

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate January 24, 2022

**WILLIAMS:** Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the twelfth day of the One Hundred Seventh Legislature, Second Session. Our chaplain for today is Pastor Arin Hess from Heritage Bible Church in Lincoln in Senator Matt Hansen's district.

**PASTOR HESS:** Oh, Lord, we thank you for giving us another day of life. May life be treasured and protected. You are a kind, kind creator. We praise you for allowing us to live in the USA and the great state of Nebraska. Help us to be grateful for the blessed freedoms provided by you and those who preceded us. Please keep us from evil. You know, you will hold us accountable for our actions and attitudes. Forgive us for sinning against you, oh, God. Thank you for providing redemption through Christ's substitution for us on the cross. Help us to bless all those you bring in your path-- in our path. Make us conscious how we can love our neighbor and our God. Give courage and conviction to our legislators today. Help them to stand for truth. Help them serve with integrity. Give them perseverance to not give up. Give them humility in their high position. May they have discernment for right and wrong. And may you give them self-control regarding temptation. May you bind the forces of darkness by the blood of the lamb, the Lord Jesus Christ. May the lies of the enemy be brought to light and may wholly justice prevail. You, oh, God, are the defender of what is right. May you give the victory. You are the God of grace. As recipients of your unearned favor, let us live in gratitude of those gifts. You are the God of hope. Please cause us to be hopeful of your mercy. You are the God of faith. May you increase our faith today. May you, almighty God, crown the righteous efforts of our civil servants with understanding, guidance, blessing, and praise. We ask this all in the mighty name of Jesus. Amen.

**WILLIAMS:** Thank you, Pastor Hess. I recognize Senator DeBoer for the Pledge of Allegiance.

**DeBOER:** Colleagues, 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.

**WILLIAMS:** Thank you, Senator DeBoer. I call to order the twelfth day of the One Hundred Seventh Legislature, Second Session. Senators, please record your presence.

**HILGERS:** Mr. Clerk, please record.

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

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

**ASSISTANT CLERK:** No corrections this morning.

**HILGERS:** Thank you. Are there any messages, reports, or announcements?

**ASSISTANT CLERK:** Mr. President, there are. Your Committee on Enrollment and Review reports LB496A to Select File with amendments. Your Committee on Government reports LB158 to General File and LB29 to General File with amendments. Notice of hearing from the Agriculture Committee, as well as the Banking Committee. Have a Reference report for Day 10 from the Exec Board and an amendment to LB700 from Senator Kolterman to be printed in the Journal. That's all I have at this time.

**HILGERS:** Thank you, Mr. Clerk. Senator Slama would like to recognize Dr. Brett Copley of Syracuse, Nebraska, who's serving as our family physician of the day. Dr. Copley, I believe, is seated under the north balcony. Please rise and be recognized by your Nebraska Legislature. And while the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign LR274. Turning to the first item on the morning's agenda. Mr. Clerk.

**ASSISTANT CLERK:** Mr. President, the first bill this morning is LB825 offered by Senator Lindstrom. It's a bill for an act relating to revenue and taxation; change provisions relating to the taxation of benefits received under the federal Social Security Act; and repeal the original sections. The bill was introduced on January 6 of this year, referred to the Revenue Committee. That committee placed the bill on General File with no committee amendments.

**HILGERS:** Senator Lindstrom, you're recognized to open on LB825.

**LINDSTROM:** Thank you, Mr. Speaker, and good morning, colleagues. Today, I bring before you LB825, a new version of what we did last year with LB64. So to give you context on the evolution of how we've started and where we are, this is a-- I think the, the prayer this morning by Pastor Hess was very relevant to, to the, the effects of never give up. This is something that I came in fighting on and this is something I'm going to end fighting on. What we've done over the last couple of years, particularly with LB738, which was passed back in 2018, we indexed the, the Social Security tax brackets. So currently we're one of 13 states that is taxing Social Security. Of

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course, we took action for our retirees, particularly in the military sector field last, last year and phased that out. This would be the next step in doing that to make sure our retirees stay in the state of Nebraska. And like I said, we're one of 13 states. There's many states around us who have taken the steps to phase this out. What this bill does and what we did last year was passed a bill that had a ten-year phaseout starting in taxable year 2021. That has obviously taken hold with a 5 percent reduction on the Social Security. Currently, as we sit, anyone that is under statute, anyone that is a single filer making under \$43,000 is not taxed on their Social Security. Any joint filer at \$58,000 is not taxed on their Social Security. Now with LB738, we attached the consumer price index so that every single year based on that percentage, it would ratchet up based on that amount, which on average is about 2.5, 3 percent. Of course, last year, with inflation being at 7 percent, the biggest issue for our retirees currently is the purchasing power. So if we're not keeping up with inflation on, on ratcheting that up, the purchasing power tends to diminish or continue to diminish over time. What this bill does is we speed up the elimination of the Social Security tax on income with last year at 5 percent. For this taxable year, it'll be 40 percent. For next year, it's 60 percent; 2024, 80 percent, and then we will finally eliminate the tax on Social Security income in taxable year 2025. So pretty straightforward bill. This is just an extension of what we did last year. Last year, we passed the bill unanimously. I'm hoping that we'll have the same result with LB825. I'm sure-- I can see in the queue already we have some people punched in, so I'm looking forward to a discussion on this today. But again, I would appreciate your support on LB825 and advancing the bill to Select File. Thank you, Mr. President.

**HILGERS:** Thank you for your opening, Senator Lindstrom. Debate is now open on LB825. Senator Pahls, you're recognized.

**PAHLS:** Thank you, Mr. President. I want to commend Senator Lindstrom about this bill. Any, any governor should want this type of legislation to be honest with you. I'm going to speak just how I see how this will affect people who are on Social Security. A year ago, February, I got on Social Security. Before that, I had a health plan because I was working for another company. I had a health plan and I'm just going to show you how that affected me by getting on Social Security. I have to have to be on insulin. On my regular insurance, before I was on Social Security and used Medicare, this pen would cost me, a month's supply, \$40. OK, now I'm on Medicare. This same pen costs \$200, the same, same pen, \$200. I was very fortunate working with my pharmacy, they got me onto GoodRx, it dropped it down to \$100.

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That's for one insulin a day. And you also, for some people, have to take it at night. I barely have to take it. I'm very fortunate because this all occurred about ten years ago when I had that virus hit me and played with my body. But I'm just going to show you the cost, it's, it's amazing. Now to use, use this, you need to buy a needle. The needle before cost me a dime. Now the needle cost me 50 cents. If I have to use it four times a day, see how this amounts up? And then the little thing, you have to stick yourself, draw your blood. That has gone up double. So this is the type of thing that happens to those individuals who are on Social Security. Now I'm going to do another thing just to show you how hard it is for some people to live on that. I'm fortunate. I do not need my Social Security to survive, but there are some people who do. But I'll just show you. This past week, I got this in my MUD where I live. I live in a townhome, two bedroom. It's not a big place, but I just-- my water use, I spent \$10.05. Now for the service, and I know you need this, it's \$13-something. And then for the infrastructure replacement, it's \$4. But the interesting thing about it is the sewer separation in the city of Omaha, no other city has this, but the city of Omaha, my monthly for last December through January, \$63.71. That's for the replacement. Now think about those individuals who are living on Social Security. This has got to be a killer. That's just for those people living in, in the city of Omaha. And not only that, which the state does get sales tax on my bill was \$13. So I think some of these individuals who are depending for a major part of their income on Social Security, they're up against a hard rock. So that's why I think moving this, speeding this up, tax-- taxing of the Social Security is needed just to be fair. I think we'd be surprised how many people who truly depend on Social Security. Those of us in this body probably don't need Social Security to survive, but there are some people who do. And I do know there are plans to help those people out. For example, in the city of Omaha, there is a fund that they can get to help them with the--

**HILGERS:** One minute.

**PAHLS:** --thank you-- sewer separation. There are those funds out there. But I, I, I can't imagine some of these small towns, as I do as I think back to my mom and dad, I think Social Security for them was significant because they spent a good part of their life in a small town with doing what I call blue-collar jobs. And, you know, they didn't have an awful lot of, of backup because just to live paycheck to paycheck. So I think we have a number of those individuals in our state. So I do, I thank the senator and I, of course, I will support this bill. Thank you.

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**HILGERS:** Thank you, Senator Pahls. Senator Brandt would like welcome the following guests who are visiting the Legislature, 20 students from the 4th through 6th grade from St.-- and two teachers from St. James Catholic School in Crete. They are seated in the north balcony. Please rise and be recognized by your Nebraska Legislature. Mr. Clerk for a motion.

**ASSISTANT CLERK:** Mr. President, priority motion. Senator Wayne would move to return LB825 to committee.

**HILGERS:** Senator Wayne, you're recognized to open on your motion.

**WAYNE:** Thank you, Mr. President. Colleagues, I don't believe in taking personal privileges, particularly when you are talking about something or somebody out of the body. I think that's inappropriate for our rules. But I do want to take just a moment to talk about somebody who passed recently. It was one of our guides-- see if I can get through this without crying, who took us up and down the mountain. Makeke, by the third day, was kind of assigned to me by Combay [PHONETIC], and that was the day I hurt my knee. And then on the way down and even somewhat going up, it was usually Makeke, Senator Hansen, and myself who were way behind the entire group because going down, my knee was swelling up to about the size of a watermelon. Senator Hansen gave me a, a brace that was too small, but we made it work and we drugged up every day so I can finish the climb. I don't talk about Africa because it fundamentally changed my life. In fact, my own wife and people, we, we went through some videos, but I don't really get into the emotional aspect of it because it was, it was a little different for me, as it is for everybody else. But at one point when we were going up the mountain without me asking, he would lighten my load all the time and make sure it was lighter so I could make it up the mountain. I joked at the end of it, was he assigned to me because I was the only black American on the trip and I had at least be the one who would, like, get to the top? We didn't want everybody else to get there, and he just would laugh. But on the way down, he stayed with us. One night, Ben and I got in super late. It was dark. When I say super late, it was dark and he stayed with us the whole way, him and Emmanuel [PHONETIC] the whole way because my knee was just so bad. For those who don't know, I'm getting shots and next week they're going to determine whether I get surgery on my knee. But I wanted to take this moment to mention him because he died on the mountain, January 11, doing what he does and doing what he loves. But over there, there is no workers' comp, there is no fund, and he left behind three kids and a wife. And I wanted to make sure that if his kids ever Googled his name, that they know that he had worldwide impact beyond Tanzania. His

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spelling is M-a-k-e-k-e Fredrick, F-r-e-d-r-i-c-k, Robert, R-o-b-e-r-t, Sandi, S-a-n-d-i. The thing that he taught me was to always keep going, and for the last hundred yards, he left me to go talk to Brewer the last mile, I would say, to make sure Brewer didn't stop and he stayed with Brewer in his ear the whole time, like he did me most of the way up. So he taught us to keep it going no matter what. He taught us that if you can lighten the load for somebody else, do it. Don't ask questions, just do it. He taught us to make sure you never leave anyone behind. And everyday he made sure that nobody was left behind. He taught us to always find joy in everything that he-- that you do. Hansen and I had a lot of great conversations with Emmanuel and Makeke. And he always found ways to laugh. He reminded us don't, don't forget to lift others up on the way there, to having some fun, but making sure you're positive on the way up when things weren't always looking good is the way to keep striving. And the biggest thing he reminded me was always throw your rope back, that nobody pulls themselves up by their own bootstraps. When you get up, make sure you throw the rope back. This individual didn't know we were senators till day three, but throughout the entire time he took care of us. He made sure we were fine. He made sure we made it to the top and that nobody would fail. If that means taking extra breaks, if that means drinking extra water, if that means saying a joke or two. And so if his children ever watch this or his wife, this senator from Nebraska is grateful to spend seven days on a mountain with your father. He will forever be remembered and cherished. Thank you.

**HILGERS:** Thank you, Senator Wayne. Debate is now open on the motion. Senator Lathrop, you're recognized.

**LATHROP:** Thank you, Mr. President and colleagues. And Senator Wayne, I am sorry for your loss. That sounds like a very impactful person in your life. I turned my light on not to speak to Senator Wayne's motion or to respond to what he had to say, but to address LB825. And I want to say this in a respectful way. I, I generally support what Senator Lindstrom is doing in LB825. I'm looking forward to voting for LB825. But I want to talk about something a little bit different and that's a concern I have with having two consequential Revenue bills back to back this early without knowing what we got going on with Appropriations, with other Revenue bills. Last year, the Revenue Committee put out, I think, 38 different bills, if my memory serves me. The sum total of all those tax cuts in those Revenue bills was \$300 million and we had \$200 million for the floor. And so what, what I think putting them up this early does or the place it puts us in is we have no idea where it fits into what everything else we're going to see from Revenue Committee, what the Forecasting Board is going to

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say, or what the Appropriations Committee is going to come up with for a budget. My, my inclination is to support LB825 on General File, but I would urge those involved in scheduling this bill on Select File to put it off as we do with appropriation, A bills, so that we can figure out where it fits in the big picture. We will no doubt see-- they've only had a week's worth of hearings over in Revenue. We will no doubt see more Revenue bills and to have bills-- this one has a great deal of appeal. We pass this, what effect does it have on our ability to pass any one of the other bills fiscally? What effect does it have on our ability to appropriate or to fund A bills that will come up in the-- as the, as the session goes on? Because at the end of the day, we have to balance a budget and that includes the revenue piece and the appropriation piece. I intend to support LB825 on General File. But I am going to-- I feel strongly that these Revenue bills that we will see should be heard on Select File later on in our 60-day process so that we can make those judgments that we're here to make, that the people send us here to do so that we can decide what, what is our-- or what are our priorities as we move along and not look at this in isolation and say, great idea, let's pass it, and without, without having any insight into what effect it's going to have on our ability to pass other Revenue bills that we may also like or our ability to fund A bills that will accompany your legislation to the floor or what the Forecasting Board or the Appropriations Committee will do for that matter. So I just throw out a word of caution at this point in time because we are early in the process, early in the 60-day process, because this is an idea that is appealing to every, every one of us like the idea of helping those on a fixed income, those that rely on Social Security income. But understand that there's more coming from Revenue and there's A bills and Appropriation bills--

**HILGERS:** One minute.

**LATHROP:** --and the like that we need to have in front of us so that we can strike that balance and set those priorities and not try to, try to make judgments like this in a vacuum. So with that, I'll yield the balance of my time. Thank you.

**HILGERS:** Thank you, Senator Lathrop. Senator Stinner, you're recognized.

**STINNER:** Thank you, Mr. President. I don't even know where to start, but I would say that I will vote probably to move the Social Security bill from General File to Select. But really, what I want to talk about is a package of Revenue bills that were suggested to be passed by the Governor. Those bills all add up to \$412 million over,

certainly, this biennium and then the out-years. And what I want to do is concentrate on the fiscal impact of those bills. And of course, the Governor has used 3.5 percent in his calculations and, of course, Fiscal is at 0.7, which is relatively flat. I'm not going to debate the merits of that. It was \$395 million inserted artificially into these projections over and above what Fiscal normally does to make this work. Now we end up with a \$32 million positive balance. I just want to talk about what the adjustments are right now. I know that TEEOSA went from \$18 million to about zero, \$435 million. So we can take \$18 million off of that \$32 [million] right now and you're down to \$14 [million]. The other budget adjustments, probably that we will make in committee is to take a look at provider rates. If you remember, 24/7 facilities got a 30 percent increase across the board to try to solve a hiring and retention problem. So does nursing homes. So does DD. So does child welfare. They all have those problems. Now we're not going to address a 30 percent increase. I'm getting them halfway to the wall on the base side and then try to fill it in with ARPA. That's the strategy to try to make them whole so that they can survive throughout this ARPA crisis. That's \$70 [million], \$75 million. That puts you in a negative stance. Then let's talk about and let's look at what the numbers say, 3.7 percent in the second part of the biennium, that's over the 3.5 percent threshold. The fiscal note on that is \$32 million. But interestingly, the \$173 million does not reflect that \$32 million that will be added to the tax credit and a reduction of revenue. So it's 32 and 32 is 64, if we pass that bill, if we pass it without a cap. And oh, by the way, forecasting, it's going to save us all, right? I get \$100 million increase in that fiscal year that we have 3.7, every dollar goes to property tax. Let me repeat that, every dollar goes to property tax. So instead of 580, I think is the number, it'll be 680 or maybe 780, but the impact won't be reflected until the out-years, OK? So if it's 100, it's 100 and 100. That's 200. Now you got a bigger deficit. So do we talk about adjusting that bill to make sure it fits? And I'm all for setting a floor on it. I was all for property tax relief. But we're going to have to pick and choose. And the idea of advancing these bills to Final and then having a two-hour discussion, I'm sorry, I'm not for that. I think the robust discussion has to happen after we have the adjustments and the green sheets to take a look at and really have a robust discussion about how we move forward in this state and what the fiscal impact is and what the fiscal posture is going to be. I'm not throwing a wet blanket on anything on revenue right now. But I want to make an informed decision. And, you know, the 3.5 percent is three--

**HILGERS:** One minute.

**STINNER:** --years away, that out-year. You know what the Federal Reserve is doing right now? They're increasing interest rates. If you want to read an interesting article, read, read the one that was in the Omaha World-Herald on labor shortage, inflation, and efforts to curb. They all talk about a slowdown in the economy. I read The Wall Street Journal, slowdown in the economy. Barron's: slowdown in the economy. Now our state does run on commodity prices and I'm hoping that they stay up so that this thing could be a little more robust and a little more carry forward. And I know that we have a billion dollars out there as a fiscal stimulus. A different type of stimulus is going out in that ARPA money. It's going for projects. It will be stimulative. There's no question, but how much as opposed to going to individuals, checks to individual? Different type of stimulus. And I could get into the merits or "dismerits" of the methodology that we use in Fiscal, but it's based on a 4.5 percent average.

**HILGERS:** That's time, Senator. Thank you, Senator Stinner. Senator Friesen, you're recognized.

**FRIESEN:** Thank you, Mr. President. Boy, it's kind of hard to follow that one. I'm kind of in a-- probably in the same theme here. And, and again, I-- I'll probably just be not voting when this moves forward because I think, too, we have to keep in mind long-term policy. And it'd be easy for me, I'm term limited out. I'm not coming back, I'm not coming back in four years. I'm not coming back ever. So I could vote for every tax cut, property tax relief bill that you throw on the floor. And I could walk away from here, you know, man, I cut taxes. But I am concerned that in year three, four, or five going out, our economy is not going to be growing the way it is now. And we need to be really careful on what taxes we cut. Now if I was to say, OK, amongst all the bills I've seen out here if we're going to cut taxes, I've always said property taxes are still going to be number one for me because that helps everyone across the state. You know, it doesn't always help renters as much as it helps property owners, but it does cover a pretty wide area. When you look at this Social Security tax, and I may have my numbers a little bit off, but I think there's only 300-some thousand individuals who will be given a tax cut. They don't-- they're the only ones are paying taxes on their Social Security. So there's a lot of people who may think they're paying on their Social Security. They do not. Your income has to be pretty reasonable if you're married filing jointly when you're retired. So one of the things going forward is that the 65 and older crowd between 2010 and 2050 is going to increase by 90 percent. The 18-to-64 population right now, according to David Drozd from the university, is only going to grow at, I think it was 12 percent. You know, we've all

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talked about the grand-- the baby boomers and they're retiring. That's me. I'm on the tail end of it and we're going to be retiring. And hopefully our, you know, our years are-- we're can maybe last over 90-some. This is going to have a pretty good impact on revenue in the state forever because nobody is ever going to go back and tax it. Everybody always tell me we need a stable tax policy. We debated this tax policy last year and we came to the conclusion that we should do a five-year, 50 percent cut. We get to the end of that, if we have the money, go all the way. We did that on another bill. It's a stable tax policy that we put in place; five years, we'll see if we can go further. And a different Legislature will do that, not me. So I, I-- we talk about stimulus money and when I'm watching what we're going to do with the stimulus money, it's not going to help everybody. It's not going to help every community out there. It's going to help some big urban areas and some different parts of the state, but it's not going to be uniform across the state. It's by certain projects it will increase, you know, what they're doing, but for the majority parts of the state, there will probably be no impact, not like there was with the child credits and everything else that was out there where the stimulus really stimulated the economy in every part of the state. So I want everybody to be thinking longer term. I mean, over and over, we say property taxes are number one, you know, and yet when we get to this body, we seem to vote to cut some other popular taxes that the average person has never asked for. And I can see doing this,--

**HILGERS:** One minute.

**FRIESEN:** --I mean, I will be paying this tax on Social Security I hope when I retire. Because I have enough investment, I, I think I'll be making more than that married filing jointly that's exempt. And I don't really feel bad about paying it because I'm going to have the revenue that I can pay it with. And it does cost something to run the services of the state. And if we want to look at tax policy, maybe we need to cut our spending before we cut our revenue streams. And if we've got the guts and the fortitude to cut spending, let's cut some programs. Let's do that. Then we can talk about tax cuts. But the excess revenue that we have sitting in our treasury right now is not through anything that our economy has grown. It's because they've doled out money that the federal government has borrowed and that our children and grandchildren--

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

**FRIESEN:** --are going to have to pay back.

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**HILGERS:** Thank you, Senator Friesen. Senator Clements, you're recognized.

**CLEMENTS:** Thank you, Mr. President. I rise in, in support of LB825 and in opposition to the motion to recommit. And I have seen this firsthand about competition among the states and, and we have talked about it before with the military retirement bill that we exempted military retirement last year and that, that's a small, fairly small number of taxpayers. The Social Security benefit exemption will be a larger number of taxpayers. And I've talked about this before, but I want to repeat the situation I have with an income tax client that, that I still prepare his return. He's formally from Elmwood but has retired to Arizona and still has a summer home in Nebraska, comes back here regularly to visit family. He and his wife were pretty good-- had good jobs, high-wage earners, and received a little over \$50,000 of Social Security benefits. First time I did their return when they became Arizona residents, the Arizona tax was so small I thought I'd made a mistake. And looking through the return, I saw in the Arizona tax form a minus \$50,000 that subtracted all of their Social Security benefits. And when I discussed their tax return with them, I told them, you're saving around \$4,000 a year in income tax by being an Arizona resident. Make sure you spend six months of your year in Arizona and not in Nebraska or you'll become a taxpayer on all of that Social Security benefit. And I think that there are other tax advisers telling people who retire about the advantages of moving out of the state and I-- that's one reason, a big reason that I also brought the inheritance tax bill, that we're chasing people away with some of our tax policies. And I appreciate having an opportunity to keep people here and to attract people to Nebraska. I'd love to tell my client that he could move back to Nebraska and not have a tax on that Social Security benefit. And so I think it's a competition among the states that there are-- that we have in other areas. And this is one that I think is an important area for us to maintain our competitive level with our neighboring states and states farther away. So I strongly support LB825, thank Senator Lindstrom for bringing it, and thank you, Mr. President.

**HILGERS:** Thank you, Senator Clements. Senator John McCollister, you're recognized. Sorry, John Cavanaugh, not Senator John McCollister. I apologize.

**J. CAVANAUGH:** Thank you, Mr. Speaker. I'm happy to be confused for Senator McCollister. Well, I, I guess I, I don't necessarily rise in direct response to Senator Wayne's motion. I was-- pushed my button on LB825, but I did want to comment on Senator Wayne's comments was a

beautiful testament to the effect individuals can have on other people, and it's about, you know, the ripples that we can have by taking positive action. And I appreciate his comments. I think it was a great story and I'm, I'm happy you shared that all with us, and I think we should keep those-- that in mind as we consider other things. I generally am in support of LB825. I was a cosponsor to the bill we passed last year when it was-- contemplated the entirety of illuminating taxes on Social Security. I've been listening to debate about, particularly a process question of how quickly we are proceeding with some bills that are going to spend the money in the form of tax cuts that we have before we get to the spending bills and we should consider everything in a holistic picture. So I'm, I'm listening to those comments and taking them to heart as I consider how I'm going to proceed. I intend to vote this forward to Select, but I do agree with the comments that have been made, I think, by Senator Stinner and Senator Lathrop about how maybe we should, we should slow down as we proceed on some of these Revenue bills and wait till they get caught up with the Appropriations bills. And of course, Senator Friesen's comments about what we-- the-- our intentions that we had in 2021 as we passed the previous part of this bill I do think are a consideration as we approach this bill and many others. But I, I just-- my thought I wanted to rise and speak to, I've been reading about the history of Social Security in the United States and I saw this comment from President Roosevelt when he signed the Social Security Act that I thought was helpful. "We can never insure one hundred percent of the population against one hundred percent of the hazards and vicissitudes of life, but we have tried to frame a law which will give some measure of protection to the average citizen and to his family against the loss of a job and against poverty-ridden old age." And that, I thought, was interesting in light of some of the things we've been talking about and particularly in light of the ARPA funds that are going to be coming up and how we're going to spend those. And so I was looking at the housing assistance funds that we have been allocated to the state of Nebraska previously and just the city of Omaha, the city of Lincoln, Douglas County and Lancaster County have spent-- both the cities spent 100 percent of the money they've been allocated for housing or rental assistance already. And Lancaster County and Douglas County have spent 94 and 83 percent so far helping, I'd have to do the math and I can do it before I come on the mike again, but probably 10,000 at least Nebraskan households to remain in their house and keep the lights on. And so that type of money that is being spent to help actual Nebraskans stay in their house, keep the lights on is like our program and Social Security. We cannot protect everyone against 100 percent of the hazards and

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vicissitudes of life. But we have an opportunity to protect them against some of them and that-- the, the ARPA dollars for housing assistance is one measure that we could take. And so we should be making sure that our state is collecting all of those funds and we should be making sure that people have the opportunity to stay in their house when they can. I'm, I'm going to keep talking about this and talk about other things actually. When I was called, was called Senator McCollister, I wasn't prepared to come up and talk, so I left my computer over there. But--

**HILGERS:** One minute.

**J. CAVANAUGH:** Thank you, Mr. Speaker. I'll push my light and come up again and talk about the relationship here. But there was an incident over the weekend in my district where certain residents in my district were forced out of their homes as a result of, well, ultimately a failure of our government to ensure that their house remained habitable. And now they're out looking for a place to stay. And some, some of this money and local charities and government assistance can help people stay in their house when they become unhoused as a result of things outside of their control and we should be focusing on that as well. And so I will take my next opportunity to talk about that. Thank you, Mr. Speaker.

**HILGERS:** Thank you, Senator Cavanaugh. Senator McCollister, you're recognized.

**McCOLLISTER:** Thank you, Mr. President. Good morning, colleagues, and I'm the real John McCollister. It's a dangerous time for the Legislature. What do I mean? It's analogous to a sailor going for port leave after a long cruise and has received a bunch of money. And right now, with the Nebraska budget that we have, we have a big surplus. Tax revenues have been great and that's a fearful time for the Legislature. What we don't want to do is imperil future years by spending too much now and making future obligations that imperil the budget process in future years. We have a lot of opportunities in this session for tax relief, property tax relief, Social Security tax reduction, income tax reduction. Also, we have a reduction and we need to maintain our Rainy Day Fund, which is in good supply right now. So what I would hope is that we would defer LB825 or retain that bill on Select File until we can force rank all these proposals and pick out the ones that make the most sense, but yet maintain a responsible budget. So I, I would favor that kind of approach and I hope you do as well. I yield the balance of my time.

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

**M. CAVANAUGH:** Thank you, Mr. Speaker. Good morning, colleagues. I would like to say that I appreciate Senator Wayne's sharing his story about his guide and I'm sorry for his loss and for everyone's loss that was on that trip. I am probably going to vote for this motion, but I support the underlying bill. I'm one who thinks that perhaps things are going a little too quickly right now when we're talking about dollars to spend and I-- I'd like us to slow down a little bit because these are pretty massive things. However, I do support LB825 and ultimately, no matter how long we take talking about it, I will be voting for it because I think when we have these many dollars, it's important for us to think first about the people most in need. And I don't know who's more in need than senior citizens on a fixed income so I will be voting for this bill. I know tomorrow we have some hearings in Appropriations on the Governor's budget and there was an article in the paper yesterday about the Governor's canal proposal. And I, I don't know about everybody else here, but I was-- and I do still remain a little confused about the intricacies of this proposal. It seems like a very large investment with a lot of unanswered questions and concerns. And of course, there's the possibility of those questions and concerns getting answered tomorrow, but I'm just going to share some of the article with everyone. This is in the World-Herald from yesterday: Canal idea predates compact even in communications between Delph Carpenter, who negotiated the compact for Colorado and then Governor-- Nebraska Governor Samuel McKelvie, the canal project was referred to as old. The old Perkins County Canal was project-- projected in the early 1890s with the object of diverting water from the South Platte some miles above Julesburg within the state of Colorado for the irrigation of lands in Nebraska laying south of the river and particularly of that beautiful area in the land of-- in-- of land in Perkins County between Ogallala and Grant. This is a 1921 letter from Carpenter: Construction efforts had started in 1891, according to the Nebraska Department of Natural Resources, but it was abandoned due to financial troubles. Remnants of the abandoned ditch are still visible near Julesburg. Another effort to pursue the canal, this time by the North Platte-based Twin Platte Natural Resources Districts, was derailed in the 1980s because it didn't comply with requirements of the Nongame and Endangered Species Conservation Act. The pact-- compact borne out of a desire to resolve litigation is more than the canal. It currently entitles Nebraska up to 120 cubic feet per second of water between April 1 and October 15. Brian Dunnigan, who served as Nebraska's Director of Natural Resources from 2008 to

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2015 and spent over 30 years with the department, said he and other directors have always been very aware of the compact and its provisions. We made sure that Nebraska was getting what Nebraska was entitled to under the provisions of the compact, he said. Current director, Tom Riley, told the World-Herald that flows dropped below 120 nearly every year at times during that time period. When it happens, Nebraska calls Colorado and it addresses the issue by limiting its users who are--

**HILGERS:** One minute.

**M. CAVANAUGH:** --subject to the compact. Thank you. Another part of the compact will allow Nebraska to also claim water outside of growing seasons, provided there's a canal. The canal could run from near Ovid, Colorado, east of the route abandoned by Perkins County Canal, it says, and Nebraska would buy land or even use eminent domain to make it happen. So this is-- it goes on. I will be interested to hear from senators who represent districts that will be impacted by this both positively and adversely about their thoughts and how this would work. I think that there are going to be some concerns over diverting money-- or not money, water from certain areas of Nebraska if we were to pursue this canal. So I'll be interested on the environmental impact of this and look forward to discussing it further.

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

**M. HANSEN:** Thank you, Mr. President and good morning, colleagues. Colleagues, I rise, I guess, in support of LB825 and with-- thus, not in support of Senator Wayne's motion at this time. I do appreciate the discussion we're having today and I appreciate some of those people who have already stood up and talked earlier. For me, I actually turned off my light and got down later in the queue because I-- when I heard Senator Stinner speaking because I felt like he was hitting upon some points that I had hoped somebody would make and I was going to attempt to make. And I wanted to give some time to let that sink in and, frankly, give me more chance to kind of think about it as well. Fundamentally, the thing I have and one of the reasons I want to talk today is with back-to-back, pretty major tax bills coming up, at this point, it's tough to make decisions not seeing the whole picture. And as has been talked about, there are lots of moving parts in this body in terms of what funds we have, what funds we are projected to have, what funds we can use for what purpose and so on and so forth. And while there's maybe some things, for example with LB825, that I can be supportive of just on its face-- I like the policy. I would say when I

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was running for campaign, I got probably eliminating taxes on retirement income as much, if not more than any other tax issue. And so I'm glad we've been able to work on military retirement and glad we've been able to work on Social Security retirement and make some real progress these last two, three years. But as just has been said, there are a lot of major proposals in the budget. There are a lot of major tax bills that are sitting in committee that I presume are likely to get prioritized or likely to have their day on the floor as well and trying to have some sort of comprehensive picture of how these all fit together and how all these fit together this year and in out-years is very important to me. One thing that I've always kind of noted is kind of interesting in this body is, of course, how we do the budget. The budget, you know, is largely a singular document that the committee works together and of course gets special status in our rules special status in the constitution and so forth to accommodate it. Tax bills, which are the kind of the counterpart to that, not the opposite like the counterpart, because it's two major ways of controlling flows in and out of the State Treasury, don't happen like that. They are split up and chopped. In addition that they kind of the-- by, by nature. And in addition, you know, a tax bill, unless it has a sunset clause or some sort of step up or step down gets enacted, it's final. You know, a budget, if we do a really good budget, it lasts two years and we probably will still tweak it one year later anyways. And that's kind of the, the difficulty we have when balancing these both kind of tax issues and spending issues and part of the problem we have looking at the lack of a holistic picture coming forward. I know the way we handle tax bills in this body is just how we do as an institution. That's not on one person or one thing or anything. It's this fundamental issue of it's little bits and pieces and it's tough to know what ones we can afford or can't afford or which ones are good policy or bad policy because they all interact and change upon one another. And so that's one of those things that, you know, as we are going to be perpetually be asked to say, in a future bill use sales and income dollars to leverage that against property taxes is giving away-- or not giving away, excuse me, taking less income tax going to make that bill harder to do? Is it going to make it better policy, works policy? How do they all interact? And that's the difficulty I find myself in looking at all these and knowing we have more coming down the pike is that I'm probably going to be asked-- I've already been asked to vote on several major tax bills this year. I think this is the third one we've had on the floor--

**HUGHES:** One minute.

**M. HANSEN:** --before the Appropriations Committee-- thank you-- has even had more than a couple of hearings, let alone proposed an initial budget and an initial document and that's-- that kind of siloed information of different aspects, different approaches to what is functionally kind of the same issue. You know, we often like comparing ourselves to a business or a family budget doing this, that or the other, you know? You don't really have a conversation about your expenditures without also knowing what your income is and you can't totally discuss them separately without having any sort of context on how they impact each other. That's one of the things I worry about we're kind of trending to especially early on in the session. It's one of those things that I think we've struggled with my whole eight years, will probably continue to struggle with, but something I wanted to kind of flag for the body as others have noted and flag for the public of Nebraska. Thank you, Mr. President.

**HUGHES:** Thank you, Senator Hansen. Senator Groene, you're recognized.

**GROENE:** Thank you, Mr. President. I stand in support of LB825. In the past-- and I'm glad the Revenue Committee brought this forward quickly because I think it should be the first thing we look at as a-- what we do with the overtaxation that we are experiencing now because of the excess revenues. In the past, I took a stand that property tax is first, second, and third, and I wasn't going to support any kind of income tax cuts until we got massive property tax relief. We've gotten some of it in the form of credits, which, of course, I don't agree with. I believe in good policy, but it happened. But when I look at the numbers and I look at our economy and I just did a quick number research on the population in the state of Nebraska, came up with the most recent numbers in 2019-- I'm sure it's more than that now-- 311,000 Nebraskans are over the age of 65. You run the numbers with 2 million people, rounded it off of citizens, that's 27 percent of Nebraskans that are over the age of 65. And out in my area in rural Nebraska, I would say it pushes a lot more than that, add another 10 percent for sure. My experience is those are the people leaving the state. Young people have to decide that the existing job they have, they're going to leave, there's no ties when you retire to the state. The only tie you have is your children, if they were successful and already moved out of the state, and you follow them. And the cost-- I'm one of those folks now, I guess. I hit that age, magic number where Medicare. And I found out that quandary. I told my wife the other day, I said, well, I see in the news that Social Security went up 5.9 percent. I'm not collecting mine yet, she is. But she said, yeah, but Medicare payments went up 7 or 8 percent, ate up 70 or 80 percent of that. So it's a give and take. I mean, the government plays

that game of give it to you and then take it away. These are the folks that do the part-time jobs we can't find. They're the teacher who is retired, who does the substitute teaching. They're leaving our state. Good time to leave. Real estate markets are high. Because, see, these are the folks you wonder why, what's going on in Nebraska? What's going on-- we have a housing shortage. These are the folks that had five or six children in one home. The children maybe have one or two children if they have any. So they're buying homes, building homes. We got three homes now where we used to have one. But we haven't gained any population because in those homes, one person lives, two persons, three, four when it used to be five, six, seven. Most you folks my age, you probably have at least four or five siblings. I do. I have six. So don't mistake the housing shortage with growth. It isn't there. It's less people living in each house. These people are leaving. They're leaving our state. They're not working at the Kwik Stop. They're not working at the substitute teaching. They're not filling positions. They're leaving. I hear it all the time. Missouri, they-- boy, I know what the tax-- how much you pay on a tax on \$200,000 house in Missouri. I hear it all the time from people who have left. I also hear about the income taxes down there and no taxes on your Social Security.

**HUGHES:** One minute.

**GROENE:** So now you want to grow the state and some want to cut corporate taxes. How are you going to grow the state there for corporations that are booming and they can't find anybody to work? I was reluctant on the military retirement also, but came around on it. I know there's one newspaper writer here must have been born with perfect values and righteous and doesn't change who says Groene changes his opinion. Yes, I do. It's called deductive reasoning. I change with the facts. That's what elected officials should do. So I support LB825 and I've cosigned it also. It's a good bill. Thank you.

**HUGHES:** Thank you, Senator Groene. Senator Moser, you're recognized.

**MOSER:** Thank you, Mr. President, and good morning, colleagues and Nebraskans watching us as we work. I am listening to Senator Stinner's admonitions about spending money and I thought this would be a good time to talk about the potential for what we are going to spend on our windfall, windfalls on. The federal government has given us a billion dollars to spend in Nebraska. That divides out to about \$20 million per district and the districts are roughly equal in population so you could consider that the money should be spent in the districts relatively equally. Projects that we would fund with this money, I

think, should be projects that last a long time, something that will last 30, 40, 50 years and have a payback beyond the initial investment and the rush of, of economic influx from all that cash. Projects that don't increase state expenses, things that have value to everybody, I think it has some analogy to winning the lottery. You know, most people who win piles of money in the lottery in a few years have spent it all, and they're back trying to borrow it back from all their relatives that they gave it to when they hit it big. And I don't think we want to be in that situation. You know, the lottery winners, they run out and they buy a new truck or a new car or a lake house and then before long, the money's gone. So I think we need to have a real long look at what we're going to spend this money on and make sure that it adds value corresponding to the amount of money we put in it. I'm just worried that when you spend this much money all at once, you're going to have some decisions in that wholesale approval that you later regret. LB825 reducing Social Security taxes, I may very well vote for that. I want to hear more about the economic effects of that and, and where our budget is going. But I just want to remind us-- that sounds kind of sermonic-- just want to bring up the fact that we have to be careful how we spend this money to make sure because the federal government is giving us money that they don't have, they're borrowing it. And so, you know, that adds all the more importance to what we do with it. It's not like they actually won a lottery. They just borrowed the money like they won the lottery and they're giving it to us. You know, maybe we should leverage our contributions from the federal government by buying a few Powerball tickets. Maybe we could really make some money on that. Thank you.

**HUGHES:** Thank you, Senator Moser. Senator John Cavanaugh, you're recognized.

**J. CAVANAUGH:** Thank you, Mr. President. So I was talking before. I promised to do some math while I was off the mike, but I just kind of put it back in the frame of reference I was talking about the Social-- when President Roosevelt signed the Social Security Act, talked about its importance in helping people weather the storm of the things that get in their, their way in life, the problems that come along, and that it can't solve all of the problems. But we have a law that seeks to help people in times of crisis and to be a social safety net that makes sure that people don't fall all the way from where they are to the bottom as a result of old age, infirmity, or loss of a job. And so that is fundamentally what Social Security is for is to secure people so that they, they don't fall further down when they don't have help. It is to make sure that they stay where they are. So we have this opportunity in our state, and I did the math from the money that we

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have had so far, and I said Douglas and Lancaster County, the cities of Omaha and Lincoln, have helped 8,990 Nebraska households since April of 2021 with this money. The similar-- next grouping of the money the state in Nebraska is refusing. The state of Nebraska helped 3,806. So over 11,000 households, that's not even individuals, have been aided by the Housing Assistance Program. And I would point out that the city of Lincoln and the city of Omaha have spent all their money. There is no data for number of households helped from October on in Omaha and from November on in Lincoln. Meaning that if they had more money, they could have helped more people. So I think that's an important consideration. As Senator Moser was talking about, we're getting this money from the federal government and that it is sometimes a windfall, but we should take the windfall when we get it and make sure that we maximize the benefit of that windfall. And there are people we can point to who have been helped by exactly this nature of the windfall and that we shouldn't pass up the opportunity to get that next windfall itself. But I think it's also important to talk about the multiplier effect that money has in our community. All of those people, those 8,990 people in Douglas and Lancaster County, they stayed in their houses, they kept their lights on, they kept the heat on. They were able to continue to work. They didn't have to worry about where they were going to live because they were able to stay, their housing was secure and stable. They were less likely to, to contract COVID because they didn't have to go to a community-- or a, a shelter. They got to stay in their house. They got to keep focusing on their lives. And those are the types of things, those are investments that we can make that then pay dividends in the long run, as Senator Moser talked about. We should be investing in things that are going to pay a long-term dividend. So that is one important aspect. I did mention that we had an issue in my district this weekend where a dozen people became unhoused because their house was no longer habitable as a result of lack of care. And so I was just sitting here looking through the city of Omaha permit complaints on this one particular property and it has one, two, three, four open violations dating back to February of 2021 on the first page and if I-- there are several other pages, but I just picked the very first open, still open complaint or violation by the city of Omaha is dated November 21 of 2021. And what that violation is-- or I'm sorry, November 24-- furnace is not working, no permanent working heat, furnace to be repaired by quality mechanic contractor and a copy of the report given to the inspector. So this is from November of last year. It is now-- I believe today is January 24 so that is--

**HUGHES:** One minute.

**J. CAVANAUGH:** --two months. I'm sorry, one minute? Thank you. That is two months in the winter where this apartment had no heat. And the city was notified of it in November and this apartment was shut down over the weekend because it was no longer habitable, which means that during that entire time for two months before the city intervened and shut down this apartment, it was found to not be habitable. And now the social safety net that we have in place in Omaha, which includes nonprofits, are helping these people to find emergency housing since they have been removed from their housing by a failure of the government oversight and the landlord to keep the apartment habitable. And so this is an important issue as well as part of-- when we talk about the social safety net. It's not just money. It has to do with the, the oversight of the government making sure that people who have an obligation to other people fulfill that obligation. Thank you, Mr. President.

**HUGHES:** Thank you, Senator Cavanaugh. Senator Friesen, you're recognized.

**FRIESEN:** Thank you, Mr. President. So I think we're having a, a pretty good discussion here and I know everybody else has got their little side discussions going on, but again, I think we do have to look at this and in, in the bigger picture of how we want to fund things in this state. And I recall sitting through a Revenue Committee hearing where we had an older gentleman and it was the only person back in the day that testified against cutting the income of retired military pensions. And he was ex-military, but he made the case that his family, his, his kids were living in Omaha and they had his grandkids there living in Omaha and he loved their trails and he loved the zoo and he loved their parks. And he said, somebody has to pay for this and I'm in a position where I'm making enough money that I can afford the tax to pay for this and I wish you would reduce the taxes on my kids so they don't leave Nebraska. Because if they leave Nebraska and take my grandkids with them, I'm leaving too. And so again, who funds what we do here in the state? And that's been part of my argument on the property tax issue is I remember a phrase that I learned my first year here and we were talking about property taxes and their content and, and who should be taxed. And I remember the statement being that property taxes should be levied commensurate to the services that that property receives. And so when I looked at cities and how they're run and property taxes are a very legitimate way to run a city, but we've also given them numerous other revenue sources with which to fund how we run city government. They can collect some sales tax. They got wheel taxes. They collect occupation taxes and franchise fees and you can go down a long list of taxes that they collect to fund things. Now

is that how we should be funding how cities are run? We've had bills here dealing with high cell phone taxes. Well, the reason we have high cell phone taxes is the occupation taxes they have to pay. Franchise fees are another one that raises the cost of your cable television. So in the end, we need to fund the services that cities and counties in the state need, but we have to decide how we're going to fund them. And that's what the Revenue Committee, I think that's kind of what our job is. The Appropriations Committee decides how to spend it. We decide how the money gets raised and how we provide for that revenue for the Appropriations Committee. And that's the part that most people don't seem to understand, the balance that's there is how do we balance that out to what's fair and equitable across the state? So when you, when you talk about businesses and we talk about corporate taxes, those are pass-through taxes. You raise taxes, they'll pass them through the customer. And really, a corporation doesn't pay taxes, it's all passed on to you, the consumer of the things that they make. So when I-- you know, as a young person, you start out and I always thought it would be fun if, you know, if you could give a young person that's first married and has a family, you give them a million dollars and they can go through life and just whittle it away until it's gone when they no longer need to spend so much. But instead, it's kind of backwards. We go through life scratching and scrambling until we get to retirement age. And then when we're too old to be able to spend it, we, we sit at home and that's when we have plenty of money to, to travel with. But we don't want to go anywhere anymore, we're tired of that. So we are kind of backwards. But in the end, there's a lot of services that we need. As a retired person, I'm going to be looking for, you know, some, maybe some nice retirement home somewhere. I want to make sure they're in good shape.

**HUGHES:** One minute.

**FRIESEN:** Somebody is going to have to pay for maintaining everything here and who has the revenue to do it and who should be paying some of these taxes? And that's what the argument is going to be over. The stimulus money is going to be a side note here because that is not sustainable and it has really impacted our revenues and really skewed how we're viewing our, our state right now with revenues that are not going to be sustainable in the longer term. So I hope everybody keeps that in mind in the big picture and looks at the whole thing of what's coming down the road. Thank you, Mr. President.

**HUGHES:** Thank you, Senator Friesen. Senator Machaela Cavanaugh, you're recognized.

**M. CAVANAUGH:** Thank you, Mr. President. Good morning, colleagues. It's interesting conversations happening this morning that may seem incongruous, but really they are very interconnected. The conversation around property taxes is directly related to this bill and the bills coming after this. And I've said it before, and I'll continue saying it, that property taxes are not a tax levied at the state level, they are a tax levied at the local level. And if we really are serious about property tax relief, we would start paying for things that we used to pay for at a state level but pushed down to the local level when we were in a budget crisis and had to have a balanced budget. And so we started making counties pay for things that we used to pay for so we could start taking those things back onto our books to alleviate counties. And people will argue, well, they won't necessarily want to cut taxes because, I mean, you give them money and they're going to just use it. I would counter that with what elected official doesn't want to cut taxes for their constituents, (a), and aren't most of these people politically affiliated with most of the people in this body? You don't think that they want to be fiscal conservatives? But hey, I believe elected officials came here to cut taxes for their constituents and I believe that county elected officials would love to cut taxes for their constituents. And so I think if we started funding government at the state level in a more appropriate manner, we would see lower property taxes. It's not an idea that is widely held in the Legislature, but I stand by it. I truly believe that if we did that, that our local governments would cut property taxes. So I am again endeavoring to look up how to collect my property tax income tax credit. And I have a red note that says that there's no results for the parcel ID number that I've put in. So let me back up to I went to the revenue website and look up your parcel ID number. I put that in, then I put the parcel into the next stage, which is to look up your school district property tax number, and I can't get my school district property tax number because it's saying that my property tax ID number is invalid. Now I'm probably going to have to call somebody. It says to see help instructions but there aren't help instructions. There's like, there's-- sorry, there's no link to the help instructions. So I'm glad I'm looking at this on January 24th so I have a couple of months to make all the phone calls necessary. And don't worry people at home, I will keep you posted on how this works out for me in the end and hopefully others can do it as well. So, yeah, we have this property tax fund that the next bill seeks to increase the floor on that is impossible for regular people to collect and it doesn't do anything. It doesn't change our property taxes. Now I'm going to take this property tax conversation and let's move it forward to what Senator John Cavanaugh was talking about, the

residents of 25th and Jones in Omaha. They work, they pay taxes, they are being evicted from their homes because of the negligence of the property owner, and they cannot collect this tax, but they are taxed to subsidize this tax. These 12 families or units pay into our income tax at the state level. They can't get this property tax refund. They already subsidize this landlord, his property taxes--

**HILGERS:** One minute.

**M. CAVANAUGH:** --with their rent, and now they're being evicted and nobody, except for a nonprofit, is paying for them to stay in an extended-stay hotel, a single mother with small children. I am constantly disappointed in how this Legislature views the ethics of money. It's always me first, should be me last. Thank you.

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

**M. HANSEN:** Thank you, Mr. President. Good morning again, colleagues. While we're talking about that apartment complex, I'd just like to remind people that the last time or one of the last times we had an apartment in Omaha close due to a health and safety issue, the landlord sued the tenants to get to keep their security deposit because they didn't have a chance to clean the building that was condemned by health inspectors and they were given about an hour to put their belongings into trash bags and leave. That's kind of the reality. We have since fixed that in state law that that's something we've worked on, but that's kind of the reality on the ground for a lot of folks. And that's part of my concern, just as we said, talking about all of these issues with money. And like-- as I said, I'm-- Social Security taxes, retirement taxes, one of the top issues that I've heard from my district, something I plan to support. But again, I'm talking about it because it's, you know, it's this bill, it's the next bill, it's other ones that I presume are going to be Execed upon and, and come out soon that there's this rush to do all sorts of different things with the tax structure in a way that we don't often get the ability to do so on other policy issues that are in my mind of equal importance, equal weight. There are a whole people, as has been touched upon, a whole group of people who have kind of skated through this pandemic by the skin of their teeth, kind of not through any fault of their own, but just because of the, the economy, closures, all sorts of different programs. And if not for some of this emergency housing assistance, emergency rental assistance, some of the things that have happened, you know, people lost their savings, lost their homes, what have you. We've been able to stem a lot of that. I would

like to point out that even in the midst of an evictions moratorium, we still had about an average number of evictions. So the moratorium only leveled out into normal levels, not necessarily extra high levels that we could have seen. And again, we're having all of this running in the background. We're having all of this running in the background and as we've heard that there are some things with this budget, there are some things with these numbers that I don't think are kind of true numbers. I don't kind of think of true math in terms of, you know, aspirational forecasting, in terms of counting some one-time COVID money or one-time kind of COVID by-products as sustainable revenue, sustainable growth that we can then leverage into tax relief or spending or what have you. We have all of these things to consider. And that's the difficulty we have, one, of being asked to do kind of tax bill after tax bill after tax bill without knowing where the budget is or what the budget's coming from or really what a realistic number is. You know, in some ways, we're kind of doing a little bit of the veil of ignorance in the sense of, you know, design a tax system without actually knowing how it's going to affect the budget when we're being asked to vote on pretty substantive tax reform tax changes prior to the budget. We just have to kind of figure out what the best structure is without actually knowing the true status of where things are going to fall or where even an individual person might fall in this situation. And again, that's, that's a concern that I have and a concern that I think we're going to see repeatedly, especially as we look towards future bills on the agenda that have a more significant amount tied to them, future bills in the agenda that are going to be tying up more state resources and credits than we probably truly have the money for or probably truly should based on our forecasts. And I know that's a different discussion for a different day and a different bill, but again, that's why I keep talking in the sense of we're being asked to look at each individual piece on its own and sometimes being told to only consider the bill in front of us. But it's our obligation to view our overall--

**HILGERS:** One minute.

**M. HANSEN:** --tax structure. Thank you, Mr. President. It's our obligation to view our overall tax structure, including how our overall tax structure, you know, impacts individuals, but also how it impacts the ability of the state to provide some of its necessary and required services. You know, there are some things the state just simply has to get done. And you know, we can-- need to make sure that we are not putting future Legislatures at a point where they're going to not be able to provide those. And that is just a crux, a fundamental point I just keep running around in my head and I'm glad

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other people have stood up to mention so far today on this bill. So with that, thank you, Mr. President.

**HILGERS:** Thank you, Senator Hansen. Senator John Cavanaugh, you're recognized and this is your third opportunity.

**J. CAVANAUGH:** Thank you, Mr. Speaker. Just another John McCollister-related issue behind me here. So again, I rise generally in support of LB825 and I was thinking about what Senator Matt Hansen, Senator Machaela Cavanaugh were talking about and particularly as it pertains to the apartment in my district the-- where the folks got removed, had to leave their apartment by the order of the city because it was no longer habitable. There's two things that came to mind there. One, they, they weren't evicted. They-- basically the, the city closed the building because it was not safe for them to be there and so the city has said they can't be there. These individuals paid their rent, had just paid their rent, which I'm told is \$825 was their monthly rent. Many of these individuals are on Social Security so they have a fixed income and they are paid by the government out of that, that fixed income for their rent, utilities, food, things like that. And that money that we have set aside and, and put into this program for the social safety net to ensure that people can afford a place to live, everything worked the way it was supposed to in that capacity. They got their money, they paid their rent, and they still have no place to live because we-- the city of Omaha ultimately failed on the other side to ensure that this place was habitable under these code violations that have been reported over the previous year. And there's-- it's a double-edged sword on that because what happens is individuals who live in a place like this, they pay their \$825, they don't think they can find another place, they are hesitant to report these code violations that make the place uninhabitable. Senator Matt Hansen made reference to another egregious apartment in Omaha that went to trial and, and ultimately there were criminal charges found against the landlord at Yale Park in Omaha. And there were a lot of immigrants living there, folks, refugees from Burma who were living there who they-- you know, happy to have a place to live, obviously, but they were worried about reporting these damages to the city because they were worried about what would happen if the city closed the place, where would they go? And so we have this fundamental problem where even our structure of our safety net to make sure that people have habitable places to live is not working if we're not keeping an eye on it, if we're not paying attention, if we're not making sure that people have a safe place to live. Everyone deserves a safe place to live. Everyone in Nebraska deserves a safe home. They deserve stable housing. We all, as a society, derive a benefit from

the fact that everyone has a safe place, stable place to live. There is value to all of us in that aside from the human nature aspect that we want to take care of our neighbors, right? But people are failing to report these problems with the residences because the ramification for them is, through no bad action on their own-- where they paid their rent, gotten their money from Social Security, paid their rent to their landlord-- they do not report the damage because they're afraid that then they will-- the city will close their apartment and they will have no place to go because the city doesn't provide for that. The city doesn't make sure that the, the repairs get made in a timely fashion to make sure that the place is still habitable. And so we spend-- we are here rightfully lauding the social safety net of the Social Security that has been in place since the Roosevelt administration and we are making sure that people have more of that money to keep in their pocket and to make sure that they can pay their, their rent, their utilities, their, their mortgage, for their food. But we need to make sure that when they spend that money, it is not being wasted as well. And so we have an obligation to keep an eye on how we are treating people on the other end as well. So I think that is why this is a, is a fundamentally related--

**HILGERS:** One minute.

**J. CAVANAUGH:** --thank you, Mr. Speaker-- fundamentally related situation. So I said there were several open complaints. I just thought I'd, I'd read another one since I have a minute here from February. I'm sorry, I think it's February 19th of 2021, still unresolved, so almost a year ago; trash and debris on the east, southeast areas of the dwelling, so trash everywhere. Concrete stairs have pulled away from the building, still unresolved. Deteriorating concrete and masonry in the basement access. So I can keep going but I'll probably run out of time, but there are many more of these unresolved issues from a year ago about the-- almost a year ago about the habitability and they were reported in February of last year and they continue to be unresolved by the city. So we have a higher obligation than we are meeting to our neighbors, including those who are getting Social Security. So we need to make sure we are considering them, not just in the tax structure--

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

**J. CAVANAUGH:** --but in how we're going to-- thank you, Mr. Speaker.

**HILGERS:** Thank you, Senator Cavanaugh. Senator Machaela Cavanaugh, you're recognized. This is your third opportunity.

**M. CAVANAUGH:** Thank you, Mr. Speaker. So I'm going to continue talking about some of the financial nuances of how the state of Nebraska functions. So in addition to income tax and then giving the property tax relief back, we have fees. And we've had a lot of debate over fees since I've been here, and I have generally not been a big fan of increasing fees because it is another way of taxing. And so from my view, fees should reflect the cost of the service. And if it is more than the cost of the service, we should cut the fees because the state should not be getting revenue based on fees. A service by the state should not generate revenue. It should be neutral. So the state of Nebraska charges \$24 for a Class O or Class M operators' license that's valid for five years, \$24; \$10.25 of that goes to our General Fund, \$10.25 of a \$24 fee subsidizes our General Fund to the tune of \$1.9 million a year. So we charge the people of Nebraska \$1.9 million every year for nothing, just to backfill the General Fund. And do you know who that hurts the most? Poor people. Ten dollars and twenty-five cents might not mean something to some people, but to some families that means several meals or transportation to their job. So I am all in on conversations about finances and how the state spends money. I've talked about this numerous times over the last several years that there's a lot of claiming of fiscal conservatism, but when it comes right down to it, people in this body are willing to spend the people's money in reckless ways: pet projects, projects that really only benefit wealthy people. You look at Omaha, it's a horrible example of wealthy people running amuck and roughshod over the working class. Our city council will be making a vote tomorrow to eliminate our downtown library despite the outcry from the public to keep it where it is. Just another way of showing the people of Omaha and the people of Nebraska that your voice does not matter. That you can show up, you can testify, you can write letters, but if you aren't wealthy, we're not going to listen to you. This is why we need some serious campaign finance reform in this state. We have so many conflicts of interest and nobody ever talks about them. We just let them go. I remember my freshman year, I signed-- submitted a conflict of interest when voting on the budget because at that time, my husband worked for the University of Nebraska and part of the budget is the standard of living increase for the university employees. So since I financially benefited,--

**HILGERS:** One minute.

**M. CAVANAUGH:** --I think \$100 that year, I submitted a conflict of interest. And the only other person I've ever known to submit a conflict of interest is Senator Hansen on voting for his father for a gubernatorial appointment. Oh, I'm sorry, Senator Wayne also submits

them every year. My point is that we have a lot of people in here advocating for things that they are directly going to benefit from financially and they don't publicly acknowledge it. There's so much to talk about with our finances in this state, but this is my last time on the mike and I think I'm about out of time. So I'll just take more time probably tomorrow. Thank you.

**HILGERS:** Thank you, Senator Cavanaugh. Senator Hunt, you're recognized.

**HUNT:** Thank you, Mr. Speaker. Good morning, colleagues and Nebraskans. I wanted to take a moment and just share with my constituents and with Nebraska sort of what my thinking is on LB825 before we wrap up debate this morning. I'm basically fine with LB825. It's something I'm probably going to vote to support. The concern I have is seeing so many Revenue bills scheduled so early when we still have so many that we have left to hear and there's only so much money that we're going to have from this windfall that our state has to appropriate. And it concerns me that we're going to start perhaps kind of nickel-and-diming it away too early in the session. And then when other priorities and other, you know, spending initiatives and good ideas come to the floor, we're not going to have any left for that. When I was a kid, when I was a teenager, I loved going to the mall. And I hung out with my friends at the mall all the time and I'm in that generation, probably like maybe even the last generation of kids who hung out at the mall. And usually my mom would drop me off before I could drive and I would meet all my friends at the food court or at a certain store or whatever. And nobody had a cell phone, of course, so it was just like we just had to find each other. And I remember usually my mom would give me a \$20 bill, which would go a long way. Like, she used to give me a \$20 bill or a \$10 bill to pay for gas and that could, like, fill up your whole tank and a lot of, like, \$20 bills given in, in lieu of childcare basically, where my kid is just going to go to the mall for the whole day or go into Omaha for the whole day because I grew up in Blair, so we'd have to drive in with my friends. But between the \$20 for gas and then whatever change I had left to go spend at the mall, if I went and spent all that money in the very first store that we went to, then I was going to have a really boring day. If I had to stay at the mall until my mom came and picked me up at 5:00 or whatever or until my friends could drive me home, and I spent all my money in the very first minute that I was there, it wasn't going to be a fun day. And the temptation is definitely there. You know, it's burning a hole in your pocket a little bit. But it only took me one time of blowing all my cash in the first minute of hanging out with my friends to learn that I had a lot

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more fun and it's a much better day when I save some up for the whole day. And when I was thinking about this calendar and this agenda that we're working from in the Legislature, we've already had three different, you know, Revenue spending bills come up on the floor. We've got-- and we've got LB825 and LB723 scheduled today. And we still have, you know, dozens and dozens of bills that still have to be heard in Revenue. And I know that those bills are getting Execed on almost every day. They're getting voted out. We're, we're going through the process, but I think it's too early in the session to be spending all the money that we have burning a hole in our pocket. Because if we do that, we're not going to have a lot of fun for the rest of the session. We're going to find out that there are other things we wanted to spend our money on. There's other ideas that seemed cool and maybe we just didn't know about it yet because it wasn't even out of committee. It hadn't even had a hearing yet. That's literally the position that we're in right now in the Legislature. So my issue isn't with the subject matter of LB825. I think it's a great issue and I think it's totally valid and I'm probably going to support it. It sounds fine to me. But until we have walked around the entire mall--

**HILGERS:** One minute.

**HUNT:** --and seen what's on sale in every store and decided how it, how it is that we really want to allocate the money that we have in our pockets, you know, I don't think that we should be blowing it all on day 12 of this short session. We have a lot more information to gather. And this also kind of goes back to a criticism I made last week about the scheduling. You know, a lot of the problems that we're facing as a body here and the frustrations and mistrust, it's not even about the policy. It's about the order of operations and the policies scheduled on the agenda. It's not time yet for us to be debating big spending bills from Revenue. We've got to get more information before we do that and start voting these along. Thank you, Mr. Speaker.

**HILGERS:** Thank you, Senator Hunt. Senator Matt Hansen, you're recognized. This is your third opportunity.

**M. HANSEN:** Great. Thank you, Mr. Speaker-- Mr. President, and good morning again, colleagues. I want to go back to-- I appreciate, appreciate the continued discussion. I think a lot of people are maybe similar mind on the speed and the pace and the process at which we're deciding some of this revenue. I wanted to go back and reference something Senator John Cavanaugh said, where he referenced that apartment building in his district that got closed down because it was

uninhabitable. And colleagues, I, I want you to see some of the apartments you've seen that have been deemed inhabitable and imagine what you have to do to get-- actually across that threshold where the health inspector, the city department, and whoever has the authority in the, in the relevant place to shut it down and say, no, you can't even live here. That apartment building was charging \$825 apparently for rent. That is the state of housing that we're in, that people are living in places that they are not safe enough per our standards to even live in and they're paying what is pretty close to a mortgage, more than maybe some mortgages if you got a particularly good deal a while ago. And you think about that, that is for a rental that you are building no equity in, you are building no assets in, and you are not even living in a safe space. That is the current state of our housing. That is how people are getting through a pandemic. They are using much, all too much of their paycheck to live in unsafe places, to live in unsafe places. They're paying \$825 a month to live in an unsafe space, to a place that they cannot even, per the city, supposed to, supposed to be for their own safety. And that's the level that so many of our constituents are in and so many of our constituents are at. And so when we talk about spending priorities, when we talk about priorities, when we talk about compromise, I want you to know and recognize that I guess some of my frustration is from time and time again that I've brought things to this floor that I, I feel are going to help that specific group; to help renters, to help people, to help people in that category. And sometimes the, the, the pushback, the frustration, the what-ifs, the hemming and hawing is so, so, so severe that when other times people get up and say we need compromise, people need to come to the middle, I want to see when we're dealing with just, like, habitable housing, when we're dealing with just, like, making sure people have homes, making sure people who are willing to pay for their homes or have the ability to pay for the homes have a safe home to live in. You know, we, we, we need some compromise there. I shouldn't be needing to ask for compromise there, but based on the past eight years in this floor, I know I do. And that is where I have some kind of perpetual frustration with some of the, some of the things we've seen and some of the, you know, calls for, calls for, gosh darn it, we've got to compromise. Yes, I would love to compromise. I would love to have a lot of these things done. I'd love to, you know, put great minds together and come to some sort of grand vision for the state. But we're so rarely given that opportunity, including we're so rarely given an opportunity to advance just some sort of generic kind of like health and safety causes kind of often in, in the context of won't this increase expenses on somebody, won't this cost some money? And, you know, having gone through ten years,

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having gone through sessions of, you know, a single-dollar fiscal note will sink a bill, having had, you know, being grilled at committee because one time I had a bill that an agency claimed they were going to spend \$5,000 in postage and how dare I even suggest that, to all of the sudden talk about this grand windfall and all of these things that we're going to, you know, cut taxes on, spend, you know, build projects that don't seem to make sense to even experts in the field. We'll do all this this year after having suffered and slogged and--

**HILGERS:** One minute.

**M. HANSEN:** --told so many groups and so many people to wait on so many different issues. That's my concern. And that's why I wanted to take a little time today and just kind of plant a flag if we're going to keep talking about taxes, you got to keep talking about it through this lens. You can't just say, look only at this tax bill and decide only if this tax bill because we are looking at our tax system and how our tax system impacts our state budget. With that, I realize I'm out of time. So thank you, Mr. President.

**HILGERS:** Thank you, Senator Hansen. Senator Wayne, you're recognized.

**WAYNE:** Thank you, Mr. President. Colleagues, we'll be coming up here closely on this noon hour. I have to give Speaker Hilgers credit today. He has scheduled a bill for north Omaha behind all of this, so he is saying is Justin really going to keep things slow or not? Will Senator McKinney yield to a question?

**HILGERS:** Senator McKinney, would you yield?

**McKINNEY:** Yes.

**WAYNE:** See scheduling is very important, Senator McKinney, and Speaker Hilgers is, is doing well at this. But just so we're clear, your LB450 is after these two bills. Are you OK with waiting just a little while before we get to your bill?

**McKINNEY:** Yes, I am.

**WAYNE:** Tell me a little bit about your bill.

**McKINNEY:** My bill, LB450, is the Innovation Hub Act and what it is in a nutshell would create an innovation hub program in our state, which would provide services to communities to help with small business and entrepreneurship growth.

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**WAYNE:** Thank you. Thank you, Senator McKinney.

**McKINNEY:** No problem.

**WAYNE:** So I just wanted everybody to know that I do talk all the way down the, the agenda. If, if something is, you know, pressing, I'm willing to help move that along. But Senator McKinney has been gracious enough to say that we can go all the way till next Thursday. So maybe ten days from now, we can get to his bill. So I really appreciate his willingness to slow things down. And I'm being a little facetious and smiling while I say that. I do support this bill. My mom reminded me yesterday on the phone that I have to support this bill so that's not the issue. I think Senator Hunt laid out the issue. Appropriations will start having some hearings on ARPA dollars and starting-- committees will start having a full set of hearings so we can start seeing. We just figured out last Thursday all the bills that were introduced. So I think as a body, we just need a step back here for a day or two, make sure we get an understanding of where some dollars are and then we can move some bills forward. But with the revenue forecast around the corner, I think to commit right now to LB825, even on General File, is a little scary. Now I do think revenues might be up a little bit and, and we can keep moving this bill forward, but to not wait until February, which is literally around the corner, to have some of these conversations, I think is not a fiscal responsible thing to do and it sure is not fiscally conservative. So that's the process we were going through today is just taking a little bit time to let everybody get through bills, see what's out there, see where everybody's at. Again, this has no bearing on the bill. I support Lindstrom's bill and I hope we can get this passed this year, but I just want to make sure we got enough money to pay for everything. So thank you, Mr. Speaker.

**HILGERS:** Thank you, Senator Wayne. Senator Linehan, you're recognized.

**LINEHAN:** Thank you, Mr. Speaker. Good morning, everyone. I'm actually rising to oppose Senator Wayne's motion and to support LB825. So I've listened to the conversation and I don't want to help filibuster a bill that I support and Revenue Committee supported, but some of the conversation this morning I don't-- first of all, this isn't ARPA money. We're not touching the ARPA money with this bill. This bill addresses the fact that we have now-- it's not like we don't have a budget. There's all kinds of charts. We know how much money we spent in the budget. We know how much we have left. There's \$400 million over and above what we budgeted last year with a very, very robust Rainy Day Fund. And we stand up here and what I'm hearing, it's our

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money. It's not our money. What we did here, in an overabundance of caution, is collect \$400 million more than we need. So for those that are watching at home, please understand we're not breaking the bank here. We've paid our bills. We have a very substantive Rainy Day Fund. Right now, if we did nothing, it would be over \$1 billion, which is 20 percent of our annual revenue. So we're being very good stewards of the money and it's time to send the extra money that we do not need, that we did not budget for that is above and beyond what we anticipated to get back to the people that earned the money. And yes, the Revenue Committee has other Revenue bills coming to the floor. There's one right behind this and there'll be more. So thank you, Mr. President.

**HILGERS:** Thank you, Senator Linehan. Senator Hunt, you're recognized.

**HUNT:** Thank you, Mr. President. I understand and agree that it has to be frustrating for Nebraskans to tune in and watch us and see we've debated, like, five bills or something in the first 12 days of session since we even started. And again, you know, I'm not trying to pick on my friend, Speaker Hilgers. I'm really not, but I've got to say something about that. There are so many things that we could be discussing in the Legislature that could be on consent calendar. What that means, consent calendar, is that the bill was heard in committee with no opposition and there were no letters of opposition and it came out of committee with no opposition so basically, like, really noncontroversial stuff. And a lot of these are bills that are brought to us by municipalities, cities, certainly different interest groups. But a lot of these bills are just kind of fixes like we have to change the date in something or we have to change a local mandate because a different federal mandate has changed or something like that. And these are bills that we could be ripping through early in session. But instead, we put all these super controversial things up like convention of states or tax credits for contributions to schools that discriminate or now I don't think that these things are controversial in their subject matter. LB825 is not controversial to me in terms of making sure that people cannot be taxed for their Social Security. That's fine with me. LB723 from Senator Briese certainly deserves a conversation. But is this the conversation we need to be having on day 12 when we have all this money burning a hole in our pocket, when we have Appropriations Committee still hearing bills about what money we're going to spend, when we have Revenue hearing bills about how we're going to spend? We don't know the full picture yet, colleagues and Nebraskans, about what our bill is going to be at the end of session. All of us have a lot of ideas for our districts. I think that this money, whether it's ARPA funds or wherever the funding is coming

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from for our state, this is a really good opportunity for us to use these funds to help our workforce, to help the people who do live here and to attract and retain new talent and to maybe do something for our tourism industry in Nebraska that, that we could certainly stand to improve. And all of us have great ideas about this. I was talking to Senator Moser last week about, you know, the need in his community for a performing arts center. A lot of you have shared things like that with me that, that folks are tired of renting out the middle school stage or whatever and you need, like, a proper place for creative arts; obviously, something very close to my heart. That sounds great to me. Everything that, that north Omaha is asking for. I am overjoyed at the opportunity for one of the first times here in my term to do something specifically targeted for the north Omaha community, which has been historically and systemically oppressed and marginalized in our state by people in this body, by people in this Chamber, I should say. So all of these things are really great and they're not on the schedule yet and we don't know what those things are going to cost. If we head to the mall with \$20 and we spend \$19.99 in the very first store, then we're not going to have enough for all the other fun stuff and great ideas that are going to come ahead. I think it would be really great to have a motion to bracket LB825 and LB723 and any other spending--

**HILGERS:** One minute.

**HUNT:** --bill, any other Revenue bill until March 1, which is the day after our forecasting comes out. Let's look at the forecast. Let's not be rushing to spend stuff. Let's get through some of our consent bills. Let's even talk about some of the other controversial stuff like immigration bills, SNAP bills, whatever else, put some abortion bills up there. We could get into that. But the spending stuff I don't think we are ready for yet because we don't yet have the 10,000-foot full picture of what our bank account is even going to look like. Thank you, Mr. Speaker.

**HILGERS:** Thank you, Senator Hunt. Mr. Clerk, for items.

**ASSISTANT CLERK:** Thank you, Mr. President. I have notice of committee hearings from the Education Committee, the Appropriations Committee, Transportation, Government, Urban Affairs, and General Affairs. [Priority designation: Senator Kolterman, LB767] Amendments to be printed to LB723 from Senator Wayne, as well as to LB825. Your Committee on Enrollment and Review reports LR14 as placed on Final Reading. New resolution, LR286 offered by Senator Bostelman and others, recognizes the 50th anniversary of Nebraska's natural

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resources districts. Name adds: Senator Blood to LB450 and LB568, Senator Hilkemann to LB753, Senator DeBoer and Senator Groene to LB825, Senator Erdman to LB845, Senator McCollister to LB980, Senator Erdman to LB1074, Senator Gragert to LB1131, LB1169, and LB1191. Announcements, Mr. President, that the Education Committee will hold an Executive Session following their hearings today in Room 1525. Reference Committee will meet at noon in Room 1525 prior to their hearing. And finally, a priority motion: Senator Moser would move to adjourn until Tuesday, January 25, 2022, at 9:00 a.m.

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