provide additional revenue to the Nebraska Veteran Cemetery System Operation Fund and the Department of Motor Vehicles Cash Fund. I urge your support for LB45. Thank you, Mr. President. [LB45]

PRESIDENT FOLEY: Thank you, Senator Watermeier. Debate is now open on LB45. Senator Chambers, you're recognized. [LB45]

SENATOR CHAMBERS: Thank you, Mr. President. I would like to ask Senator "Watercarrier" a message if I...a question if...Senator Watermeier a question if I may. [LB45]

PRESIDENT FOLEY: Senator Watermeier, would you yield, please? [LB45]

SENATOR WATERMEIER: Certainly. [LB45]

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SENATOR CHAMBERS: Senator Watermeier, we've been in the Legislature for several years serving at the same time. Correct? [LB45]

SENATOR WATERMEIER: Correct. [LB45]

SENATOR CHAMBERS: Are you aware that there was a time when I opposed any messages or anything on a license plate other than the identifying numbers and maybe the county? [LB45]

SENATOR WATERMEIER: I was so pleased this morning for you to remind the body that this was a noncontroversial bill to you. [LB45]

SENATOR CHAMBERS: And you...but answer that question. [LB45]

SENATOR WATERMEIER: Yes. [LB45]

SENATOR CHAMBERS: You're aware that there was a time. [LB45]

SENATOR WATERMEIER: I'm aware of that. [LB45]

SENATOR CHAMBERS: And I think you're also aware of the fact that many of these types of message plates were authorized in law when I was on my hiatus from the Legislature due to term limits. You're aware of that. [LB45]

SENATOR WATERMEIER: Well, the four years you were gone, I wasn't sure how many, but yes. [LB45]

SENATOR CHAMBERS: Okay. [LB45]

SENATOR WATERMEIER: They got a roll...they got a head of steam while you were gone I think, yeah. [LB45]

SENATOR CHAMBERS: And when I came back, I acknowledged that that battle was lost. There were so many of these messages that unless I found one to be especially obnoxious, I would not oppose any of them. Do you remember me saying words along that line? [LB45]

SENATOR WATERMEIER: Yes. [LB45]

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SENATOR CHAMBERS: And you correctly stated that I said I don't see controversy from my position on any of these bills, so what I say has no reflection on your bill and I'm going to support it. That's all that I have to ask you and thank you for your cooperation. And members of the Legislature, quid pro quo. If you get a quid from me, you got to give me a pro quo. So that means I'm going to borrow a little time on your bill. I had talked about the kind of debate that occurs in legislatures and one horrible incident on the floor of the U.S. Senate which maybe I'm the only one in this Chamber is aware of because I read and I pay attention. And I take great umbrage and offense at things that happened decades, generations before I was even a gleam in my parents' eye, as they say. Patrick Henry hung out in Virginia and he was feeling some patriotic fervor toward the colonies and some hostility toward George III, who was the King of England and the colonies also at that time. So Patrick Henry, in one of his flights of rhetoric that one of our colleagues probably would have said he shouldn't have been able to say, he said, Caesar had his Brutus, then mentioned somebody else. And at the mention of the second one, people in the chamber yelled, Treason! Treason! Treason! So Patrick Henry collected himself and said, and the king, may he have neither. What people remember is not that backward-moving by Patrick Henry, but his comment: I know not what course...well, something about peace so precious and life so dear that as to be bought with chains and slavery? "I know not what course others may take; but as for me," the kid, "give me liberty or give me death!" And he was a slaveholder. The vast majority of those so-called Founding Fathers were slaveholders. When Thomas Jefferson, considered the primary writer or author or at least compiler... [LB45]

PRESIDENT FOLEY: One minute. [LB45]

SENATOR CHAMBERS: ...because many of the thoughts he gave were very common during that period. These kind of thoughts were in pamphlets, as they were called. So he didn't create a new language or a new way of expressing things. They decided to put it into a Declaration of Independence. But when Thomas Jefferson wrote "all men are created equal," he certainly didn't include black men. He didn't include women. And everybody has said that when you see the masculine terminology in a constitution or a statute, it applies to women also, unless it's something that applies specifically to the male gender. What he was talking about is that the white men in the colonies were equal to the white men in England. [LB45]

PRESIDENT FOLEY: Time, Senator. [LB45]

SENATOR CHAMBERS: Thank you, Mr. President. [LB45]

PRESIDENT FOLEY: Thank you, Senator Chambers. Senator Schumacher, you're recognized. [LB45]

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SENATOR SCHUMACHER: Thank you, Mr. President, members of the body. When this strain of legislation first showed up, I was under the impression that it was to promote something that's probably a good thing to promote and that is giving veterans a special level of recognition by having a little special something on their license plate. All fine and good. Now it seems to me that on page 3, line 23, we are rolling that back and diminishing the value and the honor of these plates. Look at that language. And it's important to read these things even if they're supposed to be uncontroversial. That says that a trust that owns vehicles can have Honor Plates if a beneficiary of the trust qualifies. What is a trust? A trust is you take your property. You give it to a trustee, which sometimes is yourself with some extra paperwork, with a set of instructions and a trust as to how they're to divvy it up and let the trust property be used by the beneficiaries. There could be a bunch of beneficiaries. You could have a trust with a couple dozen beneficiaries. It just takes one of those beneficiaries to be a veteran in order for every beneficiary who happens to get a vehicle out of the trust to drive around, maybe because they've set the trust up for tax...they don't call it avoidance, they call it minimization purposes, for estate planning, to qualify Grandma for welfare, for controlling a wild heir's spending. But all these beneficiaries of the trust, driving around in these trust vehicles, now get to have honorary plates because one of them was a veteran. Now, maybe this is a drafting problem. Maybe it wasn't read. Maybe some association, who didn't understand what a trust was or that a trust can have more than one beneficiary, drafted this thing. But really, do we really want all the beneficiaries, maybe a dozen heirs, to be able to drive around with military plates, even if they haven't served in the military, just because one of the beneficiaries of that trust happened to be a veteran? Doesn't that diminish the entire value or honor that is conferred by having such a plate if indeed drivers' plates do confer honor? Call that to your attention. I don't think that I can vote for it with that provision in there unless somebody explains to me how what I just said isn't accurate or I have a misunderstanding of something. This is what Senator Chambers a few years ago tried to get through our thick skulls. You start down this road of specialty plates and everybody, sooner or later, tries to wiggle in to get one, be it this advocacy group, this honor group, this, that, or the other thing, until we've basically rendered our state plate pretty much watered down. But that be what it is. This particular provision is contrary, it appears to me, to the intent of this law to somehow use a license plate on a vehicle to honor people who serve this country. [LB45]

PRESIDENT FOLEY: One minute. [LB45]

SENATOR SCHUMACHER: So I'm going to wait to hear if there is a further explanation of this. If indeed what I said is accurate then I think that should be...language should be stricken and we'll probably, if it's accurate, be bringing a motion at some point to strike that particular language about trusts. Thank you. [LB45]

PRESIDENT FOLEY: Thank you, Senator Schumacher. Senator Krist, you're recognized.
[LB45]

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SENATOR KRIST: Thank you, Mr. President. Good morning, colleagues, and good morning, Nebraska. Going after the "Professor" is sometimes very difficult to follow, but I did read this bill last night and intended to stand up and say exactly what I am saying today. I, along with other veterans who sit here in this Chamber, are very proud of our military service. This is a plate that designates honor, service to this country. And yet on page 3, line 23, "or (c)," and this language was specifically added--you know, when it's underlined that means it's added--"a trust that owns the motor vehicle, trailer, semitrailer, or cabin trailer if a designated beneficiary of the trust qualifies under subdivision (1)(a) or (b) of this section." I'm personally offended by this. You can buy a sesquicentennial plate. You can buy a Big Red plate. You can buy any number of plates that honor this state and you want to support it by giving an extra \$50, \$75, whatever it is. But if you're going to have a plate that honors a member who has served this country, and I totally agree with Senator Watermeier, Guard and Reservists have been locked out of this. I served as a commander of a unit of a hundred and...sorry, of 35 KC-135s in support of the Kosovo Operation and it was during the PRC. Now Colonel Senator Brewer understands that. A Presidential recall is when the Guard and Reserve are called up to active duty. It's happening all over this country because we don't have enough people on active duty to do the job sometimes. So the cache reserve is the Reservist and the Guard member who puts their life down, walks away from their job for an indeterminate amount of time, and serves this country. That's the person who needs this plate. And if I'm getting a little animated, I apologize, but when I look at the Black's Dictionary, the word "trust" first appears on page 1,740. And there's so many different kinds of trusts, it continues to 1,748--eight pages of differentiated other than trusts, to include a trust where all you have to do is form a trust and you can give this kind of plate to any member of your family. If you form a trust out of a business, you can register all of your tractor-trailers and semis if you wanted to do that, under provisions in those four pages. This is why you have to read the legislation before it comes to the floor. And as passionate as I am about honoring the people who want this plate and need this plate and should have this plate, I am also very passionate to make sure that people who have never served, never put on a uniform don't qualify for this plate in any way. Read the bill. The bill tells you that if you're part of a trust and there is a member of that trust who is eligible for this plate, as the way I read this language, they are eligible also to put that plate on their car. And again, I find that extremely dishonoring for those men and women who should be honored. This bill needs a lot of work and I think that between General and Select, as Senator Friesen and I talked about this weekend, sometimes it's not about killing a bill. It's about making the best it can be. And if the "sausage" can't be made palatable, then it needs to be killed. I hope you understand, I want this plate for those people... [LB45]

PRESIDENT FOLEY: One minute. [LB45]

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SENATOR KRIST: ...who want to be honored and want to show the kind of grace and service and passion they had for serving their country. But that's not what this bill says in total. Thank you, Mr. President. [LB45]

PRESIDENT FOLEY: Thank you, Senator Krist. Senator Chambers, you're recognized. [LB45]

SENATOR CHAMBERS: Thank you, Mr. President. "Professor" Schumacher, "Professor" Schumacher, "Professor" Schumacher, you all, if you paid any attention to what I said, which most of you didn't, was that this bill is not controversial from where I stand, from where I stand. I also mentioned that people should read bills. They should not present bills without having read them. Senator Riepe got caught in that, the Chairperson of the Health and Human Services Committee. By the way, tricorn just means three corners. I kind of cocked his tricorn off his head to one side because he hadn't read the bill that he was arguing vociferously about on the wrong side of the issue. Why would I not object to this bill? Let's say that there is a country that has currency and that currency provides the basis of that country's economy. If that currency is debased, the economy collapses, the country collapses. I don't like these kind of plates. They've got them for all kind of people who are very tenuously associated with the military. But if those who were bound to the military didn't mind, what difference should it make to me? You saw how your President, how little he thought of medals, pieces of ribbon and metal that people get. Some old guy tottered up and gave him a Purple Heart and he said, the way he does, I've always wanted a Purple Heart, now I have one. And he dodged the draft. That shows how little respect he has. You all don't look at the contempt these people show for you and what you say you believe. You listen to what they say, that's all. And as I said, many people think in cliches and they speak in slogans, and politicians know that. Hitler was the one who said they'll believe the big lie rather than the small one. And that's what people do. I saw a cartoon in the paper. It was Sunday's Journal Star. I'm sure that cartoonist didn't hear what I said. But last week I was talking about the shutting down of Barnum and Bailey Circus and I said it was not due to animal lovers like me but to the circus that now is in Washington, D.C., and the biggest clown is there. That cartoon showed an elephant with his head down, saying, after 146 years we had, it's over. And somebody said, we cannot compete with the circus now in Washington, D.C. They steal my stuff and don't even acknowledge it. No, what it shows is that good minds follow similar paths. Back to my analogy: If you get enough of these license plates and you see them on rigs and Senator Schumacher, in addition to rigs, some people have buses that run their...that are part of their trust--on buses, trucks, motorcycles, every vehicle, you have debased the currency and now it is totally worthless. And when it's worthless, it has achieved what I could not achieve, because I was not here, and that's to show that these symbols and emblems mean nothing. Everybody can get them. You ought to just say that if anybody is patriotic and loves America and wants to make America great again, whatever that means and whenever that period occurred, let them get one of these plates to advertise for the military. But those who served don't feel quite that cavalier about it. So leave it to the "Professor"... [LB45]

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PRESIDENT FOLEY: One minute. [LB45]

SENATOR CHAMBERS: ...to do whatever has been the bane of those who want to slip things through sloppily, slapdash legislation; you had to go and read the bill. He rained on their parade. Why did he have to do that? Because he takes seriously his duty as a member of this Legislature. This shows right now on this bill that the integrity, the dignity, the reputation of the Legislature is on the line. I didn't have to do this. There are others who did it. We see things differently. We have different priorities. I have to get down in the worst garbage where nobody wants to go, with the stench, the maggots, and all these other putrefaction-type things. But I'll do that and let the "Professor" and my good friend Senator Krist take care of those issues... [LB45]

PRESIDENT FOLEY: Time, Senator. [LB45]

SENATOR CHAMBERS: ...that are equally important. Thank you, Mr. President. [LB45]

PRESIDENT FOLEY: Thank you, Senator Chambers. Senator McCollister, you're recognized. [LB45]

SENATOR MCCOLLISTER: Thank you, Mr. President. Good morning, colleagues. I have a similar story to Senator Watermeier's. I had a bill last year that failed to move because lack of time. That bill is now LB419. It's very similar to this bill, however, two important differences. It includes another category of Reserve that wasn't mentioned in Senator Watermeier's bill, LB45, that being the Public Health Service and the National Oceanic, Atmospheric Administration. Those people took the same oath that the Reservists and everybody else take, and they have the potential to be deployed, and many were. So as we reconstruct this bill and make it a better bill, I think we could very well put those categories in as well and take care of those, because...take care of those people, because they deserve the recognition as well. Thank you, Mr. President. [LB45 LB419]

PRESIDENT FOLEY: Thank you, Senator McCollister. Senator Watermeier, you're recognized. [LB45]

SENATOR WATERMEIER: Thank you, Mr. President. I appreciate the conversation, especially from "Professor" Schumacher and Senator Krist, but I would have to disagree in the fact that this is offensive language. If this is offensive, then we need to take it out of all the disabled acts that we have in Nebraska. This is modeled from the disabled acts and the Department of Motor Vehicles put it in there because of that. I have a letter from the Department of Motor Vehicles. I'd like to read just part of it: On behalf of the Department of Motor Vehicles, I respectively submit

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these technical comments to address. The same situation has occurred in past with handicapped or disabled person plates. The Nebraska Revised Statute 60-3,113, there is language which allows the department to issue the handicapped or disabled person plates to a trust, under certain circumstances. Similar language could be incorporated into LB732. That was after last year. If we take this out of it, this is what's going to happen. I'll give you an example. My father and mother have their assets in a trust. He's a veteran. He's passed away, though, two years ago. But he would have not been able to go and get a plate because his name is in the trust. The language that we had originally proposed in the bill would have prevented that. This is somewhat common in estates that our elderly people have their assets in estate...or, excuse me, in a trust. This is very common. This bill doesn't need a lot of work; doesn't need any work. The comments that Senator McCollister brings up about getting it ready to go, this bill is ready to go. If you want to strike this language out of this bill then we better go into the disabled sections of our other statutes and rip it out of there, too. We just as well do it right now. The department signed off on this bill. There is nothing in the way of this bill that would...that should prevent this bill from proceeding forward. Thank you, Mr. President. [LB45]

PRESIDENT FOLEY: Thank you, Senator Watermeier. Senator Schumacher, you're recognized. [LB45]

SENATOR SCHUMACHER: Thank you, Mr. President, members of the body. I was going to initially use this as a teaching moment on what should be done in committees, but I'll respond to Senator Watermeier. Senator Watermeier, show me the other language and show me how that ties in, in these other bills and other laws, and how that ties in to honoring our veterans. It's a whole lot different to have a handicapped plate, and that's assuming that it's worded the same. This diminishes terrifically the value of these plates. Now, can that language in here be fixed? Sure, it can. But it indicates something--and this leads me to my second point--that the committee work was not properly done and that probably because committee counsel really isn't up on trusts, really doesn't understand the difference between a trustor and a beneficiary, really doesn't understand all the pages and pages of kinds of trusts, and used way too broad of language, didn't say what they meant. And you know what? The people sitting on the committee listening to that hearing didn't ask questions, didn't read the bill, didn't think about the language, didn't talk to committee counsel or some other counsel about what it meant. Pass this thing and you can have just a proliferation of these plates and anybody, even somebody who protested the War in Vietnam, can have a plate if they happen to be in the same family. And as been admitted, these things are spread all over. They use them for all kinds of things in the same family as somebody who did. This is not restricted to a person who served in the military having a plate on his or her car or bus or whatever. This is wide open. If it's titled in the trust's name--and there are all kinds of gimmicks and reasons why you title vehicles in a trust's name--if it's titled in it, no matter who is driving it, it gets to have a plate. It indicates a general lack of understanding of subject matter by the committee, by the introducer, and by the arguers and proponents for this bill that they

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would allow something this degrading to this honor to come before this body and argue then that it's ready for prime time. I support the concept. I cannot support the proliferation and the dilution of this honor to anybody who happens to be a beneficiary of a trust, and maybe even a contingent beneficiary, a beneficiary who stands in line if another beneficiary dies. There's whole families, look at any obituary how many heirs there can be that might be covered by one of these magical trusts set up so Grandma can get into the nursing home. This bill needs work. I haven't offered a motion to strike, preferring maybe Senator Krist's suggestion that there be voluntary changes in this bill to fix these problems before...between advancing it from General File to Select File. I haven't...if I introduce a motion to strike, then we have a whole round of debate. We can consume all morning with different variations, and I don't think we really want to do that. But this needs to be addressed. And it is concerning, the comment I just heard that this is ready for prime time, indicating a lack of willingness to even look at this issue. [LB45]

PRESIDENT FOLEY: One minute. [LB45]

SENATOR SCHUMACHER: I hope we don't have to deal with a motion to strike and related motions here on General File on this. I hope that Senator Watermeier agrees to work on this problem and at least recognizes there is a problem so we can begin to make work. But I am concerned at this point. Now maybe a group of 27 has agreed to vote yes on this bill. I don't know who's giving the marching orders on it. But it is not ready for prime time. It has serious problems and we just got to deal with it reasonably. Thank you. [LB45]

PRESIDENT FOLEY: Thank you, Senator Schumacher. Senator Kolterman, you're recognized. [LB45]

SENATOR KOLTERMAN: Thank you, Mr. President. I also...I rise...I have a personal interest in seeing that this bill advances from the perspective that we're going to honor military. In answer to Senator Schumacher's concerns, I have...I share probably some of those same concerns. I do take exception to the fact that only elderly people have their vehicles in a trust, because mine happen to be in a trust. Don't think I'm elderly yet. Anyway, I...the issue is, got a vehicle in a trust. I'm not a member of the military so I wouldn't qualify, but let's say I had served in Vietnam and I qualified and I bought a plate, qualified under this law. My wife is driving the vehicle or my kids are driving the vehicle. Really takes away from the credibility of it, to a certain extent. But as we are in this country, we have a tendency to give other people vehicles. So I understand both sides of this, I think, but I also understand where Senator Schumacher is coming from, from the perspective of how do we protect that, or Senator Krist. If there's an easy amendment, I'd, you know, I'd be glad to listen to that and see what could be done to make this happen, because what we don't want to do is we don't want to dilute this and take away from the veterans, and at the same time, we need to honor them. But we are here to make good public policy. And

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perhaps, you know, as we go forward, there's a lot of these types of license plates that come before us. And so in this particular case, we're honoring a specific group of individuals that has sacrificed deeply, so I don't want to see that go away. So if there's a compromise, I sure hope we could work that out. Thank you. [LB45]

PRESIDENT FOLEY: Thank you, Senator Kolterman. Senator Chambers, this is your third opportunity, Senator. [LB45]

SENATOR CHAMBERS: I've spoken twice on this bill? [LB45]

PRESIDENT FOLEY: Yes, sir. [LB45]

SENATOR CHAMBERS: Members of the Legislature, what you are seeing is the bitter crop that's going to be reaped throughout this session as a result of that first day. I told you all--and you don't pay attention--you don't have to have any qualification to be the chairperson of a committee. People were put on these committees for illegitimate reasons to rig them, and now you're getting this kind of trash legislation early in the session. There's a song that became Billie Holiday's signature song, as they call it, but a white guy actually wrote it and it was in a hillbilly vein, described a lynching: Southern tree bears strange fruit; Blood on the branches, blood at the root; Black bodies swinging in the southern breeze, Strange fruit hanging from the poplar trees. Pastoral scene of the gallant South; The bulging eyes, the twisted mouth; Scent of magnolias, sweet and fresh; Then the sudden smell of burning flesh. Here is a fruit for the rain to suck, for the wind to gather, for the crows to pluck; For the sun to rot, for the tree to drop; Here is a strange and bitter crop. That's what you, members of the master race, are going to reap this session. I hope you don't correct the bill; you give me more grist for my mill. That's a couplet. I can taunt you. I can mock you. And you've had your attention called to a problem. To say that because some language is in a law related to the handicapped means it should be lifted bodily and put into a provision of law that has nothing whatsoever to do with the kinds of issues shows idiocy, in my opinion, but I'm blunter than others. Leave it like it is. What difference does it make if a department signs off on a bill? We formulate the state's policy. If you're going to turn over the responsibility of legislating to boards, commissions, departments, and well-intentioned people--I'm not saying these people are not well-intentioned--they are not knowledgeable. To use the language of the court, they are not adequately informed in the premises. But what difference does it make here? The agenda this session is to do what the Governor wants, to show that he made a good purchase when he purchased some of you all, and the devil take the hindmost, which happens to be the public and those individuals who are affected by these types of plates whose purported aim is to honor service they gave to this country. I'm not patriotic. I don't salute the flag. I don't sing the national anthem, one of the worst, hardest songs to sing. And you took

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the language...the tune from "God Save the Queen" and made one of your most popular patriotic songs out of that. [LB45]

PRESIDENT FOLEY: One minute. [LB45]

SENATOR CHAMBERS: And the tune to the national anthem was the tune to an old British drinking song called "To Anacreon in Heaven." Your national anthem is an old British drinking song. You don't even know it. And you wonder why some people won't stand for it. It doesn't mean anything to you because you don't know anything. You think in cliches; you speak in slogans. I hope nothing is done to change this bill. Completely debase the currency and I have won by indirection what I couldn't win directly. Thank you, Mr. President. [LB45]

PRESIDENT FOLEY: Thank you, Senator Chambers. Senator Watermeier, you're recognized. This is your third opportunity, Senator. [LB45]

SENATOR WATERMEIER: This is my third time after my introduction? [LB45]

PRESIDENT FOLEY: You introduced, you spoke, and this is your... [LB45]

SENATOR WATERMEIER: Okay. [LB45]

PRESIDENT FOLEY: Yeah. [LB45]

SENATOR WATERMEIER: All right. Thank you. Thank you, Mr. President. Just to answer Senator Schumacher's concerns about whether I'm unwilling to work, I'm certainly willing to work. If you want me to get the department in here on the interim, between the General and Select File, explain the language, look at it, how it affects the disabled parts of the statutes, I'm fine with that. This is what, to the new members, this is very common that you work on bills between. I'd rather not put an amendment on here today; if you really thought there was something we needed to do, I'm certainly willing to look at that. But let me just explain how I see it in the big picture here. The way I'd heard it described it twice, that you'd have this runaway train with all these veteran's plates out there that no one would be able to qualify and be driving on. If a person has a vehicle licensed in their personal name today and they qualify as a veteran, they could get a veteran plate. Now, in Nebraska, 80 percent of the small businesses are owned by individuals, not corporations, not trusts, not...so all those businesses could very well have 50 plates. So today, if you have a qualified person, they could very well put a veteran's plate on every one of their vehicles and have someone driving them, not necessarily the veteran. But we're honoring the veteran. So I bring this up to address the point about the small population that

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we're trying to help to get the Honor Plate in their hand. For the individuals who have their assets in a trust, Nebraska is unable to allow them to qualify for a specialty plate. I'm perfectly willing to look at this between General and Select File. I have no problem with that whatsoever. If someone comes up with a better definition on how to do with this, the Department of Motor Vehicles signs off on it, I'm fine with that. But this is the best thing we had come up with to this point to address the issue of the individuals that have assets in a trust. But we're looking at a very small proportion actually that are in trusts. I said it happens quite frequently, but I still think it's probably less than 10 percent. I hate to be quoted on that, but it's a very small amount. Most of these plates are going to be qualified to those individuals. And they could have the very same thing happen that we've had this fear factor brought in here this morning--an overrun of everybody will be able to have a plate. It still has to come back to that individual has to qualify for the plate under the statutes. And that's what we're changing today is that even if they're not federalized, they would qualify today to try to help out this small population of veterans who have served and we want to honor. I'm perfectly willing to work on this bill in the interim. Thank you, Mr. President. [LB45]

PRESIDENT FOLEY: Thank you, Senator Watermeier. Items for the record, Mr. Clerk? [LB45]

CLERK: Thank you, Mr. President. I have hearing notices from the Education Committee, the Transportation and Telecommunications Committee, the General Affairs Committee, and Retirement Systems Committee, all signed by the respective Chairpersons. Your Committee on Education reports LB62 and LB119 to General File; those signed by Senator Groene. Judiciary Committee reports LB8, LB11, LB57 to General File, and LB10 to the General File with amendments; those signed by Senator Ebke, as Chair. And I have a confirmation report from the Natural Resources Committee. It's offered by Senator Hughes. (Legislative Journal pages 320-322.) [LB62 LB119 LB8 LB11 LB57 LB10]

Mr. President, with respect to LB45, Senator Chambers would move to indefinitely postpone the bill. Senator Watermeier, you would have the option to lay the bill over at this time, if you chose. [LB45]

SENATOR WATERMEIER: I'm sorry, Mr. Clerk, can you repeat? [LB45]

CLERK: Yes, sir. Senator Chambers has filed a motion to indefinitely postpone the bill. You have the option to lay the bill over at this time or take the motion up. [LB45]

SENATOR WATERMEIER: Let's take it up. [LB45]

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PRESIDENT FOLEY: Senator Chambers, you're recognized to open on your motion. [LB45]

SENATOR CHAMBERS: Thank you. Mr. President, members of the Legislature, to reassure Senator "Watercarrier"--and I'm doing that on purpose this time--I'm not going to try to kill this bill. I like it the way it is because it fits into my strategy. Now Colonel Brewer could tell you all the difference between a strategy and a tactic. A strategy, just to be very general, is a much broader activity or plan than a tactic. A tactic may seem to be self-defeating because it contributes to the success of the strategic plan. Within myself, I had determined I was not going to undertake what I call these teaching exercises every time we get a new crop of know-it-all people who have been told by lobbyists and the Governor and others to do this and do that, and they think that it's right because they were told to do it. I was just going to let the damage take place and the harm fall on the public, and let them see how bad things have become. There's not leadership in this Legislature. There's not even good followership. There is the blind leading the blind. And Jesus said when the blind lead the blind, they both shall fall into the ditch. He made that comment because some of his disciples were upset at things being said and taught by other people and Jesus knew that you could no more change the opinion or inform the minds of these ignoramuses than you, if you were not Jesus, could make a stone stand up and walk like a human being. So you know what he said? Leave them alone; they be blind leaders of the blind. When the blind lead the blind, they shall both fall into the ditch. That's from the "Bible." I could let you all fall into the ditch. "Professor" Schumacher tried to prevent you from doing it. Senator Krist contributed his part. I want you to fall into the ditch. And maybe by me saying this, I can get you to do what rational argument could not get you to do. What do you hear these politicians say? Don't kick the can down the road; we ought to do this now. Well, let's do it now. Let's not kick this can over to Select File. What can be said between now and when it comes on Select File that cannot be addressed now? Strike that bad language. It's not needed. Or don't strike it. Leave it in the bill. But this notion, when problems have been shown to exist with a bill, it ought to be moved on, what do you all think the purpose of General File is? This is where we're supposed to have the most debate. It is to be the most searching, the most thorough, where corrective action is taken, not behind closed doors among individuals whom the public has no knowledge of. We are to do this work and we are to do it at this stage, Senator Hilgers. I mention him because he's a lawyer, but he hasn't demonstrated knowledge of the law to me. He might know it but he doesn't practice it, doesn't respect it, sitting there like a knot on a log. And you know why I talk to him like this? He's able to defend himself. Don't you all feel sorry for him. He's younger than I am, stronger than I am, bigger than I am. He's just not smarter than I am. See, when you're a little guy (laugh), you have to learn how to use people's so-called strengths against them. There were big guys who were learning karate, karate: how to punch, break, kick, forward, backwards, sideways, elbows, backhand, breaking noses, knocking them up into your brain...well, knocking them up into that cavity. Sometimes it's empty. You could put a sign up there, room for rent. Or you could put a sign, unoccupied. But I learned what was called the gentle way. That's what judo is, not jujitsu, judo, where you don't use damaging holds to work a

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joint against the way it is supposed to bend. It's almost like a chess match except you don't do it on a chessboard. And the idea is to get your opponent in a position where he or she lacks balance. If I'm facing you and my feet are shoulder length apart, shoulder width, and yours are the same, then we have perfect balance like a table. So what I've got to do if I want to unbalance you, and I have to do it very quickly without you knowing I'm going to do it, is move one of my feet between your two feet. Then we got a three-footed table, three-legged, and then I can throw you if you don't know how to counter. And if I move quickly enough and make you think I'm going left and I go right, then I'll throw you. And that's all I'm going to do. If I get you down on the mat I'm going to hold you, but not going to try to break your arm, break your leg, break a bone. That's not it. Judo is the gentle way. And you also use people's momentum against them. They come at you. That's what you want. Then you just help them go where they're going, except you detour them and take them, with their momentum redirected, where you want them to go. Do what you're doing here, look foolish. What do you care? Somebody out there will tell you, you're not looking foolish, and you accept it. You don't read these bills. When somebody tries to call your attention to it, you become defensive and you dig your heels in. And my philosophy is that since you were not reasoned into a position, you're not going to be reasoned out of it. I've told you all time and again that when I'm speaking, I'm speaking to the public, the public who watch us, not to you all in here who don't pay attention, who don't even care. But I care about the Legislature and I want the public to see how hard I will work to try to maintain the dignity, the integrity, the legislative reputation of this body as a careful, caring group of people here to do the work as representatives that we should do. And what we should represent is not ignorance. But unfortunately, that's what does happen. And I don't blame Senator Watermeier in his situation, because he doesn't understand the bill. He doesn't know what ought to happen to it. He's got to go talk to the people who put him in the mess in the first place. Are we really in a mess? They say, no. Then he'll come back and say, we're going to leave it just like it is. I've watched Senator Meier (sic). I've worked against him on bills and gotten the Legislature to not take some of the bills that he brings. And he'd have to trot out there to those people on a regular basis. Sometimes they could give him an answer right quick; sometimes they couldn't. Why do I say this? We're grown people. I watch the way things are done. And if you don't want me to say it, don't do it. This is what I was getting at this morning when I said nobody is going to tell me what to say, when to say it, or how to say it. And if they want to attempt it, here I am. How you going to do it? We shouldn't even have to reach this level of discussion. But I deal with people where I find them. If I'm trying to persuade you of something and you only speak Greek, should I speak to you in Italian? And if you don't speak Greek and I speak to you in Greek, you think I'm conjuring, that I'm using magical abracadabras on you because you don't understand. You're not going to be taught, certainly not by a black man. That's where I'm better than you and smarter than you. I learn from you, but you don't learn from me. You don't even use common sense. You don't use logic. If you don't know, ask somebody. [LB45]

PRESIDENT FOLEY: One minute. [LB45]

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SENATOR CHAMBERS: But you can't bring yourself to do that because how do you know what you don't know? You have to study and see the way a thing is supposed to be. And when this that you're doing is out of sync with that, you know that to the extent that what you're doing is out of sync, to that extent what you're doing needs correcting. And you correct it by having a paradigm, a template, something that guides you to where you ought to be. But you're not going to do that because you got "Senator" in front of your name. You're head of a committee. What is a committee in the Legislature? Tell somebody out in the public, I'm chairman of a committee in the Legislature. I don't care if you... [LB45]

PRESIDENT FOLEY: Time, Senator. Time, Senator. Thank you, Senator Chambers. Senators Schumacher, Friesen, and Chambers all have their lights on. However, Senator Watermeier, pursuant to Rule 6, Section 3(f), as the principal introducer of the bill, you are permitted to speak now for five minutes on the motion or you may waive the opportunity and speak later, your choice. [LB45]

SENATOR WATERMEIER: I'll waive and do it later. [LB45]

PRESIDENT FOLEY: Waive for now, thank you. Senator Schumacher, you're recognized. [LB45]

SENATOR SCHUMACHER: Thank you, Mr. President, members of the body. There's got to be quite a few young lawyers in the body. And I would guess all of them at one time or another had to persevere through Trusts 101 or something similar. One of the good things about being in the Legislature, incidentally, is you can be 60 years old and still young or a freshman or a sophomore, so it's kind of the Fountain of Youth. But I take it by now any of those bright young lawyers in the body who've listened to the argument should have by now looked at the three or four short lines in the bill that are problematic. And if the question of how you fix this was on a law school exam, you'd have had it fixed in about, ah, less than two minutes, because there's only about...less than a dozen words that need to be massaged in this particular bill, and to fix it and we could be moving on to being great again. Well, why hasn't somebody fixed it? And it occurred to me that maybe you don't know the mechanics. You know, one of the hardest things about practicing law is not knowing the law but knowing when and how to say to the judge, captain, may I? Because that's when you really look like a fool when you should have said, captain, may I, and you forgot to say, captain. And the judge bears down off the bench at you and kind of scolds you. Well, at any rate, up at the front--Senator Chambers and I and a few others go through these things quite frequently--there's these nice little pads. Okay? And they'll give them to you. They're free. And you get to...it says, Madame..."MR./MADAME PRESIDENT: I Move," and then you get to say something. For example, you could say I move that we insert these words between these two words in the bill. And we would then, after we get past motions

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like this which have some priority, get to your motion and say, oh, gee, Senator so-and-so has suggested we fix this by inserting three words into the bill. And we'd have a discussion on it as to whether or not that really fixed the problem. And it probably would. And we'd vote the amendment up or down. And if we voted it in a way to fix it, we'd be off and running off to the next bill. So this is a little bit of a hint, guys. I'm not going to put the magic words on this paper, at least at this stage, and take it, after we get done with Senator Chambers' motion, take it up to the front and put it in the hopper. This is your chance to do something very simple to fix a problematic bill in a way that all...anybody with legal background on the floor will agree fixes it, because it's not a hard fix. And it's not a fix that we should then put off to go between General and Select File and listen to the DMV, for Pete's sake? They're trust lawyers? What does the DMV know about how to fix this? They don't know how to fix this. You probably do. So that's how you go about fixing a bill on the floor. And we have gotten in a bad practice over the last few years,... [LB45]

PRESIDENT FOLEY: One minute. [LB45]

SENATOR SCHUMACHER: ...instead of engaging in floor debate and fixing something as it moves through, to just say, oh, gosh, this is all full of problems. Well, we don't know what we're doing. We don't know how to fix it. So let's fix it between General and Select File. And most of you are eliminated from that fixing discussion and it's done in a very nontransparent way. Or maybe it's just forgot about altogether in the hustle bustle of the session and the issues that were raised get forgotten and a bad piece of legislation gets slid through because the person who understood what they were talking about happens to be in a committee hearing or something or not there that day. Let's...I mean, if you want to try your hand at it, guys, it's really, really, really easy. They'll give you the form. And you'll learn something. We'll learn something today and you'll feel really good that you fixed a bill. Thank you. [LB45]

PRESIDENT FOLEY: Thank you, Senator Schumacher. Senator Friesen, you're recognized. [LB45]

SENATOR FRIESEN: Thank you, Mr. President. I do find the debate a little interesting because I know last year we sent far more complicated bills on to different stages of debate in order to get them fixed, so to speak, because there were flaws in the bill. So this isn't...this is a little unusual and I look at it as more of a delaying tactic or a punishment tactic, however you want to look at it. It doesn't really matter. So I guess I will try to address it in a way I best can. And I apologize for not being on the floor when Senator Schumacher first brought up his concerns, but I'd like to learn a little bit more about what his concerns are. So would Senator Schumacher yield to some questions? [LB45]

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PRESIDENT FOLEY: Senator Schumacher, would you yield, please? [LB45]

SENATOR SCHUMACHER: Yes. [LB45]

SENATOR FRIESEN: So, Senator Schumacher, I'm going to...I need to learn a little bit more about your concerns. So if we develop a scenario here where we have a trust and we have...there's four family members in the trust and in the trust there are eight vehicles that have been put in the trust for estate planning purposes. And so one of those four members of the family is a qualified individual who could get these license plates. Would that...is that correct? [LB45]

SENATOR SCHUMACHER: As I understand it, as long as the vehicles are licensed and titled in the trust's name, that's what this says, as long as one qualifying member. [LB45]

SENATOR FRIESEN: So I take it that each member of that family or that trust owns a part of each of these vehicles. [LB45]

SENATOR SCHUMACHER: No, because the trust has the title. They're just beneficiaries. [LB45]

SENATOR FRIESEN: But each member of that trust owns the exact same share of those vehicles because they own a share of the trust. [LB45]

SENATOR SCHUMACHER: No, they do not own it. The trustee owns it. [LB45]

SENATOR FRIESEN: So the trust... [LB45]

SENATOR SCHUMACHER: They may have a beneficial use of it but... [LB45]

SENATOR FRIESEN: So who is the trustee? [LB45]

SENATOR SCHUMACHER: Whoever the trust document says is the trustee. [LB45]

SENATOR FRIESEN: Okay. So if the trust document states that the trustee is a nonqualified member, then you're saying that the trust does not get a plate. [LB45]

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SENATOR SCHUMACHER: No. This does not require the trustee to be a qualified member. It, the language, requires that one of the beneficiaries--that's somebody who does or could get benefits of the trust--is a qualified member. The trustee is not required to be a trust...a qualified member. [LB45]

SENATOR FRIESEN: Okay. So one of the beneficiaries then qualifies to get the plate. [LB45]

SENATOR SCHUMACHER: Right, the grandchild who might get it if his folks die. [LB45]

SENATOR FRIESEN: So is there a restriction if...who drives a car with Military Honor Plates? I mean if I qualify for a Military Honor Plate, can no one else drive that vehicle? [LB45]

SENATOR SCHUMACHER: If you qualify for your car, it's your car and you can drive it. The difference with a...or anyone can drive it. [LB45]

SENATOR FRIESEN: No, my question was, though, can anybody else drive that vehicle? [LB45]

SENATOR SCHUMACHER: Yes, anyone can. But the difference is trusts can have many vehicles distributed among many people. [LB45]

SENATOR FRIESEN: Okay. If they're named then obviously that person doesn't qualify. [LB45]

SENATOR SCHUMACHER: What do you mean, if they're named? No, only one of them has to qualify, one of the ten kids. [LB45]

SENATOR FRIESEN: It has to be a named beneficiary. [LB45]

SENATOR SCHUMACHER: No, it doesn't say named beneficiary. [LB45]

SENATOR FRIESEN: It says one of those beneficiaries must be qualified. [LB45]

SENATOR SCHUMACHER: One of the many must be qualified... [LB45]

SENATOR FRIESEN: So one of them is qualified. [LB45]

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SENATOR SCHUMACHER: ...and they all can have their, if the trust permits it, their individual cars they park in their own garage. They may have possession of one of the trust vehicles. This is not like one guy saying to his kid, here, take my car, son. [LB45]

SENATOR FRIESEN: But is...okay, I'm trying to clarify here. [LB45]

SENATOR SCHUMACHER: Yeah, sure. Sure. [LB45]

SENATOR FRIESEN: I'm just learning here about...more about your concerns. [LB45]

SENATOR SCHUMACHER: Sure. [LB45]

SENATOR FRIESEN: So I mean you're saying that because one person qualifies, you can put Military Honor Plates on all those vehicles... [LB45]

PRESIDENT FOLEY: One minute. [LB45]

SENATOR FRIESEN: ...but that named beneficiary then possibly can drive all those vehicles or not. [LB45]

SENATOR SCHUMACHER: I'm not saying that; the bill is saying it. The bill says anything with that trust, that that trust holds title to, qualifies for a military plate no matter whose garage it's parked in, because the trust says they can have possession of a vehicle. [LB45]

SENATOR FRIESEN: And the trust owns the vehicles. [LB45]

SENATOR SCHUMACHER: The trust is titled owner of the vehicles. [LB45]

SENATOR FRIESEN: And the trust is, in the end, owned by who? [LB45]

SENATOR SCHUMACHER: The trust is legally owned by the trustee for the benefit of the beneficiaries. [LB45]

SENATOR FRIESEN: So it looks...I mean I fail to, I guess, grasp it. But I do think there is an easy fix. I mean, when you look at who is allowed access to those vehicles, I mean you start to spell out who that beneficiary might be. [LB45]

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PRESIDENT FOLEY: Time, Senator. [LB45]

SENATOR FRIESEN: Thank you, Mr. President. [LB45]

PRESIDENT FOLEY: Thank you, Senator Friesen and Senator Schumacher. Senator Chambers, you're recognized. [LB45]

SENATOR CHAMBERS: Mr. President, members of the Legislature, if my hair were not already gray, this is the kind of stuff that would make it gray. And maybe this is the kind of stuff that helped make it gray as it is now. I have said over and over and over, but my colleagues don't listen or they don't understand. When we enact laws, we have to consider what can be done under the law and not say, well, but so-and-so wouldn't do that. The question is, can so-and-so do this under the law? Yes, but so-and-so wouldn't do it. I run into that in the Judiciary Committee all the time. Prosecutors want to say, well, I wouldn't prosecute for something like that. So after about 20 questions, the prosecutor finally will acknowledge, well, yes, under the language of the law, I could do that if I chose to; then add, but no reasonable prosecutor would do so. Then you ask all these other questions: Have you talked to every prosecutor? No. Do you know that every prosecutor--and there are 93 of them in Nebraska who is the head county attorney, then you have city attorneys and others who prosecute--do you know that all of them are reasonable? Well, no, but somebody decides what they'll do. Well, however you get to it, is every decider on there being a prosecution reasonable? You know that? Well, no. I said so then what I have to do as a policymaker is look at what the language of the law allows to be done. You can become defensive, you can be angry, you can dislike it all you please. But what a court is going to look at is what the law says. And a bunch of you all could go running in there and say, but, Judge, Your Honor, we meant...sit down, you're not even a party in this action. But, Judge, we're in the Legislature. You're not in the Legislature in here, you're in my court; now sit down or I'll find you in contempt. But we pass the law. We interpret the law; I'm not going to tell you again, sit down. These senators think they have something to say in court about what a law means because we enacted the law. If anything, the judges would say, that's why we have so much litigation, because you pass these bad laws that you don't know what they mean; they do something other than what you say was your intent. And somebody corrupted the law by doing what we didn't intend them to do. And the judge would say, then write what you intend them to do. The law is the law. You all don't pay attention to this and that's why we get all this trash legislation, and I have to ask so many questions of the Judiciary Committee. Just last week my colleagues had to sit through a very lengthy cross-examination by me of a prosecutor. And I don't think the prosecutor was aware of what the existing law says that this amendatory language was going to be connected to. And I finally got him to acknowledge that the existing law is flawed. I try to explain to these people in this Chamber that simply because something is in the statute book does not mean that it is rational, that it is logical, that it is constitutional. So they want to say, well, it's right there in the law book. Well, it's wrong right there in the law book. Since you're not

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trained in the law, you don't know. You go by your feeling. You want to say what seems logical to you. The law is not based on logic. The law is based on the words that comprise the law. That's what the law is. And courts will try to bail out ignoramus legislatures if they can do so without damaging the public at large... [LB45]

PRESIDENT FOLEY: One minute. [LB45]

SENATOR CHAMBERS: ...because they will say the Legislature, obviously--wink, wink, nod, nod, God forgive me--meant such and such and did not intend an absurd result. Well, when the court can tell you that if I applied the law the way you wrote it the result would be absurd, the court is telling you, you are absurd, your law is absurd, you didn't do your job. And you all don't want to learn how to do it. You want to kick it over to Select File and say we'll do it later. I'm going to hold us on General File. We have three stages of debate. Actually, this is where we should debate. Minor technical changes that develop after we've debated it can be handled on Select File. That's not even supposed to be where major debate occurs. No debate was envisioned for Final Reading, although we now have three stages of debate because we don't do things right on General File or Select File. But because I signed... [LB45]

PRESIDENT FOLEY: Time, Senator. [LB45]

SENATOR CHAMBERS: Thank you, Mr. President. [LB45]

PRESIDENT FOLEY: Thank you, Senator Chambers. (Visitors introduced.) Proceeding with debate, Senator Baker, you're recognized. [LB45]

SENATOR BAKER: Thank you, Mr. Lieutenant Governor. I'd like to state for the record, I'm patriotic. I respect and honored what our veterans in the past have done, what the current people serve in the armed forces do. My son was in the Special Forces. Spent time...two different occasions for a year each in Afghanistan, was in Operation Desert Storm. So, you know, certainly as a parent, had great respect for what he did too. I would yield the rest of my time to Senator Schumacher if he would like the time. [LB45]

PRESIDENT FOLEY: Thanks, Senator Baker. Senator Schumacher, four and a half minutes if you care to use it. [LB45]

SENATOR SCHUMACHER: Thank you, Mr. President. Thank you, Senator Baker, for offering the time. I'm still waiting for one of our bright young lawyers to come up with the simple solution to this law school quiz. I see that in the...behind the glass, our friends with the DMV or

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representatives of DMV are struggling with it. They have yet to figure out the solution to the quiz. And I am disinclined at this time to give out the answer, because this is indeed an opportunity for everyone to learn how to do a much more complex task that we will be doing many, many times as really complex pieces of legislation begin to move across this floor. And for also Senator Chambers to teach you how he use motions to indefinitely postpone a bill, if there is a lack of camaraderie on this floor. There's a problem with the bill. We recognize there's a problem with the bill. There's any number of ways to fix it. It needs to be fixed before it becomes law. There's no quibbling with the fact that folks who honorably serve the country, if some are entitled to honor plates, they all should be entitled to honor plates, but that we shouldn't cause a dissipation of the honor across many people by sloppily drafted legislation, and legislation that got past lawyers in...and the committee and made it to the floor lickety-split in order to be moved across without a priority. See that's part of what's happening in this...this procedure here is these early bills that get spit out of committee, that kind of look like they might be simple or got through because the right questions weren't asked in committee, and the right committee work wasn't done, well, they get to the floor and they get to be debated and put in the hopper, headed toward passage without anyone having to burn up their personal priority bill, and without anyone having to get a committee priority or a speaker priority on it. So they get heard. And there's a certain art that is used to get a bill into the hopper and up here for debate without having to burn up a priority. And it's also a very dangerous thing because you can slide some stuff through that would never make it to a priority status later on. And some of the stuff might have buried in it paragraphs which are, when you read them, first glance they look, ah, pretty simple. But when you realize that what they're doing is maybe changing a definition or altering a "not" to a...or a "may" to a "shall" or vice versa, the change is a whole lot and has ripple effects throughout the entire system. [LB45]

PRESIDENT FOLEY: One minute. [LB45]

SENATOR SCHUMACHER: And part of the problem with inexperience at the staff level and at our own level is that you don't catch that stuff. And I think all of us on the floor have had stuff slide past us because we didn't realize the implications of the legislation. This is a serious lesson on this bill, even though it's a very simple lesson and a very simple fix. So, let's all take to heed what's going on here and learn from a very excellent learning opportunity. [LB45]

PRESIDENT FOLEY: Thanks, Senator Schumacher. Senator Briese, you're recognized. [LB45]

SENATOR BRIESE: Thank you, Mr. Speaker, and good morning, colleagues. I rise today in opposition to the motion to indefinitely postpone. I was wondering if Senator Schumacher would yield to a question. [LB45]

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PRESIDENT FOLEY: Senator Schumacher, will you yield, please? [LB45]

SENATOR SCHUMACHER: I will. [LB45]

SENATOR BRIESE: Thank you, Senator Schumacher. As you read the bill, the statute itself, is it your understanding that if I qualify for one of those plates, my kids could use the car that the plate is on as a school vehicle? [LB45]

SENATOR SCHUMACHER: If you qualified for one of those plates in your own personal name... [LB45]

SENATOR BRIESE: Yes. [LB45]

SENATOR SCHUMACHER: Yes, your kids could use it. [LB45]

SENATOR BRIESE: So anybody could drive it, correct? [LB45]

SENATOR SCHUMACHER: Any...your car, yes. [LB45]

SENATOR BRIESE: I could loan it to my friends, have any family member drive it whether or not they, themselves, qualified for the plate, correct? [LB45]

SENATOR SCHUMACHER: Right. [LB45]

SENATOR BRIESE: In your opinion does that tend to debase the currency, so to speak? [LB45]

SENATOR SCHUMACHER: No. [LB45]

SENATOR BRIESE: Okay. Why is that? [LB45]

SENATOR SCHUMACHER: Because it basically is your car, garaged at your place. Everybody knows it's your car, that's grandpa's car. Okay? [LB45]

SENATOR BRIESE: Okay. [LB45]

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SENATOR SCHUMACHER: Now that's a whole lot different than a trust that might own a fleet of cars... [LB45]

SENATOR BRIESE: Okay. [LB45]

SENATOR SCHUMACHER: ...or have provisions that allow any variation of an heir to have a car from the trust, garaged in their place. [LB45]

SENATOR BRIESE: Okay. Thank you. Fair enough, you bet. I maintain that it's only in very limited and unlikely circumstances that the currency would be quote, unquote, debased in this way in which you're referring to, the use of the trust and multiple beneficiaries driving a vehicle that displays these plates, beneficiaries who don't technically qualify for the plate. I don't think that's going to be a very commonly occurring thing and for that reason I don't believe that that provision debases the currency. But I also agree with Senator Schumacher, his statement earlier, that it can be easily corrected. So I don't think it's...it's time to indefinitely postpone this bill. I think we should correct it at some point here, but perhaps instead of doing it here on the floor today we should do it at some point when we can study the issue and work on the issue and decide what the best resolve is going to be. I'm a member of the Transportation Committee and this bill came out of committee unanimously. I can't speak for all members, but the fact that it came out unanimously I believe reflected our appreciation for all who serve. Reservists have sacrificed by putting their lives on hold and risking deployment in active duty. Many reservists have been casualties of conflicts across the globe. Their willingness to risk it all should be recognized, and this bill is a way to do that and show our appreciation for what reservists have done, and I urge you to vote no on the motion to indefinitely postpone. Thank you. [LB45]

PRESIDENT FOLEY: Thank you, Senator Briese. Senator Chambers, you're recognized. This is your third opportunity, Senator. [LB45]

SENATOR CHAMBERS: Thank you, Mr. President. Senator Briese, listen. I started by saying it is not my intent to kill this bill. Why should I even try to use logic on this floor? I should just stand up here and sing a song. You all don't listen. There was not enough debate. My view is that since this is the stage at which the major debate occurs, it ought to be done here. What needs to be done is not that difficult. It's easy, but a bad method of legislating to send every bill that has problems to the next stage of debate, then you clutter that stage up also, and the debate that should have occurred here never does. You all aren't going to learn anything from what I say, but I'm going to say it anyway for my own sake. Some question was asked by Senator Briese and others, if you qualify for a license plate, specialty of any kind, can anybody drive the car? Yes, obviously. Here's what you all missed. You can't see the forest for the trees. In the first instance what we're dealing with here is the state drawing equivalency among all these people. The trust

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beneficiaries are equivalent to those who have actually served. The state is saying that. That's what needs to be corrected. Would I need to come up there and take your hand, put a pencil in it and guide your hand to write the amendment? What in the world are you all down here for? Did you go to school? Did you graduate? And you're going to be passing bills dealing with education? You cannot even listen. When you put something in the law, that is what the state has said. The state has drawn the equivalency. If you lie about your service status, and you get one of these plates, you can put it on your car and you can do anything you want to with it. Anybody can drive it that you please. Even somebody not licensed to drive can drive it. That's not even the issue. The issue is, what is it that we here representing the state and passing the law are going to say about these things? What is the policy? Is it your policy, Senator Briese--and this is not for you to answer--to establish an equivalency from people who served, whatever the title of the agency with which they served might be? An equivalency between those people and the beneficiaries of a trust. I say no. But I'd let you do whatever you want to do. And it gives me something to use to mock you all with. And I'm telling you, at this point, I'm not going to tell you like this on every bill, I'm going to make you talk about it. I'm going to give you hints about what you ought to do. But here's what you all are going to do because you're stupid. I can make you so angry with me that you will pass a bill that you know is no good thinking you're punishing me. How can you punish me when you do something to hurt your constituents and to make you look like a fool? I make you look like a fool all day long. If I find a fool, bump his head, or her head as the case may be. But if it happens to be a lady, because I had three sisters, I have a multitude of nieces, I have a different attitude toward women. And I would take time to explain things. But not to men, because men think they know everything anyway. [LB45]

PRESIDENT FOLEY: One minute. [LB45]

SENATOR CHAMBERS: I'm so glad these women did what they did yesterday all over the world because women are in the majority and they can be shown that all you have to do is vote. You don't even to have to demonstrate. Throw these men out of office. Then they'll come begging you, vote for me, vote for me because you got the votes and you're using it. See that power that you had. That was something unleashed like never before. And that's why men try to make fun of it. I understand one of our members, whose under a cloud now posted something on his personal Web page that has some kind of negative and even salacious reference, and he's purveying it and sending it on, then put some comment. Ladies I don't think you have to worry about that. Still into that kind of mess, and you all think he's a great guy. Maybe he comports with your concept of morality, and the Republican Party's concept of morality, but not even my concept of duty. I want there to be the debate, Senator Briese, and if it does no good, I've done what I can. I led the water. I reled the horse to... [LB45]

PRESIDENT FOLEY: Time, Senator. [LB45]

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SENATOR CHAMBERS: Thank you, Mr. President. [LB45]

PRESIDENT FOLEY: Thanks, Senator Chambers. Senator Krist, you're recognized. [LB45]

SENATOR KRIST: Thank you, Mr. President. And good morning again, colleagues, and Nebraska. Am I the last in the queue? [LB45]

PRESIDENT FOLEY: You are, Senator. [LB45]

SENATOR KRIST: Okay. I'll just take a few minutes of your time. Senator Briese, thank you for standing up and saying what you did. I understand you voted out unanimously on behalf of the veterans after 21 years of service. I believe that this plate needs to move forward but not in its present condition. It allows, even though you have faith in the people of Nebraska as do I, I think there are some bad actors out there that could abuse--unless we further define--who can actually put this plate on their car, who can put the plate on a vehicle. I understand Senator Watermeier's concern. His father, as I understand it, and mother, everything is in a trust. And I can understand that, but to have any more than one plate goes against my...meant for the person who's actually had military service in one kind or another, it goes against my grain, and that's what I spoke about on my first time at the mike. This bill needs to be fixed. There's no question about it. Sometimes bills are best voted from General to Select and then worked on in the interim between now and then. Sometimes they need to be talked about in order for people to put their particular frame of reference on the record, and I believe that that's what we're doing here this morning. So let me talk just a little bit about what Senator Watermeier said in terms of this being a catch phrase that has to be in there because it has to protect everybody who is...vehicle registered in a trust. Even though a vehicle is in a trust and has a handicapped sticker on it, it does not allow for everyone that's part of that trust to have a handicapped sticker. It defines who is the recipient for good reason. That's all I'm asking you to look at. The recipient for good reason for a person who puts a plate on their car that identifies them as a veteran who has served honorably for this country, the state, or the reserve, is limited to the person who has actually earned that service. The same way I believe the firefighter plate applies. The same way I believe someone who has a particular earned value that they want to either talk about or talk to or portray, something they're proud of. So my objection has nothing to do with Senator Watermeier. It has nothing to do--by the way, I don't support the IPP motion, obviously, I think you can take that as a given--has nothing to do with Senator Watermeier, has nothing to do with not wanting this to happen. I got a call from a veteran and he said, you know what, Senator, you're absolutely right. You're absolutely right. So we've got some work to do on this bill. And we have to decide, first of all, if we have treated this expanse of specialized plates, of I.D. plates that are out there. It was easier for Senator Chambers to say no way, let's not go to--and this is a phrase I hate, but let's not go down this slippery slope. Well, we've already gone halfway down the slope. And we have to be

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more judicious about those kinds of plates that I think are approved. I don't blame any member of the Transportation Committee for putting this out of committee. I might take issue with legal counsel not recognizing that it might have been too broad. But you know what? There's no blame to be had. Just like the Pittsburgh Steelers. Who's at fault for running the same defense over and over and over and over again? Right? We've got a quarterback in our midst, Senator Lindstrom. I mean, if he had the same game plan time after time after time, Brady's going to beat you, right? But let's not apply any blame. Let's just say this bill, if it goes from General to Select, has to have some attention paid to it. Now, I would invite you to vote no on the indefinitely postpone... [LB45]

PRESIDENT FOLEY: One minute. [LB45]

SENATOR KRIST: ...and vote yes on LB45, but look at yourself the next time you see a mirror and say LB45 is one that I voted yes to get it to the next level in order to make the quality changes that needed to be made to honor the men and women who have served this country, this state, and our Reserves. Thank you, Mr. President. [LB45]

PRESIDENT FOLEY: Thank you, Senator Krist. Senator Chambers, you're recognized to close on your motion. [LB45]

SENATOR CHAMBERS: (Laughing) This is so much fun, if I were dealing with first, second, and third graders. I'm dealing with old people. People who ran for office and made promises. You know that poem everybody says, I have promises to keep, I have miles to travel before I sleep? You, like the parrot, are really quite dense. You remember the words, but you don't get the sense. If I'm not trying to kill the bill, we're not even going to have to vote on this motion. I said I'm going to teach you dumbbells something. Strike that. See, when I say that, they listen. All that anybody heard some of that was dumbbell. Oh-oh, there he goes again. Yeah, because I'm talking to you because that's what I have to use to make you listen. And my words are for those who have ears to hear then. If I got a whistle, and it's a dog whistle, a dog hears it, but you don't because it's not for you. You can't hear it. There are wavelengths of light that your eye won't pick up. Tell me why man has no microscopic eye? For the simple reason that a man is not a fly. Let us know why giant oaks are made, taller and stronger than the weeds they shade. That's from Alexander Pope's, An Essay on Man. All kind of little couplets trying to get people who read that to think. Think. He also said a little learning is a dangerous thing. Don't just take a sip of it, drink enough, and it will restore you to sanity again. What's the purpose of all this? This is why I wouldn't be in a classroom, although I wouldn't have as much trouble there as I have here. You all are making laws. I think there should be discussion. After having said that, when we first started, I'm not going to be the one who sit back or run out of here and not discuss. I will participate and work harder than anybody else on their bill, because it's coming out of this

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Legislature and I'm a member of the Legislature. My standards are maybe too high for you all, but not for me. I'm trying to make the master race look like a master race. I'm trying to make you live up to what you told me and my people, and Native Americans, you are. You are God-walking. Well, show me something, God. Not how to commit pornographic acts on Skype. Where's the dignity? Are you proud of what you've done here this morning by not even knowing what's in the law and you're going to pass it? I told you again, and I have to tell you what I told you, this bill is not controversial from my position. That should be a clue to some people. He and she that have ears to hear what the spirit said to the churches, listen. Take heed. But you're not going to. I have more mercy than Jesus. I don't want to see the blind teacher or the blind student fall into the ditch. And Jesus was talking to people like me, who would see that he was trying to make a point and he did not mean literally, if you see people who are blind, let them walk into danger or into harm. He's trying to show you that one who knows nothing cannot teach something to somebody else who knows nothing. You multiply the ignorance by two. And if there are people who are not ignorant, that person will try to find a way to mitigate the ignorance on the part of both of them. [LB45]

PRESIDENT FOLEY: One minute. [LB45]

SENATOR CHAMBERS: That's what I try to do whether you like it or not, whether you like the way I say it or not. Get the transcripts and read what I say and read what you all say. Listen. How can anything I've said harm you if you pay attention to it? Does it harm you to read the bill? You get a headache? Does it harm you to analyze the language to consider what can be done under a law instead of just what you wish it would do if you wrote it correctly? I wanted the debate. We got the debate. There might be another motion up here. And we'll do some additional work on this bill, which we ought to do right here. Mr. President, I withdraw that motion. [LB45]

PRESIDENT FOLEY: Thank you, Senator Chambers. The motion is withdrawn. [LB45]

CLERK: Mr. President, the next amendment I have on the bill, Senator McCollister. Senator McCollister apparently has withdrawn. Senator Watermeier, I have FA1. (Legislative Journal page 322.) [LB45]

PRESIDENT FOLEY: Senator Watermeier, you're recognized to open on FA1. [LB45]

SENATOR WATERMEIER: Thank you, Mr. President. I had dropped this motion after Senator Schumacher and I had talked out on the floor...or out in the Rotunda briefly, and we made several changes. And I showed it to him and it wasn't quite up to speed. I'm certainly willing to add the last language that's going to say very specifically to this trust, because at the end of my amendment it's just deadheads with a trust. And I just neglected that part of it. So I'm willing to

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offer the amendment and then we can work on that as well, right now today if we need to. Thank you, Mr. President. [LB45]

PRESIDENT FOLEY: Thanks, Senator Watermeier. Senator Chambers, you're recognized to speak to the amendment. [LB45]

SENATOR CHAMBERS: Mr. President, members of the Legislature, the public has a right and we have an obligation to show them the developmental discussion that goes into changing a bill from a status at point A to a status at point B. That discussion should not occur outside of the public's ken. How about all this talk about transparency? You hear...that's why I say they're hypocrites. They're the ones who Jesus said you'll strain at a gnat and swallow a camel. The gnat is how we vote for leadership positions here. The camel is how we do our business. You want to keep that cloaked and shrouded in secrecy. You strain at the gnat, and you swallow the camel. I am not a Christian, thank God. Have to teach the Christians their Christianity. You ought to be ashamed of yourselves. Jesus often took the ones that religious people had contempt for. You all have heard the term good Samaritan. The Samaritans were people held in contempt. And you know why Jesus took somebody like that? To show that this one you hold in contempt is better than all of you. With all of your knowledge of the Torah, the Pentateuch, your knowledge of the laws and the prophets, this person for whom you have contempt is better than all of that and all of you. You know the words of the law, but you don't know the spirit of the law. So all of these righteous people saw this person who had been set upon by thieves, beaten, and robbed. The Levite walked on the other side. The priest and all the...and if there were Christians in those days, you know what they would have done, they probably would have gone through the poor man's pockets to see if there was anything left and they would have taken that too. Then this contemptible person that you religious master race people look down your nose at, gave what you all should have given. And if he was as contemptible as you religious people would say, he wouldn't even know what needed to be done. It would not have occurred to him. You all have an appearance of religion, and that's all. Hypocrites. That's what you are. The only way you can show you're not is to do what you say you believe in. I don't start by telling you, this is my standard, rise to it. No, I start with what you say is your standard. I start with your Bible. I start with the prayers you say. I start with the God you describe, the Jesus you lionize. And I quote your Jesus that you say you believe in. When I talk about rules, I talk about your rules. I talk about your law, your law said it's a crime to misuse state resources. Then you got people like Senator Groene who thinks nothing should be done about it and I shouldn't even talk about it. He's out of his mind if he thinks that's what I'm going to do. My duty is incumbent upon me, not him. My standards are high. He wouldn't even understand the standard. Not just him, the rest of you all who are trying to cover for Kintner and make it all right. All you religious people. What's in your mind when you talk this religion and you know what you got sitting up here among you? One bad apple don't spoil the whole bunch, girl. Isn't that what somebody is saying? [LB45]

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PRESIDENT FOLEY: One minute. [LB45]

SENATOR CHAMBERS: But you all say one bad apple does spoil the whole bunch. And if you embrace it, you're just like that one. That's you. Microbes in the ooze together schmooze. I told you why I couldn't say birds of a feather flock together because the birds don't deserve that. The fellows who live in the ooze together schmooze. You all don't conduct yourself...if we looked an at your laptops, we wouldn't find that on your laptop, would we? Hmmm. Hmmm. Maybe I've overlooked something. Now maybe I'm beginning to see why so many of you all say you don't see a reason to do anything about him because if you throw the rock, it will bounce back and hit you. Is that what it is? If your computer was checked, would we find child pornography on it? [LB45]

PRESIDENT FOLEY: Time, Senator. Time, Senator. [LB45]

SENATOR CHAMBERS: Thank you, Mr. President. [LB45]

PRESIDENT FOLEY: Thank you, Senator Chambers. Senator Schumacher, you're recognized. [LB45]

SENATOR SCHUMACHER: Thank you, Mr. President, and members of the body. The law school quiz continues. Let's read the bill as the proposed amendment would have it. Remember, we're talking about folks who are eligible to have these Military Honor Plates. Now, we have a proposed amendment. This is how the bill would read. And you can take your bill sheet or look at it on your gadget, and it starts at page 3, line 18 in the middle: To be eligible, an applicant shall be (a) active duty--insert new language--"or reserve duty" armed forces (personnel) serving in any of the armed forces listed in subsection (1) of section 60-30,122.03, (b) a veteran of any such armed forces who was discharged or otherwise separated with a characterization of honorable or general (under honorable conditions), or (c)--and now the new (c) would read because we're striking everything from the word "a" following "(c)" all the way through "trust" in line 25, so we're striking most of what's between line 23 and 25. And now it would say, to qualify, you would...it could be a person who qualifies under (1)(a) or (1)(b) of this section who is a designated beneficiary of the trust, or a trust, I guess it says...a trust. Does that add anything? No. Because this person already is qualified under (a). You're already qualified if you were active duty or reserve duty. What does a trust have to do with it? So this is a meaningless amendment. Because if a person is already qualified under (a) because they are active duty or reserved duty armed forces personnel in any of the armed forces that are listed, then they're qualified. What good does it add to say: or they are a person who is qualified who is a designated beneficiary of a trust? Designated beneficiary of a trust is a subset of people that already qualified. So this amendment absolutely does nothing to address whatever complicated issues there might be

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resulting from the ownership and title of a vehicle being in a trust. What this amendment fails to do, and what apparently...since apparently it came from the Department of Motor Vehicles, they're supposed to know about such things apparently...what it fails to do is tie a nexus of the ownership of the vehicle by a trust to the problem of some veteran who is a beneficiary of a trust wanting to use the trust vehicle. The nexus isn't there. The language isn't clear. In fact, doesn't even begin to address the problem. Now, there is language that Senator Briese may be looking at trying to work through and there's certainly other language that could be added or modified in this that fix the problem,... [LB45]

PRESIDENT FOLEY: One minute. [LB45]

SENATOR SCHUMACHER: ... but it is still not fixed by adding a meaningless requirement for somebody who is already a person who qualifies. Already qualifies. Is he doubly qualified that he's a beneficiary of a trust, or she's a beneficiary of a trust? We didn't fix anything. But I'll listen to the debate and perhaps someone will educate me as to why I'm reading this wrong. Thank you. [LB45]

PRESIDENT FOLEY: Thank you, Senator Schumacher. Senator Chambers, you're recognized. [LB45]

SENATOR CHAMBERS: Thank you. Mr. President and members of the Legislature, this is the stage where we should do the work. It is being done now. And if I hadn't offered my motion we wouldn't have gotten to it. This is what it takes, and somebody has to do it. And what I'm going to do...there's a word in this that Senator Kintner put on his page retweeting it that I will not use on this floor. It is an obscene term for a woman's genitals. He retweeted it and thought it was funny. And there were numerous people who responded with whatever you call it, tweets or whatever. I don't use the gadget, but I can read English. I understand that after he got enough objections, he took it down. And you all want to say that he's a victim and doesn't know what he's doing? He's still doing it, and he was ridiculing the Women's March, because they're as mad as "h" and they're not going to take it anymore. He brings it to this floor? People tweet. Senators on this floor thinking this Legislature would do something about it, and you encourage? You enable it? And I'm supposed to be like you? I tell you, I'm not a Christian. My standards are too high. You Christians are the ones who do this. And it's disgusting. It's sickening. And it should not be done. But it was done. And I'm going to send you all a copy, but I'm going to have it put in your box. I won't put this on the floor of the Legislature. He said in an article based on what was printed, the one I handed out to you all, his words and actions say a lot more about him than they do about me, Kintner said of Chambers. He is right. My words and actions show that I have standards, that I have principles, that I know the meaning of morality and integrity. That says more about me than him. He has no morality. He has no integrity, no respect for women,

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including his family. And I'm supposed to go along with this and not say something about it? You all can let the Legislature be defamed, demeaned and degraded and go along with it, and by doing so be a participant. What did I spend time doing this morning? Trying to help us do what a legislature should do, the hard work of competent legislating. Senator Watermeier has caused me, for today, to eliminate "water carrier" and restore him to his proper name. He's willing to work. I am the last one who would say that when an effort is made to change a bill, that the first attempt is going to be unflawed and perfect, unless it's a very simple matter. There are people with genuine issues on this bill, LB45, and now there's the opportunity to work on it, and they're working on it. So the one you came here wanted to be angry at, had to put the train on the right track. Now you're mad because I did that, aren't you? Aren't you? Well, you can be angry or whatever you want to. Anger rests in the bosom of a fool, sayeth the "Bibble." Now, the time is going to be well-spent by you all working on the legislation and I'm going to have to excise a cancer, a blight from this body. [LB45]

PRESIDENT FOLEY: One minute. [LB45]

SENATOR CHAMBERS: Those are terms that editorial boards have used. So what I will do since you all don't like my choice of language, and you ought to see the kind of language that Senator Kintner thinks is all right. I'm not even going to hold it up so the camera can get it because they might have one of those telephoto lenses, see the kind of language he thinks is okay, which I wouldn't dream of using on this floor. And I haven't used it in any of my "Kintnergrams." And for those who cannot read or understand, I portrayed his wife as the victim. And she has been victimized by him. And she's victimized every time he shows his face in public. He's doing it. I didn't do it. I didn't violate the law by misusing the state-issued laptop. I didn't go on Skype and commit an act of moral turpitude. He did. And you all are mad at me because I mentioned it. [LB45]

PRESIDENT FOLEY: Time, Senator. [LB45]

SENATOR CHAMBERS: Thank you, Mr. President. [LB45]

PRESIDENT FOLEY: Thank you, Senator Chambers. Senator Krist, you're recognized. [LB45]

SENATOR KRIST: Thank you once again, Mr. President and colleagues, and again those folks that are watching us throughout Nebraska. I have to again get up and emphasize that because sometimes your words are misconstrued or misquoted. I am absolutely in favor of LB45 when it is a quality piece of legislation and when it brings honor to the person or persons. You could have two members in the same household, two spouses, two significant others who have served, and they deserve to have a plate. This amendment does not do that. This amendment, as Senator

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Schumacher said, does not go far enough. So here are the things that I think you should think about, and I said it before. I honestly believe that LB45 needs to be voted from General to Select and in that transition from General to Select, Senator Watermeier and those supporters, and I would be happy to help them work with it, need to make sure that it does a few things. So let me be specific. This is one plate in honor of the person who has served this country, the state, or the Reserves honorably. One plate. If there is a trust that represents a disabled veteran, someone else drives that vehicle, and that person is the principal owner-user--not even owner--principal user of that conveyance, that person should be honored. The Department of Motor Vehicles needs to make sure that that person is vetted and is qualified. And they have ample opportunity to do that. DD214, that may be a foreign number to many of you, but that is...I carry it with me. That tells anyone that I want to talk to, if they choose, that I have served this country honorably. I also have a driver's license that has a veteran designation. I'm very proud of that. But our Department of Veterans' Affairs--and they do a great job of being very responsive to making sure that those qualifications are available for us veterans--needs to interface with the Department of Motor Vehicles, so it gets very simple. The first part of this legislation, if you read it, is mandating, if you will, that the Department of Motor Vehicles produce and design these plates. That's extremely important to the success of this bill. That stands by itself. Now let's talk about the qualification of the individual. Throwing an FA up there and expecting us then to say, okay, it's fixed--with all due respect to Senator Watermeier--is not going to do it for me on this one. So once again, as soon as we can collect our votes, vote no on FA1 because it does as Senator Schumacher correctly analyzed, doesn't do enough. In fact, arguably doesn't do anything to change my particular opposition to the way it's written, and I think others as well. Vote no on FA1, vote yes on LB45, let's get on with the state's business and let's let Senator Watermeier and folks who wish to work on this bill make it quality. And, in fact, if you look at the next amendment that's...could be coming up on this bill, it's Senator McCollister's amendment, which essentially uses his platform, his bill, which I totally concur with. When you talk about the exclusion of Merchant Marines, before Pearl Harbor, we had more Merchant Marines killed in support of World War II than we did active duty Navy. And there are other examples just like that in terms of folks who have served this country whose ability to portray their pride in their service... [LB45]

PRESIDENT FOLEY: One minute. [LB45]

SENATOR KRIST: ...should very well be protected. So again, no on FA1, yes on LB45, move it to Select, fix it the correct way, and let's move on with the state's business. Thank you, Mr. President. [LB45]

PRESIDENT FOLEY: Thank you, Senator Krist. Senator Erdman, you're recognized. [LB45]

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SENATOR ERDMAN: Thank you, Mr. President, and members of the body. Good morning, Nebraska. I rise in support of LB45. I visited with the "Professor," Senator Schumacher, about my idea, and he said, I can tell you're not a lawyer, you have common sense. So coming from a lawyer, that's what he said. And Senator Chambers, I've always been taught by my parents, respect your elders, so that's what I'm going to do. But my opinion is this, and coming from a county commissioner board, we made commonsense decisions. And I've said this before and you may have heard it. Common sense is a flower that does not grow in everybody's garden, and I have some of it, and so here's my suggestion. We make this a designation that the person in the trust who is eligible for this plate, gets the plate. Other people who are in the trust who are not eligible don't get a plate. We have one plate issued for those people who have met the qualifications. Senator Schumacher said write something down so we can deal with it. And then he said, oh, you're not a lawyer. So I would make this assumption that we are going to advance LB45, and I do agree with Senator Krist that we go forward making this a better bill, and designate who gets the license plate, and we move on with doing the business of the state. Thank you for your time. [LB45]

PRESIDENT FOLEY: Thanks, Senator Erdman. Senate Chambers, you're recognized. This is your third time on this amendment, Senator. [LB45]

SENATOR CHAMBERS: Thank you. Mr. President and members of the Legislature, oh, how wonderful it is when brothers and sisters dwell together in harmony. Sometimes it takes the most divisive one to bring the most rational people together to get them to act in a rational manner. I'm going to do this throughout the session, but it's not going to be done in the same spirit. When I become aware of things that Senator Hilgers' group, Senator Murante's 27, whoever is calling the shots on them, I'm going to do it in a way that you all would call destructive, because you are going to deliver this session into my hands before it's over. I know there are reasonable, rational people in this Legislature, but you're not going to listen to those people if they just stand up and try to make an approach like that. Somebody needs to kick the door in, tear up the furniture, break out all the windows, chase the dog and the cat down the street, then you might say, why is this being done? Then when you're told, you will say, well, why didn't you say that in the first place? Well, I said it 500 times in the first place. And you need to be aware of who you have leading you places. People around here have higher political aspirations. Ask Senator Murante. He knows, all of them know. You all are the suckers. But people on this bill are doing the work that needs to be done. And in order for something to be an honor, and you're honoring a group or a category of people, you have to have sharp lines of demarcation drawn around that group or category so it's clear whom it is you intend to honor. If others want some kind of honor for something else they're doing, let them try to get it, but get it on their own merit, if there is enough merit, but don't try to tailgate. What has happened on some of these bills, is that you get a lot...what's a good term I can use? I can't think of another word. You get a lot of parasites trying to hitch a ride on a reputable host. And somebody has to stand up and say, this train

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carries no parasites. And let people get as angry as they want to. If we were not in a legislature, or if I were not a member of this Legislature, I wouldn't...I can't even say that. Because Senator Brewer, when I was not in the Legislature, I saw a very bad bill that they passed 46-0. All of them voted for it. I read the bill. I said this is crazy, it's unconstitutional. And I wrote a letter and hand-carried it to the Governor. He didn't want to handle it. He talked to Senator Flood. Senator Flood was the Speaker. He said, Ernie, I'm sure glad I'm not going to be here when you come back. I said, well, you guys need to find a way to do something about this because if you don't, I'm going to take it to court. So then they talked to the introducer of the bill and he said he would go along with the way to save everybody embarrassment, and that was to ask the Governor to veto the bill, which the Governor did. Forty-six people and all of them were wrong. I wasn't even in the Legislature, but I was not so far removed that I didn't still feel a sense of obligation to keep it from making a jackass out of itself, 46, 49 times over. And I was able to succeed. But do you think I can read every bill even this session? I cannot read everything in every bill. [LB45]

PRESIDENT FOLEY: One minute. [LB45]

SENATOR CHAMBERS: But the bills that deal with issues that are important, I'm going to find time to read them. If I can't read them all before I get on the floor, I'm going to interrogate the introducer and those who support it and we're going to have in the record why such a bill ought to be enacted into law. Today, it took us this long on a peewee bill. A peewee bill. Imagine what's going to happen when you all start bringing the bills the Governor ordered you to vote a certain way on. I've been nice this morning. If you're results-oriented, look at the result that you got, that you would not have gotten without my intervention. You know why I'm telling you this? Not to get credit but to make you understand what has happened and what you saw this morning, if you looked. What you heard this morning if you listened. But you're not going to listen, you're not going to look, so I have to do it again and again and again. But in the meantime, thank you, Mr. President. [LB45]

PRESIDENT FOLEY: Thanks, Senator Chambers. Senator Williams, you're recognized. [LB45]

SENATOR WILLIAMS: Thank you, Mr. President, and good morning, colleagues, and all of Nebraska. We started this morning by asking God to give us wisdom and encouraging Him to give us imagination. We should have asked for more patience involved with that too. I appreciate the work that's being done here and nothing I am saying should be interpreted that I do not support the underlying provisions of this bill granting those people that have ably served our nation license plates that recognize them for that service. What we have is the situation where we're trying to on the fly amend something, and as evidenced by what "Professor" Schumacher has talked about with FA1 doing nothing is what happens sometimes when we try to move too quickly. One of the things that has come to my attention in thinking about this, when you use the

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term "trust" for many of us we run into all kinds of things. We have multiple types of trusts, multiple types of ownership with trust, including those trusts that are established by a grantor. And for those lawyers in the body, I would suggest that using a clarifying word calling these grantor trusts would accomplish a great deal of what we are trying to do in this case. And what it really does is it begins to focus us on the ownership of the trust and therefore the underlying vehicles versus the beneficiaries. Would it potentially leave some people out? Yes. Would it cast a net over a vast majority of the people we are trying to recognize in this case? I would suggest yes. I think what we are having is...and Senator Schumacher and I talked, and I think both of us would be willing to volunteer to sit down outside of here and also engage the other lawyers in the body. Senator Briese has been involved, Senator Hilgers certainly involved, and others, to come up with the proper wording here that recognizes those people that should be recognized, and meets a better standard in this case. Therefore, I would suggest voting against FA1 as it is a weak attempt and accomplishes nothing, and then let's move forward with LB45 and fix this thing between General and Select. Thank you, Mr. President. [LB45]

PRESIDENT FOLEY: Thanks, Senator Williams. Senator Watermeier, you're recognized. [LB45]

SENATOR WATERMEIER: Thank you, Mr. President. I'd just like to pull FA1 at this point in time and appreciate the discussion we've had. And I'll be working with Senator Hilgers, Senator Briese, Senator Williams, Senator Krist, and Senator Schumacher to get it straightened out. [LB45]

PRESIDENT FOLEY: Without objection, FA1 is withdrawn. Mr. Clerk. [LB45]

CLERK: Mr. President, Senator McCollister would move to amend AM32. (Legislative Journal pages 322-323.) [LB45]

PRESIDENT FOLEY: Senator McCollister, you're recognized to open on your amendment. [LB45]

SENATOR MCCOLLISTER: Thank you, Mr. President. Good morning, colleagues, again. I now produce...or amendment to LB45, which I support. I brought a bill last year in this vein, and I have this one this year. It's very similar to the bill that Senator Watermeier brought, LB45, but it does include two categories, veterans, that we need to address. Senator Watermeier's bill currently includes the Army Reserve, Navy Reserve, Marine Corps Reserve, Coast Guard Reserve, Air Force Reserve, and in my bill, I'm including two more categories which should be included. Those categories are the United States Public Health Service and the National Oceanic and Atmospheric Administration. And they served...they took the same oath and they...many of

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those same people were deployed. So in many respects, they have the same service requirements that the other...the other categories do. I've talked to many senators that have served this country, Senator Bostelman, Senator Brewer, and, of course, Senator Krist. All looked at these other categories and indicate that they deserve to be considered as well. So with that, I would ask for your green vote on this amendment. [LB45]

PRESIDENT FOLEY: Thanks, Senator McCollister. Senator Bostelman, you're recognized. [LB45]

SENATOR BOSTELMAN: Thank you, Mr. President. I rise in support of this amendment. I had questions originally with Senator McCollister on the framework for which the entitlement would be given to the...to the officers that we're talking about here, the commission officers of the Public Health Service and National Oceanic and Atmospheric Administration. As you may or may not know, colleagues, is that we serve under different titles and Title 10 is one title that we do serve in. As we serve under the different titles for our nation, there's different benefits that we're entitled to, there's different aspects of our service that we can perform. And my question really comes down to are the individuals that we're talking about here in this bill, are they properly titled under the...under the law so that they would be entitled to the same federal benefits as what I would be as a retired military person or as a reservist or guardsman. And in that, this is narrowly defined. The person has to have served under that capacity, under that capacity they were honorably, or general under honorable conditions, discharged. So in that sense, they did serve as I would have served an as an active duty member titled or as an active duty reserve or guardsman. That's very important to me that the individuals that are serving under those capacities are recognized and they do qualify for the benefits that they're being addressed or being requested as far as the license plate here. And I do rise in support of this amendment. Thank you. [LB45]

PRESIDENT FOLEY: Thanks, Senator Bostelman. Senator Chambers, you're recognized. [LB45]

SENATOR CHAMBERS: Thank you. Mr. President, as with the underlying bill, I don't have any opinion one way or the other on this one, but I need to use this opportunity to wrap up or tie up a loose end of something I was saying earlier this morning about the kind of debate we're going to have on this floor. I said a very horrendous thing had happened on the floor of the U.S. Senate which maybe I'm the only one who has read about. But there was a man named Charles Sumner from Massachusetts who did a great amount of work against slavery, in the slave-holding states. And there was a rat--I guess a lot of legislatures have rats in their midst--named Preston Brooks. And when Sumner was sitting at his desk...in those days...I haven't visited the Senate Chamber, I don't know if it's still like that, the desks were bolted to the floor and a chair was there, and you

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could write on this desk and do other things with it. Sumner was doing as he often did in that Chamber, writing and dealing with his papers. And this rat, this low-down, no-good, skulking rat who shouldn't have been in the Senate, Preston Brooks, from one of the Carolinas, North or South, they're both the same to me, came up with a hickory stick and snuck up behind Sumner, a coward on top of it, and beat that man bloody. And Sumner developed infirmities from that beating on the Senate floor, and Brooks was praised by members of the Senate as some of you all praised and embraced Senator Kintner. I don't do it. And I won't be caught. I won't be caught like Charles Sumner was. Since I know what I'm dealing with when he's on the scene, I watch him. Nobody will sneak up on me. Nobody has to sneak up on me anyway. I walk these halls. I'm in my office. I can be found. And I'm not a woman to be demeaned and disgraced in the disgraceful way that Senator Kintner did on his Facebook page. I understand...I got word he took it down. He took it down now, the insulting thing he put up about women. That's the only time he acts, when he's caught. He didn't expose what he had done in this case until he thought that somebody was going to try to extort money from him, and he wanted to find out if the material that he put on that laptop could still be there. That's what he was trying to do. Not come clean because he kept it hidden for a year until the press got hold of it and released it. Then he wasn't going to say anything. And then one of the top mucky mucks in the Republican Party defended him and worked out an unholy deal where he only paid a \$1,000 fine. And the Republican Attorney General would not file charges, but the Attorney General had to acknowledge that a crime had been committed, but it was committed outside the jurisdiction of Nebraska. He committed the crime. The crime was committed. He's still in your midst. Still putting that insulting thing on Facebook, or wherever it is. If I misstate where it is, that's because I don't know anything about this stuff, but you all would have been able to find it, except he took it down after he got such an outcry. He's in your midst. He stands and prays when you all pray. Look at you. He's one of you. One senator found what I said jarring, but he doesn't find jarring what Kintner is continuing to do. And you think these people are going to make me be quiet, they're going to tell me what to say, when to say and how to say it? They can't do anything with me. [LB45]

PRESIDENT FOLEY: One minute. [LB45]

SENATOR CHAMBERS: And there used to be some big cowardly bullies in school when I went, and they'd jump on little people. You couldn't pour them on me. You could not pour them on me. And as old as I am, I say it right now, I'm disgusted. Not only with him, but with this body. You all are enablers. You all are just like him. You participate in it. And some of you demean your colleagues, not your colleagues, your constituents by saying they don't care. They don't care about what he did. I guess their morals are no better either. Stop telling me about the high morals of these rural people, but what does bail them out to some extent is what the Cass County Republican Party did, and I'm going to read, not today, maybe... [LB45]

PRESIDENT FOLEY: Time, Senator. [LB45]

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SENATOR CHAMBERS: ...if there's time. Oh. [LB45]

PRESIDENT FOLEY: Thanks, Senator Chambers. Senator Krist, you're recognized. [LB45]

SENATOR KRIST: Thank you, Mr. President. Again, good morning, colleagues and Nebraska. I was wondering if Senator McCollister would yield to a question. [LB45]

PRESIDENT FOLEY: Senator McCollister, would you yield, please? [LB45]

SENATOR McCOLLISTER: Certainly. [LB45]

SENATOR KRIST: What is the bill number that this amendment is extracted from again, please? [LB45]

SENATOR McCOLLISTER: LB419. [LB45 LB419]

SENATOR KRIST: Is it your intention to withdraw LB419 if this is amended into LB45? [LB45 LB419]

SENATOR McCOLLISTER: Yes, sir. [LB45]

SENATOR KRIST: Okay. I just want to put that on the record. I think that's a great thing for us to do in...thank you, Senator McCollister...a great thing for us to do in an effort to speed things along and do the state's business and the citizens' business. And I applaud that. Many...you'll see many times these bills will come up and they're almost identical to what you may have proposed or you know has been proposed, and amending that bill into the effort is...not only guarantees if Senator Watermeier may have some more support for LB45, but it saves us an incredible amount of time in both committee and in floor presentation of a bill. And just to say it...it needs to be said even though I think you can infer, I, 100 percent, support the addition that is contained in AM32. And again, 100 percent support the intent of LB45 and encourage those that have been named by Senator Watermeier to take the time and make this bill the best that it can be before it comes back on Select. So I'm asking you to vote yes on AM32 and yes on LB45 with those conditions understood. Thank you. [LB45]

PRESIDENT FOLEY: Thank you, Senator Krist. Senator Watermeier, you're recognized. [LB45]

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SENATOR WATERMEIER: Thank you, Mr. President. I just want to rise in support of AM32, Senator McCollister's amendment. I think it's appropriate and a good time to do that, so I'm fully in support of both the amendment and the bill, but with pledging to support the activities that we'll get LB45 straightened out on the language. Thank you, Mr. President. [LB45]

PRESIDENT FOLEY: Thanks, Senator Watermeier. Senator Friesen, you're recognized. [LB45]

SENATOR FRIESEN: Thank you, Mr. President. Senator McCollister, would you yield to a question? [LB45]

PRESIDENT FOLEY: Senator McCollister, would you yield, please? [LB45]

SENATOR McCOLLISTER: Yes, I will. [LB45]

SENATOR FRIESEN: You recall last year, this portion that you're offering as an amendment was a bill last year that drew some opposition testimony. Was that...any portion of that opposition in regard to what you're trying to do now? [LB45]

SENATOR McCOLLISTER: Well, during the interim we did a great deal of negotiating and we eliminated some of those issues. I think most of those issues dealt with the driver's license rather than the plates. So we resolved that issue as well. I have a bill coming up for that purpose. And I think you will see that that issue has been resolved. I should point out that the bill that we drafted this year was nearly identical, Senator Watermeier's bill, LB45, which was heard in your committee. And as I recall, it didn't get...have any opposition. And so I think we've resolved those issues. The only difference being that we added two more categories in an effort to be totally fair with our servicemen. [LB45]

SENATOR FRIESEN: Okay. I just...I guess want to express a little caution here because there is a bill here, we've not had a hearing on it yet and now we're trying to amend that language into a bill without having testimony. And I know last year it had some opposition, I'm hoping they had it worked out, but last year it did not make it out of committee, I believe, because of that opposition. So, I think it's something that everybody needs to keep in mind. Thanks, Mr. President. [LB45]

PRESIDENT FOLEY: Thanks, Senator Friesen. Senator Chambers, you're recognized. [LB45]

SENATOR CHAMBERS: Thank you, Mr. President. Members of the Legislature, there is legislative integrity in play here now and that doesn't mean everybody is unanimous on a

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particular issue, but it's being approached in a way that it should. I have made a statement about the Republican Party, and when people separate themselves out, they deserve to have that happen. This is a letter that was sent to Senator Hadley when he was the Speaker: Dear Mr. Hadley: As chairman of the Cass County Republican Party, I want to make you aware of a unanimous vote in favor of Resolution 2016-01, that was taken on December 13, 2016, by the Cass County Republican Party and the Cass County Republican Party Executive Board. We felt that as citizens and Republican Party members of District 2, which includes all of Cass County, go on record deploring the inappropriate activity of Senator Bill Kintner. As stated in the resolution, we ask that Senator Kintner submit his resignation and if he refuses to resign, that we call on the Nebraska Legislature to take strong action on this matter. Here's the text of the resolution. Subject: Cass County Republican call for Senator Bill Kintner's immediate resignation. Whereas, in November, 2014, Bill Kintner of Papillion, Nebraska, was elected to his first four-year term to represent the people of Nebraska Legislature District 2; whereas, Nebraska Legislature District 2 completely encompasses Cass County; on August 5th, 2016, the Nebraska Accountability and Disclosure Commission found Senator Bill Kintner in violation of Section 49-14,101.01 (2) and imposed a fine in the sum of \$1,000 for illegally using state property; whereas, the illegal use of state-owned property involved using a state owned laptop to engage in a teleconference sexual act, (cyber sex); whereas the Governor of the great state of Nebraska, the Honorable Pete Ricketts has repeatedly called for Senator Kintner's resignation; on August 29, 2016, the Nebraska Legislature's Executive Board voted unanimously to send Senator Kintner a letter asking him to resign by September 2016; whereas, Senator Kintner has repeatedly embarrassed the good people of Nebraska Legislative District 2 by performing acts of cyber sex on state-owned equipment, inappropriate comments related to women made during legislative sessions, derogatory comments about his fellow legislators, and alleged theft of services in Sarpy County; resolved that as a result of Senator Kintner's illegal use of state-issued equipment, demonstrated lewd and offensive behavior, lack of remorse for official misconduct, and in the spirit of Governor Ricketts call for resignation, Kintner to immediately submit his resignation in accordance with rules of the Nebraska Legislature. Furthermore, if Senator Kintner refuses to resign, the Cass County Republican Party calls on the Nebraska Legislature to take strong action submitted by the Cass County Republican Party, action taken. Approved by unanimous vote of the Cass County Republican Party and Cass County Executive Board. The date, December 13, 2016. If the Republicans will not stand up and doing something for these people, I shall. They are my constituents, I'm a state senator. The state includes Cass County. You all have deaf ears. They're asking you to help. You won't. They're asking me to act. As a member of the Legislature, they have officially and formally asked me to act on their behalf and in their best interests, and I intend to do so. [LB45]

PRESIDENT FOLEY: One minute. [LB45]

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SENATOR CHAMBERS: I must respond positively to my constituents. And my constituents have asked me to do exactly what I'm doing. And if he can take it, I can keep giving it. And if you all want to go along and protect him and shield him and be enablers, be that. We don't have 90 days to go now. We have probably fewer than 80 days. But you are going to feel like you went around the world a few times in fewer than 80 days, because I will have plenty to say and I can say it on every bill. I don't know whether I will or not. Maybe I will, maybe I won't. That's the prerogative of being grown, of being an adult, being your own person, not needing anybody's approval, anybody's affirmation, anybody's permission. I was elected to this body and there are a lot of you who wish I had not been and I know a lot of white Nebraskans... [LB45]

PRESIDENT FOLEY: Time, Senator. [LB45]

SENATOR CHAMBERS: ...wish I hadn't been. Thank you, Mr. President. [LB45]

PRESIDENT FOLEY: Thanks, Senator Chambers. Senator Brewer, you're recognized. [LB45]

SENATOR BREWER: Good morning, Mr. President. There's been a number of people come by asking questions, so I'm going to give kind of a point of clarity on the AM32. The questions have come up on the Public Health Services, and questioning whether or not they should be entitled along with the National Oceanic and Atmospheric Administration. Just as kind of a couple quick notes for folks: with the Public Health Services, they wear the uniform, it's primarily nurses, doctors and PA's, and they're deployable around the world. So, no issue at all with them. And on the other side of it, their purpose is doing surveys, primarily for shipping, nautical charting, of course, hurricane support, coastal mapping for our special forces. They have oversight on diving programs and aviation safety. So for the sake of the folks that were asking on AM32, I see no issues with this. Thank you, sir. [LB45]

PRESIDENT FOLEY: Thanks, Senator Brewer. Senator Krist, you're recognized. [LB45]

SENATOR KRIST: Thank you, Mr. President. What I have to say is directly in line with some of Senator Chambers' comments, and once again, the bad behavior of one of my...one of the people who sits in the Chamber with me. I think the time has come--and Senator Chambers may disagree and maybe he'll think I'm calling him out,--but I think the time has come to have a conversation about the behavior of one or two of our...of the people who sit in this Chamber with us. It's going to come up on every bill. We're going to take time talking about things, and we need to. But maybe it's time to just focus on getting that behind us and moving on with this...with the session. The bad behavior doesn't stop from Senator Kintner. This started when he first came in here and professed that he wanted to take over this Legislature and make it a part of some body. It's in print. He can deny it all he wants to. He once again has defamed women on his

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Facebook, and since then has taken it down. Public pressure. I'm going to make a comment about this bill in just a minute, again, and I'm going to say, at this point maybe we should just get on with the business at hand because Senator Kintner is up here telling the Speaker as we speak, that he doesn't want to be talked to like this because it's not...this bill is not about him. So let's do it. Let's put a motion of censure or sanction or impeachment. Let's talk about it. Let's stop talking about talking about it, and let's just talk about it. Part of the reason I'm not sitting in the same chair I did last year is the fact that I came out very strong against the man that's walking out of the Chamber because he can't face it. There's a time to be a statesman and there's a time to do the state's business, no matter what it takes. Thank you, Senator Brewer, for making the comments you did about AM32. Again, very appropriate. Let's move LB45 forward and get on to the next piece of business, and it may be talking about sanctions, censure, impeachment. Thank you for listening. [LB45]

PRESIDENT FOLEY: Thanks, Senator Krist. Senator Chambers, you're recognized. [LB45]

SENATOR CHAMBERS: Thank you. Mr. President and members of the Legislature, we all conduct our affairs in the way we think we should. I have my way of doing it. I've been battling this issue all the interim, and I'll continue. I said that nothing would satisfy me short of him being out of this Chamber. You all may try to take a halfway measure by...as you call it, censuring him, saying you did something bad, don't do it. That's not good enough. I will deal with it the rest of the session. Makes me no difference. I have bills. No bill that I have, as much as they all mean to me, means enough for me to sacrifice the integrity of the institution of which I'm a part to try to get a bill passed by this Legislature. I said I would dedicate this session to getting rid of Kintner. The coward keeps going to people in the chair saying it's not about me, don't let him talk about me. It has to do with the integrity of what we do. And I'll talk about him every time I decide to. And he can tattletale to the teacher every time he wants to. He needs to leave here. But if he chooses not to, and you all choose to have this continue, I can continue it very easily as you see. I will begin to read material into the record. It just happens that we had some bills today that I didn't think were that controversial, and at some point they will easily be moved forward. But there are going to come other bills that are controversial on their own. That will be made to order for me. The pot will already be boiling, and it will be up to me to set it roiling...r-o-i-l-i-n-g. And I shall do it. See, I respect all women. Even women who are married to guttersnipes. I pity them. And I've known women who in that situation, and the ratty men try to project to the public such an all-embracing, clean, upstanding image, so that people would say, well, he won't do that. Listen to what the victim says. But in this case, we have concrete action of a very highly immoral type, and a crime that was committed. This is not just a difference of opinion. A crime was committed. You have a criminal in your midst whom you embrace. See if I talk about Jack the Ripper, you wouldn't be upset. I could talk about Jack the Ripper on every issue. Nobody would be running up there to the Speaker saying, Speaker, Speaker, this bill isn't about Jack the Ripper, but let it be about him. And he squeals like a pig with his nose stuck

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under a gate, as Loran Schmit used to say. I can understand the frustration that Senator Krist might feel, but I won't try to detail it because he speaks very well for himself. I've said what I intend to do. I sent material to you all, much of it probably wouldn't be read, some of you have said to the media you thought it was a waste of time. Then don't read it. But I'm going to use my time in the way that I think I should. And you can leave the Chamber empty with just me, then I have total run of the place. Then I will ask for a call of the house, and if we don't get 25 votes we don't have a quorum and we're immediately adjourned for that day. And you've lost a day. How much does it mean to you? And you are not standing for somebody who took a strong moral principle position... [LB45]

PRESIDENT FOLEY: One minute. [LB45]

SENATOR CHAMBERS: ...and is being criticized for it. Did you say time? [LB45]

PRESIDENT FOLEY: One minute. [LB45]

SENATOR CHAMBERS: You are trying to defend somebody who did one of the lowest kind of things that could be done. If he did it on the street, he'd be sitting in a jail cell right now. Made a mockery of marriage of vows after talking about family values. And you defend him. He's trying to offer a lot of bills, not like for the gun nuts to show that he's really in their corner and they'll defend anything that carries the ball for them...anything. I'm not going to get tired. I'm not going to sit down. I'm accumulating more material. And see, I prepare ahead. Colonel Brewer will know about this, know the nature of your enemy, the terrain, what your objective is, then gear everything you do to achieving that objective. I have about 40 "Kintnergrams." It would take me more than a day to read some of them. I don't have to write another rhyme. [LB45]

PRESIDENT FOLEY: Time, Senator. [LB45]

SENATOR CHAMBERS: Thank you, Mr. President. [LB45]

PRESIDENT FOLEY: Thank you, Senator Chambers. Senator Hansen, you're recognized. [LB45]

SENATOR HANSEN: Thank you, Mr. President. I rise in support of LB45 and I'm appreciative of the work Senator Watermeier has done on this bill. This actually alleviates a constituent concern that I've been doing some research into the fall and I'm very appreciative that we're moving forward helping reservists be recognized in the same way we do other military members and veterans. That being said, Senator Krist's comments and Senator Chambers' comments today

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have kind of spurred me to stand up. I've gone back and forth in my head this whole morning deciding based on the aforementioned tweet about...from Senator Kintner about mocking women, protesting rape, and sexual assault. I've gone back and forth between whether or not I was going to pop up on the microphone and grill him asking to see if he understands rape culture, ask him to explain why he thinks that's an appropriate thing to joke about. But instead I just wanted to make sure that I got on the record, make sure people know that I do condemn those comments and look forward to an opportunity where we can have a fuller discussion on Senator Kintner, and his behavior in this Legislature. Thank you, Mr. President. [LB45]

PRESIDENT FOLEY: Thank you, Senator Hansen. Mr. Clerk. [LB45]

CLERK: I have items, Mr. President. Hearing notices from the Urban Affairs Committee, those signed by Senator Wayne as Chair of the committee. Your Committee on Government, Military and Veterans Affairs reports LB85 to General File with amendments. Series of name adds: Senator Hilkemann to LB46; Senator Quick to LB46; Senator Ebke, LB103; Senator Hilkemann, LB195; Senator Bolz, LB456; Senator Geist to LB46; Senator Lindstrom to LB553; Senator Riepe to LB46. Reminder: Reference will meet upon adjournment; Reference will meet upon adjournment. (Legislative Journal pages 323-327.) [LB85 LB46 LB103 LB195 LB456 LB553]

And Mr. President, priority motion: Senator Murante would move to adjourn the body until Tuesday morning, January 24, at 9:00.

PRESIDENT FOLEY: Members, you heard the motion to adjourn. All those in favor say aye. Those opposed say nay. We are adjourned.