

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate May 19, 2021

FOLEY: Morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the eightieth day of the One Hundred Seventh Legislature, First Session. Our chaplain for today is Senator Arch. Please rise.

ARCH: Because we are not able to have individuals from our community come and offer a prayer at this time, I asked that people would submit prayer, and this prayer this morning is from Ron Wymer, senior pastor at Wildewood Christian Church in Papillion. Let's pray. Father, we pause to recognize your presence in this assembly today as-- as you have faithfully guided the people of this state from the struggles of the first homesteaders through the difficult days of the Great Migration to today's decisions concerning deficits and debt, governmental ideals, and COVID regulations in the midst of the fog of competing political rhetoric. Sovereign God, we ask you to be with this assembly of the Unicameral as they make decisions on behalf of the great people of Nebraska. May your blessing be upon each senator and their staff. Father, open our hearts to your guidance in your-- in our proceedings and grant us wisdom. We pray for both health and wisdom upon Governor Pete Ricketts, Lieutenant Governor Mike Foley. We pray over their cabinets and staff. Help us, Lord, to hear your voice clearly as you lead us on the paths that you have chosen for us as individuals, as a state, and as a nation. We pray that we don't veer off the righteous path of truth and justice for all. We ask that in all our decisions you would teach us to trust in your ways and that you may use us as the leaders of this administration for today and tomorrow. We pray in the strength of your most holy name. Amen.

FOLEY: Thank you, Senator Arch. I recognize Senator John Cavanaugh for the Pledge of Allegiance.

J. CAVANAUGH: Please join me in the Pledge of Allegiance. I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation, under God, indivisible, with liberty and justice for all.

FOLEY: Thank you, Senator Cavanaugh. I call to order the eightieth day of the One Hundred Seventh Legislature, First Session. Senators please record your presence. Roll call. Mr. Clerk, please record.

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

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

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CLERK: I have no corrections.

FOLEY: Thank you, sir. Any messages, reports, or announcements?

CLERK: Enrollment and Review reports LB579 as correctly engrossed. Study resolutions: LR200, LR201, LR202, Health Committee; those will be referred to the Executive Board. That's all that I have.

FOLEY: Thank you, Mr. Clerk. Senator Slama would like us to recognize Dr. George Voigtlander of Pawnee City, Nebraska, who's serving as today's family physician of the day. Dr. Voigtlander is with us under the north balcony. Doctor, if you'd please rise, we'd like to welcome you and thank you for being here today. While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign the following four legislative resolutions: LR132, LR133, LR144, and LR146. We'll move to the first item on the agenda, Select File appropriations bill, LB432A. Mr. Clerk.

CLERK: Mr. President, I have no amendments to LB432A.

FOLEY: Senator McKinney for a motion.

McKINNEY: Mr. President, I move to advance LB432A to E&R for engrossing.

FOLEY: The motion is to advance the bill. Those in favor say aye. Those opposed say nay. LB432A advances. We'll now move to Final Reading. Members, please be at your desk for Final Reading. Members, if you could please be at your desk for Final Reading. We'll now commence Final Reading, LB572, Mr. Clerk.

CLERK: Mr. President, Senator Stinner would move to return LB572 to Select File for a specific amendment, AM1213.

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

STINNER: Thank you, Mr. President. Members of the Legislature, first of all, I want to apologize. I actually wanted to be here on Select File. I was in transit. And if you remember, Matt Williams-- or Senator Williams was good enough to pull the study. And what I'm trying to recommend now is to put a-- and we use it quite frequently-- what do we call it-- a sunset provision on the brand bill itself so that we can take a hard look at-- and I'll try to present the case to do that. Now I will say this. I'm not going to filibuster this bill. I'm not going to do a prolonged debate. I don't want to kill the bill.

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There are some good things that are happening in the bill. Certainly, the lowering of the fees is a good thing that's happening. Taking on and redefining a lot of the things that the Agricultural Committee took on is commendable. Again, another new computer initiative has been put in place. And I think I talked about the last computer initiative. This one's more on the electronic ear tag and chips. But anyhow, I want to put things into context and the context are, why is an Appropriations Chair concerned about this? And I think I outlined a lot of the issues that we dealt with as it relates to Brand-- Branding Committee. And the first thing really-- when a cash agency comes to Appropriations, the first thing we look at is sustainability. And what's sustainability? The definition of sustainability, in my estimation, is to take a look at the revenue stream versus the expenses, making sure that they at least match up and that they are sustainable over a long period of time so you don't see erosion in the cash balances. And many times what we see is an increase in cash balances, and then we probably will take a look at how much of a cushion do-- does this agency or commission need to have and then we'll take-- make the appropriate adjustments. The other context and lens that we look at is no new fees, no new taxes. You have to live within your means. I think you've heard that from the Governor. I certainly have adopted that as a-- a lens, a philosophy, a criteria to evaluate things. And certainly the Brand Committee-- and when I first came in, I got to remind you from the chronology side of things, LB85 was carried by Senator Davis and the idea of LB85 was to take the fees from \$0.75 to \$1.10. And the idea was to build cash balance and stabilize the fund and then to initiate a technol-- a technology initiative-- that initiative is completed-- and then hopefully bring the fees back down. Now we are temporarily bringing the fees back down for a two-year period of time in this bill. However, the idea is to lower the cash balance. It is not sustainable at \$0.85. In fact, when you look at the fiscal note and you're approaching \$6 million, at the time I started, it was \$4 million, so in the eight-year history that I've been here, I've seen a 50 percent, \$2 million increase in the cost associated with branding. Now there's been lots of discussion in the chronology. There was critical audit that was issued and there was expense items that needed to be documented. There was overtime and comp time that needed to be recorded and understood. There was also, you know, the removal and resignation of directors. There was a request in September of 2016 for \$216,000 for automation. We agreed to-- to finance that, but they wanted \$739,000 for 12 FTEs. We did not agree to that. That would have pushed their budget request and appropriations amount over \$6 million. Now you only-- when you only take in \$5.3 to \$5.4 million a year under the current situation, that spends out that balance over a period of time. And Jeanne Glenn, who

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was the fiscal analyst at that time, demonstrated on numerous occasions how that would actually decrease the balance over a four- to five-year period of time and put them in a negative position again. So the Brand Committee also tried in-- on several occasions with a deficit request of \$510 million. And of course, staffing, again, was an issue of \$435,000. I think we granted some of that certainly for comp time, \$75,000, and we tried to accommodate some of the FTEs in this. But in any event, the reason that the underlying bill, and I've railed against the underlying bill, is it does contemplate an increase in fees. It takes branding recordation fees and increases those or it allows those to increase from \$50 to \$200. That's a 400 percent increase. It allows them to go from a surcharge to go to a place to do their brand inspections to mileage. So if you're a long way away, you're going to pay a lot more money for mileage. That will add \$300,000 to the revenue. That's what's projected to do-- it's to do, so it masks the problem. It masks the problem as it relates to expenses. That was the one thing that I have indicated to committee members that we didn't look at was the problem with cost. And now we have another initiative that we believe is going to solve more problems as it relates to branding and inspection, and that is the electronic ear tags. Now, I do have a compilation of what they think it's going to cost. It'll be \$200,000, \$300,000 to implement and run. But what does it do to the producer? Nobody's analyzed that. So I think you've got to stop and say, how many people are-- are already ear tagging electronically, what type of ear tags they are, what is it going to cost that producer? Now one of the things that I tried to hand out, and I hope it's been handed out, is an exhibit. And I'm trying to demonstrate to you where I think we ought to go with the-- with the commission. And I'm going to say this. I'm just going to go through the numbers. On the left-hand side, the recording statewide, you see revenue, and that's what we charge to re-- register your brand and do some-- some other things. But that generates-- then I'm going to quote '19-20. That's the last numbers I have. That generated \$543,886. The cost associated with that, according to their budget, was \$87,000. So there is a differential, a \$346,791 differential. So in the middle is the investigative part, and I think you do need the investigators. The investigators, according to the report, is around \$346,000 for the investigative side, and I think there's three investigators and maybe some overhead associated with that. So if I added the \$87,000 that comes to \$434,000, easily fits within the current branding amount. So you got the investigative part that solves some of your cattle theft problems and it comes back down to the inspection part. And that's where we have division amongst the cont-- constituents. The division is the registered feedlots, the dairy people, the packinghouses all say that they get zero benefit, but they

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are contributing large amounts of dollars: the last I looked, \$650,000 from the packinghouses, a little over \$1 million dollars for registered feedlots, and I cannot break out dairy. But you got several constituents saying there's no value here. A lot of the testimony has, yes, we need to update, we need to go to the next level.

FOLEY: One minute.

STINNER: But the question is, do we need to have inspections? Do you need to have somebody to come out to your place and tell you what you own? If Senator Erdman and I were 30 miles out of town and I wanted to buy his bull, we would have to have an inspector come out and tell us, yes, you own that bull and, yes, you can buy that bull and now you own the bull. And that happens quite frequently. So some of the solutions here is our solutions. We put this in place in 1941. It's up to us now to look at the regulations, look at what's needed in the industry. And I'll try to get back on the mike one more time and talk about competition, alternative solutions. I think I've alluded to a Kansas model. I'll try to read to you some of the things that they-- that they have said about it. I'll try to also give you a little bit of testimony and insight from the different constituents--

FOLEY: That's time, Senator.

STINNER: --and the problems that they had. Thank you, Mr. President.

FOLEY: Thank you, Senator Stinner. Discussion on the motion? Senator Williams.

WILLIAMS: Thank you, Mr. President. And good morning, colleagues. And I want to make it clear that I am standing in support of the motion to put a sunset on the brand commission. But I'm also standing in strong support of LB572 and all the work that Senator Halloran and the Ag Committee have-- have done on this and tried to find compromise. I don't think anybody in here, as we've talked before, wants to spend much time and think about the brand issue. But remember that livestock production is-- is our state's number-one industry. This industry, you would think, would be united on this issue. As we have talked, they're-- they are not. We have cow/calf people, we have registered feedlots, we have feedlots that are choosing not to be registered, we have slaughterhouses, and of course we have the dairy industry. Everybody has a different view of how this should work. And again, that industry that is our state's number-one industry has changed significantly since 1941 when the brand line and the brand issue was put in place. Think about what technology has done. Think about the size of our production herds, our new slaughter facilities across our

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state. We've talked a lot about those in the last week, the large feedlots now that we have that-- this supply, the supply chain with-- with the animals. All of this works in concert. The cow/calf people depend on the feedlots. The feedlots depend on the packers, all of it delivering product to the grocery stores so that we can enjoy the best quality meat in the world. At the same time, those groups disagree on how to deal with these issues. What's interesting in here, as you-- we've talked before, is there are only six senators that have their entire legislative district inside the brand area. There's four other senators that have part of their legislative district in the brand area. So there's only ten of us that deal with this situation on a-- on a daily basis. But the problem is there is this line of distinction between the brand area, the inspection area and when you're not in that area, and the difference. I have a feedlot in my legislative district that pays in excess of \$100,000 a year, and as Senator Stinner talked in his opening, gets very little, if any, value from that \$100,000-plus they pay each year for brand inspections. On the other side of the line, a similar feedlot pays nothing. Think about if you were a manufacturing facility in western Nebraska and if you had an expense that your competition in the eastern part of the state did not have. That just would not be fair and would not take you where you would want to be. So what do we do? How do we orchestrate a unified long-term solution? There's been a great deal of discussion on this issue since I've been in the Legislature. Senator Halloran and his group worked very hard to find consensus and there are some things that are, I would suggest, are nice improvements in LB572. But we still have this issue of a nonunified industry trying to find solutions and trying to not be divisive among each other when they depend on each other and need each other so much. I think Senator Stinner has fallen onto something with the idea of a sunset.

FOLEY: One minute.

WILLIAMS: We use sunsets on many issues, many kinds of things in here. Many of our tax credit programs use sunsets. It brings people back to the table. If we were to put a sunset on this entire program, that would be the lever that would bring people together to hopefully find a solution. So I would encourage your green vote to return to Select File and adopt Senator Stinner's amendment and then move forward and certainly support the underlying bill. Thank you, Mr. President.

FOLEY: Thank you, Senator Williams. Senator Halloran.

HALLORAN: Thank you, Mr. President. Good morning, colleagues. I respect-- I respect Chairman Stinner's perspective on this and-- and Senator Williams'. I want to reflect back just a little bit briefly

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here-- I don't want to take a lot of time this morning-- reflect back on what we did as a committee. We formed a working group-- it's been alluded to-- and that working group, I want to thank them personally. The working group was made up of producers involved in the cattle industry. The cattle industry does have a lot of players. We had people there from-- representing the Cattlemen's Association and Independent Cattlemen of Nebraska. We had cow/calf operators represented there. We had registered feed yards represented there. We had the Dairy Association represented. We had auctions represented there. It was purposely designed to have all those players in one place. We had four meetings through late summer and through the fall, task force meetings that I thought were very productive. Are there differences that were talked about? That was the purpose of the meeting, to air those differences and see if we couldn't come to some kind of agreement on where we go with this legislation. The legislation that we brought to you, LB572, I believe, gives a lot of tools to the Brand Committee to help them be more efficient. Electronic ID has been talked about quite-- quite a bit on this bill, and it's very important, I think, to the cattle industry and to the process of brand identification and it should help them be more efficient in what they do. All things said, I can't support AM1213. I believe this is the wrong approach to deal with it. I think maybe a bill brought next year by Senator Stinner addressing this would be totally appropriate. There can never be enough introspection on any agencies that we deal with. And I would remind the body this is not a code agency. In other words, they do not draw on General Funds, very seldom draw on General Funds. The-- the-- the vast majority of the financial support comes from producers in the form of fees for inspection and for brand renewals. And we have adjusted those, as Senator Stinner points out, but they haven't been adjusted for about 20 years, so they've been adjusted for inflation. They're adjusted caps, does not mean they will go to that instantly. In regard to the inspection fees themselves, we have actually lowered those because the-- the cash fund for the Brand Committee is quite large, larger than it needs to be, and they recognize that and agree with that. And so we lowered it from \$1.10 to \$0.85 for all the players, which that doesn't-- I think that's a positive move-- move for the industry. It's a reflection that they know themselves that they have to be efficient and not overcharge the producers. So, again, I would-- I would ask the body not to support AM1213. I would ask Senator Stinner if he would look seriously at bringing a bill next year to address this, go through the committee process like we all do, and have hearings and-- and work from there. It's not a bad suggestion, but I think that's the process we need to do. Thank you, Mr. President.

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FOLEY: Thank you, Senator Halloran. Senator Erdman.

ERDMAN: Thank you, Lieutenant Governor. Good morning. Let me-- let me begin with this. Senator Williams alluded to it, but I want to explain it a little better. He said the cow/calf person is relying upon the feedlot and the feedlot people are relying upon the packers. It is a working relationship that we all must be part of; if you don't have one, you don't need the other. That's the problem with the registered feedlots. That's why we're talking about this today. It's because Senator Stinner-- Stinner and Williams are concerned about the registered feedlots. Now let's talk about the registered feedlot program. They whine about the \$100,000 they pay. Let me say it so you can understand it. I'll say it real slow. They pay \$0.40 a head, \$0.40. Don't look at the \$100,000. They pay \$0.40 a head because they pay \$1 on capacity and they turn that feedlot two-and-a-half times. It's \$0.40 a head. So let me put it in perspective for you. A 1,400-pound steer is worth \$1,600 and they're paying \$0.40, \$0.40. So what has happened is the registered feedlot people have lost sight of the fact that it is a relationship that they need to work with all these people. They're worried about themselves. And if their margins are so slim that \$0.40 on a \$1,600 animal is significant, they need to get into a different business. The people I represent are very much in favor of brand inspection. This opportunity that you're going to have, if we vote this back for Senator Stinner's amendment, is eliminate the Brand Committee. So we're not eliminating the brand law; we're just eliminating the committee. The law says we still shall inspect cattle. So now what do we do? How do we inspect them? We have to set up some other program to inspect cattle. The reason they want to bring their cash reserve down is because-- and some of you weren't here in '17, but we, the Legislature, tried to sweep \$500,000-- excuse me, they tried to take \$500,000 out of their cash reserve to balance our budget. Now you remember, Senator Halloran said these are funds that have been gathered through fees. They weren't General Funds, but we were going to take \$500,000 of their money. They're concerned about that. They should be. And so I'm not sure exactly why we need to be so concerned about these registered feedlots paying \$0.40 a head. It's minuscule compared to what the value of those cattle are. And besides that, if the registered feedlot is feeding for someone else, they don't pay the inspection fee. They pass that along to the feeders. So it's an issue that I think is looking for-- a solution looking for a problem. And so, like Senator Halloran said, if he wants to bring a bill next year to eliminate the Brand Committee, that's a different story. But the point is, what they're trying to do is help the registered feedlots and the cow/calf people can pay the extra. That's not where I'm coming from. And so when we look at the reserve that

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they have and it's significant compared to what they need, as Senator Halloran alluded to, that is their concern. So they've lowered their fee for two years to try to use up some of their reserve. As Senator Stinner said, they're unsustainable.

FOLEY: One minute.

ERDMAN: But I can tell you this. If I were a lending institution and I had cattle as collateral, I would sure want to know, if those cattle are missing, that someone's going to go find them for me. And they also talk about only 890 head were discovered stolen last year. But that doesn't take into account all of those cattle that they separated for those ranchers where they got commingled across the fence, and they don't keep accurate records on how many cattle they actually separated. So my district, branding is very important and I will stand up and defend those people because that is what they sent me here to do. So this is all about the registered feedlots. Do not vote to bring this back to Select File for an amendment. Thank you.

FOLEY: Thank you, Senator Erdman. Senator Stinner.

STINNER: Thank you, Mr. President. I'm going to try to be good to my word. This will be the last time I want to be on the mike. Just in a fairness issues, let's just explore fairness for a second: \$650,000 in 1920 was paid by packing plants. They have reported to us informally that we've had no problems. Of course, registered feedlots are on the record as saying they had no problems. Haven't talked to the dairy folks. So 35 percent of the entire revenue base for-- for this-- for the branding commission is paid by people that think that they don't get value for it. Now if I was going to define government waste, I would define it as I'm paying in something and getting nothing back in value. So in any event, there-- you know, when we talk about fairness, I'm just going to go to some testimony, and said one principle-- and this is from von Kampen, Todd von Kampen, on an email says: One principle of brand policy reform that I think everybody can agree on is that fees charged should cover the cost and that one segment of the industry should not subsidize another. That seems to be a consistent theme among the testimony that I'm looking at and of course Gottsch Feed Yard, which is one of the biggest feedlots that have feedlots in and out of the brand, are saying we get no value of this. I can compare and contrast the two markets that we deal in, they're the same-- same issues, don't have cattle problems, don't have theft problems. And of course, Melody Benjamin, who-- who great-- gave great testimony, by the way, a lot of their inspections don't even begin to cover the overhead of the inspectors' salary and benefits and mileage. So obviously that means that we can charge mileage instead of the

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surcharge, which means that if you're further away, if you're that unlucky, you get to pay some more money into the branding commission. The other thing that I haven't discuss-- talked about is, again, if I go back to that-- that little model, that exhibit that I passed out, it's interesting when you go back and you look at what has happened in the branding commission. Overhead, the administrative part of the branding commission is now closing in on \$1 million. You can compare and contrast that to a year before. It was a little over \$500,000. They've been having to put people on administrative leave to administer the computer. They have an assistant director. They have now a brand inspector who is certified that normally would be covered by the director. And that bill was passed-- I think it was LB660 that Senator Brewer has. So from fairness, I think it fails. From a competition side, we have testimony from Kansas and Kansas did away with it. They paid about \$250-- \$280,000 and they pay for inspectors and they made it voluntary. And guess where the voluntary-- most of the activity is in the northern part in their sale barns, in their sale barns. So if we did away with that, there is a possibility that that wouldn't be incurred either. Now I haven't talked to sale barns very much. I've had two or three respond to some queries that I had. Based on what I hear, some of them said, yes, we see a little bit of value, not a whole lot. Let's make a decision--

FOLEY: One minute.

STINNER: --one way or the other seemed to be the prevalent thing. The theft part of this thing needs to be looked at because I think a lot of people believe there's a lot of theft going on and indeed there is theft going on. But how effective is this commission in finding theft? Now the estrays are a-- are a different story. These are cattle that are apparently out and about and they have to find ownership. So we had 654 estrays. Cattle missing is another line that I-- I just don't have a clue: 2019, 755; 2018, 543 head of cattle that were estrays. Hopefully they found an owner. If they didn't, the cattle get sold. Interestingly, we had a joint committee hearing on branding and at that time, '18 and '19, they had 66 investigations--

FOLEY: That's time.

STINNER: --that were conducted--

FOLEY: That's time, Senator.

STINNER: Thank you, Mr. President.

FOLEY: Thank you, Senator Stinner. Senator Kolterman.

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KOLTERMAN: Good morning, colleagues. Thank you, Mr. President. I was wondering if Senator Gragert could answer-- yield to a question or two.

FOLEY: Senator Gragert, could you yield, please?

GRAGERT: Yes, I will.

KOLTERMAN: Senator Gragert, I know I'm catching you off guard, but you and I talked a little bit yesterday about the Brand Committee. You said-- you indicated to me that in your district, it runs right through your committee-- or right through your district, the line runs right-- so half your district has branding and half of it doesn't. Is that accurate?

GRAGERT: That's correct.

KOLTERMAN: How-- how do you deal with that? I mean, is there a problem in your district dealing with that issue?

GRAGERT: That's-- that is definitely-- the ones on the east are-- just would prefer not to have the brand inspection and the ones on the west definitely want-- have it and want to keep it with the cow/calf pair in the feedlot.

KOLTERMAN: OK, thank you, Senator Gragert. I just-- I was trying to make a point here that there's a line that runs right down through the state. When I was on the Agriculture Committee, the first two years I was here, we-- we dealt with-- with the Brand Committee. And it's-- it's-- it's a constant problem. I like the fact that we're looking at possibly sunseting this and taking another look at it. With that, I'll yield the rest of my time to Senator Stinner.

FOLEY: Thank you, Senator Kolterman. Senator Stinner, 3:40.

STINNER: Thank you, Senator Kolterman. Just to continue on with the Brand Committee, and we asked for some-- some hard numbers behind the total investigation: '17-18, there were 74 investigations, two outside the brand area, two outside the other-- in other states; '18-19, 66, 14, and 4 on the outside. They do list court cases, but interestingly, we did an informal survey of calling the various courthouses and we got responses that basically-- you know, I can read some of them: Arthur County, none in 30 years; Banner County, worked in the courthouse since 2004, not seen a cattle theft. You know, and it goes on and on, no data available at this time. Those are things that I think need to be explored, is, how effective is the investigation? Do

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we find the thefts? Do we prosecute theft? The only-- what theft we could find was up in 2011, was in-- was around the Valentine, Cherry County, area. So how effective is it? I think they do need to have investigators. There isn't any question about that. And I would highly support maintaining that. Do they need branding? Yes, they need site identification. The inspection part, which is the cost driver of this whole thing, which I believe a lot of people have testified is archaic, seems to have culture associated with it, all I'm trying to point out is numbers don't support it. It's now \$6 million that our cattle industry in two-thirds of our state is paying. That's the cost of doing business versus 280 in Kansas; versus Oklahoma, zero; versus Texas, which has an interesting one and maybe something that's a template that we could look at is in the sale barns they have inspections. Now our sale barns handle about 44 percent of the cattle that are being exchanged, and of course, the video auction has had some impact on that. So that's something that could be--

FOLEY: One minute.

STINNER: --looked at and understood and written into the law if necessary. You know, I spent a lot of time maybe with numbers and maybe skewering this commission. I will tell you this. It's not their fault. It's not the commission's fault. It's our laws that we put in place that are driving the costs, that are making them go out and do ins-- unnecessary inspections. So that's why I think it's time to take a look at this and-- and put a stop on this, take a hard look. Let's redesign the system. Yeah, I have an expiration date on me, so I'm kind of interested in getting something done. If we want to pass till next year, I guess that's your decision. I think it's a bad decision. I think it's time we set the satchel down and said \$6 million is enough. Let's take a hard look at what we're telling that brand commission to do. So with that, I would like to have a--

FOLEY: That's time.

STINNER: --green vote and I will-- thank you.

FOLEY: Thank you, Senator Stinner. Senator Brandt.

BRANDT: Thank you, Mr. Lieutenant Governor. Thank you, Senator Stinner, for this lively discussion this morning. Last summer, Senator Halloran and myself spent a couple months working with a task force of about 24 individuals involved with brand in the state of Nebraska. We had four meetings, one in Grand Island and two in North Platte, and I think was-- and a Zoom meeting. And each one of those lasted about four hours and there was-- let's put it this way. It made school

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finance look easy. This-- this-- the-- the bill you have before you, LB572, were a lot of concessions by a lot of people to get us here. And I appreciate what Senator Stinner is doing. I welcome him bringing this to the Ag Committee next year as a standalone bill and gladly want to look at it then. But at this point in time, I-- I do not support AM1213 and would encourage others not to return it to Select File and would encourage him to bring it to the Ag Committee next year and would urge your green vote on LB572. Thank you.

FOLEY: Thank you, Senator Brandt. Senator Moser.

MOSER: Thank you, Mr. Lieutenant Governor. And good morning, colleagues. I just wanted to talk a little bit about the discussion on the Brand Committee. I was just listening to Senator Brandt talking about the meetings. I went to the one in Grand Island and the agenda had about a dozen or 15 items on the agenda, and three hours in, we were still on item number two. And you can't imagine the passion that the livestock producers have for brands and the passions that the feeders have, and the issues the cow/calf operators have are different than the issues the feeders have. And it's-- it's-- it's-- it's tough to get a compromise and get something agreed to because not only are there principles involved, but there's a lot of money involved and that-- the-- the pride, the principle, and the money just kind of compounds the problem. So I'd encourage you-- as much as I like Senator Stinner, I would encourage you to vote against returning this to Select File. I think that Senator Halloran and Senator Brandt-- I just went to one of those meetings and it was-- lasted four hours and I still don't think we got halfway through the agenda. And I-- I didn't get out west for the other meetings, but I appreciate the work that Senators Brandt and Halloran put into this. To put extra pressure on them when they're already trying to put together a compromise in this difficult, difficult question, I just don't think that the majority of us that don't live this business understand the complexities, the passions, the money that's involved. So again, I'd encourage you to vote against AM1213 and support the underlying bill and let the Ag Committee work this out how they can. I agree with Senator Stinner in the inefficiencies of the brand operation. You know, they have some expenses. They've computerized some things that made it way more complex and way more expensive, and you still-- you know, you still have to go out and count the cows and look at their hip and see if they have a brand on them or not. So I think they could have done it more economically; that, I'll give Senator Stinner. That's-- that's what's I think the burr in his saddle is how expensive the process is. But again, I discourage you from voting for AM1213 and I encourage you to vote for LB572. Thank you.

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FOLEY: Thank you, Senator Moser. Senator Stinner, you're recognized to close on your motion to return.

STINNER: Thank you, Mr. President. Members of the Legislature, I do want to commend the Ag Committee. I know they worked really hard on-- on trying to get resolve. I'm coming at it from a cost standpoint. I've been associated with the-- the Appropriations Committee for seven and a half years. I've dealt with all of this cost situation. I'm pleading for this Legislature to pass this as an improvement to the bill so that we can bring people together, get a good, productive bill out of this that is fair to all participants, that is competitive and makes us competitive with other states. Right now, we are not competitive. Right now, we are running away on the cost side. With the fee increases, this gives the opportunity for this branding commission to go into the \$7-- \$7 million, \$7.5 million level. And if you looked at the beginning part of the request in the bill that was stripped out, they were asking for \$1.50. They have testified in front of me, \$1.25. Some numbers are at \$1.33, so don't be mesmerized by the \$0.85 cents. And I get that. I-- I support that because I think they have overcharged. I think they have accumulated. They need to give those funds back. But in any event, I'm taking all emotion out of this. I'm looking at it from a business standpoint. It's \$6 million to an industry that continues to grow and continues to drive cost has an-- a computer and technology initiative that, again, we don't understand what the costs are to the producer. We're not sure what the costs are going to be to maintain the system. We think we know it. But I can tell you, I've installed computer stuff and what they tell you and what I planned on is a whole lot different and the savings generally don't show up, and they haven't showed up in the first technology piece. And it's all about the inspection side. So in any event, I would encourage you to vote green. As I said, all I want is an up-and-down vote and let's move on with the day's activities.

FOLEY: Thank you, Senator Stinner. Members, we're about to move to a vote on this if you could-- if you could all please be at your desks. Thank you. The immediate question is whether or not to return the bill to Select File. Those in favor vote aye; those opposed vote nay. Have you all voted who care to? Record, please.

CLERK: 15-- 16 ayes, 17 nays on the motion to return, Mr. President.

FOLEY: The motion is not successful. LB572, Mr. Clerk. Members, we cannot read this bill today. We have to move on. LB100, Mr. Clerk.

CLERK: Mr. President, with respect to LB100, Senator Stinner would move to return the bill for a specific amendment, AM1476.

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

STINNER: Well, two times in a row on one of these. First of all, I want to thank Senator Walz for agreeing to allow this pull motion and amendment. What the amendment is about is foster care reimbursement rates. And if-- if you remember correctly, our provider rates were at 2 percent. I think we didn't try to include or at least thought about the fact that foster rates also needed to be increased by 2 percent. What we didn't know is that that bill is not an appropriations bill but a substantive bill that ended up in Health and Human Services Committee. So I found out about it last week. We tried to put an amendment together to make sure that the foster care people were taken care of with that 2 percent. I think if you read the bill, I think it's \$846,000 the first year, and again that slides over, and then a 2 percent is added to take it to \$1.6 million, around 2.4 to 2.5. I think if you looked at your green sheets, right today, I believe that we have right now \$29-- almost \$30 million available for spends. But this is a fairness issue. This is one that takes care of a badly needed area. I would encourage you to-- to vote for the pull and vote for the-- the amendment. With that, thank you.

FOLEY: Thank you, Senator Stinner. Any discussion on the motion to return the bill? I see none. Senator Stinner, you're recognized to close.

STINNER: Well, again, thank you, and-- and this is the amendment. This-- this adds to--

FOLEY: No, we're-- we're just on the motion to return, Senator.

STINNER: I'm sorry?

FOLEY: We're just on the motion to return, then we'll [INAUDIBLE]

STINNER: Oh, I'll waive close.

FOLEY: Yeah. The question before-- members, we need you at your desks, please, for a vote. Senator Stinner waives closing on the motion to return the bill to Select File. All senators, please be at your desks for a vote. Senator Flood. Question before the body is whether or not to return the bill to Select File. Those in favor vote aye; those opposed vote nay. Record, please.

CLERK: 40 ayes, 0 nays, Mr. President-- 42 [SIC 43] ayes, 0 nays on the motion to return.

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FOLEY: The motion is successful. The bill is now on Select File. Senator Stinner, you're recognized to open on AM1476.

STINNER: Yeah, thank you very much. Again, this is the 2 percent provider rate increase. I do want to read into the record that it's the intent of the-- the Legislature that these increases are just for foster care rates. There are other parts of the foster care piece that-- that we will have to address as we move forward. So with that, I would encourage your green vote. Thank you.

FOLEY: Thank you, Senator Stinner. Any discussion on the amendment? I see none. Senator Stinner waives closing. The question before the body is the adoption of AM1476. Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

CLERK: 43 ayes, 0 nays on adoption of the Select File amendment.

FOLEY: AM1476 has been adopted. Anything further on the bill, Mr. Clerk?

CLERK: Nothing further.

FOLEY: Senator McKinney for a motion.

McKINNEY: Mr. President, I move that LB100 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. LB100 advances. Continuation of Final Reading, LB302.

CLERK: [Read LB302 on Final Reading.]

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB302 pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

CLERK: Voting aye: Senators Aguilar, Albrecht, Arch, Blood, Bostar, Bostelman, Brandt, Briese, Cavanaugh, Cavanaugh, Clements, Day, DeBoer, Dorn, Erdman, Flood, Friesen, Geist, Gragert, Groene, Halloran, Hansen, Hansen, Hilgers, Hilkemann, Hughes, Kolterman, Lathrop, Lindstrom, Linehan, Lowe, McDonnell, McKinney, Morfeld, Moser, Murman, Pansing-- Pahls, Pansing Brooks, Sanders, Slama, Senator Vargas, Walz, Wayne, Williams, Wishart. Voting nay: none. Not voting: Senator McCollister, Brewer, and Hunt. 46 ayes, 0 nays, 1 present and not voting, 2 excused and not voting, Mr. President.

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FOLEY: Thank you. LB302 passes. Mr. Clerk.

CLERK: Mr. President, next bill, LB387. Senator Machaela Cavanaugh would move to return the bill for specific amendment.

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

M. CAVANAUGH: Thank you, Mr. Lieutenant Governor. How long do I have for my open?

FOLEY: You're opening on your motion to return.

M. CAVANAUGH: How long do I have?

FOLEY: Oh, ten minutes.

M. CAVANAUGH: Thank you. Good morning, colleagues. So this is Senator Brewer's bill that Brewer-- at the request of the Governor; change provisions relating to the taxation of military retirement benefits. It wasn't until yesterday evening that I realized that I should be concerned about this bill, but apparently we are in a financial crisis that I wasn't aware of. And now that that has been brought to my attention by 11 senators yesterday, I-- I rise in-- in very serious concern that we are just throwing taxpayer dollars away and making tax cuts arbitrarily without real strategic consideration to the priorities of this state. And while I value our service members and think that our retired service members' benefit-- military benefits probably shouldn't be taxed, at least not fully taxed, I-- I'm concerned that it comes at the cost of providing services for our most-- most vulnerable citizens. And I think our-- our service members who are dedicated servants in Nebraska would agree that they would not want their retirement to come at the expense of vulnerable children. And so I think that it really is time that we have a robust conversation or debate around the merits of LB387. The intent of the bill obviously is-- is well intended, but is it really the best execution, ladies and gentlemen? I-- I just-- I don't know. It's-- it's on the third round of debate. It's on Final, but I just don't know if it's the best execution of-- or best utilization of our-- our revenue or cutting our revenue. It just-- and if it hadn't been brought to my attention that we can't afford to take care of our most vulnerable children in this state, I honestly-- I think this would have slipped by my notice. But thankfully, 11 very diligent, watchful citizens in this Legislature brought this to my attention. And so I hope you all will join me in voting to recommit this to committee because I just think that we might be being frivolous with how we are

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cutting taxes and revenue. It's really unfortunate. So I expect that all the 11 senators that got in the queue and-- and demanded that I speak on my bill, I expect that they will do the same today on this bill because clearly they will have similar concerns over this bill. Do we want to be serving our service members this way? Is there a better use of this \$7.9 million this year and \$19.5 million next year? Should we be investing those dollars differently for the men and women in Nebraska who serve in the military or are retired? I think it's time we have that conversation. And I hope, colleagues, that you will join me in that conversation. I'm going to just take a moment to put my light on. I see nobody's in the queue, so it might just be me having this conversation by myself, and I will, but we're having the conversation. OK, so what are some things we could do with \$7.9 million this year and \$19.5 million next year? Well, I mean, certainly we could fund developmental disabilities, which military members have children with developmental disabilities. That would be one thing. Another thing we could do is invest in mental health and behavioral health services for our service members, especially those that suffer from PTSD. And I think we should really consider creating a fund that allows for free services in late June and early July. Since Senator Slama's fireworks bill has been signed into law, we're going to see an uptick of incidences of trauma for our service members that suffer from PTSD. I think that might be a better use of this, these dollars. I just-- I don't know. I mean, I just-- I guess I'm just flummoxed by why-- why we would be doing this. It seems so haphazard and irresponsible and reckless of the taxpayer dollars. Well, I know this to be true. I've got my ten minutes now and I've got my several times on the mike. We're going to unpack this, this morning. So LB387 seeks to change the percent of military retirement benefit that can be excluded by a recipient for their federal adjusted gross income. The current percent allowed 50 percent and LB387 would permit those receiving military retirement benefits to exclude 100 percent. So we currently allow 50 percent, which is what we did last year. I don't know if you all recall that. I recklessly voted for that, supported that, and now we're going to take another 50 percent bite from that apple two years in a row? I just really thought that this was OK. I had assurances from the Revenue Committee that we could afford to do this, and now, by golly, we can't; we cannot afford to do this. The Revenue Chairwoman stood on the floor yesterday talking about how we can't afford to help children with developmental disabilities, so clearly we can't help military veterans save more of their income. This is the height of irresponsible, ladies and gentlemen, the height of irresponsibility. I've heard from so many parents over the last 15, 16 hours who are devastated. Some of them serve in the military and they are devastated over yesterday's actions. And I know that not a

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single military person in this body or outside of this body would want to stand in the way of taking care of our most vulnerable children. How hard would that weigh on your hearts to know that it is your fault because we gave you a greater tax cut? That's the reason we cannot afford to put children on Medicaid who are medically fragile. I don't want that to weigh on anyone's conscience, certainly don't want it to weigh on mine, certainly not Senator Slama or Senator Linehan's consciences. So I ask you all to join me today and recommit this bill to committee because we cannot afford this. We cannot afford to do this for our military veterans, not on the backs of those children that we cannot afford to support. Golly gee, no. Golly gee, no. Ladies and gentlemen, we're at a crisis and there are a lot of bills left that have revenue, fiscal notes, and we are at a crisis. I didn't know this until yesterday when it was brought to my attention by Senators Linehan and Slama that we are at a crisis. We cannot afford to help our most vulnerable children. We can afford to cut taxes. We can afford to put more money in people's pockets than they were previously expecting, but we cannot afford to help vulnerable children, absolutely, categorically cannot afford it. So it's time to tighten our belts, everybody, take this serious, and start cutting the cuts. We have been shameless in this body in cutting revenue here and there--

FOLEY: One minute.

M. CAVANAUGH: --thank you-- to the point where we can no longer afford to take care of our vulnerable children, which is really the responsibility we all bear. But the fact that we have been so reckless with our cuts this year, we can't afford to do it. So thank you to the senators that highlighted that so wonderfully yesterday for us. Thank you to Senator Lowe and Senator Briese and Senator Slama and Senator Murman and Senator Linehan and Senator Geist. Thank you, Senator Clements, from the Appropriations Committee, for letting us know as a body that we have been irresponsible. And I stand here today to try as best I can over the next three days to fix that irresponsibility. If we cannot afford to take care of children, why can we afford anything else?

FOLEY: Senator, that's-- that's time, but you're first in the queue. You may continue.

M. CAVANAUGH: Thank you, Lieutenant Governor. So LB387, at the request of the Governor-- that was my mistake. I should have had my bill be at the request of the Governor or had somebody else bring it or had a different Governor, which, fortunately for the state of Nebraska, we will have a different Governor in two years, hopefully one who isn't a

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heartless human being, who doesn't care about vulnerable children and doesn't control senators that just jump when he snaps his fingers because that's what we saw yesterday. The Governor doesn't want to veto a bill, so Julie Slama takes up the mantle and kills it. Kudos, Senator Slama. So LB387-- oh-- no, I'll come back to that. Let's see here. The Department of Revenue's fiscal note says it amends Nebraska Statute 77-2716 to exclude 100 percent of military benefits received by individuals to the extent included in federal adjusted gross income, taxable years beginning on or after January 1, 2022. Military retirement benefits means retirement benefits that are periodic payments attributable-- attributable to service in the uniformed services of the United States for personal services performed by an individual before his or her retirement. The bill clarifies that for purposes of the exclusion, the term "military retirement benefits" include retirement benefits reported to the individual on Form 1099-R from either the United States Department of Defense or the United States Office of Personnel Management. The estimated fiscal impact to the General Fund revenue for excluding military retirement benefits reported to the individual on a Form 1099-R from either the United States Department of Defense or U.S. OPM as follows, so it would be \$7.9 million this year, \$19.5 million next year, \$20.6 million the following year, \$21.7 million in future years. So this bill actually, it change-- there's no sunset or report. There's only unintended consequences of that we can't help children. We cannot help children is an unintended consequence of no longer taxing military benefits. Where are the guardrails? Where are the sunsets? Where are the reports? I don't actually oppose LB387. I oppose the actions of this body. I oppose the disgusting, cavalier attitude towards vulnerable populations and the game playing around it. I oppose the Governor's very visible hand in this legislative body and I oppose those senators that are too weak to be their own individual in this body, to stand up for what you think is right, what you know in your heart to be right, because someone across the street told you so. Only you have to live with your actions, but your actions--

FOLEY: One minute.

M. CAVANAUGH: --have an impact on the lives of Nebraskans. You have a responsibility to the people of Nebraska to knock off this stupid, childlike game playing that's been happening in here. So if this-- yesterday truly was about fiscal responsibility, then I anticipate that the senators that voted against my bill will vote against eliminating all tax for military. But I can guarantee to the people at home that that was a lie yesterday and that they will vote for this

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bill because they were lying yesterday. Thank you, Mr. Lieutenant Governor.

FOLEY: Thank you, Senator Cavanaugh. Senator Lowe.

LOWE: Thank you, Lieutenant Governor. So I'm here to speak in favor of LB387 and our veterans. It is an honor to be here at this time to do this for them. And with that, I yield the rest of my time back to the Chair.

FOLEY: Thank you, Senator Lowe. Senator Moser.

MOSER: Well, I have a couple of things that I think need to be said. A lot of people watch from greater Nebraska and sometimes wonder what we're doing, and so I thought I'd try to add a couple of facts to the discussion that might affect how some people feel, the reactions that a lot of people have to what we do here. And first of all, aid to developmental disabilities is-- it was \$157 million. It's going to go up in the new budget to \$167 million, so it's going up \$10 million, a 6.4 percent increase. So you-- I don't believe that you can say that the Legislature is hurting children. We're increasing that aid by 6 percent, \$10 million more than the previous year. It didn't go up as much as some would like it to have gone up, but I think this is a poor bill to pick-- Well, I think all the bills that we're talking about today are a bad time to talk about this. The issue was settled yesterday when-- when the vote was taken. There were a lot of disappointments yesterday. Senator Vargas had a bill that he believed in with his whole heart and it got defeated. And Senator Murman had his training bill that he worked on for two years. It went down. We can't assume that everybody's going to agree with our opinion and assume that the facts that we hold are the only facts in the world. We're all a product of our life experiences or our education of our citizens in our district, what they believe in, and we have to do our best to represent those people. And sometimes we're going to be disappointed, but I disagree with the discussion that the Legislature doesn't value children. I-- the facts don't bear that out. Sometimes we just have to face the fact that our ideas are not exactly in sync with everybody else and maybe we're not in the majority, but we do our best to explain our position and explain where we think we should go. And then when things go well, we celebrate those things. When things don't go the way we want them to go, then we back up, reconnoiter, and try to do better. To try to grind the whole Legislature to a halt to prove a point that's not borne out by the facts, I just think, is wrong. Thank you.

FOLEY: Thank you, Senator Moser. Senator Slama.

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SLAMA: Thank you, Mr. President, and good morning, colleagues. I rise today in very strong support of LB387 and would like to echo some of the things that Senator Moser said just very briefly. I do find it unfortunate that Senator Cavanaugh feels it appropriate to speak her feelings on a bill that was not advanced yesterday, to take that out on a bill that would give tax relief to folks that have spent the majority of their lives serving our country. This is a bill that would provide tax relief to our servicemen and -women who qualify for retirement benefits. So we're not just talking about the enlisted men who were in for three years. We're talking about people who have given a solid portion of their lives in service to this country. So I don't think that LB387, a bill that was not introduced by me or anyone who spoke extensively on yesterday's bill that Senator Cavanaugh has referenced a few times, I just don't think it's appropriate that we're holding relief to those servicemen and -women hostage out of personal vendettas from yesterday. So I would encourage the body to oppose Senator Cavanaugh's motion to recommit and support LB3-- LB387. Thank you, Mr. President.

FOLEY: Thank you, Senator Slama. Senator Machaela Cavanaugh, you're recognized. It's your third opportunity.

M. CAVANAUGH: My-- oh, from my opening, so I have a close after this?

FOLEY: You have a close remaining.

M. CAVANAUGH: OK. Thank you. Well, thank you, Senator Slama, for the alternative facts, always fun to hear, and Senator Moser. Also, thank you both for telling me how I should feel or not feel about situations. I'm not holding this bill hostage because I am upset about what happened yesterday. I am recommitting this to committee because it was brought to my attention by Senator Slama and Senator Linehan yesterday that we don't have the money. I paid attention to the, we'll say, words, words that you said yesterday that appeared to be completely nonsensical, but somehow yielded that several people in this body, including Senator Brewer, voted against cloture because apparently you made the compelling argument that we didn't have the money for it. So Senator Brewer voted against cloture yesterday because the argument was made that we don't have the money, that we cannot afford to do developmental disabilities. And I am just saying, if that was true yesterday, then it must be true today. And Senator Slama, everyone knows the open secret that the Governor called a whole bunch of senators yesterday and told you all to kill my bill. Let's not pretend like this isn't what it is. The Governor didn't want that bill to come to his desk because he was going to veto it. And, Senator Moser, if you paid any attention to the history of developmental

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disability funding in the state of Nebraska, you would know that this Governor line-item vetoed developmental disability funding in 2017 and the funding that we put back into the budget this year brought us back just to that level in 2017. Developmental disabilities are expensive. And in this pro-life state where we only care about you when you are in utero, I am aghast at your logic or lack thereof and your lack of compassion for these families. This is not about me. I am just the person that is here literally fighting for these families because you don't have the courage to do it yourselves. You would rather get on the mike and disparage me and my attitude towards you than fight for the families that you should be representing, the families in your district that suffer because of the decisions you made yesterday. And you stand here and have the gall to say to me that I'm holding Senator Brewer's bill hostage? We gave them 50 percent last year. And actually, we would have given them 100 percent last year if it weren't for the Governor. I stood on this floor and I argued for 100 percent last year for veterans. I did that, not Senator Slama, not Senator Moser, not Senator Lowe. I did that. But I am standing here now and I will continue to fight until we adjourn sine die for every single penny for developmental disabilities. I have said that from day one and I am committed to it. And if you don't like it, you can check out and go home. I'm here for the fight.

FOLEY: One minute.

M. CAVANAUGH: I am here for the fight. One minute?

FOLEY: One minute.

M. CAVANAUGH: And I'm going to yell as much as I want and use my linebacker voice as much as my-- I want or my North Platte-- whatever voice as much as I want. I never claimed to be a lady and I'm not going to act like one today. You all thought it was some sort of fun game to just take me down. You didn't take me down, you took me down like two and a half years ago. I've-- I have become an expert at losing in this Legislature. The only thing you did was break my track record. This would have been the third year in a row in my three years in the Legislature that the Governor would have vetoed one of my bills.

FOLEY: That's time.

M. CAVANAUGH: Thank you.

FOLEY: Thank you, Senator Cavanaugh. Senator Blood.

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BLOOD: Thank you, Lieutenant Governor. Fellow Senators, friends all, I stand in support of the underlying bill, but I also stand in support of Senator Machaela Cavanaugh's passion today. I don't know what had happened when you went home last night or when you read your email this morning, but I have a lot of disappointed constituents that don't understand when our own Appropriations Chair stands up and says, hey, we have the money for this bill on the floor, for those of you that were on the floor and actually listening last night, because it was pretty sparse in here, I got to say, last night. I thought maybe we had had some kind of pandemic, there were so many people gone. With that, I'm going to ask that Senator Stinner yield if he's on the floor.

FOLEY: Senator Stinner, would you yield, please?

STINNER: Yes, I will.

BLOOD: Senator Stinner, did I quote you correctly? Did you tell us last night-- I know it was a long day yesterday, so I want to make sure that I'm clear-- that it was ultimately up to us, but there were money-- there were funds that you had basically put aside that could have supported Senator Mach-- Cavanaugh's bill-- Machaela Cavanaugh's bill. Is that correct?

STINNER: Yes, we had in excess of \$14 million and that was already contemplated in there as a net. So we actually had an extra \$14 million over and above that bill and I tried to explain that yesterday, so.

BLOOD: Yeah, and unfortunately there weren't a lot of people in here, so I think some people missed it and thus voted in a way that didn't support what you said. So I appreciate you-- you helping me because I wasn't sure I remembered it correctly.

STINNER: Yes.

BLOOD: Thank you, Senator Stinner.

M. CAVANAUGH: Thank you.

BLOOD: I-- I'm confused because I enthusiastically support our military. And Senator Cavanaugh, by the way, Machaela Cavanaugh, is right. I clearly remember you saying we need 100 percent for our veterans and-- and why aren't we doing this when we can do it now? And people kind of poo-pooed you. That was bananas. So now we're told that there's funding by somebody who is esteemed and experienced-- it is

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going to be a huge loss when he terms out, by the way. Senator Stinner says we have the funds and then we spend hours debating why we don't have the funds. And then I hear silliness like, well, like how much-- how much do we have to give them, look how much we already spend on people with disabilities in Nebraska. Well, with all due respect, when you don't spend that money, ultimately you end up spending a lot more funds because you're not giving them the help at the grassroots level that they deserve as Nebraskans from their caretakers and their parents that are paying taxes into the system. I think it's really interesting that now we have this weird level of, depending on how much you pay on the system, is how deserving you are when it comes to services. And maybe that's not the intent, but that is certainly how it looks when we talk about bills such as Senator Machaela Cavanaugh's. Now can I support the recommit to committee? Not likely, but I appreciate the fact that Senator Machaela Cavanaugh is using this as a venue to share how she feels about what happened yesterday. I know that a lot of people aren't happy about it, but she's not the first person in the body to do this. I've seen it on both sides of the aisle. I just think sometimes when it's individuals that you don't necessarily agree with a lot of the time, that certain people tend to be more critical. So I applaud Senator Machaela Cavanaugh for having the guts to speak the truth. It's her truth.

FOLEY: One minute.

BLOOD: And she's fighting for Nebraska's most vulnerable, for their families that take care of them. And frankly, people in my district want-- wanted both of these bills, her bill yesterday and Senator Brewer's bill today, and I'm just disappointed that we couldn't find that middle ground to move both of the bills forward because it would have been the right thing to do. Thank you, Mr. Lieutenant Governor.

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

M. HANSEN: Thank you, Mr. President, and good morning, colleagues. I didn't plan initially on talking, but I decided to hit my light after Senator Moser spoke. Senator Moser, in his lecture and scolding to all of us, which was very misplaced, talked about how, among others, Senator Murman had a bill that he worked on very long time that died and he didn't throw a fit about it. Colleagues, I would remind you that just yesterday, people like Senator Murman, Senator Groene, and Senator Moser voted to kill an Education Committee priority because a hostile amendment didn't get adopted. So, Senator Moser, you have no room to lecture. You're part of the problem. Thank you, Mr. President.

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FOLEY: Senator Hansen, were you-- had you concluded? Thank you. I was distracted. Senator Cavanaugh, you're recognized to close on your motion to recommit the bill to committee.

M. CAVANAUGH: Thank you, Mr. Lieutenant Governor. Thank you, Senator Blood and Senator Hansen, Matt Hansen. So, people of Nebraska, my argument on this bill this morning was disingenuous. I support LB387. I do not believe that LB387 and LB360-- LB376 are diametrically opposed and cannot coexist. We heard yesterday from the Chair of the Appropriations Committee that they could coexist, that there was money to do both. But we heard from several extraordinarily disingenuous senators on the floor that there was not money for it. Senator Brewer voted against cloture. That's why there's a motion on his bill. Senator Brewer appeared to agree that his bill and my bill couldn't exist together. He couldn't have been more wrong. I couldn't have been more supportive of what he is trying to do, so much so that last year I tried to fight to keep it at 100 percent and I was literally the only person who did that. And Senator Brewer knows that. But as I said yesterday, I keep showing up for you all when you need me, but you can't show up for children. Shame on you. And Senator Moser, I think it's best that you keep your criticisms of me to yourself. I wouldn't normally offer that advice, but you keep offering advice to me on the mike, so I'll just offer it to you on the mike. Your criticisms of me as a senator, as a person, are not welcomed and not appreciated and extremely rude and dismissive and condescending. I'm sure that won't stop you, but just want that stated for the record. I-- I'm going to make us vote on this motion because why not take some time today? I'm not going to vote for this motion and I'm going to vote for this bill. But I'm just curious to see how many people in this body really meant what they said yesterday, that we were in a financial crisis. I'm really curious to see where Senator Albrecht, Senator Bostelman, Senator Brewer, Senator Clements, Senator Erdman, Senator Friesen, Senator Geist, Senator Hughes, Senator Linehan, Senator Lowe, and Senator Slama fall on this because yesterday they voted against cloture for developmental disabilities because there wasn't money. So I guess we'll find out if that was a lie or if there isn't money. Thank you, Mr. Lieutenant Governor. Let's do a call of the house, even though we are technically on Final Reading.

FOLEY: Senator Cavanaugh, we're on Final Reading.

M. CAVANAUGH: OK.

FOLEY: But I'm going to ask all members to check in, though, and make sure they're all--

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M. CAVANAUGH: Thank you, Lieutenant Governor.

FOLEY: Members, please check in. This is just a check-in.

M. CAVANAUGH: A roll call vote--

FOLEY: I need all--

M. CAVANAUGH: --regular order.

FOLEY: Thank you. Members, please just check in. All unexcused members are now present. The question before the body is whether or not to recommit the bill to committee. A roll call vote in regular order has been requested. Mr. Clerk.

CLERK: Senator Aguilar voting no. Senator Albrecht. Senator Albrecht voting no. Senator Arch voting no. Senator Blood not voting. Senator Bostar voting no. Senator Bostelman voting no. Senator Brandt voting no. Senator Brewer. Senator Briese voting no. Senator John Cavanaugh voting no. Senator Machaela Cavanaugh voting no. Senator Clements voting no. Senator Day voting no. Senator DeBoer voting no. Senator Dorn voting no. Senator Erdman voting no. Senator Flood voting no. Senator Friesen voting no. Senator Geist voting no. Senator Gragert voting no. Senator Groene voting no. Senator Halloran voting no. Senator Ben Hansen voting no. Senator Matt Hansen voting no. Senator Hilgers voting no. Senator Hilkemann voting no. Senator Hughes voting no. Senator Hunt. Senator Kol-- Senator Hunt voting no. Senator Kolterman voting no. Senator Lathrop voting no. Senator Lindstrom voting no. Senator Linehan voting no. Senator Lowe voting no. Senator McCollister voting no. Senator McDonnell voting no. Senator McKinney voting no, Senator Morfeld voting no. Senator Moser voting no. Senator Murman voting no. Senator Pahls voting no. Senator Pansing Brooks voting no. Senator Sanders voting no. Senator Slama voting no. Senator Stinner voting no. Senator Vargas voting no. Senator Walz voting no. Senator Wayne voting no. Senator Williams voting no. Senator Wishart. 0 ayes, 47 nays, Mr. President. Senator, I've announced the vote. I'm sorry. Were you standing? How do you want to vote, Senator Blood? 0 ayes, 48 nays on the motion.

FOLEY: The motion is not successful. LB387, Mr. Clerk, the first vote to dispense with the at-large reading. Those in favor of dispensing with the reading vote aye; those opposed vote nay. Record, please.

CLERK: 40 ayes, 3 nays to dispense with the at-large reading.

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

CLERK: [Read title of LB387.]

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB387 pass? Those in favor vote aye; those opposed vote nay. Record, please.

CLERK: Voting aye: Senators Aguilar, Albrecht, Arch, Blood, Bostar, Bostelman, Brandt, Briese, Cavanaugh, Cavanaugh, Clements, Day, DeBoer, Dorn, Erdman, Flood, Geist, Gragert, Groene, Halloran, Hansen, Hansen, Hilgers, Hilkemann, Hughes, Hunt, Kolterman, Lathrop, Lindstrom Linehan, Lowe, McCollister, McDonnell, McKinney, Morfeld, Moser, Murman, Pan-- Pahls, Pansing Brooks, Sanders, Slama, Stinner, Vargas, Walz, Wayne, Williams, Wishart. Voting nay: none. Not voting: Senators Friesen and Brewer. 47 ayes 0 nays, 1 present and not voting, 1 excused and not voting, Mr. President.

FOLEY: LB387 passes. Proceeding now to LB255, Mr. Clerk.

CLERK: [Read LB255 on Final Reading.]

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB255 pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

CLERK: Voting aye: Senators Aguilar, Blood, Bostar, Bostelman, Brandt, Briese, Cavanaugh, Cavanaugh, Day, DeBoer, Dorn, Flood, Geist, Gragert, Halloran, Hansen, Hansen, Hilgers, Hilkemann, Hunt, Kolterman, Lathrop, Lindstrom, McCollister, McDonnell, McKinney, Morfeld, Moser, Pahls, Pansing Brooks, Sanders, Slama, Stinner, Vargas, Walz, Wayne, Williams, and Wishart. Voting no: Senators Albrecht, Clements, Erdman, Friesen, Groene, Lowe. Not voting: Senators Arch, Hughes, Linehan, Murman, Brewer. 40-- or, excuse me, 38 ayes, 6 nays, 4 present and not voting, 1 excused and not voting.

FOLEY: LB255 passes. Proceeding to LB40. Mr. Clerk, the first vote is to dispense with the--

CLERK: I have a motion. Mr. President. I'm sorry.

FOLEY: I'm sorry. Mr. Clerk.

CLERK: Mr. President, Senator Cavanaugh would move to return-- recommit the bill to committee.

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

M. CAVANAUGH: Thank you, Mr. Lieutenant Governor. So Senator Groene did not vote no on my bill yesterday. He did check out so that he didn't vote at all, so he was excused, not voting. And I know that he checked out because right before, he was sitting in the Senators' Lounge. And so I know that he was here. He just chose not to vote on the record. So Senator Groene's bill, LB40, which is adopt the Nebraska Rural Projects Act, I, honest to goodness, don't even remember what this bill does. I do know that I voted for it but that Senator-- the other Senator Cavanaugh did not. I also would like to note on the vote on the last-- on the veterans' military benefits, that the only person who voted against cloture on my bill and did not vote for that is Senator Friesen, so apparently Senator Friesen is the only person who is genuinely consistent out of everyone who voted against DD yesterday. He must have actually felt that that was not a good use of dollars, whereas the other senators are just-- I don't know-- that old saying, "if you don't have anything nice to say," and I don't have anything nice to say, so I won't say anything at all. OK, so LB40, the act is intended to provide state matching funds for the development of a new industrial rail access business park in counties with population-- with a population of less than 100,000. Applicants must file an application with the director of the Department of Economic Development no later than December 31, 2022, in order to qualify. I'm reading the committee statement. I'm not reading the bill into the record like some senators do sometimes. I am reading the committee statement. And for those at home, this-- the committee statements to me are like the most valuable resource we have in the Legislature because there are so many bills. So this is also a shout out to all of the legal counsel on all of the committees. If you feel like nobody is reading your committee statements, please know, if a bill comes to the floor, I read that committee statement. It is really helpful to me, so thank you to the hardworking legislative legal counsel and your committee statements. And this committee statement is coming from the Committee of Revenue, so thank you to the Revenue Committee staff for your committee statement. OK, so applicant resources means funds that are donated specifically for a project from an individual 501(c) organization or any nongovernmental organization for a project from any federal, state, or local government, excluding the matching funds received under the act. The project is defined as expenses incurred or to be incurred at one qualified location of site acquisition or preparation, utility extensions-- I'm going to pause. This seems kind of like the shovel-ready bill. Is this-- this seems similar to Senator McDonnell's shovel-ready bill. I guess I'm on my

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opening, so I can't ask people to yield to questions during the opening, can I, Mr. Lieutenant Governor?

FOLEY: I don't see why not.

M. CAVANAUGH: Oh, OK. Great. Thanks. Is there anyone on the Revenue Committee that is willing to stand up and explain this bill, or Senator Groene? Oh, Senator Flood, would you mind yielding to a question?

FOLEY: Senator Flood, would you yield, please?

FLOOD: Yes.

M. CAVANAUGH: Thank you, Senator Flood. That's very kind of you, very collegial, I might even say. Could you just explain a little bit about what this bill is?

FLOOD: Yes. LB40 is a bill brought forward by Senator Groene that addresses the rail opportunity we have with rail access in areas of the state like North Platte. North Platte is home to the state's and the world's largest rail classification yard in Lincoln County. And you may not be familiar with this, or maybe you are, North Platte has suffered a number of-- of job loss and job reductions due to the changes that the railroad has been making to become even more efficient using technology. And this community of about 30,000 people have identified one of their growth areas as providing access to the rail, the unbelievable rail resources we have in North Platte at the Bailey Yard. Think of the North Platte yard as the Chicago O'Hare of train access and rail access in North America. And so the idea here is that cities, communities, economic development agencies that want to build out public rail infrastructure-- this is going to be owned by the people-- to connect with different businesses that would be located along access to such a infrastructure hub as this would have the opportunity to cost-share using these funds to build out rail lines that would be owned by a political subdivision.

M. CAVANAUGH: Oh, that's pretty cool. Thank you.

FLOOD: We think so. Thank you.

M. CAVANAUGH: So I didn't know that about North Platte, but I am happy to know that. I-- I know a little bit about the history of railroads in Nebraska. I had an uncle, who passed away several years ago, who was very much a train enthusiast. He was also my godfather. So he-- I-- I went on many rail adventures with him in Nebraska. And I am also

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on the Transportation Committee, but I did not know that about North Platte being the O'Hare hub of Nebraska and so that's exciting information. And as I said, I previously voted for this. And I'm looking at the people that are proponents of it and I'm not in opposition to this. But, you know, I'm-- I'm feisty and I'm very feisty today for sure, don't think there'll be any arguments on that point. And I'm just going to take time on-- on bills for those that felt that my bill, that the HHS Committee bill wasn't worthwhile. And Senator Groene appeared to be one of those people. Now here's the thing about the bill yesterday and all of the comments from the senators that just voted for a massive tax cut but voted against my bill yesterday. The arguments were so insulting to everyone who worked on that bill, which included the Chair of the committee, the committee, the legal counsel of the committee, the advocacy community, the Department of Health and Human Services, and the Fiscal Office. That bill had been discussed at length with all of the people that would be implementing it. And it was-- the language had been adapted by the Department of Health and Human Services. So all of your comments yesterday weren't really a reflection on me as a Legislature [SIC] but more of a reflection of your view of the Department of Health and Human Services and the Medicaid and Long-Term Care people, as though they don't know how to do their job or how to appropriately apply for a state plan amendment that maybe those of you that don't-- probably don't even know what a state plan amendment is would know better than them. So this bill sounds really kind of cool and I'm very appreciative to Senator Flood for explaining it to me. And I guess that's probably why I voted for it the first time. It's such a blur to me now, but I will definitely be voting for it again today. And I think-- how much time do I have left?

FOLEY: 1:20.

M. CAVANAUGH: And I'm next in the queue?

FOLEY: You are.

M. CAVANAUGH: OK. I'm going to get out of the queue. If nobody else is in the queue, then I'll just do my close.

FOLEY: You're recognized to close on your motion to recommit.

M. CAVANAUGH: Thank you. So I have an email that I wanted to share before we moved forward on this bill. I just need to find it. I apologize. Here we go. The subject: that mom from Saturday night. Senator Cavanaugh, you did not disappoint me tonight, not in the slightest. I'm shocked and so disappointed in so many of our state

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senators tonight, but you are most definitely not among them. I cannot thank you enough for everything you have done in progressing LB376 forward and bringing awareness to our kids. You have an army of medical mamas behind you. Fortunately for us, and unfortunately, depending on how you look at it, we are tough. We're used to being told no and we are used to everything being a fight, so please don't give up the fight because we won't either. I am so saddened by the way things transpired tonight, but as promised, I wanted to share some pictures and a video of Sophie. [PHONETIC] We discussed her daughter at the event. I couldn't share just one. She's just too cute. I would have attached more, but my email wouldn't let me. When I was 20 weeks pregnant with Sophie, we learned she had a condition called-- and I'm going to mispronounce this-- holoprosencephaly. In short, her brain didn't develop properly in utero. Children with holopro-- this-- this illness have a 3 percent chance of survival, but our Sophie came into the world a fighter and has thrived thanks to her huge team of doctors, therapists, and teachers behind her. Sophie is now three and still learning to sit, crawl, and talk, but she is the star of her pre-- preschool. All the kids love her and really the sweetest child you'll ever meet. Sophie is one of those kids doctors called incompatible with life, the ones who pro-lifers so proudly defend-- when it comes to decisions to supporting their life, just like tonight, will strike down any efforts because it's too costly. I'm going to read that sentence again. This is the crux of it. This is the infuriating crux of what is wrong with this Legislature. Sophie is what doctors called incompatible with life. The ones who pro-lifers so proudly defend, yet when it comes to decisions in supporting their life, just like tonight, will strike down any effort because it's too costly. Shortly after Sophie was born, we got on the A&D waiver and then, as you can probably guess, kicked off of that and then moved over to the DD waiver. We remain on the wai-- DD waiver today, but to be honest, my husband and I have considered leaving the state many times. We don't feel our daughter is valued here. We don't feel we are valued here. If we hadn't had the opportunity to move to the DD waiver, we would have already been gone. I don't know why others who are waiting for services choose to stay in Nebraska. Tonight was just another example of that. It breaks my heart for all the families who are hoping and praying for just some basic assistance. I fight for them because I know their struggle. And I promise you, none of us are millionaires. I'm so sorry for the way things happened, but please know that your work is appreciated by so many who are fighting this fight every day.

FOLEY: One minute.

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M. CAVANAUGH: Just to be seen-- just to be seen means the world to us. Laura [PHONETIC], you are seen; Sophie is seen. Thank you for your heart, your love, your compassion and fighting. And I am so sorry that people in this body can't even face me while I'm reading this letter to you, the people that voted against Sophie and others like her. It is disgraceful. My colleagues are disgraceful. Thank you.

FOLEY: Thank you, Senator Cavanaugh. Members, I'll-- please be at your desk for a vote. Question before the body is whether or not to recommit the bill to committee. Those in favor of recommitting vote aye; those-- a roll call vote has been requested. Mr. Clerk.

CLERK: Senator Aguilar voting no. Senator Albrecht voting no. Senator Arch voting no. Senator Blood voting no. Senator Bostar voting no. Senator Bostelman voting no. Senator Brandt voting no. Senator Brewer. Senator Briese voting no. Senator John Cavanaugh voting no. Senator Machaela Cavanaugh voting no. Senator Clements voting no. Senator Day voting no. Senator DeBoer voting no. Senator Dorn voting no. Senator Erdman voting no. Senator Flood voting no. Senator Friesen voting no. Senator Geist. Senator Gragert voting no. Senator Groene voting no. Senator Halloran voting no. Senator Ben Hansen voting no. Senator Matt Hansen voting no. Senator Hilgers voting no. Senator Hilkemann voting no. Senator Hughes voting no. Senator Hunt voting no. Senator Kolterman voting no. Senator Lathrop voting no. Senator Lindstrom voting no. Senator Linehan voting no. Senator Lowe voting no. Senator McCollister voting no. Senator McDonnell voting no. Senator McKinney voting no. Senator Morfeld. Senator Moser voting no. Senator Murman voting no. Senator Pahls voting no. Senator Pansing Brooks voting no. Senator Sanders voting no. Senator Slama voting no. Senator Stinner voting no. Senator Vargas voting no. Senator Walz voting no. Senator Wayne voting no. Senator Williams voting no. Senator Wishart voting no. 0 ayes, 46 nays, Mr. President, on the motion.

FOLEY: The motion is not successful. LB40, Mr. Clerk, the first vote is to dispense with the at-large reading. Those in favor of dispensing with the reading vote aye; those opposed vote nay. Record, please.

CLERK: 37 ayes, 4 nays to dispense with the at-large reading.

FOLEY: The motion to dispense with the reading has been approved. Mr. Clerk, please read the title.

CLERK: [Read title of LB40.]

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FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB40 pass? Those in favor vote aye; those opposed vote nay. Record, please.

CLERK: Voting aye: Senators Aguilar, Albrecht, Arch, Blood, Bostar, Bostelman, Brandt, Brewer, Briese, Cavanaugh, Cavanaugh, Clements, Day, DeBoer, Dorn, Erdman, Flood, Friesen, Geist, Gragert, Groene, Halloran, Hansen, Hansen, Hilgers, Hilkemann, Hughes, Hunt, Kolterman, Lathrop, Lindstrom, Linehan, Lowe, McCollister, McDonnell, McKinney, Moser, Murman, Pahls, Pansing Brooks, Sanders, Slama, Stinner, Vargas, Walz, Wayne, Williams, Wishart. Voting nay: none. Noting voting: Senator-- Senator Morfeld voting yes. 49 ayes, 0 nays on the passage or LB40.

FOLEY: LB40 passes. Proceeding to LB40A.

CLERK: [Read LB40A on Final Reading.]

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB40A pass? Those in favor vote aye; those opposed vote nay. Have you all voted who care to? Record, please.

CLERK: Voting aye: Senators Aguilar, Albrecht, Arch, Blood, Bostar, Bostelman, Brandt, Brewer, Briese, John Cavanaugh, Clements, Day, DeBoer, Dorn, Erdman, Flood, Friesen, Geist, Gragert, Groene, Halloran, Hansen, Hansen, Hilgers, Hilkemann, Hughes, Hunt, Kolterman, Lathrop, Lindstrom, Linehan, Lowe, McCollister, McDonnell, McKinney, Morfeld, Moser, Murman, Pahls, Pansing Brooks, Sanders, Slama, Stinner, Vargas, Walz, Wayne, Williams, and Wishart. Voting nay: none. Not voting: Senator Machaela Cavanaugh. 48 ayes, 0 nays, 1 present and not voting.

FOLEY: LB40A passes. Proceeding to LB322e.

CLERK: [Read LB322 on Final Reading.]

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB322e pass with the emergency clause attached? Those in favor vote aye; those opposed vote nay. Have you all voted who care to? Record, please.

CLERK: Voting aye: Senators Aguilar, Arch, Blood, Bostar, Bostelman, Brandt, Briese, Cavanaugh, Cavanaugh, Day, DeBoer, Dorn, Flood, Geist, Gragert, Ben Hansen, Matt Hansen, Hilgers, Hilkemann, Hughes, Hunt, Kolterman, Lathrop, Lindstrom, Linehan, McCollister, McDonnell

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McKinney, Morfeld, Moser, Murman, Pahls, Pansing Brooks, Sanders, Slama, Stinner, Vargas, Walz, Wayne, Williams, and Wishart. Voting no: Senators Albrecht, Clements, Erdman, Friesen, Groene. Not voting: Senators Brewer, Halloran, and Lowe. 41 ayes, 5 nays, 3 present and not voting.

FOLEY: LB322 passes with the emergency clause attached. Proceeding to LB322Ae.

CLERK: [Read LB322A on Final Reading.]

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB322Ae pass with the emergency clause attached? Those in favor vote aye; those opposed vote nay. Have you all voted who care to? Record, please.

CLERK: Voting aye: Senators Aguilar, Arch, Blood, Bostar, Bostelman, Brandt, Briese, Cavanaugh, Cavanaugh, Day, DeBoer, Dorn, Flood, Geist, Gragert, Hansen, Hansen, Hilgers, Hilkemann, Hughes, Hunt, Kolterman, Lathrop, Lindstrom, Linehan, McCollister, McDonnell, McKinney, Morfeld, Moser, Murman, Pahls, Pansing Brooks, Sanders, Slama, Stinner, Vargas, Walz, Wayne, Williams, Wishart. Voting no: Senators Albrecht, Clements, Erdman, Friesen, Groene. Not voting: Senators Brewer, Halloran, and Lowe. 41 ayes, 5 nays, 3 present and not voting.

FOLEY: LB322Ae passes with the emergency clause attached. Proceeding to LB324, Mr. Clerk, the first vote is to dispense with the at-large reading. Those in favor of dispensing the reading vote aye; those opposed vote nay. Record, please.

CLERK: 36 ayes, 4 nays to dispense with the at-large reading.

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

CLERK: [Read title of LB324.]

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB324 pass? Those in favor vote aye; those opposed vote nay. Record, please.

CLERK: Voting aye: Senators Aguilar, Albrecht, Arch, Blood, Bostar, Bostelman, Brandt, Brewer, Briese, Cavanaugh, Cavanaugh, Clements, Day, DeBoer, Dorn, Flood, Friesen, Geist, Gragert, Groene, Halloran, Ben Hansen, Matt Hansen, Hilgers, Hilkemann, Hughes, Hunt, Kolterman, Lathrop, Lindstrom, Linehan, Lowe, McCollister, McDonnell, McKinney,

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Morfeld, Moser, Murman, Pahls, Pansing Brooks, Sanders, Slama, Stinner, Vargas, Walz, Wayne, Williams, Wishart. Voting nay: none. Not voting: Senator Erdman. 48 ayes, 0 nays, 1 present and not voting.

FOLEY: LB324 passes. Proceeding to LB324A.

CLERK: [Read LB324A on Final Reading.]

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB324A pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

CLERK: Voting aye: Senators Aguilar, Albrecht, Arch, Blood, Bostar, Bostelman, Brandt, Brewer, Briese, Cavanaugh, Cavanaugh, Clements, Day, DeBoer, Dorn, Erdman, Flood, Friesen, Geist, Gragert, Groene, Halloran, Hansen, Hansen, Hilgers, Hilkemann, Hughes, Hunt, Lathrop, Lindstrom, Linehan, Lowe, McCollister, McDonnell, McKinney, Morfeld, Moser, Murman, Pahls, Pansing Brooks, Sanders, Slama, Stinner, Vargas, Walz, Wayne, Williams, Wishart. Voting nay: none. Not voting: Senator Kolterman. 48 ayes, 0 nays, 1 present and not voting.

FOLEY: LB324A passes. Next bill, LB247e.

CLERK: [Read LB247 on Final Reading.]

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB247e pass with the emergency clause attached? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please

CLERK: Voting aye: Senators Aguilar, Albrecht, Arch, Blood, Bostar, Bostelman, Brandt, Brewer, Briese, Cavanaugh, Cavanaugh, Clements, Day, DeBoer, Flood, Friesen, Geist, Gragert, Groene, Halloran, Hansen, Hansen, Hilgers, Hilkemann, Hunt, Kolterman, Lathrop, Lindstrom, Linehan, McCollister, McDonnell, McKinney, Morfeld, Moser, Murman, Pahls, Pansing Brooks, Sanders, Slama, Stinner, Vargas, Walz, Wayne, Williams, Wishart. Voting nay: none. Not voting: Senators Dorn, Erdman, Hughes, and Lowe. Senator Dorn voting yes. 46 ayes, 0 nays, 3 present and not voting, Mr. President.

FOLEY: LB247e passes with the emergency clause attached. Next bill, LB247Ae.

CLERK: [Read LB247A on Final Reading.]

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB247Ae pass with the emergency

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clause attached? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

CLERK: Voting aye: Senators Aguilar, Albrecht, Arch, Blood, Bostar, Bostelman, Brandt, Brewer, Briese, Cavanaugh, Cavanaugh, Day, DeBoer, Dorn, Flood, Friesen, Geist, Gragert, Groene, Halloran, Hansen, Hansen, Hilgers, Hilkemann, Hughes, Hunt, Kolterman, Lathrop, Lindstrom, Linehan, McCollister, McDonnell, McKinney, Morfeld, Moser, Murman, Pahls, Pansing Brooks, Sanders, Slama, Stinner, Vargas, Walz, Wayne, Williams, Wishart. Voting nay: none. Not voting: Senators Clements, Erdman, and Lowe. 46 ayes, 0 nays, 3 present and not voting.

FOLEY: LB247Ae passes with the emergency clause attached. LB527.

CLERK: [Read LB527 on Final Reading.]

FOLEY: All provisions of law relative to procedure-- procedure having been complied with, the question is, shall LB527 pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

CLERK: Voting aye: Senators Aguilar, Albrecht, Arch, Blood, Bostar, Bostelman, Brandt, Brewer, Briese, Cavanaugh, Cavanaugh, Clements, Day, DeBoer, Dorn, Erdman, Flood, Friesen, Geist, Gragert, Groene, Halloran, Hansen, Hansen, Hilgers, Hilkemann, Hughes, Hunt, Kolterman, Lindstrom, Linehan, Lowe, McCollister, McDonnell, McKinney, Morfeld, Moser, Murman, Pahls, Pansing Brooks, Sanders, Slama, Stinner, Vargas, Walz, Wayne, Williams, Wishart. Voting nay: none. Not voting: Senator Lathrop. 48 ayes, 0 nays, 1 present and not voting.

FOLEY: LB527 passes. LB527A.

CLERK: [Read LB527A on Final Reading.]

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB527A pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

CLERK: Voting aye: Senators Aguilar, Albrecht, Arch, Bostar, Brandt, Brewer, Briese, Cavanaugh, Cavanaugh, Clements, Day, DeBoer, Dorn, Flood, Friesen, Geist, Gragert, Groene, Halloran, Hansen, Hansen, Hilgers, Hilkemann, Hughes, Kolterman, Lindstrom, Linehan, Lowe, McCollister, McDonnell, McKinney, Morfeld, Moser, Murman, Pahls, Pansing Brooks, Sanders, Slama, Stinner, Vargas, Walz, Wayne, Williams, and Wishart. Voting nay: none. Not voting: Senators Blood, Bostelman, Erdman, Hunt, and Lathrop. 44 ayes, 0 nays, 5 present and not voting, Mr. President.

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FOLEY: LB527A passes. The next bill is LB650. Mr. Clerk, the first vote is to dispense with the at-large reading. Those in favor of dispensing the reading vote aye; those opposed vote nay. Record, please.

CLERK: 43 ayes, 2 nays to dispense with the at-large reading, Mr. President.

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

CLERK: [Read title of LB650.]

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB650 pass? Those in favor vote aye; those opposed vote nay. Record, please.

CLERK: Voting aye: Senators Aguilar, Albrecht, Arch, Blood, Bostar, Bostelman, Brandt, Brewer, Briese, Cavanaugh, Cavanaugh, Clements, Day, DeBoer, Dorn, Flood, Friesen, Geist, Gragert, Groene, Halloran, Hansen, Hansen, Hilgers, Hilkemann, Hughes, Hunt, Kolterman, Lathrop, Lindstrom, Linehan, Lowe, McCollister, McDonnell, McKinney, Morfeld, Moser, Murman, Pahls, Pansing Brooks, Sanders, Slama, Stinner, Vargas, Walz, Wayne, Williams, and Wishart. Voting no: Senator Erdman. 48 ayes, 1 nay, Mr. President, on the passage of LB650.

FOLEY: LB650 passes. LB650A.

CLERK: [Read title of LB650A.]

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB650A pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

CLERK: Voting aye: Senators Aguilar, Albrecht, Arch, Blood, Bostar, Bostelman, Brandt, Brewer, Briese, Cavanaugh, Cavanaugh, Clements, Day, DeBoer, Dorn, Flood, Friesen, Geist, Gragert, Groene, Halloran, Hansen, Hansen, Hilkemann, Hughes, Hunt, Kolterman, Lathrop, Lindstrom, Linehan, Lowe, McCollister, McDonnell, McKinney, Morfeld, Moser, Murman, Pahls, Pansing Brooks, Sanders, Slama, Stinner, Vargas, Walz, Wayne, Williams, Wishart. Voting no: Senator Erdman. Not voting-- Sen-- Senator Hilgers voting yes. 48 ayes, 1 nay on the final passage of LB65A-- LB650A.

FOLEY: LB650A passes. LB639.

CLERK: [Read LB639 on Final Reading.]

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FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB639 pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

CLERK: Voting aye: Senators Aguilar, Albrecht, Arch, Blood, Bostar, Bostelman, Brandt, Brewer, Briese, Cavanaugh, Cavanaugh, Day, DeBoer, Dorn, Flood, Friesen, Geist, Gragert, Groene, Halloran, Hansen, Hansen, Hilgers, Hilkemann, Hughes, Hunt, Kolterman, Lathrop, Lindstrom, Linehan, McCollister, McDonnell, McKinney, Morfeld, Moser, Pahls, Pansing Brooks, Sanders, Stinner, Vargas, Walz, Wayne, Williams, Wishart. Voting no: Senators Clements, Erdman, and Slama. Not voting: Lowe and Murman. 44 ayes, 3 nays, 2 present and not voting, Mr. President.

FOLEY: LB639 passes. LB664.

CLERK: [Read LB664 on Final Reading.]

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB664 pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

CLERK: Voting aye: Senators Aguilar, Albrecht, Arch, Blood, Bostar, Bostelman, Brandt, Brewer, Briese, Cavanaugh, Cavanaugh, Clements, Day, DeBoer, Dorn, Flood, Friesen, Geist, Gragert, Groene, Halloran, Hansen, Hansen, Hilgers, Hilkemann, Hughes, Hunt, Kolterman, Lathrop, Lindstrom, Linehan, Lowe, McCollister, McDonnell, McKinney, Morfeld, Moser, Murman, Pahls, Pansing Brooks, Sanders, Slama, Stinner, Walz, Wayne, Williams, Wishart. Voting nay: none. Not voting: Senators Erdman and Vargas. 47 ayes, 0 nays, 2 present and not voting.

FOLEY: LB664 passes. LB664A.

CLERK: [Read LB664A on Final Reading.]

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB664A pass? Those in favor vote aye; those opposed vote nay. Record, please.

CLERK: Voting aye: Senators Aguilar, Albrecht, Arch, Blood, Bostar, Bostelman, Brandt, Brewer, Briese, John Cavanaugh, Clements, Day, DeBoer, Dorn, Erdman, Flood, Friesen, Geist, Gragert, Groene, Halloran, Hansen, Hansen, Hilgers, Hilkemann, Hughes, Hunt, Kolterman, Lathrop, Lindstrom, Linehan, Lowe, McCollister, McDonnell, McKinney, Morfeld, Moser, Murman, Pahls, Pansing Brooks, Sanders, Slama,

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Stinner, Vargas, Walz, Wayne, Williams, Wishart. Not voting: Senator Machaela Cavanaugh. 48 ayes, 0 nays, 1 present and not voting.

FOLEY: LB664A passes. Next bill is LB156. Mr. Clerk, the first vote is to dispense with the at-large reading. Those in favor of dispensing the reading vote aye; those opposed vote nay. Record, please.

CLERK: 35 ayes, 5 nays to dispense with the at-large reading.

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

CLERK: [Read title of LB156.]

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB156 pass? Those in favor vote aye; those opposed vote nay. Record, please.

CLERK: Voting aye: Senators Aguilar, Albrecht, Arch, Blood, Bostar, Bostelman, Brandt, Brewer, Briese, Cavanaugh, Cavanaugh, Day, DeBoer, Dorn, Erdman, Flood, Friesen, Geist, Gragert, Groene, Halloran, Hansen, Hansen, Hilgers, Hilkemann, Hughes, Hunt, Kolterman, Lathrop, Lindstrom, Linehan, Lowe, McCollister, McDonnell, McKinney, Morfeld, Moser, Murman, Pahls, Pansing Brooks, Sanders, Stinner, Vargas, Walz, Wayne, Williams, Wishart. Voting nay: none. Not voting: Senators Clements and Slama. 47 ayes, 0 nays, 2 excused-- or 2 present and not voting, excuse me.

FOLEY: LB156 passes. LB156A.

CLERK: [Read LB156A on Final Reading.]

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB156A pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

CLERK: Voting aye: Senators Aguilar, Albrecht, Arch, Blood, Bostar, Bostelman, Brandt, Brewer, Briese, Cavanaugh, Cavanaugh, Day, DeBoer, Dorn, Erdman, Flood, Friesen, Geist, Gragert, Groene, Halloran, Matt Hansen, Hilgers, Hilkemann, Hughes, Hunt, Kolterman, Lathrop, Lindstrom, Linehan, Lowe, McCollister, McDonnell, McKinney, Morfeld, Moser, Murman, Pahls, Pansing Brooks, Sanders, Stinner, Vargas, Walz, Wayne, Williams, Wishart. Voting nay: none. Not voting: Senators Clements, Ben Hansen, and Slama. 46 ayes, 0 nays, 3 present and not voting.

FOLEY: LB156A passes. Next bill, LB260.

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CLERK: [Read LB260 on Final Reading.]

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB260 pass? Those in favor vote aye; those opposed vote nay. Have you all voted who care to? Record, please.

CLERK: Voting aye: Senators Aguilar, Blood, Bostar, Brandt, Briese, Cavanaugh, Cavanaugh, Day, DeBoer, Dorn, Flood, Geist, Gragert, Matt Hansen, Hilgers, Hilkemann, Hunt, Kolterman, Lathrop, McCollister, McDonnell, McKinney, Morfeld, Murman, Pahls, Pansing Brooks, Sanders, Stinner, Vargas, Walz, Wayne, Williams, Wishart. Voting no: Senators Albrecht, Clements, Erdman, Friesen, Groene, Halloran, Ben Hansen, Hughes, Lowe, Moser, Slama. Not voting: Senators Arch, Bostelman, Brewer, Lindstrom, Linehan. 33 ayes, 11 nays, 5 present and not voting.

FOLEY: LB260 passes. Next bill is LB271. Mr. Clerk, the first vote is to dispense with the at-large reading. Those in favor of dispensing with the reading vote aye; those opposed vote nay. Record, please.

CLERK: 37 ayes, 5 nays to dispense with the at-large reading.

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

CLERK: [Read title of LB271.]

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB271 pass? Those in favor vote aye; those opposed vote nay. Record, please.

CLERK: Voting aye: Senators Blood, Bostar, Brandt, Brewer, Briese, Cavanaugh, Cavanaugh, Day, DeBoer, Dorn, Flood, Friesen, Geist, Gragert, Groene, Hansen, Hansen, Hilgers, Hilkemann, Hughes, Hunt, Kolterman, Lathrop, Lindstrom, McCollister, McDonnell, McKinney, Morfeld, Pahls, Pansing Brooks, Stinner, Vargas, Walz, Wayne, Williams, Wishart. Voting no: Senators Aguilar, Albrecht, Bostelman, Clements, Erdman, Halloran, Lowe, Moser, Murman, Sanders, Slama. Not voting: Senators Arch and Linehan. 36 ayes, 11 nays, 2 present and not voting, Mr. President.

FOLEY: LB271 passes. Proceeding to LB271A.

CLERK: [Read LB271A on Final Reading.]

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FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB271A pass? Those in favor vote aye; those opposed vote nay. Have you all voted who care to? Record, please.

CLERK: Voting aye: Senators Blood, Bostar, Brandt, Brewer, Cavanaugh, Cavanaugh, Day, DeBoer, Dorn, Flood, Friesen, Geist, Gragert, Groene, Hansen, Hansen, Hilgers, Hilkemann, Hughes, Hunt, Kolterman, Lathrop, Lindstrom, McCollister, McDonell, McKinney, Morfeld, Pahls, Pansing Brooks, Stinner, Vargas, Walz, Wayne, Williams, Wishart. Voting no: Senators Aguilar, Albrecht, Bostelman, Clements, Erdman, Halloran, Lowe, Moser, Murman, Sanders, Slama. Not voting: Senators Arch, Briese, and Linehan. 35 ayes, 11 nays, 3 present and not voting.

FOLEY: LB271A passes. While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign the following legislative bills: LB302, LB387, LB255, LB40, LB40A, LB322e, LB322Ae, LB324, LB324A, LB347e, LB347Ae, LB527, LB527A, LB650, LB650A, LB639, LB664, LB664A, LB156, LB156A, LB260, LB271, and LB271A. Mr. Speaker, if you could come to the desk, please.

HILGERS: Mr. Clerk for a motion.

CLERK: Mr. President, Senator Cavanaugh-- Machaela Cavanaugh would move to return the bill for a specific amendment, AM1181.

HILGERS: Senator Machaela Cavanaugh, you're recognized to open on your motion.

M. CAVANAUGH: Thank you, Mr. Speaker. Colleagues, this is-- well, the motion-- the-- the amendment excludes Lincoln and Omaha from Senator Briese's bill, but I stand in opposition to LB2. I opposed LB2 on General File. I had planned to oppose it on Select File, but when we got to it on Select, it was a very late night and Senator Briese asked me to stand down. And so I did because despite what some of you might think today, I'm actually a fairly decent human being, just like when the Speaker asked me yesterday to stand down, I did. But I actually do oppose this bill. And I probably would have let it go, but I thought, I don't like the bill and I'm being collegial to somebody who hurt children yesterday, so-- so I'm going to take up my arguments, my very genuine arguments against this bill, and I'm going to take-- I think it's four hours since we didn't do anything on this on Select. If that's correct, maybe the Speaker could nod or shake his head. Yep, that's correct. So we'll-- I'm going to be on this for four hours and it's going to have to get a cloture vote, so just so everybody knows where we're at. I'm assuming we're going to break for lunch in a few

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minutes. And so I guess for the next 20 minutes or so, unless other people get in the queue, you're just going to be hearing from me for 20 minutes. But I do intend-- have every intention of taking this four hours because I do oppose this bill. And the only reason I was standing down on this bill was to be collegial to somebody who clearly doesn't care about children with disabilities. So I am not going to be collegial any longer because it's really not warranted. And when I look at this bill, I see the opposition to it. Looking again at the committee statement, thank you to the Revenue Committee staff for creating a committee statement-- I can't say that enough-- also to the Fiscal Office because I read the fiscal notes constantly. They're very important and help so much. So opposition to this was the NACO, which is an acronym for the Nebraska Association of County Officers. [SIC] So basically the counties across the state are in opposition to this. Lancaster County Board of Commissioners, someone from there sent in written testimony, as did the Nebraska Chamber of Commerce. And I actually found on the Nebraska Chamber of Commerce's-- they have-- do these newsletters that I believe we all get. And on April 10, 2021, their newsletter, they had-- I'm sorry if I said April 10-- April 20, 2021: New spending, tax relief take floor. So they're talking about some of the bills and then it says: As several proposals take the floor this week, the Nebraska Chamber evaluates all with an eye toward equity, competitiveness, and growing Nebraska economy. LB2, as amended, the bill would reduce-- would reduce-- reduce by 25 percent the value of agricultural and horticultural land for the purposes of supporting educational bonds, shifting that burden to commercial and residential property owners. Additional amendments include an automatic annual 3 percent increase, or at least \$313 million annual allocation for the Property Tax Credit Fund. The Nebraska Chamber generally opposes shifting tax burden to other taxpayers. Now I-- for those at home, the chamber has almost completely just like-- everybody's gone now. They're like, hey, lunch is in 20 minutes, she's going to talk for 20 minutes, I'm going to leave. So I'll probably have to reiterate these points after lunch because this is important to why I oppose this bill. And why the chamber opposes it is because it is shifting tax burden to other taxpayers, which is what I talked about on this bill previously, that voting for this bill is voting for a tax increase for some of your constituents. If you have constituents in your district that have residential and commercial property and then you also have agricultural land, yeah, you are cutting taxes for some and raising taxes for others. And part of the reason, in addition to trying to be collegial to Senator Briese, that I was just going to let this go is because this doesn't impact my constituents. I care about the people of Nebraska, and that's why I was fighting against this bill to begin with, but it doesn't impact my constituents. But

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just because it doesn't impact my constituents isn't a good enough reason for me to let a bad piece of legislation pass. So that is why I am going to take the four hours afforded to me on this bill to talk. There was a week-- I would call it sort of the week of terror-- where we just had bill after bill after bill that was out of the Revenue Committee on tax cuts and it was just like a barrage of all different kinds of tax cuts here and there and everywhere. And a lot of the people yesterday that voted against DD voted and supported and worked for all of these tax cuts, anything from shifting taxes from some of your constituents to other constituents to cutting taxes for corporations but not individuals, to more tax incentives for the Imagine Act to cutting income taxes for veterans. Haphazard, slipshod at best, but here we are. Here we are with your priorities, the things that you hold dear, including shifting a tax burden, which anyone who voted for this bill at any point in time should really reevaluate that because you voted for shifting a tax burden to specific people and away from specific people. I heard a bazillion times yesterday-- not a bazillion, obviously, I don't even know if that's a real word-- a lot yesterday about picking winners and losers amongst developmental disabilities, and this body decided to just make them all losers, which is super cool. But this bill is the epitome of picking winners and losers. This is-- this is winners and losers. The winners are farmers. The losers are everyone else, everyone, everyone else. I think it was the Farm Bureau that testified yesterday about redistricting and how they want agricultural farmers to be considered in redistricting, really, I would say prioritized in redistricting. Here's what I want in redistricting. I want Nebraskans to be prioritized. I want the citizens of this state to have equal value and equal voice. This disparate--

HILGERS: One minute.

M. CAVANAUGH: --weighted-- we just keep giving to farmers, just keep giving the farmers, over and over and over and over and over again, but we don't do anything for anyone else. The only reason we can even move bills like SNAP is because farmers benefit from SNAP. That's why we can move SNAP, not because it's the right thing to do but because farmers benefit from SNAP. I have articles to read. I have things to discuss. I will take this four hours. Apparently, I will be taking it 3:40 or so after lunch, but I will be taking--

HILGERS: That's time, Senator.

M. CAVANAUGH: --this four hours. Thank you.

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HILGERS: Thank you, Senator Cavanaugh. Senator Matt Hansen, you're recognized.

M. HANSEN: Thank you, Mr. President. I appreciate Senator Cavanaugh's efforts here. I'm just going to put a couple of things on the record on this bill. As you all know, I opposed this bill on General File, so me still opposing LB2 is probably no surprise. Just to reconfirm that my opposition has been long standing, you'll remember that I tried to bracket this bill in April and got six votes. And so that was what led me to understand that my filibuster probably wouldn't be successful and at that time, I chose to back off. I will say I do still have some fundamental opposition, and I know a handful of us do, to LB2, so I appreciate Senator Cavanaugh addressing these issues on the microphone. I did actually help with AM1181. Fundamentally, as I've heard, this was an idea to get basically small school districts that have a lot of farmland in their valuation to kind of hamper and limit, or, at best framing, encourage city voters in small towns to not vote for school bonds by reducing the burden on farmers and raising it on cities. I don't think a tax shift on-- so either it's a tax shift onto residential people or it's an incentive to vote down school bonds. Those are the two ways you can frame this bill or frame them together. And I don't think either of those are good public policy for the state. I would support this bill. I'd be happy to vote for it on Final Reading if-- if my city, Lincoln Public Schools, was exempted, which is what exactly AM1181 would do. But fundamentally, I cannot-- I do not see bond issues-- I do not see this as the spirit or the mind-set or the goal of what the state should be doing to-- either in education policy or in tax relief. This is punishing voters in the city for living in the city. This is punishing people who don't own farmland, so business owners, anybody who owns land other than farmland, for supporting education. It is a tax shift. Based on some of the framework, I do think this is probably a minimal impact to Lincoln Public Schools because we don't have very much ag land, but passing this bill means the next bond issue we're going to have in the state is going to raise residential landowners in the city of Lincoln probably just by a couple of dollars a year, but that's still the principle. We're going to be raising my taxes, my next-door neighbor taxes, my neighbor across the street's taxes, to give a tax break to people who own square miles of farmland, who are probably going to very quickly flip that into some sort of new development and make a good profit. We're giving people who have considerable collateral a tax break, not with kind of collective resources, not with collective restructuring, but simply by penalizing and raising the taxes on people who live-- who-- who don't own farmland, because we're going to raise residential taxes on people who don't live in the city either.

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But that's how it's often been phrased. So I don't plan on speaking too much on this bill, but my opposition to LB2 is long standing. I think it is a flawed policy on a number of regards and I will continue my opposition until Lincoln Public Schools gets exempted. Thank you, Mr. President.

HILGERS: Thank you, Senator Hansen. Senator Machaela Cavanaugh, you're recognized.

M. CAVANAUGH: Thank you, Mr. Speaker. OK, so-- let's get up the right article here. Nebraska ag land in-- values increase for a second consecutive year. I honestly-- I have no idea what this article says, but my staff sent it to me, so I'm going to share it. Valuation of ag land in Nebraska increased by an average of 6 percent over the prior year to a statewide average of \$200-- \$2,895 per acre, according to the preliminary findings of the University of Nebraska-Lincoln's 2021 farm real estate market survey. This marks the second consecutive year that agricultural land in the state has experienced an increase in average market value. That seems like a good thing. The land industry professionals who responded to the survey attributed the rise in Nebraska farm real estate values to current interest rates-- rate levels, crop prices, and COVID-19 disaster assistance-- assistance payments provided to operators across the state. These factors provided stability to the industry in the face of an economic shutdown and disruptions of supply chains. "During periods of economic uncertainty, monitoring Nebraska farm and ranch real estate remains important to understanding how financial forces are impacting agricultural land markets across the state," said Jim Jansen, an exten-- extension educator who coauthored the survey and report with Jeffrey Stokes, a professor in the Department of Agriculture-- Agricultural Economics. The preliminary report found that center pivot irrigation cropland estimated values rose by 8 percent across the state. I'm going to just pause for a second. Pivot irrigation-- I know I'm a city girl, but pivot irrigation was invented in Nebraska and it is used all over the world. For those that aren't aware, we have an-- a company here in Nebraska called Valmont Industries and they do pivot irrigation and that is how we have been able to make a global impact in agriculture from Nebraska, which I just think is an interesting fact. I know oftentimes people in this body think that I, because I'm from Omaha, don't pay attention to important things pertaining to agriculture, which I also will-- side note: The Bean Bag, my favorite periodical that I receive as a state senator, it's from the Nebraska Dry Bean Growers Association, so I got to give them a shout-out whenever I can. And I actually have the last Bean Bag in my desk drawer here because it had a quiz in it that I took and then I had

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several other senators take and I graded myself on a curve because-- one of my colleagues was joking because I only got 60 percent right. But since I was the only person who took the quiz, I graded on a curve, so obviously I was, you know, at the top of the curve. And then everyone else who took the-- the-- the quiz, including rural and urban senators, nobody did better than me, so just want you to know, because I am a dedicated reader of The Bean Bag, which is why I was able to answer some of those questions. So please, to the Nebraska Dry Bean Growers, keep that periodical coming. I love reading about beans and the recipes, and I especially love the "punny" cartoons that you put in there. I always look for them. OK, enough gushing about The Bean Bag. So the preliminary report found that center pivot irrigation cropland estimated values rose by about 8 percent across the state.

HILGERS: One minute.

M. CAVANAUGH: Just realized I need to get in the queue. Surveys-- survey participants noted higher crop prices. Also, if anybody doesn't want to talk on this but does want to yield me time because I only have one more time in the queue on this motion-- don't worry, there's more-- but on this motion, which this motion is probably my favorite motion because it-- it actually has an amendment that I think this bill needs. And also, if somebody doesn't yield me time, then we might have to get to a vote on this motion before lunch, and I think most of you have already just like dispersed, which maybe we should just get to a vote. I don't even know how many people are checked out, but if there's a lot of people checked out, maybe I should just get out of the queue and we should go to a vote on this. I'm kind of thinking about that. OK. Yeah. OK, I'll yield the remainder of my time. Thanks.

HILGERS: Thank you, Senator Cavanaugh. Seeing no one else in the queue, Senator Cavanaugh, you're recognized to close. Senator Cavanaugh waives closing. The question-- been a request to place the house under call-- under-- we're on Final Reading, so please-- members, please check in. Senator Day, please check in. Senator Gragert, please check in. Senator Hilkemann, Senator Erdman, Senator Hunt, Senator Clements, Senator Pansing Brooks, Senator Walz, Senator Lathrop, Senator Stinner, please return to the Chamber. We're on Final Reading. Senator Stinner, Senator Lathrop, Senator Walz, Senator Hilkemann, Senator Hunt, please return to the Chamber. We're on Final Reading. Senator Cavanaugh, we're waiting on Senator Lathrop, Senator Walz, and Senator Hunt. Would you like to continue to wait or--

M. CAVANAUGH: It's not up to me. It's Final Reading, so it's not a call of the house.

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HILGERS: Colleagues, all-- all senators have checked in except for Senator Hunt, but she's outside the building and not in a position to come back, so we will proceed with the vote. The vote-- the motion before us is the motion to return to Select File for a specific amendment. Senator Cavanaugh, did you request a roll call or is this machine vote? Roll call vote in regular order has been requested. Mr. Clerk, please call the roll.

CLERK: Senator Aguilar. Senator Albrecht voting no. Senator Arch voting no. Senator Blood voting yes. Senator Bostar voting no. Senator Bostelman voting no. Senator Brandt voting no. Senator Brewer voting no. Senator Briese voting no. Senator John Cavanaugh voting yes. Senator Machaela Cavanaugh voting yes. Senator Clements voting no. Senator Day voting no. Senator DeBoer voting no. Senator Dorn voting no. Senator Erdman voting no. Senator Flood-- I'm sorry-- voting no. Thank you. Senator Friesen voting no. Senator Geist voting no. Senator Gragert voting no. Senator Groene voting no. Senator Halloran voting no. Senator Ben Hansen voting no. Senator Matt Hansen voting yes. Senator Hilgers voting no. Senator Hilkemann voting no. Senator Hughes voting no. Senator Hunt. Senator Kolterman voting no. Senator Lathrop voting yes. Senator Lindstrom voting no. Senator Linehan voting no. Senator Lowe voting no. Senator McCollister voting no. Senator McDonnell voting no. Senator McKinney voting yes. Senator Morfeld. Senator Moser voting no. Senator Murman voting no. Senator Pahls voting no. Senator Pansing Brooks voting yes. Senator Sanders voting no. Senator Slama voting no. Senator Stinner not voting. Senator Vargas not voting. Senator Walz not voting. Senator Wayne not voting. Senator Williams voting no. Senator Wishart. 7 ayes, 34 nays, Mr. President.

HILGERS: The motion is not adopted. Mr. Clerk for items.

CLERK: Mr. President, bills read earlier on Final Reading have been present-- presented to the Governor at 11:46 a.m. (LB302, LB387, LB255, LB40, LB40A, LB322, LB322A, LB324, LB324A, LB247, LB247A, LB527, LB527A, LB650, LB650A, LB639, LB664, LB664A, LB156, LB156A, LB260, LB271, and LB271A). Senator Hunt would like to withdraw LR135. Enrollment and Review reports LB236 to Final Reading. Redistricting Committee reports LR134 back to the floor for further consideration. Reference report regarding LR159. And, Mr. President, a series of study resolutions (LR203, LR204, LR205, LR206, LR207, LR208, LR209, LR210, LR211, LR212, LR213, LR214, LR215, LR216, LR217, LR218, LR219, LR220, LR221, LR222, LR223, LR224, LR225, LR226, LR227, LR228, LR229, LR230, LR231, LR232, LR233, LR234, LR235, LR236, LR237). That's all that I have at this time. Mr. President, Senator Vargas would like to

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add his name to LB64 as a cointroducer. And Senator Linehan would move to recess the body until-- until 1:00 p.m.

HILGERS: Colleagues, you've heard the motion. We will be in recess until 1:00, not 1:30, 1:00. All those in favor say aye. Opposed say nay. We're in recess.

[RECESS]

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

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

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

CLERK: I have nothing at this time.

HILGERS: Thank you, Mr. Clerk. We'll proceed to the first item on the afternoon's agenda.

CLERK: Mr. President, returning to Final Reading, LB2. Senator Cavanaugh would move to return the bill for purposes of considering AM1093.

HILGERS: Senator Machaela Cavanaugh, you're recognized to open on your motion.

M. CAVANAUGH: Thank you, Mr. Speaker. Good afternoon, colleagues. Well, we are-- barely have enough people checked in to vote on this motion to return it to Select. So for those of you that came back from lunch early, I guess lucky you, you get to listen to me talk until more people return because the amendment that I am putting forward now is one that I hope you all will give serious consideration to and take a look at. And so I know we are on the motion to return to Select, but I wanted to give you some of the overview of what this amendment does so that you can understand why I would want to attach it. So AM1093 would exempt Omaha and Lincoln from Senator Briese's bill, and it lowers the tax levy for agricultural land from 50 percent to 45 percent. So if you vote for this, then you are going to give your constituents an even greater tax break. If you vote against this, I guess you don't want to give your constituents a tax break. I don't know. That's up to you. I just want to have Omaha and Lincoln exempt from it, which is why I brought this amendment. And I will note that

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if this amendment gets attached, I will cease my filibuster of LB2. I do not like this bill, but if this amendment gets attached, it makes it slightly more palatable and I will move on with my day. If this amendment does not get attached, I do have more motions to file to take this to cloture. So I was reading the March 24 University of Nebraska property tax thing, but I think-- apologies, I lost my place on the article. OK, this was about the ag land valuations in Nebraska and how they are-- have increased. So the preliminary report-- report found that the center pivot irrigation-- irrigated cropland estimated values rose by about 8 percent across the state. Dry crop land values rose by about 6 percent. Survey participants noted higher crop prices as a major force leading to higher cropland values across the state. Improvements in grazing land and high-- hayland market values range from about 3 percent to 5 percent higher than the prior year. Survey results also revealed that rental rates for cropland and grazing land in the state have increased by an average of about 5 percent to 7 percent for cropland, while rates for pasture and cow/calf pairs saw an average increase between about 3 percent and 7 percent. Survey participants also reported that the late season run-up in crop prices were a major factor leading to higher cash rental rates in 2021. Cool. Well, that's good. You got higher cash rental rates in 2021. Sounds like our economy is going gangbusters. The Nebraska Farm Real Estate Market Survey is an annual survey of land professionals, including appraisers, farm and ranchers-- ranch managers and agricultural bankers conducted by the Department of Agricultural Economics. Results from the survey are divided by land class and agricultural statistic district. Land values and rental rates presented in the report are averages of survey participants' responses by district. Actual land values and rental rates may vary depending upon the quality of the parcel and local market for an area. Preliminary-- preliminary land values and rental rates are subject to change as additional surveys are returned. I have to apologize. I'm getting a little stuffed up because of my allergies and there's just been a lot of, I don't know, allergy-related things, so I'm starting to have a hard time getting my words out. This is from AgFax.com, which is-- I had never-- this-- this might be a well-known periodical to everyone else. I will note that it's called AgFax. AgFax, A-g and then it's not facts, f-a-c-t, it's Fax, F-a-x. I-- I wonder-- it begs the question of do they have a fax machine? I really hope that they do because that's just hilarious to me. So this AgFax has some great articles on other-- soybean planting at fastest pace in 12 years. Livestock close, revival in live cattle, lean hog trade. Well that sounds-- that would have been more appropriate to Senator Brandt's bill-- lower, early with bearish outside influence. Oh, that's the grain open. I don't know what the grain open is, but that is-- that article is from today. Pre-6 a.m.

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global prices, July corn is down one and a half cents, July soybeans are down 10 cents, July KC wheat is down seven and a half cents. CME Global ex recap. Early Wednesday. Dow Jones futures are trading lower along the stock markets in Europe and Asia. Investors remain concerned the Federal Reserve will raise interest rates to curb inflation and will be watching the 1:00 p.m. I don't know if that's 1:00 p.m. Eastern, so we might have missed it. We probably did miss it. CDT release of minimum minutes from Fed's April meeting: April U.S. housing starts were reported down 9.5 percent Tuesday, hurt by high lumber prices. Bitcoin prices fell-- ooh-- didn't we just pass that bill yesterday-- \$40,000 overnight, \$40,000 overnight after Chinese authorities once again warned investors against trading in the virtual currency. Ooh, that's not good in China. If China's out, I think Bitcoin is going to drop even more. This is my uneducated-- I do not know anything about the stock market commentary, by the way. I am also fascinated by the fact that this agricultural periodical is touching on such a wide range of topics. I did have a conversation yesterday when I was getting my gas tank filled to come down here. My next door neighbor happened to also be at the gas station and he does home improvements, handyman type stuff. And we started talking about the prices of lumber and-- and how high they are during the pandemic. And so this housing reports are down 9.5 percent Tuesday, hurt by lumber prices, lumber prices have like just skyrocketed because people have been doing so many home improvement projects because they've been stuck in their homes. And so there's been a run on home improvement projects. And Dan, my neighbor was telling me about how plywood was \$9 a sheet-- or not plywood, 2x4-- something with \$9 and now it's \$12. I apologize. OK, so outside markets. Previous close, Tuesday's show the Dow Jones Industrial Average down 267.13 at 34,000-- 60.66 and the S&P 500 down 35.46 at 4,127.83, while the ten-year Treasury yield ended at 1.64 percent.

HILGERS: One minute.

M. CAVANAUGH: Thank you. Early Wednesday, June Dow Jones futures are trading down 213 points. I have got to admit I have no idea what any of that means. I got to get in the queue again. And I've had this conversation with Senator Lindstrom, who works in finance, and someday I'm going to get him to sit down and explain that paragraph to me because I have no idea what the Dow Jones being down and the S&P and the numbers and the ten-year Treasury yielded, the percent. I could talk to you about taxes and budgets as long as the day goes, but when we start talking about finance investments, that is not my strong suit. You got to lean into your strong suits. Asian markets are lower

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with Japan's Nikkei 225 index down 1.28 percent and China's Shanghai Compo-- Composite--.

HILGERS: That's--

M. CAVANAUGH: --index down point--

HILGERS: Senator Cavanaugh, that's time, but you're next in the queue so you may continue on your time.

M. CAVANAUGH: Thank you. And I have one more time before my close?

HILGERS: Two more and then your close.

M. CAVANAUGH: Oh, fantastic.

HILGERS: That was your opening. This is your first time on this motion.

M. CAVANAUGH: OK, great. If anybody who's around here could check how many people are checked in now, that would help determine how much longer I'll be talking about this. So because I do want to make sure that we have-- I mean, we did have 30 people and I guess we need 25 people to move this back to Select to vote on the amendment. But the introducer of this bill I don't even see in the room, so that is something to, you know, do him the courtesy of waiting. We're not, maybe he doesn't want to be here for it. OK, so I'm going to switch gears and go back to LB2. Ah, 33 are checked in. Hey, we've got a filibuster proof here. OK, so if you all want to start calling and texting our colleagues to come back, we could get to a vote on this motion. And then if this motion succeeds and we adopt this amendment, then we can move on to the next bill. But we can also just do this until like 4:25, I can't-- 4-ish. So AM2-- LB2 committee statement-- actually, the fiscal note. OK, so the fiscal note was updated on April 21 and LB2 amends the property tax valuation provisions that-- to provide that for purposes of school districts levied to pay principal and interest on bonds, agricultural and horticultural land and land receiving special valuation will be valued at 50 percent of its actual value. OK, so LB2 on Final Reading, agricultural land for school bonding will be levied at 50 percent. AM1093 lowers it to 45 percent. My amendment lowers the levy to 45 percent from 50 percent. It's chipping away even further at those precious ag valuations. I love that like none of the rural senators are paying any attention to the fact that I'm trying-- oh, I'm sorry, there is a rural senator paying attention to the fact that I'm trying to give their constituents a tax cut. Additionally, though, the trade-off, because of course there's a

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trade-off, is that it exempts Lincoln and Omaha. And actually to be fully transparent, if we do move this back to Select, Senator Blood and I discussed this during the lunch break, she would like us to include exempting Bellevue, which I feel is very reasonable and I apologize for not including Bellevue to begin with. My oversight. So 45 percent, exempt Lincoln, Omaha and Bellevue, that's what the amendment does. That's why I'm waiting until more than 33 people are checked in so that we can have a vote on returning this to Select and giving farmers a further tax cut. Now, the Nebraska Association of County Officials estimates that counties will need to modify their computer software and use a separate book for the new valuations. Even so, no significant fiscal impact is expected for counties. There's no basis to disagree with this estimate.

HILGERS: One minute.

M. CAVANAUGH: Thank you. OK. So the funny thing about that statement is like they'll need to create new-- modify their computer software, a separate book for valuations, etcetera, and if I were to have a disingenuous debate, I would start saying things like, well, golly gee, shucks, I'm real concerned about the unintended consequences of forcing counties to create a new modified system. And oh, gosh, I mean, was this really thought through? Did the senator think this through? The horror. Oh, dear Lord, the horror. What are we doing? This burden that we're putting upon counties to modify their system, the unintended consequences? Where are the guardrails? Is there a sunset on this?

HILGERS: That's time, Senator.

M. CAVANAUGH: Thank you.

HILGERS: Thank you, Senator Cavanaugh. Senator Matt Hansen, you're recognized.

M. HANSEN: Thank you, Mr. President, and good afternoon again, colleagues. I'll rise and share my support with Senator Cavanaugh's amendment. Again, this is one I also helped on. I do think it does balance and it does for the rural districts that Senator Briese and advocates of the bill want. It is an extra 5 percent and the same-- and the trade-off is exempting Lincoln Public School and Omaha Public Schools, so limited again only to Class III school districts as it's written. I do want to note for the record, and people are talking, when we got in and started at 1:00, it's not unusual for not everybody to be here. But when we went in, there were, I think, 29 people on the board, a number of whom were opponents to this bill. And I think had

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we gone to a vote directly at 1:05 or whatever that was, there was a risk this bill would have failed. And there was some consideration as to probably whether that was a good idea or not. As you've seen, Senator Cavanaugh is now delaying to try and get the introducer of the bill on the floor to discuss whether or not this can be considered a friendly amendment or not, which is kind of an odd situation where opponents of the bill are trying to figure out where we are at. I think we probably can guess where Senator Briese views this, but alas, he's not around to ask. I do think my fundamental concerns with LB2 exist. For me personally, I do have some ag land in my district. I do represent a district that has more than one school district, just one precinct. But that being said, the vast majority of my constituents are going to have a tax increase with this bill. Everyone who doesn't own ag-- doesn't own ag land is going to have a tax increase with this bill because it's not a cut to ag land so much as a shift from ag land to everybody else, residential and commercial. Some of the projections I've seen are as small as a dollar or two for a \$100,000 house in Lincoln. It's considerably higher for districts that are skewed with more ag land, but still, you're asking me to be in a situation where among my 40,000 constituents, we're raising taxes on all of them except for a few dozen. And I don't view this as a bill I can support. I don't view this as an idea I could support. Exempting Lincoln Public Schools gets me-- I'll support it at that point. I still don't think it's great policy, but I've been pretty clear on a lot of the tax bills and tax bills related specifically to education that if you can hold Lincoln harmless-- you can shift the numbers around us as much as you want, but if you hold Lincoln Public Schools harmless, I'm not going to be an obstacle. I'm not going to be a barrier. And that's what I think this amendment does. It strikes the right balance of exempting out Class IV and V school districts, so Lincoln and Omaha, and in exchange, you get a little bit extra tax relief for the rural districts. Because there's a certain point where I agree with a number of senators-- I believe Senator Wayne said this on reference to some of his bills or whatever, helping some of the small towns is-- sometimes we get put in a difficult spot where we're advocating for towns and communities that aren't in our districts against the people who represent them. And that's fair. And maybe you-- that's fair. And that's why we have the perspectives. But we get challenged sometimes to think outside of our box, it's not just think of Lincoln or Omaha. And then when we do think out of Lincoln or Omaha and oppose a bill, we get criticized for not knowing or not-- or interfering with other districts. So that's a difficulty a lot of us in Lincoln and Omaha find ourselves in. I've been going back and forth in how engaged I wanted to be. I've let Senator Briese know both this

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round and past rounds that I don't like taking filibusters that I think are a bit of a long shot. But based on some earlier votes--

HILGERS: One minute.

M. HANSEN: Thank you. --based on some earlier votes, maybe this is closer than I thought or closer than I intended. That being said, sincerely, 100 percent, if AM1093 gets adopted, I'll happily vote for the bill and again, AM1093, no tricks, no pulls, does give ag land in Class III school districts, so everywhere that-- not Lincoln and Omaha Public Schools, gives them a bigger tax break, a bigger tax shift away from ag, I'll say. It's 5 percent. I know the original bill wanted to go much lower than 45 percent, but this shifts it from-- from 50 to 45 is kind of our offering and allowing us to exempt our school districts will give your school districts more of a shift. With that, thank you, Mr. President.

HILGERS: Thank you, Senator Hansen. Senator John Cavanaugh, you're recognized.

J. CAVANAUGH: Thank you, Mr. Speaker. Well, I rise-- well, partially in, in defense of the folks who weren't here. I'm a member of the General Affairs Committee and Senator Briese is the Chairman of that. We just had a hearing that some of us are just getting back from, so that is one of the explanations why some of us were-- were not here right at the start. It was actually a great hearing. We had appointments for the members of the Nebraska Arts Council and it's kind of fun to hear people who have that level of excitement that they all demonstrated for the arts. And they were all very appreciative of what this Legislature has done in reference to the arts districts and investing in arts. And so, I just-- it's nice to hear nice things and nice to see people excited about stuff. I haven't been participating in the conversation we're having. I was against this bill when it came up originally. I wasn't intending to vote for it, but Senator Briese-- and my recollection was this was 30 percent. Senator Briese compromised and brought it up to 50 percent and the majority of folks agreed with that and I-- I didn't like it, but I wasn't going to plan to vote for it anyway. But that's where we are. As to this proposed compromise, I would say generally I'm still not in favor of it, but I'm not going to stand in the way of what people would like to do on this. I see the-- the argument that Senator Hansen is making about taking-- exempting Lincoln schools and Omaha schools. I think that probably is better. Generally, I'm not interested in lowering the assessment anymore, but I would just-- I guess I'm not going to participate in that conversation, but I just thought it meant-- bore mentioning that people are-- some people are not here, not as-- as a--

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out of interest to disrespect or out of not being part of this conversation, but doing some of the other important work that the Legislature does. And when we're at this crunch time and we had a short, very short lunch period that we used to have hearings on appointments, we were undertaking that. So, yeah, I guess I'm-- I am probably not going to vote either for the return or for the-- the amendment if we did return it. But I wasn't intending to vote for the bill and I probably wouldn't vote for the bill with the amendment, which is why I'm where I am on that. So I think other people-- it would be interesting to hear what other people have to say that are interested in this. And maybe there's an argument that has merit. And the people who are in favor of this bill maybe want to have-- be interested in that conversation. It's just not one that I guess I'm going to engage on, but I will yield the remainder of my time back to the Speaker. Thank you.

HILGERS: Thank you, Senator Cavanaugh. Senator Machaela Cavanaugh, you're recognized.

M. CAVANAUGH: Thank you, Mr. President. It appears nine people are still checked out and I am going to continue talking on this until they are here. So as Senator Matt Hansen said, this takes it from 50 percent to 45 percent. And I'm going to continue on with the fiscal note. The bill also amend-- amends the acceptable range of-- for these classes of property for review by the Tax Equalization and Review Commission to 44 percent to 50 percent of actual value for special valuations, respectively. LB2 would become operative January 1, 2022. Amendments adopted on General File only increase the percentage at which agricultural and horticultural land is valued for bond purposes from 30 to 50 percent. As a result, the previous estimates from Department of Revenue and NACO will remain unchanged. As such, their previous responses are incorporated by this reference. So when I say that this bill is a tax shift or-- or more, I should say that this-- the Nebraska Chamber of Commerce says that this bill is a tax shift, it's because you're lowering the valuations of ag land on bond issues for schools. And that means that if a bond passes for a school district, then there is more of a financial burden placed on the residential and commercial owners in that district. And it has been said pretty openly here on the floor that this is a way not only to lower taxes for agricultural land, but also to force schools to consolidate. And I feel like the theme of this is very perfect for the last 24 hours, 30 hours, however many, it's-- the intent of this bill is to bully communities into consolidating their schools, not to work with them, not to collaborate with them, not to find a path forward to help address the concern of dwindling populations, but the need to

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still educate those children, no, it is to literally bully them, just like this body tried to bully us into school restraint yesterday. And this body bullied us into not serving families with children with developmental disabilities and this body bullied us into not helping our essential workers in the workplace. This body continues to bully, bully, bully, bully. So it's perfect to use the bully pulpit to talk about the bullying. This bill is not good public policy. The premise of this bill is to force school districts to merge. It is not to use strategic collaborative policy endeavors to that end, it is to bully them into making those very difficult decisions. But, hey, if you want to exempt Lincoln and Omaha and Bellevue, have at your bullying pleasure. And on top of that, you can lower--

HILGERS: One minute.

M. CAVANAUGH: --the valuations 5 percent more for your constituents that own agricultural land. So I'm not sure how many people we have here now and I see there's people in the queue, so I will yield the remainder of my time, check in on the people checked in and we'll go from there. Thank you.

HILGERS: Thanks, Senator Cavanaugh. Senator Dorn, you're recognized.

DORN: Thank you, Mr. Speaker. Was not going to get up and speak on this bill probably, but Senator Matt Hansen, I talked to him a little bit off the mike, wondered if he would entertain a question.

HILGERS: Senator Matt Hansen, will you yield?

M. HANSEN: Yes.

DORN: Yeah, I don't remember exactly which bill we were talking on, but somebody passed out the ag land percentages in descending order of each district.

M. HANSEN: Um-hum.

DORN: And I talked to you a little bit. You mentioned something about that in this amendment, there's going to be Lincoln school and Omaha. I think Machaela even men-- Senator Cavanaugh mentioned it, Lincoln and Omaha out of there. And Lincoln Public Schools, the ag land is .297 of 1 percent and Omaha Public Schools, their ag land is .189 of 1 percent. So that's-- that much less than 1 percent. So the current bill, LB2, or even pulling out Lincoln and Omaha out of this amendment, would not have very, very minimal impact or whatever. And now-- I was going to ask you a question and basically I answered the

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question already, but do you-- I mean it-- that tells you that neither one of those school districts have very, very little ag. So in Senator Brieese's bill or even in Senator Cavanaugh's bill-- amendment, why does it seem important that we pull those two school districts out? Because it will have very, very minimal effect.

M. HANSEN: Why is it important? Because I don't want to raise taxes on my constituents who don't own ag land.

DORN: But this will have more of an effect on somebody that's not in your district in a,-- I don't know, a school district. There are some school districts out there that I'm just going to pick one on the sheet here. Lyons-Decatur, it's 80 percent ag land and in that school district, it would have a lot bigger effect because they have a much greater amount of people in that district that own ag land that now are paying a greater share of those bonding-- bonding amount.

M. HANSEN: Yeah, I would agree with that. And that's why I think pulling Lincoln and Omaha Public Schools out should be kind of an easy compromise thing to do, as you note.

DORN: OK, thank you very much. Appreciate that and stuff. I am opposed to the amendment and will be supporting LB2. Thank you.

HILGERS: Thanks, Senator Hansen and Senator Dorn. Senator Matt Hansen, you're next in the queue.

M. HANSEN: Thank you, Mr. President. I knew Senator Dorn was going to ask me some questions, so I popped in the queue to respond. I also wanted to respond-- I appreciate Senator John Cavanaugh's clarifications about people being checked out. I mentioned that earlier and I wasn't being critical of anybody being checked out. Instead, I wanted to actually kind of reaffirm what was happening in the sense of, I think had Senator Cavanaugh pulled all of her amendments right at 1:05 or 1:07 or whenever we checked in, this bill might have had a, maybe 25 supporters at most because I think they were only 29 people on the floor, including several of us who were opposed. So we could have done a surprise, a gotcha, a use the General Affairs Committee against them and we didn't. And the reason I brought that up and talked was a bit just to stall time to give Senator Brieese the courtesy of being on the floor when we actually got to a vote on some things on his bill so he can respond and he could reply. And it was mentioned that-- not critical. I was in Exec Session over lunch. I-- I finished a sandwich, you know, at 12:59 and ran up. So like, I get-- I get how working lunches go. That being said, I do want to go back to Senator Dorn's point. I know this will have a minimal impact

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on residential homeowners in Lincoln and Omaha, but it will have some impact and that impact will be an increase in taxes. And I think if there's one thing in this body people can understand is drawing a line in the sand and saying, I'm not going to vote for a tax increase on the vast majority of my constituents. I get that you don't need my support to pass this bill. I get that you could probably can overrule me and-- and don't need to consider any amendments or accept anything. But it shouldn't be a surprise when you're asking somebody who, as you've noted, has minuscule amounts of farmland, why they are not happy that even that is shifting over to residential and commercial properties, the properties that I do have in my district. I apologize, I'm not 100 percent sure which person passed it out. I believe it might have been Senator Briese on General File. I didn't keep the handout. And I will acknowledge that on the handout it gave an example of like a \$100,000 or \$150,000 house in Lincoln. The change under current bond, had it been in place the last time we did a bond issue, it would have gone up by about \$1 a house or \$1 for a \$100,000 house, something on those lines. I recognize that we're talking about pennies on the dollar here, you know, a dollar for every hundred thousand. That is still a tax increase. That is still a tax increase that is going to happen to everybody who lives on my block because we all own residential houses in town. And that's fundamentally what I can't get over LB2. I understand the desire and the need to give a tax break to farmers. I think divorcing people from the need to collectively fund tax priorities is a poor way of doing that. And that is kind of my fundamental disagreement with LB2. I likewise for collegiality and whatnot, haven't taken this to cloture and passed despite my opposition. Don't like getting steamrolled in cloture and don't like doing that. That being said, I have talked to Senator Briese about this amendment before. He understands the concept. Machaela Cavanaugh, Senator Cavanaugh asked-- talked about it as well and that's why she filed it. I will say, I do stand by my knowledge that if we take Lincoln and Omaha out, I'm fine. I'll vote for the bill, happy to, and that is what AM1093 is. I know there's been some talk about also excluding Bellevue. I don't have an amendment. I don't know if we're working on an amendment. I would support that too, but for me, as I said, on school finance over and over again, you know, if you want to do some solution that holds Lincoln harmless, I'm not going to get in the way of you stopping what you want to do for your districts. But don't come in and do something that I think is harmful for my district and expect me to just go along with it.

HILGERS: One minute.

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M. HANSEN: So that's where I stand with the adoption of AM1093 or a similar amendment. Happy to support the bill. Otherwise, will not be supporting LB2. Thank you, Mr. President.

HILGERS: Thank you, Senator Hansen. Senator Briese, you're recognized.

BRIESE: Thank you, Mr. President. Good afternoon, colleagues. Wasn't really planning on having to talk on this bill today, but people have chosen to regurgitate the same arguments that we addressed over six to seven hours of debate on General File, six or seven hours when my priority bill was essentially gutted to about a third of what it is and it's still here, but-- but these are arguments that we talked about earlier, we laid to rest there I feel. This is simply good policy, given the voters at the voting booth a little more skin in the game. Is it ag friendly? Yeah it's a little bit ag friendly, but that's why I told Senator Wayne from day one that his sales tax on water bill was very important to me and I wanted to ensure that it moved with LB2 to provide some tax relief for our non-ag friends or folks living in town, living in urban areas. But anyway, be that as it may, I do oppose the amendment here. You know, this is going to have negligible impact in Lincoln and Omaha and I think Senator Day's questions on General File when we talked about it, I think we cleared that up that to somebody in an urban area, it just isn't going to have-- the impact to a homeowner in an urban area is going to be negligible, very little. And-- and again, I oppose the AM and right now we're assessing the constitutionality of it. We think there could be some concerns there. But more importantly, we've been talking about 50 percent for a long time here. We talked about 50 percent two years ago on LB183 and 50 percent was really kind of the sweet spot, the spot where education kind of backed away from this. And it's a spot where I think-- I can't speak for education, but where education is most comfortable, I can assure you education community is going to be more comfortable at 50 percent than they are at 45 percent. So I-- I'm going to stick with what's in the bill. I'm going to oppose AM1093 and we need to move this thing along. Thank you, Mr. President.

HILGERS: Thanks, Senator Briese. Senator Blood, you're recognized.

BLOOD: Thank you, Mr. Speaker. Fellow Senators, friends all, I-- I don't mean to stand up laughing, but I feel like so often when we get into a pickle, the first thing you hear is I doubt this is constitutional. And I always wonder sometimes if that's truly the issue or that's just another hurdle we're going to put in the way, but I guess time will tell on that. So I stand in support of the amendment, should we include Bellevue on Select, and then I do support Senator Briese's efforts to-- to better embrace and protect rural

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Nebraska. In fact, I thought it was interesting that some of the same people that came and testified in redistricting were actually people who came and testified as proponents on your bill because they think-- they come and they-- they-- they let us know how important it is that we protect ag in Nebraska and I don't disagree with that. I also don't disagree with the fact that it's on Final Reading and we're having further discussion because this is an important bill. And I think that that's OK and it is what it is and we need to not be getting testy with Senator Cavanaugh over this. With that, I would ask that Senator Briese yield to a question or two.

HILGERS: Senator Briese, would you yield?

BRIESE: Sure.

BLOOD: Senator Briese, I noted that the Nebraska Chamber of Commerce came out against this bill. Can you explain to me why that was?

BRIESE: Well, I prefer to have you ask them about it, but I think they were concerned about commercials. But commercials, the uniformity clause doesn't allow us to do anything relative to commercials without changing the Constitution. Secondly, commercial property owners, unlike ag producers, typically have the ability to pass on extra cost to their customers. And thirdly, they can work against it. You know, people here are talking about a tax increase. This isn't a tax increase on anybody. Don't vote for it. Don't vote for a bond issue and then it's not a tax increase.

BLOOD: I beg to differ on that point, but fair enough. So why did NACO come out against this bill?

BRIESE: I'm not sure that NACO is still against this bill. I don't know if they came out against it or not. I think-- I thought NACO was comfortable with it at this point, but I don't want to speak for them, better check with them

BLOOD: OK. Was Lancaster County also against it? I'm just going by memory, so you have to help me out here.

BRIESE: Someone on the floor this morning said that they were. I'd have to look back on my notes to see.

BLOOD: So you're a smart guy and I'm guessing that you actually know why they came out against this. Why do you believe that they came out against this?

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BRIESE: I would have to think about that one. This is relative only to school districts. I would have to-- maybe we would have to ask them about it.

BLOOD: OK, fair enough. Thank you, Senator Briese. Senator Machaela Cavanaugh, would you yield to a question?

HILGERS: Senator Machaela Cavanaugh, would you yield?

M. CAVANAUGH: Yes.

BLOOD: Senator Cavanaugh, if indeed this were moved to Select, I just want to restate because a lot of people were missing when you said this earlier. If you move this to Select and we are able to exclude Omaha, Lincoln and Bellevue, it sounds like you're in full support of this bill then, is that correct?

M. CAVANAUGH: Well, no, not full support.

BLOOD: Oh, OK.

M. CAVANAUGH: I will stop filibustering the bill.

BLOOD: You will stop filibustering it. OK, so still not supporting it, though?

M. CAVANAUGH: No.

BLOOD: And-- and why don't you support this bill?

M. CAVANAUGH: I don't agree with this tax shift and this bullying of the voters to decide between education and their tax dollars and then picking winners and losers.

BLOOD: So why do you feel education is important in Nebraska? Just curious.

M. CAVANAUGH: Why is education important in Nebraska?

BLOOD: Yeah.

M. CAVANAUGH: It's the greatest equalizer. With an education, you can do so many things and you can pursue your passions.

HILGERS: One minute.

M. CAVANAUGH: And become a taxpayer and be part of the economy and society and help the rest of the world thrive.

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BLOOD: Thank you. That was a very noble answer. Thank you, Mr. Speaker. I'll yield any time left back to you.

HILGERS: Thank you, Senator Blood and Senator Cavanaugh and Senator Briese. Senator Wayne, you're recognized.

WAYNE: Good afternoon. Thank you, Mr. Speaker. I just haven't talked in a couple of days because I wasn't here, so I thought I would push my button and just make sure people know that I'm-- I'm still good, been training for Kilimanjaro. Yesterday had a pretty heavy leg day, so I'm a little sore walking around today. I think it's important that we all exercise and eat well. If you need to see a chiropractor, we have one on the floor. If you need a weight-- weight-- a professional trainer, we have one on the floor. So we got-- we got it all covered. We got bankers, we got weight training, professional trainers. We have chiropractors, we have teachers, we have farmers. We've got pretty-- a pretty interesting group here. So I just think we should sometimes just step back a little bit and have a conversation. I don't necessarily agree with the underlying bill, but I will support it. I do agree with the amendment. I think that's always good, considering in my district I have actually a little bit of rural and it would be shifting some taxes over. And I always thought if you shift taxes, they always said it was an increase in taxes, at least on my bills. But hey, I'm-- I'm game with it if that's what we want to do. But I just wanted to get up and just remind people that I'm still here. And I know that's a surprise, but I'm still here and I'll yield the rest of my time to Senator Cavanaugh.

HILGERS: Senator Machaela Cavanaugh, 3:25.

M. CAVANAUGH: Thank you, Mr. Speaker. Thank you, Senator Wayne. So I don't understand why people would be in opposition to exempting Omaha, Bellevue and Lincoln. That would remove my opposition and would end the filibuster of this bill. If it is such a small and nominal amount, then you could do your urban colleagues a courtesy and vote for AM1093 so that we don't have to oppose this tax shift. I am not going to allow this to move forward as it is without four hours of debate. So I hope that you all will join me in supporting this amendment and we can move on with the rest of the agenda for today or we can just stay on this for a little bit longer. I mean, I just-- this is just so disingenuous to say, like, oh, it's not that much, so don't worry about it. Well, it's a tax shift on my constituents, so I'm concerned. It's a tax shift on Omaha. It's a tax shift on Lincoln, it's a tax shift on Bellevue and we want no part of it. So if your goal is what you have stated previously to be bullies and get smaller school districts to merge, then take us out of your fight. We want no part of

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it. Vote for AM1093, get a bigger piece of the pie for your agricultural constituents and take us out of your fight. We want no part of it. Thank you, Mr. President.

WILLIAMS: Thank you, Senator Wayne and Senator Cavanaugh. Senator Matt Hansen, you're recognized and this is your third opportunity.

M. HANSEN: Thank you, Mr. President. I want to just respond to the notion that this amendment is potentially unconstitutional. Colleagues, I don't actually dispute that this amendment might be potentially unconstitutional, but this amendment is only unconstitutional in the sense that the whole bill is constitutionally suspect. We have uniformity clause issues all the way through. We are allowed to do subclassifications under an amendment. That is how we have the separate level for farmland. There is no constitutional or case law precedent allowing for this kind of selective proportional assessment of school bonds versus regular things, nor-- nor other subclassifications. We're allowed broad classifications for ag land. And we're not necessarily-- have any sort of clear standing to wade into all these new issues. I'm personally OK on this bill throwing it up and saying, hey, everything's constitutional until the court says so. I agree with-- sometimes I think it's clear enough. This area, I do think, is a pretty gray area. It's pretty unresolved. But again, there are already uniformity issues in the sense that we are intentionally shifting subclassifications of proportional assessment of taxes between different tax bases. That's a problem with the underlying bill. Exempting two school districts does not add to any additional problems there. If we're in trouble with the uniformity clause, we're in trouble with the uniformity clause, so don't-- don't hold it up and don't point to this amendment as being the problem with that. Thank you, Mr. President.

WILLIAMS: Thank you, Senator Matt Hansen. Senator Slama, you're recognized.

SLAMA: Thank you, Mr. President, and good afternoon, colleagues. I wasn't planning to speak on this bill. I do support it. I did want to respond to the questions about constitutionality. I believe when a similar version of this bill was introduced in 2019, an Attorney General's position was written up confirming Senator Briese's bill's concepts, constitutionality. However, I think AM1093 is unconstitutional on its face under the uniformity clause. So I would encourage anybody in the body-- just to be clear to everybody watching at home, anybody who's voting in favor of AM1093 is voting for a poison pill amendment that will kill this bill. Thank you, Mr. President.

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WILLIAMS: Thank you, Senator Slama. Seeing no one wanted to speak, Senator Machaela Cavanaugh, you're recognized to close on your amendment to return to Select file.

M. CAVANAUGH: Thank you, Mr. President. Well, I hope everyone or at least 25 of you will vote on the motion to return to Select File. I'd be interested to read the AG's Opinion that Senator Sláma just referenced because, of course, I don't want this bill to pass as it is, but I did not intend this amendment to be a poison pill. I intend this amendment to be a compromise. And if this is in fact a poison pill, then I can just take this for four hours instead. And the by-- the body itself can decide if this bill is actually worth moving forward. Senator Briese said that the voters should have skin in the game. I'm not sure how this bill gives the voters skin in the game. It picks winners and losers. That's what this does. And if that's what you all want to do, then do it, but take us out of it. Just take us out of it. I hope that you all will vote for to return this to Select and then we can talk about the merits of the amendment. If you do not return this to Select, then I will carry on with my filibuster of LB2. Thank you.

WILLIAMS: Thank you, Senator Machaela Cavanaugh. The question, members, is the return of L2 to Select File. All those in favor vote aye; those opposed vote nay. There's been a request for a roll call vote in reverse order. Mr. Clerk.

CLERK: Senator Wishart. I can't hear you, Senator. Thank you. Thank you. Voting no. Senator Williams voting no. Senator Wayne. Senator Wayne voting yes. Senator Walz voting no. Senator Vargas voting no. Senator Stinner voting no. Senator Slama voting no. Senator Sanders voting no. Senator Pansing Brooks not voting. Senator Pahls voting no. Senator Murman voting no. Senator Moser voting no. Senator Morfeld. Senator McKinney voting yes. Senator McDonnell voting no. Senator McCollister voting no. Senator Lowe voting no. Senator Linehan voting no. Senator Lindstrom voting no. Senator Lathrop voting no. Senator Kolterman voting no. Senator Hunt. Senator Hughes voting no. Senator Hilkemann voting no. Senator Hilgers voting no. Senator Matt Hansen voting yes. Senator Ben Hansen voting no. Senator Halloran voting no. Senator Groene. Senator Gragert voting no. Senator Geist voting no. Senator Friesen voting no. Senator Flood voting no. Senator Erdman. Senator Dorn voting no. Senator DeBoer voting no. Senator Day voting no. Senator Clements voting no. Senator Machaela Cavanaugh voting yes. Senator John Cavanaugh not voting. Senator Briese voting no. Senator Brewer voting no. Senator Brandt voting no. Senator Bostelman voting no. Senator Bostar voting no. Senator Blood voting yes. Senator Arch

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voting no. Senator Albrecht voting no. Senator Aguilar voting no. 5 ayes, 38 nays, on the motion to return.

WILLIAMS: The motion is not adopted. Mr. Clerk, for a motion.

CLERK: Mr. President, Senator Cavanaugh would move to bracket LB2 until May 20.

WILLIAMS: Senator Machaela Cavanaugh, you're recognized to open on your bracket motion.

M. CAVANAUGH: I feel a little flattered that you all wanted to just hear me talk for longer. So I guess that's what I'll do. As I said, I'm going to take this four hours and then we will have a cloture vote on this bill and we'll see if 33 or more Senators want to raise taxes on their constituents. I will not be voting in favor of that. I would have just sat down if we took my constituents out of it, but apparently we can only pick winners and losers if the winners are agriculture, not if they're urban. So as a result, we are where we are. OK. So, LB2. To answer some of the questions that Senator Blood had asked, NACO was in opposition to this. If they are no longer in opposition to this, I am not aware. Also, Lancaster County was also in opposition to this. And looking at the committee statement, you can see who came and testified in person in opposition. There was the-- and this is a bunch of acronyms and I apologize, I don't know what they all stand for. NRCSA, NASB, STANCE, GNSA were opponents and then written testimony, the Nebraska Chamber of Commerce and the Lancaster County Board of Commissioners were in opposition to this. This bill includes other things in it, the Property Tax Credit Fund, changing the horticultural land. For that bill, OpenSky was in opposition, NACO was neutral. There's one piece of this that has-- oh, nope, that was just written testimony. OK, LB79, which is amended into this, sets a minimum of relief under the property tax credit for tax year 2024 and each tax year thereafter. The amount of relief from the prior tax year increased by the allowable growth percentage of Section 77-6702. The allowable growth percentage in Section 77-6702 is the percentage increase, if any, in the total assessed value of all real property in the state from the prior year to the current year as determined by the Department of Revenue. In no case shall allowable growth exceed 5 percent in any or-- any one year. I believe, and I will stand for correction, that we amended that out of the bill, but I'm not positive. It was Hansen amendment failed, Briese floor amendment was adopted. Maybe it was the Briese amendment. I don't recall. Well, maybe somebody will whisper in my ear and tell me if we amended that out or not because I don't recall at this point, but I think that maybe we did amend the cap out. Maybe we should put the cap back in.

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Maybe I should have done that. Maybe I should have put the cap back in, but exempted the urban areas from the valuation difference. Not entirely sure how that's constitutional either, but-- and I'm hoping to find the AG's Opinion that Senator Slama was talking about. And if anybody can send me a link to it, I would happily take a look at that as well. OK, so, Senator Briese mentioned that this had the debate on General and now we're on Final and why is this happening? So I went and looked back at the calendar and on-- April 21 is when this bill was on General and it was the first bill up that morning. And immediately, people were in opposition to it. And I believe whatever the various amendments that were moved that day, were passed on, took off some of the individuals' opposition, but there were still several of us that were in opposition to it. However-- and the irony of this is-- it's pretty hilarious. I stopped-- I stopped filibustering LB2 on General File, not because I stopped opposing it, but because we needed to get to LB529 that day, of all things on God's green earth. Well, shame on me, lesson learned. We, in fact, did not need to get to LB529 that day. We never needed to get to it apparently. So I apologize, Senator Briese, for not doing my best effort to filibuster this bill to fruition on General File. That is my mistake. I would never wait until something is on Select to filibuster it because I think that that is rude and lazy. If you want to kill a bill, you should be willing to filibuster it for eight hours on General File. And if you want to kill it so passionately and you're not successful on General, you continue on that path every single time or you can be a not very nice word and let something move from General to Select because you're lazy and then kill it on Select. I did not do that with LB2. I was asked by numerous people to let this move forward to Select. I was up front with Senator Briese about it, what I was doing, why I was doing it and then when the bill came to Select, I was asked, it was late, just let it move. And I said that I would likely filibuster it on Final, but I wasn't going to filibuster it on Final until yesterday. And it just-- the short-term memory of conservatives in this body boggles the mind and the revisionist history is very entertaining, infuriating, but entertaining. I've been listening to a lot of murder-mystery Agatha Christie books on tape and I-- I feel like she could have really sunk her teeth into writing about this place. The twists and turns and the things we tell ourselves to rationalize our actions. So I never was in favor of LB2. I'm never going to be in favor of LB2. The amendment that would have gotten me to just sit down and be quiet has gone away with very little consideration. And now we are where we are, so-- let's see where we are. So this is a fairly short bill. It's only four pages. And for those at home, I'm not asking people to yield to questions, I'm not browbeating supporters of

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this bill to get in and justify themselves because I'm filibustering their bill.

WILLIAMS: One minute.

M. CAVANAUGH: I am simply filibustering their bill and not trying to publicly shame them into helping me filibuster their bill, though I do appreciate that tactic yesterday. So except for school district taxes levy to pay the principal and interest on bonds that are approved by a vote of the people on or after the operative date of this act, the acceptable range is 44 to 50 percent of actual value. So if we really care about the will of the people, then it seems like this should have been a ballot issue that we should put this-- if-- if the people of Nebraska actually want this, want us to value ag land less than residential and commercial--

WILLIAMS: That's time. Senator.

M. CAVANAUGH: Thank you.

WILLIAMS: But you're next in the queue, you may continue.

M. CAVANAUGH: Fantastic. Thank you. My light is still on. I was going to get back in the queue. OK, so if we-- thank you. If we wanted to make sure that the voices of the citizens of Nebraska were heard, then why are we not putting this to a vote of the people? Why are we not letting the people of Nebraska decide if it is OK for agricultural land to be taxed less than all other land when it comes to school bonds? Is it because that wouldn't pass resoundingly, that it wouldn't have the support of Nebraskans? I feel like Nebraska, if this is really where our values are, would say, heck yes, let's tax agricultural land less than everybody else's land for school bonds because it's the right thing to do. It is needed so badly. Why not let the voters decide that? My guess, my assumption is that we wouldn't let the voters decide that because the voters would not agree with LB2. So why would we put that to a vote of the people when we can just help ourselves if we're farmers? Because if you're a farmer in this district, you're going to benefit from this bill, but your constituents that live in town are going to hurt from this bill. I am sorry to the people of rural Nebraska that are not farmers. Your senators don't appear to care about you. They only care about farmers. They don't care about children with disabilities and they don't care about homeowners or business owners. They only care about farmers. LB2 is a bill for the farmers of this body and their friends who are farmers. It is not for their local grocer. It is not for their local bar owner. It is for the farmers. It's days like this that I really

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miss Senator Chambers because he would be using all sorts of colorful phrases like Bible. The Bible that you all talk about. Oh, and Heavens to Betsy, Heavens to Betsy, I will not talk about anyone's faith. You all can talk about how I emotionally feel about legislation, but if I talk about the contradictions of how you discuss faith and Christianity and how you conduct yourselves, that cannot stand. Oh, Heavens to Betsy, that cannot stand. So I'll talk about my faith. Last night, my wonderful, lovely mother was watching the debate in horror--

WILLIAMS: One minute.

M. CAVANAUGH: --on LB376. A woman of deep Catholic faith, she is the mother of eight children. She is the daughter of an airline pilot and a schoolteacher. My grandmother, Evelyn, went to college and she was born in 1919, I believe. Evelyn was an extraordinarily strong woman and just fiercely intelligent and did not suffer fools. And my mother texted me yesterday, and I've told her before that she probably shouldn't watch the debate because it can get upsetting, but she texted me yesterday during the cloture vote that she was saying Hail Marys. And what I love about that is that Hail Mary is my favorite prayer. My absolute favorite prayer.

WILLIAMS: Time, senator.

M. CAVANAUGH: Thank you.

WILLIAMS: But you are next in the queue, you may continue and this is your third opportunity.

M. CAVANAUGH: Thank you. Hail Mary, full of grace. Grace. Grace is something that I strive for. When I'm angry and frustrated and disappointed in this body, I reflect upon grace and I try to find that opportunity to disconnect from those negative feelings and have the grace be that touchstone again. So last night when Speaker Hilgers was justifiably frustrated that I was filibustering bills on Select and I was filibustering Senator Moser's bill, but I didn't want to kill Senator Moser's bill because it's good policy that Senators Flood and Senator-- and Walz have talked about the significance and the importance of that bill to their communities after the flooding. So after sitting with my frustration and disappointment for a little while, I reflected on the fact that my mom had said Hail Marys for the children with developmental disabilities and I brought myself back to that centered place of grace and I withdrew my motion and I sat down and I let everyone get on with their evening. Because some things are bigger than us and helping Senator Walz and Senator Flood's

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constituents was more important than teaching Senator Moser a lesson about being a good person, a lesson that I'm not sure he is willing to learn. So I shall continue on my path to extend grace whenever I can and to teach lessons whenever I can and to learn lessons whenever I can. And I see you, Senator Moser. I--I don't think that there's words left between us. You've said them all on the microphone about me over the last several weeks. If you want to talk to me, that's where you can do it. So I think I have, like, I don't know, a minute left on this.

WILLIAMS: 2:00.

M. CAVANAUGH: Two minutes, OK, and then my closing, great. So this goes till 4:38, which not going to lie, I am going to be really tired by 4:38, but I am committed. I'm committed to do this alone. I'm committed to advocate for all of the citizens of Nebraska and I am committed to hold the people accountable that do bad things for bad reasons in this body. And not a single person that didn't vote for cloture yesterday will be able to convince me otherwise. And you will not be able to convince the families that you hurt yesterday that you didn't do a bad thing for a bad reason. Whether it was because the Governor told you to--

WILLIAMS: One minute.

M. CAVANAUGH: --or you don't like me or you thought you were being frugal, you did a bad thing yesterday for bad reasons. And I am capable of grace, but I'm not feeling grace today for my colleagues. I feel grace today for the people of Nebraska and that's who I really need to keep at the center of my heart and the center of my core. So when I look at bills that I don't think are good for Nebraska, you're going to hear about it. And when I look at bills that I think are OK for Nebraska, but the introducer did a bad thing for a bad reason yesterday, you're going to hear about that too. You're just not going to have to take it to cloture.

WILLIAMS: Time, Senator.

M. CAVANAUGH: Thank you.

WILLIAMS: Thank you, Senator Machaela Cavanaugh. Senator John Cavanaugh, you're recognized.

J. CAVANAUGH: Thank you, Mr. President. So I again rise in opposition to LB2, but-- and against, I guess is it M083, motion-- bracket motion. I'm against the proposed amendment as well, but I just wanted

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to take a minute. So I got in the mail the first, I guess, Ernie Gram. I didn't have the privilege of serving in the Legislature with Senator Ernie Chambers and I know that it was a frequent thing that people received were these kind of typewritten letters with some other information. And so I got one that I assume everybody else got as well that I just thought had a couple of interesting things in it where he's talking about the dignity and reputation of the Legislature and how he would work to preserve that. And then there's a part about where he asked Governor Heineman to veto a bill that he had, I guess, championed in back in about 2012, which I think is a real commitment. I don't know the whole story, but that's dedication to your principles to ask the Governor to veto your own bill, but there's a part in here where he's talking about QAnon, which admittedly I'm not that familiar with. I don't watch cable news. I think that's where you learn most of that information. And he refers to-- let's see. Oh, so he's talking about LR107's futile jousting at fear mongering, conspiratorial windmills demonstrated the appropriateness of QAnon academies hallowing-- hallowing of Don Quixote as his patron saint. And I actually-- I kind of-- I mean, I appreciate any reference to Don Quixote. I'm kind of a fan of Don Quixote and the reference I like. I used to have a drawing in my office of Don Quixote tilting at a current wind turbine, which I thought was always, I guess, appropriate when I was a public defender to be tilting at the windmills of the injustice in our justice system. So I don't like Don Quixote, I guess, being compared to QAnon, which is, I think not considered a great thing these days, but I guess I understand the-- the comparison. But a lot of the stuff we do around here often feels quixotic, is the word, where we spend a lot of time going-- working against or for some cause and it doesn't go anywhere. And people think you are foolish for those pursuits. And so I think Don Quixote is-- is a figure of mockery often, but I always enjoy the idea, the nobility of a hopeless pursuit, I guess, which I think a lot of us should respect and appreciate when you dedicate yourself to something that's hopeless and continue to work toward it, regardless of the-- your understanding of the outcome. I think that is an important thing to do. When you set your sights and you say this is right, regardless of whether anyone agrees with me or regardless of whether the outcome is possible or in question, but to continue to dedicate yourself to that. And I know that people here on both sides have done that. As Senator Hunt stated yesterday or the day before now, game recognizes game and I think that's sort of the similar idea of recognizing people giving their all and working very hard towards the objectives that they believe in. And we're having some conversations about-- we've had conversations about what people find important and what people prioritize, but I think

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it's always important to understand that whether we disagree or not, that we should come at things with the understanding that--

WILLIAMS: One minute.

J. CAVANAUGH: --people are pursuing what they think is the best ideas and the best policies for Nebraska. And so my position, I made clear on LB2 that I don't like this idea. I fought it on General File and I don't intend to vote for it. But as I stated before, I think I lost that fight on General File. And here we are on Final Reading. So I think it's ready to move on to the next quixotic adventure. But with that, Mr. Speaker, or Mr. President, I will yield the remainder of the time to the Chair.

WILLIAMS: Thank you, Senator John Cavanaugh. Seeing no one in the queue wanting to speak, Senator Machaela Cavanaugh, you're recognized to close on your bracket motion.

M. CAVANAUGH: Thank you, Mr. President. OK, so one of our colleagues just came over to show me some of the statistics. The amendment that you all did not vote for really just benefited your constituents. Your farmer constituents did not benefit my constituents at all. So you just voted against giving them a tax cut, mostly because you didn't pay any attention to what was going on. You just knew that it was me here talking and that amendment on the board, and as a result, you did not give your constituents a tax cut. Let that sink in for a minute. So for the senators that are thinking that they should come talk to me off the mike about things, ask me not to do things on certain bills, that time has passed. The time for conversation is over, the time for compromise and working together is bygone. You should have talked to me before you filibustered LB376. You should have asked me if there was anything that I was willing to do to make that bill better, in your eyes, not mine, but you didn't. Instead, you followed the lead of Senator Slama who stood up here and said she was going to have a robust conversation about a bill that had been fully vetted in multiple ways. She offered no compromises whatsoever, stated nothing reasonable that could be changed. No identification, didn't offer a single amendment that would improve the bill and then some of you disparaged me on the microphone because you don't appreciate how I conduct myself in here. I don't appreciate how you all conduct yourselves either. So if you want to talk to me, talk to me on the mike, because I'm done talking to-- to you. If your name was not a green vote yesterday, with the exception of Senator Wayne and Senator Pahls who couldn't be here yesterday, if your name was not a green vote on LB376 for cloture, consider our relationship over. Delete me from your contacts. Take me off your Christmas card list. Bye,

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Felicia. You clearly don't believe in collaboration and working together and any time you've ever said those things, you were being completely disingenuous because you filibustered a committee priority, a committee amendment. You didn't even tell the Committee Chair or the legal counsel or staff or myself or the Speaker, you just did it. I say these things not for the Legislature, but for the people at home so that they have a better understanding of why Senator Machaela Cavanaugh is taking so much time on the 80th day of session when she looks really tired and is probably ready to go home like everyone else. And I am-- I am so ready to go home-- so, so ready to go home and just enjoy a summer break with my kids. So this--

WILLIAMS: One minute.

M. CAVANAUGH: Thank you. And this is a bracket motion so-- oh, I need-- I almost lost my head, I almost had us go to a vote on this. Oh, my goodness. I just realized if we go to a vote on this, then I can't put up another bracket motion. So I am going to pull this bracket motion and I just submitted a new one. Thank you, Mr. President.

WILLIAMS: Motion is withdrawn. Mr. Clerk, for items.

CLERK: Thank you, Mr. President. Enrollment and Review reports LB100, LB285 and LB432A as correctly engrossed. Confirmation Reports from General Affairs Committee, two separate reports. LR238, a resolution by Senator John Cavanaugh, that'll be laid over, and a communication from the Executive Board (LR25, LR29), Mr. President. Mr. President, returning to LB2, Senator Cavanaugh would move to bracket the bill until May 21.

WILLIAMS: Senator Cavanaugh, you're recognized to open on your bracket motion.

M. CAVANAUGH: Oh, terrific. Hi, everyone. Good afternoon. We've got two hours and seven minutes left of this. And guess what I just found in my drawer? Ernie Grams. If you can't have Senator Chambers here, what's the next best thing? Ernie Grams. This one is from January 27, 2020. Thus sayeth Ernie, the rhymester. Wisdom's a treasure. They who've mined it know what wisdom is, where you find it. One need not take exotic trips. Wisdom is even in comic strips. A profound truth the wise have learned, the simplest things should not be spurned. And the comic strip is Garfield. And it's John-- for those who don't know Garfield, it's John from Garfield. Oh, I'm sorry. This needs to be a shout out to my brother Matthew, who reads the Sunday comics very thoroughly every week. And since I've been called Matt Cavanaugh a lot

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this year, Matthew, this is for you. Garfield. OK, John, he's going, Brr, I'm cold. Come on, John. That's Garfield. Man up. And Garfield, he's off to the-- not in the picture and then he's in the picture and he's completely like in-- like a biggere, fluffy coat and stocking cap, all nice and cozy. Oh, and he has socks on. That's very funny, Senator Chambers. OK, Brr, days of old were frigidly cold, far colder than at present. On the fly chilled birds did die and died they must a pheasant-- and died they many a pheasant. Hogs were sloped and wood was chopped to give folks food and heat. None dare sneeze, the spray would freeze and fall and crush cold feet. Roared the fires like crackling quires to warm iced hands and toes. Twas so cold the snap that rolled from flaming firewood froze. OK, and I realized I need to get in the queue, one moment. OK. So this is January 29, and I do have Senator-- Senator Chambers did send to me, but that one is special and it's in my office. He sent me earlier in session this year, my own Ernie Gram and a little sticky note on it. And it said, don't give up. It meant so much to me because he once stopped me in the hallway and said that I had too big of a heart for this place. And he's right, I do have too big of a heart for this place. I'm a little envious of the cold-hearted people in here that can destroy families for politics and go about their day as though it was nothing at all. I'm a bit envious of the callousness of others because I wish that I had a little bit of that callousness. I feel bad when I vote against people's bills that I really don't like. I mean, I'm not going to feel bad today voting against this bill. I've been alleviated of that burden. January 29, 2020. Colleagues, this gram comprises newspaper coverage of two events. One, rejection by majority of the Omaha City Council under the leadership of then President J im Vogel, now the Platte Institute, of the request by a duly constituted, recognized neighborhood association to name a quarter block square park a block from my residence, Chambers Ross Park. Despite the fact that Omaha Parks and Recreation Advisory Board and the mayor supported the request and, two, the naming by the Omaha Housing Authority of a multimillion dollar property listed on the National Registry of Historic Places in 1986 and deemed to hold immense historic value for the city, Ernie Chambers' court in 2005. The vocal-led action was condemned as a racist slap in the face of the black community and a glaring example of the paternalistic notion that the white city council knew what was best for the black community. A grotesque mockery was made of the slogan, The land of the free with liberty and justice for all. The pages were numbered consecutively. I am asking-- I am making the material available with the knowledge that some of you will not read it after all. Oh, OK, I'm in the queue, sorry. You can lead a horse to water, but you can't make it drink. You can lead a fool to school, but you can't make him think. That feels very appropriate right now. I'm

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not going to read the articles, but one is from the Omaha Star on Thursday, October 7, 2004. I imagine knowing Senator Chambers as I do and being familiar with the Omaha Star, that he had the actual paper copy in 2020 that he used to make this clipping from the 2004 Omaha Star because-- for two reasons. One, in 2004, the Omaha Star definitely did not have a digital copy. And I doubt Senator Chambers would ever know how to get a digital copy. Contrary to public opinion, Senator Chambers did have things printed off from a computer, the old computing device, but he did not do it himself. I always joked with him about that, his inability to use technology, and that I thought that my vision of him when he went home on the weekends was that he would be sitting in like a completely tripped out, like home studio with big speakers and like all the technology one could ever possibly dream of having. That's what I thought. I like to think of Senator Chambers' like weekend at home was like. Here, he was like newspaper clippings, glue stick and at home, he was like all technology all the time. He informed me I was incorrect on that. OK. January 30, 2020. Thus sayeth the Lord. But on the other hand, by Ernie Chambers, December 6, 1993. Jesus said, Pray secretly and not out in the street. Christians say, to hell with that, public-- public prayer is my meat. Jesus said, God knows I need before you even ask. Christians say that can't be true, for empty is my basket. Jesus said thy enemy love for God is pleased by this. Christians say that makes no sense, who would a cobra kiss? Jesus said, who takes thy coat shall also have thy cloak. Christians say, get out of here for certainly you joke. Jesus said if one compels one mile, go with him twain. Christians say If I did that, I'd have to be insane. Jesus said, sell what ye have and help the wretched poor. Christians say that's cutting close, you'll soon be out the door. Jesus said, thy cheek was struck, then offer up the other. Christians say, I'd take my gun and blow away the mother. Jesus said to all who crave salvation, it is free. Christians, say, a gold mine is in gospel on TV. Jesus said respect thy wife, you two should be as one. Christian say, it's obvious--

WILLIAMS: One minute.

M. CAVANAUGH: --of marriage, you've had none. Jesus said, take up the cross and humbly follow me. Christians say, you surely jest and laugh, uproarious-- uproariously. That's a tough word to say. Jesus said, from all thy words, it seems in vain I died. Christian say, all trouble-- troublemakers should be crucified. Jesus hung his head in sadness, turned away, and then Christians say, if you come back, we'll nail you up again. I was just pulling these off as they are just stacked on my-- my desk here, so I hadn't read that one previously before I started reading it, but it's--

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WILLIAMS: That's time, Senator, but you're next in the queue, you may continue.

M. CAVANAUGH: Thank you. Is this my last time?

WILLIAMS: You have one more and then your close.

M. CAVANAUGH: OK, thank you. So I hadn't read this previously before reading it here. I wasn't-- I didn't know exactly what it was going to say, but, I think it holds some very important lessons. And also it's-- is a very apt commentary on the Nebraska Legislature. And it's from-- at the top, I missed this part-- St. Luke 6:46 and why call ye me, Lord, Lord, and do not the things which I say. That is an excellent question for people of faith, one in which I will be personally reflecting on, not on the microphone. Slipped in here is a-- Justin Wayne, Senator Wayne. This is from last year when you were trying to get a bill rereferenced to Urban Affairs Committee and you passed this out and it is Urban Affairs Committee highlighted in yellow, circled in red, arrows pointing to it. And then when you go down to the subject areas that fall under the Urban Affairs Committee, community antenna television service highlighted in yellow, circled in, red arrows pointing to it. I can't remember what bill this was, but I think it was like literally like community antenna television service and it went to Telecommunications and not Urban Affairs. Yeah. And you tried to have it rereferenced and it was unsuccessful. Yeah. Well, that was in the middle of my Ernie Grams. Apparently, I wanted to really hold on to that document. It must have been somewhere in between January 30 and February 6 because that's my next Ernie Gram. Oh, another Bible or Bibble, as Ernie would say. I want to do justice to the the drafter of this, the Bibble. 2 Corinthians, Chapter 13. This is the third time I am coming to you. In the mouth of two or three witnesses shall every word be established. And then there's an article, it says polls, county-- country remains divided. That is from the Lincoln Journal Star, State of the Union, February 4, 2020. Well, yeah, yeah. The country was definitely divided. OK, Romans, Chapter 1:13. Now, I would not have you ignorant brethren. Revelations 21:8, but the fearful and unbelieving and the abominable-- abominable and murderers and the whoremongers and sorcerers and the idolaters and all liars shall have their part in the lake, which burneth with fire and brimstone, which is the second death. And then he devised a liar. One who tells a lie, and lie, a false statement deliberately presented at--

WILLIAMS: One minute.

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M. CAVANAUGH: --being true falsehood. A lie, a false statement deliberately presented as being true. Feel like we had a lot of that on LB376. We have a lot of that on a lot of bills. Yeah, I mean, this is a bracket motion and I wouldn't even begin to pretend to say that this is a friendly motion to save this bill. Hey, gang, let's bracket this bill until two days from now. I mean that really genuinely, I think we can work this out. I just want to help this bill. Do those words sound familiar, colleagues? Pretty sure they were just said yesterday morning to Senator Vargas. Oh, my. I just looked around and I see three people.

WILLIAMS: Time, Senator--

M. CAVANAUGH: Thank you.

WILLIAMS: --but you are next in the queue and this is your third opportunity.

M. CAVANAUGH: Thank you. OK, as I turn around, I see three people. I should say three people on my side. There are people off to the side, but-- I love this so much because we're on Final Reading and the velvet rope is still up in back and you're only supposed to leave to go to the bathroom, but nobody is on the floor. I would-- Senator Wayne, I would do a call of the house so everybody had to sit and listen to me, take a page out of your book, but you can't because we're on Final Reading. So there's no call of the house. I love how rules only apply strictly to the letter to me in this body. It is game off with everyone else, but it-- and there's so much criticism too about me using the rules. I use the rules. I follow the rules and I use the rules. And when I have a misstep on the rules and the Clerk or the deputy clerks let me know that I'm not following the rules, I adjust. When I put an amendment on a bill earlier this session and it was not germane and Senator Linehan challenged its germaneness and I went up there and they said, this is not germane, like it was not germane at all. And I could have-- I could have taken more time and followed the rules for challenging the germaneness, but because it was so like completely not germane, I didn't do that because that would have been ridiculous. I thought she would let-- let me debate it and then we go to a vote and you all would kill it, as we do on a lot of things, but then when she challenged the germaneness, I was like, well, yeah, she's right, it's not germane. So I guess I should just pull it. So I follow the rules and am disparaged for it. You all just go, I don't even know, the lounge, your offices. I mean, I hope from this morning you learned that like we go to a vote at any time, so if you're checked out, then you would be not voting on Final Reading. And if you're checked in and you're not somewhere here or the restroom,

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then you're not following the rules. But thankfully, I'm here, so we know that the only person that is not allowed to not follow the rules is following the rules and you all can do whatever you want. I've got what, two minutes, three minutes?

WILLIAMS: 2:05.

M. CAVANAUGH: 2: 05. OK. Sojourn to Norfolk, 1992. Let's take a-- so I just took a sip of coffee. Senator Chambers would do this for like 12 hours without taking a bathroom break or drinking water or eating anything and he was in his 80s. I swear, he's not human. Like, I never understood how he did that. It-- it was amazing. OK, Sojourn to Norfolk. This-- he must have written it in 1992, but it was an Ernie Gram on February 5, 2020. Colleagues, this material documents the incident mentioned in yesterday's gram. Speaker Scheer recoils my visit. Madison--

WILLIAMS: One minute.

M. CAVANAUGH: Thank you. --Madison Police Chief John Moats, a former Omaha cop who was fired for a series of bad acts, was fired by Madison officials based on my letter, copy attached, to Madison Mayor John Bomar documenting his misdeeds while on the Omaha police force and his leaving the Fairfield, Nebraska department under allegations of having molested the teenage daughter of an elected official who confronted him. He blamed my letter for his Madison test-- termination. Madison is about 20 miles south of Norfolk. You can judge whether or not he may be, as some people speculated to me, a viable suspect. And then there's some articles attached. OK, I'm going to skip the rest of this one because I think my time--

WILLIAMS: Time, Senator.

M. CAVANAUGH: --is almost up. There we go.

WILLIAMS: Thank you, Senator Machaela Cavanaugh. Senator Blood, you're recognized.

BLOOD: Thank you, Mr. President. Fellow Senators, friends all, I thought I'd give Senator Machaela Cavanaugh a break because she was starting to lose her voice. I possibly stand in support of the bracket and I am not sure that I stand in support of the underlying bill. I actually went through my notes since I couldn't get answers when I spoke earlier. The reason that Lincoln came out about the-- the bill was because the policy of treating different political subdivisions differently was something that they felt they couldn't support and

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they felt it was not consistent and that it was not fair. With that, I-- I don't know if Senator Murman is back on the floor, if he went back to get an ice cream or-- is Senator Murman around here because I'd like him to yield to a question if he is. Murman, he was just here.

WILLIAMS: Senator Murman. I don't see Senator Murman on the floor, Senator Blood.

BLOOD: OK. Senator Cavanaugh, would you yield to a question? Have you had a chance to have a drink? Senator Machaela Cavanaugh.

M. CAVANAUGH: Senator Machaela Cavanaugh, would you yield?

M. CAVANAUGH: Yes, I did. Thank you.

BLOOD: Have you had a chance to look at LR230?

M. CAVANAUGH: I have not.

BLOOD: So LR230-- and it's funny because I was just doing some research while we were kind of hanging around listening to your words of wisdom and it's a legislative resolution to limit-- limit property taxes to residential properties only.

M. CAVANAUGH: Oh.

BLOOD: So that's kind of like the next natural progression--

M. CAVANAUGH: Right.

BLOOD: --to the bill today, right?

M. CAVANAUGH: Yeah. And I'm sorry, I put in 230 and I got LB230 which--

BLOOD: LR.

M. CAVANAUGH: --which is Senator Hunt's bill for ending discrimination, fair housing.

BLOOD: Oh, yeah, that's definitely not what we're talking about. So-- so senator, because I wanna make sure that we follow the rules here, because you're yielding to my questions, so I look at this and I look at LB2 and I look at some of the things that's been going on and I keep hearing that we should protect rural Nebraska. And I 110 percent agree with that because ag is so important to our economy. But with

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that said, how do you feel about the inequities of all this finger pointing at urban areas? Like, I look at residential properties, we don't generate income when we live in our houses. We're not growing anything. I mean, I would love to have a few goats in my backyard, but, you know, me having cattle or-- that's not going to happen. I mean, it could but city ordinances would make sure that I got fined.

M. CAVANAUGH: Right.

BLOOD: So, so what's your opinion, since we're just killing time anyway, about-- about people who live in urban areas being totally responsible for all property taxes in Nebraska?

M. CAVANAUGH: Well, as I have said numerous times in the Legislature, I do not believe that property taxes writ large are indicative of ability to pay. I think that they are a terrible way to fund government.

BLOOD: Um-hum. I agree.

M. CAVANAUGH: So whether it's agricultural or business or residential, it is not indicative of ability to pay. So I don't agree with property taxes, but I also do not think that this legislative body is doing a lick of anything to address that issue.

BLOOD: Just a lot of finger pointing and-- and and Band-Aids, literally kind of kicking it--

M. CAVANAUGH: Just creating ridiculous funds that nobody can access.

BLOOD: So, you know, it almost sounds like-- and this is something that for some reason it's never been passed in this Legislature, if we did something like the circuit breaker type of laws where it is based on your ability to pay, for some reason we've always had push back in Nebraska on that.

M. CAVANAUGH: I'm not familiar with circuit breaker. Could you tell me more?

BLOOD: Yeah.

M. CAVANAUGH: I guess I'm not supposed to ask you questions.

WILLIAMS: One minute.

BLOOD: No, that's fine. Again, we're just killing time. So circuit breakers are-- and we actually do that with homestead exemptions. When

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you make a certain income, then you get a homestead exemption. So the way property taxes will work with circuit breakers is that it's based on your ability to pay, which really kind of makes sense, right? Instead of this blanket approach, we actually balance it out for the people who are in the most need of having a break. And it works-- I think in-- Texas did it. There's a long list of states that have done it. It's been very successful. There's different types of ways we can do it. In fact, I could talk on it later, if you'd like, if we're going to have more time to kill, but I've always been a big fan of circuit breakers. Senator Bolz actually had a bill on that which never got passed in the Legislature.

M. CAVANAUGH: That's too bad.

BLOOD: It is too bad because it was really a fair approach to property taxes. But, you know, something that's fair and has longevity is not always necessarily a great bill apparently.

M. CAVANAUGH: No, that sounds like terrible public policy.

WILLIAMS: Time, Senator.

BLOOD: Thank you.

WILLIAMS: Thanks, Senator Blood and Senator Machaela Cavanaugh. Seeing no one in the queue, Senator Machaela Cavanaugh, you're recognized to close on your bracket motion.

M. CAVANAUGH: Thank you, Mr. President. I-- oh. I would like a point of order.

WILLIAMS: For what reason do you rise?

M. CAVANAUGH: Well, we are on Final Reading and nobody's in here. Is that not a point of order?

WILLIAMS: As a point of order, Machaela Cavanaugh--

M. CAVANAUGH: Yes.

WILLIAMS: --the members are allowed on Final Reading, when debate is going on, to move from the Chamber to other areas.

M. CAVANAUGH: OK.

WILLIAMS: You could, if you would like to, ask for a check-in time.

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M. CAVANAUGH: Oh, you know what? I will close on this bracket motion and I will continue on, but thank you for illuminating that for me. OK. So, we are on bracketing this until May 21, 2021, and I will be pulling this at the end of my closing because I have another bracket motion that I've just put in. And let's see here, I have some things I want to keep talking about on farm subsidies. So we'll be doing that on the next round. And I'm looking forward to learning more about circuit-- I want to just say circuit breaker. Yeah, oh, circuit breaker, OK. And now I'm really interested in looking up former Senator Kate Bolz's bill. This is an interesting resolution that was brought to my attention during this debate, LR230, to support free-- the application of property tax levies, to support free instruction in the common schools to residential real property and not agricultural land, horticultural land or commercial property. Wow. Yikes. Well, good thing this is just a study. Well, hey, homeowners, if you thought you couldn't afford to pay your property taxes in Nebraska, just wait, have we got a surprise for you. Whew. It's fascinating. I've been getting a lot of-- a lot of emails and messages on social media. I just saw an email telling me I'm unpleasant. Thank you for taking the time to share that with me that you thought I was an unpleasant-- that I am unpleasant. I take comfort in the fact that my mom still loves me even though I'm unpleasant. So, so I've been getting all these emails of people who have been expressing their disappointment on LB376 and then I've also been getting emails and messages from people saying the reason that people don't want to be in Nebraska is not because of our property taxes, it's because basically everything that this Legislature stands for this session, tearing down people, not providing services that we are responsible for, disproportionately benefiting the wealthy--

WILLIAMS: One minute.

M. CAVANAUGH: --refusing to take any steps, as insignificant as they might actually be, to protect minorities, people of color, people who are disabled, people who are LGBTQ. We just are not friendly. We are not a nice state. We are not a pro-life state. Our priorities are completely messed up and somehow people in this body reconcile these votes in their heads. It is beyond unfathomable to me. I withdraw my motion.

WILLIAMS: Motion is withdrawn. Mr. Clerk, for items.

CLERK: I don't have any items at this time, Mr. President.

WILLIAMS: Mr. Clerk, for a motion.

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CLERK: Senator Cavanaugh would move to bracket LB2 until June 5 of 2021.

WILLIAMS: Senator Machaela Cavanaugh, you're recognized to open on your bracket motion.

M. CAVANAUGH: Thank you, Mr. President. And colleagues, I have yet again gone through an entire motion pad so if anybody would be so kind as to give me some sheets for motions, I would appreciate it. I took-- I took a whole bunch this morning and I thought this is going to get me through the rest of the session. Silly me. Thank you. Thank you. You know, it is what it is. OK. So-- oh, well, this is a doozy. November 17, 20-- November 27, 2018. Oh, and for those who aren't aware, so Senator Chambers did these Ernie Grams every single day, not only when we weren't-- when we were in session, but when we weren't in session. He still would do them. He still drove down here every day. So this is when-- November, so we would not have been in session. It is titled Ernie Chambers' Epic Takedown of Bill Kintner, 2015. Malicious musings re: the 2019 session. I am not a rah-rah zealot, nor do flags I wave. I am not the sort of man to clap and cheer and rave. When a man or woman does no more than he/she should, but I am not the least reluctant to acknowledge good, which is solely done for others, not for self-acclaim. Oh, the premise, all our brothers fie on fickle fame. Possibly a day will dawn when real shall vanquish fake, when the only good that's done is done for goodness sake. Will those living here and now such grand a day see, only if the us in them dissolves among we. Then magnificent miracle all humankind may mesh, and a single family form one heart, one blood, one flesh. None would feel embarrassed, but rather would feel free, to proclaim to all the world that this was meant to be. Those of idealistic bent such propositions can, unselfconsciously embrace, but I am not such a man. My reality is not theirs and theirs is not mine, hence it should be no surprise we walk a different line. Even truths unpleasant need not make folks hesitant, to put pettiness aside and then cooperate. If you are intelligent, then logically they should, recognize cooperations for the greater good. If some senators elect to stay within their tribe, obdurate pigheadedness are terms that best describe, such a nonproductive course and straight way, they will find, I, if no one else, am ready to respond in kind. Let each therefore cogitate deliberately, then choose carefully while calculating who has the most to lose. More than 40 years I've dealt with treachery, hate and strife, in this Legislature, which is not my life nor wife. I have only two years left and willingly will spend them, beating back unwise proposals fighting till I end them. If this seems presumptuous, the skeptical may seek, whether it be so or not so, let the record speak.

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Such are my positions which are frankly set forth by me. All who think that I am bluffing can get in line and try me. Octogenarian though I be do not deem it strange on legis-- on the legislative floor, I'm even ones-- I'm each one's even change. Newbies soon will realize that I'm not easily bested. Years of ceaseless turbulence left me hard and battle tested. Previous newbies came here thinking they'd put me in fear. All of them are long gone, but you see that I'm still here. Still a reasonable man am I on wisdom I have a lease, but I'm serving notice we can make war or make peace. Legislative toil can be quite strenuous and demanding, but no boast despite my years, I'll be the last one standing. In conclusion, all do know that what will be, will be. We shall run the course and at the end we-- we'll see what we shall see. That's a lovely poem. Actually going to set that one aside. I would like to request a check-in.

WILLIAMS: Members, we are on Final Reading. There's been a request to check-in. Would all members please report to the floor and check-in? Senator Cavanaugh, you're still on your opening time, you have four minutes and nine seconds.

M. CAVANAUGH: Oh, I was just going to watch the check-- the checking in, enjoy-- enjoy that. I am going to make a comment about the checking in that I find very hilarious is when we're checking-- it's not a call of the house. It's like actually checking in. If you check-in no, you are-- you're here. You're like physically here, but you're saying that you're not here and you have to check that button. And it has been hilarious all day when the senators keep checking in no because you-- Senator Gragert. Thank you, Senator Gragert. You're here right in front of me. I just-- it's something I've noticed. I know that it's sort of a funny thing, like when we do a call of the house, some people will hit red because they don't want to do a call of the house. But when you're-- then when the call of the house to decided that we're doing it, then everybody is green. But today, when we've been doing check-ins on Final Readings, people keep hitting red and I'm like, but you're sitting in your seat, Senator Gragert, right in front of me and you've checked in red, so-- you know, just some more of my fun little musings on the check-in process. You're not here? I can hear you through the plexiglass. I think that's a fair statement for most of us. So, OK, I am trying to find this website that talks about subsidies for farmers. Know-- know your environment EWG. I think I put in the wrong-- oh, I need to-- I need to check-in, sorry. I'm not here. So I don't think this is the right website. Shoot. Well, I-- my apologies, I was going to talk about farm subsidies. OK, well, I think I will yield the remainder of my time on this go around to the President. Thank you.

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WILLIAMS: Thank you, Senator Machaela Cavanaugh. You are next in the queue, you may continue.

M. CAVANAUGH: Oh, Senator Blood, would you yield to a question?

WILLIAMS: Senator Blood, would you yield?

BLOOD: I most definitely would, especially if it's about circuit breakers.

M. CAVANAUGH: Oh, Senator Blood, could you please tell me about circuit breakers?

BLOOD: I would love to. I'm as passionate about circuit breakers as I am about unfunded mandates, and I can't wait to bring this bill forward next year. So I'll start with a little education. I hope you'll keep yielding me some time since I know you have some time to fill. And I hope that Senator Dorn, who loves to listen to stuff like this, is here. Yep, great. Because he always tells me how much he learns on this floor because he actually sits and he listens. So when you are a homeowner who loses your job-- I'm going to start with this to put it in perspective-- you're going to find that your income taxes go down because, right, you lost your job and you're earning less, but your property taxes remain the same, even though your ability to pay those property taxes have decreased. So that's why residential taxes are considered to be regressive, right? We all know that. That's-- that's property tax 101. Senator Briese can tell you that. So there's a lot of organizations that have assessed the fairness of-- of property taxes and what they can do to prevent inequitable distribution when it comes to property taxes, for instance, to farmers or lower and middle-income families. So homestead homestead exemptions, which Nebraska does, so that's a circuit breaker. And by the way, the reason it's called circuit breaker, you know what a circuit breaker does, right? It-- it stops the flow of electricity, right? So this stops something when something else happens. So you lose your job, circuit breaker kicks in, right? You have your income lowered, it kicks in. So that's what homestead homestead exemptions do. So your income goes down, right, and a circuit breaker happens and you get a homestead exemption on your home, on your property tax. Senator Walz is actually listening to me so I'm pointing at her while I'm talking, by the way. So let's talk about the different ways that we can do circuit breaker programs. And I-- I think I said Texas, by the way. Texas was looking at it and they hadn't passed it yet. But there are 18 states and the District of Columbia that have adopted some form of tax relief that pertains to a circuit breaker tax relief, which it's been very effective, by the way. Plus, another 13 states

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offer other forms of property tax relief based on income, age or disability. So really, this is something that states are moving towards to try and find a more equitable way to provide property tax relief. So how do we do that? So we can do that by taking advantage of the different circuit-- the different circuit breakers. So they're designed to reduce the tax burden, usually of low-income and middle-income families, but you could also do it for farmers. So it's a lot less expensive for the state than across-the-board tax cuts, which is what we keep trying to do, which is across-the-board tax cuts, which I've never really understood when we have this option, right? And then you introduce an ability-to-pay criteria because it responds to the income level. So if you look at a farmer, for instance, and it's been a bad year, there's been fires, there's been floods, the markets have been bad, then that's going to allow them to reduce their property taxes based on how well they're doing and then it puts it at a manageable level. But it not only benefits the farmers, it benefits urban Nebraska as well. So it's something that's equitable, which is what I don't ever see come across my desk in this Chamber. It's balanced in one way or the other. And by the way, I'm not just picking on farmers. I'm picking on urban Nebraska too. I--

WILLIAMS: One minute.

BLOOD: They're all taxpayers. What we do should be equitable for all, right? But again, I've said this from the very beginning, from the moment I walked in here, I expect things to make sense in this body and it doesn't always make sense to me. And maybe that's something we need to work on. So I'm hoping that I get yielded more time so I could talk a little bit more about circuit breakers because I think that that's something that we really need to look at. I know I had talked at one time with-- to Senator Briese about it a couple of years ago, but nobody ever followed through on it with me. So I may just have to go out randomly by myself and be an island and push it through next year. We'll have to wait and see what happens. But I'm hoping someone yields me some more time. Whether we like it or not, Senator Briese, we're going to go to four--something so we might as well have this be an educational opportunity to learn more about how we can find equitable ways to reduce property taxes here in Nebraska in a way that's going to have longevity--

WILLIAMS: Time, Senator.

BLOOD: --and not a temporary effect. Thank you.

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WILLIAMS: Thank you, Senator Blood and Senator Machaela Cavanaugh and all unexcused members did check in. The board has been cleared. Senator Blood, you are recognized.

BLOOD: Oh, I forgot, I pushed my button. So let's talk a little bit about homestead exemptions because I think there's still a little bit of a confusion about exactly what they do. So a homestead exemption is really a pristine example of a broad, across-the-board tax cut for taxpayers at all income levels. So it usually exempts a flat dollar amount or flat percentage of home value from the tax. So a lot of our senior citizens here and our people with disabilities in Nebraska are fortunate enough to have somebody have the foresight to understand that they needed homestead exemptions, right? And why did we do that? We did that because property taxes were too high and their ability to pay those property taxes went down as their income went down and their age increased-- I was trying to be polite, as they got older. So there's two broad-based options. When you attempt to enact a property tax relief for low and middle-income families, there's the property tax circuit breakers and homestead exemptions. So when I talk about property tax circuit breakers, I really want people to understand that we have all kinds of ways we can do it. There are states that do it across the board, where its income-based for homeowners age 65 and older and those receiving Social Security income. In Colorado, it's income-based program for homeowners age 65 and older, surviving spouses age 58 and older and people with disabilities. In Connecticut it's income-based program for homeowners age 65 and older, surviving spouses age 58 and older and people with disabilities. District of Columbia circuit breaker relief with no age requirements at all, offers a separate program for people who are older or with disabilities. Hawaii, it's income-based program with no age requirements. In Iowa, it's income-based program for homeowners age 65 and older and those with disabilities. Idaho, it's income-based program for homeowners age 65 and older, surviving spouses, people with disabilities, former prisoners of war, veterans with disabilities-- hey, Senator Brewer, there's our next veterans bill-- and orphan minors. No circuit breaker tax relief otherwise. Kansas is income-based program for homeowners aged 55 and older, those with disabilities and guardians of dependent children under age 18. Massachusetts, circuit breaker tax relief for homeowners age 65 and older. Maine, circuit breaker tax relief with no age requirements, offers a separate program for people who are older. Maryland, circuit breaker tax relief with no age requirements. Michigan, circuit breaker tax relief with no age requirements, offers a separate program for those who are older. Minnesota, circuit breaker tax relief with no age requirements. Montana is the same. Missouri, circuit breaker tax

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relief for homeowners age 65 and older and people with disabilities. New Hampshire, an income-based program for all ages, no circuit breaker tax relief. New Mexico, circuit breaker tax relief for homeowners age 65 and older. New York, an income-based program for all ages, no circuit breaker tax relief otherwise. North Dakota, circuit breaker tax relief for renters aged 65 and older and people with disabilities. I want to visit that one because Senator Cavanaugh, did you know that when property taxes go up, often the amount of rent that you pay also goes up? Yeah. Sorry, I didn't ask you to yield, but I saw you shake your head yes. So that's another issue. When you live in an apartment, you get a type of secondary property tax because the-- how much you pay to live on that property often goes up when those--

WILLIAMS: One minute.

BLOOD: --property taxes are raised. So I really like the fact and that was what I wanted to be part of my bill, is that it also gives a kickback to those who live in apartments, which makes sense if indeed they can prove that their rent was raised because of property taxes, by the way. So it goes on Pennsylvania, Rhode Island, South Dakota, Utah, Vermont, Wisconsin, West Virginia, Wyoming. Wyoming has no age restrictions. Do I think there's a solution to property taxes in Nebraska? I do and I don't think it should be a rural-urban, us-versus-them issue. We need to create something that is fair and equitable across the state of Nebraska. And we keep acting like it's a hard thing to do, but there's a lot of easy answers that if we actually sat down and had a conversation as a group, but not by party or by rural versus urban, I think we could resolve this in a lot quicker fashion than it's been done in past.

WILLIAMS: Time, Senator.

BLOOD: Thank you, Mr. President.

WILLIAMS: Thank you, Senator Blood. Senator John Cavanaugh, you're recognized.

J. CAVANAUGH: Thank you, Mr. President. Well, I would yield my time to Senator Blood if she wants it.

WILLIAMS: Senator Blood, you're yielded 4:55.

BLOOD: Thank you, Senator John Cavanaugh. I love to talk about circuit breakers. It makes me almost as giddy as talking about policy-- almost. So when we talk about circuit breakers, what we're truly talking about is what's equitable. So if you are a farmer and you are

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going through tough times, which many of the farmers apparently are, which is why they asked for property tax relief and well they should, then you are a farmer that deserves a break. If you're a person who's lost their job because of the pandemic, you deserve a break. So I want to approach a little more background and make sure that I'm not being redundant. So one of the questions that I always get asked when I talk about circuit breakers in public is should the credit be available to elderly or nonelderly taxpayers or both? So half of the states, as you just heard and I tried to talk through it really quickly, target property tax cuts to the elderly and/or disabled, usually based on the perception that these taxpayers have, again, the less ability to pay taxes due to fixed incomes. Yet nonelderly and nondisabled taxpayers are susceptible to the same property tax overload as elderly and disabled taxpayers. So as a result, half of state property tax credits are now extended to at least a portion of the state's under 65 population. OK. So I talked a little bit about the renters because I really liked that. So other question I always get is should the credit be limited to homeowners or extended to renters as well? I personally think, yes, renters. So it's generally accepted-- generally accepted that owners of rental real estate pass through some of their property tax liability to the renters in the form of higher rents. Because of this, nearly three-quarters of state property tax credits are extended to at least a portion of renters and two states provide the credit exclusively to renters. Just imagine how many happy Nebraskans that live in apartments, especially our young people who aren't buying homes and we hear a lot that they can't afford to buy homes, but I can also tell you that a lot of them just don't want to mow the lawn and take care of their house. They like having a pool and they like being able to not have any responsibility but coming home and going to bed at night. And I-- I'm not saying that all people in that age bracket are that way. I'm saying there's a demographic of people in that age bracket that feel that way. And then, so the other thing that people ask me is what do they think the maximum income level should be to be eligible? So the data I have is from 2018. Income limits on state circuit breakers range from \$5,500 in Arizona to a \$147,000 in Vermont-- boy, Vermont-- because higher income eligibility means a costlier credit and a lot of states extend-- extend eligibility only to the very poorest homeowners, which of course that's a choice too, but Nebraska, we have to find a way to address the farmers. So despite the fact that fast-growing property taxes can be burdensome for middle-income taxpayers too, states can limit eligibility based on assets or the assessed value of the home. So there's so many ways that we could do this and make it work to the benefit of our farmers. So some people feel there's a cap and that's been a big thing anyway this

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year, let's put a cap on this and a cap on that. You know, you can cap this--

WILLIAMS: One minute.

BLOOD: --if it makes you happy because every state limits the dollar amount that can be claimed. So it can range from \$50 per exemption or you go to Hawaii and it's \$8,000 in-- excuse me, \$50 in Hawaii, but it's \$8,000 in Vermont. So we've got a menu of things that we can select from, a little bit of everything to make everybody happy, urban and rural, but yet we keep ignoring this option and I don't know why. Senator Bolz's bill was a pretty darn good bill and I never understood why she got pushback on that. And I never asked her either so I don't know the answer. But I'm sure there's people here that were here that day that can-- can help us out and let us know why it never got to-- I don't think it got to the floor to debate. I just remember reading the bill. But I'd love more time to talk on circuit breakers if we want to do some more listening and educational opportunities here on the floor today. I'm guessing my time is up.

WILLIAMS: Time, Senator.

BLOOD: Thank you.

WILLIAMS: Thank you, Senator Blood and Senator John Cavanaugh. Senator Machaela Cavanaugh, you're recognized and this is your third opportunity.

M. CAVANAUGH: Thank you, Mr. President. Thank you, Senator Blood, for the-- that information on circuit breakers. Do you-- would you like me-- I will yield the remainder of my time to Senator Blood and wait for my closing.

WILLIAMS: Senator Blood, you're yielded 4:45.

BLOOD: Well, thank you, Senator Cavanaugh. I'm just so enthusiastic that I get to talk on something that I'm really passionate about today. So one of the questions that I got-- get asked is should the maximum income level or the maximum credit be indexed for inflation. So if you fail to tie the value of the credit to inflationary growth, it will reduce the real value of the credit each year. So indexing income limits and the maximum credit amount for inflation helps to ensure that the circuit breakers continue to provide meaningful-- meaningful low-income tax relief in the long run. So a lot of states have unintentionally allowed the value of their circuit breakers to decline over time by ignoring inflation. So Nebraska has to be really

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diligent if indeed we ever move forward on something like this. And then the other question is what percentage of income should be considered an overloaded property tax bill? So some credits have zero threshold. All low-income taxpayers are deemed worthy of a tax cut. Hmm. Go figure about that one. Others require taxes to exceed a threshold. For example, West Virginia taxpayers can only claim the credit if their property taxes exceed 4 percent of their income. But gosh, only 4 percent of their income. Wouldn't that be something? And then there's different ways we could administer it. So states vary in their administration of circuit breaker credits ranging from automatic rebates to administration through state property tax or income tax systems. I mean, we have the tax credit fund, right? It's kind of the same principle. The option to claim these credits through the personal income tax will greatly expand its reach. However, taxpayers who do not file income tax returns should be able to claim the credit via a standalone rebate. So Nebraska has a lot of options. So what I like about it is that we can target specific income groups or specific demographics with circuit breakers. So could we help farmers with it? We absolutely could. And again, as I stated earlier, it's a less expensive way to provide property tax relief as opposed to an across-the-board way like we keep trying to do, because I think when we focus in on what we really need-- on the people that we really need to help, we provide effective help that has longevity and that means something. And there are people that are having trouble now paying their property taxes, but as things get better, it's not such a burden and they're probably willing to pay a little bit more. But again, it can also be just across the board and we help everybody after we set the criteria. So I just really believe that circuit breakers are a very sexy approach to reductions in-- in the property tax because they're better targeted, they're less costly, definitely than the across-the-board stuff we keep trying to pass-- pass-- pass-- such as tax caps and-- and just regular homestead exemptions. And although those credits are really valuable tools, I really want to lessen the property tax load on our most vulnerable residents without depleting the state budget, which, see, there's something for everyone in here so Senator Stinner should like that one. I just think sometimes that we can't see the forest for the trees, that we have options where we can truly provide fair, equitable property tax relief.

WILLIAMS: One minute.

BLOOD: But we're so busy trying to find this big grandiose plan type of property tax relief that we don't care who we hurt in the process. We get focused on one demographic. We only want to help them and screw everybody else. I think we can do better. I think our farmers deserve

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better. I think our urban areas deserve better. And I don't think that we're at that point where we're bringing those ideas forward. I think we're just trying to shove things down people's throats and saying you're a bad Nebraskan if you don't support this property tax relief. I believe in property tax relief and that's why I voted for the biggest property tax relief bill we've had in Nebraska in the last session. But with that said, it's got to make sense. We have a lot of people to provide for in Nebraska. How come we can't do better? Thank you, Mr. Speaker, or Mr. President.

WILLIAMS: Thank you, Senator Blood. Senator John Cavanaugh, you're recognized.

J. CAVANAUGH: Thank you, Mr. President. Well, I would yield more time to Senator Blood if she wanted to talk about it. I was actually sitting here looking up the circuit breaker idea that she's been talking about and it sounds interesting. It's like 18 different states have it in different degrees and had a description of Iowa, so-- I guess I don't know enough about it to say whether I think it's a good idea or not, but I appreciate Senator Blood's enthusiasm for, I guess, what would be considered outside-the-box thinking, although I guess if 18 states are doing it, I'm not sure how far outside the box of an idea it is already. But I do think that continuing to do the same things where we just put limits and lids and things on property taxes is one of the things I don't like, which is ultimately why I don't like LB2 is because it just sort of artificially decreases the value that we place on ag land for purposes of school bonds. And I've had a few conversations with my rural friends and they've explained why this is important to them and why this matters to folks in their communities and why they feel over-- disproportionately burdened by school bonds in particular. So I understand where they're coming from on it and-- but I just disagree that the answer is to monkey with the-- how we assess or how we value land to come out with an answer that we like. So that's really why I'm against LB2. I guess I don't know if Senator Blood could-- would-- I guess would Senator Blood yield to a question?

WILLIAMS: Senator Blood, would you yield for a question?

BLOOD: Yes, I'd be happy to.

J. CAVANAUGH: So, Senator Blood, in the-- for these circuit breakers, it's-- has to do more with property tax relief to individuals that might not be able to afford their property tax bill because the assessed value is going up, is that--

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BLOOD: Well, it's designed to reduce the property tax load on people who are having trouble paying their tax-- property taxes. So traditionally, low-income taxpayers are usually hit the hardest, but that can only-- that can be just one part of your criteria. You could craft it to address the issues in rural areas, because we know when it comes to farming that there's so many outside things that can affect it that one year you're doing great, another year you're not doing so great. And so traditionally, the vast majority of circuit breakers that were initially implemented were to help people with disabilities, veterans and those with lower income. But it can be crafted to address other demographics.

J. CAVANAUGH: OK. So would it-- I guess my question is it pertains to LB2 is would it specifically address the issue that LB2 is getting at or would it just be more of a broad property tax relief mechanism?

BLOOD: I-- I think it would-- I think it's yes to both of those questions-- answer-- excuse me. I'm starting to get tired here. It's a yes to both of those questions. Would it address the issues that Senator Briese is trying to address? Yes, it would. Would it help other areas outside of rural Nebraska? Yes, it would.

J. CAVANAUGH: And my-- my assumption is-- maybe I'm wrong here, that you would have to craft it in a way that would have multiple criteria because the same criteria that's going to solve the problem in rural Nebraska might not be the same criteria that's going to solve-- help people in my district, which really the problem in my district is the increasing in assessments in-- is directly increasing people's property taxes, which means somebody lives in a home for, you know, 30 years--

WILLIAMS: One minute.

J. CAVANAUGH: --and the value goes up, which drives up their cost, right?

BLOOD: Right. And so, again, it's better targeted. That's why I like doing. So-- so, yes, the criteria would have to be broader, but you can better target those in need and help them by providing this type of relief.

J. CAVANAUGH: Well-- well, I think-- I think it's an interesting idea. I'd love to explore it further and hear more about it, so I'll take a look. We're probably out of time--

BLOOD: We'll, we'll do lunch.

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J. CAVANAUGH: --but thank you for the conversation, Senator Blood.

BLOOD: All right. Thank you, Senator Cavanaugh.

WILLIAMS: Thank you, Senator Cavanaugh and Senator Blood. Seeing no one in the queue, Senator Machaela Cavanaugh, you're recognized to close on your bracket motion.

M. CAVANAUGH: Thank you, Mr. President. So I am going to mix things up. Yeah, come on up. I'm going to close on this bracket motion, if you would take that one. Nope. There you go. Thank you. I am-- I'm trying to-- to keep the pages busy today. I want to-- by the end of today, I hope to have had every single page come to my desk. So at some point I'm going to have to reevaluate how many of you-- if you haven't come to my desk, maybe you can, like, just reorder or something. I'll just keep pushing the button, the blue button, so that I get to see all of the pages today. And-- and for those of you at home that are watching and are in school, please sign up to be a page. It's-- it's a thankless job where you, where you sit and watch us blowhards talk all day long and-- but you do help us so much, so thank you because otherwise I wouldn't be able to do all my bracket motions if it weren't for the pages. OK. So, yes, I'm going to pull this motion when I'm done and I have a different motion and it is a motion to recommit to committee. So when I go my full rounds on that motion, if it is prior to cloture, then I guess we'll get to a vote on that motion because cloture is in-- almost-- it's one hour and one minute. So I guess we'll see if we'll get to a vote on the bracket motion-- the next motion or if I'll have another motion because I have other motions here. Anyways, there's this great article on the Nebraska-- History Nebraska blog. It's about the girls of Company Z and there's a picture of-- of these three women, young women. An 1890s Omaha photo shows three young women dressed in what looks like men's military cadet uniforms. It was frowned upon for women to be dressed in such a manner. So why were they? Questions about the story behind the camera lens led to Gary and Caitlin Mitchell to investigate. Their research uncovered the story of female military drill company at Omaha Central High School. They tell the story of the girls of Company Z in the summer of 2020 issue of the Nebraska History Magazine. Military-style drill teams became common in universities and schools in the latter 19th century. The Morrill Act of 18-- Morrill, M-o-r-r-i-l-l Act of 1862 required land grant colleges to teach their students military tactics. This later influenced high schools to do the same. But the act didn't discuss gender so a few universities started military style units for women. After young men had participated in drills for years, by the 1890s, girls across the nation began to take up this activity,

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performing with replica rifles or with brooms dressed in their own uniforms and studying manuals such as Barnetts Drew-- Broom Drill and Brigade Tactics, female drill teams becoming increasingly popular. Many of these fan and broom drills were held at exhibitions to raise money for worthy causes. For a group of girls attending Omaha Central High School, though, this would mean something more. In 1896, a group of students formed a female drill team called Company Z. They drilled under the direction of the boys and held fundraisers and social events such as dances. The public began to take notice. Company Z was praised as being equal of any male organization in the proficiency and smartness of their movements. I'm going to take issue with that statement. I bet they were better. I bet their movements were better. OK.

One minute.

M. CAVANAUGH: Thank you. Back to the article. In October, Company Z held a public drill competition to determine which girls would be promoted to corporal. Full of determination, the girls showed up not only to compete against each other, but also to prove themselves in a predominantly male activity. With each command given, they were sharp and swift in their movements and were eliminated one by one for any error until only two remained on the field. After quite the battle, Miss White finally made a mistake and Miss Ward emerged victorious. Despite the impressive performance, the company still had room for improvement. One opportunity came as a result of an 1892 law requiring the Army to assign an officer from Fort Omaha to instruct and drill the Omaha High School cadets. So cool. I think that's about all the time I have. I withdraw my motion.

WILLIAMS: Your motion is withdrawn. Mr. Clerk, for an item.

ASSISTANT CLERK: Mr. President, Senator Machaela Cavanaugh would move to recommit LB2 to the Revenue Committee.

WILLIAMS: Senator Machaela Cavanaugh, you're recognized to open on your recommit motion.

M. CAVANAUGH: Thank you. There seems to be some people in the back of the Chamber. Sorry, I can't come take a look at what's going on back there. OK. So this is to recommit LB2 to committee, the Revenue Committee. Apologies for yawning. This is not a friendly amendment. We will get to a vote on this amendment, most likely, especially since nobody is in the queue. Yeah, so this is not a friendly amendment, but I still encourage you to vote for it. I will be voting for this unfriendly amendment. I make no pretense about its friendliness. It is

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not a handshake. I was trying to think of a different word. Like what's an unfriendly-- I don't know, it's like not accepting a handshake, although that's not really unfriendly anymore during a pandemic. It's-- it's not considered unfriendly to, like, scoff at a handshake. That used to be considered unfriendly. And I have a very specific phobia about handshakes in that I really don't like bad handshakes, like really don't like them. If I get a bad handshake, it like-- it will undo me. It's very-- my husband knows this and so he can tell if we're at an event and I've gotten a bad handshake because I make him shake my hand to like counteract the bad handshake. A little insight into my idiosyncrasies. I'm also scared of clowns, bad handshakes and clowns. Senator Machaela Cavanaugh, those are my fears. OK, so we're probably going to get to a vote on this amendment or this motion fairly quickly because there's nobody in the queue. I suppose I could get in the queue, but I think I'll just instead look at-- so I've been looking at this farm subsidy database and between the conversation of Senator Blood and Senator John Cavanaugh on taxes and tax equity policy, and I have mentioned today and I've mentioned it numerous times before that I do not believe that property taxes are indicative of an ability to pay and therefore I do not think that they are a good way of funding government. That's another reason that I oppose taxing food because everyone needs food just like everyone needs a place to live. And so taxing essential items in life like water, I don't think those are things that are appropriate. Income is, while that is a difficult thing to have taxed, it is at least indicative of ability to pay theoretically because the taxes that you pay are based on the amount of income that you make. Now in Nebraska, we have a problem with income taxes in that our tax, our highest tax bracket-- so everyone who makes X amount and above is taxed the same. So we have a tiered tax system. We don't have a flat tax, which some states do, which is also not equitable. We have a tiered tax system, but we may as well have a flat tax system because I'm going to say the amount wrong and I don't want to see shaking heads. Thank you, Chairwoman Linehan. \$28,000 is our tax cap for income taxes. And this is something that I definitely think we should be working on and I plan to bring a bill next year to address our income tax brackets. I think that we absolutely have to raise that from \$28,000. That should not be our highest tax bracket, especially since \$28,000 could potentially-- that income could qualify for subsidies. So that seems a little bananas or a lot bananas. But so I'm looking at farm subsidies and there's this farm subsidy database and there are farms all across Nebraska. Now I'm looking at the 2019 farm subsidies because the 2020 farm subsidies are skewed because of the pandemic and I don't think that that's really like a clear cut. There's \$611 million in farm subsidies and I think most of it was pandemic related. So I'm looking

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at the 2019-- oh, well, actually the 2019 was even higher, \$949 million in farm subsidies. And I mean we're seeing Giltner, Nebraska, Adams, Nebraska, Albion, Nebraska, Friend, Nebraska, Harrington, Nebraska, Ashton, Nebraska; these are all getting over half a million or more in farm subsidies. And in addition to that, they're getting none of their inputs taxed, none of their water taxed, so thank you to Senator Wayne for helping out the rest of us with that. They are getting their land valuation lessened while the rest of us have our inputs taxed, have our homes taxed at 100 percent. The people that live in those communities, they're paying higher property taxes for education. This bill would just extend that even further. I just-- it just doesn't feel very thoughtful, folks. It just doesn't feel very thoughtful. And again, as I have stated numerous times on this bill, I-- this isn't really my fight. Like you all who have towns and rural areas, this is your fight. And you should be showing up to the fight, but you're not. And this is-- like this is the definition of picking winners and losers. You're picking farmers. And I know that this Legislature picks farmers every single time over everyone else. I mean, last year with LB1107, the Property Tax Relief Income Tax Fund, the changing of valuations, etcetera, etcetera, etcetera. We picked farmers over veterans last year because if we hadn't done that bill, we could have done the tax, the removal of military benefits at 100 percent last year. But you picked farmers. You keep picking farmers. There has to come a day where the rest of us matter, the rest of the citizens in this state matter, where the children of this state matter, where their education matters. Maybe we could afford school choice if we stopped picking farmers all the time, but we keep picking farmers. To the extent where when we talk about wind energy even, we're not even investing in wind energy because rural Nebraska has told us not to, even though it would benefit them just as much as everyone else and the environment. I kind of would love to-- well, I would love to, but also I think it would be like a terrifying thing to mind map some of the senators here and like your decision making and see how diametrically opposed the things you say you value are to the val-- to the vote that you take. Because the values that I hear spoken on the microphone here are not reflected in the votes that are taken--

WILLIAMS: One minute.

M. CAVANAUGH: --or the legislation that is passed. I will yield the remainder of my time.

WILLIAMS: Thank you, Senator Cavanaugh. Debate is open. Seeing no one wishing to speak, Senator Machaela Cavanaugh, you're recognized to close on your recommit to committee amendment motion.

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M. CAVANAUGH: Why thank you so much. I-- you know what? I'm just going to sit down for a few minutes, so I guess we need to have a check-in and then a roll call vote in reverse order. Thank you.

WILLIAMS: Thank you, Senator Cavanaugh. Members, we are on Final Reading. There's been a request for members to return to their seat and check in. Would you do that, please? Members, would you please check in? Senator Cavanaugh, would you please check in? Senator McDonnell, Senator Brewer, Senator Ben Hansen, Senator Vargas, Senator Gragert, we are on Final Reading, would you please return to the Chamber and check in? Senator McDonnell, Senator Brewer, Senator Ben Hansen, Senator Gragert. All unexcused members are present. Members, we are voting on the recommit to committee motion. There's been a request for a roll call vote in regular order. Mr. Clerk.

ASSISTANT CLERK: Senator Aguilar voting no. Senator Albrecht voting no. Senator Arch voting no. Senator Blood voting no. Senator Bostar voting no. Senator Bostelman voting no. Senator Brandt voting no. Senator Brewer voting no. Senator Briese voting no. Senator John Cavanaugh not voting. Senator Machalea Cavanaugh voting yes. Senator Clements voting no. Senator Day voting no. Senator DeBoer voting no. Senator Dorn voting no. Senator Erdman voting no. Senator Flood voting no. Senator Friesen voting no. Senator Geist voting no. Senator Gragert voting no. Senator Groene voting no. Senator Halloran voting no. Senator Ben Hansen voting no. Senator Matt Hansen. Senator Hilgers voting no. Senator Hilkemann voting no. Senator Hughes voting no. Senator Hunt. Senator Kolterman voting no. Senator Lathrop. Senator Lindström voting no. Senator Linehan voting no. Senator Lowe. Senator McCollister voting no. Senator McDonnell voting no. Senator McKinney not voting. Senator Morfeld voting no. Senator Moser voting no. Senator Murman voting no. Senator Pahls voting no. Senator Pansing Brooks not voting. Senator Sanders voting no. Senator Slama voting no. Senator Stinner. Senator Vargas voting no. Senator Walz voting no. Senator Wayne not voting. Senator Williams voting no. Senator Wishart. The vote is 1 aye, 38 nays, Mr. President, to recommit.

WILLIAMS: The motion is not adopted. Mr. Clerk.

ASSISTANT CLERK: Mr. President, Senator Cavanaugh would move to bracket LB2 until June 6, 2021.

WILLIAMS: Senator Machaela Cavanaugh, you're recognized to open on your bracket motion.

M. CAVANAUGH: Thank you, Mr. President. That was a shocking vote, wasn't it, folks. Just kidding, that's sarcasm. I was surprised it

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even got one vote to be honest, I didn't know how-- how I was going to vote. Maybe I should have done a motion to-- oh, shoot, I should have done a motion to reconsider my vote. Well, lessons learned. There's always tomorrow or the next bill. OK, so we have 38 plus 4-- 42 minutes, 42 minutes left, folks. On this bill, we have 42 minutes left on this bill. And gosh, I'm tired. Again, I reflect on how did Senator Chambers do this all the time and people would constantly, like, yield him time so he would just keep talking a lot. I mean, you all can feel free to yield me time or I can just keep putting-- I've got the motions drafted and I did promise the pages, I don't know those promises they necessarily want me to keep, but I did promise them that at some point I'll have each one of them come to my desk today. So maybe don't yield me any time so that I can just keep doing the bracket motions and get to know all of the pages. Unfortunately, I don't get to know, like-- I like to find out what they're going to school for, where they're going to school and things like that. But when you're actually doing the filibuster, you don't get to ask those questions. But I am interested and I will find out before the next 48 hours are over. OK, so this is October 8, 2018 from Senator Chambers' post-election reflection. I wonder what election was October 28, 2018. Oh, my election. I did not pick this up on purpose. OK, I believe I shared with you a copy of the attached rhyme, but a reissue is warranted by the outcome of a couple of contests. The specific topic of the rhyme involves Governor Ricketts' duplicity in the manner he appointed incumbent Senator Teresa Thibodeau. With regard to the two contests, my observations regarding the long arc of history when the arc of history has run, sometimes justice will have been done. The second contest involves the despicable, misleading action of the Republican Party with the approval of incumbent Senator Merv Rippe. I'm going to skip that part because it is about a different one of our colleagues and I don't want to bring him into it, so. Oh, this is a poem, I see. Sorry, got ahead of myself. OK, so this is-- this December 7, 2017, Pearl Harbor sneak attack day decision on duplicate politician. Once was a man whose head was bald. Pete Ricketts, he was called. Spoiled as a child, he was a brat, he hounded the dog and worried the cat. Pete grew and grew and when he was grown, he never achieved much on his own, which was no problem for Pete because filthy rich was his daddy was, always daddy was there to aid him after all, sighed daddy, I made him. Pete's path through life by daddy was oiled, like rich-- like all rich brats, Pete-- young Pete was spoiled. His moral was light, therefore dim, rules binding others did not bind him, Pete's upbringing clearly shows: Bend a twig and bend it grow-- bent, it grows. He's off the beam in youth as a man's shant value truth. Move fast forward, you will find Pete, a man of a double mind who to honesty is a stranger with whom truth is ever in danger. Pete, a man

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as noted, is bald. Governor Ricketts, now he is called. Providing notice, nature is quick. Analogously, Pete and his head are slick. For example, a legislative seat falls vacant. It is his-- the duty of Pete, pursuant to the Constitution, to make whole the institution of the Legislature by appointment, which amounts to his anointment of a person to fill the seat, a person who will belong to Pete. A person locked within rigid borders, wrapped and bound to do Pete's orders. Never asking, why is this done? Obeying Pete is job number one. Unofficially, by my count, Pete's current ownership may amount to 16 senators held in tow. When he orders them go, they go. Well, that number has climbed, hasn't it? Sixteen. Looks like it's 19 now, according to yesterday's vote. Recently vacant their fellow seat, which was to be filled by Pete toward transparency, giving a nod, hook, line and sinker to a rod. Pete attached and, being slick, ceremoniously gave it a flick. Publicly, he solicited names. None dreamed he was playing games. A deadline too, Pete put in place, which must be met to be in the race. No one who that deadline missed would be on the contenders list. Such is what the public thought, but a bill of goods was bought. Rules of engagement, though Pete made it, Pete, his own rule violated. Harking back to days of his youth, Pete gave short shrift to the truth. Brazenly committing truth abuse, his firm deadline was merely a ruse. They who by Pete's rule did abide contemptuously were tossed aside. To his scheme, the public was blind. He already had a choice in mind. A choice whose name was not on the list. All who played by Pete's rule were dismissed. Inescapable in the presumption, Pete's rule was merely for public consumption. All the contenders for suckers were played, Pete and his choice, Pete's rules disobeyed. Faithless schemers concoct sham rules, as did Pete, to ensnare fools. Slick Pete sprung that move illicit, duplicity did he solicit. For the seat one who'd not sought it, when he made his pitch, she bought it. Like one who does walk the street, she acceded to slick Pete. Heap on Pete the scorn he's due, but to tango, it takes two. So an interesting thing about when the seat that I was running for was vacated, the, the Governor had to appoint somebody and there was a public application process. And I had already started my campaign and publicly stated that I had intended to run to represent the people in my district. And as such, I felt a responsibility to apply for the appointment. I didn't really think that the Governor would give me any consideration, but I applied for the appointment anyways. And the Governor announced and swore in the appoint, the appointee on the same day, at the same press conference. And he said that he had interviewed several candidates for the position. And it was so fascinating to me that the press didn't ask. He stood there and like, paused. No one in the press asked him who he interviewed. So I to this day do not know if I was considered to be one of the candidates that was interviewed

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because I was contacted by Taylor Gage. Taylor Gage asked me a series of questions, but I was never interviewed by the Governor. So I to this day do not know if I was considered to be one of the candidates interviewed or not. And interestingly--

WILLIAMS: One minute.

M. CAVANAUGH: --thank you. None of the questions I was asked had anything to do about whether or not I was competent and my ability to fill this position. They were all litmus test questions about very conservative viewpoints, basically asking me to get on the record with the communications director. And he did not take it very kindly that I did not view him interviewing me, not the chief of staff, the communications director, interviewing me with 15 minutes notice. I was called and asked if I could do the interview 15 minutes later. And he wanted to know just things about guns and abortion and helmets. So not even property taxes. Guns, abortion and helmets. So apparently those are the things that the Governor values when appointing somebody to the Legislature. Good to keep in mind.

WILLIAMS: Time, Senator.

M. CAVANAUGH: Thank you.

WILLIAMS: You are next in the queue. You may continue.

M. CAVANAUGH: Fantastic. OK, we'll move on from that. It is 32 minutes until a cloture vote. So I-- just trying to think about what are the important facts to communicate at this point on LB2. We've talked about winners and losers. I feel like we haven't talked about winners and losers as much on this bill as we talked about them on the developmental disabilities bill, where picking to help children in need in the lowest-cost way possible for the state to help improve their outcomes when they're older, to ultimately cost the state significantly less money in their care, was picking winners and losers. Though the same people that said that I was picking winners and losers with that bill voted against putting more money towards the actual wait list when I put a floor amendment on the budget. So it's not that I was picking winners and losers, it's that the senators that were debating the bill yesterday were not really being honest brokers or honestly representing themselves in the conversation because they did not support developmental disabilities. They did not support the funding that I was requesting for developmental disabilities. Yes, the Appropriations Committee gave a million dollars more. And the question was asked repeatedly on the floor yesterday as to why, why was I doing the family support waiver? Why not just get more money for the wait

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list? Well, I tried and you voted against it. Those that were filibustering my bill yesterday also voted against giving developmental disabilities waitlist more money in the budget. And that was before we had voted on all of the revenue bills. So we had lots of money still on the floor at that point, lots of money. We hadn't done any tax cuts, we hadn't done any pet projects. It was the budget. And I was trying to fully fund the DD waitlist through the budget and you voted against it. And then you feign this disingenuous, why not do it? Why not fully fund the waitlist? Why pick winners and losers? Well, you did it, you picked losers, and then you picked losers again yesterday. I just want to make sure that your constituents understand what you are doing to them, how you are putting your thumb down on the weakest and acting like I'm bad at my job. I'm great at my job, I'm a magical unicorn at my job. I take this job so seriously, I, I check as soon as we adjourn every day, I check to see what the agenda is for the next day. And as soon as that agenda is up--

WILLIAMS: One minute.

M. CAVANAUGH: --I start looking at-- thank you. Oh, I need to get back in the queue. I start looking at all of the bills that are coming up, and I will lay in bed after I get my kids to sleep. I will lay in bed, which is such a bad habit, by the way. Nobody should do this. This is not, it's not good. But I will lay there with my phone reading bills. And then I will-- and some of my colleagues, I'm sure, really appreciate this habit of mine. I will text people and I will be like, hey, this bill is up. What do you need help with? I see so-and-so filed an amendment on this bill. Is everything OK? Because, you know, despite popular opinion, I'm actually a nice person. And I care a lot, I care a lot about all of the bills, all of them. And the reason I care about all of them is--

WILLIAMS: Time, Senator.

M. CAVANAUGH: Thank you.

WILLIAMS: Thank you, Senator Machaela Cavanaugh. Senator Blood, you're recognized.

BLOOD: Well, thank you, Mr. President. Fellow senators, friends all, I want to talk a little bit about LB420 from 2019. At this time, I, I don't necessarily support Senator Cavanaugh's bracket, but do respect why she's doing this and not sure yet how I'm going to vote on LB2. But LB420 was the, the bill I referred to earlier, and it was Senator Bolz's bill. So I knew it was some time since I've been here that I saw that bill. Doesn't look like it made it out of the Revenue

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Committee, but in 2009 [SIC], it was before the Revenue Committee. And what I thought was really interesting is Senator Friesen's comment, because I'm actually reading the transcripts from that bill, because I've been researching this for several years in hopes of bringing a bill forward next year. And he said that there should be a circuit breaker for farmers who rent out farmland. So you look at like the farmers who, a lot of the older farmers cash rent, and that would be a great alternative. So, again, ways to help rural Nebraska, that was brought up in the, in the hearing on LB420. And it was brought forward as an alternative to the property tax relief program, which is why I'm guessing it didn't come out of committee. So I'm going to read Tiffany Friesen Milone's explanation of what this bill did. And then I want you to think about why didn't this get out of committee? So it was-- she was here to testify in support of LB420 because property tax circuit breakers are an effective way to provide targeted tax reductions to those who property taxes are high in relation to their incomes. As shown in the handout, which of course, we don't have, the residential circuit breaker is available to taxpayers who rent or own their primary residences in Nebraska and have an adjusted gross income less than \$100,000 if they are married and filing jointly, or \$50,000 for all other types of filers. For homeowners, the credit calculation is based on their property taxes paid on their home value, up to 200 percent of the county average assessed value for a single-family home. For renters, the credit calculation assumes that a portion of their rent, 20 percent in this case that they showed, is passed onto the property taxes paid by the property owner. As income increases, LB420's circuit breaker credit calculation assumes that taxpayers can afford a greater percentage of that income towards property taxes. So for a taxpayer who meets the income criteria, the amount of the refundable income tax credit is equal to their property taxes paid minus a set of percentage of their income as determined by the bill's marginal rates, up to a maximum credit amount. So the ag circuit breaker in LB420 is available to individuals who own ag or horticultural land that has been used as part of a farming operation and has less than \$350,000 in federal adjusted gross income. So, see, we did bring something forward in 2019 that really could have been beneficial to our farmers. The income tax credit would be calculated based upon the amount by which the ag property taxes paid exceeds 7 percent of the farm income. There would be one credit per farming operation. The handout that was distributed, which of course I can't show you now, guys, sorry, also demonstrates both the residential and ag circuit breakers. So for a residential couple, you first sum up the marginal rates that align with their income to determine what portion of their income may go towards their property taxes. Then you subtract this total from the amount of property taxes, taxes they actually

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paid. This difference is the amount of credit that they're eligible for. Now, if that credit exceeds the--

WILLIAMS: One minute.

BLOOD: --maximum credit amount of their income level, then they receive the cap or credit amount instead. But for an ag couple, you simply subtract 7 percent of their federal AGI from their ag property taxes paid to figure out the income tax credit for which they're eligible. So there was a lot of thought that went into this. I have all 109 pages of the transcripts. I'm kind of puzzled why it didn't get out of Revenue, and I certainly am not going to say that Revenue did anything wrong. I wasn't there, I'm only reading the transcripts. But I think that sometimes when we bring in ideas that are really new and different, that we tend to just say, nope, it's not going to work. And that's really unfortunate, because I think the type of tax bills we have been brought-- that have been brought forward to us this year would be very, very different if we'd taken a different approach that was more about equity and not about us versus them. Thank you, Mr. President.

WILLIAMS: Thank you, Senator Blood. Senator Matt Hansen, you're recognized.

M. HANSEN: Thank you, Mr. President. And good afternoon, colleagues. Colleagues, I returned to debate. I've been checked out down in my office, but listening for a little bit. I just wanted to let the body know that I haven't given up and I haven't left. But as I said before, I don't know if I personally would take this bill to cloture despite my opposition to it. But now that we are 32 minutes away, I might as well jump in to the mike once or twice to, to put my final thoughts on the record. Fundamentally, the thing that kind of raised some of my initial scrutiny and skepticism of this bill was some talk we had, actually I believe it was on the budget or a related bill actually before tax week. And we were kind of doing some of the proxy fights or initial floor speeches, kind of setting the terms for how we were going to look at taxes this year. And a couple senators got up and fundamentally challenged the notion that property taxes on agricultural land should be used to pay for education. And for me, when that is kind of the backbone and basis of some of the arguments of a complete divorcing of property taxes kind of from, from it is, is tough. And I bring that up to say, you know, it would be one thing to consider, say, the consumption tax or a related tax and just simply abolish property tax. But to say we get to pick and choose which political subdivisions we think are worth it to us, that buying, buying individual property owner and the individual land type and to

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say actually schools and farms don't really connect, they shouldn't pay for each other, is concerning because we could do that so many times. And yes, I know I'm making a slippery-slope argument. And yes, I know nobody really likes slippery-slope arguments. I don't either. But that's why you want to have some scrutiny here. For me, this first step of farms shouldn't pay for school bonds or farms shouldn't pay as much for school bonds, you know, as Senator Briese said, we should make the folks in town have more skin in the game. I don't need to make a slippery-slope argument because that's already a step too far for me. And I've made that clear and I'm going to continue to make that clear. But ultimately, this is where we're getting at, is a lack of viewpoint or a lack of commitment to community. There are people who view, view schools and school boards and other voters as like the antagonist, you know, like a, like a rival, as opposed to somebody who's just trying to have schools and have kids go there. I understand every spending decision should rightfully be scrutinized. We rightfully have public budgets, we rightfully have open meetings. People are rightfully can elect and vote and run against school board members. I get all that. But the end of the day, when your fundamental position is we want more school board-- we wanted to make it harder to pass school bonds, not on the merit of the school bond, not on like a pro and con of do we need a new gym or not. You know, does this at elementary school need new HVAC or not? But we just carte blanche saying we want to make it harder for school bonds to pass because we don't view ourselves as having an obligation to support the education of children because our profession is different is a tough spot and one I can't enable and one I cannot support. I don't begrudge anybody for trying to get a tax cut for their constituents. Certainly I've advocated for this. Certainly right now, I hope you don't begrudge that I'm trying to oppose a tax increase for many of my constituents.

WILLIAMS: One minute.

M. HANSEN: Thank you, Mr. President. And so that is where we're at. That is where we're at. And that is why I have a problem with some of the fundamental conversation here. And that is, I think, why we've had such a problem on some of these school funding and property tax-related issues, because the discussion and dynamic of how we view just the fundamental issue of funding schools and property taxes and we're all in it together, community, and how we view community is so different that sometimes I'm just like taken aback and I can't understand the world view. And by the time I do, it's already in Select File and I've kind of missed my opportunity to, to really make an impact on the bill. So I rise in continued opposition of LB2 and

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will support the bracket if we get a vote on it. Thank you, Mr. President.

WILLIAMS: Thank you, Senator Matt Hansen. Senator Machaela Cavanaugh, you're recognized, and this is your third opportunity.

M. CAVANAUGH: Thank you, Mr. President. I got a, I got an email a few minutes ago and it simply says: Why are you against ag? I'm not against ag. Couldn't be more the case. I am against the disparities that the people that in this body represent on behalf of the agricultural community. Ag has been pitted against everything else in Nebraska. I am not against ag, but I do feel like ag is against Nebraskans. I feel like ag is working in opposition to creating a state that takes care of its citizens that are vulnerable, that provides for them, that educates them. I am not against ag, but the way the agricultural-based senators in this body talk about ag and everything else, I feel like ag is against me. I feel like ag is against my constituents. I feel like ag is against my community. I feel like ag is against minorities and people with developmental disabilities and children in schools and families in the workforce and people who are housing and food insecure. That's the perception I have of ag based on the representatives for ag in this body. So citizens of Nebraska in the agricultural community, if you feel like I'm against agriculture, I challenge you to think about it from another perspective. Because we are bludgeoned with how important agriculture is to our economy and to our state to the point where we give up everything for agriculture at the expense of everyone else. I would hope that the agricultural community would not want to be portrayed that way, but you keep electing people that portray you that way. So, OK, talked about wind energy, talked about farm subsidies. I do want to share another story from a family. A day in the life of a mother with a child who has a disability: Three years ago, I had to give up a career I loved, teaching, to be the kind of mom my daughter deserved. Like most moms, I make sacrifices daily for my children. And so when a senator who has no children, let alone a child with a disability, gets up in front of the legislation and goes after funding for services for disabled children and attempts a half-hearted, "I feel for you"--

WILLIAMS: One minute.

M. CAVANAUGH: --comment-- thank you-- to empathize, yeah, I've got some pretty strong feelings about that. I have only one minute left. I actually, I will, I will read this in my closing because I don't want to do this a disservice. So I will read it after those who are in the queue speak and I close, if I get to close on this. Thank you.

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WILLIAMS: Thank you, Senator Machaela Cavanaugh. Senator Walz, you're recognized.

WALZ: Thank you, Mr. President. I wasn't going to speak on this at all, but I almost forgot about what the, the bill, you know, all includes. So I do want to start out by saying that I had another talk with one of my colleagues who is a farmer, and I was just, you know, trying to understand why this bill is necessary. I've traveled a lot across Nebraska over the last few weeks and through a lot of small towns. And to be honest with you, and I'm not being facetious in any way, but I, I really made a point to look at the farms and the homes. And I honestly didn't see a house on a farm that, you know, looked like a poorhouse. And I know the difference between a poor farmer and a, you know, a farmer who, who is very successful, because I grew up a poor farmer's daughter. So I'm, I really am still trying to wrap my mind around the need. And I'm sure-- I'm going to give Senator Briese a chance to explain. But I did have a question about his, he handed out impact on property taxes levied to service \$1 million per year bond payment. And in his assumption, he talked about a \$94, \$94 on a homeowner's piece of property compared to \$2,531 on, on an ag landowner. So I just wanted to ask Senator Briese a question, if I could. So \$2,531 on that assumption example that you have represents what?

WILLIAMS: Senator Briese, would you yield?

BRIESE: Yes, I would.

WALZ: Oh, sorry.

BRIESE: And so your question, Senator Walz, I believe, was what the \$2,531 represents. Well, that's using the assumptions I have here of a \$1.6 billion tax base, a \$1 million per year bond payment, and that would require a levy of 6.25 cents. And on that hypothetical farm, that would require-- that levy would result in a payment of \$2,531 by the, by the farmer, by the owner of that property.

WALZ: OK, I am so glad that you explained that, because I was, I was looking at it in a different way. And I was just going to give you the opportunity now to go ahead and explain your bill again, because it's been a while. I just thought you might want to refresh everybody on what exactly your bill does.

BRIESE: OK.

WALZ: So I'll yield my time to Senator Briese, if he'd like it.

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WILLIAMS: Senator Briese, you are yielded 2:00.

BRIESE: Thank you, Mr. President. And thank you, Senator Walz. And again, this, this bill arose from a common complaint that I heard across my district and across Nebraska. I had folks, ag folks calling me about this issue from other districts. They feel that when a bond issue is proposed, ag folks feel outvoted at the voting booth. And we looked into this and found some examples where some counties, ag might represent 80 percent of the tax base, but 30 to 40 percent of the voters at the voting booth. And I think Senator Friesen gave the example last year in Hamilton County, where he suggested only about 10 percent of the voting population are farmers, but they have an enormous amount of the tax base there. So it's a situation where oftentimes ag feels outvoted and this is simply going to give the non-ag folks just a little more skin in the game. And you can see that--

WILLIAMS: One minute.

BRIESE: Thank you, Mr. President. You can see from the examples there, the difference is not great. The example I gave there under current-- in, in the current environment, under those assumptions, that homeowner might have a tax, or excuse me, be paying \$94 a year on the levy in a district that's 60 percent ag land, 40 percent non-ag land, that would go up to \$117 a year, which is what, a \$24 increase. It's not a very large increase. And even with this change, ag producers would still be paying roughly 18 times what the homeowner would again under these assumptions. And so it doesn't even anything out, doesn't equalize anything, does not, does not impose a significant burden on our homeowners. It's still going to allow schools to flourish and deliver the educational services and product that we expect of them. But it is going to create just a little more parity at the voting booth and going to create a little more--

WILLIAMS: Time, Senator.

BRIESE: --accountability there. Thank, thank you, Mr. President.

WILLIAMS: Thank you, Senator Briese and Senator Walz. Senator Matt Hansen, you're recognized.

M. HANSEN: Thank you, Mr. President. And I appreciate Senator Briese refreshing us on his intent. And his intent is partially my concern. And I know it's been dismissed out of hand, and I'm not necessarily trying to persuade anybody here, but part of my reason I think there is at least some constitutional concerns at this, in terms of

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uniformity when you're intentionally shifting the burden from one group to another and you're doing that openly on the record of the Legislature, trying to upset one person, one vote through some tax shifts. Anyways, I digress. But fundamentally, that's the issue. And that's the problem I have, is we do not-- we're already, we've already accounted, we've already passed, granted some special constitutional provisions to treat ag land a little bit different. And here we're saying that ag land doesn't even, despite already being taxed at a lower rate, despite already having its own special provisions, needs more, and specifically needs more to make sure we run counter to the will of the majority of the voters in the district. We're getting, I guess this is maybe my fundamental opposition with this, is we're giving more credence to land than we are people. We're letting the land outvote the people, essentially is what we're trying to do here, or at least it's how it's being framed. So it's being framed as both we are making the voters in town have more skin in the game. It's also being framed as it will have no impact and it's also being framed as big tax relief. It's being framed as a lot of things. And I understand it can be a lot of things. I understand it is going to hit districts very differently, which is another reason it probably deserves some scrutiny. But fundamentally, that's kind of part of the problem we're dealing with here. I know in Lincoln it's going to be minuscule for many people. It is still going to be a tax shift in Lincoln the next time we do a bond issue to urban homeowners, to homeowners in rural LPS as well. And that's something that I'm not willing to do. Again, I'm just fundamentally, I don't see why anybody who represents a majority residential district-- or rather a major, you know, and district that has minimal ag land and has any incentive to vote for this, because what you're fundamentally doing is raising taxes on your own constituents and not necessarily for the better picture of the state. This isn't like we're doing a comprehensive reform to TEEOSA and there's some shifts in, you know, the in years and the out-years, there's some trade-offs and yada, yada, yada. This is fundamentally just forevermore farmers are going to get an extra kickback at the express and intentional detriment to people who own residential property. That's, that's the thought. When we keep saying voters have to have more skin in the game, voters have to have-- people who own houses have to pay more in taxes and therefore have to think harder about school bonds. I again, I understand not everybody needs, not every bill needs my vote to pass, not every bill is intended to support my district and I get that. But that was my frustration whether there was an attitude and some ideas and some consensus to remove Lincoln Public Schools and Omaha Public Schools, the two largest school districts that serve a significant proportion of the students in our state, because I don't think the arguments that that

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amendment was unconstitutional really held any weight. I understand Senator Briese, it's his bill. He wants to call something a poison pill, he has the right to call something a poison pill. I get it. I never thought that was going to be a friendly amendment when it got filed today because I had expressed the concepts prior. But that being said, it's kind of this weird, simultaneous--

WILLIAMS: One minute.

M. HANSEN: --I shouldn't be allowed to-- I shouldn't make a big deal about it because it's not impacting Lincoln at all. We're not doing it for Lincoln. I get that. But then also removing Lincoln is a poison pill. OK, that's where we've led today. I imagine we're hitting cloture, I'm not going to get to talk again. But fundamentally, I mean, even if it's a dollar, you know, I've got 40,000 constituents and this is going to be a tax increase on, you know, 39,000 of them, if not more, and that is why I cannot vote for it. That is why I think it was worthy of some time and some scrutiny. Thank you, Mr. President.

HILGERS: Thank you, Senator Hansen. Senator John Cavanaugh, you're recognized.

J. CAVANAUGH: Thank you, Mr. Speaker. So I think Senator Hansen is correct, we are getting close to the end here. We'll figure out where we are. But I, as always, oppose LB2. And Senator Hansen hit on one of the points that I thought was kind of interesting, that I disagree with the philosophy, but of constraining the tax levy for the specific purpose. And his point was that we're going to treat some things differently for different purposes. And I guess I-- that I hadn't quite thought of it in that particular exact phrasing, but that hit, struck me that we are saying for purposes of school bonds, ag land should be valued less. But for purposes of school funding, it should be valued one way, but only, but only for bonds voted by the people, we're treating it a different way. And then but/for, I guess I don't know what all communities have, but in Omaha we have property taxes assessed for the city, for the county, for the community college, for the schools, and then we actually have an assessment for our transit. And why-- so I guess it just doesn't seem like a good idea that we would treat taxable entities differently based off of who the, what the cause the tax is being derived for. So that's, I guess, boils down to one of my oppositions to this. But I think we're about at the end here and so I'm going to yield the remainder of my time to Senator Machaela Cavanaugh. And thank you, Mr. Speaker.

HILGERS: Senator Machaela Cavanaugh, 3:18.

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M. CAVANAUGH: Thank you. And I believe this is the end of our time on this bill. So I will, I guess, treat this as my closing because I think we will be doing a motion for cloture. So, I again stand in opposition to this bill and I will be voting against cloture for this bill. Just to, to reiterate, if any of my colleagues are listening anymore, this isn't a good bill. It was never a good bill. It genuinely picks winners and losers. I have not been able to find the AG's Opinion that Senator Slama referenced four hours ago that maybe tangentially made the amendment that I introduced unconstitutional. I don't understand how this would be constitutional then, if that's unconstitutional, because it's carving out specific types of, of land. So I suppose when this passes, because I have a feeling that at least 33 of you are going to vote for cloture because you're not really paying attention to this bill at all or the conversation, but when this passes, maybe the, the, the residents of the towns in your districts will sue the state about the constitutionality of this. Because I sure would. This is just not a good bill. It's not good public policy. And it clearly favors a specific industry, a specific population. And it is used-- it's a tool to bully smaller communities into merging school districts. That's what it's about, merging school districts. I mean, it's also about giving a tax break--

HILGERS: One minute.

M. CAVANAUGH: --to farmers and forcing school districts to merge. If school districts need to merge, perhaps that is something we should be talking about. Perhaps that's a conversation we should be having. And if the voters should have skin in the game, why aren't we putting this legislation to a vote of the people? Why are we deciding which taxpayers have to pay property taxes and which ones don't when it comes to education? If we feel so strongly that this is what the people of Nebraska want, let's put it to a vote of the people. Let them decide if this is what they want, because I guarantee this isn't what they want. This isn't what any of our constituents, with the exception of farmers, want. And I believe there's something like 10,000, maybe 15,000 farmers in Nebraska and 1.9 million people. This is just typical carve-out for agriculture.

HILGERS: That's time, Senator.

M. CAVANAUGH: Thank you.

HILGERS: Thank you, Senator Cavanaugh. Mr. Clerk for motion on the desk.

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

HILGERS: It is the ruling of the Chair that there has been full and fair debate afforded to LB2. Colleagues, we are on Final Reading, so please check in. Senator Briese for what purpose do you rise?

BRIESE: Request a roll call vote, regular order.

HILGERS: A roll call vote in regular order has been requested. We will take the vote after members check in. Senator Flood, please check in. All senators are now present. The first vote, colleagues, is the motion to invoke cloture. A roll call vote in regular order has been requested. Mr. Clerk, please call the roll.

ASSISTANT CLERK: Senator Aguilar, voting yes. Senator Albrecht, voting yes. Senator Arch, voting yes. Senator Blood, not voting. Senator Bostar, voting yes. Senator Bostelman, voting yes. Senator Brandt, voting yes. Senator Brewer, voting yes. Senator Briese, voting yes. Senator John Cavanaugh, not voting. Senator Machaela Cavanaugh, not voting. Senator Clements, voting yes. Senator Day, voting yes. Senator DeBoer, voting yes. Senator Dorn, voting yes. Senator Erdman, voting yes. Senator Flood, voting yes. Senator Friesen, voting yes. Senator Geist, voting yes. Senator Gragert, voting yes. Senator Groene, voting yes. Senator Halloran, voting yes. Senator Ben Hansen, voting yes. Senator Matt Hansen, voting no. Senator Hilgers, voting yes. Senator Hilkemann, voting yes. Senator Hughes, voting yes. Senator Hunt. Senator Kolterman, voting yes. Senator Lathrop, voting yes. Senator Lindstrom, voting yes. Senator Linehan, voting yes. Senator Lowe. Senator McCollister, voting yes. Senator McDonnell, voting yes. Senator McKinney, not voting. Senator Morfeld, voting yes. Senator Moser, voting yes. Senator Murman, voting yes. Senator Pahls, voting yes. Senator Pansing Brooks, not voting. Senator Sanders, voting yes. Senator Slama, voting yes. Senator Stinner. Senator Vargas, voting yes. Senator Walz, voting yes. Senator Wayne, voting yes. Senator Williams, voting yes. Senator Wishart, voting yes. Vote is 40 ayes, 1 nay, Mr. President.

HILGERS: The motion to invoke cloture is adopted. Members, the next vote is on the motion to bracket. All those in favor vote aye; all those opposed vote nay. Have all those voted who wish to? Please record, Mr. Clerk.

ASSISTANT CLERK: 2 ayes, 39 nays on the motion to bracket.

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HILGERS: The motion to bracket is not adopted. Mr. Clerk, please read the bill.

ASSISTANT CLERK: [Read LB2 on Final Reading].

HILGERS: All provisions of law relative to procedure having been complied with, the question is, LB2 pass? All those in favor vote aye; all those opposed vote nay. Have all those voted who wish to? Please record, Mr. Clerk.

ASSISTANT CLERK: Voting aye: Senators Aguilar, Albrecht, Arch, Bostar, Bostelman, Brandt, Brewer, Briese, Clements, Day, DeBoer, Dorn, Erdman, Flood, Friesen, Geist, Gragert, Groene, Halloran, Ben Hansen, Hilgers, Hilkemann, Hughes, Kolterman, Lindstrom, Linehan, McCollister, McDonnell, Moser, Pahls, Sanders, Slama, Vargas, Wayne, and Williams. Voting no: Senators Machaela Cavanaugh, Matt Hansen, Lathrop, McKinney, Pansing Brooks, and Wishart. Not voting: Senators Blood, John Cavanaugh, Morfeld, Walz, Hunt, Lowe, and Stinner. Vote is 36 ayes, 6 nays, Mr. President, on final passage of the bill.

HILGERS: LB2 passes. While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign LB2.

FOLEY: Speaker Hilgers, you are recognized.

HILGERS: Thank you, Mr. President. Good afternoon, colleagues, just a quick scheduling announcement. We have a decent amount of Final Reading left. Much of that is consent calendar. I've had a few people ask me whether or not we are going to go through dinner or, or break for dinner. We should be, under normal circumstances, be done by 6:00. So we're going to continue and we're not going to break for dinner. We should be done before then. But if we're not, we're just going to continue to plow through. We're not breaking. Thank you, Mr. President.

FOLEY: Thank you, Mr. Speaker. Items for the record, please.

ASSISTANT CLERK: Thank you, Mr. President. New resolution, LR239 by the Health and Human Services Committee calls for an interim study. That will be referred to the Exec Board. In addition, Senator Wayne has an amendment to LB489.

FOLEY: Thank you, Mr. Clerk. Proceeding to LB273. Mr. Clerk, the first vote is to dispense with the at-large-- I'm sorry, we have a motion.

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ASSISTANT CLERK: Mr. President, I do have a motion. Senator Machaela Cavanaugh would move to recommit the bill to the Judiciary Committee.

FOLEY: Senator Machaela Cavanaugh, you're recognized to open on your motion to recommit.

M. CAVANAUGH: Thank you, Mr. Lieutenant Governor. Thank you, Speaker Hilgers, for the announcement. I guess we'll be going through 6:00. So this is the YRTC bill and it is Senator Lowe's bill. And Senator Lowe unfortunately isn't with us right now, but he might be back by the time we get to a vote on his bill. Senator Lowe participated in the filibuster of LB376 yesterday and did not vote for cloture, so that is why we are where we are right now. The YRTC, the youth rehabilitation treatment centers, is something that has become very near and dear to my heart during my two and a half years in the Legislature. It is sort of the, the last, the last stop for a lot of youth in our state. And in just the short time that I've been in the Legislature, it has had a very tragic history, starting with the summer of 2019, when the female youth at the YRTC in Geneva were moved-- removed from the Geneva campus and moved to the Kearney campus because it was a state of emergency. The state of the emergency, the reason-- let me start with the reason that I'm going to explain all of this is because it is very pertinent to the conversations we've been having around youth and youth discipline and education and mental health and resources and policing. It's a really important issue and conversation. And the story of these youths should be shared and understood, and acknowledge the role that we, as the grown-ups play in all of this. So August 2019, I very fondly remember I was sitting outside at a restaurant in Omaha, in Senator McCollister's district, celebrating my cousin's 40th birthday. And, and my sister was in town from New York. And it was my two cousins and my sister and I and we were having a glass of wine and having a great conversation sitting outside. No masks, because it's 2019, different world. And I get a, I get a phone call from Senator Sara Howard and I was like, well, this is kind of odd because it's August and it's like 8:00 p.m. Like why is, is Sara calling me? Why is Senator Howard calling me? So I say, oh, I'm going to just step away for a minute. I step away and she's calling to tell me about what happened at Geneva. And that was the end of my night out celebrating my cousin because the story that ensued from that moment forward was devastating. There were young women at the Geneva campus that had been living in conditions that were inhumane. This is a state-owned, state-run facility and they were living in inhumane conditions. And they, these young women, these very strong, brave young women fought, literally fought, not metaphorically, they literally fought to not go back into the building. They didn't want to go back into the building

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that was inhumane living conditions. So the police were called and a couple of the girls, youth, were taken to the county jail. And the county official said, we can't keep them here. We can't have youth detained here. And a series of things happened then. And those girls in my mind to this day are the heroes in this story because they saved themselves and they saved the other girls there. By getting the police involved, then DHHS, then there was a record, there was a paper trail. Then the Senate had to-- the Legislature had to know about it. We had to be told about it because the reporters were going to know about it because they were-- the police were called. So it was public now. It was public. And several senators in this body went and toured the facility and took pictures and they were atrocious pictures. I did not go on that tour, I went on a later tour of the facility. And I went immediately that weekend with Senator Howard and the Inspector General of Child Welfare at the time, we went-- we drove to Kearney that Saturday to go talk to the girls. One of them was in, I don't know what, Dickson or whatever the-- it's not solitary, but, you know, whatever the isolation space is. They were, they had to move the boys that were in one dormitory out into another dormitory to put the girls in there because the girls and the boys had to be separated. That was part of the-- its PREA, which I forget what that acronym stands for at this moment, and I will think of it. But one of the PREA standards is that the boys and girls have to be separated. So the girls are moved into a dormitory that was previously for the boys. An interesting fact I found out later, this dormitory, which is still the dormitory in Kearney, I describe it as like a 1950s-- like, I don't even know. It has metal bed frames, it's a big open room with metal bed frames and like springs, you know, squeaky springs and like plastic mattresses. And it has neo lights or not neo, sorry, fluorescent lights. And it's never dark in there, even at night, so the, the youth have a hard time sleeping, and also they're sleeping in a room of like 30 teenagers. So they have a hard time sleeping because there's 30 teenagers in a big open space and there's also lights on. And then there's this office, glass window office, so the staff can see them. And then on the other side of the glass window office is another dormitory. So the staff in the office, they're in a locked office for safety, apparently, and they can see all of the youth through the glass windows and they take turns taking rounds in, in the open space, making sure everybody's staying in their beds, etcetera. But because we moved the girls from Geneva to Kearney and put them in the boy dorm-- the boys' dormitory and moved the boys out of that dormitory into another dormitory, we missed a step, folks. A very important step. The glass office. There were boys on one side of the glass office and girls on the other side of the glass office. So how do you address that? You cover up the glass. And now you can't see the dormitories.

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FOLEY: One minute.

M. CAVANAUGH: Thank you. So that's just the beginning of the Odyssey that is the YRTC's. It continues to be a heartbreaking situation, with the youth and the employees constantly in transition, never knowing what's going to happen next. It is devastating, the trauma that these youth have gone through in their lives and that when they enter into a state facility, that we traumatize them even more. I'll yield the remainder of my time.

FOLEY: Thank you, Senator Cavanaugh. Discussion on the motion. Senator Lathrop.

LATHROP: Good evening. I am standing in opposition to the motion to recommit. I just want to remind people what this bill is. I, I worked on this bill with Senator Lowe. It did come out of Judiciary Committee. It is intended to remedy a problem. I-- Senator Lowe told me he had to leave to go to a funeral and I promised him that if he, if this came up, I would stand up in opposition to this motion and remind people what this bill is. A year ago, we passed a bill that was intended to provide youth that were being transferred from one YRTC to another with a hearing. That was in LB1148, I think that was Senator Vargas' bill. Basically, if you were moving a young person from Kearney to Lincoln, this bill would require a seven-day notice. What we hadn't intended, sometimes this kind of stuff happens, is that some of these kids that were needed to be moved from Kearney to Lincoln, for example, had to spend seven days in isolation or by themselves in a different housing unit waiting for their hearing. Well, that's not what we intended. Senator Lowe's bill provides for an emergency hearing. This was something that had some, some concerns were expressed on General File. We worked through those. A lot of effort has gone into and thought has gone into LB273. I just want to remind folks, this is, this is good policy. It's correcting a problem that was created when we passed LB1148. It provides for a short-term emergency hearing for youth that are being transferred from one YRTC to another. And while I understand why Senator Cavanaugh has filed this motion in what's happened, or what has transpired today, I don't think this bill ought to get caught up and people inadvertently or otherwise voting against it on Final Reading. And with that, if you do have questions about the bill itself, I'm happy to answer them. Thank you.

FOLEY: Thank you, Senator Lathrop. Senator Slama.

SLAMA: Thank you, Mr. President. I was authorized by Senator Lowe to note that he is attending a funeral right now. I do think it's

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unfortunate, especially based on the argument that Senator Lathrop made about the kids that are going to get caught up in this filibuster, should Senator Cavanaugh choose to pursue it. Not only that, but the fact that Senator Lowe is going through a loss right now and unable to defend his bill on the floor, should that be the path that Senator Cavanaugh chooses to partake in. Thank you, Mr. President.

FOLEY: Thank you, Senator Slama. Senator Machaela Cavanaugh.

M. CAVANAUGH: Thank you, Mr. Lieutenant Governor. OK, so what is the plan? The plan is to talk about the bills in front of us, to talk about the children in the YRTC's. That's the plan. That's the plan. And I get it, that pisses you all off, that pisses my friends off, that pisses the people that stood against me off. OK, you can check out and go home, that's up to you. This is what I'm doing. I have only time. Time is the only thing I can do now. And I would recommend those that were just standing at my desk asking this question to listen to this now, because here is the answer. I am taking my time to teach a lesson. This body has taken a lot of my time to teach me lessons and they were cruel lessons. They were mean and vicious and vindictive lessons and you took my time to do that. You took my time to teach me the lesson that to be a progressive woman who speaks her mind on the microphone and doesn't take guff is going to cost her. But it's not going to cost her, it's going to cost the things she cares about, which are people, vulnerable people. You took my time to teach me that lesson and you have the audacity to come at me like I'm misbehaving. I am not misbehaving. I am behaving exactly how this body, 48 senators, I use that number because that number was just told to me, there's 48 other people in here with bills that they care about. Forty-eight of you are here. Great, happy for you. You worked very hard and very diligently to make sure that I understood the words of Senator Chambers. You took everything that I worked for, that I cared about, and you demolished it with malice and joy. You demolished it. And now you come at me with just a few days left in session and you want me to do you a solid? No, no. I don't have to justify myself to any of you. I have to justify myself to the voters, I have to justify myself to the citizens. I am going to take my time because I get to and because you all taught me a lesson that you value partisanship and party games over strong public policy. If I lose every friend I have in this body, then I lose every friend I have in this body. What else am I going to achieve--

FOLEY: One minute.

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M. CAVANAUGH: --except for to show the people of Nebraska that there is someone who cares about them, someone who is willing to lose everything in this Legislature to fight for them? That's what I'm gaining today. So come at me if you want, I don't care. This is no one's fight but mine. And if you don't like it, check out and go home. If you want to get to your bills, be better. Be better human beings, be better to the citizens of Nebraska. Listen to the floor debate. Don't vote, vote for terrible bills like LB2. This place is bananas. I think you said one minute, if I'm correct?

FOLEY: That's time now, Senator.

M. CAVANAUGH: Thank you.

FOLEY: You're next in the queue and you may continue.

M. CAVANAUGH: Thank you. And I think is this my last time in the queue before--

FOLEY: You still have your closing.

M. CAVANAUGH: OK, thank you. So I got off track because I was trying to address the men that were coming at me while I was sitting in my seat, and they were standing over me basically wanting to browbeat me into doing what they wanted. And I'm not going to do that. I'm not going to be intimidated. I'm not going to kowtow to anything at this point. I don't care. I don't care about your bills. We passed the budget. We passed the budget. Somebody can throw up a sine die motion right now and I will vote for it. I don't care about your bills. I care about helping people in Nebraska, and this body has shown who it is. It is selfish. It is self-righteous, righteous. It is so misogynistic, it's unbearable. I don't care about your bills and I'm not going to care about your bills. I did care. I cared about how hard everyone worked on their bills. I cared about the diligence that you all put into your legislation. I cared about all of it. But you showed me that in caring about the things that you care about, was just going to lull me into this false sense of community that we had a duty to one another to work together and be respectful. So I've stopped caring. I've stopped caring about your bills. And it doesn't matter to me who you are. And as you can see, I'm doing this alone. So if you want to come at me, you can come at me. If you want to kill somebody else's bill if we get to it because of what I'm doing, that's misguided, but that's on you. Because I don't care. We passed the budget supposedly. I don't care. How much time do I have left?

FOLEY: 2:15.

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M. CAVANAUGH: OK, so I'm going to just grab my laptop so I can talk about the YRTC's. Because I do care about that. So back to August 2019. So the girls were moved, and I think it's important to note that they were shackled when they were transported from Geneva to Kearney, which is, of course, an extraordinarily traumatic thing to do to a young woman, is to shackle her to move her when you're moving her from an uninhabitable space to a slightly less uninhabitable space. So they were shackled. And I've noted this before and I'll note it again, it seems apropos right now, when this body actually cares about the things that I care about, we do some really nice things. And when we pass the no shackling of, of pregnant women, incarcerated pregnant women, because we passed that, the teenager who was pregnant, she was not shackled when they transported her. So, yay us. It's like the only good thing this body has--

FOLEY: One minute.

M. CAVANAUGH: --done in collaboration with me. Thank you. OK, so the girls got there, we went and visited. They didn't even have tampons because they were at a boys campus, or maxi pads, and they didn't have-- some of the women, young women are girls of color and they need different personal care items for their hair and they weren't getting access to that. And they, they were taking over a boys dormitory. And the youth are in charge of cleaning the bathrooms and so the girls got there and they needed to clean the bathroom because, of course, a bunch of teenage boys had just vacated the premises. And, you know, I have five brothers, so in my mind, this is a very vivid of what that could possibly look like.

FOLEY: That's time.

M. CAVANAUGH: Thank you.

FOLEY: Thank you, Senator Cavanaugh. Senator Flood.

FLOOD: Thank you, Mr. President. Members, good evening. I thought maybe I'd jump in here and give others a chance to think and talk and move forward. I will tell you that when I was coming into the Legislature, I was mailed a copy of the YRTC report from the Chair of the Health and Human Services Committee, Senator Sara Howard. I served with her mother, Gwen. I had a lot of respect for the family, having gotten to know Gwen and as a member of the Legislature. And I felt like the YRTC report was one of the best pieces of work the Legislature has done that I had ever seen. And I know that Senator Arch, when I had the chance to visit with him, he wrote that report. And I read it actually, maybe it says something about the free time I

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had, but I read that report in December. And I went through every single page and I was able to learn about what had happened at the YRTC in Kearney, what the conditions were, but most importantly, what the reaction was from the executive branch and how the executive branch was dealing with these issues about the concerns of the people in the community of Kearney and the people in central Nebraska who have been the host facility here for troubled young people for decades, probably more than decades. One of the things that I learned about when I, when I think about YRTC is I talked to the juvenile court judges in the Seventh Judicial District and they tell me that we absolutely need a facility like YRTC and it's harder and harder and harder to get young people into these facilities. And sometimes that constitutes a compromise, it can compromise public safety. And I know one of the, one of the discussions that we've had in the Legislature is the appropriate use of residential services. One of the things that I think we know about YRTC is that, yes, there's work that needs to be done. Senator Lowe has championed a lot of that work, as has Senator Arche, Senator Cavanaugh. Senator Pansing Brooks has an investment in juvenile services. And I think that if you want to look at something positive that's happened in this Legislature over the last five years, our engagement as a Legislature of YRTC, the report and the fact-finding that's been done, the recommendations and the results, and the cooperation with the executive branch is leading to a better outcome at not only Kearney, but also some of the other facilities we serve in this state. I do want to make a comment about Geneva. And I am not super knowledgeable what happened at the Geneva Center for Young Women, but I, and I think I speak directly to Senator Brandt on this, because I know it as a member of the Norfolk community and I know that Senator Halloran knows this as a member of the Hastings community. When you invest your community into supporting a facility like Geneva, the very fabric of what happens inside that facility represents the very best of your community, even though things may happen that are not in line with expectations. I just think it's important for the executive branch to know how painful it is for the people in Fillmore County to see that facility not be operating as it was intended and as it has operated for decades and over 100 years. I know that firsthand, the people of Hastings know that firsthand. Our community chose to have the state hospital at the time for the mentally ill, I'll say, in 1888. And to this day, I would tell you that in my opinion, our law enforcement are the best in the upper Midwest when it comes to dealing people who are dealing with a mental illness, an acute psychotic mental illness that makes them dangerous to themselves or other.

FOLEY: One minute.

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FLOOD: And that's because our community has invested in that facility. You may not know this, but police officers like Steve Hecker from Norfolk go into Omaha and they train OPD on how to de-escalate situations because they are so experienced with a population of folks that suffer from an illness that none of us ever, ever want to deal with. And many of us, in fact, do on different levels. And I will tell you, that's the same thing in Geneva. That's the same way the community of Geneva has, has developed with that facility. And to see that facility not be at full strength and not be at its mission is a difficult pill to swallow in rural Nebraska. And I think Senator Halloran from Hastings could make the same argument about the impact that the closure of the Hastings Regional Center had on Adams County and much of central Nebraska. So I'm going to visit one more time about some of these topics.

FOLEY: Senator, your time is up, but you're next in the queue. You may continue.

FLOOD: Thank you, Mr. President. Thank you, members. I'm, I'm kind of reacting to what's going on at the YRTC in Kearney. I'm talking about the importance of these facilities in rural Nebraska. And one of the things I want to guard against is that there's this idea that when we have to close a service down in a rural part of the state, that it automatically gets reconstituted in a Lincoln or in Omaha because there's more staff. I don't know if people understand the value of putting these state facilities in rural Nebraska. We are talking about a state facility here with YRTC, but I want to tell you a story about the child support payment center that exists in Wausa, Nebraska. Former Senator Pat Bourne, who at the time was on the Judiciary Committee dealing with the child support backlog, the state of Nebraska budgeted for a new child support center that would take calls and deal with claims from across the state of Nebraska. And one of the things that he said, now this is an Omaha state senator, mind you, he said, this has to be in rural Nebraska. And so of all the places in the world, they put this child support payment center in Wausa, Nebraska, which is in Knox County. Did you know that that is one of the most efficient divisions of state government? That if there's a vacancy, it's filled like that? That health insurance goes a long way, folks, in a rural area with lots of poverty? And every day it seems like we continue to build larger and larger state facilities in our two largest cities. The best bang for our buck is to put these facilities in rural Nebraska. Let's talk about some other facilities that could be in rural Nebraska: the Game and Parks Commission. Senator Erdman had the idea to put the Game and Parks Commission in Sidney. What a wonderful idea. NET. Why does NET have to be here in

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Lincoln? Wouldn't they benefit from being in Norfolk? I guess they're not NET now, they're Nebraska public television-- or Nebraska Public Media. Think about the Department of Labor. We have a wonderful workforce across the state that could be home to a lot of different state agencies. And I think that, as we discuss YRTC, I love the fact that we're investing in a state facility that Kearney has hosted for so long that we're focused on the security, obviously, in the facility and to the residents of the city of Kearney. And I think that Senator Howard, Senator Arch, the entire Health and Human Services Committee has invested the time to be able to do that. I'd like to see us invest the same amount of time to do that at Geneva. Because the reality is, we have something great at Geneva. We have a community built to serve state services. And I think that we can do more of that in rural Nebraska. We have to be creative and those of us in rural Nebraska, we have to fight for and demand it. But I think too often we take situations like Wausa and we think they're anecdotal. And the reality is Wausa's child support payment center is anything but anecdotal. It represents the very best of our Nebraska workforce, it represents the very best of what we can offer the state. And I'd like to see us do things like that from the Panhandle into southwest Nebraska, into the Platte Valley, up in the extreme portions of northeast Nebraska, north-central Nebraska. I think if the state really wants to make us successful, we need to spread these opportunities to serve--

FOLEY: One minute.

FLOOD: --our constituents and different parts of the state with the services that we deliver in places like Lincoln and Omaha. With that, I would just encourage you to vote for Senator Lowe's LB273. I think it was awfully nice that Senator Lathrop stood up in Senator Lowe's spot, talked about what the bill does. I think we're all excited to be done with all of this this year. And moving LB273 over to the executive branch would be a nice way to end the day. It would be really nice to finish all of this Final Reading and go home. Thank you, Mr. President.

FOLEY: Thank you, Senator Flood. Senator Morfeld.

MORFELD: Thank you, colleagues. I wasn't going to speak on this bill until Senator Flood got up and talked. Why is NET not up in his district? It's because it's in my district and I think it should stay there. First he wants to make it so that I have to go and open a new bank account to have cryptocurrency and now he wants to take NET from my district. So I just wanted to get up and note why NET is not in Senator Flood's district, it's because it's in the "Fighting 46th," and I hope it will stay there. Thank you, Mr. President.

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FOLEY: Thank you, Senator Morfeld. Senator Machaela Cavanaugh, you're recognized to close on your motion to recommit.

M. CAVANAUGH: Thank you, Mr. Lieutenant Governor. So we'll go to a close on this and a vote on this. And then I have another motion to file after this motion to recommit. And I want to get back to something that I started reading on the previous bill, but didn't actually get a chance to read it. So I need to pull it back up in my email. OK. A day in the life of a mom with a child who has a disability. Three years ago, I had to give up a career I loved, teaching, to be the kind of mom my daughter deserved. Like most moms, I make sacrifices daily for my children. And so when a senator who has no children, let alone a child with a disability, gets up in front of the Legislature-- Legislature and goes after funding for services for disabled children and attempts a half-hearted "I feel for you" comment to empathize, yeah, I got some pretty strong feelings about that. On Wednesdays we do therapy, or as a clever coworker of mine pinned it, "Claire-apy," PT, OT, ST every week. You want to know how much basic PT, OT and ST costs a family like mine? \$490 a week. That's almost \$2,000 a month for one child. And guess what? She really should be going two times per week. Can I have a gavel, please? Can I have a gavel, please?

FOLEY: Members, please come to order.

M. CAVANAUGH: She really should be going two times per week, but we just can't fit it in our schedule. We drive 30 minutes into Omaha, therapy for an hour and a half, then make a trek back home to be back in time to pick up big bro from school while she works-- I work. I'm blessed to have a job that allows the freedom and flexibility to work from wherever I am, even my minivan and my daughter's therapy office. Every damn week we do this. This is our routine. It's expensive, it's exhausting, and it is what is best for my child. And so I sacrifice. And you say, "I feel for you." Claire [PHONETIC] is not affected by the awful, petty, cold decision made at the Capitol yesterday, but there are 850 other kids and families in Nebraska who will not get the help they need because some senators allowed personal and political-- I will say just BS-- to take their, take away funding for services for the disability community. Do you feel for them? Actions speak louder than words. Don't tell me you're pro-life and prohibit disabled people from achieving-- from receiving the funding they desperately need to access services to learn skills like walking and talking. My God, these are the simplest of skills that many of us take for granted because we've been blessed with bodies and minds that typically function. If we can't stand for this, what can we stand for? Excellent

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question. I don't know what this body stands for. I don't stand with this body. I know we'll do a check-in or whatever the protocol is at this point. I'd like a roll call vote in regular order.

FOLEY: Members, we're about to proceed to a vote, if you could please check in. All members, please check in. All members, please check in so we can proceed to a vote. Senator Walz, please check in. Senator Flood. Senator Walz, if you could check in, please. Senators Murman and Clements, please return to the Chamber and check in. Waiting for Senator Clements. All unexcused members are now present. The question before the body is whether or not to recommit the bill to committee. A roll call vote has been requested. Mr. Clerk.

ASSISTANT CLERK: Senator Aguilar. Senator Albrecht, voting no. Senator Arch, voting no. Senator Blood. Senator Bostar, voting no. Senator Bostelman, voting no. Senator Brandt, voting no. Senator Brewer. Senator Briese. Senator John Cavanaugh, not voting. Senator Machaela Cavanaugh, voting yes. Senator Clements, voting no. Senator Day. Senator DeBoer, voting no. Senator Dorn, voting no. Senator Erdman, voting no. Senator Flood, voting no. Senator Friesen, voting no. Senator Geist, voting no. Senator Gragert, voting no. Senator Groene, voting no. Senator Halloran, voting no. Senator Ben Hansen, voting no. Senator Matt Hansen, voting no. Senator Hilgers, voting no. Senator Hilkemann, voting no. Senator Hughes, voting no. Senator Hunt. Senator Kolterman, voting no. Senator Lathrop, voting no. Senator Lindstrom, voting no. Senator Linehan, voting no. Senator Lowe. Senator McCollister, voting no. Senator McDonnell, voting no. Senator McKinney, voting no. Senator Morfeld, voting no. Senator Moser, voting no. Senator Murman, voting no. Senator Pahls, voting no. Senator Pansing Brooks, voting no. Senator Sanders, voting no. Senator Slama, voting no. Senator Stinner. Senator Vargas, not voting. Senator Walz, not voting. Senator Wayne, not voting. Senator Williams, voting no. Senator Wishart, voting no. Vote is 1 aye, 36 nays, Mr. President.

FOLEY: Thank you, Mr. Clerk. The motion to recommit is not successful. Mr. Clerk.

ASSISTANT CLERK: OK. Mr. President, Senator Machaela Cavanaugh would move to bracket the bill until June 10.

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

M. CAVANAUGH: Thank you, Mr. Lieutenant Governor. I got swept up in voting yes. I should have been present, not voting on that because I do support this bill. I, I got a note from another parent that says

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that they now qualify for the Medicaid A&D waiver as of January, but didn't before that. One of their child's medications costs over \$70,000 a month, which will hopefully keep him able to walk until his first-- 15th birthday. Many kids with this disease don't tend to live past 18, but research and care in the U.S. is improving for his disease. We just need to keep giving him proper medication. I'm so grateful that she wrote to me and shared that. \$70,000 a month. I feel like all day I've been like a super pariah, and like the last 30 minutes or so I've been like super popular because people keep coming over talking to me. And I realize that right now I have to get in the queue. So, so people keep coming over and talking to me when I'm not on the mike, but none of you seem to be listening to me when I'm on the mike. If you listen, you will understand. I don't care about what you care about, I care about that kid. I care about that kid getting \$70,000 medication a month to help him walk. That's what I care about. I do not care about your bills. Your bills do good things. Your bills do bad things. Your bills do mediocre things. I don't care. I do not care. I care about that kid. And yes, 30 people voted yesterday to give me cloture and 19 people didn't. But here's the thing, friends. Pressure, pressure, pressure, pressure. We all pressure each other into voting for this thing or that thing, to help this senator out or that senator out. There was no pressure from 30 of you to get 3 more of you to vote for children. And the moral obligation of the people who voted no-- pressure. I don't care about your bills. I don't care about what you care about. I just don't. I did, and you broke me. You broke your friendship with me, you broke your collegial relationship with me, you broke me. Because I used to care. I used to feel bad voting no on people's bills because I knew how hard you worked on them. If I vote no on a bill, it means I really don't like it. It doesn't mean that I don't like the person. I'm usually present, not voting on bills that I don't like. So if, like you see me vote red on something, it means I really don't like that bill. Because I cared, cared about 48 other people, and that was my mistake. I should never have cared about the people in this building, in this room. I should have only cared about the vulnerable populations that I am here to represent and fight for. And that is the lesson that I learned the hard way. And now you all are going to learn the lesson of what it looks like when I don't give two flying bananas about what you care about. I would think you would understand this. I would think that people would stop asking me what my motivation is. I don't recall anyone doing that to Senator Chambers. And I got to say, like, for the people at home, you should be very impressed with the men in this body, because I know me. I know what I'm like. I know how I respond to external pressure, and I'm pretty sure the people watching at home have a fair idea about how I respond to external pressure. But the men

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in this body all day long have been coming up to me, trying to pressure me. Different men in this body. And I'm like, my goodness, you must not value that hand very much. No, you made your beds. They're made. Just crawl on in, pull the covers up. This turkey is baked. Don't worry, I don't have any bills that I care about anymore. So the YRTC, where did I leave off? I think we were at August and the girls, the girls had just been moved there. I honestly, I don't know at what point they started renovating the La Flesche building in Geneva, but they spent \$400,000 on that, \$400,000 that could have been put towards property tax relief, everybody. But they put it towards renovating this uninhabitable, inhumane building to make it habitable and humane. And then they did the best thing ever, nothing. And it's still empty today. It is almost two years later and that building is still empty. \$400,000 to renovate a building that has never been used. So, yeah, when Senator Erdman talks about government spending and waste, well, there's \$400,000 for you Senator Erdman, completely wasted. And I can keep going through various things that the Department of Health and Human Services has done to just waste money. So the YRTC, OK. So they renovated the building and then they left the girls in Kearney, they didn't communicate to the staff. So they were still paying staff in Geneva, but they were sort of like pushing them to, to go to Kearney. And then there was this whole issue with the school and who was in charge of the school, and we worked on legislation on that because the kids weren't really getting adequate academic supports. And then we created the oversight committee and, well, no, I'm sorry. Let me back up. Before we created the oversight committee, we held hearings or briefings. During the interim of 2019--

FOLEY: One minute.

M. CAVANAUGH: --thank you-- the HHS committee at that time and Senators Dorn and Brandt and Lowe, we went to the HHS Committee, and those senators went to Geneva and we took a tour of the facility to see what was happening there. It was terrible. And then we, I think it was at a bank, I don't actually remember where we had that hearing. Was it a bank? Senator Brandt might remember. Well, anyways, we were in Geneva and we had a hearing for the public. And it was one of those hearings where, I mean, it was terrible, everything was terrible. The facilities were terrible, the girls were traumatized, the staff was traumatized, but the community was amazing. They came in and person after person after--

FOLEY: That's time, Senator--

M. CAVANAUGH: --person--

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FOLEY: --but you're next in the queue. You may continue.

M. CAVANAUGH: --thank you--after person testified about how much they enjoyed having the girls at the Youth Rehabilitation Treatment Center in Geneva, about how much they enjoyed participating in the programming. They had a swimming pool and they used to do swim meets there. They had an equestrian program that, and they loved having the girls would come out there and they would help groom the horses and learn about taking care of the animals. Something that I know Senator Wishart, it's very close to her heart as an avid horse lover, and just a general animal lover. But I mean, the mayor came out, the, the community came out and they all just kept sharing story after story after story about what having those girls and that campus there meant to them. And then we went to Kearney and took a tour of the Kearney facility. And then we had a hearing at the University of Kearney, UNK, and we kind of heard the opposite. They did not want the campus there. They did not want more youth there. They kind of viewed it as, as a, a blight. And I'm not trying to disparage Kearney, I mean, I think it's a huge thing to have that kind of facility in the middle of your community. But it was just, there was this difference. The Geneva community wanted it, the Kearney community did not want it. Yet, we were keeping them all in the Kearney community. And then there was the fence. So for those of you that have maybe previously been out to the YRTC Kearney, it is at like the top of a hill and there is a huge cornfield. And when a youth runs away, they, they call it eloping. So when the youth elopes, so before there was this fence, the, the young men that were at the YRTC Kearney, when they would elope, they would literally just run into the field in the middle of the day. It's cornfield. Just run into a cornfield. So, you know, they'd have to go and, and gather them. And it wasn't always easy. Sometimes they would, you know, get into town or something like that. But generally speaking, they could find them, recover the youth fairly quickly. So then they put this fence up. And I heard from staff at the YRTC Kearney facility that they never wanted the fence. The staff knew immediately what the problems were going to be with this fence, this fence that I think cost \$700,000, another waste of money, Senator Erdman. I think we're up to \$1.-- \$1.1 million in waste. OK, so they put this fence up and here's why-- there's a couple of reasons that the fence is a waste of money. The first is, it's a fence, like a chain-link fence that you can climb. So you just put a fence up that teenagers can climb quickly over and staff that maybe don't have the same physical acumen cannot climb over. And then the fence didn't have what you call candy canes, like that curvature in. The fences didn't have that. So it was literally just like, hey, kids, why don't you just hop over the fence and we will--

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FOLEY: One minute.

M. CAVANAUGH: --put a barrier to us getting you back quickly. But there is an additional problem with the fence. When there was no fence, the youth when they were outside could just book it. They could just run off through the yard and make a, make a break for it. Once there was the fence, couldn't just run off in the middle of the day. You had to wait. And that's what they did, and that's what the staff knew they were going to do. You had to wait until nighttime when the staff ratios were less. And if you remember back to my story about what the dormitory was like, OK, so you got the staff, and they're locked in the office looking at the youth. Now you have the glass windows. They put paper over them so that you can't see through.

FOLEY: Senator Cavanaugh.

M. CAVANAUGH: Yes?

FOLEY: You may continue on your third opportunity.

M. CAVANAUGH: Thank you. So you've got the glass windows. They put paper over them so that you can't see through. The staff ratios are way less. A staff member will go out to check on the youth and the youth will take that opportunity to assault the staff, to get their keys, to get out of the dormitory, to climb over the fence. So assaults on staff skyrocketed after the fence. They actually skyrocketed. They have very few assaults on staff and after the fence went up, it was almost daily at one point that they were having assaults on staff. And for that, for staff assaults and the pleasure of more elopements, we paid \$700,000. It actually might have been more than \$700,000, that's just the number that sticks in my head. But we paid \$700,000 for that delightful addition to the Youth Rehabilitation and Treatment Center in Kearney. And that brings us up to, I think, September of 2019. Yeah, so-- just contemplating. So I just, I think about this, the youth population that's at Kearney and Geneva and Lincoln and now Hastings and Whitehall, and I wonder what more, what more could we as a Legislature be doing to help those youth? There's so much more we could be doing. Unfortunately, our capacity to care seems to have met its threshold because we have to care more about agricultural land taxation than anything else. We have met our capacity of caring for the youth of this state that are involved in trauma, that are housing insecure, that are food insecure, that aren't getting adequate education. We have schools in Omaha that have huge class ratios and, and we had a bill this year to take tax revenue or cut tax revenue for private donations. And to be honest, if we would put more money towards public schools, I wouldn't have been as opposed

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to that as I was, but we aren't doing the best that we can for the kids that we are caring for.

FOLEY: One minute.

M. CAVANAUGH: And I can't let that stand. I'll put it in terms that this body can understand. I care as much about children in vulnerable situations, whether it is because of their living situation or because of a disability. I care as much about that as you all care about property tax relief for farmers. That's how much I care. So I think I am almost done with this time and then I have a close, am I correct?

FOLEY: That's correct, Senator.

M. CAVANAUGH: Then I'll just move to my close.

FOLEY: You may proceed with your close.

M. CAVANAUGH: Thank you. So here's a thing that I'm going to share that probably nobody's listening on the floor anyway, so they'll miss the lesson. I've got this bracket motion for a date certain and you can only have a vote once on a date-certain bracket motion. So I could pull this bracket motion and give you the next one, call on page-- oh, shoot, I can't see your name. But you've been to my desk, haven't you? All right. I think they actually all have been to my desk like twice now. So I could pull this and hit my button and have a page come over here and grab my bracket motion and I could put another bracket motion up for a different date. I could just-- like June 11 or whatever and that way I can just keep this going. Or we can vote on this bracket motion and see what happens next. You want to vote on the bracket motion? It is like a game show. I mean, I'm like rolling the dice in my head. You know what? Senator John Cavanaugh just asked me to take a vote on the bracket motion and who am I to deprive my younger brother? I would like a roll call vote in reverse order. Thank you.

FOLEY: Senators, please return your desks. We're about to proceed to a vote. All members, please return to your desks. We're about to proceed to a vote. Senator McCollister. All senators, please sit at your desks for a vote. The question before the body is whether or not to bracket the bill until June 10. A roll call vote in reverse order has been requested. Mr. Clerk.

ASSISTANT CLERK: Senator Wishart, voting no. Senator Williams, voting no. Senator Wayne, voting no. Senator Walz. Senator Vargas, voting no. Senator Stinner. Senator Slama, voting no. Senator Sanders, voting no. Senator Pansing Brooks, voting no. Senator Pahls, voting no. Senator

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Murman, voting no. Senator Moser, voting no. Senator Morfeld, voting no. Senator McKinney, voting no. Senator McDonnell. Senator McCollister, voting no. Senator Lowe. Senator Linehan, voting no. Senator Lindstrom, voting no. Senator Lathrop, voting no. Senator Kolterman, voting no. Senator Hunt. Senator Hughes, voting no. Senator Hilkemann, voting no. Senator Hilgers, voting no. Senator Matt Hansen, voting no. Senator Ben Hansen, voting no. Senator Halloran, voting no. Senator Groene, voting no. Senator Gragert, voting no. Senator Geist, voting no. Senator Friesen, not voting. Senator Flood, voting no. Senator Erdman, not voting. Senator Dorn, voting no. Senator DeBoer, voting no. Senator Day. Senator Clements, voting no. Senator Machaela Cavanaugh, not voting. Senator John Cavanaugh, not voting. Senator Briese. Senator Brewer. Senator Brandt, voting no. Senator Bostelman, voting no. Senator Bostar, voting no. Senator Blood. Senator Arch, voting no. Senator Albrecht, voting no. Senator Aguilar. Vote is 0 ayes, 35 nays, Mr. President, on the motion to bracket.

FOLEY: The bracket motion is not successful. LB273, Mr. Clerk, the first vote is to dispense with the at-large reading. Those in favor of dispensing with the reading vote aye; those opposed vote nay. Record, please.

ASSISTANT CLERK: 31 ayes, 2 nays to dispense with the at-large reading.

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

ASSISTANT CLERK: [Read title of LB273].

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB273 pass? Those in favor vote aye; those opposed vote nay. Record, please.

ASSISTANT CLERK: Voting aye: Senators Albrecht, Arch, Bostar, Bostelman, Brandt, Briese, Cavanaugh, Cavanaugh, Clements, DeBoer, Dorn, Erdman, Flood, Geist, Gragert, Groene, Halloran, Ben Hansen, Matt Hansen, Hilgers, Hilkemann, Hughes, Kolterman, Lathrop, Lindstrom, Linehan, McCollister, McKinney, Morfeld, Moser, Murman, Pahls, Pansing Brooks, Sanders, Slama, Vargas, Walz, Wayne, Williams, Wishart. Voting nay: none. Not voting: Senators Friesen, McDonnell, Aguilar, Blood, Brewer, Day, Hunt, Lowe and Stinner. Vote is 40 ayes, 0 nays, 2 present and not voting, 7 excused and not voting, Mr. President.

FOLEY: LB273 passes. Next bill, please. All right, next bill, please.

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ASSISTANT CLERK: [Read LB307 on Final Reading].

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB307 pass. Those in favor vote aye; those opposed vote nay. Have you all voted who care to? Record, please.

ASSISTANT CLERK: Voting aye: Senators Bostar, Senator Bostelman, Brandt, Briese, Cavanaugh, Cavanaugh, DeBoer, Dorn, Flood, Friesen, Geist, Matt Hansen, Hilgers, Hilkemann, Kolterman, Lathrop, Lindstrom, Linehan, McCollister, McDonnell, McKinney, Morfeld, Pahls, Pansing Brooks, Vargas, Walz, Wayne, Williams, and Wishart. Voting nay: Senators Albrecht, Clements, Erdman, Groene, Halloran and Sanders. Not voting: Senators Arch, Gragert, Ben Hansen, Hughes, Moser, Murman, Slama, Aguilar, Blood, Brewer, Day, Lowe and Stinner. Vote is 29 ayes, 6 nays, 7 present and not voting, 7 excused and not voting, Mr. President.

FOLEY: LB307 passes. Proceeding to LB644. Mr. Clerk, the first vote is to dispense with the at-large reading. Those in favor of dispensing with the reading vote aye; those opposed vote nay. Record, please.

ASSISTANT CLERK: 32 ayes, 3 nays to dispense with the at-large reading.

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

ASSISTANT CLERK: [Read title of LB644].

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB644 pass? Those in favor vote aye; those opposed vote nay. Record, please.

ASSISTANT CLERK: Voting aye: Senators Albrecht, Arch, Bostar, Bostelman, Brandt, Briese, Cavanaugh, Cavanaugh, Clements, DeBoer, Dorn, Erdman, Flood, Friesen, Geist, Gragert, Groene, Halloran, Ben Hansen, Matt Hansen, Hilgers, Hilkemann, Hughes, Kolterman, Lathrop, Lindstrom, Linehan, McCollister, McDonnell, McKinney, Morfeld, Moser, Murman, Pahls, Pansing Brooks, Sanders, Slama, Vargas, Walz, Wayne, Williams and Wishart. Voting nay: none. Not voting: Senators Aguilar, Blood, Brewer, Day, Hunt, Lowe and Stinner. Vote is 42 ayes, 0 nays, 7 excused and not voting.

FOLEY: LB644 passes. Proceeding to LB485e, Mr. Clerk.

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ASSISTANT CLERK: [Read LB485 on Final Reading].

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB485e pass with the emergency clause attached? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

ASSISTANT CLERK: Voting aye: Senators Arch, Bostar, Bostelman, Brandt, Briese, Cavanaugh, Cavanaugh, DeBoer, Dorn, Flood, Friesen, Geist, Gragert, Ben Hansen, Matt Hansen, Hilgers, Hilkemann, Kolterman, Lathrop, Lindstrom, McCollister, McDonnell, McKinney, Morfeld, Pahls, Pansing Brooks, Vargas, Walz, Wayne, Williams and Wishart. Voting nay: Senators Albrecht, Clements, Erdman, Groene, Murman and Sanders. Not voting: Senators Halloran, Hughes, Linehan, Moser, Slama, Aguilar, Blood, Brewer, Day, Lowe and Stinner. Vote is 31 ayes, 6 nays, 5 present and not voting, 7 excused and not voting, Mr. President.

FOLEY: Thank you, Mr. Clerk. Members, the bill did not pass with the emergency clause attached. The next vote will be shall the bill pass with the emergency clause stricken? All those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

ASSISTANT CLERK: Voting aye: Senators Arch, Bostar, Bostelman, Brandt, Briese, Cavanaugh, Cavanaugh, DeBoer, Dorn, Flood, Friesen, Geist, Gragert, Hansen, Hansen, Hilgers, Hilkemann, Kolterman, Lathrop, Lindstrom, McCollister, McDonnell, McKinney, Morfeld, Pahls, Pansing Brooks, Vargas, Walz, Wayne, Williams and Wishart. Voting nay: Senators Albrecht, Clements, Erdman, Groene, Murman and Sanders. Not voting: Senators Halloran, Hughes, Linehan, Moser, Slama, Aguilar, Blood, Brewer, Day, Hunt, Lowe and Stinner. Vote is 31 ayes, 6 nays, 5 present and not voting, 7 excused and not voting, Mr. President.

FOLEY: LB485 passes with the emergency clause stricken. Proceeding now to LB485Ae. Mr. Clerk.

ASSISTANT CLERK: [Read LB485A on Final Reading].

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB485Ae pass with the emergency clause attached? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

ASSISTANT CLERK: Voting aye: Senators Arch, Bostar, Brandt, Briese, Cavanaugh, Cavanaugh, DeBoer, Dorn, Flood, Friesen, Geist, Gragert, Hansen, Hansen, Hilgers, Hilkemann, Kolterman, Lathrop, Lindstrom, McCollister, McDonnell, McKinney, Pahls, Pansing Brooks, Vargas, Walz,

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Wayne, Williams and Wishart. Voting nay: Senators Albrecht, Clements, Erdman, Groene, Murman and Sanders. Not voting: Senators Bostelman, Halloran, Hughes, Linehan, Morfeld, Moser, Slama, Aguilar, Blood, Brewer, Day, Hunt, Lowe and Stinner. Vote is 29-- Senator Morfeld, voting yes. Vote is 30 ayes, 6 nays, 6 present and not voting, 7 excused and not voting, Mr. President.

FOLEY: Thank you, Mr. Clerk. Members, the bill did not pass with the emergency clause attached. The next question is whether or not the bill should pass with the emergency clause stricken? Those in favor vote aye; those opposed vote nay. Have you all voted who care to? Record, please.

ASSISTANT CLERK: Voting aye: Senators Arch, Bostar, Brandt, Briese, Cavanaugh, Cavanaugh, DeBoer, Dorn, Flood, Friesen, Geist, Gragert, Hansen, Hansen, Hilgers, Hilkemann, Kolterman, Lathrop, Lindstrom, McCollister, McDonnell, McKinney, Morfeld, Pahls, Pansing Brooks, Vargas, Walz-- Vargas, Wayne, Williams and Wishart. Voting nay: Senators Albrecht, Clements, Erdman, Groene, Murman and Sanders. Not voting: Senators Bostelman, Halloran, Hughes, Linehan, Moser, Slama, Walz, Aguilar, Blood, Brewer, Day, Hunt, Lowe and Stinner. Vote is 29 ayes, 6 nays, 7 present and not voting, 7 excused and not voting, Mr. President.

FOLEY: LB485A passes. Proceeding now to LB411e. Mr. Clerk.

ASSISTANT CLERK: [Read LB411 on Final Reading].

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB411e pass with the emergency clause attached? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

ASSISTANT CLERK: Voting aye: Senators Albrecht, Arch, Bostar, Bostelman, Brandt, Briese, Cavanaugh, Cavanaugh, Clements, DeBoer, Dorn, Flood, Friesen, Geist, Gragert, Halloran, Ben Hansen, Matt Hansen, Hilgers, Hilkemann, Hughes, Kolterman, Lathrop, Lindstrom, Linehan, McCollister, McDonnell, McKinney, Morfeld, Moser, Murman, Pahls, Pansing Brooks, Sanders, Slama, Vargas, Walz, Wayne, Williams and Wishart. Voting nay: none. Not voting: Senators Erdman, Groene, Aguilar, Blood, Brewer, Day, Hunt, Lowe and Stinner. Vote is 40 ayes, 0 nays, 2 present and not voting, 7 excused and not voting, Mr. President.

FOLEY: LB411e passes with the emergency clause attached. Proceeding now to LB411Ae.

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ASSISTANT CLERK: [Read LB411A on Final Reading].

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB411Ae pass with the emergency clause attached? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

ASSISTANT CLERK: Voting aye: Senators Albrecht, Arch, Bostar, Bostelman, Brandt, Cavanaugh, Cavanaugh, Clements, DeBoer, Dorn, Flood, Friesen, Geist, Gragert, Halloran, Ben Hansen, Matt Hansen, Hilgers, Hilkemann, Hughes, Kolterman, Lathrop, Lindstrom, Linehan, McCollister, McDonnell, McKinney, Morfeld, Moser, Murman, Pahls, Pansing Brooks, Sanders, Slama, Vargas, Walz, Wayne, Williams and Wishart. Voting nay: none. Not voting: Senators Erdman, Groene, Aguilar, Blood, Brewer, Day, Hunt, Lowe and Stinner. Vote is 40 ayes, 0 nays, 2 present and not voting, 2 excused and not voting, Mr. President.

FOLEY: LB411Ae passes with the emergency clause attached. Proceeding now to Final Reading consent calendar bills, first of which is LB57. Mr. Clerk.

ASSISTANT CLERK: [Read LB57 on Final Reading].

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB57 pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

ASSISTANT CLERK: Voting aye: Senators Albrecht, Arch, Bostar, Bostelman, Brandt, Briese, Cavanaugh, Cavanaugh, Clements, DeBoer, Dorn, Flood, Friesen, Geist, Gragert, Halloran, Ben Hansen, Matt Hansen, Hilgers, Hilkemann, Kolterman, Lathrop, Lindstrom, Linehan, McCollister, McDonnell, McKinney, Morfeld, Moser, Murman, Pahls, Pansing Brooks, Sanders, Slama, Vargas, Walz, Wayne, Williams and Wishart. Voting nay: Senators Erdman and Groene. Not voting: Senators Hughes, Aguilar, Blood, Brewer, Day, Hunt, Lowe and Stinner. Vote is 39 ayes, 2 nays, 1 present and not voting, 7 excused and not voting, Mr. President.

FOLEY: LB57 passes. Next bill, please.

ASSISTANT CLERK: Mr. President, Senator Cavanaugh would move to recommit the bill to the Agriculture Committee.

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

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M. CAVANAUGH: Thank you. How long do I have for an opening?

FOLEY: Ten minutes.

M. CAVANAUGH: OK, so I'm in the queue one time. It's 15 minutes. This is consent calendar, so I believe we just go to a vote after 15 minutes. Is that correct?

FOLEY: That is correct.

M. CAVANAUGH: OK, thank you. OK, so Senator Halloran's bill. Since Senator Halloran didn't feel it was necessary to support children with developmental disabilities, I'm just staying true to my word today on these bills. And this doesn't filibuster this bill because it automatically goes to a vote after 15 minutes. Here are some things that I could have done on the bills that I've made motions on on Final Reading, on consent calendar, for those at home. If I were truly looking to be as cruel as others in this body, I would have gone around and asked three-- or two of my colleagues to sign onto a letter with me to have these removed from the consent agenda. Something that my first year, Senator Murman and Senator Clements and Senator Erdman and Senator Lowe did to me without talking to me. While I was sitting at Final Reading, the Speaker, Speaker Scheer at the time, had to come over, he didn't even know about it, and tell me that my bill that was on consent calendar had been removed minutes before we were to vote on it on Final Reading. So just a little history about how terrific my colleagues have been to me over the years. And then the Speaker scheduled it the next morning and it passed, and then the Governor vetoed it. He vetoed a consent calendar bill that had no opposition, that's why it was consent calendar, and no fiscal note. And the Governor vetoed it. So there's a little bit of a theme here, and it's really fascinating to me how much I get under the skin of the Governor and people in the body that do his bidding, because it seems like I really get under some people's skin, and they just can't take not reacting to me. I would happily loan out my five-year-old to you for a week, and you will learn very quickly how not to react to somebody who is browbeating you constantly. But anyways, LB90: Change fee provisions under the Pesticide Act and the Nebraska Commercial Fertilizer and Soil Conditioner Act. It came out of committee unanimously, it had the Department of Agriculture as a proponent, Nebraska Agribusiness Association as a proponent. No opponents. I didn't look at the fiscal note, so I'll just check that out quick. I'm guessing it didn't have a fiscal note. It says, "see below." Oh, it says see below. It does have a fiscal note. But I think the fiscal note is just collecting fees, so it's not like, it doesn't take general funds. It's, yeah, the pesticide registration fee levies \$160

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for each pesticide to be registered, the fee being used to fund four cash funds. I remember this now because this is a fee for the cash funds. I believe, and maybe Senator Halloran can just nod if I'm correct, I don't want to ask him to yield to a question, that the fees pay for the administering the programs, the cash fund. All right, you could yield to a question if you like. I don't wanna put you on the spot, but would Senator Halloran yield to a question? Can he yield to a question?

FOLEY: Senator Halloran, would you--

HALLORAN: Yes, I would.

M. CAVANAUGH: Thank you, Senator Halloran. I, I wasn't trying to put you on the spot, but since I am asking a question about your bill, I want to give you the opportunity. So I see there's fees and it says it creates cash funds. Would you mind explaining what the cash funds do?

HALLORAN: Well, the cash funds are designed specifically for the two different programs, pesticide and the, the buffer program.

M. CAVANAUGH: OK.

HALLORAN: And it's an internal, it's adjustment in the funds and the fees so that we don't have to apply for general funds--

M. CAVANAUGH: Thank you.

HALLORAN: --through the Department of Agriculture.

M. CAVANAUGH: OK, that's what I thought. But I just didn't want to misrepresent your bill on the microphone, so thank you. Because I also have been in opposition to fees for things, but if this fee is paying directly for the thing that the fee is being levied against, that makes sense. So makes sense that it's on consent calendar, I guess. And it is estimated annual revenue shall not be greater than 107 percent of the program cash fund appropriations allocated for the Nebraska Commercial Fertilizer and Soil Conditioner Act, and the estimated fiscal year-end cash fund balance shall not be greater than 17 percent of the program cash fund appropriations allocated for the Nebraska Commercial Fertilizer-- Fertilizer, Fertilizer and Soil Conditioner Act. A thing that I love about this job, I'm going to actually talk about something that I love about this job, is all the little details of, of the state, of the world, of economies, microcosms that you can learn if you pay attention. If you read the fiscal notes or the committee statements, that's a good starting point

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because they're more of a narrative than the bills themselves. I used to be, before I was in the Legislature, I was very intimidated by how to read the bills. And I eventually got used to how to read them because the numbers, and I didn't understand the underlining parts and the striking-through parts. And once you learn that part, it's actually pretty easy to read the bills and understand. And you can quickly scan a bill and find where there's a change. So if a bill has just lots of text in it with nothing underlined or struck through and just like one sentence that's either underlined or struck through, that's the change. That's the change you look for. And then you can read the context around that change and figure out what's going on with that bill. But you can also read the committee statements which are available to the public on the Nebraska Legislature's Web site. And I just love it because I never would have, before being here, thought anything about this fund, this act, what it's doing, why it's needed. And because I'm here and I'm paying attention, this is something new that I've learned about agriculture in Nebraska. I love to learn. It's very much a passion of mine. I wasn't a particularly great student, I was as an average student, but I love learning and I love information and taking it in and seeing how things interlock together. So I'm just interested in this bill now that we've brought it to our attention, much like earlier today when we were talking about Senator Moser's bill and Senator-- not Senator Moser's bill, I apologize, Senator Groene's bill, and Senator Flood talked about the, the trains and the significance of the train depot in North Platte. There's a lot of things that you can learn in the Unicameral if you so choose. So LB90, it's a four-page bill, and then if you are-- there's anybody still watching at home, there's got to be better TV than this. But page 3 of LB90 is where the changes are made. It's the line 6 through 17. When you hear us say that on the microphone, every single line of a document has numbers next to it and so it makes it very easy to reference something. It kind of--

FOLEY: One minute.

M. CAVANAUGH: --thank you-- for me is like a little bit like the Dewey Decimal System. Like once you learn it, it's so much easier to find a book. I actually don't-- do we use the Dewey Decimal System anymore? Yes, we do. I have confirmation from off to the side that we do, in fact, use the Dewey Decimal System. I have gotten so used to downloading books to my phone that I guess I am no longer going through the little card catalog. And I'm just wondering how many of the pages have any idea what I'm talking about, Dewey Decimal System Card Catalog. Yeah, I'm seeing some head nods. OK, good. You must have gone to really poor schools if you know what the card catalog is. My

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grade school had a ditto machine, which was you would crank it to make copies. And when I say this, people are like--

FOLEY: Senator.

M. CAVANAUGH: --how old are you? Yes?

FOLEY: Your time is expired, but now you are on your five minutes.

M. CAVANAUGH: Thank you. How old are you? And I like, I'm not as old as a ditto machine would warrant. It's just that my grade school was so poor that they didn't have a copy machine. They did exist. I'm not that old that copy machines did in fact exist when I was in grade school, but we had a ditto machine. OK, so it is page 3, lines 6 through 17 are where the, the changes are made to this bill and it is inserting new language. And that is where we create the cash funds. And another thing I like about this bill is it's creating a cash fund that it is funded-- funds itself. Interestingly, Senator Halloran, when we discuss next year the only other bill that I have, paid family medical leave, that funds itself as well. So we create fees and we fund the program with the fees. So it's very similar to this. Of course, my bill has an outrageous fiscal note because I think they have to, like, tear down some buildings and build new buildings and make a supercomputer and hire 500 people, and then fire the 500 people and then rehire a different 500 people. That's how my fiscal notes usually go, and then they all need caseworkers. So I think-- I have how much time left?

FOLEY: 3:20.

M. CAVANAUGH: And then we go to a vote?

FOLEY: Correct.

M. CAVANAUGH: OK. So cash fund -- this creates a cash fund. Another bill that I would like to see happen in this state or legislation is creating a maternal health cash fund so that we can help address maternal health disparities in our state and improve outcomes for all mothers, but especially women of color. There is a higher rate of disproportionate negative health outcomes for mothers of color and so it would be great if we could create a cash fund that helps address some of those issues. I had proposed to the Revenue Committee an increase in the tobacco tax this year and having it go to the maternal health cash fund, because smoking, of course, impacts maternal health and infant health. And so to me, that made sense, if we were going to increase that tax, that we would do that. And I was asked a very

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direct question during that hearing about if I was trying to impose a tax on lower-income citizens who smoke. And I'm trying to impose a tax on all citizens who smoke and improve health outcomes for citizens who smoke by making it more of an economic barrier to smoking. So we know that smoking will decrease as we increase the tax and the costs to people. And if smoking decreases, then we will see an increase in health outcomes. And if smoking in pregnancy decreases, we will see an increase in health outcomes. So that was the, the thinking there. That bill was IPPed in committee, would have generated revenue and created a program to help people. So clearly that wasn't going to go anywhere. You might sense a theme in my bills and how my bills are responded to in the Legislature. I also noticed several of the senators who didn't vote for the childcare subsidy bill--

FOLEY: One minute.

M. CAVANAUGH: --thank you--didn't vote for cloture for my bill either, which makes total sense. We wouldn't want to have more people in the workforce and more people earning an income so that they can afford to pay for food and housing. So obviously, you would vote against that. I mean, that's just a terrible use of our funds. Boy, I hope someone writes a study, a dissertation on the stated values of the Nebraska Legislature and how they line up with the votes made. That would be a fascinating sociological study, maybe psychological too. All right, well, I think that's about it. So I'll yield my time and I guess we'll get to vote on this.

FOLEY: Thank you, Senator Cavanaugh. Members, please return to your desks. Mr. Clerk, please read the bill. My error. We must first vote on the motion. All senators, please return to your desks so we can vote. Senator Cavanaugh, for what purpose do you rise?

M. CAVANAUGH: I'm sorry, I meant to withdraw my motion. Thank you.

FOLEY: Motion is withdrawn. Mr. Clerk, please read the bill.

ASSISTANT CLERK: [Read LB90 on Final Reading].

FOLEY: All provisions of law relative to proce-- procedure having been complied with, the question is, shall LB90 pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

CLERK: Voting aye: Senators Albrecht, Arch, Bostar, Bostelman, Brandt, Briese, Cavanaugh, Cavanaugh, Clements, DeBoer, Dorn, Erdman, Flood, Friesen, Geist, Gragert, Groene, Halloran, Hansen, Hansen, Hilgers, Hilkemann, Hughes, Kolterman, Lathrop, Lindstrom, Linehan,

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McCollister, McDonnell, McKinney, Morfeld, Moser, Murman, Pahls, Pansing Brooks, Sanders, Slama, Vargas, Walz, Wayne, Williams and Wishart. Voting nay: none. Not voting: Senators Aguilar, Blood, Brewer, Day, Hunt, Lowe and Stinner. 42 ayes, 0 nays, 7 excused and not voting, Mr. President.

FOLEY: LB90 passes. Next bill, Mr. Clerk, is LB166. The first vote is to dispense with the at-large reading. Those in favor of dispensing with the reading vote aye; those opposed vote nay. Record.

CLERK: 34 ayes, 4 nays, Mr. President, to dispense with the at-large reading.

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

CLERK: [Read title of LB166].

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB166 pass? Those in favor vote aye; those opposed vote nay. Record, please.

CLERK: Voting aye: Senators Albrecht, Arch, Bostar, Bostelman, Brandt, Briese, Cavanaugh, Cavanaugh, Clements, DeBoer, Dorn, Flood, Friesen, Geist, Gragert, Groene, Halloran, Hansen, Hansen, Hilgers, Hilkemann, Hughes, Kolterman, Lathrop, Lindstrom, Linehan, McCollister, McDonnell, McKinney, Morfeld, Moser, Murman, Pahls, Pansing Brooks, Sanders, Slama, Vargas, Walz, Wayne, Williams and Wishart. Voting nay: none. Not voting: Senators Erdman, Aguilar, Blood, Brewer, Day, Hunt, Lowe, Stinner. 41 ayes, 0 nays, 1 present and not voting, 7 excused and not voting.

FOLEY: LB166 passes. Next bill, please.

CLERK: Mr. President, I have a motion on the desk. Senator Cavanaugh would move to bracket the bill, LB166A, until May 20.

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

M. CAVANAUGH: Thank you. I would not go far, anyone. So I meant to bracket the actual bill and I guess I, in my bracketing this morning, missed this one. So I put this up here. And this, Senator Geist, is what I mean by grace. Your behavior yesterday does not deserve any grace, but Josh the Otter's family does. This book means so much to me and my children and out of a tragedy is a gift. It is unfortunate that you did not have the grace for the families yesterday that would have

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benefited from the Developmental Disabilities Family Support Waiver, but I want Josh's family to know that they don't deserve to be a part of this. And I am not going to take any more time on any of your bills because I don't even actually know if you have any other bills. If I did, I would have picked something else. So this is your pass because I'm not going to talk anymore on this and I'm going to withdraw this bracket motion. Thank you.

FOLEY: The bracket motion has been withdrawn. Mr. Clerk, please read the bill.

CLERK: [Read LB166A on Final Reading].

FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB166A pass? Those in favor vote aye; those opposed vote nay. Have you all voted? Record, please.

CLERK: Voting aye: Senators Albrecht, Arch, Bostar, Bostelman, Briese, Cavanaugh, Cavanaugh, Clements, DeBoer, Dorn, Flood, Friesen, Geist, Gragert, Groene, Halloran, Ben Hansen, Matt Hansen, Hilgers, Hilkemann, Hughes, Kolterman, Lathrop, Lindstrom, Linehan, McCollister, McDonnell, McKinney, Morfeld, Moser, Murman, Pansing Brooks, Sanders, Slama, Vargas, Walz, Wayne, Williams and Wishart. Voting nay: none. Not voting: Senators Brandt, Erdman, Aguilar, Blood, Brewer, Day, Hunt, Lowe, Pahls, Stinner. 39 ayes, 0 nays, 2 present and not voting, 8 excused and not voting, Mr. President.

FOLEY: Thank you. LB166A passes. While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign the following legislative bills: LB273, LB307, LB644, LB485, LB485A, LB411, LB411A, LB57, LB90, LB166 and LB166A. Next bill, please.

CLERK: [Read LB209 on Final Reading].

HILGERS: All provisions of law relative to procedure having been complied with, the question is, shall LB209 pass? All those in favor vote aye; all those opposed vote nay. Have all those voted who wish to? Senator Pansing Brooks. Please record, Mr. Clerk.

CLERK: Voting aye: Senators Albrecht, Arch, Bostar, Bostelman, Brandt, Briese, Cavanaugh, Cavanaugh, Clements, DeBoer, Dorn, Erdman, Flood, Friesen, Geist, Gragert, Groene, Halloran, Hansen, Hansen, Hilgers, Hilkemann, Hughes, Kolterman, Lathrop, Lindstrom, Linehan, McCollister, McDonnell, McKinney, Morfeld, Moser, Murman, Pansing Brooks, Sanders, Slama, Vargas, Walz, Wayne, Williams and Wishart.

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Voting nay: none. Not voting: Senators Aguilar, Blood, Brewer, Day, Hunt, Lowe, Pahls and Stinner. 41 ayes, 0 nays, 7-- 8 excused and not voting.

HILGERS: LB209 passes. We will now proceed to LB256.

CLERK: [Read LB256 on Final Reading].

HILGERS: All provisions of law relative to procedure having been complied with, the question is, shall LB256 pass? All those in favor vote aye: those opposed vote nay. Have all those voted who wish to? Please record, Mr. Clerk.

CLERK: Voting aye: Senators Arch, Bos-- Bostar, Brandt, Briese, Cavanaugh, Cavanaugh, DeBoer, Dorn, Flood, Geist, Gragert, Halloran, Hansen, Hansen, Hilgers, Hilkemann, Kolterman, Lathrop, Lindstrom, Linehan, McCollister, McDonnell, McKinney, Morfeld, Moser, Murman, Pansing Brooks, Vargas, Walz, Wayne, Williams and Wishart. Voting no: Senators Clements, Erdman and Groene. Not voting: Senators Albrecht, Bostelman, Friesen, Hughes, Sanders, Slama, Aguilar, Blood, Brewer, Day, Hunt, Lowe, Pahls and Stinner, 32 ayes, 2-- 3 nays, 6 present and not voting, 8 excused and not voting.

HILGERS: LB256 passes. We'll now turn to LB261.

CLERK: [Read LB261 on Final Reading].

HILGERS: All provisions of the law relative to procedure having been complied with, the question is, shall LB261 pass? All those in favor vote aye; all those opposed vote nay. Have all those voted who wish to? Please record, Mr. Clerk.

CLERK: Voting aye: Senators Albrecht, Arch, Bostar, Bostelman, Brandt, Briese, Cavanaugh, Cavanaugh, Clements, DeBoer, Dorn, Erdman, Flood, Friesen, Geist, Gragert, Groene, Halloran, Hansen, Hansen, Hilgers, Hilkemann, Hughes, Kolterman, Lathrop, Lindstrom, Linehan, McCollister, McDonnell, McKinney, Morfeld, Moser, Murman, Pansing Brooks, Sanders, Slama, Vargas, Walz, Wayne, Williams, Wishart. Voting nay: none. Not voting: Senators Aguilar, Blood, Brewer, Day, Hunt, Lowe, Pahls, Stinner. 41 ayes, 0 nays, 8 excused and not voting.

HILGERS: LB261 passes. We will now proceed to LB275e.

CLERK: [Read LB275e on Final Reading.]

HILGERS: All provisions of law relative to procedure having been complied with, the question is, shall LB275e pass with the emergency

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clause attached? All those in favor vote aye; all those opposed vote nay. Have all those voted who wish to? Please record, Mr. Clerk.

CLERK: Voting aye: Senators Albrecht, Arch, Bostar, Brandt, Briese, Cavanaugh, Cavanaugh, Clements, DeBoer, Dorn, Erdman, Flood, Friesen, Geist, Gragert, Groene, Halloran, Hansen, Hansen, Hilgers, Hilkemann, Hughes, Kolterman, Lathrop, Lindstrom, Linehan, McCollister, McDonnell, McKinney, Morfeld, Moser, Murman, Pansing Brooks, Sanders, Slama, Vargas, Walz, Wayne, Williams, Wishart. Voting nay: none. Not voting: Senators Bostelman, Aguilar, Blood, Brewer, Day, Hunt, Lowe, Pahls, Stinner. 40 ayes, 0 nays, 1 present and not voting, 8 excused and not voting, Mr. President.

HILGERS: LB275e passes with the emergency clause attached. We will now proceed to LB275Ae.

CLERK: [Read LB275Ae on Final Reading.]

HILGERS: All provisions of law relative to procedure having been complied with, the question is, shall LB275Ae pass with the emergency clause attached? All those in favor vote aye; all those opposed vote nay. Have all those voted who wish to? Please record, Mr. Clerk.

CLERK: Voting aye: Senators Albrecht, Arch, Bostar, Brandt, Briese, Cavanaugh, Cavanaugh, Clements, DeBoer, Dorn, Erdman, Flood, Friesen, Geist, Gragert, Groene, Halloran, Hansen, Hansen, Hilgers, Hilkemann, Hughes, Lathrop, Lindstrom, Linehan, McCollister, McDonnell, McKinney, Morfeld, Moser, Murman, Pansing Brooks, Sanders, Slama, Vargas, Walz, Wayne, Williams, Wishart. Voting nay: none. Not voting: Senators Bostelman, Kolterman, Aguilar, Blood, Brewer, Day, Hunt, Lowe, Pahls, Stinner. 39 ayes, 0 nays, 2 present and not voting, 8 excused and not voting, Mr. President.

HILGERS: LB275Ae passes with the emergency clause attached. We'll now proceed to LB291.

CLERK: Mr. President, Senator Cavanaugh would move to recommit the bill to the Revenue Committee.

HILGERS: Senator Machaela Cavanaugh, you're recognized to open on your motion.

M. CAVANAUGH: Thank you, Mr. Speaker. So I'd like to start out by saying, Senator Friesen, you're con-- you are consistent. Senator Friesen did not vote this morning on the tax bill and he did not vote for cloture on my bill. So I appreciate that consistency and I

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acknowledge that consistency. I am disappointed, of course, that you didn't vote for cloture on my bill. And it was brought to my attention that one of your concerns, which is a actual concern and I'm sorry that I wasn't able to address it in a timely manner, was the sunset or the-- the "pilotness" of the family support waiver. Unfortunately, for me, if I had addressed your concern, I would have lost others because that was sort of the requirement to get it moved forward, was that it would be a pilot project and there would be a report done on the efficacy of-- of doing the-- the family support waiver, and then we could expand it in the future after we had proven that it was working the way it was intended to work. So I'm sorry for that, but I appreciate your consistency on these matters. And I-- yeah, so I'm just going to withdraw this motion. Thank you.

HILGERS: Motion is withdrawn. Mr. Clerk, please read the bill.

CLERK: [Read LB291 on Final Reading.]

HILGERS: All provisions of law relative to procedure having been complied with, the question is, shall LB291 pass? All those in favor vote aye; all those opposed vote nay. Have all those voted who wish to? Please record, Mr. Clerk.

CLERK: Voting aye: Senators Albrecht, Arch, Bostelman, Brandt, Briese, Cavanaugh, Cavanaugh, DeBoer, Dorn, Flood, Friesen, Geist, Gragert, Groene, Hansen, Hansen, Hilgers, Hilkemann, Hughes, Lindstrom, Linehan, McCollister, McDonnell, McKinney, Moser, Murman, Sanders, Slama, Vargas. Voting no: Senator Clements. Not voting: Senators Bostar, Erdman, Halloran, Kolterman, Lathrop, Morfeld, Pansing Brooks, Walz, Wayne, Williams, Wishart, Aguilar, Blood, Brewer, Day, Hunt, Lowe, Pahls, and Stinner. Senator Lathrop voting-- is that a yes, Senator? Hard to see. Thank you. Senator Kolterman voting yes. 31 ayes-- Senator Williams-- 32 ayes, 1 nay, 8 excuse-- 8 present and not voting, 8 excused and not voting.

HILGERS: LB291 passes. We'll now proceed to LB296.

CLERK: Mr. President, I have an amendment from Senator Stinner that I've been instructed to withdraw, AM1473.

HILGERS: The amendment is withdrawn.

CLERK: [Read LB296 on Final Reading.]

HILGERS: All provisions of law relative to procedure having been complied with, the question is, shall LB296 pass? All those in favor

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vote aye; all those opposed vote nay. Have all those voted who wish to? Please record, Mr. Clerk.

CLERK: Voting aye; Senators Albrecht, Arch, Bostar, Bostelman, Brandt, Briese, Cavanaugh, Cavanaugh, Clements, DeBoer, Dorn, Erdman, Flood, Friesen, Geist, Gragert, Groene, Halloran, Hansen, Hansen, Hilgers, Hilkemann, Hughes, Kolterman, Lathrop, Lindstrom, Linehan, McCollister, McDonnell, McKinney, Morfeld, Moser, Murman, Pansing Brooks, Sanders, Slama, Vargas, Walz, Wayne, Williams, Wishart. Voting nay: none. Not voting: Senators Aguilar, Blood, Brewer, Day, Hunt, Lowe, Pahls, Stinner. 41 ayes, 0 nays, 8 excused and not voting.

HILGERS: LB296 passes. We will now proceed to LB313.

CLERK: Senator Cavanaugh would move to recommit to the Revenue Committee, Mr. President.

HILGERS: Senator Machaela Cavanaugh, you're recognized to open on your motion.

M. CAVANAUGH: Thank you. OK, so this is Senator Sanders' bill and it is change provisions relating to late applications for homestead exemptions. The irony of this is that I introduced a similar bill last year and it didn't get out of committee and her bill is on consent calendar. What do you know? Guess it really does matter who introduces something. It's not just the merits of the bill, as people keep claiming in this body. So speaking of the merits of bills, I have talked about, today, my disappointment in-- in several colleagues and how I don't care about your bills, and I don't, but I voted for Senator Brewer's bill and I voted for Senator Lowe's bill. I did not vote for Senator Briese's bill because I was never going to vote for that bill. I voted for Senator Halloran's bill. I voted for Senator Geist's bill. I skipped Senator Linehan's bill and voted for it-- I mean, I skipped, I didn't speak on it. I didn't speak on Senator Brewer's other bill and I voted for it. I voted for Senator Friesen's bill. And I'm going to vote for Senator Sanders' bill because, despite your reckless behavior yesterday and despite the fact that you are the ones that introduced these bills, I'm still going to vote for them because they're good for Nebraska, because that's my job. And despite the disappointment I have in my colleagues' inability to do their job, I'm going to do my job. And wow, it looks like the queue is quite full. I don't know who is next in the queue, but I-- I get to go ten minutes on this and then whoever's next in the queue gets to go five minutes and then we go to a vote. So I wasn't going to take this the full ten minutes. I was just going to pull this motion as well and let us go to a vote, but since the queue seems to have lit up like

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Christmas, I guess I'll take the full time. OK, but by the grace of God, not me, Senator Sanders is the last person who has a bill today who chose not to respect children with developmental disabilities yesterday. So I guess after this 15 minutes, you all can stop getting up and-- and leaving your desks. But-- but for the next 15 minutes, please walk around, do whatever you like. So some of the arguments yesterday were that families can afford it. I don't know any family, besides maybe Warren Buffett, who can afford \$70,000 for a medication for a child every single month, not year, month. But I guess Senator Slama knows the economics of the families on the waitlist better than I do. I suppose she interviewed the 403 families that have a child on the waitlist and they aren't medically or economically elig-- eligible for the Medicaid piece of it. So they would have to pay the \$70,000 out of pocket, a month, which won't make them qualify for financial assistance because the way our tax system works is you can only take a portion of medical expenses against your in-- to deduct from your income. So you can only take-- I can't even remember. I feel like it's \$6,000 or maybe \$10,000 a year to count to lower your income. But-- but those people are super greedy. Am I right, Senator Slama? Yeah. So Senator Lowe says this is more money, think it's two times about what it costs in the future, we should have thought about this earlier, but we gave it to special interests. Now we don't have the money. Senator Lowe is not here, but I beg to differ, Senator Lowe. We do have the money. The Chairman of Appropriations said that we had the money. We absolutely have the money. We still have the money. We will have the money to do this when we adjourn sine die. We just won't spend the money. So I don't know where it goes. I think it just sits in our coffers. And I'm sure next year when we come back, because it has sat in our coffers, it will probably go into the Property Tax Relief Fund, which is ultimately the goal, right? Ultimately the goal is to get every penny you can for the Property Tax Relief Fund. So I really wasn't planning on talking this long, but since-- since the-- the queue got so popular, I don't-- I don't want to disappoint everyone. OK, kids getting fast-tracked before adults that may have been on the waitlist, that was when Senator Groene and Senator Clements and Senator Slama spoke, all of them, on the mike. I'm not sure which one made that comment yesterday. So kids are not getting fast-tracked before adults on the waitlist. The waitlist for-- the DD waitlist is the DD waitlist, and the people are on it, and the adults who have been on it longer tend to get prioritized because they've been on it longer and they're adults, so they need the services more. The family support waiver just makes economic sense. It gives families an amount of money on an annual basis to be used for specific services. Now "services" is a little bit of a misnomer because it's not just to be used for providers. It could be used for building a ramp in your house

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for your child. It could be used for respite care for families that a child needs 24-hour care. That is very hard on a family and sometimes you need to have respite. So it can be used for things like that. It can be used for additional therapies that you otherwise are maxed out on. So it's not kids being fast-tracked. They're not getting the full array of services that they would get if they were on the DD waiver. They're getting a kid-sized version. And with that kid-sized version, with a-- a smaller amount of money, smaller fiscal impact to the state, we see a return on the investment because when those kids get older and they get on the DD waitlist-- waiver, they are-- they are in a better position and they cost us less money. I hate talking about them this way because they're people--

HILGERS: One minute.

M. CAVANAUGH: --but they cost us less so there's a value added to that. Now, if we don't-- if we don't do that, then what we have to do is pay more for them, their care. Possibly we have to have an institutional level of care, which costs over \$200,000 a year, so \$11,000-- or \$10,000 for the waiver, \$200,000 for institutional care. Yeah. I see people are dropping out of the queue. Guess-- guess this isn't as hot tamales as I thought it was.

HILGERS: That's time, Senator.

M. CAVANAUGH: OK.

HILGERS: Thank you, Senator Cavanaugh. Senator Matt Hansen, you're recognized.

M. HANSEN: Thank you, Mr. President, and good evening, colleagues. As I understand it, I might have a bit of the final word this evening. I think Senator Cavanaugh is not planning on bringing any more amend-- any more motions. I'm certainly not planning to. And with consent calendar, this might eat up the time. I did want to just kind of talk because I wanted to frame some things. And I think for people watching at home, not everything that happens in this body is always clear or as transparent or-- and I-- and I wouldn't expect it to be. Everybody has other priorities, other jobs, whatnot. The few of you who are watching the Legislature at 7:20 on a-- what is it, a Wednesday night? I really appreciate your interest and passion for your community, public service, government. I really appreciate all of this. So for those who are unfamiliar, we're on consent calendar and the purpose of consent calendar is to kind of do the needed fix-it bills. They're supposed to be noncontroversial. They're supposed to be like one-liners, generally have no fiscal impact, or if it's any fiscal

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impact, it's something minor with a cash fund, I think was mentioned earlier, you know, moving some money around, not necessarily spending a lot or changing taxes or things of that nature. A few bills ago, I had a bill, LB256, that changed how work comp things were filed and specifically, without getting into the details, it-- to put it into one line, it made it less paperwork if both the injured worker and the insurance company agreed. So if they both agree, you can file something straight in the Work Comp Court and you don't have to have the court review. And that is as neat as I can describe it. It is the epitome of less government regulation, less paperwork, less court hearings, speeding up the process in work comp claims. And just to kind of give you a sense of this bill, I introduced it last year. I was asked to carry it last year by a number of business groups when I was the Chair of Business and Labor and I was asked to carry it again this year. And I asked them, you know, I'm no longer Chair of Business and Labor, do you still want me to carry it? And they said yes. And just to give you full context for this, the lead testifier, the first person to testify on this bill was actually Senator Pansing Brooks' opponent from the first time she ran. So I think it's a good idea. Senator Pansing Brooks' opponent from the first time she ran thought it was a good idea, testified in favor of it. So that's the bill we'd had and what we'd had. Just a few minutes ago, it got 32 yes votes, 3 no, and 6 present and not voting. And those 3 noes also voted no on a bill I had earlier today. And I'm not going to read names, I'm not going to call people out, but this is the thing I talk about when people are skeptical when you get up on the microphone and say, I have purely policy reasons for this and yet it's the same crew of people doing the same things. I'm sure the same accusation could be lobbed at our side. I have no doubt the fact that I've been vocal on the microphone might have influenced some decisions as to maybe the present and not votings, maybe the noes. But I bring this up just to say, you know, we can see what you're doing. We all see what you're doing. And I also know that you see what we are doing. I-- throughout this whole process, whenever I've gotten on the microphone, I've been-- tried to be pretty transparent. I've participated in some filibusters this year, and I think you've appreciated, maybe the people at home have appreciated, you know, talking about when cloture is, where we think we're at, why a motion is pending, why we're objecting to something or other, just to kind of make sure everybody has the lay of the land, you know, including when-- there's been times when I've been negotiating or working with a senator under the balcony. I always try and explain that both for you, both for the public, you know, for the lobby, for the staff, just to give the full understanding.

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HILGERS: One minute.

M. HANSEN: Thank you, Mr. President. And I lay that out and I want to emphasize that because, you know, there's the bits and pieces and the trail of what we leave in terms of what's happening in this body. And I-- people outside see and get this. I'm going to end on a positive note. I'm really appreciative that the body stuck through it today. I believe we're going to plow through and finish off consent calendars and I'll get a very needed break and a very needed dinner, of kind of the end of a long day. And I appreciate all of my colleagues who have stuck it out to-- to 7:30 at night and I appreciate all of the colleagues who had family obligations and couldn't be here. I hope we know that we can be collegial, we can turn the other cheek, and we can accept things. And I also hope that we all recognize that when we make some protestations and some things that are patently not true, the public can see. That's a reminder just that the salvation of the state is the watchfulness of the citizen. Thank you, Mr. President.

HILGERS: Thank you, Senator Hansen. Pursuant to Rule 6, we've reached our 15-minute limit. We will now vote on the motion to recommit. The question before the body is the motion to recommit to committee. All those in favor vote aye; all those opposed vote nay. I'm sorry. I apologize. Senator Cavanaugh, you're recognized.

M. CAVANAUGH: Thank you. I would pull the motion. Thank you.

HILGERS: The motion is withdrawn. I apologize for missing you. Mr. Clerk, please read the bill.

CLERK: [Read LB313 on Final Reading.]

HILGERS: All provisions of law relative to procedure having been complied with, the question is, shall LB313 pass? All those in favor vote aye; all those opposed vote nay. Please record, Mr. Clerk.

CLERK: Voting aye: Senators Albrecht, Arch, Bostar, Bostelman, Brandt, Briese, Cavanaugh, Cavanaugh, Clements, DeBoer, Dorn, Erdman, Flood, Friesen, Gragert, Halloran, Hansen, Hansen, Hilgers, Hilkemann, Hughes, Kolterman, Lathrop, Lindstrom, Linehan, McCollister, McDonnell, McKinney, Morfeld, Moser, Murman, Pansing Brooks, Sanders, Slama, Vargas, Walz, Wayne, Williams, Wishart. Voting no: Senator Groene. Not voting: Senators Aguilar, Blood, Brewer, Day, Geist, Hunt, Lowe, Pahls, Stinner. So you-- how-- how do you want-- you want to vote yes? Senator Groene changes from no to yes. 40 ayes, 0 nays, 9 excused and not voting.

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HILGERS: LB313 passes. While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign the following LBs: LB209, LB256, LB261, LB275e, LB275Ae, LB291, and LB296 and LB313. The next bill, the first vote is the vote to dispense with the at-large reading. All those in favor vote aye; all those opposed vote nay. Please record, Mr. Clerk.

CLERK: 32 [SIC 33] ayes, 4 nays to dispense with the at-large reading.

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

CLERK: [Read title of LB317.]

HILGERS: All provisions of law relative to procedure having been complied with, the question is, shall LB317 pass? All those in favor vote aye; all those opposed vote nay. Have all those voted who wish to? Please record, Mr. Clerk.

CLERK: Voting aye: Senators Albrecht, Arch, Bostar, Bostelman, Brandt, Briese, Cavanaugh, Cavanaugh, Clements, DeBoer, Dorn, Flood, Friesen, Gragert, Groene, Halloran, Hansen, Hansen, Hilgers, Hilkemann, Hughes, Kolterman, Lathrop, Lindstrom, Linehan, McCollister, McDonnell, McKinney, Morfeld, Moser, Murman, Pansing Brooks, Sanders, Slama, Vargas, Walz, Wayne, Williams, Wishart. Voting nay: none. Not voting: Senators Erdman, Aguilar, Blood, Brewer, Day, Geist, Hunt, Lowe, Pahls, Stinner. 39 ayes, 0 nays, 1 present and not voting, 8 excused and not voting, Mr. President.

HILGERS: LB317 passes. We'll now proceed to LB317A.

CLERK: [Read LB317A on Final Reading.]

HILGERS: All provisions of law relative to procedure having been complied with, the question is, shall LB317A pass? All those in favor vote aye; all those opposed vote nay. Please record, Mr. Clerk.

CLERK: Voting aye: Senators Albrecht, Arch, Bostar, Bostelman, Brandt, Briese, Cavanaugh, Cavanaugh, Clements, DeBoer, Dorn, Flood, Friesen, Gragert, Groene, Halloran, Hansen, Hansen, Hilgers, Hilkemann, Hughes, Kolterman, Lathrop, Lindstrom, Linehan, McCollister, McDonnell, McKinney, Morfeld, Moser, Murman, Pansing Brooks, Sanders, Slama, Vargas, Walz, Wayne, Williams, Wishart. Voting no: Senator Erdman. Not voting: Senators Aguilar, Blood, Brewer, Day, Geist, Hunt, Lowe, Pahls, Stinner. 39 ayes, 1 nay, 9 excused and not voting.

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HILGERS: LB317A passes. We'll now proceed to LB355.

CLERK: [Read LB355 on Final Reading.]

HILGERS: All provisions of law relative to procedure having been complied with, the question is, shall LB355 pass? All those in favor vote aye; all those opposed vote nay. Have all those voted who wish to? Please record, Mr. Clerk.

CLERK: Voting aye: Senators Albrecht, Arch, Bostar, Bostelman, Brandt, Briese, Cavanaugh, Cavanaugh, Clements, DeBoer, Dorn, Flood, Friesen, Gragert, Groene, Halloran, Hansen, Hansen, Hilgers, Hilkemann, Kolterman, Lathrop, Lindstrom, Linehan, McCollister, McDonnell, McKinney, Morfeld, Moser, Murman, Pansing Brooks, Sanders, Slama, Vargas, Walz, Wayne, Williams, Wishart. Voting nay: none. Not voting: Senators Erdman, Hughes, Aguilar, Blood, Brewer, Day, Geist, Hunt, Lowe, Pahls, and Stinner. 38 ayes, 0 nays, 2 present and not voting, 9 excused and not voting.

HILGERS: LB355 passes. We'll now proceed to LB407.

CLERK: [Read LB407 on Final Reading.]

HILGERS: All provisions of law relative to procedure having been complied with, the question is, shall LB407 pass? All those in favor vote aye; all those opposed vote nay. Have all those voted who wish to? Please record, Mr. Clerk.

CLERK: Voting yes: Senators Albrecht, Arch, Bostar, Bostelman, Brandt, Briese, Cavanaugh, Cavanaugh, Clements, DeBoer, Dorn, Erdman, Flood, Friesen, Gragert, Groene, Halloran, Hansen, Hansen, Hilgers, Hilkemann, Hughes, Kolterman, Lathrop, Lindstrom, Linehan, McCollister, McDonnell, McKinney, Morfeld, Moser, Murman, Pansing Brooks, Sanders, Slama, Vargas, Walz, Wayne, Williams, Wishart. Voting nay: none. Not voting: Senators Aguilar, Blood, Brewer, Day, Geist, Hunt, Lowe, Pahls, Stinner. 40 ayes, 0 nays, 9 excused and not voting.

HILGERS: LB407 passes. We will now proceed to LB479.

CLERK: [Read LB479 on Final Reading.]

HILGERS: All provisions of law relative to procedure having been complied with, the question is, shall LB479 pass? All those in favor vote aye; all those opposed vote nay. Have all those voted who wish to? Please record, Mr. Clerk.

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CLERK: Voting aye: Senators Albrecht, Arch, Bostar, Bostelman, Brandt, Briese, Cavanaugh, Cavanaugh, Clements, DeBoer, Dorn, Flood, Friesen, Gragert, Groene, Halloran, Hansen, Hansen, Hilgers, Hilkemann, Hughes, Kolterman, Lathrop, Lindstrom, Linehan, McCollister, McDonnell, McKinney, Morfeld, Moser, Murman, Pansing Brooks, Sanders, Slama, Vargas, Walz, Wayne, Williams, Wishart. Voting nay: none. Not voting: Senators Erdman, Aguilar, Blood, Brewer, Day, Geist, Hunt, Lowe, Pahls, Stinner. 40 ayes-- excuse me, 39 ayes, 1-- 0 nays, 1 present and not voting, 8 [SIC 9] excused and not voting.

HILGERS: LB479 passes. We'll now proceed to LB521.

CLERK: [Read LB521 on Final Reading.]

HILGERS: All provisions of law relative to procedure having been complied with, the question is, shall LB521 pass? All those in favor vote aye; all those opposed vote nay. Have all those voted who-- who wish to? Please record, Mr. Clerk.

CLERK: Voting aye: Senators Albrecht, Arch, Bostar, Bostelman, Brandt, Briese, Cavanaugh, Cavanaugh, DeBoer, Dorn, Flood, Friesen, Groene, Hansen, Hansen, Hilgers, Hilkemann, Hughes, Kolterman, Lathrop, Lindstrom, Linehan, Lowe, McCollister, McDonnell, McKinney, Morfeld, Moser, Pansing Brooks, Sanders, Slama, Vargas, Walz, Wayne, Williams, Wishart. Voting no: Senator Clements. Not voting: Senators Erdman, Gragert, Halloran, Murman, Aguilar, Blood, Brewer, Day, Geist, Hunt, Pahls, Stinner. 36 ayes, 1 nay, 4 present and not voting, 8 excused and not voting, Mr. President.

HILGERS: LB521 passes. We'll now proceed to the next bill and the first vote is to dispense with the at-large reading. All those in favor vote aye; all those opposed vote nay. Please record, Mr. Clerk.

CLERK: 31 ayes, 5 nays to dispense with the at-large reading.

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

CLERK: [Read title of LB540.]

HILGERS: All provisions of law relative to procedure having been complied with, the question is, shall LB540 pass? All those in favor vote aye; all those opposed vote nay. Have all those voted who wish to? Please record, Mr. Clerk.

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CLERK: Voting yes: Senators Albrecht, Arch, Bostar, Bostelman, Brandt, Briese, Cavanaugh, Cavanaugh, Clements, DeBoer, Dorn, Flood, Friesen, Gragert, Groene, Halloran, Hansen, Hansen, Hilgers, Hilkemann, Kolterman, Lathrop. Lindstrom, Linehan, Lowe, McCollister, McDonnell, McKinney, Morfeld, Moser, Murman, Pansing Brooks, Sanders, Slama, Vargas, Walz, Wayne, Williams, Wishart. Voting nay: none. Not voting: Senators Erdman, Hughes, Aguilar, Blood, Brewer, Day, Geist, Hunt, Pahls, Stinner. 39 ayes, 0 nays, 2 present and not voting, 8 excused and not voting.

HILGERS: LB540 passes. We will now proceed to LB628e.

CLERK: [Read LB628 on Final Reading.]

HILGERS: All provisions of law relative to procedure having been complied with, the question is, shall LB628e pass with the emergency clause attached? All those in favor vote aye; all those opposed vote nay. Have all those voted who wish to? Please record, Mr. Clerk.

CLERK: Voting aye: Senators Albrecht, Arch, Bostar, Bostelman, Brandt, Briese, Cavanaugh, Cavanaugh, Clements, DeBoer, Dorn, Flood, Friesen, Gragert, Groene, Hansen, Hansen, Hilgers, Hilkemann, Hughes, Kolterman, Lathrop, Lindstrom, Linehan, Lowe, McCollister, McDonnell, McKinney, Morfeld, Moser, Murman, Pansing Brooks, Sanders, Slama, Vargas, Walz, Wayne, Williams, Wishart. Voting nay: none. Not voting: Senators Erdman, Halloran, Aguilar, Blood, Brewer, Day, Geist, Hunt, Pahls, Stinner. 39 ayes, 0 nays, 2 present and not voting, 8 excused and not voting, Mr. President.

HILGERS: LB628e passes with the emergency clause attached. We will now proceed to LB669e.

CLERK: [Read LB669 on Final Reading.]

HILGERS: All provisions of law relative to procedure having been complied with, the question is, shall LB669e pass with the emergency clause attached? All those in favor vote aye; all those opposed vote nay. Have all those voted who wish to? Please record, Mr. Clerk.

CLERK: Voting aye--

HILGERS: Colleagues, we're still on Final Reading. Please-- please remain in your seats until we're complete.

CLERK: Voting aye: Senators Albrecht, Arch, Bostar, Bostelman, Brandt, Briese, Cavanaugh, Cavanaugh, Clements, DeBoer, Dorn, Flood, Friesen,

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Gragert, Hansen, Hansen, Hilgers, Hilkemann, Hughes, Kolterman, Lathrop, Lindstrom, Linehan, Lowe, McCollister, McDonnell, McKinney, Morfeld, Moser, Murman, Pansing Brooks, Sanders, Slama, Vargas, Walz, Wayne, Williams, Wishart. Voting nay: none. Not voting: Senators Erdman, Groene, Halloran, Aguilar, Blood, Brewer, Day, Geist, Hunt, Pahls, Stinner. 38 ayes, 0 nays, 3 present and not voting, 8 excused and not voting.

HILGERS: LB669e passes with the emergency clause attached. While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign the following LBs: LB317-- Mr. Clerk.

CLERK: I'm sorry, Mr. Speaker. I need to tell you that LB485 and LB485A have been correctly enrolled.

HILGERS: Thank you, Mr. Clerk. While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign the following LBs: LB317, LB317A, LB355, LB407, LB479, LB521, LB540, LB628e, LB669e, LB485, and LB485A. Mr. Clerk for items.

CLERK: Yes, Mr. President. Bills read on Final Reading earlier this evening (LB273, LB307, LB644, LB411e, LB411Ae, LB57, LB90, LB166, and LB166A) were presented to the Governor at 5:17 and again at 7:02. Senator John Cavanaugh would like to add his name to LR198; Sanders to LR228. Mr. President, Senator Wishart would move to adjourn the body until Thursday morning, May 20, at 9:00 a.m.

HILGERS: Colleagues, you've heard the motion. All those in favor say aye. Opposed say nay. We are adjourned.