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Transcriber's Office

Floor Debate
May 24, 2019

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FOLEY: Good morning, ladies and gentlemen, and welcome to the George W. Norris Legislative Chamber for the eighty-second day of the One Hundred Sixth Legislature, First Session. Our chaplain for today is the Reverend Steven Peeler from the Lutheran Church of the Good Shepherd, Hastings, Nebraska, Senator Halloran's district. Please rise.

REVEREND PEELER: (Prayer offered.)

FOLEY: Thank you, Reverend Peeler. I call to order the eighty-second day of the One Hundred Sixth Legislature, First Session. Senators, please record your presence. Roll call. Mr. Clerk, please record.

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

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

CLERK: I have no corrections.

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

CLERK: Mr. President, a Reference report referring study resolutions to the appropriate standing committee. Bills read on Final Reading yesterday afternoon and early evening were presented to the Governor at 5:15 (Re: LB15, LB218, LB309, LB538, LB538A, LB600, LB600A, LB641, LB641A, LB62, LB123, LB135, LB220, LB244, LB248, LB260, LB281, LB308, LB315, LB374, LB392, LB414, LB427, LB447, LB447A, LB454, LB476, LB505, LB525, LB559, LB561, LB564, LB571, LB571A, LB609, LB719, LB719A, LB726). I have an amendment to be printed to LR257. And, Mr. President, the lobby report as required by state law as well as the acknowledgment of receipt of agency reports available to membership on the legislative Web site. That's all that I have.

FOLEY: Thank you, Mr. Clerk. Senator Albrecht, for what purpose do you rise?

ALBRECHT: For a point of personal privilege.

FOLEY: Please proceed.

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ALBRECHT: Thank you, President Foley, and good morning, colleagues. I am honored today to visit a resolution that we have, LR150, WHEREAS, May 24, 2019, is National Poppy Day; and WHEREAS, the National Poppy Day is celebrated in memory of all veterans who have given their lives, the ultimate sacrifice; and WHEREAS, red crepe paper poppies have been made, worn, and displayed, and distributed for fund-raising efforts by veteran groups such as the American Legion Family and the American Legion Auxiliary, for decades to observe both Memorial Day and Veterans Day; and WHEREAS, each year veteran poppy makers across Nebraska, including Dennis Otte of Wayne, make thousands of memorial poppies each year to fundraise and remember; and WHEREAS, National Poppy Day serves as a strong renewal of our nation's commitment to a powerful reminder of the cost of our freedom. NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SIXTH LEGISLATURE OF NEBRASKA, FIRST SESSION: 1. That the Legislature remembers the lives lost in World War I and appreciates the work of the veteran poppy makers that help us celebrate Memorial Day, Veterans Day, and National Poppy Day. 2. That copies of this resolution be sent to the American Legion Auxiliary for Nebraska and to Dennis Otte. And on your desks today I've provided each one of you a poppy. And I'd just like to quickly let you know what the background of this. For more than 90 years the American Legion Auxiliary has distributed the memorial poppy to remind Americans that millions sacrificed their lives and health to keep our nation free. During World War II, the poppy flourished on the battle fields of the Flanders fields, among the shield-- shelled buildings and bombed-scared [SIC] landscape. Like the blood that was shed there, its brilliant, red bloom became a sign of hope and renewal. For those who never left and those who have never-- have given their lives, it is a perpetual memorial to their bravery. The American Legion Auxiliary poppy is handmade by veterans who receive a small stipend for each poppy made. Memorial poppy contributions are devoted entirely to the rehabilitation and assistance for veterans and their families. On behalf of those veterans, thank you for caring. And today Beverly Neel, I want to recognize her. She's my AA. And she is serving as the Nebraska State President for the American Legion Auxiliary, very proud of her. And if you don't mind, you can certainly introduce those that are here today under the balcony.

FOLEY: Thank you, Senator Albrecht. (Visitors introduced.) Senator Murman, for what purpose do you rise?

MURMAN: Point of personal privilege.

FOLEY: Please proceed.

MURMAN: Good morning, colleagues, and good morning, Nebraska. And thank you, Mr. Lieutenant Governor. Today I want to apologize for any hurt feelings that could have happened yesterday. Our intention was not to hurt Senator Cavanaugh's feelings. I did apologize to her

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after the session yesterday. We have a good relationship. And I don't want to speak for her, but I know that we will continue to have a good relationship. We do often disagree on matters of policy. We did not agree on LB533. We did not agree that that bill should be on the-- should have been on the consent calendar. So we acted according to the rules and had it removed. My intention was not to blindside or hurt anyone or to be inconsiderate of Senator Cavanaugh or especially of her late uncle. So, again, I do want to apologize for any hurt feelings that could have happened yesterday, that did happen yesterday. Thank you, Mr. Lieutenant Governor.

FOLEY: Thank you, Senator Murman. Members, some donuts are being distributed or will be distributed. I'm not sure which. They're in celebration. Senator Linehan is celebrating the birth of her sixth grandchild, a boy this morning at 3:30 a.m. Marcus Kevin Seim, weighing 8 pounds, 5 ounces; 20.5 inches. We'll proceed to the agenda which is a final item-- Final Reading item. Members, if you'd please be at your desk pursuant to the rules. Senator Friesen, for what purpose do you rise?

FRIESEN: Personal privilege.

FOLEY: Please proceed.

FRIESEN: Thank you, Mr. President. What happened here last night I think everyone has come to terms with, and I hope we can move forward today. What I kind of want to talk about is the whole process of consent calendar. And this is where me and Senator Chambers probably agree on is that consent calendar is kind of a special place for things. And over the years I've, I've watched these games been played that I've been here and it's just been five years. But it is a potential path where you don't have to go 3 hours; 15 minutes and you're guaranteed a vote up or down. We would love to have this privilege on a lot of things. And so it is a special place for a lot of bills, and we can get things done that people want to get done. So I wish we wouldn't play games with it when we're opposed to something, you know, file it as soon as you see it, get it over with. There's no special pass for anything here from anybody, but we need to be respectful of when we do things and when we see them and how we do them. So with that said I, I still-- I think the consent calendar is-- probably serves a purpose. It's not something that I really like having there because everything to me is important when we pass legislation in the state. Everything should pass on the same-- the same parameters that we're using for other bills. But, again, it's there. We'll deal with it, and hopefully we can finish out the session dealing with some big issues we still have to talk about. Thank you, Mr. President.

FOLEY: Thank you, Senator Friesen. We're on Final Reading. LB533. Mr. Clerk.

CLERK: (Read LB533 on Final Reading.)

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FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB533 pass? Those in favor vote aye; those opposed vote nay. Have you all voted who care to? Record, please.

CLERK: (Record vote read.) 33 ayes, 8 nays, 6 present and not voting, 2 excused and not voting, Mr. President.

FOLEY: LB533 passes. We'll proceed to Select File 2019 committee priority bill. LB436.

CLERK: 36 [SIC], Senator, I have E&R amendments.

FOLEY: Senator Slama.

SLAMA: Mr. President, I move that the E&R amendments to LB436 be adopted.

FOLEY: Motion is to adopt the E&R amendments. Debatable motion. Senator Chambers.

CHAMBERS: Mr. President, I don't often rise on a point of personal privilege to discuss things that are before us, but I have some things on my mind. And I'm going to say them this morning. This motion to adopt the E&R amendments will allow me to speak three times. I will vote to adopt those amendments. The motion to then move the bill gives me an opportunity to speak three more times, should I need it. And I'm making clear what it is that I'm doing this morning. I'm not in a good mood. There are three things for sure that I'm going to read about. They all involve women. One, a sneaky attack by some cowardly white men on a Muslim lady, and I'm going to read it. Now, I say enough things that anger these white men. I get the cowardly calls about what I say on the flag, and they cursed out Cindy because she answers the phone. I go to stores in Lincoln. I go to get in my car, why don't they attack me? Now, if I don't carry guns and I don't carry knives I better be able to do something to protect and defend myself, being 82 years old, don't you agree? Because I'm not going to stand still and take a whipping from anybody. And if a gang of them would come, they might get a banquet. But the first one that gets to me is going to let me at least get a sandwich out of it. These cowardly things that involve violence are throwback to the cowardly white men who put the lynch mobs together because they were too cowardly to be one on one. And when they come against somebody, they always do it with a mob. Generally, they will be in disguise. This comes from this morning's World-Herald, and I heard about it on the news and that's where they identified or described the attackers as white males. Authorities are investigating an attack against a Muslim woman Wednesday night in Lincoln as a hate crime. An 18-year-old woman told police she was on a neighborhood street near West A and Southwest 16th Streets before 8:25 p.m. when two men approached her and

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made, quote, threatening and derogatory statements, unquote, Lincoln Police said. The woman says she was knocked to the ground and kicked. These brave, white men knocked her down and kicked her! And you wonder why I say the things I say on this floor about that rag. Is there liberty and justice for her? Is there protection for her? Shouldn't she be able to walk the streets of Lincoln in safety if this is a country with liberty and justice for all? Or is being a Muslim and being a woman such that she is excused or kicked out of the human race? And that statement about justice and liberty for all, the word "all" would not include her. Continuing. Officials declined to release more details on the nature of the threats because it would, quote, compromise the integrity of the investigation and cause the destruction of valuable evidence, unquote, they said in a press release. Police have been unable to identify the men--

FOLEY: One minute.

CHAMBERS: --and are asking for the public's help. One man was riding a bicycle and the other was on a skateboard, and they last were seen near Southwest 17th and West Rose Streets. Both men are white. Anyone with information should call 402-441-6000 or for anonymity call Crime Stoppers at 402-475-3600. Quote, we are analyzing video, canvassing the area, and will be examining digital evidence, unquote, Lincoln Police Chief Jeff Bliemeister said. Quote, Our community and our agency will not tolerate hate crimes, unquote. The incident has caught the attention of a national Muslim civil rights and advocacy organization which is offering a reward for information.

FOLEY: That's time, Senator.

CHAMBERS: Thank you, Mr. President.

FOLEY: Thank you, Senator Chambers. (Visitors and doctor of the day introduced.) Continuing discussion, Senator Chambers.

CHAMBERS: Thank you, Mr. President. Continuing the article: The incident has caught the attention of a national Muslim civil rights and advocacy organization which is offering a reward for information. The Council on American-Islamic Relations is offering a \$1,000 reward for tips that lead to the arrest and conviction of the two assailants. Ibrahim Hooper, the group's national communications director, said the organization has reported more than 500 examples of anti-Muslim bias or harassment this year nationwide. Quote, We hope the offer of a reward will lead to the arrest and conviction of the alleged perpetrators, unquote. He said, quote, incidents in which a bias motive is suspected must be treated with the seriousness they deserve and the alleged perpetrators must be brought to justice, unquote. Members of the Legislature, these types of white men are detrimental to the cause of white supremacy, but they take that racism in with

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their mother's milk whether they go to church, and if they go to church, they'll run into it. Certainly in this Legislature, but there are not many black people, who on a singular basis as I, will say what's on their mind because they have family members. They have jobs. And there are other things that inhibit them. But I don't care what anybody thinks. I don't care what anybody says, and nobody is going to intimidate me into being quiet or to make me run and hide. When that guy who died recently in Iowa, that bigot who was with-- on the Lincoln radio station and he killed himself, he's the one who misstated and took out of context a comment I made about the police. And once again, all of the cowardly white people called and cursed. The cowards stood up on this floor and made their cowardly attacks. Some even brought up things that I had said in the past that upset them, and I stood when time came. I stayed here. I didn't run and leave. I couldn't wait for my opportunity to speak, and I laughed at them. And I let them know they were crazy if they thought I was going to apologize for what I said or take it back when I meant every word of it. What I said, not what that dead man, the now dead, racist had misrepresented in terms of what I said. But for those on the floor who talked about things in the past I said on the floor that upset them, I asked, why didn't they say something then? They had a mouth then just like they have one now while they're part of the mob. But that's the way they operate. And they think I'm a coward like they are. And because there are a lot of angry faces, ugly, angry, white faces, I'm going to be quiet or not do what I need to do or say what I ought to say. As long as I have breath in my body, and as somebody said, a half a penny of lead can take anybody out of this world, from the most humble individual to the most powerful person in office. I'm aware of these things, but I'm also aware that there's so much cowardism-- cowardice in this society that white men flee when nobody pursues, and white men gang up as was done yesterday against one of my female colleagues, and I happen not to be here. Now you know what? I told you that I couldn't put-- push a piece of paper through this piece of wood. Now this wood, I think, goes in different directions. What would you think if I took this 82-year-old fragile hand, fragile. How fragile is a bone, 82 years old? And somehow I managed to position this and I brought my hand down just right in accord with the laws of physics and separated that piece of wood into two parts. What would you think then? I'm destroying state property, huh, and carrying on in a way that's inappropriate for somebody on the floor of the Legislature. But how many white people would call and say anything in opposition to what was done last night--

FOLEY: That's time, Senator.

CHAMBERS: --to my colleague?

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

CHAMBERS: Thank you. Mr. President, members of the Legislature, when I speak in behalf of these women, it's not that I think they can't protect themselves, that they can't speak up for

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themselves, but I'm not one of those who will stand on the sideline and watch something that is wrongfully done, and especially when it reflects on the integrity of an organization of which I voluntarily am a part. I will separate myself from it. I will not sit in silence and watch it or become aware of it and not do something about it, whatever little I can do. And I can always raise my voice. Another thing I'm upset about is what your racist, insane president, and he is insane, not only are you Americans watching him unravel mentally, but the whole world is watching this man sink into insanity publicly. He lies. He is an inveterate liar and cannot help it and is unconscious of when he lies. And he has surrounded himself with sycophants. And when he asks them, what did I say, well, he's told them-- he's told them what to say, that they were to say, and they look sheepish when on television they have to tell the lies that he told and which everybody knows is a lie and which he may retract later on. He's been known to say something in the morning, forget it, and say the opposite in the evening. So when it's appropriate and he's at one of these Ku Klux Klan rallies, you know the MAGA gatherings, don't they call it MAGA, Make America Great Again, the maggots come together, maggots thrive on decaying flesh and nastiness, and that's Trump. Trump will say, you know what, when I went in that meeting with crazy Nancy-- oh, and she's crazy-- I watch her, she's getting worse and worse. She thought that because she could intimidate those Democrats she could intimidate me. But by God when I walked in to that meeting here was a table, I hit that table, and I gave her what for. I let her know that I'm the President! And I have no fear of Nancy Pelosi as those-- and then somebody say, Donald, Donald, Donald. Nothing gets the duck in trouble but his bill. That's their way of telling him that you're lying. You're contradicting something you said before. And all these white people, especially those that represent you in Congress, go along with everything he says, everything he does. And then when Congress gets a little backbone and will pass a provision to protect our LGBTQ brothers and sisters from discrimination, none of the racists from Nebraska supported it because they know what you all are. I know what you are. You show it all the time. And somebody needs to tell you to your face, and you have as much opportunity to speak on this floor as I do. If you don't like what I say, stand up and say it while I'm here. And I can respond, too, in any way you want. There used to be some lumbering lummoxes down here, and they would make comments that I took as a veiled threat. I don't believe in starting anything; but if somebody starts something with me, they better be prepared to finish it. So I pointed out they were talking on this floor, that based on some things that were said you got something on your mind. So we'll settle what we can here and we'll settle the rest of it wherever you want to settle it and however you want to try to settle it.

FOLEY: One minute.

CHAMBERS: And he didn't want to do anything else because he was used to bullying and intimidating these cowardly white people on the floor of this Legislature. Well, you need to know that somebody's in your midst now who is different from maybe all those you've ever contacted, maybe different from any that you will contact in the future. But there is a poem that

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Kipling wrote, and I won't tell the whole thing. But this, the son of a colonel whose horse had been stolen by what was called the border thief. They came together and had a confrontation and a young kid wound up saying, "Take up the mare for my father's gift--by God, she has carried a man!" You all see a man this morning. You all see a man this morning, not a faux, f-a-u-x, pretender.

FOLEY: That's time, Senator.

CHAMBERS: Thank you, Mr. President.

FOLEY: Thank you, Senator Chambers. Senator Hunt.

HUNT: Thank you, Mr. Lieutenant Governor. I want to rise and recognize the same thing Senator Chambers was talking about which was a horrible hate crime last night in Lincoln against a Muslim woman. And I'll yield the rest of my time to Senator Chambers.

FOLEY: Thank you, Senator Hunt. Senator Chambers, 4:45.

CHAMBERS: Thank you, Senator Hunt, and I will tip you all off to what I'm doing. I'm going to get it all out this morning, then the process can go on its merry way. But I'm going to get it out. Here's something because I was talking about your racist president. The new \$20 bill that's to come out was slated to have the face of Harriet Tubman, a black woman. And for all I know, she could have been in my ancestry, I mean by blood for all I know. But I don't investigate things like that because I don't want my situation to be like that of a turnip where the best part of it is underground, which means I'm not going to dredge up people who may have done great things and they're now dead and try to ride on their coattails and have some of the glory that's reflected from them fall on me because by an accident of birth I happen to be in the same bloodline they're in. I'm not interested in that. What I am, I'm going to be based on what I do and what I say, and when I do it and when I say it and in the presence of whom I do it and will say it. See, you all are small potatoes for me. I had a confrontation with the President of the United States when Jimmy Carter was the President, and we were in the east room. And guess who ran out of the room! He didn't actually run. He moved rapidly out of the room. The president! I asked him three questions. A lot of Nebraskans were there. And when he gave his response, oh, they cheered. But then he scooted on out of the room. It was his White House, not mine. And by the way, it's white because the British in the War of 1812 set that sucker on fire, and they used heavy coats of white paint to cover up what it looked like. That's why it's called the White House. And until President Obama was there, it was the White House because only white individuals had been there. So what did your crazy president do? First of all, he revealed his ignorance of history. Not only did Harriet Tubman operate what has come to be known as the underground railroad where she

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helped slaves escape from southern America all the way to Canada. And this might just be an anecdote, but there was one man who was going to ride the underground railroad to freedom. And when time came, he got cold feet because he knew if it wasn't successful the torture these white people would put him through if they caught him. Oh, what they would do, they'd prop your leg up and then they'd break it like you break a piece of wood and give you no medication. They would beat your back raw, then pour saltwater brine in the injuries. And they might castrate you, just for good measure. So this individual said, Harriet, I can't go on. She said, why not? He said, I'm afraid. Now Harriet Tubman knew what she was dealing with-- both the people she was trying to help and the racists she'd come against so she was like you all. She had concealed carry. She pulled a long pistol out and she put it on his nose.

FOLEY: One minute.

CHAMBERS: She said, you going to be free or you going to be dead. Now make up your mind. He said, Harriet, I think I'm going to be free. And he got back on the train and road it to freedom, not a literal train, metaphorically, but it was called the underground railroad. I'll stop at this point. Thank you, Mr. President.

FOLEY: Thank you, Senator Chambers. Senator DeBoer.

DeBOER: Good morning, colleagues. I don't address you very often, as you all know, but I wanted to clarify something because I know that before I came here I used to watch on television quite a lot the Legislature for a very long time. And I know that there were times when things happened and I didn't understand what happened. So for those of you who may have been watching yesterday, may be watching this morning, and you're wondering why are people getting so upset because someone just didn't tell someone something? That seems like, you know, oh, everybody's blowing things up over nothing. Let me explain what happened from my perspective, and I understand that other people may disagree. Yesterday we were on consent calendar Final Reading. That means that we had had consent calendar General File. Then we'd had consent calendar Select File. And then finally you wait a couple days and we have Final Reading. Now we have-- we have a list of what's coming up, and we can follow that list. There's another one. It's not difficult to see what's coming up ahead for us. When yesterday at just a minute or two before we were actually to discuss a bill, some folks then wanted to pull it from consent calendar. This may not have been what was happening, but let me tell you how it felt and looked to me. It looked like someone purposefully waited from May 13 or May 13 when they wrote the letter until that moment to put it in. Is that legal? It's legal. But there's a difference between legal and what's right. And the reason that this is objectionable is because if you have two opportunities already and you don't do anything, and then at the very-- like the very last minute, literally minutes before you do something, it looks like gamesmanship. It looks like

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trying to play a game. And, colleagues, I know every single one of us in this room could be doing something else with our life right now. A lot of us have given up careers. A lot of us have given up other things. We're not home planting. It's a little late for planting now, but we're not doing our farm work that we should be doing. This is not a game. It is not a game to me at all. People's lives are at stake. I go home and I think about those lives and the lives that we affect. I don't want to play a game. I don't want to put an amendment on somebody's bill just to play a game with them. We've been doing that some, and it's-- those poor-- I also feel empathy for the four men that were called out yesterday because I know they're not the only ones. But we cannot play games. This is not a game. What we are doing, we are 49 people who are doing one of the most serious things that people can do. We affect people's lives. It cannot be about gotcha. It's not about gotcha. It's about people's lives. Everything we do here affects someone in a grave way. And I know, and I have the responsibility for and I take home that when I vote for or against sometimes I do things which I know are negatively affecting people's lives because I've had to weigh things in the balance--

FOLEY: One minute.

DeBOER: --and that hits me. So if you're watching at home, I just want you to know that the reason people reacted is because we care about this institution. We don't see this as a game. We care about the people of Nebraska. We take our job seriously. And when something looks like that, and maybe it wasn't, but when something looks like that, it upsets me. Thank you, Mr. President.

FOLEY: Thank you, Senator DeBoer. Members, the motion before you is to adopt the E&R amendments. Those in favor say aye. Those opposed say nay. The E&R amendments are adopted. Mr. Clerk.

CLERK: Mr. President, Senator Chambers would move to bracket the bill.

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

CHAMBERS: Thank you. Mr. President, I'm doing it this way so that nobody has to be involved in what I'm saying by yielding me time. I will find a way to make time for what I'm going to say. And if I decide we have to stay here all morning on this, that's what we're going to do. And you can leave anytime you want to, by the way. It makes me no difference. My philosophy is the louder the vipers hiss the closer and more effectively I'm striking to their nest. I was talking about Harriet Tubman. Not only did she take black people to freedom, but she did some work for the Union Army. While white men were craven and cowardly, she was risking her life for a country that enslaved her. And at the time she was doing it, people like her could continue to be

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brought to this country from Africa, enslaved, and sex trafficked. Sex trafficked! And I'm going to use some time on that sex trafficking bill, too, to tell you about George Washington, Thomas Jefferson, Patrick Henry, James Madison, Alexander Hamilton, and I'll especially talk about Andrew Jackson. While Harriet Tubman was fighting against slavery and help preserve this Union, Andrew Jackson was a slaveholder, raping black women and little black girls-- Andrew Jackson. And they put Jackson's face on this bill. His face should have been on a wanted poster, and it should have been wanted dead or alive! Five cents if alive; \$5,000 if dead. See, it's not against the law to suggest that somebody kill a president who's already dead. But if you say that against a lunatic who's currently in the White House, they could say that you are on the verge of committing a crime. Well, now I'm not that stupid and neither are you all. And you know how to apply things that you hear. Harriet Tubman's face was to replace as the dominate image on the \$20 bill that of a slaveholder. Can you imagine you women, let's say that we were in a country where black people are in control. And I look over there and I say, hmm, I see oh Walz there. I think I'm gonna have her today. And against her will. I bring her, I have somebody strip her clothes off, and I have sex with her against her will. And she had better not resist unless she's ready to die. How would you feel about that if a black man was doing it to a white woman? And let's say she resisted. So I kill her. I can kill her if I want. She's my property, so I kill her. Then I see Senator Crawford, but that's not her name in those days. So I say, now she has seen what I did to Walz. I'm going to see if she wants to follow the same path. And although Khrushchev wasn't alive at that time, he made a comment which I've mentioned on this floor to explain why Francis Gary Powers did not bite into that poison capsule when they shot down his U-2 spy plane and captured him over Russian territory. Americans couldn't understand why he didn't commit suicide like a good patriotic American; and Khrushchev, godless Khrushchev explained it to them. Living things want to go on living, and as a slaveholder I know that too. So having allowed Crawford to see what I did to Walz when she resisted, I say now, which is worse to you? After what I do, I'll let you go take a bath if you want to. You can pray to your god or whatever you do to cleanse your soul if you feel that it was contaminated. But if you don't, then you're dead just like she was. And the feet of those who carry her carcass out of here are at the door right now ready to drag you out of here if you resist. So she doesn't resist. How do you like that? You don't even like me to talk about it, do you? How do you think I feel about the black women and black girls who were subjected to that by people that you all honor? You put that racist, slaveholder, sex trafficker on the \$20 bill. And you know what? To show that I'm not crazy, I won't throw away the money that has this face on it just because I don't like him. So here's what that lying coward did. You know why I call him a coward? He got a doctor to say he had some bone spurs in his heel and he couldn't go to the military. It just happened that he was very rich. I told you all that I thought that one of the reasons Deutsche Bank in Germany might have continued to lend money to him and to his son or his son-in-law even after they had defaulted on loans going into the millions, I thought there might be some money laundering or other inappropriate activity going on because Trump did have connections in this country. Other people with that high profile were not interested in doing business with Deutsche Bank. So Trump's name was beneficial to

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them. Well, now it comes out over the news. They didn't say it was money laundering, but there were employees of Deutsche Bank who were aware of irregularities with reference to how they were dealing with Trump and whatever member of his family was also involved. You all don't pay attention to that because you're narrow-minded. Your scope is limited. But things that that lunatic does will have an impact down here. Ask the farmers. Ask the farmers. But to show how canny he is, he ordered \$16 billion to be made available to buy off these farmers-- \$16 billion. And he has to do that because of the harm they're suffering from his ill-advised, ill-conceived trade war with China. Although Steve Bannon doesn't work for him anymore, that's the one who's calling the shots. And that crazy guy named Bolton is pushing him into bad things in the Middle East. You all can ignore it if you want to. But when your country's at war, it's going to be a different kind of war than when they attacked Iraq, when they went into Afghanistan because Iran does have an Air Force. Iran does have missiles, and nobody knows what nature of nuclear weapons they may have. And Iran is in a position to strike back, which Iraq and Iran-- Iraq and Afghanistan were not. And Trump has given some low-hanging targets by bringing all these ships right within range of whatever Iran wants to do. And you all watch it. And you're going to ignore me, but just watch what happens. At any rate, this coward decided that Harriet Tubman should not be on the \$20 bill. But Andrew Jackson whose portrait you often see behind Donald Trump when he's giving his talks to the media or to the public, a man honoring a slaveholder because he hates the race so much of a woman who fought for this country. And Harriet Tubman, you think she didn't know what these racists in the South would do if they got their hands on her again. She had more courage in her little finger than Trump's whole family and all those in this country like him have got.

FOLEY: One minute.

CHAMBERS: They not only throw the rock and hide their hands, they attack from ambush as was done yesterday-- as was done yesterday in my absence against one of their own! Then these racist men here are going to tell you all we want to put these onerous conditions on getting an abortion because we care about white women. You showed what they care about white women, didn't you! Didn't you! The cowards! And then couldn't face the one they were going to do their dirt to. You all know when I'm coming. I don't attack you out of ambush. I might surprise you at how hard I will fight. And if I'm going to get you, I might tell you, you'll know it when the time comes. Who didn't know that I was against Senator Briese's bill? Who didn't know that?

FOLEY: That's time, Senator. You may continue, Senator Chambers.

CHAMBERS: Who doesn't know that I'm against LB720? And I'm going digress because it gives me a chance to direct some things to my colleagues here. You all on Senator who are so-- thought you were going to support-- get support on Senator Briese's bill, your colleagues just

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slapped you. Those farmers are stupid! We'll make them think we're going to give them something and get their vote to move LB720 on. That's what we're going to do because they're dumb. We can insult them. Then we can come over and say, well, let's all get together yeah, yeah, yeah. Let's forget it. Let bygones be bygones. And I'm going to go down in my office when LB720 comes up because the introducer of the bill gets to decide what motions, what amendments are offered. I have an amendment up there to prohibit discrimination against all those categories that currently are protected, and I would add those you can't discriminate on the basis of sexual orientation or gender identity. That would cover my LGBTQ brothers and sisters. Oh, they are my brothers and sisters. If my name was Roger James and Jesse and Frank James did bad things, they're still my brothers. I don't like what they did. But as long as my name is James and theirs is James, we came from the same mama and daddy, we're brothers. These people I see as my brothers and sisters, and I feel a greater kinship to them than I do to you all because they're under constant assault. Those racist, bigot, homophobes you all sent to Washington would not support a measure that would provide protection to our brothers and sisters. You all are Christians and I'm not. You all are the ones who talk about brotherhood. Well, what about "anotherhood" because you consider them the others. Your Christianity doesn't reach that far, does it? But you'll use that Christianity and hide behind it so you can discriminate against them on the basis of your Christianity. That's what you say your Christ is about. Your Christ. If Christ is like what you all say he was, he got what he deserved. He was a bigot. He was a misogynist. He was a liar. He was a cheat. He was a betrayer. And what you sow the Bible told you, be not deceived, God is not mocked. What you sow, that shall you also reap. Your Christ reaped what he sowed. And since it's recorded in the "Bibble" we have to take it as true. And then he did like a lot of you all will do. When the end finally came, what did he say? Like a weak, sniveling coward: My God, my God, why hast thou forsaken me? And if that Jesus who was hanging on that cross was like what you all are, and if God that he prayed to existed, all that other people would have heard was thunder, and maybe have seen some lightning that's usually thrown in for good measure. And that God would have told him, you know that I said what you sow you will reap. You have been a rapist. You have been a liar. You have been a cheat. You have been a deceiver. You know what was in store for you.

FOLEY: One minute.

CHAMBERS: You knew that this was coming. But you thought because I'm your daddy I'd give you a break. Well, you are a person and I have no respect of persons. Get away from me. And he died like a thief, executed in the way that you executed common, low-down criminals. Then you want to tell me he ought to be worshiped. And I look at your conduct. You say you believe in him. You act like thieves, common criminals, liars, cheats, cowards. Thank you, Mr. President.

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

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CHAMBERS: You all thought I would fold and get tired, didn't you, because I'm old. Well, I'm like these people who run long distances. The farther they run, they start to get what's called a second wind. I haven't used up my first wind yet. So let me come back from the distant past to today. I told you all this morning what I was going to do. I didn't trick you. The Speaker knew 'cause we talked about it. Now here's where you might get a surprise. You might have done something to me that you thought I didn't know about. And then to teach you a lesson because I've often said experience is the best teacher, and some will have no other. So to teach you, you might get something from me that I didn't tell you about, but I let you know and you were in a position to defend yourself. What you all did to my female colleague was to cut off her arms, cut off her legs, wrap her in chains, throw her in the water and said, take care lest you drown. And they know that they took away any possibility of her being able to save her life. That imagery might let you all get an understanding of how I feel about those who did that underhanded bit of dirt. They know who they are. We all know who they are. The document that they signed is on my desk. And for those who are watching who may not know. Sincerely. Dear, Mr. O'Donnell, who is the Clerk of the Legislature, this letter is to inform you of our objection to LB533 being placed on consent calendar. LB533 addresses a topic which we feel requires more debate from the body than would be affordable on consent calendar. Sincerely, Steve Erdman, District 47; Robert "Rob" Clements, District 2. Putting Rob is right. The other three letters that would make robber were not there but he was right, Rob Clements; Dave Murman; John Lowe. Sometimes a person's name is an index into what that person might do. And I'm surprised that even Senator Lowe with things that have happened in the past would do something like this because he testified to try to get me out of this Legislature by saying I don't live where I live. And the guy who was trying to have that done talked to Senator Lowe. They're buddies. They met at the shooting range. That's why people who want to carry these guns I watch. Anyway, what they did is what set me off this morning. And some people figure that when I'd find out about it there would be a price that I was going to make people pay, the entire body, because it was done before the entire body. And they were not mistaken and I did not let them down. But now I'm going to read this article about Harriet Tubman. And remember, this might be my third time on that particular motion, but I get a chance to close.

FOLEY: One minute.

CHAMBERS: So I'll be able to finish this article. Washington, Associated Press. The headline, Tubman, \$20 bill design delayed past 2020. Washington: The redesign of the \$20 bill to feature 19th century abolitionist leader Harriet Tubman has been delayed Treasury Secretary Steven Mnuchin said this week. He's the secretary who is protecting Trump by violating the law and not turning over Trump's tax returns as the law says he shall do. But it shows he doesn't obey the law. And he's working for a thief and a liar and a criminal. Oh, and a sexual assaulter-- serial sexual assaulter. Married more than once. Christians don't believe in that, but he's a Christian.

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FOLEY: Senator Chambers, it's time.

CHAMBERS: Thank you, Mr. President.

FOLEY: You are recognized to close on your bracket.

CHAMBERS: Thank you. Continuing the article: The decision to replace Andrew Jackson, the nation's seventh President, with Tubman on the \$20 bill had been made by Mnuchin's predecessor, former Treasury Secretary Jacob Lew, L-e-w, who had served in the Obama administration. Tubman's fate had been in doubt since the 2016 campaign based on critical comments by then candidate Donald Trump who branded the move an act of pure political correctness. Digressing, because I'm going to have other motions. I'll get to read the whole thing. This sucker is going to talk about political correctness. The only way you cannot be politically correct in his country, the MAGA country, is if you are racist, a bigot, and a two-timing coward. Continuing: Mnuchin, however, said that the delay in unveiling a \$20 redesign had been prompted by the decision to redesign the \$10 bill and the \$50 bill first for security reasons. Departing. You know the most counterfeited bill in America, the \$100 bill, not the \$50 bill. And counterfeiters aren't interested in that small denomination, a \$10 bill. Why should I counterfeit 10 pieces of paper into bills when I can make one paper, the \$100 bill, and fool people in this country and all over the world? They lie. Evil companions corrupt good manners. Trump's a liar. Mnuchin is a liar. And you all aid and abet these liars. Oh, but that's right, those who are farmers might participate in that \$16 billion payoff that Trump has authorized. But he cannot authorize enough money to make sure that these little children who are put in confinement here do not die. Suppose this happened in a Muslim country or in Iran. Four little children died in the custody of the state. You know what that sucker would be saying, and this happened in the United States of America with liberty and justice for all under that rag. It is a rag. And you all make it that. Who shreds it? You shred it with your conduct. I merely describe it. And not one of you can stand and counteract what I say about the racism, the murders committed under the egis of that rag that you pledge allegiance to every morning. And when you do it, you are lying through your teeth, and you know it. But you'll tell that lie again and again and again and again and yet again. All of you! Liars. With liberty and justice for all. Your white people tell you this country is more divided than it's ever been. And what do you idiots say? One nation indivisible and it's divided right now. And I listen to these lies. That's why I don't come up here. You lie. And all liars will have their part in the lake. But that's in that "Bible" which you don't believe anyway, but you'll use it when it's convenient to do so. Continuing the article: Mnuchin announced the delay in response to questions from Representative Ayanna Pressley, Democrat from Massachusetts, during an appearance before the whole--

FOLEY: One minute.

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CHAMBERS: --the House Financial Services Committee. The unveiling of the redesigned \$20 bill featuring Tubman, famous for her efforts spiriting slaves to freedom on the underground railroad, had been timed by the Obama administration to coincide with the 100th anniversary in 2020 of passage of the Nineteenth Amendment giving women the right to vote. I will continue this on my next motion because my time is about up and I play by the rules. But do you see what he timed it to coincide with when women got the right to vote? If you all read a rhyme that I handed out the other day, I talked about anecdotally Susan B. Anthony. You know what she was interested in? Getting you women the right to vote, but you all don't make the connection. You thought it was just a silly little rhyme. But what I write will be understood by those for whom it is intended. And if they don't have enough intelligence--

FOLEY: That is time.

CHAMBERS: --to see it, it wasn't intended for them.

FOLEY: That's time.

CHAMBERS: Thank you, Mr. President. I would ask for a call of the house and a roll call vote.

FOLEY: There has been a request to place the house under call. The question is, shall the house go under call? Those in favor vote aye; those opposed vote nay. Record, please.

CLERK: 11 ayes, 4 nays to place the house under call.

FOLEY: The house is under call. All members please return to your desk and check in. The house is under call. All unauthorized personnel please leave the floor. The house is under call. Senator La Grone, would you check in. Senator Howard, Senator Gragert, Senator Groene, please return to the Chamber and check in. Senator Groene, please return to the Chamber. All unexcused members are now present. The question before the body is whether or not to bracket the bill until May 31, 2019. A roll call vote has been requested. Mr. Clerk, please call the roll.

CLERK: (Roll call vote taken.) 1 aye, 46 nays, Mr. President, on the motion to bracket.

FOLEY: Motion is not adopted. I raise the call. Mr. Clerk.

CLERK: Mr. President, Senator Chambers would move to reconsider that vote.

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

CHAMBERS: Thank you. Mr. President, members of the Legislature, the one who can offer a motion to reconsider is one who doesn't vote or votes on the prevailing side. So what I wanted to have on one of my motions, a vote where everybody here, including myself, voted the same way. It happened to be against it, but that enables me to offer my reconsideration motion, just a little bit of instruction along the way. Because despite the fact that I am chastising some of you, I still have an obligation to try to instruct those who will accept instruction. But what you ought to do because it's me, you ought to reject it because I brought it to you. That is how silly white people are. They proved it when they voted for term limits. Get rid of all you white people to get rid of one black man. Wiped out 48 white people to get rid of one black man. And I'm back. I'm back. And I might come back again. I might do my Dracula routine. I told you all that if the white people had left me alone, I would have probably died 10 or 12 years ago. But because they kept messing with me, I continue to live to spite them. Except that I said you all, and to spite you all, I will outlive all of you. And I don't have much time left on this earth, so if I am going to outlive all of you, that means you have even less time than I have. You don't know with whom I have connection, do you? You don't even know who I am. I cannot be aware of an injustice, be in a position to speak against it, and then refrain from speaking. With all the condemnations I heap on my cowardly colleagues for not standing as you all should, what would it be like if I, after being the condemner-in-chief would not condemn when condemnation is justified, not just justified but mandated? And I think that teaching by example is one of the more effective ways of teaching, not the most, but one of the more. I'm going to continue this article about Harriet Tubman. When this column mentioned she was famous for her efforts in spiriting slaves to freedom, it didn't mention the work she had done to help the Union cause. Anyway, continuing with the article: Mnuchin would not say whether he supported keeping Tubman on the redesigned \$20 bill. He said, under the revised time line, that decision will be left to whoever is Treasury Secretary in 2026. You see how he's doing like Pilate? Now Pilate listened to what these crazy Jews, their religious leaders had said about this little fella over here. Now he was crazy. I'll give him that, ran around here thinking that he is a god and he can do miracles and his followers are going along and backing up these fibs, these fantastic lies. That didn't harm anybody. Everybody lies. And he asked these people, what should I do with him? And the people didn't know because they knew he hadn't done what these religious people said. So as always happens when a mob is there and they are in the spirit to do something, the leader said, crucify him. Then the multitudes echoed what the leaders said, crucify him! And Pilate looked at them. These are the people who say they are the chosen people of God. Here is one of their own kind, a Jew just like them, and they bring this little bedraggled, harmless Jew to a Roman, and tell the Roman, we want you to kill him because under Roman law, we're not allowed to kill him. So we need you to do our dirt for us. Kill this dirty Jew! And Pilate looked at them and made a statement that could be taken two ways. Kill him? You want me to kill your king? And the leaders were taken aback. They hadn't looked for that from Pilate. They thought he was a

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Roman, brutal like them, and he would get pleasure out of shedding the blood of anybody. But Pilate had become convinced that Jesus didn't deserve to die, but he was a man who would carry out his duty under the law. So he said, I should kill your king? Then the religious leaders composed themselves. He is our-- not our king. Don't say he is our king. Say he said he's our king. Pilate said, you see that upright with the beam going across it? You see that little plaque attached to it? What does that plaque say? And one of them said, king of the Jews. And Pilate looked at them and he said, what I have written, I have written. And that's the way it's going to stay. If he's a nothing, then he's your king because you all are a collection of nothings. I don't think he should die, but I have a duty under the law of the government which appointed me. I have to carry out your wishes because the law allows you to make that decision. Then he says, centurion, come over here with that water. So the centurion, being a good soldier and obedient and he is enjoying the show because he doesn't like Jews at all, and he sees them turning on their own. So he said, here you are and he put a silver basin down. Pilate put his hands above the basin and told the centurion, pour water over my hands. And as the water was poured, Pilate rubbed his palms together. He said, I will have no guilt for the death of this innocent man. Well, that is what you all do. You want to wash your hands and not have anything to do with correcting bad situations. But since I'm not a Christian, I'm not a Jew, I'm not a Muslim, I'm not religious, I will not wash my hands so that I won't have to do something which my heathenish, gentileish, what's the other one that I would be, infidel, now infidel, gentileish, heathenish conscience will not let me do which you Christian with your holy conscience almost mandates that you do. So I have to speak, and that's what I'm doing. And I'm going to continue. I'll finish up this article. Mnuchin said the redesigned \$20 bill will not come out until 2028, which means that a design for that bill would be announced in 2026 when even if Trump got another term, and he ought to be serving a term in prison. Mnuchin said the redesign of the bills was being done to introduce new security features to make it harder for the bills to be counterfeited. Based on the security issues, it had been decided to introduce redesigned \$10 bills and \$50 bills ahead of the \$20 bill. Why don't they redesign the \$100 bill? That's the one that is-- but, see, when you're lying, it doesn't matter what kind of lie you tell. And when the people you are lying to are as gutless and spineless as any you'll find anywhere, all they need is any excuse. Continuing: During the 2016 campaign, Trump had raised Jackson-- praised Jackson for his, quote, history of tremendous success, unquote, and suggested that Tubman could be placed on a different bill such as the \$2 bill. You know why Trump is familiar with the \$2 bill, brothers and sisters?

FOLEY: That's time, Senator.

CHAMBERS: You all are too holy to know-- you said time?

FOLEY: That's time. Thank you, Senator Chambers. Senator Groene.

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GROENE: Thank you, Mr. President. I have been thinking on this whole thing. I think too much. You know, when I got down here with my bill, my bill, my bill, I had to get this done, had to get this done. One time even in a committee I made a threat to the members that, boy, if you didn't do this, I was going to get even. I'm still paying for that. I can't get the dang bill passed. But I changed. I want you freshmen to look at something. I want you to look at the statutes. Remember the movie *The Jerk* where the guy opened the phone book and said, jeez, my name is in print? When you look at the Revised Statutes after you pass this bill that is your bill, your name is nowhere, not in the footnotes. You look at our statutes, great names like Terry Carpenter, Ernie Chambers, Jerry Warner, Dave Landis, their names are nowhere in the statutes, nowhere. We do not do our work. We do the work of the state. And I understand where Senator Cavanaugh comes from. She made a big mistake and she stood up, said I get revenge. I will get revenge when she heard the rumors about dropping-- some individuals were going to-- senators were going to drop on the consent calendar because they truly believed the bill did not belong there. And then a war started with those words. And I've done it, too, as a freshman, got hotheaded and said some things. But it's not your bill. And Senator Wayne has, too, by the way, a good friend of mine. But anyway, and Senator Chambers been here 44 years and he still does it. But anyway, it's not your bill. Don't take it personal. If other senators actually do not believe the legislation is good, their principles are against it, their religious views, whatever their reason, it's not your bill. It's not you they do not like. Senator Hunt, we get along great because I explained to her about the felon bill, has nothing to do with her. I fought it before her name was on the bill. I think it was senator-- I can't even remember who had their name on the bill the previous session. I didn't care. I didn't like the bill. I never look at the name. I don't even like our agenda. There shouldn't be a name on there. It should be LB dot, dot, dot is up for hearing. There shouldn't be a name beside it because 1.9 million people-- it isn't somebody who grabbed you off the street one day and said there ought to be a bill. We don't need to stand up and say it's for my uncle, my cousin, my dog. If you're going to introduce a bill, it's for 1.9 million people. So this whole thing I'm getting white-haired enough that, come on. Let's just go on. Let's get some things done. There's going to be a bill up here that's going to have a lot of contention on LB720. It's not Senator Kolterman's bill. It's not the Revenue Committee's bill. We voted it out. I voted it out. It's long-term policy for the state. That's what it is. I want you the look at the statutes. All those copies-- well, Senator Chambers has on his-- of statutes and things. Your name will never be in print. Neither will mine. I have no-- I've changed laws. We all have. We go into statute, we look at a law, and we change it. Did you ever think who wrote that original law? Do you care? Do you care? I don't. I don't even think about it. Your name on a bill is meaningless. This revenge. I've got friends that I consider for still taking revenge on me on a couple of things. I feel it. I see it. It needs to stop.

FOLEY: One minute.

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GROENE: I mean, this needs to stop. I'm going to-- I admire Senator DeBoer. I'm not lecturing you. I'm just telling you what I am going to do. I don't like lectures any more than you do, but your name is not on the bill. Your name is not on the state-- on the constitution. Your name will never be in print. Sorry. The only place you're going to be known if somebody happens to walk by the hallway and sees your picture 50 years from now on the wall unless the next architects decide to tear them down. Thanks.

FOLEY: Thank you, Senator Groene. Senator Blood.

BLOOD: Thank you, Mr. President. Fellow Senators, friends all, I stand up against the reconsideration motion, the bracket motion, but stand in full support of the underlying bill. I do feel compelled to answer to my friend Senator Groene. Although I know that he has the right to share his feelings in reference to any subject and I respect that, and although he and I do not always agree on things, I feel that we have always had good conversations where we were able to share and dialogue and respect each other's opinions, and I ask that he respectfully remember that he should not tell others how or what to feel, how to behave, because that comes across as being very condescending. There seems to be an implication that there is ego involved with Senator Cavanaugh's statements yesterday, and I would think that that was quite the opposite of what she shared with us. And I'm going to take this opportunity to remind everybody that every Friday right now is "listen first Friday," "#listen first Friday." So as one of the many leaders across the nation who has taken the Listen First Pledge, I encourage all of you to make a special effort at least once a week, to positively connect across differences with others that you naturally encounter today or have a more intentional conversation where you might welcome people of diverse perspectives, such as Senator Groene. Experts across the country say the solution to the current crisis of social polarization is to cultivate more positive social connections between individuals. So I am putting out a public plea to the four male senators who steamrolled my friend, Senator Cavanaugh's, bill and her beautiful heart to visit the Listen First Web site, take the pledge, and use today to walk over to the other side of the Chamber and have a conversation with Senator Cavanaugh one on one. We have a lot of opinions on this floor. We have a lot of diversity on this floor. Actually, we don't have a lot of diversity on this floor. Senator Chambers would probably agree with that, but we're getting there. But we have a lot of diverse opinions. And I spoke a little bit on this yesterday. There is no reason we have to send out letters behind people's backs when we can walk across the aisle and have a conversation with them. Senator Arch will tell you on a particular bill this week I probably spoke with him six or seven times. And until he tells me to get lost, I'm going to keep doing that. Because if we don't have these conversations, friends, we truly don't know where people are at when it comes to the support of a bill, the support of a particular issue. And we just can't assume and I think we can do better. And I think as the interim comes and we have some time to think, I encourage people to participate in this particular program and take the pledge but most importantly, cross the aisle, have a chat one on one, be a good person, make a difference. We are here to make laws, and we do feel

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ownership, Senator Groene, of our laws because we put a lot of blood, sweat, and tears into it. It does not mean we own the legislation, but it means we care about its success or we wouldn't waste our energy bringing it forward. And so again, friends, "listen first Friday," make a difference. Thank you, Mr. President.

FOLEY: Thank you, Senator Blood. Senator Chambers.

CHAMBERS: Thank you, Mr. President. Members of the Legislature, at least if I open the phone book, my name is there. How many politicians or public people will put their name and their address in the phone book? But I don't have to open the phone book. I can go to the fourth grade social studies book that children in the public schools use in Nebraska because not only is my name there, but my picture and the world-known act that I spear headed and that was to bring down the racist government of South Africa. It probably never crossed your mind to wonder why we have all these fourth grade classes coming to visit the Legislature. I don't know why, but I can speculate that they can say there is somebody in the Legislature now who is in the fourth grade just as you are and he is in your social studies book. When I was in the hall the other day, a string of little children were going by and the teacher asked me would I say some words to them. They were down by my office and I guess they may have been coming out of the cafeteria-like place. So I told her, I don't know if I can be heard, but I'll do it. And so they kind of bunched in and I talked to them. And I gave them the message I would give to my children or anybody's children. And the nub of it was you should listen to your teachers, learn everything you can, read about as much as you can, about as many things as you can. Because when you grow up, you may want to be in the seat that I am in now. I told them when I was their age I didn't even think about the Legislature. And nobody ever talked to me about it. I said, but you see somebody who is in the Legislature, somebody is telling you the path you have to take if you want to be in the Legislature or maybe you want to be in your book. And when they saw me, some of them their eyes got big and their mouths dropped open because if you are in a textbook, that means you're somebody. Maybe so. Maybe not. There's some textbooks I am sure you will find Adolf Hitler, you'll find Jesse James, Frank James, Bonnie and Clyde, John Dillinger, Al Capone, Annie Oakley, Belle Starr, Buffalo Bill, George Custer, a lot of people. They're in books for different reasons and differing reasons, but I don't care what anybody says about what I do. I'm going to do it and I'm going to say it and nobody here has to listen. I always make that clear. Jesus even said the words spoken will be heard by those for whom it is intended. If my words make your ears hurt, there is one door, there's another door; and then because it's like a three-legged stool, there is a door in the back. I have heard Senator Groene get very angry on this floor. I heard him get personal on this floor. And I've heard him--

FOLEY: One minute.

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CHAMBERS: --shout down one of my colleagues and holler at her across the floor when he sat over there toward the front to my left and she sat kind of to the rear of where I am to my right on the other side of the aisle. And I made reference to that. When I see things that I think ought to be corrected, then I will correct. And if my words run crosswise to somebody, they can stand up and counter it or I'll say here what I told you I said before. Any grievance somebody has with me, we can settle it here with words or we can settle it wherever you want to, however you want to. But you better know what you're getting into. I don't want to boast. But there was a guy who grabbed me, he's much bigger, and he found out after it was over--

FOLEY: Time, Senator.

CHAMBERS: --it was a good get he got.

FOLEY: Time, Senator.

CHAMBERS: Thank you, Mr. President.

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

M. HANSEN: Thank you, Mr. President. Good morning, colleagues. Colleagues, thank you earlier for that vote against the bracket motion. I realize I did not speak against that when it was first put up. I do believe this bill is a good bill and worthy of moving forward this year and thank you for your support on that. I just wanted to kind of contribute to this discussion while we're having some talks in the Legislature, this being my bill. I do think-- I was thinking when reflecting on some of the comments about how legislation, you know, once it goes into the statute doesn't have our names on it and how that plays in with the committee process. And I just really wanted to again get up and thank all the stakeholders and individuals, both-- and committee staff, my staff, Senator Vargas, Fiscal Office, Bill Drafters. This was a quite extensive process on this bill to walk through the green copy, which was a-- which was something I had done kind of quickly in the early days of session to make sure we had a vehicle, knowing it would change. It has changed pretty significantly to the committee amendment that was adopted overwhelmingly and came out of committee unanimously. I am appreciative of all the stakeholders we worked on, and it is very much, you know, an idea I had, you know, an idea I got at an NCSL forum that Senator La Grone and I both sat at and watched one of the directors from the U.S. Census Bureau discuss. And that kind of snowballed through our whole process. It's been-- it's been a great experience. I'm really excited that we as Nebraska are going to join so many other states as an opportunity to be proactive and interested and involved in the census. And so I would urge your continued support of LB436 and just once again want to thank my staff, committee staff, Senator Brewer, committee members, and all who worked on this process

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as well as Senator Vargas for making sure it was prioritized. And with that, thank you, Mr. President.

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

CHAMBERS: Thank you, Mr. President. I am going to finish this article. During the 2016 campaign, Trump had praised Jackson for his, quote, history of tremendous success, unquote, and suggested that Tubman could be placed on a different bill such as the \$2 bill. And I was going to mention that in his other life maybe the \$2 bill was what he offered those women that he tried to have his way with; \$2 was the going price. Continuing, Lew decided to displace Jackson on the \$20 bill after first generating a loud outcry with his initial proposal to put a woman on the \$10 bill replacing Alexander Hamilton. Fans of Hamilton, a group that had grown with the popularity of his Broadway musical, felt it would be wrong to take him off. Well, here's the thing about Alexander Hamilton people don't realize. He was a slaveholder too. And people were not in favor of him because they read history. They were in favor because they thought he was a real person on the Broadway stage in that play. My first-- the first woman that I had-- I said three women. First woman was my white sister on the floor of the Legislature. The second woman is a black slave woman who is under the ground. My third woman is a black woman who purportedly was not a slave, but the way she was treated by the police system causes me to take a different view of that. This article came from the Sunday Lincoln Journal Star, May 19, which by the way was the birthday of Malcolm X. The headline: Sandra Bland, B-l-a-n-d, Finally Gets to be Heard. Did you say time, Mr. President?

FOLEY: No, you've got 2.5 minutes.

CHAMBERS: OK. And how many times do I have to speak on this one?

FOLEY: All you have left is your close.

CHAMBERS: Say it again.

FOLEY: You have your close left.

CHAMBERS: OK, thank you. And I might have to put one more motion up there to finish what I've got to say, but I assure you all I'm going to finish this as quickly as I can. Sandra Bland won't just go away. She spent the final years of her life as an outspoken civil rights activist spreading the word about racial injustice and police brutality. Even in death, she won't stop talking. When

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it appeared that suspicions surrounding her alleged suicidal hanging in a Texas jail cell in 2015 had been put to rest, she forced us this week to reconsider and ask more questions. Police dashboard camera video released four years ago showed us what happened that afternoon in southwest Texas when state trooper Brian Encinia, E-n-c-i-n-i-a, pulled over the 28-year-old African-American woman for failing to signal a lane change. When it comes to black people, any excuse or a lie is good enough. Continuing: The footage authorities released in the weeks following Bland's arrest and death documented how the routine traffic stop escalated after she refused the trooper's demand to put out her cigarette. In Texas, you see, it's against the law for a black person to do anything, including smoke a cigarette. And she was above the age where cigarette smoking is allowed, but he ordered to do it and she wouldn't and it wound up ultimately in her death. A death sentence on a black woman in the land of the free and the home of the brave under that rag that you all pledge allegiance to because you are white and you do have privileges under it. Continuing: Until now, the story had been told entirely from the officer's vantage point. On Monday, video taken from Bland's cell phone was made public, and we were able to see what the confrontation looked like from her point of view. The short video shows a calm and controlled young woman at the mercy of an increasingly agitated officer towering over her with a TASER pointed in her face and yelling--

FOLEY: That's time, Senator.

CHAMBERS: Thank you, Mr. President.

FOLEY: Thank you, Senator Chambers. Senator Lowe.

LOWE: Thank you. Thank you, Lieutenant Governor. I would like to yield my time to Senator Chambers.

FOLEY: Thank you, Senator Lowe. Senator Chambers, five minutes.

CHAMBERS: Thank you, Mr. President. Thank you, Senator Lowe. If I might say without sounding sarcastic, that was a very collegial and gentlemanly thing that you did. The short video shows her in her car with the officer towering over her with a TASER pointed in her face and yelling, get out of the car; I will light you up. Get out now. There's no indication that the trooper feared for his life as he contended. See, cops are trained to lie. And no matter what happens, they should say they fear for their life as one said when a black woman was on the ground and she had taken his TASER and he shot her five times, killed her a few days ago. Continuing: The cell phone-- oh, there's no reason to think that Bland posed a threat to him. The cell phone was already in her hand when she swung-- when he swung open the car door contradicting his claim that she was reaching for something. That's lie number two. He saw the cell phone. If anything,

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the new footage raises more questions about why Bland was hauled off to jail to begin with. It shows that the only person who was a threat that day was Encinia. The one who should have been afraid for her life was Bland. Three days later she was found hanged in a jail cell. Authorities rule it a suicide. I'm thrilled that Bland won't shut up and go away. I am Sandra Bland. Every African-American woman is. Black women in particular cannot allow her story to be silenced. We cannot allow this tragedy that exemplifies the bottom tier justice black women often receive go unchallenged. We cannot do what everyone seems to want us to do-- forget about it and move on. It is easy to imagine how terrified she must have been that day. Sure, she was talking tough; but as an advocate against police brutality, she was well aware that such confrontation with law enforcement officials often don't end well for black people. And while black men most often are the targets, there have been enough cases in recent years to show that black women can face the same fate. Rekia Boyd, R-e-k-i-a, was hanging out with friends when Chicago police killed her. Charleena Lyles, L-y-l-e-s, of Seattle was pregnant with her fourth child when police shot her to death after she summoned them to her home for a burglary. Seven-year-old Aiyana, A-i-y-a-n-a, Stanley-Jones was sleeping when police barged into her home in Detroit looking for a murder suspect and ended up shooting her. There are many others. Some argue in the trooper's defense that Bland should have kept quiet. So to not keep quiet if you are a black woman is a death sentence and that is what white people say. You know how these cops are. Why did you smart off? We cannot speak? And you pledge allegiance to that rag. Well, you pledge allegiance to it. You will never get me to do it. And I will never stop reminding that you--

FOLEY: One minute.

CHAMBERS: --you that you're lying through your teeth every time you say this is a nation with liberty and justice for all. See, your women are not being shot dead by black cops. Your women are not calling the cops to report a burglary, then getting killed yourself. Your white women, pregnant, are not being shot dead by the police. They're your heroes, not ours. That's why I made that comment. These white men wanted to carry guns because they said they were afraid of ISIS. I said, our ISIS are the police. I said it then and I'll say it now and I mean it. I will stop now, Mr. President, because my time is probably up.

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

CHAMBERS: And I think I can finish it up with this. Thank you, Mr. President. Some argue in the trooper's defense that Bland should have kept quiet, that she should have acted more respectful toward him. She's a grown woman. What does she have to do? Be respectful to somebody who is telling you I will light you up? I'll tell you what. If I ever go off the deep end, you just imagine what might be done and it won't be the stupid kind of things that some of these crazy white people do, but you will know that I was there. And it's difficult to maintain your

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mental balance when you can read the history of your people, then see bad things like this continuing to happen. And then the white people tell us, well, you should have been quiet and you should have been more respectful toward him. They still place all of the blame for what happened upon her. They refuse to acknowledge how disrespectful he was to her or to hold him accountable for his part in escalating the situation. As in most confrontations involving African-Americans and law enforcement officials, Bland became the offender and Encinia the victim. She knew that she could not trust authorities or their dashboard cameras to tell the truth. That's why she refused to put her cell phone down even when the trooper demanded it. Four years after her death, we know that she was right to keep recording. Though a grand jury failed to indict Encinia on criminal charge-- on criminal charges related to Bland's death, it did recommend perjury charges for lying about the events leading up to Bland's arrest. The trooper was fired and eventually the charges were dropped in exchange for an agreement that he never work in law enforcement again. Bland's family has never bought the suicide claims. They insist that there is more to Bland's death than what they have been told. The family's attorney said the cell phone video was never turned over to them for use in the federal lawsuit they settled with the Texas Department of Public Safety, but state officials insist that it was. After seeing the 39-second footage obtained by a news reporter, Bland's family wants the investigation into her arrest and death to be reopened. They want to know if there was a coverup and if other evidence has been hidden. Several presidential candidates, including Julian Castro and Beto O'Rourke, both of Texas, have joined the call. Many other voices have joined in too. But it is Sandra Bland leading the call. She spoke directly to us through her cell phone video. Justice can only be served if we pay attention to what she has to say. That will be all the time I am going to take this morning on that. How much time do I have on this, Mr. President?

FOLEY: One and a half minutes.

CHAMBERS: Thank you. I had said that I was going to go down in my office when the battle starts on LB720. But Senator-- well, the introducer had indicated to me that there might be a couple of things he would like to ask me on the mike and he would do it as soon as he could. So I will stay up here for that. Then I am going to go down and watch the scorpions fight like scorpions in a bottle. And I'm going to see how dumb these farmers are and having been slapped around, tricked, bamboozled, and hoodwinked, swallow spit, roll over, and do what they said they wouldn't do, and it will show that what their tricksters had indicated by their own conduct that they knew the ones tricked and bamboozled would do. Thank you, Mr. President. I will withdraw that motion to reconsider.

FOLEY: Thank you, Senator Chambers. The motion is withdrawn. Is there anything further on the bill, Mr. Clerk? Nothing further on the bill, Senator Hansen for a motion.

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M. HANSEN: Thank you, Mr. President. I move that LB436 advance to E&R for engrossing.

FOLEY: Members, you heard the motion to advance the bill. Those in favor say aye. Those opposed say nay. LB436 advances. Speaker Scheer.

SCHEER: Thank you, Mr. President. Colleagues, I originally had anticipated perhaps being able to work through the lunch hour today, and some of you may be wondering what we're doing. I will be breaking for lunch approximately noon. I would like to get an hour into LB720. We will not have an hour and a half. We will have an hour break, so we're back at 1:00 and be able to finish that up. And then there is approximately an hour and a half of Final Reading. So if you are looking at a time frame, we're probably going to be out of here around 4:30. That would be my best guess. And again, we will break for lunch at noon, but it will be an hour lunch, not the standard hour and a half. Thank you, Mr. President.

FOLEY: Thank you, Mr. Speaker. While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign LB533. We will now proceed on the agenda to Select File Speaker Major Proposal, LB720. Mr. Clerk.

CLERK: Mr. President, LB720. Senator Slama, I have Enrollment and Review amendments.

FOLEY: Senator Slama for a motion.

SLAMA: Mr. President, I move that the E&R amendments to LB720 be adopted.

FOLEY: Senator McCollister, your speaking light is on, but can we move the E&R's first? Thank you, Senator. The motion before us is to advance, excuse me, to adopt the E&R amendments. Those in favor say aye. Those opposed say nay. The E&R amendments are adopted. Mr. Clerk.

CLERK: Mr. President, then consistent with the LB720 status as a major proposal, the next amendment to be offered is Senator Stinner, AM1975.

FOLEY: Senator Stinner, you are recognized to open on AM1975.

STINNER: Thank you, Mr. President. Members of the Legislature, AM1975 is a result of a collaborative effort between the chambers of commerce and individuals in this body who seek to place fiscal guardrails in place for LB720 going forward. With AM1975, we are establishing a base authority of \$125 million for the first four fiscal years for this program. We are asking that

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in addition to the estimates required already established in the legislation, the director of the Department of Economic Development shall project an estimate of refunds and tax credits utilized for the upcoming three-year provided by applicants twice a year. If the reporting per the new section of ImagiNE Nebraska indicates refunds and tax credits that are at or above the base authority for any upcoming year, then the Department of Economic Development will submit an analysis to the Executive Board of the Legislature explaining why the forecasts are trending at or above this base authority. During this process, no new applications will be approved for ImagiNE Nebraska Act and will earn credits in the years following. The year in which the base authority utilization is projected unless the Executive Board of the Legislature approves a request to exceed the base authority. In other words, what we're trying to do is to stop the process, take a look at what our fiscal posture is within our state and then what the trajectory of these credits are and try to reach a decision whether we go above, whether we stop, or how we proceed forward. The Executive Board has 45 days after notice to the Department of Economic Development to decide whether or not to exceed the base authority. If the Executive Board of the Legislature does not grant the final decision within 45 days, the request to exceed the authority will automatically be approved. For the first 4 years, the base authority equals \$125 million. After fiscal 2023 and '24, the base authority will be adjusted to 3 percent of the total gross General Fund receipts for the most recent three years and then reset again the next three years. That will take us to the end of this legislation. There is also adjustments being made in this legislation to mitigate any General Funds impact for the biennium. I would like to thank Senator Bolz, Vargas, Senator Lathrop, Senator McDonnell, Senator Kolterman, and others who came together to work out this language after the bill was advanced from General File yesterday afternoon. We are all in agreement that this language will satisfy some of the concerns that were raised during the hearing process and General File that ImagiNE Nebraska Act will exceed the expectations of the fiscal analysts and provide greater budget clarity going forward with our economic incentive program. And if you will, I don't know if I will get back into the queue, I would like to talk about because there is a concern about predictability. There was a concern about initially the fiscal note was way lower than what-- what actually happened. And you have to understand that the Fiscal Office deals with in a very constricted time frame where all of the variables that they have to deal with to get a fiscal note put together that replicates what happens in that biennium. So-- but predictability since that time, since the Department of Revenue provides us the information and they actually provide both the Chair of Revenue and myself an estimate every month of refunds and credits as we move forward. They have been fairly close. And if you look at what they prepared the last 10 years, variability is about 5.9 percent. Run rate is about 120 to 130 million, so it's fairly predictable, but LB720 actually, the way it's crafted, it will become even more predictable. So we'll-- we will be able to stay, I think, on top of where the trajectory of these are given the fact that maybe there's one or two big ones we'll have to adjust our expectations and certainly get ourselves ready to take on bigger projects and significant projects if we have to. The other thing that I want to talk about is when we have uncertainty, and you have heard me talk about this-- I will talk about it until I leave here-- is balance sheet management. Uncertainty

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means you have to have some kind of resource, some kind of fund over here that takes care of that variability. And that's the rainy day fund. Now I intentionally backed off the rainy day fund, put it into property tax relief because that was a priority within this body. Now we're providing \$275 million. And if you're thinking in terms of proper property tax relief, it's a billion dollars. We're 27.5 percent there. If we'd have passed Senator Briese's bill, we'd have been 37 or 40 percent the way there to that billion dollars, the way there to get those legs put together. But we have through the budgeting process taken in receipts from income and sales, held our expenses down, and put dollars into property tax relief. The other thing I want to talk about, there was some concern about when you take a look at these tax credits. Gosh, a lot of them are going or a majority are going for brick and mortar and equipment. Well, think about it. What's the biggest expense that somebody has that's coming here? Building a plant, somebody that's expanding a plant. It's the brick and mortar. But what does that do for you? It builds permanency. Permanency. Somebody that comes in and spends that kind of money and here's a case study of Becton Dickinson-- I'll refer to it later-- that's permanency. They're looking 30, 40 years, 50 years to be here to employ that employment base, to pay the real estate taxes, to pay the real estate taxes. And in the Becton Dickinson example, if you just pick that up and take a look at it, over a 10-year period of time, the tax credits were about \$14.5 million; 10-year period of time they paid \$12.5 million in real estate taxes. Is that not a payback? Is that not putting together an annuity stream? Is that not property tax relief? But then we have this, oh, we're not going to give you LB720 because we need property tax-- this is the linkage to property tax. It is part of that puzzle. And if you're open-minded enough right now, you will understand and look at this and then take a look at the budget book. Take a look at the page that shows revenue growth in our state. That revenue growth has gone from \$2 billion 20 years ago to over \$5 billion projected now. How does that happen? Well, some of it has to do with incentives. Some of it has to do with the fact that businesses are growing. People are getting employed. And the net effect is what has happened here along with inflation. So those are some of the things that we need to decide upon, to look at, to calculate. And I would think that we would make a prudent decision. This is definitely some of the most important legislation. We need to send a signal out to business, out to different states that we are in the business of attracting and retaining our business-- our businesses in the state of Nebraska, our jobs in the state of Nebraska. I sit next to Wyoming. You know, we talk about and compare Iowa and Missouri. I sit next to Wyoming-- zero tax rate, folks, zero tax rate. Guess what? They have a robust, robust incentive program. They'll build you a building. We just lost 30 jobs in western Nebraska because Wyoming said, we'll build that building for you. We'll pay your moving costs. Zero income tax and they have a robust, robust incentive program. Start to think about this in terms of how we compete, how we move forward, how we grow Nebraska, how we actually move forward the receipts of our state, how we stabilize our state from a balance sheet side to relieve some of the uncertainty. How much time do I have?

FOLEY: One minute.

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STINNER: I'm going to yield my time to Senator Kolterman, get a start.

FOLEY: Senator Kolterman, 50 seconds.

KOLTERMAN: Thank you very much, Mr. Lieutenant Governor. Colleagues, we're at the 82nd day of this legislative session. I'm going to-- I'm going to take this bill in a different direction today. I hope you'll-- I've asked a lot of people to yield me time. I don't have a lot of time right now. But I want you to think about something as we move forward today. This bill, LB720, is not us versus them. That's not how we work here. I think we have to change the dialogue. We started talking about that a little bit this morning. What this bill about is to me is how do we grow our state. We have many, many common values. We have strong, hardworking work ethic in this state; and it's a great place to raise a family. So as we go forward, I don't have a lot of time but I do want you to know that I'm going to try and change the dialogue.

FOLEY: Senator Kolterman.

KOLTERMAN: It's important for me that this bill passes.

FOLEY: Senator Kolterman, that's time but I-- I neglected to give you a couple minutes this morning to open and refresh us on the bill. So why don't you take two minutes and then you're next in the queue also.

KOLTERMAN: Thank you very much. So as we talk about this today, I want it to be a very civil conversation. I don't want to hear that I don't support this because I don't get this and I don't support this because I don't get that. I don't think we should do that. I'm going to talk a little bit about some of the challenges that many of you are going to face. This is a very difficult bill to vote on. Many of you are thinking about reelection. Many of you are thinking about what are my colleagues back home going to say. I can tell you this. Right now as we speak you're getting pressure from Farm Bureau, NSEA, Farmers Union, OpenSky. And somebody is right-- giving robocalls to your offices telling you to vote against this bill. On the other hand, you've had arms twisted by the Omaha Chamber, the Lincoln Chamber, the State Chamber, individual businesspeople to vote yes. What do the newspapers say? We got the Omaha World-Herald. I think they've been somewhat fair, but they weigh in. NET weighs in; Lincoln Journal weighs in; TV, radio stations. They ask you questions or the headlines. They're trying to sell papers, right? Do you have your 33 votes? How many times have you seen that in the paper? I feel used and betrayed. I feel that way at times myself. What are you going to do if this fails? Good questions. But the questions have-- the answers have to come within these 49 people that are here. You know, when I signed up for this job--

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FOLEY: Senator Kolterman, you're now on your time, five minutes.

KOLTERMAN: Thank you. I didn't know-- I didn't know what to expect. Many of us don't. I'm talking to a lot of the freshmen. This is your first session; it's a long session. I'd ask Senator Chambers, but I think he wore himself out. He might be back now. But Senator Chambers often talks about integrity on this floor, how our word is our bond. I sat right where Senator Arch sat or is sitting right now the first two years I was here. I got to know Senator Chambers really well. And in fact, when I-- when I came here, I asked to be seated somewhat close to him so I could pick his brain and ask him questions. Two years was enough, but irregardless-- and I've told him that. But I got to know him. And when I came down here, I decided, you know, there's going to be some tough issues. I didn't realize how tough it was going to be. Death penalty issue, try that one on for size. I studied that hard during the summer I was running. You know, the fact is, I'm a pro-life person. I don't think we should do abortions, and I don't think we should put criminals to death. And those pressures, they're real pressures, folks. We had on the death penalty hearing, we had 15 to 16 hours of very good debate on this floor and it was respectful debate. And I would tell you that after General File, after Select File, after Final Reading, and even after the veto override that we did to the Governor, we walked out of this room as friends and colleagues, respectful of each other's positions. You think about that. Everybody said to me, oh, you just killed yourself, your chance for running for reelection. Didn't work that way. I got-- I got more votes on this election than I did that one, and I voted to repeal the death penalty because people send us here because they respect us. They trust us. They know that if you tell them you're going to do something, they're going to be with you. I'm going to talk a little bit about what drives me. So bear me with. Not all of you knew my wife, many of you did. It's been less than two years since I lost her to pancreatic cancer-- toughest two years of my life, the last two years. And the two years before that were tougher yet. Senator Dorn, you said a couple of times to me, you're always smiling, Senator Kolterman. My wife wrote a book. We found it after she had died. What I have learned, 60 years of life school. One of the things in there is if you smile, those little lines around your lips don't show as badly. I think that was meant more for women but it's what she wrote. Some other things that I try to lead my life by is take time later in the evening to sit with your loved ones and converse. I prefer on the deck in a lawn chair with a glass of wine. For me, it's a glass of scotch. As we talk about this, I consider you all friends. You're all colleagues.

FOLEY: One minute.

KOLTERMAN: Thank you. She says love people unconditionally. Look at each person as if they're Christ. Have lots of friends and appreciate each of their unique talents and characteristics. And this is probably the most important thing that she taught me in 47 years of marriage: Keep work obligations in perspective. Do not let it consume your life. In many regards, last month, I let this bill consume my life. And it's a challenge because I want to see it pass. And I think it's what's best for the state. But I also have some other concerns and I'm going to bring those up.

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I've talked to a few of you. So if I get the time, I have some questions. I've given you all ahead of time a chance about what I'm going to ask you. So keep an open mind. Let's move the dialogue to the point where--

FOLEY: That's time, Senator.

KOLTERMAN: --we can discuss this in a relevant, conscientious manner. Thank you.

FOLEY: Thank you, Senator Kolterman. Senator Stinner.

STINNER: Thank you, Mr. President. Members of the Legislature, I would just like to kind of revisit a few topics about incentives. Why do we need incentives? Are they important? And the answer to that is it definitely is. And all we have to do is look at the fact two Governor Cups in a row-- two Governor Cups in a row for economic development. Incentives do matter on that. I also want to pull your attention, do we need incentives? Look around. Obviously different states have different incentive programs. I have business relationships and businesses in Colorado. Colorado gave their municipal golf course to an aerospace company in California to come there, gave 9-hole golf course so that they could get built, so that they could attract and get this built. Incentives do matter. Incentives do matter because even in Amazon that was going to New York City, ran and was rebuffed by the local politicians and some of the state politicians. And sure, they could have paid that \$8 billion. But they walked away. Incentives matter. We're here for the well-being, for the entire state well-being and safety of our citizens. This is a big deal. This says whether we're open for business or whether we're not open for business. And I just want to talk a little bit about maybe if we go back to the budget, we talk about growth. It's kind of interesting. Over the past 37 years, our average growth is 4.9 percent. Obviously we're in a substandard growth period but I'm thinking business cycle-wise, we'll start to recycle out of this. Hopefully, we've seen the start of it as it relates to the fact that last month we were \$80-some million over that. It looks like this month is going to be fairly-- in fairly good shape. I'm hoping that we end up and add quite a little bit to that rainy day fund. Because remember, we passed on putting the \$50 million in, in the name of property tax relief. But interestingly, over that 37-year period of time, 14 years you had revenue below the line, below the average. It averaged 1.2 percent; 23 years was above the line and averaged 7.3 percent. So hopefully, we'll start to cycle back out into that 5 to 6 to 7 percent growth pattern. And then if we can restrain some of the spending back down, we can add to the Property Tax Relief Fund and incrementally get there. Although I would be more-- I'd look at more in line with what Senator Briese put where we can add some more dollars. We can take a look at this tax code. That we can freshen this tax code. We can look at income tax along with property tax. We can look at tax credits for the less fortunate as part of a package. I think that's the smart way to go forward. But I look at history and I look back and I look at LB775. It was contentious but we were losing businesses at that time. They were being

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solicited directly. People were writing checks out, the state of Iowa, Missouri, etcetera. And so LB775 came in as a contentious legislation. And the only reason I look at the Nebraska Advantage Act is because we didn't have term limits during that time and there was a consistency. There was a look-back to LB775. There was a look-back over that period of time so people could measure the positive reaction to LB775 and they updated into the Nebraska Advantage Act. Now the Nebraska Advantage Act many times you're saying, oh, that hasn't paid for itself. That hasn't paid for itself. Well, it's created a \$100 million annuity stream to the state of Nebraska according to the Nebraska Department of Revenue. And all you have to do over a 10-year period of time is add that up. There's a billion dollars of growth that will come in that we can utilize to pay for the services and certainly for budgeting purposes. So when you invest in this, it's long term. When you invest in the incentive program, you're asking people to invest long-term. You're asking businesses to invest long term. Creates annuity streams. It creates annuity streams in property tax. It creates an annuity stream in utility utilization. It creates an annuity stream in terms of income tax and also personal property tax. Local, state benefits big time from it. People come to our state. They build houses. And guess what? In those houses there are probably four or five people who buy, buy things and pay sales tax,--

FOLEY: That's time, Senator.

STINNER: --who build homes.

FOLEY: That's time.

STINNER: Thank you.

FOLEY: Thank you, Senator Stinner. Senator Williams.

WILLIAMS: Thank you, Mr. President. And good morning, colleagues. The bottom line and I'll get to it quickly, is incentives work. We have seen them work since LB775 was started along with Nebraska Advantage and the \$30 billion of brick and mortar that Senator Stinner talked about that is on the tax rolls; the 100,000 jobs that have been created. Yes, there's a cost and yes, there were and are some problems with LB775 and also Nebraska Advantage. And that's what I am so pleased about, about ImagiNE Nebraska that we are catching the baggage up that was on that cart and doing those fixes that make it more transparent: high-wage jobs, using the base authority concept to limit and know how much we're going to spend. I think the elephant in the room is that voting against this because LB183 failed makes no sense. They're not the same issue. Many of us supported LB183 along with LB289 before that, put our name on a sheet and did that the best we could. Good friend of mine who happens to be a psychologist wrote a book and I would remind us all of this. He said that human beings will only react in one of three ways

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when faced with adversity. And Senator Kolterman talked about voting and I would like to add to that. Voting isn't easy, it isn't fun, but it's what we do. Human beings react in one of three ways: they quit, they blame-- and that's what I see people doing in here-- quitting and blaming, take your ball and go home because I didn't get my way on this stuff. Cut your nose off to spite your face. Don't work with people across the aisle because they're the enemy. Or you do number three: you step up and accept the responsibility of working together for positive change. You step up and accept the responsibility of working together for positive change. That's what LB720 is all about: looking at what's worked, fixing it, making it better, building a future. We can do that. We can do that today. I ask you to not quit, not blame, and please step up. I yield the balance of my time to Senator Kolterman.

FOLEY: Thank you, Senator Williams. Senator Kolterman, 2:00.

KOLTERMAN: Thank you very much, Senator Williams. We have a correction to make. Senator Stinner thought we had two Governors Cups. It's been three in a row. We got a note indicating it's been three in a row. We do have a lot to build on, a lot to be proud of. I'm going to talk a little bit about the farm economy, how important it is to our state because I think people need to understand this isn't about just the business community. The business community and the agriculture community have to work hand in hand. If we don't do that, we don't have a state. So what do we do in this state? We grow cheap food. The farmer doesn't get a fair shake. We grow cheap food and it's subsidized in many cases. But what do we do with that cheap food? We feed the world with it. So we need processing plants, but we need the farmer to grow the grain. We need the farmer to grow the chickens or the cows or the sheep. It's cheap food.

FOLEY: One minute.

KOLTERMAN: If you opened up the paper this morning-- I read both the papers-- farmers are going to get \$16 billion in aid this year. They don't want that. I'm going to ask a few questions here of some people in a minute, but \$16 billion in aid. Why is that? Because we have tariffs or trade barriers that are affecting our agricultural producers. You know what-- you know what it was last year? It was \$11 billion. That's \$27 billion in two years that we have to give our farmers so that they can stay afloat and feed this world. And isn't that what we're supposed to be doing? We're the most productive country in the world. Things need to happen here. Since I've been-- I have had the pleasure of being raised in a small community, farming community. I have seen set-aside programs where they paid farmers not to plant their crops.

FOLEY: That's time, Senator.

KOLTERMAN: Thank you.

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FOLEY: Thank you, Senator Kolterman. (Visitors introduced.) Continuing discussion, Senator Howard.

HOWARD: Thank you, Mr. President. I yield the balance of my time to Senator Kolterman.

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

KOLTERMAN: Thank you very much, Senator Howard. Set-aside programs. How many in this room know what a set-aside program is from the-- other than farmers? It's where farmers are asked to not grow crops. They get paid not to grow crops because we have an overabundance. We don't see those too much anymore, but we have some of that yet. Subsidy payments. You know what a subsidy payment is? We talk about them behind people's backs, the subsidies that farmers get from the federal government because they don't get their price supports. I'm going to ask some people about that here in a minute. How do they work? I don't know how they work. We have bushels per acre for price supports. I don't understand how that works. I would like to ask Senator Friesen a couple of questions if he'd yield.

FOLEY: Senator Friesen, would you yield, please?

FRIESEN: Yes, I would.

KOLTERMAN: Senator Friesen, thank you. First, I need to start out by saying I owe you an apology because I attacked you on the floor the other day. It wasn't intended to, but I did and I'm sorry for that.

FRIESEN: Apology accepted. No problem.

KOLTERMAN: Thank you. You've been a farmer for many, many years. How many years has it been?

FRIESEN: 40-some.

KOLTERMAN: You've got your kids back on the farm today. Is that one of the reasons you farm?

FRIESEN: That was one of the reasons, but I didn't try to entice them back. No, I wanted to give them the opportunity.

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KOLTERMAN: In the market system that we have today, there are price supports. Would you as a farmer prefer price supports or would you rather have just a free market and a system without subsidies? Would you talk a little bit about that so our colleagues could understand how that works, please?

FRIESEN: Sure. There are-- there are price supports currently. Our subsidies currently are zero. The system, which the last farm bill is one I can say that I had a part in writing, was designed to be a safety net as we transition from \$8 corn down to where I thought it would be in the \$3 range, unfortunately. A lot of farmers didn't believe it would go down that far. So what it was, is a series of payments as the corn price collapsed. And when they got to the bottom, the idea was they would go to zero so that we didn't influence planting decisions. Planting decisions should be based solely on market demand. I think all farmers would prefer market price. They don't want subsidies. They don't want our market facilitation payments that we're being offered. They would rather be working at the world market price, which is what we operate on. It's what we're based on.

KOLTERMAN: On a, on a small farm-- and I think you farm quite a few acres-- but on a, on a average farm, can an average farm in today's environment support more than one family?

FRIESEN: No. Average farm size in Nebraska right now is 975 acres. If you were strictly like a young farmer starting out and you have to rent land, I don't know that without your wife or spouse-- there are some nice ladies that are farming these days already-- I don't know if your spouse isn't working in town and having benefits that you could make it on a thousand acres.

KOLTERMAN: Thank you for answering those questions. How much time do I have?

FOLEY: Just a little bit over a minute.

KOLTERMAN: I think I'll wait because I, I've got some questions I'm going to ask Senator Groene next time I get on the mike. Thank you.

FOLEY: Thank you, Senator Kolterman. Senator Lindstrom.

LINDSTROM: Thank you, Mr. President, and still good morning, colleagues. I rise in support of LB720 and the underlying amendment. I'll just talk briefly and then yield my time to Senator Kolterman. But observing this bill has been pretty interesting, from the hearing to our debate in Revenue Committee to general-- General File and Select. Being five years in, some of the best legislation that I have observed comes with a push and pull. And certainly LB720 has had a push

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and pull aspect to it. There have been a lot of people who have worked on this bill. And I want to commend Senator Kolterman for his work on this. He has been very open to suggestions from all different groups. And like I said on General File, this-- this isn't about what-- if I didn't get my way I'm going to take it out on LB720. I've had plenty of times down here, friends of mine who have fought against bills; friends that I stand today on this bill who I had to come back and vote for one of their bills literally the next-- the next bill that was on the agenda. Senator Groene was right on this. You need to take the emotion out of it and look at the policy. Now if you don't believe that the policy is good, I can understand that. I do. But to take, take it out on LB720 because we weren't able to accomplish other things is not the way to go about this. And I want to tell you that I think after the session we need to reset, refocus, and make sure we do address those issues that are also important to vast members of the body. But with that being said, I would like to yield my time to Senator Kolterman and thank him for his work on this.

FOLEY: Thank you, Senator Lindstrom. Senator Kolterman, 3:10.

KOLTERMAN: Thank you very much, Senator Lindstrom. Thank you, Mr. Lieutenant Governor. Senator Groene, would-- is Senator Groene here?

FOLEY: He's coming. There he is.

KOLTERMAN: Senator Groene, I was wondering if you'd yield to a couple of questions.

FOLEY: Senator Groene, would you yield, please?

GROENE: Yes.

KOLTERMAN: Senator Groene, over the last five years we've kind of had a love-hate relationship, but I consider us good friends. Would that be accurate?

GROENE: Always loved you, man. [LAUGHTER]

KOLTERMAN: Thank you, sunshine. Anyway, Senator Groene, have you and I worked closely this year on property tax relief?

GROENE: Yes. The Revenue Committee did a great job, led by Senator Linehan, discussing both sides of this issue.

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KOLTERMAN: Thank you. Now I'm going to go in a little bit different direction. For a living, you've worked for co-ops. You, in recent years, you've been in machinery sales for quite a few years. You made good money at it, I know that. With commodity prices down the way they are, with inputs up, what's it like selling machinery right now?

GROENE: Not good. Farmers are absolutely not sleeping at night, can't make their property tax payments. They don't have no money left over to buy anything from me. So it's not good. They're not worried about their income taxes by the way.

KOLTERMAN: So a, so you really need this \$12,000 a year job then.

GROENE: Right, I do. And I want benefits.

KOLTERMAN: [LAUGH] Thank you, Senator Groene. Senator Briese, would you yield to a question?

FOLEY: Senator Briese, would you yield, please?

BRIESE: Yes.

KOLTERMAN: Senator Briese, you gave me-- you probably threw us over the-- over the hump when it came to cloture vote, you and your suggestion. I appreciate that. And I gave you a commitment that I'd work with you on property taxes. Do you think I've lived up to that commitment?

BRIESE: Yes, you have, Senator Kolterman.

KOLTERMAN: The circumstances are such that--

FOLEY: One minute.

KOLTERMAN: --you need leverage. I know you need leverage to get property taxes across. You have to make the decision whether you want to support this bill or not. I, I get that. But at the end of the day, do we trust each other?

BRIESE: Well, I'll talk about that later, how I cannot support this bill until property taxes, property tax relief moves with it or simultaneously with it. But--

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KOLTERMAN: I understand that. But do you trust me?

BRIESE: Yes, I trust you. You bet.

KOLTERMAN: Thank you very much. Less than a minute?

FOLEY: Fifteen seconds.

KOLTERMAN: I'll waive my time. Thank you.

FOLEY: Thank you, Senator Kolterman. Senator McCollister.

McCOLLISTER: Thank you, Mr. President. Good morning, colleagues. I rise in support of LB720 and AM1975. And I just think Senator Kolterman has established the model for doing a collaborative effort on a bill. I haven't seen anything like it in my five years in this body. And I want to congratulate him for that. My last ten years had been on the Platte Institute, was their director. I was on the economic development committee for a couple of years and then the last year I'd been on the Revenue Committee. And it's a sad fact of life that in this current economic era, corporate incentive programs are what we need to do. They are a fact of life. Competition by states for new and expanding businesses is like any other form of competition. In our system, there will be winners and losers. And all of us want to keep Nebraska healthy, economically healthy; and we need to continue to do that. And this program, I think, LB720, heads us in that direction. I think some of us know that there are contractors, business consultants, that their main job is to pit one state against another to get the best economic program they can get, to get the best incentive program they can get. And we have to play in that game if we want to be successful in Nebraska. I think we've recognized that LB720 has important new features which provide vast improvements when compared to the previous and current program, LB775 and the Advantage Act. So I think we need to-- need to continue this effort. We need to be in the game and Nebraska needs to be competitive. And I think we'll continue to be so with passage of LB720. I yield the balance of my time to Senator Kolterman.

FOLEY: Thank you, Senator McCollister. Senator Kolterman, 3:00.

KOLTERMAN: Thank you very much, Senator McCollister. And thank you, Mr. Lieutenant Governor. I was wondering if Senator Hunt would answer a question [INAUDIBLE].

FOLEY: Senator Hunt, would you yield, please?

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HUNT: Yes.

KOLTERMAN: Senator Hunt, you're new. You've had a good start this year. When you were running, I came and visited with you. We had a nice cup of coffee. I got a chance to meet your daughter and your ex-husband. I think we've had a good relationship. You're a business owner, small business owner.

HUNT: That's right.

KOLTERMAN: Why do you do that?

HUNT: Why, why am I an entrepreneur? 'Cause I want to be free. I want to make my own decisions about how I make money and what I do to make an impact on my own community. I don't-- I don't like to work for other people.

KOLTERMAN: So what, what kind of challenges do you see as a small business owner? Have you ever had a chance to take advantage of any of the incentive type of programs that are either in Omaha or at the state level?

HUNT: We take advantage of the InternNE program where we get help paying our interns in Nebraska.

KOLTERMAN: So there-- so there are some programs available for even small business owners.

HUNT: Yeah. We can get up to \$5,000 of the-- the pay that we give to our interns reimbursed.

KOLTERMAN: Thank you. I appreciate your candid answers. Senator Dorn, would you yield to a question or two?

FOLEY: Senator Dorn, would you yield, please?

DORN: Yes.

KOLTERMAN: Senator Dorn, we have become pretty good friends since we've gotten here. You face the same challenges that Senator Friesen, Senator Murman, most of the ag producers in this room face. Why do you farm?

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DORN: That's something I grew up with. When I was younger, my dad farmed. That was something I loved and it's something I am very, very glad I did that all my life.

KOLTERMAN: And you have also had a terrific record of public service. Tell us a little bit about that.

DORN: Well, I-- I served on some co-op boards and on some county boards and been an EMT for 30 years. So I believe you, as a person, you need to give back to the community and to the state that you live in.

KOLTERMAN: Thank you very much, Senator Dorn. Colleagues, I'm not trying to pick on people. I'm trying to show everybody in this room that we have a lot in common. Doesn't matter whether you're Republican or Democrat or an Independent or whatever you are. We have to do these things together. I don't know if this bill will pass. I don't have a silver globe to look into that can say, yeah, it's going to pass or no, it's not. We have all these vote cards. There's probably a dozen of those around. Everybody has got a different number on it. I'm trying to point out the fact that we are here, number one, as Nebraskans. We are here--

FOLEY: That's time, Senator.

KOLTERMAN: Thank you.

FOLEY: Thank you, Senator Kolterman. Senator Groene.

GROENE: Thank you, Mr. President. In the long term, I am in support of legislation that encourages free market, business growth, and removes regulatory barriers from business growth. But I'm against LB720 in its present form. It's too rich in benefits. Way too much of the tax credit benefits in LB720 are geared more as a tax cut for existing businesses. For normal business activities involving growth and replacement of depreciated assets. Nebraska is not a wealthy state. We aren't. Our citizens are overtaxed as is. Any new economic development plan that uses any of our limited tax dollars-- and, yes, these are tax dollars that are being used-- must assure the public that every dollar used is maximized for new economic growth, not squandered on a normal growth of existing industries, not given to the lobby. This body has not had adequate time to vet the complicated language of this bill. We all need the interim to become knowledgeable on this bill. It only showed up in January and they had a hard time searching for-- the lobby did-- for somebody to sponsor it and Senator Kolterman stepped up. Because LB720 abates the taxes of a few businesses, it necessarily raises the taxes on the rest of Nebraska to provide the public services that this state needs. That's a fact. Somebody has to pay for the public

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services. And if you do-- if their claims are accurate that more people are here and more people are using our public services, somebody has to pay for that. LB720 is no pay for. It contrasts to the Revenue Committee's LB289 that through adequate funding for public schools will give property tax relief to all Nebraskans, not just the privileged few. The sponsors of LB720 need to come up with a plan to pay for their tax shift. Everybody who has brought property tax relief has been honest and has to pay for it. LB720 doesn't. I have heard many comments on LB289. It is too complicated, needs to be simpler. Has anybody really read LB720? Have you read it word for word? I would say it is more complicated than LB289, but many are already-- many of you are ready to vote for it? Why? I have heard LB289 needs to get all the stakeholders on board. Wait a second. Agriculture, the largest industry in Nebraska, is against LB720. Those who work for the largest government entity that uses tax dollars, the public school system employees, is against LB720. Those are stakeholders. Those of you who will vote for LB720, ask you why? The stakeholders are against it. They're not all on board. Maybe they would be if we did it over the interim and we all looked at it a little closer. We need property tax relief. We need to control government cost through limited government growth-- limiting government growth. We need income tax reform and we need economic development growth. We need comprehensive government reform. I agree with Senator Stinner. We need to work together on this. Well, let's do it, Senator Kolterman. LB720 needs to be part of a comprehensive package along with LB289. I'm voting no on LB720. It's not a crisis, folks. The sunset is another year. Anybody in the process who is applying now, if they get approved this year, they go through the full length of it of 10 or 15 years. We could easily do an emergency clause the first day of the session next year on a bill the first time we have hearings to extend the sunset date another year. There's no crisis here. Nobody is saying no to economic development. We just-- some of us want to do it right. I look forward in this interim to work with my fellow senators; hopefully the Governor joins in; some of the stakeholders, get their opinion but then tell them to leave the room.

FOLEY: One minute.

GROENE: This interim on comprehensive package of tax reform through fair funding of our public schools, a rebalancing of our tax structure, and promoting economic growth through tax policy. This year we have created the necessary ingredients, let's call it a cake, for a comprehensive cake of tax reform next year. This interim we need to stir them together. Next session we need to bake it into a final product. This is not a clean, good product, LB720. It needs vetting. It needs refinement. It is not-- you're going to burn the cake if you dump this on us now. Park it, interim we all get together. Senator-- there will be rumors about me and Senator Kolterman. We'll be hanging around too much, because we need to get together this interim and make one comprehensive bill, one comprehensive bill.

FOLEY: Time, Senator.

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GROENE: Thank you.

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

La GRONE: Thank you, Mr. President. I yield my time to Senator Kolterman.

FOLEY: Thank you, Senator La Grone. Senator Kolterman, five minutes.

KOLTERMAN: Thank you, Senator La Grone. I appreciate your hard work on this and appreciate you giving me a little bit of time. Well, Senator Groene, you haven't disappointed me. I knew you wouldn't get up and support the bill. I didn't expect that. But I do want to point out a couple of flaws in your logic. It would be unlike me not to do that, right? We-- you say that it hasn't been vetted. Well, it has been vetted. It's had the vetting of the Department of Revenue, Department of Labor, Department of Economic Development, PRO, the Governor's Office, and the committee has had a lot of time to look at it. This bill has been vetted. But the most important thing I want to point out to you is this. I've sat in front of economic developers that want to move to my community, and they understand that they can get some incentives. I'm not a fan of incentives myself, but the reality is every state in the Union has incentives. What's different about this bill that you seem to be discounting is we could wait another year. I don't disagree with that. But the reality is the reports that we got from Legislative Audit, the reports that we got from SRI all indicate to us that the program that's in place is costing us more money than it needs to cost us. We have a way to improve on our long-term costs by limiting things even by putting this base authority on it, the first amendment that we're talking about right now. We have the ability to create better paying jobs with this program, jobs that are going to keep our people off of the Medicaid rolls. They're going to give them health insurance benefits. They're going to give them a living wage of \$42,000 a year. So for people to say this isn't ready, a lot of research has gone into this. We spent all summer working on this bill. And I was privileged, feel very privileged to be asked to carry this bill. So to say that we aren't ready, it's just a fallacy. I do want to talk a little bit about the two amendments, the most recent amendments. Senator Vargas has an amendment that I hope we get to this afternoon. It's an amendment that deals with the makeup of a board of directors. I will tell you that I feel that both of these are friendly amendments, but that's up to the body to vote on. I'm not going to tell you how to vote on those. I think that we should support them. And this base authority, the financial rails that we're putting on here, caps, whatever you want to call them, I think that's a good amendment. And believe me, we worked hard and long on that especially in light of the fact that we have a system that is a pay-for-performance system. If you don't create the jobs, if you don't make the financial investment in this state, if you apply, you still get nothing. So you don't get your incentives until you create the jobs and until you pay the money that you say you're going to pay to put in brick and mortar. I've got some more questions I'd like to ask some people. We're going to get to those

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probably not too early yet before lunch. But after lunch, I'm going to be asking some more questions about what they do and why they do them. I'm trying to build a case for the fact that agriculture and businesses can coexist, cohabitate so to speak. And I think we're gonna-- we're gonna get there. But I appreciate that. Thank you, Mister.

FOLEY: Thank you, Senator Kolterman. Senator Lathrop.

LATHROP: Thank you, Mr. President and colleagues. I'm in support of the bill and the amendment before you, AM1975, offered by Senator Stinner. I wanted to take an opportunity to visit about the Stinner amendment and maybe make this observation. You'll remember on General File I asked you to trust this process, move the bill along, and allow Senator Kolterman an opportunity to address on Select File the concerns that were expressed on General File. That's been done with AM1975. I talked to a number of my colleagues, as did Senator Kolterman, of course, about the concerns they had on General File. There were a number of you that expressed primarily three concerns that I heard. Now you may have-- there's a variety of other concerns, but of those people who were interested in supporting this bill, there were three concerns that were expressed. One was the pooling of hours so that we have actual-- actual full-time employees and I think Senator Kolterman has addressed that. That's found in AM1975. There was also a question or an issue about benefits for these employees. That was another thing many of you wanted to see in the bill. That's also part of AM1975. There was also some concern about how is this-- what do we got to do to make sure this doesn't get away from us? Many of you said we need to see some caps on this so that it doesn't get away from us and we don't look back and go, oh, my God, we just created a monster that we cannot afford. AM1975 has a process in there. It provides for initial authority or base authority for this program. And then if it is-- if we go through that base authority in creating jobs through this process and the Department of Economic Development needs additional authority, there is a process. So we stop applications after \$125 million, they stop. They can't take another one or do another one without additional authority once they have been through that base authority. Then the process is director of Economic Development makes essentially an ask and a hearing is held by our Exec Board. Why was our Exec Board chosen to be the gatekeeper, if you will, for additional authority? It's important because-- and it is a logical place. It's where the university goes for their bonding authority so there is some precedence for this. It's also good because we take and populate that board with two members from each legislative district. Now when the Department of Economic Development, should they get to a place where they need additional authority, comes in and they say we need additional authority. We've done these projects. They'll have to show or establish to the satisfaction of the Exec Board, our colleagues, that by the way includes the Chair of Appropriations Committee as an ex officio, that's another reason it was chosen as the gatekeeper, if you will, for additional authority. They'll have to show what the history has been, what the projections are, what the costs are, and we have Appropriations Chair there to say, this is getting too rich. Cut it off. Shut it down. We can't afford this. Or go ahead. They're creating-- they're

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creating the jobs they said they would. This makes sense. Add additional authority. The Exec Board was also chosen because it's more nimble than trying to have--

FOLEY: One minute.

LATHROP: --the Appropriations Committee and this entire Legislature approve the additional authority. We rely on the Exec Board to do a lot of things in our absence. This is just one more that will be added to their responsibilities. I'm comfortable with them doing this, too, in terms of whether we can delegate that responsibility because this is not a hard cap. It is authority and they are-- they are and will be the gatekeeper for additional authority should this program be as successful as we hope it will be. Colleagues, I would encourage your support of AM1975. I appreciate Senator Kolterman in what I would call old school fashion, accommodating the concerns. I appreciate the willingness of this body to trust the process and move this bill to Select File where those concerns have been addressed, I believe, in AM1975. Thank you.

FOLEY: Thank you, Senator Lathrop. Senator Slama.

SLAMA: Thank you, Mr. President, and good morning, colleagues. I rise today opposed to the advancement of LB720. This isn't a position I have taken lightly. I appreciate the work that Senator Kolterman and countless others have put into this bill and understand the importance of having a competitive incentives program in Nebraska. I'm opposed to LB720's advancement this year for one simple reason. I refuse to prioritize corporate incentives over property tax relief. We still have another year to pass the Nebraska Advantage Act's replacement. Nebraska will not be closed for business if we fail to pass LB720 this year. There is still time to improve this bill in the interim to make sure that Nebraskans are getting the biggest bang for their buck in economic development. This bill in the last few days has been rushed and negotiations for LB720, which has been championed as more transparent than the Nebraska Advantage Act, has shifted in the last couple of days to some closed-door deals and special interests pulling senators from this floor to either sweeten the deal or threaten them. I didn't come here to curry favor for special interests. I came here to serve District 1 which has spoken loud and clear. Outrageously high property taxes are the biggest hurdle to economic development and the biggest threats to our main streets. I'm voting no on LB720 and would encourage each of you to consider if you're comfortable with being locked into this specific incentives program for the next decade. Perhaps your answer is yes, but mine is no. I want more time to work out the kinks of this program and to achieve sustainable long-term property tax relief. Thank you, Mr. President. And I'd like to yield my remaining time to Senator Morfeld.

FOLEY: Thank you, Senator Slama. Senator Morfeld, 2:45.

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MORFELD: Thank you, Mr. President. Senator Slama was right on track. She said she needed 2:15. So I'll take the remainder of the 2:45 to explain why I'm voting no. I've already done that. I've been principled in this position. I've not changed my position. It's very different than some of the reasons that Senator Slama said and Senator Groene and others have said. For the last five years, I've tried to work with my local Chamber and the State Chamber to get support for critical economic development needs and critical supports for people in my district, things like Medicaid expansion, things like minimum wage, things like paid family leave. And I've been patted on the back, patted on the head a little bit and told that these are noble causes, noble efforts, but they cannot be there with me. And in many cases they either oppose, actively oppose or in some cases they are neutral and actively oppose behind the scenes. I've got three more years left. I've got three more years left to pass substantive policy that will improve the economic well-being of my constituents in my district. In some cases, I have been able to go around the Legislature and enact the change that I think is necessary, the vision that I see for our state. I've learned now not to put that in statute but rather the constitution and to put deadlines and time lines and be much more specific. But we'll get to that in 2020. That being said, I have a lot of respect for Senator Kolterman. I have a lot of respect for Senator Stinner. I have a ton of respect for Senator Williams. I have a lot of respect for the other people and my colleagues that have worked hard on this like Senator Wishart. But there comes a time after five years of being told no or thank you very much, leave--

FOLEY: One minute.

MORFELD: --that you get to a point where people are not taking you seriously unless you act. So I'm acting today. I'm voting no, but I will tell you this: is if this bill fails today, I will be the first to sit down with leaders of the State Chamber and start talking seriously about economic development and how it's not just for businesses but it's also for individuals and that we need to prioritize both. They're interconnected and interrelated and they are not separate bills in my opinion because that's the only way that we're going to get those things done. Because if this truly is a race for how many people have incentives, then the last 15 years it has failed individual workers. Individual workers' salaries have not gone up. They-- quality of life has not overall increased and we need to have supports for them if this is a true race to how many people have incentives. Thank you, Mr. President.

FOLEY: Thank you, Senator Morfeld. Senator Brandt.

BRANDT: Thank you, Mr. Lieutenant Governor. And thank you, Senator Kolterman, for bringing LB720. Nebraska is fortunate and we're fortunate to be here today to discuss our state's economic development package, an event that only happens one time every ten years. LB720 replaces the wildly popular Nebraska Advantage Act, an Advantage Act that was hatched in

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better fiscal times, an Advantage Act that was supposed to cost \$25-60 million per year and will cost the state in excess of \$200 million annually starting in 2020 until 2027. This just goes to show that the most popular kid in the room may not be the smartest. We have an opportunity before us, a chance to stop LB720 today and take the interim to craft a true business incentive program that benefits all Nebraskans. LB720, known as the Nebraska ImagiNE Act, is a scaled down version of the current Nebraska Advantage Act. There have been 18 amendments filed to improve the ImagiNE Act and today we'll be doing good to hear one or two before time is up. I would offer this: Let us take the summer to listen to the entire spectrum of businesses across Nebraska to construct a fiscally sound, vibrant, and successful program, a program that includes the requested components of work force development, hard caps, and a shorter pay out time line; a program that allows small start-ups in Deshler, Friend, and Wilber to participate; a program that stops the brain drain of losing our best and brightest from rural communities; a program that goes from chasing elephants to enabling mice; a program that builds on the strengths of our women, minorities and youth working hard to start up new businesses or expand existing ones across this great state. There is no need to rush this legislation through today. The sunset date for the Nebraska Advantage Act is December 31, 2020. I believe that we should use the time given to us to build the best program possible, and we are not there today. I'm opposed today because we can do better. And if better shows up next January in the form of a program that Nebraskans will embrace, so will I. Colleagues, I urge you to vote red today and allow this legislation to be improved over the interim. With that, I yield the rest of my time to Senator Briese.

FOLEY: Thank you, Senator Brandt. Senator Briese, 2:20.

BRIESE: Thank you, Mr. President, and thank you for that, Senator Brandt. Several of us who weren't intending to do so on Wednesday changed our minds and voted to advance LB720 with the understanding that this would be a package deal. LB183 stalled; now LB720 has to stall. It's not about getting our way. It's not about spite, anger, frustration, or any of the above. We were sent here to work through our emotions. We were sent here to do what's right for Nebraska. And what I'm proposing is about coming together to do what's right for Nebraska. We need a package. Midwestern economy, Nebraska's economy in particular is driven by agriculture. As agriculture goes, so does Nebraska. But our producers have been dealing with devastating flooding, less than ideal spring weather, pathetic market prices, and pathetic margins. In the face of that reality, our ag producers are burned by the third highest property taxes in the country, an unreasonable reliance on property taxes that is driving ag producers out of business. You're not going to have a vibrant Nebraska economy if you don't have a vibrant ag economy. At the same time, our residential property owners have the fourth highest taxes in the country. Property taxes can comprise 30 to 40 percent of a house payment, can drive young couples out of the market, discourage migration to our state. Out of control property taxes are choking off economic growth in Nebraska. And while at least two legislative proposals for significant property tax-- tax relief in Nebraska stalled this year, we're talking about advancing a bill for corporate giveaways. In a

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state like Nebraska, that's an irresponsible reversal of priorities. It's something that I won't be part of. A rising tide lifts all boats. It must lift all boats. So if we're talking about corporate subsidies masked as incentives, we almost-- also must be addressing our property tax crisis. That's why I've said several times in the last week it has to be a package deal. We let LB720 advance Wednesday with the understanding that LB720 and LB183 would be tied together. Obviously LB183 faltered. Before that, LB289 faltered. It tells me--

FOLEY: Time, Senator. Time.

BRIESE: Thank you, Mr. President.

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

CLERK: Thank you, Mr. President. Enrollment and Review reports LB436 as correctly engrossed. The Business and Labor Committee will have an Executive Session at noon in Room 2022; Business and Labor at noon in 2022. Mr. President, Senator Kolowski would move to recess the body until 1:00 p.m.; 1:00 p.m.

FOLEY: Motion is to recess till 1:00 p.m. Those in favor say aye. Those opposed say nay. We are in recess till 1:00 p.m.

RECESS

FOLEY: Good afternoon, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber. The afternoon session is about to reconvene. Senators, please record your presence. Roll call. Mr. Clerk, please record.

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

FOLEY: Thank you, Mr. Clerk. Do you have any items for the record?

CLERK: Just one. Bill read on Final Reading this morning was presented to the Governor at 12:15 (re LB533). That's all that I have.

FOLEY: Thank you, Mr. Clerk. Members, we're going to start right where we left off. Senator Wishart.

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WISHART: Thank you, Mr. President. I rise in support of AM1975 and the underlying bill. Colleagues, I don't know how many of you know that I served on the Airport Authority Board. Yes, Lincoln has an airport, and it's run by a five-member board. And I served on that from six years-- for six years, from the time I was 26 till I got elected into the Legislature. And one of the things I'm the most proud of is that we had the ability, as an Airport Authority to levy a property tax, but we never had to. And the reason we didn't have to is because we had an Industrial Park at the airport where we were able to incentivize and attract businesses to come and build, Kawasaki, for example, Hexagon, and the revenues off of those businesses and the-- the property taxes that they paid and the rent that they paid to us allowed us to be able to run our airport without having to levy property taxes. Colleagues, this is what we are talking about today. We are talking about growing our economy, incentivizing business development so that we broaden our base and we can lower property taxes on everybody. The other thing I want to say is that I have gotten to know all of you in this room. There are enough capable people who care enough about property taxes that you could have got something done this year. You could have. You could have gotten something done. I wonder if we were in charge of building the highway system in this Legislature whether we would have been able to get that done. It takes collaboration and it takes vision. And I really admire Senator Kolterman for his vision on LB720. With that, I'll yield my time to him.

FOLEY: Thank you, Senator Wishart. Senator Kolterman, three minutes.

KOLTERMAN: Thank you, Senator Wishart. I really appreciate that. And I appreciate your support on this. I think-- I haven't talked-- I want to continue some of the dialogue that I've had, because what people in this body don't really understand is what it takes to be a farmer and where-- you know, why it's so cost-- how it's so expensive. But I would like to talk about the fact that the farmers have some real challenges from the perspective of their input costs are expensive. I mean fuel has gone up. The prices of equipment has gone up. We have seed corn that's at an all-time high, when you buy a bag of seed corn. Fertilizer, and then probably one of the most expensive items on their inputs is property taxes. I was wondering if Senator Dorn would answer a few questions for me.

FOLEY: Senator Groene, would you yield, please?

KOLTERMAN: Yes.

DORN: Yes, I'd be glad to.

KOLTERMAN: Senator Dorn, I have that smile back.

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DORN: Yes.

KOLTERMAN: A question for you is you have a lot-- you pay for a lot of inputs when you put-- just to put your crop in the ground.

DORN: Correct.

KOLTERMAN: What's-- what's one of the-- what are the two most-expensive items?

DORN: Fertilizer and seed.

KOLTERMAN: Where-- where does property taxes fit in?

DORN: A close third.

KOLTERMAN: And as a result of putting that crop in the ground, do you have any guarantees that you're going to get anything out of it?

DORN: You have no guarantee. You have no guarantee on what crop-- you can take out crop insurance, which eventually would cover some of it. You have no guarantee you're going to get a crop. You have no guarantee other than you can hedge it out on the board, guaranteeing what your price is.

KOLTERMAN: Do you have any irrigated land?

DORN: Yes, we do.

KOLTERMAN: Let me ask you this question, because part of the reason that our-- our-- our rural property taxes have gone up so much is because of-- the value of the land has gone up so much. So why is it when, let's say you have 80 acres and it's got a pivot on it. We see a lot of that. If an 80 came-- came up next to a pivot that you owned, it had only 80 acres, would you be bidding on that second 80?

DORN: Generally, most farmers would, because property, ag land property on average in the state of Nebraska exchanges hands once every 50-plus years.

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KOLTERMAN: So it's just-- it's an opportunity that most farmers can't pass up--

DORN: They-- they--

KOLTERMAN: --if they're in that situation. Is that correct?

DORN: If they're in that situation, yes.

KOLTERMAN: What would a-- what would a acre of land sell for in your area irrigated?

DORN: Irrigated in our area is somewhere around seven to eight thousand dollars.

KOLTERMAN: Have you seen it any higher than that?

DORN: Not in the last few years. About five years ago, yes, we were going \$10,000 an acre.

KOLTERMAN: Yeah. And in my district, I think we had a farm that sold for \$16,000 an acre.

FOLEY: That's time, Senators. Thank you, Senator Kolterman, Senator Dorn. Senator Friesen.

FRIESEN: Thank you, Mr. President. Senator Williams yield to a question?

FOLEY: Senator Williams, would you yield, please?

WILLIAMS: Yes, I would.

FRIESEN: Senator Williams, how many years have I been working on the property tax issue?

WILLIAMS: Since I've known you and since you've been part of this body, so that's five. This is our fifth session together.

FRIESEN: OK. Who carried the biggest bill that's probably been ever done to the Imagine Act or the Advantage Act in the last five years?

WILLIAMS: I'm not sure, Senator Friesen, which bill you're talking about.

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FRIESEN: The bill to extend some dates so we can take credits in the Advantage Act.

WILLIAMS: I think you did that.

FRIESEN: That's right. I did that. I'm a farmer. I support business when it makes sense. I carried that bill because it made sense. The rest of this doesn't yet. I look at what we're doing and we have-- we've gone from a 37-year history of 4.8 percent growth. Now we've got a five-year-- a three-year average, I guess, of 3.8 percent. And those figures include the Wayfair decision. So take that away, it's even less. We're drifting lower on our revenue supply. That's what I'm talking about. I'm not-- you want to talk about if I'm cutting my nose off to spite my face because LB183 lost? That's so far from the truth. I look at this bill on its own, but what it does to our future in all the programs we've all talked about. I talk about property tax. Senator Morfeld talks about Medicaid expansion. We've all got things that we want to do in the future. And we're giving away revenue to where there will be none. The Governor came forward with a 3.2 percent budget increase this year. And if our revenue growth is at 3.5, that doesn't leave a lot of money to increase any other programs or do anything with property tax relief. And I've been told I can't raise the sales tax, I can't raise income tax. So the only avenue I have to do things is through revenue growth, just like the rest of you. And I have to make my case, just like everyone else, that I'm first in line for it. When we look at the results of what we've accomplished over these last years, ever since LB775 was created, we have forgone-- and by the time this is finished, it will be over a billion and a half dollars of revenue we've forgone, and our revenue is in a decline because agriculture is in a decline. And agriculture is in decline because commodity prices dropped just like I knew they would. They would never stay at the \$8 range or the \$6 range or the \$5 range. I've been through these cycles for over 40 years. Our land prices far exceeded everyone's expectations and now we're paying the price for it and no one is willing to address it. They didn't want to change TEEOSA. They didn't want to do this. They didn't want to do that. The chamber has blocked us on every opportunity we've had for meaningful property tax relief. And now I'm looking for revenue and we're giving it away, and we're giving it away in a program that has not shown that has brought us any new businesses. It's brought a handful. We've had expansions in this state that I think 90 percent of it would have occurred regardless. We've handed out money like candy. We have given--

FOLEY: One minute.

FRIESEN: --back property taxes that they've paid. In this program here, they don't have to build anything in Nebraska they can rent a building, and we'll even give them credit for that in the Advantage Act, in the new ImagiNE Act. They don't have to build anything. They can apply their cost of rent. And so when their rent contract is up they can leave. Who cares? Businesses that I've met with talk about people, educated work force, who are willing to work. That is our

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reputation. And then they'll look at our resources and numerous other things, and I've not had one of them mention to me an incentive package. Yes, I'm sure if we're tied with another state it's important. And I think we should design something that in those cases we can offer something, but not just to everybody that wants to add some jobs. This does nothing for rural Nebraska. You talk about 47 percent of the projects occurred out there. Yeah, the little jobs, the little things. But the majority of dollars in the Advantage Act--

FOLEY: That's time, Senator.

FRIESEN: --ended up in the east.

FOLEY: That's time.

FRIESEN: Thank you, Mr. President.

FOLEY: Thank you, Senator Friesen. Senator Bolz.

BOLZ: Thank you, Mr. President. I do stand in support of AM1975, and I want to put some items on the record. I think we have learned in this debate that the record that you build in terms of intent for an initiative such as this is very important and does matter in future deliberations. So I want to put a few comments to articulate what I understand our shared intent to be in AM1795, and one of the first things that I want to talk about is the establishment of the base authority and how important that is to try to address volatility in our state budget. As I said before, under LB775 and Nebraska Advantage in 2015, revenue reductions were \$153 million in 2015, grew to \$270 million in 2016, and fell to \$162 million in 2017. We must have a way to foresee, manage, provide oversight, and control for volatility and expenditures in this program just like every other program in our state. And so I want to talk a little bit about the language that has been included in AM1975, again, for the record. The section articulates, as has already been laid out, that the Department of Economic Development will provide projections of the credits and refunds that will be used in future years, and at which point it reaches \$125 million no new applications will be-- be approved. And I do want to clarify my understanding of that a little bit. The language itself says the director shall not approve any additional applications under the ImagiNE Act that would include refunds or credits in a calendar year in which the base authority is projected to be exceeded, unless the director requests additional authority from the Executive Board and the Executive Board approves such request. As I interpret that language, any additional applications include those who have existing projects under ImagiNE Nebraska. The application applies to the credit, not the company. In other words, it's an application for more authority. We're not talking about just turning off the access for new applications for new businesses or new people coming in the door. We're talking about applications for new credits. To me, this language

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applies to both sets of circumstances. So I want to put that on the record to be clear. I also want to put on the record that I think the intent in the conversations that we've had in putting this language together is that the full-time jobs should be Nebraska jobs. Our goal here is to help our state. And if there needs to be more clarification in the future, should this bill pass today, to-- to put a finer point on that, I would hope that this body would do that because I do think that the legislative intent is that we are focused on Nebraska jobs, not out-of-state jobs. The next thing I want to put on the record in terms of legislative intent, in terms of AM1975, is the direction that I expect future Executive Boards to go if such a request for additional base authority is brought forward. The language in the amendment does talk about approving that authority only if they have sufficient, have sufficiently vetted the information from the Economic Development Department to say that the additional authority will attract high-wage and high-impact businesses, will promote investment in distressed areas, will result in businesses which would not otherwise remain, grow, or move to Nebraska. And so I do expect future Executive Boards to work through this criteria. The other thing that I want to clarify in this section is that the Executive Board may request additional information or materials that are not confidential or proprietary from the Department of Economic Development,--

FOLEY: One minute.

BOLZ: --the Department of Revenue, or the Department of Labor. My perspective is that the Executive Board should be looking at the full context of the state budget and should be asking for relevant information from the Department of Revenue and Department of Labor and the Fiscal Office and anything else that puts these requests in the full context of the state budget. In other words, it shouldn't just be about whether or not these tax incentives add value. It should also be about information that is gathered to put these requests in the context of the state budget overall. The last thing I want to say, I hope I have time to wrap it up here, is I don't think it's appropriate to use Cash Reserve funds for businesses, not incentive purposes. I don't think that's a good use of our Cash Reserve. That is why this language is changed in AM1975. I think that's a bad precedent to set. We should use the Cash Reserve only to balance the budget and occasionally to invest in a statewide capital project. So as quickly as I could do it, those were the items that I wanted to make sure we built a record upon in terms of 18-- in terms of AM1975, and I do hope you all support the Stinner amendment. Thank you, Mr. President.

FOLEY: Thank you, Senator Bolz. Senator Briese.

BRIESE: Thank you, Mr. President. Good afternoon, colleagues. I had a proposal that I reiterated several times to move LB720 and LB183 together for the good of the state, and we can benefit all, all Nebraskans. I expressed it several times. The Speaker reiterated a concern that we need to work together. He said that on the floor the other day. I appreciate his leadership in that

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regard. I changed my vote on LB720 Wednesday, with the assumption that enough would reciprocate to keep LB183 together and the package together. Well, it was a bad call on my part. And here we are again. But for now, let's talk LB720. You know, it's our obligation to ensure that tax expenditures, forgone tax revenue, tax dollars are a good investment for our state. Does the benefit to the state and our residents outweigh what it costs the state? The real question is, when it comes to incentives or credits, are we rewarding corporations and businesses that are going to expand anyway, even without those incentives? Does the incentive actually cause the expansion? So it's a question of causation. In other words, but for the credit, would the investment or job creation have occurred? Sounds like a TIF discussion. But causation is difficult to ascertain, and this difficulty makes me a skeptic any time we're talking about tax incentives. And I've seen academic literature suggesting 75 percent of business incentives don't actually cause the desired conduct to occur and my skepticism towards these incentives is reinforced by testimony heard at the hearing on LB720. I asked someone from the Department of Economic Development whether these tax expenditures under the Advantage, ImagiNE Act, TIF or anything else actually cause business growth, and how do we assure ourselves of that with this new plan? His answer was, among other things, I don't think that there's any way that any one of us can understand the full intent of a company and why they make the decisions they make; adding, "that's a difficult question to answer." Asked this individual relative to jobs created, investment generated, economic growth generated due to the Advantage Act and predicting what a-- what the ImagiNE Act can do, I asked, some of those numbers reflect increased economic activity that would have occurred anyway, correct? And his response was, yeah, I think it's fair to say that; that certainly there's-- there is likely activity that received an incentive that would have occurred without that incentive. None of that was very reassuring to me. So the proponents of these types of proposals always like to talk about how many jobs were created, how much investment was generated by the incentives. But in making those statements, they're assuming causation. They're assuming that the program or incentive actually caused the investment or employment to occur. And when we're talking about hundreds of millions of dollars, or in the billions, the forgone revenue over the life of this bill, I'm reluctant to make that assumption. And I also asked, you know, otherwise, what's the need for this incentive? You know, it can be argued that it simply masks a larger concern, and that is our tax burden in Nebraska. We're a fairly high-tax state. A chamber representative at the hearing suggested as much, saying incentives are a Band-Aid for higher taxes. So maybe our approach ought to be let Advantage Act sunset and as the credits expire use those additional revenues, the revenue gains, to buy down the corporate rate, individual rate, or even for property tax relief. So what do we have here? LB183 faltered. Before that LB289 was held up. And what does that tell me? It tells me that maybe we don't have the right package here. It's something we need to continue to work on. So during--

FOLEY: One minute.

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BRIESE: --the interim-- thank you, Mr. President-- we will continue to work on the package, one where both aspects of it, property tax relief and business incentives, can cross the finish line. And so relative to property tax relief, is it a modified LB289 approach? Is it a modified LB183 approach? Senator Friesen had a bill. Senator Crawford had a bill. I had LB314. Last year Just-- Senator Wayne had a bill. There's probably some I'm leaving out. But we will work together for positive change, as Senator Williams suggested, and until we can develop the right combination, LB720 has to stay put, has to stall. Thank you, Mr. President.

FOLEY: Thank you, Senator Briese. Senator Hilgers.

HILGERS: Thank you, Mr. President. I yield my time to Senator Williams.

FOLEY: Thank you, Senator Hilgers. Senator Williams, five minutes.

WILLIAMS: Thank you, Mr. President. And thank you, Senator Hilgers. And I appreciate all the debate we're having today. And I would like to congratulate Senator Friesen for your commitment over all these years for property tax and other things. And that if I had ever indicated that you were only focused on that, I would apologize for that, because you have been a strong believer in other things. And that's what brings me to speak on this right now, because priorities are what cause all of us to be here, and we think about those. And every one of us comes with a set of priorities that we believe in, that we're willing to fight for. What I get concerned about, at times, is when those priorities become so narrow, they don't allow us to help and assist other people to meet their priorities, even though their priorities may not conflict with our priorities. I'm a firm believer that we need to continue offering communities the proper tools to have in the toolbox to grow. Not every community will use those tools, but some will. And we've seen how that's worked in certain communities. And we have to maintain an open-for-business philosophy in our state. Businesses that are making decisions, just like agriculture when you're making decisions, make them in advance, ahead of time, and having certainty in your future is part of being able to make decisions. It's tough right now in agriculture. Part of it's the trade issues that bring another level of uncertainty to the situation, deciding what crops to plant, deciding if you can get your crops planted with the weather we've had this year, which has caused significant problems. We're faced with uncertainty right now because of the sunset, and I have heard today on the microphone talk about, well, let's just-- we've got time because of that sunset. And I find it interesting that those comments were made, and yet that same senator introduced legislation to cut that sunset back a year. That-- that is-- makes no sense to me. I've also heard on the microphone this week a comment that we should just try not having incentives at all and just wait and see what happens if we do that. I'm not willing to take that kind of a risk. I think that is too big a risk for this state to take. I would suggest to you that that is like the old Will Rogers comment that he said, if you don't like life insurance, you should try dying once

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without it. We don't get a second chance at the end of this. If we go down the track of taking us in the tank, we don't get that second chance. I've also watched very interestingly how votes have gone this year. And I would suggest, especially for our newer senators, that votes accumulate over a period of time. How you vote and whether you vote makes a difference. I find it interesting, for instance, this week on the discussions on LB289 we had people on the microphone talking about property tax relief and yet they weren't on the list of people that would vote for cloture--

FOLEY: One minute.

WILLIAMS: --on LB289. Thank you, Mr. President. We did have a vote yesterday, as Senator Briese talked about, on LB183. There were at least five rural senators who did not weigh in, in support, yet they claimed to say they support property tax relief. I don't get it. You are what you are and we are what we are. This is a serious issue. We're talking about the future of our state, a major policy decision. I suggest now is the time for us to continue supporting LB720. Senator Kolterman has brought lots of ideas and many people to this table, but it takes more to get across the finish line. With that, I appreciate your support. Thank you, Mr. President.

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

M. HANSEN: Thank you, Mr. President. Good afternoon, colleagues. I rise in support of Senator Stinner's AM1975. I'm appreciative of him bringing it and for all the conversation Senator Stinner, Senator Kolterman, and others have been willing to have with people like-- such as myself, who had concerns with the bill as it originally was introduced and the committee amendment. There's one issue that I wanted to just make very clear on the record, because it was an issue that was important to me, and we've worked out and I think the Senator Stinner amendment is the final piece of it. Throughout the different benefit schedule there, we've had this discussion about the number of jobs created as measured as full-time equivalents. And that led to concern that that would allow pooling of multiple part-time jobs. And we've all agreed that that's not actually what we wanted to incentivize. We wanted to incentivize full-time jobs. And so the question was, how do we track that, especially how do we track that in instances where there might be turnover or a vacancy or something, where the position is there but it is not necessarily being filled 365 days a year, but not for fault of the employer. It is created just with the general turnover of a business. How do you measure that and compare? And so the solution we came up, and the new-- there's some new language in the Senator Stinner amendment to 100 percent clarify this in my mind, is that there is a still a pool of hours, of FTE hours, that an organization will have to hit in order to count and calculate the number of jobs. And it is my understanding that is some, on the state side, just the methods we have chosen to calculate hours, we still want to do just total hours worked. The caveat there is that the only hours that can go into that pool of

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total hours worked have to come from full-time employees as defined by the 4980H of the Internal Revenue Code of 1986, which is the federal definition for a full-time employee under the Affordable Care Act, and that is a 30-hour standard. So you'll still have this pool of hours that you'll have to hit in order to qualify for auditing purposes, but the only hours that can go into that pool are from people who are genuinely full-time employees as we've defined them under federal law. So that's how that mechanism works. And with the updated language in Senator Stinner's amendment, that has eased my concerns and I believe that is actually how it will work in practice. So just-- that was something that was very important to me. Obviously, with incentive packets, it's incentivizing certain behavior, and we as the Legislature get to pick what behavior you want to incentivize. And for me, making sure they were full-time jobs with health insurance was a very important part. I think we have achieved that to both be something that works in practice and our legislative intent is very clear on that aspect. With that, Mr. President, if I have any time left, I'll yield it to Senator Kolterman.

FOLEY: Thank you, Senator Hansen. Senator Kolterman, two minutes.

KOLTERMAN: Thank you very much, Senator Hansen. I'm glad we could work out the details of your bill or your amendment and Senator Stinner's amendment. I was wondering if Senator Moser could yield to a question.

FOLEY: Senator Moser, would you yield, please?

KOLTERMAN: Senator Moser, you were mayor of Columbus. You-- you've had mixed emotions about this bill. We've talked about that. Would you talk a little bit about the Advantage Act and LB775 and what that's meant to Columbus, Nebraska, and-- and why it's-- why it is important?

MOSER: Well, yeah, you're correct about having some mixed emotions. But I have to support LB720 because it's been really important to the development of Columbus and to companies in District 22. There was an article in the World-Herald here about, I don't know, seven or eight years ago now, about growth of population in Nebraska and how some areas are declining in population and some areas are growing.

FOLEY: One minute.

MOSER: And other than the counties along the interstate, in Omaha and Lincoln, most the other counties are losing population. And the two counties outstate that were gaining population were Madison County, which has a lot of projects, and Platte County, which has the most projects per capita of any county in Nebraska.

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KOLTERMAN: Thank you. And when we talk about most projects, so some of the companies that you're talking about are like ADM and Becton Dickinson and some of those. Are they huge employers in your community, and has-- has-- has their growth made a difference?

MOSER: Well, BD is probably the biggest employer in Columbus. I think they have around almost 2,000 employees. They have plants all over the world. They could produce-- they make syringes primarily and needles, and they could produce these anywhere. They have plants in Europe. They have plants in other countries, in South America--

FOLEY: That's time, Senators. Thank you, Senator Kolterman and Senator Moser. Senator McDonnell.

McDONNELL: I call the question.

FOLEY: Members, the question has been called. Just as a point of reference, we've been on AM1975 for about an hour and a half. Whether you call the question or not, the speaking queue will remain intact. Do I see five hands to call the question? I do. The question is, shall debate cease? Those in favor of ceasing debate vote aye; those opposed vote nay. There's been a request to place the house under call. The question is, shall the house go under call? Those in favor vote aye; those opposed vote nay. Record, please.

CLERK: 24 ayes, 5 nays to place the house under call.

FOLEY: House is under call. All senators please return to your desks and check in. The house is under call. Please check in. Unauthorized personnel please leave the floor. The house is under call. All senators please return to your desk and check in. Senator Stinner, I think you had about 20 votes or so on the board. Would accept check-in votes to expedite things? Senator Stinner? Yes. Senator McDonnell, would you accept those check-in votes as well? Thank you. Check-in votes, excuse me, call-in votes will be accepted.

CLERK: Senator Howard voting yes. Senator Geist voting yes. Senator Scheer voting yes. Senator Hilgers voting yes. Senator Matt Hansen voting yes. Senator Blood voting yes. Senator, I can't-- Senator Geist, I thought I got you, didn't I? I'm sorry, that's my mistake. Thank you. Senator Geist voting yes. Senator Vargas voting yes.

FOLEY: Record, please.

CLERK: 26 ayes, 8 nays to cease debate.

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FOLEY: Question has been called. Senator Stinner, you're recognized to close on AM1975.

STINNER: Thank you, Mr. President. Just a reminder, this is a vote on AM1975, the amendment. There are some other amendments. We'd like to get up and discuss those. But let me remind you that AM1975 is a collaboration between a few of us in the Chamber that-- that had concerns about making sure that we had some fiscal guardrails around the program, to make sure that it was-- it had the fiscal integrity and the checks and balances that we need to have. So this is a collaborative effort. Chamber did not want caps, I can tell you that. We-- we talked about making sure that we were competitive, so the caps had to be high enough to keep us competitive with the Iowas, Missouris, and people we're competing against and still have that check and balance that we need to have, that safety-- that safety net that we need to have that says, hey, when we hit a certain point, a certain threshold, we need to take a look. We need to look at where we're at financially within our state. We need to take a look at the financial integrity of this state. We need to take a look at the trajectory of what these benefits look like so that we can-- we can reach some really sound decisions and keep some integrity within this program. That's what it's about. Exec Board was selected as the body that would do this. I think that's the appropriate body. We also talked about, as we move forward, to make sure proportionality was kept, so if the state does grow its revenue stream, 3 percent of total revenue is the next cap level, and then that goes out for-- for a ten-year period of time when it-- when it sunsets, with a three-year look in each time. So I think it's good-- good amendment. I think it's prudent that we have it in place. I think it's fiscally responsible. So I would encourage a green vote on AM1975. Thank you.

FOLEY: Thank you, Senator Stinner. Question for the body is the adoption of AM1975. Those in favor vote aye; those opposed vote nay. Have you all voted who care to? Record, please.

CLERK: 32 ayes, 12 nays on the adoption of Senator Stinner's amendment.

FOLEY: AM1975 is adopted. I raise the call. Continuing, oh, excuse me. Mr. Clerk.

CLERK: Mr. President, the next amendment I have is Senator Vargas, AM1885.

FOLEY: Senator Vargas, you're recognized to open on AM1885.

VARGAS: Good morning, colleagues. I'm happy to introduce AM1885. This is a-- well, actually, I'm going to take a second. I want to recognize that the amendment that we just passed was as a result of a lot of conversations over the course of the day. As a member of the Appropriations Committee, and Senator Stinner said this as well, I ultimately want to make sure that we have some fiscal foresight and some way to make sure we are measured about the ways that we are

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approving some of these forecasted incentives, and-- and making sure we are-- we're thinking about it thoughtfully, and that the Legislature has-- has a say in that. So I-- I appreciate that we-- we are able to-- to move forward with that amendment. It's important. It was as a result of a lot of conversations over the course of the day. So I do want to thank Senator Kolterman and all the other individuals that were involved: Senator Stinner, Senator Lathrop, Senator McDonnell, Senator Bolz, Senator Hansen, and others. So that being said, this is a different amendment. AM1885 is lovingly referred to as the GIRL Act, is the Gender Inclusivity Recognition of Leadership Act. Now I think this is an apt name, and the reason why it is, is because AM1885 provides an additional incentive for those corporations whose boards, whose corporate boards, are at least 50 percent women or more. Now several of you have mentioned if we're going to have an incentive program it should be one that incentivizes the kind of businesses that we want to see operate in Nebraska. Now in 2019, I would hope we can agree that we want more businesses that promote gender balance and equity in our state. It's also one of the stated goals of the Nebraska Advantage Act and the ImagiNE Act to create and retain new high-quality jobs in Nebraska. In my opinion, high-quality jobs are ones that recognize women are a significant portion of Nebraska's work force and provide pay and employment equity for women, including equity in leadership. In 2017, less than a third of global boards had at least three women. In fact, a quick look at some of the major publicly traded companies operating in Nebraska show that many have less than three women. Now this failure, adequately include women in the boardroom not only hampers opportunities for women in leadership roles but also negatively impacts success of companies. Numerous studies, numerous, have shown that when there are more women in the boardroom, these companies experience a better return on equity, more innovative ideas, a stronger focus on research development, and better economic development. This body understands the important role that tax incentives play in addressing persistent economic problems, however, our state has failed to address the economic problems that are included in wage disparities and the lack of women in leadership roles. We have a unique opportunity to use the ImagiNE Nebraska Act to then make sure that we are having some level of corporate board gender balanced to provide leadership. And, in turn, these companies will provide better business to our state, help to close our wage gap, and encourage innovation. If any of you have run a business or sat on a board, it is my hope that you understand that having experience with more diverse boards lowers volatility, better performance, and promotes varying perspectives that enhance both the mission and the vision of the board. I look forward to working with the body as we seek to provide equity in our state and the companies that operate inside. And I am happy to answer any questions you may have. The only thing I'll say is this is sort of a unique way of doing something that's been done in other states, but in other states they've done it in a very closed way where they've required that all companies that are publicly traded to have a gender-balanced board. We are not mandating that somebody have a specific board makeup. We are saying that you would get additional incentive, very similar to the B Corp, Benefit Corp that Senator Wishart mentioned in hers. And I think this is a very pragmatic way about going and

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doing it, and I think it's going to be a good step forward for providing some more gender balance on boards. Thank you very much.

FOLEY: Thank you, Senator Vargas. (Visitors introduced.) Continuing debate. Senator Bostelman.

BOSTELMAN: First, I want to say is, I think this is getting railroaded through and I don't appreciate it. I did not get to speak on the last amendment. It was not full and fair debate. I hope it doesn't happen again. So we're talking about \$125 million to start with. They called it a-- a base. It's not a cap; it's a start. We go up from there. Really? We want to give money to-- we don't want to give money to farmers, but you know what? If you give it to people in rural communities, if you give them money, they spend it. It comes back into the community and it rolls in that community several times. So we don't want to give any incentives in-- in LB720, in AM1198. Who is not-- who does not constitute a qualified location? Agriculture, transportation and warehousing, information, utilities, mining, public administration, construction. You're out. Don't have a-- don't have a shot. So if you're not big enough in the farming in the world, ranching in the world, you get no money. But we're going to have the big processors come in and that's fine, or someone wants to come in and buy a whole bunch of ground, whatever it might be, that's fine. We'll-- we'll give them lots of money. What I don't like about the bill is that we're giving money to companies, to corporations, that are already getting millions and millions of dollars from the federal government and we're turning around and giving them millions of dollars from the state government, and then the money we give them is less than what they've paid in taxes to the state. So we don't get any benefit out of it. That needs to be fixed. We talk-- earlier I think Senator Stinner was talking about Wyoming, about building businesses for them. Well, you know what? Wyoming has coal. Wyoming has tourism. South Dakota, North Dakota, Colorado, they have mining. That fuels their economy. Agriculture fuels our economy. Senator Kolterman talked about reelection threats. He's right. They're out there. People in the-- people at home need to understand what's going on out there in the lobby. People at home need to understand what's going on, on phone calls or meetings that people are being told, you better or else. And that's going on all sides. We've been told that no way in the world will we get property tax relief by one of the major components in the state. They've said that. That was said before the last vote on LB720 and LB183 was taken. That's wrong. No one here in this body thinks that there shouldn't be some type of a package goes together for corporate. I don't think anyone here would say that's something that we don't want. But we do not have to be one of the top ten in the nation on giving money away, billion dollars away, when we have our largest industry in this state collapsing, burdened by taxes, burdened by prices. If you want to go outside of Lincoln and Omaha, and, oh, by the way, I think if you go to Memorial Stadium on a game day and you survey the people in that, in that stadium, they're not all from Lincoln. They're from outstate. They're from Gordon. They're from McCook. They're from Bruno. They all come to Lincoln to spend money. Today, the Big Ten Baseball Championship is going on in Omaha.

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FOLEY: One minute.

BOSTELMAN: Where are those people from? Are they all from Omaha? No. So it's not true, it's a false narrative saying that the only people that get any benefit from what we were talking about in LB183, everybody who pays in is just from Lincoln and Omaha, it's wrong. Everybody does. It affects everybody. It bothers me that we're picking and choosing what industries and who can come to the state and who can't come to the state. We don't put caps on to make it realistic. We want to give hundreds of millions of dollars away to companies that leave the state, to companies that have zero full-time employees after they've gotten millions from the Nebraska Advantage, and that's by the Nebraska Department of Labor. That's what they say; it's not what I say. It's facts! So we need to be very careful--

FOLEY: That's time.

BOSTELMAN: --with the next incentive.

FOLEY: That's time, Senator.

BOSTELMAN: Thank you.

FOLEY: Thank you, Senator Bostelman. Senator Vargas.

VARGAS: Thank you very much. Some debate today. OK, so I'm going to try to respond to the general conversation we're having. I've been on the mike before and I've said I think there's a need to have business incentives. Do I think that every single one of these, specifically Nebraska Advantage Act, is perfect? No, I don't think any of our bills are necessarily that perfect. I understand the debate that we're having between property taxes and-- and this package. I think the first thing that we've-- we've heard here is that-- my hope is that we're not connecting the two. I am confident that at some point between now and the beginning of January of next year there's going to be a bigger conversation with more people involved in the room in the beginning to then figure out a solution for property taxes. Senator Wayne has talked about that several, several times. So I'm confident it's going to happen. I'm also confident that, if this passes, we'll be able to, with the amendments and the things that have been brought on and added already, that this is going to be something that we can then utilize, and then, if need be, we also have the ability as a body to then make changes to it as it's in-- as it's happening. I know sometimes there's this wait-and-see approach to every piece of legislation, and I-- I've been there before. I've had some bills where I really wanted to say let's get the whole package out, let's make sure it's 100 percent right. And then I've conceded, through negotiations, to get to a place where it's about

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40 percent in a place that I think then can work. And then we move forward on it. And the next year, when I think that something's not working or in two years it's not working, we come back and we fix it or we make it better. Maybe there's not a way to fix it. There is time to then continue to improve on this, I know, so hopefully we're not putting ourselves in camps saying either this is going to move forward as is and that's bad for Nebraska, or there's a way we can move it forward and then figure out a way to monitor it, improve it as needed if we do need to over time. And we're still going to be here, especially newer senators, for the next four to-- four to eight years to then figure out what do we need to change and improve. I am confident of that. We do that all the time. I know this is something we're signing on to that is going to be-- live beyond many of us, but we're here to then work on and fix it. I do have a little bit of confidence we can work on that. So hopefully it's not-- I don't really believe in binary. I know we're binary in that we vote yes or no, but not binary in whether or not LB720, underlying bill, is either bad or good. That doesn't-- that doesn't really help anybody. So I just-- I wanted to say that because I know we're going to continue this conversation about the underlying bill, LB720, and whether or not it's the right thing, whether or not there are bigger priorities, whether or not individuals from different areas have different priorities, which is OK. It's OK. We come from different places. We represent very diverse constituencies. It is OK if we disagree on what may be a priority. Hopefully, and we've heard this today, we're not holding it against anybody. I know for myself, I don't hear a lot about property taxes in my district. That doesn't mean it's not important to me. I probably hear a lot about tax incentives from my district. I have a lot of businesses in my district. I haven't been on board throughout this entire process on tax incentives. I was one of the people in the room trying to negotiate for some more foresight and-- and-- and some more measured way of restraint. But I'm trying to figure out how can we get somewhere with this? And if it passes, great. If it doesn't, we'll come back to the drawing board next year. But based on what we just passed--

FOLEY: One minute.

VARGAS: --in the last amendment, I think that that's something that was a really positive step in the right direction. I just don't want that to go to the wayside. And the only thing I'll say about this amendment is it represents a bill that was heard in Revenue. The original bill in Revenue had no opponents, and the original bill has been amended away from it being a requirement for anybody applying to it being an additional incentive piece. So with that, I ask you to support AM1885. And I am more supportive of amendment 7-- the underlying bill, LB720, because of what we just passed before. And hopefully we don't continue to have a binary conversation and start to then continue to dig into what we may want to see changed, if we want to improve it. And if it is binary for you that's OK, but know that this is-- we do represent different constituencies and different people and that-- that is OK in this conversation. Thank you.

FOLEY: Thank you, Senator Vargas. Senator Walz.

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WALZ: Thank you, Mr. President. I'd like to yield my time to Senator Kolterman.

FOLEY: Thank you, Senator Walz. Senator Kolterman, five minutes.

KOLTERMAN: Thank you, Senator Walz. I appreciate that. And thank you for your remarks, Senator Vargas. Got a couple things I'd like to ask. Would Senator Williams yield to a couple questions?

FOLEY: Senator Williams, will you yield, please?

WILLIAMS: Yes.

KOLTERMAN: Senator Williams, we talked about value-added agriculture. And off to the side, over time, we've talked a lot about economic development in your area. So, as I understand it, you have two major employers, probably a few more than that, but the biggest employers are Tyson Foods-- I don't even know what they process-- and Frito-Lay. Would you talk a little bit about the importance of them, how they play into the economic impact, how they make it more cost effective for agriculture?

WILLIAMS: Certainly would. And both of them are recipients of Nebraska Advantage. Tyson Foods in Lexington employs about 2,800 people. They purchase a large quantity of the cattle that are fed in our state and, in particular, the cattle that are fed in central Nebraska, giving an outlet for that. And if you follow the livestock industry, you've got the cow-calf industry, and it is dependent upon the feedlots buying their product. And then you have to have a processor that's buying the product coming out of the feedlot. And so that significantly adds to the benefit because of the transportation and-- and all of that. And then Frito-Lay in Gothenburg purchases about 14 million bushels of food-grade, edible corn products. So if you eat a Frito-Lay product that's corn-based and you live west of the Mississippi River, that corn not just comes from Nebraska but it comes almost entirely from Dawson County. The farmers that contract with Frito-Lay get paid a bonus for raising food-grade crop, and that bonus equates to somewhere in the range of 60 to 70 even up to 75 cents more per bushel than at the local co-op or-- or the feedlot. That creates an additional approximately \$10 million of money going into the hands of our corn farmers.

KOLTERMAN: Thank you very much. I appreciate that. I was wondering if Senator Moser would yield to a couple more questions.

FOLEY: Senator Moser, would you yield, please?

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KOLTERMAN: Senator Moser, we've talked off the mike over the last few days as well, and I've been to Columbus and seen a lot of the things that have happened. One of the-- one of the larger businesses in the Columbus area-- we already talked about Becton Dickinson, but what about ADM? Talk about ADM and why, why that's such an important business to you and some of the spin-offs that have-- have evolved, because it, again, it's what I call a added incentive to agriculture.

MOSER: Well, ADM's been a big boost to the Columbus area, Platte County area. They've hired numerous people, not nearly as large a number of employees as, say, Becton Dickinson does. But Becton Dickinson makes needles and syringes and ships them all over the world, and ADM, of course, makes ethanol, corn syrup, distillers grains. They have quite a few products they sell. And their benefit to the Columbus area is in the property tax that they pay to one of the school districts. We have two school districts--

FOLEY: One minute.

MOSER: --in the Columbus area. One of them is entirely with-- well, almost all, the city and then a few outlying areas. Then the other school district has the outlying areas with farms and the ADM plant. And the levy in the school district that's the recipient of ADM's property tax is .6 percent. The levy on the school district that has most of the city is, when you add the bond in, about 1.2 percent. And the school that gets the 1.2 percent gets a large TEEOSA contribution because their needs are greater than what value they have to tax. Then also farmers in the area sell grain to ADM--

FOLEY: That's time, Senators.

MOSER: --and they get a--

FOLEY: Thank you, Senator Moser and Senator Kolterman. It's time. Senator Halloran.

HALLORAN: Thank you, Mr. President, and colleagues. If there's any mistake in this body about where I stand on the need for property taxes, I wished I could stand on the stump and do as well as many others have. I don't think I will convince you any more than you're convinced now. Senator Wishart made a comment a little while ago that-- something to the effect that she said there's enough interest in this body to deal with, properly deal with, property tax relief. But I beg to differ with her. LB289, there were months and months of debate in the Revenue Committee. They worked hard, came out with a good, solid bill, my estimation, a good, solid bill, and it died on the floor. LB183 was an effort to do the same. And to challenge Senator Wishart's contention

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that there are plenty of people on this floor that do more than lip service to property tax relief, there were 19 present, not voting, 19 present, not voting on property tax relief; 3 excused and not voting. There's a lot of lip service by little, roughly, little over half of the body here about, oh, sure, we agree there needs to be property tax relief. But when it comes time to push the green button, no. It's just lip service. There's one thing I believe that our constituents expect, expect, excuse me, but they should demand, that we're consistent on the way we vote on issues, how we express our principles. Specifically what I'm talking about, several weeks ago we had a debate on LB670, scholarship program, adopt the Opportunity Scholarships Act and provide tax credits. Tax credits, that was the problem, tax credits. My phone rang off the hook. My e-mail lit up from school superintendents, school boards saying, oh, we can't risk diminishing funds to the General Fund because that will hurt K through 12. That program was \$10 million. If you took it over ten years, maxed out at about \$94 million, \$94 million. So far in this debate I have not heard from any senators that stood on this floor and argued against that scholarship program. You all know who you are who stood on this floor and argued against that scholarship program, because it was going to take money from the General Fund and, thus, hurt K through 12 funding. Not one of you has stood up since we've started debating this bill and said the same thing. And I don't often stand with the Nebraska State Education Association on many things, but they sent a letter out to all of us. They e-mailed a letter to all of us, and I'm going to read from that letter, in case you haven't read it from your e-mail. Dear Senator, considering all the talk we Nebraskans hear about running government like a business, the provisions of LB720 offer the least businesslike model imaginable. Metaphorically they compare: What business owner or corporation CEO would sign a contract requiring the infusion of an unknown and apparently unlimited amount of cash that would provide little or no guarantee or return on investment, that will put at risk other aspects of the business, in this case for Nebraska the education of more than 320,000 public school students? Clearly, NSEA must oppose LB720. Here's why. LB720's provision gives away the state's revenue base regardless of whether any jobs or investments actually materialize. Historically, just 5 to 25 percent of such investments are made because of incentive programs. The ImagiNE Act, which-- would spew money on jobs and programs most businesses would do anyway. Further, such incentives, categorized as an entitlement under LB720, are the first dollars paid. These incentives are prioritized above and before every other state budget item.

FOLEY: One minute.

HALLORAN: So, colleagues, if we're going to be against running the risk of diminishing the General Funds for a \$10 million credit program, and I see some people holding their heads and shaking their heads and smiling, but if you're going to be consistent then you should be consistent on this bill as well. The first level is, what, around \$126 million and it zooms up over ten years to \$196 million? I should have referred to the fiscal note. But we need to be consistent. You all know who you were, you all know who you are. Let's be consistent if we're going to stand on that principle. Thank you, Mr. President.

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FOLEY: Thank you, Senator Halloran. Speaker Scheer.

SCHEER: Thank you, Mr. Lieutenant Governor. Colleagues, I just wanted to touch base with everyone in regards to what you should be expecting next week. We will be in session both Thursday and Friday. On Thursday we will convene at 1:00, not 1:30, 1:00. What I have tentatively planned is some confirmation reports from five different committees. We will have Final Reading on LB470 and its A bill and LB209. I have reserved time then for motions to override gubernatorial vetoes. It would be my intent that we should have those back in relationship to the budget at that point in time, if there are any. I have no idea if there will or not. I'm not privileged to that and I don't know a decision has been made. But if indeed there are some requests to override the budget portion, then that is when that would take place. And Friday we will be convening at 9:00. If LB720 is successful this afternoon, it will be on Final Reading at that time. And by that date those bills that are read both yesterday on Final Reading and this afternoon on Final Reading, if there are any vetoes on those bills they would be returned by then and those sponsors would have had the opportunity to determine if that's something they would choose to do at that point as well. When we are finished with the business on Friday, we will have our sine die final that will do some things. I will also note that there will be a-- I'll make a request next week to suspend the rules to IPP a number of bills. I don't want anyone to get concerned about it. [LAUGH] You would be concerned but, please, don't overly concern. Those bills all are bills that have been included in another bill and have reached that point to where we would want to take those out of the mix going on. So if you see one of your bill numbers on that, that is specifically just to take care of those and get those out of the-- the queue, so to speak. I can't tell you how long any of those two days will last simply because I have no idea of how many vetoes, if any, there will be on either the budget or bills that are presented to the Governor's Office. But we do have a couple-- we would have a couple bills, one bill each day, if LB720 is successful that we would be doing some discussion on. So, other than that, that will be Thursday and Friday's agenda. If you have any questions, I'm just sitting back here listening, so you can interrupt me, by all means. And I'll look forward to seeing everyone next week. Thank you.

FOLEY: Thank you, Mr. Speaker. Continuing debate. Senator Kolowski.

KOLOWSKI: Thank you, Mr. Chairman. I would yield this time to Senator Kolterman. Thank you.

FOLEY: Thank you, Senator Kolowski. Senator Kolterman, 4:35.

KOLTERMAN: Thank you, Senator Kolowski. I appreciate your support and your willingness to give up some time. I was wondering if Senator Vargas would yield to a couple of questions.

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FOLEY: Senator Vargas, would you yield, please?

VARGAS: Yes, I would.

KOLTERMAN: Senator Vargas, I've worked on you to come on board with this bill for a long time. I know you had concerns about various things. One of them was the-- the caps or the-- the limitations on how much we could spend, the fiscal responsibility. I think we addressed that issue. The other issue dealt with the amendment that's up there today. You and I-- I listened to that, a version of that amendment in the Revenue Committee. Was I supportive of that amendment when you brought it to me originally?

VARGAS: No. The first. The first amendment.

KOLTERMAN: The first amendment. And talk about what that amendment did.

VARGAS: The first amendment required all businesses that would apply for the Imagine Nebraska to have a board of 50 percent or more women to qualify for the incentives.

KOLTERMAN: That's correct. And I-- I think I told you all the way along that I didn't think that that, that was even-- that was a pipe dream. Was that my words, so to speak?

VARGAS: Pretty similar.

KOLTERMAN: Yes. And I say that because-- and I allowed this amendment to come because I feel it needs to be discussed. I-- I grew up in a home where it was predominantly men. I have one sister. But when I got married, I married a gal and we had two daughters. Both of my daughters are very bright young ladies. I've been blessed in that regard. But in the corporate world there isn't gender equity. I can tell you that from many experiences that my daughters have been through. But at the same time they would tell me, Dad, we don't expect a hand up or we don't expect somebody to go to bat for us and-- and we don't want to be a quota. We-- we want to do what we can do on our own. I-- I appreciate that they learned that from me. So I still have mixed emotions about this amendment. But let me just-- let me just say this. One of the reasons I agreed to allow this amendment to come forward was very simple. If this is going to be our bill for the next ten years, and we're going to attract people, we need millennials. We need young people. That maybe isn't all women, 50 percent women. It's maybe 100 percent men. I don't know what the answer to that is. But the kids today are very mobile. The young people today are very mobile. We need to be open to the idea of the different amendments that we've had. We need to have good-paying jobs. If it means some gender equity, I think we need to have some of

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that. I believe-- I don't know if there would be anybody that would even take advantage of this amendment. If you look at the corporate world on a Fortune 500 type of company, you won't see a lot of companies in that arena that have more than two or three--

FOLEY: One minute.

KOLTERMAN: --maybe, at best, women on their boards. And I challenge Senator Vargas to bring that to me. I asked him, find out how we can do that. So I'm not necessarily against this amendment, but I don't know. I think we all have to make up our own minds. But the idea behind bringing the amendment is so we could discuss it and we could discuss it openly and fairly. And so with that, I'd ask all of you to reach into your heart and figure out, can we support this? If we can't support it, let's give it an up and down vote when the time comes. But at the same time, let's be open-minded to the fact that if we're going grow this state and we want our young people to stay here, if it takes an opportunity like this I believe we have-- we have to give that kind of an opportunity. So with that, I appreciate your time again and look forward to my next time on the mike. Thank you.

FOLEY: Thank you, Senator Kolterman. Senator Linehan.

LINEHAN: Thank you, Mr. President. And again, I want to thank Senator Kolterman for all his hard work on this. He's doing a great job today. Tough bill and I know it's a little tense because we don't know where we're going. I'm going to, I think this is not a surprise to anybody, I'm going to support this. I have told Senator Kolterman I would all along. I am disappointed that we're not at the same place on LB289, but I gave Senator Kolterman my word and I'll stay there. On the specific amendment, I'd love to see half the boards of corporations be women, I would. I can remember when it was rare to see one. Then we got to the point where it was kind of everybody had one, which seemed-- well, wasn't seemed-- was like token. And now it's kind of there's usually at least two. So there's progress there. It's not as quick as I would like. It's a lot better than when I started in the work force 30 years ago when you never saw a woman in executive office. So, slow progress. Fast enough? No, but it's a lot better, and I think the future-- I think it's a much more even playing field now than it was before. So we have made some progress, maybe not enough. I-- I don't see a corporation changing their board makeup for incentives. That just-- I just don't think that will happen. Hopefully, there's progress. But I haven't made up my mind on the amendment, but I don't-- I don't think that's the way the world generally works, business world. With that, I will yield the rest of my time to Senator Pansing Brooks.

FOLEY: Thank you, Senator Linehan. Senator Pansing Brooks, three minutes.

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PANSING BROOKS: Thank you. Thank you, Senator Linehan. I appreciate it. I support AM1885 of Senator Vargas and LB720. Again, the-- my mantra for this session is the enemy of good is perfection, and I think that's what should have been learned from some of the property tax discussions, because with that vote, I understand, as Senator Halloran said, there were 19 nonvoters, people not voting. That included a whole bunch of the farmers and urban people. And some of us sort of follow your lead on those things. So to look at the rural senators and say, oh, you didn't take a stand, well, where was your stand? Where was your dedication and determination to lead us as you would like to do? With my work in juvenile justice, I knew I couldn't get everything I wanted my first year. So I've "piecemealed" that work and tried to convince people according to whatever issue it is up at that point. Senator Kolterman has been effective and I hope that you all sort of see this as a lesson, because what he has done that's been effective is he knows that he has to work with all sides. He has to work with the progressives, he has to work with the rural people, he has to work with the urban people. But there's a tendency by some in this body to say, my way or the highway, don't come talk to anybody else, and then run to the corner and say, well, they wouldn't do what I wanted. That's not how this body works. If you want something done, then come talk to the progressives. If you want to get property taxes moved forward, I signed on to two of the bills. They didn't come forward. No one came to talk to me. I went to talk to Senator Briese about the earned income tax credit.

FOLEY: One minute.

PANSING BROOKS: And some of the people are like, oh, my God, we can't do that. But meanwhile, on the 529s, we've got a 25 percent employer tax credit. But, boy, we move that up 3 percent for those poor people in the urban areas. Again, look at how you can work with people and bring people along. Again, the enemy of good is perfection. We can do better, and Senator Kolterman has agreed to that. I have a question for Senator Kolterman.

FOLEY: Senator Kolterman, would you yield, please?

KOLTERMAN: Yes, I will.

PANSING BROOKS: Senator Kolterman, do you support Senator Vargas' amendment which doesn't require a business to change to that, but if they do have that they can get a credit.

KOLTERMAN: Absolutely. In fact,--

PANSING BROOKS: Thank you.

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KOLTERMAN: --I would qualify if my wife were still alive.

PANSING BROOKS: Yes, and my husband and I would qualify in our law firm. And there are a lot of family businesses that would work that way. So these are another edition to bring in some of the smaller people and to include smaller people in the incentives. And I want to thank Senator Kolterman for working with all sides and not stomping his feet--

FOLEY: That's time, Senator.

PANSING BROOKS: --in the corner. Thank you.

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

KOLTERMAN: Thank you, Mr. Lieutenant Governor. You know, we're going to be done here at 2:56. I'm hoping we're having a good dialogue. I believe we are. When we started out this morning, we got off to a rocky start because Senator Chambers, I know if you're listening, you took quite a bit of extra time. But I believe we're having full and fair debate. That's what this is all about. I have a couple other people I wanted to ask some questions of and I haven't gotten to them yet. One of them is Senator Geist. Would-- would she yield to a question or two?

FOLEY: Senator Geist, will you yield, please?

GEIST: Yes, I would.

KOLTERMAN: Senator Geist, in your business you've been-- you've had your own business. It's a small business.

GEIST: Uh-huh.

KOLTERMAN: Would you tell us a little bit about your business, why you're in it and why your supportive of this bill today.

GEIST: I was in my-- actually, I'll just be very transparently honest. I was in my small business because my husband and I were at a point in our life that I did not have to work outside the home full time because of the success of his business. And so I got to do what I found was fun, and-- and that was selling a line of clothing for women and a separate line of clothing for men out of my home. And I did that because it was rewarding. I have built-- built some great relationships

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with people who I would not have come in contact with otherwise, and-- but moving on to the second part of your question, the reason that I support this legislation is I find it has all the things within it that I think are responsible legislation for attracting good businesses into our state. It pushes for full-time work and high-paying, full-time jobs. It applies not only in the urban parts of the state but also the rural parts of the state, so there's something for everyone. It looks at large corporations. It looks at very small business. It also has a reviewal board that will review every year. I like the makeup of the board. I like that that board will be able to project what the spending will be. I-- I like the way that it's narrowly written. And I applaud you, primarily, but also the number of people that you have collaborated with in order to get something that is very well-written, it's very thoughtful, and it applies to many people across the state, many businesses, large and small across the state. I think it's important and--

KOLTERMAN: Senator Geist, one last question I have--

GEIST: Uh-huh.

KOLTERMAN: --of you while I think I probably have about a minute left is,--

GEIST: OK.

KOLTERMAN: Performance Audit, you chair that committee.

GEIST: I do.

KOLTERMAN: And there are some in the body that think that I'm-- I'm anti-Performance Audit. I have not ever admitted that to you and I'm not anti-Performance Audit.

GEIST: [LAUGH] You've never admitted that--

KOLTERMAN: I have questioned the--

GEIST: --because it's not the truth. [LAUGH]

KOLTERMAN: I-- I-- you and I have had long discussions about that. I-- I-- I-- brought to the attention some concerns that I had. But my concerns were not that Performance Audit wasn't doing a good job. My concerns were we haven't given them the tools and all the information necessary to do their job to the fullest extent of their ability. Would that be a fair statement?

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GEIST: It would. And-- and to just go a little bit deeper with that, what they do is they review law as it's written.

FOLEY: One minute.

GEIST: And the current statute is very broad. And so it is-- that's why I applaud what you're doing, because your bill is very specific.

KOLTERMAN: And-- and-- and, in fact, because of Performance Audit, we've put some things into this bill in the reporting forms that allow them to get information. They have worked with the Department of Economic Development,--

GEIST: Uh-huh.

KOLTERMAN: --the Department of Revenue, and the Department of Labor, and all those three institutions have come together to support what your audit team is doing.

GEIST: That's--

KOLTERMAN: Is that a fair statement?

GEIST: It is a fair statement.

KOLTERMAN: So with that, I-- I appreciate your honesty and your willingness to visit. And I'll wait till my next time to talk.

GEIST: Thank you.

KOLTERMAN: Thank you.

FOLEY: Thank you, Senator Kolterman and Senator Geist. Senator Hughes.

HUGHES: Thank you, Mr. President. Good afternoon, colleagues. I truly appreciate the debate that we are having today on incentives for our business package for the state of Nebraska. It's always interesting to me when we have opportunities like this, when-- when we do get into fair debate or intense debate, when it's not a-- a conservative or liberal issue or it's not a Democrat or

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Republican issue but it is a business issue, which should be front and center in most of our minds. But I'm not in favor of LB720 because it's not the biggest problem we have in the state currently facing us. There's no reason we have to pass LB720 today. The Nebraska Advantage Act does not sunset till December 31, 2020. We have 18 months to fix it. I have some real concerns about the content of this bill besides. No, it's not about negotiating, leverage, those types of things, but there are some things in this bill that truly concern me. So I think we need to step back and take a hard look at what's in this bill and what parts of Nebraska it truly benefits. The biggest problem I see in the state of Nebraska and the one we need to work on is property taxes. And as I said on the last time we had this, this debate, on General File, that we have expose-- exposed a flaw in our TEEOSA formula how we fund our schools. That's the thing we need to be working on, spending most of our time on, being most diligent on, because that's what the people of the state of Nebraska are expecting us to do. In listening to all of my colleagues over the last, I don't know, what day are we on, eighty-second day, so the last-- the last 81 days I think all but three of you had said, property taxes was the number one issue when you talk to your constituents, all but three. So 46 of us, that's what we heard the most about. And if I didn't hear some of you say property taxes wasn't-- didn't come up with your constituents, I'm sorry. But it's by far a huge majority of we in this room have heard from the people we represent, and people of the state of Nebraska, that property taxes are the number one issue. Yet, we can't seem to do anything about that. We can't seem to coalesce around anything. And there's a lot of reasons for that. I'm not going to be pointing fingers inside this building or outside this building of why we can't get anything done. But this is our job. Our job is here to solve the problems. The expiration of the Nebraska Advantage Act is not a problem. We have over 18 months. We have another opportunity. If we pass it next year by the middle of April, it will still nine months ahead of schedule, before expiration. There's no immediate need to do this. And I still question whether these incentive programs are worth the bang for the buck. As I stated before, our historic growth rate--

SCHEER: One minute.

HUGHES: --was 4.7 percent over the last 30 or 35 years. The last five-year average was 3.3. That was during the tenure of LB775 and the Nebraska Advantage Act. And this last year it was 2.8. That's because agriculture, the number one industry in Nebraska, is on its knees. And the \$51 million we're adding to the \$224 into the Property Tax Relief Fund that goes to all the property taxpayers doesn't even come close. Our property tax bill is close to half of the revenue we spend in the state of Nebraska every year, close to 4-- over \$4 billion and we're giving it \$275 million. It helps.

SCHEER: Time, Senator.

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HUGHES: It's better than nothing. Thank you.

SCHEER: Thank you, Senator Hughes. Those waiting to speak: Senator Dorn, Stinner, Hilkemann, and others. Senator Dorn, you're recognized.

DORN: Thank you, Mr. Speaker. Thank you, colleagues. Appreciate-- I'll get up and talk again. I appreciate the fact that we're having the discussion. I appreciate a lot of the comments. This has been very beneficial for me. I want to make a few comments. The last time I spoke on this bill I talked about the fiscal note. And if you haven't gone in and looked, there's a new fiscal note out there and it's change quite a bit from when I talked the other time. At that time the first two years of our biennium budget they were showing \$33 million in less revenue. Now that's down to \$7 million. They also, though, do have a net cash fund outlay or cash fund out of the-- out of the cash fund balance of \$5 million in each of the next two years. That has changed a little bit. And then if you scroll down on that, on that page, down there later on they list the next ten years, the projections of what the amount would be that credits would be used here in this ImagiNE Act. And the last fiscal budget, the year '29 to '30 showed \$197 million, now it shows \$161. So there's a little less amount there. Don't know why. I don't dwell into that. But I just want people to be aware of what this fiscal note is and how this will affect the budget and how it will affect our state. One of the things that the-- I wanted to talk on the amendment, the 5th or 19, whatever, right before that. I didn't get an opportunity to stand up and talk. But the caps, I like the fact that we have caps. However, this cap that comes in there the first four years of this ten-year ImagiNE Act, the cap is \$125 million. And then after that it is based on a 3 percent of our total General Funds amount. Or in other words, we have roughly a \$5 billion General Fund this next year, so if you took 3 percent it would be \$150 million. Well, just doing some quick math, and not exactly sure how accurate they are, the first four years we're at \$125 million and then it will be adjusted up to 3 percent of whatever our General Fund budget amount is. If you use a 4 percent rate of growth in the first four years of revenue, our General Fund balance will be at roughly a \$5.8 million amount. Three percent of that now will put that cap at \$175 million. So that second-- first four years, \$125 million; the next three years, \$175 million; and I'm not sure my math is right but the last three years of that ImagiNE Act my math shows that it will be \$191 million. So when we approved those caps, and understand why we need caps, but you also have to understand we approved \$125 million for the first four years in that, in that amendment. The last point I want to make is in the Nebraska Advantage Performance Audit book we had here, and what made me think of this was I had an individual from one of our towns in my district call me this morning and he got to talking about he wanted me to vote for this and I told him why I wasn't going to vote for this. But then we talked about the fact that for local governments, how it affects them. When we vote on this, and if you go to page 37 and down below that chart there, it says when we have the revenue forgone by local governments due to the act, to the revenue forgone by the state, the total fiscal impact in the Advantage Act is higher, increasing from \$559 million to \$705 million. That's 26 percent more that, when I was on the county board we always talked about the

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unfunded mandates that come down. Yes, they do get the buildings, they do get property taxes. There is benefits to them. But you also have to remember we are approving that part of this also when we do this--

SCHEER: One minute.

DORN: --ImagiNE Act. I will yield the rest of my time to Senator Briese.

SCHEER: Senator Briese, 55.

BRIESE: Thank you, Mr. President. Thank you, Senator Dorn. I just want to comment, Nebraskans, they're paying attention to what we're doing here. They're hearing the message. And what was the message on LB289? What was the message on LB183? What was the message when we scrapped over putting \$25 million in the Property Tax Credit Fund? The message was that we-- it's a monumental task in this body to deliver property tax relief. Nebraskans understand this. I think you do too. And Nebraskans understand why LB720 has to stall now, and I think you do too. Property tax relief hangs in the balance. We need to move business incentives, along with property tax relief, in a package that's good for everyday Nebraskans, and I'm willing to work together with everyone involved, including the business community, to put together a package that can deliver, a package that's good for everyone, including everyday Nebraskans. Thank you, Mr. President.

SCHEER: Thank you, Senator Briese. Senator Stinner, you're recognized.

STINNER: Thank you, Mr. President. I-- I just want to comment on two things that Senator Dorn said. He is right on the cap sliding. That's proportionate. That's what we were trying to do, is keep that proportionality in place. We kept the cap at \$125 in the first four years. That's inside the fiscal note in how this thing ramps up. So there is a strategy behind this. And anyhow, I-- I will tell you this. It's growing late. I was just thinking I could be going by Gothenburg right now on my way to Scottsbluff, but I'm here. And I want to make this abundantly clear to everybody in this body. I am not your enemy. I've voted for property tax. I am not your enemy and I am resentful of organizations that pit us and split us into two factions. I am for property tax. I'm for property tax relief. I've voted for it every time. But I also am for moving the state of Nebraska ahead. The idea that we don't have to do it right now, if you look at it, they've slid the dates forward so that we could get started on a less costly program that will save 10 to 15 to 20 million dollars for the state of Nebraska. I guess that's chump change but that's-- that's what it's all about. But the fact of the matter is, if we really want tax reform, and I'm talking total tax reform because I looked at the vote. Property tax by itself, we're going to have to mix a few things in, aren't we? The few things are, why don't we look at rolling back all of the tax legislation that

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we've passed since 2012, \$800 million to \$1 billion of taxes? Do we have that courage? Do we got the political courage to roll it back? Guess what? You got \$275 million into the property tax relief. You put \$500 or \$600 million in it, and then you use the rest for income tax relief, plus try to give some people earned tax credits, plus lock in, get rid of that inflation factor as it relates to brackets. It's going to be a killer. I'm telling you, there's a cumulative effect. And I think that when they worked it out, the cumulative effect of-- of that moving up with inflation, assuming inflation stays at 2 and 3 percent, it's \$500 million cumulative effect. It's hitting our receipts. It's not just agriculture. It's what we do in this body in terms of special-- special-- we got a veterans deal right now. We're going to make that exempt, right? That's \$17 million. Inflation is going to cost you about \$45 million in tax receipts. We're melting away. So let's take a look at that. Let's be a little more comprehensive in our approach. Let's try to attack a few things. Corporate income tax is outsized relative to what the federal government did. We can roll that back. Individuals who make up most of the income that comes in, we could roll a little bit of that back and roll it up also so that the less fortunate don't have to pay taxes. But this is-- we-- when we work together, we're a great body. This idea of polarizing, making me against you in this situation, are you crazy? I'm on your side. Look where I live. I told you I got more vested in agriculture than anybody here by far. But you know something, I also hear, not just from the ag guys, I'm hearing from the realtors. They can't sell a house. People come up from Colorado, want to move to this-- Scottsbluff, beautiful place, probably the best place in the country. Has the best summers in the country and maybe the best falls. Should be moving there. Should be a retirement community. They come up here with their four, five hundred thousand dollars,--

FOLEY: One minute.

STINNER: --they look at that type of house and they got to pay 12 to 15 thousand dollars in taxes? Well, they're not coming. They're in Wyoming. They stay in Colorado. We have to do something. I got a contractor that came to me, had two guys from South Dakota come down, 80, 90, 100,000 dollar job. They looked for houses. They were ready to go. They did the tax situation in Nebraska, especially the real estate taxes, walked out, left. You guys are crazy down here with your real estate taxes. I get it and everybody else in here gets it. And we got pull together, both urban and rural, and we'll pass a comprehensive tax package. But you got to have these incentives because that's part of the puzzle. That's part of the puzzle. Yeah, it costs a little bit of money and we can work out the fiscal impact. But if you look at what it does to the state revenue and what it also provides in an income stream--

FOLEY: Time, Senator.

STINNER: --to the local level--

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FOLEY: That's time, Senator.

STINNER: Thank you.

FOLEY: Thank you, Senator Stinner. Senator Hilkemann.

HILKEMANN: Thank you, Mr. Lieutenant Governor. I rise in support of Senator Vargas' amendment and for the underlying LB720. I just want to tell my story. I came to Omaha, Nebraska, 1977; started my practice. I'd been raised in a farm community in northeast Nebraska. Gone to podiatry school in Chicago, residency in Milwaukee, decided to come back to Omaha to practice. Things were going well. I built a new office building at 84th or at 72nd and Dodge; financed my entire future because I wanted to build my practice. This was about the mid-'80s. And all of a sudden something happened in there. We had a company called InterNorth, a major company, was bought up by Enron and it moved to Houston. Then there was rumors that ConAgra might be leaving. And then there was rumors maybe Union Pacific might be leaving. And all of a sudden the business leaders in the city of Omaha got together and said, hold it, if we don't do something we are going to lose these businesses. Enron had been given an entire building in Dallas, Tex-- or in Houston, Texas, to move. And so we-- LB775 came. It was almost to the point when I would talk to patients in my office, you'd have people, they were so depressed about what was happening in Omaha, the term was the last one in Omaha turn out the lights. And then LB775 came. What happened to that? ConAgra built a beautiful campus in downtown Omaha. Did ConAgra stay? They did for a long time. Unfortunately, they've left. But guess what? That campus is still there and it's being utilized today. Union Pacific is still there. Mutual of Omaha is still there. But have you seen what has happened to Omaha, Nebraska, since the mid-'80s? Our city has grown. We built a house on 132nd and that was considered so far out west at that point. Now people are building at 206th and out further than that. And that's what's happened because people had the foresight in Lincoln, Nebraska, to take a chance that we needed to provide some business incentives to keep Nebraska going. Let's help Omaha. Let's help the-- the-- the industries that are here. Let's keep who we have. And we've expanded that. The biggest thing that LB775 did besides that is it changed the attitude of the people. Gave people hope. Realtors in the mid-'80s were concerned who's going to be buying our houses? Housing values were going down. People were very depressed, particularly if you listen to some of the talk radio stations. They've kind of made it sound like, again, the last one here turn out the lights. Well, I want to tell you, we're growing in Omaha, Nebraska. Every time we-- Senator Kolowski and I ride together, we come down Highway 6 or 206th Street to Gretna. That entire area--

FOLEY: One minute.

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HILKEMANN: --is building in and filling in. It was an investment that the state made. It has paid dividends like you wouldn't believe. It will continue to pay dividends. And I don't think we can afford not to continue to incentivize companies to come and employ people in Nebraska. Is it the perfect way? Is there-- is there-- is there a better way? I don't know but it must-- every state I know that's growing is providing incentives to these companies, and we better be in the ball game with it. And I think it's-- so, I-- I understand the property tax issue. I own property and still around my home town of Randolph. We need to continue to work with that, not that that's not a minor problem.

FOLEY: Time, Senator.

HILKEMANN: Thank you, Mr. Lieutenant Governor.

FOLEY: Thank you, Senator Hilkemann. Senator Williams.

WILLIAMS: Thank you, Mr. President,, and good afternoon again, colleagues. And this, I'm pretty sure, will be the last time I'll have an opportunity to speak on this. I am a rural senator. As some of you probably do know or don't know, I grew up working on the family farm. And it was either on a cold February night pulling a calf when Dad sent me down to the barn, or a hot August afternoon riding horseback, fixing fence that I decided I was going to law school, one of the smartest moves I ever made. Then after law school, I got into banking in the early '70s. And for those of you that have been around and have as much gray hair as I do-- now really I'm blond, it's not really gray-- but will remember the ag crisis of the '80s because that's what I cut my teeth on in banking. So I understand from the banking side and the agricultural side, because we still run a family farming operation, the property tax issue and I'm certainly sympathetic to that. Making public policy is not easy. Voting on that public policy is not easy. I was asked just this week by a senator, what does it take in your judgment to be successful in navigating difficult policy issues to the finish line? And I said there's a couple of things that I think are incredibly important. One is, besides hard work in that, is a person has to have strong negotiation skills, and that starts by listening and being willing to change and incorporate those ideas into your legislation. And that is what Senator Kolterman has done with LB720. I get a little disturbed when I mentioned this morning the cart not catching up with the horse and we still are hearing complaints about incentives that have been corrected in LB720. Yet, in particular, the letter from the NSEA cites things that are not currently the way LB720 is with the amendments that we are look-- that we have already adopted. The second thing is, to be successful you have to have trust. Trust and negotiation skills go hand in hand. I don't know anyone in this body that has a higher level of trust than Senator Kolterman. That doesn't mean every idea that he works on is correct, but I believe that's why we are here at this point, with a serious policy decision that's gone forward. I said the other day, we don't make decisions because they're popular. We don't make

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decisions because they're easy. We make decisions because they're right. And I strongly believe that LB720 is right and it needs to be right now because of the sunset and the certainty that businesses need. Waiting 9 months, waiting 12 months, removing that certainty will certainly cost Nebraska dollars. I also appreciate the work that Senator Vargas and others have done and, in particular, on AM1885. Folks, it does happen.

FOLEY: One minute.

WILLIAMS: Here are some companies that have-- these are Fortune 500 companies that currently half or more of their board of directors are females: GM; Casey's General Stores, which are in Nebraska in my legislative district; Viacom; Best Buy; Naviant; Progressive, another Nebraska-based company; and Bed Bath and Beyond. So creating a potential extra incentive to be sure that we recognize the changing demographics I think is wise and makes great sense. I appreciate the debate we have had today. And I appreciate each one of you in your commitment to this body. We may disagree on issues, but at the end of the day we do what's right.

FOLEY: That's time.

WILLIAMS: LB720 is right. Thank you, Mr. President.

FOLEY: Thank you, Senator Williams. Senator Quick.

QUICK: Thank you, Mr. President. First, I want to thank Senator Kolterman for working with a lot of us who had questions and-- and issues, and he helped address a lot of those issues and concerns that we had. And with that, I'll yield the remainder of my time to Senator Kolterman.

FOLEY: Thank you, Senator Quick. Senator Kolterman, 4:40.

KOLTERMAN: Thank you, Senator Quick. I really appreciate that. Colleagues, this is probably going to be my last time to speak. I'm a little bit tired because I woke up at 1:30 and couldn't go back to sleep because I was thinking about this all night. I actually came here at 4:00 to work on this. I'm committed to it. But here's the thing we have to remember. I really appreciate this conversation today. We have to-- we have to do the work. We all have to cooperate and do the work. But the outcome is not really in my hands. It's in the hands of 49 people in this body. We have to trust that we're making the right decisions. Regardless of the votes, I think today we've won. I think we've expressed the fact that we can have cooperation, collaboration, and sincere--sincereness, and decency. I don't think any of us have played any games. I believe that I've

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represented the bill, and many of my colleagues have helped me, in good faith. We've worked with both sides of the aisle. And-- and yet, at the end of the day, the battle is not mine to win. It's ours to win if we-- if we pass this bill. But also at the end of the day, if we don't win on this bill, we didn't win on property taxes either and we still have our work ahead of us. I don't have a vote count. I'm hoping I'll get the support that I need. I know it's going to be close. I appreciate the conversation we've had with the agricultural people in this room. I believe wholeheartedly in my own mind that we have a lot of value-added agriculture in this state as a result of LB775, the Advantage Act, and I don't want to lose that. I don't want to lose that continuous work. If we wait a year, we can do that. If we lose, we will wait a year. But if we wait a year, it costs us more money, we have less information to use going forward, and I believe we send a little bit of a message to the people that are looking at us that we're not sure where we're going to end up. So I would encourage you to support AM18-- I can't read that far-- AM1885, AM1865, whatever it is, and LB720. We've worked hard on it. There's been a tremendous amount of support and there's been some opposition. But I'm proud of what we're doing today. Thank you.

FOLEY: Thank you, Senator Kolterman. Mr. Clerk, you have a motion at the desk?

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

FOLEY: It's the ruling of the Chair that there has been a full and fair debate afforded to LB720. Senator Kolterman, for what purpose do you rise?

KOLTERMAN: I'd like a call of the house and I'd like a roll call in reverse order, please.

FOLEY: Thank you, Senator Kolterman. Been a request to place the house under call. The question is, shall the house go under call? Those in favor vote aye; those opposed vote nay. Record, please.

CLERK: 26 ayes, 5 nays for the-- to place the house under call.

FOLEY: House is under call. All senators please return to your desk and check in. The house is under call. All unauthorized personnel please leave the floor. The house is under call. Senator Halloran, will you check in. Senator Hunt, could you check in. Senator Groene, check in, please. All unexcused members are now present. The question before the body is whether or not to invoke cloture. A roll call vote in reverse order has been requested. Mr. Clerk, please call the roll.

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CLERK: (Roll call vote taken.) 30 ayes, 17 nays, Mr. President, on the motion to invoke cloture.

FOLEY: The motion fails. I raise the call. Members, we're going to move into Final Reading, so please don't wander too far. Items for the record, please.

CLERK: Thank you, President, just a few items very quickly. Speaker wants to print a motion in the Journal with respect to an announcement he made earlier regarding the motion on the last day. A new resolution: LR262 of the Revenue Committee, it's a study resolution; LR263, Senator Cavanaugh, that will be laid over. I also have confirmation reports from the Business and Labor Committee and from the General Affairs Committee. And finally, Business and Labor Committee reports LB577 to General File. That's offered by Senator Hansen as Chair of the committee. That's all that I had, Mr. President.

FOLEY: Thank you, Mr. Clerk. Members, we're now going to proceed with Final Reading. Pursuant to the rules, if you could all be at your desk, please. Also understand, pursuant to the Speaker's directive, that that list of Final Reading bills, LB149 and LB397 actually switched places. So LB397 will be heard after LB86A. First bill of our Final reading is LB460. Mr. Clerk, the first vote is to dispense with the at-large reading. Those in favor of dispensing the reading vote aye; those opposed vote nay. Record, please.

CLERK: 32 ayes, 6 nays, Mr. President to dispense with the at-large reading.

FOLEY: The at-large reading is dispensed with. Mr. Clerk, please read the title.

CLERK: Re-engrossed LB460 was introduced by the Health and Human Service Committee and signed by its members. (Read title of LB460.)

FOLEY: All provisions of law relative to procedure having been complied with, the questions is, shall LB460 pass with the emergency clause attached? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

CLERK: (Record vote read.) 48 ayes, 0 nays, 1 excused and not voting, Mr. President.

FOLEY: LB460 passes with the emergency clause attached. Next bill is LB460A.

CLERK: (Read LB460A on Final Reading.)

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FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB460A pass with the emergency clause attached? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

CLERK: (Record vote read.) 44 ayes, 0 nays, 3 present and not voting, 2 excused and not voting.

FOLEY: LB460A passes with the emergency clause attached. The next bill is LB86. Mr. Clerk, the first vote is to dispense with the at-large reading. Those in favor of dispensing with the reading vote aye; those opposed vote nay. Record please.

CLERK: 37 ayes, 3 nays, Mr. President, to dispense with the at-large reading.

FOLEY: The at-large reading is dispensed with. Mr. Clerk, please read the title.

CLERK: Mr. President, LB86 offered by Senator Wayne. (Read title of LB86.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB86 pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

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

FOLEY: LB86 passes. Proceeding to LB86A.

CLERK: LB86A by Senator Wayne. (Read LB86A on Final Reading.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB86A pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

CLERK: (Record vote read.) 44 ayes, 0 nays, 3 present and not voting, 2 excused and not voting, Mr. President.

FOLEY: LB86A passes. Pursuant to the agenda revision, LB397 is our next bill. Mr. Clerk, the first vote is to dispense with the at-large reading. Those in favor of dispensing the reading vote aye; those opposed vote nay. Record, please.

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CLERK: 31 ayes, 6 nays, Mr. President, to dispense with the at-large reading.

FOLEY: The at-large reading is dispensed with. Mr. Clerk, please read the title.

CLERK: Mr. President, engrossed LB397 introduced by Senator Briese. (Read title of LB397.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB397 pass? Those in favor vote aye; those opposed vote nay. Record, please.

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

FOLEY: LB397 passes. Our next bill is LB186. Mr. Clerk, the first vote is to dispense with the at-large reading. Those in favor of dispensing with the reading vote aye; those opposed vote nay. Record, please.

CLERK: 33 ayes, 5 nays to dispense with the at-large reading.

FOLEY: The at-large reading is dispensed with. Mr. Clerk, please read the title.

CLERK: Re-engrossed LB186 is a bill introduced by Senator Lindstrom relating to documents. (Read title of LB186.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB186 pass with the emergency clause attached? Those in favor vote aye; those opposed vote nay. Record, please.

CLERK: (Record vote read.) 45 ayes, 0 nays, 2 present and not voting, 2 excused and not voting.

FOLEY: LB186 passes with the emergency clause attached. The next bill is LB186A.

CLERK: (Read LB186A on Final Reading.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB186A pass with the emergency clause attached? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

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CLERK: (Record vote read.) 45 ayes, 0 nays, 2 present and not voting, 2 excused and not voting, Mr. President.

FOLEY: LB186A passes with the emergency clause attached. Our next bill is LB334. Mr. Clerk, the first vote is to dispense with the at-large reading. Those in favor of dispensing with the reading vote aye; those opposed vote nay. Record, please.

CLERK: 36 ayes, 3 nays, Mr. President, to dispense with the at-large reading.

FOLEY: The at-large reading is dispensed with. Mr. Clerk, please read the title.

CLERK: Engrossed LB334 was introduced by Senator Stinner. (Read title of LB334.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB334 pass? Those in favor vote aye; those opposed vote nay. Record, please.

CLERK: (Record vote read.) 47 ayes, 0 nays, 2 present-- or excuse me-- 2 excused and not voting, Mr. President.

FOLEY: LB334 passes. The next bill is LB334A.

CLERK: (Read LB334A on Final Reading.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB334A pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

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

FOLEY: LB334A passes. The next bill is LB149.

CLERK: (Read LB149 on Final Reading.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB149 pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

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

FOLEY: LB149 passes. Next bill is LB433.

CLERK: (Read LB433 on Final Reading.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB433 pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

CLERK: (Record vote read.) 40-- excuse me-- 39 ayes, 1 nay, 8 present and not voting, 1 excused and not voting.

FOLEY: LB433 passes. Next bill is LB462.

CLERK: (Read LB462 on Final Reading.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB462 pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

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

FOLEY: LB462 passes. LB468.

CLERK: (Read LB468 on Final Reading.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB468 pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

CLERK: (Record vote read.) 43 ayes, 1 nay, 4 present and not voting, 1 excused and not voting.

FOLEY: LB468 passes. Next bill is LB481.

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CLERK: (Read LB481 on Final Reading.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB481 pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

CLERK: (Record vote read.) 41 ayes, 1 nay, 6 present and not voting, 1 excused and not voting, Mr. President.

FOLEY: LB481 passes. Proceeding to LB481A.

CLERK: (Read LB481A on Final Reading.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB481A pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

CLERK: (Record vote read.) 40 ayes, 2 nays, 6 present and not voting, 1 excused and not voting.

FOLEY: LB481A passes. (Visitor introduced.) Our next bill is LB492. Mr. Clerk, the first vote is to dispense with the at-large reading. Those in favor of dispensing the reading vote aye; those opposed vote nay. Record, please.

CLERK: 30 ayes, 11 nays to dispense with the at-large reading.

FOLEY: The at-large reading is dispensed with. Mr. Clerk, please read the title.

CLERK: Engrossed LB492 introduced by Senators Wayne and Hunt. (Read title of LB492.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB492 pass? Those in favor vote aye; those opposed vote nay. Record, please.

CLERK: (Record vote read.) 32 ayes, 11 nays, Mr. President; 5 present and not voting, 1 excused and not voting.

FOLEY: LB492 passes. Proceeding to LB511.

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CLERK: (Read LB511 on Final Reading.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB511 pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

CLERK: (Record vote read.) 48 ayes, 0 nays, 1 excused and not voting.

FOLEY: LB511 passes. Next bill is LB512. Mr. Clerk, the first vote is to dispense with the at-large reading. Those in favor of dispensing with the reading vote aye; those opposed vote nay. Record, please.

CLERK: 33 ayes, 7 nays, Mr. President, to dispense with the at-large reading.

FOLEY: The at-large reading is dispensed with. Mr. Clerk, please read the title.

CLERK: Engrossed LB512 introduced by Senator Linehan. (Read LB512 by title.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB512 pass with the emergency clause attached? Those in favor vote aye; those opposed vote nay. Record, please.

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

FOLEY: LB512 passes with the emergency clause attached. Proceeding to our next bill, LB519.

CLERK: I have a motion on the desk. Senator Chambers would move to return the bill for purpose of striking the enacting clause.

FOLEY: Senator Chambers, you're welcome to open on your motion to return the bill.

CHAMBERS: Thank you, Mr. President. On occasions like this, I always have to quote Abraham Lincoln. The promise being made, must be kept. This morning I had indicated that I would have something to say on this bill. And I have a very few words, but I think it is appropriate that they be attached to this bill, be associated with this bill so if anybody would read anything in the transcript about this bill these words will accompany. I don't need to read them. I could say them in my sleep. But I want the occasion to be very solemn. George Washington,

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Thomas Jefferson, James Madison, Andrew Jackson, Alexander Hamilton, Patrick Henry, scoundrels, rapists of black women and little black girls, who professed to own these women, body and soul. May they ever live in infamy. And I withdraw that motion.

FOLEY: The motion is withdrawn. Thank you, Senator Chambers. LB519. Mr. Clerk, the first vote is to dispense with the at-large reading. Those in favor of dispensing the reading vote aye; those opposed vote nay. Record, please.

CLERK: 32 ayes, 7 nays to dispense with the at-large reading.

FOLEY: The at-large reading is dispensed with. Mr. Clerk, please read the title.

CLERK: Engrossed LB519 is introduced by Senators Slama, Linehan, Pansing Brooks, and Bostelman. (Read LB519 by title.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB519 pass? Those in favor vote aye; those opposed vote nay. Record, please.

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

FOLEY: LB519 passes. Next bill is LB532. Mr. Clerk, the first vote is to dispense with the at-large reading. Those in favor of dispensing with the reading vote aye; those opposed vote nay. Record, please.

ASSISTANT CLERK: 32 ayes, 9 nays to dispense with the at-large reading.

FOLEY: The at-large reading is dispensed with. Mr. Clerk, please read the title.

ASSISTANT CLERK: Engrossed LB532 introduced by Cavanaugh, 6; Hunt, 8; Blood, 3. (Read LB532 by title.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB532 pass? Those in favor vote aye; those opposed vote nay. Record, please.

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

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FOLEY: LB532 passes. Proceeding to LB532A.

ASSISTANT CLERK: (Read LB532A on Final Reading.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB532A pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

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

FOLEY: LB532A passes. Next bill is LB583. Mr. Clerk, the first vote is to dispense with the at-large reading. Those in favor of dispensing with the reading vote aye; those opposed vote nay. Record, please.

ASSISTANT CLERK: 33 ayes, 6 nays to dispense with the at-large reading, Mr. President.

FOLEY: The at-large reading is dispensed with. Mr. Clerk, please read the title.

ASSISTANT CLERK: Engrossed LB583 introduced by Hilgers, 21. (Read LB583 by title.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB583 pass? Those in favor vote aye; those opposed vote nay. Record, please.

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

FOLEY: LB583 passes. Next bill is LB592.

ASSISTANT CLERK: (Read LB592 on Final Reading.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB592 pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

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

FOLEY: LB592 passes. Next bill is LB593. Mr. Clerk, the first vote is to dispense with the at-large reading. Those in favor of dispensing of the reading vote aye; those opposed vote nay. Record, please.

ASSISTANT CLERK: 31 ayes, 9 nays to dispense with the at-large reading, Mr. President.

FOLEY: The at-large reading is dispensed with. Mr. Clerk, please read the title.

ASSISTANT CLERK: Engrossed LB593 introduced by Briese, 41. (Read LB593 by title.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB593 pass with the emergency clause attached? Those in favor vote aye; those opposed vote nay. Record, please.

ASSISTANT CLERK: (Record vote read.) Vote is 48 ayes, 0 nays, 1 excused and not voting, Mr. President.

FOLEY: LB593 passes with the emergency clause attached. Next bill is LB610. Mr. Clerk, the first vote is to dispense with the at-large reading. Those in favor of dispensing of the reading vote aye; those opposed vote nay. Record, please.

ASSISTANT CLERK: 37 ayes, 7 nays to dispense with the at-large reading, Mr. President.

FOLEY: The at-large reading has been dispensed with. Mr. Clerk, please read the title.

ASSISTANT CLERK: Engrossed LB610 introduced by Lindstrom, 18. (Read LB610 by title.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB610 pass? Those in favor vote aye; those opposed vote nay. Record, please.

ASSISTANT CLERK: (Record vote read.) Vote is 48 ayes, 0 nays, 1 excused and not voting.

FOLEY: LB610 passes. Our next bill is LB610A.

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ASSISTANT CLERK: Engrossed LB610A introduced by Lindstrom, 18. (Read LB610A by title.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB610A pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

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

FOLEY: LB610A passes. (Visitors introduced.) Our next bill is LB630. Mr. Clerk, the first vote is to dispense with the at-large reading. Those in favor of dispensing with the reading vote aye; those opposed vote nay. Record, please.

ASSISTANT CLERK: 36 ayes, 7 nays to dispense with the at-large reading.

FOLEY: The at-large reading has been dispensed with. Mr. Clerk, please read the title.

ASSISTANT CLERK: Engrossed LB630 introduced by Morfeld, 46. (Read LB630 by title.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB630 pass? Those in favor vote aye; those opposed vote nay. Record, please.

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

FOLEY: LB630 passes. Our next bill is LB657.

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

FOLEY: Thank you, Mr. Clerk. Senator Lowe, you're recognized to open on your motion to return the bill to Select File.

LOWE: Thank you, Lieutenant Governor. Don't anybody go anywhere, I'm not going to take a long time on this. This may come as a surprise to many of you, but I'm going to express my concerns on LB657. I believe this bill could have unforeseen consequences, and I have expressed

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those beliefs before. I know we will be passing this bill today and I do not plan on speaking on the bill again. I hope that my concerns about the implementation and long-term consequences of this bill are unfounded, but I fear that it will not be, in that case. I received this e-mail this morning at 10:00. Thank you for your note. I am traveling on vacation with limited access to resources, so my responses to your questions will necessarily be brief. But I will be happy to delve into some of the issues Nebraska is facing, and I do and have done consulting engagements with governments on many issues in this field. One, yes, a state may continue to ban hemp, notwithstanding the farm bill. This is relatively clear from the express language of the farm bill implied by certain provisions like the one barring states only from banning transportation through the state. Two, although the farm bill is less clear on this point, I agree with your intuition that a state could adopt a state plan even after the federal Department of Agriculture adopts a federal plan. This will be a bigger issue in states that have already legalized hemp by redefining marijuana. I do not yet-- but have not yet got around to submitting a state plan to the secretary of agriculture. So Nebraska could wait and perhaps learn from other states. The only disadvantage is delay in letting producers in other states get the jump. Whether that is a disadvantage likely depends on one's views of hemp. Hope this helps, and, as I mentioned, I would be happy to provide more formal advice if the state sees need in the meantime. Enjoy the holiday weekend. All the best, Robert A. Mikos, professor at law, Vanderbilt University law school. He also adds: See the introductory chapter of my new textbook Marijuana Law, Policy, and Authority. The state of Nebraska can do a policy once the farm bill is passed, and that would be wiser. I can tell nobody is listening, so I drop my motion.

FOLEY: The motion is withdrawn. LB657. Mr. Clerk, the first vote is to dispense with the at-large reading. All senators, please return to your desks, we're on Final Reading. All senators, please be at your desk for Final Reading. Mr. Clerk, the first vote is to dispense with the at-large reading. Those in favor of dispensing with the reading vote aye. Those opposed vote nay. Record, please.

ASSISTANT CLERK: 31 ayes, 10 nays to dispense with the at-large reading.

FOLEY: The at-large reading is dispensed with. Mr. Clerk, please read the title.

ASSISTANT CLERK: Re-engrossed LB657 introduced Wayne, 13; Hunt, 8; Slama, 1; Murman, 38; Brandt, 32; Kolterman, 24; and Matt Hansen, 26. (Read LB657 by title.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB657 pass with the emergency clause attached? Those in favor vote aye; those opposed vote nay. Record, please.

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ASSISTANT CLERK: (Record vote read.) Vote is 43 ayes, 4 nays, 1 present and not voting, 1 excused and not voting, Mr. President.

FOLEY: LB657 passes with the emergency clause attached. Next bill is LB657A. Mr. Clerk.

ASSISTANT CLERK: (Read LB657A on Final Reading.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB657A pass with the emergency clause attached? Those in favor vote aye; those opposed vote nay. Record, please.

ASSISTANT CLERK: (Record vote read.) Vote is 43 ayes, 5 nays, 1 excused and not voting.

FOLEY: LB657A passes with the emergency clause attached. Our next bill is LB680.

ASSISTANT CLERK: (Read LB680 on Final Reading.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB680 pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

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

FOLEY: LB680 passes. Our next bill is LB686. Mr. Clerk, the first vote is to dispense with the at-large reading. Those in favor of dispensing with the reading vote aye; those opposed vote nay. Record, please.

ASSISTANT CLERK: 34 ayes, 8 nays to dispense with the at-large reading.

FOLEY: The at-large reading is dispensed with. Mr. Clerk, please read the title.

ASSISTANT CLERK: Engrossed LB686 introduced by Lathrop, 12. (Read LB686 by title.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB686 pass? Those in favor vote aye; those opposed vote nay. Record, please.

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

FOLEY: LB686 passes. Our next bill is LB686A.

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

FOLEY: Senator Lathrop, you're recognized to open on your motion to return the bill.

LATHROP: Thank you, Mr. President. Colleagues, I hope you'll vote for this. As amended, we no longer need the A bill, so we're going to send it back and strike the enacting clause. Thank you for your support.

FOLEY: Thank you. Thank you, Senator Lathrop. The question before the body is to adopt the amendment to strike the enacting clause. The question before the body is to return the bill to Select File. Those in favor of returning the bill vote aye; those in opposed vote nay. Have you all voted? Record, please.

ASSISTANT CLERK: 41 ayes, 0 nays to return the bill, Mr. President.

FOLEY: The bill is going to be returned to Select File. Mr. Clerk.

ASSISTANT CLERK: Mr. President, Senator Lathrop would offer FA82.

FOLEY: Senator Lathrop on the amendment.

LATHROP: This is striking the enacting clause. Go ahead and give it a green light. Thank you.

FOLEY: The question before the body is FA82 to strike the enacting clause. Those in favor vote aye; those opposed vote nay. Senator Chambers, I did not see your light on. It is a debatable motion, yes. Senator Chambers, you're recognized.

CHAMBERS: Thank you, Mr. President. Members of the Legislature, I generally give Senator Lathrop his way, especially with his bill. But in view of the fact that you just passed Senator Wayne's hemp bill, I have something troubling me right now. I wasn't on the floor when this comment was made, but somebody had said that if you feed hemp to certain animals it makes the

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animals eat their own young. I would ask Senator Lathrop a question, but I don't want to do that. However, this, metaphorically speaking, is Senator Lathrop eating his own young, and he's asking you all to assist him. Now, ordinarily I would give a person what he or she requests, but, under the law, a person must be mentally competent in order to have the court grant a request which apparently goes against the interests of the person making the request. Because a person in complete control of his or her mental capacity would not ask for something against his or her own interests. I just want it on the record that the only reason that I'm giving this vote affirming what Senator Lathrop is requesting is because none of us can tell when that moment might come when we will slip into the darkness of whatever it is that will make us consume our own or do something against our own best interests, as the people of this state did when they voted for term limits. That's all that I have to say. And I'm going to vote as my conscience tells me to vote. They say that the hottest place in hell is reserved for those who will not take a position. When I return from the nether regions, I will inform the rest of you whether that is true, that it is hot. Because I intend to take no position on this particular motion before us. Thank you, Mr. President.

FOLEY: Thank you, Senator Chambers. The question before the body is FA82 to strike the enacting clause. Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

ASSISTANT CLERK: 45 ayes, 0 nays to strike the enacting clause, Mr. President.

FOLEY: The motion is adopted. Our final bill is LB690. Mr. Clerk, the first vote is to dispense with the at-large reading. Those in favor of dispensing the reading vote aye; those opposed vote nay. Record, please.

ASSISTANT CLERK: 35 ayes, 9 nays to dispense with the at-large reading, Mr. President.

FOLEY: The at-large reading has been dispensed with. Mr. Clerk, please read the title.

ASSISTANT CLERK: Engrossed LB690 introduced by Cavanaugh, 6; McCollister, 20; Blood, 3. (Read LB690 by title.)

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB690 pass? Those in favor vote aye; those opposed vote nay. Record, please.

ASSISTANT CLERK: (Record vote read.) Vote is 41 ayes, 0 nays, 6 present and not voting, 2 excused and not voting, Mr. President.

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FOLEY: LB690 passes. While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign the following legislative bills: LB460, LB460A, LB86, LB86A, LB149, LB186, LB186A, LB334, LB334A, LB397, LB433, LB462, LB468, LB481, LB481A, LB492, LB511, LB512, LB519, LB532, LB532A, LB583, LB592, LB593, LB610, LB610A, LB630, LB657, LB657A, LB680, LB686, and LB690. Senator Vargas, for what purpose do you rise?

VARGAS: Thank everybody. If, in a moment of levity, if you would like to watch the senators beat the lobbyists in basketball, we'll be doing that today at 5:00 at Devaney. Please join us. Have a great day.

FOLEY: Thank you, Senator Vargas. Senator Hunt, for what purpose do you rise?

HUNT: A point of personal privilege, please.

FOLEY: Please proceed.

HUNT: Thank you, Mr. Lieutenant Governor. Thank you, colleagues, for listening to what I have to say. I'll try to be brief. I passed out a copy of the news story about the hate crime that was committed last night against a local Muslim woman. And Senator Chambers talked about that a little bit this morning, but I had some conversations with several of you about what happened. And so I wanted to distribute that, that news story. Because this, this afternoon during our lunch hour, I spoke to the family of the woman who was attacked last night and we had a long conversation. And my legislative aide, my chief of staff, Deena, who is Muslim, and she, her family is from Syria. She speaks Arabic and so she was able to help communicate with this family as well and talk about what they had gone through. And they asked me to read this letter. Hello, Senator Hunt and members of the Legislature. On behalf of my family, we would like to say many things, but we would summarize it into this. Excuse me. What happened to my sister was disgusting, and she did not deserve this. She is one of the most innocent people we have ever known and also one of the most hospitable. And, yes, she is a Muslim. The motivations behind her physical assault, which occurred only a few days before her high school graduation, were many things. And religious and ethnic discrimination were a couple of them. The capacity for a hateful person to attack an innocent young woman baffles us beyond comprehension. This occurrence implies that hatred and violence exist within our communities. This is not only detrimental to victims of discrimination and assault but also to the greater community, because it generates fear. For this reason, we hope that this issue and others alike are not minimized. Thank you. And that's from Jiman (PHONETIC), who I talked to, and her family. And a lot of us know to be careful on social media, right? And be careful about what you talk about, and that that stuff follows you. But I think you should say whatever you want on social media. I think that you

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should always speak your mind, whether you're talking to your friends or whether you're talking on-line on a forum or whether you're talking here on the floor. I think that you should always say what you mean. And I've heard many people in this body say things that are derogatory to Muslims, and I've seen several of your staff members say things on social media that are derogatory to Muslims. And I'm not going to say what, because I don't believe in platforming that hatred and discrimination and bigotry. But we've had a lot of conversations in this body in the last week about norms and about collegiality and respect. And I've heard many people say throughout my first session here, like a very consistent refrain is "I believe in the dignity and humanity of everybody but--" or "As long as they're not..." Like there is always a condition on somebody's humanity. And when you listen to this letter from this family, just a few days before her graduation, of how this young woman was affected, I hope that you think about how important it is with the conversations that we have here and the things that your staff say, that it's very important for us not to normalize these discriminatory views by joking about it or by, by sharing memes that are discriminatory. And if you see your staff doing these things, you should tell them to stop. Not because you need to be careful what you say on social media but because you should not have views like that and be working in government. We have a serious urgency to deal with the power of the American imagination and rein back the paranoia and anxiety that leads to this violence against the Muslim community. Because when white Americans commit crimes, none of us in here who are white have to answer for all white people. When that happens, no one says why are Christians always so violent or why are white people always so violent? And maybe more people are starting to ask that but it's jokingly, you know? It's a rhetorical device to show that there are groups of people that are marginalized who are meant to kind of answer for their whole religion or their whole ethnicity. And that is something that those most of us here, you know, don't, don't know what that's like. I would like to have Muslim colleagues in the Nebraska Legislature. I would like to see the first Muslim senator in Nebraska. But because I believe in having representation in government that reflects the people that they serve, but we know that that is less likely to happen unless we have an overall more tolerant and more understanding culture in the United States. So I want to thank everybody who signed LR118, my resolution against white supremacy and white nationalism, but that's just a symbolic thing. And a lot of people who didn't want to sign it said that to me. And they're right, this doesn't do anything. It's just symbolic. But symbols have meaning. Anybody who reveres the American flag should understand what I mean when I say symbols have meaning. And that is a symbolic thing we can do. But a real thing we can do is be better at leading by example, by making sure that we are not spreading these things, and that our staff is not as well. Because we're at the top of the government and we have a responsibility to be better. Thank you all for listening to me. Thank you for listening to the words of this family that I had the privilege to bring to you through me. This is the greatest privilege of this platform to me. So thank you, Mr. Lieutenant Governor.

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

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

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ASSISTANT CLERK: Thank you, Mr. President. An amendment to be printed by Senator Kolterman to LB720A; Senator Vargas would add his name to LB436.

Finally, a priority motion. Senator Bostelman would move to adjourn until Thursday, May 30, 2019, at 1:00 p.m.

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