

KELLY: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the sixty-eighth day of the One Hundred Ninth Legislature, First Session. Our chaplain for today from Senator Rountree's district is Pastor Kevin Johnson, Christ Cathedral Church of God in Christ in Bellevue. Please stand.

KEVIN JOHNSON: Good morning, let us pray. Dear Sovereign Lord, we pause in this moment of solemn assembly to acknowledge you as a giver of life, liberty, and the wisdom needed to lead well. Thank you for this sacred space where public service meets divine purpose. Thank you for the elected men and women who have answered the call to govern, to legislate, and to uphold justice on behalf of the people of Nebraska. Lord, we pray today not just for laws to be written, but for lives to be uplifted. Grant every senator in this Chamber clarity of thought, purity of motive, and the courage to do what is right, even when it's not easy. May they remember that leadership is not about power, but about service. Not about winning debates, but about building bridges of understanding. Let compassion rise above conflict. Let wisdom rise above partisanship. Let the voices of the unheard and the unseen echo in the decisions made here. We lift up every family, every child, every former teacher, first responder, business owner, and elder in our communities, whose lives are impacted by every policy and provision passed under this roof. Lord, we also give thanks for the dedicated support staff who serve with excellence behind the scenes, those who manage the day-to-day operations with diligence and grace, helping to ensure that the wills of government move forward with integrity and order. May each deliberation today and in the days ahead reflect both justice and mercy. Finally, Lord, bless this great state of Nebraska. May we always strive to be one state united, not just by geography, but also by grace, vision, and a shared hope for tomorrow. In your holy name we pray. Amen.

KELLY: I recognize Senator Armendariz for the Pledge of Allegiance.

ARMENDARIZ: Please join me in the pledge. 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.

KELLY: I call to order the sixty-eighth day of the One Hundred Ninth Legislature, First Session. Senators, please record your presence. Roll call. Mr. Clerk, please record.

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

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KELLY: Are there any corrections for the Journal?

CLERK: I have no corrections this morning, sir.

KELLY: Are there any messages, reports, or announcements?

CLERK: There are, Mr. President. Report of registered lobbyists for April 24, 2025, will be found in today's Journal. Additionally, agency reports electronically filed with the Legislature can be found on the Nebraska Legislature's website. That's all I have at this time.

KELLY: Thank you, Mr. Clerk. Senator Rountree would like to recognize a guest under the north balcony. She is the wife of our-- of Pastor Johnson, Nina Kimbrough Johnson of Omaha. Please stand and be recognized by your Nebraska Legislature. Mr. Clerk, please proceed to the first item on the agenda.

CLERK: Mr. President, General File, legislative-- consent calendar, General File, LB90, introduced by Senator Clouse. It's a bill for an act relating to improvement districts; it amends Sections 16-617, 16-617.01, 16-618, 16-619, 16-620, 16-621, 16-622, 16-623, and 16-624; changes to provisions relating to establishment and creation of improvement districts, funding and costs of improvements, including property, notice of creation, objections of property owners, bids, special assessments, and bonds; it redefines terms; harmonizes provisions; and repeals the original section. The bill was read for the first time on January 10 of this year and referred to the Urban Affairs Committee. That committee placed the bill on General File, Mr. President.

KELLY: Thank you, Mr. Clerk. Senator Clouse, you're recognized to open.

CLOUSE: Thank you, Mr. President, and good morning, colleagues. And thank you to Speaker Arch for allowing this to be on the consent agenda. If there is ever a bill that should be on a consenda-- a consent agenda, it's this one. This bill relates to cities of the first class and it involves improvement districts. And most of you are aware that if there's an improvement district in your area such as replacing siding or side-- sidewalks, excuse me, sidewalks and street repairs and things of that nature, that typically it's assessed to the adjacent property owner. What this bill does is it removes that requirement and gives cities the option. And this is parallel with class 2 cities and villages where they have the option of assessing adjacent property owners. But if they have excess funds or funds from

another area that they can use to do those projects, then they wouldn't have to, necessarily, assess the adjacent property owners and they can go ahead and do the projects. So I would encourage your green vote on this. This is a, a good bill that really saves-- has potential to save property owners significant amounts of dollars and still help cities of the first class with their improvement districts. So I encourage your green vote and thank you.

KELLY: Thank you, Senator Clouse. Senator Moser, you're recognized to speak.

MOSER: Thank you, Mr. President. Good morning, colleagues, Nebraskans. I was wondering if Senator Clouse would answer a question?

KELLY: Senator Clouse, would you answer a question?

CLOUSE: Yes, I will.

MOSER: Good morning.

CLOUSE: Good morning.

MOSER: So if, if a city allows lots to be developed and they don't pave the street when the lots are developed, the houses are built and then later on the streets all around this two- or three-house area are paved, would this allow the city to go in and pave that and rather than put all that assessment on those lots that adjoin that gravel road?

CLOUSE: The answer to that, I guess, would depend on the city. But a lot of it is if they have significant dollars around. If those-- and typically what we-- how we did it in Kearney, anyways, you put in the sidewalks and streets and, and-- when you were doing the development. If they do it some other manner, then it would depend if they had the dollars available that they could come back in and they'd give the city the option. They could either assess it or if they had another means of paving and paying for it, that they could do it in that manner. So I guess it'd really be situational.

MOSER: We had just that situation where the city didn't require the street to be paved or the sidewalk to be put in when the lots were developed and the houses were built and then later to come in the costs were so high and when you created a paving district the adjoining property owners would all vote no because they didn't want to pay for the concrete and then you wind up with gravel streets for two or three blocks where when you scoop snow or, you know, any, any

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maintenance you do, you're constantly struggling with those gravel streets. So thank you. Appreciate that.

KELLY: Thank you, Senator Moser. Seeing no one else in the queue, Senator Clouse, you're recognized to close. Members, the question is the advancement of LB90 to E&R Initial. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 40 ayes, 0 nays on advancement of the bill, Mr. President.

KELLY: LB90 is advanced to E&R Initial. Mr. Clerk.

CLERK: Mr. President, General File, LB183, introduced by Senator DeKay. It's a bill for an act relating to the Uniform Disposition of Unclaimed Property Act; it amends Sections 69-1311 and 69-1317; changes provisions relating to abandoned property notices and access to records; and repeals the original section. The bill was read for the first time on January 13 this year and referred to the Government, Military and Veterans Affairs Committee. That committee placed the bill on General File with committee amendments.

KELLY: Thank you, Mr. Clerk. Senator DeKay, you're recognized to open.

DeKAY: Thank you, Mr. President. LB183 is a statutory update bill brought to me on behalf of the unclaimed property division of the State Treasurer's Office. Unclaimed property consists of abandoned financial assets such as checking and savings account, unpaid wages, security, life insurance payouts, uncashed checks, and the proceeds of safe deposit boxes that are without activity for a certain period of time. Unclaimed property does not include real estate or vehicles. The unclaimed property division's duty is to try to return unclaimed property back to their rightful owner or heirs. Last year, the State Treasurer's Office returned a record \$23 million to owners and their heirs. LB183, as amended by the committee amendment, AM308, which you will hear more about, would do two things. First, the bill would allow the unclaimed property division to publish its public notice once in a calendar year instead of just between the current statutory window of between March 1 and March 10 of each year. Second, the bill would prohibit unclaimed property records from being subject to public inspection or reproduction by commercial finders or property locators. These changes are intended to do both, provide more flexibility for the division to publish annual public notices as it relates to Nebraskans' unclaimed property and, two, allow for greater privacy for owners of unclaimed property. The director of the unclaimed property division of the State Treasurer's Office testified in support of this

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measure. On the committee amendment, you will see that the Nebraska Press Association testified in opposition to the bill, specifically with portions of Section 1 relating to public notices. The State Treasurer's Office and I met with the Association shortly before the hearing to try to address their concerns, which was, which was that some of the proposed changes needed to be more thoroughly studied over the interim to make sure we did not create an unintended problem in our state's public notice statutes. At the hearing, the Association testified in opposition to the original version of LB183 but agreed to support the bill if the original Section 1 of the bill was replaced by the language in AM109. AM109 became AM308 after committee staff recommended that a technical correction be made to the amendment. I would encourage your support on LB183. Thank you, Mr. President.

KELLY: Thank you, Senator DeKay. As the Clerk stated, there is a committee amendment. Senator Andersen, you're recognized to open.

ANDERSEN: Thank you, Mr. President. LB183 was heard on February 5 in the Government, Military and Veterans Affairs Committee and came out on a unanimous 8-0 vote. At the hearing, the State Treasurer's Office testified in support of the measure, while the Nebraska Press Association testified in opposition. During-- and following the hearing, the Nebraska Press Association indicated they would support LB183 with the changes made by AM308. As Senator DeKay mentioned in his opening, AM308 strikes the original Section 1 of LB183 and replaces the language with a single change amending when the State Treasurer's Office will publish the unclaimed property in newspaper publication required under Nebraska Revised Statute, Section 69-1311. Under the current law, the State Treasurer's Office must publish the unclaimed property in newspaper publication once between the period of March 1 and March 10 of each year. AM308 eliminates a specific notice period in existing law and changes the newspaper notice requirement to be an annual notice in each county. This change is meant to provide more flexibility for the State Treasurer's Office to publish the unclaimed property in newspaper publications during the year as opposed to a 10-day window in the month of March. Colleagues, I would appreciate your green vote on AM308 and LB183. And thank you, Mr. President.

KELLY: Thank you, Senator Andersen. Seeing no one else in the queue, Senator Andersen, you're recognized to close and waive closing on the amendment. Members, the question is the adoption of AM308. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

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ASSISTANT CLERK: 40 ayes, 0 nays on the adoption of the committee amendment, Mr. President.

KELLY: AM308 is adopted. Seeing no one else in the queue, Senator DeKay, you're recognized to close and waive closing. Members, the question is the advancement of LB183 to E&R Initial. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

ASSISTANT CLERK: 41 ayes, 0 nays on the advancement of LB183.

KELLY: LB183 is advanced to E&R Initial. Mr. Clerk, next item on the agenda.

ASSISTANT CLERK: Mr. President, LB683-- oh, excuse me, LB635, introduced by, introduced by Senator Hansen. A bill for an act relating to the State Athletic Commissioner; to amend Sections 81-8,129, 81-8,130, 81-8,130.01, 81-8,132, 81-8,133, 81-8,133.01 81-8,134, 81-8,135, 81-8,138, and 81-8,139, Reissue Revised Statutes of Nebraska; to authorize the regulation of professional bare-knuckle mixed arts-- martial arts, professional mixed martial arts on ice, amateur (kick)boxing, and slap fighting; to harmonize provisions; and to repeal the original sections. The bill was read on January 22, 2025. It was referred to the Committee on General Affairs. That committee reports the bill to General File. There are committee amendments, Mr. President.

KELLY: Thank you, Mr. Clerk. Senator Hansen, you're recognized to open.

HANSEN: Thank you, Mr. President. Well, colleagues, we're bringing LB635. This bill gained support and made it out of the General Affairs Committee 8-0 without a fiscal note. I worked with the Nebraska Athletic Commission and various other stakeholders in Nebraska to write language for LB635 that authorizes the regulation of professional bare-knuckle mixed martial arts, amateur kickboxing, and MMA on ice-- yes, you heard that right, with professional and amateur Muay Thai as well. The committee amendment, AM399, alleviated the concerns in the committee by removing, to much of my chagrin, slap fighting. The Athletic Commission exists to regulate combat sports in Nebraska and oversee sporting events to ensure they are safe, fair, and competitive. Combat sports-- combat sporting events regulated by the Athletic Commission usually host thousands of people in the stands with many more watching on pay-per-view. The oversight of these specific events is beneficial for two reasons. First, the Commission has demonstrated that combat sports can be conducted safely when

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certain protocols are enforced. Secondly, promoters usually won't conduct combat sports events in a state where the legal situation is ambiguous. Since we made professional bare-knuckle boxing legal in 2021 with my friend Senator Wayne's LB70, the sport has come to Nebraska with five sold-out events, whereas before promoters wouldn't have thought to host in our state. By embracing these emerging sports, Nebraska joins other states and expand our development leveraging the existing sporting culture and infrastructure to capitalize on the growing demand for high-energy alternative combat sports. With that, I'd appreciate your green vote on AM399 and LB635. Thank you, Mr. President.

KELLY: Thank you, Senator Hansen. As the Clerk stated, there was a committee amendment by General Affairs. Senator Holdcroft, you're recognized to open.

HOLDCROFT: Thank you, Mr. President. On February the 10th, the General Affairs Committee held a hearing on LB635 and advanced the bill to General File with committee amendment, AM399, by an 8-0 vote. Committee amendment, AM399, is a white copy amendment that removes all references of slap-fighting matches or exhibitions and includes amateur and professional Muay Thai to the list of matches and exhibitions to be regulated and controlled by the state athletic commissioner. Thank you, Mr. President, and I ask for your green vote on AM399.

KELLY: Thank you, Senator Holdcroft. Senator Sorrentino, you're recognized to speak.

SORRENTINO: Thank you, Mr. President. Would Senator Holdcroft yield to a question, please?

KELLY: Senator Holdcroft, would you yield to a question?

HOLDCROFT: Yes.

SORRENTINO: Slap fighting is a little bit new to me so we have-- I know in Nebraska it is illegal for rooster fighting. We don't want any of that. So we have slap fighting which apparently goes on unbeknownst to me, that's fine. The amendment exempts, if you will, or removes slap fighting, so what we're saying is we don't want to regulate slap fighting. We're-- we outlaw rooster fighting, but slap fighting, let's go for it until one's, you know, done. We don't want to regulate it. Is that what I'm hearing?

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HOLDCROFT: No, I mean, in the original bill from Senator Hansen, he brought slap fighting into be regulated and make it legal in the state. What we decided was we didn't want to make it regulated and legal in state, therefore we took it out.

SORRENTINO: So slap fighting would be illegal in the state of Nebraska under the amendment.

HOLDCROFT: Yes.

SORRENTINO: OK, that wasn't the way I interpreted it, but thank you.

KELLY: Thank you, Senators Sorrentino and Holdcroft. Senator Dungan, you're recognized to speak.

DUNGAN: Thank you, Mr. President. Good morning, colleagues. I rise today in favor of AM399 and LB635. I was wondering if Senator Hansen would yield to just a couple of questions?

KELLY: Senator Hansen, would you yield to questions?

HANSEN: I would be pleased to.

DUNGAN: Senator Hansen, can you go into a little bit more detail about this MMA on ice?

HANSEN: Yes, this emerging combat sport, I do have a little bit of information on it, and anybody can Google it and actually watch it. It's actually quite entertaining. Ice wars is an emerging combat sport that combines the intensity of hockey fights with the structure of professional boxing or MMA. So, basically, it's people who are-- this is a new thing to me, I learned about it, but it's a growing thing I guess-- people who are dressed in full hockey gear, helmets, everything, on skates, and they give them, like, 30 seconds to sit there and do kind of like boxing, pretty much. They're short rounds, they're only 30 seconds long. It's actually more safe than hockey fighting, because in hockey fighting they take their helmets off, but here they're required to wear them, and it's quite entertaining.

DUNGAN: Thank you, Senator Hansen. I was unfamiliar with that new sport. I think it does sound very entertaining. I think that it makes sense to regulate these things if we're going to have them in the state. But I think we should be encouraging of new and upcoming industries. I myself remember when I was young and I would play hockey video games, the best part was when you got into a fight. So glad that we are having that regulated and-- here in Nebraska. So thank you

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Senator Hansen for your leadership on this new and emerging issue and I encourage my colleagues' green vote on AM399 and LB635. Thank you, Mr. President.

KELLY: Thank you, Senator Dungan. Senator Hallstrom, you're recognized to speak.

HALLSTROM: Thank you, Mr. President, and I, too, rise in support of LB399 [SIC]. Senator Hansen, if you'd yield to a question.

KELLY: Senator Hansen, would you yield?

HALLSTROM: I, I think it's a good idea to regulate these sports that have been deemed to be safe. I just wanted to make sure I was clear, we're going to regulate mixed martial arts on ice. Does this have anything to do with Mai Tais on ice?

HANSEN: I-- I'm unsure, I'm unsure, but I don't think that's included in the bill.

HALLSTROM: I, I may have mispronounced that, so I'll yield my--

HANSEN: Muay Thai?

HALLSTROM: Oh, thank-- never mind. Thank you.

KELLY: Thank you, Senator Hallstrom and Hansen. Senator Hansen, you're recognized to speak.

HANSEN: Thank you, Mr. President. One, one thing I did want to bring up that was pretty interesting and would be a big benefit for Nebraska was actually Muay Thai fighting. Glad Senator Hallstrom brought that up. Actually in the state of Iowa is where they conduct the world championships for Muay Tai fighting and they've done that for quite a few years now. There's been some indication that they are looking to maybe possibly host that in Nebraska at some point, which is why they kind of brought this to me to make it legal in the state of Nebraska. And actually this is the world championship so people from all over the world and the globe come to Iowa, and it's a quite large event. It includes 500 athletes, at least, with over \$1 million prize. And so to see that come to Nebraska I think would be a, a boon to tourism and people coming to Nebraska to experience what, what a great state we have. So just wanted to put that out there, too. So thank you, Mr. President.

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KELLY: Thank you, Senator Hansen. Senator Jacobson, you're recognized to speak.

JACOBSON: Thank you, Mr. President. I, too, rise in support of the AM and the bill. I know in North Platte when we first had the MMA, first MMA fights a few years ago, probably-- it's probably been a little over 10 years ago. A local attorney started the event at the D&N Event Center. He now holds events that draws over 2,000 people to the MMA and, in fact, he's going to Lincoln now and going to start promoting now in Lincoln as well. This is something that's very interesting, that young people get involved, they learn self-defense, they learn a lot of skills along the way. So some of this stuff may seem kind of funny and why are we doing this but it, it truly is popular and getting the proper guardrails in place makes a lot of sense. So I'm very supportive of AM399 and LB635. Thank you, Mr. President.

KELLY: Thank you, Senator Jacobson. Seeing no one else in the queue, Senator Holdcroft, you're recognized to close on the amendment and waive. Members, the question is the adoption of AM399. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 37 ayes, 0 nays on adoption of the committee amendment.

KELLY: AM399 is adopted. Seeing no one else in the queue, Senator Hansen, you're recognized and waive closing on LB635. Members, the question is the advancement of LB635 to E&R Initial. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 34 ayes, 3 nays on advancement of the bill, Mr. President.

KELLY: LB635 is advanced to E&R Initial. Mr. Clerk, next item on the agenda.

CLERK: Mr. President, General File, LB519, introduced by Senator Juarez. It's a bill for an act relating to correctional services; it amends Section 83-4,114.02; requires independent confirmatory testing of potential items of contraband drugs; and repeals the original section. The bill was read for the first time on January 21 of this year and referred to the Judiciary Committee. That committee placed the bill on General File with committee amendments.

KELLY: Thank you, Mr. Clerk. Senator Juarez, you're recognized to open.

JUAREZ: Thank you, Mr. President, and good morning, colleagues, and viewers online. LB519 would allow for a confirmatory testing of

suspected drug contraband in Nebraska prisons. This was inspired by a recent OIG report detailing NDCS's reliance on field tests for detecting suspected drug contraband. These field tests are a useful tool for preliminary screenings of suspicious materials, but are too unreliable to decide on an inmate's disciplinary cases. The OIG report found multiple clear cases where the field test returned false positives, leading to inmates incorrectly facing disciplinary actions such as lost good time, removal from work release, and demotion to a more secure facility. LB519 provides a simple cost-saving fix to this issue, by allowing inmates to request independent confirmatory lab testing of positive results with the committee amendment requiring the inmate to pay for the additional testing if the results remain positive. Instead of wasting the state's time and money by appealing these false positive cases through NDCS and the courts, a single lab test would clear up any discrepancies quickly and cheaply. With that, I'd like to thank Speaker Arch for placing the bill-- this bill on consent calendar. And I ask for you to vote green on LB519. And this did come out of committee unanimously. Thank you, Mr. President.

KELLY: Thank you, Senator Juarez. As the Clerk stated, there was a committee amendment by Judiciary. Senator Bosn, you're recognized to open.

BOSN: Thank you, Mr. President. Good morning, colleagues. AM761 is the Judiciary Committee amendment to LB519 that provides that if the confirmation test remains positive, that the inmate shall be required to pay the cost of that confirmation test. Current law only provides that the inmate may be required to pay that cost. If such test remains positive, and as part of this accountability, we thought that this was a good solution to that. So I ask for your support on AM761, as well as the underlying bill, LB519. Thank you, Mr. President.

KELLY: Thank you, Senator Bosn. Seeing no one else in the queue, Senator Bosn, you're recognized to close and waive closing. Members, the question is the adoption on AM761. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 38 ayes, 0 nays on adoption of the amendment, Mr President.

KELLY: AM761 is adopted. Seeing no one else in the queue, Senator Juarez, you're recognized to close and waive closing. Members, the question is the advancement of LB519 to E&R Initial. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 40 ayes, 0 nays on advancement of the bill, Mr. President.

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KELLY: LB519 is advanced to E&R Initial. Mr. Clerk.

CLERK: Mr. President, LB419, introduced by Senator Lonowski. It's a bill for an act relating to veterans; amends Section 80-316 and 80-401.03; changes provisions relating to eligibility for admission to veterans homes and veterans aid; harmonize provisions; repeals the original section. The bill was read for the first time on January 17 of this year and referred to the Government, Military and Veterans Affairs Committee. That committee placed the bill on General File with committee amendments.

KELLY: Thank you, Mr. Clerk. Senator Lonowski, you're recognized to open.

LONOWSKI: Thank you, Mr. President. Good morning, colleagues, and good morning, Nebraska second house. I would like to thank Speaker Arch for designating LB419 as a consent calendar bill. I also want to thank the Government, Military and Veterans Affairs Committee for advancing the bill unanimously on an 8-0 vote. I introduced LB419, a cleanup bill at the request of the Nebraska Department of Veterans' Affairs to serve more veterans and enhance the efficiency and effectiveness of the agency. It is cost neutral and does not present a fiscal impact for any state agency. This bill clarifies the admissions requirements for entry into our state's veterans homes. It modernizes antiquated language in our state statutes and reinforces past legislative commitment to serving members of the Nebraska National Guard. The bill also allows state service officers to accept applications for Nebraska veterans aid, thereby expanding access to the unique and important fund. This is important legislation in helping the veterans of Nebraska access their benefits, as well as enhancing the ability of public service of Nebraska Department of Veterans' Affairs, whose career it is to serve them. At the committee hearing for LB419, following my opening remarks, only one person testified, a proponent, former State Senator John Hilgert, who served our country and U.S. Army as a JAG officer, a veteran of Desert Storm, and has served as a director of Nebraska Department of Veterans' Affairs since 2002, nearly a quarter of a century. No person testified either in opposition or in neutral capacity on LB419. For online opinions submitted prior to the hearing, the committee officially received 3 from proponents, none from opponents, and none from anyone in the neutral. I appreciate, I appreciate the agency bringing me this bill, and I ask for your support for LB419 along with the minor cleanup committee amendment, AM606, provided by the agency and Senator Sanders-- or excuse me, and Senator Andersen will open on. Colleagues, thank you for your support for our veterans. Thank you, Mr. President.

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KELLY: Thank you, Senator Lonowski. Senator Andersen, you're recognized to open on the amendment.

ANDERSEN: Thank you, Mr. President. The Government Committee held its hearing on LB419 on March 13. The Nebraska Department of Veterans' Affairs testified in support of the bill. There was no opposition or neutral testimony at the hearing. After bill introduction, there were some further minor changes identified by the department. Senator Lonowski's office worked with the agency officials to develop AM606, which became a committee amendment. The amendment clarifies the permissible frequency of claim submissions and provides an exception. This bill advanced from committee with AM606 on a unanimous 8-0 vote. Senator Lonowski asked the committee to exec on this bill and this amendment with hopes of getting it on consent calendar and here we are. Please vote green on AM606 and green on Senator Lonowski's bill. Thank you, Mr. President.

KELLY: Thank you, Senator Andersen. Seeing no one else in the queue, you're recognized to close and waive closing on the amendment. Members, the question is the adoption of AM606. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 41 ayes, 0 nays on adoption of the committee amendment.

KELLY: AM606 is adopted. Seeing no one else in the queue, Senator Lonowski, you're recognized to close and waive closing. Members, the question is the advancement of LB419 to E&R Initial. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 42 ayes, 0 nays on advancement of the bill, Mr. President.

KELLY: LB419 is advanced to E&R Initial. Mr. Clerk.

CLERK: Mr. President, Final Reading, LB246 from Senator DeKay. Senator DeKay would move to recommit LB246 to Enrollment & Review to correct an error and for re-engrossment.

KELLY: Senator DeKay, you're recognized to open.

DeKAY: Thank you, Mr. President. I filed this motion pursuant to Rule 6, Section 8(b)(1) to return LB246 to E&R to correct an error in the Final Reading copy of LB246. There is a misplaced comma on page 2, line 26. This is in Section 4 of the bill, which lists prohibited acts with respect to adulterated foods. Page 2, line 26, provides that is prohibited to display, for sale. This should simply read display for sale, and the comma should be placed after the attempt to sell on the

same line. I spoke with the Speaker and the Clerk about the need for this correction. Since this is a grammatical change and not a substantive change, this motion would expedite the process to enable us to have a clean engrossed copy of the bill before it is brought up on Final Reading. I would ask for your vote for this motion. Thank you.

KELLY: Thank you, Senator DeKay. Senator John Cavanaugh, you're recognized to speak.

J. CAVANAUGH: Thank you, Mr. President. Well, good morning, colleagues. I probably support Senator DeKay's motion, because though I've disagreed with his bill most of the way, I do think we should put the commas in the right place. So I support the motion. But I did punch in to talk on this, because-- so I circulated this handout that you've all seen. And, you know, today is not Earth Day, though Earth Day was Tuesday, I think, but today is Arbor Day. And, of course, I'm a big fan of Arbor Day. I love planting trees, and I subscribe to the philosophy that, you know, you can measure the quality of a society based off of if people plant trees under whose shade they will never enjoy. And so I think we should all focus on that sort of future-oriented attitude of investing in things that we're not going to derive the benefit from. But I thought this was an appropriate place to talk about this. So one of the things, the problems with things like fake meat that people have and some of these other things is the concern that, you know, animal activists and climate activists will ultimately come for the animal husbandry because of its climate impact and its adverse impacts. So I circulated this handout that came from an article from the Omaha World-Herald this weekend written by Henry Cordes. The Omaha World-Herald, of course, is a daily print newspaper in the city of Omaha. I think they still print it daily. But in the interest of being environmentally conscious, I didn't print the whole article. It would have taken 20-some pieces of paper. And so you can all, if you want it, I'll send you a link. You can look it up. It's Henry Cordes's article from this Sunday's World-Herald. And what it talks about is, and this handout I just gave is, Nebraska's severe storms producing \$1 billion in loss is now common. And you can look at the chart, and it has 2024, four \$1 billion regional losses; 2023, four \$1 billion regional losses; 2022, four \$1 billion regional losses; 2021, two \$1 billion regional losses, 2020, three \$1 billion losses. And you go back, there's at least one every year going back to 2010. Then there's none in 2009, two in '08 and '07, then none again until about 2003. And you got to go back to 2000 to have more than one. And then you go before that and there's even less. And these are adjusted dollars. So they're '19-- or they're 2024 dollars for these

years going back to 1990. The point is we're having increase in storm severity. And I want to talk about this because last night we had a storm across the state of Nebraska and including hail in my district, which I guess I didn't realize until I read the paper this morning that in Omaha it really was localized to Morton Meadows and the Dundee neighborhoods, which are in my district and Senator Hunt's district. And then we had flooding on Saddle Creek. So Saddle Creek is a main thoroughfare that runs through my district and Senator Hunt's district. And it is low lying territory and it floods when we get a quick storm. So when it rains really fast and you get a few, few inches in an hour really quickly that floods. And what I have noticed is in my time and service here, being 5 years, and the few years preceding that that has happened with more frequency. More and more often, more severity of these floods, particularly on Saddle Creek. And so the thing I think is important, and the reason this is relevant, and I'm handing out another handout from this article right now, is a lot of folks don't want to think about human-caused climate change. I know we all would rather just think about other things and not, not worry about the impact that we have on the, the world. But the-- and we don't want to take any action, we don't want to restrict how animal agriculture is produced. We don't want to restrict what type of energy production we have, we don't want to restrict our transportation. But the problem is, if we take no action, we are going to reap what we sow. The-- what happens-- punch my light again because I might not finish. What, what, what we're seeing clearly on these two charts is increased impact on our lives as a result of this. It's increasing the damage that is happening to our property as a result of hail, of tornadoes, of flooding, of fire. And then that damage is increasing the cost. This other flyer, or chart that's being handed out, shows the runaway increase in home insurance cost. And so all of us know, or I guess I assume we all know, that your home, if you own a home, you pay your mortgage monthly, and that monthly mortgage payment goes into your escrow to pay for your mortgage payment, pay for your property taxes, and to pay for your insurance. Right? And that one check covers all those things. And we go to great lengths. We had a special session this summer to try to find a way to decrease that monthly bill for folks by decreasing their property taxes.

KELLY: That's your time, Senator, and you're next in the queue.

J. CAVANAUGH: Thank you, Mr. President. So we went to great lengths this summer, had a special session to decrease property taxes and to do it on the way people experience it on their monthly bill, right? We shifted the LB1107 credit into a property tax receipt payment. And that then would decrease everybody's monthly escrow payment, right?

But what most people are experiencing in reality is that though their property tax may be going down, their insurance is going up, so their monthly payment is actually not going down. So people are not experiencing any actual pocketbook impact of the work we are doing here because the insurance cost is eating up the savings that we have gone to great lengths to create. So that is, I think, a real argument for why we should take some action about climate change. Of course, we're one Legislature in one state in one corner of the world, and we can make a small amount of change here. Senator Dungan has the green amendment that is in the Natural Resources Committee that would require us to take some action in preservation of the environment. And I know a lot of folks will say, you know, it's a flowery, feel-good sort of thing to take care of the environment. But, again, there is a true economic impact to our constituents, to the citizens of this state, because of our inaction, our continued desire to do things the way we've always done them and do it the easy way. So we have the opportunity on Arbor Day-- I mean, well, we don't have the afternoon today. But we can start talking about it and start thinking about it. We have the opportunity to plant trees whose shade we will not enjoy. We have the opportunity to start taking action and bending the curve of the human-caused climate change and to do something that will prevent this chart from going up. If Henry Cordes writes this article next year, it's going to be another chart, 2025. It's going to have four again, and then at some point in the near future, there's going to be five and then six. And we'll have all billion-dollar losses or more going forward year after year. And Saddle Creek in my district will continue to flood and cause damage to the businesses along Saddle Creek and continue to cause economic damage. So we can do a number of things to address this. We can address our built environment, of course. We can, we can invest in more robust building materials like roofs, right? We don't build-- we can build roofs out of more hardened material. We can have requirements in our zoning that we have more rain runoff, rain gardens. UNMC has done a ton of construction along Saddle Creek and they continue to build rain gardens, but in these quick storms, that is not enough. Need to handle it upstream, of course, at the top of the hill so the water doesn't run down. So I encourage your green vote on M0199. I would encourage folks to take the opportunity of this Nebraska-specific holiday of Arbor Day to think about our opportunities that are presented to us to make a positive impact on the climate going forward, but the positive impact on the lives of our citizens on a daily basis and on their pocketbook. We are so concerned about what people pay in their monthly mortgage payment and insurance is a huge cost to that. I haven't seen that chart handed out yet, but they'll hand it out, but-- on the insurance.

But, again, article written by Henry Cordes, the World-Herald. If you want it, I'll send you the link. But the chart on Nebraska is from about the year 2014 to the year 2023. The homeowner's insurance premiums have risen from an average about \$1,500 in 2014 to \$3,085 in 2023. I mean that, just as much as property taxes, is affecting people's abilities to stay in their homes to, to have a, a good life in Nebraska. So thank you, Mr. President.

KELLY: Thank you, Senator Cavanaugh. Senator Armendariz, you're recognized to speak.

ARMENDARIZ: Thank you, Mr. President. I thought I would jump in, because I have a little bit of a personal experience with the storms as of late. Initially, I wanted to express we have developed more and more areas that are no longer natural. So when you put buildings on them, yes, it will cost more when a storm comes through and damages them. A storm does damage the environment when you've built on it, as opposed to open green grasses. As the, the cost of things have gone up-- in general, the cost of things have gone way up. So I built a new home a couple of years ago and I contract-- I did the general myself alongside a remodeler. So I did get the receipts for everything. I got the receipt from the roofer to put on my roof on a brand new build. A storm came through a year later. Figured I got an impact resistant roof, it's probably fine, but I'll have them come and check it. They came and checked it and they said, yeah, the impact resistance worked really good, but the metal flashing in between could use replacement. The insurance company gave me way more than I, than I paid for a brand new roof just to replace the metal flashing on the corners. A third more than the entire installment of the brand new roof. When I tried to get my same roofer to come back and just replace the roof and said I'll just pay cash, I don't want to replace piece parts, just replace the whole roof, I knew what I paid just the year before for that roof, they would not call me back. So when it's weather related, the price goes exponentially up when the insurance pays for it. That is my personal experience. I anticipate my, my insurance company would have paid double to three times more than I paid for that brand new roof. And when I told the roofer I wasn't using my insurance, they wouldn't quote me the, the roof. They knew what I paid for it brand new. And they would prefer to get the insurance claim, in my opinion. That contributes to the high cost of your homeowner's insurance. When insurance or somebody else is paying, it drives up the cost, including when taxpayers are paying. So I wanted to give that little bit, that's the high cost of everything. Thank you, Mr. President.

KELLY: Thank you, Senator Armendariz. Senator Dungan, you're recognized to speak.

DUNGAN: Thank you, Mr. President. Colleagues, I also rise, I believe, in favor of the motion to return to these E&R amendments. Respectfully, I think, opposed to LB246 for the reasons that have been laid out before. But I, I wanted to speak briefly to what Senator John Cavanaugh had brought up, because he did mention one of my pieces of legislation that was introduced this year that I think is important to touch on. And that is Legislative Resolution or LR22CA, which to put very simply colleagues is a constitutional amendment to the Nebraska Constitution that simply declares that all people have a right to clean and healthy environment. It goes into some detail about what exactly that means and it essentially outlines that Nebraska serves as a trustee of the environment in order to essentially preserve it for future generations. We had an amazing hearing on that in Natural Resources Committee. I worked with youth in Nebraska from all over to essentially get this written and introduced and we had upwards of, I think, 20 or 25 individual younger folks come in and testify about the importance of this amendment and why they think it matters. And if anybody in this room has worked with youth on writing a bill, I think you know what it's like to be blown away by the intelligence and the compassion and the passion that a lot of these folks have when it comes to working on these bills. But a lot of people asked me, when I brought that bill, oh, are you just doing this, you know, for the hearing or are you just doing this for show? And the answer is no. I believe that LR22CA is of the utmost importance, and I think what Senator John Cavanaugh has outlined with regards to these storms and with regard to the tangible impact that we are seeing of climate change on not just our country, but on Nebraska, day in and day out as we see these storms increase, as we the wind increase, it's a real impact that we're seeing here at home. And, you know, some people are going to say, oh, it's not real, or, oh it's been-- I mean, I think we are so far past that conversation that the science is so compiled in such a way that shows how true this climate change is, that I think we are beyond this being a niche issue. And we've moved on to a place where if we don't act on this, I think that we are derelict in our duty, not just to the state of Nebraska, but to the young folks that are going to come after us. And so part of the reason I introduced LR22CA is to start, I guess, the ball rolling on that conversation, because it is something that I'm passionate about and it's something that I think we need to ensure we continue to focus on here in Nebraska. There are three other states that have a, a real amendment that focuses on clean air and clean water that has actual teeth to it.

It's New York, Pennsylvania, and Montana. Two of those were actually implemented back in the 1970s. And for those who pay attention to any kind of environmental law, you're probably familiar with the case of Montana v. Held, which was a 2023 case that, for the first time, a judge ruled essentially that Montana based on their amendment in their constitution that they do have a right to clean air and to clean water. And what that means is it's, it's not a, it's not a private right of action, right, this doesn't create some ability for you to go sue your neighbor because you don't like what they're doing with their yard. That's not what it does. What it does is it says that citizens have a right to make sure that their government is not taking action that harms their right to a clean environment or a clean-- clean water, clean air, or, or a healthy climate. Specifically in that Montana case, what had happened is Montana had passed a law that actually made it unlawful for political subdivisions essentially to consider the climate impact or the carbon emissions of their decisions. So they, they, literally, were saying at the state level that local political subdivisions could not take into consideration climate change when making decisions. And so a group, again, of youth brought this case and were ultimately successful at the Supreme Court level saying, no, we're not saying you have to do this or you have do that, but you certainly cannot tell us that we cannot take climate change into consideration. And so LR22CA is a bill that I'm very passionate about. It's something that I think is, is very important here in the state of Nebraska. And, you know, Senator Cavanaugh is right, we're just one Legislature in one state, in one country, in a very tiny part of the world. But If everybody throws away their decision-making on these kind of things and just sort of throws their hands up and says, oh, we can't make a difference, then nothing's going to happen until it's too late. So, colleagues, I appreciate this conversation here today. I think it is hard to divorce a conversation of the environment from decisions about agriculture, because they're so deeply connected. And I really appreciate the folks who have paid attention to this today. With that, I do support MO199 and respectfully oppose LB246. Thank you, Mr. President.

KELLY: Thank you, Senator Dungan. Seeing no one else in the queue, Senator DeKay, you're recognized and waive closing on your motion. Members, the question is the motion to return. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 39 ayes, 0 nays on adoption of the motion.

KELLY: The motion is adopted. Senators, please return to your seats for Final Reading. The first bill on Final Reading is LB245 with the

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emergency clause. The first vote will be to dispense with the at-large reading. All those in favor vote aye; all those opposed vote nay.
Record, record, Mr. Clerk.

CLERK: 39 ayes, 2 nays to dispense with the at-large reading, Mr. President.

KELLY: Mr. Clerk, please read the title.

CLERK: [Read title of LB245]

KELLY: All, all provisions of law relative to procedure having been complied with, the question is, shall LB245 pass with the emergency clause? All those in favor vote aye; all those opposed vote nay.
Record, Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Clements, Clouse, DeBoer, DeKay, Dorn, Dover, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Jacobson, Juarez, Kauth, Lippincott, Lonowski, Meyer, Moser, Murman, Prokop, Quick, Riepe, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: Senators John Cavanaugh, Machaela Cavanaugh, Conrad, Dungan, Hunt, McKinney, Rountree. Not voting: Senators Ibach, McKeon, Raybould, and Sanders. Vote is 38 ayes, 7 nays, 4 excused, not voting, Mr. President.

KELLY: LB245 passes with the emergency clause. The next bill is LB295 with the emergency clause. Members, the first vote is to dispense with the at-large reading. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 42 ayes, 1 nay to dispense with the at-large reading.

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

CLERK: [Read title of LB295]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB295 pass with the emergency clause? All those in favor vote aye; all those opposed vote nay.
Record, Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanagh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen,

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Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKinney, Meyer, Moser, Murman, Prokop, Quick, Riepe, Rountree, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: none. Not voting:. Senators McKeon, Raybould, and Sanders. Vote is 46 ayes, 0 nays, 3 excused, not voting, Mr. President.

KELLY: LB295 passes with the emergency clause. The next bill is LB388. The first vote is to dispense with the at-large reading. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 42 ayes, 1 nay to dispense with the at-large reading.

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

CLERK: [Read title of LB388]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB388 pass? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKinney, Meyer, Moser, Murman, Prokop, Quick, Riepe, Rountree, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: none. Not voting: Senators McKeon, Raybould, and Sanders. Vote is 46 ayes, 0 nays, 3 excused, not voting.

KELLY: LB388 passes. The next bill is LB414.

CLERK: [Read LB414 on Final Reading]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB414 pass? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKinney, Meyer, Moser, Murman, Prokop, Quick, Riepe, Rountree, Sorrentino, Spivey, Storer, Storm, Strommen,

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von Gillern, Wordekemper. Voting no: none. Not voting: Senators McKeon, Raybould, and Sanders. Vote is 46 ayes, 0 nays, 3 excused, not voting. Mr. President.

KELLY: LB414 passes. The next bill is LB428.

CLERK: [Read LB428 on Final Reading]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB428 pass? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, Meyer, Moser, Murman, Prokop, Quick, Riepe, Rountree, Sorrentino, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: Senators Cavanaugh, Cavanaugh, Hunt, McKinney, Spivey. Not voting: Senators McKeon, Raybould, and Sanders. Vote is 41 ayes, 5 nays, 3 excused, not voting, Mr. President.

KELLY: LB428 passes. The next bill is LB9. Mr. Clerk.

CLERK: Mr. President, priority motion, Senator Conrad would move to return the bill to Select File for a specific amendment, that'd be to strike the enacting clause.

KELLY: Senator Conrad, you're recognized to open on FA136.

CONRAD: Thank you, Mr. President. Good morning, colleagues. I rise and request your serious consideration of this floor motion that would allow us an opportunity to delay consideration of this measure for a week or so, perhaps, so that we could, at least, take up this measure in context with the quickly forthcoming deliberations in regards to other tax increases and budgetary issues that we will have before us shortly. I think every single one of us who's had an opportunity to visit with my friend Senator Hughes about this issue has been impressed with her passion, commitment, and knowledge regarding the issue. It is sincere. It is-- she has worked incredibly hard on it and it is admirable. I understand her legitimate perspective in moving the measure forward for a host of different reasons and take her at her word that her goal in primarily bringing forward this measure is not to generate revenue but to take up broader issues in terms of fairness or impacts on consumers or health or children, which again are admirable and I completely understand and respect. Nevertheless, LB9

is a tax increase and it is a regressive tax increase. And we can have legitimate points of view about how we should move forward with this issue or other budgetary issues before us. But my contention, colleagues, is it's well established that we're going to have a negotiation. We're going to have debate on LB169, LB170, we're going to continue to talk about LB650. We're going to continue to talk about the budget. And, at some point, in roughly the next 20 days as we're trying to get the balance-- the budget balanced as is our constitutional requirement, we're also going to be looking at revenue generators, and there's going to be a lot of negotiation. And I think that we need to have all the chips on the table as part of that negotiation rather than allowing a revenue increase to kind of leapfrog forward ahead in that process, which will commence very, very shortly. So the motion is serious. It does not kill the bill. It would provide us an opportunity to hold the bill because typically we would use a bracket motion to delay consideration or debate for a time specific, but that is not in order on Final Reading. I had thought that we might be able to work this through with scheduling accommodations or requests, those were discussed kind of at the last minute and not acceptable to the introducer which, again, I appreciate and understand. I want to lift up a few additional key components as well. So when we're going to be spending a great deal of time and energy talking about taxes and how that relates to our self-imposed budget deficit and will be really a key component of our remaining 20 days together, give or take, a lot of the measures that are emanating through the Revenue Committee are measures that we've had a lot debate on in the biennium and in the special session that really, for the most part, focus upon increasing regressive taxes. And regressive taxes are typically levied on things regarding consumption, like a sales tax or an excise tax on alcohol or tobacco. And since everyone pays the same dollar amount of these taxes, regardless of their income, the tax burden falls the heaviest and disproportionately on those with lower incomes and fixed incomes. So examples of regressive taxes include sales taxes, excise taxes, in some instance, payroll taxes, where there are caps in place, user fees. This has been another thing that we've talked a lot about, as there's been a host of bills to increase fees this session as well. And we compare and we contrast those regressive taxes, fees, and revenue generators with things that are more progressive in nature, like, for example, income taxes or inheritance taxes. And we'll have significant policy choices before us as to whether or not we want to fill budget gaps to prop up inequitable, unsustainable income and corporate tax cuts for the wealthiest by nickel and diming everyday Nebraskans to death with increased sales taxes, with increased sin taxes, with increased fees,

and then while also providing less services through significant budget cuts. So I don't plan to spend a great deal of time talking about the specifics in Senator Hughes's measure, which I have reviewed, which I understand, which I've had an opportunity to talk with her about. And, again, her intentions are admirable, her work is unquestioned in this regard. I wish that this debate didn't happen-- have to happen on her bill, but I would be remiss if we didn't at least have a debate and a deliberation about the broader issues before us in regards to taxation policy and budgetary policy. And this, indeed, is one piece of that puzzle. The other things that I want to lift to further complete the context for which this measure is taken up in regards to is that you look at the fact that we have this self-imposed budget deficit. We moved from historic record surpluses to a budget deficit in less than a biennium, and it's bigger in the out years, very, very significant. So we've seen cash sweeps, we've seen fee increases, we've seen tax increase after tax increase. We've seen a raid and an adjustment on the teacher retirement. So you have LB645 trying to grab \$80 million, give or take, from teacher retirement to balance the budget. You've got LB9 which brings in an additional few million dollars in that hole, LB650, give or take, about \$50 million, sweep, grab, clawback of tax credits to fill that budget hole. LB169, you've got \$100 million, give or take, over the next two bienniums in additional taxes on small businesses and consumer goods and services, LB170, and then a host of increased fee measures that are moving through the Legislature and that doesn't even take into account the additional taxes and fee increases to pay for the potential reform of the inheritance tax, which Senator Clements has been working on very hard for, for many many years. So I, I just want to take a moment to make sure that we're looking at this not myopically, but, but rather in the context of those broader issues. Colleagues, I will leave you with one final consideration in my opening on this measure, but everybody knows that we have a balanced budget amendment in Nebraska, and that's a really, really good thing. And Nebraskans-- policymakers have always worked hard to get our budget in line and to take a fiscally conservative approach to how we steward taxpayer funds. And even in the toughest of times, even in recessionary times, and I had a chance to serve on Appropriations during the Great Recession and it was brutal, I can tell you that. We have no precedent for what's happening in the Legislature right now, where the Appropriations Committee is preparing and has voted to send an unbalanced budget to the floor. That's happening. That happened. I contend that it may not be permissible under our rules, including Rule 8, Section 7, which we can talk about more in this debate, but it needs, it needs to be on record. And I'm sure it will be as part of the budgetary debate as

well. But it-- this is, this is unprecedented. It's rushed, it's risky, it's bending the rules, and it's beg, borrow, and steal at every turn, and nickel and dime everyday working Nebraskans to death in order to prop up these unsustainable tax cuts. Thank you, Mr. President.

KELLY: Thank you, Senator Conrad. Senator Hughes, you're recognized to speak.

HUGHES: Thank you, Mr. President. LB9, which contains the excise tax on alternative nicotine or-- yes, alternative nicotine products, which will contain what we're talking about here with nicotine pouches, as well as provide an umbrella to cover any alternative nicotine products or analogs that come forward. Today's world is a different world than when we used just tobacco products like cigarettes or tobacco, like chewing tobacco or chewing tobacco in pouches. The new products are all manufactured, produced out of chemicals. And they come in a variety of ways, whether that be vape liquid, these nicotine powder in the pouches, etcetera. I mean, what's next? Nicotine suckers? So what this bill does, that we will finally have something in place that has an umbrella to cover any newly created, manufactured item. Folks, prior at, at first round, they tried to bring a bill to have these pouches taxed by weight. Well, that makes no sense, because it's a chemical that could be super concentrated and weigh even less than it does today. Then there's been an attempt to come back with, well, it should be taxed by container. Gosh, what do you think's going to happen if you do that? Right now, a little container holds 15 pouches, and if we do 30 cents a container, gee, do you think maybe that container might then include 40, 50, 60 pouches? Because that's what would happen if you do it by container. This is the percent wholesale right-- the percent wholesale tax, excise tax, is the right way to go to tax these products and any new products in the future that are created. I also want to mention, and this is a little bit to what Senator Conrad is relating to, that this is a revenue-generating bill that was brought to balance the budget. No, it is not. This bill would have been brought if we had a billion-dollar surplus, because we have an item out there that is a nicotine item that had no excise tax on it. And if we're going to be consistent and tax things that have nicotine or tobacco, why would we let a product such as the nicotine pouches and others go without a tax? Why would we favor those companies? So, again, this is not a revenue-generating bill. It does create some revenue, but it was not brought for the purpose of revenue generation to fix the hole in our budget. I would have brought this regardless of where we're at with the budget. So I want to put that to bed. I also want to mention a couple facts: not every state tax these

type of products as of yet. They're fairly new. I apologize for my voice. Maine excise tax these things at 43%, and Minnesota does it at 95%. There was some talk on that these only tax poorer folks. Off of the Philip Morris website, the average annual household income for nicotine pouch users is \$89,000. And just a fun fact, 60%, 60% of ZYN users are college graduate-- graduates, which is also from the Philip Morris website. So a lot of times these companies will say, oh, well, they're a cessation device. I highly disagree with that. Most users of these kind of products actually prefer the 6 milligram of nicotine per pouch strength. They have different strengths that they sell. And the 6 milligram is the strongest level of nicotine, and that is also off of Philip Morris' website. Other manufacturers actually create these with higher concentration. So to say they're a cessation device, I would highly disagree with, because if it were, it would be advertised at a very low nicotine to get folks off of nicotine usage. So, in conclusion, this bill is not-- was not brought just for revenue building, because I would have brought this anyway, and it closes a loophole on a nicotine product that was not getting excise taxed when all other products of nicotine are. And that is why this bill was brought. Thank you, Mr. President.

KELLY: Thank you, Senator Hughes. Senator Clouse and McKeon would like to recognize some guests in the north balcony. They are fourth graders from Shelton Public School. Please stand and be recognized by the Nebraska Legislature. Senator Strommen you're recognized to speak.

STROMMEN: Thank you, Mr. President. I just wanted to speak more to the overall idea behind taxes than the bill itself. And I just wanted to say that really no state, country has ever taxed their way to prosperity. I want us to think about where we're headed as a state and how we want to position ourselves moving forward from a taxing perspective. I understand, as much as everyone else here in the body, the need to drive revenue. But to what end do we want to find ourselves, and do we want to find ourselves in an overtaxed position down the road? I certainly don't, and I don't think most of our constituents and the people in this room want to find ourselves in that position as well. So I'd just like to reiterate that no state or government has ever taxed their way to prosperity, so. Thank you.

KELLY: Thank you, Senator Strommen. Senator von Gillern, you're recognized to speak.

VON GILLERN: Thank you, Mr. President. I just want to share a few thoughts on some of the things that Senator Conrad shared in her opening. She, she indicated she wanted to kick this back possibly a

week and, hopefully, I got her comments correct here. I'm not saying this is a direct quote. She wanted to kick this back, possibly, a week in order to take this into account with the budget challenges that we're facing and that we could face additional budget challenges. But then she took a stance against the bill as a tax increase that was regressive. I can, I can only take her comments seriously about kicking it back a week if that indicates that she intends to possibly increase the revenue associated with the bill. Why else would you do it? If you're concerned about the budget situation and you want to kick this bill back a week because we would know more about the budget situation in a week, I can only draw the conclusion that that means that you would want to increase the revenue associated with this bill, but your comment about tax increase and being regressive would certainly be contradictory to that. So I'm curious, and I'm not going to ask you a question, Senator Conrad can punch in and respond to this on her own time, I'm curious, which is it? Are we kicking it back in case we need to increase revenue or are you hoping to kill the bill? Which would make closing the budget gap even more difficult. I don't know, I'm confused. Then I'm also curious if you could help me define or help me understand the definition of the term that I hear from the progressive constantly, and that is everyday Nebraskans. I don't know if these-- are these people of modest income because if it's people of modest income that would include everybody in this room. Is it people of modest net worth? That's a different measurement. Is it blue collar workers? And what if you're a blue collar worker and you do a really good job as a blue collar worker, and then you hire a couple more blue collar workers, and then before you know it, you're a small business owner? Are you still an everyday Nebraskan? Just curious. I'd ask Senator Conrad to address these questions on her next time on the mic. Thank you, Mr. President.

KELLY: Thank you, Senator von Gillern. Senator Brandt, you're recognized to speak.

BRANDT: Thank you, Mr. President. Here again, this is a test. This is a test to see if the Legislature can pass some legislation to tax some things that are currently untaxed. This is not a tax increase. This is tax exemption. There's a difference. A tax increase would be if we increased our sales tax from 5.5 to 6%. That is a tax increase. This product currently enjoys paying no taxes, unlike a lot of our other tobacco products. Currently, the people that smoke cigarettes have to pay 64 cents a pack. In one of my bills, we are proposing to increase that for the first time in over 30 years by 72 cents to make that \$1.36, which would put Nebraska right in the middle of all the states.

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You can frame this many different ways. Would Senator Hughes yield to a question?

KELLY: Senator Hughes, would you yield to a question?

HUGHES: Yes.

BRANDT: Senator Hughes, is this-- this, this is a ZYN product, is that correct?

HUGHES: ZYN is one brand of this kind of product, nicotine pouch, yeah.

BRANDT: Yeah, and it is marketed as a smoking cessation product, is that correct?

HUGHES: It is not marketed as a cessation product. The companies that produce these will try to claim it's cessation, but it is not marketed-- like, a true cessation device would be, like, the patches that you buy to get off of smoking cigarettes or whatever. These come in flavors. They advertise them. They hand them out at-- you can get them at concerts. It's just a new way to get someone on nicotine.

BRANDT: So that we can smoking-- use smoking as a cessation product. Would that be correct?

HUGHES: Say that again.

BRANDT: They're going to try and get people hooked. Is that right?

HUGHES: Oh, for sure. Absolutely.

BRANDT: OK. And then before this, vaping was all the rage, and that was marketed as a cessation product, is that right?

HUGHES: Yes, that is correct.

BRANDT: And how many different kinds of vaping are there?

HUGHES: In terms of, like, flavors?

BRANDT: Flavors.

HUGHES: I don't have a number, but multiple. They come in cherry, kiwi, all the flavors, and I will also say these nicotine pouches come in all the flavors. You can get an orange melon, you can-- it, it's all the flavors.

BRANDT: So do our cigarettes come in those flavors?

HUGHES: As far as I know, cigarettes just are tobacco or the menthol, so two flavors.

BRANDT: All right. Thank you, Senator Hughes.

HUGHES: You're welcome.

BRANDT: And I am opposed to FA136. I fully support LB9 and I yield the rest of my time to the chair.

KELLY: Thank you, Senator Brandt. Senator John Cavanaugh, you're recognized to speak.

J. CAVANAUGH: Thank you, Mr. President. Well, I rise in support of LB9. And so Senator Conrad's made some good points about regressive taxes and things, and I agree with those. And I have always said-- in my time here, I voted against some of the irresponsible tax decreases that have gotten us into this financial situation that we are in. And when we had those debates, I always said I'm not going to vote for the tax increases you're going to need to make this work. And I always-- I was honest with the introducers of the bills on that. I told the PRO that the last time around, that I thought that these tax decreases went too far and that I wouldn't be there for the tax increases. And so I have been opposed to many of the tax increases. I opposed Senator von Gillern's bill yesterday on those. I view this bill a little bit differently in the sense that there's, there's a nicotine analog product that is a new invention, new technology. We already tax everything else that's like this. We're just not taxing this. So I don't view this as a new tax. I view this as putting on parity, this-- a substance that the companies have invented. And, you know, obviously, necessity is the mother of invention and all that. And these companies are going to continue to invest new-- in, in research and development of new delivery devices and maybe to get around taxes, maybe to be able to sell a new product to address the consumer's desires and concerns, but I don't view taxing those new items, if they're-- the way that they go to create the new product that gets around the current tax structure, I don't view that as a new tax. I view that as the law catching up to the technology development. So that's why I've supported Senator Hughes's bill up to this point and have been opposed to so many other of these tax increases and tax shifts and tax clawbacks that people are undertaking. And Senator Hughes has-- I've worked with her on her other bills, her vape bill last year. She's worked on all these things. This is not a revenue

raiser for Senator Hughes. This is about a, a number of other things. But I do think it's fair to assess a tax against a novel product if the analog to it is already being taxed. I do think that she makes a good point about taxing it by the way she's taxing it as opposed to buy weight because this product's novelty allows it to game the weight, allows the companies to game the weight. So I support LB9. I don't-- I'm not opposed to Senator Conrad's suggestion of waiting to take this up. So I, I think that this is a bill that we will ultimately pass. I don't think we have to pass it before we take up the other things. So I'm not opposed to Senator Conrad's suggestion at this point in time, but I do support LB9 because I think that it is a, a fair approach to putting on parity of this novel product. Thank you, Mr. President.

KELLY: Thank you, Senator Cavanaugh. Senator Guereca, you're recognized to speak.

GUERECA: Thank you, Mr. President. Good morning, Nebraskans. Good morning, colleagues. I don't believe I've spoken on LB9. But the reality is the majority of users of these products are young people. And as one of the younger members of this body, I, I do need to stand up and protest a little bit. Because the reality is, it is a tax increase. If you go from 0 to 20%, it is an increase. And I understand the need to have some parity, but nevertheless the population that will bear the weight of this taxation will be younger Nebraskans. These younger generations don't like smoking cigarettes. And for the record, there are flavored cigarettes. You get them in grape, watermelon, all sorts of great flavors. So that's right, Senator Brandt, there are flavored cigarettes. I'll, I'll bring you some next time. But, no, this is a tax that will be-- that will hate younger Nebraskans more than anyone else. At a time when we are cutting back on minimum wage for young people, at a time we're cutting back on paid sick leave for young people, we're simply adding another burden onto our younger generations. Folks that we need desperately to stay in this state are once again getting hit. Let's think about that. Thank you, Mr. President.

KELLY: Thank you, Senator Guereca. Senator Lonowski, you're recognized to speak.

LONOWSKI: Thank you, Mr. Speaker. I stand in support of LB9. For a year prior to this, I worked for Area Substance and Alcohol Abuse Prevention. Vaping and now ZYN products and many of these other new products are not even supported by the Food and Drug Administration. They do not want to get into this mess because there's, there's zero

value in what these products bring. And when we talk about taxing the vaping and the ZYN products, we're often talking about the kids that are up in the balcony. 7,000 flavors, Senator Brandt, to be-- excuse me, 7,000-plus flavors we now have in vaping: wild watermelon, tutti frutti, cinnamon toast crunch. Those do not sound like smoking cessation devices to me, but another manner to get kids addicted. And what we're really talking about are products that are sold without being taxed at all at this point. The health risks from these products are no better than, than smoking cigarettes, just affecting your body in a different way. Little particles of, of iron are being smoked into the lungs and actually they're being "aerosoled" into the lungs. It's not smoking, it's aerosol. So let's be honest about that. What we really need to do is, is ensure that these products are appropriately taxed and the cigarette tax equal those states around us and, and we can, we can probably help support our economy, help support the environment, and maybe help some people cease to, to do any of these products by maybe making it a little bit less desirable. Again, I stand in support of LB9. Thank you.

KELLY: Thank you, Senator Lonowski. Senator Conrad, you're recognized to speak.

CONRAD: Thank you, Mr. President. Good morning, colleagues. Just a couple quick points I do want to put in the record here. It's my understanding that this product is presently subject to sales tax. So it is taxed a regressive tax. It is not subject to excise tax, as of yet, which is the goal of LB9. And to Senator Hughes's point, bringing these products in line with our approach to other things, similar things, other tobacco products and alcohol and things subject to sin taxes and excise taxes. So I do just want to lift that up. They are subject to tax, sales tax, regressive tax, and then adding an excise tax on top. So it's a regressive tax on top of a regressive tax. The other thing that I did just want to, at least, make sure to try and be responsive to my send-- to my friend Senator von Gillern, von Gillern-- I can't do it-- I keep messing it up-- in regards to kind of trying to paint a picture or provide some data and information about what we're thinking about or talking about when we reference hardworking Nebraskans, everyday Nebraskan working families. Number one, I think it's striking that members of this body don't understand the definition of a working family. Let's just let that sink in for a minute, but I'm happy to share what my definition looks like or what I'm thinking about when I use those general terms. My district in north Lincoln is a very proud district. It's a very diverse district. It's a very young district. It's also filled with working families, people who work at factories, people who work in the service industry,

people who work for government. And myself and Senator McKinney's district frequently are kind of on that list when you look at the districts at a glance, for example, report put out by Legislative Research Office that shows that we have a significant amount of families that are working, yet living in poverty. And when you look at the Planning Committee's report, for example, we know that Nebraska, at that point, when the Planning Committee produced its report about a year or so ago, that Nebraska was number one in the country for the amount of adults working full time and living in poverty. When I talk about working families, it's moms and dads that are working two or three jobs with low wages and no benefits. It's talking about folks that are living on fixed incomes due to disability or their age or what have you. And it's undeniable that regressive taxes hit working families and folks living on a fixed income harder than they do progressive taxes or folks with more income. And when you compare and you contrast kind of what we're propping up with these regressive tax increases, according to OpenSky, when you go back and you do an analysis of who benefited from the corporate income tax and the income tax cuts, it shows that they primarily benefited wealthier individuals. 75% of the benefit went to those 20%-- to Nebraskans who made up the top 20% of earners. And the top 1%, the top 1% who benefited from those tax cuts got a five times bigger tax cut than working Nebraskan's. So when I talk about working Nebraskans, it's my constituents. It's people that are working hard in every single district across the state. It's people that aren't living off of investment and dividend income. It's people that go to work every day who make minimum wage, who have little access to employment benefits, which by the way, this body is also grabbing back their wages and their earned sick leave. But that's who I'm talking about. It's pretty easy to go out in your district and talk to people working in the service industry, who are working in retail, who are working in construction, who are working in maintenance, who are working their way up the economic ladder or stuck on the economic ladder. And their wages haven't cut pace with inflation. But we're nickel and diming them with tax--

KELLY: That's your time, Senator.

CONRAD: --increases like this. That's part of my definition. Happy to continue the conversation. Thank you.

KELLY: Thank you, Senator Conrad. Senator Ballard, you're recognized to speak.

BALLARD: Thank you, Mr. President. I rise in-- unsure of FA-- of Senator Conrad's FA, but in opposition of LB9. Because I agree with Senator Conrad that Senator Hughes has been very consistent on this subject that I don't believe that this is a, a tax increase to, to fill a-- fulfill the budget or a backslide in the budget. This is something she truly believes in and, and we have talked about it at length. And she knows my disagreement with, with raising taxes on, on these products. Because I, I firmly believe that if we want people to wean themselves off tobacco products, these products that we are taxing are something that is going to make this happen. And most of our population lives within a few miles of states that do not tax this product. And so they-- there is an opportunity for them to go across state lines and buy additional products that we are taxing here today. And so I do rise in opposition. I'd like to thank Senator Hughes for her advocacy and work on this, but we do just have a philosophical disagreement on this issue. With that, thank you, Mr. President.

KELLY: Thank you, Senator Ballard. Senator Guereca, you're recognized to speak.

GUERECA: Thank you, Mr. President. And, again, I, I do want to say that I, I respect the intent of which Senator Hughes brought this measure and, and we've been chatting a little bit off the mic and I, I want her to know that. I do respect that she brought this bill forward with good intent, but, nevertheless, it, it is, it is a regressive tax. So my district is of interesting composition. I have some of the hardest working and poorest communities in my district, while at the same time having a very affluent downtown full of young professionals. So this is going to, like I said, this is a tax that's going to be on the back of young Nebraskans and disproportionately affect working Nebraskans. So I think my urging is that let's-- if we want to discourage smoking, let's not tax alternatives that are preferred-- again, preferred by the younger generation. These-- the younger generation of Nebraskans don't like smoking cigarettes, they don't like smoking flavored cigarillos. They like, they like ZYN. I've heard it from a lot of young Nebraskan's, they like their ZYN. So if, if we're going to insist on imposing a regressive tax, let's not do it at a disproportionate rate compared to cigarettes, because, again, that's targeting our younger Nebraskans that we want and need to stay in the state. Thank you.

KELLY: Thank you, Senator Guereca. Senator Hunt, you're recognized to speak.

HUNT: Thank you, Mr. President. I also join the crowd that just kind of rising with a philosophical difference here. I think that in another time economically, in another time in my life as well, I probably would have supported something like LB9. I think it's good to try to do things that influence public health for the better, while also balancing that with the right of people to make their own decisions about what they're going to consume, you know? But a, a tax increase is something I just increasingly, with time, and as the world changes, I just don't support. The only-- you know, the only type of tax increases I would support would not be falling upon the, you know, you know, working-class folks and middle-class people in our state. So for that reason, I will probably not be supportive. When we talk about, like, wanting to raise revenue, I, I am very aware of the budget challenges that we have in our state right now, but these kind of ticky-tacky, OK, let's put 60 cents on cigarettes. Let's put a little money on candy, on soda, on ZYN pouches. You know, I just-- I don't think that that's the way that we're going to close any big gaps. And I think that it's putting too much of a burden on people in our state who are already very highly burdened. And guess what? It's going to get much worse. It's going to get much worse in the coming months in this year without the Legislature raising more taxes on working people and working families in Nebraska. We've got, you know, already prices were increasing anyway in our day-to-day lives. Senator Armendariz spoke this morning about something on her new house, you know, how much more expensive it is to repair, whatever. That's something everybody can relate to right now, whether you're talking about home repair or groceries or whatever. And then you've got tariffs on top of that. In the next 3 to 6 months, consumers are really going to be feeling the cost of that. So things are naturally raising in price without help from the Legislature. And when folks go to the grocery store to pick out their candy, their soda, if they want to get a pack of cigarettes, if they want get tobacco products, you know, those, those prices are already rising and, and I think it's just going to be hitting people that we don't want to hit. If it was a different economic story in this country, we'd be having a different conversation, but given the atmosphere and the economic realities today, I cannot support putting more pennies, nickels, dimes on the working people of our state. Thank you, Mr. President.

KELLY: Thank you, Senator Hunt. Seeing no one else in the queue, Senator Conrad, you're recognized to close on the floor amendment.

CONRAD: [MALFUNCTION] Mr. President. And, again, good morning, colleagues. Great dialogue and debate. I appreciate everybody's time and consideration and weighing in on these measures. I would like to

move this to a vote quickly so that we can get on with our agenda. And I do think that this is definitely part of kind of resetting the stage for the quickly approaching tax bills and the budgetary matters. I also just want to note that there are a host of different credible analysis out there and available as to how different tax proposals hit different Nebraska families. And you can decide for yourself whether or not you want to utilize that information. But say for example, when we were looking at LB388 in the last biennium, which would have increased taxes, sales taxes, consumer taxes, sin taxes on many Nebraskans and increased business taxes as well, that measure estimated, I think, if you go back and look at it, something like maybe generating an additional \$650 million. Well then when you start to analyze, and I'm looking at OpenSky's number on that measure, in particular, and why myself and other senators opposed it because it was regressive in nature, looking at that measure, which we're going to take up essentially for the third time. We took it up last biennium. We took up in this failed special session, now we're kind of going at it for a third time on a tax increase and shift. But that measure from the last biennium, which would have generated about \$650 million that I know Senator von Gillern helped lead and push forward that was ultimately unsuccessful, would have benefited the top 5% of Nebraskans with incomes over \$252,000 a year, and they would have paid less in taxes, while 8 in 10 Nebraska families would have paid more. So when I talk about everyday Nebraska families, I'm talking about people who aren't in the upper 1% or the upper 5%. I'm talking about the vast majority of Nebraskans that lose from a tax perspective when we increase regressive taxes, like sales taxes, excise taxes, etcetera. They are regressive in nature and they're being increased to shift, to shift not for better schools, to shift for property tax relief for wealthy landowners. They're being increased not to shift for some sort of improved service for infrastructure or family, they're being shifted to fill a budget hole that's caused by huge unsustainable tax increases to big corporations and the wealthy. So you're nickel and diming to death everyday Nebraskans and looking down your nose at working families who are trying to make ends meet, whether you restrict their access to soda, or condemn them for utilizing a nicotine product, or want to roll your eyes or tsk tsk if they have the audacity to buy a candy bar. And I just-- I, I just disagree with that philosophy and that rhetoric and that tone. And at the end of the day, a regressive tax increase and shift to benefit the most wealthy is just that. It seems to be the place that the body is headed towards, and I appreciate and understand the majority is aligned with that thinking. But I will use my voice and my vote to push back and to fight for working families. Thank you, Mr. President.

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KELLY: Thank you, Senator Conrad. Senator Ibach would like to recognize some guests in the north balcony. They are 64 fourth graders from Bryan Elementary in Lexington. Please stand and be recognized by your Nebraska Legislature. Senator Wordekemper would like to recognize some guests in the north balcony. Fourth graders from St. Wenceslaus in Dodge, please stand and be recognized by your Nebraska Legislature. Members, the question is the motion to return, FA136. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 7 ayes, 27 nays to return to Select File, Mr. President.

KELLY: The floor amendment is not adopted. Members, returning to LB9 on the Final Reading. Mr. Clerk, or excuse me, the first vote is dispense with the at-- members, please find your seat. First vote is to dispense with the final-- with the at-large reading. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 39 ayes, 0 nays to dispense with the at-large reading.

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

CLERK: [Read title of LB9]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB9 pass? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, DeBoer, DeKay, Dorn, Dover, Fredrickson, Hallstrom, Hansen-- excuse me, Hallstrom, Hardin, Holdcroft, Hughes, Ibach, Jacobson, Kauth, Lippincott, Meyer, Moser, Murman, Prokop, Quick, Riepe, Sorrentino, Spivey, Storer, Storm, Wordekemper. Voting no: Senators Ballard, Conrad, Dungan, Guereca, Hunt, Juarez, Lonowski, McKinney, Rountree, Strommen. Not voting: Senators Hansen, McKeon, Raybould, Sanders, and von Gillern. Vote is 34 ayes, 10 nays, 5 excused, not voting, Mr. President.

KELLY: LB9 passes. While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign LB245 with the emergency clause attached, LB295 with the emergency clause attached, LB388 with the emergency clause attached [SIC], LB414, LB428, and LB9. Mr. Clerk.

CLERK: Mr. President, General File, LB215, introduced by Senator Holdcroft. It's a bill for an act relating to criminal justice; amends

Section 83-1,135; adopts the Clean Slate Act; provides for commutations; provides duties for the Department of Correctional Services, Board of Parole, Division of Parole Supervision, and Board of Pardons; harmonize provisions; repeals the original section. The bill was read for the first time on January 14 of this year and referred to the Judiciary Committee. That committee placed the bill on General File with committee amendments.

KELLY: Senator Holdcroft, you're, you're recognized for a 2-minute refresh.

HOLDCROFT: Thank you, Mr. President. I'll just hit the key provisions. We did pass out a one pager this morning to this-- for this bill. First of all, eligibility. We're talking about lifers here who, if they committed their crime under the age of 26, then they would be eligible for this threshold at, at 25 years of, of service-- of sentence. If they committed their crime 26 years of age or older, then they have to have served 30 years. At that point, the Department of Corrections will identify them to the Board of Parole at least 5 years in advance. This is to give the Board of Parole an opportunity to do as they do with all parolee candidates, to, to do the research, to hold an initial hearing, and then to contact victims and community stakeholders. Then there is the assessment and the recommendation, and this is the key part of the bill, and that is bringing in the Board of Parole to assist the risk works-- working with the community stakeholders, and making recommendations for commutation to the Board for Parole. This is not currently in the process, so we, we are bringing that in, and I'll explain more about that as we debate. And then reentry and support. If the Board of Pardons grants the commutation, which is completely up to them, then there would be a tailored reentry plan including employment, housing, education, and mental health services, access to, to mentorship and restorative justice programs, and continuous monitoring and accountability during early parole. There's also going to be feedback and evaluations, ongoing review and improvement of the program based on outcomes and community input. With that, I yield the rest of my time.

KELLY: Thank you, Senator Holdcroft. Senator Holdcroft, you're next in the queue. You're recognized to speak.

HOLDCROFT: Thank you, Mr. President. So let me kind of start from the beginning, because we had, we had kind of a late night last night. I think everyone was dragging. We were losing members towards the end and so we decided that enough was enough last night, and we would take a break, come back this morning, and try to attack this with

freshness. And so I'd really like to go back-- I'm not going to read my whole opening statement, but just parts of it. You know, I visited every adult correction facility in Nebraska. There are nine of them. Some multiple times. I met with people serving life sentences collectively called lifers who are model incarcerated individuals. They are mentors to younger inmates. They pose no harm to society. I can unequivocally and without hesitation say that I would be comfortable having many of them as my next door neighbor. But because of their life sentence, they are condemned to never again breathe air as a free person. After visiting with some of these lifers and breaking bread with them and talking to them one on one as human beings, I truly believe that the sentences of many of these individuals should be given a second chance. And I'm not the only one who's been out to, primarily, NSP here in Lincoln, Nebraska State Penitentiary. They have clubs out at the Penitentiary. One is the Circle of Concerned Lifers, another one is-- the veterans have a, a, a group, a club, they have a Native American club, and they always invite senators to come out and have a meal with them and get to know them, and that's what I've done, along with Senator Dungan has also, Senator Cavanaugh, Senator Bosn, Senator Hughes, we've all been out there. We've come to know these, these incarcerated individuals. Before being considered a, a, a candidate for this program, a minimum of 25 years will have been served; 30 years if the crime was committed after age 26. There is a detailed process to determine eligibility under the auspices of the State Parole Board, and that's the key to the process. We are not taking away anything from the State Board of Pardons. They still have the final say of yea or nay on commutation. What we're trying to do is present to them candidates who have been rehabilitated and are good candidates to be released in society. So-- and the final decision to grant commutation remains in the hands of the Board of Pardons. AM556 removed the clean slate portion of the bill and allowed the Revisor's Office to do some polishing of the bill. The basic underlying premises of our Corrections facilities is twofold: protection of society at large and the rehabilitation of those who choose to incarcerate. It's the Department of Corrections. OK? Its role is to rehabilitate. It's hard for me to understand how we can essentially put these people in prison and throw away the key. It's our job to rehabilitate them and to give them a second chance. Requiring these individuals to remain in prison despite having been rehabilitated is a complete waste. The potential these individuals have to be not a drain on but rather productive members of society, mentors, coaches, grandparents, breadwinners, taxpayers, volunteers, leaders is a much greater value than spending the rest of their lives behind bars. Justice has already been served. The debts to society

have already been paid. There will be a contemplative, well-laid-out program in place to assure that individuals selected to receive a second look are worthy. I would just like to go through, this was actually a suggestion last night from, from Senator McKinney is, is to read-- actually go through the amendment in my last minute here. The amendment is only, the second chance is only 2.5 pages. The first part, Section 1, talks about the eligibility. And, again, I've, I've hit on that. You have to have-- if you committed your crime 25 years or younger, then you have to serve 25 years; 26 or older, you have to serve 30 years. And I'll give you some statistics here on why we selected those particular numbers. Then they go before-- they're recommended-- if they hit that threshold, they go before the Board of Parole. Now these are 5 individuals who hear 1,200 hearings a year. About 100 a month, they are hearing parole hearings. They know what to look for to determine rehabilitation. They know, you know, what are good and bad and who, who is able to be released in society. And they are tasked specifically to involve community leaders and stakeholders in the review process to ensure that the public safety and community concerns are addressed. And then they're-- and I'll continue this on my next time.

KELLY: Thank you, Senator Holdcroft. Senator McKinney, you're recognized-- oh, excuse me, Mr. Clerk, for items.

CLERK: Thank you, Mr. President. Your Committee on Revenue, chaired by Senator von Gillern, reports LB314 to General File. Additionally, a notice of committee hearing from the General Affairs Committee. Additionally, announcements, the Judiciary Committee will meet in executive session at 11:30 in Room 2022; Judiciary, 11:30 in 2022. And the Banking, Commerce and Insurance Committee will meet in executive session, 11:45 under the south balcony; Banking Committee under the south balcony at 11:45. That's all I have at this time.

KELLY: Thank you, Mr. Clerk. Senator McKinney, you're recognized to speak.

McKINNEY: Thank you, Mr. President. And I rise in support of AM556 and LB215. Again as I stated last night, I commend and appreciate Senator Holdcroft for introducing and prioritizing LB215 to allow for individuals to get second chance relief in the state of Nebraska. And the reason why I commend him and appreciate him a lot for doing this is because I know Senator Holdcroft went through each institution, he sat with people, he did his due, due diligence, and he really dug in as a member of the Judiciary Committee to, to come to where he's at today. It wasn't a fly-by-night decision from the day he walked in to

today. He took the time, he took the energy to go inside the institutions, to sit in Parole Board meetings, sit in group meetings, and those type of things to better understand what's going on, the individuals, and how he can, in his role as a senator, assist and try to address a lot of the issues that come up with the Judiciary Committee and come up with individuals that are incarcerated. This bill is a commonsense approach to allow for individuals to show that they have rehabilitated themselves and they have been working on themselves since being incarcerated. It provides for eligibility for individuals under 26 after 25 years. That means a person has to work for 25 years to ever be considered and it's still not a guarantee. Somebody over 26 years of age would have to sit for 30 years and work on themselves, take the programming, and do all those things that we say we want people to do before they return back to society. The Department of Corrections then must identify these individuals and figure out if they should be recommended to the Board of Pardons or not. The Parole will do a risk assessment. They will work with community stakeholders and then make those recommendations. This isn't a pass this law and all these people are going to just automatically be eligible for parole or be recommended for commutations. That's not how it works. It is a process in place if you sit and actually read the amendment that has to take place prior to a recommendation ever being made to the Board of Pardons. There also will be reentry and support. Tailored reentry plans will be needed to include employment, housing, education, and mental health services, access to mentorship and restorative justice programming. And what restorative justice programming does is make sure that individuals show remorse, but more than show remorse, it, it gives them an opportunity to interact with the people that they harmed and get a better understanding of the harm they caused to improve themselves. That's what it does. It, it, it builds those connections back in the community. There will be continuous monitoring and accountability throughout the process and the program will be evaluated over time. This is good for public safety. Because if you look at the data, people at these-- in, in these age ranges, the recidivism rate is low. You have to remember that, the recidivism rate of people who would qualify under this is low. I think this should have everybody's green vote, to be honest. If we want people to improve themselves, we want them to go inside and become better than they was when they walked in, I don't see how you could vote no on this. This is a commonsense approach. This isn't letting a bunch of people out or just making our communities bad or unsafe. That's not going to happen. And I think you should really think about this and not just think about what people are saying just to skew you from not voting for this. Use your own mind. Read the

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bill. This is a commonsense approach. And with that, I yield the rest of my time.

KELLY: Thank you, Senator McKinney. Senator Dover, you're recognized to speak.

DOVER: Yeah, I would just urge everyone's green vote on Senator Holdcroft's bill. I want to thank Senator Holdcroft for bringing this bill. I think when someone has spent half of their life, and obviously at this age, I don't know if you can say half of your life because, you know, the early years of your life, I know you're just learning. So, I mean, most of us just say after a person has spent most of their life and all they know is in prison, I think that people who are good at doing this and deciding if that person is ready to get back out in the public and, and be productive, I think we should trust the Board. So, again, I just want to thank Senator Holdcroft for bringing this bill and I urge you a green vote on LB215. I, I give the rest of my time to Senator Holdcroft.

KELLY: Thank you, Senator Dover. Senator Holdcroft, 4 minutes, 10 seconds.

HOLDCROFT: Thank you, Mr. President. Thank you, Senator Dover. I appreciate those words. You know, I was thinking about this last night, the absolute minimum that this-- to be qualified or eligible for this program, you would have to have served 25 years of your, of your life, the last 25 years of your life in prison. Think about that. Where were you in 2000, the millennium, the celebration of the millennium? Where were-- when-- can you remember that far back? And now imagine yourself being in prison from that period of time until today? It's a long time. So back to the amendment. Again, you know, these are the "eligibilities." I'm going to talk a little bit about how we came up with those, then the, the Department of Corrections will refer you to the Board of Parole, the Board of Parole will involve the community leaders, stakeholders, just like they do with parole. They will start to, to, to put together a transition plan where they have identified a job, a place to live and all that, put you up with a, a parole correct-- a correction-- a parole officer. And then, then they'll make a decision on whether to make a recommendation to the Board of Pardons for commutation. And, and they're kind of experts at doing this type of thing. They can-- I mean, if it was just a parolee, they, they put people on parole. They release people into society. This is what they do every day. They hold over 100 hearings a month, over 1,200 hearings a year, and they do it depending on, on whether it's, it's at, at NSP or whether it is at a Community

Corrections Center, which is your work release, the percentage of people who are actually released. But they release people into society, this is their job, and so they can make a judgment call and make a good recommendation to the Board of Pardons for commutation, and it's really-- then it's up to the Board of Pardons whether or not to commute. If the Board of Pardons does commute, then the individual goes back to complete that transition plan with the Board of Parole. And they're, they're assigned a parole officer, they're, they're-- they have a job, they have a support community. As Senator McKinney already mentioned, they have this opportunity for the restorative justice process. And, and so everything a parolee would have, these individuals would have and, and their-- they would-- their release would be monitored. So that's essentially the bill. Now, how did we come up with some of these numbers? The-- first of all, the 26, most studies now have determined that the maturity of the brain doesn't mature until age 24 or 25. So you're not necessarily making the best decisions as possible, so maybe your, your penalty, your punishment should not be quite as, as severe as when you hit full maturity at 26 and older. So that's, that's that dividing line between 25 and 26. And, actually, Senator Dover told me the other day, now most people say your brain doesn't mature till you're 30. But we're going to stick with 26. If you commit your crime younger than 26 then you have to have served 25 years and then after that you, you have to serve 30 years. So that's going to put you in a, in a range and, and why did we choose 25 and 30? Well, if you're 18, which is the absolute minimum, you'd end up being 43 when you're released, and if you were at 26 and you commit your crime and you serve 30, you're at 56. So you're, you're going to be in your 40s and 50s, and many, many members of the incarcerated individuals are in their 60s and 70s right now. They're already well beyond these, these thresholds. But I handed out a couple, a couple of handouts, one of them came from the study on recidivism of prisoners.

KELLY: That's your time, Senator.

HOLDCROFT: Oh, thank you. Thank you, Mr.--

KELLY: Thank you, Senator Holdcroft. Senator Bosn, you're recognized to speak.

BOSN: Thank you, Mr. President. Good morning, colleagues. I rise to provide some clarification and to try to articulate some of the things that are in Senator Holdcroft's bill. I may run out of time, but I'm happy to answer questions off the mic as well. I want to start by telling all 49 of-- 48 of you, I already know this, but that the

Judiciary Committee is probably one of the hardest working groups of people I've ever worked with. Our committee, we are a great team, we work together on things, we can fight on things, and then turn around the next day and work together on issues, and this bill is no exception to that rule. This is not a black-and-white issue, it's not a simple solution to what is, what is a problem, and that's part of the reason why this bill came out of committee 8-0. Several of us have concerns. We will probably always have those concerns. But felt that the work that Senator Holdcroft had put into this bill and that our team had put into the thoughtful multiple-hour hearing that we had on this bill, and the number of individuals that came in and provided meaningful testimony was worthy of a floor debate, and that's why we're here. I think it's also worth noting that many of you would joke we would be debating a bill on property taxes and suddenly you'd come back in the room and Senator Holdcroft would be providing a 5-minute nonrelevant but also informative speech on his sentencing reform bill, and this is the day, right? So he's dropped those 5-minute speeches multiple times, and that is, I can tell you, from my experience in working with him, his effort to try to help you all understand what he has come to learn through the 3 years he has spent on the Judiciary Committee, through countless tours, meetings, hours, and he himself probably would never have voted for this bill 3 years ago, and here we are today. So he's making the effort to try to educate everyone here on, on the learning sessions that he has had the opportunity to acquire. The other thing I think is important as someone who has some experience working in the criminal realm is that we all understand some of the differences in the terminology that are here, the difference between what is parole, what is a pardon, and what is commutation. They are all different but somewhat similar. A pardon is a forgiveness. It's an erasing the conviction and your rights are restored. It is, I know we're just following Easter, it is what Christ did for all of us, right? It is a pardon, we don't deserve it, you can't earn it through hard work, it is a true forgiveness, it is grace. A commutation is where your sentence is reduced. So your sentence, you may have been sentenced to a lifetime without parole. And you could have your sentence commuted from a lifetime without parole to a determinate sentence. That's an example. So it would be instead of a lifetime without parole, 50 years or whatever the case may be. But it is a reduction in the sentence, but the conviction remains. The other thing is parole. This is a conditional release before the end of your sentence is done. If you were sentenced to 20 years, technically you're parole eligible at half of that time due to our good time laws so you would be parole eligible at 10 years. Your conviction remains, but you are conditionally released from

incarceration. The purpose of this bill, as best I can articulate it, is that this bill is designed to encourage, not mandate or dictate, but to encourage the Pardons Board to seriously consider individuals who, right now, are routinely denied. Are they always denied? No, but routinely they are denied. I can tell you from some of my own experiences, I've gone on multiple tours with Senator Holdcroft. We've had countless dinners at the prison with the, with the group called Circle of Concerned Lifers. My meetings with these individuals-- first of all let me just tell you, I was, I was a little bit nervous going as a prosecutor, having worked with some of those individuals across the aisle as a prosecutor. These individuals, the meetings are not to deny their horrible choices that they made at one point or to minimize their responsibility, but to focus on how they've become a different person and how they have made those changes and how they recognize the wrong things they did and they can't change those wrong things. They just want to do better going forward. And I think that those meetings have really changed my perspective. I don't want to speak for Senator Holdcroft, but I would imagine they've changed his perspective. And so--

KELLY: That's your time, Senator.

BOSN: Thank you, Mr. President.

KELLY: Thank you, Senator Bosn. Senator Holdcroft, you're recognized to speak.

HOLDCROFT: Thank you, Mr. President. I think we're coming to a vote here soon, but I just wanted to go through the, the committee hearing and some of the comments. First of all, the committee report did come out of committee 8-0, and the actual testimony was held on, let's see, it was February the 26th, and we had 25 proponents, most of whom were family members. And I think I mentioned last night, it was very tearful, but they-- excuse me-- they were there in, in support of their families. Also there was the Mental Health Association as a proponent, the ACLU. And this is interesting, is that the Nebraska Chamber of Commerce, the Greater Omaha Chamber of Commerce, and the Lincoln Chamber of Commerce were all there as proponents. They are looking forward to getting these individuals who will have some skills when they come out of prison because of the efforts of, of Director Jeffreys on the reentry program. And so they were proponents of the second chance legislation, also the Nebraska Criminal Justice [SIC] Defense Attorneys Association. There were two pro-- opponents, opponents, and as you might recall, this bill has actually started off as, as-- kind of had two parts. It first had a, a clean slate piece

where you automatically had misdemeanors and Class IV felonies wiped. Well, we ended up taking that out, but we had-- the two opponents were, were opposed to that piece. In fact, I got a nice email this morning from Jeanie Mezger saying that she's fully supportive of LB215 as is. And also the Nebraska County Attorneys Association, same story, they were opposed to the clean slate piece. And so they are now neutral on LB215. As far as the written comments went, there were 60 proponents, 3 opponents, and 5 neutral. And Senator Clouse, last night, asked me about these. Korby Gilbertson came in as representing the Media of Nebraska, same story. They came in opposed to the clean slate piece because they are for transparency, being able to look into people's records. Mary Barton of the-- representing Reentry Alliance, the first part of her statement was the Reentry Alliance of Nebraska Justice Policy Group asked the Judiciary Committee to split apart LB215. We encourage you to pass the second chance part of the bill and to return the clean slate portion sections to its supporters for revisions. So they are also now in favor of LB-- the only opponent remains, the Board of Pardons. And I have great respect for the Board of Pardons. I think they-- they're doing, they're doing a lot of good work. I mean, we, we talked about-- Senator Bosn just talked about the difference between commutation and pardons, 90% of what the Board of Pardons does are pardons. So they're meeting every month. They have a full agenda. They have a backlog, but they're working through it. But most of their hearings are about people trying to get rid of felonies on their-- on the history on their, on their, on their-- hitting on, on their record, so that they can get jobs or that they can purchase a firearm. And so that's what they do mostly. And they very rarely hear these, these cases from, from these inmates who are lifers who are asking for commutation. It's a very sterile effort, I mean, the individuals will ask for a hearing, they'll send a package, the staff at the Board of Pardons who probably never met-- probably never been in a prison, review these cases and make a recommendation to the Board of Pardons and most of the time it's not even to hear the case. So what we're trying to do with this is put some help for the Board of Pardons in, in a way to make recommendations for, for qualified candidates. And we're using the Board for Parole for that effort. And so with that, I will end my time and come back on close. Thank you, Mr. President.

KELLY: Thank you, Senator Holdcroft. Senator Bosn, you're recognized to speak.

BOSN: Thank you, Mr. President. I wasn't quite finished and I just want to make sure that I also give credit where credit is due. I know that the Board of Pardons has done a tremendous amount of work in the

last 2 years with this administration in catching up what was a significant backlog of individuals who had asked for a pardon or a commutation. And so I think we've got to recognize the positives and I know Senator Holdcroft also agrees that they have done a lot of work, but what the goal here is, is to encourage them to further that work for individuals who are good candidates for it. I will also tell you all that I-- Senator-- as most of you probably recognize, Senator Raybould is gone today for other-- personal reasons. But I think that when we have an individual in the body who is gone and who we know wants the bill to pass, taking advantage of the fact that they're not here and not able to vote green on something they support is not a good thing, and I don't want to set that precedence. So I have agreed to vote green on her behalf. I have personally spoken with her, and I know she does support this bill and Senator Holdcroft's efforts. So for today's purposes, I will be voting green on behalf of Senator Raybould, and I just want everyone to understand where that's coming from. So thank you, Mr. President. With that, I will submit.

KELLY: Thank you, Senator Bosn. Senator Andersen, you're recognized to speak.

ANDERSEN: Thank you, Mr. President. Would Senator Holdcroft be willing to answer, answer a couple of questions?

KELLY: Senator Holdcroft, will you yield?

HOLDCROFT: Yes. Yes.

ANDERSEN: Thank you, Senator Holdcroft. I saw the notes in the, the fiscal note. Does-- just to make sure my math and [INAUDIBLE] works. Does it total out to about \$3.4 million a year, is what I saw?

HOLDCROFT: OK, so that was for the clean slate piece. So that came from the courts. Because the clean slate, they would have to modify their system to be able to, to review everyone's record to find out-- come up with all of the, the misdemeanors and, and, and fourth degree felonies to then wipe them out. So when we took that out, the, the, the fiscal note, which will have to be regenerated, but the fiscal note just comes down to what additional resources the Board of Parole will have. And we've talked to them, and they don't have a good number, but it's going to be pretty small. Keep in mind that the Board or Parole already does 1,200 hearings a year. Now, there are only-- right now there are only 141 individuals who would qualify for this, for this second look. And, of course, they-- the Board of Parole have 5 years to spread that out and, and to hear those cases. So it's

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really not going to be a big impact on the Board of Parole so I don't expect a, a large or, or even have a, a fiscal note.

ANDERSEN: OK, yeah, I saw the Board of Patrol [SIC] said they're going to require one FTE, so assuming that's 100 grand, the Crime Commission, \$150,000, State Patrol, \$1 million. Do those still hold, because that would be--

HOLDCROFT: I am not aware of why the State Patrol would be involved--

ANDERSEN: OK.

HOLDCROFT: --or the, or the Crime Commission.

ANDERSEN: It was just in the fiscal note in the narrative and that's, that's where I pulled it from. If that's changed, that will be good. On page 2, it talks about that they'll be working-- that the-- they'll be with interested offenders to improve their chances at the 5-year, 5-year point, when they're 5 years from being eligible, so then the Parole Board will start working with the people to increase their chance of actually being accepted into the program. Is that right?

HOLDCROFT: Well, that is their, their current modus of operation. So when they have someone who's going to be coming up for parole, they hold a parole hearing, or a review. I'm sorry, a parole review with the individual. It's not a hearing, and it's only 2 members instead of 5 members. But they bring the individual knowing that they're going to be coming for parole in, say, 2, 3 years in this case, so then they would-- they sit down with them and they kind of lay out, these are the programs you need to complete before you come before us. This is what you need-- this is how your record needs to look. This is the transition plan that you need to work on. You need to be working on finding a job, find a place to live and putting away this plan, and they will assign them at that time a parole officer to work with them. So this would be the same with someone, a candidate that would be seeking a commutation. It's going to take a little bit longer, that's why we're giving them 5 years to work with the individual. They would not get out-- I mean, it, it improves their chances of being recommended for commutation in that if they don't do these things, then there's no chance. Just like with parole, if you don't do these things there's no chance you're going to get paroled. But by giving them 5 years to work with the individual it improves their, their chances to be recommended for commutation.

ANDERSEN: OK, interesting. It seems like you're, you're helping them get prepared and all that stuff or you're teaching them a task, one way or the other. I'm not sure how to, how to interpret that. On page 2, line 10, it talks about involved community leaders and stakeholders. What does, what does that mean? How do you identify the community leaders and stakeholders?

HOLDCROFT: OK, again, and that is what the Parole Board does every day. They reach out to the victims. They reach out to organizations like RISE, Metro Community College, who have stakeholders in this-- individuals. They get feedback from the, the victims on, on what-- how they feel about this individual coming out, if, if that would be the case. And, and they also-- it's, it's an open-- when the, when the hearing occurs, unlike with the Board of Pardons, when, when you have a hearing with the Board of Parole, it's held in the facility. So the, the individual will be there to be face to face. And then any-- it's open to the public and I invite all of you senators-- that's how I got to learn about all these different facilities by attending parole hearings. It's open to the public. You can hear what the victims say, you can hear what the proponents say, and you can, you can witness what the questions that are coming from, from the Board of Parole. So it's a--

KELLY: That's time, Senators. And, Senator Andersen, you're next in the queue.

ANDERSEN: Thank you, Mr. President. If Senator Holdcroft is agreeable, just a couple, couple more questions, I'll try and keep it simple.

KELLY: Senator Holdcroft, will you continue?

HOLDCROFT: Yes.

ANDERSEN: I'll try and be, be quick. It talks about on page 2, line 28, talking about the detailed reentry plan. Is that something that's already created or is it a matter of course that is not an additional burden on the--

HOLDCROFT: Yes, every parolee has to put together a reentry plan. I mean, that's part of the, the Board of Parole. And, again, I, I kind of alluded to it. They call it a transition plan. The individual has to have identified a job to go to. They have to identify the transition housing. Now, the Board of Parole has a list of transition housing out there that is suitable for, you know, moving into, depending on where they're going to execute their transition plan. And

then there's going to be a, a list of, you know, people who are going to be social support in that plan. So RISE is very, very good about this, about supporting. They're already in the prisons helping with training, teaching a trade, and they help with the transition plan. So when the, when the individual-- and this will probably-- it'll start before a recommendation for commutation, but it really won't get-- go into earnest until commutation is actually granted by the Board of Pardons. But there will be a transition plan. They'll be on parole, they'll have a parole officer, they'll have to report to the parole officer. They'll have drug testing if that's required. And so it's be-- it'll be just like a, a parolee.

ANDERSEN: Great. When it, it refers to access to a mentorship program, a community support network, is that like RISE where they help them while they're still in jail and before they get out?

HOLDCROFT: Yes, it is. Mostly, though, it's also family. And, typically, you will see at the, at the parole hearing the families lined up and they will sit down and they'll say we're going to support our son, we're going to support our husband, and, and so, you know, so, so then the Board takes it all into consideration. If the individual is just sitting there by himself and he has no-- it doesn't look like he's going to have any support when he gets out, it's unlikely he's going to get out. So they're encouraged and RISE is a great example of an organization that is willing to go in and work with these inmates on their plans.

ANDERSEN: All right. Thank you very much. I appreciate your patience. Mr. President, I yield back my time.

KELLY: Thank you, Senators Andersen and Holdcroft. Seeing no one else in the queue, Senator Holdcroft, you're recognized to close on the amendment.

HOLDCROFT: Thank you, Mr. President. And thanks for those questions, Senator Andersen. I think it helped identify the importance of the Board of Parole in this process. I mean, it's not just identifying quality candidates for commutation and making a recommendation to the Board of Pardons, but it's also about getting them prepared. It's a win-win. And the whole parole process is win-win. And we just expanded parole. You used to not have the opportunity to parole, sometimes you'd have to go-- you go to your jam out date, it's called jam out date, and you're out. No supervision, no help. But we did, under LB50, built in some-- and Senator Bosn and, and Senator Justin Wayne worked on this extensively to build in parole for these individuals. And it's

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a win-win, because the individual now has a goal, he can get out early, but he's also got to go through the, the plan with the Board of Parole and do certain programs like anger management and, and some of these other programs that they do and get a skill and get set up for transition into society. And so these same skills that we have with the Board of Parole for parolees, and they're doing a great job, we have now to, to support the Board of Pardons. And I can't emphasize this enough, the Board of Pardons makes the final decision. They can commute or not commute. And so we're just putting in the Board of Parole, that's the only thing this bill really does. It doesn't restrict anything that the Board of Pardons can do, and then-- and, and-- but it puts in the Board of Parole to advise them on who would be quality candidates for commutation. So with that, I'll yield the remainder of my time. Thank you, Mr. President.

KELLY: Thank you, Senator Holdcroft. There's been a request to place the house under call. All those in favor of the house going under call vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 26 ayes, 0 nays, to place the house under call.

KELLY: The house is under call. Senators, please record your presence. All unexcused senators outside the Chamber, please return and record your presence. All unauthorized personnel, please leave the floor. The house is under call. Senator Murman, please return to the Chamber and record your presence. The house is under call. All unexcused members are present. Members, the question is the adoption of AM556. All those in favor vote aye; all those opposed vote nay. There's been a request for a roll call vote. Mr. Clerk.

CLERK: Senator Andersen voting no. Senator Arch not voting. Senator Armendariz voting no. Senator Ballard not voting. Senator Bosn voting yes. Senator Bostar voting yes. Senator Brandt voting yes. Senator John Cavanaugh voting yes. Senator Machaela Cavanaugh voting yes. Senator Clements voting no. Senator Clouse. Senator Conrad voting yes. Senator DeBoer voting yes. Senator DeKay voting yes. Senator Dorn voting yes. Senator Dover voting yes. Senator Dungan voting yes. Senator Fredrickson voting yes. Senator Guereca voting yes. Senator Hallstrom not voting. Senator Hansen not voting. Senator Hardin not voting. Senator Holdcroft voting yes. Senator Hughes voting yes. Senator Hunt voting yes. Senator Ibach not voting. Senator Jacobson not voting. Senator Juarez voting yes. Senator Kauth voting no. Senator Lippincott voting no. Senator Lonowski voting no. Senator McKeon. Senator McKinney voting yes. Senator Meyer voting no. Senator Moser voting no. Senator Murman voting no. Senator Prokop not voting.

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Senator Quick voting yes. Senator Raybould. Senator Riepe not voting. Senator Rountree voting yes. Senator Sanders. Senator Sorrentino voting no. Senator Spivey voting yes. Senator Storer voting no. Senator Storm voting no. Senator Strommen not voting. Senator von Gillern. Senator Wordekemper voting yes. Senator Machaela Cavanaugh voting no. Vote is 21 ayes, 13 nays on the adoption of the amendment.

KELLY: The amendment is not adopted. I raise the call. Seeing no one else in the queue, Senator Holdcroft-- there is a priority motion. Mr. Clerk.

CLERK: Mr. President, Senator Machaela Cavanaugh would move to reconsider the vote taken on the committee amendment.

KELLY: Senator Machaela Cavanaugh, you are recognized to speak on your motion.

M. CAVANAUGH: Thank you, Mr. President. I would like to yield my time to Senator Holdcroft.

KELLY: Senator Holdcroft, 9 minutes, 55 seconds.

HOLDCROFT: Thank you, Mr. President, and thank you, Senator Cavanaugh. Well, that was a little disappointing. You know, again-- I emphasize, again, we're not, we're not taking away any authority from the Board of Pardons to make a decision on commutation or whether to commit or-- to grant a commutation or not. But these individuals-- I have to tell you a story. One of the individuals I met inside or during the Circle of Concerned Lifers, his name is Todd Cook [PHONETIC]. And he is the model-- he is the poster boy for commutation. And he, he and I talked several times, and he got a hearing, and he sent the package, he sent the package to me. And, and I was so impressed with it, I wrote a letter of recommendation that he'd get commutation. And so then I went to the, to the hearing and it was-- you know, they had the agenda there. They had three individuals at the top who were all incarcerated and they skipped right over them. They didn't even consider them. Now, I was there in the front row and so when they started going on, I left. And later that day, one of the members of the Pardons Board called me and said, hey, Rick, I saw you in the hearing, was there a question? And I said, I said, what about Todd Cook? I mean, I wrote a letter of recommendation for him in his package. And he said, well, I, I didn't see-- I didn't ever see a package. I mean, he wasn't eligible for commutation. And I said what do you mean he wasn't an eligible for commutation? I mean, you can "commutate" any-- anyone, anytime. And he said, well, well, you need to talk to so-and-so on my staff. So I

called the staff. And, and I said, well, what's the story? Well, we have some criteria we go through. I said, well, what was the criteria for which he was denied? And they, and they looked at it and they said, well, I really can't tell. You need to talk to someone in PRO. And that's where it, ultimately, comes down to, is PRO makes the decision on who is considered and not considered for commutation at the Board of Pardons. And, I mean-- and apparently a recommendation from a sitting senator, a state senator doesn't pull a lot of weight. So this is the situation that these individuals are in. They have no hope. They have no hope. The last time the Board of Pardons did a commutation was, was, was 12 years ago, except one case where last year they, they commuted a sentence for an 82-year-old lady who was dying of cancer. Other than that, it was 12 years ago and the case did not end well. Because the individual got out, he had a license, they commuted it to 80 years. He had served 41, so he gets out for, for good time at 41 years. And then he was-- then he committed a crime. And that's, that's the problem with the current system. And the system is the same today as it was 12 years ago. We don't have people who have-- who, who do this for a living, essentially, as far as evaluating people to see if they've been rehabilitated and if they would be a, a threat to society. And that's all we're trying to do here is, is try to give them a, a second look. And, again, it's-- the Board of Parole can look at that and say, nope, or they can say this candidate is a, is a good risk and forward it on to the Board of Pardons. And then, again, it is up to the Board of Pardons to make a decision on whether or not to commute the sentence. So we do have a lot-- I, I-- you know, I, I think Senator Sanders would have supported this bill. Senator von Gillern, I think, would have supported this bill. So I think-- you know, we're just, we're just a few short here. I've also worked with Senator Brandt and others to move this along, and I would hope, hope you to consider this, move it onto Select, and if there are parts of it you don't like, you know, then please come talk to me. I-- I'm a little disappointed in that every-- there, there's no opposition to this bill. Every opponent at the hearing, both in person and online, every opponent was against the, the clean slate. And we took that out. The bill came out of committee 8-0. And I've-- you know, I ask people why? I mean, I answered all the questions, I thought pretty well. And I really-- there's no-- I'm still waiting to hear why people are opposed to this bill and all it does is put the Board of Parole as an advisory group to the Board of Pardons. So, please, I, I ask you to reconsider your, your vote on this. Give us a chance, you know, get it to Select File. If you don't like it there, well then you can vote it down, but please give me a, a green vote on AM556. Thank you, Mr. President.

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KELLY: Thank you, Senator Holdcroft. Senator McKinney, you're recognized to speak.

McKINNEY: Thank you, Mr. President. I rise in support of the motion to reconsider, and just like Senator Holdcroft, I'm disappointed in a lot of people. This bill is a commonsense bill, and he has said and others have said multiple times, the opposition to the bill was to the clean slate portion which was cut out. I don't know why you're still sitting on the sideline. Either pay attention to debate or just don't be here. Also, if you have concerns about encroaching on the Board of Pardons, this bill is within the constitution, and I will read the constitution to you: The Board of Parole may advise the Governor, the Attorney General, and the Secretary of State, which is the Board of Pardons, on any merits of any application for remission, respite, reprieve pardon, or commutation, but such advice shall not be binding. That's why it's "may" language in the bill. You know, whenever the budget is coming up or going to come up, we're going to have a conversation about building a prison. A deep debate and some people support it for, I don't know, economic reasons, locking people up or whatever, but we're going to have that conversation. But if you don't want that prison that you're going to support to be overcrowded, which means none of the programming is going to work, they're going to be understaffed and, etcetera, you should support this bill. Because all you're going to be doing is appropriating money into a dark hole in our criminal justice system if we don't address issues like this. This bill is just trying to get people an opportunity to show that they change. What's wrong with that? We always talk about we want people to change and we want people to come out to be better people. What is wrong with that? They take the programming. They take all the classes. If they're on parole, they could be on monitors for the rest of their lives. They could be on parole for the rest of their lives. This isn't letting a big boogeyman out on the streets. These people are being evaluated. What are you scared of for a person who, after 30 years, has 3 college degrees, took every program possible, mentors people inside, what's so scary about that person getting a review by the Parole Board? What are you so scared of? You can't answer that question logically and tell me a reason. The person has changed. Don't you want people to change, or do you just want to keep them locked up forever with no hope to change and no incentive to change? I, I, I don't understand people in here. I, I said last night, if you have-- if, if, if you question the bill, read the amendment, the, the amendment answers all your questions. But I see people haven't read the amendment. I see people haven't listened to the conversation. And that's disappointing. Why are you a senator? Just trying to help people, just trying to make sure that people who

have changed have a chance. What is so wrong with that? And people might get up and disagree with everything I just said, but you can't refute the facts. What are you scared of? If you can't stand up to your constituents and say I voted for something because it was common sense, then you don't need to run. You really don't. And if people won't give you resources for your reelection, then they don't need to support you anyway, because they don't really support you. This is a good bill, and it should be heard, and it should move forward.

KELLY: That's your time.

McKINNEY: Thank you.

KELLY: Thank you, Senator McKinney. Senator Dungan, you're recognized to speak.

DUNGAN: Thank you, Mr. President. Colleagues, I rise in favor of the motion to reconsider. And I want people to be paying close attention. This is a real motion to reconsider, because I do think people were potentially confused as to what they were voting for on the AM and the underlying bill. Two things I want to highlight that I think both Senator McKinney and Senator Holdcroft hit on, the portions of the bill that we are adopting with the committee amendment are the parts that did not have opposition. And as-- we've taken this vote, I've been, obviously, reaching out to people and texting and, and talking with various folks and stakeholders. My understanding is the bill, as amended, does not have opposition from law enforcement. Now, obviously, individuals can feel the way they want to feel, but my understanding in speaking with representatives from various stakeholders is that law enforcement does not oppose LB215 as amended by AM556. The clean slate portion has been removed. And, ultimately, the portion that we're moving forward on is the part that did not have opponents during the debate or during the committee hearing. This came out unanimously and I understand that there may be some folks who have hesitations about one portion or the other, but the other thing I want to make clear, and I don't mean this as an insult to Senator Holdcroft, but LB215 is really the bare minimum that we could be doing. It is an aggregate of information that results in a recommendation that does not have to be acted on. And so I just want to be very, very clear about that. The individuals that are being contemplated by this bill are people who have spent decades bettering themselves, working on things, trying to rehabilitate, and then, ultimately, have tons of information collected about them, and then, ultimately, provided to the group of people, the Board, that is going to make a decision. And it's a recommendation. So my dad always has a

funny joke he says, he'll do something and he'll say, it's the least I could do. And he'll be like, no, I checked with my attorneys, it really is the least I can do. That's kind of how I feel about this bill. It's the least we can do for a lot of these folks who are incarcerated who have actually taken the steps. I myself have also met Mr. Cook [PHONETIC], who Senator Holdcroft was talking about. There's a number of other people that are model individuals that we're talking about when we're talking about the second chance bill. It is a very small group though, it is a niche collection of folks who have actually met all of these requirements. And to be very clear, this is not the circumstance where anybody's hands are tied, where any board has to make a certain decision. We are not violating the constitution. We are not releasing people without a plan. We are not sending people back onto the streets before they've been rehabilitated. We are not just willy-nilly unlocking doors and letting people go, this is a very long and complicated process. And to get to a place where AM556 removes the opposition from folks who do this kind of work, who put their lives on the line every day, who are law enforcement, who we should listen to in a lot of contexts like this, for them to not oppose this is indicative of the fact that this portion of the bill is something that I think we should feel comfortable with moving forward as a body. So I understand there are hesitations. I understand that there's people who are nervous and that this is perhaps an issue that is maybe newer to some folks who haven't dived super deep into LB215, but I'm asking you, colleagues, if you don't trust me on these issues, please trust Senator Holdcroft. I know that we all have deeply held convictions that span a number of issues, and certainly many of you in this body know that issues surrounding being smart on criminal justice are very important to me. I've worked my entire career in this field, so I do think I have something to say about it, based on some information and data, but Senator Holdcroft has gone into this issue. He's gone into the prisons. He's spoken not just with the gentlemen that are incarcerated that he's talked about, but with the wardens. He's spoken with the officials at DCS, he's spoken with the guards that are the ones that he, that he has talked to when he goes in. So when you look at a bill like LB215, it has been carefully crafted to take into consideration all of the different viewpoints, and I really do believe, I do believe that it represents a true compromise as it pertains to a number of these issues. So, again, colleagues, as amended, this bill does not have opposition, as my understanding from Senator Holdcroft. Please vote yes on the motion to reconsider. And then if you want to make LB215 the version of itself that does not have opposition, vote yes on AM556. And then I would encourage your green vote on LB215. Thank you, Mr. President.

KELLY: Thank you, Senator Dungan. Senator Sorrentino has guests in the north balcony, including Senator Armendariz's nephew Ryan Wicoff, the rest are fourth graders, Westridge Elementary in Elkhorn. Please stand and be recognized by your Nebraska Legislature. Senator Sorrentino, you're recognized to speak.

SORRENTINO: Thank you, Mr. President. A couple of the-- my colleagues in the last 15 or 20 minutes have mentioned prior to the motion to reconsider that they were disappointed. I, too, am extremely disappointed. I've listened patiently for hours now, just waiting for somebody, just one senator to express any concern for the victim or their families. I don't care if it was 10 years ago, 5 years ago, 40 years ago. Not one mention of a second chance for that raped young lady or that murdered man. Not one. 68 days in, I've never been so disappointed. I didn't run to get reelected. I don't vote to get reelected. I will never vote for to get reelected. What I want to hear after hours of testimony, which focuses on the rights of those who have perpetrated these serious, often fatal crimes on innocent victims, is some remorse. The testimony has ranged from commuted sentences, which we're not doing, to temp-- to changing the pardon provisions to outright release of felons, which I understand is not-- is going away with the amendment. But in contract, there's been virtually zero time, zero time dedicated the right to victims and their families. And I know the families of victims are invited, in fact required, to be contacted by the parole hearing, and they're invited to submit comments. And I know this is just a review hearing, it's still up to the Parole Board and how hard they work. And Senator Holdcroft has worked very hard on this. But to suggest that there's no opposition, I saw red lights up there, and I wasn't the only one, and I saw a whole lot of people who didn't vote. And I got to wonder why they didn't vote, because they weren't quite sure yet. So, sadly, I've heard all the reasons that we should pass this bill and I'm just going to give you a few reasons to, maybe, you ought to think about it. Families of murdered victims don't get to put their grief aside and enjoy life again because 25 years have passed by. Victims who survived a rape or other horrific crime are not suddenly free of the pain, the suffering, the trauma, simply because 25 years has gone by. Programs that pair victims with their perpetrators are not an automatic prescription for good mental health for the victim as much as they maybe are for the perpetrator. The opportunities to be no longer with your family, to, to pursue a career that were all lost because of being victimized, do not suddenly reappear after 25 years. The murdered person does not get a second chance. Thank you, Mr. President.

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KELLY: Thank you, Senator Sorrentino. Senator Armendariz, you're recognized to speak.

ARMENDARIZ: Thank you, Mr. President. I wanted to also speak on why I was a no on this vote. I want to echo Senator Sorrentino's words. First of all, I-- many of you do know I've, I've had family members sent to prison. My husband's had family members that are currently there and have been there. I am not an elitist. I understand when families go to prison, one of them currently serving 20 years to life for killing somebody. I am standing here in defense of the victims as well. Although it tears families apart when people are sent to prison, it does the same for the victims of the, of the folks that are sent to prison. I under-- I also understand that the families of those victims can go in front of the Parole Board and state their case, and most likely would not get released if the families object to them being released. But that puts the onus on, then, the family again, and again, and again to go defend their position that they don't want that person released. And I think it is very unfair for a family that was thrown into a situation they didn't ask for, to have to have that wound reopened over and over just to defend the, the life of somebody that was killed. So I'm not speaking from, from a personal perspective as much as a senator trying to defend the innocent families that have to go and defend the life of their lost loved ones. I think it's unfair. I think the majority of Nebraskans also stand with me in that position for the victims as well. Thank you for your time, Mr. President.

KELLY: Thank you, Senator Armendariz. Senator Juarez, you're recognized to speak.

JUAREZ: Thank you very much. Thanks to everyone who's watching online. I will say that I don't disregard the victims that are a, you know, a part of the decision that we're making today. However, the process exists that the families do have an opportunity, you know, to share their voice. I can say that I have not heard from one single family telling me to vote no on this. I have had someone who has asked me to vote yes. So, to me, if there were families of victims or the victims themselves who wanted to say no on this bill, they would have contacted me. You know, it is frustrating to me that this bill is not passing yet. I'm hoping that people are re-- going to reconsider their decision of no or not voting. I totally support going forth with this bill and why? Because one thing, and it may not seem very compassionate, but as a taxpayer, I would like these people to get out and work if they have the opportunity to get outside the, the prison. You know, why keep on with this system for people who have an

opportunity to show that they have had rehabilitation to get out? I'm all for them going and working in the state, in the workplace. I don't have any issue with that. I have more of an issue of, of how long that some of these sentences are. Is it granted according to our laws? Yes. But when we've gone through all of this process and they made a diligent effort to try to get things changed, I am all for it. And I hope that the senators will reconsider the last vote that they made. If you didn't vote, I encourage you to vote because I am supportive of people getting out into our communities and starting again. Thank you, and I yield the rest of my time to Senator--

ARCH: Senator Spivey, you're recognized to speak. I'm sorry, Senator McKinney, 2 minutes, 15.

McKINNEY: Thank you, Mr. Speaker, and thank you, Senator Juarez, especially for your words. I don't think nobody stood up here, Senator Sorrentino, and disregarded victims or never thought about victims. That's why we included restorative justice in this. I, I find it very convenient when people bring up victims. I've been affected by violence. I, I go into the prisons and I talk to people that killed my cousins. And I fight for them. That's a direct thing for me. When I go inside prisons, I talk to people who affected my life in a negative way, and I still advocate for them, because I believe in second chances. So don't ever stand up and say I don't think about victims. I have a victim on my arm that I walk in here every day with. My best friend was killed. So don't ever say that we don't think about victims, because I live with it every day. Don't, don't ever say that. So you can conveniently get up and speak what you say, but speak the truth. This bill is about giving people a second chance, and that's what we're supposed to do as senators. We, we say we want people to change, and we want to be better people, but you fight against things and go against things like this. We're not trying to put people through more trauma or anything like that. We're just trying to make sure that we're fair, we're just, and, more importantly, we're, we're humane. What is wrong with that? Not one time did we say we didn't care about the victims, or we didn't take them into consideration in, in drafting this bill, because restorative justice is in here, victim rights is in there. So don't ever say that. It's a misrepresentation completely. So you might get up on the mic and say something else, but the truth is the truth. I advocate for people that harm me and haven't harmed me.

ARCH: Time, Senator. Senator Spivey, you're recognized to speak.

SPIVEY: Thank you, Mr. President. I rise in support of the motion to reconsider and am a green vote on AM556 and LB215 and appreciate Senator Holdcroft and the Judiciary Committee on their work around the Second Chance Act and what does it look like. There seems to be a lot of big feelings in here today and a lot of disappointment. And I hope that people could come back to the center around facts and what the bill actually does and the work that is put around it. I think it's really difficult in this body to have meaningful and critical debate if you have never, one, been personally impacted and you have not engaged in learning about the issue at hand. And so I would appreciate-- I see Senator Sorrentino is punched back in during his time if he could provide insight around the work that he's done to better understand this specific bill and criminal justice reform. I know Senator Andersen had a lot of questions but is no longer on the floor. And so I hope that, again, people that have these feelings and issues really sit in this space to learn and understand before making decisions. I personally have visited our correctional systems. I've talked about this just this week that my dad was incarcerated more time inside than he did out. I, too, have had friends murdered, family members murdered, folks that are currently incarcerated still. And what I think is important to uplift in this bill that folks have said numerous times and maybe it's not an understanding of the definition around what restorative justice does. There is always accountability for the harm that happened when you talk about restorative justice. It does not remove that. There is also a place around what justice actually looks like for the person that's impacted. So we here can say what we think justice is. That doesn't matter because we were not the person who was on the receiving end of the harm that was caused. So the restorative justice process actually allows for a reconciliation around what that person wants that is centered in what they consider to be justice, not punitive consequences which is what we are discussing as a legislative body in which our carceral system is centered in, in its approach. I want to lift up a story of one of the supporters of Senator Holdcroft's bill, who came and testified, who is an advocate for criminal justice reform and also was incarcerated himself. He sent me a note that talks about that his mother was murdered in a domestic violence incident when he was 4 years old, and he is an advocate for second chances. He helped with the Second Chance Summit that was planned here in Nebraska that was in partnership with Senator Holdcroft, and he recognizes that people deserve second chances who have seemed to have done irreplaceable [SIC] damage, including this individual that murdered his mother, because he recognizes that we all-- that we're doing is perpetuating more harm rather than healing. So he understands as a person that not only is an

advocate, has been incarcerated, and been impacted by the harm of a violent crime that you have to have that healing component. You have to have rehabilitation and accountability and is advocating for second chances. And so people were bringing up victims and folks that were impacted. And I want to uplift an actual story of someone that is impacted, reached out, and is also an advocate within this space. Lastly, again, I want to continue to humanize the people that we are talking about. And if you have not visited any of our correctional systems, I encourage you to do that and, and speak from I statements versus generalizations around things that you maybe don't have the actual experience with. But my dad did nearly 2 decades in prison for what would be considered a violent crime and when he got out, he created an organization called ROC, Rescue Our Children. And it was about helping kids that were in child welfare like he was, addressing the child welfare to prison pipeline, which was his experience, and helping kids to start to heal and understanding the trauma and the decisions that are in front of them. So when he went to prison for the crime he committed, he was not the same person 22 years later, he was different and wanted to change a circumstance so that other kids did not. This is what restorative practices does. This is what this means. It doesn't mean that he should not be accountable for his actions. It also doesn't mean he should have been in prison and locked away the rest of his life. And so I appreciate the efforts of Senator Holdcroft of what he is doing and I look forward to people reconsidering their vote and getting this to Select File. Thank you, Mr. President.

ARCH: Senator Rountree, you're recognized to speak.

ROUNTREE: Thank you so much, Mr. President, and good morning, colleagues, and those that are watching online this morning. I appreciate all the conversation we've had regarding this particular reconsider motion, and the bill, even through last night. But as I was riding to work this morning, I was thinking about this, I thought about it a lot last night, but I thought about this one king who had taken another man's wife and had that man killed. And he was pronounced even a man after God's own heart, talking about forgiveness, restoration. But I want to read this one today from a, a member in District 31, Tracy Astorino [PHONETIC]. So, Tracy, I just want to read this out as you put in the comments. It's written January the 19th to Senator Holdcroft. But it says: My name is Tracy Astorino. I'm a native of Omaha and a mother of four, one of which is an officer of the law. I am a CASA volunteer, a volunteer with the WCA, and also a youth facility. I work in a behavioral health clinic full time. I am writing to express my strong support for Gary Brunzo who has served 32 years in the Nebraska prison system. As someone who grew up with Gary

and someone who has knowledge of the work that he is currently doing while incarcerated, I support him deserving a second chance. I myself have a personal experience with the trauma of losing a loved one to homicide. I understand the deep pain and the complex healing that follows such a loss. I am also an advocate for rehabilitation and second chances for incarcerated individuals, which has led me personally to know to become a volunteer in various spaces of healing. I am a part-time-- nonprofit called Flatwater, which has led me personally to become a volunteer in various spaces of healing. Flatwater Collective. We teach mindfulness in Douglas County Corrections Facility in Pottawattamie County. This is a 4-week curriculum with a programs department. It is with this background that I humbly request the possibility of offering Gary Brunzo a second chance. Gary himself is facilitating a class while incarcerated called the 5-Key Model, which is very similar to the class that I facilitate currently. In 1987, I tragically lost a sister to homicide. The emotional devastation of such an event is profound and for many years I was consumed with grief and anger. However, over time I came to realize that healing does not come from revenge or from holding on to resentment. It comes from understanding, empathy, and transformation. This realization led me to begin volunteering with incarcerated individuals, seeking to foster change and rehabilitation where I could. Through my volunteer work, I have witnessed firsthand the capacity for change within individuals who have made grievous mistakes. Many of the people I have worked with have taken profound responsibility for their actions, made strides in their personal growth, and have demonstrated genuine remorse. Gary Brunzo is one such individual. His 32 years of incarceration, during which he has engaged in education, therapy, and self-improvement, reflect a commitment to transformation that I truly believe should not be overlooked. I understand that the crime that he was convicted of has left a lasting impact on those involved. However, I also believe in the power of redemption and the possibility of rehabilitation. No one is defined solely by their worst moments. We all have our stories. I believe that individuals like Gary Brunzo, who have demonstrated a capacity for growth and remorse, deserves a chance to contribute positively to society once again. The decision to grant clemency or parole is never taken lightly. If we are truly committed to the principles of redemption and second chances, we must ensure that individuals who have shown genuine change have the opportunity. So, Tracy, thank you for letting me read this comment of yours submitted as one who suffered loss, but also one who has worked to overcome and to help others be redeemed to their full capacity and become members of our society. And with that, Mr. President, I will yield any time that I

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have remaining [INAUDIBLE] to Senator McKinney if there's any left.
Thank you.

ARCH: Senator McKinney, 10 seconds.

McKINNEY: Vote yes on the motion to reconsider.

ARCH: Senator Dungan, you're recognized to speak.

DUNGAN: Thank you, Mr. President. If only I could be so concise. I see a lot of nodding heads, which I will, you know, take or leave it, but, colleagues, I do rise just to encourage, yet again, the motion to reconsider. Just for context, there are a couple of people, I think, who are making their way back to the floor here. There's meetings going on. There's a couple different people that we're waiting for here before we get to the reconsider vote. So I, I don't want people to think that we are talking erroneously. But I do also want to highlight, again, a couple other different factors that I-- that lead me to support not just AM556 and LB215, but the concept of what we're doing. I spoke earlier about some of the meetings that I've gone to and some of the folks that I met who are a part of certain groups like the Circle of Concerned Lifers and one of the things that's been striking to me since I've been working or talking with a number of those individuals is some of the, I guess, issues that they'll run into when incarcerated that people on the outside like us don't even necessarily realize might be a problem. And what I mean by that is you hear about people, you know, quote unquote, getting in trouble while they're in custody. And, certainly, there are things that people get misconduct reports for, which they shortened to MRs, for things that make sense in terms of fighting, you know, get illicit substances, things like that. But these MRs, these misconduct reports, can also be for really small things. There's a gentleman, and I'm not going to go into the details, but sent a number of senators an invite to an event that they were holding because, you know, it's their First Amendment right to talk to their elected officials and to invite us as senators to come visit. But there's a rule, at least at that time, that they're only allowed to invite a certain amount of people to their events in custody. And it was their understanding that inviting their senators did not count towards their private invite list because they believed they should be able to reach out to their elected officials. Sending an invite to their senator about an event that they were hosting in order to better talk about some of the things they were dealing with resulted in a misconduct report, which ultimately resulted in suspension from programming for a number of months. And these are people who were working their butts off in custody to try to improve

themselves, which, to some of the points that have been made before, seek to create a better society. And so it's these sort of little hiccups along the road that I think you don't always realize until you talk to some of these people how stringent and how strict it can be. I also just wanted to briefly respond to Senator Sorrentino's points about some of the victims in here. And I know there's been discussions over the last week or week and a half about whether or not victims are being considered in sort of the conversations we have. And, and I would say respectfully, absolutely. The entire system of what Senator Holdcroft has set up here, I think, is entirely designed to take into consideration the input of those victims. And I understand that, you know, at Senator Armendariz's point, we don't want to overly burden individuals who have already been victimized and certainly we don't want to retraumatize them for having to go through what might be a very tumultuous and, and traumatic process. Again, I agree with that. I think everybody in this room agrees that we need to make sure we always make sure those victims are being supported and have the, the support that they need from both the prosecution side of things as well as the justice system. What I appreciate about what Senator Holdcroft has done with AM556 and LB215 is that he balances that respect for the victim's voice to make sure they are being considered, to make sure that we are adhering to what we have in our statutes under these victims' Bill of Rights, and things like that, to make sure that we're adhering to those while still balancing them with the commonsense approach to understanding that if somebody's been in custody for decades, continued to better themselves, and has aged out of any of that problematic behavior by virtue of decades of work, that we do understand there is a benefit to society as a whole if they truly have been rehabilitated. And so I think that Senator Holdcroft has very eloquently gotten into the details of why this works, of how this works. I think he's done a really good job balancing a lot of the different interests here. And, again, AM556 is a very pared down version of what I think a number of people were excited about under the original LB215. So, colleagues, if you do believe that the system can work and that the system is equipped to handle these kind of decisions, which I believe it is, if you believe the people who currently serve on the Parole Board and the Board of Pardons are capable of making decisions based on good data, which I believe they are capable of that, then you should support AM556 and LB215. All we're doing is simply asking that people have the opportunity to have their day before these people to determine whether or not the efforts that they've made, the concerted efforts that they've made over a long period of time have finally had an effect and truly do lead to a safer community, which I know we all think is paramount. With that, I would

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encourage your green vote on the motion to reconsider, and as well on AM556 and LB215. Thank you, Mr. President.

KELLY: Senator DeBoer, you're recognized to speak.

DeBOER: Thank you, Mr. President. Many of you know that I was working on a dissertation in my 20th century theology PhD when I got elected into this body. What you probably don't know is that I wasn't writing about a man named Jurgen Moltmann. Jurgen Moltmann, as a young man, was in the Nazi Army. He was in the Nazi Army and he was in a situation where the night that the bombing of Dresden happened, his best friend was killed in front of him. And he got lost and shot at and barely escaped with his life many, many times throughout the war. And at the end of the war he was in a Prisoner of War camp in England, the Brits got him. And Jurgen Moltmann had been raised on an atheist commune in, in Germany. And here he was in a Prisoner of War camp for quite a few years at the end of the war. And there was a group of Danish folks from the Reformed Church. And they came in and they met with Jurgen Moltmann and all of these folks from the Nazi Army, and it was something called the Danish Reconciliation Movement, where they were reconciling with folks who had been in the Nazi Army. And they gave Jurgen Moltmann his first Bible. Remember, he was born in an atheist commune. And he read that Bible cover to cover during his time in prison. And he started to be-- to do the steps necessary to become a pastor while he was in that Prisoner of War camp, while he was imprisoned. And, eventually, he did get out, and he became a pastor. And then he wrote a series of books called the Theology of Hope, The Crucified God. It goes on and on. He has so many theological works. And one of the main things he talks about, because of his experience with those Danes who came into his prison camp, and brought him a bible and did reconciliation with him, he looked at how his life had changed, he looked at how he went from being in the Nazi Army to writing theology. If you remember in the '80s when in Latin America there was that assassination of all those, I think it was El Salvadorian priests, very famously in the monastery where they were killed, there is a copy of Jurgen Moltmann's Theology of Hope with a bullet hole through it that the priest had in his breast pocket that day. Reconciliation and some modest hope for change when people go completely opposite from the way they were, that's my theology. My theology says every single one of us here has fallen short. And it isn't cheap grace we have to change our ways, we have to be different. But I don't live in a world where one thing, no matter what it is, because none of us can ever make up for the things that we have all done. And if that's the case, then reconciliation or the opportunity,

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some possible hope, that matters. And that's what my Christianity tells me.

ARCH: Time, Senator.

DeBOER: Thank you, Mr. President.

ARCH: Seeing no one in the queue, Senator Machaela Cavanaugh, you're recognized to close on your reconsider motion.

M. CAVANAUGH: Mr. President, I am going to yield my time in just a moment to Senator Holdcroft. Actually, can we do a call of the house?

ARCH: There has been a request to place the house under call. The question is, shall the house go under call? All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: 25 ayes, 0 nays on the motion to place the house under call.

ARCH: The house is under call. Senators, please record your presence. Those unexcused senators outside the Chamber, please return to the Chamber and record your presence. All unauthorized personnel, please leave the floor. The house under call. Senator Machaela Cavanaugh, you're recognized to continue your close.

M. CAVANAUGH: Thank you, Mr. President. So I just wanted to make sure people were starting to come in so they could understand what's going on here. The motion to reconsider is to reconsider advancing the underlying-- the committee amendment. I walked around and talked to, I think, almost everyone and we have the votes, hopefully, to move the motion and then the underlying amendment. And then I'm just inviting my colleagues to maybe talk for a few more minutes on the bill itself so that I can talk to you all again. And with that, I'd love to yield the remainder of my time to Senator Holdcroft.

ARCH: Senator Holdcroft, 3:45.

HOLDCROFT: Thank you, Mr. President. Thank you, Senator Cavanaugh. So here we are. I just would like to-- you know, I think I've-- I've said it at least a dozen times now that the purpose of the bill is not to take away any authority from the Board of Pardons. They still have the ultimate authority when it comes to commuting and not commuting. What we're trying to give to them is some help with-- and some tool, another tool to, to help them identify potential candidates for, for potential commutation of their sentences. Again, as I mentioned, there's only been-- they did commute a, a woman last year, she was 82

years old, she had terminal cancer, and before that, it has been 12 years since they commuted. And, of course, that wasn't under this administration, but this administration has pretty much carried on with the same policies as the last. And, and, and it's, and it's an issue of, you know, getting some expertise on what the good candidates are. When that individual was commuted back 12 years ago, he almost, almost immediately recommitted a, a crime and then had to be placed back in prison. And so I think that the Board of Pardons from then on had a kind of a, a, a concern or a fear of doing, doing any more commutations. They just-- they're kind of gunshy about it. And, unfortunately, I think, the current process doesn't really give them any confidence in, in the individuals that are being recommended for, for, for commutation. And that's where the Board of Pardons really finds its expertise. I mean, as I've mentioned, they, they do over 1,200 hearings every year. I've been to about 50 of them. It's very, very thorough. These are 5 individuals do the research. They work very, very hard and they, they ask very probing questions of these individuals that are coming up for parole. And then they take a vote. And it's-- if there's 3 votes yes, then the person is put on parole. It's just like that. And, and so they are making a decision time and time again about who has, has rehabilitated enough to be released back into society. And that's a tremendous responsibility for those 5 individuals. But they do it every day. They're good at it. And they have set up a plan for these individuals to succeed once they, once they get out into society. I saw Jasmine Harris out in the, in the Rotunda yesterday, she's the head of RISE, which is an outstanding organization that works with the inmates while they're still in prison, and, and gets them ready to be productive members of society. And that's the kind of support, it's a nonprofit organization, doesn't cost the state anything, and, and they've had tremendous success rate. And that's the kind of effort we're putting together with, with a number of, of programs. You know that Director Jeffreys was hired specifically because of his expertise in reentry and he's put together Reentry 2030. He's just come out with a new video that outlines what programs are going to be available to, to these incarcerated individuals in preparation for their release. And the goal is every, every--

ARCH: Time, Senator.

HOLDCROFT: Thank you, Mr. President.

ARCH: All unexcused members are now present. The question before the body is the motion to reconsider. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

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CLERK: 29 ayes, 13 nays to reconsider, Mr. President.

ARCH: The motion is successful. I raise the call. Senator Bosn, you are recognized to open on AM556.

BOSN: I believe I opened on this last night. It's starting over, OK. So AM-- actually, would Senator Holdcroft yield to a question, yield to a question?

ARCH: Senator Holdcroft, would you yield?

HOLDCROFT: Yes.

BOSN: Senator Holdcroft, would you like to open on AM556?

HOLDCROFT: I would be happy to.

BOSN: Thank you.

HOLDCROFT: So AM556 is really a key amendment and it's-- I kind of went through it this morning, it's only 2.5 pages. So I, I recommend you bring it up and read through it. And probably the most important thing up front is that it takes out the clean slate piece, which every testifier-- every negative-- every opponent, whether it was at the, at the hearing or online, every opponent was about that part of the bill and so we've taken that out. That is also the-- 99% of the, of the fiscal note because that piece would have required the courts to rework their, their computer systems to be able to search people's records and find their misdemeanors and their Class IV felonies and expunge them, and that was going to cost, you know, I think it was \$3.4 million. So the actual fiscal note after AM556, and we won't know until we get it advanced but-- for sure. But I expect it's going to be less than \$100,000 because we're talking about 141 people here, 141 that will have-- that, that the Parole Board will have the, essentially, 5 years to, to vet before making a recommendation to the Board of Pardons. And so they already do 1,200 a year, they're doing 100 a month. I mean, it's not going to be a big impact on the Board of Parole. But they are the key. They're the key to this whole LB215 effort to make quality recommendations to the Board of Pardons, people who have been rehabilitated, who have gone through the programs, who have a plan to reenter society, and who are recognized that way by the Board of Parole, who does this every day. So with that, I encourage your green vote on AM556. Thank you, Mr. President.

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ARCH: Seeing no one in the queue, the question is the adoption of AM556. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: 31 ayes, 9 nays on adoption of the committee amendment, Mr. President.

ARCH: The committee amendment is adopted. Seeing no one in the queue, Senator Holdcroft, you're recognized to close on LB215.

HOLDCROFT: Thank you, Mr. President. OK, so here we are. I think I've made my arguments many times. I think the vote's going to be really close and I would appreciate your support. Again, I really would like to work with you. If you have issues with this, I've talked to a lot of you, I'm not really quite understanding what, what's, what's the issue with just giving the Board of Pardons another tool to help them identify potential candidates for the, for the, for commutation. Haven't done any in 12 years. It doesn't seem to be working very well, the current process. We-- again, we have a Department of Corrections, OK, it's not a "Department of Imprisonment." We push, we emphasize rehabilitation. We have programs for that purpose. These-- there is an intent or almost a promise to the individuals we incarcerate that we're going to help them get back to society. Most of them will go back to the society, and it behooves us to have a process in place that does a quality check on these individuals and make good recommendations to the Board of Pardons. So I would appreciate your vote. If you have any considerations, please vote to advance to Select and I'm happy to reengage on Select. Thank you, Mr. President.

ARCH: The question before the body is the advancement of LB215 to E&R Initial. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: 25 ayes, 14 nays on advancement of the bill, Mr. President.

ARCH: LB215 does advance. Mr. Clerk, for items.

CLERK: Mr. President, bills read this morning on Final Reading were presented to the governor at 12:48. Additionally, amendment to be printed from Senator Ballard to LB322. That's all I have at this time, Mr. President.

ARCH: Mr. Clerk, please proceed to the next item.

CLERK: Mr. President, General File, LR19CA, introduced by Senator Dover. It's a constitutional amendment to change the limit on

legislative terms for two consecutive terms to three consecutive terms. The bill was read for the first, excuse me, the resolution was read the first time on January 16 of this year and referred to the Executive Board. That committee placed the bill on General File with committee amendments, Mr. President.

ARCH: Senator Dover, you're recognized to open.

DOVER: Thank you, Mr. Speaker. I was appointed-- I have a letter I put out and I apologize, please make sure-- I asked the pages to make sure that when they gave you the corrected version of my letter that they took the old version. So it should say on the very top, in red, corrected version. The letter says: I was appointed by then Governor Ricketts on July 22, 2022. I spent the remainder of the year preparing myself for the coming session. I spoke with past and current state senators, staff and lobbyists. I have been coming down to the Capitol for over 37 years to address legislation for the Norfolk Area Chamber and the Nebraska Realtors Association. The one overriding comment I heard was that term limits damage the Unicameral by limiting the institutional knowledge of the senators. In all other states in the U.S., there are 2 chambers so that when a representative is termed out they then go to the other chamber and serve, taking their 8 years of experience with them to continue to serve in their, in their state. A past senator who was termed out last year would say, Rob, when I'm gone, no one will know where the bodies are buried and what is true and not true. So in my first year, I drafted a bill to extend term limits from 2 to 3 by simply crossing out the 2 and putting a 3. I had 40 out of 49 senators cosponsor my bill. Due to the contentious 2023 session, it did not come to the floor. It is my intent to see if I can get 40 senators to agree on a bill in the Final Reading to give voters a choice in the 2026 primary election to extend term limits from 2 to 3, keeping term limits in place. The 40-vote threshold is required to get it on the primary election ballot. Only 25 votes are needed to pass the measures on General File. Of course, the devil is in the details. While 37 senators have agreed to support the extension of term limits from 2 to 3, some other senators would prefer to have 3 and done. I don't know if 3 and done is necessary since I don't know how many senators would serve 12 years, sit out 4 years, and then choose to run, run a campaign. I wouldn't. The average time a senator served in Nebraska prior to term limits, surprisingly, was 7.9 years, not even the current 2-year term limit. Nebraska State Chamber, Farm Bureau, and the League of Nebraska Municipalities, among others, are supporting LR19CA. I am open to whatever 40 senators can agree to. I hope that we will agree to advance whatever the majority prefers so

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that we may reach a 40-vote threshold on Final Reading and give the voters a choice in the 2026 primary election. Thank you.

KELLY: There are committee amendments. Senator Hansen.

HANSEN: Thank you, Mr. President. The Executive Board held its hearing on LRCA19 [SIC] on February 27, 2025. We heard proponent testimony from the Nebraska Chamber of Commerce, League of Municipalities, Corn Growers Association, and several other groups and individuals from across the state. There was no opposition to the bill. AM884 was a product of the committee working with the introducer and was attached to LR19CA and advanced by the committee on a 9-0 vote. AM884 makes one small change to LR19CA by moving the ballot question from the 2026 general election to a special election held on May 12, 2026, which also happens to be the 2026 primary election. I would encourage you to vote green on AM84 [SIC] and LRCA19 [SIC]. Thank you, Mr. President.

KELLY: Thank you, Senator Hansen. Mr. Clerk.

CLERK: Mr. President, Senator Lippincott would move to amend the committee amendments with AM1175.

KELLY: Senator Lippincott, you're recognized to open.

LIPPINCOTT: Thank you, sir. I introduce AM1175 to LR19CA, a constitutional amendment, to extend Nebraska's legislative term limits to 3 lifetime terms, with 2023 start date allowing current senators to serve up to 12 years. This change, as outlined in the amendment, is the best way, in my opinion, to balance experienced leadership, democratic renewal, and fairness in our Unicameral Legislature. First, 3 terms, 12 years give senators the time to become effective leaders. Nebraska's Legislature tackles complex issues, funding schools, supporting farmers, balancing a multi-billion dollar budget, and LR19CA recognizes that mastering those responsibilities does indeed take years. A senator's first term is often a learning curve, navigating state agencies and legislative processes. By their second term, they're ready to lead, but the current 2-term limit forces them out too soon, 3 terms ensure we keep skilled legislators who can craft policies that truly serve our communities. And the second point, the 2023 start date is a fair and practical choice. By resetting the clock for current senators, the amendment honors their commitment and experience. Those elected in 2021 and 2023 were elected under the existing rules, expecting a change to grow into their positions. Placing the start date at 2023 ensures continuity and leadership. Without this, we risk losing seasoned voices prematurely, leaving our

Legislature overly reliant on less experienced newcomers. And the third point, LR19CA with a lifetime limit upholds Nebraska's commitment to turnover and decisively limiting career politicians in the Unicameral. Nebraskans voted for term limits in the year 2000 to prevent career politicians, and this proposal respects that principle. After 12 years, senators must step aside permanently, opening doors for fresh perspectives. Unlike the original LR with no lifetime cap, this amendment ensures no one monopolizes power while still giving voters the chance to reelect strong leaders every 4 years. It's a balanced approach that keeps our Unicameral vibrant and accountable. Some may worry that 3 terms could entrench power, but 12 years is a reasonable cap, not a career, and voters retain the power to reject underperformers at the ballot box. The 2023 start date simply levels the playing field for those already serving. In conclusion, my amendment, AM1175, which is 3-term lifetime limit and 2023 start date is the right choice for Nebraska. It fosters experienced leadership, ensures fairness for current senators, and perseveres the-- preserves the representative turnover we value. Let's support LR19CA with AM1175 and build a stronger, smarter Unicameral for all Nebraskans. Thank you, sir.

KELLY: Thank you, Senator Lippincott. Speaker Arch, you're recognized to speak.

ARCH: Thank you, Mr. President. Excuse me. This is truly an institutional issue, and I wanted to speak to this issue from my perspective as Speaker and 7-year senator here and provide some, some of that perspective. I want to go back, and I want to talk about before term limits. This is my understanding of, of what, of what it was like before term limits were implemented. Senator Dover mentioned that it was approximate 8 years the average term that was-- that senators would serve. However, that, that is not the full picture because what was also happening my understanding is that we had some long-term chairs that, that continued. So we would have-- in some of our, in some of our committees we could have a 20-year chair in there. That is a, that is a significant difference to simply saying, well, the average was 8 years. What that means, of course, is some only served 4, some served 20, and it averaged to 8. But, but the average doesn't tell the whole story. The difference is when you had, when you had committee chairs that were running for that period of time is they had that opportunity to know the process. They knew policy, content. I mean, sometimes you think that, like, especially as a freshman senator, you come and you hear these ideas and you say, well, that's a good idea. I'd never heard that before. And these senior senators would say, well, yeah, that bill has been introduced every year for

the past 4 years or 5 years, and let me tell you what happened when it came to the floor for the last debate on that particular bill. That is a perspective that, that new senators need desperately. I needed that very badly as a freshman senator. That was provided to me by senior senators. The history of the debate, the policies, and they understood the pros and cons of those policies. But I, I say they knew the process. They knew how to be an effective senator. They could mentor. The culture was continuing as a result of the longer-term chairs and longer-term senators. It, it provided that time to grow into how to be a more effective senator. So what do you have to, what do you have to know to be an effective senator? You obviously-- I mean, we are sent down here to debate policy. It is, it is mind-boggling the number of different policies that come before senators, not just on the committee, those are, are numerous, but also when those policies come to the floor. And it takes time to understand policy. That's one thing. Politics, part of our world, takes time to understand the politics of this body. But this third one that I emphasize is it, it takes time to understand people. 49-- I remember my, I remember my freshman-- the first Legislative Council meeting that we had down in Nebraska City and I was, and I was really struck when I looked around the room and I thought, well, this is it. These senators that are sitting here in this room, this is all there is. And, and we have an advantage in, in our Unicameral in that we can get to know each other quite well. And sometimes through difficult times and sometimes through good times, sometimes where we are cooperating with each other on policy and sometimes we're against each other on policy, but we get to each other and un-- and like every other place in this world, these places run on relationships. It gives time for that to happen with extending the term limit. And then there's the process, the legislative process itself, unique, to put it mildly, a rule book that, that takes time to understand how the process works, how it works in committee, how we should behave in committee, how we, how we should behave on the floor. What is that process? That takes time. So before term limits, people had the time to do that. They had the time to understand politics and policy and people and process, and all those things could, could happen and then term limits were implemented. And I see my light is on here. I've already punched in. I'm going to continue this when I have another opportunity. Thank you, Mr. President.

KELLY: Thank you, Speaker Arch. Senator Juarez, you're recognized to speak.

JUAREZ: Oh, I just lost my page. Just a second, please. OK, I apologize everyone, I just lost my page on our wonderful technology

here. I'm going to share some thoughts that I have for-- from my UNL political science professor, Geoff Lorenz, who specializes in American government. For the current Nebraska term limits: Nebraska's Senators may serve 2 consecutive 4-year terms, 8 years total, then must wait 4 years before serving again. Because Nebraska's Legislature is Unicameral, the 8-year total term limit is stricter than most other states that have term limits, where members can serve in a second chamber after being termed out of the first. Historical tenure comparison: Preterm limits before 2006, the average Nebraska senator served just over 6 years, which was less than 2 terms. Fewer than 25% of senators previously exceeded 2 terms, 3-term careers would align more closely with historical norms. Scholarly Consensus on Term Limits: Weaken legislatures by forcing out experienced lawmakers. Term limits curb institutional memory and expertise. Reduced performance incentives: Term-limited legislators spend less time on committee work and more-- and miss more floor votes when their service window closes. Lower policy quality: Fewer opportunities to build policy know-how leads to less innovative and less specialized lawmaking. Increased polarization: Rapid turnover grants outsiders and external actors greater influence, exasperating partisan splits. Economic impact: States with strict term limits often record slower economic growth and suboptimal policy outcomes. Nebraska's particular experience: Since term limits took effect in 2006, Nebraska's Legislature has become one of the most-- one of the fastest polarizing in the nation. Ongoing polarization shows no sign of abating under the current 2-term cap. Implications of extending to 3 terms: Closer to historical norms, allowing dedicated legislators to serve up to 12 years matching or modestly overexceeding past averages. Retention of effective lawmakers: Preserves voters' choice to reelect skilled representatives. Enhanced institutional capacity: More time to develop policy expertise fosters innovation, specialization, and collegiality. Potential to moderate polarization: Longer tenures can strengthen internal checks, reducing reliance on external interest groups. Call to action: If aiming to boost your legislative expertise, curb polarization, and improve policy outcomes, now is the ideal time to consider extending term limits to 3 consecutive terms. A resource that was used for this was NCSL's Coping with Term Limits: A Practical Guide. Thank you and I yield the rest of my time.

KELLY: Thank you, Senator Juarez. Senator Meyer would like to recognize some guests in the north balcony. They're fourth graders from UMO HO Nation Public School in Macy, please stand and be recognized by the Nebraska Legislature. Senator Dover, you're recognized to speak.

DOVER: Thank you. I appreciate Senator Lippincott's concerns and I thank him for his work. I believe that people deserve to choose their senator. If a senator serves 3 terms and sits out for 4, for 4 years, who am I to tell the voter that they cannot choose the candidate of their choice? As I stated before, who's going to serve 12 years, sit out 4 years and decide to jump into a campaign 16 years later? I think very few people will. And I'll tell you one of my major concerns, I'm not in any way inferring that Senator Lippincott believes this, but I think that some of the people I've talked to that want 3 and done, really are doing this because who have a perceived opposition on the floor. They see perhaps an enemy, someone who doesn't share their beliefs. And because of that, they're willing to maybe say, no, we need 3 and done. We want them out of here because they may come back and come back. It's, like, what are we afraid of? We're afraid that something is going to come back, something we don't like. But I would say, I would say to them that it's like throwing the baby out with the bath water. I think if we would do that, I think we would lose much more positive experience from good senators than we would having someone perhaps come back that we wouldn't agree with. And talking to past senators, past friends, they have told me, and I really believe this because I'm getting toward what we're talking about here, but most people told me that it's only in the last 2 years of the 2 terms that a senator really knows what they are doing, that they're really effective. And I think that's the main thing. I wish all voters would know what it's like to be here and what we're challenged with, because if, if, if they were, this would pass resoundingly. So thank you, I yield the rest of my time.

KELLY: Thank you, Senator Dover. Speaker Arch, you're recognized.

ARCH: Thank you, Mr. President. I want to pick up where I left off. I was talking about what it was like as has been relayed to me on what it was like before term limits. I do know what it's like after term limits, I'll speak from my personal experience here. So 2025, one thing that is obvious is that with term limits we are experiencing a rapid turnover of senators, 16 new senators this year out of 49, approximately 1/3 of our body turned over in 1 year. Significant. I think anybody would understand that if 1/3 of your employees turned over in 1 year, you would have a challenge of, of getting them up to speed and all of that. We, we have that same challenge. So the effects, what are the effects of rapid turnover in our body? One of the effects is a rapid rise in leadership. This year we have-- for instance, in our, in our chairs we have 11 out of 15 chairs were new this year to being a chair. And so with that turnover, obviously there is a learning curve in, in chairing. There is still learning. I-- my

first 2 years I was vice chair of HHS. My third year I was chair, third and fourth year. My, my sixth year-- my fifth year and sixth year I was Speaker and I'm a-- I'm Speaker again. Very rapid rise in leadership while you're in the process of learning all of these other things. It also allows, and, and I don't say allows, it also provides an opportunity to change the culture of the Legislature. Sometimes that's good, sometimes that's not good. Every organization has a culture. When you bring in 16 new senators, they're bringing in different ideas as, well, I think this is how the Legislature ought to work. And sometimes those are fresh ideas, and sometimes those ideas that, that need to be tested, but it provides that as well. The, the biggest impact is it starts over with relationships. You know, if we turn over like this every 2 years on a, on a regular basis, we are-- in our second year, we are learning how to work with each other. And what happened at the end of '24, of course, was even after the special session this summer, we were getting close, we were developing ideas on property tax relief, and 16 new senators left the body, 16 new senators came into the body. That sets you back in developing those relationships. As I said earlier, it is every organization runs on relationships. I don't care what the organizational structure, the chart looks like. It is people working with people. And when you turn over like that, you are setting yourself back, and that's one of the reasons I think that we struggle with handling some of those bigger, tougher issues, is those relationships change. We find a new group coming in. We have to learn how to work with each other, and about that time, it's time to change again. It's very, it's very difficult. The other thing, pressure that happens is, and I've, I've experienced it myself, is we all understand with, with, with these 2 terms, we have a limited time to make the impact that we desire. And so there is this temptation to rush bills as a result of that as well, to not give them time to cook. There are bills, there are ideas that take multiple years to process, make sure that we get it right. But with term limit pressure, that we're experiencing as well. There is a concurrent dynamic that happens at the same time as we turn over senators, and that is the turning over of our staff. We-- I don't believe that we saw the full impact of term limit impact on the Legislature, quite frankly, until about 2023. 2023, prior to the 2023 session, we saw 40-plus staff members turn over in our legislative staff. And a lot of those were very senior. I believed that those senior staff members were providing the continuity within our Legislature while we were experiencing turnover of senators. So a new chair would step in, but we have experienced staff. They know how the process works. They know what good bills look like. They know how to write good bills. They know what good committee statements look like. That, that turnover of

the senior staff ahead of 2023, I believe, was part of the disruption that we saw in 2023, that because with the turning over of the senators and the turning over of staff at the same time, we saw, we saw quite a bit of disruption. I see my light is on again. I've punched in. I'm still not finished. I'll continue next time, my next opportunity. Thank you, Mr. President.

KELLY: Thank you, Speaker Arch. Senator Riepe, you're recognized to speak.

RIEPE: Thank you, Mr. President. I appreciate the opportunity and I'd like to start out, I guess, by setting a little bit of background. I think the original reason that we went to term limits, not necessarily a proud moment, was when Senator Chambers was here, I think there was a movement and that was before my time that they were trying to figure out how, how we move on and so that might have been a short-term decision. I do say that I want to support 3 4-year terms as opposed to 2 of the 6-year terms. I also like and believe coming out of some business piece of I believe in continuity, a continuity of care and continuity of services. The Unicameral is also criticized, quite frankly, of not being a 2-house system of, quite frankly, moving legislation too quickly. And I believe that is true. I also wanted to point out that I think that when you have term limits you also have governance by the fourth house which is the bureaucratic, bureaucratic branch and I think that that's something that I remember in the hospital business, doctors would say we were here when you came Mr. Administrator and we'll be here when you go. And so you do need some making sure that the bureaucracy does not run the democracy, if you will. I also would oppose AM1175. I don't believe in lifetime limits, simply from the fact that if you take someone that's a young senator that comes in, maybe they term out, if that's even after the 12 years, they maybe have a full career of 20 or 30 years doing something. But they have a, a calling and they want to come back, and I think that they should be able to come back at, at some stage in their life, maybe 60, 65, whatever, whatever that number is, and be able to serve again, so I wouldn't want to exclude them. I would like to leave that up to the voters, if you will. I also believe that great organizations are made out of young turks and gray hairs, and I think that mixture and being able to work together makes for a good combination, whether it's in business or whether it's in legislation. I have also jokingly talked with the Speaker that I would want to take this bill, LR19CA, and, and put an emergency clause on it so that the governor could sign it and that Speaker Arch could come back for another 4 years. So Mr. President, I thank you. I'm not going to make that as an amendment, but thank you.

KELLY: Thank you, Senator Riepe. Senator Hallstrom, you're recognized to speak.

HALLSTROM: Thank you, Mr. President, colleagues. I rise from a little bit different perspective, having served and been engaged in the legislative process for just over 40 years. And one of the questions that I'm asked most frequently, even though I haven't been in service very long, is what's the difference between being on the outside of the glass and on the inside of the glass? And to tell you the truth, not too much. I'm going to echo a lot of Senator Arch-- Speaker Arch's comments, it's about relationships and, most importantly, building trust with your colleagues, whether they're outside the glass, inside the glass or both, knowledge on policy and advocating. We all have a passion for different issues, and so we advocate for those issues that we're promoting, whether we introduce them or just support them in general. During my campaign, I hoped and fervently believed that I'd be able to hit the ground running. And I, I, I hope that that has been the case for the betterment of Legislative District 1. And make no mistake, though, I'm learning something new every day. One of the early days of the session, Senator Holdcroft's in front of the, the Chamber, I thought that he had some special access to know who was in the queue, so I contacted him to say how many are in the queue, and Senator Armendariz came up to me and said, you know, what those 4 monitors are in each corner of the Chamber, they'll tell you exactly who's in the queue. So those little things plus a lot bigger things, I'm learning something new every day. But, again, I would echo some of Senator Arch's comments. I think the chairmanships, the longer you've been here, the better prepared you are to step into a chairmanship and with the advent of, of 2 terms for term limits, we see people with the mindset of coming in and saying, gosh, I'm only here for 8 years. I better put my name in the ring to become a chairman, perhaps much earlier than, than any of us would be wholly prepared to serve in that capacity. And I think the main benefit of 12 years versus 8 is to spread over the-- over time the impact of losing the experience and the expertise that goes along with folks that are here for currently a, a full 8 years. We have quite a few that are term-limited senators, and, thus, I think we've got 16 new senators this year. Because of term limits, 12 years would, would serve to, to measure that out. And as I look back on the folks with longevity that I've worked with, and certainly they're on both sides of the political spectrum, epic senators, Jerome Warner, Doug Christensen. Dave Landis, Chris Beitler, even the late Don Wesely, looking at, at the experience that they had in chairmanships was, as Senator Arch has pointed out, vitally

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important to the integrity of the body. And so I do stand in support of LR19CA and would defer my remaining time to Speaker Arch.

KELLY: Thank you, Senator Hallstrom. Senator Dover, you're recognized-- Senator-- Speaker Arch, 1 minute, 35 seconds.

ARCH: Thank you, Senator Hallstrom, I'll take it. So talked a little bit about the impact of, of term limits on senators and leadership, talked a little about the impact, the concurrent impact of, of turning over of staff. I want to, I want to stop and talk a little bit about that. We had the luxury, and, and, and this is just a different perspective, some would call them bureaucrats. Those, those people that are, that are in employment in, in the government. But, but I will tell you that the value that they provide is that continuity and the knowledge that they bring. They can help us as senators. And I have never had the experience of the bureaucrat running me. They have been extremely helpful to me, to educate me, to teach me how things are done, how to get things done. When I asked a question, they would help me get things done. Others may have had a different experience, I have not. I find that of value. But that longevity in the staff has been, has been very, very important. So we have responded to this, what is in now our society, when you find 30-, 40-year employees, you are in a rare situation. That is not our society today. Our employees are turning over, they're looking for--

KELLY: That's time, Speaker.

ARCH: --new opportunities. Thank you, Mr. President.

KELLY: Thank you, Mr. Speaker. Senator Hughes would like to recognize some guests under the south balcony: her sister Jill Owens, her niece Millie Owens, and her mother Joan Luebbe. Please stand and be recognized by the Nebraska Legislature. Senator Dover, you're recognized to speak.

DOVER: Thank you, Mr. President. The eventual required threshold of 40 votes on Final Reading is a high bar to reach. I talked to most of the senators here in the Chamber and for those I didn't get to, I apologize. My bill, as written, is the best option to gain the necessary vote count. It is for that reason, I urge a, a red vote on AM1175 and a green vote on AM884 and LR19CA. I yield the rest of my time to Speaker Arch.

KELLY: Speaker Arch, 4 minutes, 25 seconds.

ARCH: Thank you, Mr. President. I was talking about the turnover of, of our legislative staff and, and I don't believe that we can assume anymore that we're going to have 30-, 40-year employees or we're going to have an employee that comes and as a matter of course stays with the Legislature or stays, stays, in, in, in, in various positions with the Legislature over that period of time. That's not our society, that's not-- that-- I don't think we can assume that. And if we have been depending upon that, and I believe we have, over the last several years to provide that continuity while senators turn over, we have to change some things. So we have done some of that, our, our response to that. One of the things that we have done is we have increased efforts in recruitment and retention of staff. We adjusted salaries, we increased orientation, the Clerk has done many things and division directors within the Legislature have done many things for mentoring and training and helping employees get up to speed, closer supervision. I mean, when you have a 30-year employee, how much supervision do you have to have with a person like that? But when you are in your first 6 months, it requires a lot of close supervision. We've changed some of those things within the Legislature to, to adjust and adapt to what the realities are with turning over of staff. Very necessary. But we've done the same with senators. We have put considerable effort into the accelerating orientation. People talk about new senators saying like you feel like you're drinking out of a fire hose. Well, that's kind of the feeling. There's so much to learn and so-- and, and that first day you are here on the floor and you are pushing buttons on voting. And so we have to accelerate the orientation, which we've done. We, we have accelerated the orientation on new chairs and provided more, more, more help with that. We, we made some changes in the supervision of staff to provide more support for the chairs. We have done all of that. That being said, when you have 11 out of 15 new chairs, that, again, you may, you may know how to be a senator, but that doesn't mean you know how to run a committee hearing. That doesn't mean you know what that process is of what a good committee statement. You are supervising staff in your committee and, and if they don't know, if they are new and you are new, it, it is a considerable challenge to have good quality legislation processed through the Legislature. So we've responded. My conclusion is simply this: I recognize that there's also downsides to adding another term, and, and, and at least offering it for 12 years. And the downside is obvious. If you don't like a particular senator in this room, the thought of having another 4 years of that senator may make you vote no, but on the whole I think it's the right thing for the Legislature. We need to smooth out turnover. Senator Hallstrom mentioned that if, that if going to 12 years means that instead of turning over 16, I

would say instead of turning over 1/3 of the body, maybe we turn over 25% of the body. And, and that will help in smoothing out. Not everybody's going to run for 12 years, not everybody will stay in for that third term, 8 years is a long time to commit to this earning \$12,000 a year, and the sacrifices on family and career and all the rest. And so it, it, it may not, but I believe that it would help smooth out that, that turnover. And with that, I think that if we reduce the turnover, it would benefit the Legislature as a whole and increase the quality of the legislation produced. So with that, I support LR19CA, AM884. Thank you, Mr. President.

KELLY: Thank you, Speaker Arch. And you are next in the queue and waive. Senator DeBoer, you're recognized to speak.

DeBOER: Thank you, Mr. President. I have about 500 million things I want to say on this, and it's the end of a long week so I don't know if I'll get them out very efficiently. So here we are. So first of all, I'll say that I am for LR19CA, for AM884, and against AM1175. Let me explain. This job is not about making a lot of money. It shocks a lot of people to hear that we make \$12,000 a year. The men and women who come and do this job do so because they have a heart for it. They are-- they feel called to it. They-- my sister calls this my hobby because it doesn't pay a lot for the amount of work that we do. And it is a lot of work. And I don't know why it's exhausting, because we stand around, or we sit around, and we talk all day. But I have never been so tired in my entire life as when I get home from a week at the Legislature. And I know that my colleagues share that opinion. It's baffling, but it's true. So the men and women who come to do this work, they put their heart and soul into it. And they don't do so for money. And they don't do so for fame. The only time you get recognized in public is when you are dressed in your paint shirt and standing in line at the courtesy counter at the grocery store, and your hair is going 20 directions and you don't want to be recognized. Otherwise, you're never going to get recognized for this job. So why should there be 3 year-- 3 terms? The Speaker has been laying this all out methodically. I'm in my seventh year now. I remember my first year. I was on Judiciary with Ernie Chambers. Senator Chambers was not at a lot of the Judiciary hearings, and I didn't understand why. I knew him to be a very hardworking man, and I said to him one day, why do you miss so many of our hearings? And he said because after being here for 44 years, I've heard all the bills at least once. And I kind of took that as tongue in cheek. And now in my seventh year, I'm like, oh, I kind of get it. Because a lot of the material that we deal with in this body does bear some relation to something we did in the past. And if I had a quarter for every time in this last year, I have said in

exec, well, we had that bill before us in 2020, and this was the outcome, or we tried that approach in 2019 and it didn't work out because X, Y, and Z, or in 2021, we thought about doing it this way, but then so-and-so reminded us of this and it didn't work out. If we do not have those voices-- and in both of my committees right now, I am the senior member and there's no other senior member that has been there the whole time. There are other senior members serving with me on TNT, but they haven't been in the committee the whole time. And I can tell you it makes a big difference in terms of efficiency. We scheduled bills together, Senator Bosn and I scheduled bills together at the beginning of the year and I said, oh no, you can't put that bill there. That bill is going to take 4 hours. She's like, that bill? And I'm like, oh, yeah, that bill is going to take 4 hours. There's a certain amount of just having been around the block that gives you information, gives you expertise, that provides you with the, the kind of insight that helps you make better legislation, defeat the legislation, that you all know, if you bring this to the floor, this is just going to cause chaos and it's not going to pass anyway or allows you to build. We did that 6 years ago, now might be the time to try and build on that. We knew we couldn't get the whole thing. We were working on that, we changed the, the speed that's considered underserved or unserved in, in TNT to 100 by 20 back in 2022, might've been 3. Maybe now's the time we change this program. Maybe we talk about deregulation now. There's a, there's a path that you follow. There's a building on. There is a-- the work that we do here is not de novo. Not every issue should be addressed as though it is first sight. That building up is important.

KELLY: That's your time, Senator.

DeBOER: Thank you, Mr. President.

KELLY: Thank you, Senator DeBoer. Senator Holdcroft, you're recognized to speak.

HOLDCROFT: Thank you, Mr. President. Well, it's time for another update from the Department of Health and Human Services. As we head out to have a great weekend in our, in our parks, DHHS helps Nebraskans to stay safe from ticks with the Tick Surveillance Map. As spring and summer are the primary seasons when ticks are encountered in Nebraska, the Nebraska Department of Health and Human Services urges all residents to be mindful of ticks and take steps to protect themselves, their loved ones, and their pets from, pets from disease by ticks such as the Rocky Mountain Spotted Fever, Lyme Disease, and Alpha Gal Syndrome, also known as the red meat allergy. A great source

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to help residents learn about tick species and disease is the Nebraska Tick Surveillance Map, available on the Department of Health and Human Services website. This map is an interactive tool that documents the counties in Nebraska where various tick species have been found and what diseases each species can carry. Thank you, Mr. President.

KELLY: Thank you, Senator Holdcroft. Senator Dover, you're recognized to speak. This is your third time on the amendment.

DOVER: Thank you. I'll be brief. One thing that hasn't been brought up is, I, I think if somebody was opposing this and when the ballot came up and voting on it, they would tell you, why do we want to give senators 12 years, isn't 8 enough? If a senator can't get his work done in 8 years, why would we want to give them 12? I'll tell you one thing, being on Appropriations, it isn't, it isn't 12 years, and at the extent of 12 years, that is less than 2.5 years on the job. Who would hire someone to run a multi-billion dollar company that was employed for less than 2.5 years and when they finally have a kind of an idea what they're doing and feeling somewhat comfortable fire them and then put someone else in their seat that doesn't really know what they're doing or have the experience? Thank you. I yield the rest of my time.

KELLY: Thank you, Senator Dover. Senator DeBoer, you're recognized to speak.

DeBOER: Thank you, Mr. President. I did say I was going to be disorganized with my thoughts today, so apologies, friends. I do want to also mention that the Planning Committee, of which I am the chair, prioritized this bill in a different form. So Senator Hunt had the same sort of CA that would have gone to 3 consecutive terms and the Planning Committee prioritized that when I talked with Senator Dover and we-- I-- you know, we talked about the whole thing. I am very much supportive of his. I don't care which one goes forward. And the Planning Committee was, was receptive of this as well because we recognize that there is expertise. There might have been a day, there might have been a day when senators did not require expertise. But we have complicated lives, lives, complicated tax structures, complicated technology. There are so many things that we deal with here in the state government now that having expertise is important. I was talking on my last time on the mic about how important it is to just been through some of the hearings, to have just heard some of the bills before, to know what approaches don't work, to know what's been tried before. And if we want to have the best legislation for the state of Nebraska, we need that. But also there is the issue of mentoring. When

I came in, I had several mentors, folks that I looked up to in the body. And those of us in the senior class can tell you that if you sit in another senator's seat on this floor, Sara Howard would have been on you in a second and tell you, you do not sit in another senator's seat. Their constituents don't want to see some other senator sitting in their seat. Now that's a kind of a light-hearted example, but there are other examples of, of things that we used to do or traditions we used to have in this body that helped things work so much better. And now, Senator Lippincott can tell you, we have to make rules about these things all the time. When we were talking about rules at the beginning of the year, a lot of those things, we were codifying what had already been rules and why did we do that-- or had already been norms or traditions and why do we do that? Because of term limits, we have lost those norms and traditions. We have lost the mentoring. There is so much turnover that we do not have the ability to have our few senior members who are already here serve all the chairships, or at least the more senior members have to be the chairs. They have to do a lot of the, you know, the heavy lifting on big bills. They have to do a lot of the work, and then, in addition, they need to mentor. And I tell you, in the moment, what gets lost is that mentorship because you can't possibly do all the things. And when you're a freshman in here, you are just learning. You have to be. There is so much that we deal with in here in terms of subject-matter areas that there are, there are so many things that need to be thought about that when you are a freshman you have to just figure out what is this work about? And you can see the difference between more senior members and newer members. And they will change and move and get better, get better at passing legislation, get better at asking questions, whatever it is. So there is expertise to be had. And we need the mentorship, so we need more members that are carrying over, just to do the intellectual labor and that sort of mentoring work. And the way to do that is to not have so much turnover. Right now, there are-- it's, it's a very small number, less than 20 of us, that have more than 2 years of experience that aren't in their third year or less. It's a, it's a very small number because the, the, the freshman class and the sophomore class are so huge. So--

KELLY: That's your time.

DeBOER: Thank you, Mr. President.

KELLY: Thank you, Senator DeBoer. Senator John Cavanaugh, you're recognized to speak.

J. CAVANAUGH: Thank you, Mr. President. Looks like I'm the last one that's getting in on this. Well, first off, I appreciate Senator Holdcroft talking about ticks. I was telling him that the tick that makes you allergic to meat is one of my nightmares. So it's-- so I'm glad he brought that up for me. So I'm in opposition to AM1175 and been listening to the debate. I think there's some really good points that are being made. I do have reservations about trying to hold this election on the primary ballot. I mean, we've had a whole lot of talk about respecting the will of the voters this session and this is-- you know, the voter spoke on term limits a while before I got here and, you know, I, I do think that there's an opportunity to put this before the voters, but I have hesitations about putting it on the ballot when fewer people vote. As we all know, I've got a bill to try and move the Omaha city elections to the on-year, meaning the, the even-numbered year as opposed to-- the election is 2 or 3 weeks, May 13 or something like that. And Lincoln city election is the week before that, so maybe May 8, 6, whatever the date is. But, anyway, so they have these elections coming up. I have a bill to move them, because I think that we get a better product, a more representative product of the people, when we have more participation. And so I do have reservations about us purposefully going to get a higher vote threshold on this LR. We need more votes to do it. To put it on an earlier election, to have fewer voters participating, that just doesn't sit right with me. So I'm opposed to AM1175, I think I'll probably be opposed to AM884, and then I think I'll see where I'm at on LR19CA. Thank you, Mr. President.

KELLY: Thank you, Senator Cavanaugh. Senator Clements, you're recognized to speak.

CLEMENTS: Thank you, Mr. President. I stand in favor of AM1175. When I was asked about this proposal, I said I'd go with 12 years and then be done. Although, I, I do agree that 12 years would be a better time because 8 years goes fairly fast. I know because this is my ninth year and-- but I'm not looking forward that much to 10 years. Often, I call it 10 years to life. But I do think 12 years is enough, and it would give us enough experience. I also am concerned about the voters, whether the voters would really vote for 12 years and then 12 more type of proposal on the ballot. But I think that I'm going to, I'm going to support AM1175. And I can tell you that I'm kind of looking forward to term limits of just 10 years for me. But everybody has their own situation. But it is true that 8 years is a little bit too, too short. And I'm-- but I'm not sure that the voters will go for 12 years and then go 12 again. So that's why I support AM1175. Thank you, Mr. President.

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KELLY: Thank you, Senator Clements. Seeing no one else in the queue, Senator Lippincott, you're recognized to close on your amendment.

LIPPINCOTT: Thank you, sir. I used to not believe in this 3-term idea. I thought 2 terms and you're done. It's interesting, I had a conversation with one of my predecessors, somebody that ran in my district well before me, and I saw them at a hearing, and I asked him, I said, how long did it take you to get into the groove understanding how all this worked? And the state senator said, after my first term. And I said, you mean after your first year? No, after my first term. So I would agree with Senator DeBoer. It does take a while to get the hang of it. Also, I had a conversation with a former chairman for Appropriations Committee. And I asked that person, how long did it take you to get in the groove as to learning how appropriations is done? And that chair said, well, it wasn't until 4 years later when that person actually was the chairman. So lots of moving parts. I also am supporting U.S. term limits, completely separate issue, but in studying for that I did learn something that kind of runs counter to what we think is the current trend and that is the actual shortage or short time that people are actually in service. For instance, the U. S. Senators, their average time in service is 13.5 years. So just slightly over 2 terms, which are 6 years in duration. Also, the U.S. House of Representatives, those individuals, they serve an average of 5.5 terms. That's a total of 11 years. Not as long as we normally think. So people like Dianne Feinstein and Mitch McConnell, they're the exception, not the norm. And here for Nebraska state senators, the average term, and this is from 1964 to the year 2000, number of years ago before we had term limits, 8 years, 2.1 term-- terms were served by state senators prior to term limits. It's also interesting to note that Nebraska is one of the very few states that have term limits for our legislative branch. There's only 15 states, including Nebraska, that have term limits. And, of course, we know that our governor is term limited and we join 38 other states. Nebraska's Governor was term limited since our inception back in 1867. And my amendment, AM1175, is a lifetime limit of 3 terms. And there are 6 other states here in the U.S.A. that also have lifetime limits for legislative members: Missouri, North Dakota, California, believe it or not, Oklahoma, Michigan, and Nevada. I'd ask for your support for AM1175. Thank you, sir.

KELLY: Thank you, Senator Lippincott. Members, the question is the adoption of AM1175. All those in favor vote aye; all those opposed vote nay. There's been a request to place the house under call. The question is, shall the house go under call? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

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CLERK: 32 ayes, 1 nay to place house under call.

KELLY: The house is under call. Senators, please record your presence. All unauthorized [SIC] senators outside the Chamber, please return and record your presence. All unauthorized personnel, please leave the floor. The house is under call. Senators Machaela Cavanaugh, McKinney, Storer, Armendariz, Bostar, and Dungan, please return to the Chamber and record your presence. The house is under call. Senator McKinney, please return to the Chamber and record your presence. The house is under call. Senator Lippincott, Senator McKinney appears not available. How do you wish to proceed? We will proceed without Senator McKinney. The question is the adoption of AM1175. There is a vote open. Will you accept call-ins, Senator Lippincott? Yes. Mr. Clerk.

CLERK: Senator Armendariz voting, Senator Armendariz voting no. Senator Dungan voting no. Senator Machaela Cavanaugh voting no. Senator Kauth voting no. Vote is 13 ayes, 22 nays, Mr. President, on adoption of the amendment.

KELLY: The amendment is not adopted. I raise the call. Seeing no one else in the queue, Senator Hansen, you're recognized and waive closing on AM884. Members, the question is the adoption of AM884. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 30 ayes, 7 nays on adoption of the committee amendment, Mr. President.

KELLY: The amendment is adopted. Seeing no one else in the queue, Senator Dover, you're recognized to close on LR19CA.

DOVER: Thank you. I appreciate Senator Lippincott bringing up an alternative. I think that's the strength of the body, is to improve upon the bill that's at hand. And I appreciate everyone that supported LR19CA today. And I ask for your green vote. Thank you. I yield the rest of my time.

KELLY: Thank you, Senator Dover. Members, the question is the advancement of LR19CA to E&R Initial. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 32 ayes, 7 nays on advancement of the resolution, Mr. President.

KELLY: LR19CA advances to E&R Initial. Mr. Clerk, for items.

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CLERK: Mr. President, communication from the governor concerning two appointments to the Nebraska Medical Cannabis Commission. Additionally, name adds: Senator John Cavanaugh, name added to LB414, Conrad, LB693, John Cavanaugh, LR22CA, Senator Guereca, name withdrawn from LR19CA. Finally, Mr. President, a priority motion, Senator Fredrickson would move to adjourn the body until Monday, April 28 at 9:00 a.m.

KELLY: Members, you've heard the motion to adjourn. All those in favor say aye. Those opposed say nay. The Legislature is adjourned.