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Transcriber's Office

Floor Debate  
April 26, 2019

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SCHEER: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the sixty-sixth day of the One Hundred Sixth Legislature, First Session. Our chaplain today is Pastor Terry Krueger from St. Mark's Lutheran Church in Bloomfield, Nebraska, that is in Senator Gragert's district. Would you please rise.

PASTOR KRUEGER: (Prayer offered.)

SCHEER: Thank you, Pastor Krueger. I call to order the sixty-sixth day of the One Hundred Sixth Legislature, First Session. Senators, please record your presence. Roll call. Mr. Clerk, please record.

ASSISTANT CLERK: There's a quorum present, Mr. President.

SCHEER: Thank you, Mr. Clerk. Any corrections for the Journal?

ASSISTANT CLERK: No corrections this morning.

SCHEER: Any messages, reports, or announcements?

ASSISTANT CLERK: Yes, Mr. President. I have a lobbyist report for the week to be inserted in the Journal. Additionally, a list of reports, agency reports, electronically filed with the Legislature, can be found on the Nebraska Legislature's Web site. That's all I have at this time, Mr. President.

SCHEER: Thank you, Mr. Clerk. Before we go to the first item, Senator Wayne, for what purpose-- Senator Wayne waives. Senator Quick, for what purpose are you rising?

QUICK: Point of personal privilege.

SCHEER: Please proceed.

QUICK: Thank you, Mr. President. First of all, I want to congratulate Senator Bostelman on his wedding anniversary yesterday, and so-- but today is my wedding anniversary. And my wife, Alice, and I have been married 39 years and so I just wanted to put that on the record and also

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tell her that I love her and that I wouldn't trade it for anything in the world. So, thank you, Mr. President.

SCHEER: Well said, Senator Quick. Senator Blood, for what purpose do you rise?

BLOOD: Point of privilege for the greater good of the body.

SCHEER: Please proceed.

BLOOD: Thank you, Mr. Speaker. I'm not sure I'll get an applause when I'm done, but I want this on the record. Yesterday, I was contacted by an area media source who brought a press release to my attention and asked me to respond in reference to yesterday's vote on the death penalty, and I am leading to the greater good, I promise. And it was a partisan press release in reference to Senator Chambers' bill, and Senator Chambers was told before the bill even came on to the floor by me, one-on-one, that I would not be supporting his bill. Since I was a freshman senator, I have kept this under the glass on my desk, and for those of you who actually come into my office, you know this has existed since my freshman year that reminds me that 62.1 percent voted to repeal the death penalty. So when I receive a partisan press release from Fred Knapp of NET asking for my opinion and I read it, and it falsely claims that I'm a coward and not brave, I need to respond to it because I believe that this is fodder for the partisan fire that has been here since I've come to this body. When I have an important bill and I ask people to cosponsor, I don't say, hey, what's your party? I say, hey, this is a great bill that's going to help Nebraska's children. And then when it comes to a vote, three of our most vocal people on the floor choose to be absent, not voting, and I don't know if it's because they don't like children or they just don't like children with disabilities, but I don't do a press release to say, hey, where were they and why aren't they voting? But I'm going to explain why I wasn't voting yesterday, not because I'm a coward. Anybody that knows me knows that that's certainly true, but because I thought it was an opportunity to take a personal phone call before the vote and when there was a call of the house, I was still on that phone call to arrange transportation for my adult son with a disability, which by the way, I'm showing Fred Knapp the call on my phone. And as I started to leave in hopes to make the vote in time, my daughter who just moved to Omaha, who thought a squirrel had died in her attic apparently had her neighbor die in the duplex next to her. And by the way, there will be a police report that will also follow up with that. So as a parent of an adult child with a disability, as somebody who lives 54-miles from home, I am one of many of the senators who juggle things and finds opportunities to speak off the floor when they can while trying to maintain a presence on the floor pretty consistently. And I don't think there's anybody in here to say that my butt's not in that chair every day, all day. I've been on this floor with a 102 temperature before, when I should have been home in bed. I was on the floor last week with a concussion when I most definitely should have been home in bed because that was a rough week

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last week. But here's what I'm going to say right now. I don't trade votes with you. Senator Briese, I am persistent when I believe in a cause, correct? Even though I know that you'll probably never bend, I keep trying. Senator Halloran, wherever-- oh, you're in, I'm sorry, I know we have a committee meeting and I'm missing it and I apologize. When you had an important bill as a freshman senator, I came up to you and expressed concern because I knew it was important to you, but I still didn't vote for it, but I still cared about you. Anybody watching this, reach out to your senators. This partisanship has to end. We could spend each and every vote of where you're at and what you're doing every single day. I never forget who I serve. Senator Groene's talked about how well I serve Sarpy County. I vote for things and against things that I don't necessarily agree with as an individual, but District 3 is not the voice of Carol Blood. It's the voice of thousands of people, be they Republican, Democrat or Independent or whatever. We are not here for a party, and if you are, you are here for the wrong reasons. Never--

SCHEER: One minute.

BLOOD: --will you find that I have ever made a partisan statement in any social media, anything in writing, and I have taken the abuse from your shock jocks, which I hope someone will give me some time later on today that I would like to address as well. I'm here to say, knock it off. I'm a proud Nebraskan, and if you are too, you're going to quit putting your heads down every time this happens and stand up against it. Thank you, Mr. Speaker.

SCHEER: Thank you, Senator Blood. Senator Kolowski, for what purpose do you stand?

KOLOWSKI: Point of personal privilege, please.

SCHEER: Please proceed.

KOLOWSKI: Thank you, very much. This is Arbor Day, and it's a celebration day for all of us because of the work that we've done and the traditions that have come out of Nebraska and spread across this whole country as far as the planting of trees. I hope you'll join me in celebration of the fact of Arbor Day, how functional it has been for our state, the impact it has had, and for all those groups, NRDs, Scout troops, community groups that have planted trees in all of our cities and across our beautiful state. I hope you'll join me. Thank you very much.

SCHEER: Thank you, Senator Kolowski. Senator McCollister, for what purpose do you rise?

McCOLLISTER: Thank you, Mr. President. Point of personal privilege.

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SCHEER: Please proceed.

McCOLLISTER: Thank you. April seems to be wedding anniversary month. My wedding anniversary came and went without much notice. It was April 17, but after 48 years you don't pay much attention to those anniversaries anymore. Thank you very much. [LAUGHTER]

SCHEER: Thank you, Senator McCollister. Senator Wayne, for what purpose do you rise?

WAYNE: Thank you, Mr. Speaker. Colleagues, this is very, very important, and in all due seriousness, it's a point of personal privilege.

SCHEER: Please proceed.

WAYNE: I am dead serious about this, and I just need 30 seconds of your time. Many days we come in here and we always recognize our doctor of the day, and we all stand up and give a round of applause, but for 66 days the Speaker in this body has ignored our chiropractor of the day. We have a chiropractor from Senator Ben Hansen's district. Senator Ben Hansen, chiropractor of the day, would you please rise and be recognized by your state Legislature. Thank you, Mr. Speaker.

SCHEER: Thank you, Senator Wayne. Senator Moser, for what purpose do you rise?

MOSER: A point of personal privilege, please.

SCHEER: Yes, proceed.

MOSER: Good morning, colleagues, and good morning, Nebraska. And that kind of leads into the content of my comments this morning. A week or so ago, I mentioned that there are a few people who across the state who listen to what we do here, and my point was that sometimes we aren't doing anything here and people are still watching, and a couple of people took me to task for saying that, you know, that they shouldn't pay attention to what we do. And so I think those comments were-- while I was trying to make a comedic point, I think those are valid. And as a side note, if you do watch the proceedings here, I'd like it if you'd e-mail me or e-mail your senator or send us a postcard and tell us that you watch the proceedings, either you stream them or you watch them on NET. I'd be curious to see who all watches what happens here and what interests you about what we do here in the Legislature. Thank you very much, and have a good day.

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SCHEER: Thank you, Senator Moser. Senator Williams, for what purpose do you rise?

WILLIAMS: A joint point of personal privilege, please.

SCHEER: You only get the same amount of time.

WILLIAMS: Oh--

PANSING BROOKS: Nonpartisanship.

SCHEER: Senator Pansing Brooks and I are both married. We're not married to each other.

PANSING BROOKS: Somebody's still married to me. I know, you find it surprising.

WILLIAMS: But I will celebrate my 50th wedding anniversary with my beautiful wife, Susan, this summer. We won't be in session, so won't be able to do it, but we have been working, as you know, on the Capitol Gardens Project, and Patty has a message for all of those who have not yet contributed.

PANSING BROOKS: Don't worry, we can bend arms, we can come around, we will find you. We actually do have a list. We're not going to announce who hasn't given yet, but we do know who you are, and really we do want everybody to participate. It's not that hard, and everybody can put in something to help make the gardens beautiful. So please, we've talked to you about this before. We've given you some time. People have said, oh, let us wait until something happens in the next month. Okay, we waited the month, so come on, you guys, we need a little support. It would be really nice if the 2019-2020 session, legislative biennium session is completely in on this plan, and they're very close. I think there are only about 100,000, is that right, away from the entire 1.4 million. So they're very, very close to the final donations, and we think it would be really nice if our whole body supported this effort. It's a private effort as you remember, no public dollars. They didn't come to us, so now we are coming to you. Okay, thanks so much. Have a great weekend.

SCHEER: Thank you, Senator Williams and Senator Pansing Brooks. Colleagues, I don't usually address from the Chair, but because we are in Final Reading, I'll stay up here. Just your Friday note for next week, the bills that will be added to the agenda will be LB209, Senator Albrecht; LB532, Senator Cavanaugh; LB583, Senator Hilgers; LB149, Senator Quick; LB300, Senator Lathrop; LB492, Senator Wayne; LB397, Senator Briese; and LB675, Senator Groene. Again those numbers: LB209, LB532, LB583, LB149, LB300, LB492, LB397, and LB675. And as

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noted, yesterday coming across the desk, Senator Dorn has filed a motion to override the Governor's veto of LB472. We will take that up on Tuesday afternoon at 1:30. That's our preliminary schedule, and as we need to add more I will let you know what those might be. With that said, Mr. Clerk, the first item.

ASSISTANT CLERK: Thank you, Mr. President. LB641A introduced by Senator McDonnell. (Read title.) The bill was read for the first time on April 17 of this year and reported to General File.

SCHEER: Senator McDonnell, you're welcome to open on LB641A.

McDONNELL: Thank you, Mr. President. Good morning, colleagues, and happy Arbor Day. LB641A is the A bill for my personal priority bill, LB641, which provides for a grant process for the 2-1-1 help line under the Public Service Commission. This A bill appropriates \$300,000 from the Healthcare Cash Fund to the Public Service Commission for purposes of carrying out the provisions of LB641. LB641 is on Final Reading, so we will have to get this A bill through General File and Select File before LB641 can be heard on Final Reading. I'd appreciate your green vote on LB641A. Thank you.

SCHEER: Seeing no one wishing to speak, Senator McDonnell, you're welcome to close. He waives closing. The question before us is the adoption of LB641A. All those in favor please vote aye; all those opposed vote nay. Have all voted that wish to? Please record.

ASSISTANT CLERK: 37 ayes, 0 nays on the advancement of the bill.

SCHEER: LB641A is advanced to E&R Initial. Mr. Clerk, we'll move into Final Reading. Members should return to their seats in preparation for Final Reading. Mr. Clerk, the first bill is LB23E.

ASSISTANT CLERK: (Read LB23 on Final Reading.)

SCHEER: All provisions of law relative to procedure have been complied with, the question is, shall LB23E pass with the emergency clause attached? All those in favor vote aye; all those opposed vote nay. Colleagues, this will require 33 positive votes. Have all voted that wish to? Please record.

ASSISTANT CLERK: (Record vote read.) The vote is 45 ayes, 0 nays, 1 present and not voting, 3 excused and not voting, Mr. President.

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SCHEER: LB23E passes with the emergency clause attached. We'll now proceed to LB31E.

ASSISTANT CLERK: Mr. President, Senator Chambers would offer FA52 to return LB31E for-- in order to strike the enacting clause.

SCHEER: Senator Chambers, you're welcome to open on your amendment.

CHAMBERS: Thank you. Mr. President and members of the Legislature, relax, Senator Kolterman, and everybody else who has a bill on Final Reading. I don't have anything against any of these bills. Yesterday, LB44, my bill to abolish the death penalty was utilized by various people to make various statements, various points, which is allowable on any bill. Other things occurred that put me in a frame of mind to wreak some vengeance, and I said that I would begin doing it. I started to start yesterday, but because Senators Lathrop and Hughes had done so much work to iron out some differences on a very difficult bill, one that I was much opposed to at first, I did not want that injected in what it is that I intend to do. Senator Kolterman may not realize it, but when I'm in my office I'm working but I'm listening. He made a statement that was very apropos with reference to how Senator Lathrop and Senator Hughes had worked together, as he phrased it, behind the scenes to reach an accord so that the major objections to that bill could be removed. It could then go forward, and no interest that had been expressed by anybody, as far as I can recall, were ignored in the agreement that they reached. When those moments occur in the Legislature, I don't think they ought to be allowed to pass without notice, and Senator Kolterman did what I would have done had I been here, up here. Today is a new day, and I'm going to have my way by having my say. And from my course no one can sway, may, meaning me, but it had to rhyme. I'm going to read some things into the record. I have plenty of material, but before I go into that I'm going to recite a little rhyme for you all that I learned in grade school, and I had no idea that it would give comfort to a man who had been sentenced to death pursuant to the federal death penalty law because he had bombed that Murrah Building in Oklahoma City, and he is called Invictus. Out of the night that covers me, black as the pitch from pole to pole, I thank whatever gods may be for my unconquerable soul. In the fell clutch of circumstance, I have not winched nor cried aloud. Under the bludgeonings of chance my head is bloody, but unbowed. It matters not how strait the gate, how charged with punishments be the scroll. I am the master of my fate. I am the captain of my soul. That person was Timothy McVeigh who used that poem for comfort and although his was one of the worst acts of terrorism committed in this country, not by a Muslim, not by a black person, not by a Latinx, not by a member of the LGBTQ community, but a white Christian, all-American boy who was able to rent a truck because of his Christian, upstanding appearance. He had a military-style haircut. He loaded the truck with his explosives, he drove it to the building, set off the explosives, killed men, women, and children, because they had a day care center there. He has become a hero to the Alt-right, to the white nationalists. They have groups and cells named in his honor for what he did because he struck against this overreaching United States government. But here's the irony. Even though that flag up there that

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I refer to as a rag, flies over this government, Timothy McVeigh did his actions under the flag. So it is a garment that anybody can use for any purpose, and it does not stand for one single concept or idea. And sometimes those who do the most vicious, atrocious, unlawful, hurtful things do so while carrying the flag. It means nothing to me. Every time I see it, I take it as an affront. And you all don't have to feel that way, you're the slave masters, the slave holders. I, metaphorically speaking, am the slave. We don't see things through the same eyes, even though we're in the same location. And many of you are so blind and insensitive and unfeeling and hateful and racist, that you refuse to recognize that people who do not have the privileges that you enjoy and take for granted will not view these things the way you view them. You know why I try to uphold the U.S. Constitution even though it acknowledges slavery in at least five points? It is the only hope. It ain't much, but it's all that people who are oppressed have got. We can try to use what it says to embarrass and humiliate to the extent we can. Those who are in power and have sworn an oath to uphold that Constitution to do what their oath should impel them to do, but it won't. Now, I'm going to use bills today to make my points. And I sent a rhyme around--how much time do I have, Mr. President?

SCHEER: 3:40.

CHAMBERS: 2:40?

SCHEER: 3:40.

CHAMBERS: Oh, thank you. I don't know if I can read it that quickly because sometimes I digress, so I will be speaking to you all at length today. I told you what I was going to do. I told you that I'm not spineless like my colleagues are on so many occasions. There's nobody in the Governor's Office or in that lobby who pulls the string on me, or who writes statements for me to read on this floor, statements which I don't even read well because I did not write them. I'm nobody's puppet. I'm nobody's echo, and despite the lack of regard you have for me, I probably have more respect for this institution than all of you put together. I don't have to be here every day. I don't have to be here a single day, and I get paid as much as you all get paid, but I come here. I try to help you all write good legislation. And if you have bad legislation, and some senators can bear witness to this that I would ordinarily kill, I've helped rewrite it. Even Senator Slama's piece of propaganda that she was praised so much for and lauded for doing by the "Repelicans" at some dinner or other, propaganda, atrocious syntax, poor grammar all over the place. Because it was going to pass anyway, I offered amendments, and then voted against the bill, and it still was poorly written. It's bunglesome language. It doesn't rise to the level that I think legislation should reach. So what I'm doing, although it seems counterintuitive to you all because you don't think very deeply, is to uphold, not to destroy this Legislature. Thank you, Mr. President.



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SCHEER: Thank you, Senator Chambers. Senator Blood, you're recognized.

BLOOD: Thank you, Mr. Speaker. Fellow senators, friends all, I stand against Senator Chambers' motion and in full support of Senator Kolterman's bill, but with that said I want to finish what I spoke on this morning. When you hold your head down and we talk about the bad behavior that is shown that pertains to this Chamber, that makes you complicit. I want to remind the women what happened on the first day of the session. Regardless of your party, I think each one of you received a gift and I told you good luck and I hope that you have a successful year. And when I do those things, I'm sincere. I'm not looking to get your votes. I'm not looking to get your support. I know it's tough to be a woman in this body right now. It's probably tough in every state, but that's not the issue. The issue is the partisanship that is shown in this body. Through that partisanship, some of the shock jocks that-- let's use your own words, are more conservative, and by the way, I hate those words because conservative, progressive, those are words that people are using to market people as opposed to who the person truly is. I used anatomically-correct words on this floor that I will use again in the future because it's not any different than an arm or a leg or my head or my eyes or my mouth. And your conservative shock jocks not only took it out of context, but someone named Stubby or Sammy, or-- he used to be a state senator who lives in Omaha, said I couldn't knock on his door because I was vulgar. He's obviously not even smart enough to know he doesn't live in my district. While the other shock jock allowed people to make comments about my breasts, how much makeup I wear, the size of my body. I got news for you. My breasts fed three wonderful children. My body does its job, it's keeping my organs where they belong. It holds me up so I can stand at this mike and speak, and shame on you guys that aren't bold enough to come and speak to me that use social media to tell me what's wrong with me physically, because right now I think my body is serving me well. And why when men are taken to task, we're not talking about their bodies. And I know I'm striking a chord because there's a lot of people not making eye contact with me right now. Keep your heads down. Pretend that it's not going on. It's going on. Whatever happened to fellow respect for our fellow man and women? We can do better. Working behind the scenes for the greater good of the body on bills is a start and is a good thing, but I am sick and tired of the backstabbing. I am sick and tired of you looking the other way while particular parties and people who are your minions tear others apart on this floor. And by the way I see a certain senator who has taken pictures of others on the mike. God knows where those pictures are going to show up at, but I'm sure that's a part of the marketing concept for the reelection which is why this press release went out. I'm not serving thinking what bills can I get through so I can get reelected. I'm serving what bills can I get through so I can represent District 3 to the best of my ability regardless of whether they are Republicans or Democrats. The greater good of this body demands that you stand and you fight for what you believe is right and best for your district and Nebraskans. And I have done that since the day that I stepped into this building. I am here at 7:15, 7:30 in the morning consistently. I am here before my staff.

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SCHEER: One minute.

BLOOD: I work on weekends. I work at nights, as many of you do, and I do it because I love this state and I love my district and I love all of you guys. We've done a lot of good things, but we can do better and you should do better. So hold your heads up. Show that you give a damn because all I'm seeing is a bunch of people looking the other way. When a car drives by and hits somebody, what does that make you? Thank you, Mr. Speaker.

SCHEER: Thank you, Senator Blood. Senator Chambers, you're recognized.

CHAMBERS: Thank you, Mr. President. Members of the Legislature, I'm glad that Senator Blood made some of the comments that she did. There was a poem that was written, and I'm not going to give it all, but it was called The Fool, and just-- it started, The royal feast was done, the king sought some new sport to banish care, and to the jester cried, Sir Fool, kneel now and make for us a prayer. The jester doffed his cap and bells and stood the mocking court before. They could not see the bitter smile behind the painted grin he wore. And then he talked about all of the things that would happen, all of the things that were done, and every stanza was ended with, be merciful to me, speaking of himself the fool, a fool. He talked about how these clumsy feet still in the mire, go crushing petals without end. These hard, unfeeling hands we thrust among the heartstrings of a friend. After he went through all of that litany it said, and it's like this room now, the room was hushed, in silence rose the king and sought his gardens cool. He walked apart, and murmured low, be merciful to me, a fool. The fool made the king see what a fool the king and everybody else was. You all do such hateful things to each other, I know what your attitude must be toward me. The way you backbite, you snipe, you do dirty underhanded things. There are flunkies and mouthpieces for the Governor and the "Repelican" party on this floor. I'm going to say that some are so naive and ignorant in the ways of the world, so lacking in knowledge, experience, and understanding that they do not realize how they've been converted into a playthings and they're mocked and they're handed and passed around and unkind things are said and they're going to strike or attempt to strike when they think the iron is hot. I'm going to have my say. Now, I'm going to read into the record so those hateful people out there watching will have something else to put on wherever they put it against me for my arrogance, for my uppityness, for my unwillingness to stay in my place, and wishing for the good days that Trump is talking about when America will be great again and they can put on pillowcases and hoods. Bed sheets and get together in their mobs when they're courageous and do bad things to people like me and have their little children, the best people in the community all standing around with grins on their faces, celebrating and enjoying it. Creighton did something, I don't think it was the university itself, but since I graduated from there my name is on a list and all these magazines they send, they send to me too. The most recent one had on the cover a picture of a black man looking out at you all, and he was the one who was lynched--

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SCHEER: One minute.

CHAMBERS: --based on a false accusation by a white woman. Not only did they string him up and fill his body with bullet holes and try to lynch the mayor, but he was cut down at the city hall. They dragged him through the streets shooting at him. Then they built a fire, with maybe railroad ties, and put him in it. And that is one of the iconic pictures of a lynching that is featured in any book about lynching, and it happened in Omaha, Nebraska. There was one little boy off to the side, another white guy in his soldier uniform. He would have been wearing a flag pin if he'd have had one. I will continue when I'm recognized. Thank you, Mr. President.

SCHEER: Thank you, Senator Chambers, and you are next in the queue.

CHAMBERS: This magazine was sent--

SCHEER: Senator, this is your third time as well. Thank you.

CHAMBERS: I buy that and I'm not going to seek a vote on any of these motions, but I'm going to speak my times and say my piece. It was commemorate the worst thing, the most shameful thing in Omaha's history. But since you all think that I'm imagining things, when I talk about how viciously black people were treated, see, they didn't burn Jews alive like that. They gassed them and burned their bodies, and you all think that I should not say anything because you don't like it when I say that flag is a rag. Well, don't like it. And you will not silence me in the way the "Repelican" party silenced former Governor of Nebraska, former U.S. Senator from Nebraska, military hero, winner of the Congressional Medal of Honor, Bob Kerry. You won't silence me. You can say anything you want to. You can feel anything you want to, and I will tell you how a scripture's being fulfilled by you all's attitude toward me. The "Bibble" said, woe unto you when all men speak well of you. That's one woe I shall never know. Now, I'm going to read what I wrote. Time to pay the piper, then in parenthesis, aftermath of debate on LB44, April 25th, 2019, a quote, the promise being made must be kept, unquote, Abraham Lincoln in letter explaining his issuance of the emancipation proclamation. My little rhyme. It's hard for me to write anything without it being a rhyme. Colleagues, before this place we believe in, there may be some chagrin or some grieving, because verbal brig bats I'll be heaving. And tales of this and that, I'll be weaving. Per Kennedy's mantra, don't get mad, get even. That was from Joseph Patrick Kennedy, the years of his life comprised the years, 1888 through 1969. Then I put underneath that, the heading from today's agenda, and in large letters, Final Reading, and under that I put, and you all don't have to ask me, am I referring to you, you know who you are, and we do too. Yesterday belonged to the Governor's minions. Today a different bird shall ply its pinions, that different bird, muah. And I'm going to ply my pinions, and you can stop your ears if you want to. You can get excused and walk out if you want to, and you don't have to come back if you choose not to.

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But none of that deters me. We have a much wider audience than the people sitting on this floor, but even if it were not. When I used to be invited all over the country to give talks, sometimes there would be very large crowds, sometimes somewhat sparse. Then after all that was over, somebody would come up and say we've got a few people who couldn't come in because I'd be leaving--

SCHEER: One minute.

CHAMBERS: --and people would be talking to me. They were charging and they said we would like to hear you, but we didn't have the money to pay. I said, I wish I had known that and I would have told them, let everybody in here who wants to come or I will not give this speech. But then I would go wherever they had set up a place and talk. Sometimes there might be five, sometimes ten or eleven, but the biggest crowd, if it was comprising 5,000 or 500,000, all that is, is one individual multiplied by the total number there, and you're only talking in a way to each person who is there. 500,000 people to me are no more important than the one person, especially if the one person wants to be heard. If the one person wants to hear, and if the one person's ears are open and mind is active and questions will be asked and answered in a sensible way. Thank you, Mr. President.

SCHEER: Thank you, Senator Chambers. Senator Cavanaugh, you're recognized.

CAVANAUGH: Thank you, Mr. Speaker. Would Senator Chambers yield for a question?

SCHEER: Senator Chambers, would you please yield?

CHAMBERS: Yes.

CAVANAUGH: I think-- were you like telepathically speaking to me as I got ready this morning because I brought with me the Creightonian and the article.

CHAMBERS: Excuse me. It's difficult for me to hear.

CAVANAUGH: Sorry. The Creightonian. I brought with me the Creightonian today with the article about the lynchings in 1919 and I've asked the pages to make copies and distribute it to the body so that everyone here can read that article that you've been talking about this morning. So, I just wanted to share that with you and then yield you the remainder of my time.

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SCHEER: Senator Chambers, 4:10.

CHAMBERS: Thank you, Senator Cavanaugh. Thank you, Mr. President. You know why I picked Final Reading, because you have to be in your seats. You can't run out of here today, but I've told you how you can do it. Just go up there and let us all see you walk up there and ask to be excused. Then you can leave, like you always do. I know you. I know your rules. On a warm summer evening, on a train bound for nowhere, I met up with a gambler. We were both too tired to sleep. So we took turns gazing out the window, at the darkness. When boredom overcame us, he began to speak. He said, son, I made a life out of reading people's faces. Knowing what the cards were by the way they hold their eyes. If you don't mind my saying, I can see you're out of aces, but for a taste of good whiskey, I'll give you some advice. And y'all could sing with me if you want to, the refrain, but I'm not going to sing it. You got to know when to hold em, know when to fold em, know when to walk away, know when to run. You never count your money while she's sitting at the table. There will be time enough to counting when the dealing's done. And he continued speaking, and the guy, who is listening, gave him the bottle and he drank down his last swallow, crushed out his cigarette, and faded off to sleep. The gambler had told him that there's only one way you're going to break even. But anyway, somewhere in the darkness the gambler, he broke even. That meant he croaked. But in his final words I found an ace that I could keep. You got to know when to hold em, know when to fold em, know when to walk away, know when to run. You never count your money while she's sitting at the table. There will be time enough for counting when the dealing's done. See, this is my game today. I call the shots. I told you that the Speaker will formulate and determine the agenda, but I will control the pace at which we operate. And quoting Lincoln again, the promise being made, must be kept. If I did not do as I'm doing now, I would be as faithless, perfidious as the kinds of people I describe on this floor who speak empty words. They're empty because there is no intent to follow them. If I tell you, Senator Moser, a hen dips snuff, you'd look under her left wing and you'll find tobacco stains.

SCHEER: One minute.

CHAMBERS: And when I tell you I'm going to do something here, I'm going to do it. But I'm not going to tell you in advance everything I'm going to do in every instance. I told you that I was going to take over this part of the session, but I didn't tell you precisely when I would assert that authority. And you know why I have that authority? Because the rules give it to me and I learned your rules and I follow your rules and I know when to hold them and I know when to fold them, and I know when you're bluffing because I can tell when I'm looking at your face. I can tell what your cards are. But by your conduct, I know you. I study your body language. It's essential that I do that.

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SCHEER: Time, Senator.

CHAMBERS: Thank you, Mr. President.

SCHEER: Thank you, Senator Cavanaugh and Senator Chambers. Senator Moser, you're recognized.

MOSER: Good morning again, colleagues. I just wanted to make a comment about a couple of things that have been said this morning. In my experience here, I've learned something from everybody, and I appreciate, you know, the support. And to Senator Blood's comments about people saying mean things, sometimes people say mean things. Sometimes the radio shock jocks, as you described them, are trying to misrepresent what's said. Sometimes the things we do entertain them even without misrepresentation, but I think that we need to do what we're supposed to do and try to let those things just come and go. You know, I appreciate all of you. I think there are difference both philosophically and politically between us and to say that we do things just because we're a member of a club is wrong. Because I think we all bring our experiences to the floor. You know, we have different backgrounds. You know, in my district I think there's, if I recall correctly the demographics, only about a half of a percent of the members of my district are black. And I know a few of them, but out of the 37,000 a half of a percent, you know is a hundred and what 67 people would be classified as black. So when I hear things on the floor I sometimes research them. Some of the things that I hear Senator Chambers say take me by surprise and so I'll take one of my gadgets that he often shows disdain for, and I'll look up on my iPad or my computer and read more about the Constitution, or read more about slavery, or whatever we're talking about. So don't feel just because we're looking down at our desks that we're not necessarily thinking about what you're saying. We could be in the senators lounge listening, we could be in our offices listening. Sometimes I don't-- I have to kind of limit what my senses can absorb at one time and I-- if I look up, it distracts me. I'd rather look down and think about what I'm hearing and think about whether I think it's right or whether it's wrong, or whether it inspires me to learn more about it. But if I ever say anything that upsets you, you know, talk to me about it, any of you, but I think we need to have a free expression of our opinions. And sometimes we're wrong. That's just what humans bring. So, you know, I think we've gotten a lot done so far in this session. I've learned a lot and if I need some correction on something, don't be afraid to bring it. I'll be glad to talk to you about it. Thank you very much, colleagues.

SCHEER: Thank you, Senator Moser. Senator Blood, you're recognized.

BLOOD: Thank you, Mr. Speaker. Fellow senators, friends all, I continue to stand against Senator Chambers' motion, but in full support of Senator Kolterman's bill, as I usually am. And I

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had not planned on speaking again, but Senator Moser, my friend, my friend, it is not politically correct to talk about the black residents that you know in your district. That's like saying I have a black friend. You can't do that. But I love you anyway. But I want to let you know that what I'm talking about today is not a personal thing. It's outside parties that are getting involved with inside business. And they're not our constituents and they're not the people that we represent, and we most definitely do have the ability to speak on anything we like, and we prove that over and over again. And I appreciate the fact that you are one of the people that stays on the floor as much as you can, and as a freshman senator I think that's something that should be lauded. But with that said, Senator, there are senators that have specific challenges and I don't care that somebody says something bad about me. I care that they're cowards when they do it. They do it in passive-aggressive ways and then certain members of that club, as you so well-stated, participate. And I, especially when talking to the women in this body, I don't care what your party is. I think Senator Geist and I have a good story and maybe she'll talk on it once where I did stand up for her and I stood on her behalf because I love Senator Geist. She's an awesome person who tries really hard and doesn't get the credit that she often deserves when she works hard. But here's the point. I am here to work and yes, we've done a lot of good things, Senator Moser, and the rest of the body. And I try not to pull the shenanigans up on the mike. You know, I don't pretend that I'm not trying to filibuster a bill by saying, ah, it's not a filibuster, it's an extended debate. But yet there's never any debate. I'm still waiting for the debate. I try and be as authentic as I can and be who I am and be who I promise to be and that's what my expectation is of everybody in this body. And I'm not saying that anybody is less than, and I am not saying that anybody is greater than, what I am saying is that we can do better. And to be really frank, I've only heard from seven of the districts outside of mine, asking that I continue to speak on the women in this body, and how they need to be heard, and how our challenges are different. But you know what? We overcome those challenges so we can fight for the residents in our districts. We overcome these challenges so others behind us like the fourth graders in the balcony might one day want to be a state senator as I did in fourth grade and have wanted to since my tour in fourth grade and achieved that. This is about the greater good of the body. This isn't about my personal likes and dislikes. This isn't about people picking on me. But with all due respect, Senator Moser, when people pick on you, I don't think they're talking about the size of your breasts. They're not talking about how much makeup you wear. They are mine. They should just be glad it's not in 3D, I guess, huh? So the battle that we face is much different than yours. And with all due respect to Senator Moser and all, we can do better and I'm going to keep saying that. And that's where I'm coming from. Again, I stand against Senator Chambers motion and in full support of Senator Kolterman's bill, and I thank you, Mr. Speaker.

SCHEER: Thank you, Senator Blood. (Visitors introduced.) Senator Moser, you're recognized.

MOSER: Good morning, once again. Thank you, Mr. President. While I was attempting to show some support for Senator Blood and I'm not sure it was successful, but I think I'll leave that

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where we left it. The comment about the number of blacks in my district was not to say that my two or three people that I know there significantly affect me and my thinking about minorities. I was trying to make the opposite point is listening to Senator Chambers and to Senator Wayne and some of their experiences, those are different than the experiences that I've had. And so I listen to what they say, and I try to research some of the things that they talk about because I think it's important to understand where people come from. I've got a business background, and I look at things in a business way. You know, whether it's sensible, profitable, whether businesses can afford to pay their taxes to help us spend those tax funds for good state purposes. You know, that's kind of my hammer as I have talked about before. And for Senator Chambers and Senator Wayne, they represent their districts where they have had different experiences than mine. And I appreciate them bringing those up. So hopefully we can move forward from here, but I just wanted to make those comments. Thank you, folks. Have a good day.

SCHEER: Thank you, Senator Moser. Senator Howard, you're recognized. Senator Howard, you're recognized.

HOWARD: Thank you, Mr. President. I put my light on because my gal pal, Carol Blood, wanted some support and I'd give anything to support my friends, but I tend to be-- I didn't take a very old school approach to the way that we handle ourselves in this body. I rest very heavily on civility, I rest very heavily on transparency, on talking to every single person. The best advice my mother ever gave me was find one thing that you like about every single person here so that when they do something that you don't like, you will remember that thing. You will remember the name of their pet, you will remember the pizza place in Kearney that's now closing, RIP. You will remember that they're going through something, right? Maybe it's a divorce or a medical issue, you'll remember the name of their grandchildren. Rob Clements has a granddaughter named Sarah. Because it will help you remember that we are working with people and not parties because the parties don't belong in here. And we are working with people who have feelings, who care just as deeply about their issues as you care about your issues. There's one time when my mom got really upset because Speaker Flood didn't schedule one of her bills. We just ran out of time and she goes to Mike and she goes to Patrick and she says, oh, my gosh, how could you not schedule my bill? How could you not do that? And first, Patrick says to her, everything that needs to get done in a session gets done. And then Mike said to her, Gwen, everything that you care about, there are people here who are just as passionate about their things. And so when someone cares about something very deeply, and they tell you about it, my opioid bill is on Final Reading today. Senator Chambers has worked for four decades on repealing the death penalty. When someone cares about something and you know that's where their heart is at, we should be respectful of it. We are so lucky that we have such incredible women working with us. Senator Blood works far harder than I do, honestly. She is early in the morning, she's late to bed, she's here all the time, but I also know that she has some struggles, right? Her husband is sick, and her son is not doing great. And so when she comes here and she



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has to fight every day, and then go home every night and fight some more, that's really hard, right? And we all have things. We all have things that we care about here. We all have things that we care about at home. And so whenever we feel like having those moments where it's like, I want to get on the mike and I want to do a gotcha and I want to make you look foolish. Try to remember that everyone here is fighting battles that we don't understand and we maybe don't know about. I actually look a lot at Senator Linehan because I feel like she is terrified and she's a true fighter. And I have a ton of respect for her. We are on different sides of everything, most days. But she is an incredible worker and I respect that and I respect her work even if I don't agree with the direction that she wants us to be going in. We are far better than what happens outside of this glass. We are far kinder to each other and we can do better than we did maybe this week. As we go into late nights, and we're going to have some knock-down-drag-outs on late nights. We're going to get tired, we're going to get feisty, we're not going to get fed, unfortunately-- [LAUGHTER] What? I like the food. It made us behave better. I just want us to remember and really focus on those relationships. I've had a couple hard conversations over the past couple of weeks with some of my male colleagues. And each and every time they heard me, they understood where I was coming from, they apologized, and they promised to do better. I think when we have issues between us, sometimes we take it to the floor. Senator Chambers taught me my first year, if you have issue you can always take it to the floor. But I would hate the idea that the floor is our only avenue. Right? We're human beings. We should talk to each other when we have an issue and we should never, ever let the things that happen outside of the glass impact the way that we are going to treat each other inside of the glass. My second year I had a bill. It was a scope of practice. Don't ever do a scope of practice bill. They're very hard.

SCHEER: Time, Senator.

HOWARD: Oh.

SCHEER: And I apologize, I did not give you the minute warning.

HOWARD: You didn't give me the one minute.

SCHEER: I missed it. I apologize.

HOWARD: That's all right. I'll tell the story later. Actually, I'll put my light on, how's that?

SCHEER: Thank you, Senator Howard. Senator Pansing Brooks, you're recognized.

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PANSING BROOKS: Thank you. Well, in order to support what Senator Blood has been talking about, and in order to just remind us all to be a little bit kinder and more gentle, the fact that there is push back coming from parties to me is very upsetting and concerning. We have worked-- there have been efforts to have the progressive/Democrats to get together and start meeting as a unit and start having a mission about what we're going to do and what our plan is and what our bills will be. And we have fought back because we want to maintain our independence, but if the conservatives want to continue to do this kind of thing and be directed by a party, I just want to remind you what will happen. We will become like Congress if we are directed from outside of this body. And you know we have very strong people on both sides working very hard. I was county cochair of the Republican Party. I'm fully aware of what a party can do and the power that a party can impose on a group of people. And when you look at what is happening in other states-- most of you have heard, some of you have heard, that after the first year, Speaker Hadley appointed me to an Emerging Leaders Conference and at that conference we went with 50 other senators and representatives from around the country. There was one from each state. And afterwards, at the end they asked us, what did you do your first year? And one person said, oh, it was really great because I got to help pass out the testimony. I got to help the minority whip pass out the testimony for the other representatives. And then the next person said, well, I was excited because I helped the majority whip and we actually got to help write the testimony that some of the senators were going to say. And the next couple down, they said, oh, well, I was excited because I got to help the speaker, and we passed out-- we chose which committees the people would be on. And we got to really move people around and make sure everything was appropriate for the speaker's votes that he wanted. Is that what we want? Because that's what happens when parties get involved. And I'll tell you what, we're fighting tooth and nail to make sure that we remain independent. And if you want to let the parties come in and get involved in this, that's what's going to happen. Nebraska, I hope you're hearing this because you have an opportunity to continue to force and advocate for your senator to remain as independent as possible. You elected that person, and yes, they may not agree with where I am, but I'll fight for their rights to say what they believe. Senator Lowe and I actually signed on to a bill together this year. It was a military and veterans bill. It's going to make a difference in the work force development of Nebraska. And so when we can find common ground, we will do it. But if we have the parties involved, Senator Lowe and I will be dictated to and told, don't work with that person. Don't let that person have a success. But see, if Senator Lowe doesn't succeed, I don't believe Nebraska succeeds. We are a special place. When it got to me, I said, I had ten bills, five of them passed and I cosponsored 20. There was an audible silence. And then all of a sudden somebody said, oh, well, you mean because the speaker let you. No, as we all know, our first day--

SCHEER: One minute.

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PANSING BROOKS: --people come to us and bring us ideas, constituents, lobbyists, nonprofits, all sorts of people, veterans, bring us their ideas. We cull through the bills for which we think we can be the best advocates and we move forward. So I've had people coming to me saying, can't you do this or that about somebody? And how they react to these-- to things on the floor? I am not the den mother of the Legislature. So I cannot control people in here. I know that you think that we can, but what I'm asking is people react differently to things. And if somebody gets teary about something because they get emotional, that's a valid-- that's a valid sentiment. If somebody gets angry, and that's how they deal with something because they become emotional, that too, is valid. So don't go to your corners when somebody starts getting teary, don't go to your corners when somebody else starts stomping their feet and getting angry about something. We can deal with each other. And I ask us all to rise above this--

SCHEER: Time, Senator.

PANSING BROOKS: --and represent the constituents in Nebraska. Thank you.

SCHEER: Time, Senator. Thank you, Senator Pansing Brooks. Senator Howard, you're recognized.

HOWARD: Well, now I'm going to finish my story because I often will tell you historical things about the Legislature even unasked. Yesterday, I was talking to Ben Hansen and I was like, you know, the front rows used to be the most popular because you could see the motions going in and now because we have computers, everybody has moved to the back. What happened on my optometry bill, my second year was that-- and Senator Chambers was filibustering it. I learned a lot. Thank you, Senator Chambers. And one of the groups that was opposed to the bill ran radio ads in my district, just pounded me left and right. And it was already a hard bill. And then what happened in the body was that everybody said, wait a minute, they're pounding you outside the glass and they shouldn't. It was sort of like, we became this weird family, with weird uncles and aunts saying, wait a minute, you don't get to say something bad about my colleague or my person in here. And it really changed the tenor of the entire debate around something that was policy-wise very difficult. Senator Chambers didn't like it. We were going the full eight hours at the time. And so, I want to remind us, I guess, that we are a weird family with a lot of crazy uncles and interesting cousins that maybe you don't spend a lot of time with but you meet up on holidays when you come to their committee. And so if you treat us like we are a family, which I believe that we are, then nobody outside of this glass gets to talk smack about my family. That includes a party, that includes a special interest group. I never say anything bad about somebody who works with me because that's not my job. My job is to pass bills and work for my constituents and work for a party and work for an interest group and so nobody gets to say anything about any member of this body on my watch that is about their character, or about their

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ability to do the work, or their willingness to do the work. So I hope we remember that. I love this Legislature sincerely, even when it drives me bananas, makes me grind my teeth at night. It is a place that is so special, and it is so special that we get to work here even on days that are hard, even when we don't like each other. So try to think of that one thing, that one thing for every person that you like, and try to keep that in mind as we go into late nights because it doesn't get easier from here. And I am so grateful that I get to work with all of you, every single one of you, even when we disagree. So with that, I do not support Senator Chambers motion, and I would urge the adoption of LB31. Thank you, Mr. President.

SCHEER: Thank you, Senator Howard. Senator Cavanaugh, you're recognized.

CAVANAUGH: Thank you, Mr. Speaker. At the beginning of session, Senator Chambers was talking a fair amount about another female legislator, Nancy Pelosi, and he oftentimes quoted the song, you don't own me. So this is my rendition and this one goes out to you, Senator Blood. You don't own me. I'm not just one of your talking points. You don't own me. Don't say I can't stand up for who I am. And don't tell me what to do. Don't tell me what to say. And please, when I work with you, don't use me as a display. You don't own me. Don't try to change my mind. You don't own me, don't tell me how you think. Don't tell me what to say. Don't tell me what to do. Just let me be myself, that's all I ask of you. I'm a senator, just like you. I'm free, and I love to be free. To live my life the way I want to say and do whatever I please. And don't tell me what to do. Don't tell me what to say. And please, when I go out with you, don't put me on display. I don't tell you what to say, and I don't tell you what to do, so just let me be myself. That's all I ask of you. I thought that was important to share. It's something I wrote down when I first started here. I appreciate so much what Senator Blood stood up and said today and I appreciate so much what Senator Pansing Brooks and Senator Howard said today. I've talked a lot about systemic racism and systemic sexism and I think something that the body at-large does not understand is that systemic sexism exists. And telling your colleagues, your female colleagues, not to share our thoughts and feelings is sexist. We're here to share our thoughts and feelings. We were elected to share our thoughts and feelings and our constituents know who we are, and if we get emotional or we're not emotional at all, that's our prerogative. Our constituents voted for us just like they voted for you, and it would be great if everyone could treat the women with the respect that we have earned from our constituents just as you have earned it from yours. We all were elected. We're here to represent the people that we are here for and we should be treated that way. And Senator Blood is right. No man in this body has ever been criticized for the way that he looks. No man in this body has ever been criticized for being too heavy, for putting on a few pounds during session because it's stressful. Nobody in the public has ever discussed that about the men in this body. Or what your hair looks like. Or what outfit you're wearing. Well, sorry, one man has been criticized for the outfit he's wearing. But that's mostly out of envy for the comfortable fit of that sweatshirt, Senator Chambers. I suppose there's the Chambers exception for almost

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everything that one might say about the men in this body. I just want Senator Blood to know that I value her. I see her. She's an amazing legislator and amazing mother--

SCHEER: One minute.

CAVANAUGH: --and amazing friend, and her heart is the biggest I think in this entire Chamber. She's so delightful to work with, and so earnest in wanting to do so much for the state. And I've never, ever in my life known somebody who worked so hard for veterans. Honestly, it's astonishing how hard Senator Blood works for our military service members. So, thank you, Senator Blood.

SCHEER: Thank you, Senator Cavanaugh. Seeing no one wishing to speak, Senator Chambers, you're welcome to close on your motion.

CHAMBERS: Thank you. Mr. President, members of the Legislature, nobody in this state could create a set of circumstances where people could speak in the way they spoke this morning. You all think I do things at random. I make you angry. You know why I say I own this Legislature? I know you better than you know yourselves. And every now and then, the way has to be opened for people to say what is really on their mind without apologizing, without hemming and hawing. But the difference between me and everybody else is that I'm going to say what I have on my mind if I'm the only one saying it. If every other voice is on the other side of the question, and I believe I'm right, I will wear them down. I will wear them out because none of them believe what they say they believe to the extent that I believe what I say I believe, because I practice what I say I believe and they don't. They'll talk about being pro-life when it's politically popular and you're talking about a fetus in a woman's womb. You know why? Because any burden is on the woman. Any expense is on the woman. Any of the difficulties are on the woman. But let that fetus reach full-term and pass through the birth canal, then that child becomes a bastard. A criminal. A little hussy. And the family, which will try to bring children into the world, will not have enough to clothe them, to put shoes on their feet, to buy food, shelter, healthcare, and where are these so-called pro-life hypocrites then? They're against every program. That's why I say, you don't sway me at all with your talk about religion. If the Bible is right, you're all going to hell. Because all liars shall have their part in the lake that burns with fire and brimstone, which is the second death. That's from the "Bibble," Revelations. I know your "Bibble." I know your manual. When I was in the Army, I read the manual. I knew about all the weapons because I might be using them and also it's a boring life. But wherever I am, I do the best that I can to learn as much about those circumstances as possible. Is why I didn't attend classes in law school, didn't flunk exams, didn't flunk courses. You know how they kept me from finishing for a decade? Because I didn't attend classes. But for two and a half years it made them no difference that I didn't attend classes, but because I passed all my exams, the white male

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students got together and objected because they did have an attendance rule. You could not miss more than 20 percent of the classes unless you had good reason, and I missed most of them. Some people didn't even know I was in the their classes until final exam time, but I passed. And they didn't like that. Especially from a black person who is inferior, who didn't have to go to class and could pass. I didn't attend my classes in undergraduate school at Creighton either, and I passed all my classes. Finished in four years. Had more hours than I needed to graduate, and at Creighton, before you can get your degree, you have to have what they call these final exams where you take these oral exams. They have these professors sitting around and they grill you on the subjects you took. Your major, your minor, your unrelated minor, and I passed all of those.

SCHEER: One minute.

CHAMBERS: Creighton is glad that I got out of there, but they're sorry that I graduated from there. And as I tell you, the only thing they hate more than I graduated from there is that I tell people that I did. I had no trouble in school. And that was white people's knowledge. Creighton was supposed to be a highly-academic school, and in my mind while I was there, I was thinking, if this is the best white people got, the only reason they're on top is because they got the numbers and the kill power and can force their will on other people. Thank you, Mr. President. I want to withdraw that motion.

SCHEER: So ordered. Colleagues, would you please return to your seats for Final Reading. Returning to LB31E.

ASSISTANT CLERK: (Read LB31E on Final Reading.)

SCHEER: All provisions of law relative to procedure having been complied with, the question is, shall LB31E pass with the emergency clause attached? All those in favor vote aye; all those opposed vote nay. This bill requires 33 positive votes. Have you all voted who care to? Record, please.

ASSISTANT CLERK: (Record vote read.) The vote is 47 ayes, 0 nays, 2 excused and not voting.

SCHEER: LB31E passes with the emergency clause attached. The next bill is LB31AE. Mr. Clerk.

ASSISTANT CLERK: (Read LB31AE on Final Reading.)

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SCHEER: All provisions of law relative to procedure having been complied, the question is, shall LB31AE pass with the emergency clause attached? Those in favor vote aye; those opposed vote nay. Have you all voted who care to? Record, please.

ASSISTANT CLERK: (Record vote read.) The vote is 47 ayes, 0 nays, 1 present and not voting, 1 excused and not voting.

SCHEER: LB31AE passes with the emergency clause attached. The next bill is LB180. Mr. Clerk.

CLERK: Mr. President, Senator Chambers would move to return the bill to Select File for a specific amendment, that being strike the enacting clause.

FOLEY: Senator Chambers, you're recognized to open on your motion.

CHAMBERS: Thank you, Mr. President. Members of the Legislature, in the same way that God that you all talk supposedly is no respecter of persons, meaning that everybody is on the same plane, that is the way I am today. I really like Senator Bolz as a person-- and I'm not being patronizing-- so she will take it that I mean what I say. I have nothing against her bill. I'm not going to try to hurt the bill. I will not take a vote on the motion. But I am going to take some time. Senator Pansing Brooks, whom I refer to as my goddaughter when I want to ruin her reputation and put her in bad stead with other people, had made some good comments. But my mind runs in different channels. When she said you all are a family-- and I say you all-- I am not a part of whatever it is you all are except as a member of the Legislature. The first family, the first family, four people, one was a murder victim; one was a murderer. That's the way families are. Families are not always lovey-dovey. And if you want to see some of the hardest fought battles, you look at the way family members will fight each other. But they sometimes say an outsider cannot get involved in that. When you talk about crime families, the mafia are like Cosa Nostra. They are not all related by blood in the sense of physical blood from the same parents, but blood may tie them together, the blood that they shed to try to maintain their control through fear, through violence. And what the "Repelican" Party is known for is political violence and they are cowardly. They had what they call a platform. The Governor went around attacking people because they were not what he called "platform Republicans." So he is controlling that party, and that party has people who are very petty and small-minded. There was a guy named Welch and a guy-- I don't know if Vokal was in on it-- but who wanted to keep Bob Kerrey from speaking at Creighton. Well, Vokal the yokel and Welch were members of the city council in Omaha when the black community wanted to name a little half block square park after me and another black man. And the park is so close to me that if I have the skill with a tennis racquet that Serena has, I could swat a tennis ball from my front yard and it would land in that park. And

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Welch and Vokal had said there would never be anything in Omaha with my name on it that was public property. How about they talk about the community having a say? Local control if you're white. That's why when you all talk about these racists and there's no racism, don't tell me that and the people in my community. And I am not one of these black people who is going to act like everything is all right because I want something from you. You all don't have anything that I want. There's nothing I've got that you can take from me. And the one thing that nobody can take from me is my sense of personal dignity. I don't care what you do. I don't care what you say. I don't care what kind of circumstances you bring to bear on me. You cannot deprive me of my dignity because I'm not going to let you. And you're not going to make me cut and run either. And nobody is going to write something on a piece of paper and send me here and make a jackass or jackasses-- well, that's a jenny-- a jackass or a jenny out of me by trying to read a statement that somebody else gave me. And all it does is show that I am an empty bucket, don't have two brain cells working. And I'm going to give it to you all. See, you all control what happened to my bill yesterday. I control this whole Legislature today, all of you. I control this Legislature. I own you. Now stop me, show that I don't. You all talk about people watching us. You know why they got term limits? Because they got tired of seeing me do what I do and say what I say. They were offended and often said, Chambers says he owns that Legislature. We don't want him there. But you know what some savvy white people said? Well, if Chambers is able to do what he does because of the rules that you all wrote, why don't you just learn the rules? Why don't you just do like he does and beat him because there are 48 times as many-- you all are 48 times more than him? But that's not the way white people work. They work in the mob. They say, well, we control the system. We're Americans under the American flag. We'll get a law. No, a law is not good enough. Because if it's in the Legislature, he'll find a way to make those spineless senators repeal it. We'll change the constitution. We'll get all the Ku Klux Klanners, all of the white nationalists, all of the Christians together to amend the constitution and kick him out. This is one time that I unified the leadership of both of the parties. The head of the "Repelican" Party, the head of the Democratic Party both made statements that term limits is the worst possible thing that could happen to this Legislature. But they didn't listen to their party leaders because they were blinded. Senator-- I think Senator-- he's busy-- but I think Senator Groene referred to me as the son of perdition. That's a compliment to me. I'd rather he call me a son of perdition than a son of God because I see what the God is that you all worship. But perdition, that probably is where the devil reigns and the devil rules this world. There was this person-- well, I won't waste my time on that. I was going to give you an anecdote that showed the power that the devil has over everybody. I am able to do what I want to do. I am going to make a statement that seems counterintuitive and it seems to contradict everything that I've said before. I am the freest man. I am the freest person not only in this Legislature but in this universe. I am the freest person in this universe. I do what I want to do. I say what I want to say and nobody can dictate to me. Nobody. But I'll tell you also I am probably the smartest person, at least in this place. Because if somebody has a gun on me, I am not going to say like some fools do, shoot me because it might be somebody who'll say, OK, bam. I could be in the midst of a



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harangue and going 100 miles per hour, Senator Hansen, B.-- that's his-- that's for his first name. And I'm about to make my main point and somebody puts a pistol up to my head and say, Chambers, if you say another word, I'm going to blow your brains out, silent night, because I am not a fool. I'm not crazy. But under ordinary circumstances where I'm dealing with ordinary people, then I do what I want to do; I say what I want to say; and I say it the way I intend to say it. And I don't have to look back a week ago, a month ago, a year ago and say I should haven't said that. I shouldn't have let them make me say that. You think I'm going to be nice because I want a bill to pass that would abolish the death penalty? Absolutely not. I'm going to be me. That's more important to me. First of all, contrary to what Senator Slama and her ilk and who are those other ones-- Senator Halloran, well, I can say most of you--

FOLEY: One minute.

CHAMBERS: You're not even going to be able to kill anybody because you can't get the drugs. And you all are so silly, so hateful, so stupid, because I blinded you. I'm the son of perdition. Let us spell that son with s-u-n. The sun blinds. I blind you so you work against your own best interests, and I can make you all appear to be jackasses. You cannot execute anybody because you haven't got the drugs and you can't get them and the director told the court that. But you run headlong because Senator Slama read a statement that somebody wrote and tell you that only the worst of the worst are the ones who get killed. Thank you, Mr. President.

FOLEY: Thank you, Senator Chambers. Senator Chambers, you're recognized again.

CHAMBERS: Thank you, Mr. President. Sometimes I make historical allusions, not illusions. If it is to be an illusion, I will tell you that. Oh, and by the way, on this filibustering, if I'm just taking time, I tell you that. I am just taking time. I want you to know what I'm doing to you. Muhammad Ali said he is so fast and slick with what he does he'll cut your head off and you won't know it's cut off until you shake your head then it falls. That is how quick and skillful he is. But I want you to know what I am doing while I am doing it and sometimes, as yesterday, I will tell you what I intend to do, then I do it. I would like to ask Senator B. Hansen a question if he would respond.

FOLEY: Senator Ben Hansen, would you yield, please?

B. HANSEN: I will.

CHAMBERS: Senator Hansen, by chance, do you know what they say the speed of light is? This is not a trick question, but it's very fast, isn't it?

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B. HANSEN: It's pretty fast, yes.

CHAMBERS: Okay. Now I went to Lothrop School and I paid close attention to what they told me because people said I would need to know it and I did learn. They told me it was 186,000 miles per second. Senator Hansen, look at me if you will. Do I look like I'm extra fast?

B. HANSEN: Pretty quick, but I wouldn't say extra fast, no.

CHAMBERS: Right. Do you think I could turn off-- I could hit the light switch and be in bed before the room got dark? That is what Ali used to say he could do. Do you think I could do that?

B. HANSEN: I haven't seen you go to bed at night, so I can't say that with definitive yes.

CHAMBERS: Speculate.

B. HANSEN: Yes.

CHAMBERS: Do you think I can hit the light switch and before the room gets dark, I'll be in bed?

B. HANSEN: No.

CHAMBERS: Members of the-- thank you, Senator Hansen. Listen. Listen. Words have meaning. I can hit the light switch and be in bed before the room gets dark because I'm in bed when I hit the light switch. Did you hear what I said? Can I hit the light switch and be in bed before the room gets dark? Yes. Anybody can. That's how they trick you all. That's a basic item. And if I were a professor, you would have some much smarter people if they're considered smart because they think logically, they listen to what is said, and they answer the question on the basis of the words contained in the question, and not what the questioner wants them to think is being asked. People know that speech is careless when it's rendered. There was a guy who was the mayor of Chicago, and I'm not going to tell you his name, but his son became the mayor also. But this one was notorious for the way he mangled the English language. A young reporter working for the Chicago Tribune-- it may not have been the Chicago Tribune, but he was shocked at how poorly Daley-- the mayor spoke. So he wrote word for word verbatim what the mayor spoke, and that was the way the story ran. Daley got that newspaper and he was irate. He called in the reporter and wanted the editor in his office and both of them were there. Daley took that newspaper. He asked the editor, did you read this? And the editor said, yes, I did. He said,

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why would you let something like that be printed? And the editor said, well, everything he printed--

FOLEY: One minute.

CHAMBERS: --he enclosed within quotation marks, so he printed what you said. And Daley was not joking. He said, these reporters know. Don't say what-- don't print what I say. Print what I mean. Don't print what I say, print what I mean. Smart people make you deal with what you think that person means and not the words that are said. And that's why sometimes you all will say so-and-so said such and such. When they get the transcript, they didn't use the words that you said they used at all because you went with the way that thought arrived after being filtered through your processes. Now there was a movie called Buck and the Preacher. It's so nice to have a captive audience.

FOLEY: That is time-- that's time, Senator, but you're recognized for your third opportunity.

CHAMBERS: Thank you, Mr. President. I didn't say you were a captivated audience, I said captive. I want you to know that I'm aware of the meaning of words and the distinctions. It was called, this movie, Buck and the Preacher. It had Harry Belafonte and Sidney Poitier and-- I don't remember all the other people. But Harry Belafonte was the preacher and Poitier was a guy who knew how to lead people across the prairie. And different times black people would put these wagon trains together to try to escape from a place like Texas or Alabama or wherever they were trying to get away from. And when they would come across the plains, this part of the country, they would go to the Native American chief whose land they were passing through and get permission to take a certain number of buffaloes. And an agreement would be reached. Well, a point was reached in the movie where there were a band of brigands, white, Christian Americans flying the American flag wanting to capture these black people and take them back to slavery. Harry Belafonte couldn't talk to the chief of the tribe but Sidney Poitier could. Sidney Poitier had been in the military, Union. And when they were talking, the chief's wife was the translator and interpreter. And the chief was very cold toward Poitier, And Poitier wondered why. And the chief had his wife tell him, you fought in the army of the white men who stole our land, who killed our people, who raped our women. And you cannot get anything in this part of the country. So Poitier pleaded. It's not for me, it's for those people down there in that wagon train, women and children who were not in anybody's army, and they're being pursued in the way you say that the army I fought for pursued you. And he prevailed on the chief to allow them to have-- take three buffaloes. They wanted to take six, they could have three. And that he would give them guides to help them find their way. And the chief's wife said, understand, they will be your guide, but they will not fight for you. They will show you the way. But if you get caught by these people, these of our people will not fight for you. Well, as it turned out, they were surrounded. These white

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brigands were armed with rifles, as they are when there are a bunch of them and you're unarmed. And the native men could not bear to watch that, so they went against the orders of the chief and they fought for the people on this wagon train, killed off some of the thugs. And the others, since they had to deal with people who were armed like they were, took off running. Why would I tell you that? You had a bill the other day, LB512, where you were talking about giving some relief to people whose lands have been-- their property destroyed by floods or some other natural disaster. And there were things I saw wrong with that bill. You all don't pay attention to me, and especially because I put it in the context of you having killed the bill that would have provided food stamps to people who had been in prison, certain categories.

FOLEY: One minute.

CHAMBERS: All the rapists, child molesters, murderers could get them. If somebody had been on drugs, for some reason they were worse than all these people and couldn't get the benefit. You killed a bill that was designed to give the members of the LGBTQ community freedom from discrimination in the workplace. You killed that. When a modest increase in the minimum wage for people who are waiters and waitresses came before us, under the leadership of Senator Halloran, you all killed that the same way. That's why it was hypocritical for Senator Halloran to say yesterday, the courtesy that should be extended to me would be, entitle me to a vote. He led in the killing of at least one of those bills and joined in the killing of the others. They thought that by getting that vote they could put certain Democrats on record so that it could be used against them. When have you ever heard any "Repelicans" stand up on this floor and say--

FOLEY: That's time, Senator.

CHAMBERS: Thank you, Mr. President.

FOLEY: Thank you, Senator Chambers. (Visitors introduced.) Senator Chambers, you are recognized to close on your motion.

CHAMBERS: Thank you, Mr. President. I was discussing that bill in terms of how sympathetic you all are when your own kind are involved. You killed those other bills that would have helped people who needed help. The kind of people situated in circumstances where our oath or affirmation, which is what I gave, would impel us to lend assistance. And you all chose not to. Those bills didn't get a vote. But yesterday, the "Repelicans" were so eager to show a courtesy to me, and I knew it was phony. Senator Chambers is entitled to a vote on this bill. You didn't like the bill. You don't fool me. And I knew I could bring it back, on especially Senator Halloran, because he led the effort to kill that bill that would have given the modest increase in the minimum wage for waiters and waitresses. You all are hardhearted, cold people. So since I was

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bringing those things up and talking about this LB512, you wouldn't have listened to anything I said. So here's what I did, because I'm smarter than you all. I was going to do like the chief told Belafonte or Poitier: I will lead you, but I will not fight for you. I will guide you, but I will not fight for you. I will show you the way, but I will not fight for you. I will not correct the deficiencies in that bill. You all are blind. You didn't see the deficiencies. You probably moved the bill right on for all I know. So you know what I did? White people listen to white people, and especially if the white person you're going to listen to has a badge or a title. So you know what I did? I wrote my concerns to the Attorney General and asked for an Opinion. And that Opinion appears in your journal. But I'm going to read it for the record so I can rub your face in it. Rub your face in it. It was you all's bill. You all were so smart, you knew everything. But you didn't know as much as you thought you knew. You will lay a trap for somebody else's feet and yours will be caught in it. You will dig a hole for somebody else and you will fall into that. You think you're smart, don't you? Well, why don't you get the one's who write your statements tell you about your bills and how to correct them? So I went to somebody you would listen to and framed the questions in such a way that the answer had to come back in the way that it did, although, it was written respectfully to try to spare you would-be smart alecks, but gave you some guidance. And I'm going to read it. I guided you, but I won't change your bill. I led you, but I won't rewrite your bill. I showed you the way, but I will not correct the flaws. And here's where I think I might can get you. You are so opposed to me, as is the Governor and his minions and flunkies in here and who work in his office, that you will cut off your nose to spite your face. I expect you all to ignore this letter which I intend to read. That was my closing on this, Mr. President?

FOLEY: That's correct, Senator.

CHAMBERS: I withdraw that pending motion.

FOLEY: Thank you, Senator Chambers. LB180, Mr. Clerk, please read the bill. Members, if you could return to your desks, please. We're on Final Reading. Mr. Clerk.

ASSISTANT CLERK: (Read LB180 on Final Reading.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB180 pass? Those in favor vote aye; those opposed vote nay. Have you all voted who care to? Record, please.

ASSISTANT CLERK: (Record vote read.) Vote is 46 ayes, 0 nays, 1 present and not voting, 2 excused and not voting, Mr. President.

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FOLEY: LB180 passes. Next bill is LB222. Mr. Clerk.

ASSISTANT CLERK: Mr. President, motion on the desk, Senator Chambers would move to return the bill to Select File for a specific amendment, that being strike the enacting clause.

FOLEY: Senator Chambers, you are recognized to open on your motion.

CHAMBERS: Thank you, Mr. President. Members of the Legislature, now I'm going to lead you and guide you on your bill, LB522. Some of you looked up there and you saw that I gave a number different from what's on the board. You all get a gold star. The rest of them get a red check. See, they watch me, but I'm watching them. There's a song that I'm not going to sing. But it says that this guy talks about how he's watching somebody and they're always watching him. This letter is dated-- it's official-- from the Office of the Department of Justice, April 24, 2019. Subject: Constitutionality of LB512 as Amended- Valuation of Destroyed Property for Taxation. Requested by Senator Ernie Chambers, Nebraska State Legislature. Written by Douglas J. Peterson, Attorney General; Lynn A. Melson, Assistant Attorney General. The first name of Lynn is spelled L-y-n-n. I believe she wrote it. It's well-written, better than the Attorney General is capable of writing. And I'm not being patronizing, but I'm familiar with him. Introduction. To Senator Chambers, not the introducer of the bill. "You have requested an opinion from this office on the constitutionality of AM1217 to LB512 and, in particular, Sections 10-13 of AM1217." I wanted my light to be on. "In general terms, these provisions would provide property tax relief to those with destroyed real property by requiring the county board of equalization to adjust the assessed value of the property. You have requested our opinion whether these provisions of AM1217 would violate Nebraska Constitution Article VIII, Section 1, the 'uniformity clause.' AM1217, Sections 10 and 11 provide, that for purposes of Chapter 77 of the Nebraska Statute, the term 'destroyed real property' means real property that is destroyed by fire or other natural disaster on or after January 1 and before October 1 of any year." And there is a footnote here. "Because the language of AM1217 refers to destroyed property and construction of replacement property, we understand the bill would not apply to damage to the land itself. This interpretation is consistent with comments made by the amendment's introducer and is found in the floor debate on LB512, One Hundred Sixth Nebraska Legislature, First Session, 8, 15 April 5, 2019. In parenthesis, "The valuation will never go to zero because...the land is still going to be there...and the taxation will continue on that parcel." Close parenthesis. Statement of Senator Erdman. I gave Senator Erdman a play. I make people famous, see. They can get on my wagon and they'll be a part of history. Page 2. "Section 12 provides that the county assessor must report to the county board of equalization all real property in the county that becomes destroyed real property and that the county board of equalization must then adjust the value of that property. Section 13 then provides that the adjusted value will be the sum of the following three factors. (A) The assessed value of the real property before it became destroyed real property multiplied by a percentage representing the portion of the year during which the property was intact and

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had not yet been destroyed; (B) The assessed value of the destroyed real property, as of date of its destruction, multiplied by a percentage representing the portion of the year during which the property was destroyed and no replacement property had yet been completed; and (C) The assessed value of any replacement property, as of the date of completion of construction of such replacement property, multiplied by a percentage representing the portion of the year during which construction of such replacement property was complete. Section 13 goes on to provide that the county board of equalization will give notice of the new assessed value to the property owner who may file a protest with the board and may appeal the decision of the county board of equalization to the Tax Equalization and Review Commission. Analysis. 1. Uniformity Clause." I'm going to do like a teacher. How many of you all know what the uniformity clause is? Who knows what the uniformity clause is? And we're not talking about military uniform, otherwise Senator Bostelman's hand would have gone up. All right we're going to let the Attorney General, the Assistant Attorney General tell you, because I asked the question. "Your question is whether these provisions would violate Nebraska Constitution Article VIII, Section 1, the 'uniformity clause' of our state constitution, which provides that 'Taxes shall be levied by valuation uniformly and proportionately upon all real property and franchises', then the dot, dot, dot, to show something is excluded, 'except as otherwise provided in or permitted by the constitution.' In addition, 'the Legislature may prescribe standards and methods for the determination of the value of real property at uniform and proportionate values.' End of the parenth-- the quote. That's at Nebraska Constitution Article VIII, Section 1(6). "Also pertinent to our discussion is Nebraska Revised Statute Section 77-201(1) of 2018, which requires that all real property, except for agricultural land and horticultural land, agricultural land and horticultural land subject to special valuation, and historically significant real property, be valued at its actual value." If that sounds garbled, that's what the language is. But that's what it is, and people who are looking at this statute have very specific guidance. "'Actual value' is defined at Nebraska Revised Statute Section 77-112, 2018, for purposes of taxation, as 'the market value of real property in the ordinary course of trade.' And, with respect to assessment of real property taxes, Nebraska Revised Statute Section 77-1301(1) provides: 'All real property in this state subject to taxation shall be assessed as of January 1 at 12:01 a.m., which assessment shall be used as a basis for taxation until the next assessment.'" And that language is significant. "This office recently discussed the Nebraska case law concerning the uniformity clause and Opinion of the Attorney General number 16007, March 16, 2016." Digressing. Isn't this fascinating? Isn't this exciting? And I'm bringing it to you straight from the Attorney General's Office. Wouldn't I make a wonderful instructor? Everybody is just filled with anticipation--

FOLEY: One minute.

CHAMBERS: --at what is going to come next. Well, I'm going to relieve your curiosity. "This office recently discussed the Nebraska case law concerning the uniformity clause" in that Attorney General's Opinion that I mentioned. "We will summarize that discussion here. "The

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object of the uniformity clause is accomplished-- internal quote-- if all of the property within the taxing jurisdiction is assessed and taxed at a uniformed standard of value. Both quotations ended. "Constructors quoting County of Gage v. State Board of Equalization, 185 Neb. 749, 755, 178 N.W. 2d 759, 764 (1970). 'The Legislature may prescribe standards and methods for the determination of the value of real...property at uniform and proportionate values--

FOLEY: That's time, Senator.

CHAMBERS: --end of quote. Thank you Mr. President.

FOLEY: Senator Chambers, you are recognized for your second opportunity.

CHAMBERS: Thank you, Mr. President. Members of the Legislature, I have a confession to make. This morning I am sinning. Senator McCollister, I am sinning. Anytime somebody has as much fun as I'm having, what he or she is doing has to be a sin. I haven't enjoyed myself this much since the last time I did something like this. The name of this case, Carpenter v. State Board of Equalization. 178 Neb. 611, 615, 134 N.W. 2d, 272, 276 (1965). "'The uniform method of valuing property which the Legislature has provided is to tax property at its 'actual value.' Xerox Corporation v. Karnes, K-- oh, Kames, K-a-m-e-s, 217 Nebraska 728, 732, 350 N.W. 2d 566, 569 (1984). Xerox, the case, quoting Nebraska Revised Statute Section 77-201, 'While absolute uniformity of approach may not be possible, there must be a reasonable attempt at uniformity.'" Then they quote from County of Sarpy v. State Board of Equalization, 185 Nebraska 760, 765, 178 N.W. 2d 765, 769 (1970). "In analyzing the constitution of AM1217, we first note that 'statutes are afforded a presumption of constitutionality, and the unconstitutionality of a statute must be clearly established before it will be declared void.' Gourley v. Nebraska Methodist Health System, Inc., 265 Nebraska 918, 942, 663 N.W. 2d 43, 68 (2003). If LB512 with AM1217 is enacted, anyone seeking to have its provisions declared unconstitutional will bear the burden of overcoming the presumption of constitutionality. The Nebraska Supreme Court has adopted a strict construction of our state's uniformity clause, which raises a question as to the constitutionality of AM1217." I said, and I'll say it again, "The Nebraska Supreme Court has adopted a strict construction of our state's uniformity clause, which raises a question as to the constitutionality of AM1217" which this body adopted. You all adopted it. You all, who could go to the lobby and talk to the geniuses who inform you of what you're doing, and avoided these problems. Continuing. "The taxation of property 'must be uniform, not only as to the rate of taxation, but to the valuation of the property as well.'" And I'm not going to read the citations of the cases because I have read enough of those. And as I say, it is found in the Journal. "The court held in" this case of "McNeil that legislation attempting to provide a different method of valuing certain farm machinery and equipment violated the uniformity clause. "The establishment of--



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FOLEY: One minute.

CHAMBERS: --two methods of valuation of property in the same class for taxation purposes results in a want of uniformity within the constitutional prohibition of Article VIII, Section 1. "There can be no difference in the method of determining valuation or the rate of tax to be imposed unless the separate classification rests on some real or public policy-- some reason of public policy, some substantial difference of situation or circumstances that would naturally suggest the justice or expediency of diverse legislation." And I'll stop for now.

FOLEY: Thank you, Senator Chambers. Senator Chambers, you are recognized for your third opportunity.

CHAMBERS: Thank you Mr. President. In Xerox, the court considered the effect of an amendment to Section 77-1301(1) and its interpretation by the tax commissioner, which resulted in Xerox being required to pay personal property taxes on leased equipment based on actual value determined only in odd-numbered years. The court held that the amended statute violated the uniformity clause 'In that it directs that taxes be levied upon personal property in even-numbered years without regard to the uniform method of valuing property at actual value as provided in Section 77-201.' More recently, in Constructors", that's the case, "the court again stated that the uniformity clause requires that all property within a taxing jurisdiction be assessed and taxed at a uniform standard of value. A valuation scheme which created two subclasses of land, farmland controlled by mining companies and similar farmland not controlled by mining companies, and provided differential tax treatment of each subclass was found to violate the uniformity clause. Here with the enactment of AM1217, most real property would continue to be valued at its actual value on January 1, pursuant to Section 77-1301(1), without taking into account any fluctuations in value. Other 'destroyed real property' would be valued on a different date with use of a statutory prorated formula. The Nebraska Supreme Court has not yet addressed legislation such as that proposed in AM1217. It is possible that the court could find that AM1217 establishes a second non-uniform standard of value for destroyed real property. However, in our view, it is also possible that the court could determine that the creation of a different assessment date and adjustment of assessed value of the destroyed property on that date does not violate our state constitution's uniformity clause. Outside of the plain language of a statute, a legislative body's purpose in enacting legislation can be determined by examining the legislative history of the bill." In which-- oh, and then he gives a case, Farm Bureau v. Learning Community of Douglas County, "in which the court considered both the language of a statutory scheme and its legislative history in determining whether a statute violated Article VIII, Section 1A. The court could therefore consider any relevant committee hearing testimony and floor debate with regard to AM1217 and for LB482, which was amended by LB512 as AM1217. While the committee hearing transcripts are not yet available, we note that, in the floor debate on AM1217, senators expressed the need for differential tax treatment based on a public policy of

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fairness and the sudden, unforeseen and calamitous nature of a natural disaster." And they give the citations of the floor debate. "Thus, even if the court should find that AM1217 creates a separate classification for taxation purposes, an argument could be made that the separate classification for real property destroyed by a natural disaster rests on a 'substantial difference of situation--

FOLEY: One minute.

CHAMBERS: --or circumstances' so as to justify the separate classification." A foot note. It talks about other states that have similar types of constitutional provisions but how they may differ from Nebraska's. II: Implementation of LB512 with AM1217. I will stop at this point, Mr. President, until I am recognized.

FOLEY: Thank you, Senator Chambers. Senator Erdman.

ERDMAN: Thank you, Mr. Lieutenant Governor. And good morning. Senator Chambers has brought to light what I have known for some time, that he had requested a response from the Attorney General on the destroyed property bill. So I've done a little research on where the constitutionality of this bill is, working on an amendment to address some of the issues. But I want to bring to your attention a, I would call, the most recent case with Douglas County v. TERC on this issue. And it goes something like this, the Supreme Court considered TERC's analysis in the equalization of Douglas County on the basis in a half-year of sales, rather than the three-year time frame applied to the other county and the state. And the court found the following, it and stated this: No difference in the method of determining the valuation of rate of tax can be imposed-- tax to be imposed can be allowed unless-- emphasis on unless-- unless "separate classifications rest on some reason of public policy and some substantial difference of situation or circumstance that would naturally suggest justice and expediency of diverse legislation with respect to the objects to be classified." So this passage is one that says some logic can be applied here, and it goes on to talk about there can be deviations from the principle of uniformity if justice and expediency naturally suggest it. So I'm not sure that granting relief from these folks with property taxes been as destroyed properties, but what I am to tell you is that it appears that if the Legislature is the enacting body that changes or enacts, makes this act such and changes the policy, it stands to reason that it probably is constitutional. And I'm not a constitutionalist and I don't claim to be trained in the law. I don't claim to be a lawyer. But when I read the Douglas County v. TERC case and I see that if the Legislature applies this information and this statute the way it has been presented as I described, I believe this would be constitutional. You'll also understand that in the comments that Senator Chambers made, that the Attorney General says it may or may not be constitutional. He didn't say one way or the other. So his final answer was maybe, that would be determined by the courts. Let me suggest this. We

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pass legislation in this body numerous times in the past, as well as when I have been here, that some say are unconstitutional. We passed legislation, this legislative body passed legislation some years back called Initiative 300, and that was found unconstitutional many, many years after it was enacted. And so to say it's unconstitutional doesn't mean a whole lot unless a court or the Supreme Court has made that declaration. And so I leave you with those thoughts and we'll see where it goes from here. And I'm quite sure-- I'm pretty confident that Senator Chambers will have other things to say about this. But there is statutes in place that would allow us to do this, I believe, and I'm trying to construct my amendment in such a way that it would make those things more clear. Thank you.

FOLEY: Thank you, Senator Erdman. Senator Chambers, you are recognized to close on your motion.

CHAMBERS: Thank you, Mr. President. I'm going to reread a paragraph that is in this Attorney General's Opinion. "Thus, even if the court should find that AM1217 creates a separate classification for taxation purposes, an argument could be made that the separate classification for real property destroyed by a natural disaster rests upon a 'substantial difference of situation or circumstances' so as to justify the separate classification." That's what Senator Erdman had read in a case. The Attorney General's Opinion took note of a provision such as that. Continuing with this opinion. "If the Legislature decides to pursue property tax relief through LB512 as amended by AM1217, there are several issues to be considered and corrected. First, while AM1217 adds the definition of destroyed real property to the definitions currently found in Sections 77-102 to 77-132, and which are to be used for purposes of Chapter 77, it fails to amend Section 77-1301. Therefore, it would leave in place the requirement that all--" underlined-- "real property be assessed as of January 1. Language should be added to 77-1301(1) which would exclude 'destroyed real property' from the January 1 assessment date." That's the first change that would have to be made. "Second, the definition of 'destroyed real property' at Section 11 of AM1217, as 'real property that is destroyed by fire or other natural disaster,' may be unclear and, perhaps, insufficient to accomplish the intended purpose of the amendment. It is not clear whether real property destroyed by all fires would be included in the definition or only those due to a natural disaster. And, it is not entirely clear what would be encompassed by the term 'natural disaster.' In addition, the term 'destroyed' would likely be read to mean completely uninhabitable or unfit for customary use. If that is not the intent, the language should be modified. Third, the time frame set forth in AM1217 may allow insufficient time for the county assessor and county board of equalization to act prior to the statutory deadline for the county tax levy." As provided by Section 77-1601(1), which "provides that the county board of equalization shall levy the necessary taxes on or before October 15. AM1217 defines 'destroyed real property' as real property that is destroyed 'on or after January 1 and before October 1 of any year.' Depending on the date of destruction, there will simply be insufficient time prior to October 15 for the entire process set forth in AM1217 to occur. The county assessor must learn of and report the destroyed

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real property. The county board of equalization must meet to adjust the assessed value, and give the notice of assessed value to the record owner as provided by AM1217. There must also be time for the protest provided by Section 13(3)" of that amendment. Then a foot note. "Any change in assessed value--

FOLEY: One minute.

CHAMBERS: --after the statutory tax levy deadline would violate Nebraska's 'commutation clause,' which is found at Nebraska Constitution Article VIII, Section 4. Once the tax is levied, 'the Legislature cannot reduce the amount of the tax, extend the time for payment, or in any manner change the method of payment.'" And then it gives the case citation. This opinion is found in the Journal. And if those whose bill this is would read it, they could talk to some people if they themselves are not lawyers and find out how to make those amendments. I could have drafted those amendments on the basis of this. But it's not my bill, you don't listen to what I say, so I gave you what the white man that you listen to will say. And there are other white people who understand it, so talk to them. I will guide you, but I will not fight for you. I will show you the way, but I will not correct your legislation. Thank you, Mr. President. And I withdraw that motion that's pending.

FOLEY: Thank you, Senator Chambers. The motion is withdrawn. Members, please return to your desks for a vote. Final reading. LB222, Mr. Clerk.

ASSISTANT CLERK: (Read LB222 on Final Reading).

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB222 pass? Those in favor vote aye; those opposed vote nay. Have you all voted who care to? Record, please.

ASSISTANT CLERK: (Record vote read.) Vote is 46 ayes, 0 nays, 3 excused and not voting, Mr. President.

FOLEY: LB222 passes. Proceeding to LB252, Mr. Clerk.

ASSISTANT CLERK: Mr. President, motion on the desk. Senator Chambers would move to return the bill for a specific amendment, strike the enacting close.

FOLEY: Senator Chambers, you are recognized to open on your motion.

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CHAMBERS: Thank you. Mr. President, members of the Legislature, this bill was introduced by Senator Geist. She and I have had our differences. I would not want her to think that I would not address her bill as I have addressed other bills because I have anything against her. So I had to make sure that I included her bill in my process this morning. I'm just looking at bill numbers. I went down the list and I wrote a motion on each one of the bills, then I looked at the one-liner to see whose bill it is. I'm going to continue with what I started. And I will give you a little rhyme that I didn't write, but I learned it when I was in about the second or third grade. If a task is once begun, never leave it until it is done. For be the labor great or small, do it well or not at all. And that seemed to make a lot of sense to me as a child. But then when I thought about it and analyzed it, it didn't make sense. It says: if you once begin it, don't stop until you finished it. But it also says: Do it well or not at all. So if I'm in the process, if I've started it, I'm in the process of working it, then I shouldn't complete it because I'm not doing it well. But the first commandment was that once it's started, don't leave it until it's done. Then the second commandment erases that. That's how children wind up with misperceptions about life. When we are little, very young, we take what adults tell us just the way they tell it to us. We don't even have the mental capacity at that age to analyze what those words mean. But they sound good. They rhyme. It meant something to me when I first heard it. But as I tell you, when I got older and analyzed it, it makes no sense whatsoever. It is self-contradictory. But that's life. A lot of things in life don't go along in a straight, uninterrupted line. There are detours, there are dog legs, there are all kinds of unforeseen circumstances that arise, and we are taken off the course we had set in advance that we would pursue. But I'm going to continue with what I set out to do, and that's to take some time and follow Joseph Kennedy's admonition: Don't get mad, get even. I told you all yesterday, I know something about getting even. And I do, and I'm demonstrating it. But I'm not reading from the phone book, I'm not reading recipes. I even read an Attorney General's Opinion and told you where to find a copy of it to help you with some pending legislation. Couldn't I have just sat back and let it go on and be passed or wait until it gets on Final Reading and lay out all of these defects to you, and you would ignore them and pass it anyway, but somebody out there would hear it and they would be jotting it down and then they would file a lawsuit and have it struck down because it's unconstitutional in the way it values land and violates-- well, I'm not going to repeat everything in that Opinion. That's what I could have done, huh? That's how I really would have gotten even with you. I would have fixed you, all of you who are smarter than I am. I don't get into these debates about property tax evaluation, assessment, none of that. The only time I even mentioned something like that was in connection with my black-tailed prairie dog bill where they would put a lien against your property and the assessor would have to file it. But then when you all talk about personal property, you didn't want to do anything about that unconstitutional legislation because I brought the bill and it was in Senator Halloran's committee. And the only bill that I offered this year that got out of committee was my bill to abolish the death penalty. And I'm on the Judiciary Committee and that's the only one I introduced that got out here. Did you hear me crying about any of them? No, because I know what I'm dealing with. I know the pettiness of the people who chair these committees. I know

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that. But that's not going to stop me from presenting the opportunity to make your statutes say what they ought to say, to respect people's property. You dealt with Senator Hughes's bill. And thanks to him and Senator Lathrop getting together, you protected the property interest of both of the parties, where one might be accused of being the perpetrator of a nuisance and the one on the other side. But when I show you-- and all of it involves white people. I never see them, they might have all voted for term limits. But where property rights are being violated. People can go on their land. I wish Senator Brewer were here today-- can go on their land and destroy crops on their land. Damage other property on their land and spread poison on their land without giving them notice. Now, if anybody else would have brought that, any white person would have brought it, you would have lauded that person and thank God that there was somebody here who was interested in property rights. But I brought it, I analyzed it, I broke it down. Got Senator Hilgers to admit that what that law was saying would be unconstitutional. You cannot do all those things to people without giving notice. But he voted against my bill. That's what they do, because it's me. One session we did pass it and the Governor vetoed it, because it was my bill. So those people whose property can be invaded by agents sent by the county board, without any notice. One day you see all these people on your property doing these things, and if you bother them you are interfering with a governmental operation and you commit another crime. There's no court involvement. Look at all of you, that doesn't bother you? Why should I care more about white people than white people care about them? Because it bears out what I said earlier. I see the bad things you all do to each other, so I know how you have no regard for me and mine. I try to save your people from you. I'm trying to save those people who wanted me out of this Legislature from being invaded on their property without being given notice. County boards assessing fines and directing the fines to some places other than allowed by the constitution. Such fines will go into the Public School Fund but they're putting it in their general fund. I brought that out and all these smart white people, including Senator Hilgers, went along with allowing that to stay. Your Governor went along with allowing it to stay. And if some white person had brought it, that white person would be thanked for it. Trying to make you follow your constitution for your people, not mine. We don't have prairie dogs in the city. You all are the ones with the prairie dogs, and you are so boneheaded, so stiff-necked, so stupid and hateful that you will harm your own thinking you're harming me. You think you harm me when you disregard your constitution? You think you harm me if you run on some white person's land and poison the land, destroy crops without letting them know who these invaders are? They don't need a warrant. They don't need a judicial order. None of those things. But the constitution requires it, but what in blazes is the Nebraska Constitution if a black man brings it to you? You know the only reason I got that Attorney General's Opinion? If I had said the very same things on the floor when we were debating that bill, LB512, and amendments, you all would have ignored that, just like you ignore how I try to get you to do the right thing on that bill.

FOLEY: One minute.

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CHAMBERS: And you made Senator Halloran the chairman of a committee, and he hasn't got sense enough, gumption enough, objectivity enough to see that a law, a bill that will get rid of a bad law, is advanced. But I'm not going to beg him. I'll just tell white people what I tried to do, and I've sent some of them copies of the information I gave to you all. And the response I get? What's the matter with those people down there. And I tell them they hate black people and they hate me more than they love you. And the facts bear me out. I can show any of you who want it the text of that bad law and point out where it says you don't need to be given notice before all this stuff is done on your property. And you all sit like knots on logs. I own you. You hate me so much I make you hurt your own.

FOLEY: That's time, Senator.

CHAMBERS: Thank you, Mr. President.

FOLEY: Senator Chambers, you are recognized.

CHAMBERS: Do you see why I say I'm having so much fun? It's going to be hard for you to call me a racist now, isn't it? Senator Bostelman can't go back home and say, that racist. Senator Hilgers can't do it. Senator Dorn can't do it. Not that any of you all would do that. You all don't do things like that, because you're just upset with your own kind. You're just upset with white people. That's why you want their land invaded and messed over without any court involvement. No warrant, no court order, not even given notice. One day they come home and here are some trucks backed up to their property. A pickup truck, front right-side light broken out, listing badly to starward because one of the tires can't hold the air. And two guys in bib overalls, straw hats, and hayseeds hanging out of their mouth are on your property, rummaging around. One has got a tank on his back with a sprayer on. He's spraying here. And the other one has got something that you put fertilizer in if you want to fertilize your grass, and he's walking around on your property. And you say, what are you doing on my property? And they ignore you. So you go in your house and you call the sheriff. I got trespassers on my land. I told them to get off and they, they didn't listen to me. So the sheriff comes out and asks them what they're doing. They say, well, well, sheriff, the county told us to come out here and poison on this land, and that if we mess up these crops and whatever, well, that don't make no difference because all we're just supposed to do is put poison here. So I'm spraying and he's spreading. They call us S and S, spreading and spraying. Just like H&H, that car place in Omaha, Hailey and Hallie [SIC]. If you want to pay high prices, that's your business. If you want to pay low prices, that's our business. H&H Chevrolet. Halley and Hailey. I watch that, I like it. They're very lovely ladies too. They look just alike and sound just alike. I can't duplicate it. Maybe if I did it like this, I could come closer. I'm trying to get you all to take care of your own. Why would I be concerned about those people who hate me and mine? In spite of maybe what I would be if I were a Christian, but I'm not. I believe

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what John Donne wrote is true: No man is an island entire unto itself; each is a part of the main. Every man's death diminishes me. Therefore, send not to know for whom the bell tolls; it tolls for thee. My problem is I take seriously those things that you all talk about, but you don't believe. If I could take it as casually as you all, I wouldn't be standing on this floor as often as I do. There are far more white people in this state than all of the so-called minorities put together. You all outnumber us by about 10-1. You all are the ones who are hurt by these laws. We are too, but some of them don't even affect us. Like the one I'm talking about with this black-tailed prairie dog bill. Chambers brought it, the Governor said, um-hum, I can fix him, vetoed it. And then these white people will vote to put him back in office. That's why I keep saying white, white, white.

FOLEY: One minute.

CHAMBERS: I want to emphasize that I'm trying to save white people from white people. And you all won't let me. It's difficult to help hard-headed people who need help. I see Senator B. Hansen splashing around in the water about to go under for the third time and then when he comes up the last time, I see he has got heavy chains around him. I say, Hansen, take those chains off and you won't go underwater. Now, I can't even swim, but I'm so concerned about him I hold my nose and I jump in the water. And lo and behold, it only comes up to my chin. So I wade through the water and I find brother Hansen, but where he is is deeper than that. I reach down and I grab that chain, and I pull it up and I'd slip his hand out of this one, slip his hand out of the other one, then he pops up out of the water like a cork. And Hansen says: Thank God, I'm saved. I say, no, you thank Ernie that you're saved.

FOLEY: That's time, Senator.

CHAMBERS: Thank you, Mr. President.

FOLEY: Senator Chambers, you are recognized for your third opportunity.

CHAMBERS: Mr. President, thank you. Members of the Legislature, do you realize we could have been out of here a long time ago if I were not doing what I'm doing? Do you all realize that if you all hadn't messed with me, I wouldn't be doing what I'm doing? I had even said earlier in the session if you all had left me alone in this Legislature, I would have died 10 or 12 years ago. But you went and messed with me, so now I'm staying alive just to spite you. And to spite you further, I'm going to outlive all of you too. And if I wanted to show off, I'd run out there and I would do 25 push-ups in 25 seconds. Eight-two years old. And one time the evil spirit came over me, I was giving a talk, I think my goddaughter was there. All these people. And I could see in their eyes they looked: What is this old man talking about? So I dropped down and did my 25



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just like that. How many of you all can do 25 push-ups? All of you all ought to be able to. That's a minimum. And we're going to go beyond that. Here's the point I'm trying to get at. You all, and when I say you all, you will spite, you will cut off your nose to spite your face. Why is it so offensive to you that I might see something that you don't see when I'm looking at it from a different perspective? If you were looking at a tree from where I'm standing, you won't see the part of the tree that Lieutenant Governor Foley would see, because he's looking at it from a different position. So what he describes that he sees may be different from what you see, so you reject it. Then he'll have to tell you, brother, before you reject it, understand that I'm looking at it from a different angle. And this tree conceivably could have four sides, or between them we put some other angles, but there's more than one angle from which to view this. If you take out a dollar bill, you can see the image. I think if it's engraved, it consists of a whole lot of dots. So if you look at it from that dot level, you wouldn't be able to tell what the picture image is that those dots comprise until you get some perspective by moving away from it. Some people might be too close to see everything. Some people might be too far away to see the details. But if they got together and each laid out what he or she saw, then they would see they are looking at the same thing but just from a different perspective. Senator Lowe, if you look up and I look down upon the tallest man in town, you would see his feet, his knees and toes. I will see his head, his ears and nose. And though it is one man we see, you swear it's A, I swear it's B. And that's what we'll both say unless we talk to each other. And then we say: From where I stand, this is what I see. I say: From where I stand, this is what I see. So why don't we switch places and I'll look at it from your perspective and you look at it from mine. And lo and behold, now I see what you saw and you see what I saw. And maybe what we can do, if we don't look at it from just above and below, but get back, then we can put what exists between. What you saw from above, what I saw from below, and then we can fill in the whole picture. That's cooperation. When you take something apart, that's analysis. Bringing it into its component parts. When you put it together, that is synthesis.

FOLEY: One minute.

CHAMBERS: You are synthesizing. You're bringing things together. And a Legislature should do that, but no legislature in this country does it; no parliament does it, where they have that; no Knesset does it; nothing, none of them do it. Because, unfortunately, they all are composed of human beings. And human beings bring their own way of looking at things and there are walls, there are barriers between them that keep them from talking frankly to each other. Everything seems like an angle because we have been taught to be suspicious of each other. Now, I need to be suspicious of you all. If I'm a rabbit, I should fear every predatory animal because everyone wants to make me its dinner. But among you predators, maybe you can work something out. And nature knows that creatures of the same species if left alone might kill each other, and nature's interest is in preserving the species. The individual doesn't count with nature. You'll sacrifice the individual--

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FOLEY: That's time, Senator. Senator Chambers, you are recognized to close on your motion.

CHAMBERS: Thank you, Mr. President. For the sake of the species, the individual will be sacrificed. But here's what nature did, and nature should be projected as a woman. God is projected as a man, so that's why you always have wars and rumors of wars, nation rising against nation, brother killing brother, son slaying father, mother against daughter, because a male God is in charge. Mother nature is the nurturer, the one who understands. The one who knows how to keep those rough edges from clashing and bumping together. And here's how mother nature does it in her wisdom. Each member of this species needs a certain amount of territory to meet its needs. And if each one meets its needs, there's no need for competition. So nature will contrive to have these individuals, if left alone, and human beings stay out of it and don't upset the balance, each will have enough territory to survive. And they can mark their territory. A mountain lion won't go into another mountain lion's territory unless he or she is a juvenile and doesn't understand yet, and hasn't listened to what mama tried to teach him. So she lets experience teach him. A young male goes into alpha male's territory and the alpha male will run him off. And if the young one thinks he's strong enough to stay there anyway, the alpha male will kill him. But the alpha male doesn't go hunting for juvenile mountain lions. If they stay out of his territory, they'll live. If they come into it, they're going to die. So they pass through. And if they're smart and they see the alpha male, they keep on moving. They've had experiments. They will take dogs and they will find out what each will think its territory is, a little dog and big dog. And they will growl and snarl at each other. One will go into the other's territory, and the one whose territory is invaded becomes very aggressive and strong and will run that dog back. And the closer it gets to that dividing line, the less hostility the chaser feels, until the chased gets into its territory, then that takes over in that one and that one will turn. And if the chaser comes into this territory, then the chaser becomes the chased and the one being chased becomes the aggressor. And they run back and forth until they reach that line, and then each stands on his side of the line and they snarl at each other. But neither one invades the other's territory. That's in a controlled environment where they can study these things. But in the wild, you learn or you die. So when human beings get involved and they kill off the dominant or alpha predator, then other animals take over. Kill off the mountain lions, the ungulates, those herb, those grass-eaters, those tree-trimmers will take over. They will eat up the cover crops, they will eat up the saplings, the ground will not be held together by that vegetation. And if it's near a stream, the stream will leave its bank and areas can be flooded which were not flooded before, because the bank was held in place by the vegetation and the roots that were there. You all don't listen to me because you think I don't know anything. You know how I learn? I read. I know there are people who know more than I know. And I'm not offended that they know more--

FOLEY: One minute.

CHAMBERS: --than I do. I'm glad that-- oh, you said time?

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FOLEY: One minute.

CHAMBERS: I'm glad that they thought enough to put their knowledge in a form where I can read it and learn from them. I'm not offended by people who know more than I know. I am taught by people who know more than I know. And I have sense enough to see whether they know more than I know or not. I know more than you all know where you live because I read about what you do and what happens where you live, and you just go by your experience. And your experience tells you only a small part of the picture. That's why scholars can tell people about where they live more authoritatively than the people can speak about it where they live, because the one living there doesn't see anything except what affects him or her directly. Mr. President, I will withdraw that motion.

FOLEY: Thank you, Senator Chambers. LB252, Mr. Clerk.

ASSISTANT CLERK: (Read LB252 on Final Reading.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB252 pass? Those in favor vote aye; those opposed vote nay. Have you all voted who care to? Record please.

ASSISTANT CLERK: (Record vote read.) Vote is 44 ayes-- Senator Clements voting yes. Vote is 45 ayes, 0 nays, 1 present and not voting, 3 excused and not voting, Mr. President.

FOLEY: LB252 passes. While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign the following legislative bills: LB23E, LB31E, LB31AE, LB180, LB222, and LB252. Items for the record, Mr. Clerk.

ASSISTANT CLERK: Thank you, Mr. President. Your Committee on Agriculture reports LB157 to General File with committee amendments attached. Education reports LB544 to General File with committee amendments attached. Judiciary reports LB106, LB427, LB219, LB479, LB533, and LB690 all to General File, some with committee amendments. Amendments to be printed: Senator Wayne to LB149, Senator Groene to LB675, Senator Chambers to LB304. New resolution, LR94 by Senator Wishart, is an interim study resolution that will be referred to the Executive Board. And an announcement that the Revenue Committee will meet today, Friday, April 26, in Executive Session upon adjournment in Room 2022. And finally, a priority motion. Senator Albrecht would move to adjourn until Monday, April 29, at 9:00 a.m.

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