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Transcriber's Office

Floor Debate  
March 20, 2019

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FOLEY: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the forty-fifth day of the One Hundred Sixth Legislature, First Session. Our chaplain today is Pastor Derek Geist of the Mercy City Church, Lincoln, Nebraska. Pastor Derek is son and the guest of Senator Geist, of Senator Pansing Brooks's district. Please rise.

PASTOR GEIST: (Prayer offered.)

FOLEY: Thank you, Pastor Geist. I call to order the forty-fifth day of the One Hundred Sixth Legislature, First Session. Senators, please record your presence. Roll call. Mr. Clerk, please record.

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

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

ASSISTANT CLERK: No corrections this morning.

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

ASSISTANT CLERK: There are, Mr. President. Your Committee on Transportation whose Chairperson is Senator Friesen reports LB268 as placed on General File. Committee on Enrollment and Review reports LB619 has been placed on Select File with amendments. In addition to that, the Urban Affairs Committee will hold an Executive Session at 9:15 in Room 2022. That's all I have at this time.

FOLEY: Thank you, Mr. Clerk. While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign the following two legislative resolutions: LR41 and LR42. We'll move right away to the agenda, General File, 2019 senator priority bills. Mr. Clerk.

ASSISTANT CLERK: Mr. President, LB311 introduced by Senator Crawford. (Read title.) The bill was introduced on January 15. It was referred to the Business and Labor Committee. That committee placed the bill on General File with committee amendments. Those committee amendments are now pending, as is an amendment from Senator Slama to the committee amendments.

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FOLEY: Thank you, Mr. Clerk. Senator Crawford, before we move to the speaking queue, if you'd like to take a minute or two just to refresh us on where we left off yesterday.

CRAWFORD: Thank you, Mr. President; good morning, colleagues. Colleagues, we have up today LB311. Colleagues, this is an opportunity for our state, state of Nebraska, to be on the cutting edge of attracting the best and brightest to our state. LB311 creates a paid family medical leave insurance program. It allows employers to pay into an insurance pool that then provides funds when someone needs to take leave to care for themselves, to care for a loved one, or to bond with a new baby or a new adopted baby, or a foster care placement. Those early years, we found, are so critical in terms of being able to have healthy outcomes and help the baby's brain develop, and we know so much more about brain science now and know how critical those first weeks are in terms of that bonding with the baby and child. And so if you are interested in making sure that we are attracting the best and brightest to our state, if you're concerned about making sure that our youth are getting the best start possible, the best that we know in brain science of early child development, if you're concerned about making sure that we are able to take care of people, the elderly in our state, that are growing and reduce-- in California they reduced the use of nursing homes by 11 percent. If you're concerned about making sure we can help the elderly stay in their homes, colleagues, that I-- I urge you to vote for LB311, support LB311. This would be in the cutting edge in the Midwest in passing this kind of legislation to support our families, support our employees, and provide a benefit to our employers. Thank you, Mr. President.

FOLEY: Thank you, Senator Crawford. Members, if you could hold your conversations down, please, it's very distracting to the senators who are giving their speeches. Senator Matt Hansen, if you'd like a moment or two to refresh us on the committee amendment.

M. HANSEN: Thank you, Mr. President; and good morning, colleagues. Colleagues, AM570 is the Business and Labor Committee amendment. It is a white copy amendment. However, it makes just four main substantive changes from the green copy. First, the amendment sets a specific amount of \$5,558,000 as a transfer from the Nebraska Health Care Cash Fund to the new Paid Family and Medical Leave Insurance Fund. This is a loan that will be repaid once the program is up and running by October 1, 2023. Second, in order to lower costs in the fiscal note, the amendment allows one full year for collecting contributions from employers to the Paid Family Medical Leave Insurance Fund as opposed to six months provided in the original bill. This will allow the fund to grow more before claims can be made against it. Third, also to lower costs in the fiscal note, the amendment lowers from 12 weeks to 6 weeks the time an employee can take for personal or family medical leave while keeping it 12 weeks the amount of leave for a new child. And finally, fourth, the amendment strikes the term "domestic partner" from-- the definition of a covered family member due to concerns about how one would define that relationship and provide proof of that relationship to the Department of Labor. With that,

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colleagues, I would encourage you to adopt AM570, the Business and Labor Committee amendment, and LB311.

FOLEY: Thank you, Senator Matt Hansen. Senators, a very important announcement, Senators Brandt, DeBoer, Dorn, and Gragert have some doughnuts being distributed on the floor today in celebration of the first day of spring and day 45 of the legislative session. Thank you, Senators. Senator Slama, if you'd like a moment or two to refresh us on FA24.

SLAMA: Yes, FA24 just makes two simple changes to LB311. On page 6, line 11, the first word in that line 12, we changed to "six." And on line 14 we change, in that first reference, to six to "four." This is an amendment that I hope can continue to spark the discussion on paid family medical leave, its benefits, its shortcomings, and the benefits and shortcomings associated with this bill. So that's my wrap-up on FA24.

FOLEY: Thank you, Senator Slama. Now we move to a very lengthy queue of senators wishing to speak. Senator Quick, you're first in the queue.

QUICK: Thank you, Mr. President. And I didn't get a chance to speak yesterday, so I wanted to get up and speak today about I do support LB311. I think it's important for our working families, and I do oppose FA24. So one of the things I wanted to talk about is I know from my experience in the work force, I worked at a power plant for 28 years, we had very good sick leave. I mean, we were able to use that and had-- and we would incorporate the family medical leave into that as we were taking our leave. So we were very fortunate. But I know there are a lot of workers out there who do not have sick leave, and they have to use vacation, or time off to supplement that. And then I know some employers do have sometimes-- some types of short-term disability that they will allow. I think what happens to these working families is, when they can't work, if the employer is willing to work with them, that is very fortunate for them and help them out. But there are some employers that maybe don't do-- go to those measures. And so I think this is an important bill that would help those type of families with that type of leave. I do have an e-mail that I received from someone that I know, and so I'm going to read some of that. She writes: In 2017, when I had my baby, my employer did not offer any form of maternity leave outside of short-term disability and FMLA. My company does not offer any form of sick leave outside of PTO. I earn approximately three hours of PTO per pay period. I was very sick with-- and I know she had commented she had morning sickness, she actually had to be on an IV and could not be at work. She lost a lot of weight during her pregnancy, and that happened all within the first four months of her pregnancy. I had to use some of my PTO during that time, which made it harder to accrue and save up for maternity leave. After delivery, for FMLA, you can take up to 12 weeks of unpaid leave in a 12-month period. Short-term disability for normal deliveries offers six weeks of two-thirds pay. However, the first two weeks are a grace period, so only four weeks are

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actually paid. I decided to take an extra two weeks outside of short-term disability pay, using up to a total of eight hours of FMLA. During FMLA, you are required to cover your benefit contributions, or else it would be taken out of your first paycheck upon return, so I didn't have much PTO saved up. I decided to use it for the extra two weeks of FMLA as opposed to two-week grace period at the beginning of the short-term disability, which meant I missed an entire paycheck. Luckily, I had enough PTO to cover my benefits for the first two extra weeks on FMLA, but not enough to provide for any real income. I used all but ten hours of my PTO, which I saved in case our daughter or I got sick upon my return to work. At the time I was a full-time employee, had worked at my company for three years, had a master's degree, and was finishing my Ph.D. Despite having a stable lifestyle, my husband and I struggled to make ends meet during this time. I could have gone back to work after six weeks, but was not physically or emotionally ready to do so.

FOLEY: One minute.

QUICK: Thank you, Mr. President. So then my company has-- since then my company has launched a paternal leave program, in which they offer 100 percent paid leave for one week following the birth or adoption of a child. This is just an example of one person. And I can tell you, and she may be more fortunate than others that she has some PTO. A lot of places don't have any type of coverage. And if you get sick outside of that pregnancy and after your child is born, your baby could get sick, there's all these other issues that can come up. And so I think this is something that we truly need to help these working families with these type of issues. And with that, I will yield the rest of my time. Thank you, Mr. President.

FOLEY: Thank you, Senator Quick. Senator Matt Hansen.

M. HANSEN: Thank you, Mr. President; and good morning again, colleagues. Colleagues, I'd like to first off rise by, again, thanking Senator Crawford for her work on this issue. I think the first time Senator Crawford brought a bill might have been back in 2015 or 2016. I know there was a time again last time, and then finally we have it again this year. And that's just to kind of point out the amount of work and effort and planning to get a bill to this point, where we felt comfortable bringing it to the floor, we felt comfortable showing it as a proposed, complete program. And I hope from there we can continue to have the discussion on what's best to have an opportunity for paid family medical leave in the state of Nebraska. And the reason I bring that up and the reason I propose-- talk about that and bring this up is during the opposition of this bill, I've heard a lot of the same thing of, well, of course, I support family leave, but; or, of course, I support paid family leave, but. And if the but is the expense, if the but is a burden on employers, that's, I suppose, a fair point to argue; but hopefully one we can work on and it's not just something you're hanging on to oppose the bill while kind of not taking that harsh of a stance

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against it. If you've gotten up on the floor in the past couple-- or just yesterday, I guess, if you got on the floor yesterday and said, well, I like the concept of paid family leave, but; please, by all means, come forward. I know we don't have much time left on the floor this morning, but please, come forward, talk to Senator Crawford, talk to members of the Business and Labor Committee. Let us know what the next step is. If it's a cost thing, if it's a structure thing, what is it? Because I know this bill and this project and this concept has been such a huge amount of work that Senator Crawford has really carried the lead on. Let's make sure that if we do support the concept, you know, let's have a constructive conversation about what that would best look like going forward and what that would best look like so the next time we want to bring this or hopefully later this session when we have consensus and unanimous support to move LB311 forward, we know what your concerns are specifically, and we can try to figure out a way to account for them and include them. I bring that up, this is the one thing that's kind of been popped to the back of my mind and I would like other people to just kind of think in the back of their minds, too, when we talk about this program. You know, there's been some kind of outlandish floor speeches talking about this bill and this concept and deriding it, and I just want to remind people, think about if we were starting unemployment insurance today; think about if we were starting Social Security today; think about if we were starting, you know, some of these things that have been around for generations and have just become institutions and we've really accepted and both businesses and employees see the benefit and have the benefit. It could seem like a big ask, seem like a big thing, but it's something that we're trending towards. So by all means, let's kind of have some sort of collaborative, interested, focused discussion on what would actually take to get you to support a bill like a paid family medical leave bill, because otherwise if you're just getting up and saying I like the concept but, you're really saying I'm not going to vote for this and I know my constituents want it, or something along that line. If there's not a clear next step of what it would take and whether or not we're willing to-- you know, the supporters of the bill are willing to agree or whether or not it's feasible, that's not necessarily the point. It's what's the next thing, what's the next thing we could do to make--

FOLEY: One minute.

M. HANSEN: --this move forward-- thank you, Mr. President-- to make this move forward and help build the bill to be billed a-- build a better bill. If I have any time left, I would yield it to Senator Crawford. Thank you, Mr. President.

FOLEY: Thank you, Senator Hansen. Senator Crawford, about one minute.

CRAWFORD: One minute. Thank you, Mr. President. I want to reiterate Senator Hansen's call for amendments and proposals. I'm happy to hear from people if there are things that you would

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like to see changed that would bring you on board for the bill. And with that I'd ask if Senator Slama would yield to a question.

FOLEY: Senator Slama, would you yield, please?

SLAMA: Absolutely, yes.

CRAWFORD: Thank you, Senator Slama. And I appreciate your discussion about-- one of your concerns about the bill being the time. I just wondered if FA24 passes, will you vote for LB311?

SLAMA: Would I vote for LB311? FA24 was meant more of a-- as a discussion point to explain that I disagreed with the amount of time chosen. It was not meant to be a serious amendment. I would like to see the time taken off be around that time.

CRAWFORD: So is that a no. Is that a no, then in the current form?

SLAMA: No.

FOLEY: That's time, Senator. That's time, Senator.

CRAWFORD: Okay, I appreciate more conversation about what [INAUDIBLE].

FOLEY: Thank you, Senators. That's time.

CRAWFORD: Thanks.

FOLEY: Thank you. Senator Howard, you're recognized.

HOWARD: Thank you, Mr. President, I yield my time to Senator Cavanaugh.

FOLEY: Thank you, Senator Howard. Senator Cavanaugh, five minutes.

CAVANAUGH: Thank you, Mr. President. Last night I went home and I spent the evening with my children. And I spent the evening with my parents and my husband and my brothers and my two nieces and nephew and my sister-in-law, who's expecting a baby any day now. It's their fourth. I'm very excited for her. My sister-in-law is a brilliant woman. She has a Ph.D in

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mechanical engineering. She has four children who get sick from time to time. My brother is a public defender. And when their kids get sick, they both have time off. But my brother is a public defender, so if he doesn't show up to work, he might have a client who doesn't have representation. So they have to work things out. They have to cobble things together. They have to make difficult decisions. And sometimes they rely on his parents, sometimes they rely on her parents, aunts and uncles, we all kind of come together for each other. And it's wonderful. But I have an enormous family, and even with this enormous family, it is not easy. It's not easy for me. It's not easy for my brother and my sister-in-law, and we have that support system. We have paid time off. Well, I used to have paid time off. We have vacation, sick leave; my sister-in-law will have her employer offer short-term disability, so she will have that for her maternity leave. My brother gets paternity leave for a few weeks, so they'll have that, as well, and then they will have relatives helping out. This is not the case for everyone. And as Senator Blood mentioned yesterday, Nebraska claims to be a pro-life state. Mr. President, could I have a gavel?

FOLEY: Members, please come to order.

CAVANAUGH: Thank you. Nebraska claims to be a pro-life state. And this is a policy that would impact families, young families and aging families. It would be good for them, it would be good for Nebraska, it would be good for work force development. I'm disheartened by what has transpired here yesterday and today. I'm disheartened by a fake amendment, Senator Slama. It wasn't supposed to be a serious amendment. This is a serious bill. This is a bill that impacts people's everyday lives. This is a bill that would allow that parent whose child was just diagnosed with cancer to take their child to their cancer treatments and not have to leave them to go back to work because they can't afford it. This is a really important bill for the people of Nebraska. And to treat it like it's a game, it's devastating to me, and extremely disappointing. And I am brokenhearted by how this has come together. I'm brokenhearted that people would play politics with the lives of Nebraskans. I'm brokenhearted that people would think that this could be a game, that you could just run the clock out. I don't have the votes for this bill. I never had the votes for this bill. And the body spent three hours running the clock out instead of just going on the record and saying that you don't like this bill. We could have moved forward, we could have gotten other business done.

FOLEY: One minute.

CAVANAUGH: But instead-- thank you, Mr. President-- instead you ran the clock out, and you did a disservice to your constituents, and you did a disservice to Nebraska as a whole, and you did a disservice to this body. This is not how this body should function. We should have robust debate when debate is needed. If you know how you're going to vote and you state it for the record, you state your opinion for the record, you don't need to run the clock out. This isn't bad

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policy, and even if it were, it never had the votes to get through. And I'm disappointed in my colleagues today. I wish that we could move forward in a more collaborative, thoughtful way after this point. I will yield the remainder of my time to Senator Crawford.

FOLEY: There's only nine seconds, Senator. Five seconds.

CRAWFORD: Oh, okay, thank you, Mr. President.

FOLEY: Thank you, Senators. Senator Slama, you're recognized.

SLAMA: All right. Thank you, Mr. President. Just to address some points that have been brought up today. No, FA24 is not an amendment that was intended to be a serious one to this bill. This is because this topic deserves a full discussion. The concept of paid family medical leave is an important concept, and LB311 is an important bill, and I wanted to make sure that we had enough time to discuss both the pros and cons of paid family medical leave; paid family medical leave when implemented on a state level, and the benefits and drawbacks of LB311 as written. So if having robust debate is a disservice to my constituents, sure, I have brought an amendment that has helped ensure robust debate on this bill, because that's what this bill and this concept deserves, because it is important. Not just to our families, it's important to our business owners from across the state. And if running the clock out is disappointing and playing politics, I'll just remember that the next time any other filibuster comes to the floor for the rest of the 45 days of session. With my remaining time I just wanted to talk to some of the business owners on the floor with us today and see what their impacts would be as a result of LB311. So would Senator Hilgers yield to a question?

FOLEY: Senator Hilgers, would you yield, please?

HILGERS: Absolutely.

SLAMA: Great, Senator Hilgers, are you a business owner?

HILGERS: I am.

SLAMA: Great. How many employees do you have?

HILGERS: Just shy of 30 nationwide.



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SLAMA: Nice. So how would LB311, if passed, impact your business?

HILGERS: As I understand, it would add an additional cost to my business for each employee that I have.

SLAMA: And have you worked with employees in the past when needs have arisen to help accommodate them?

HILGERS: Absolutely.

SLAMA: Great. And if employees, when things were to come up, were able to take up to 12 weeks off at a time paid, how would that impact your business?

HILGERS: Well, we would-- we try to give as much as we absolutely can to accommodate. We have a lot of working mothers on our team, and so we do as much as we can to accommodate, allow for work from home, etcetera. And so, if we could do paid-- if we could do 12 weeks paid, we would; and certainly, I think now we could. I think when we started our business, it would be a lot harder. I mean, I talked about it yesterday, cash flow and being able to just do payroll at all, it can be very hard for a small business and has in the past for us. It depends on where we are in the life of our business. I think there's been times where it would be difficult and times where it would be easier.

SLAMA: Great. Thank you, Senator Hilgers. Senator Halloran, would you yield to a few questions?

FOLEY: Senator Halloran, would you yield, please?

HALLORAN: Yes, I would.

SLAMA: Great. Are you a business owner?

HALLORAN: Well, I was.

SLAMA: Well, yes, were you a business owner?

HALLORAN: To make that perfectly clear to everybody, on a previous bill, it was suggested that I currently own restaurants, and I don't currently own restaurants. I have in the past.

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SLAMA: OK.

HALLORAN: So, yes, the answer would I have in the past employed many people.

SLAMA: In your past-- yes, okay. So thinking back to when you were a business owner, how would LB311 have impacted you as a business owner during that time?

HALLORAN: Well, like any business owner, when you have someone that's been trained up to do a specific job, a specific task in your business, and they take a 12-week leave, that requires us to fill that hole, if you will, to fill that absence. Other employees can help fill that task that they may have, but, ultimately, it puts more burden on the rest of the employees to do that, and/or it puts some burden on the business to find someone to replace for a very short period of time. There aren't temp agencies like there used to be. Temp agencies are what they say they are, very temporary, a week maybe at a time;--

FOLEY: One minute.

HALLORAN: --but for 12 weeks, that would be tough to find someone to replace them.

SLAMA: All right, thank you, Senator Halloran. So, I'd just like to make it clear that my specific issues with LB311, since, again, this has been brought up during the first bit of debate, is that I have concerns about the amount of time that employees are permitted to take off under LB311--12 weeks with a new baby, six weeks for the other reasons listed. This represents a massive burden on employers, especially in rural areas, who already struggle to fill vacancies and get employees as it is. The overwhelming majority of paid state FMLA programs are funded by employees. This is one of the few that would have it fully funded by employers at a cost of about \$436 million. So just for reference, property tax relief is going to cost around \$400 and \$500 million. This bill would cost the same to employers.

FOLEY: That's time, Senator.

SLAMA: Thank you.

FOLEY: Thank you, Senator Slama. (Visitor and doctor of the day introduced.) Continuing discussion on the bill. Senator Crawford.

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CRAWFORD: Thank you, Mr. President; good morning, colleagues. Again, I rise in support of LB311 and the committee amendments, AM570. I'm going to talk a little bit about the support that we have for this bill. We have had over-- we have had 700 petitions signed in support of this bill. There's widespread support for making sure that we're taking care of our families and our work force and attracting the best and brightest to our state. We also, the recent state polling has showed 80 percent support for paid family medical leave. So there's a broad support for providing this kind of support for workers in our state, and broad support for recognizing the importance of making sure that family members can be with their loved ones when they are in need and making sure that our children get off to the best start. There's broad support for that in Nebraska. And again, I urge you, if you are-- have concerns like you're wanting to change some aspect of the bill, to make sure you're talking to me about that, and happy to talk about those changes, if they are productive changes that would bring you on-board for this program that is so widely supported in Nebraska. I've talked off the mike to a couple other business and nonprofit owners, employers, and so I wondered if-- and get on the record the impact of the bill on their business or a nonprofit. So, I wonder if Senator Hunt would yield to a question.

FOLEY: Senator Hunt, would you yield, please?

HUNT: Yes, I would.

CRAWFORD: Thank you, Senator Hunt. We've talked off the mike, and you've talked about the positive effect you think this would have on your small business. Would you mind sharing that?

HUNT: Sure, Senator Crawford, thank you. I own a small business. I've been self-employed for about 15 years. And, you know, it started as a very small business and I grew my company to a staff of 12. We bring in pretty good revenue for the state, from out of state. I'm very proud of what I've built from the ground up. And there is no way that my business could shoulder the cost of letting people have paid time off. And it's not because we don't care about our employees. It's not because I don't want them to be able to have time off. And so I think that to an extent letting the free market, which this isn't a free market argument, actually, say, well, if your business wants to give people paid time off, you have the ability to do that. My business doesn't have the ability to do that. And the cheapest way for us to provide this for our employees and for ourselves as owners, me and my partners, would be to pay a little bit into a pool with every check. Unemployment insurance works great for us. This is a program that I love, and I would like to pay into another program like that, so we could take time off and care for our loved ones when we need to. That would be the cheapest way, absolutely, for my business to do that.

CRAWFORD: Thank you, Senator Hunt. And Senator Morfeld, I know that you provide generous paid leave benefits to your employees in your nonprofit and one of the challenges that's

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been raised is really the challenge of business or a nonprofit being able to handle people being gone. Would you mind yielding to a question?

FOLEY: Senator Morfeld, would you yield, please?

MORFELD: Yes.

CRAWFORD: Thank you, Senator Morfeld. How has your nonprofit handled when you are providing these generous leave benefits?

MORFELD: Well first, employees use it rarely, but when they do use it, it allows them to take care of their family members and then also be able to-- to be able to take the time that they need rather than, quite frankly, the other option was quitting their position and their job.

CRAWFORD: Thank you, Senator Morfeld. So, colleagues, again, LB311, providing a paid family medical leave insurance program in the state will allow small businesses to compete with larger businesses that can afford to provide paid family leave on their own. It would ensure that all Nebraskans who are in the state would have access to this important benefit to make sure they can spend time with their loved ones, make sure they can help their elderly parents stay in their home,--

FOLEY: One minute.

CRAWFORD: Thank you, Mr. President, --ensure that there are children get off to the best start possible; ensure that if our children get cancer, that their parent is able to stay with them in the hospital. If your son has a motorcycle accident, that you're able to be with him through therapy. So it's a critical bill for making sure that we are helping Nebraska families balance their work responsibilities and their family responsibilities, helping Nebraska attract the best and brightest to our state and helping our employers to provide this critical benefit to our employees. Thank you, Mr. President.

FOLEY: Thank you, Senator Crawford. Senator Bolz.

BOLZ: Thank you, Mr. President. I want to rise today and talk about an issue that I don't think has been addressed in the debate so far quite as directly as I'd like it to be, and that is how important a bill like this would be to our families with disabilities. And working in the field, I know how dedicated and hard-working families who are caring for a loved one who has a disability work and how hard those challenges are. And one of the things that I think is different

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about a family who has a loved one with a disability is that often that is a lifespan challenge. That is something that is going to stay with them throughout their lifetime. And so when you're trying to build up leave, when you are trying to judiciously use your leave, when you know that that is not going to be episodic like giving birth to a child, it becomes a much greater challenge. Also, a number of families want more than anything to keep their family members with them, to make them a part of their family and a part of their home. That can only be done if they can have a fair work life balance. What can be more challenging is that if you have a child who-- or a grown adult with a developmental disability, you may be consistently taking that individual to multiple healthcare appointments. Often individuals with disabilities have trouble swallowing, have cognitive impairments, have seizures, have things that need ongoing healthcare support. And when you're using your existing vacation leave to take care of those things, then it's much more difficult to manage a crisis or manage a hospitalization for that loved one with a disability or for yourself. And one of the things that I thought was really important that was done by our planning committee was part of our long-term planning analysis was an in-depth study about the need for caregivers of adults with developmental disabilities. As our baby boomer population ages, it also will decrease their ability to take care of loved ones in the home with developmental disabilities. Colleagues, not only do I think that's an important point to talk about when we're talking about paid family leave and the importance of this policy, it's an important part of the counterbalance of our fiscal conversation on this bill. There may be some impacts across the state financially. From a state budget perspective, anything and everything that we can do to keep individuals with disabilities and aging people, but people with disabilities, specifically, in their homes, saves our state money. The more we can keep friends and family members caring for individuals with developmental disabilities, the less of an impact we have on our state and our federal budget. So you can't just look at one side of the coin when you're thinking about the financial impacts of a bill like this. You really need a nuanced analysis that takes a look at all of the pieces. I think I'm one of the final speakers in the queue this morning and so I'd really like to reiterate all of the very important points that have been brought up on this bill. First is, we are a state that is desperate for workers. If you ask anybody at the chambers of commerce, they say that work force development is their number one issue. In order to really develop your work force, you have to draw in a young work force, you have to draw young people into this state, young people who are starting families and care about paid family leave. Similarly, I think another important point that has been brought up today is the baby boomer population and the sandwich generation. If you look at our long-term planning, if you look at our demographics, you know that we are an aging state. In order to keep local communities alive, in order to keep people working and keep families working, we need to come up with--

FOLEY: One minute.

BOLZ: --creative solutions to care for senior citizens; and paid family leave is a part of that solution. And finally, I think we need to look at both sides of the coin when we talk about what it

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means to ask something of businesses and ask something of the state. I think shared responsibility under a bill like this makes good sense. I think you've heard from multiple businesses this morning, multiple business perspectives this morning, about how recruitment and retention of workers adds value. The cost of recruiting and retraining a worker can be more significant than the modest contribution you might need to make through a paid family leave program. I think keeping good workers is just as important to a business's bottom line as any of the other concerns that were brought forward this morning. So on behalf of the sandwich generation, on behalf of families caring for individuals with developmental disabilities, on behalf of families who care about senior citizens,--

FOLEY: That's time, Senator.

BOLZ: --I ask you to pass this bill. Thank you, Mr. President.

FOLEY: Thank you, Senator Bolz. Speaker Scheer, you're recognized.

SCHEER: Thank you, Mr. President. Having used the allotted time on LB311, we'll move forward to LB169. Thank you.

FOLEY: Thank you, Mr. Speaker. Mr. Clerk, LB169. Items for the record first though, please.

ASSISTANT CLERK: Thank you, Mr. President. New resolutions: LR49, LR50, LR51, and LR52, all introduced by Senator Hughes; those will be laid over. LR53 by Senator Vargas, also will be laid over. And a new A bill: LB477A by Senator Vargas. (Read LB477A by title for the first time.) That's all I have at this time.

FOLEY: Next bill on the agenda, please.

ASSISTANT CLERK: Mr. President, LB169 introduced by, excuse me, Senator Hunt. (Read title.) The bill was introduced on January 11 of this year; referred to the Health and Human Services Committee, that committee placed the bill on General File with committee amendments attached.

FOLEY: Thank you, Mr. Clerk. Senator Hunt, you're recognized to open on LB169.

HUNT: Thank you, Mr. Lieutenant Governor; and good morning, colleagues. Today I'm presenting LB169. This bill would change restrictions to Supplemental Nutrition Assistance

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Program, or SNAP benefits, commonly known as food stamps. This bill advanced unanimously from the Health and Human Services Committee and I want to thank Senators Arch and Senator Howard for working with me on the amendment. Under current statute, an individual with a conviction for drug distribution, or three or more felony convictions for possession or use of a controlled substance, is ineligible to receive SNAP benefits. LB169 removes this lifetime ban. The committee amendment, crafted in partnership with Senators Arch and Howard, also takes away the one-size-fits-all requirement regarding participation in a substance abuse program and instead ties SNAP eligibility for people with these convictions to parole, probation, and post-release supervision. I wanted to also mention that it's important for us to understand that the terms of parole includes mandatory treatment and counseling for drug addiction for people with drug offenses. They also have to pay for those tests and they have to refrain from unlawful conduct, which would include drug use. So, tying it to probation, parole, and post-release puts more control in the hands of judges to make sure people are getting treatment and expand eligibility for SNAP. The intent of this bill is to remove a major barrier to successful reintegration for formerly incarcerated people, while also reducing hunger for affected people and their families. This is my priority bill this year, because this bill is very personal to me and I know the effects will be so important for Nebraskans today and for Nebraskans in the future. The population utilizing SNAP is very diverse. I relied on SNAP benefits when I was struggling after a divorce as a young mother. I turned to public assistance for a temporary hand up, just as hundreds of other parents have done in Nebraska for a variety of reasons not in their control. So I'm very personally familiar with the process of applying and qualifying for SNAP and what the requirements are to receive it. How are parents supposed to concentrate on finding work if all they can think about is their hungry child. This is why so many individuals who reoffend commit financially motivated crimes like theft or drug distribution. A study conducted at the University of Maryland in 2018 gives us an idea of how this can play out in Nebraska. They looked at Florida. This study looked at individuals that committed drug-related crimes in Florida before and after a life-time SNAP ban was introduced in the state. The study found that individuals who were convicted of drug-related crimes after the SNAP restrictions were imposed were 9 percent more likely to return to prison and that the crimes that resulted in recidivism were primarily spurred by financial need. Expanding SNAP access for formerly incarcerated people instead of pushing them toward reoffending will also result in a cost savings for the state. We know this because a person convicted of a drug felony spends an average of 1.6 years in jail and the average cost to incarcerate a person for one year in Nebraska is \$35,950. That's a total cost of \$57,520 to incarcerate somebody for a drug felony. According to the fiscal analysis provided by the Department of Health and Human Services, this regulation change would result in costs so minimal that the department would be able to absorb them. So we can either provide SNAP benefits to assist these folks and help them get back on their feet and help support their families, or we can spend almost \$60,000 to incarcerate each repeat offender that did not have the proper resources to successfully re-enter their community. This is just good fiscal policy that will also help alleviate some of our prison overcrowding. We all want to make research-based policy

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decisions and it's clear where the research on this is urging our state to go. These are people who have done their time. It's wrong that someone who can get convicted for possession of marijuana at age 18 would be unable to receive SNAP benefits 15 years later if they need them. This bill will correct that. I've done my best to speak with every single one of my colleagues about this bill. You've seen me running around in the last couple days, and I think there's two of you that I didn't get a chance to talk to, but one concern that I successfully addressed with several people was that people with drug convictions would be likely to sell their EBT cards for money or commit welfare fraud. There's no evidence to support this. And many protections already exist in SNAP to prevent fraud. There's no evidence nationwide or in Nebraska that demonstrates a connection between felony drug conviction and a likelihood of committing food stamp fraud. This belief scapegoats drug offenders who are made to bear the burden that should be shared only by individuals who actually do commit food stamp fraud. SNAP fraud is already separately addressed in statute and prosecuted. The federal government is aggressively fighting SNAP trafficking by identifying suspicious transaction patterns, conducting undercover investigations, and collaborating with other investigative agencies. There's no reason to believe this trafficking would occur for those with prior convictions and there are already fraud controls in place in that unlikely event. So instead of incorrectly assuming that drug offenders are likely to commit food stamp fraud, which is based on stereotypes and not evidence, our Legislature should allow our existing welfare fraud statute to prescribe and punish food stamp fraud. We already have a system for that and it works. The inception of the EBT card has been instrumental in reducing the potential for fraud, which is a great segue into another question that I received from several of my colleagues about the basics of how SNAP works. To use an EBT card you have to have a PIN number to complete the transaction at a store. An electronic record of purchase is created which makes fraud easier to detect. Lots of places also check ID, just like when you use a credit card. In addition, to qualify for SNAP, you have to be at 130 percent of the poverty line and you have to be working. Eligibility is already verified through a lengthy and thorough process and it's difficult to get accepted. The SNAP benefits for the average Nebraskan is \$3.67 per day, or \$1.22 per meal; and we have this benefit, because for many people, that paltry \$1.22 per meal is the difference between starvation, being able to go to work, and being able to support yourself and your family without turning back to crime. It only becomes more clear what a great injustice this is when you realize that someone could have served time for murder, for rape, robbery, child molestation, and still be eligible to receive food stamps, but if they have a drug conviction, they cannot. We feed our prisoners so the ban on food stamps for drug offenders must not have to do with their status as a criminal, but rather their status as a drug offender. If that's the case, we have to wonder what it is about being a drug offender that makes them more morally reprehensible than a murderer or a rapist, both of whom are permitted to receive food stamps after completing their sentences. A collateral consequence is a legal disadvantage or a disability that occurs by operation of law because of a conviction, but not because that is a sentence of their crime, not because that's part of their sentence. These consequences, like ineligibility for SNAP, are an invisible punishment. Courts are not even required to notify defendants that they might face



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additional civil sanctions, like ineligibility for SNAP if they have a conviction. For many drug offenders, that comes later and they find out the hard way that they will continue to pay for this crime for the rest of their life by being unable to access SNAP, even though other formerly incarcerated people are allowed access. One 63-year-old woman who comes to the Together Inc, food pantry every month in Omaha is denied SNAP because of a drug felony conviction over 20 years ago. She has serious health issues that have bankrupted her. She's homeless. She relies on the good will of friends to bring her to the pantry and get her food when she runs out. She said, quote, I rely on myself, and when I'm too tired to do that, I rely on God to give me food. A father of four children at the same food pantry in Omaha skips meals two times a week so his kids can eat. His children cannot benefit from SNAP because he has a drug felony conviction. He cannot find a good job to take care for his family because of that conviction, so how is he supposed to take care of his family? These people have already done their time. Our social service system is separate from our criminal justice system and it should remain so. Our Legislature should not enact or retain laws which blur the lines between these two individual systems. The drug felony ban makes our welfare system an instrument of the criminal justice system. Because of this ban, formerly incarcerated people continue to be punished, even after they've completed their judicially mandated sentence.

FOLEY: One minute.

HUNT: Once you do your time, you should be able to reintegrate into society and live like everyone else. It's the job of the Legislature to pass policies that help formerly incarcerated people do that while being mindful of public policy and reducing recidivism to keep people safe. Yeah, before I finish up here, I just want to note that the bill advanced unanimously from Health and Human Services. I want to thank you Senator Arch, Senator Howard, Senator Ben Hansen, and Senator Murman for voting this out and those who worked with me to produce the amendment which I think greatly improves the original bill. I understand there's a filibuster planned. It's going to be a whole thing. And I want all of my colleagues to know that between this round and Select File, let's sit down like people and have a conversation and not perform on camera and do a show and argue back and forth. Let's sit down and find solutions, so we can move this bill forward and help people in Nebraska who need it most. Thank you.

FOLEY: Thank you, Senator Hunt. As the Clerk indicated, there are amendments from the Health and Human Services Committee. Senator Howard, you're recognized to open on the committee amendments.

HOWARD: Thank you, Mr. President; good morning, colleagues. AM710 inserts authorizing language under federal law and imposes new requirements for eligibility for drug felons. AM710 amends Section 4(b) of 68-1017.02. And under the language of AM710, a person with a drug

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felony may only be eligible for SNAP benefits if he or she has completed his or her sentence, including any term of parole, probation, or post-release supervision; or he or she is serving a term of parole, probation, or post-release supervision for such felony. Under the new language, drug felons must abide by the terms of their parole or probation to receive SNAP. So in other words, if they are not compliant, they would no longer be eligible for their food stamp benefits. And for drug felons, the terms of parole, probation, and post-release supervision require drug testing and drug treatment. These are standard requirements. The committee adopted this amendment unanimously. And I would urge its adoption on the floor and I'll use my own time for my personal comments on the bill. Thank you, Mr. President.

FOLEY: Thank you, Senator Howard. Mr. Clerk.

ASSISTANT CLERK: Mr. President, Senator Groene would move to amend the committee amendments with AM804.

FOLEY: Senator Groene, you're recognized to open on AM804.

GROENE: Thank you. First, I'd like to praise Senator Hunt. She has passionately gone around and espoused her views and why she brought this bill. But philosophically I can't be with her and I've told her that. She's doing it the right way. And I've dropped amendment, as you all know, just to filibuster. Where we strike "persons" and as stricken in page 1, line 24 and insert "individuals." This legislation comes up every biennium. It's brought by the ACLU. I-- well, it was in the past. Drug dealers: why do we treat them differently? They are the most despicable criminal out there, the most self-centered individual that there is. You can't speak of another crime that has more victims. Murder, yes. Some of their victims die from overdoses. They are mass murderers. For wealth, for money. They are despicable. And it is a business to them. Most of them are not addicted to drugs. It's bad for business. When they get out, they continue it. They continue it while they are in prison with their subordinates. But their income isn't declared on an income tax statement. So they qualify for SNAP. By the way, their family members, if they have a family member, if they've got any moral value at all and they married the woman of-- the mother of their children, their family members do qualify for SNAP. I-- I-- and these folks are the same ones that do human trafficking. It's all tied together. We have heard that we treat them differently. Yes, we do. There's a reason we treat them differently, that their crimes follow them after they paid their time. And also with the drug user, because it is shown-- this is an addiction. A robber might rob to pay for drugs, but he's not addicted to it. Addiction is strong. And after two times, two strikes, you still get your benefits. The third time, they are denied. And why? Let me read a story-- a quote from a story, I have a bunch of these, and we will be quoting from them from a News 4 channel story in San Antonio, Texas. State investigators found that more than \$1 million in food stamp fraud last year. The Office of Inspector General for Texas Health and

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Human Services identified more than \$1 million in SNAP benefit fraud during fiscal year 2018 according to OIG. A quote from a Kwik Stop owner: Some people are legally giving away the cards to some other people on a fraud basis. Suppose there's \$1,000 balance. They might sell it for \$50 and give them the PIN number, said Anwar Tahir, owner of Leal Food Mart. Tahir said he gets about 20 customers a day use SNAP benefits to buy food and drinks. Yes, they sell their benefits for drug money. That urge for the drugs is so high, that is why this bill is there. A burglar, a murderer, a rapist doesn't sell their benefits so they can go murder and rape again. And you say we treat these differently? We do it all the time. I wonder where some would stand if somebody brought a bill that said sex offenders, once they paid their time, we do not-- the crime does not follow them. You know it does. There's registries, they can't live near schools. But they paid their time! They are rehabilitated. They've got a job somewhere. There's a reason we do that. You want to treat everybody the same? Paid your time, it's over with. No, you wouldn't do that. It's the same reason we need to keep this on the food stamps. Drug dealers are despicable individuals. They will return to their work, their nasty work, and they will have multiple, multiple victims again. There's not a crime that has more-- mass murder does not have as many victims as a successful drug dealer does. The dead people laying in the alleys, they were murdered by a drug dealer. And you want to save these folks. Oh, by the way, I know a couple of petty drug dealers that had fines, got caught in North Platte. They have reformed themselves. And guess what? They've got a good job. They don't need food stamps, SNAP. If you are reformed, there are avenues that you don't need food stamps. So put an amendment on this. If we think they are reformed, then sex offenders are too. Human traffickers are too. Is that what you want? You cannot pass laws to save the exception to the rule. Yes, there are people who made mistakes. There are, yes, people who turn their lives around. Most of the drug users do it before they hit three times. I was told by HHS that probation officers, that's one of the strongest things they have to force a drug user to hit rock bottom: your kids and you will no longer get food stamps if you do this the third time. If you do this the third time, it's over. It is a very strong tool that they use to finally have those people hit rock bottom and change their lives. We're taking it away. We're taking it away from them, those drug users. Well-meaning, goodhearted-- there are despicable people in this world, folks, who have no heart. Drug dealers are in that category. They do not need food stamps. They do not need any pity at all. They don't. And this is an exception to the federal rule that's granted and Nebraska chose to do it because we understand. We understand how despicable selling the drugs is. Like I said, we fought this two years ago. Senator Morfeld brought it and we were amiable then and I'll be amiable to Senator Hunt. In fact, I brought an amendment two years ago. Every drug dealer, every drug user after the third strike has to take a drug test every six months-- every six months, that you're off the drugs. Oh, no, we can't do that-- can't do that. You're testing-- you have a test for welfare benefits. Well, they need a test. They have proved they are not reliable and they have not changed their ways. We don't know if they changed their ways. Most drug dealers have not. It's their business. They go right back to it. And our big warm fuzzy hearts, well, we've got to help these folks. They don't need or deserve our help. Their victims need help. Because their victims are on food stamps. They are victims. The

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people who sold the drugs to. I would rather keep every single red penny of SNAP for their victims. Thank you, Mr. President.

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

HOWARD: Thank you, Mr. President. I rise in opposition to AM804 and in support of AM710 and LB169. I just want to maybe take a minute and talk about some of my personal thoughts on this bill because I do think this bill has a considerable amount of merit. I want-- I think maybe I'll start with Senator Groene's comment that addiction is strong. Because I think there is no one else in this body who knows it better than me that addiction is stronger than we are. On Sunday, this Sunday actually-- and you can all celebrate with me, this Sunday will be will be the Carrie Howard Day, it will be the 10th Carrie Howard Day that my mother and I have celebrated-- or not celebrated. Celebrated is the wrong word. It will be 10 years since my sister passed away, it will be 10 years since my mother stood on this floor and found out that her own child was dead because of addiction. So, yes, Senator Groene, and I'm looking at you, I know that addiction is strong. And when I support something, it's because I believe that it will help people, people who are addicted. This is a better system for people who have addiction issues who are coming out of our prisons. In a lot of ways, this could be considered more rigorous than what we already have in statute. What we already have in statute is that you have to go through a nationally accredited substance use treatment program. We do not offer those in our prisons. So when you come out of prison, you are ineligible for SNAP until you go through this treatment program. These treatment programs have wait lists. So then you are ineligible for food until you get through the wait list and you are ineligible for food until you complete the program. You do not get food when you are in the program. So for people who are addicted, the opportunity to be on probation or parole means that they could come out and receive food stamp benefits immediately so that we don't see them going back into prison because they've robbed or went back to drug use or drug distribution because they didn't have any other options to get food. Senator Groene took the time to mention human traffickers. Those individuals when they come out of prison are eligible for SNAP. He took the time to mention robbers. Those individuals when they come out of prison are eligible for SNAP. He took the time to mention sex offenders. When they come out of prison, they are eligible for SNAP. Mass murderers, if they complete the term of their sentence are eligible for SNAP. Senator Hunt has indicated a willingness to work on the language. If Senator Groene has concerns about distributors, she has been more than willing to come to the table and modify language to make it work for the concerns of the floor. She has indicated that she would consider a three-strikes and you're out language. This is actually modeled after Texas's language itself. This was the product of a lot of time both from myself and committee members and Senator Arch. And personally I was surprised that the department was out in the Rotunda working against this because administratively it is considerably easier for them to administer. Nobody has to send in information about whether or not they completed a nationally accredited treatment program and then they have to verify it because all of their probation compliance will already be

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in N-FOCUS. And so those two entities will already be talking to each other, so the minute that a person violates their probation or parole, they will be ineligible for their SNAP. It will happen as close to real time as possible. So in a lot of ways, this improves language--

FOLEY: One minute.

HOWARD: --and makes it significantly more difficult for somebody when they are coming out of prison because they have to abide by their terms of parole and probation, which includes drug treatment and drug testing. This is actually a better way if you're interested in getting drug testing for SNAP beneficiaries, this is a better way of doing that. But I would urge caution when we talk about addiction on this floor because it is an illness and we never want people who are sick to not have the things they need to get better and often that includes food. So I would urge the adoption-- well, I would urge you to vote against AM804 because that is a nothing amendment and then I would urge the adoption of AM710 and LB169, and I thank you for your time. Thank you, Mr. President.

FOLEY: Thank you, Senator Howard. Senator McCollister.

McCOLLISTER: Thank you, Mr. President; good morning colleagues. It's a well-known fact that food insecurity is real, absolutely real. And we estimate that 8 to 12 percent of the population in all of our legislative districts is food insecure. You should know the federal government pays the 100 percent of the benefits of SNAP. The only thing the state pays for is half of the administrative cost. So it's a real bargain for the state. As a matter of fact, every dollar that comes into the state gets rattled around and has an ultimate value of about \$1.80. So I-- in terms of the benefits of SNAP, it's pretty well established that SNAP helps the state and also helps those people that are food insecure. What about the incidence of fraud? Studies also show the incidence of fraud is pretty darn low, less than 2 percent. And I can claim that ACCESSNebraska does a pretty good job of maintaining that low percentage of fraud. So I think we can be sure that fraud isn't really much of a factor. Is this bill in the interest of the state? Absolutely. Why is that? When it costs \$35,000 or more to put a person in the penitentiary, if we can keep that person out of the penitentiary and starting to work, that's a much better way for us to go rather than giving them no food at all after they are released from prison. It is a good, good deal. I have a bill before the Health and-- the HHS Committee regarding SNAP as well. My bill would simply move from 130 percent of the federal poverty rate up to 140 percent. That bill would enable about 1,600-- 1,600 families in this state to receive SNAP benefits. And at a time when we have flooding going on, the food insecurity is at its absolute worst. So I'd encourage the HHS Committee to move that bill forward so we can somehow or another get that bill passed this year. Thank you, Mr. President. I would hope that you would vote against AM804, support

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AM712-- AM710, excuse me, and support LB169. I'd yield the balance of my time to Senator Hunt.

FOLEY: Thank you, Senator McCollister. Senator Hunt, 2:15.

HUNT: Thank you, Mr. President, and thank you, Senator McCollister. Senator Groene has, you know, his own philosophical ideas and all of us have taken a turn using the bully pulpit a little bit to stall and delay bills that other people really believed in. The real question is the votes. Right? So that's what we're working behind the scenes trying to put together. But Senator Groene says that the drug offenders are the worst offenders that we have, that these are some of the worst people. But then he says that he knows people who are drug offenders and they are good people and they are upstanding and they have jobs. And a lot of those people that Senator Groene probably knows, and many of my other colleagues in the body who I have spoken to about this over the past week, many of you have said, I have a relative who struggled with this. I have a child who has struggled with this. There are people in my church who have struggled with drug addiction or drug convictions. But they turned around and they made their life right and now they are doing OK and they are really good people. We need to question ourselves when we talk about that. How come all the people that we know personally through our churches, who we're related to, those are very fine people. Those are good people. They got their lives back on track.

FOLEY: One minute.

HUNT: Thank you, Mr. President. But the ones that come out of our carceral system, the formerly incarcerated people who need help are unequivocally bad people. Under this bill, under LB169 amended by AM710, in order to be eligible for food stamps, you would have to be in compliance with parole or probation or post-release supervision. And the terms of that include drug treatment, it includes rehabilitation. Participants have to pay for their own drug tests. They have to stay in compliance with the law, which means not using drugs. So actually, we should give the power to judges to figure out what treatment people need on an individual basis instead of the Legislature as a body prescribing to people all across the state a one-size-fits-all solution. This-- I agree with Senator Howard's point.

FOLEY: That's time, Senator.

HUNT: Thank you very much.

FOLEY: Thank you, Senator Hunt. Senator Arch.

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ARCH: Thank you. My name has been used several times this morning and I wanted to talk to the body as to my role in this bill. When Senator Hunt brought this bill to our committee, there were several issues immediately that I had-- that I had with her original bill. However, what I heard in testimony was that our transition out of prison at the present time probably takes more discussion. Do we have an effective way of transitioning? Because we all are of the opinion that we want to reduce recidivism. We do not want to see prisoners come back to prison. We do not want to see that revolving door continue, what can we do? So when I heard the bill in committee, my question is: was this worthy of debate on the floor? Was it worthy of debate purely from the pragmatic standpoint of should we be having the discussion of is there a way to better-- to improve this transition once you have served some time, probably not all time, but some time in prison to transition out? We have heard on this floor many times personal examples given; personal family examples, whatever it might be, personal experience. We all bring this to the floor. We all bring this to the job that we have here. I am also not immune to that and happen to be aware of an individual who as part of their ministry actually takes people who are transitioning out of prison into their home in an attempt to help them. And that person has shared with me on a number of occasions the struggle of those that are transitioning out of prison, knowing that our present system isn't perfect. We have made an attempt to do the balance between the justice of punishment of prison, keeping people away from continuing that life of crime, and, yet, a desire to reduce that recidivism. So I will tell you that my support of bringing this out to the floor was not necessarily focused on this bill, but rather on the discussion of is there a-- is there a discussion that we need to have of transition. We know that-- we know that currently we have issues with prison population, with costs, with all of that. We don't want to see people come back into the prison system if we can avoid that. And so this morning there are issues that continue to exist with this bill: issues of distributors, issues of number of times Senator Hunt has alluded to those issues. We are hearing that in the debate on the floor. I-- I again, I would say that my focus wasn't on drug addiction, that issue, nor was it on SNAP, the expansion of SNAP, it was on this question of, is there a better way of reducing the recidivism rate that we now experience within the prison population. So those are my thoughts. I just wanted-- I wanted to clarify where I was. Thank you.

FOLEY: Thank you, Senator Arch. Speaker Scheer, you're recognized.

SCHEER: Thank you, Mr. President, colleagues. This morning I want to announce the Speaker priority bills that were submitted. Before I do, I just wanted to make a comment as well that there are some that were submitted that truly probably will fall more in the consent agenda than the Speaker priority portion. So the fact that your bill is not on here does not mean that it did not have merit and it will not necessarily show up if you resubmit it on the consent agenda. It is just simply a matter of looking at what we had available. We tried to be somewhat broad in our approach on what we selected so that there are numerous different senators and areas of committees that were selected. So the bills that were selected as Speaker priorities this year

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were: LB6, Senator Blood; LB15, Senator Blood; LB23, Senator Kolterman; LB37, Senator Hilkemann; LB59, Senator Cavanaugh; LB87, Senator Wayne; LB96 Senator Wayne; LB179, Senator Hilgers; LB180, Senator Bolz; LB212, which is a Government bill; LB218, Senator Lindstrom; LB222, Senator Albrecht; LB237, Senator Crawford; LB300, Senator Lathrop; LB356, myself; LB375, Senator Brewer; LB379, Senator Kolterman; LB445, Senator McDonnell; LB478, Senator Vargas; LB496, Senator Wayne; LB514, Senator Morfeld; LB524, Senator Dorn; LB595, Senator Albrecht; LB637, Senator Stinner; and LB690, Senator Cavanaugh. Again, if you have any questions or comments, please feel free to contact me and I appreciate all those that took the time to provide their bill to be considered. Thank you.

FOLEY: Thank you, Mr. Speaker. Continuing discussion of LB169 and the pending amendments, Senator Lathrop.

LATHROP: Thank you, Mr. President; colleagues, good morning. I just had passed out to the body a graph that shows the total population at the Nebraska Department of Correctional Services. Take a look at it because we hit a new high yesterday. We now have 5,511 people-- 5,511 people. We're well over 160 percent of capacity. It's time that this body gets serious about the crisis we have at the Department of Corrections. We have a crisis. It has been brewing. You can see it in this graph. You can see the time line for the crisis as it grew. I have studied this issue since 2014 when I chaired a special investigative committee. They knew it was coming back in 2006 and they did nothing. They didn't build more capacity. They changed no policies. In fact, we passed more bills to make more crimes more time in jail. And now the crisis is here. And I will tell you, when I served previously, I stood on this floor and said, we are going to get sued by the ACLU. Nobody did anything. Nobody listened. And here we are. And you know what the allegation is? The allegation is that the state of Nebraska has been willfully indifferent to the condition of the people in the penitentiary. Now, maybe you think they don't deserve anything. I'm going to tell you that the recidivism rate is one of the reasons why our prisons are full. That is, the people who are released from prison, they are placed on parole, they are either violated and brought back, or maybe within 90 days they commit another offense, and then they end up back in prison. So the Council of State Governments, every expert that's looked at the topic of Corrections says you bring down the recidivism rate and you've gone a long ways towards solving the overcrowding. Now, I'm going to tell you, this is going to be expensive if we don't do something about it. It's going to be very, very expensive if we don't enact some policy that does something about it. What we do know, what the science of the Corrections systems know is getting those people who are released from prison a decent head start on a life that is free of crime, particularly that 90 days following their release. That's when they are at greatest risk to recidivate. Their families have left them. They don't have a support group, they don't have money, and they don't have food. The likelihood that they are going to recidivate or reoffend during that period of time, during that window is high. Can we do something about it? Yeah. The re-entry programs and parole are trying to find places for these folks to live. They are trying to



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find services for them, and this is a piece of it. I know it is offensive to say, criminal, you can have a federal benefit, you can have something to eat and it won't cost you something. But I'm telling you, this is a piece-- this is a piece to the solution. We have to take seriously the problem we have with overcrowding. We have to take seriously the sentencing structure and what happens to these people when they are released. And we can have all the re-entry programs, we can set them up with addiction counseling, we can do all those things, but if they can't eat, if they don't have something to eat, they are going to go out and reoffend.

FOLEY: One minute.

LATHROP: There are people, Senator Groene, I would disagree with you. I think there are people that I could say are way worse than somebody who got hooked on methamphetamines. I talked to the county attorneys, many of them from rural areas, and this is what they told me at the beginning of the year when I said, tell me what you think we can do to solve the overcrowding crisis. They told me this, from rural districts: 80 percent of the felonies on my docket are methamphetamine-related. So some guy, peer pressure, boredom, whatever, tries this methamphetamine, now they are hooked. And now they got one thing on their mind, that's finding more of this stuff. And so they go and they steal from their family, they steal from the neighbor, they steal from somebody and they finally get caught.

FOLEY: That's time, Senator. Thank you, Senator Lathrop. (Visitors introduced.) Continuing discussion of the bill, Senator Cavanaugh.

CAVANAUGH: Thank you, Mr. President. I rise today in support of LB169 and AM710. I listened to this bill in committee and was really impressed by the thoughtfulness that went into this. It's so important that two senators brought this bill. Senator Hilkemann and Senator Hunt both brought this bill in different forms and it was agreed that Senator Hunt's version would be carried forward out of committee with this extremely thoughtful amendment. In the discussion to Senator Groene's concerns about drug offenders, or really any offenders, no matter if they are a sex offender or a drug offender or a murderer, I think we can all agree that people need food. So I would like to ask Senator Groene to yield for a question.

FOLEY: Senator Groene, would you yield, please?

GROENE: Yes.

CAVANAUGH: Thank you, Senator Groene. Do you agree that people need food?

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GROENE: In a free society you can get a job and, yes, you can go out and buy food. You should be able to do that.

CAVANAUGH: That wasn't my question. I asked if you thought--

GROENE: That's my answer.

CAVANAUGH: OK. OK, well, I guess that's fair enough. So in a society, you can go out and get a job. When you are incarcerated for committing any crime, whatever that crime is, you cannot get a job because you are incarcerated. And you do work while you're incarcerated, but you're not paid. And that is part of the punishment, I suppose, whether I agree with it or not, it is the way that it is. And when you are released after serving your time for your crime, you don't have any money. So how do you eat? It's not a philosophical question. It's a real question. How do you eat? If you have been incarcerated, you haven't been able to work for pay and you are now-- you have been fed, you have been taken care of in those ways. But now you're released. What do you do? You can't get a job until you're released. You can't get SNAP benefits until you're released. So you get a nonprofit or a local charity gives you a box of food. So without doing this, without doing Senator Hunt's bill with the committee amendment that Senator Arch worked on with Senator Hunt, without doing that, we have people who don't have food. I mean, they just don't have food. So they can steal food. They can take food from their children or we can give them SNAP benefits for 90 days while they get a job, get their life together, and try to become productive members of society. With that I will yield the remainder of my time to Senator Hunt.

FOLEY: Thank you, Senator Cavanaugh. Senator Hunt, 1:15.

HUNT: Thank you, Mr. President; thank you, Senator Cavanaugh. I need to thank Senator Hilkemann, too, for bringing a bill that addresses the same issue. And he and I also worked together after that committee hearing to talk about which of our bills had the best chance of passing on this body. I think Senator Howard also made a great point that a lot of these requirements are going to be much more stringent, actually, than bills that we've heard in the past. The ACLU did not bring me this bill. This is something I campaigned on for the last two and a half years because this is something that formerly incarcerated people in my district told me was important to them. Senator Lathrop was also correct about prison overcrowding. We have an emergency. And we know that drug offenders who are fully eligible for food stamps are 13 percent less likely to return to prison within one year when they have support from their communities. This is my SNAP card. A lot of you have never seen one of these before. This is my SNAP card. It has my name on the back. When I use this at the grocery store, you have to swipe it, you have to enter a PIN number, and you have to show your ID. You can't use it for

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everything. You can't use it for a lot of things. And you don't get a lot of money put on there each month. And it's really hard to keep qualifying for SNAP and it's very difficult to qualify.

FOLEY: That's time, Senator.

HUNT: Thank you.

FOLEY: Thank you, Senator Hunt. Senator Williams, you're recognized. Senator Williams, if I could just interrupt. (Visitors introduced.) Senator Williams, you're recognized.

WILLIAMS: Thank you, Mr. President; good morning, colleagues. And I stand in support of LB169. I do serve on the HHS Committee and was one of the unanimous votes to bring this out of committee to the floor of the Legislature. I want to spend just a little bit of time talking in particular to some of our newer senators in the body. And I don't want to try to sound like an old senator, but I have been here five years now and that's more than some. And of the things that I have learned in being here, if our system is to work, if we are not to become dysfunctional, we have to provide trust in each other and trust in our system. Every bill is referenced to a committee. Every committee is structured in such a way that it has balance. And I think if you look at the people on the Health and Human Services Committee, we have great balance on that committee of people that have conservative views, progressive views, and everything in-between and geographical balance. Each one of us, when we have 739 bills introduced into this body, cannot become experts on every bill. I certainly, when I started in here, was not an expert in much of anything. But I had the opportunity to serve two years on Judiciary and I learned a lot about people being released from prison. I also, for the last going on three years now, have served on HHS. So this is not the first time that I have encountered SNAP benefits, not the first time that I have dealt with the issue that's presented with LB169. But if you will look at the committee statement and look at the testimony of the people and who they were that testified in favor of this, the little opposition testimony, and then the amendment that was worked on very diligently by Senator Hunt and others and then voted out of committee. I have also mentioned that I've learned something about recidivism and what happens with that and how important it is that we try to adjust our system based on that. And it has become clear that those benefits that people receive when they are released from prison make a difference. Handing someone \$100 and turning them loose with the clothes on their back to go back to where they came from is asking for them to be back in the front door of the facility soon. Denying them the ability to have food makes no sense. Beyond that, the issue that I have struggled with from the very first time that I saw this legislation was the fact that for some reason we singled out drug felonies as the only felony that is restricted from receiving SNAP benefits. And it's not just drug felons, it's those that have those felonies because they were in possession of drugs or those that were convicted of use of those drugs, not just those that have been talked about that are the distributors

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of drugs. So what it seems like we can have happen in this body is people that didn't serve on the committee, don't have a background in issues, that take their beliefs and turn them into facts, their facts,--

FOLEY: One minute.

WILLIAMS: --rule the day. So I would suggest you step back and think about following our process, what makes sense. Does it make sense to single out drug offenders versus a rapist versus a child molester? I don't sense that makes any sense. I believe that what we have done here works well. If you look at what happens with post-release supervision, there are many requirements to undergo medical and psychiatric treatment, to be forgo unlawful conduct, and also the test for further use of drugs during those periods of probation. So I thank you for your time this morning. And please think long and hard about where we are as a state and where we are going forward.

FOLEY: Time, Senator.

WILLIAMS: Thank you, Mr. President.

FOLEY: Thank you, Senator Williams. Senator Morfeld.

MORFELD: Thank you, Mr. President. Colleagues, I rise in support of LB169 and AM710, and in opposition to AM804 for several different reasons. It's always hard to really know where to begin when my colleague, Senator Groene, gets up and talks about some of these things. But first, I'll start out with the things that are just plainly inaccurate. First, I introduced this bill two years ago and the people that came to me and asked me to introduce it were not the ACLU, as Senator Groene stated, it was the food banks. It was the food banks because they are the folks that are working on the ground with providing food to these individuals and they told me that they are seeing more and more people with drug felonies come to them, which then actually takes away food from other folks that they could be providing food to if these drug felons simply had the same resources that all the other felons in our state receive, regardless of the crime that they committed. So, first, it's not the ACLU, even though I'm a supporter of the ACLU, and I think they do good work. It's the food banks. The people on the ground who understand this issue better than anybody else and are trying to provide critical resources to not only former drug felons, but also families across our state. I think that it's also very interesting that we're talking about the drug dealers and distributors that lead to people sometimes losing their lives or becoming addicted, but we are not talking about some of the other folks and entities that do that as well such as pharmaceutical companies, doctors who overprescribe opiates who get people in our communities addicted to those drugs. And I will also note that, yes, are there a bunch of

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people out there that are major drug distributors that should be in prison for a long time? Absolutely. But I'll tell you, that a lot of the drug distributors that I see are people that sold to their roommate in their dorm room at cost, or somebody who gave a few extra pills to a friend or roommate to relieve pain and then that person got caught with those drugs that they shouldn't have had and then suddenly the person that gave it to them is suddenly a drug distributor, even though they gave it to them for free to alleviate pain. And sometimes that was actually to help feed an addiction and sometimes it was actually to help alleviate pain for care they didn't have insurance or something else to be able to provide for. That was the case of one of the people that came in and testified in support of my bill, who was a military veteran suffering from chronic pain from battlefield injuries and he had a roommate who said that he had pain and wanted a few pills. He gave them to him, not thinking a big deal of it. That person got caught with those pills, who were doing things that were inappropriate with those pills and then it came back to that veteran who then ended up in prison, who because of his disability, can't have the job that Senator Groene thinks he should go get, but also does not have access to basic food, who then has to sit in a line for three hours at the food bank to get food that he can't do because he's injured from his battlefield injuries. These stories aren't as black and white as Senator Groene would like to suggest. In addition, he talked about mass food stamp fraud. Well, as somebody who worked at a grocery store five years, two years full time after high school, who actually checked people out and checked the IDs of the people that have the food stamps, I'll tell you that if his friends aren't checking IDs of the people who are getting food stamps,--

FOLEY: One minute.

MORFELD: --they are not doing their job right. There's not mass fraud because all you'd need to do is check the ID of the person to the food stamp card or the voucher that they have. Colleagues, this is a bill that makes sense from an administrative perspective on the state level, from an oversight perspective with the courts, from a recidivism perspective with keeping people out of our prisons, and productive members of society. It's not a black and white issue as Senator Groene would like to suggest. And I want to applaud Senator Hunt for working together with a large group of people to come to a consensus and an amendment to work together. To work together to solve an issue that should have been solved years ago and that should have never happened in the first place. I urge you, I urge you to consider this, to look past the rhetoric.

FOLEY: Time.

MORFELD: Thank you, Mr. President.

FOLEY: Thank you, Senator Morfeld. Senator Halloran.

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HALLORAN: Thank you, Mr. President and colleagues. First, I need to say that getting a job as a felon, a previous felon, is a challenge. There's no question about that. I as an employer, both as my farming career and my past restaurant career, have hired felons. Didn't ask them, didn't inquire about whether it was a drug offense, but I have hired felons. Some of it worked out for them. Some of it didn't. But they were able to have a job and they were able to do what they should be doing as a responsible citizen and they were taking care of themselves. When I was campaigning several years ago, summertime, came across an elderly man that would be my age, and he had three children in his backyard. And I said it's a nice day for your grandchildren to be here. And he said it was. But then he rolled into his story. It was a hard story. He said his daughter was a meth addict. Her boyfriend was a meth dealer. Their first child was born with fetal alcohol syndrome; second child was born with meth addiction; third child was born with a combination of those two. Well, the grandparents were trying to get custody of their children-- custody of the grandchildren and it was taking several years. The grandfather finally asked the caseworker why it was taking so long. And the caseworker said, well, and this is a different issue, but it's an important issue we should address in other legislation, he said the caseworker looked at him and said, well, if it took any less time, I wouldn't have a job. But he wanted care of those children because they were in a very dire situation; they were experiencing health issues with addictions that were granted to them through this addiction. Well, I came back a month later and asked how it was going. And he said, well, we gave up our effort to get custody of these children because we didn't want to have our daughter not grant us visitation rights. But he said, you know, if we don't do something in regard to drug testing for these benefits, we're fools. He said, my daughter-- and this had to be hard for him to say-- my daughter didn't want custody of those kids because she loves them, she wanted them because they were three more cards that she could get, three more SNAP cards that she could get to the benefit of selling those to be able to buy drugs. He was very candid about it. It upset him. Those kids come over to his house to eat. They weren't using those SNAP cards for the benefit of their family. The current system that we have now gives the opportunity for people that are caught with the drug offense, be it selling drugs or using drugs, to go through a process of overcoming that addiction. And once they have done that, or during that process, they are tested for drugs. If they reoffend, they come back in and they have a second opportunity for that rehabilitation. If after that they are caught again, that's two strikes. The third time, they don't get SNAP cards. After two times, if they have not shown personal responsibility or initiative to get off drugs,--

FOLEY: One minute.

HALLORAN: --or stop selling or using drugs, then there's so much the state can do. It takes that personal initiative, personal responsibility. We shouldn't allow for them to incent them to continue doing what they are doing if they show no signs of correcting their behavior. Thank you, Mr. President.

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FOLEY: Thank you, Senator Halloran. (Visitors introduced.) Continuing discussion on the bill, Senator Chambers.

CHAMBERS: Thank you. Mr. President, members of the Legislature, I have watched and listened to Senator Groene down through the years. There's a certain hardhearted meanness in him. I had to call him down when he shouted across the floor at Senator Pansing Brooks. Others see these things, they don't take issue. I don't pay attention to a lot that he says, but that doesn't mean I don't pay attention to anything; when he talks about TIF, I listen. But when he talks about anything that pertains to trying to help people who need help, I disregard it. A lot of you come from areas where there's flooding and you're going ask the big federal government to give aid, whereas you don't like the government. You don't want that deficit increased, but it's all right to increase it to help those you care about. I can be mean. I can be hard. But I'm hard toward people who can defend themselves, like one time the Lieutenant Governor, Governor Ricketts, President Trump, the Attorney General, the Chief Justice to his face, not cowardly like Senator Groene and others around here will do. But you know when I'm not hard, when I'm not mean, those people who live on the edges of society and are thrown away. Food should never be denied to somebody as a punishment. In prisons and jails they used to could literally put people on bread and water and that was ruled to be cruel and unusual punishment and it cannot be done. You cannot deprive people of food in prison even if they are there for mass murder. And you have people on this floor saying deny people food. There are people who are saying that who if you looked into their background, you'd find more substantial reasons not to let them even be in the Legislature. I listen to all these prayers, you all are surprised maybe, but I listen and I watch you all on the television downstairs. Every breath you take, every move you make, every smile you fake, I'm watching and listening. Preachers will come here from all kinds of churches and invoke the name of Jesus. I wish you all would practice what Jesus told you to do. I'm for you practicing what Jesus told you to do. Use his example. When he fed 5,000 people; took a few fish and loaves of bread. Jesus didn't say let them eat if they haven't committed a crime. Let them eat if they have gone to church. Jesus fed everybody who was hungry; and you all call yourselves Christians? I'm not a Christian. I cannot lower myself to the level of people who call themselves Christians, stand on this floor and find every reason to dump on those people who need help. But then when your kind need help, you want everybody to get teary-eyed and come to their aid. But I'm not going to do something against those people because they have a fool representing them down here. That's punishment enough. So some of these tough-talking, hardhearted people who claim to be Christian, Jesus was tougher than all of them. He didn't ask for mercy when they were going to kill him. Listen to the things Senator Groene speaks against, and he is fast and loose with the facts. He'll tell outright falsehoods when he said this bill is brought by the ACLU. You don't see the ACLU on this bill.

FOLEY: One minute.

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CHAMBERS: They are not the ones behind this. He feels you all are so stupid, that if he takes certain trigger words and hold them up in front of you, you will turn against whatever is being proposed here and he feels that most of you all are against automatically the ACLU. So he raises his voice and says: ACLU, yay, yay, get a job. Well, let those people who are being flooded get a job. Let them get some pumps and pump the water out of their basements. And don't come to the federal government or the state government asking to bail them out when they built and bought homes where there would be a flood. It's their fault. My home is not flooded. But see, that's not the way I am. I'm not a "Groeneite." I'm not a Groene-type Christian. I'm not any kind of Christian. I am a man who sees all men and women as my brothers and sisters and when they need help, my job is to lend that help when I can do it. And as a senator, I can lend that help on this bill. Thank you, Mr. President.

FOLEY: Thank you, Senator Chambers. Senator Geist.

GEIST: Yes, Mr. President, thank you for the time. I just wanted to stand up and give a shout-out to President-- to President-- oh my goodness; I need to get myself together-- to Senator Hunt. This-- this issue really brings a soft spot in my heart, and I'll let you know why. I spent the interim, and the past two years before that, really trying to dig into Correctional issues. From the interim, June or so, of last year until the present, I spent almost every week at drug court just to watch. I've tried to get to know some judges, I've tried to get to know some of the workers at the Corrections facilities; trying to get to know inmates. There's so much work that can be done and needs to be done in this area. We are doing some great things as a state. We don't hear that very often, but there are some great things that are happening. And the reason I'm shouting out to Senator Hunt is many-fold. One of them is bringing this issue forward. I think there is some area where we can work and I would love to work. I've just started digging into this specific issue yesterday afternoon and spent all afternoon on the phone trying to find some common ground. So, currently, as the bill stands, I'm not supportive of this bill; however, I'm supportive of the heart of this bill, and I am committed to working on this going forward so we can find some ground where all of us can agree. I-- one of the things that we do well, and I think we can even do better, is offering work to our inmates that are incarcerated. That gives them pride, it gives them something to do, it gives them pay, and there are some opportunities when an individual is incarcerated to do some meaningful work. I would love to see that expanded. And I'm-- it's one of the things I've become very passionate about and will work with anyone who is also interested in that. One of the things that moves my heart about this bill is that it's specific to drug users. A disagreement I have is that it's with distributors. I think there is a difference in what we're talking about, a difference in the level of, in many cases, there's always gray area when you're talking about individuals, but in many cases the victims here are the possessors and the users and victimized often by a distributor, and many times just victimized by their own disease. I would suggest there's a large population of drug-addicted felons in our prison system. And I think it is our responsibility when these individuals get out that as a state we help to make them the most



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successful individual possible, avail them of the most effective programming and treatment available, and also an area that we can grow as a state in. If any of you are not connected with--

FOLEY: One minute.

GEIST: --what the life of a drug-addicted individual is like, I happen to have some personal experience with that. But it was really bolstered and encouraged, I would say, by attending first drug court graduation. That's one of the most moving experiences I've experienced as a senator, and that's what encouraged me to get to know some of the judges and the people who participate in drug court, and the huge, heroic efforts that they make to rehabilitate their lives. I'm a huge proponent of specialty courts because of that, and I would encourage, if any of you are interested, I can give you lots of information. I will even accompany you to drug court graduation or veterans court graduation. Many of these issues overlap.

FOLEY: It's time, Senator.

GEIST: Thank you.

FOLEY: Thank you, Senator Geist. Items for the record, Mr. Clerk.

ASSISTANT CLERK: Thank you, Mr. President. Your Committee on Revenue reports LB472 and LB483 to General File; and LB470 to General File with committee amendments attached. In addition to that, I have a listing of the 2019 Speaker priority bills. That's all I have at this time.

FOLEY: Thank you, Mr. Clerk. Continuing discussion on the bill, Senator Groene.

GROENE: Thank you, Mr. President. If we're going to debate, let's stick to what each other said, quote us accurately. As Senator Geist said, I have said dealers, dealers, dealers are despicable individuals. Does anybody disagree with me? Not the users. Not the possession. Let's get that clear. Let's distinguish between the two. Dealers now cannot receive SNAP. There's good reason, besides being despicable, they're usually not addicted. It's a business to them. They have plenty of cash when they get out. They work in a cash business. You do not pass laws for the exceptions to the rules, a hearsay, and a story here, and a college kid told you this. Look up the facts. Don't quote studies, bias studies have not been peer reviewed. The study Senator Hunt used was not peer reviewed. Many studies, many studies are biased depending on who issues it. Drug possession, you get three strikes. Three strikes. And reality is you probably got 50, because the judge puts you on probation or something else, or you testified against the dealer. They're not treated as severely as drug dealers by the court, and there's a good reason for it. As I said, the

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drug user is the victim; the drug dealer is the criminal. Recidivism. Recidivism. You're going to give them food stamps, and that's going to stop recidivism for a drug dealer? It's minor cash for him. We found out today from Senator Lathrop that if we do this bill, we're going to empty our prisons. We're going to suddenly become-- suddenly become under the 148 or 50 percent of it what is of-- I think this is a great idea. If this works, you prove it to me it works, let's change our sentencing on drug dealers. We'll give the judge the option that he offers the drug dealer the SNAP program, and that's his sentence? Because we just heard that they will never sell drugs again if we give them SNAP. You heard it. Boy, we would empty the prisons right away. Let's deal with drug dealers. Let's change that one of the options to give them probation, and they have to go on SNAP. They have to be on the food program because they'll never commit a crime again. We'll stop recidivism. You heard it here on the floor. I'm all for it, if you can prove it to me. Food stamp fraud: it exists, Senator Morfeld. And like the drug dealer, it only takes one in a neighborhood, not ten. It doesn't take six or seven or every food-dispensary company to be selling to take food stamps for cash. They all are good people, grocery stores, they follow the rules. But I've been in line behind SNAP. I never once have I seen anybody show an ID. Out comes the SNAP card, food goes in the bag.

FOLEY: One minute.

GROENE: I didn't realize that was the statute that you have to show your ID. All it takes is one in the neighborhood, one in a community. All it takes is a cartel of drug dealers or terrorists who are funding an operation by food stamp fraud, all it takes is one of their members to come to Omaha, one to come to Lincoln, stand on the corner, get in the right neighborhood, right gang, and start buying food stamps, and funnel them back to the terrorist organizations. And when I get on the mike again, I will read you from the "Miami Herald," from the courts, about how many-- the Boston-- the Boston bomber, folks, guess how he funded it? Thank you.

FOLEY: Thank you, Senator Groene. Senator Pansing Brooks.

PANSING BROOKS: Thank you, Mr. President. I was-- I am standing to rise in support of AM710 and LB169. I am thrilled to have heard Senator Geist's remarks about how we need to work to help those in prison and who are getting out on release. Again, these are people that we're talking about that have done the time for the crime they committed. And I just don't know how long we're going to continue to punish; to continue to hate; to continue to say, no, you did that crime, but here's some more steps that we're not going to allow. Ninety days while you get a job is not that unreasonable. To say that this bill is going to empty the prisons-- I don't think anyone said that. What we're talking about is looking at long-term sentencing, looking at programming, and this has to do with programming. The amendment allows that the existing ban would allow someone convicted of a drug felony who has completed his or her sentence to be

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able to get food stamps, including any term of parole, probation, or post-release supervision, they would be allowed to apply for SNAP. Yeah, there are people that game every single system that we have in government and everywhere else. There's no question that there are people that are bad people. But, again, those people generally get caught. I mean, under the theory of somebody's going to do something bad with it afterward, then I guess we should close everything down because somebody could then go rob a store or somebody then could go do something else that's terrible. Again, if you can't afford to eat, you will reoffend. If you cannot afford to eat, what would you do? What would any of us do, if we needed-- if we were out and needed to reacquaint and reconnect with your family-- yeah, if you can't eat, you're going to-- you're going to reoffend. We know how addictive meth is, we know the problems with what's happening in the world, but this amendment refocuses current law to allow judicial discretion in criminal sentencing, which I think is positive, I think that the judges can look and see, have you completed the programming? Are you mostly complete with the programming? And they can make the decision about what's going on. And with that, I hope you will vote for LB169, AM710. I want to give the rest of my time to Senator Chambers, please.

FOLEY: Thank you, Senator Pansing Brooks. Senator Chambers, 2:00.

CHAMBERS: Thank you, Senator Pansing Brooks; thank you, Mr. President. Members of the Legislature, Bernie Madoff was a very wealthy person, dealt with a lot of money and a lot of other people's money. There was a program on television dealing with the crimes of these white-collar criminals. I don't hear Senator Groene or any of these people who every time something comes up to help the poor and unfortunate say, well, we got these business people who are going to lie, cheat, steal, don't pay their taxes, but they do. But yet, those kind of programs are voted for. When the tax bills come out here, you're going to see a side of me which will show that I've learned some things from some of you. In reality, that's not strictly accurate because I have my own points of view. But even things like raising the state sales tax is going to impact the poor. Little Orphan Annie has to pay as much in sales tax as Daddy Warbucks.

FOLEY: One minute.

CHAMBERS: That doesn't bother most of the people on this floor, but it bothers me. This bill, I'm sure, has enough votes to survive anything Senator Groene and his ilk can undertake to do. They can lambaste the unfortunate, they can call the poor shysters and chisellers and almost like the farmers who cheat on these price-support programs, but you don't hear that talked about either do you? Maybe that needs to be discussed. But I believe this bill has the votes because I don't believe, despite some of the critical things I've said of you that the majority of you think that you ought to deprive hungry people food because of some crack-brain notion somebody on this floor expresses. Thank you, Mr. President.

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FOLEY: Thank you, Senator Chambers. (Visitors introduced.) Continuing discussion on the bill, Senator Erdman.

ERDMAN: Thank you, Lieutenant Governor Foley, and good morning. I was visiting with Senator Wayne earlier and I wished him happy spring. And he said that spring doesn't start until 4:38 p.m. I have no idea whether Senator Wayne is right, but I'm sure glad spring is here. I stand today to talk about LB169. I see Senator Groene's AM804. I don't think that amendment means much, changes this from "persons" to "individuals," which is language that is acceptable to me. I would vote for AM804, but I will not vote for the others. I'd be interested in asking Senator Arch a question or two. He provoked my curiosity in his comments that he made. Would Senator Arch yield to a question?

FOLEY: Senator Arch, would you yield, please?

ARCH: Yes, I will.

ERDMAN: Thank you, Senator Arch. Senator Arch, would you-- or could you elaborate a little bit on the person you referenced in your comments earlier about he had a ministry working with people who are released from prison? Can you talk about that a minute?

ARCH: Yes. This particular person has had some experience with that in the past himself, and just took it upon himself, his own ministry of his own, where he just felt that God was calling him to help other prisoners make that transition out and stay out. And so he-- this is something that he and his wife have done over a number of years.

ERDMAN: Senator Arch, does he feed these people?

ARCH: He does. They actually-- they actually live in their home, and he provides meals for them, yes, he does.

ERDMAN: Do you know if you do what his success rate is for people to reoffend?

ARCH: I do not know. He has been doing it for a number of years. So I am not aware.

ERDMAN: OK. I appreciate that. Thank you.

ARCH: Yes.

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ERDMAN: So just because we give somebody food doesn't mean they're not going to reoffend. So the issue that we have is people have to change their lifestyle and they have to be instructed in a way that shows them there's a better way. It's my understanding that someone that's a second offender in this process is still eligible for food stamps or SNAP. And so consequently they've already tried it twice, and then after the third time they're not eligible anymore. At some point in time we have to make a decision on who's eligible and who isn't. And I appreciate Senator Arch giving us the opportunity to vote this out so we can have this discussion today. I am a compassionate person, I don't care what somebody think, that is the case. But I don't believe that just giving somebody food stamps is going to prevent them from reoffending. And so consequently I'm not for AM710 or LB169. Thank you.

FOLEY: Thank you, Senator Erdman. Senator Hilkemann, you're recognized.

HILKEMANN: Thank you, Mr. Speaker. I stand in support of LB169 and AM710. I introduced a similar bill which has been talked about this year, earlier in the discussion this morning, and I have to say that we've gone through this debate before, and I have not supported giving the SNAP benefits to the drug felons in the past. But Senator Geist made a comment earlier that she's been working on this whole thing of trying to be more acutely aware of what's going on in our prisons. I know that over the period of time that I have tried to spend time learning more about those who need our help, who need a little assistance down the line. And I'm also very much aware that I'm on the Appropriations Committee, and every year we're having to look at that budget and whatever we can do to keep people out of our prisons, we need to do. If we don't-- if we just keep people incarcerated, it costs us \$38,000 a year. You know, when I think about it, the whole thing of drug offenders and I'm going to make a suggestion to you. Just as Senator Geist said she has done some things, I did some things, too, to try to understand our prison population better. I volunteered to be-- it was called Defy Ventures, it's now called RISE. I was one of their mentors at the prison. I would suggest to you that if you have the time and you're invited to be a mentor there, it is eye-opening. Because I think we have this tendency that everybody in prison is this horrible, horrible person and we should never, ever let them out again, and all that sort of thing. But you'll find-- the day that I spent with the prisoners and the 50 or so of them that I met were fine people that have made mistakes. I'm a person of compassion, a person of faith, and I believe that people need second chances. I also spent some time at one of the-- like the halfway house, Honu, home here in Lincoln this summer. And I really-- that was a real eye opener for me. This is a place where people can come, they can't spend-- I think the maximum they can be there is three months. A lot of them are people that have just gotten out of the mental health institutions, or they're down on their luck and they need a place to live for a short period of time, or a lot of them are people who have just been released from prison with their whopping check for \$100. I was amazed at how this group of people worked together, the director of it who all of the persons who worked this have had their own problems, they've been addicted, they've been in prison, they've had-- they've been at one of the mental institutions, and

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they work together. And I met one of the persons, a counselor there who helps these persons get on their feet, tries to find them a job. People want to-- they don't want to go back to prison, I can tell you that.

FOLEY: One minute.

HILKEMANN: And so when this was presented to me earlier this year, I decided to carry it, I knew it wasn't going to be popular with some people, because how can you be supporting, quote unquote, the lowlife, giving them SNAP benefits. My question how can we not if we're responsible citizens? If there was any offense, in other words, we let killers, we let robbers, we let all those get the SNAP benefits, but if you're a drug felon, we won't let you do that. Well, folks, if there's any crimes that you can get back to any easier than getting back onto the streets with a drug crime, I don't know what crime that's easier for that. And so I think that this-- this is good, commonsense legislation, and we're one of the only states that still exempts this particular population. And so, folks, let's move AM710, let's move Senator Hunt's bill forward. And thank you for bringing it forward.

FOLEY: Thank you, Senator Hilkemann. Senator La Grone.

La GRONE: Thank you, Mr. President. First off, I want to thank Senator Hunt for giving a concerted effort to work to address concerns with her bill. I think she has made a good-faith effort to do so. Unfortunately in this case, it didn't result in a bill that everyone could support. But I am heartened to hear that she and Senator Geist will be working further over the interim to see if that is something that is possible. I won't mention-- I won't go in-- to stay on topic I won't go into Senator Lathrop's overcrowding comments and the ACLU lawsuit, because we'll have ample opportunity to discuss that later in the session on a number of other bills. But with I'd yield my time to Senator Geist.

FOLEY: Thank you, Senator La Grone. Senator Geist, 4:15.

GEIST: I'm sorry, how much time did you say?

FOLEY: 4:15.

GEIST: Oh. Well, thank you, Senator La Grone. I-- I will just go back and-- I think I ended my first time saying how important I think that it is that we educate ourselves about not just drug use. Since we legislate quite a bit about drugs and different things like that, we regulate quite a few things. However, I-- one of the things that has struck me so much, as I've done my own

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personal digging through the Corrections system-- and I will be the first to tell you, I am no expert, and it is important to me, though, that before I would bring legislation about anything, that I at least avail myself of the opportunities to know a little bit about what I'm talking about. And so that is why, for the past two and a half years I have spent some time with Correctional issues, and you've not seen any legislation from me. So it is a complicated issue, it's a complicated agency, and there's many varying opinions about what is the best way going forward to handle this. But one of the things I know that's come out of Washington that I think you're also seeing here on our floor is that we do need reform. We do need justice reform. We need to think differently. And one of the things that I am passionate about, along with or in tandem with this issue, is helping those that are not incarcerated have a different mind-set about those who are. There is a number of people in our society who have been incarcerated, they wear that as a scarlet letter for the rest of their lives. And I don't think that's right. I think we need to find ways to allow these individuals to get back on their feet, get good employment, and be accepted back into our society after they've paid their debt to society. That's the kind of people Nebraskans are, and that's the kind of people we need to help Nebraskans, if they're not that way, we need to help them become more that way. And most of that's done by educating yourself on what the individuals actually go through. And, as I said, if any of you are interested in accompanying me to drug court or to drug court graduation or any of those, in order to start your journey of understanding the issues that are at play here, and how very difficult it is for an addicted individual to get clean and stay clean, often it takes an incarceration or two before you can actually maintain that level of cleanness in your life. And so, as I said earlier, I think there are some area that we can work. Not being the area expert I am--

FOLEY: One minute.

GEIST: --I am not sure where all those areas are, but I'm willing to sit down and do the hard work of negotiating this through so that we can find a way we can continue to help people who are addicted and are trying to get their lives back together. Thank you, Mr. President.

FOLEY: Thank you, Senator Geist. Senator Lathrop.

LATHROP: Thank you, Mr. President, and colleagues. Senator Geist, thank you for those comments. Where we are at with Corrections are policy questions. Let me tell you how we got there. Ten, 20 years ago, in that time frame, politicians ran for office and they promised to get tough on crime. Then they came down to this Legislature, as they did all across the country, and came up with mandatory minimum sentences, they changed sentencing structures. We did things to elevate the time people spend incarcerated, and now we are at a crisis level. I'm not happy the ACLU sued Nebraska, but I could see it coming. And I understand why they are. We have hit a new high in our population. A lot of these people have committed some offense that's drug-

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related. Maybe they burglarized, maybe they embezzled, maybe they stole from the neighbor, but a lot of people are doing time indirectly related to their drug use. If they go through and do their time and they're placed on parole, it is imperative-- parole board, as well as probation with re-entry, are trying to wrap services around these people. We don't want to turn our backs on them as they're being released, we want to support them so that they are successful in not reoffending. If we don't, we will have them back in prison, and guess what's going to happen? One of two things is going to happen. We're going to have to spend hundreds of millions of dollars building more beds, a new penitentiary somewhere, or a federal judge is going to require that we start releasing people. I'm disappointed that I'm having this conversation, and no one is here. No one is here because too many people have decided these are drug abusers, and I'm not giving them SNAP benefits. I'm telling you that we have a crisis over at the Department of Corrections and we need to begin to have serious policy-- not campaign talking points-- we need to have a serious policy discussion, and today this is a piece of it. It is important that we support people coming out of the penitentiary that are on parole or in a re-entry program. We're already doing it, trying to do it with services, housing, vocational benefits. This is a piece of it. We need these people to be successful, or you need to come up you with \$300 million to build another penitentiary that we don't have the people to staff. It is important that this bill pass. It is important that this bill pass because it is going to be part of the solution to help reduce the recidivism rate and allow these people to return to society successfully. Thank you, Mr. President.

FOLEY: Thank you, Senator Lathrop. Senator Lowe.

LOWE: Thank you, Mr. President. I wasn't planning on speaking this morning, but I guess I will. I've been hearing some things out there today that puzzle me. One was "if you can't eat, you will reoffend." And "we are denying people food." "If we're responsible citizens, we must give food to drug offenders." I'm just starting to think about this. But if you can't eat, you are going to commit a crime. I think there are other options. My father always told me that if you want to eat, you need to work for your food; and I respect his wisdom. There are jobs out there. Almost every fast food restaurant has a "help wanted" sign in front of it. It may not be the best wage. It may be something, though. And most of the time, when you work at a fast food restaurant, if you work there for enough hours, you will get a meal, complimentary. They even have hiring bonuses now of a couple thousand dollars at some. That's a good start. You can get a place to live, an apartment, put down a deposit on it and your first month's rent, get a good start. You've got food coming in, and you've got money coming in. Do we really need the people of Nebraska to pay for the food when they can already get it? All they have to do is walk in the door and say: I would like to work. And by denying people food, I deny people food all the time. I never give Senator Halloran any food, I don't give Senator Slama any food or Senator Murman or Gragert. I deny people food all the time. And I am a good Christian. I have employed many people. And I've allowed them a wage that they could buy their food. Work, people; go back to work when



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you get out of jail or prison. It's simple. That's what you're supposed to do. That's why we-- we are America. We are not keeping people from working. They can go to work. There are many companies who will hire a convicted felon, give them a second chance on life. Maybe even a third chance, if it's necessary. I have hired people with-- with-- with convictions, and they have worked very hard. As a matter of fact, I ran a restaurant one time before I owned any, I was brought in to be the hatchet man and fire everybody in the place. I left two people working. One was a convicted felon, and one had special needs disabilities. But they both knew how to work. It was upper management that I fired, it was other staff members that I fired that did not know how to work. If you are wanting food, there's nothing stopping you from going to work.

FOLEY: One minute.

LOWE: Thank you, Mr. President. If we're responsible citizens, we must give food to drug offenders. If we're responsible citizens, we give them a second chance at making a good life, of becoming productive citizens again. Giving handouts is one thing, giving a hand up is totally different. Let's give these drug offenders a hand up. Let's give them a second chance. Let's offer them jobs. Thank you, Mr. President.

FOLEY: Thank you, Senator Lowe. Senator McCollister, you're recognized.

McCOLLISTER: Thank you, Mr. President. Colleagues, it's a very interesting juxtaposition with this debate. Here we have a situation where we're trying to improve the food stamp program in Nebraska for people coming out of our Corrections system, but yet, right now, as we sit here today, people are suffering from flood damage. They've been moved out of their homes, maybe they're in shelters, and no doubt about it, this body will come up with a way to help them. And they'll utilize perhaps 10, 15, 20 percent of resources from the state along with the resources from the federal government, and we will help those people. We will help those people. And that, I think, is the proper thing for the state to do. But also the proper thing for the state to do is to help those people that are coming out of prison reestablish themselves and make a living. If they can't eat, as Senator Lowe indicates, they will steal. So we don't want that, and we don't want to put them back in prison at \$35,000 a year. Yeah, there are some folks in this body that are the hard-asses that if you do a crime, by golly, pay the time. You should be in prison because you've offended the law, and we'll keep you there as long as possible, because, by golly, if you're in prison, you can't reoffend. Yeah. How counter-productive is that? Makes absolutely no sense at all. Yeah, we simply can't just put them in prison and throw away the keys. That's not the way to do it and we end up with prison-- too many people in our prisons, and we'll pay the price for that. This is a pay-me-now or pay-me-later proposition. If we keep people in prison and don't help them when they move out of prison, then we will pay the price by having them go back to prison. Makes no sense. I'm encouraged with the comments of Senator Geist. There are some

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folks that understand it makes sense to help folks coming out of prison with this kind of a-- thank you, Mr. President. And with that I yield the balance of my time to Senator Hunt.

FOLEY: Thank you, Senator McCollister. Senator Hunt, two and a half minutes.

HUNT: Thank you, Mr. Lieutenant Governor; and thank you, Senator McCollister. I've been having a lot of conversations with people who are in opposition to some elements of this bill and this amendment. And I want you to know that we're working on an amendment. We're going to have a little bit more time on this tomorrow before we get to our three hours, so between now and then, and then before we have another round of debate, potentially on Monday, at that time I think that we'll have an amendment that we can speak about, if not by tomorrow. So, I hear a lot of concerns about distributors. I hear a lot of concerns about the number of times people are allowed to reoffend. And I'm very serious about moving this bill forward in a workable way that protects our communities, that supports people who need these benefits, and that still holds people accountable for their crimes. So this is a conversation that we're having, and hopefully tomorrow and definitely by Monday we'll have an amendment, and I'll have time to speak to you all about that individually. But I just wanted to take some time and tell the body about what we've been working on. Thank you, Mr. President.

FOLEY: Thank you, Senator Hunt. Senator Groene, you're recognized; your third opportunity.

GROENE: Thank you. I appreciated Senator Lowe's comments. Food is not hard to come by in the United States. In North Platte we have food pantries. Many of them, Walmart donates a lot of day-old vegetables and fruit to them. Food kitchens are available. And I would like to know how many people coming out of prison don't have a family member or a friend who still exists where they go immediately and have dinner. I haven't found these hungry people, adults at least. I do see them once in a while in Lincoln, Senator Pansing Brooks's district, when I stop at a certain gas station on the way here not far from the Capitol, and they're out front at 6:30 in the morning panhandling so they can get some food from McDonalds. But you can tell they're under the influence of drugs while they stand there. Not a judgment, that's just reality. We all know it. But they do get the food. Once in awhile I have a kind heart and I haven't done my good deed for the day yet and I give them a couple of bucks. Drug dealers are despicable human beings. We should not be giving them assistance. They're not down on their luck. They went into jail with a lot of money in their pocket, and they probably have money in their pocket the day they leave. Folks, drug dealing is a very lucrative business, very lucrative. Now, the user, and the one with possession, they get food stamps; first time they're convicted, the second time they're convicted, and they are told if you do it a third time, no, no, no, no more SNAP. Because why? Because of food-stamp fraud, SNAP fraud. They become victims again of the fraud-- of the gangs. Here's the "Miami Herald:" South Florida reached another fraud milestone for what the Justice

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Department called the largest combined financial fraud loss for food stamp trafficking take down in history. That dubious new record federal prosecutors claim is \$20 million and resulted in dozens charged with doing the government dirty-- doing the government dirty via food stamp fraud, wire fraud, and conspiracy to commit wire fraud. The 12 charged over four cases are mostly Arabic names because they were tied to terrorist organizations to send money back home to fund terrorism. In this instance, eight small convenience stores in south Florida committed a staggering amount of fraud in a relatively short amount of time. That's reality. You can sit in the back pew of your church after you passed this and tell the good Lord that you did your good deed on the floor of the Legislature with your neighbors' tax dollars. That you helped the poor, you helped the needy. Give to the food bank. Give to the organizations that try to help these individuals turn their lives around. Don't do it with your neighbors' tax dollars. I think there's a saying in the good book said something when you tell the good Lord what you did for him, he says "I never knew ya." So don't throw religion at me, because I don't expect my neighbor to pay taxes to do my good works-- if this is a bill of good works, as I've heard from some of you. The good works is keeping these people, letting them know and letting society know we--

FOLEY: One minute.

GROENE: --we do not tolerate evil, as I've used in another context. Drug dealers are evil. They have more victims than any other crime, and it compounds, from the mother who's addicted to the children who do go hungry because the mother takes the food stamps and sells it for 50 bucks so she can get another hit. And don't tell me that don't happen. Where do you think this \$20 million came in this fraud. Somebody under the influence of drugs traded a thousand dollars of food purchases for \$50 cash for the next hit. That's reality. That is reality. I live in the real, real world. If you want to live in a fantasy that we do this, we do that, or we pat an evil person on the back and give them a free meal that they're going to change their ways, you go there, but I'm not. I'm not going to go there. I am going to stand my ground and say no, we do not approve of this behavior--

FOLEY: It's time, Senator. That's time.

GROENE: Thank you.

FOLEY: Thank you, Senator Groene. Senator Hughes.

HUGHES: Thank you, Mr. President. I yield my time to Senator Groene.

FOLEY: Thank you, Senator Hughes. Senator Groene, 5:00.

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GROENE: Thank you, Senator Hughes. Here's another story. "Daily Caller:" food stamps used, food stamps used, food stamp fraud, the Government Accountability Institute found that the Boston marathon bombers conducted various forms of fraud including through the Supplemental Nutritional Assistance Program, or SNAP program, which was formally called food stamps. Others have committed similar fraud in a scheme GAI calls welfare jihad where taxpayer money is used to fund domestic and international attacks. The Boston bombers who took \$100,000 in public assistance, including through subsidized housing, food, and welfare, read an English-language "el quad" [SIC] magazine that taught them how to make their bomb and encourage readers to steal money from disbelievers as a form of jihad. The pair detonated a bomb during 2013 Boston Marathon, killing three. Ali Ugas Mohamud of Arlington, Texas, ran a store that stole \$1.4 million in food stamps funds, GAI reported Mohamud would purchase food stamps and would wire his profits to Somalia. He was sentenced to nearly five years in prison. Such fraud is made possible by the expansion of food stamp benefits and the lack of screening into whether recipients are actually eligible according to GAI. Victims become victims, multiple "victimhood." You give a user food stamps, they become victims again, because the next hit is more important than the next meal. They sell their food stamps. They're not getting stole. Nobody is stealing. There wasn't any-- in all of these fraud stories, none of them claimed the person was held up on the street corner in front of the grocery store and their SNAP card was stolen from them. Anybody find a story? No. They freely sold it. Freely, free will, sold it for \$50. Now, me personally, I would rather not give them food stamps. I would say get hungry, go down to the local church, local food pantry where somebody is there that might help you. Because, see, nobody wants to steal-- steal macaroni and noodle meal or the stew that the food pantry will-- or the food kitchen will give you. It's a huge, huge way that good people help these individuals. And there are people there to help them. You give a user who has proven three times, three times that they can't turn their life around; and, folks, when you hear these bills it makes it sound like there is absolutely no programs in our prisons or in our probation or through our judiciary to help these people, they're just foot in the rear end and pushed out the door, you go, the prison and there's no help. I was here when we re-ramped the probation system, added into probation many, many avenues of how to reform yourself and help. We do it already. We do it already. And this idea that we treat these differently, I'm not going to go into the sex-offender thing --

FOLEY: One minute.

GROENE: --but we treat different crimes differently after they've paid their dues. I don't think a certain embezzlement crimes by insurance people and bankers that they can ever get a license to do that again. Well, wait a minute, we don't do that to the robber, we don't do that to the rapist, we let him work in the bank. So don't give me that story that we treat them differently. There is a purpose and a reason different crimes are treated differently after they are released from prison, because some of them don't reform themselves, they're addicted to their actions. Thank you, Mr. President.

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FOLEY: Thank you, Senator Groene. (Visitors introduced.) Continuing discussion, Senator Chambers.

CHAMBERS: Thank you. Mr. President and members of the Legislature, there are enough votes to let this bill make its way to passage. Senator Groene yammers and talks loud, loose with the facts, syntax is not what it should be, although he is the Chairman of the Education Committee. He doesn't make his subjects agree with his predicates, so he shouldn't be Chairperson of the Education Committee. He does not know history. He does not understand psychology. None of those things, yet he's Chairperson of the Education Committee. Now before you all get upset, this is a man making laws, and he's putting his foot on the back of people who don't have anything to eat, and you feel sorry for him because I'm talking to him, and he can talk back to me-- that's what I watch on this floor. He says he lives in the real world. I'm the one who lives in the real world. He lives in a Barnum Bailey world just as phony as it can be where it's a cardboard moon sailing over a paper sea, and he raises his voice and scares people here. Go out there where he lives! Fortunately, there will be people who have some understanding of the seriousness of the issues we're dealing with. I also have to speak in a complimentary fashion of the things that-- she probably doesn't want me to mention her name, but she sits in a couple of rows behind me. There are people who try to bring a bit of rationality to our discussions when there is so much irrationality going on. Understanding the nature of addiction, not everybody who is addicted is a criminal. Even on television, there are government-sponsored commercials that will say addiction is not a crime, addiction is an illness. And they're trying to spend time reaching the root causes of why people become addicted. That's not what Senator Groene does. He sees something, and without even understanding it all, he's off and away, running. He said this morning that the ACLU brought this bill. He said that. It's a bill brought by ACLU. He probably has forgotten that he said it. That's not who brought this bill. If he would have read the committee statement, which he doesn't do because the Chairman of the Education Committee isn't required to read and understand, he would have seen that the ACLU had nothing to do with this bill. He would have seen, for example, a food pantry who supported it. But when you have to deal with ignorance where there ought to be understanding, it makes it difficult. But when I took this job, I knew I was not getting a job with Harvard graduates as my colleagues. Some may not have even finished grade school, from the way they talk. All you have to do to get in this Legislature is be outside the penitentiary, a certain age, having lived in a certain place so long, and get enough votes, and you can come down here. You don't have to be in the write. There is no literacy test. You don't have to be able to read. You don't have to understand the constitution. You don't have to know any law.

FOLEY: One minute.

CHAMBERS: --you don't have to have an awareness of any of that. And when you listen on this floor as I've done for 44 years, those are the kind of people I deal with. I wish for once I could

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have some intelligent people in the majority who can understand concepts and we can begin to discuss the issues that are before us instead of going to the sub-basement to make people understand language, understand the meaning of words. That's what I do over and over and over and over, and I listen to these prayers over and over and over, and yet you don't do what Jesus told you to do. Told you to feed the hungry, clothe the naked, visit the sick, visit those who are in prison as though you are in prison with them. That's what Jesus said. I read his words. Now if he was running around here now and doing what they said he'd do, to use the words of the street, he's a cat that I could have hung out with and we would have gotten along famously, because both of us are--

FOLEY: Time, Senator.

CHAMBERS: --what we are. Thank you, Mr. President.

FOLEY: Thank you, Senator Chambers. Items for the record, please.

ASSISTANT CLERK: Thank you, Mr. President. Your committee on Appropriations reports LB737 is placed on General File. Urban Affairs reports LB23 to General File with committee amendments attached. Notice of committee hearing from the Appropriations Committee for Thursday, March 28. Amendment to be printed to LB243 by Senator Gragert. New A bill: LB231A by Senator Pansing Brooks. (Read LB231A by title for the first time.) New Resolution: LR54 by Senator Murman and others to congratulate the Mosaic School in Axtell on becoming the first certified autism center in Nebraska; that will be laid over. Name adds: Senator McCollister would add his name to LB352.

And finally a priority motion: Senator Cavanaugh would move to adjourn until Thursday, March 21, 2019, at 9:00 a.m.

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