

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate July 20, 2020

**FOLEY:** Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the forty-fourth day of the One Hundred Sixth Legislature, Second Session. Our chaplain for today is Senator Kolterman. Please rise.

**KOLTERMAN:** Good morning, colleagues. Dear Lord, as we embark on the last 17 days of this session, keep us ever mindful that it has been the electorate-- the faith of the electorate that brought us all together to do the work of this great state. Together, we can accomplish a lot. Guide us in a direction that is pleasing to you. Help us and direct us to treat each other with dignity and respect as we each bring diverse ideas and philosophical approaches to our legislation. Keep us safe from the COVID virus. Send your healing hand on those that have fallen sick to this ugly and dreadful disease and help those in research find a cure and a vaccine that we can all utilize. Finally, Lord, we ask that you continue to teach us about love for each other and our fellow individuals. Help us to love one another as you have given unconditional love to us. Amen.

**FOLEY:** Thank you, Senator Kolterman. I call to order the forty-fourth day of the One Hundred Sixth Legislature, Second 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, your Committee and the Executive Board reports LB1157 to General File, signed by Senator Hilgers, Chair. A series of hearing notices: Transportation and Telecommunications, Education Committee, and several from the Health and Human Services Committee, Mr. President. A communication from the Governor regarding a gubernatorial appointment. That will be referred to Reference. Attorney General's Opinions: LB40-- with respect to LB45 by Senator Chambers, LB1207 by Senator McCollister, and Senator Lathrop requested an opinion. Those will all be inserted in the Journal. I have amendments to be printed: Senator Arch to LB1150 [SIC LB1158] and

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LB110-- Senator Linehan to LB1106, Senator Briese to LB1074. An announcement: the Transportation Committee will meet in Executive Session in Room 1113 at 9:30. Transportation, 1130-- in Room 1113 at 9:30 a.m. That's all that I have, Mr. President.

**FOLEY:** Thank you, Mr. Clerk. Speaker Scheer, you're recognized.

**SCHEER:** Thank you, Mr. President. Welcome back, colleagues. A lot has changed and we still have a lot of work. As I told someone the other day, a lot has changed, but nothing has changed to the extent that there are still the 49 of us that are here today; 48 right now, I suspect. I see Robert's not here. But a lot of things around the world and in Nebraska has changed over the last 120 days or so. As we move forward, we have to remember that decorum and courtesy to each other. I want to remind people that we will still have different philosophies. We will not agree on everything. That doesn't necessarily make us-- the other person stupid or ignorant. It just means they feel differently. So as we move forward, please do not take comments personally. Hopefully, no comments will be made personally. We will still have differences and we have to continue to respect those differences. We have 17 days and we have a lot to get done in those 17 days. The rate that we are able to accomplish things is totally dependent upon you folks. I don't control the speed of our activity. I just control what we are talking about. As we move forward in the week, I'll try to give you an update of where we're at in relationship to bills that are moving. Tomorrow morning, I hope to have what we have on Final Reading able to move forward and, and run those through in the morning. Those of you that have bills that will have a financial impact, as I have written to each and every one of you, will somewhat be on hold until we get a determination from the Forecasting Board of where our numbers are going to be. As previously in the years before where we've had no money, it did not make sense to me to move forward bills that spent money and put us further in the hole. So if you have a bill that is in that position, bear in mind, Thursday morning will mean a lot to you as well. I'm sure all of us know people that have been affected by this and our sympathy goes out to them. I certainly want to acknowledge Senator Vargas' loss. It was very difficult for him, I'm sure. It is difficult to lose a loved one, let alone your father. And on behalf of our colleagues, Tony, I, I give you our, our utmost sympathy and wish you and your family the best. Having said that, let's get on with the peoples' business and try to accomplish as much as we can. Thank you, Mr. President.

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**FOLEY:** Thank you, Mr. Speaker. We'll now proceed to the agenda, General File appropriation bill. Mr. Clerk.

**CLERK:** Mr. President, LB944A, a bill by Senator Geist, it appropriates funds to implement the provisions of LB944. The bill was referred directly to General File.

**FOLEY:** Senator Geist, you're recognized.

**GEIST:** Thank you, Mr. President. And members of the Legislature, welcome back. LB944A is the A bill for the Transportation and Telecommunications' priority bill, which is on Final Reading and this follows it up. If you have any questions, I'm happy to answer those, but this is the priority bill of the Transportation Committee. It compiles a number of bills and appropriation that is very small, which will sit until we see what our revenue is on Thursday. So thank you, Mr. President.

**FOLEY:** Thank you, Senator Geist. Senator Chambers.

**CHAMBERS:** Thank you. Mr. President, members of the Legislature, I'm pleased to see that everybody has survived "Cyrus the Virus" thus far. But what I want you all to know is that I'm still Ernie. I'm not gonna change anything. There are others who are gonna walk the path they think they should walk. And I'm going to do as I have always done. But an element has been injected that I have to deal with. Governor Ricketts, the "Repelican" Party, Senator Slama, have injected me into Senator Slama's campaign, playing the race card, which I think is abhorrent. Being aware, as she and they are of the racism that is endemic to Nebraskans, I am being used, they hope successfully, to frighten people away from voting for Senator Slama's opponent. The suggestion-- and by the way, I only know what is on this notorious, vicious, racist, stupid, ignorant flier is what I've read in the newspaper. This lady who is running against Senator Slama has been a loyal "Repelican" for decades, has done everything a loyal soldier would do. The Governor, for some reason, wanted some new, young flesh in the Legislature so he threw this old, faithful soldier aside. And when that was done, all the gloves came off. Every shred of decency, respect was thrown aside. They-- when I say they, I'm talking about the Governor, the "Repelican" Party, and Senator Slama because they are all in this basket of hateful racism together. They put a picture of me standing with my arms folded with an expression that apparently terrifies white cowards out there next to this woman whose name I don't even know. I have never met her or spoken with or to her or

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about her. And this has been used in various campaigns. I think the tactic was used in Senator Erdman's campaign. Who are you going to side with, Chambers or whoever the good person is? And I've collected some of those. And before these days have expired, I'm gonna hand them out. Even the NRA that makes all of the white cowards tremble put out a color-- an in-color flier of me as the greatest enemy to the gun ownership. It wasn't too bad a photograph if I say so myself. So all these white entities will use me as a bludgeon--

**FOLEY:** One minute.

**CHAMBERS:** --against the cowardly, white racists that populate this state. No need for them to try to make me think that liberty and justice for all is a concept or a precept which prevails in this state. And if anybody wants to take issue with me, that should be done here on the floor. And if you think I cannot have enough stamina to last 17 days doing it my way [SINGING], challenge me and test me. I've told you all time after time-- and I'll wait till I'm recognized before I go into what I've told you time after time. Thank you, Mr. President.

**FOLEY:** Thank you, Senator Chambers. You may proceed.

**CHAMBERS:** I've told you all time after time that when we get into the posterior portions of the Legislature, the session, the Legislature becomes mine. It is delivered into my hands. The Speaker, meaning no disrespect to him, writes the agenda, but I set the course the Legislature shall follow. Now maybe what you can do, because racists are good at making up laws to oppress black people on the fly, call an emergency session or meeting of the Rules Committee and change the rules to shut me up, if you can or if you dare. And I assure you, any rule you put in place will not shut me up. It will not contain me. Back to what I was saying. Senator Slama, Governor Ricketts, the "Repelican" Party-- I don't know whether to call them a troika, a triumvirate, a trinity, or the good, the bad, and the ugly, except there's no good among them. They have to squabble among themselves as to who comprises the bad and/or the ugly. But what they've done is ugly. The Speaker should have talked to some of these senators running for office before standing on this floor and suggesting that certain types of comments not be made. In the old days, they had a code of honor. If you didn't like somebody, you'd slap him and say, choose your weapons. That's not done now. Instead of wearing a breastplate, that's a part of armor which would be worn if you're going to be in ordinary combat, you need, in this Legislature, to wear a back shield

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because that's the direction you're approached from by certain cowardly, immoral people in the Legislature, the "Repelican" Party, and your Governor. This is going to be my bully pulpit. There are things that I am going to say and I will not be silenced. But since you're an adult and you're not compelled to be on this floor, leave whenever you want to. I just want to remind you of that. I do have an item that was sent to me and I'm going to read it and it might shock you. It was first published in the Omaha Magazine, the July/August edition of 2015, page 202. The headline-- and I'm quoting-- white guy wrote this and it was published in a white folks' magazine. I'm sure they're all Christians. "That Damn Ernie Chambers! He's self-absorbed, self-righteous, and infuriating, and he's absolutely--

**FOLEY:** One minute.

**CHAMBERS:** --necessary." My time is almost up so I'm going to launch into this. Will I have one more time to speak on this, Mr. President?

**FOLEY:** One more time.

**CHAMBERS:** Thank you. Then I will just wait until I'm recognized so I can get this all read. Thank you.

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

**CHAMBERS:** This was written by a man named Robert Nelson, N-e-l-s-o-n, and he subsequently had written for the Omaha World-Herald. My 88-year-old mother-in-law had never visited the Nebraska State Capitol in her 40 years of living in the state. She mentioned this often during long visits to our home this spring. "I don't feel like a real Nebraskan," she joked. Her visit to our house was extended because we have had trouble finding her the assisted living home she now needs. She mentioned the Capitol daily because rapidly progressing dementia is quickly erasing her memory of even the most recent conversations. So I drove her to that masterpiece of architecture and art, that message to the world that this little state can do big, bold things. I'm a cynic to a great fault, but I still walk the second floor where with pride and childhood wonder-- oh, there with pride and childhood wonder. How magnificent. And there's the bust of my hero, Loren Eiseley. I'll spell it, L-o-r-e-n E-i-s-e-l-e-y. Then in parenthesis, I can feel the graceful, melancholy rhythms of all the strange hours-- I guess that was a song, it was in italics-- every time I see that likeness, close parenthesis. There are the doors of the second Chamber

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of the Legislature so boldly sealed. Appropriately, the bust of George Norris is just down the hall. As we stood in the Rotunda amid spastic gaggles of schoolchildren, my mother-in-law asked if we could walk over to the Legislative Chamber that was not shuttered. She heard a voice over the Nebraska Legislature's public address system. Then that threw her-- this is printed on blue paper and it's not real clear. Going back, that drew her to the glass doors of the chambers, "I know that voice," she said. "That's Ernie Chambers." Her visit to the second floor of Nebraska's State Capitol was complete. She got to see Ernie Chambers filibustering the Unicameral. There are few people about whom I have a more conflicted opinion. At that moment, the hallway outside the Chamber was full of people waiting to get on with the business of the state. But, Ernie was inside mocking-- oh, mucking things up with a diatribe defending his now-- infamous earlier comments about Omaha police being more a threat to him and other Omaha black men than ISIS. Fine, I thought. Stand your ground. But get in and get out. You're on the clock here, Senator. At that point,--

**FOLEY:** One minute.

**CHAMBERS:** --I felt like my taxes were paying for him to once again pleasure himself with the sound of his own voice. Who else in this state is this self-absorbed, this rude? "He's the check," my mother-in-law said as she listened. "What do you mean?" I assumed her mind was elsewhere. "The balance," she said. "He balances things out. Makes people reconsider things. I've always respected that." And I'm going to wait until another issue is before us, then I'll continue. At this point, I don't intend to offer motions or amendments at this particular point, but who knows what the next point may bring. Thank you, Mr. President.

**FOLEY:** Thank you, Senator Chambers. Senator Geist, you're recognized to close on the advance of the bill. She waives close and the question before the body is the advance of LB944A to E&R Initial. Those in favor vote aye; those opposed vote nay. Have you all voted who care to? Record, please.

**CLERK:** 43 ayes, 0 nays, Mr. President, on the advancement of the A bill.

**FOLEY:** LB944A advances. We'll now proceed to Select File 2020 priority bills. Members, we're on Select File. Please be attentive to voice votes. The first bill is LB1140. Mr. Clerk.

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**CLERK:** Mr. President, first of all, I have Enrollment and Review amendments to LB1140.

**FOLEY:** Senator Slama, for a motion.

**SLAMA:** Mr. President, I move that the E&R amendments to LB1140 be adopted.

**FOLEY:** Members, the motion is to advance the E&R-- to adopt the E&R amendments to LB1140. Those in favor say aye. Those opposed say nay. The E&R amendments are adopted. Mr. Clerk.

**CLERK:** Senator Howard would move to amend, AM3035.

**FOLEY:** Senator Howard, you're recognized to open on your amendment.

**HOWARD:** Good morning, Mr. President. Good morning, colleagues. AM3035 to LB1140 reflects changes made necessary by the pandemic and the resulting delay in the effective date of the bill. AM3035 makes three date changes. These are simple date changes. There are no-- there's nothing of controversy in AM3035. First, the starting date for the annual reporting requirement for each YRTC will be pushed back from July 15, 2020, to July 15, 2021. Second, the due date for the operations plan created in Section 2 is changed from November 15, 2020, to March 15, 2021. And third, the due date for the emergency plans required in Section 6 is extended from October 15, 2020, to December 15, 2020. This would give the department more time to come into compliance with LB1140 and I would urge a green vote on AM3035. Thank you, Mr. President.

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

**CLERK:** Mr. President, Senator Howard would move to amend AM3035 with AM3088.

**FOLEY:** Senator Howard, you're recognized to open on AM3088.

**HOWARD:** Thank you, Mr. President. AM3088 is, is, is an amendment in response to a change that was considered by the department and shared with us last Wednesday. So I'll give you sort of the broad strokes of the change and then outline some of the concerns and tell you a little bit about what 3-- 30-- AM3088 does. So AM3088 is an attempt to ensure thoughtful-- a thoughtful, deliberate process in planning the best path forward for the YRTCs and a process that includes all relevant stakeholders and experts so that we can devise the best plan. This was

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the overall goal of LB1140. And for those of you who, who don't remember because we're anew and this is fresh, LB1140 was the HHS Committee's bill that required an operations plan, a strategic plan, and an emergency plan for the YRTCs. And the committee was very thoughtful and deliberate when they were crafting this legislation and I'm grateful to the 45 senators who voted for LB1140 on General File and I truly believe this amendment merely solidifies the original intentions of the bill. Most of LB1140 is about planning; both with deliberate speed, but also intentionality, requiring that operations plan, the strategic plan, and emergency plans, all of which are lacking at this time for the YRTCs. Unfortunately, last week, DHHS hastily suggested yet another plan that would move youth around throughout the juvenile justice system and disrupt a successful program at the Hastings Regional Center. This plan was not the result of planning and consultation with critical stakeholders in our juvenile justice systems or the impacted communities. This new plan, which raises significant and critical questions, highlights the need to reinforce that true planning is needed before more programs are disrupted and more taxpayer money is spent. What AM3088 does is provide a few more months of breathing room to complete the plans required by LB1140 before making major, expensive, and irreversible changes to our juvenile justice and mental health system for our youth. The language is simple, disallowing the establishment of a new YRTC or a move of a YRTC until DHHS has completed the planning process required by LB1140 with a report due to the Legislature on March 15, 2021. This would allow the department adequate time to consider the ramifications of any changes to this already fragile system. As most of you know, and just as a refresher, last August, there was a crisis at the YRTC in Geneva. And after some initial confusion and several false moves, all the female youth that were committed to the Office of Juvenile Services and the YRTC in Geneva were moved to the YRTC-Kearney campus, where the boys in our juvenile justice system already reside. This move created some immediate stability for the girls, but also had its challenges. It put a great deal of pressure on the YRTC-Kearney campus, creating new challenges for the staff, creating space constraints, and disrupting the education and services provided to the girls, but also, to some extent, the boys. Many of the members of the HHS committee have been clear that we are gravely concerned about having both boys and girls on the same campus, but DHHS has worked to keep the population separate and segregated. It's not ideal, but it is relatively stable right now. And colleagues, I tried to call almost everybody over the weekend and several of you asked the question of me-- you wanted boys and girls separate and I



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do. However, when we passed the Brandt amendment on LB1188, it was con-- it had a considered deadline of July 2021. We knew it would take some time for them to plan to get the boys and girls separate. And the other piece that gives me some comfort is that right now, the census at Kearney is 16 to 18 girls and 50 boys. It's a different conversation in terms of staff ratios when you have 40 girls and almost 100 boys, OK? So this-- I'm comfortable with them waiting to make these changes until they've finished the planning. While I'm anxious to have the girls back on their own campus, I'm not anxious to do that at the cost of disrupting both the girls and the larger juvenile justice system as a whole. And that's precisely what this new plan put forth by DHHS would do. Last week, DHHS announced its intention to move all the girls at Kearney to the Hastings Regional Center, which currently houses a successful substance-use disorder program for male youth. The department would subsequently close the YRTC campus in Geneva. Those male youth in the chemical dependency program would be moved to Lincoln, to the Whitehall campus, and would share that campus with the male youth who are receiving treatment for sex offenses. This move raises many critical questions and I'll try to outline as many of them now as I can. Nearly \$400,000 was spent to renovate LaFlesche and I have no idea why we're not using that building, why we're going to close it. Why is it necessary when the census right now is low enough to place all of the girls in Geneva, when we've already spent less than a half a million dollars to renovate Geneva? I'm also not sure if this can be done under current law. Section 43-404 creates the Office of Juvenile Services and specifically states that OJS has jurisdiction over the YRTCs alone. They do not have jurisdiction over other, other DHHS facilities. In fact, the Hasting [SIC] Regional Center, along with Norfolk and the Lincoln Regional Center, are run by the Division of Behavioral Health, not OJS. Further, Section 83-101.06 states that DHHS shall administer a clinical program at the Hastings Regional Center. That's what the Hastings Regional Center is required to do by statute. In a briefing with the HHS Committee on Thursday, CEO Smith indicated that the YRTC would not be a clinical program, but would be accredited by the American Correctional Institution-- Correctional Association. The other question I have is why does this have to be done right now without any stakeholder input? It's important to note that there is a group of stakeholders that was brought together in a visioning session by the department. There was one large meeting last July, a year ago, two smaller group meetings in the fall, and a meeting in February. And that kind of stakeholder input is precisely what is prescribed and recommended by LB1140, but has barely begun. There are questions here

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about whether the accreditation for the new facility would be appropriate. We've had a broader discussion about whether the YRTC's are correctional, whether they're medical, and we haven't completed that discussion or that planning. Further, on the education side, it would require a new accreditation by the Nebraska Department of Education as a Rule 10, rather than a Rule 18 school. Further, their plan assumes the stability of the staff in Hastings, but the teachers have been clear that they're not sure if they'll stay. The direct care staff would have to be retrained and it's not clear how many would stay and how many would prefer to move with the program to Lincoln. I'm also concerned about the effect of this change on the existing program. Hastings has a successful program. The move to Whitehall would limit their census. So right now, Hastings has a census of 20 beds. With the new building we gave them \$5 million to build, they would have 24 beds. Whitehall currently has a census of 16. And so if you combine the programs, each would only have eight beds. So eight beds for sex offenders, eight beds for the chemical dependency program. So it would limit the number of male youth that could be treated by either program. And these are two critical programs that shouldn't have artificial limits because the census has been low because of COVID. There are questions about the effect of the funding on all of these programs. Are we going to lose funding? Did we receive any federal funds to build the chemical dependency program and we'll have to return them? Could this transition be structured in a way that would leverage more, more funding with more planning? There are concerns about the building at Hastings. It was built for a medical program. So the walls haven't been hardened, the glass is breakable, the sprinklers aren't covered, the furniture can be thrown. They were built for a program for chemical dependency. They were not built for the kind of offenders that we see at the YRTC's and it concerns me that we're going to have to put the-- that we're putting girls that we know have committed acts of vandalism and property damage previously into a building that is just ripe to be torn apart. Senator Brandt will talk about this more, but what about the Geneva community? We poured money into that facility and I don't understand why we're closing down a campus and wasting those state resources when a community is willing to take in and support these girls. I've passed around a letter from the mayor of Hastings who has a lot of concerns about this change and has a very similar outline of questions. We also know that the Missouri Youth Services Institute contract-- they've signed a contract with a consultant for about \$528,000 and they're-- they haven't even begun working. And so the contract with Missouri Youth Services Institute would complement what's going on in LB1140, but I would urge

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the department and the body to consider them-- not to make those moves until they absolutely have to. Finally, we're in the middle of a pandemic. It's a fair question about whether it makes sense to move youth in this way during a pandemic, which will result in the youth and staff being exposed to groups of people they haven't previously been exposed to. We've been on an even keel at the YRTC in Kearney since that initial exposure and I don't want to disrupt that in light of our current situation in the state and our current challenges with COVID. The amendment gives room for moving youth on a temporary basis--

**FOLEY:** One minute.

**HOWARD:** --in the event of an emergency so we don't have to worry about that. But all of these questions and concerns could easily be addressed by a thoughtful planning process as outlined by LB1140. And the amendment real-- merely requires the completion of that planning process prior to making any major changes to the YRTCs and juvenile system in Nebraska. And I would strongly urge the body to vote green on AM3088. I'm happy to try to answer any questions you may have. Thank you, Mr. President.

**FOLEY:** Thank you, Senator Howard. We have six senators in the speaking queue. The first three senators are Senator Chambers, Senator Brandt, and Senator Cavanaugh. Senator Chambers, you're recognized.

**CHAMBERS:** Thank you. Mr. President, I want to finish reading what I had started because I'm making a record. Then there are some comments that I'm going to make if we stay on this amendment long enough. Going back to what I'm reading-- and because I'm stumbling and cannot really see clearly with the good lighting that we have here or in spite of the good lighting, I'm going to make a copy of this available to the people who transcribe. And I don't think it would be considered any kind of violation of ethics for them to have the actual article so that they can see it and read it under regular light better than I can in this light. This man was talking to his 88-year-old mother-in-law who was slipping into dementia. She had said, speaking of Chambers, "He's the check," my mother-in-law said as she listened. "What do you mean?" I assumed her mind was elsewhere. "The balance," she said. "He balances things out. Makes people reconsider things. I've always respected that." And so I reconsidered. I always do with Ernie. I considered the times over the last 20 years that I've spoken with him about faulty legislation and likely injustices. He always seemed to be present when something needed questioning. And it wasn't just about

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north Omaha and African-American issues. He once called me to ask if I knew anything about a shady arrest in my home town of Falls City. Some white woman may have been wronged 100 miles from his district and he cared enough to make a call to a reporter. That Unicameral moves more smoothly than any state legislature in the country. But sometimes things run too smoothly-- comity, c-o-m-i-t-y, isn't always the ideal. Ernie sometimes serves as the brakeman to a middle-class white-guy locomotive that occasionally barrels through the better angels of our nature. And, how important he has been to many Nebraskans? Oh, how important has he been to many Nebraskans? Well, for one, my 88-year-old mother-in-law from Hastings, suffering from a form of dementia that makes her forget that she's from Hastings, immediately remembered the lyrical voice of Ernie Chambers and immediately remembered what that voice has meant to her and her state. Ernie's voice echoed through the Nebraska Hall of Fame that day as my mother-in-law stood there intently-- intently watching Ernie incessantly vamp. I imagined these halls on a late night, long past closing time, sometime in the future. I saw all the busts come to life. And there was Ernie arguing to the contrary with them all. I'm going to give Senator Slama some things to consider when she wants to call me a radical. Some of the bills and changes I've made, one of which will benefit a young, white law student if she decides to take the bar exam. With all the years that that bar association existed, if a student took an exam and failed it--

**FOLEY:** One minute.

**CHAMBERS:** --he or she could not review the test. The questions were never released. There was no appeal procedure. Nothing. In this area where the law is taught, the most fundamental basics of due process were absent. I changed all that, Senator Slama. That's what this radical that you have so much contempt for did. And I'm gonna hand those things out. Thank you, Mr. President.

**FOLEY:** Thank you, Senator Chambers. Senator Brandt to be followed by Senators Stinner and Williams. Senator Brandt.

**BRANDT:** Thank you, Mr. Lieutenant Governor. I would like to thank Chairwoman Howard and the HHS Committee for all the hard work they've put into LB1140. I stand in strong support of AM3088 and I will be introducing an amendment down the road here on LB1188 that will require the girls to go back to Geneva. As a Nebraska state senator, I would like to thank all the frontline staff who are the boots on the ground at the YRTC's in Lincoln, Kearney, and Geneva. I know from

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personal meetings and many emails I have received that you're providing the best care possible for the kids that the state judiciary has entrusted to your care. I have yet to meet a frontline worker, be it custody staff, teacher, maintenance, or rehabilitation worker, who did not put the kids first. You have a difficult job made worse by the decisions coming from Lincoln DHHS. Last Wednesday, July 15, Dannette Smith, the CEO of the Nebraska Department of Health and Human Services, announced a unilateral decision that the girls currently held at the YRTC in Kearney would be transferred to a brand new YRTC in Hastings in October of this year. The girls being served by the YRTC in Geneva would also be transferred to the Hastings facility in October and the Geneva facility will be closed. The boys for whom the new Hastings facility was built would be transferred from Hastings to Whitehall in Lincoln for treatment. Last year at this time, a crisis arose at Geneva YRTC because a few girls triggered the fire sprinklers in the living units. This would not have been a problem, except the staff did not know how to shut the water off because maintenance for the facility had been transferred to DAS in Lincoln and Geneva staff was not able to contact anyone in a timely manner. The water created mold issues, rendering some of the living units uninhabitable. DHHS management in Lincoln has never acknowledged any ownership of the challenges at Geneva YRTC, but has consistently blamed the girls, staff, programming, and difficulty recruiting locally for Geneva's problems. Started on March 14, 1892, the Geneva YRTC has been successfully serving children sent to it by Nebraska's courts for 128 years. Three years ago, the facility received 100 percent national accreditation, the best of the best in the nation. By August of 2019, the facility had become so dysfunctional that an emergency was declared by DHHS and the girls were temporarily transferred to Kearney. Through a series of meetings held from October 2019 through January 2020 between CEO Smith and the local leaders from the Geneva community, the community was consistently told by DHHS that the girls would be returning home to Geneva. I felt in all of these meetings, there was zero give and take between DHHS and the people of Geneva. DHHS kept kicking the can down the road. The consensus of people in Geneva is they were lied to and that DHHS had every intention of closing the Geneva location and was looking for an excuse. Beatrice, Norfolk, Hastings, Kearney, or anywhere else in outstate Nebraska with a DHHS facility better be paying attention to what is happening here. Sometime in March, the first girls were placed back in Geneva. Staffing was brought up to supervise a maximum of six girls. The state spent \$400,000 refurbishing the 20-bed LaFlesche facility at Geneva, currently the only facility being used out of a complex of about ten

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on campus. As it stands today, DHHS will close the Geneva YRTC in October and RIF the remaining YRTC staff of 32 after reducing 46 positions last year. In 2017, the Legislature approved over \$4 million to build a new drug rehab--

**FOLEY:** One minute.

**BRANDT:** --thank you-- rehabilitation facility for boys at the Hastings Regional Center. The facility is almost complete and ready for the boys to move into, but wait. Now DHHS has decided to use this facility built expressly for boys and drug rehabilitation for a YRTC girls facility. These are two very different missions. Hastings currently is not big enough for a girls YRTC and Geneva is. The mayor of Hastings has publicly stated he does not like the idea of switching facility use. DHHS's proposed change would send the Hastings boys to Whitehall in Lincoln, creating yet another new program. What is that going to cost? The Appropriations Committee really needs to take a critical look at DHHS when they ask for funding for next year's budget. DHHS is proposing to spend more money to build more facilities in Hastings. DHHS has signed a contract for \$528,000 with a Missouri company to tell them how to run the YRTCs. This process was started back in February.

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

**BRANDT:** Thank you.

**FOLEY:** Thank you, Senator Brandt. Senator Stinner to be followed by Senator Williams and Walz. Senator Stinner.

**STINNER:** Thank you, Mr. President. Members of the Legislature, I stand in support of LB1140 and AM3088. I thought I'd weigh in from the appropriation standpoint and maybe give you a little chronology of events as we see them from the appropriation side. About two years ago, HHS came to the Appropriations Committee and had indicated they wanted to move the maintenance function to DAAS [SIC]; sounded like a good idea, you consolidate it, you have better controls, better oversight, and the like of that. So we approved that. It was about a \$4.6 million movement of funding to DHHS for maintenance relative to the YRTC. And of course, those jobs also moved, if you will. As I look back, of course, there was a summer event and obviously, there was certain constraints put on the local people because they couldn't respond quick enough or didn't think they had the authority. And a lot of the damage could have been-- certainly, a lot of the damage may,

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may not have happened, just from a preventive side. So we go through the summer and we come back and all of a sudden, we've leased from the county and here in Lincoln for \$450,000, a facility that will house ten, ten girls, ten boys on high acuity. Now I don't disagree with the fact there may be needed a special-- specialized facility for this. But again, Appropriations was not involved. The Legislature wasn't involved. We entered into a five-year and five-year contract. Certainly, they can do that or they have authority to do that. So I'm not going to say that that happens. So now we sit with \$400,000 we've invested in Geneva in fix-up cost and we're intending on going to Hastings with 24 beds available and spend more money of the taxpayer dollars for that movement. Now interestingly, when they first came and asked us to move the maintenance, the facility, we asked, you know, how are we doing as far as certification? Well, we just had the federal inspectors in and they recertified. The facility is fine. As Senator Brandt talked about, over 100 years, Geneva was just fine. And I'm not gonna stand here today and say that the plan is bogus or that we should real-- what I'm saying today is before we spend any more taxpayer dollars with this type of uncertainty, let's press the pause button. Let's take a look at this. Let's get a plan. I want to be able to sit down with, with the folks back home and say we were prudent about how we spent your dollars. Right now, because of-- and Senator Howard outlined it perfectly, all of the bullet points that we need to look into. What do we do with Geneva? We own the brick and mortar. They tell me that it's gonna be modified for office equipment. How many dollars are we gonna spend there? What's the modification in Hastings? What's the long-term piece that solves this acuity problem or do we have to rent the facility for \$450,000 plus operating costs over and above that for 20 people that now are only occupied five? We got to get a grip here. Let's get a plan. Let's push the pause button. Let's take control of this situation. Let's get together with the Governor and let's really put together a plan that makes sense for the state of Nebraska. Thank you.

**FOLEY:** Thank you, Senator Stinner. Senator Williams to be followed by Senators Walz and Vargas. Senator Williams.

**WILLIAMS:** Thank you, Mr. President, and good morning, colleagues. And I proudly serve on the HHS Committee. The issues surrounding the YRTC's have been very difficult and strong issues that we have dealt with for a long time and I stand as a committee member strongly in support of the amendments that Senator Howard has filed. I think Senator Howard, Senator Brandt, Senator Stinner have all outlined the reasons that we

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need to take a step back and hit the pause button right now. This thing can get completely out of control if we don't do this. Decisions are being made without input and without the oversight of this body. And it is clearly this body that is charged with creating the public policy of where this state goes on these types of issues. I'd also like to point out that after serving now for four years on the HHS Committee and working with Senator Howard, I would suggest that there is no one in this body that understands these issues more deeply, more capably, and more insightfully than Senator Howard. Not all of us can be on every committee. Not all of us can participate in every discussion, on every issue. This one is in Senator Howard's wheelhouse, not only from the facility standpoint and from the management of them, but from a financial aspect also. So I would suggest if this is an issue that you don't particularly know a lot about, follow the experts that are in this body. Follow Senator Howard and follow the HHS committee in passing these amendments and hitting the pause button so we can get this right at the end of the day. Thank you, Mr. President.

**FOLEY:** Thank you, Senator Williams. Senator Walz to be followed by Senator Vargas and Cavanaugh. Senator Walz.

**WALZ:** Thank you, Mr. President. I support LB1140 and AM3088 stating that no youth rehab and treatment center shall be established until the completion of a planning process is in place and in compliance with the requirements found in Section 7 and 8 of this act. Colleagues, a hasty move has many costs. And first and foremost, it is how the lack of consideration and thoughtful planning can negatively affect the lives of Nebraskans, but also realize the mistakes and lack of planning is something that costs our state big money. And that is something that we can't afford right now. This week, we re-- we received many concerns about the proposed plan to move the YRTC program to the Hastings Regional Center. I believe these concerns are valid and include well-thought-out questions that need to be addressed, including why only a four-hour notice to the local Governor-- govern-- government prior to a press release? A four-hour notice. In addition, I'd like to share with you some of the concerns and questions that the communities had with you today. And I'd like you to think carefully about these questions and consider them. Why is the-- or what is the capacity at HRC? Can it handle two dozen or more longer-term residents at one time? And what happens if that number increases? Then what? What kind of specialized healthcare will these girls need and how will it be provided? Some of the girls in Geneva



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were soon-to-be mothers or new mothers. Will there be a daycare at this facility? Will there be any medical care on-site or will they be relying on local healthcare systems and is that healthcare system prepared? What is the physical security plan for buildings and the campus? Will there be security personnel on board? Who's responsible for the criminal actions at the facility? The state patrol or the local law enforcement who received a four-hour notice? I'm really concerned about the education of these youth. Some of the questions: What are the educational needs for these girls, especially regarding access to local schools and teachers? Who provides these funds for the services? Are there any other needs for this program, which the community will need to support, the community that received a four-hour notice? Work force programs, job experiences? Will there be additional funds for that community or the schools for this new program? Are there expected to be any new jobs created because of this move? At best, this appears to be a net neutral with a decrease in income levels. What programming will be in place to help these current employees and, and individuals be successful? Who will provide oversight to an already failing program and how will the transition be funded?

**FOLEY:** One minute.

**WALZ:** And it is-- and is it the best use of our taxpayer funding, considering the recent upgrades that were made to Geneva? Why, why, why do we not seek the necessary input of all stakeholders? And why do we not work together on a comprehensive plan that may have the potential to succeed? We all know that lack of planning is a plan to fail and it has its cost. And we cannot afford to continue to make hasty decisions again and again and again. Let's work together to plan in a thoughtful and considerate way and do things in good order. Thank you, Mr. President.

**FOLEY:** Thank you, Senator Walz. Senator Vargas to be followed by Senators Chambers and Lathrop. Senator Vargas.

**VARGAS:** Thank you very much, Lieutenant Governor, President, and colleagues. I stand in support of LB1140 and the underlying amendments. A lot has been shared and as a member of Appropriations-- I'm gonna share two things, one as a member of Appropriations and one as the Chair of the Long-Term Planning Committee-- Legislative Planning Committee. As Senator Stinner laid out, I think, what is probably the most important piece here, which is, you know, the long-term implications of planning and what is brought to us every single time

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that we debate issues in terms of what happens in Appropriations, I think we provide a, a significant level of due process and, and, and we engage in this conversation on why is this needed? And I think what you're hearing right now is that there's an issue with planning. So a piece of information here. One time where we were not having an issue with planning was actually in the expansion and the development and, and making this chemical dependency program what it is right now. As far back as 2012, DHHS put out reports, planning mission statements on what this chemical dependency program and the need to restructure and the need to renovate is needed, that they would be a model across the country, a model within our cities and state-- and states in our Midwest. And this was grounded in a lot of not only planning, but a lot of data. There was reports from LB542, the Children's Behavioral Health, in March 2008, which provided justification criteria for the expansion of 50-bed chemical dependency treatment facility, which then helped lead to where we are right now. In 2007, there was the Children's Behavioral Health Plan and task force, which documented these necessary changes. The Nebraska Juvenile Corrections Facility Master Plan update in 2007 highlighted the continuing need for chemical dependency treatment facility and identify the deficiencies at the current Hastings Regional Center and this was in 2012. The current state of the Hastings facility was as a result of significant planning and intent and coalitions and stakeholder engagement, but we're not doing that now with the changes that are being proposed as of the last three days. And this is the issue. We have a program that exists for a reason, that we invested in for a reason. And despite what you may believe or think, I think it's important that we understand the historical knowledge of how we even got to the investment to the existing expanded chemical dependency program in Hastings. Because if we understood that that is what it took to get to that point, we should not be lowering our standards or expectations for what we expect for future programming that's gonna meet the needs for the, the individuals, for the juveniles that were proposed-- they're proposing to then move. And what we are doing right now through YRTC studies, through HHS, and through the leadership of Chairwoman Howard, that is the intent in terms of planning and strategic initiative that we, we need. And it is following in suit with what we saw in specific to Hastings and this chemical dependency program as far back as 2012. So colleagues, I support this amendment because it is in line with our best practices on how we approach this type of programming. And it is also in line with what we had done even

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to get the chemical dependency program as it currently exists in the state it is. Thank you.

**FOLEY:** Thank you, Senator Vargas. Senator Chambers to be followed by Senator Lathrop and Halloran. Senator Chambers.

**CHAMBERS:** Thank you. Mr. President, members of the, of the Legislature, the first thing I want to do is tender an apology to Senator Erdman. I had indicated that his campaign had used one of the types of fliers that I'm mentioning. It was Senator Halloran. As Nathan the Prophet said to King David, Senator Halloran, thou art the man, not Senator Erdman. But when I read the two-- going to the bill, the amendments, when I read the two letters that were handed out, I'm glad we were given them; one from the mayor and one from a teacher at YRTC. Senator Howard, I'm old enough to say this without you being offended. I'm not gonna ask you a question. Bless you, my child and to give the blessing of the Vulcan as transmitted to us by Mr. Spock, live long and prosper. We need people with that kind of expertise, that willingness to stand up for what is right, and who represents the type of integrity that the Legislature should know-- has come to be known for having. The Governor does not respect this body. If he did, this that we're dealing with today, we wouldn't have to. By the way, I support the bill and the amendment. I'm offended that he hired a black woman to be the head of an agency when he intended to put her out there to be a foil and catch all the darts, the slings and arrows of angry, indignant legislators. He has no respect for black women. I have no respect for him. He is in a league with the other white men in this country who use-- misuse black women; George Washington, Thomas Jefferson, James Matterson [SIC], Andrew Jackson, James Monroe; five presidents. John Hancock, a slave smuggler; Patrick Henry, give me liberty or give me death; Francis Scott Key, who wrote the song that you all sing to that rag. Yeah, I said rag. It doesn't mean to me what it means to you so don't expect me to bow down. And the song is a lie. The land of the free? Who's free? Not me, not mine. The home of the brave? And you have a coward like the Governor hiding behind Senator Slama and putting her out there? There was a chief justice of the United States Supreme Court named Roger B. Taney, a Roman Catholic, who said black men have no rights that white men are bound to respect. I'm sure that when the Governor was luring this black woman here, he made her think he was-- she'd have his support. That makes me think of this little story of the scorpion and the frog. The scorpion wanted to get across a pond and was unable to swim, swim so he asked the frog to give him a lift. And the frog said, yeah, well scorpions sting and

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that sting will kill. The scorpion got that look that people like the Governor can get on their dishonest faces and said, oh, I would not sting you if you gave me so much help and let me do something that I couldn't do for myself. He sounded so convincing that the frog said hop aboard and the frog swam across the pond. And when they got to a point where the water was not deep, the scorpion stung the frog. The frog said, why would you mislead me? I did my part and then you stung me. I shall die. Why did you do this?

**FOLEY:** One minute.

**CHAMBERS:** And the scorpion said, that's what scorpions do. I'm not gonna defame and demean scorpions who act in accord with the nature Mother Nature gave me by comparing the Governor to a scorpion. He is worse. He did what lowlifes-- yeah, I said lowlifes-- such as him will do. And I'm-- before these 17 days are over, I'm going to present some things that he and members of his family did that show that they are far from being upstanding citizens. How his daddy tricked Omaha out of tough-- TIF money, then he sold. That admin-- well, I'll go into that later, but I support the amendment and I'm going to support everything that the committee is presenting this morning. Thank you, Mr. President.

**FOLEY:** Thank you, Senator Chambers. Senator Lathrop to be followed by Senator Halloran and Murman. Senator Lathrop.

**LATHROP:** Thank you, Mr. President and colleagues, good morning. I stand in support of LB1140 and the amendments Senator Howard has presented for our consideration this morning. And I think this is an opportunity to recognize the importance of thoughtful planning. And Senator Howard's bill is hopefully going to impose upon Health and Human Services, the agency, and the administration the requirement that we engage in thoughtful planning when we talk about the YRTC's. And I think to make that point, I'd like to, I'd like to give you my perspective on the last year. So a year ago, in Geneva, there was a disturbance. The girls had a little bit of a mutiny, if you will, about their conditions. And we read about it in the paper and Senator Howard and myself and Senator Pansing Brooks and Senator Brandt went out to Geneva to tour the place. And we arrived to find this building called LaFlesche. And there's a number of-- they call them cottages, they're kind of dormitories. LaFlesche is the newer one. We toured that facility. It was unused. It has the floor torn up because we didn't fix it. We had a problem with the plumbing and we pulled the floor up and then walked away from it and put the girls in the older

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cottages that are in disrepair. By the way, at the same time, we stopped providing programming. We created a circumstance where Geneva wasn't doing what we expected Geneva to do for the girls who were sent there. And after this disturbance, the agency, the Health and Human Services, declared the place a disaster. We got to take the girls out of there. So remember, they drove them down the Lincoln. They were at Lincoln for a while. Then they drove them out to Kearney and then we got the next plan. And the plan was to have the boys and girls at Kearney. Well, there was some blowback because it doesn't make sense to have boys and girls that age in the same campus. So we said Geneva-- we'll keep Geneva for the girls that are transitioning out and then we spent \$400,000 repairing LaFlesche. Now we have, now we have another plan provided to us moments before we returned that, no, we're not gonna send the girls to Geneva, we're gonna send them to Hastings. By the way, we spent \$400,000 on LaFlesche. It is a nice building. I'm sure it is in a state of repair and it holds 20 girls. Now we're going to abandon Geneva. By the way, the community wants this there. They like the idea of the jobs. They take pride in providing services to the girls there and they've done it for decades. They want it. Now we're going to move the girls to Hastings to a facility that will need to be remodeled to accommodate them and it'll only provide more capacity-- 4 more, it's 24 instead of 20, that we would have available at Geneva. And apparently, the mayor in Hastings doesn't want it or the community isn't appreciating the opportunity to serve these girls. And by the way, we're gonna take people who are getting treatment there and move them to another place. And it all feels very erratic. It doesn't feel like we've developed a plan or we have the input because every time there's blowback, every time there's blowback, there is a new iteration of a new plan. Now it involves taking the girls to Hastings. By the way, part of the problem at Geneva in those old cottages is they could break the fire sprinklers. Well, guess what? They can break the fire sprinklers at this facility in Hastings.

**FOLEY:** One minute.

**LATHROP:** We're not thinking this through. And I have to tell you, when I've met with the people in Geneva, they have a council of citizens that want Geneva to succeed. They take pride in providing the services to these girls. And for the life of me, I don't understand this new plan, if you'd call it a plan. I don't understand it. And we can't be sure that when we leave here that there won't be blowback and there will be another version of the plan that involves something else. I

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think hitting pause-- and we are the policymakers and we have an opportunity to say, hang on a second, let's do this a little more thoughtfully, have an opportunity for some feedback, even if it's not positive, and then chart a direction, which I believe should include Geneva because we've made the investment in repairing that building and the people there are interested in helping.

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

**LATHROP:** I support the bill and the amendments. Thank you.

**FOLEY:** Thank you, Senator Lathrop. Senator Halloran to be followed by Senators Murman and Cavanaugh. Senator Halloran.

**HALLORAN:** Thank you, Mr. Lieutenant Governor. Colleagues, I stand in full support of LB1140 and the amendments, particularly AM3088. I want to make one thing very clear. It isn't that Hastings isn't willing to do its share in, in taking care of young, juvenile female offenders, we are. We're more than willing. What the consternation is, as been pointing out-- pointed out by Senator Walz, is that there was no collaboration with the community beforehand, all right? On July 14, we received a call from the-- from DHHS asking for a conference call on July 15. When we asked what the call was about, we were told that it was to update you on YRTC. Well, Hastings, to that point, had no involvement with YRTC and we asked for more detail. And we were told just be on the conference call, we will tell you. And so we had the conference call on July 15, and as Senator Walz pointed out, four hours after the conference call-- and in the conference call, the CEO of DHHS said she wanted to work with the community, wanted to partner with the community. Well, well, colleagues, partnering the term "partnering" rings hollow when your first notice is a conference call and then four hours later, it ends up in the World-Herald. There's a pattern here. It happened at Geneva. Now it's happened at Hastings. It's not our unwillingness to house that facility for the young women offenders, but it's the lack of collaboration with the community. There's nothing more elementary than planning, but yet there was no planning. I believe this plan was hatched up about a week before the conference call. That's not much planning and there certainly wasn't collaboration so let's just imagine it was hatched up a month before that. Well, if it was hatched up a month before that, why wasn't-- there was sufficient time to call together the leadership in the Hastings community and say, let's sit down and, and interact and collaborate on what we want to do here and get your input. Senator-- or excuse me, Mayor Stutte-- you had a handout here. I'm not gonna

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read through it. There's way more questions than answers and it needs to be addressed. I think putting this on hold is a, a, a wise thing to do. I'm not gonna use up my whole five minutes, but I would ask you to support AM3088 supporting LB1140 and allow-- it won't be the fir-- it won't be the last time. It won't be the last time that DHHS does something like this unless we say stop. You need to have some oversight from the Legislature and you need to have some collaboration with the local community and make it work and make-- and be a true partner, not just hollow words. Thank you, Lieutenant Governor.

**FOLEY:** Thank you, Senator Halloran. Senator Murman to be followed by Senators Cavanaugh and Chambers. Senator Murman.

**MURMAN:** Thank you, Lieutenant Governor. I stand in support of LB1140 and the underlying amendments. District 38 that I represent is kind of in a unique position. It's about 12 miles from Geneva on the east side, about ten miles from Hastings, kind of in the middle of the district. And Kearney is just a couple miles west of the part of Buffalo County that I represent so I feel compelled to speak to the issue. Also, I am on the Health and Human Services Committee so have heard a lot of testimony on this, also on the Education Committee and, and the school that the girls will attend, courses, also a big consideration. On LB1140, the, the segment that is in there that says Health and Human Services should consider previous investments and also community acceptance in making large decisions in facilities was put in there at my suggestion. And that fits very well into this conversation. I do agree that we don't want to micromanage the YRTC's or the chemical dependency program or anything with HHS, but this decision that they are-- HHS is making right now to move the girls to Hastings on the surface, just makes absolutely no, no sense for both the girls and for the chemical dependency program at Hastings. If you throw out the staffing issue that they have at Geneva-- and, and I'll be honest, I think there, there is somewhat of a staffing issue there. I don't know that it would be a lot different in Hastings. But if you throw out that issue, it makes absolutely no sense. First of all, on community acceptance. As has been spoken about quite a bit this morning, Geneva is a very accepting community of the, the girls YRTC program. It's been there for 100 years. They have a large number of volunteers. There's a lot of things going for that-- going there to keep the girls YRTC program at Geneva. And then on the boys chemical dependency program at Hastings, there is great community acceptance there of that program in Hastings. And it's, from everything I've heard, being-- living very close to the community of Hastings, it's a

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very successful program there. So by moving the girls to Hastings and the chemical dependency boys to Lincoln, it will totally disrupt two programs that have a history of great success. And then speaking to facilities, it makes absolutely no sense to, to move the, the YRTC girls to Hastings when you're talking about facilities. The facilities in Hastings are new, but they're stick built even though they're new. Just from observing them from the outside, they look very similar to the buildings in Geneva that were vandalized last summer. I think the, the buildings in Hastings will be very easily vandalized--

**FOLEY:** One minute.

**MURMAN:** --when-- if, if proper oversight isn't done there. Programming, we had great programming going in Hastings with the chemical dependency boys. Geneva, with the right kind of management, good management by HHS, we'll have good programming there. I just think it's right to push pause on this to do more study as the amendment suggest. I do agree something has to be done with the girls in Geneva. It's not a good situation there, but to quickly move them into Hastings when it doesn't make sense to have them there is not the right answer. We've got to at least have a little more study, a little more discussion, and give the communities proper notice to prepare for whatever is decided to be done. So I think, in summary, the girl-- we've got a beautiful facility also that houses 20 in Geneva right now. We've got the facilities--

**FOLEY:** That's time.

**MURMAN:** --there for the girls.

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

**MURMAN:** Thank you very much.

**FOLEY:** Thank you, Senator Murman. Senator Chambers, Groene, and Cavanaugh. Senator Chambers.

**CHAMBERS:** Thank you. Mr. President, members of the Legislature, that Pledge of Allegiance contains the words "under God." It was put there as a foil against the so-called godless commonists-- communists. If this is a nation under God and the preachers and the members of the Legislature who pray invoke the name of Jesus, if you don't believe in Jesus and what he talked about, you're being blasphemous. You're being sacrilegious. I don't ever come up here for those ceremonies, but that



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does not mean I'm unaware of things that Jesus is alleged to have uttered. He agrees with me or I with him that the three L's should be followed; the least, the last, and the lost. These young girls fit all of those categories and Jesus told you all something and you probably will disregard it like you do other things, except I see the light at the end of this tunnel and it's not a train because of the comments that have been made so far. That is to say, something is going to be done to make sure that these young girls are not trafficked. We're dealing with these young girls the way traffickers deal with female flesh; here, there, everywhere. They're like chafe blowing in the wind. They belong to nobody, they belong nowhere. They're used for the convenience and maybe even pleasuring of others who don't care. This is on the doorstep of the Governor, not the black woman who's the head of HHS. She is the titular head, t-i-t-u-l-a-r, head, just a figurehead. Others in the Governor's Office did this and will do other things to show contempt for the Legislature. And it's too bad that they turn these girls who are children into pieces on a checkerboard. That Jesus you all pray to said whoever offends against one of these, my little ones, it were better for him that a millstone be hanged around his neck and he be drowned in the depth of the sea. Do you all believe that? You're taking action this morning, which you'll follow through, will indicate that you do have far more concern for these-- all of our children. If you don't accept that in the universal humanity sense, accept it in the sense of them being wards of the state toward whom there is at least a legal responsibility, and make sure that they don't have the anxiety, the depression; all of those negative emotions that adults can't even contend with. Are you aware that adults commit suicide, that adults fall into states of depression, that they consume opioids to try to deal with problems in life that they are incapable of handling out-- without some kind of external assistance? Why are we going to put more on our children--

**FOLEY:** One minute.

**CHAMBERS:** --than we can bear? You all get upset with what I say on this floor. You all are adults. You can walk out if you want to. You can talk back to me. And as upset as you all get with me, try, if you can, to think how hard it must be for these young people, day after day, hour after hour, minute after minute, not knowing what is coming next. That's why I have so much indignation when I'm around all you white people who are supposed to be superior and I'm inferior. You all are detrimental to the cause of white supremacy in the sense of white people being supreme to everybody else. But I have to give you credit

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for what you're doing this morning and I applaud you for it. I will not be here next January. I'll wait for the applause to die down, but I'll be watching you.

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

**CHAMBERS:** Thank you, Mr. President.

**FOLEY:** Thank you, Senator Chambers. Senator Groene and Cavanaugh. Senator Groene.

**GROENE:** Thank you, Mr. President. By some senators I respect, I will support LB1140 and AM3035 and AM3088. I might sit on AM3088 if I don't find the answers I need. But HHS is an executive branch department staffed with experts-- I heard somebody say, refer to the experts; I agree-- staffed with experts in the youth rehabilitation area. We are not. We feel and we pass legislation on how we feel, but we are not experts. I was gonna ask Senator Howard a couple of questions, and she-- I forewarned her.

**FOLEY:** Senator Howard, would you yield for questions, please?

**HOWARD:** Yes, I will.

**GROENE:** Senator Howard, does the Legislature, in any of this language, have veto power over any segment of the plan that the, that the executive branch would report to us?

**HOWARD:** Not in the sense that we would be able to look at the plan and say, you can't do that unless we passed a bill or a statute.

**GROENE:** So if they bring a plan and they say they're gonna move these individuals to Hastings, we couldn't stop that?

**HOWARD:** If-- I mean, there is actually a statute in place that maybe disallows the move to Hastings in the first place and that's what we're asking them to consider by taking some time to plan. So they, they might not be able to do it in the first place.

**GROENE:** Because of what? Could you clarify that?

**HOWARD:** We actually already have a statute in place that requires clinical programming at our regional centers. And so if you move a YRTC there, it's not going to be providing the clinical programming

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that's required by statute. So that's why we're asking them to really consider this move in the first place.

**GROENE:** Do we know if they're gonna move the clinical program, it's just a matter of hiring staff or transferring staff to the new location?

**HOWARD:** Actually, clinical programming is, is decided by the accreditation that you choose for the facility. And so DHHS has said that they're choosing a correctional accreditation for the YRTC that would be at Hastings, not a clinical accreditation, which would be joint commission. So we know already that they're, they're outside of the statute in terms of this plan.

**GROENE:** But they could seek the accreditation, is that-- we don't-- this body here does not issue the accreditation, do we, or, or, or approve it?

**HOWARD:** No, it's a national accreditation. Ideally, they would say, OK, we're gonna move the YRTC there, but we're gonna have it be a medical accreditation. And that would be wonderful. I mean, that would be great and it would be part of that planning process that you would want to see.

**GROENE:** Can Legis-- can, can-- Senator Chambers, my dialect, but I'll use yours-- can the executive branch expediate their plan?

**HOWARD:** Certainly, they could certainly submit the plan early. And then the only issue is in statute, they wouldn't be able to move the kids until after the March 15 deadline. However, this Legislature--

**GROENE:** Why-- explain that. Why March 15 deadline?

**HOWARD:** That's the deadline set-- that would be set forth in AM3088. However, they can submit the plan early and then in January, somebody could submit a bill and move the date or get rid of the date so that we can start implementing early.

**GROENE:** Why was March 15, this arbitrary date, set?

**HOWARD:** So we had given them the same amount of time. We extended all of the dates for the DHHS's deadlines, because-- and we extended them by the same amount of time that we thought that they would have had we passed the bills on our regular schedule.

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**GROENE:** Thank you.

**HOWARD:** Um-hum.

**GROENE:** My biggest concern is that this body starts micromanaging the executive branch. We see it a lot anymore in Washington, D.C., and areas where-- it's not what we do here. We appropriate the funds. The executive branch brings us their budget. We appropriate the funds, we debate those funds, and we decide where those funds-- and we decide how much we give them. That's the purse strings--

**FOLEY:** One minute.

**GROENE:** --purse strings that is a checks and balances in government. Getting too far into the weeds about how things are done and how things are managed. What I understand about Geneva and a couple of other-- we just can't find staffing. We need to address the fact that these young people are violent criminals, many of them. And we put them into a home environment where-- with social workers who have no-- absolutely no ability to defend themselves or defend others or to stop somebody from breaking out. That will never change. All it takes is one person, one individual who walks into that place with the wrong attitude. Unless you can instantly instill programming into them to change who they are and their character, we're always gonna have instances like this.

**FOLEY:** That's time.

**GROENE:** Thank you.

**FOLEY:** Senator Cavanaugh.

**CAVANAUGH:** Thank you, Mr. Lieutenant Governor. Good morning, colleagues. It's nice to be around everyone again at a distance. I rise today in support of LB1140, AM3035, and AM3088. As a member of the Health and Human Services Committee, I feel compelled to just weigh in a little bit on why I am supportive of all of this work. Last August, August, Chairwoman Howard called all members of the HHS Committee to share with each member of the-- the information given to her by DHHS CEO Dannette Smith regarding the state facilities at the YRTC-Geneva. That began a journey for our committee. Committee members, as well as members of the body, toward the YRTC facilities, met with youth housed at the various facilities, spoke with staff, and held two public hearings in the communities of Geneva and Kearney. The

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next step was the crafting, crafting of a comprehensive committee report shared with this body. This 628-page report informed the crafting of the bills before this body this morning. We, as a committee, unanimously put forward these pieces of legislation as what I believe is one of the greatest examples of bipartisan legislation in Nebraska's history. We recessed in March with these bills on Select File. Speaker Scheer saw the importance of these bills and he scheduled them to be put at the top of our agenda on our return today. So this brings us to last week. After all of this work of our committee and Senators Quick, Brandt, Vargas, Dorn, Lathrop, Pansing Brooks, and Lowe, we were blindsided by CEO Smith. It was never brought up, over the past year, as a possibility to make Hastings facility a YRTC. We have invested \$400,000 in Geneva to make it a return home for the girls that were moved from Geneva last year to Kearney. The substance abuse program at Hastings was an investment of \$5 million by the Legislature after a lot of work and a task force and a diligent looking at what was needed to address the needs of that population of young men. I echo Senator Halloran's sentiments on oversight. It is not our job to micromanage, but we do need to provide oversight. And I believe that the past year was us doing our due diligence as an oversight branch of the government and these pieces of legislation are the result of that due diligence. And it is unfortunate that we are brought here today with AM3088 as a result of what I view as the rash and hasty move by our Department of Health and Human Services. I don't understand why we would make this move. It has not been made clear. There does not seem to be a plan. And it is traumatic to continually move these children around our state, not to even consider the fact that they apparently will be shackled when they are transported from facility to facility. So you might think that they're maybe not worthy of, of trust, but they aren't criminals. They are children and they are there for various reasons. And some of them may have had run-ins with the law, but that does not mean that they are there as a criminal and they should not be handcuffed or treated as a criminal. YRTC-Geneva, the community there, has shown us that they are devoted to these young women, that they want them there, that they would love to have them there. And to Senator Halloran's point, YRT-- or not YRTC, I'm sorry-- the Hastings community hasn't had the opportunity to know these young women and they already were willing to have this facility--

**FOLEY:** One minute.

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**CAVANAUGH:** --thank you-- serving these young boys. And to change that, to change what a community can do to rally around these youth without notice or input is unconscionable. This is a serious issue that takes diligent thought and planning and our committee has done that planning. And all we are asking for is that the department extend that same courtesy to these youth and have planning and thoughtful conversations. I encourage everyone to vote green on these two amendments and the underlying bill. Thank you.

**FOLEY:** Thank you, Senator Cavanaugh. Senator Arch.

**ARCH:** Thank you, Mr. President. As I have been considering this issue over the weekend and certainly since last week when we heard the announcement regarding Hastings as the plan, what kept turning over in my mind is, is-- and what I hear this morning in our debate is, is the role of oversight by the Legislature. What is, what is that role? And, and of course, there is no-- there, there is probably a continuum as we consider that issue, what, what is that role? And there is no single point on that line where we all land. Sometimes, frankly, I think we're one side of the line or the other. Sometimes, it depends on the issue, particularly if we disagree with something, then we-- of course, we want more oversight. Other times, there is that rational belief that we have three branches of government and they must be balanced and we have a role in oversight. And I believe that we exercised that very clearly when we, when we debated and, and, and came out, as a committee, in support of several of these bills that have been combined. So I'm strongly in support of AM3035, the amendment, as well as the underlying LB1140. We have within there a bill that requires planning, an operations plan that's extremely detailed, that is required to be presented by DHHS to the committee and to the Legislature. And many other issues that we tackled and, and put into some, and put into some of those bills, that I would say are-- perhaps, some in the body would view as micromanaging. We got down to some of the finer details, but what we saw in Geneva was unacceptable. And the department readily acknowledges that as well in declaring an emergency and moving, and moving the girls at that time. We had very serious issues and we debated that even here under General File when we, when we brought these bills and, and issues of-- concerning the separation of the boys and the girls. All of that was dealt with in these bills, recognized by the department, even now, as they, as they have presented this plan regarding Hastings. So I would say that this is a very legitimate debate that we're having here. Without a doubt, I would stand here and say that what happened last

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week with the announcement regarding Hastings could certainly have been handled better. But I would also say that what we have existing right now is unsustainable. The plan that we have where those girls are in three different locations, where we have in Geneva, 5, approximately 5 girls being, being, being managed by 30 staff is unsustainable. The fact that we have girls in Kearney and we've, we've made that clear with the boys on that campus-- we've had, we've had issues with the education program there, the school system, multiple issues with facilities-- unsustainable. So when the department came and presented this as a, as a plan on Hastings, hasty in that, in that we were not included in the planning of that, perhaps, could be viewed that way. Hasty in that, in that things were not vetted with local communities. But I would say this, that Hastings-- the plan in Hastings at this point, I believe to be better than our current situation. So I, I stand today probably stuck in the middle of that continuum, stuck in the middle of what exactly is oversight and what should we do in this specific situation? I greatly respect Senator Howard. I greatly respect her work on this, on this matter. We are, are probably closer together when-- than what most people think. But on this particular, on this particular perspective, I do believe that oversight has been exercised by the body in, in these bills and the bills that have been brought forward by the committee. And so I, I-- my vote is gonna be a little unusual--

**FOLEY:** One--

**ARCH:** --in that I'm gonna be voting--

**FOLEY:** One minute.

**ARCH:** --I'm gonna be voting present because I believe that the, that the administration needs to be recognized as having the authority to make these changes with the oversight. So we're talking about dates now. And there will be more of these situations that will come up in future years where the department is gonna decide to do something and we can bring it back and we can-- every time that, that we are concerned. I don't see danger to the girls in moving this to Hastings. I see questions that are yet to be answered, but I don't see danger. I do see an improvement in what, in what is, in what is going to be proposed. But again, I say legitimate debate. I respect the people on both sides of this issue. I, I will, I will be present not voting on this bill-- on this amendment, excuse me. Thank you.

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**FOLEY:** Thank you, Senator Arch. Senator Howard, you're recognized to close on AM3088.

**HOWARD:** Thank you, Mr. President, and thank you, colleagues, for your careful consideration of AM3088. I think a lot of us felt quite blindsided by the department's decision last Wednesday. And really, part of the impetus for AM3088 is to really encourage the department to consider all of the, all of the difficulties and, and sort of the statutory challenges, the accreditation challenges, the census challenges that surround a move to Hastings before they start doing it in two months because I think that's the part that seems quite hasty. You know, I agree with Senator Groene that our role is to appropriate funds. And in 2017, we did appropriate funds; \$5 million for a chemical dependency program for youth at Hastings. We didn't appropriate funds for a YRTC in Hastings. And so I think-- I don't want to make it-- I don't want to set the precedent that when the Legislature appropriates funds, that later, you can sort of do whatever you would like with those funds. I would like to see our body and the work that we do have merit and the respect of the agency. Senator Groene did bring up the staffing issue in Geneva. Right now, there are 32 staff. They are fully staffed and so I don't think that the issue around staffing Geneva versus staffing Hastings, which is 45 minutes away, has merit, that-- it's been brought up multiple times, but I don't believe that it has merit anymore. And I agree with Senator Arch. I don't see a safety issue. Because our census is inordinately low at all of these facilities, it's-- our staffing ratios are better. And so we know that the girls are safer because the staffing ratios are better because there are fewer girls in Kearney. And we know that COVID will be going on for several more months and so we have some breathing room when we have this artificially low census. You know, this change, by moving the Hastings program up to Whitehall, would actually reduce the census and the availability for both the chemical dependency program and the sex offender program. In 2019, the average for both was around 14, 15. And those would be reduced to eight and eight so we would only have eight and eight beds for both of those programs when we know that there's a greater need. So I would urge the adoption of AM3088. It requires the completion of a plan prior to major changes to the YRTCs and the plan would be due March 15, 2021. It would require the department to consider stakeholder input, to consider taxpayer investment, to consider the communities that are involved and make sure that they're a part of that planning process. And I do feel that this is really necessary for us to move forward. So I would urge the adoption of AM3088. Mr President, I would



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ask for a call of the house and roll call vote in reverse order. Thank you.

**FOLEY:** Thank you, Senator Howard. 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:** 20-- 30, excuse me-- 32 ayes, 1 nay 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 members, please check in. Senator Groene, please check in. Senator Morfeld, please return to the Chamber and check in. All unexcused members are now present. The question before the body is the adoption of AM3088. There's been a request for a roll call vote in reverse order. Mr. Clerk.

**CLERK:** Senator Wishart.

**WISHART:** Yes.

**CLERK:** Voting yes. Senator Williams.

**WILLIAMS:** Yes.

**CLERK:** Voting yes. Senator Wayne. Senator Walz.

**WALZ:** Yes.

**CLERK:** Voting yes. Senator Vargas, Senator Vargas.

**VARGAS:** Yes.

**CLERK:** Voting yes. Senator Stinner.

**STINNER:** Yes.

**CLERK:** Voting yes. Senator Slama.

**SLAMA:** Not voting.

**CLERK:** Not voting. Senator Scheer.

**SCHEER:** Yes.

**CLERK:** Voting yes. Senator Quick.

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**QUICK:** Yes.

**CLERK:** Voting yes. Senator Pansing Brooks.

**PANSING BROOKS:** Yes.

**CLERK:** Voting yes. Senator Murman.

**MURMAN:** Yes.

**CLERK:** Voting yes. Senator Moser.

**MOSER:** Yes.

**CLERK:** Voting yes. Senator Morfeld.

**MORFELD:** Yes.

**CLERK:** Voting yes. Senator McDonnell.

**McDONNELL:** Yes.

**CLERK:** Voting yes. Senator McCollister.

**McCOLLISTER:** Yes.

**CLERK:** Voting yes. Senator Lowe.

**LOWE:** No.

**CLERK:** Voting no. Senator Linehan.

**LINEHAN:** Not voting.

**CLERK:** Not voting. Senator Lindstrom.

**LINDSTROM:** Yes.

**CLERK:** Voting yes. Senator Lathrop.

**LATHROP:** Yes.

**CLERK:** Voting yes. Senator La Grone.

**La GRONE:** Not voting.

**CLERK:** Not voting. Senator Kolterman.

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**KOLTERMAN:** Yes.

**CLERK:** Voting yes. Senator Kolowski.

**KOLOWSKI:** Yes.

**CLERK:** Voting yes. Senator Hunt.

**HUNT:** Yes.

**CLERK:** Voting yes. Senator Hughes.

**HUGHES:** Not voting.

**CLERK:** Not voting. Senator Howard.

**HOWARD:** Yes.

**CLERK:** Voting yes. Senator Hilkemann. Senator Hilgers.

**HILGERS:** Not voting.

**CLERK:** Not voting. Senator Matt Hansen.

**M. HANSEN:** Yes.

**CLERK:** Voting yes. Senator Ben Hansen.

**B. HANSEN:** Not voting.

**CLERK:** Not voting. Senator Halloran.

**HALLORAN:** Yes.

**CLERK:** Voting yes. Senator Groene.

**GROENE:** Not voting.

**CLERK:** Not voting. Senator Gragert.

**GRAGERT:** Yes.

**CLERK:** Voting yes. Senator Geist.

**GEIST:** No.

**CLERK:** Voting no. Senator Friesen.

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**FRIESEN:** Yes.

**CLERK:** Voting yes. Senator Erdman.

**ERDMAN:** Not voting.

**CLERK:** Not voting. Senator Dorn.

**DORN:** Yes.

**CLERK:** Voting yes. Senator DeBoer.

**DeBOER:** Yes.

**CLERK:** Voting yes. Senator Crawford.

**CRAWFORD:** Yes.

**CLERK:** Voting yes. Senator Clements.

**CLEMENTS:** Not voting.

**CLERK:** Not voting. Senator Chambers.

**CHAMBERS:** Yes.

**CLERK:** Voting yes. Senator Cavanaugh.

**CAVANAUGH:** Yes.

**CLERK:** Voting yes. Senator Briese.

**BRIESE:** Yes.

**CLERK:** Voting yes. Senator Brewer.

**BREWER:** Not voting.

**CLERK:** Not voting. Senator Brandt.

**BRANDT:** Yes.

**CLERK:** Voting yes. Senator Bostelman.

**BOSTELMAN:** No.

**CLERK:** Voting no. Senator Bolz.

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**BOLZ:** Yes.

**CLERK:** Voting yes. Senator Blood.

**BLOOD:** Yes.

**CLERK:** Voting yes. Senator Arch.

**ARCH:** Not voting.

**CLERK:** Not voting. Senator Albrecht.

**ALBRECHT:** Not voting.

**CLERK:** Not voting. 32 ayes, 3 nays, Mr. President, on the amendment.

**FOLEY:** AM3088 is adopted. I raise the call. Is there further discussion of LB1140 and the pending amendment, AM3055? Senator Chambers.

**CHAMBERS:** Thank you. Mr. President, members of the Legislature, for the record, I do not expect much of what I say to alter anybody's thinking. But what I am convinced I need to put on the record, I will do so. I was kind of miffed, but he has a right to say whatever he wants to on the floor. When Senator Groene referred to these young girls as violent criminals, I could say he's one of the thieves and liars in the Legislature because the legislatures all over the country are full of liars and thieves, cutthroats and corner cutters. He wouldn't like that. Children are throwaways. I'm not surprised that somebody would call all these young girls violent criminals who doesn't believe that children are entitled to have legal representation when they're in court. But I'm going to put my point of view on the record and make it clear where I stood on these issues. If anybody in the future is interested in knowing, for the-- everybody in the Legislature accepted the notion that these girls are violent criminals. Now he may not be an expert. A lot of us, when we come here, acquire what would be called justifiably expertise in the area in which we work. I would match with anybody my knowledge of and skill in legislating, but that is not what I knew when I came here. I knew how to speak. I knew how to use logic. I knew how to listen and hear what people say and take greater note of what they say than they themselves said because they speak without thinking. But I listen because we're on the record. And I'm going to come back and show that I paid more attention than that speaker did because I got correct what he said or she said and the speaker did not get it right. It's like an

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empty bucket. It makes a lot of noise. And that's the way some people are on this floor. And since we're all adults, I'm not gonna pussyfoot and bite my tongue when some grown man stands on this floor and refers to these young girls as violent criminals. The Governor has done far worse things, more hurtful things to more people with his chicanery than all of these young girls put together. But some of the people who will fat mouth against children will not stand up to the Governor. Do you know what a lapdog is? Some people think it's a lapdog who licks up spit. A lapdog is a little canine who sits in the lap of its master. That's what a lapdog is. And there are lapdogs in legislatures. There are lapdogs who sit on the bench in courts. The position that a person holds--

**FOLEY:** One minute.

**CHAMBERS:** --does not mean that that person is worthy of it, that that person knows what you would like somebody in that position to know. If it's an elected position, they just got more votes than anybody else. If it's an appointed or appointive position, it's because that person is gonna be a flunky, one who toes the line and does as he or she is instructed to do. I'm not such a person. People in my district don't dictate to me, nor will anybody else. And the purpose of elections is to allow people who disagree with me to vote for somebody else, but they know that nobody is gonna represent their interests with the ferocity that I will. And there are white people in this state, and I can show you letters that I get, who complain about the fact that when they call senators' offices, they cannot get past the staff. But I often--

**FOLEY:** Senator Chambers.

**CHAMBERS:** --answer the phone myself. You said time?

**FOLEY:** That's time, but you may continue.

**CHAMBERS:** Thank you, Mr. President. Oh, you said I may continue?

**FOLEY:** Yes. This is for your second opportunity.

**CHAMBERS:** OK. And the reason I'll stop, I never know whether somebody else may have their light on and be ahead of me. I have 17 days left. You all, believe it or not, are gonna miss me when I'm gone. Some fat mouth is gonna stand up here and blow hot air and they're gonna say, boy, I sure wish Ernie was here. He wouldn't let that go without

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somebody saying something. Well, why don't you say it? You've got a mouth, but you don't have that bone that connects the head to the coccyx. It's called a spine. You get strong by practicing and giving exercise to whatever part of your body you want to gain strength. And you can apply it by analogy to your brain and your mind. Nobody on this floor is going to walk up to you and slap you because of something you say. It's just that fear of being unaccepted. I don't care if I'm unaccepted. I don't care if I'm unacceptable. I'm not here to make friends with any of you all. Now there sits Senator Crawford to my right, across the aisle. I could say "Sherry baby, Sherry baby" [IN SONG]. Then, you know, they say, come out with your red dress on. Come out, you know, you look so fine. Come out, moving nice and easy. Girl, you make me lose my mind. Sherry baby [IN SONG]. Now maybe I shouldn't do that, how many of you all would do-- because you're cowards, you're scared. You're scared. Don't be fearful. But telling you that is not gonna make any difference. Some of you, when you're in a position to bully, that's what you will do. But when you have to stand up to somebody, you won't. It's easy to attack children. I could attack the little, white children who may wind up on drugs or wind up committing suicide and say it's because of a congenital defect. It's because of a genetic inferiority. But those are not the things that I judge. I look at people and especially children. If they're children, my children, in the sense of how would I want my own treated? I don't know what these children go through. I don't know where they come from. We all want to be understood, but we don't extend that understanding to those who need it most. We don't bind up the wounds. We don't heal the broken minds. We don't give bomb to the brokenhearted. The least, the last, and the lost would come here and be kicked. But see, only radical people like me will take the time to read the words of a man who may or may not have existed and see value in those words, even if he was a figment of somebody's creative artistry. And I'm talking about J.C., Jesus Christ. And I hear people take his name in vain who say they believe in Jesus. They say, Christ almighty.

**FOLEY:** One minute.

**CHAMBERS:** And I say, these are Christians? Then you give God's last name. I didn't know God had a last name till I heard Christians. But I don't give his last name, I'm embarrassed, but God D [PHONETIC]. I didn't know he had a last name until I heard some little children talking. God's last name is Mason. The Lord's Prayer, it's called, tells you that. Our father, with jars in heaven. If jars are in

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heaven, jars are made by Mason. So God's last name is Mason. See what little children can teach you? Heaven is a museum. Children tell us that too. Our father with art in heaven.

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

**CHAMBERS:** Art is in heaven.

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

**CHAMBERS:** Thank you, Mr. President.

**FOLEY:** Senator Howard, you're recognized to close on AM3035.

**HOWARD:** Thank you, Mr. President. Just as a reminder, AM3035 is just some date changes. They're technical changes. They push back the dates and deference to the fact that we are passing these bills later than we had originally anticipated because of the pandemic and I would urge its adoption on the floor today. Thank you, Mr. President.

**FOLEY:** Thank you, Senator Howard. The question before the body is the adoption of AM3035. Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

**CLERK:** 38 ayes, 0 nays on adoption of Senator Howard's amendment.

**FOLEY:** AM3035 is adopted. Is there anything further on the bill, the bill, Mr. Clerk?

**CLERK:** Nothing further on the bill, Mr. President.

**FOLEY:** Senator Slama, for a motion.

**SLAMA:** Mr. President, I move that LB1140 be advanced to E&R for engrossing.

**FOLEY:** Members, you heard the motion to advance the bill. Those in favor say aye. Those opposed say nay. LB1140 advances. Proceeding now to LB1144. Mr. Clerk.

**CLERK:** LB1144, Mr. President. I do have E&R amendments, Senator.

**FOLEY:** Senator Slama.



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**SLAMA:** Mr. President, I move that the E&R amendments to LB1144 be adopted.

**FOLEY:** The motion 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:** Senator Howard would move to amend, AM3074.

**FOLEY:** Senator Howard, you're recognized to open on AM3074.

**HOWARD:** Good morning, colleagues. AM3074 is another amendment for date changes made necessary by the pandemic and the resulting delay in the effective date of the bill. First, the due date for the first quarterly report due from DHHS to the Inspector General of Child Welfare regarding grievances is pushed back from October 1, 2020, to January 1, 2021. The second change amends the due date for the facilities review of the 24-hour residential facilities under the jurisdiction of DHHS and the date for the first report is changed from December 15, 2020, to March 15, 2021. All following reports will be due on December 15 of each year as contemplated under the original bill starting in 2021 and I would urge your green vote on AM3074. Thank you, Mr. President.

**FOLEY:** Thank you, Senator Howard. Debate is now open in AM3074. Senator Howard, you're recognized to close on the-- she waives close. The question before the body is the adoption of AM3074. Those in favor vote aye; those opposed vote nay. Have you all voted who care to? Record, please.

**CLERK:** 43 ayes, 0 nays on adoption of Senator Howard's amendment.

**FOLEY:** AM3074 is adopted. Is there anything further on the bill, Mr. Clerk?

**CLERK:** Nothing further.

**FOLEY:** Senator Slama.

**SLAMA:** President, I move that LB1144 be advanced to E&R for engrossing.

**FOLEY:** Members, you heard the motion to advance the bill. Those in favor say aye. Those opposed say nay. LB1144 advances. Proceeding now to LB1188. Mr. Clerk.

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**CLERK:** LB1188. Senator, I have E&R amendments, first of all.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that the E&R amendments to LB1188 be adopted.

**FOLEY:** The motion 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 Howard would move to amend with AM3069.

**FOLEY:** Senator Howard, you're recognized to open on AM3069.

**HOWARD:** Thank you, Mr. President. Good morning, colleagues. AM3069, again, reflects changes made necessary by the pandemic and the resulting delay in the effective date of the bill. It makes two date changes to LB1188. Section 6 references an existing report that DHHS has to present to the Governor, the Legislature, and the Chief Justice of the, of the Supreme Court and it changes that date from November 1 to December 15. Second, the date by which the department must hire a superintendent to oversee the YRTC schools is changed from August 1, 2020, to December 1, 2021. It makes two other small changes. Language is clarified regarding DHHS contracts with public or private agencies. At the request-- we made this change at the request of the department. And second, at the request of the department, the language regarding the jurisdiction and direction of maintenance at the YRTCs was amended. The new language makes clear that the department can direct the daily maintenance, minor repairs, custodial duties, and operations of the YRTCs. These are technical amendments with date changes and requested amendments from the department and I would like to thank the HHS Committee for their hard work on these bills. And I would like to thank the department for their feedback as well and I would urge your green vote for AM3069. Thank you, Mr. President.

**FOLEY:** Thank you, Senator Howard. Is there any debate on AM3069? I see none. Senator Howard, you're recognized to close. She waives close and the, the question before the body is the adoption of AM3069. Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

**CLERK:** 41 ayes, 0 nays, Mr. President, on the adoption of Senator Howard's amendment.

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**FOLEY:** AM3069 is adopted. Anything further, Mr. Clerk?

**CLERK:** Mr. President, Senator Brandt would move to amend, AM3087.

**FOLEY:** Senator Brandt, you're recognized to open on your amendment.

**BRANDT:** Thank you, Mr. Lieutenant Governor. This is an amendment that would require the girls to go back to Geneva. We passed an amendment under LB1140 that gives DHHS an opportunity to work with all the stakeholders in the state; the Legislature, the communities, and all the people they have previously not talked to. They're listening today. They need to hear this discussion. You've been given an opportunity now till March 30 to do the right thing and I'm going to give you that opportunity. If you do not work with everybody, next year, this will come back. I withdraw my amendment.

**FOLEY:** The amendment is withdrawn. Anything further, Mr. Clerk?

**CLERK:** Mr. President, Senator Howard would move to amend with AM3099.

**FOLEY:** Senator Howard, you're recognized to open on AM3099.

**HOWARD:** Thank you, Mr. President. Good morning, colleagues. This is AM399-- AM3099 is an amendment that was suggested by the department this morning around 8:15. It, it is a, it's a technical change and it adds the words "public health emergency" in to contemplate our current pandemic situation. I would urge its adoption on the floor today. Thank you, Mr. President.

**FOLEY:** Thank you, Senator Howard. Is there any debate on AM3099? I see none. Senator Howard, you're recognized to close. She waives close and the question before the body is the adoption of AM3099. Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

**CLERK:** 46 ayes, 0 nays, Mr. President, on the adoption of Senator Howard's amendment.

**FOLEY:** AM3099 is adopted. Anything further, Mr. Clerk?

**CLERK:** Nothing further on the bill.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that LB1188 be advanced to E&R for engrossing.

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**FOLEY:** Senator Clements, you had your light on. You're recognized.

**CLEMENTS:** Thank you, Mr. President. I have a question for Senator Howard.

**FOLEY:** Senator Howard, would you yield, please?

**HOWARD:** Yes, absolutely.

**CLEMENTS:** Thank you. I see in this bill establishment and officer or a-- position of superintendent for the YRTC's. This is still going to be under the direction of HHS. Is there any influence, any involvement with the Department of Education?

**HOWARD:** Sure. I'm really glad you asked that question. So the Department of Health and Human Services has a contract with NDE and so NDE will be overseeing that superintendent position.

**CLEMENTS:** Oh, it will be contracted out to the Department of Education?

**HOWARD:** Yes.

**CLEMENTS:** But-- and who is gonna select this person?

**HOWARD:** Coincidentally, this person has already been selected. So they-- one of the challenges that we saw with the YRTC's was that they didn't have a superintendent of schools. They had principals and they had teachers, but they didn't really have a superintendent to really look at the school system as a whole. And so in-- a couple of months ago, I believe it was February, they signed an agreement with NDE to have a superintendent position to oversee principals at their 24-hour facilities where youth are housed. So this is really just codifying in statute what they're already doing.

**CLEMENTS:** All right. Well, it's still-- overall, the facility is under HHS supervision, just the superintendent administers the teachers, is that it?

**HOWARD:** The education component will be under, sort of, the jurisdiction of NDE, of the Department of Education through a contract with DHHS.

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**CLEMENTS:** Oh, OK. So Department of Education will be handling the education portion for--

**HOWARD:** Yes. And this is great news because, you know, the Department of Health and Human Services knows how to run a facility, but maybe they don't know how to run a school and so this is very exciting.

**CLEMENTS:** All right, thank you. It just had not been very clear to me how they were going to handle that.

**HOWARD:** Sure.

**CLEMENTS:** And so they're already under contract and they have the superintendent selected?

**HOWARD:** Yes, I believe so.

**CLEMENTS:** Is that position active now?

**HOWARD:** Yes, I believe so.

**CLEMENTS:** All right. All right, thank you for the help. Thank you, Senator Howard.

**HOWARD:** Thank you.

**CLEMENTS:** Thank you, Mr. President.

**FOLEY:** Thank you, Senator Clements and Senator Howard. Senator Slama's pending motion is to advance the bill to E&R for engrossing. Those in favor say aye. Those opposed say nay. LB1188 advances. Proceeding now to LB1148. Mr. Clerk.

**CLERK:** Senator, I have E&R amendments, first of all.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that the E&R amendments to LB1148 be adopted.

**FOLEY:** The motion 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:** Senator Vargas would move to amend with AM3075.

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**FOLEY:** Senator Vargas, you're recognized to open on AM3075.

**VARGAS:** Thank you very much, President. Colleagues, LB1148 is part of recommendations coming out of the YRTC study that was headed by Chairwoman Howard. We have-- obviously in a place right now where we are making some technical amendments. This is-- there are many different bills that are part of this, as you can see from LB1148, LB458, LB906, LB969, and LB975, which has already passed in the first stage. So these really simple cleanup parts are a couple different things with language and placement and pages. There are two substantial changes that were at the request of DHHS. The first is making sure that we update YRTC. We had in many places, YRTCs-- a reference to YRTC-Geneva and Kearney. We've now just referenced it as YRTC, as defined in statute because there are-- is a more expansive definition of YRTCs. Now we wanted to make sure that we were in line with what DHHS was requesting. And the second piece is-- part of this is continuing court oversight for youth within the YRTC system. And DHHS requested that they have say within the system in terms of being a party to any of the hearings that would be brought within the court system and so that was a, a very reasonable request. And so we made a change that they would be enabled to be a party within the system for any of these court oversight hearings. And then the last is just making sure that there's some technical changes within the YRTC part to make sure that we're updating some of the page numbers. Again, I ask for your support of AM3075 and for your support of LB1148. Thank you.

**FOLEY:** Thank you, Senator Vargas. Debate is now open on AM3075.  
Senator Howard.

**HOWARD:** Thank you, Mr. President. I rise in support of AM3075. These changes are well considered with the department and Senator Vargas, Senator Arch, Senator Lathrop, Senator Lowe. We were all in the same room before the pandemic hit and went through all of these necessary changes. And so AM3075 is a well-considered amendment and I hope-- and I would urge its adoption on the floor today. Thank you, Mr. President.

**FOLEY:** Thank you, Senator Howard. Seeing no other members wishing to speak, Senator Vargas, you're recognized to close on your amendment. He waives close and the question before the body is the adoption of AM3075. Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

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**CLERK:** 45 ayes, 0 nays on the adoption of Senator Vargas' amendment.

**FOLEY:** AM3075 is adopted. Anything further, Mr. Clerk?

**CLERK:** Nothing further, Mr. President.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that LB1148 be advanced to E&R for engrossing.

**FOLEY:** The motion is to advance the bill. All those in favor say aye. Those opposed say nay. LB1148 advances. Proceeding now to Select File 2020 committee priority bills. LB1152. Mr. Clerk.

**CLERK:** LB1152, Senator, I have E&R amendments.

**FOLEY:** Senator Slama.

**SLAMA:** President, I move that the E&R amendments to LB1152 be adopted.

**FOLEY:** The motion 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:** Nothing further on the bill, Mr. President.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that LB1152 be advanced to E&R for engrossing.

**FOLEY:** The motion is to advance the bill. Those in favor say aye. Those opposed say nay. LB1152 advances. Proceeding now to the next bill. Mr. Clerk.

**CLERK:** Mr. President, LB1055. Senator, I have E&R amendments, first of all.

**FOLEY:** Senator Slama.

**SLAMA:** Mr President, I move that the E&R amendments to LB1055 be adopted.

**FOLEY:** The motion is to adopt the E&R amendments. Those in favor say aye. Those opposed say nay. The E&R amendments are adopted. Mr. Clerk.

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**CLERK:** Mr. President, Senator Williams would move to amend with AM-- I'm sorry, Senator Williams has two amendments, but I understand they are to be withdrawn. Therefore, I have nothing further on the bill, Mr. President.

**FOLEY:** Senator Chambers, you're recognized.

**CHAMBERS:** Thank you. Mr. President, members of the Legislature, I could not let a bill with the name of my good friend and I have a way-- this is a digression of promoting people for whom I have respect. "General" Brewer, the only reason he's not a general is because they didn't have sense enough to see what I see. But nevertheless, I want to use his bill to say a few things. On November 3, 2016, I wrote a letter addressed to Mr. Donald J. Trump, Trump Tower, 725 5th Avenue, New York, New York, 10022. I overnighted it so that I could document that I had sent it. I got all of the proof of mailing from the post office to show when it was mailed, when it was delivered, which department it went to, who received it. So that's a matter of record and I got all those documents. But it's an open letter and I started with this little piece from the Lincoln Journal Star dated February 18, 2016. 2016. Donald Trump is an undercover Democrat, Omaha Senator Ernie Chambers said during Wednesday's debate. He called the Republican presidential candidate a bomb planted to destroy the GOP. And that's why he has so much fun, Chamber said. Now these "Repelicans" are waking up to it. He's destroying the GOP. I studied Donald Trump and that's the conclusion I arrived at. I'm going to read bits and pieces from this. I will not speak more than twice on the bill. Nearing-- oh, and I referred to him as Dear Donny-- I hope you don't mind my using the diminutive/familiar. I do not expect my name to ring a bell with you, but as you see from the item attached to this page, we go back a ways. Not as far back as you and young Bush on the bus, but far back enough. Bush on the bus was when Trump was talking about fondling women's external genitals. Then I went on with this. Nearing the extraordinarily unique nature and style of your campaigning, the format of this letter is by terms, stream of consciousness, episodic, herky-jerky, helter-skelter, and even a little bit jumbled and jivy. Did I predict, in 2016, the way Donald Trump was going to conduct his affairs and the way he would speak? Of course I did. I stated several times on the floor of the Legislature, whose proceedings, gavel to gavel, are broadcast live on public television and streamed on the Internet, that I am the "unofficial unappointed campaign manager" for Donald Trump and that my goal is to see him become the Republican Party's nominee for president- with



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emphasis on nominee, since my choice for president is Hillary Clinton. I presented my case in advance of Nebraska Republicans being seized by a "moral imperative" to join the Trump lemming march to the sea, preparatory to boarding the cruise ship, "Trump Titanic." Based on developments, my first stated goal has been realized. You are the nominee. I am confident that the second your destruction of the Republican Party from being--

**FOLEY:** One minute.

**CHAMBERS:** --within is on the verge of fruition. When the destruction is completed, you will have turned a common cliché upside down. Instead of saying the captain goes down with the ship, we'll be able to proclaim in this instance, all thanks and praise to you, the ship is going down with the captain. I'll wait till I'm recognized before I finish.

**FOLEY:** Thank you, Senator Chambers. You may proceed on your second opportunity.

**CHAMBERS:** Thank you. Members, am I prescient? Do I see the future? What are these? What-- there's a group called the Lincoln Movement where they are "Repelicans" who are trying to get Trump defeated because they are saying what I tried to tell the fools in 2016. He is going to destroy the Republican Party and that's why he's having so much fun and he'll tell all you all a leopard doesn't change its spots. You thought I was a "Repelican?" Look at my record. Yeah, I destroyed the party. That's what I ran for. And once again, continuing, the man who put the "I," letter "I" in egoist will have confirmed his paramountcy and demonstrated the uncanny ability to eclipse whatever is going on around him. Not too shabby a consolation prize. The purpose of this correspondence is to encourage you to stay the course. "When the going gets tough, the tough get going." That is susceptible of two interpretations. It could mean that they will "double down" as you are wont, w-o-n-t, to do and redouble their efforts even if it serves only to make matters worse- or they get going in the sense of scrambling to their feet and running away, which you are not wont to do. Doesn't he, when he does something stupid, underscore it, reemphasize it, does not ever want to back away? I called the shot in 2016 and I'm gonna hand copies of this around before the session is over, obviously. Lest you misperceive, based on what I've written, my intent, let me make it clear by borrowing a famous passage from the Bard's play Julius Caesar. "Friends, Romans, countrymen, lend me your ears; / I come to bury Caesar, not to praise

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him." End of that quote, but with this essential, significant difference, I come not to bury Donald Trump, but to praise him. Yes, to praise him. Of course, skeptics and cynics may try to get their dig in by invoking an equally famous phrase from poet Alexander Pope's, An Essay on Man to damn with faint praise, thereby insinuating a hidden motive on my part. I assure you that my words are as sincere and trustworthy as those you have been uttering throughout your historic political sojourn. In the interest of clarity, praise is not synonymous with agreement. I extend praise because you are what you are; as sly as a fox, slippery as an eel, unreliable as a used car salesman, unstable as water, volatile as the stock market, unpredictable as the weather. And to this "code," as even a casual observer will note, you are true. That's the description I gave of him in 2016. And it's true, every word of it. But since I like to "put the cork in the bottle," use your situation as an example. GOP distant as Trump praises Putin. Are we in sync? And as we go on, I'm gonna read more from this letter, but I just wanted you all to be aware when you hear this Lincoln Project of "Repelicans" trying to get--

**FOLEY:** One minute.

**CHAMBERS:** --rid of Trump and turn the "Repelican" senators out of office, let the Democrats take over, because they say in the long run, Trump will destroy, not just hurt, but destroy the Republican Party. And before that happens, they want to bring it to a stop. I see Senator Lowe over there sitting under the balcony looking like the cat who swallowed the canary and his partner, Senator Hansen, the other Hansen, smiling like the Cheshire Cat. All you see is the smile and no body. But he brushes his teeth and they're so bright. I can see that smile. That's how I know it's him, even though I can't make him out. You all think you're smart.

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

**CHAMBERS:** You said that's it?

**FOLEY:** That's time. Senator Clements to be followed by Senator Chambers. Senator Clements.

**CLEMENTS:** Thank you, Mr. President. This bill, back to the bill, is saying-- it's talking about voting by mail and exclusively voting by mail. And I have had-- constituents had concern by mail ballots, especially whether they're really secret ballots when you sign your name on the outside and you can pull out-- somebody could pull out the

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ballot and see your signature and then your votes. I would like to ask Senator Brewer a question.

**FOLEY:** Senator Brewer, would you yield, please?

**BREWER:** Yes.

**CLEMENTS:** Senator Brewer, would you respond to criticism about this process maybe not being a secret ballot and the mail-in situation? Had that been discussed by the committee or in the testimony?

**BREWER:** It has been addressed. The solution that has been recommended is that there be another envelope. Again, this is a cost to do that, but then that envelope would protect that signature so that it is not open when the document comes in.

**CLEMENTS:** Currently, this bill doesn't require a separate envelope inside?

**BREWER:** It does not.

**CLEMENTS:** It does not? All right. Well, I hope the county election officials listening or seeing the record see that it'd be my intent that they immediately-- if they can check the signature on the outside of the envelope, immediately remove the ballot and separate it from that signature so-- to protect the secret ballot. And if they have the ability to put an extra envelope in there that's sealed, that would be helpful. And Senator Brewer also, are the small counties wanting this? This is for counties under 10,000 population, did they ask you for this provision?

**BREWER:** They did. The request primarily came from those counties that are very remote, that have a lot of space and not that many voters and have sometimes limitations on their ability to get to a polling place.

**CLEMENTS:** And does this require that they still have ability to-- voters have ability to drop off a vote at a ballot box in the county?

**BREWER:** That is correct. There would still be a secure ballot box and then-- and would give them the option of also doing the in-person voting.

**CLEMENTS:** Very good. Well, I just wanted to clarify that, get some of those issues discussed on the record. I do support LB1055 and just

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encourage the counties to take all measures that they can to keep those ballots secret. Thank you, Mr. President.

**FOLEY:** Thank you, Senator Clements. Senator Chambers, for your third opportunity, to, to be followed by Senator McCollister.

**CHAMBERS:** Thank you. Mr. President, members of the Legislature, I had said I, I would only speak twice, but being a military man, "General" Brewer knows that sometimes the exigencies of war and the unpredictability of events will require an alteration in tactics and sometimes even strategy. So it became necessary for me to speak one more time. I had offered a resolution calling on Congress or the, the-- not Congress, but the officials around the President who are authorized by the 25th Amendment to the Constitution to remove some guy who is incapable of doing the job from office and I offered that resolution and it went to the office of Senator Murante. He didn't want anything done with it so that session ended, but it would carry over. So that session was running out and I told him I would make a motion on the floor to pull it and I'd get a chance to discuss it. So he then set a hearing toward the end of the session and he set it for the noon hour so that nobody would be there and scarcely anybody was there. But I'm only going to read to you the portion that I think is relevant for right now. A draft dodger conducted himself in such an inappropriate way that one of the top generals in the United States Army resigned rather than suffer the bullying and the vindictiveness that Trump had made clear what happened to him for his testimony before a congressional committee. Trump has said he doesn't care what the military says about renaming these bases named after Confederate generals who tried to destroy this country. He said they're part of the history and they need to be there and he said these monuments that glorify those who believed in slavery should not be touched because they're a part of history and people love that. Hitler didn't fight to overthrow Germany. Hitler fought against those he perceived as Germany's enemies. These people, whose statues are there, tried to destroy America. They were not Americans. How many of you think that Germans would allow a statue of Hitler to be erected in Germany so that the history of Germany would be accurate, a history of Adolf Eichmann or Goebbels or any of the rest of those Nazis? Trump is insane. But going beyond that, I mentioned that to show you that he does not understand the military mind. I was talking about a bad decision that he would-- that a president would be about to make. And this is reading from the transcript of that hearing, April 3, 2018, on page 21. I think a milit-- a military man or woman would sacrifice

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life to save the country. Skipping so I won't take too long. I think this person would be the one that I talked about in my one-act, one-scene play on the floor of the Legislature. The general who is facing court-martial, and he would give this little speech about every one of you-- when you're court-martialed, the ones judging you cannot be of lower rank than you. They all have four stars. Every one of you took the same oath that I did, that you would defend this country and protect it against all enemies, foreign or domestic.

**FOLEY:** One minute.

**CHAMBERS:** Every one of you, as I have done, has been on the battlefield, risking my life as you've risked yours, protecting this country from enemies, foreign or domestic. If any of you were in a position I was in, you would do the same thing or have done the same thing and then skip to what was in the next morning's paper. General So-and-so, says the headline, was tried by a court-martial, sentenced to death for assassinating the President of the United States. The President would be just one man. The general, had risked his life on the battlefield, now was willing to give it to save the country. And as Khrushchev said, living things want to go on living. As canny as Donald Trump is, he's gonna run down in that bunker and stay well hidden. But some military person-- and I told you first-- if it becomes necessary--

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

**CHAMBERS:** --is going to do what is necessary. Thank you, Mr. President.

**FOLEY:** Thank you, Senator Chambers. Senator McCollister.

**McCOLLISTER:** Thank you, Mr. President. Good morning, colleagues. Welcome back. I wonder if Senator Brewer would, would stand for a couple of questions?

**FOLEY:** Senator Brewer, would you yield, please?

**BREWER:** Yes.

**McCOLLISTER:** Thank you, Senator Brewer. Going through the committee statement, I can see this, this bill received accolades from everybody that testified. Good going for that. This bill limits this voting by mail to counties of fewer than 10,000 people, is that correct?

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**BREWER:** That is correct.

**McCOLLISTER:** Isn't it also a fact that voting by mail in, in this fashion increases the turnout?

**BREWER:** It potentially could.

**McCOLLISTER:** Yeah, I believe it does. What my question is, would it be a good thing to expand the use of this option for counties larger-- with populations larger than 10,000?

**BREWER:** Well, we currently have the ability to request an absentee ballot if you're not able to vote in person. So I guess my question would be, if you could currently request and have an absentee ballot, then wouldn't that meet that requirement?

**McCOLLISTER:** Well, not exactly. This year, this spring primary, in Douglas County, ballots were mailed to everybody and you could return those ballots by mail. And turnout was, in fact, improved. I'm just thinking that, you know, sending a ballot to a greater-- to counties that have populations greater than 10,000 might also be a good option. It's not in this bill and I'm not proposing that we amend this bill, I'm just suggesting that for another session, we look at expanding this option for counties with populations larger than 10,000.

**BREWER:** All right, so noted.

**McCOLLISTER:** OK. Thanks, Senator Brewer. Thank you, Mr. President.

**FOLEY:** Thank you, Senator McCollister and Senator Brewer. Senator Friesen to be followed by Senator Hunt. Senator Friesen.

**FRIESEN:** Thank you, Mr. President. Well, I think there has been a lot of conversation on voting by mail this year, but I-- let me just give you my experience that in Hamilton County, we do vote by mail. And if you do it the way we're currently doing it, it is no longer a secret ballot because when that ballot gets mailed out, in our case, we mail out the ballot, it's got a prestamped envelope that you can put your ballot into, and then you can send it back. It did increase voter participation a little bit, but you would think with it made this easy and this convenient, everyone would vote. Still doesn't happen. We still have what I call poor voter turnout. But in the end, when you open up that ballot, when you send it back, the person opening the envelope with your signed-- your signature, your name is right there. They open up the envelope. They take out your ballot. They have the

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opportunity to look at the ballot and the envelope it came from and it is no longer a secret ballot. So we have some work to do before we can say that we want to have mail-in ballots. And if we don't fix some of these things, we no longer will have a secret ballot. So I think this, this bill takes a small step in trying to fix a few things. But longer term, I know everybody is talking a lot about a secret ballot or the ballots and doing mail in. And me personally, I feel that if, if you don't have the ability to go in and vote at a ballot box, I still feel it's one of our responsibilities and it doesn't need to be made any easier. It means that we need to be more educated on the candidates we're voting for and that's our responsibility. So that's where I stand. This is a good bill. I will support it, but as we talk about this further going down the road, there are some definite issues with mail-in ballots. Thank you, Mr. President.

**FOLEY:** Thank you, Senator Friesen. Senator Hunt.

**HUNT:** Thank you, Mr. Lieutenant Governor. I just wanted to rise quickly after hearing Senator McCollister's question about amending something into LB1055 to allow counties greater than 10,000 to do vote by mail. Currently, counties under 10,000 already have the ability to have an all-mail election if they want to and I introduced LB163 last year to bring this provision to all counties in Nebraska. We've seen it work really well in counties that allow it. And there are several counties that are just above the population cap that would like to do it as well, especially given that they have an aging population of poll workers that in many cases, they have a long way to drive between the polls. So LB163 would be a really great bill to amend into this. Before we adjourned in March, I had an amendment drafted for this. Senator Brewer and I had been talking about it a little bit, but it was just in the early phases. I was talking to his staff and then we adjourned. And so I had the amendment drafted and I thought about bringing it for these final 17 days, but I wanted to, to tell Nebraskans and also tell my colleagues that I decided not to do that because if we were to actually amend this bill with my vote by mail amendment, Governor Ricketts would likely veto the entire bill. And then we would be in a lot of trouble because there's a lot of other great things that have been put into this bill. I think we've done some good work on it and I also think that we will have more momentum than ever in 2021 to try to raise the cap on vote by mail again in Nebraska and give this another try. We can take the fall and winter to talk to election commissioners and county clerks who at that point, will have lived through the most difficult election to administer of

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their lives. We'll have more momentum from voters who see that-- you know, we've had a primary and general election in 2020 with the highest vote-by-mail turnout rate ever that we can use to prove that it's a successful way to vote. It should be accessible to all counties. So I just briefly wanted to talk about Senator McCollister's question about perhaps putting a vote by mail in here. And I wanted to explain why, perhaps politically, given the short session that we have here and how much we have to do that it's not the time, but we're definitely gonna be doing this next year. Thank you.

**FOLEY:** Thank you, Senator Hunt. Senator McCollister and then Senator Moser. Senator McCollister.

**McCOLLISTER:** Thank you, Mr. President. Since we're having a general discussion about voting by mail, just wanted to point out that when a ballot comes back to the election commissioner or the county clerk, whatever, you know, they compare the signature on that ballot with the signature on record. And sometimes a signature can be a rather subjective thing. So as we look at legislation in, in upcoming years, we need to make sure that a person has a-- has an opportunity if his ballot is deemed not his ballot, has an opportunity to deal with that, deal with that problem. And also, in this election coming up here in November, I know that candidates can have people reviewing the ballots as they're counted. And I think that gives candidates certainty that the election commissioner isn't just canceling out a ballot without actually checking the, the signature on file. Thank you, Mr. President.

**FOLEY:** Thank you, Senator McCollister. Senator Moser.

**MOSER:** Good morning, colleagues. Thank you, Mr. President. Just an, an issue I wanted to bring up before we go to lunch. I know that shortly, we'll be taking a break. This is a little bit off the topic of what we're discussing, but I want to thank everybody who is wearing a mask this morning. Are these masks a desirable fashion accessory? No. Do they make us look silly? Well, that's questionable. But it's a sacrifice that most of us are willing to make to help protect ourselves and help protect our friends and our loved ones. So are the odds high that you'll get COVID? Probably not. Are the consequences dire? They may or they may not be. You know, some of us have had it and breezed through it, some of us came close to croaking going through it. And I'd encourage all of you to wear a mask, if not for yourself, for your loved ones, for your friends. You know, is it a sacrifice? A small one, but it may save your life, your family member,



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or your friends. So I'd encourage you to set aside your apprehensions and your, your reluctance to go along with the crowd. But this is one of those times where I think that we should pay attention to science and don't take those chances. The life you save could be yours, could be one of your family members. It's not worth taking that chance. Thank you.

**FOLEY:** Thank you, Senator Moser. Is there anything further on this bill, Mr. Clerk?

**CLERK:** I have nothing further on the bill, Mr. President.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that LB1155 [SIC] be advanced to E&R for engrossing.

**FOLEY:** The motion is to advance the bill. Those in favor say aye. Those opposed say nay. LB1055 advances. Next bill, LB774.

**CLERK:** LB774, Senator, I have E&R amendments, first of all.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that the E&R amendments to LB774 be adopted.

**FOLEY:** The motion 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:** Senator Arch would move to amend, AM2978.

**FOLEY:** Senator Arch, you're recognized to open on your amendment.

**ARCH:** Thank you, Mr. President. I-- thank you, colleagues. Just a quick refresher about this bill and the need for AM2978. LB774 is a Banking, Commerce and Insurance priority bill. It contains several important components, including the provisions of one of my bills, LB886, that can be found in Section 3 of the committee amendment. As you may recall from the General File discussion, my bill is a consumer protection measure that prohibits a healthcare facility from advertising or holding itself out as being a network provider of an insurance company or accepting any health insurer unless the facility is in fact a network provider of an insurance plan. During the debate, Senator Lathrop pointed out that some of the language could be

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misinterpreted and result in actions contrary to the bill's intent. As promised, I worked on an amendment between General and Select that is AM2978, which doesn't make substantial changes to the bill, but merely provides clarification. Senators Williams and Lathrop have both agreed to the language and again, I appreciate the Banking, Commerce and Insurance Committee for including my bill in LB774 and I ask you to vote green on the amendment and the underlying bill. Thank you.

**FOLEY:** Thank you, Senator Arch. Senator Williams and then Senator Chambers. Senator Williams.

**WILLIAMS:** Thank you, Mr. President. And first of all, I would like to thank Senators Arch and Lathrop for working on this amendment that does improve this piece of legislation. And as Chairman of the Banking Committee, I urge your adoption of this amendment and the underlying bill. Thank you, Mr. President.

**FOLEY:** Thank you, Senator Williams. Senator Chambers.

**CHAMBERS:** Mr. President, members of the Legislature, I'm going to support Senator Archer's amendment. And sometimes I think the tables should be turned. I'm, this morning, going to be an arch support.

**FOLEY:** Thank you, Senator Chambers. Senator Arch, you're recognized to close on your amendment.

**ARCH:** I, I have nothing further to say, but I do appreciate Senator Chambers' support of the arch.

**FOLEY:** Thank you, Senator Arch. The question before the body is the adoption of AM2978. Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

**CLERK:** 43 ayes, 0 nays on adoption of Senator Arch's amendment.

**FOLEY:** AM2978 has been adopted. Anything further, Mr. Clerk?

**CLERK:** Nothing further, Mr. President.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that LB774 be advanced to E&R for engrossing.

**FOLEY:** It's a debatable motion. Senator Chambers, you're recognized.

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**CHAMBERS:** Thank you. Mr. President, now having given a boost to Senator Arch, I want to give a boost or a warning to Senator Williams. Every move you make, every breath you take, every claim you stake, every smile you fake, every cake you bake, every yard you rake, I'll be watching you. Now, I have a question that I want to put to Senator Williams, if he will yield.

**FOLEY:** Senator Williams, would you yield, please?

**WILLIAMS:** Certainly.

**CHAMBERS:** Senator Williams, do you know the name of the group who made this song famous, whatever fame it had?

**WILLIAMS:** Absolutely,--

**CHAMBERS:** And what is the name of the group?

**WILLIAMS:** --one of my favorite bands of all time, The Police.

**CHAMBERS:** Thank you.

**FOLEY:** Thank you, Senator Chambers and Senator Williams. The motion before the body is the adopt-- is the advance of the bill to E&R for engrossing. Those in favor say aye. Those opposed say nay. LB774 advances. Proceeding to LB780. Mr. Clerk.

**CLERK:** I have E&R amendments to LB780, Senator.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that the E&R amendments to LB780 be adopted.

**FOLEY:** The motion 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:** Nothing further on the bill, Senator.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that LB780 be advanced to E&R for engrossing.

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**FOLEY:** The motion is to advance the bill. Those in favor say aye. Those opposed say nay. LB780 advances. Proceeding now to LB780A. Mr. Clerk.

**CLERK:** LB780A. Senator, I have no amendments.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that LB780A be advanced to E&R for engrossing.

**FOLEY:** The motion is to advance the bill. Those in favor say aye. Those opposed say nay. LB780A advances. LB1003, Mr. Clerk.

**CLERK:** Senator, I have E&R amendments to LB1003.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that the E&R amendments to LB1003 be adopted.

**FOLEY:** The motion 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:** Nothing further, Mr. President.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that LB1003 be advanced to E&R for engrossing.

**FOLEY:** The motion is to advance the bill. Those in favor say aye. Those opposed say nay. LB1003 advances. Proceeding now to Select File 2020 senator priority bills. LB840, Mr. Clerk.

**CLERK:** First of all, Senator, I have E&R amendments to LB840.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that the E&R amendments to LB840 be adopted.

**FOLEY:** The motion is to adopt the E&R amendments. Those in favor say aye. Those opposed say nay. The E&R amendments are adopted. Mr. Clerk.

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**CLERK:** Mr. President, Senator Quick had AM2770 and AM2877. I have notes to withdraw both of those. Senator Quick would then move to amend, Mr. President, with AM2925.

**FOLEY:** Senator Quick, you're recognized to open on AM2925.

**QUICK:** Thank you, Mr. President, and good morning, colleagues. LB840 would include electronic smoking devices into our Clean Indoor Air Act so that they could not be used in public spaces-- places or workplaces. On General File, I agreed to work with Senator La Grone and Senator Wayne on an amendment to address their concerns. AM2925 was agreed to by both them as well as the Vape Vendors Association. I really appreciate everyone who worked on it-- on this bill with me, including Senator Briese, Senator Howard, and Senator Wishart. AM2925 more clearly defines electronic smoking devices as electronic nicotine delivery systems as defined in Statute 28-1418.01 and does not include a diffuser, humidifier, prescription inhaler, or a similar device. AM2925 also specifies that if a vape store wants to allow vaping inside their store, they must restrict the store to those 21 and over, not sell alcohol or gasoline, and get 20-- get less than 20 percent of their revenue from food. Employees under 21 can work in these stores until 2022 to grandfather those employees in. This would allow vape stores who wish to allow their-- allow vaping in their stores to sell the snacks and soda they currently are selling and will not be an undue burden. Again, these requirements are just for vape stores that wish to allow vaping in their stores. I would appreciate your green vote on this compromise and amendment and your support of LB840. Thank you. Thank you, Mr. President.

**FOLEY:** Thank you, Senator Quick. Any discussion on Senator Quick's amendment? I see none. Senator Quick, you're recognized to close on your amendment. He waives close and the question before the body is the adoption of AM2925. Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

**CLERK:** 35 ayes, 0 nays, Mr. President, on the adoption of Senator Quick's amendment.

**FOLEY:** AM2925 is adopted. Anything further, Mr. Clerk?

**CLERK:** Nothing further, Mr. President.

**FOLEY:** Senator Slama.

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**SLAMA:** Mr. President, I move that LB840 be advanced to E&R for engrossing.

**FOLEY:** You've heard the motion to advance the bill. Those in favor say aye. Those opposed say nay. LB840 advances. Mr. Clerk, items.

**CLERK:** Mr. President, items. Executive Board Reference report signed by Senator Hilgers. Hearing notice from the Revenue Committee and from the Natural Resources Committee. Amendments: Senator Hughes to LB858. Motions with respect to LB720 by Senators Erdman and Lathrop. Senator Chambers, an amendment to LB924. Senator Hart-- Hurt-- Hunt, excuse me, to LB814. Another motion with respect to LB720 by Senator Linehan. Resolutions: LR346 is by Len-- Senator Lindstrom. That will be laid over. LR347 and LR348 are Senator Lindstrom. Those are calling for interim studies. Those will be referred to the Executive Board. Enrollment and Review reports LB944A back to Select File. Judiciary Committee will have an Executive Session today at noon in Room 1524. Judiciary Exec Session at noon in 1524. Senator Groene would like to remove his name as cointroducer to LB1084. And Senator Halloran would move to recess the body until 1:30 p.m.

**FOLEY:** Members, you heard the motion to recess till 1:30. Those in favor say aye. Those opposed say nay. We are in recess till 1:30.

RECESS

**FOLEY:** Good afternoon, ladies and gentlemen. Welcome to 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:** I do. Your Committee on Transportation reports LB992 to General File with amendments. It's signed by Senator Friesen as Chair. Senator Brewer, an amendment to LB153 to be printed and a notice of hearing from the Government Committee for next Monday. That's all that I have.

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

**HUGHES:** Point of personal privilege, Mr. President, please.

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**FOLEY:** Please proceed.

**HUGHES:** Thank you, Mr. President. Good afternoon, colleagues. I would like to point out that one of our members has a birthday today. Senator Bostelman is having a birthday today, and he does feel very bad that there are no cookies or cupcakes. So if you see 50 cents or a dollar on your desk tomorrow, that's probably where it came from. Happy birthday, Senator Bostelman.

**FOLEY:** Members, we'll proceed to the next item under Select File 2020 senator priority bills, it's LB931. Mr. Clerk.

**CLERK:** Senator, I have no amendments to LB931.

**FOLEY:** Senator Slama.

**SLAMA:** I move that LB931 be advanced to E&R for engrossing.

**FOLEY:** The motion is to advance LB931 to E&R for engrossing. Those in favor say aye. Those opposed say nay. LB931 advances. Next bill is LB461. Mr. Clerk.

**CLERK:** LB461, Senator, I do have Enrollment and Review amendments.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that the E&R amendments to LB461 be adopted.

**FOLEY:** Motion 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 Friesen would move to amend the bill with AM3054.

**FOLEY:** Senator Friesen, you're recognized to open on AM3054.

**FRIESEN:** Thank you, Mr. President and members of the Legislature. AM3054 is really a simple amendment that relates to the operative date of one of the provisions of the bill. The provision we're changing relates to household good movers. And as the bill is drafted, the provisions relating to the goods movers goes into effect January 1, 2021. This amendment would make the effective date of those provisions July 1, 2021. This will give the Public Service Commission additional time to adopt and promulgate rules and regulations relating to the new

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licensing provisions of those household good movers. And by way of explanation, this bill removes a public convenience and necessity regulatory provisions and substitutes licensing provisions for household goods movers. I also believe this additional time will give those movers appropriate time to prepare for the changes. Happy to answer any questions you may have. Thank you, Mr. President.

**FOLEY:** Thank you, Senator Friesen. Discussion on the amendment?  
Senator DeBoer.

**DeBOER:** Thank you, Mr. Lieutenant Governor. Senator Friesen, I just wanted to make sure on the record that I was clear about the changes in the amendment and that we were making sure that they were there. I'm sorry I didn't tell you ahead of time I was gonna ask you, but if you would yield to a few questions.

**FOLEY:** Senator Friesen, would you yield, please?

**FRIESEN:** Yes, I would.

**DeBOER:** Thank you, Senator Friesen. I just wanted to make sure that when we are moving the effective date of when we will be deregulating these, that applies just to the household goods movers. Is that correct?

**FRIESEN:** Yes, that's correct.

**DeBOER:** And so the deregulation with respect to the railroad passenger carriers or the-- the folks who carry railroad workers is the same as it was under AM2716?

**FRIESEN:** All of the other provisions are not changed. We are just changing this one to allow them some more time.

**DeBOER:** OK. Thank you, Senator Friesen. Thank you.

**FOLEY:** Thank you, Senator DeBoer and Senator Friesen. Any further discussion? I see none. Senator Friesen, you're recognized to close on your amendment. He waives close and the question before the body is the adoption of AM3054. Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

**CLERK:** 42-- excuse me, 43 ayes, 0 nays on adoption of the amendment.



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**FOLEY:** AM3054 is adopted. Anything further, Mr. Clerk?

**CLERK:** Nothing further, Mr. President.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that LB461 be advanced to E&R for engrossing.

**FOLEY:** The motion is to advance the bill. Those in favor say aye. Those opposed say nay. LB461 advances. Next bill is LB1042.

**CLERK:** LB1042, Senator, I have E&R amendments, first of all.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that the E&R amendments to LB1042 be adopted.

**FOLEY:** The motion 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:** Senator La Grone would move to amend, AM3083.

**FOLEY:** Senator La Grone.

**La GRONE:** Thank you, Mr. President. Colleagues, this is simply changing the date of the cash transfer outlined in Section 1 of the bill to pay the OCIO fee. The original date in the bill was July 15. Obviously that's come and passed due to our delay in session so this changes it to September 1. Thank you, Mr. President.

**FOLEY:** Thank you, Senator La Grone. Discussion on the amendment?  
Senator McCollister.

**McCOLLISTER:** Thank, Mr. President. Senator La Grone, would you stand for a few questions?

**FOLEY:** Senator La Grone, would you yield, please?

**La GRONE:** Yes.

**McCOLLISTER:** This bill utilizes the 529 accounts and you'd characterize this as a cleanup bill. Is that correct?

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**La GRONE:** The portion you asked me about off the mike is more-- is a clarification portion, not the entire bill.

**McCOLLISTER:** Could you repeat that? I couldn't hear.

**La GRONE:** The portion you asked me about off the mike is a clarification portion. I wouldn't characterize the entire bill as that.

**McCOLLISTER:** I see. And the bill came out of committee without a fiscal note. Is that correct?

**La GRONE:** Well, I mean, there was a-- there's no negative fis-- there's-- so there is a fiscal note attached, but it's due to the cash transfer, it's for the OCIO fee to set up the change to the programming.

**McCOLLISTER:** So it's a cash transfer, not out of the General Fund, right?

**La GRONE:** Correct. Yes. For the OCIO fee.

**McCOLLISTER:** OK. Well, the program would be 529, it works like this. A federal adjusted gross income will be reduced to the extent included the amount of contributions made by the individual's employer into the Nebraska Educational Savings Plan account owned by the individual. The reduction cannot exceed \$5,000 per married filing or a combined return of \$10,000. It wouldn't take too many returns, additional returns to have a fiscal impact, wouldn't you say?

**La GRONE:** No, I wouldn't say that because this is-- these are dollars that aren't taxed currently.

**McCOLLISTER:** I see. Does-- don't we, in fact, expand the donor pool when we include grandparents, aunt and uncles?

**La GRONE:** That's not what this version of the bill does.

**McCOLLISTER:** I see. Thank you, Senator.

**FOLEY:** Thank you, Senators McCollister and La Grone. Any further discussion? I see none. Senator La Grone, you're recognized to close on your amendment. He waives close and the question before the body is

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the adoption of AM3083. Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

**CLERK:** 41 ayes, 0 nays on the adoption of Senator La Grone's amendment.

**FOLEY:** AM3083 is adopted. Anything further, Mr. Clerk?

**CLERK:** Nothing further, Mr. President.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that LB1042 be advanced to E&R for engrossing.

**FOLEY:** The motion is to advance the bill. Those in favor say aye. Those opposed say nay. LB1042 advances. Proceeding to LB1042A, Mr. Clerk.

**CLERK:** Senator, I have no amendments to LB1042A.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that LB1042 [SIC LB1042A] be advanced to E&R for engrossing.

**FOLEY:** Motion is to advance the bill to E&R for engrossing. Those in favor say aye. Those opposed say nay. LB1042A advances. Proceeding to LB43, Mr. Clerk.

**CLERK:** Thank you, Mr. President. With respect to LB43, I have Enrollment and Review amendments, first of all.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that the E&R amendments to LB43 be adopted.

**FOLEY:** Motion 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, the next amendment I have to the bill, Senator Chambers, AM2748.

**FOLEY:** Senator Chambers, you're recognized to open an AM2748.

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**CHAMBERS:** Thank you. Mr. President, members of the Legislature, is this a lengthy amendment that changes-- that does away with the word "survivor," if you can tell?

**CLERK:** It is a lengthy amendment. For purposes of the Sexual Assault Victims' Bill of Rights Act, and then it has a series of definitions. I don't know--

**CHAMBERS:** Well, here's what I will do then. Pardon me for interrupting. May I ask Senator Bolz a question if she would respond?

**FOLEY:** Senator Bolz, will you yield to a question, please?

**BOLZ:** Yes, Mr. President.

**CHAMBERS:** Senator Bolz, is this the amendment we worked on where we would substitute the term "victim" for "survivor"?

**BOLZ:** Senator Chambers, I believe that the language articulated in AM2748, as you are discussing, has been wrapped into the comprehensive amendment that will follow. So if you would do me the kindness of withdrawing this amendment, your language is included in the amendment, AM2864.

**CHAMBERS:** Thank you. And, Mr. President, that's what I would do. I would withdraw that amendment of mine, which is pending now. Thank you.

**FOLEY:** Thank you, Senator Chambers. The amendment is withdrawn. Mr. Clerk.

**CLERK:** Senator Bolz, AM2864.

**FOLEY:** Senator Bolz, you're recognized to open on AM2864.

**BOLZ:** Thank you, Mr. President. And good afternoon, colleagues. I would like to just briefly refresh your memory on LB43, as it has been a couple of months since we've discussed this bill. I would like to remind you that this is a bill about protecting survivors of sexual assault; survivors of individ-- survivors who have experienced traumatic events; individuals who have been both physically and emotionally harmed by a sexual assault. This includes the-- the one in six American women who are the victims of rape or [INAUDIBLE] rape in her lifetime and includes sexual assault on men and children as well. So this is a very serious bill protecting the rights of individuals

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who have been harmed by sexual assault. The bill articulates a number of rights that can be offered to individuals who are survivors, including the right to be treated with fairness and dignity, the right to healthcare, the right to prompt analysis of DNA evidence, and others. This amendment, to Senator Chambers' previous comments, aligns the language of "survivors" instead with the word "victims." And this is in order to create consistency with other areas of the statute and law. Other changes in the amendment include a few changes at the request of the Attorney General's Office to clarify definitions and adds an additional statutory inclusion to the definition of an advocate at the request of Sheriff Stukenholtz and Senator Bostelman to allow good work that is currently being done in Sarpy [SIC] County to continue. I have had some conversations with law enforcement officials, with concern about people who frequently come to offices with unsubstantiated concerns of sexual assault. Even though I am term limited, I have offered the resources of my office through the remainder of the year to help address that issue separately in preparation for the next legislative session. So I believe that any and all questions, comments, and concerns that were brought to me before today are wrapped up into AM2864 and address concerns related to clarifying definitions, aligning the definition of "survivor" and "victim" as-- as per Senator Chambers' request, and ensuring that Sarpy [SIC] County can continue. I do have a floor amendment to follow, which is at the request of Senator Albrecht, which was brought to me just a few minutes ago, to make one more small change regarding who can provide these services. I'll address that amendment when it comes up. But aside from that very small phrase change that was just brought to my attention a few minutes ago that we can clarify in the floor amendment, I believe that all questions, comments, and concerns have been addressed in AM2864. And I ask for your support of this amendment and the underlying bill.

**FOLEY:** Thank you, Senator Bolz. Discussion on AM2864? Senator Bostelman.

**BOSTELMAN:** Thank you, Mr. President. I would just like to thank Senator Bolz for her work on this. We did contact her office before we adjourned actual-- or before back in March, and she did work with us on this-- into this amendment. And the wording that's in the amendment is what we were-- we worked on and-- and meets the criteria, I guess, that we are seeking, especially in one county in my district. So I

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fully support AM2864 and LB43 and would request your green vote on the bill. Thank you.

**FOLEY:** Thank you, Senator Bostelman. Further discussion on AM2864? I do not see any. Senator Bolz, you're recognized to close on your amendment. She waives close and the question before the body is adoption of AM2864. Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

**CLERK:** 46 ayes, 0 nays, Mr. President, on the adoption of Senator Bolz's amendment.

**FOLEY:** AM2864 has been adopted. Mr. Clerk.

**CLERK:** Senator Bolz would move to amend with FA117.

**FOLEY:** Senator Bolz, you're recognized to open on FA117.

**BOLZ:** Thank you, Mr. President. FA117 is brought to you at the request of Senator Albrecht. She identified an area which could have additional clarification in the amendment. The section reads: A survivor has the right to be provided healthcare in accordance with the best practices established-- and established protocols for age-appropriate sexual assault forensic medical examinations as set forth in the publications of the Office of Violence against Women of the United States Department of Justice. Per Senator Albrecht's request, we are striking the remainder of that sentence referencing other organizations with similar expertise. I'm happy to accommodate this request. I think it's fully appropriate to partner with organizations that are able to provide healthcare in accordance with the Department of Justice. And I ask for your green vote on FA117.

**FOLEY:** Thank you, Senator Bolz. Discussion on the amendment? Senator Albrecht.

**ALBRECHT:** Thank you, President Foley. I just rise to thank Senator Bolz for her work on this bill. And sorry that I came in so late, but I really felt like with the rural areas, we really need to know who we can go to, and we have to be able to-- to go to the organizations that are expressed in the bill and who we should lean on. So I appreciate it and just wanted to let her know that. Thank you.

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**FOLEY:** Thank you, Senator Albrecht. Any further discussion on the floor amendment? I see none. Senator Bolz, you're recognized to close on the floor amendment.

**BOLZ:** Thank you, Mr. President. Thank you, Senator Bostelman, for your partnership. Thank you, Senator Albrecht, for raising your question and working with me to resolve issues. And thank you to each and every one of you on this floor. This is a-- a issue that is very important to me. And the testimony in favor of LB43 from dozens of survivors who had traumatic experiences and truly believe that the support of an advocate and the information related to their rights would have made a difficult situation better and contributed to their healing as represented in LB43 means a great deal. I thank you so much for your support of the bill. Thank you, Mr. President.

**FOLEY:** Thank you, Senator Bolz. The question before the body is the adoption of FA117. Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

**CLERK:** 46 ayes, 0 nays on adoption of Senator Bolz's amendment.

**FOLEY:** FA117 is adopted. Mr. Clerk.

**CLERK:** Nothing further, Mr. President.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that LB43 be advanced to E&R for engrossing.

**FOLEY:** The motion before the body is to advance the bill to E&R for engrossing. Those in favor say aye. Those opposed say nay. LB43 advances. Proceeding now to LB755.

**CLERK:** LB755, Senator, I have E&R amendments, first of all.

**FOLEY:** Senator Slama.

**SLAMA:** Mr President, I move that the E&R amendments to LB755 be adopted.

**FOLEY:** The motion 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:** Senator Hilkemann would move to amend with AM2829.

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**FOLEY:** Senator Hilkemann, you're recognized to open on your amendment.

**HILKEMANN:** Sorry I missed this morning. I'm just gonna inform you that on Friday morning my wife took a rela-- relatively or a very nasty fall. She's recovering from a fractured left pelvis and a left wrist. She had surgery Saturday afternoon. She's doing well. This morning, we're making arrangements for her to be transferred to a-- probably to Madonna rehab or similar. She'll be there for about two weeks. And so thoughts and prayers to her. She-- it's just one of those accidents that happens and she's being very strong and brave. LB755 contains a provision of my bill, LB37, which would provide for the supervision of physicians assistants by doctors of podiatric medicine. After reviewing the language that was adopted on General File, it became clear that amendment would be needed to move the language from Medicine and Surgery Practice Act and place it more appropriately in the Podiatry Practice Act. Doing so will help clarify the distinction between prescribing practices between an M.D. and a DPM. To clarify, the language in AM2829 already exists in the underlying bill before us today. There are no changes to the content. We are simply moving it from one section of the statute to another. I would like to thank the Nebraska Medical Association, the Nebraska Academy of Family Physician or Physicians Assistants, and the Nebraska Podiatric Medical Association for their cooperation in both the underlying bill and this amendment. This gives the podiatrist the ability to bring physicians assistants into their practice and will provide greater access to care, particularly for patients in rural Nebraska. I would be happy to answer any questions that you might have and ask for your green vote on AM2829.

**FOLEY:** Thank you, Senator Hilkemann. Debate on the amendment. I see none. Senator Hilkemann, you're recognized to close on your amendment. He waives close and the question before the body is adoption of AM2829. Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

**CLERK:** 42 ayes, 0 nays on the adoption of Senator Hilkemann's amendment.

**FOLEY:** AM2829 is adopted. Mr. Clerk.

**CLERK:** Senator Blood would move to amend, AM2991.

**FOLEY:** Senator Blood, you're recognized to open on your amendment.



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**BLOOD:** Thank you, Mr. President. Fellow senators, friends all, I rise today to bring a final amendment to LB755 in support of the Department of Health and Human Services and other agencies around the state who may work with military families and veterans to ask the question. LB752 started off as a Veterans Bill of Rights, which was very complex and had many moving parts. But after we worked with various entities and agencies and we ran many roadblocks, we decided to strip it down to its foundation so we might tackle the other issues in the future. So that foundation is, ask the question. This is a measure that the Department of Defense, Military Community and Family Policy Office has asked from all-- for all 50 states as another way to make each state more military friendly. So this amendment partners DHHS and the Department of Veterans' Affairs to work jointly and encourage service providers in the respective departments and in other state and local agencies to ask the question, have you or a family member ever served in the military? While the specifics will be left up to the departments on how to implement this, the question will be included in intake forms and interviews and asked a wide range of state agencies in facilities such as employment offices, courts, law enforcement, and senior centers. To remind you what happened before we disbanded, this did have the support of the Nebraska Department of Veterans' Affairs, and there was no opposition from any state office or at the municipal or county level. Like the other asks I've brought forward from the DOD over the last three years that have now been implemented, it impacts the quality of servicemembers and the quality of life of servicemembers and their families while they're here in Nebraska. So by asking this question, it allows veterans, active duty service members and their families to find out that they may have access to services they would never would have been told about if they didn't self-identify. This will also help raise awareness for those providing services who may not have known that there are different options that are available for Nebraska's military families and veterans. So I'm also gonna point out that by asking this question, the state can connect this demographic to federal services, which in turn may reduce the cost to our state. This is a win-win kind of initiative because there's no reason it should cost the state anything and it might result in savings. It can certainly change the quality of someone's life when they are in a desperate time of need. You likely remember that this amendment was originally attached to Senator Slama's LB790. But unfortunately, it doesn't appear that that bill is going to be moving forward this session. That meant I needed to find another avenue to get this piece of legislation through. This is a perfect fit for this bill as it does impact how DHHS and other agencies and boards

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throughout the state operate on a daily basis when working with our veterans and their families. Its profound impact will be very positive, and it has the added benefit of no fiscal note and no real downside. Not only will it better help our veterans and their families, but will place another checkmark in the military-friendly column for Nebraska. I'd like to remind you it came out of committee by-- with 7-0. I ask for your green vote for this amendment, as well as LB755 itself.

**FOLEY:** Thank you, Senator Blood. Any discussion on AM2991? I see none. Senator Blood, you're recognized to close on your amendment. She waives closing. The question before the body is the adoption of AM2991. Those in favor vote aye; those opposed vote nay. Have you all voted who care to? Record, please.

**CLERK:** 42 ayes, 0 nays on adoption of Senator Blood's amendment.

**FOLEY:** AM2991 is adopted. Mr. Clerk.

**CLERK:** Nothing further on the bill.

**FOLEY:** Senator Slama.

**FOLEY:** Mr. President, I move that LB755 be advanced to E&R for engrossing.

**FOLEY:** Motion is to advance the bill to E&R for engrossing. Those in favor say aye. Those opposed say nay. LB755 advances. Proceeding now to LB899.

**CLERK:** LB899, I have E&R amendments, Senator.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that the E&R amendments to LB899 be adopted.

**FOLEY:** Motion 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:** Nothing further on the bill, Senator.

**FOLEY:** Senator Slama.

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**SLAMA:** Mr. President, I move that LB899 be advanced to E&R for engrossing.

**FOLEY:** The motion is to advance the bill. Those in favor say aye. Those opposed say nay. LB899 advances. Proceeding to LB808.

**CLERK:** Mr. President, LB808, I have E&R amendments, first of all, Senator.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that the E&R amendments to LB808 be adopted.

**FOLEY:** The motion 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 Lindstrom would move to amend, AM2875.

**FOLEY:** Senator Lindstrom, you're recognized to open on AM2875.

**LINDSTROM:** Thank you, Mr. President. AM2875 would amend the E&R amendments, ER196, to LB808. The Bill Drafting Office requested that these amendments to the E&R amendments be prepared and offered as a white copy amendment. LB808 came out of Banking, Commerce Insurance Committee and contains the provisions of seven bills all heard and advanced out of that committee. AM2875 would make cleanup adjustments in those provisions. First, the amendment would revise the provisions originally contained in LB929, a bill I introduced. The change contained in AM2675 [SIC] is a tech-- is a technical cleanup offered by the Real Estate Commission. The amendment moved certain language, which regulates the action of real estate licensees from the exempt-- exemption section of the act to a section dealing with the required and prohibited activities of real estate licensees. AM2875 would provide that Section 93 of ER196 would be made subject to LB808 emergency clause. This section contains the provisions of LB1123, a bill I had also introduced. It would amend the Public Funds depository-- Deposit Security Act to expand the definition of securities to include student loan backed or partially granted by the United States Department of Education. A security that is included in this definition may be provided by depository financial institution required to secure the deposit of public funds of a government unit, state, or political division-- subdivision in excess of the amount insured or guaranteed by the FDIC. Making this sub-- excuse me,

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section subject to the emergency clause would more closely line in time with changes made in LB808 in the Public Funds Depository Securities Act single bank pooled method for providing the required security. Lastly, the amendment would strike a section originally contained in LB902, a bill introduced by Senator Pansing Brooks to enact a Nebraska version of the Uniform Trust Decanting Act. I would like to yield the remainder of my time to Senator Pansing Brooks so she may discuss more on her amendment. Thank you, Mr. President.

**FOLEY:** Thank you, Senator Lindstrom. Senator Pansing Brooks, 7:50.

**PANSING BROOKS:** Thank you, Mr. President. Thank you, Senator Lindstrom. Well, good-- good afternoon, Nebraskans. Holy moly, a lot has happened since we last met. And one of the things that has not changed, though, is that our state's unique motto is still "Equality Before the Law." So know that whoever you are, wherever you are on life's journey, and whomever you love, we want you here. You are loved. The changes that Senator Lindstrom outlined also incorporate changes of AM2875, which removes language from the original LB902 which was amended into LB808, the LB808 package. This language led to confusion. The fiscal note indicated that the Department of Revenue estimated that the doc stamp revenues would be reduced by an unknown amount. This obviously wasn't the intent of the bill. So we asked the Policy Research Office what was causing that interpretation and discovered it was the language in Sections 30 and 32 of LB902. So we removed this language entirely, which was included unnecessarily during the drafting process. I ask you to vote green on AM2875 and the underlying bill, LB808. Thank you, Mr. President.

**FOLEY:** Thank you, Senator Pansing Brooks. Mr. Clerk.

**CLERK:** Mr. President, Senator La Grone would move to amend the Lindstrom amendment with AM2944.

**FOLEY:** Senator La Grone, you're recognized to open on AM2944.

**La GRONE:** Thank you, Mr. President. This is another effective date change to a different section of the bill than what Senator Pansing Brooks and Senator Lindstrom talked about. And I fully support that amendment. This, what it would do, it deals with the actual underlying bill, LB808, which sets up a process for ratifying effective corporate actions. That's a new process the Secretary of State's Office will have to go through. So they asked more time to change their internal-- for-- for more time to change their internal processes to handle that

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which the State Bar Association, who that bill was brought on behalf of, had no problem with. So this would delay the effective date of that section of the act until July 1, 2021. Thank you, Mr. President.

**FOLEY:** Thank you, Senator La Grone. Discussion on the amendments? I see none. Senator La Grone, you're recognized to close on your amendment. He waives close and the question before the body is adoption of AM2944. Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

**CLERK:** 44 ayes, 0 nays on the adoption of Senator La Grone's amendment.

**FOLEY:** AM2944 is adopted. Any further discussion on AM2875? I see none. Senator Lindstrom, you're recognized to close on your amendment. He waives close and the question before the body is the adoption of AM2875. Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

**CLERK:** 45 ayes, 0 nays, Mr. President, on the adoption of Senator Lindstrom's amendment.

**FOLEY:** AM2875 is adopted. Anything further, Mr. Clerk?

**CLERK:** Nothing further, Mr. President.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that LB808 be advanced to E&R for engrossing.

**FOLEY:** Motion is to advance the bill to E&R for engrossing. Those in favor say aye. Those opposed say nay. LB808 advances. Proceeding to LB1186.

**CLERK:** No-- no E&Rs. Senator Wayne, AM2869.

**FOLEY:** Senator Wayne, you're recognized to open on AM2869.

**WAYNE:** Thank you, Mr. President. Just for the record, my name is Justin Wayne. I am not Senator Chambers, so please don't retweet the wrong photo if something were to happen to me today. I was talking to a lot of people about this amendment over the last-- since we left. And at this point, I'm gonna withdraw this amendment.

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**FOLEY:** The amendment is withdrawn. Mr. Clerk.

**CLERK:** All right, Mr. President, just a moment, please. Thank you. Senator Hilgers would move to amend, Mr. President, with AM2887.

**FOLEY:** Senator Hilgers, you're recognized to open on AM2887.

**HILGERS:** Thank you, Mr. President. Good afternoon, colleagues. As a reminder of LB-- what LB1186 does and where we are, this is a bill that passed before we broke in March without any opposition on General File. It passed out of the Education Committee without any opposition. And this-- this helps address the current hole in our statutes and our-- our system in which a teacher may be allowed to pay-- pay out of their own pocket through their own sick leave for the first seven days before workers' comp kicks in if they are assaulted on the job. And so the bill, the green-- the bill before us that was amended on General File helps address that issue. This amendment, AM2887, just does two small changes. One is it changes-- it specifies that the current statute, the current bill, it says seven days, that that's calendar days so there is no ambiguity as to business days. And it also ensures that there's no-- that a teacher cannot double dip. Certainly the intent of the bill is not-- is to make the teacher whole, not to allow them to double dip. So that was not the original intent. This clarifies the intent of the bill to ensure that the teacher cannot do so. This was done in-- in cooperation and consultation with the school boards. We had a very collaborative process, both at the committee hearing, after the committee and up until we had this amendment. So I'd encourage your green vote on the amendment and-- and on the underlying bill. And I'm happy to answer any questions. Thank you, Mr. President.

**FOLEY:** Thank you, Senator Hilgers. Discussion on AM2887? I see none. Senator Hilgers, you're recognized to close on your amendment. He waives closing. The question before the body is the adoption of AM2887. Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

**CLERK:** 45 ayes, 0 nays on the adoption of Senator Hilgers' amendment.

**FOLEY:** AM2887 is adopted. Anything further on the bill, Mr. Clerk?

**CLERK:** Nothing further on the bill, Mr. President.

**FOLEY:** Senator Slama.

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**SLAMA:** Mr. President, I move that LB1186 be advanced to E&R for engrossing.

**FOLEY:** The motion is to advance LB1186 to E&R for engrossing. Those in favor say aye. Those opposed say nay. LB1186 advances. Proceeding to LB881.

**CLERK:** LB881, Senator, I do have E&R amendments.

**FOLEY:** Senator Slama.

**SLAMA:** Mr President, I move that the E&R amendments to LB881 be adopted.

**FOLEY:** Motion 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 Lathrop would move to amend, AM3066.

**FOLEY:** Senator Lathrop, you're recognized to open an AM3066.

**LATHROP:** Thank you, Mr. President. Colleagues, good afternoon. The Judiciary Committee held public hearings on four bills this year related to inappropriate sexual conduct between school employees and students. Senator Lindstrom introduced LB766. Senator Halloran introduced LB991. Senator Quick introduced LB1048. And Senator Vargas introduced LB1210. The Judiciary Committee worked to take pieces of each bill and prepare AM2972 to LB1048. Earlier today, the committee voted 8-0 to adopt the amendment and advance the bill. The amended bill does several things and it is the amendment I am introducing now. First, it creates the new criminal offense of sexual abuse by a school employee. This new offense criminalizes sexual contact and grooming behavior with the intention of engaging in sexual contact. State statute already criminalizes sexual conduct between adults and students under the age of 16. This bill closes the gap when a student is under 19 but 16 years of age or older. The bill also requires the Department of Health and Human Services to notify the Commissioner of Education when it receives a report of child abuse involving a student and a school employee. The bill also extends the statute of limitations for failure to report child abuse or neglect until 18 months after the victim reaches the age of majority. This would also subject a person convicted of sexual abuse by a school employee to the Sex Offender Registration Act. AM3066 to LB881 contains a provision of LB1048 as amended by AM2972. It does one other thing. Due to our

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extended recess occasioned by the pandemic, AM3066 also contains the change to what was originally LB945. The amendment would push back the date to report on untested sex assault kits from September 1, 2020, to December 1, 2020. With that, I would encourage your support of AM3066 and LB881. Thank you, Mr. President.

**FOLEY:** Thank you, Senator Lathrop. Discussion on AM3066? Senator Hilgers.

**HILGERS:** Thank you. Thank you, Mr. President. Would Senator Lathrop yield to a question or two?

**FOLEY:** Senator Lathrop, would you yield, please?

**LATHROP:** Yes.

**HILGERS:** Thank you. Thank you, Senator Lathrop. And I-- I'm just reading this. I didn't see this amendment before, so I just-- if you wouldn't mind just repeat-- and some of this might be a little repetitive from what you just said. But if I could just walk through it. So this amendment was just passed out of the committee this morning, is that right?

**LATHROP:** Yes.

**HILGERS:** OK. And that was an 8-0 vote, I think you said. Correct?

**LATHROP:** Pardon me?

**HILGERS:** It was an 8-0 vote. It was a unanimous vote.

**LATHROP:** Yes, sir.

**HILGERS:** OK. Thank you. And then would you-- I'm going through this and does this incorporate any previous amendment or is this a white copy amendment of anything previous or is this all new material in the amendment itself?

**LATHROP:** What you're getting in the amendment relates to sex with students bill only--

**HILGERS:** OK.



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**LATHROP:** --except for the piece that relates to sex of kits-- reporting untested sexual assault kits. And we moved a date in that bill.

**HILGERS:** Got it. OK. And that is-- OK. And that was Senator Hansen's bill, is that correct?

**LATHROP:** That was a Cavanaugh bill dealing-- LB881 is a Hansen bill. LB945 was a Cavanaugh bill that required a report relative to the untested sex assault kits. And that was-- obviously, it moved on General File. Because of the delay in not completing the session, we needed to move and give the counties more time to report on the untested sex assault kits.

**HILGERS:** Got it. Thank you very much, Senator Lathrop. I-- I appreciate that explanation. I would have read it beforehand. I just saw it come up. And I apologize. I wasn't here on the floor when you started the opening on it. So I'll take a look at this. But given what Senator Lathrop has represented on the floor, I-- I don't intend to oppose it. And I'll just take a look. But I appreciate that Senator Lathrop. Thank you. Or do you-- Senator Lathrop, do you have--

**LATHROP:** Just-- just that this was a consequential bill coming out of the committee. If we had not broken, we would have put it out before today, obviously. Thank you.

**HILGERS:** Understand. Thank you, Senator Lathrop. Thank you, Mr. President.

**FOLEY:** Thank you, Senator Hilgers and Senator Lathrop. Is there any further discussion on the amendment? I see none. Senator Lathrop, you're recognized to close on your amendment. Senator Lathrop, you're recognized to close on your amendment.

**LATHROP:** Colleagues, this is a sort of a collection of ideas from four different bills. This addresses the criminal aspect. I had a bill earlier that addressed the training aspects. This addresses the-- the criminal aspects of sex with a student. And obviously the events over the last year and what we've read in the paper demonstrate the importance of passing this bill-- this amendment and this bill. And with that, I would appreciate your support.

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**FOLEY:** Thank you, Senator Lathrop. The question before the body is the adoption of AM3066. Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

**CLERK:** 46 ayes, 0 nays on adoption of Senator Lathrop's amendment.

**FOLEY:** AM3066 is adopted. Anything further on the bill, Mr. Clerk?

**CLERK:** Mr. President, there is. Senator Wayne would move to amend, AM3013.

**FOLEY:** Senator Wayne, you're recognized to open on your amendment.

**WAYNE:** Sorry I touched the mike. So this amendment is really just a simple clean up that we-- we discovered. Part of this bill is an alternative jury-- jury. So what happens in Douglas County, particularly in like a murder trial, trials can last actually around two to three weeks, if not a month. And the way it reads right now is "shall." The bill that's incorporated in this allows for an alternative jury because we had one case recently that came close to not having enough jurors. So what this bill does is incorporates-- the overall bill incorporates the federal language that gives this judge discretion. One of the issues that came up federally is that if there is a deadlocked juror, so you have six and six who are not agreeing on a guilty verdict or something like that, we don't want to have where somebody gets kicked off and you sway it one other way. So what this does is say that if one of the parties object to removing of an alternate juror that the judge will at least have to have a conversation or a hearing on it to make sure that we just don't kick somebody off to sway the jury one way or another. So it allows the party to object to that removal of a juror and place in an alternative. It's just a safeguard that hardly ever happens at the federal level, but it has happened. And so that's all it is. It's a friendly amendment. It doesn't change the content of the section that deals with this particular item, but it does allow flexibility for the judge to make sure that they have a jury pool that can stay that long; and that if there is an issue that the parties can object. With that, I'll ask for a green vote.

**FOLEY:** Thank you, Senator Wayne. Discussion on the amendment? Senator Hilgers.

**HILGERS:** Thank you, Mr. President. Good afternoon again, colleagues. I-- I ask also for your green vote on AM3013. I appreciate Senator

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Wayne bringing it. I think this is one of those small technical issues that maybe only trial, you know, attorneys can-- can like or those who practice in the courtroom like myself. And so I think it is a good thing. I think especially in light of COVID and the impact it's had on our jury pools to give litigants and counsel the opportunity to have that kind of a hearing I think makes a ton of sense. So I appreciate Senator Wayne bringing it, and I'm gonna vote green and I encourage you to as well. Thank you.

**FOLEY:** Thank you, Senator Hilgers. Any further discussion on the amendment? I see none. Senator Wayne, you're recognized to close. He waives close and the question before the body is the adoption of AM3013. Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

**CLERK:** 45 ayes, 0 nays on the adoption of Senator Wayne's amendment.

**FOLEY:** AM3013 is adopted. Anything further on the bill, Mr. Clerk?

**CLERK:** Nothing further, Mr. President.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that LB881 be advanced to E&R for engrossing.

**FOLEY:** The motion before the body is to advance LB881 to E&R for engrossing. Those in favor say aye. Those opposed say nay. LB881 advances. Proceeding to LB1060.

**CLERK:** LB1060, Senator, I have E&R amendments.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that the E&R amendments to LB1060 be adopted.

**FOLEY:** The motion 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:** Nothing further on that bill, Senator.

**FOLEY:** Senator Slama.

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**SLAMA:** Mr. President, I move that LB1060 be advanced to E&R for engrossing.

**FOLEY:** The motion before the body is to advance LB1060 to E&R for engrossing. Those in favor say aye. Those opposed say nay. LB1060 advances. Next bill is LB1183.

**CLERK:** LB1183, Senator, I have E&R amendments, first of all.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that the E&R amendments to LB1183 be adopted.

**FOLEY:** The motion 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:** Senator Arch would move to amend, AM3058.

**FOLEY:** Senator Arch, you're recognized to open on your amendment.

**ARCH:** Thank you. Good afternoon, colleagues. As a reminder, first, LB1183 establishes the Population Health Information Act, originally part of LB1058 introduced by Senator Howard. The purpose is to create a statutory framework for a state health information exchange. Additionally, LB1183 provides for a 17-member Health Information Technology Board to provide oversight. Again, I would like to thank Senator Hilgers for prioritizing LB1183. I'd like to thank this body for advancing the bill from General File. The intent of the bill is for the health information exchange to be responsible for the administration of the Health Information Technology Board, which includes paying for all administrative costs. The HIT is to pay for the reimbursement of the board members' expenses as well. During our prolonged recess, the Department of Health and Human Services reviewed the measure again and believed the language did not accurately reflect the intent, thus resulting in a fiscal note. AM3058 would provide clarification so that no state funds are to be used to carry out the provisions of LB1183. With adoption of this amendment, the fiscal note goes away. Additionally, AM3058 recognizes the delay in implementation by adjusting some dates to provide more time for the appointment of board members. I urge you to vote green on AM3058 and to move LB1183 forward. Thank you.

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**FOLEY:** Thank you, Senator Arch. Discussion on the amendment? Senator Clements.

**CLEMENTS:** Thank you, Mr. President. Would Senator Arch yield to a question?

**FOLEY:** Senator Arch, would you yield, please?

**ARCH:** Yes, I will.

**CLEMENTS:** I see in the committee statement that Dr. Anthone testified in opposition to this bill. And was the fiscal note, the expense part of it the main opposition or were there other issues?

**ARCH:** I think-- I think the-- the question-- the question was probably broader than just the fiscal note. It had to do with is there going-- is this technology board going to take the authority and away from the HIT, which is-- which is NeHII, to take that authority away in such a way that will-- that it will hinder the ability of the state of Nebraska to comply with-- with their regulations in using that HIT. So I believe that those issues have been addressed now. And we-- we-- we made some changes and some clarifications. And we've met extensively with the department to clarify that.

**CLEMENTS:** Are those changes in this amendment?

**ARCH:** Previous.

**CLEMENTS:** Oh, they previously have been.

**ARCH:** Right. So we had-- we had some in-- in the-- in the AM2607.

**CLEMENTS:** All right. That was my concern. Just wanted to see that you had addressed those and that they had been considered. Thank you, Senator Arch. Thank you, Mr. President.

**FOLEY:** Thank you, Senator Clements and Senator Arch. Any further discussion on the amendment? I see none. Senator Arch, you're recognized to close on the amendment. He waives close and the question before the body is the adoption of AM3058. Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

**CLERK:** 44 ayes, 0 nays, Mr. President, on the adoption of Senator Arch's amendment.

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**FOLEY:** AM3058 is adopted. Anything further, Mr. Clerk?

**CLERK:** Nothing further.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that LB1183 be advanced to E&R for engrossing.

**FOLEY:** Motion is to advance the bill. Those in favor say aye. Those opposed say nay. LB1183 advances. Proceeding to LB912.

**CLERK:** LB902 [SIC LB912], there are E&R amendments, first of all, Senator.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that the E&R amendments to LB912 be adopted.

**FOLEY:** The motion 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:** Senator Lathrop would move to amend with AM3041.

**FOLEY:** Senator Lathrop, you're recognized to open on your amendment.

**LATHROP:** Thank you, Mr. President. Colleagues, good afternoon once again. When we passed LB912 on General File, one of the things that were incorporated into the bill at that time was this small county court special proceedings. After we passed LB912 through General File, I heard from Professor Lenich at the Nebraska College of Law. He is a civil procedure teacher, professor. If you know Mr. Lenich, you know he's very adept and very knowledgeable when it comes to civil procedure. He had some suggestions for improving LB912, which is the amendment before you. This is not new material. It's more of a cleanup, if you will. And-- and what's important for you to know is that this is a procedure that can be used in county court. It is for cases that have a value less than the county court jurisdictional amount. It provides for an expedited process. These are smaller civil cases. It doesn't include divorces and matters like that. It provides for an expedited process and an abbreviated discovery process, which is intended to make litigating smaller cases less cost prohibitive. This is a priority of the court. It's a priority of those who litigate in this area. And the changes that have been made will require that

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the Supreme Court enact some rules. So we have moved the effective date further down the road to permit the Supreme Court to enact necessary rules regarding disclosures, which is what they do in federal court. It's what they do in Iowa civil proceedings. It will make this a better bill. I would encourage your support of AM3041. And I'm happy to answer any questions about LB912 or AM3041. Thank you.

**FOLEY:** Thank you, Senator Lathrop. Discussion on the amendment or the underlying bill? Senator Hilgers.

**HILGERS:** Thank you, Mr. President. Good afternoon, colleagues. I was wondering if maybe Senator Lathrop would yield to a question.

**FOLEY:** Senator Lathrop, will you yield, please?

**LATHROP:** Yes, I will.

**HILGERS:** Thank you, Senator Lathrop. So I was just looking through refreshing my own recollection of what happened in March on this particular bill. And so the original amendment-- LB912 was not-- it was not the County Court Special Proceedings Act, but that was adopted in with AM2832, looks like in March. Is that right?

**LATHROP:** That's right. And it had about four things in it, including the Tadros amendment, which was taken up specially and defeated.

**HILGERS:** We had good conversation about that that day.

**LATHROP:** Right.

**HILGERS:** I do remember that. And so the change to this is just to-- this amendment would-- it looks like it's the same material. It has the language in there about the Supreme Court promulgating rules. Is the only change on the effective date, is that right?

**LATHROP:** It changes-- it changes a few things, but mostly it moves the effective date, allows the Supreme Court to develop some forms and also to develop some rules on disclosures. So over in Iowa and in federal court, as you probably know, once you file a lawsuit, you have to do initial disclosures. This we can expedite proceedings in county court, but it-- it requires that we have disclosures up-front that says these are all my witnesses, these are all my documents. And then you can expedite the discovery process.

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**HILGERS:** That makes perfect sense. Are there any other material change or any material changes in this amendment from the AM2832?

**LATHROP:** Well, I don't know that they're material in that they get us to the same place, which is lower value controversies determined in a process in county court that's expedited and now includes disclosures and forms to be promulgated by the Supreme Court.

**HILGERS:** That's great. Thank you, Senator Lathrop. I appreciate the dialog with Senator Lathrop. I-- we-- we've already adopted primarily what's included in this amendment and previous amendment back in March. I think the idea is very sound. I think this type of procedure can help parties save money, save time, save costs, get more certainty. And I-- I always appreciate having a little bit more certainty on the procedure and the rules. And I think this particular mechanism makes a ton of sense and it's one that we've already largely adopted in the underlying bill. So I intend to vote green on AM3041. And I encourage you to do the same. Thank you.

**FOLEY:** Thank you, Senator Hilgers and Senator Lathrop. Continuing discussion. Senator Allbrecht.

**ALBRECHT:** Thank you, President Foley. Can I just ask Senator Lathrop a few questions?

**FOLEY:** Senator Lathrop, would you yield, please?

**LATHROP:** Yes.

**ALBRECHT:** Thank you. It just seems like today there seems to be a lot of heavy material getting added on to a lot of different bills. And I need to slow down just a bit and be able to read the material that comes up on these new amendments that are being put on Select File. So my question to you is you talked about a Lenich that came to you when to talk about this bill?

**LATHROP:** After LB912 moved from General to Select, we were contacted by Professor Lenich. And he's-- he's testified in front of Judiciary Committee on a number of bills. And we have worked with him because he is a professor of civil procedure and knowledgeable on civil procedure. He had some just-- some suggestions for improving the bill.

**ALBRECHT:** OK. So when you have a committee hearing and you talk about a bill and had it already been Execed on and you push the bill forward and then this came into light, or was this something that your-- what



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was the committee vote on this particular bill, adding the language from Mr. or Professor Lenich? What's the timeline on that? And what's the-- what was the vote on the committee?

**LATHROP:** This was crafted-- this was crafted-- so LB912 moved to Select File. This amendment was crafted during the COVID break. Neal Erickson, one of the committee counsel, had a number of conversations with Professor Lenich about what the court and what the State Bar Association are doing with respect to trying to expedite proceedings and get into initial disclosures. But, Senator Albrecht, this isn't a rewrite where we're dealing with something that's brand new. This is a bill that is-- or-- or an amendment that changes something by degrees and not wholesale.

**ALBRECHT:** And while I can appreciate that, I'd like to know from our courts, you know, what their feeling is on the language. And we wouldn't know that if we're just gonna insert it without knowing what the other side might feel is appropriate. So with that, I think I have to just sit back on this one. But thank you for your time.

**FOLEY:** Thank you, Senator Albrecht and Senator Lathrop. Further discussion on the amendment? I see none. Senator Lathrop, you're recognized to close on your amendment.

**LATHROP:** Thank you, Mr. President. And Senator Albrecht, as part of my close, I think I'll address the remarks you just made. I can appreciate that things are coming along pretty fast today and there are amendments that we're taking up. But I wouldn't wait for the court to weigh in on policy. They don't. This is something that the Bar Association generally would lead on. We have judges that sit on the House of Delegates. These things get vetted through the House of Delegates. The work of Professor Lenich when it comes to this is sound reasoning. His changes and-- and proposed ideas put this subject matter in alignment with work being done by the Supreme Court, who is responsible for the rules of practice and will provide the court with an opportunity to develop rules relative to initial disclosures, which are an important part of this, and forms necessary to implement the purpose of this particular bill. Colleagues, there's nothing about this amendment that changes in a significant way the substance of what we had in LB912 on General File, which was supported after we took the Tadros piece out of the bill in a debate that you'll well remember. I would encourage your support of AM3041 as well as LB912. Thank you.

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**FOLEY:** Thank you, Senator Lathrop. The question before the body is the adoption of AM3041. Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

**CLERK:** Excuse me. 43 ayes, 0 nays, Mr. President, on the adoption of Senator Lathrop's amendment.

**FOLEY:** AM3041 is adopted. Is there anything further on the bill, Mr. Clerk?

**CLERK:** I have nothing further.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that LB912 be advanced to E&R for engrossing.

**FOLEY:** Motion is to advance the bill to E&R for engrossing. Those in favor say aye. Those opposed say nay. LB912 advances. We'll now proceed to Select File 2020 Speaker priority bills, the first of which is LB803. Mr. Clerk.

**CLERK:** LB803, Senator, I have E&R amendments, first of all.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that the E&R amendments to LB803 be adopted.

**FOLEY:** The question before the body is the adoption of E&R amendments. Those in favor say aye. Those opposed say nay. E&R amendments are adopted. Mr. Clerk.

**CLERK:** Mr. President, Senator Hughes had offered AM2772, but he wishes to withdraw. Senator Hughes would then move to amend with AM2999.

**FOLEY:** Senator Hughes, you're recognized to open on AM2999.

**HUGHES:** Thank you, Mr. President. Good afternoon, colleagues. AM2999 is a technical clean up of the bill. I would like to thank Senator Stinner and Senator Erdman for their help. This is a pulse crop bill. And in visiting with the dry bean producers, there was some confusion as to whether dry beans were included in pulse and pulse included peas and lentils. And it got very confusing. So what we did was to change the name from the pulse crop checkoff to the dry pea and lentil

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checkoff. There are several references. That's why you see AM2999 is rather lengthy. Most of that is because of the name change. I appreciate your help on this, Senator Stinner and Senator Erdman, of coming to a compromise to eliminate any type of confusion in the industry. So I would appreciate a green vote on AM2999 and a yes vote on LB803. Thank you, Mr. President.

**FOLEY:** Thank you, Senator Hughes. Discussion on the amendment? Senator Erdman.

**ERDMAN:** Thank you, Mr. Lieutenant Governor. Good afternoon, colleagues. I echo what Senator Hughes had commented. We had a couple of meetings with the Dry Bean Commission trying to figure out what the best method of adjustment would be. I appreciate Senator Hughes's willingness to try to make this as-- as comprehensive as possible. And I do appreciate that. I'll be supporting AM2999 and voting for LB803 as well. And I encourage you to do the same. Thank you.

**FOLEY:** Thank you, Senator Erdman. Further discussion on the amendment? I see none. Senator Hughes, you're recognized to close. He waives close and the question before the body is the adoption of AM2999. Those in favor vote aye; those opposed vote nay. Have you voted? Record, please.

**CLERK:** 42 ayes, 0 nays.

**FOLEY:** AM2999 is adopted. Mr. Clerk.

**CLERK:** Senator, I have nothing further on the bill.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that LB803 be advanced to E&R for engrossing.

**FOLEY:** Motion is to advance the bill to E&R for engrossing. Those in favor say aye. Those opposed say nay, LB803 advances. Proceeding to LB803A.

**CLERK:** LB803A, no E&Rs. Senator Hughes would move to amend, AM3105.

**FOLEY:** Senator Hughes, you're recognized to open on your amendment.

**HUGHES:** Thank you, Mr. President. Again, colleagues, this is basically just the name change from the Pulse Crop Commission to the Dry Pea and

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Lentil Commission in the A bill. Thank you. I would appreciate a green vote. Thank you.

**FOLEY:** Thank you, Senator Hughes. Any discussion on the amendment? I see none. Senator Hughes, you're recognized to close. He waives closing. The question is the adoption of AM3105. Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

**CLERK:** 43 ayes, 0 nays on adoption of Senator Hughes's amendment.

**FOLEY:** AM3105 is adopted. Anything further, Mr. Clerk?

**CLERK:** I have nothing further, Mr. President.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that LB803A be advanced to E&R for engrossing.

**FOLEY:** The question before the body is the advance of LB803A to E&R for engrossing. Those in favor say aye. Those opposed say nay. LB803A advances. LB247.

**CLERK:** I have E&R, Senator, first of all.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that the E&R amendments to LB247 be adopted.

**FOLEY:** Question is the adoption of the E&R amendments. Those in favor say aye. Those opposed say nay. The E&R amendments are adopted. Mr. Clerk.

**CLERK:** Nothing further on that bill, Senator.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that LB247 be advanced to E&R for engrossing.

**FOLEY:** The question is the advance of the bill. Those in favor say aye. Those opposed say nay. LB247 advances. LB nine, excuse me, LB797.

**CLERK:** LB797, I have no amendments to the bill, Senator.

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**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that LB797 be advanced to E&R for engrossing.

**FOLEY:** The motion is to advance the bill. Those in favor say aye. Those opposed say nay. LB797 advances. Proceeding to LB832.

**CLERK:** I have E&R amendments to LB832, Senator.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that the E&R amendments to LB832 be adopted.

**FOLEY:** The motion 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:** Nothing further on that bill, Senator.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that LB832 be advanced to E&R for engrossing.

**FOLEY:** Motion is to advance the bill. Those in favor say aye. Those opposed say nay. LB832 advances. Proceeding to LB850.

**CLERK:** LB850, Senator, does have Enrollment and Review amendments.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that the E&R amendments to LB850 be adopted.

**FOLEY:** Motion is to adopt the E&R amendments. Those in favor say aye. Those opposed say nay. E&R amendments are adopted. Mr. Clerk.

**CLERK:** Nothing further on that bill, Senator.

**FOLEY:** Senator Slama.

**SLAMA:** I move that LB850 be advanced to E&R for engrossing.

**FOLEY:** It is a debatable motion. Senator Chambers.

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**CHAMBERS:** Thank you. Mr. President, members of the Legislature, yes, it's me again. I would like to ask Senator Pansing Brooks a question or two.

**FOLEY:** Senator Pansing Brooks, would you yield, please?

**PANSING BROOKS:** Yes, I will.

**CHAMBERS:** Sis-- Sen-- I almost said sister. Senator Pansing Brooks, where is the Donelson National Battlefield? Fort Donelson.

**PANSING BROOKS:** It is down in Kentucky.

**CHAMBERS:** It's in Kentucky?

**PANSING BROOKS:** Yes.

**CHAMBERS:** Thank you. I would like to now ask Senator Pansing Brooks a question or two. Have you heard your President talk about the Confederate battle flag as something that people love and they should be allowed to fly it everywhere?

**PANSING BROOKS:** I have heard that.

**CHAMBERS:** Have you heard him say that he doesn't care what the military says. They should not change the names of any military bases that were named after Confederate generals. Have you heard him say that?

**PANSING BROOKS:** I have also heard that.

**CHAMBERS:** Now he talks about that as being a part of American culture. I have an article here which I'm not going to read. The headline is: Governor Ricketts says Trump administration, quote, pleasure to work with, unquote. And it's in the Lincoln Journal Star of June 30. And it talks about where President Trump, in the opinion of the Governor, has been forward-thinking and engaging governors on policy issues. Now I'm not going to ask for your opinion on which direction Governor Ricketts thinks forward-thinking moves. But he was also talking about the favorable attitude that the President seems to have toward Nebraska and what's happening in this backward state. And since President Trump had said he has those MAGA hats, make America great again, do you think-- and this is just an opinion which you need not express one on if you choose not-- that his attitude, based on some of the comments he made, is that an earlier time in America must have been a time when

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the country was great, when he follows this statement with the word "again." So he has expressed love for the Confederate flag, for the statues, monuments, and memorials to Confederate generals who tried to destroy the United States of America. So does it seem that he might have an opinion that differs from most people on what makes America great?

**PANSING BROOKS:** I would-- I would say it differs from my opinion.

**CHAMBERS:** Well, would you like, if possible, your bill to do something that may-- might make this forward-looking President think even more favorably toward Nebraska than he does now? Would you be willing to add things to your bill which might result in that?

**PANSING BROOKS:** Well, of course, Senator Chambers, it sort of depends on what those things are, but.

**CHAMBERS:** Well, I knew you were going to be difficult, so I have some suggestions.

**PANSING BROOKS:** [LAUGH]

**FOLEY:** One minute.

**CHAMBERS:** We would-- and I do have my light on again. The first thing we would add is the Confederate flag. Would you like to add the Confederate flag to the monument to the First Regiment Nebraska Volunteer Infantry? Would you like to have one of them carrying a Confederate flag?

**PANSING BROOKS:** I really wouldn't like that. And, you know, the Nebraska regiment fought against the South. And so that is very inappropriate that we would add both historically and racially and has-- and so I would be not in favor of that.

**CHAMBERS:** Now, General Erwin Rommel was considered not only a great military mind, but a gentleman and a humanitarian. He himself was not a Nazi, but he was a member of the German army. Would you mind if a swastika were added--

**FOLEY:** That's time.

**CHAMBERS:** --to this Nebraska--

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**FOLEY:** Senator Chambers, that's time, but you may proceed on your second opportunity.

**CHAMBERS:** Thank you. Would you mind adding a swastika? Because the President said when those white nationalists and Nazis were marching through Virginia with their torches, he said there were good people among them. So they like the swastika. And that is historical. And it did exist. So would you like to show Nebraska's ecumenism by adding a swastika to the First Regiment Nebraska Volunteer Infantry Monument?

**PANSING BROOKS:** I really would not like to add that, Senator Chambers. Can I correct something I said? Because it is in Tennessee and a little piece of Kentucky, but it's really mostly Tennessee. Sorry.

**CHAMBERS:** As they would put in a comic strip, mutter, mutter, mutter, one of those left wing socialist liberals.

**PANSING BROOKS:** [LAUGH]

**CHAMBERS:** Now, well, how about now SS stood for Schutzstaffel. They had the Waffen-SS, which was the military arm. The SS also operated death camps. And I'm sure that the Jews would like to see some mementos honoring those people in the same way Trumps think there should be monuments honoring those who raped black people; sold my people as cows, pigs, and chickens. So how about an SS death's head image added to this Nebraska regiment or Nebraska-- First Regiment Nebraska Volunteer Infantry monument? Would you? And the death's head would be the skull, an SS death's head added to this monument?

**PANSING BROOKS:** I would be totally against that.

**CHAMBERS:** I'm gonna bring it on home then, because that is foreign. How about since Donald Trump is now a Christian and you saw where he had gas and truncheons used to clear away Americans exercising their First Amendment right to petition the government so that he could walk across the street and do a photo op at a church. So that shows he is a dyed in the wool hat Christian, like most of the people on this floor. So to combine his Christianity with his-- histor-- history, how about a hood of the Christian Knights of the Ku Klux Klan? Would you object to that being added to this memorial, this monument?

**PANSING BROOKS:** I most certainly would.

**CHAMBERS:** Oh, you'd love to have that one.



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**PANSING BROOKS:** No, I would most certainly object.

**CHAMBERS:** Oh, so you're not a Christian.

**PANSING BROOKS:** Maybe in some people's minds.

**CHAMBERS:** What do you have against Christianity? These people were Christians. They said they were. And they-- their emblem was the cross that they hung Jesus on. And in order that everybody could see it at night, they set it afire. So you don't want a hood representing the Christian Knights of the Ku Klux Klan. You wouldn't be in favor of that either.

**PANSING BROOKS:** I would not.

**CHAMBERS:** That shows a certain narrowness of mind that is kind of disturbing. I almost feel like quoting Darth Vader. He had said, I find your lack of faith disturbing. Here's the last thing I'm going to ask then. Would you be in favor of changing the name of the Fort Donelson National Battlefield to the Benedict Arnold Battlefield because Benedict Arnold was an American? Would you-- you-- would you agree to change that name?

**PANSING BROOKS:** In the-- in the bill?

**CHAMBERS:** Yes.

**FOLEY:** One minute.

**PANSING BROOKS:** No.

**CHAMBERS:** Oh, thank you. I see what I'm dealing with here today.

**PANSING BROOKS:** [LAUGH]

**CHAMBERS:** I kind of thought that might be her attitude, but I'm gonna turn my light on one more time because I want to make a comment about the man whose name is on the fort where I took my advanced basic training. Thank you, Mr. President.

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

**CHAMBERS:** Mr. President, members of this Legislature, there was a horrendous lynching in Nebraska. And a black man was falsely accused of raping a white woman. The medical records show that this man had

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crippling arthritis. He could barely move. I won't tell you all of the gory details, but they dragged him out of the jail. They hanged him, took his clothes off, shot him many times while he was hanging, cut him down, tied him behind a police car. That's why you all love the police. And I say that because of the way they behave, they are my ISIS. The white American police are this black man's ISIS because ISIS has never done anything to hurt us. But these cops, these criminals in uniform have-- tied behind this police car, dragged through the streets downtown. A pile of wood was brought. They put him atop it, poured gasoline on him, and set him afire, these white American Christians who you all want to teach my children in school were great people. The ones who would make America great again today as they were then. You all didn't confront any of that. That's why you don't understand anything. But let me continue. Martial law had to be declared and a general came to Nebraska in Omaha and restored order. His name was General-- that was his title-- General Leonard Wood. The place where I took my basic advance, my basic training in Missouri was Fort Leonard Wood. Now I didn't mind training at that place named after that man. But I wouldn't want to go to Fort Bragg or these other military bases. And your rotten, gutless President wants to keep the names of these generals who tried to destroy this country and which you all ought to be very proud of, was he boasted about taking a test that he said was very hard and he wanted Joe Biden to take it. And it included showing a picture of three animals: a elephant, a kangaroo, and an alligator. And you had to say which one was which. One of the questions said, you have to give the day, the year, and the month of today. Another question said, where are you now? And Trump said that was a very hard test. That was his words. And he also said that Joe Biden should take it. And if I remember correctly, it wasn't an IQ test. It's the kind given to people who might be slipping into dementia. And they don't know why Trump's doctor recommended that he take this test. But his response to how hard it was and how great a job he did may say something about his mentality. And I know there are a lot of you all who support Trump.

**FOLEY:** One minute.

**CHAMBERS:** And you support what Trump wants to do. But in all of the years that I've been in this place, I have never betrayed the people who sent me here. I've never gone over to the white side or tried to. I've been willing to call out Governors, Attorneys General, the President, all of these people. And you've got people in this Legislature afraid to take a position and you have a senator who has

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an insulting, race baiting flier in her campaign degrading and demeaning me. So look for some things from me the rest of this session. As long as she has that flier, that's what we're going to have. And I'm talking about Senator Slama, in case you don't know, the Governor's handpicked person to replace an older Republican woman who has shown her ability and loyalty.

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

**CHAMBERS:** Thank you, Mr. President.

**FOLEY:** Thank you, Senator Chambers. Senator Pansing Brooks, you're recognized.

**PANSING BROOKS:** Thank you, Mr. President. I just wanted to add a couple things quickly to this, because we have seen great changes in the past three months since we met. Senator Chambers, I would just add that you forgot to ask me one question, and that is would I consider ever renaming Fort Donelson, because Fort Donelson was named after a Confederate soldier. But this is a story about Nebraska and the fact that one third, approximately one third of Nebraska's territory of military-age men and one ninth of the entire population served the Union armies during the Civil War. And this Army that was from Nebraska went down at a time that Grant-- when things were going very poorly for the north. And at that point and if you read the history on this, it's very fascinating. And I've given it to you all before. But the Nebraska armies came and turned back the Union soldiers. They-- they did some amazing things and turned the tide of a huge part of the Civil War. So had you asked me, would I be willing to support the renaming of Fort Donelson at some point, I-- I surely might because he was a Confederate. But this bill does not deal with it. This bill deals with the celebration right now of our Nebraska military at a time when we need to be celebrating the good that people have done to protect other humans' rights. Thank you.

**FOLEY:** Thank you, Senator Pansing Brooks. Members, the motion before the body is to advance of the bill to E&R for engrossing. Those in favor say aye. Those opposed say nay. LB850 advances. We'll proceed now to LB751. Mr. Clerk.

**CLERK:** LB751, Senator, I have no amendments to the bill.

**FOLEY:** Senator Slama.

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**SLAMA:** Mr. President, I move that LB751 be advanced to E&R for engrossing.

**FOLEY:** Motion is to advance the bill. Those in favor say aye. Those opposed say nay. LB751 advances. Proceeding now to LB760. Mr. Clerk.

**CLERK:** LB760, I have E&Rs, first of all, Senator.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move-- move that the E&R amendments to LB760 be adopted.

**FOLEY:** The motion is to adopt the E&R amendments to LB760. Those in favor say aye. Those opposed say nay. You're not-- the E&R amendments are adopted. Mr. Clerk.

**CLERK:** Nothing further on that bill, Senator.

**FOLEY:** Senator Slama.

**SLAMA:** Then I move that LB760 be advanced to E&R for engrossing.

**FOLEY:** It's a debatable motion. Senator Chambers.

**CHAMBERS:** Thank you. Mr. President, in my discussion with Senator Pansing Brooks, I did offer a change of name to the fort, but it would have been Fort Benedict Arnold because at least he was an American. What I could have talked about was how the black troops were mistreated while they were over in Europe fighting for white people to make the world safe for democracy. And how Winston Churchill told the military, don't get involved with what the Americans are doing. We have black men in this army of ours because they come from the islands. But nothing that is done by the Americans to the black American soldiers will be tolerated being done to our soldiers. These men are fighting for this country. He talked about the racism and how bad it was. You all don't read history. You don't know what black people have gone through. You get upset and bent out of shape because I use words and express my opinion. And I'm not lying when I say these things. You just don't want to hear them. Now I'm gonna deal with something that white people like to bring up-- black on black crime. Do you know who people commit crimes against? The people they live around. White people commit crimes about-- against white people. Why don't you talk about white on white crime? Jews who live around Jews commit crimes against Jews, native people, the same thing. So why

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again, pick out black people who conduct themselves when there are criminals among them, as there are among all people? But you don't talk about white on white crime. How about these white people who are demonstrating now about Black Lives Matter? There are still other white people killing white people. Why don't you bring that up? Because white people are racists. And Dick Herman, who was an editorial writer and at one time a reporter for the Lincoln Journal star, could not stand to have me say that all white people have racism in them. But conducts speaks louder than anything else. But what about black on black crime? Why criticize the police for killing black people when black people kill black people? You all don't think logically. If a black person kills another black person and is arrested, that black person is tried and sent to jail for killing a black person. The cops who are sworn to uphold the law are murderers who kill black people. And that's why we're more upset with them. They do not admit that they are murderers, that they are violators of the law, that they are cowards. There's-- look-- look at their little delicate egos. These white men who've got on all this military paraphernalia to go against unarmed people. If they want to play soldier, why don't they join the military? Because they don't want to go against somebody who will shoot back. They're using tear gas among-- against unarmed, nonviolent protesters in Omaha, these cowardly, racist police in Omaha, and they've gotten clever now. They put a black man, the head of their union, and that's supposed to make a difference. Suppose they made me the head of the Ku Klux Klan. Is that gonna change your attitude about the Klan? No. It will let you know that I'm a fool.

**FOLEY:** One minute.

**CHAMBERS:** How in the world can a black man be the head of a union that supports everything these white cops will do against black people? Then they trot him out there and we as black men and women are supposed to back down and say, well, the Omaha police are all right, 'cause this black guy is out here fronting for them. That is even more contemptible. And for them to misuse him in that fashion shows they have no respect for him whatsoever. And I got my light on again. I'm not through yet.

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

**CHAMBERS:** Thank you, Mr. President. And police officers, they've got guns. They've got Tasers. They've got handcuffs. They've got billy

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clubs. And they even carry knives. Did you know that? And they bash in people's heads. They have been fondling these women in Lincoln and Omaha when they manhandle these protesters. Did you all know these cops were fondling these women? Why don't you say something about that? You talk about sex traffickers, all you Christian American lawmakers, and these men who do all of these bad things, nobody has gone out there with a machine gun to shoot them. Their egos are so fragile. People don't like us. They talk about us and we're starting to feel PTSD. We're-- we're-- and in Minnesota, a lot of them are taking leave because of that-- posttraumatic stress disorder because people don't like them and criticize them. Their delicate little egos are about to shatter. So they get a whole lot of people to go out to Memorial Park in Omaha to tell these cops, the armed cops wearing military garb who are threatening, to tell them we love you. What kind of men are these that you call cops? Those-- why don't you come uphold my ego? I go through more than they do. I confront you all every day knowing that you're not gonna do the right thing. And I get threats all the time. You don't see me hiding or running. And people criticize these cops for murdering people and these cops with fragile little egos have to be built up. I insulted ISIS by making the analogy. And that's what I see going on all the time. You all don't see it because it's what you are. You are them. They are you. I wrote a treatise on law enforcement and I located it. And what prompted me to do it, two cops on the Lincoln Police Department have been investigated for using excess force and their internal affairs, to the credit, their internal affairs unit of the Lincoln Police Department found out they indeed had used excessive force. And before the proceedings, that would result in some kind of discipline and maybe even termin-- termin-- termination, these two cops quit. One of them was hired by your rotten Lancaster County Sheriff. The other one was hired by the State Patrol, which I had always said is the flagship of law enforcement in Nebraska. That's what the sheriff said. Then he had the nerve to say in the newspaper, boy, it's bad to go from hero to-- hero to zero in a second. He has been rotten and a rat for a long, long time. And I'm gonna read that treatise on this floor because it talked about how the police leadership are creating an environment where these cops believe that violence against citizens is all right and more of it is going to happen. But they will reach a tipping point and at some point people are gonna start shooting back at the police.

**FOLEY:** One minute.

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**CHAMBERS:** I don't tell him to do that. But I predicted what Donald Trump was gonna do four years before he did it. But he didn't do it because of my prediction. My prediction didn't make him do it. I could see the nature of scoundrel that he was and just called the shot. So I can see what is happening in this country. And when you look at Portland where Trump has sent these federal people in, military garb, untrained, high-powered weapons, tear gas, snatching people off the street and putting them in unmarked vans, taking them to destinations unknown by those who see the person taken and where the person didn't even know where he was once he arrived. No warrant.

**FOLEY:** That's time.

**CHAMBERS:** And the officials in Portland are filing a lawsuit against these federal agencies.

**FOLEY:** That's time.

**CHAMBERS:** And you all sit back and don't say anything.

**FOLEY:** Senator Chambers.

**CHAMBERS:** Thank you, Mr. President.

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

**CHAMBERS:** Do you all see from this what I could have done today to the agenda of this Legislature if I chose to get even? And I have a grievance against a member of the Legislature, but I'm not gonna be mad at all of you because we got a fool running because the Governor appointed her. And it does take a fool to allow herself to be misused in this way. And she's going to allow that flier to continue to be used and she's not gonna disavow it. Am I looking for an apology? Certainly not. I'm a grown man. I've had worse things than that done toward and said to me. But I'm going to read a rhyme that is on the Erniegram that I put in your boxes. And that's where I'm going to put them from now on so that the staff, neither our staff nor the pages, if they still have any number of them going on this floor to hand things out, because there's some people won't wear masks. I don't know if they wash their hands or not. But I don't want any of these young people exposed to that, handing out something that I present. So I'm going to put these in your boxes and you can tell your staff to just take them out, tear them up, and burn them up so you don't have to read them. 'Twouldn't be student-- 'Twouldn't be prudent/ To slam a

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"green" Student/ Into a Contest with seasoned "Pros"--/ Unless the Aim/ Of such cynical Game/ Is leading the "slammed-one" by the nose./ And where she's led, the "slammed one" goes./ The Line she toes;/ Like water she flows/ Through/ Pipe/ Or/ Hose;/ And/ So/ She/ Goes. And you have one of those in your box. And I'm going to continue this saga of Slama, Ricketts, and the "Repelican" Party, because I've collected the articles that were written, the things that are being said, and how the Governor, your Governor said that it was very appropriate the way and the fact that this Republican woman was attacked. He said that's appropriate. What kind of cowardly man is that? Now Senator Slama was-- she was angry at me because I said some guy was hiding behind her skirts. Well, now the Governor is hiding behind her skirts. She's the one who put out this trashy flier. And you know why I say she did it 'cause she's agreeing with it. And the Governor said it's appropriate. Why didn't he say it? Well, I've collected some negative statements he said about me to show what a racist he is. What about that guy in Iowa whom the Republicans finally, you hear me say "Republicans" finally got rid of? He praised white nationalism, said that rape might be necessary and all these kind of things keep white people going, crazy stuff, and your Governor donated to his campaign knowing what he was. I'm going to collect those things and show you all what I see, what is out there to be seen, but which you all deliberately look away from. But I have to come down here every day and function among you all. I have been in this place parts, substantial parts of two centuries, substantial parts of two centuries.

**FOLEY:** One minute.

**CHAMBERS:** Two score years. Over five decades. Centuries, scores, decades, years, months, weeks, days, hours, minutes, seconds among you all, most of the time, the only one. And I watch you all whine and cry and snivel and run scared, hide under benches, scared of the Governor, do his will, and you forget what your constituents sent you here for. You can use me as an example of what you ought to be. I don't expect you to do that because I would never do to any of you all what Senator Slama is in the process of doing to one of--

**FOLEY:** That's time.

**CHAMBERS:** --your colleagues right now.

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



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**CHAMBERS:** Thank you, Mr. President.

**FOLEY:** Thank you, Senator Chambers. The question before the body is the advance of LB760 to E&R for engrossing. Those in favor say aye. Those opposed say nay. LB760 advances. Proceeding to LB705. Mr. Clerk.

**CLERK:** LB705, Senator, I have no amendments to the bill.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that LB705 be advanced to E&R for engrossing.

**FOLEY:** The question is to advance the bill. Those in favor say aye. Those opposed say nay. LB705 advances. Next bill is LB1028.

**CLERK:** LB1028, Senator, I do have Enrollment and Review.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that the E&R amendments to LB1028 be adopted.

**FOLEY:** The question is to adopt E&R amendments. Those in favor say aye. Those opposed say nay. The E&R amendments are adopted. Mr. Clerk.

**CLERK:** Nothing further on that bill, Senator.

**FOLEY:** Senator Slama.

**SLAMA:** [MICROPHONE MALFUNCTION] advanced to E&R for engrossing.

**FOLEY:** That's a debatable motion. Senator Chambers.

**CHAMBERS:** Thank you, Mr. President. I must continue. I'm on what they call a roll. One thing they criticized the older woman for is saying that she agreed that that 30 percent increase in salary that the Governor gave to Frakes was excessive because she had never gotten that large a raise. So Senator Slama and her henchpersons took that to say she's working with me, Senator Chambers. She's never worked with me. But here's what the World-Herald pointed out, that Senator Slama either can't read or deliberately ignored: Two senators attacked what the Governor did. And the subhead on the second page where it was continued said, two senators. Well, why didn't they mention the other senator? Because that was Senator Lathrop. And Senator Lathrop is a white man. And that doesn't fit in with what Senator Slama's attitude

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is, what the Governor's attitude is, and what that devilish, cowardly "Repelican" Party's attitude is. And they are the ones who cry like rats eating onions, any little slight and they're filled with crying and how they're being mistreated. You know why I'm bringing this up? I want them to keep it out there because it gives me a chance to keep talking about this subject. And if any of you all think that my feelings are hurt, you're out of your mind to know that I'm not only the most hated black man-- hated man in the state, I'm the most feared man in this state. They're not afraid of Senator Hansen over there, Senator "Handsome" Hansen with the glistening teeth. They're not afraid of him. As loud as Senator Groene carries on sometimes, they're not afraid of him. Senator Clements, who sits behind me, has probably roughly the same number of letters in his last name as I have in mine, and similar letters, they're not afraid of him, and he's almost twice as tall as I am. But they're afraid of me, so afraid of me, and know that these cowardly white people in Nebraska are so afraid of me that if you invoke my name and tie it to another white person, that white person is condemned. This is analogous to saying that one drop of black man's blood will turn an erstwhile white man into a black man. Lining up a white person with Senator Chambers infects that person with "Chambersism." And no matter how loyal a white person that individual had been, how she had borne the heat of the day, worked in the most disadvantageous parts of the vineyard for years can be kicked aside, but to make it easy to do so, they had to figure a way to blot out all of the good work she had done for the party. And all they had to do with that was say she's in league with Ernie Chambers. That's the worst thing you can say about a white person in this state. And they feel that way until they need help, serious help when none of their white brothers and sisters will help them. They all run and hide. Do you realize there are cops who've come to me for help and I've covered for them? I don't mean in wrongdoing--

**FOLEY:** One minute.

**CHAMBERS:** --but gotten some heat taken off them by pointing out to their commanding officer how bad is it down here when I can tell the World-Herald that an officer came to me for help because he's being mistreated by superiors and other officers here? And all of a sudden the fog lifted and that person was left alone. So the devil became a savior. But I know white people. I've been around white people all of my life. I never had a black teacher. When I was in grade school, the fare they fed me was Little Black Sambo. I don't use this term that

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N-word, Jim, that Mark Twain made famous; then the song Old Black Joe that they made us sing. And it's funny.

**FOLEY:** That's time, Senator. Senator Chambers, you're recognized for your second opportunity.

**CHAMBERS:** If they had uneducated white people that they were writing about and that person was to be quoted in a book or a story, that unlettered, untutored, uneducated white person would say, I'm coming, I'm coming. You know what they had the black man say? I's comin', I's comin'. If they're both uneducated, unlettered, why don't they both talk the same way? They both hear the same words uttered and the way in which they're uttered. But even when they're writing about ignorant people, ignorant in the sense of not knowing, they put the white man who is ignorant at a higher level than the black man. And in many cases, black men were more learned than white men because when slaves were brought here, they were not gibbering savages. They knew trades. They had skills. They knew about agriculture. That's why they were brought here and they were put in important positions. Why do you think they had the slaves build the White House, build Monticello, build other structures in your capital? If you take the time to do little research, you'll see that there's a huge metal statue on top of that building in Washington, D.C., the Capitol Building. It's called the Statue of Freedom. And it was put there, presided over the work done by a black man because the white man who was supposed to do it wasn't going to be paid enough money. So this black man did it. And the story was written up in The New York Times of that day. You all didn't know that. And you don't care. You think that these things just popped up out of the ground or white people did. Do you white people think you are so superior and you can teach me something? Don't know that the laws down South said that the invention of any slave belongs to the slaveholder. Well, shouldn't the slaveholder be doing the inventing? Why would a black person? The laws acknowledge that, at the same time degrading and demeaning us. Africa is a large continent. It comprises not one tribe, not one what you would call city, not what you all would call a state or a country, but like Europe, different entities and different languages were spoken. And there were Africans who came to this country and enslaved who could speak more than one language. And if we were so ignorant, why did we learn so easily how to speak English? Why? Common sense would show you the mythology that you mislabel history. But as a child, I wondered about these things. And white people who were my teachers did not teach me anything about us because the teachers probably were ignorant. They name a school

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Harry Burke and he was a racist who said no black person would ever teach in the public schools in Omaha. And now black kids go to that school with the name up there.

**FOLEY:** One minute.

**CHAMBERS:** You all have heard of Lewis and Clark, Meriwether Lewis and William Clark. Did you know William Clark was a slaveholder and he brought a slave named York with him? And often York saved their bacon when the native people wanted to slaughter these people. And when there's a little story or information put on this gadget that you all have about the Lewis and Clark expedition, they talk about the white people who deserted and this one and that one and what they did, but they never mentioned York. They never mention that Clark was a slaveholder. And now there's a junior high school or middle school, if that's what they call it, Lewis and Clark, which black children have to attend. They have a place called Lewis and Clark Landing.

**FOLEY:** That's time, Senator. Senator Chambers, you're recognized for your third opportunity.

**CHAMBERS:** Thank you. There was a black woman in those long ago days when generals whose names adorn various military installations-- and Trump wants to keep those names there-- and she fought against slavery. That's the first thing that turned Trump against her. She fought on the side of the Union army. She was a spy for the Union army. Her name was Harriet Tubman. And it had been decided during President Obama's administration that the 20 dollar bill would bear the likeness of Harriet Tubman. And there was great joy among all groups of women because it would be a woman on this money, other than a mythological or Miss Liberty who didn't exist. And you know what Trump said when he came in? I admire Andrew Jackson and he's got a big picture of him because Andrew Jackson was a slaveholder and a trickster and treacherous. So he said if Harriet Tubman's name-- picture is to be on the twenty dollar bill, it'll have to be after I'm out of office. There was no outcry because you all love slaveholders. Some of you didn't even know that Andrew Jackson was a slaveholder. But he was and he was treacherous toward the black men who saved his bacon at the Battle of New Orleans in the War of 1812. They couldn't whip the British. And the majority of the population comprised black men. And he promised them that if they would fight on the side of America, they would be free. Ha ha ha. The lying, sniveling, cowardly, treacherous rat. You all see him as a hero. I don't. Suppose I had raped white women. Suppose I enslaved Senator Slama and used her the

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way that I wanted to. You think Thomas Jefferson was a great man? Do you realize that he had a room in Monticello for Sally Hemings and he had six children by that woman in the house where his wife lived? One of his descendants said they need to stop deifying Thomas Jefferson and take down every monument or memorial to him. He was a mere man and he was not a good man. How can a man be good if he's a rapist, a child molester, a pedophile? And you all deify him and I'm supposed to go along with it. Then his descendants, using that term advisedly, like Senator Slama, Governor Ricketts, all the "Repelican" Party mucky-mucks doing what they are doing right now. But it's good that they chose me as the stick to beat their fellow white people with. And they don't realize it, but they lionize me because black people look at that and they say, man, Chambers, they're sure scared of you. What did you do to those white people? I said, well, when it comes to me, a loaded brain is more powerful and threatening to them than a loaded gun.

**FOLEY:** One minute.

**CHAMBERS:** So they invoke my name when they want to put all their brothers and sisters in terror. And you cannot tell me white people are not terrified by me. Why else would Senator Slama and her ilk do what they're doing to that woman down there, wherever it is, who is not offended in any way? You know why I'm speaking like this? The least, the last, and the lost, the people who are mistreated, who are unjustly treated are the ones I feel an obligation to do something for. Is this my third time, Mr. President?

**FOLEY:** Yes, it is.

**CHAMBERS:** It is? Thank you. I'll stop now and take my shot later. Thank you.

**FOLEY:** Thank you, Senator Chambers. Motion before the body is the advance of LB1028 to E&R Initial, excuse me, E&R for engrossing. Those in favor say aye. Those opposed say nay. LB1028 advances. Proceeding to LB1030 [SIC LB1130]. Mr. Clerk.

**CLERK:** Mr. President, LB1030 [SIC LB1130], no E&Rs. Senator Groene would move to amend with AM3006.

**FOLEY:** Senator Groene, you're recognized to open on your amendment.

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**GROENE:** Thank you, Mr. President. I appreciate the Speaker allowing me to put an amendment on this bill as a Speaker priority. We were notified by bill writing that, of course, with the COVID delay our enactment date had past of July 1. So bill writing, this amendment basically just changes dates and puts the effect of LB1130 into 2021. And as the laws are written now affecting mutual finance organizations and their payments will continue this year as present law. So basically, this is just a date change due to-- due to the delay we've had in our session. So thank you, Mr. President, and I appreciate a green vote on amendment.

**FOLEY:** Thank you, Senator Groene. Debate on the amendment? Senator Chambers.

**CHAMBERS:** Thank you, Mis-- thank you, Mr. President. I want Senator Groene to know that I don't have anything against his bill. And he can see that I went after Senat-- did some time on Senator Lathrop's bill just before his. I feel sorry for that lady down there among those cowardly racists. I don't know how long she has lived there, but I'm sure she has friends. I'm sure she has neighbors. I had read nothing, heard nothing about a scandalizing woman down there who's suddenly running for office. And then these low-down people that I've named: Senator Slama, Governor Ricketts, and all the "Repelicans" have decided to try to destroy that woman's reputation, destroy her by using my name. That is not what I appreciate. And I feel an obligation, which they will take to show how she and I are in league with each other, to lift her up in the minds of the people who live down there with her, who have known her, who have never, to my way of thinking and understanding since we're playing dirty, said that she was given favors because favors of a fleshy nature were expected in return. Now I don't know if Senator Slama has heard what they're saying about her and why the Governor picked a very young person with no life experiences. I didn't know they had traveled together. How would I know that if white people didn't tell me? They want to play dirty? Well, let's get dirt out here on everybody. I feel more protective toward my daughter than some white men feel toward theirs. My daughter could not be put in a position where certain salacious things were select-- suggested about her because of some older white man who is supposed to symbolize power and why he's putting her in that position when she has no credentials to justify, only one thing. And that's what's being said about Senator Slama. She knows it. You all know it around here, because some of you have told me, but I'm not going to out you. That's not what I'm interested in. I'm interested in

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what they're trying to do to that woman who is not offended in any way. She has never talked to me. She has never sought my advice. The only thing they could manufacture in the way of an agreement was her having agreed with something that I and everybody who read about it agreed with that a worthless person who has made a shambles of the Department of Corrections was given a 30 percent increase in salary, rewarding incompetencies: riots, high turnover, long shift hours for the employees, no backing or support. And I'm talking about Frakes. Frakes even stopped coming to committee hearings where I was on the committee, because he's brave when he's got men and women locked up. But he wasn't brave around me. And all I was gonna do is use words. And the words that I used would always be true. But he couldn't face up to his own incompetency and white people wouldn't expose him like that so he wouldn't come. And the times he would come, he'd be-- he'd have a woman in tow hiding behind her skirts.

**FOLEY:** One minute.

**CHAMBERS:** That's the way these white women do-- white men do. They use these women. And all of these "Repelican" men who know how faithful that lady has been. I've got a picture. I-- see if her name is here and I can pronounce it-- Janet Palmtag, P-a-l-m-t-a-g. And I don't even know if I'm pronouncing her name correctly. And Senator Slama decided to hook me up with her. Senator Slama probably thinks any white woman is somebody I'd hook up with. But that's not so. She judges me by the white men that she knows, the older white men that she knows.

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

**CHAMBERS:** Thank you.

**FOLEY:** Senator Chambers, you're recognized.

**CHAMBERS:** Mr. President, members of the Legislature, I'm also demonstrating what one determined senator can do about eating up the clock, if that is that senator's desire. Had I wanted to, I could have kept us on the first bill as long as we'd have to be on it until cloture was invoked. And then every bill after that. I still haven't sat down. I know you all are probably praying to "Cyrus the Virus" because you are desirous that he will take me on away from here. But "Cyrus the Virus" says, now that's my kind of man. I'm gonna leave him alone. He'll do more damage than I can to them because when I get hold of him, I kill him. I don't know how to go half way. But him, he knows

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how to use a nuanced approach. He knows when to hold 'em and he knows when to fold 'em. Now suppose I had done what Senator Slama is doing to one of you and this Ms. Palmtag is not the first one that I spoke for. I criticized the Attorney General for going to a fundraiser against one of our sitting members, and that was a woman. They pick women to attack. He knows that I criticize him and the Governor does that kind of stuff because he has no respect for any of you on this floor. He has no respect for Senator Slama. She's his handmaiden. But he has no respect for anybody on this floor. And there's only one man that he fears and it's me, because I'll bring out the goods on his momma, his daddy, and him using facts that are out there for everybody to use. His daddy lives in Jackson Hole, Wyoming, so he won't have to pay income tax. But then that sly old devil went to the Omaha City Council and got hundreds of thousands, maybe millions in TIF support for his TD Ameritrade. And to show how little respect he had for the white people, that area out there where he was working had to be declared blighted and substandard. And there's my friend, Senator McDonnell. Why do I have to mess with him? Because Michael Yanney misused him and tricked him into bringing a bill so that Yanney's property management company on Offutt could get out of paying property tax by defining it as personal property. And I told you all about that and how it was unconstitutional. But it was the last day of the session. You ignored me, as you always do. And I put the heat on the Governor and the Attorney General and said his lawyer should tell the Governor that this is wrong. And if he doesn't, if the Governor signs it, I'm gonna hire a lawyer and give him this record of the debate and he'll win the case and he can get lawyer fees. But I can't. I could've won it in court. But you know what? The Attorney General looked at it and he told the Governor that is unconstitutional and the Governor vetoed the bill after we were out of session. And I know that it was Michael Yanney because I asked Senator McDonnell if Michael Yanney was the head of this management company. And then, you know what happened a few months after that at Offutt? They complained about the housing, mildew. It was in a shambles.

**FOLEY:** One minute.

**CHAMBERS:** That's what Michael Yanney did. Senator McDonnell was trying to help him and he misused Senator McDonnell. I'm telling you all what happens to your colleagues because they don't respect you. And if I hadn't said anything on the floor, nothing would have been said and that bill would have been signed. And you want to say black people are intellectually inferior? My goodness. Am I inferior to you all? Did



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you all know what I brought up about that bill? You didn't. But I told you about it. Did it make any difference? No, because you automatically have a knee-jerk negative reaction to whatever I try to tell you. But what difference does it make to me? I can mock you later. And when the facts show that I was right, I say, that's the kind of dumbbells I'm working with down there all these years. And black people say, I don't know how you do it. Even white people have said it.

**FOLEY:** That's time, Senator. Senator Chambers, you're recognized for your third opportunity.

**CHAMBERS:** Some people in other states have wondered why I stay in a place like Nebraska, what I could do if I was someplace else with some people who think, who are progressive. It's simple. Every place needs somebody and it's too bad that the somebody you all are stuck with is one that you hate, one that you fear. Outdo me. You outnumber me. Get together and lay out a plan that will defeat me and put me in my place. I put together article after article of the efforts you and those before you put together to try to reel me in. And some white people would write in the Public Pulse, why do you keep trying to write laws and change the rules to stop him? Why don't you learn the rules like he knows them? And that's something that is puzzling to me. I tell you, you're my enemy. Put your head over here and you put it here, and I go upside your head with a baseball bat. So you wake up, you're groggy. Then when you come back to yourself, I say, put your head here. You put your head there, and I hit it with a baseball bat again. How many years does it take you all to learn? And you haven't learned yet. You can get angry. You can pout. You can mutter. And you should know by now it doesn't matter to me. All of that is showing me that I'm effective. And it's too bad that so much has been done to squelch the intellectual development of our children and the ones who put together that plan probably had run across a black man like me and said, we don't want to turn all of them loose. So let's get control of the education facilities and we won't teach them. They might develop what's called mother wit, where you get into a situation, you can analyze it and figure how to make the most of it. But we don't have to teach them how to read. We don't have to teach them math. We don't have to teach them engineering. Well, finally, NASA got around to naming a building after a black female engineer who when she was working for NASA had to go a half mile to go to a restroom because she couldn't go to the white women's restroom at the place. And when the guy who was responsible for getting all this work together so they can

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shoot these white men up in the air and bring them back wondered why she's not at her desk. She said she had to go to the bathroom. And he wondered why it took her so long, she said, well, there's no bathroom here that I can go to. He said there's a women's bathroom. She said, I can't go there because I'm colored. So then he went and they had a very dramatic depiction of it in a movie. He had a crowbar and he tore down that sign "colored" and he said, we at NASA all pee the same color. And then she went to work with the knowledge and skills she had. And the guy who went up there on the moon and then came back, he wasn't sure he wanted to go. And he said, did the colored woman approve of this that you all have laid out here? They said, well, she's the one who arranged it. He said, then I'll go. They know what-- you all know what black people are able to do. But you also know how a lot of black people have been cheated out of an opportunity. And if you're not taught, even the "Bibble" says, how can they know if they're not taught? How can they be taught if there is no teacher? How can they teach if they are not sent, even way back there?

**FOLEY:** One minute.

**CHAMBERS:** And you all know these things. But once I learned my letters and I learned how to read, they couldn't do anything with me after that. And they can't do anything with me now. So they put together this little band of the-- there is no good, but the bad and the ugly. I've got to find a word to substitute for good. The evil, the bad and the ugly. That's Slama, Ricketts, and all those "Repelicans," the cowards. You think I enjoy talking about a woman like this? I really don't. My mother was a woman. My sisters were women. My nieces.

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

**CHAMBERS:** Thank you.

**FOLEY:** Thanks you, Senator Chambers. Senator Groene, you're recognized to close on AM3006. He waives close and the question before the body is the adoption of the amendment. Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

**CLERK:** 42 ayes, 0 nays on adoption of Senator Groene's amendment.

**FOLEY:** AM3006 is adopted. Mr. Clerk, anything further on the bill?

**CLERK:** Nothing further on the bill.

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**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that LB1130 be advanced to E&R for engrossing.

**FOLEY:** Motion is to advance the bill. Those in favor say aye. Those opposed say nay. LB1130 advances. Proceeding to LB911. Mr. Clerk.

**CLERK:** Senator, LB911, I have Enrollment and Review amendments.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that the E&R amendments to LB911 be adopted.

**FOLEY:** The motion 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:** Nothing further on that bill, Senator.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that LB911 be advanced to E&R for engrossing.

**FOLEY:** That's a debatable motion. Senator Chambers.

**CHAMBERS:** Thank you. Mr. President, members of the Legislature, when the pot is boiling, I don't put another person in it. But another individual was named specifically by slim-- Senator Slama and crew. Guess who that female senator was that they named. It wasn't Walz. It wasn't Crawford. It wasn't Blood. It wasn't DeBoer. It wasn't Cavanaugh. It wasn't Geist. Did I miss-- it wasn't Senator Linehan. It was Senator Megan Hunt. Now when you consider the level at which the minds of these devils work, why do you think they mentioned two senators by name, black Senator Ernie Chambers and white female Senator Megan Hunt? Why do you think they mentioned her by name? I have my speculations, but I'm dealing with my situation. These people are so transparent. Senator Slama might have potential. She graduated from those-- one of those Ivy League schools. Now for all I know, her parents paid them to give her a degree. That's what white people got money to do, especially in the Ivy League schools. But let's assume that they didn't pay to purchase her a deg-- a degree. It could signify that she has potential. That's what it could signify. But they are besmirching her. They are branding her just as sure as if they put

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that scarlet letter on her, just as sure as if she had the mark of Cain put on her. And she's so immature, so green, so inexperienced she doesn't realize that they may not be giving her a boost up. They may be limiting her and creating an aura about her and an image that would not be welcome in certain general circles where meaningful people moving upward operate. Why hitch your fate to the bottom feeders? You-- what is Ricketts? He's not an intellectual. He wants to be a miniature Trump. He's not respected around the world, around this nation, in this state. And any regard he's given is because he is in a family where the wealth was produced, not by him. He was in the way in the business so his father had to give him something to do to get him out of the way. He's got a brother in Chicago who cheated on his property taxes, and I actually lied. And he's a mucky-muck in the National "Repelican" Party. They picked the people who are either immoral, who are dumb, or who are just whatever they think these people are. But to allow herself to be used in that fashion, I think was wrong of those people. And with all that I've said about Senator Slama, I-- I feel a modicum of sorrow because she could perhaps have done something and improve--

**FOLEY:** One minute.

**CHAMBERS:** --the lot of people who are among the three L's that I'm concerned about: the least, the last, and the lost, but they are taking it all away. And she should not let them do that. But I'm not going to try to advise her. She's chosen those with whom she casts her lot. And I'm going to put my light on again.

**FOLEY:** Senator Chambers, you're recognized, your second opportunity.

**CHAMBERS:** Thank you, Mr. President. I'm not comfortable in the presence of anybody's suffering if there's something I can do about it and fail to do it. If I saw somebody-- let me-- let me take a different path. They're blaming a woman for having put this scheme together that I'm talking about. Her name was Flanagan. And the "agan" part of it is spelled a-g-a-i-n as in again, she did it again. Well, I have some information about her and what all she said she believed. One woman, one man, marriage is forever. She condemned people who were gay. She belonged to an organization, Family First, or some such nonsense like that. And those are some of the sneakiest, behind-the-scenes people that you will find, put on all these airs in this hypocritical front. And for a man who's on the prowl, those are the women he goes after because he knows how hypocritical they are. And they're looking for a chance to kick the traces and these kind of

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ratty men won't tell on him. They'll keep it quiet. Then they've got somebody they can always go and tap out whenever they want to. That's the kind of world it is. And she's letting herself get put right down in the middle of that mud and wallowing in it. She should think. So I think I'm gonna present some information on Miss Flanagain because the Governor likes her, too, and had her on his payroll. I don't know if she still is, but she certainly is not as pure as the fresh-driven snow based on how she assessed women in the days of yore. And now look at her. There is a member of the Legislature whom I had some regard for, and I think they are probably about to get hitched. So since she has decided to play dirty, I'm not gonna play dirty. I'm just gonna present information. You should leave some people alone because they're not gonna cut and run. And I'm one of those kind of people. And you know who taught me how to stand up and do what I do? Mother Nature. I don't see the deity as being a male. The male image is too fragile. Mother Nature took me to the largest redwood that had ever been placed on this earth. And Mother Nature gave me a chain saw. She said, Ernie. And I know my [INAUDIBLE] I said, Yes, ma'am. She said, take that chain saw and I want you to fell that tree. I said, Mother Nature-- now it had a trunk bigger than this building. I said, I can't do that with this chain saw. She said, what did I say? I said, Mother Nature, I know what you said. She said, but you didn't pay attention. Give me the chain saw. She popped her fingers and the chain saw disappeared and my hands were empty. And then I felt something very light in my right hand. And when I closed my fingers, I was afraid to look at it at first. But then I looked at it and it was a fingernail file. She said, Ernie, fell that tree.

**FOLEY:** One minute.

**CHAMBERS:** And before I could really shape my mouth to say, I can't do this with a fingernail file, she said, give me that fingernail file. Do it with your thumbnail. Mother Nature does not play, but she equips her children to survive in a hostile environment if they will pay attention. But if they don't pay attention, the punishment accompanies the sin. The wrong that you do has in its train the punishment. So when you take that step, look for the consequences. And being young, Senator Slama undoubtedly did not total them up. She didn't expect this to happen this session. Nobody did, because white people don't do this. They talk behind their hand or in the corner. Thank you, Mr. President.

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

**CHAMBERS:** I'm not going to take a poll, but I'm almost tempted to say all of you all who think I cannot do this every day for the rest of the session, raise your hand. Maybe I ought to reverse it. All those who think I can do it-- put your hand down [LAUGH]. I'm having fun. Whenever I can bring my broom and go into a room where there's dust in the corners and dust devils under the bed and use that broom and sweep them all out, that's what I'm doing. I'm sweeping out moral dust today. Those of you all who think that what slint-- Senator Slama and the bad and the ugly did, you ought to be supporting her. You ought to stand up and defend her. Now when I-- when Senator Groene hollered across the room at Senator Pansing Brooks, I immediately jumped on that. That was wrong. It was uncalled for. It was inappropriate. And I said, don't holler at me-- holler-- don't holler at her, holler at me. I can't stand to watch that. But I'm not being a bully. Senator Slama can bring this mess that she helped start to an end, but she wants this little office so badly. I saw a movie called A Man for All Seasons. It was about Sir Thomas More. There is a guy named Richard Rich who always wanted a position. He'd come to Thomas More, say, Sir Thomas, hire me. Thomas More said, no, Rich, I can't hire you. Be a teacher. Well, Richard Rich didn't want to be a teacher, so he became a snitch for Cromwell. And I'm not gonna take the time to tell the whole thing because it would take too long. But Rich betrayed Thomas More. And when they saw each other, Thomas looked at Richard Rich. He said, Rich, what doth it-- oh, he was given a position over Wales. And by the way, when your President Donald Trump wrote about the Prince of Wales on his gadget, you know how he spelled it? W-h-a-l-e-s, the Prince of Whales because he's ignorant. But anyway, Thomas More said, what doth it profit a man to gain the whole world and lose his soul? But for Wales, you lose your soul for Wales. If Senator Slama were being offered something of significance, who respects members of this Legislature? Who tells their child, I want you to grow up and be a member of the Legislature? She's doing all this to be a member of this Legislature. How many of you all can go anywhere and boast about being in the Legislature and people will sit back in awe and say, wow, a member of the Nebraska Legislature? Johnny, come in here. Susie, come in here. This person is in the Legislature. And the little children's eyes would get big as saucers with dots on them, they'd say, ooh, Mommy, how can I be a member of the Legislature when I grow up? That's not going to happen and you know it. I think I'll be-- I'll show you all some articles for when I was a much younger man. I was invited to

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places where you all probably never will. There was a National Mental Health Association--

**FOLEY:** One minute.

**CHAMBERS:** --having their annual conference in Dallas, and they invited me to be the keynote speaker because my views on mental health accorded with theirs. And they invited me and said what it was an honor to them to have me accept. You all don't feel that way, but who are you all? Members of the Legislature. But to do that, I had to turn down two other invitations. One was to get a foreign policy briefing by the State Department and I forget what the other one was. I had many opportunities and they wondered what somebody like me would do-- would be doing in Nebraska. People who know me wonder why I stay here. But we all do what we must if you're somebody like me. Senator Slama, if she did what she must, she'd tell them I'm going to win this race on my merit--

**FOLEY:** That's time.

**CHAMBERS:** --my ability.

**FOLEY:** Thank you, Senator Chambers. Senator Geist.

**GEIST:** Thank you, Mr. Speaker. I'm just gonna take this opportunity to stand in shoulder to shoulder with my sister, Julie Slama, a woman of great character. Maybe contrary to what the other senator is saying on the floor today, I think enough is enough. And Julie is a friend, excuse me, Senator Slama is a friend, and this is difficult to listen to a male senator talk about a female senator in this way and assuming bad character because of a situation. And I just think enough is enough. Thank you, Mr. President.

**FOLEY:** Thank you, Senator Geist. Senator Slama, you're recognized.

**SLAMA:** Thank you, Mr. President. And I really wasn't planning on getting up on the mike today to address what's been said thus far. I thank Senator Geist wholeheartedly for stepping up and calling this out. Let's review some of the things that have been put upon me by Senator Chambers. We're gonna go through because I've been taking notes as this has gone along today. And if Senator Chambers wants to keep this up, that's his prerogative to do so. But I hope that Senator Chambers thinks about the kids watching at home in the way that he is talking to a femal-- female member of this body right now. Just a few

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of the examples that have happened in the last hour. First off, I was referred to as a handmaiden. He also introduced a hypothetical where he enslaves and, quote, does as he pleases with me as a means of criticizing the Founding Fathers. In addition, he said, quote, She was given favors because favors of a fleshy nature were expected in return. Senator Chambers, how dare you talk to a woman like that? How dare you talk to a member of this body like that? I'm gonna get off the mike now. But to any kid, to any person that is watching the Legislature right now, do not think that it is appropriate to talk to a female that way. It is sexist and it is disgusting. And I have never been more ashamed to be in the same body as Senator Chambers as I am right now. Shame on him. Thank you, Mr. President.

**FOLEY:** Thank you, Senator Slama. The question before the body is the advance of LB911 to E&R for engrossing. Those in favor say aye. Those opposed say nay. LB911 advances. Proceeding to the next bill, LB911A. Mr. Clerk.

**CLERK:** LB911A, Mr. President, I have no amendments to the bill.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that LB911A be advanced to E&R for engrossing.

**FOLEY:** It's a debatable motion. Senator Chambers.

**CHAMBERS:** Thank you, Mr. President. I read an interview that Senator Geist gave to the Lincoln Journal Star and she was saying how some of the things that are going on now shook her to her core, the objections and protests against racism. Now I found out from that article she's 58 years old. She was raised down South and she didn't know these things were going on. How many of you all believe that? And when the reporter said, well, you sat behind Senator Chambers for three years, weren't you listening? She said something about, well, I've kind of warmed towards Senator Chambers in my heart, and that's supposed to mean something. You think she didn't know at 58 years old about racism and she was born down South? That's what I hear. They're used to getting away with it. Senator Slama threw the first stone. Don't put me in your mess if you don't want me to respond. She started it. She's like those kids in the neighborhood who want to start something, then run home and scream and holler when it produces a reaction. Yeah, I said what I said on the record and I intend it to be on the record. Now let the Governor stand for you. He said it was appropriate to



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attack that other woman the way she was attacked by Senator Slama and her crew. Why didn't Senator Slama say something about the Governor saying it's appropriate to attack that when he used the word attack? She uses this simple-minded stuff of it's sexist. She thinks that because she's a female she can do and say anything she wants to and nobody's gonna respond. Well, I'm going to respond. I'm not like one of these wimpy white men like the Governor she deals with or these people who are Republicans. And as for her reputation, let her find out what the senators around here are saying. I tried to tip her off one time subtly, and she didn't pick it up. She's simple if she thinks she can stand up here and say the word sexist and I'm gonna be quiet. A white woman, a child of privilege who's being used by the Governor, then she's gonna put out something that's insulting to me. How does she not know or how does she know I'm not insulted to be hooked up with a white woman? How does she know that? You all run and hide when somebody stands up. She said she's taken notes. Let her read her notes. Face me down right here. I say what I have to say, not behind my hand. She thinks that she gonna stand up and whimper like that and I'm gonna run and hide. I've got nieces older than she is. My daughter is older than she is. I've been around women all of my life. And I'm very protective of women, but not treating them like children. But when a woman is grown, she's not gonna mess with me and then run and play the little girl role, play like she's a little girl. Well, stay out of the fray. She approved of that. When I say that, I meant that document. Even some people in the "Repelican" Party said it crossed the line. Don't throw a rock at me and then you get something back and you're gonna whine and whimper. We've got time today. We've got time the rest of the session. Go talk to Governor Ricketts and see what he tells you to do. Talk to the "Repelicans" who put you up to it and see what they tell you to do. Go talk to Flanagan again and see what she tells you to do. They'll probably say--

**FOLEY:** One minute.

**CHAMBERS:** --you should have just shut up and not said anything. Did you say time?

**FOLEY:** One minute.

**CHAMBERS:** Thank you, Mr. President. For all Senator Geist knows, maybe I was getting ready to pack it in. Then she had to stand up and put her two cents' worth into it, and how is she going to say anything about what I'm talking about when at 58 years old she didn't know there was racism in America. Born down South. You all don't even

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believe that. They wouldn't put a story like that in Hollywood unless it was in Looney Tunes. During those 58 years, they had fountains, public drinking fountains, say colored and white only; entrances, colored only, white only, no colored. Black people were literally beaten in the streets.

**FOLEY:** That's time, Senator. Senator Chambers, you're recognized.

**CHAMBERS:** Sometime last year they showed two sheriff deputy-- they didn't call them sheriffs. They call them Texas Rangers. They were on a horse on either side of this black man and they got him trussed up, his hands tied behind his back and one's to his right, one's to his left on a horse. And they're leading him down a street, trussed up like that. You white men probably think it's all right. I don't. He couldn't help himself. They had guns. They were on horses. And that's what they think of us. And she's gonna say I should not say this. And Senator Geist is gonna say she doesn't like it. Well, then just be quiet or leave. I'm not going to shut up because you don't like it. You say things I don't like. Nobody's making you stay here. But you can't keep me out of here and you cannot shut me up. Don't do things that provoke a response. Then when the response comes, you act like you're shocked. A challenge invites a response. She went to Ivy League school. I'm sure she's heard the principle for every reaction-- for every action, there's an opposite, equal reaction. If Senator Brewer were here, he could tell you. They called it a bazooka. It's called a rocket launcher. It's just a long tube and you put a rocket or a projectile in it. And when you fire the weapon, there's a force that comes out the back as a projectile goes out the front. And in trying to teach these recruits, and I was one of them, teach us recruits how dangerous it was to be behind that weapon, they piled up wooden boxes and other debris. And they fired the weapon and it obliterated that entire stack to let you see what would happen if you stood behind that bazooka or rocket launcher when it was fired. Some people need an object lesson. If Senator Slama doesn't want to hear this, tell them to get rid of that flier. She agreed to have you-- how dare she? How dare Senator Geist approve of a white woman like Mrs. Palmtag being paired with a man like Ernie Chambers? How dare that be done? Why don't you speak in sympathy for that woman who's put them in league with me? Senator Geist is not gonna do that. Why doesn't Senator Slama have some conscience? What do you call it when a woman attacks and plays dirty with another woman, as Senator Slama is doing with Ms. Palmtag? What she said about me goes double for her because that woman is her sister. She treats Ms. Palmtag like that. She did something

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unfair to Ms. Palmtag. She did something insulting to me, and she wants nobody to say anything. And the rest of you may feel the same way that I shouldn't say it. No, you shouldn't say it. But there are too many things white people do to us and get away with it. And white people can always say, well, gee whiz, I didn't know. People never said anything. Well, some of those people knew that something very bad could be done to them.

**FOLEY:** One minute.

**CHAMBERS:** I'm not fatalistic in the sense of wanting something to happen to me, but I've been in too many instances. And I tell you all about the example where I went off to Norfolk when a threat came to me. I put a target on my shirt and I went out there where they were, where the threat originated and made myself available. And you think two women on the floor of this Legislature are gonna make me shut up because they don't like what I'm saying? If they don't like it, get out of here. Now they're going to say, why did you have to say get out of here? Why didn't you say we can depart the Chamber? Why didn't you say we could vacate the premises? Why didn't you say we could walk out? But no, you say get out. Thank you.

**FOLEY:** Thank you, Senator Chambers. Senator Pansing Brooks.

**PANSING BROOKS:** So I am rising to soften the tone a bit and to help us all remember that we are all a part of what's going on in this country. Of all the things that Senator Chambers speaks of, of the racism that is occurring, we're all at fault. We all have lived it. We all have acted upon it in various ways, whether anyone wants to accept that or not. I believe it's true. I believe that even with-- with that bill on Fort Donelson, Senator Chambers pointed out some things today on my bill that if I had-- if I had brought that bill now, I might have changed a few things on that. And-- but I-- I want to rise and help us to remember something positive. And that is the life of John Lewis, who died this weekend, an amazing civil rights advocate, as well as another civil rights leader, Reverend Cordy Tindell Vivian. And that man was 95. Of course, Representative Lewis was part of the Selma riots, was brutally beaten by police. We know all of these things and we hear about them. But do we really understand and listen and care? I-- I just wanted to stand and I found a few of Representative Lewis' quotes. I was fortunate to meet him briefly. It meant nothing to Representative Lewis. It meant everything to me when that happened. But I wanted to just to say a few of his quotes so that we can all think for a moment about that brilliant man and what he

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gave up for our country, in many ways as Senator Chambers has done for 40-- over 40 years in this body. And we all have to take a breath and realize that we are as culpable as anyone else in this body for the racism that-- that we have and that many have had to endure. And so I'm going to read a couple of these. First, John Lewis said: When you see something that is not right, not fair, not just, you have to speak up. You have to say something. You have to do something. Another one is: You must be bold, brave, and courageous and find a way to get in the way. Another quote by John Lewis: We are one people with one family. We all live in the same house. And through books, through information, we must find a way to say to people that we must lay down the burden of hate for hate is too heavy a burden to bear. If you're not hopeful and optimistic, then you just give up. You have to take the long, hard look and just believe that if you are consistent, you will succeed. He went on to say: When you make mistakes, when you're wrong, you should admit you're wrong and ask people to forgive you. He also said: I believe that you see something that you want to get done that-- that you cannot give up and you cannot give in. These are things that we all need to remember every day in every part of our lives. This man was a hero to our country. And I just want us to-- to focus on that just a little bit. Some of us gave a little blood for the right to participate in the democratic process. I say to people today, you must be prepared if you believe in something.

**FOLEY:** One minute.

**PANSING BROOKS:** If you believe in something, you have to go for it. As the individual-- as individuals, we may not live to see the end. And I think that's a good one to end on. I, I hope we live to see the end of racism that is systemic in our-- in our laws, in our communities, in our policing, in so many parts of our lives. In my bill that I brought up celebrating a wonderful thing by Nebraskans, but also named after a Confederate soldier, Donelson, down in Tennessee and Kentucky. So we all have to think long, hard, and deep about what is within us, what we can do to make positive, good change to love others. Thank you.

**FOLEY:** Thank you, Senator Pansing Brooks. Senator Chambers to be followed by Senator Geist. Senator Chambers.

**CHAMBERS:** Thank you, Mr. President. Members of the Legislature, sometimes object lessons get a message across and other times they don't. We are all adults. Senator Slama behaved like a juvenile. That's what is demonstrated by her conduct, not just my words. I described the conduct. Then she bore it out. Then Senator Geist hopped

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up. I'm gonna bring that article and read it where she didn't know these things. And I saw a couple of letters-- I guess they were written by white people-- how they pooh-poohed all that she said. Oh, now she knows. Oh. Now I'm going to look at people who are more than 50 years old, white people, they've been to school, they've studied history, and they gonna say they didn't know. That's what they always say. There were Germans who when Jews were disappearing, the smoke was coming out of the stacks of the crematoria, and people knew. Nobody in Germany knew. They all say, I didn't know. Yes, they did. Some of them ratted out Jews because not all Jews were swarthy and dark-haired. Some of them were blond. So they were snitched on. And there were some people who were not Jews who were accused and they were treated as though they were Jews. That's what white people do. And I'm gonna show you how ignorant you all are. Hitler said that the Aryan was the master race: six foot tall, broad shoulders, deep chested, blond eye, blond hair, blue-eyed white men, the master race. And who were they led by? A little, short, swarthy, dark-haired man with dark eyes named Adolf Schicklgruber. And here he is, the opposite of what he told these lummoxes were the master race, leading them by the nose. And everybody mocked these dumb Germans. That's what we see. That's what others see. You all don't see it because you cannot stand to face the truth. They had Jack Nicholson in one of his movies saying you can't stand the truth. And that was true in more ways than one. And I've been on this earth 83 years. Show me any 83-year-old white man who's gonna stand up like I have stood up all these years and not back down from anybody. If I only picked on women like your Governor might do and some of these "Repelicans" might do, you could have something to say. I stand up to all of them alone, no entourage, no bodyguards, no weapons. And you all have the nerve to say I ought to be quiet after I'm insulted by this white woman. She threw the first stone. Then when the consequences came, she's whining, I took notes. Well, you should have taken note of what might happen before you did it. And she's still gonna benefit from it. She is still going to benefit from that wrongful conduct. And as she got Senator Geist defending her. Senator Geist, she's grateful you stood up for her. Now you go talk to her and give her some moral guidance and say you should not do things like you did. Now you withdraw that flier and apologize to Ms. Palmtag, whom you have insulted.

**FOLEY:** One minute.

**CHAMBERS:** First of all, Senator Geist is not gonna do that. But that's the way it ought to be. But you never look at the perpetrator. You

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want to try to make it look like the perpetrator is the victim. If she hadn't done this, I would be as wrong as two left shoes to take out after her like this. If she had objected to it and said, don't do that and the party did it anyway, I couldn't say anything against her. I could talk about how the party does not even get the consent of those they're supposed to be helping before they embroil that person in something like this. Those are not the facts. The facts speak for themselves. Or I'm sure Senator Slama has been in law school long enough to be familiar with the term *res ipsa loquitur*, the thing speaks for itself. Now I'm gonna give you all an IQ test: two animals (rooster crowing, donkey braying).

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

**CHAMBERS:** You didn't know which was which, did you? Thank you, Mr. President.

**FOLEY:** Thank you, Senator Chambers. In the speaking queue are Senator Geist, McCollister, and Wishart. Senator Geist, you're recognized.

**GEIST:** Yes. Thank you, Mr. President. And I will stand up here and tell you, yes, I'm 58 years old. I don't know what that has to do with this conversation, except that, yes, I have seen racism. I grew up with it. I've seen it closer than many of the people here in this floor. I was taught by loving parents not to be racist. What I said in that article is I thought we had gone further. I thought we were further as a country than apparently in some cases what we are. That was the intention behind the quote. And that was very clearly stated to the reporter. Yes, very clearly stated to the reporter. She would even tell you that I told her that I grew up in a society that was very segregated. I was taught by my parents that that was wrong. When I left my hometown, neighborhoods were being integrated. That was a huge step in the South. Now I am sorry. I'm terribly sorry and live to correct things that happen in our society that aren't fair. That's one of the reasons that I'm here. However, to have to listen to a friend and colleague be berated like this is unconscionable. I think we're better than that as colleagues, and I think enough is enough. Thank you, Mr. President.

**FOLEY:** Thank you, Senator Geist. Senator McCollister.

**McCOLLISTER:** Thank you, Mr. President. It would be a good thing if that card that we saw in that first district, a legislative race, was a rare occurrence. It is not a rare occurrence. In my first election

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for this body, I got hit with those-- those-- those pieces, just barely information that was true, half-truths. And it's a sad fact that when we run for this office that pays \$12,000 we're subjected to that kind of hate mail. And that's exactly what it is. It's hate mail and it often comes from third-party groups. You know, it doesn't originate with the candidate themselves, although sometimes I-- I wonder. But it comes from third-party groups with dark money. So the thing I think we need to do in the George Norris Legislative Chamber is we need to talk about campaign finance reform. We need to talk about true accountability to those people that write money and then send out these cards. It's not just one political party. I know that. And so it's-- it's time that we-- we deal with that. Common Cause has-- has all kinds of model legislation that we could do. It would help stem some of this evil stuff that people end up getting in the mail. You know, like I say, it's-- it's not just one party. The mail that I received came from-- from the Democrats when I first ran. So we need-- we need to reform campaign finance, and I would challenge this body to work toward that end. Thank you, Mr. President.

**FOLEY:** Thank you, Senator McCollister. Senator Wishart, to be followed by Senator DeBoer. Senator Wishart.

**WISHART:** Thank you, Mr. President. Colleagues, I debated whether to talk today, but I was encouraged, especially from hearing from Senator McCollister. I did get an opportunity to see the mailer that was sent and it was racist. And there are many people, many people involved in that mailer that should be apologizing. I've never understood dirty politics. I've never understood it. I remember when I was young and running cross country and competitive and thinking, you know, I never thought, how am I gonna take down the person I'm running against? How am I gonna find a way that they can run a little slower so I can do better? I never thought about that. I worked hard myself. I did what I could do myself. And if I did well, then I felt good about that because I-- I wasn't responsible for trying to take someone else down. So there are a lot of people that need to apologize for that mailer well beyond Senator Slama. I want to get up to today and say that some of the things that I've heard today say against my colleague, Senator Slama, especially the personal rumors, are just not true. And it's very hard to listen to that as a fellow colleague. I consider every single person in this body, all 48 of you, a member of the team. I recognize that we all have some very deep learning that we need to do from Senator Chambers and Senator Wayne and Senator Vargas in talking about the racial injustices that have gone on. But I also think it

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behooves all of us to stand up when we hear rumors going on about colleagues' personal lives and say, from my perspective, in knowing Senator Slama, some of those rumors are just not true.

**FOLEY:** Thank you, Senator Wishart. Senator DeBoer, to be followed by Senator Cavanaugh.

**DeBOER:** Thank you, Mr. President. Well, Senator Wishart said much of what I was going to say. But to Senator Slama, I would say, please do apologize for that ad, even if you didn't know about it. I don't think it's likely that you didn't know. I know people during my campaign were talking about things, but maybe you didn't. But nevertheless, it would still be nice if you did. It was an abhorrent ad, and I don't think that we should be sending those sorts of things out. I condemn-- condemn it in the strongest way. But to Senator Chambers, if you wonder if I'm afraid of you, of course I'm afraid of you. I would be stupid not to be. I've been here two years and you've been here 42 or perhaps longer. So I didn't stand up when I should have before and object when I should have before, I think calling someone out on the things that they said that are wrong, the things that they did that are wrong, the things that they probably knew about that were done on their behalf that are wrong is absolutely appropriate. And I think we should all do that when we can. However, I don't think it's appropriate to say just because someone's a young woman, that they had an inappropriate relationship with someone. And I object to that. And I also don't think that we should pass on rumors like that. I think that's a problem. I think that there are ways to talk about what people did that are substantive that do not rely upon those things. And I know that my colleagues have the intellect to bring out those things in a way that does not rely upon rumormongering. So with that, I would just ask that we all remember that while many as of us from time to time get carried away, get caught up in things, whether that be campaigning or whatever, we're called to a higher standard than other folks. And so what might be OK in terms of an ad or a-- no, it's not OK. But-- but even if it would be OK, it's certainly not OK from someone who's a candidate for this office. We're honored to stand here where these people have been standing for so long and make these laws. It's-- we can do better than this. We can do better than some of the comments today and we certainly can do better than some of the things that have been happening in my campaign as well. The kinds of negative campaigning, people are tired of those negative campaign ads. And people said to me, you have to do negative campaign ads. They work. And people are already telling me if you're gonna run again, you have



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to do negative campaign ads because they work. I just think we're better than that and let's try to be better than that. Thank you, Mr. President.

**FOLEY:** Thank you, Senator DeBoer. Senator Cavanaugh.

**CAVANAUGH:** Thank you, Mr. President. When I ran for-- for office, Senator DeBoer and I were running at the same time and actually our faces were swapped on mailers during the 2018 election. There were so many mailers sent out against me. It would pay for property tax relief probably. No, not really, but close. There was a mailer sent out against me that attacked my husband for sitting on a board that provides legal advice to immigrants in this country. And first of all, what does my husband have to do with anything as far as me running except for being an amazing partner and God bless him right now because he's home with three children. So please pray for him. But there were so many things that were terrible, and my opponent never said anything about it. And I have a great deal of respect for my opponent. And she is a lovely woman and also a mother to three children and is now my constituent. And I was disappointed that she never said anything about those mailers because it was hurtful and divisive. And I would echo Senator DeBoer's call to Senator Slama to admonish the people that are behind these mailers. Because if this isn't who you are, then please stand up and say that this isn't who you are. I don't agree with what Senator Chambers has said entirely today, but it-- it's his life and his light-- his likeness that's been-- being used and manipulated and being used for race baiting. And so even if I don't agree with him entirely, I am sorry that this is still what is going on. And I am disappointed that I didn't stand up first thing this morning to ask for action to be taken by our colleague, Senator Slama, to stand up for your colleague, Senator Chambers, because he does deserve to have everyone in this body stand up for him. And I hope that Senator Slama does not agree with those race baiting mailers because they are extremely offensive and divisive in society today. And I will just say one last thing that I did meet with a reporter about my mailers at that time, and I was told that it wasn't a story because everybody did it. And I said to that reporter, well, that's not OK. And if we don't demand more from our politicians, we're not going to get more from our politicians. So with that, if I have any time left, I can yield it to Senator Chambers if he'd like it.

**FOLEY:** Thank you, Senator Cavanaugh. Senator Chambers, 2:15.

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**CHAMBERS:** Thank you, Mr. President. Thank you, Senator Cavanaugh. I'm not looking for an apology for me. I wound up telling you all that I don't want to be used to put down a woman who hasn't done anything wrong. The worst thing that Senator Slama could do to that white woman is to link her name with mine. You all don't listen to me. Even those of you think that you see what I'm doing and why. I said that because I'm concerned about those people who were mistreated. I think this woman is due the apology. She didn't do anything wrong. They thought she might win. What could they do that would hurt her the most? Say she's in line with Chambers. That has happened by a lot of white politicians down through the years. I-- I wish I'd have collected all of them. As I said, it happened in Senator Halloran's race. They did the same thing. When Senator Brown was here, they did it to her. They do those things. That's white people and I know it. And you notice also, I don't campaign. You know when my campaigning is done? When I'm in the neighborhood and people can bring problems to me. I say what I believe. And whether they like it or not, agree with it or not, they know that--

**FOLEY:** One minute.

**CHAMBERS:** --when they're in trouble, the one who will stand with them is me. Thank you, Mr. President.

**FOLEY:** Thank you, Senator Chambers. The question before the body is the advance of LB911A to E&R for engrossing. Those in favor say aye. Those opposed say nay. LB911A advances. Proceeding to LB889.

**CLERK:** Senator, I have no amendments to LB889.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that LB889 be advanced to E&R for engrossing.

**FOLEY:** It's a debatable motion. Senator Chambers.

**CHAMBERS:** Thank you, Mr. President. I'm not gonna speak three times on this, but now we've turned a corner. I don't need anybody to speak up for me. I can speak for myself. I speak for other people. Who thought about Mrs. Palmtag, if that's how you pronounce her name? Why don't you all say something for her? She has a reputation. She lives in that town. Where are the ones who would come to her aid? Where are those "Repelicans" who want you to follow the party line, work on behalf of

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the party, all of which she did? And Senator Slama knew that. And she's gonna sit back while that woman is attacked. That's what I was telling you all. I told you that I'm the most hated but also the most feared man in this state. Would I need anybody to stand up here and defend me? Of course not. It'd be like some pipsqueak saying he's gonna take up for Muhammad Ali because somebody said Muhammad Ali is a Muslim and Muslims are terrorists. Ali would tell him, little fella, thanks, but I can take care of myself. And that's what I'm doing here today. They're the ones crying uncle. You're defending Senator Slama. Senator Geist, why didn't you ask her why she did what she did and is continuing to do to that white woman? She's one of your kind. Tell her to make it right with that woman that she is continuing to attack as long as she allows that to be out there. I told you, Ms. Palmtag falls within the least, the last, and the lost. I told you I could even feel a little bit of sympathy and sorrow for Senator Slama because she's allowing herself to be used in that way. And if you all were her friends, you would tell her that. You would tell them-- her, don't let them do this to you. But you're not. Or doesn't it occur to you? Your thoughts are so shallow, so superficial. When have you ever heard me stand on this floor and cry uncle and say they're mistreating me, they're threatening me? What I said was, don't mess with the women in my office and bully them. Bully me. I told people who would listen. I come down here every day. I have to cross the street to go to that parking lot. Sometime it's at night. I don't carry a weapon. If you want to do something, don't try to bully those women. Come to me. Where are the men who should be defending Senator Slama? Where's the Governor? He said the attack was appropriate, the attack on that woman, and Senator Slama didn't say he's being sexist because he's attacking a woman. That's why she's off the beam and she'll never get on the beam if somebody doesn't straighten her out. You can love a child to death, but you might let that child go to his or her death if they're walking down the wrong path and you coddle them and let them think everything they're doing is all right. The "Bibble" say about the Lord, whom he loveth, he chasten it. Senator Geist is raised in a church, she said, boy, Senator Chambers sure must love Senator Slama. Because if God shows love by chastening, that's what he's doing. And she can speak for herself. Did you hear her try to justify what she's doing, Senator Geist? Did you hear her say that the attack ad is all right? Did you hear her say they should not have suggested that she and Senator Chambers are in lockstep with each other? Did you hear her say that? Did you hear her say she would withdraw the attack on that woman? If anybody is due the apology, it's the woman who was the target. I was not the target. I was the weapon being used against a

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woman. And then Senator Slama gonna jump up and show us how shallow she is-- sexist, sexist, sexist. That's old news, Senator Slama. Come out from under the bushel. Go apologize to that woman. You think she'll do it?

**FOLEY:** One minute.

**CHAMBERS:** Did you all hear how quickly I apologized to Senator Erdman when I had said he in one of his campaigns had one of those ads? Soon as I was able, I apologized to him on the floor and I apologized on the floor because I said it on the floor. And I called him by name. You all don't pick up on anything. You have to be hit on the head ten times, and you did not-- you were not aware of the preceding nine times. So when you finally wake up, oh. And to you, that's the whole [INAUDIBLE]. That's why when the acorn fell on Chicken Little's head he thought the sky was falling in. Went to Turkey Lurkey, Henny Penny, Ducky Lucky, Goosey Loosey. But when he got to Foxy Loxy, Foxy Loxy was sly. Why don't you all go tell Senator Slama to apologize to that woman? Then it's all in the white family.

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

**CHAMBERS:** Thank you, Mr. President.

**FOLEY:** Thank you, Senator Chambers. Senator Groene.

**GROENE:** Oh, we could all tell stories about campaigns, but I've learned a long time ago, never judge people by a group. Teachers union spent hundreds of thousand dollars against me. And I always knew there was one individual in the basement of their building. I had friends that were teachers. I had friends that were administrators. I had family members. So I never blame the rank and file. I never judge anybody by their group. Guess what? Tomorrow we'll have a bill named LB147. And my biggest proponent that I worked with is the teachers union. Senator Chambers, I know you try to use me as a foil because I remind me of something you hate-- a white man that's not a racist. It disproves your theory that all white men are racist. I don't care what color you are. The reason the people in the state of Nebraska have a difference towards you is not your color. It's what you say on the floor of the Legislature. You attack people. You attack groups of people. You said the term "your kind" to Senator Geist. Really? We will ever get over racists until we stop this-- your kind, your sex, your age group. It needs to stop. You have said three or four times on the floor about you defended Senator Pansing Brooks on attack I had on

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her. I went at-- over to her after that and I said, did I attack you? She said, no, Senator Groene. I appreciate you because you're a man who treats me like an equal. You'll yell at a man and you'll yell at me. I have been told that over and over again on the floor by ladies of different political philosophies, I treat him like an equal. You ought to try it sometimes. Don't pander to them. Don't talk down to them. Treat them as an equal. It works. It works. You've got to give up the 1960s. Those days are gone. Senator Geist sits here, yes, in my hometown, I don't see police brutality at any race. We all get along. I've never seen it. I've lived my life around Hispanics. Hispanics supported me, majority of them supported me because they're hardworking people with the heritage of the railroad. We have people with African-American descent, works for the railroad. They supported me because what I concentrated on was their jobs and their rights and their taxes, not the color of their skin. Now you can use me as the foil. I know how-- what you work. You pander to Senator Brewer. You pander to this one. And then you attack me. You put me up as a straw dog and I'm fine. And I got broad shoulders. You keep doing it for the next 16 days. But if you want to be in that hallway someday as a great Nebraskan, you got 16 days to change your attitude and convince the state of Nebraska you're not a racist because you'll never be in that hallway if they ever research the statements you've made over 44 years. That's reality. That is reality. It's got nothing to do with your race. It's what you say. Now you can attack my diction, my heritage and your fine English, English, English. I'm fine. But to stand here and attack these ladies, it's politics. It's hard core politics. You live with it or you don't get in the arena. That's it. If Miss Palmtag does not like it, she can stand up and say, no, I don't agree with Senator Chambers. That was false. Did she say that? No, she didn't. She's the one that said it was racist, that your picture was on there. Now a little reverse psychology. Who's the racist?

**FOLEY:** One minute.

**GROENE:** You should've been proud that she was associated with you. I'd gladly take a picture with you and be seen. I'd take it as a badge of honor because there've been things we've agreed on, but this we don't. Thank you.

**FOLEY:** Thank you, Senator Groene. Senator Slama and Senator Chambers. Senator Slama.

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**SLAMA:** Thank you, Mr. President. And I'll just briefly bring today's discussion to a close, I believe, for the day. I think we're adjourning here at 5:00. You know, if Senator Chambers wants to make this personal and come after me, that's fine. Tomorrow, the next day, 16 days are left and I can take it. I stand tall for my principles. I think that calling cops ISIS is wrong. I stand in support of our police, stand in support of our military, and I stand up for the flag. So I'll stand by those principles and I have that to stand on. I hope Senator Chambers takes note. As someone who's not gonna back down, he can come after me. It's like water rolling off of a duck's back. I'm focused on the priorities of Nebraskans. Thousands of Nebraskans have lost their jobs because of COVID. Hundreds have died. We're still working to recover from the largest natural disaster in our state's history. We still haven't addressed property tax relief today. I believe it's been mentioned about one time, our business incentives package, all of these big issues matter so much more to the everyday Nebraskan than what's going on here today. It is on each of us to stay focused on those big issues. We have 16 days left. If Senator Chambers wants to go after me every day of the week, he can feel free. But I'm gonna stand up for District 1 and the state of Nebraska and focus on the issues and not make this about petty bickering. We're better than that. So for the next 16 days, let's buckle down and get to work. Thank you, Mr. President.

**FOLEY:** Thank you, Senator Slama. Senator Chambers.

**CHAMBERS:** Mr. President, members of the Legislature, this piffle that came from Senator Groene and now Senator Slama is the way white people try to clear the table and pretend that an issue is not an issue. She's become emboldened now. That insult to that woman continues to exist. That's why injustices persist, because people who know better will say that we-- we forget this. Let's talk about property tax. Trump says this COVID-19 is a hoax. Forget it. It's gonna disappear. Well, there are crazy people who'll believe it. Go ahead and believe it, catch it, and then see what you say. As long as Senator Slama leaves that out there, it's going to be a stain against her. Now if she's all the things that Senator Geist suggests, if Senator Slama herself is what she suggests, and if she had nothing to do with that, she didn't say she had nothing to do with it. But if she didn't, she can call it off or she could say, I had nothing to do with it. It's not what I would have done. It should not have been done. And those who are doing it should stop. There's a level on which a campaign should be conducted and this is not that level. She didn't say that. I

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do the dirty work for people who can't speak for themselves because I am not afraid to face those people who, when they're in a mob or think they have the approval of everybody, have a whole lot to say. Senator Groene does make racist statements. And he's the one who talks about groups more than anybody else. He doesn't think young people should have a lawyer in court. I'm very much offended by that because I've seen and I've read cases of how children go into court and they're deserted by their parents and they wind up with these long sentences where if they'd have had a lawyer who made a timely objection, there would have been no conviction. Courts have even said that at the appellate level. Had the lawyer objected in a timely fashion, what happened after that would not have happened. The fact that no objection was made, any objection that could have been made was waived. That's procedure that a lawyer knows and a child and the parents don't know. And for Senator Groene to talk about these judges, watch out for these people and parents do as he did in fighting that bill, makes what he says of no significance to me. And I don't think he is a nonracist. Set him down anywhere other than where they know him out there where he lives and let him talk and see how people judge him by his words because they don't know anything else about him. You know why I talk about the way he speaks? He's the Chairperson of the Education Committee. I said that the public is entitled to believe that if I'm the Chair of a committee, I exemplify what the Chair-- what that committee is about. And I said he does not do that. Now is that right or wrong? Is it true or false? You all want to cover for people, hide things from them. He voluntarily put himself in that position. Now don't whine because people take issue with it. You all can say anything you want to about me. You do it behind my back. Say it on the record. But you know I'll come back at you. I'm not gonna whine and whimper. I welcome it. I challenge you. When they were attacking me about saying the police are my ISIS, I didn't run and hide. I stood here and I dealt with them. White people are easy to deal with.

**FOLEY:** One minute.

**CHAMBERS:** And white people do cluster and clump together, Senator Groene. That's why the "Repelican" Party has so much power over the people they control. That's why. So you can tell all these other people things, but it's not gonna work with me. And you can survive in a body of 49 black people, 48 and you're the 49th. You couldn't survive. None of you could. Some of you can't even survive here. But I'm gonna keep doing what I do. I'm gonna keep saying what I say. And

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as long as Senator Slama, the Governor, and these "Repelicans" are doing what they're doing, I'm going to go after them. And I'm gonna focus on what they are and what kind of judgments ought to be made. I think we ought to reach a high standard. And that's why I say what I say. That's why I speak out for the Legislature as an institution, which you all don't.

**FOLEY:** That's time.

**CHAMBERS:** You said time.

**FOLEY:** That's time.

**CHAMBERS:** Thank you.

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

**CHAMBERS:** Thank you, Mr. President. If they didn't provoke me, I wouldn't keep talking. This is the last time I'll speak and then these other bills can probably just run through on a voice vote. You all haven't met anybody like me, and you never will again. You put up a pitiful mouth, you whimper and whine, then you try to pretend it's nothing. Senator Slama is not gonna get over this like she says. She doesn't want me to go after her the remaining 16 days. You all know that. She ought to just do the right thing. That's what she ought to do. But she's not going to do it because she's getting her marching orders from the Governor and the "Repelican" Party. And she can talk about the whispering and the rumors all she wants to. If she had any life experiences, she'd know what's gonna happen in politics when a woman puts herself in a position like she has done. And you all are not her friends because you won't tell her. You justify her in the stupidity. You hold her up and say it's all right. You ought to keep doing it. You're OK. If you had a daughter, would you do it? Would you? Oh, maybe you would. I see my duty as a parent obviously different from what you see as your duty as a parent. I see my responsibility as a friend differently from the way you view yours. See, sometimes a person who thinks he or she is a friend of somebody winds up seeing that there is not a two-way friendship when that person behaves in the way a friend really should and warns a person and tries to show them that what they're doing is wrong. Then the one they thought was a friend cannot take it and the friendship is over. And then years later, that one comes back and say, I knew you're right, but I couldn't-- I wanted to do what I was doing and I did it.



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And that's the way people are. After 84 years, you think I haven't heard everything that anybody can say several times? Who in here has spent a substantial part of two decades in this Legislature? I got in here in 1971. That's when I served my first term. It is now 2020, and it's not a short time. But I stayed by choice and I lifted my voice for those who have none. And it needs to be lifted against people like Senator Groene, who would call young girls violent criminals. You all don't deal with that because you don't even hear it. But I do. And I know how hurtful those words are and how they cause children sometimes to become what you said they were. If you'd read sometimes, and Senator Groene, he can read. He ought to read Frankenstein, where these people were criticizing him and attacking him for something he didn't do. And he said, take heed lest you make me the monster that you accuse me of being. And they turned him into that. You learn things by reading literature. And it was a teenage girl who wrote the book Frankenstein. But her parents were very learned. They were intellectuals. They were politically mature. And they were involved in the actions of the day. And that book was written to show that science was getting out of control. And that's why she put that statement in Frank-- in the monster's mouth. He said to the doctor who brought him into being: You are my creator, but I'm your master. You create this science. But as your master, it's going to run away and you're not going to be able to control it. That's what the underlying story was in Frankenstein. But you don't read it. You look at the movie and you see Boris Karloff or Bela Lugosi stumbling and staggering around like an inarticulate lump of--

**FOLEY:** One minute.

**CHAMBERS:** --life and that's all. There is much in this world, much to be learned, much to be taught. And the only reason I mentioned Sen-- Senator Geist's age, I wouldn't look at her and think she was 58 years old, but that's not the point. She could not have lived that many years in this world down South and not be aware of the things that are happening. That's why I mentioned the age and the age was mentioned in the article. Nobody in America could be 58 years old and sane and not be aware of the racism in this country, even if you've never set foot in the South. And you all don't listen to me. What do I have to gain? I could have made a lot of money as a lawyer. I could do that now if I wanted to. That's not what I'm looking for out of life. There's something in me that dictates what I'm to do. And it's not any ghosts or spirits.

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

**CHAMBERS:** Thank you, Mr. President.

**FOLEY:** Thank you, Senator Chambers. Members, the question before the body is the advance of LB889 to E&R for engrossing. Those in favor say aye. Those opposed say nay. LB889 advances. Proceeding now to LB1166.

**CLERK:** LB1166, I have E&R amendments, Senator.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that the E&R amendments to LB1166 be adopted.

**FOLEY:** The motion 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:** Nothing further, Senator.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that LB1166 be advanced to E&R for engrossing.

**FOLEY:** The motion is to advance the bill to E&R for engrossing. Those in favor say aye. Those opposed say nay. LB1166 advances. Proceeding now to LB1080.

**CLERK:** LB1080, Senator, has Enrollment and Review amendments.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that the E&R amendments to LB1080 be adopted.

**FOLEY:** The motion is to adopt the E&R amendments. Those in favor say aye. Those opposed say nay. The E&R amendments are adopted.

**CLERK:** Nothing further on that bill, Senator.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that LB1080 be advanced to E&R for engrossing.

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**FOLEY:** The motion is to advance the bill. Those in favor say aye. Those opposed say nay. LB1080 advances. Proceeding now to LB1185.

**CLERK:** Senator, I have E&R amendments, first of all.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that the E&R amendments to LB1185 be adopted.

**FOLEY:** Motion is to adopt the E&R amendments. Those in favor say aye. Those opposed say nay. E&R amendments are adopted. Mr. Clerk.

**CLERK:** Senator Howard would move to amend, AM3080.

**FOLEY:** Senator Howard, you're recognized to open, excuse me, AM3080.

**HOWARD:** Thank you, Mr. President. Good afternoon, colleagues. AM3080 makes one date change made necessary by the pandemic and the resulting delay in the effective date of the bill. Under the original bill, the requirement for criminal history background checks for-- for LB1185 was to begin on October 1. AM3080 changes the language to require these background checks to begin as the effective date of the bill. Just a reminder that we do need to pass this bill for the Department of Health and Human Services to come into compliance with federal law and avoid federal penalties in our childcare subsidy program. I would urge your green vote on AM3080. Thank you, Mr. President.

**FOLEY:** Thank you, Senator Howard. Any debate on the bill or the amendment? I see none. Senator Howard, you're recognized to close on the amendment. She waives closing. The question before the body is the adoption of AM3080. Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

**CLERK:** 36 ayes, 0 nays on the adoption of Senator Howard's amendment.

**FOLEY:** AM3080 is adopted. Mr. Clerk.

**CLERK:** Nothing further, Mr. President.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that LB1185 be advanced to E&R for engrossing.

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**FOLEY:** Motion is to advance the bill. Those in favor say aye. Those opposed say nay. LB1185 advances. Proceeding now to LB1185A.

**CLERK:** I have no amendments to LB1185A, Senator.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that LB1185 [SIC LB1185A] be advanced to E&R for engrossing.

**FOLEY:** Motion is to advance the bill to E&R for engrossing. Those in favor say aye. Those opposed say nay. LB1185A advances. Finally, LB835.

**CLERK:** LB835, I do have E&R amendments, Senator.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that the E&R amendments to LB835 be adopted.

**FOLEY:** The motion is to adopt the E&R amendments. Those in favor say aye. Those opposed say nay. E&R amendments are adopted. Mr. Clerk.

**CLERK:** Nothing further, Senator.

**FOLEY:** Senator Slama.

**SLAMA:** Mr. President, I move that LB835 be advanced to E&R for engrossing.

**FOLEY:** Motion is to advance the bill. Those in favor say aye. Those opposed say nay. LB835 advances. Items for the record, please.

**CLERK:** Mr. President, your Committee on Judiciary reports LB1048 to General File with committee amendments attached. New resolution: LR349 by Senator Cavanaugh. That will be laid over. Amendments to be printed, a series of amendments: Senator Hansen, Matt Hansen, LB927; Linehan, LB1106; Kolterman, LB720; Briese, LB720; Cavanaugh, LB534; Groene, LB147; Vargas, LB8477A [SIC LB477A]; Hunt, LB814; Brewer, LB1167; Quick, LB424; Hunt, LB814. Mr. President, I have a motion with respect to the introduction of a new bill that's being offered by Senator Wayne. That'll be laid over. And, Mr. President, a priority motion. Senator DeBoer would move to adjourn the body until Tuesday, July 21, at 9:00 a.m.

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