

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate May 29, 2025
Rough Draft

KELLY: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the eighty-seventh day of the One Hundred Ninth Legislature, First Session. Our chaplain today from Senator Sanders' district is Dr. Teri Schrag, LaPlatte Community Church, Bellevue. Please stand.

TERI SCHRAG: Good morning. Let's pray. [INAUDIBLE] Father, Lord, I thank you for today. Lord, you tell us in your word that you are the God who walks with us and the God who walks before us. So Lord, you've already walked through this day. Lord, you already know the words that will be spoken. Lord, you know the very intent of our heart. So Lord, I pray that even in the conversations today that you are present, that you give your wisdom, Lord, that you give your discernment. Lord, in the midst of that, would you give your clarity and your peace? So Lord, I pray for each conversation, Lord, whether it is something that is having to do with our state, Lord-- we have family members that will be here to greet as well. And so Lord, I pray your richest blessings over our state, Lord-- over these gentlemen and these women who are here to do your work. We pray this in your holy and precious name. Amen.

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

LONOWSKI: Good morning, colleagues. Please join me in the Pledge of Allegiance. I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

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

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

KELLY: Are there any corrections for the Journal?

CLERK: I have no corrections this morning, sir.

KELLY: Any messages, reports, or announcements?

CLERK: There are, Mr. President. Bills read last night on Final Reading were presented to the governor this morning at 8:22 a.m. That's all I have at this time.

KELLY: Thank you, Mr. Clerk. Senator Brandt would like to recognize some guests under the south balcony: his wife, Sandra; and their daughter, Major Mariah Brandt, United States Air Force. Please stand and be recognized. Speaker Arch, you're recognized for a message.

ARCH: Thank you, Mr. President. Well, colleagues, I think we could all-- we all recognize where we are in the session. We are, we are nearing the conclusion of our session. So today is our last day to take up any amendments on Final Reading, have the amendment adopted, and still have time to read the bill on Final Reading this session. So what I'm referring to here is the category on the agenda that indicates Final Reading motions to return to Select File for a specific amendment, motions as filed with the Clerk and as scheduled by the Speaker. That category gives me the option to schedule a Final Reading bill which has an amendment filed to it and for which the introducer has indicated to me is necessary to be adopted-- in other words, it's a friendly amendment. And so I, I could anticipate today that there's going to be some amendments that will be filed on a Final Reading bill to return to Select for that. That's, that's what I'm looking at. It just gives me the option that if there's, if there's a friendly amendment and-- or something has been caught in a bill that really needs to be amended, that's the purpose. And so what I, what I will do here is I can, I can schedule those to be debated, which would be to return to Select. But it-- but I don't-- I'm not in-- I'm not empowered to, to order the amendment. It's not, it's not a Speaker major proposal or anything like that. I don't, I don't reorder the amendments, but I will be able to put those on because this is the day. This is, this is the last day if something needs to get onto that bill to correct something or fix something, whatever it might be, and it's a friendly amendment-- I, I need that flexibility. So I know there was some questions about that earlier, and I just wanted to clarify what that category means. So thank you, Mr. President.

KELLY: Thank you, Mr. Speaker. Mr. Clerk, please proceed to the first item on the agenda.

CLERK: Mr. President: Select File, LB306. First of all, Senator, there are E&R amendments.

KELLY: Senator Guereca, you're recognized for a motion.

GUERECA: Mr. President, I move that the E&R amendments to LB306 be adopted.

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KELLY: Members, you've heard the motion. All those in favor say aye. Those opposed, nay. The, the amendments are adopted. Mr. Clerk.

CLERK: Mr. President: Senator Spivey, I have MO264 and MO265 both with notes that you'd withdraw.

ARCH: So ordered.

CLERK: Mr. President: Senator Murman, I have FA212, FA211, and FA210 all with notes that you would withdraw.

ARCH: So ordered.

CLERK: In that case, Mr. President, Senator Spivey would move to amend with AM1587.

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

SPIVEY: Thank you, Mr. President. And good morning, colleagues and folks that are joining us. I am bringing AM1587. And just kind of as a refresher, this is my priority bill, LB440. There were lots of discussion and a little bit of an unraveling when LB306 was originally up two times ago. So on General File, LB306 was an actual Education package that we ended up passing over after conversations with myself, Speaker Arch, Chair Murman as the day had kind of got long and there was some regrouping that needed to happen. And so on Select File, the folks that had bills that were a part of the package brought them-- or-- excuse me-- on, on General, brought them back, and there was a number of those because that also got a little bit long after that passover day. I refiled this on Select File, which Chair Murman knew that that would happen, as we agreed that we would take up those bills that were a part of the original package to have up-and-down votes on. And so just kind of a refresher. This is not a hostile amendment. Folks know that this is happening. Can I have a gavel, Mr. President? Thank you. Gets a little loud in here and it's hard to focus. And so this is not a hostile amendment. Chair Murman knew that this was coming and this bill, LB440, now is AM1587, was a part of the original Education package. I've worked really hard on this bill all session, listening to teachers and superintendents, and then really each of you during debate. So the passover of this bill and, and then again the, the next scheduled time for General allowed me to really address some of the concerns upfront that folks had about this legislation. And so AM1587 also has some of those concerns that are addressed. So there are some changes. During that time of our four-day weekend, a lot of

my partners that I worked with this bill on, they met. So that includes the teachers union, the Nebraska Council of School Admins, Nebraska Association of School Boards, Schools Taking Action for Childrens' Education, Greater Nebraska Schools Association, Nebraska Rural Community Schools Association, and the Educational Services-- Service Units Coordinating Council, and Stand for Schools. So again, I've worked really hard this session on this bill, and even in that short window worked really hard to reconvene partners to ensure that we were addressing concerns and that we were still honoring the original intent of this bill. AM1587, and my original priority designation, LB440, lives to address a key issue: our frontline workers having to choose between a significant life event or their jobs. Our teachers and certified professionals inside of our school buildings have one of the most important jobs, in my opinion, in our society, which is educating our most prized possession: our children. Through the negotiation process and communication early on, LB1587 [SIC-- AM1587] represented here has, I think, a, a true compromise of people's concerns and, again, honoring the original intent. So as you look up the amendment, you will see that LB440 was originally six weeks. It is now down to two weeks, and-- which is actually ten school days. So it's not 14 days. It is ten school days. So it went from six weeks to two weeks. It leverages the 0.35% on teachers' wages paid by school districts and covers the wage of that certified professional as well as that long-term substitute. If a district does not cover FMLA, then they do not participate in this program. And we updated language to say that it's not for certified teachers. I know some folks were concerned, for example, if counselors were covered. And so it does cover certified professionals in that building. A few reminders about AM1587 and what it does and doesn't do. So it does not change the federal FMLA standards of practice. FMLA is a federal benefit and protection, and it does not change the parameters of how FMLA works and the implementation. It does not open any contracts under collective bargaining. And it will not create unfunded mandates. Can I have a gavel? Thank you. I know it's top of the morning and there's a lot of important conversations. And I think this is also important conversation, so I hope my colleagues take a seat and listen. This bill, LB440, now is AM1587, was a part of conversations and no-- and negotiations paired with LB645. And I, I want to make sure that that is clear as we are talking about it now on Select File. So as a reminder, LB645 reduces the school district's contributions to the Nebraska Public Employees Retirement Systems from 9.88% to 8.08%. So the districts are seeing a savings. So as we brought this bill and worked with partners early on and what legislation would be in this

session, we made sure to pair this conversation and how this bill moves with LB645 so that as districts are paying into the paid FMLA now for certified professionals inside of buildings-- which is now two weeks-- that they still see the cost savings from the retirement change as well as can use some of those savings to cover the expenses that would come from this bill. Excuse me. So for example, for a district with a \$2.5 million teacher salary obligation, LB645 results in approximately \$45,000 in savings to the district. The cost of AM1587 is about \$8,700. So that's still a net savings to that district of 40-- \$34,000. So I know there were a lot of concerns about the cost to the districts and what it looks like, and so I wanted to make sure that I gave an example that it does not change and, and create an unfunded mandate, which was brought up before, that there are cost savings based on the retirement plan that was worked out in conjunction through negotiations early on with LB440, now represented as AM1587. And then the last update that I wanted to give that changes-- that are represented here that were not on General File was specifically Section 13, which allows school districts to exceed their General Fund budget authority by including contributions to the State Education Leave Fund. So specifically, it authorizes districts to budget for contributions equal to the 0.35% of taxable wages paid to covered employees, which are remitted quarterly to the State Treasurer. This change enables districts to use the savings from LB645 from reduced retirement contributions, where contributions above 7.35% are already exempt from budget caps. The amendment ensures that districts can redirect these savings to fund expenses such as the substitute teacher reimbursements under the act and a mechanism previously included in AM1440, which was the committee amendment for LB306. So I just want to make sure I called that out, that folks understood that piece of language that was in there. As I said earlier, I think fighting for our frontline workers, which include our teachers, is so important. We worked really hard over this about-week period to ensure that we talked to folks in rural Nebraska, urban communities, small districts, larger districts to really address your concerns. And that is represented in AM1587. I want to take a moment to read the impact that covered FMLA would have from a testimony that happened at the hearing from a teacher-- a sixth grade teacher. Her name is Lisa. I am a sixth grade teacher from Arlington and I'm speaking in support of LB440 on behalf of the Nebraska State Education Association. I taught in Fremont for six years before taking my current position in Arlington. I am the type of teacher who doesn't like to take days off. Even when I am going through-- even when I was going through fertility treatments, I would drive to Women's Methodist

at 6 a.m. so I can get in and out and be back at school by 7:45 so I didn't have to use my previous sick days. I've spent four years going through fertility treatments while trying to start my family. Finally, I found out that my firstborn child, Mason, was set to arrive in September of 2020. After finding this out, I came across my dream job in Arlington, where my husband, Jeremy, grew up. We were already living there, and I wanted my children to attend Arlington Public Schools. However, leaving Fremont was not exactly an easy decision. I loved my job. And I had well over 40 sick days built up that I couldn't take time with-- take time with me. It wasn't until May of 2021 that I found out that I would not be granted the days that I requested from the sick leave bank. At Arlington, a person didn't get approved of sick leave bank days until he or she returned from leave. In my case, I got a frantic phone call from my principal telling me that I was going to be granted 20 of the 30 that I asked. I see my light is on. She goes on to say that her son was in NICU for two weeks and her paycheck was docked \$2,000 because of this. And so, again, I think, you know, folks have concerns around, well, there are sick banks and other things. This does not work for significant life events that are covered under FMLA to ensure that our teachers have what they need is important. Thank you, Mr. President.

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

CLOUSE: Yes. Thank you, Mr. President. And good morning, Nebraska. Senator Spivey, I, I would ask if she would answer a question or two, please.

KELLY: Senator Spivey, would you yield to question?

SPIVEY: Yes.

CLOUSE: Senator Spivey, I know you've worked hard on this and I, and I listened to everything that you said, and I appreciate that. A couple questions. As I read through that, it's no longer mandatory deduction from the teachers, is that correct?

SPIVEY: Correct. So what we heard from some of the folks in the body is that teachers should not pay. And then we had-- our partners had a collaborative meeting right after debate. And the Superintendents Association felt like teachers should pay. So that has been changed. So originally, it was a 0.35% for the districts, a 0.35% for teachers. We removed that because of the feedback that we received.

CLOUSE: OK. So you've talked with the Superintendents Association and, and that group. Do they have one--

SPIVEY: Yes. So the NSEA has a collaborative, like, group of all of those organizations that I met. It's, like, seven organizations across the state. They all met to talk about LB440, now AM1587, around some of these changes that are represented here.

CLOUSE: OK. Was there any discussion about making it optional for teachers to fund it?

SPIVEY: For the teachers to pay in?

CLOUSE: For the teachers themselves, yeah.

SPIVEY: No. The feedback that was said is that they don't think teachers should have to pay for their own leave. If you look at other public agencies like police departments or even state employees, they are not paying into this type of paid FMLA. And so they felt strongly that teachers should not have to pay in and it shouldn't be optional.

CLOUSE: OK. Thank you. I have no more questions. Thank you.

SPIVEY: Thank--

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

CLEMENTS: Thank you, Mr. President. I, I didn't support this when the teachers did pay in, and now it's-- I'm more against it to have only the employer have to pay the 0.35%. The 0.35% works out to about \$9 million statewide of school contribution. They could be reducing their property tax asking \$9 million, but they're not going to be able to do that. And then if the retirement plan funding goes below 96%, full retirement contributions' going to have to be restored to-- I think it's 9.8% that the school puts in. And they would have to put in an additional 0.35%. It would put them over 10% of payroll. And that's the \$9 million. That would be a property tax increase from where they are now. And I said before, I'd say again, this needs to be negotiated between the schools and the teachers in their, in their teacher contracts, not mandated by the Legislature. The school should be allowed to negotiate, and also I've understood that many schools already do have accommodations for teachers that can give up a day of their leave for somebody else to use. So no matter the funding level the-- of the retirement plan, this is going to be \$9 million from

school funding. And I'd just like to let the schools and their employees negotiate rather than mandating this at the legislative level. Thank you, Mr. President.

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

SPIVEY: Thank you, Mr. President. Sorry, I'm having good conversations with colleagues off the mic as well. And so just wanted to finish a couple of my thoughts as reading that letter of what opposition was brought and how AM1587 addresses. And so there were conversations around, like, why can't this be collective bargained? And I know that some superintendents, depending on where you are-- and I, and I appreciate the senators that have come and let me know where their superintendents are. It puts who I think this bill is trying to support in a, in a predicament. So the superintendents are saying, teachers should not have to pay into this. We believe that they should have this benefit. And we negotiated this in good faith with the changes in retirement so that we can make sure that it is not becoming an unfunded mandate, that we can be fiscally responsible and responsive to what the school districts are covering. And we know that people are leaving the field because they are having to choose between having and navigating a personal experience or their jobs. And so if we're talking about that we need to retain teachers, we have all these open positions, and you see in other markets and industries folks are using paid FMLA as a way to stay competitive in the market for retaining their staff or their workforce. And it allows for people to have balance. Like, you need balance and harmony because you have a personal life outside of your work life. And so we listened to those concerns of the superintendents and we changed from having the 0.35% and the 0.35% for teachers and districts to 0.35% of the districts as-- with the questions from Senator Clouse. The, the-- as we negotiated LB440 and worked to put this bill together, we specifically had conversations and were watching the retirement bill because we knew that if districts paid less, there's an opportunity to leverage a small, nominal amount of those savings to pay for this program. And so as I mentioned in my opening, for a district that has a \$2.5 million salary obligation, the savings from the retirement packages average \$45,000. The cost of AM1587, based on when we looked at submitted and approved FMLA from previous years, is about \$8,700, which is a net savings of \$34,000. So it's not an unfunded mandate. We worked in conjunction in the conversation with, as I mentioned, the retirement package in this to ensure that this could be covered as well as meet the needs of that teacher or certified professional and to help to, to

retain and keep qualified teachers in the classroom. I would also remind folks that this bill covers the long-term substitute. So it's not like this bill is gonna say like, oh, everyone gets FMLA. They are specific life events. I passed out a handout previously-- I will get it and probably pass it out again because I know there's been a ton of papers that gets to everyone-- that shows what are those qualified events. You have 12 weeks unpaid if you qualify under FMLA now because it's a federal protection. So people are taking FMLA if they qualify. It is just unpaid, and that district is still having to cover that long-term substitute. And so this also makes a mechanism for that long-term substitute to be paid to support the districts. And so I think it's really important to think about the comprehensive nature of this bill because folks are taking FMLA anyway when they have that qualifying event, and this allows for them to do it and be covered so they don't have to choose between that life event and their job, and as well as provide support to the districts with covering that long-term substitute, which really creates continuity in the classroom. It allows for someone to be present, to still continue to educate our beautiful kids who are there ready to learn, and ensures that people have what they need. So again, I would ask for your green vote on AM1587. And I am happy to answer any questions on the mic or offline that you have about this bill.

KELLY: Thank you, Senator Spivey. Senator Murman, you're recognized to speak.

MURMAN: Thank you, Mr. Lieutenant Gover-- Governor. I just want-- make-- take this opportunity to give a refresher on what LB306 now is. It's the Education Committee bill, priority bill, which includes a number of changes requested by the state college system and community colleges, including allowing public-private partnerships to build new dormitories, modifications to the career scholarship system, and allow GEDs to be used for the Door to College Scholarship, which is a scholarship for students who are in the YRTC system. On General File, a number of other amendments were included in the bill, those being from Senator Andersen about reporting foreign money at the universities. This was a piece we worked hard on and worked alongside the university to ensure that it is not burdensome to the university. There was also an amendment from Senator Dover about improving financial reporting at our schools so the taxpayers can have a better understanding of what they are funding. While much of it's-- this information can be found online, it is done so in a way that can be confusing for taxpayers to really understand what they're looking at. I think a healthy part of good government is in an informed taxpayer,

so I'm happy to support an effort to do so. And there was also my piece which would ensure homeschool students still have access to extracurriculars. Much of this was simply cleanup language due to different schools coming up with different interpretations of the current state law. With LB306 as amended, homeschool families and schools will have much clearer rules. And I'm grateful to get this situation sorted out. And finally, as we are discovering now, there are some amendments posted today, so we'll-- we will debate those and hopefully advance LB306 on Final Reading. Thank you, Mr. Lieutenant Governor.

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

SORRENTINO: Thank you, Mr. President. I rise in opposition to AM1587. I sit on the Retirement Committee with Senator Clements. All the information that he gave you regarding the \$9 million immediately and the 9.8% contributions that will have to be made by the state if the fund were to reach lower levels is true. This is a huge expense, which is an unfunded expense. It's a property tax increase, pure and simple. Will Senator Spivey yield to a question?

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

SPIVEY: Yes.

SORRENTINO: Senator Spivey, in your bill, AM1587, Section 9-- I will not read it all in the interest of time. Special Education Teacher Forgivable Loan Program Act, et cetera, et cetera. Goes through information regarding attracting special ed teachers, funding that from other countries. This language is word-for-word identical in another amendment we'll be hearing from Senator Dungan, AM1604. I do not understand the duplicity of these amendments. Could you please explain that?

SPIVEY: Yes. So LB440, and as we passed over and then had the discussion again on General File, my bill was amended with LB408. And so I did not change what was amended as is. And so, Senator Dungan, you want to ask him why he filed for LB408 separately, you absolutely can. But this is representative of what LB440 has always been from the committee statement to when then it was pulled out separately. So that section ha-- was always a part of the bill as amended.

SORRENTINO: So are you suggesting that Senator Dungan's bill, AM1604, is incorrect?

SPIVEY: No. I'm suggesting you have to ask him why he has it filed separately.

SORRENTINO: Senator Dungan, will you lead to a question-- yield to a question? Excuse me.

KELLY: Senator Dungan, would you yield?

DUNGAN: Yes.

SORRENTINO: Could you please explain the duplicity between your bill and Senator Spivey's? Thank you.

DUNGAN: Why mine is filed as well as Senator Spivey's?

SORRENTINO: Yeah.

DUNGAN: So Senator Spivey's LB440, as I understand it, was ultimately amended to include my LB408 as a part of it. I, having talked to the Education Committee, having brought this bill now a couple of times and also having talked to colleagues and seeing the email that went out by the superintendents, my understanding is that my portion, the LB408, was generally agreed upon even by folks who disagreed with portions of what used to be LB440. So I went ahead and filed mine, providing people an opportunity to take a standalone vote on just the forgivable loan portion for the special ed teachers. In the event that Senator Spivey's amendment is adopted, mine would be no longer necessary and I'd pull it. But if hers is not adopted, I wanted people to have the chance to vote on my portion, which is the LB408, for the special education loans.

SORRENTINO: Senator, is that not two bites of the same apple?

DUNGAN: No, I don't think so.

SORRENTINO: Thank you. I have no further questions.

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

DOVER: Thank you, Mr. President. I just want to get up and speak in opposition and explain my vote. I've talked to Senator Spivey. And actually, actually, after talking to my school superintendents in my

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district, they asked me to vote against this. They said that in cases where one of their teachers-- someone may need something, they work very well with their teachers. And they take very good care of their teachers and do not think this is necessary. Thank you.

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

JACOBSON: Thank you, Mr. President. I think I believe I did-- I too voted against this bill the first time around. And now that the bill has gotten, in my mind, worse as a-- an even larger unfunded mandate, I will be voting no on the amendment. And if it gets through, I will vote no on the bill itself. We-- we've got to understand that property taxes are real and that people are sick of paying property taxes. So we can send more money to local governments to be able to reduce property taxes, particularly public schools, or we can cut expenses. But one thing we should not do is create new unfunded mandates that are benefits to anyone that are going to cost the taxpayers more. If the school board decides to do this, that's one thing. They can stand for their voters. But when this-- when the Legislature mandates that you will offer this-- and, oh, by the way, the taxpayers will pay for 100% of the benefit-- that's just wrong. OK? I don't-- how-- I don't care how you spin this. It's a large, unfunded mandate. We should vote red on AM1587. This is not the right direction to go. Thank you.

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

BALLARD: Thank you, Mr. President. Would Senator Spivey yield to a question?

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

SPIVEY: Yes.

BALLARD: Senator Spivey, we talked off the mic. Can you describe or kind of-- like, what this means for OPS in Omaha? Because as you know, they did not receive that reduction in their retirement plan because their funding level is not at that 96%. So what is-- would this be a increase for taxpayers for Omaha?

SPIVEY: I would not say an increase for taxpayers. It would-- of course, they would have to work within their, their budget on this. And we specifically-- I'm an Omaha senator-- reached out to the, the board, and they don't have an official stance. They don't oppose

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what's happening. And so they have not taken a, a position in that same way. And-- so there's not necessarily a point of view that they have represented that I could give to you now on that. But I would not say this is increase in taxpayers.

BALLARD: OK. I, I appreciate-- [INAUDIBLE] and do you kind of know what, what that would-- what the actual OPS cost would be? Would it--

SPIVEY: I can get it. We would have to base it on what they have budgeted for certified professionals and then look at, like, their FMLA. And so what-- how we got to the 0.35% and just the formula in general was looking at who across districts in, in the state of Nebraska submitted for FMLA, and then took some of the districts where we had that information based on their budget for certified teachers-- that, that line item. And so I can pull that for OPS. I might not be able to get it to you before debate ends, but I will try.

BALLARD: OK. I appreciate it. Thank you, Senator Spivey.

SPIVEY: Thank you.

BALLARD: And, and I just-- I do want to-- I, I think talking about the cost as well to this program, it is, it is a good portion. I, I did the same thing Senator Clements did. I took the retirement plan, what the-- what school districts were paying for their retirement plan and took 0.35% of that. But I think it's also important to no-- to note that this is only for teachers, and so that cost would be significantly less. It's still a good chunk of money, but I think it's around \$5 million because we're taking janitors, anyone that re-- that receives retirement from school districts out of that equation and it's just for educators. So it's 0.35% of probably half of that \$200 million that school districts put in for retirement. So thank you, Mr. President.

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

GUERECA: Good morning, colleagues. All right. Little civics lesson. Article VII, Section 1 of the Nebraska Constitution reads, the Legislature shall provide for the free instruction in the common schools of this state for all persons between the age of 5 and 21. Colleagues, we need teachers. I, I mean-- doesn't matter what school district it is. We need teachers. I would struggle to find a single one among you that has fully staffed schools in your district. We need

teachers, period. And the reality is that the newer generations, this is something that they're asking for. This is something that they asked for in state government. This is something that private industry has realized. That's why you see more and more extended paid sick leave, extended family leave, because that is what the market calls for. So all we're doing, colleagues, here is making sure that we're keeping up, keeping competitive because we have a constitutional duty to provide high-quality education. And I guarantee you, colleagues, when you knocked doors-- you heard about property taxes, of course, but you also heard about safe communities, about good schools. So this is 100% within that campaign promise that you made: to provide the good life for your constituents. So, yes, the reality is we live, again, in a capitalistic society. And we have a constitutional duty to provide that quality education for our constituents, for our citizens. And if we don't keep up with the times, we will lose high-quality individuals to private industry, to other political subdivisions. That's just the reality, folks. We, we could talk about-- this is, this is, this is a cost that needs to be incurred. This is something that needs to happen if we want to stay competitive. Because the reality is we're not competitive. We're losing high-quality individuals that want to do this job but are seeing low wages, are seeing an increased hostile work environment, are seeing reduced benefits. So we have a constitutional duty to make sure that statewide we're providing a high-quality education. And I'll struggle to find-- might be a small handful of folks saying, you know what? No, I don't want my schools to be good. I want my schools to be bad. I don't want high-quality individuals to come and teach in my schools. Let's get the worst of them. Again, folks, we have to stay competitive. We have to stay competitive to keep up with private industry. We have to stay competitive to keep up with other political subdivisions and frankly other states, because we are losing teachers to other states. We're losing teachers to Iowa and to Kansas. And if you wanna go home to your constituents and say, you know what? I wanna lose to Iowa and Kansas-- well, that's your prerogative, colleagues. So again, this is something that needs to be done. We need to keep recruiting high-quality people. Thank you, Mr. President.

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

ANDERSEN: Yeah. Thank you, Mr. President. One commentary on what Senator Guereca said about losing teachers to Iowa and Kansas. I don't think this is a one-dimensional issue. I think there's a lot of reasons why people are moving out of state. First and foremost,

property taxes and the exponential increase in property taxes are driving people of all different economies, all different specialties, and all demographics out of the state. So I wouldn't say this is the reason why, this is what we need to fix. It may be a contributor, but it is simply that. I'd like to know if Senator Spivey would answer-- yield to a couple questions.

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

SPIVEY: Yes.

ANDERSEN: Thank you, Senator Spivey. Do you have a fiscal note on this? I know that there may have been one before, but do you have an updated fiscal note as you made changes to this amendment?

SPIVEY: So the fiscal note would remain the same. The fiscal note is based on the Department of Education administering the program, which is about \$200,000. And so that money comes from the 0.35% payroll tax to cover it.

ANDERSEN: OK. So you're saying the total cost of this amendment would be \$200,000.

SPIVEY: For the fiscal note, yes.

ANDERSEN: Interesting. OK. In your Section 3, you've modified it. And I like where it says that the employer shall not deduct the amount remitted pursuant to this section from the wages of the covered employee, right? So that means they're not taking the money from the teachers anymore, as in previous renditions. So that kind of leads me to the question of, well, where does-- and maybe I've missed this in a different conversation, but where is that money coming from?

SPIVEY: So it's still coming from the districts. So as I said in my opening--

ANDERSEN: Is that property taxes?

SPIVEY: Well, it's from the district's budget. So in my opening, what I talked about was that specific senators had issues with teachers paying-- some superintendents had issues with teachers paying in for their own leave because other public agencies don't do that. And so we made that change to this amendment from the original LB440 based on feedback from folks in this body and some of the partners that are impacted.

ANDERSEN: OK. I'm sure you've been in constant communication with the districts and the school districts. When I did my, my thumbnail math, it came out to about \$4.8 million a year. So have you talked to all the districts or even a good portion of them, or those largest ones, and asked them to identify what their offsets are going to be? Are they going to lower superintendent pay or cut different programs or whatever to offset the \$4.8 million?

SPIVEY: So that, that math you talked about last time on the mic, that's when it was four weeks. This is now two weeks. So have you redone that for-- what your-- for your question for me?

ANDERSEN: OK. So based on--

SPIVEY: So this amendment is now two weeks, so ten days. And then that was-- and the 4.8 had both the 3.5 and the 3.5 from both the districts and the teachers, which would be the 0.7, which is now it's only 3.5. So it would be significantly less of the total budget for this just for your-- structure of your formula.

ANDERSEN: OK. So going from 14 days down to 10 days-- so that's basically reducing it by a third, right? [INAUDIBLE] following the same math, you say that-- OK. Now it's only \$3.5 million a year. Have they identified offsets for that? I mean, have those-- has that already been done?

SPIVEY: Can you clarify offsets for that? I'm not--

ANDERSEN: So if your--

SPIVEY: [INAUDIBLE] answer your question.

ANDERSEN: If we, if we approve this bill and the governor signs it, then the mandate goes to the school districts. And you said the school districts are going to fund it. So the school districts only have a certain amount of money, and their way of raising money is property taxes. So if this is something that's not already planned in their budget, that means they're going to have an additional bill of about \$3.5 million-- rough math-- \$3.5 million a year that they're going to figure out how to pay for it. So you either do one of two things: either you raise the levy and increase property taxes or you offset it by cutting other expenses, whether that's salaries or programs or whatever. So the question I have for you is, what, what discussions have you had with the school districts and how they're going to pay for this?

SPIVEY: So they can't spend outside of their levy-- like, of their levy cap, what they can do. And because the retirement contribution has gone down, that's where they have the money. So that's the savings that I talked about earlier. So for a district that has a 2.5 line item for salaries, they're saving \$45,000. They would-- this program would cost them \$8,700. So not every district is a \$3 million cost. I think you're talking about that as aggregate across the state. So that would still give the school districts a \$35,000 net savings. So the savings comes from the negotiations originally with LB645 and the retirement contribution.

ANDERSEN: Interesting. Thank you. I-- got another question, but my time is short, so I'll get back in the queue. Thank you, Senator Spivey. Mr. President, I yield my time.

KELLY: Thank you, Senators Andersen and Spivey. Senator Hughes, you're recognized to speak.

HUGHES: Thank you, Mr. Lieutenant Governor. And I rise to discuss the-- this amendment, which was originally LB440, I think, on this bill. And I would-- I just do want to give accolades to Senator Spivey-- Spivey that she has worked really hard on this and-- man. Multiple iterations of this bill from when we heard it in committee to, to where we're at today. And I realize now we're down to basically two weeks, ten days of that FMLA. So it goes into the bank. Every school district across the state will contribute to this bank. And then when and if a teacher-- or, when a teacher takes FMLA, the first ten days will be covered from the bank for that sub so that that teacher will remain-- getting paid their salary for those ten days. They then can go on with the rest of the time on FMLA, but it will potentially not be paid. And so if I may, I was gonna ask Senator Spivey a couple of questions. And I know people are bugging her over there, so.

KELLY: Senator Spivey, would you yield to questions?

SPIVEY: Yes.

HUGHES: Thank you, Senator Spivey. So I had a couple questions-- you know, people are texting me and stuff from school-- from different schools. Do you know-- has there been kind of the figures run out five, ten years? Because every year, sub pay increases. And of course, different districts are diff-- di-- different. I would assume, you know, a Lincoln, Omaha sub is probably getting a-- more money than a,

a rural potential sub. But do you know-- is this FMLA bank sustainable? Or ha-- have-- has there been numbers run out for five, ten years out that you know of?

SPIVEY: Yes. So we looked at an average of \$140 for a sub because of that range. And how we gauged the sustainability of the fund was based on the actuary report from retirement of the savings for those districts, and so what that looks like and if that contribution would change how would this impact this fund and then what districts would have to pay. And so based on that actuary report and the projected "not change," I guess, for having the districts to hit that kind of trigger and pay more, that this fund is sustainable. And we also originally ran the numbers for six weeks and then four weeks, and now this is two weeks. And so-- yeah. It's significantly less time that we are providing. And so based on that and the kind of formula, it will be sustainable.

HUGHES: OK. Thank you very much. I appreciate that. I just know some of the-- I, I represent a little bit more rural. I'm getting some feedback from the rural schools, a little concern with-- again, a, a feeling of-- whether it's valid or not-- of if they're paying in and subbed-- are typically more expensive in other areas that the-- that they feel like maybe some of that money is funding other districts. You know, you get the-- am I getting the full benefit? But there is some concern with rural districts, and I, I know that Senator Spivey is aware of that. But I really appreciate her time. And I know-- Senator Spivey new in this body, but I tell you what, she is someone that actually really works her bills, listens to feedback, goes back, works on the bill, makes changes, comes back. Very good at communication on her bills. So very much appreciate working with her on this. And thank you. And I yield the rest of my time.

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

STORER: Thank you, Mr. President. And good morning. I-- would Senator Spivey yield to a question?

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

SPIVEY: Yes.

STORER: Thank you, Senator Spivey. To follow up a little bit on the question earlier on the fiscal note, just, just for clarification, the fiscal note only reflects any cost to the state, correct?

SPIVEY: Yes. And there are sections of the fiscal note that talk about the fiscal impact to some of the partners that would be involved.

STORER: OK. That-- but there is no ability for our fiscal note here to actually reflect what this would cost the individual school districts.

SPIVEY: No. So that's the-- some of the formulas that we did with the average of FMLA that was taken and their savings as it relates to their actual line item for certified professional teachers.

STORER: OK. Thank you. And I, I wanted to clarify that for a variety of reasons. But one of the things that I have learned in my first, first session here is that the fiscal note is really not a reflection of the total cost to taxpayers across the state. It only reflects any, any cost specifically to the state budget. And so I too rise in opposition to AM1587 for the same reasons that you've heard from, from some others. This, this will result in an additional cost on those individual school districts, which primarily-- and, and in my district I can assure you that is almost all going to fall on the property taxpayers. When we reduced-- passed the bill and, and reduced the contribution to the state retirement-- which, again, I think was a very fiscally responsible thing to do because it was done in relationship to the health of that account, knowing that it was in really good shape. We didn't need to continue to fund it at the level we were funding it and still protect the, the retirement for the teachers. So the savings that, that school districts are going to have in a, a slightly reduced contribution should result in property tax relief. It should result in a lower tax ask to those districts. And I do get frustrated. I-- I've, I've seen it in all levels of government, that any time there's an extra dollar laying on the floor, instead of putting it in the piggy bank, we try to figure out a new way to spend it. And, and while I appreciate the intent of Senator Spivey here-- and, and I certainly don't disagree with Senator Guereca's statements that we struggle to keep our jobs-- our teacher jobs, filled. That is true. It's, it's not fair to say that this, this will solve it or that this is the primary reason for those challenges. There's a variety of reasons that we're having, having challenges con-- keeping those, those teacher positions filled. And I come from a family of teachers. I have teachers scattered throughout my family, niece, a, a sister-in-law. I myself actually have a teacher's degree. And what I

hear more and more from people who have served that-- in that career choice over the last 20 years is the frustration in the-- in being a teacher primarily for those people committed to that profession is the continued burden of more and more state mandates. And I understand that this isn't a mandate that's going to affect the, the curriculum specifically. But my point is whether it's, whether it's taxpayers, whether it's teachers, people in those professions, they're tired of the state continuing to force things on them, especially things that are, that are not being paid for from our budget. We're, we're mandating things be done whether it's curriculum based or, in this case, a, a fund. And we don't pay for it. That is an unfunded mandate. And so I am committed to continuing to find ways to reduce property taxes and take burden off of our property taxpayers' back. And so I cannot support AM1587. I yield the rest of my time. Thank you.

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

DeBOER: Thank you, Mr. President. I stand in support of Senator Spivey's motion and our teachers throughout the state. But the main reason I stood up really has nothing to do with the bill. And I am sorry to hijack this moment, but so many of us at the end of our time on the mic or at the end the time we're going to spend on the mic say, I yield my time. That is not what you're doing. So please don't say, I yield time. Just stop talking or say, thank you, Mr. President or Madam President. Don't say, I yield time. Because if you're yielding time, that assumes that you're yielding it to someone else. I'm not talking about anyone in particular. I'm sorry. I got in the queue a while ago. So if you think this is about you, it probably isn't. I'm just saying don't say, I yield my time, or I yield my time to the chair, or any of that. Just say, thank you, Mr. President. I'm sorry to hijack the bill that we're talking about, but it's been bugging me for a while. When you're sitting up in the chair, if you hear, I yield my time, sometimes it's loud, and so you can't-- you're like, who are you yielding it to? And it's confusing. Please just say thank you. I'm sorry. Rant over. Would anyone like my time? Then thank you, Mr. President.

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

CONRAD: Thank you, Mr. President. And good morning, colleagues. Thank you as always for the pro-tip from my friend, Senator DeBoer, who is fantastic on the rules and the nuances of debate protocol. But I rise

in support of my friend, Senator Spivey's, amendment, and in some ways, it's reluctantly, because I am deeply disappointed that this measure has been continually whittled down from where it started. And where it started was a modest but meaningful leave program for, for teachers. And it matters for a lot of different reasons. We have heard-- and I can tell you this as a member of the Education Committee now for three years. In hearing after hearing after hearing from all stakeholders in education, we have a teacher shortage in Nebraska. We have hundreds-- over 700 vacant spots on the front lines of our classrooms. And when those positions are not filled, that means bigger class sizes. That means less individualized instruction. That means less learning opportunities. That means more pressure on other teachers. And we have to take an all-hands-on-deck approach to addressing that. Thanks to the leadership of my friend, Senator Linehan, we worked together to try and figure out how to address that through stipends and bonuses for teacher recruitment and retention. And we put in place successful programs to do that, but that wasn't enough. Yes, we're making a dent on that, that vacancy, but we, we still have a lot of work to do. And here's the other piece: teachers have told us at the committee level and in their advocacy and organizing that the-- and this mirrors what we heard on the Education Committee as well-- is those first few years in service to our kids and in service to public education, those are the most tenuous in terms of when we lose quality teachers, because people are excited. They're coming out of school. They have a ton of energy. They're excited to start teaching. But then they're also getting married and starting a family. And when they become pregnant and have no adequate leave to ha-- ensure a healthy pregnancy and a healthy family, they decide because of the low wages and the lack of robust benefits that they don't return to the classroom and that it's cheaper and better for their family to actually stay at home because day care's too expensive. So we know that if we can provide a cushion, additional support during those critical first few years, or if somebody has an illness through no fault of their own, that they need additional safety-- a safety net for and-- so that we don't lose them from the profession but we figure out a way to help them hold on so that they can come back. Or people who are dealing with an aging loved one that they have to care for, or a spouse, or a parent. And again, if we can help them through that hard time instead of losing them all together, that's critical for retention. That saves everybody, everybody money. Any employer will tell you one of their most significant costs in addition to just general payroll is recruitment and retention, that it costs a lot of money to find employees, to train employees. So if we

can already-- if we can hold on to talented, passionate people who already have the training, who already have the dedication with just a little support or a safety net, it actually benefits the bottom line. It benefits taxpayers. It benefits the teacher. And it benefits the kids with better learning outcomes. So this is a very, very modest program that, that does provide at least a nod to real issues in recruitment and retention of teachers, which we have significant vacancy problems for. That is undeniable. And I have a-- I'm probably going to run out of time here, Mr. President, so I'll punch in again. But I want to talk as well about the dollars and cents of this proposal and how this shakes out in school budgets, because I think there's been some misinformation. Thank you, Mr. President.

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

JUAREZ: Good morning, everyone. Good morning to those of you watching online and on TV. I just wanted to get up for a few minutes to say that I, I feel like people aren't really understanding about the funding aspect with this new benefit package that is being submitted for the teachers. And there's going to be the savings on the retirement side because when the funds are at a good return, then the contributions will be reduced. And I, I thi-- I feel like everybody's forgetting about the reality of the decision we made on the retirement side, that that's where it's going to provide the funds to provide this benefit to the teachers. I mean-- believe me, teachers want to have good benefits. And teachers reached out to me who could have used this benefit in health circumstances that they had or that-- an incident that happened in their family if it wasn't them personally to be able to use this type of leave. And as I've stated in the past, when I was a federal employee, I had this benefit. I used it. And I was very appreciative that we were offered that as employees. And, you know, very much so teachers would like to be able to have a benefit that you pro-- you get in the private sector. You know, it's like you come and work in, in the public system and you get ignored, you don't get treated the same, yet every day you're going and working so hard to teach our students, to educate the folks that we want to come here someday, right? Maybe one day one of their students will be sitting in my spot. And I don't think that we should be disregarding this professional group. I am very much for giving them enhanced benefits to help on retaining teachers, to help on at-- attracting teachers to our school systems. And, you know-- I also will say, take a look at your budget. Take a look at what you can cut back on. I'm sure that you'll find something if you find that this is a challenge yet for

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate May 29, 2025
Rough Draft

your district's budget. Take a look at where you can make more sacrifices so that you can have these benefits for your teachers. Thank you.

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

LONOWSKI: Thank you, Mr. President. A lots-- a lot of work's been done on this bill and a lot of things have been said. I'm going to keep this short. I'm reading a text from an administrator from my district that I just received about five minutes ago. AM1587 is something that should be left up to each individual district to provide. In our school, we already provide 30 days of maternity/paternity leave. We also have a sick bank-- a sick leave bank available for other types of FMLA leaves. As currently written, we would have to look at renegotiating this benefit, as this would stretch it out to more than 40 days. We would rather give the money to our local teacher directly, pay, rather than to, to a fund that benefits teachers in other districts. As currently written, we would need nine FMLA leaves per year just to break even with our contributions. Just my two cents, he says. Thank you. Thank you for the time.

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

CONRAD: Thank you, Mr. President. And thank you, colleagues. So I wanted to talk about a few additional things here. So this is a leave program that many, for example, law enforcement agencies have in place across Nebraska as well. And we can see how successful programs structured just like this have worked for our dedicated public service-minded folks that are in law enforcement. So this isn't just some sort of special benefit just for teachers, but it's part of modernizing an approach to ensure that we're meeting employees' needs amid a workforce crisis and challenge so that they can stay in the workforce instead of being lost and key positions going unfilled on the front lines of either law enforcement or education or other critical areas in our economy and in our society. The other thing that I think is important to remember: if you already have good programs in place, then why do you care? Why are you fighting against uniformity for other districts that are not doing the right thing or stepping forward? Additionally, we have made a commitment this year-- some aspects of which I disagreed with-- but we raided teacher retirement to balance the budget. And as part of that effort, there were promises and commitments made that we would be able to address and establish

this kind of program for teachers. So you've already raided the retirement to balance the budget. And now you're fighting against this piece to ensure that teachers do come out with net win this session. I also am very troubled by the sentiment that-- leave this up to the superintendents; we'll take care of this out of the goodness of our own hearts. No doubt superintendents have tough jobs and do good work, but don't forget for one second what we've already talked about: superintendents in Nebraska are highly overpaid compared to peers here and across the country. Look no further than the discussion we've had at Education Committee or that Auditor Foley has published. And I find it incredibly offensive that some of the most highly paid public officials in education work diligently to protect their own pay and compensation yet deny modest but meaningful leave for their own teachers on the front lines. And I think that political statement is disappointing and infuriating. I also want to mention a few other things about the dollars and cents and how this works out to be actually a win for districts balancing their budgets on the backs of teachers. So there's instances that have been reported wherein teachers who have a cancer diagnosis or are working through an organ transplant are getting docked hundreds of dollars in their paycheck for leave. But it only costs the district \$100, \$150 to bring in a sub. So the difference between what they're getting docked and what this district is expending goes to pad the district's bottom line-- again, at the expense of teachers without programs like this. We heard the same thing about how districts budget for full-time for paraprofessionals, but then they pocket the money and don't pay the paras on snow days. And that sends paras' budgets into a spiral. So the schools have hard and important jobs. You will not find a bigger supporter of public education than me. But do not be misled that teachers are not balancing the budget in these districts and providing the expertise and energy to educate our kids at the same time. A small benefit goes a long way. And it is affordable. It is modeled after existing programs that work for law enforcement in Nebraska. And this should be a no-brainer. Thank you, Mr. President.

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

HANSEN: Thank you, Mr. President. Gonna use this platform just for a, for a minute here to talk about-- I know the conversation right now is on primarily-- I don't wanna say teacher pay, but I think it's been some of the conversation we've had here on the floor, but-- which is primarily I think what we focus on as a legislator-- Legislature: if we just pay teachers more, we're gonna have more teachers and they're

gonna stay. I think that's a factor. I'm not gonna deny that. But one of the things I wanna bring up-- and this is what I hear from many teachers that, that have-- as, as friends or as patients or, you know, you know, my constituents on maybe some other reasons on why teachers-- we can't get enough teachers in the state of Nebraska. And so I just wanna highlight a few of these and see-- maybe as we kind of create legislation, we can think of these in the future or help encourage our administrators or our teachers in some of these other factors. And so this-- I just saw this interesting article about maybe one of the eight reasons-- top reasons teachers quit. And this is one of the-- the factors that I typically hear about as well from teachers. One of the-- one of the-- one of the main ones is limited career vision or growth. Sometimes teachers feel stuck. It's difficult enough to plan for tomorrow let alone next year or the next five to ten years down the road. But teachers, like any other profession, want to grow their careers. And this primarily talks about sometimes the interaction between administrators and teachers. Dr. Eliz-- Elizabeth Dubberly, a dual language academic support specialist in Georgia, said, career planning should start in in-- in the interview conversations before a teacher even takes a job with a particular school. And so sometimes these internal conversations about, you know, the workings of the school between administrators and teachers is maybe a lot of times why teachers are leaving the profession early or not getting into the profession at all. Number two, student behavior. I know we've had legislation here in the past, you know, talking about student behavior, how we can-- you know, what we can do on our end as legislators to control that. Most teachers, 68%, say they've been verbally abused by their students. Four in ten teachers say a student has been physically violent towards them. And one in ten say it happens at least a few times a month. This data from a 2-- 2024 Pew Research Center survey shows that the severity of what teachers are facing in the classroom-- and this is primarily one of the main things I hear about from the teachers that I, that I represent-- teachers also reported issues with students showing little to no interest in learning, 47%. Being distracted by cell phones-- thank you, Senator Sanders for your bill. That's 33%. Getting up and walking around when they're not supposed to, 21%. Being disrespectful towards teachers, 21%. Another reason: number three, insufficient administrative support. They're talking about maybe-- again, that interaction with, with administrators. Think about the last few conversations you had with a teacher. Were you thanking them for their hard work, congratulating them on progress with their students on how they handled a difficult conversation with a parent? Or were you reminding

them the dress code requires a button-up shirt and questioning whether a recent lesson was tied strongly enough to state standards? Number four, minimal cooperation from parents. I think this is a growing concern among teachers. Now, I don't know how we legislate this-- this is more of a societal thing, possibly. The, the same Pew survey showed teachers struggling with the support, or lack thereof, they're getting from parents. Teachers said parents do little when it comes to holding their children accountable for misbehavior at school, 79%; helping their children with schoolwork, 68%; ensuring their child attends school, 63%. Julie Alm, a director-- Preparation for Noble Education Initiative said teachers face parents' or community members' bullying or trying to control the classroom. Empower your teachers to be decision-makers, she said. Support the initiatives they're interested in and make sure they know you're in their corner. Poor communication. Poor communication and a lack of transparency are among the top reasons teachers quit, said Dr. Eddie Johns, an instructor and graduate who did his dissertation on teaching recruitment and retention. Whenever possible, Johns said, administrators should include teachers in the decision-making process. Teachers have great ideas and they're highly invested in the school's success, so they're going to come up with new and creative solutions. Number six, unrealistic expectations. I thought this was kind of an interesting one. Teachers are expected to be therapists, social workers, cheerleaders, and disciplinaries-- disciplinarians. It's too much, and it can lead to stress and burnout. Number seven, lack of control. Teachers come with so many rules, state mandates, federal mandates, policies and procedures at the local level. Sometimes it gets to the point where teachers don't feel like they have any control over their own classroom, and that can push them out the door. And number eight, low pay, another one we talk about. So I know we're talking about what incentives we can give teachers maybe on the pay front, but I think-- I don't know how we can legislate some of this stuff, but maybe we can bring this into the conversation when we're talking about how-- what we can do to support our teachers now and in the future. So I just want to touch on that a little bit and then-- maybe that's something we can kind of think about in the future and what we could do to support that. So with that, I will yield my time.

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

M. CAVANAUGH: Thank you, Mr. President. That was a very aggressive yielding of time. You wanted to yield it before it turned red? It turned red as you yielded, so. Good, good job, Senator Hansen. I rise

in support of AM1587. It is 10:25. We've been on this amendment I think for a little over an hour. And I find it intriguing because this was initially a part of this package, and there was an amendment to take it out of the package on General File that failed. And we had debate on this already. And Senator Spivey is bringing it back, reducing it even further than it was in the package that didn't have the votes to take it out to begin with. So I-- I'm, I'm intrigued by the fact that there are still questions around Senator Spivey's amendment. I would like to note that we offer this sick leave, this mandate of paid leave, to firefighters and police officers, and, and that goes to the taxpayer as well. And so I'm not sure why teachers are not deserving of this when we entrust our most valuable resource with them every day. I think that-- I'm not suggesting that we don't support firefighters and police officers. They also provide essential services. It is an essential service to care for and educate our children. And-- there are-- Senator Hansen mentioned a lot of things that are hard on teachers and teacher retention, but the number one thing that teachers say they want and need is pay and leave. So let's pay them and give them the opportunity to have children themselves, care for aging parents, have surgery if needed, get cancer treatment if needed. Let's do that. Let's treat our teachers like human beings and take care of them, because they are taking care of our children. And they deserve better. So I just stand today in support of Senator Spivey's amendment. This has been a wildly disappointing session. And the continued resistance to do anything positive for the working people of Nebraska is eternally frustrating. It shouldn't even be a concern at all. We should be saying yes. This is our priority. Absolutely this our priority. And when you say that the number one reason that people are leaving the state is property taxes, where are you getting that information? Where is that data? Because I don't have people tell me that they're leaving the state for property taxes. I have had people tell me that they're moving out of state-- they have actually moved. People who have moved said that they moved because of limited access to reproductive health. I have people tell me that they moved because of the nanny state of education and library books. I've tell-- had people tell me that they've moved because the Legislature has enacted legislation that has directly harmed their children. That's what I've had. OK. Get back in the queue since-- why not? That's why I've had people move. So when Senator Andersen gets on the mic and says that the number one reason people are moving is property taxes-- or Senator Jacobson, I think, has said that as well in the past-- I want to see that data. Because genuinely, if that is the case, then let's look at that and let's talk about it. But just

getting on the microphone and anecdotally saying that this is the most important thing isn't a reality. I think that property taxes are really important. I think that the cost is really important to Nebraskans. But when you ask Nebraskans if they are OK with cutting funding to education for property tax relief, it is a resounding no. We have great public education in Nebraska.

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

M. CAVANAUGH: Thank you, Mr. President. We have great public education in Nebraska because of the investments that we make. We haven't made the investment until recently at the state level, but we have made the investment at the local level. And because we make the investment at the local level and not the state level, our property taxes are high. But our public schools are excellent. And people in Nebraska want good public education, as is clear by the fact that they continue to support public education. So people in my district aren't telling me when they move out of my district and out of the state that they're moving because of their property taxes. I don't know if I've ever been told that. I have been told, I am moving because I'm afraid that I'm going to die if I get pregnant here and I have a miscarriage and I can't get the health care that I need. I've had people tell me that. I've had people tell that they are leaving because we enacted legislation that means that their child cannot get the health care access that they need. I've had people tell me that. I have never had somebody say property taxes. I am not saying that, that-- not an issue. But the number one reason that people are leaving the state is property taxes? I'd like to see the data on that. And the number one reason people don't move into the state is property taxes? I'd like to see the data on that. Because I also hear from people that they got a job offer-- I have a lot of family and friends in Chicago. They got a job offer here. No way am I moving to Nebraska, because of-- not property taxes. It's because of our Legislature and things that we do in this room that deter people from moving to this state, that deter companies from moving to this state. It's not property taxes. That's what I hear. And since we apparently legislate purely on the anecdotal, I'm not hearing property taxes. So if there's data that says that property taxes are the number one reason that people are leaving the state, then share that. And if there isn't data, then put your money where your mouth is and support education and support our educators. You support-- if they're a firefighter or they're a police officer or a veteran, you are all in. Whatever the cost, whatever the stakes, you're all in. But teachers for some reason are not held in the same esteem even though they protect our most precious resource:

our children. Don't they deserve to be treated with a little bit more respect and a little bit more dignity? I feel like they do. Well, I appreciate Senator Spivey for continuing to try to do this. I don't know what the intention is behind saying two bites of the apple, because people here are continually trying different avenues to get things attached and move forward. Senator Lippincott is bringing forward his amendment. Senator Hallstrom has brought his amendment on multiple bills for the testing. It's not, it's not uncommon. And, and the use of the word duplicitive-- duplicative? Duplicitive. Duplicitous. Duplicative. Duplicative is a word. That's not the word that was being used. Duplicitous was the word was being used. Duplicative would have been more appropriate. Duplicitous implies ill intent. Bringing this amendment and Senator Dungan's amendment is not duplicitive. It might be duplicative, but it is certainly not duplicitive. And those semantics do matter. Thank you, Mr. President. Oh, wait. I yield my time.

KELLY: Thank you, Senator Cavanaugh. Senator Spivey, you're recognized to close.

SPIVEY: Thank you, Mr. President. I can say before I start my close that Senator Hansen is actually the person that told me many weeks ago when I said I yield my time, he came up very intentionally, with a lot of care and said, don't say that. You don't need to say that. And so I appreciate some of the banter around our processes and cultural norms here. So colleagues, I again rise in support of my AM1587 and hope that I can get your green vote to ensure that teachers do not have to choose between a significant life event and their jobs. There's been lots of conversation this morning, which I appreciate, and lots of conversation between this being in committee for a pretty long time, it coming out to the floor as part of the Education package, is that unraveled and is now kind of the process of people putting amendments up of their bills a part of that package. I have worked with my partners, and myself have reached out to folks to just get an understanding of the opposition. What are your concerns and how can we address it? And so while this was going to be heard on General, you would have seen these same changes in amendments at General File because I think it's important to try to put forth something that is a compromise and really creates a comprehensive view of everyone's perspective across the state, not just for the areas that I represent. Teachers are some of-- I would say one of the most important assets that we have in this state. Senator Hansen got up and talked about all of the things that are coming in front of teachers. And we talked about how we grow our state, the future of our workforce, our economy.

Education is an integral piece of that. Without strong public education, you will not see a strong economy. You will not see a strong workforce. These children are our future leaders. They're going to be the folks that are in these seats. And so it's important to say and ensure that the people that are educating them, the people that are creating that strong, quality learning environment also have what they need and that they do not have to choose between a significant life event and their job. FMLA coverage, which is a federal protection for 12 weeks, is not taken because you have a cold. It's not taken because you're going on a trip to Europe and to backpack. It's taken because you've had a baby and you need time off to be a new parent and usher in this new life into this world. It's taken because you have cancer. It's taken because your partner has an illness and you need to be there as their caregiver. It is significant life events that make a, a huge difference whether someone stays in the workforce or not. And right now, this is another reason why teachers are leaving. As stated earlier, other public agencies and institutions have paid FMLA. In Kearney, I know the police department does. Our state employees have paid leave. So why not teachers? Why do teachers who are on the front lines educating our children cannot have ten days of paid time off so they are not ex-- exhausting their PTO and their sick banks that may or may not be there? I read a story earlier-- a testimony from the hearing from a teacher who had a baby whose child went into NICU who was docked \$2,000 from their paycheck because there was not enough sick bank that could have been allocated to them and they had to take time off. And they exhausted their PTO and leave because their child was in the intensive care unit. These, these are the things that are in front of our teachers. So again, there are significant health and life events that they need time off on and that this would allow for the teachers to stay in their field because they're having a little bit of support. The original bill was negotiated down from six weeks to now at two weeks. We heard opposition from superintendents that teachers should not pay. And now that we've changed that, there's more opposition of, wait-- oh, wait. Now it's just districts. And this is why we cannot collective-bargain this, because superintendents are not playing fair and they're changing their minds when we have made every accommodation to hear their concerns. So I ask you today, colleagues, to stand up for teachers to say that we see you and we want you to stay in the profession and we understand that there are things in your life that you cannot con-- control or account for and we're here to support you. Because at the end of the day, it makes a difference for the people that we say that we wanna protect, which are

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our children. So I ask for your green vote on AM1587. Thank you, Mr. President.

KELLY: Thank you, Senator Spivey. Senator Andersen would like to recognize some guests under the south balcony: Sarpy County Commissioner Jim Warren from Gretna and his grandchildren, Addy and Andrew Crowe. Please stand and be recognized by the Nebraska Legislature. Members, the question is the adoption of AM1587. 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.

CLERK: 34 ayes, 5 nays to place the house under call.

KELLY: The house is under call. Senators, please record your presence. Those unexcused senators outside the Chamber, please return and record your presence. All unauthorized personnel, please leave the floor. The house is under call. Senator Dover, please return to the Chamber and record your presence. The house is under call. All unexcused members are present. Members, the vote was underway on the adoption of A-- AM1587. 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 voting yes. Senator Bosn voting no. Senator Bostar voting yes. Senator Brandt voting no. Senator John Cavanaugh voting yes. Senator Machaela Cavanaugh voting yes. Senator Clements voting no. Senator Clouse voting no. Senator Conrad voting yes. Senator DeBoer voting yes. Senator DeKay voting no. Senator Dorn not voting. Senator Dover not voting. Senator Dungan voting yes. Senator Fredrickson voting yes. Senator Guereca voting yes. Senator Hallstrom voting no. Senator Hansen voting no. Senator Hardin voting no. Senator Holdcroft voting no. Senator Hughes not voting. Senator Hunt voting yes. Senator Ibach voting no. Senator Jacobson voting no. Senator Juarez voting yes. Senator Kauth voting no. Senator Lippincott voting no. Senator Lippincott voting no. Senator McKeon voting no. Senator McKinney. Senator Meyer voting no. Senator Moser voting no. Senator Murman voting yes. Senator Prokop voting yes. Senator Quick voting yes. Senator Raybould voting yes. Senator Riepe voting no. Senator Rountree voting yes. Senator Sanders voting no. Senator Sorrentino voting no. Senator Spivey voting yes. Senator Storer voting no. Senator Storm voting no. Senator Strommen not voting. Senator von Gillern voting no. Senator Wordekemper not

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voting. Vote is 17 ayes, 25 nays on adoption of the amendment, Mr. President.

KELLY: The amendment is not adopted. I raise the call. Mr. Clerk.

CLERK: Mr. President, Senator Dungan would move to amend with AM1604.

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

DUNGAN: Thank you, Mr. President. Colleagues, I brought this amendment for a couple of different reasons, and I just want to give you some background as to what the bill is or what the amendment does and then talk about the process of how we got here. So AM1604 is, for all intents and purposes, my LB408. And LB408 is a bill that I brought two years ago, tried to get passed last year as well, and then this is my third year bringing it. So it's something we've been working on for quite some time. The first year that I brought it, it actually got worked into an Education package and made it out of the committee unanimously, but unfortunately it was cut out, I believe, on Select File. This year, same thing happened. It got out of committee, I believe-- well, I don't know if it came out unanimously with the vote into the package, but it ultimately got included into LB306 in its original form as a part of Senator Spivey's bill with regards to the pay-for, and I'll talk about that more in a minute. I was not originally a part of those conversations when it got included, but what I found interesting was that when I talk with folks across the entire spectrum, my LB408 was one of the few bills that I think was agreed upon by pretty much everybody that we talked to. What this bill does is it creates forgivable loans for folks who are seeking endorsements or certifications in special education. So what we know is that here in Nebraska we have a crisis of teachers. We know there is not enough teaching-- teachers in the pipeline to fill the positions that folks are retiring from. But even more acute and necessary to do now is to get people into the special education field. My friends who were on the Education Committee can probably speak in a little bit more detail to the interim study that happened when there literally wasn't enough-- there weren't enough edu-- special education teachers for OPS to fill all of the jobs. And so we started putting our heads together a couple years ago to try to figure out what we could do to encourage more people to get into the field of teaching, special education specifically. As those who are in the world know, if you work in the developmental disabilities community, the DD community, it's a very niche area that requires special training and people who are really committed to the work. But it's difficult, and

it's a difficult job, and so we're seeing not enough students going into the special education realm. So we looked at what other programs exist in the state of Nebraska to encourage folks to both go to college and get certain qualifications but also stay in Nebraska and not just get a degree here and then leave to go elsewhere. Being on the Revenue Committee, I've had the opportunity to see Senator Bostar's really hard work on the first responder recruitment and retention efforts which focus on providing various first responders, like police officers and firefighters and others, with the opportunity to have the ability to go to college or have their kids go to college specifically if their children stay in the state of Nebraska for up to five years afterwards, because we want to make we're not just getting people through university but we're keeping them in the state of Nebraska to grow our workforce. So I worked with a couple of folks specifically talking with the Nebraska Department of Education in crafting LB408 to create a program that we believed would actually incentivize folks to go into special education but then also require them to continue working in that field in order to actually have their loan forgiven in its entirety. So obviously, this was a big undertaking, and it took quite some time. Ultimately, what we landed on was creating a pilot program where we limit the number of individuals that are eligible for these forgivable loans to 25 per educational institution-- postsecondary educational institution in Nebraska, specifically the state colleges and the universities. We did this because obviously there's not gonna be 25 at every single one. It's gonna be actually much less than that. But we didn't want, for example, just the University of Nebraska-Lincoln to soak up all of the opportunities for this loan forgiveness and not allow there to be folks in central and western Nebraska who could also benefit. So the limits in place were put there in order to ensure geographic equity to make sure that our friends across the entire state have the ability to get involved in special education and then ultimately stay in the field for hopefully a long time but at least a long enough period of time to be able to pay off those student loans and have them forgiven. So the way the program works is if you are in college and you are seeking a certification in special education, you can apply for this forgivable loan program. What is requisite-- what you have to do before you can apply for that program is you have to have exhausted all of your other payment opportunities through grants or scholarships. So this is not the first stop along the way of asking for financial aid and financial assistance if you can't pay it. This is the last stop, which essentially backfills the small amount that you're not able to pay for if you yourself can't pay for it or if

other grants and scholarships are unable to pay for it. Upon graduating, you have to within one year get a job in special education in the state of Nebraska. Then if you've been receiving that loan for five years as you sought your education, it's forgiven at an amount of 20% annually in order to-- if you've worked five years, have the entire thing paid off. If you don't work for the entire five years, whatever is left at the end that has not been forgiven, you are on the hook to pay back to the Department of Education. In the event that you've been receiving a loan for less than five years, the way the program works is you get it-- essentially, you get the loan forgiven at a rate of however much you got per year for each year that you are working in special education. So the whole intention behind this bill is recruitment but then also retention and trying to keep people in the state of Nebraska. At the hearing we had this year, there was no opposition. The fiscal note I know some people might be concerned about. It's very small. But any time there is a fiscal note, people are curious about it. We've amended the bill as it pertains to AM1604 to not remove any money from the general funds, but instead the money is going to be coming out of the Education Future Fund. One of the core purposes of the Education Future Fund that was stated when it was created was for teacher recruitment and retention. The estimates I think range between anywhere between \$140,000 to \$250,000 at full usage for an institution. It's not going to be anywhere near that, especially not for the first few years. So we are talking about pennies coming out of the Education Future Fund. I talked to Fiscal this morning. My understanding is the Education Future Fund is sitting at somewhere between \$740 million to \$750 million with an annual-- money that we put back into it at about \$242 million. So I understand the Education Future Fund goes to a lot of different things. It is in a healthy state as of right now. And my understanding is money-- more money is going to be going into that. This loan program-- forgivable loan program takes a very, very, very small amount out of that. So it really is pennies on the dollar with regards to cost. It has a \$0 General Fund impact. And it solves a problem that, quite frankly, people are begging for. So my thought with leaving this amendment up was that it sort of offers us a kumbaya moment to get together on a bill that did not have any opposition, that this body has supported in the past moving forward. I know there was a letter from superintendents that went around with regards to Senator Spivey's first version of LB440. I want to be very clear: this is very separate and apart from that. The superintendents in their email said they supported LB408. They said that part was a good idea because they need more special education teachers. I've spoken with some folks out in

the Rotunda. My understanding, again, is that there's no opposition to LB408. I worked very closely with the Department of Education on this bill. They helped craft the language. This language has been vetted multiple times. So this just provides us an opportunity, colleagues, to add this into the Education package with an effort and desire to try to put things in there that help all of Nebraska and that are, frankly, not really contentious, so. Asking for your green vote on AM1604. Thank you, Mr. President.

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

CONRAD: Thank you, Mr. President. Good morning, colleagues. I rise in support of the amendment from my friend, Senator Dungan. I want to add just a few, quick additional points, so. In regards to the last vote, it's very striking to me that we heard a lot this session, including last night, from legislators who talked about how they want to stand with and support women, yet we know that there are about 30,000 teachers in Nebraska-- about 80%, 85% thereof-- who are women. And the majority of this body just turned their back on them, so that speaks for itself. The other piece that I want to lift up in regards to this amendment-- and I want to give my friend, Senator Murman, chair of the committee, a shout-out on this-- is that no one fights harder in the Education Committee for special education than Senator Murman, and a lot of people outside of this body might not know that. And he brings the heart of a parent and the experience as a former school board member in being a strong advocate for improving special education. And I admire his leadership on that, and I am grateful for it. This Legislature has a really proud history of coming together despite our sharp and sincere differences when we can do something to help those with special needs, when we can do something to help who cannot help themselves. And doing all that we can to support and strengthen special education should be one of those moments to continue that tradition. So we know from the 2023-24 report there was about 900 teaching positions vacant. Some of the work that we did helped to cut that over the last biennium. We know from '24-25 report there's still about 700 open positions-- little less than 700 open positions. And the most acute areas in terms of teacher vacancy are in special education, and then elementary ed, early childhood, school psychologists, and counselors followed thereafter. We know from the research, we know from the data, we know from the hearings. The reason we have teacher vacancies and special education vacancies is low pay, unsupportive administrations, parent and tea-- parent and kid behavior issues, a hostile political climate, by the way, and we don't have a

pipeline. So doing things like building apprenticeship programs, doing things like the Para to Teacher Program, doing things like having scholarship programs in place to recruit and retain talented, caring people that are going to be on the front lines of special education makes a difference. This amendment and this program will not solve the gravity of the issue, but it does move us in the right direction, and that is important. Senator Dungan's exactly right. It was well-publicized-- and Senator Murman, to his credit, quickly pulled together special interim study hearings when a shocking example out of Omaha emanated in the last biennium. A few days before school was set to start, parents in north Omaha received communication: if their kid had special learning needs, they either had to waive services or move schools. And it was due to a lack of special education teachers. Imagine the spiral that sends a family into to try and all of a sudden figure out what to do for your kid, the coercion and pressure that you're in at that moment to decide whether or not you can make alternative arrangements or if you have to waive services for your kid who has special learning needs. So that really extreme example was another good example of how the Education Committee came together to address that issue, give voice, and seek solutions. Building the pipeline of special education teachers is something we can and should continue to work on together. And I thank Senator Dungan for bringing this forward. And I add continued gratitude to my friend, Senator Murman, for his leadership on strengthening special education in Nebraska. Thank you, Mr. President.

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

ANDERSEN: Thank you, Mr. President. I'd like to know if Senator Dungan would yield to some questions.

KELLY: Senator Dungan, would you yield?

DUNGAN: Yes.

ANDERSEN: Thank you, Senator Dungan. Couple questions for you. Do you have a fiscal note on this?

DUNGAN: There was a fiscal note on the original LB440, yes.

ANDERSEN: Do you know what that was?

DUNGAN: Yes. I mentioned it briefly in the opening. So they have to make some estimates on this. Essentially, what they're, they're

guesstimating is that it could be anywhere between \$144,000 to \$250,000 per institution that were to use this if there was max utilization. They're not anticipating there would be max utilization, but it's-- yeah-- very small, between \$100,000 to \$250,000. But this amendment specifically makes sure that money comes out of the Education Future Fund instead of the General Fund. So there'd be no General Fund impact. So it shouldn't need an A bill or any kind of General Fund or green sheet impact at that point.

ANDERSEN: OK. You mentioned a number of institutions. That's a great segue because I had the same question. Do you have an estimate on how many institutions would participate and would be looking to get funds?

DUNGAN: I don't off the top of my head know how many offer special education certifications, but we're specifically talking about the state colleges and the universities.

ANDERSEN: OK. Because I was looking at the \$15,000 a year grant.

DUNGAN: I'm being showed six over here would be how many institutions it, it could apply to. But again, I don't know how many of them actually offer the special education certifications.

ANDERSEN: OK. So bar napkin math, I'm figuring \$15,000 a year in a grant times 25 per institution if they max out in six institutions. Barroom math is somewhere around \$1.8, \$1.9 million a year. Does that sound about right?

DUNGAN: I--

ANDERSEN: Not to quote you, but.

DUNGAN: I-- I'm a lawyer because I didn't have to do math in law school, so I'm not great at math. I don't know what the ultimate would be, but I trust your math on that, yeah.

ANDERSEN: Well, I'm not a lawyer either, and I'm silly enough to do math in public, so what does that tell you? Couple of questions on-- like on page 3, line 29. It ha-- talks about the [INAUDIBLE] qualifications. It says, Arrival-Departure Record I-94. Can you tell me basically what that is? I have no idea.

DUNGAN: So-- yeah. Just broadly, it-- all of the eligibility requirements in there-- when I first started working on this bill, we wanted to make sure that the language was compliant with federal

standards and federal statutes. And so in working with some folks drafting this, my understanding is that the Department of Education-- and the University of Nebraska in particular needed certain eligibility requirements laid out in there to make sure that we were in line with federal statutes so that way things like Pell Grants and other federal requirements this was in line with. So when I first saw all of that language, I'll, I'll be honest, I kind of bristled at it too because I was thinking to myself, why does this need to be in there? What's this all about? But in going back to the Department of Education and just now verifying with some folks, the university specifically wanted that in there as well. So my understanding is that language mirrors federal statute and-- you know, I'm happy to continue diving in in the future to try to change that if necessary, but what I'm nervous about making modifications or changes to at this juncture is all of that's been vetted now for a couple of years from the Department of Ed and the university. And what I don't want to do is put us out of compliance with federal standards. So that's why that's there.

ANDERSEN: OK. I think, I think-- because there's a number one-- I'm not gonna get into all of them, like the T nonimmigrant status and battered immigrant-qualified alien, all that stuff. So just at the macro level, are all of these U.S. citizens?

DUNGAN: I-- again, I don't-- I think anybody that would be-- I don't know if they're all U.S. citizens, but I think it's folks that are eligible for other federal funding. So if people have certain grants or visas that they would otherwise be eligible for, like Pell Grants and things like that, this mirrors eligibility standards for federal programs. So I don't know for sure if they're all citizens, necessarily, but certainly there are folks that not U.S. citizens that are not eligible for funding from other sources. So this is to make sure that the people are here legally and being able to receive these funds from other sources as well.

ANDERSEN: Yeah, that makes sense. So relying on the qualification by the federal government. If it's good enough for them, good enough for us.

DUNGAN: I believe that is what it's mirroring, yes.

ANDERSEN: OK. In a different part, it gets into different republics and all that stuff. Can you explain briefly why that is when we talk about Marshall Islands and Micronesia and Palau and all that?

DUNGAN: Again, I think that's all mirroring federal statute. And I'll, I'll tell you, when I first saw that, I had the exact same question myself. Why do we need to be that specific? Back and forth with the Department of Ed and the universities, this was all language that they wanted to mirror some of those other federal statutes, so. Happy to try to get more information for you about that, but it might take me a little bit of time in speaking with those people. But none of this was language that we are trying to slide under the radar or anything. I think it's all just federal language.

ANDERSEN: OK. Yeah. I, I believe it comes to compact agreements and that there's reciprocity, reciprocal privileges between us and the individual republics. So even though they're not citizens, they are considered territories of the United States.

DUNGAN: That sounds correct. I trust, I trust your expertise on that.

ANDERSEN: Sounded good, at least.

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

ANDERSEN: Boy, isn't it very convenient? When it talks about the qualifications for the federal funds, the state funds, the grants, scholarships and all those things, is there any primacy to that? Meaning that if, if we're gonna give them a forgivable loan, that that would be the last money they-- that they bring in, that they would apply for a federal grant and scholarships and all that. Does that make sense as far as primacy?

DUNGAN: In terms of privacy, with regards to what they're already receiving?

ANDERSEN: Pri-- primacy.

DUNGAN: Oh, primacy. Yeah. Sorry. I apologize. I misheard. So, yeah, the whole intent behind that language is to make sure that in order to enter into a contract with the Department of Education to get this forgivable loan, I think they would have to demonstrate at that point in time they've already applied and exhausted all other grants, scholarship programs, things like that, because we want to make sure this money's backfilling, that it's not the first stop along the way. And there's a portion in the bill that specifically allows the Department of Education I think to promulgate and go into the detail of what these contracts would look like. And so that would be

ultimately up to the Department of Education how they would look into that. But, yes, the goal for this program is to backfill after they've already received grant scholarships because we don't want people to just apply for this and not try for other money.

ANDERSEN: That's great. That's fantastic. The last question I have is-- on page 426, it says the Education Future Fund shall be used to carry the, the, the program. Are the funds avail-- we-- I think I asked somebody what-- less than \$2 million. Is that-- are those funds available?

DUNGAN: Yeah. So the Education Future Fund-- I was actually messaging and talking with the Fiscal Office this morning-- I think is sitting at anywhere between \$740 million to \$750 million right now, with \$242 million being put back into it next year. I understand that that fund goes to a lot of different things and we're gonna have to, as a Legislature, keep making sure it's well-funded to do everything. But my understanding is this would be-- as it was put to me when I spoke to people about this-- a drop in the very, very large bucket given the small fiscal note. And the fiscal note that you're talking about too, that's with max utilization. That probably isn't gonna happen for a number of years. So very, very small amount coming out of a cash fund which is intended for that purpose.

ANDERSEN: OK. Thank you, Senator Dungan.

DUNGAN: Yep. Thank you.

ANDERSEN: I am not yielding any time, but I would say thank you, Mr. President.

KELLY: Thank you, Senators Andersen and Dungan. Senator Murman, you're recognized to speak.

MURMAN: Thank you, Mr. Lieutenant Governor. I rise in support of Senator Dungan's AM1604. On General Fir-- File, there were some concerns about student loan forgiveness. And as a conservative, I do agree. However, I will point out this is a significantly targeted approach to help a specifically understaffed and overworked population in our education workforce. One of my biggest goals as chair of the Education Committee has been to ensure students with special needs receive the same quality opportunities that all students do. When I bring legislation to do so, I commonly hear this change isn't possible because we don't have the special education staff. With this bill, I

believe it could encourage those who are in college or going to college to consider specializing in special education to fill the gap. I also appreciate how they must stay and work in Nebraska for five years for the full forgiveness to happen. Because they are required to teach special education for those five years, this should pretty much guarantee this bill actually recruits and retains special education teachers, which any school administrator will tell you right now is a critical goal and they're struggling especially with the special education teacher workforce. Thank you, Mr. Lieutenant Governor.

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

MOSER: Thank you, Mr. President. Good morning, colleagues. The Educational Future Fund gets money from the General Fund. It started out at over \$1 billion. It's down to \$700-and-some million at the moment, but it's going down as we fund education as we originally planned. So taking this money from the Educational Future Fund is no different than taking it out of the General Fund because the General Fund has to subsidize the Education Future Fund. We put \$1 billion in the Educational Future Fund when we had piles of cash during the COVID era. We had a, a lot more income than we needed and we put money aside for many different projects, but \$1 billion was for education. So taking it out of the Educational Future Fund is no different than spending it from General Fund. It's a great cause, I don't dispute that, but we have to take care of our budget and our taxpayers and make sure that our, our budget adds up. And if we keep taking money out of the Educational Future Fund more than what we're putting in it, it's gonna get to zero one of these days. So I am opposed to AM1604. And I hope my colleagues vote against it also. Thank you.

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

SPIVEY: Thank you, Mr. President. I rise in support of AM1604 and wanted to take a moment. I was-- during my bill didn't get an opportunity because you think you have a lot of time when you have ten minutes or five minutes, but it actually goes really quickly-- to take a minute to just honor a community leader who passed away yesterday. So Marta Nieves is an elder, now ancestor, who has fought tirelessly for Nebraska and her communities. I first met her early on when I worked at Heartland Family Service, a direct service nonprofit, and she was this fierce, little Latina who was-- worked in from the political sector to the social sector-- really wanted to make change

for her communities and really all communities across Nebraska. We built a stronger relationship as serving as keynote speakers for the Women's March that had over 10,000 people. I think it was the most folks ever. And she just delivered this powerful message reminding us how much wisdom we have in communities and how we really need to think about women's rights and, and reproductive rights and what did that look like and how that tied into economic justice and community betterment. And so I am deeply sad around her passing. Grief is hard. And when people transition, it's tough no matter the circumstance or the relationship. And her legacy that she is leaving for our state, for our communities will have ripples for generations. And I just wanted to make sure that I took some time on the mic to honor the work that she has done and-- that will live on despite her not being earthside with us. And so again, just want to make sure I send my condolences and love to the people that were-- that are impacted by her passing and that she will be deeply missed in our community. Thank you, Mr. President.

KELLY: Thank you, Senator Spivey. Senator Rountree, you're recognized to speak.

ROUNTREE: Good morning. And thank you, Mr. President. Good morning, colleagues. Good morning to all of those that are watching online and on television. Thank you, Senator Spivey, for just sharing that on Marta Nieves. Just a tremendous individual that has done so much not only for our community but also for the state of Nebraska. I had an opportunity, really, to sit in her house once. Stopped by to drop something off, but she had a piano. I'm not a great musician whatsoever, however, because the piano was there, I had an opportunity to sit down and just get on the keyboard and start to play some songs. So we sang some hymns. And of all the things that you do for people, that was just a really special moment, just the two of us and singing hymns to our God. You never know the impact that you're going to have in someone's life nor the impact that they're going have in yours. And so we learn to cherish each day while we have it because tomorrow's never promised. I stand in support of Senator Dungan's AM1604. I know a lot has been said, but being the father of a special needs son who was 37 years old on May 9 as-- I had him come up and share this day at the Unicameral. Also as a substitute teacher that have substituted in the special needs classrooms. To fill these positions and to have enough teachers on board, especially in this special needs classroom arena so that parents can have comfort and know that their children are safe when they're in the schools. We didn't pass Senator Spivey's amendment even though knowing that, as Senator Conrad said, the number

of female educators in our system here in Nebraska, over 80%-- that would have been a good opportunity to invest and also to let our women know that we do stand with them. We pick and choose what we want to stand with and what we want to invest in-- and other things that are critical, especially to the care given arena, we'll put it to the side. This legislative has a lot of power. We dealt with the budget. I have watched my fellow senators prioritize things that needed to be funded, things that we keep our hands off-- and the things that are in the social arena many times we don't put our hands on, but those are the things that are needed. In the times that I'm in the special needs classroom, I see these young students, and I give my absolute best. Absolute best. Because even though I might not be their parents, but I want their parents to know that they have someone in the classroom that has a vested interest in their kids. And I'm going to make sure that they are safe from the time they come in to the time they go home, till we release them. Why is that? Because I had that confidence when my son was in school. When my wife came back into the education career field, she came back as a special needs paraeducator. Why? Because we had special needs paras, special needs teachers that took care of our son so we could do what we needed to do. And that was our way of paying back and our way of giving back. When it comes to our budget here in the state of Nebraska, we will invest in what we want to invest in. Make no doubt about it. This is an area that we really need to take time to invest in to ensure that we can decrease this shortage. Our special needs population have just as much right as our nonspecial needs to have an opportunity at the good life here in Nebraska. So let's do something right this morning. Let's support AM1604 and give an incentive for special needs teachers to come into this arena and make sure that they stay in this arena and take care of our special needs population. Thank you so much, Mr. President.

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

CLEMENTS: Thank you, Mr. President. And I want to remind you that we are funding special education at 80%. If you looked at the green budget-- green-- blue budget book, that shows the current budget status of the Education Future Fund. That's on page 15. And as of June 30 this year, it'll be \$543 million. There's no \$750 million there at all. \$543 million. And then next fiscal year, down to 386. And at the end of this two-year budget, down to \$200 million. Their, their revenues coming in are about \$260 million coming in but \$420, \$430 million going out. It's not sustainable. And-- so if you-- some of the-- one of the things being funded, you'll see special education

\$270 million this year, 290 the next year, and \$300 million the next year, est-- estimated. There's Nebraska Teacher Recruitment and Retention Act from LB705. \$5 million a year is allocated out of the Education Future Fund already, \$5 million every year. And I'm not sure how that recruitment and retention is structured, but hopefully they'll prioritize special ed teachers with that. There's an apprenticeship program also for another mo-- \$1 million a year. And the-- I just wanted to tell you that the Education Future Fund is not something that you can run bills out of and think that the money will, will always be there. The \$200 million balance at the end of this two years means that there's going to have to be a large transfer into it to keep it sustainable in the next budget cycle. And so I'm not able to support AM1604. I think we do already have recruitment and apprenticeship programs in place that I hope they will prioritize for special ed teachers. Thank you, Mr. President.

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

DUNGAN: Thank you, Mr. President. And thank you to the colleagues who have engaged on this issue. So just a, a couple points of clarification. So in my conversations with the Fiscal Office-- obviously, I know we've had a, a back-and-forth about the Education Future Fund. And I want to be very clear with Senator Moser and Senator Clements, I also have concerns long term about the way that we're funding schools and the way that that's all ultimately going to pan out over the span of the next biennium and the biennium after that. And that's part of what I've talked about quite a bit about the sustainability of our funding structure. If you run a report for the Education Future Fund as of today, it's \$784 million. So that's where the \$750 million came from that I was talking about. The end of the fiscal year estimated balance is \$743-ish million. And then obviously, as was talked about, there is money going down, but there's also money that's going to be transferred in. So my understanding is that fund revenues are transferred in at \$242 million each year plus investments with earning. All of this is to say, colleagues, we're gonna have to continue to address how we fund schools. I know Senator Hughes has talked about that a lot. We all had that conversation throughout the entirety of this body. But the minute cost of this program compared to the benefit that you are getting is a massive return on investment. You've heard Senator Murman talk about the importance of special education. You've had Senator Rountree talk about it, both I think from personal backgrounds but also professional. This is a huge return on investment and something frankly that a lot of teachers and your

superintendents in your schools are asking for. We're talking about hundreds of thousands of dollars, which is a very minute amount in the broad scheme of a larger question, over \$750 to \$500 million, with money going in, money going out. If my program cost a few million or \$5 million, I think then we could talk about whether or not this is going to tip the scales of whether or not there's funding in the future. This is not going to be the thing that makes or breaks that conversation. This is simply providing an opportunity for teachers to get that special education certification. We've been incredibly fiscally responsible with this as much as we possibly can, ensuring that this is not the first stop along the way of asking for funding, ensuring that folks do go and seek scholarships, grants, private money, personal money. This is just a program designed to give that little leg up to try to make it a little bit easier for people who want to get into the special education world. It's a small dollar amount not coming out of the general funds, coming out of that Education Future Fund. So there is not that General Fund impact. And frankly, colleagues, it's something that people are really begging us to do. Your superintendents, when they emailed us about the other bills, said they supported this, The Department of Education has worked with me on this. The universities have worked with me on this. I've talked to the state colleges about this. Again, there was no opposition at the hearing. We've done everything we can to mitigate the impact, and so I rea-- I think it does represent a good faith effort to do something about a problem that is real but in a way that is fiscally responsible and provides the benefit to the folks of Nebraska. Really appreciate the questions from Senator Andersen and others. I think whenever we're digging into a bill on short notice it's totally valid to get into some of these concerns. I hope I've answered those adequately. If you have any more concerns, colleagues, please come talk to me off the mic. Happy to continue chatting about this. But I think that AM1604 does represent kind of a, a kumbaya moment where I hope we can all come together and do something for special education for a very low cost here in the state of Nebraska and try to advance LB306 in a way that helps the entire state. Thank you, Mr. President.

KELLY: Thank you, Senator Dungan. Members, the question is the adoption of AM1604. 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.

CLERK: 36 ayes, 4 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. Senators Ibach and Hansen, 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 AM1604. A vote was underway. Senator-- Senator Dungan requests a roll call vote. Mr. Clerk.

CLERK: Senator Andersen voting no. Senator Arch voting no. Senator Armendariz voting no. Senator Ballard not voting. Senator Bosn. Senator Bostar voting yes. Senator Brandt voting no. Senator John Cavanaugh voting yes. Senator Machaela Cavanaugh voting yes. Senator Clements voting no. Senator Clouse voting yes. Senator Conrad voting yes. Senator DeBoer voting yes. Senator DeKay not voting. Senator Dorn voting no. Senator Dover voting no. Senator Dungan voting yes. Senator Fredrickson voting yes. Senator Guereca voting yes. Senator Hallstrom voting yes. Senator Hansen voting no. Senator Hardin voting no. Senator Holdcroft voting no. Senator Hughes voting no. Senator Hunt voting yes. Senator Ibach voting no. Senator Jacobson voting no. Senator Juarez voting yes. Senator Kauth voting no. Senator Lippincott voting no. Senator Lonowski not voting. Senator McKeon voting no. Senator McKinney voting yes. Senator Meyer voting no. Senator Moser voting no. Senator Murman voting yes. Senator Prokop voting yes. Senator Quick voting yes. Senator Raybould voting yes. Senator Riepe not voting. Senator Rountree voting yes. Senator Sanders voting no. Senator Sorrentino voting no. Senator Spivey voting yes. Senator Storer voting no. Senator Storm voting no. Senator Strommen not voting. Senator von Gillern voting no. Senator Wordekemper voting yes. Vote is 20 ayes, 23 nays on adoption of the amendment, Mr. President.

KELLY: The amendment is not adopted. I raise the call. Mr. Clerk.

CLERK: Mr. President, Senator Lippincott would move to amend with AM1607.

KELLY: Senator Lippincott, you're recognized to open on AM1607.

LIPPINCOTT: Thank you, sir. I do support LB306. Since this is going to filibuster, we need 33 votes. I do not want my amendment to pull the bill down, so I re-- withdraw my amendment, please. Thank you, sir.

KELLY: Without objection, so ordered. Mr. Clerk.

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CLERK: Mr. President, Senator Hallstrom would move to amend with AM1626.

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

HALLSTROM: Thank you, Mr. President and members. I hope we don't have to talk very long about this amendment and that we have a different outcome than we did last time. There is a little bit of newly discovered evidence that I wanted to make sure that the body is aware of in addressing this issue. When we talked about this amendment last time, there was a lot of discussion about ACT is touting its testing as the best thing since sliced bread and CLT is suggesting that they're not all that bad and we ought to accept them. And you'd expect that out of their vested interest to do so. And the newly discovered evidence has to do with things that come from outside those vested interests that are obviously going to serve their best interest. One of the changes in addition to newly discovered evidence is the fact that my amendment now does specifically recognize both ACT and SAT. So for those who were concerned that this was just an exclusive opportunity for ACT to protect its turf, that is no longer the case if my amendment is adopted, and I would encourage you to do so. I think that the students deserve better-- and the schools should demand better in this particular area-- and that we are better served to hold off on acknowledging in statute the reliability, veracity, and so forth of the CLT testing protocol. The newly discovered evidence, which is what I'll hopefully be able to wrap up with here-- and if there's a few comments from senators who have received input since our debate the other evening, that's fantastic. But in a nutshell, I have handed out an email that was received by Senator Clouse from a constituent that basically indicates that they are a computer nerd. They happened to be watching us late one night when we were talking about this issue. And you can read for yourself, but it basically says, I can do the CLT test, set up a virtual machine, and they don't know any better that I have the opportunity to cheat or do whatever else I need to do to look up answers and so forth in the process of taking the test. And I also had Senator Sorrentino, who actually had somebody take the time to reach out to him and do a hands-on demonstration as to how you can adjust the camera angle so that the remote proctor does-- is-- does not know any better that you can do various and sundry things to game the system. And so based on those, I think, again, our students deserve better. The ACT and now the SAT with my amendment, which would both be recognized in statute, are better indicators of the readiness. I talked with an individual from the state colleges that gave me some information with regard to

scoring at a certain level on the ACT or the SAT is a proven product. And that's what we ought to be wanting our students to be, as well prepared for college and the admissions process and the availability and eligibility for scholarships. And I would ask for your green vote on AM1626.

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

MURMAN: Thank you, Mr. President. I stand in opposition of AM1626 as I would describe it as an un-- very unfriendly amendment. Similar to AM1281 on General File, I want to touch on a few things. While AM1626 this time mentions the SAT, understand that LB306 already allows the SAT within its language. What this change is really about is eliminating the ability to use the CLT for state scholarships. That would be disappointing news for the students at Concordia University, which right, right now already u-- is already utilizing the CLT. The Education Committee held a study on the CLT this interim as well as the hearing on LB306. In both of these hearings, we heard from those who represent the test, homeschooling associations, educators from our Nebraska Catholic Schools, and even Chancellor Turman of the State College Syzem-- System spoke in support of this addition. Furthermore, at both of these hearings, there was no opposition. The only people who have talked to me or my staff in opposition are paid lobbyists representing the ACT. Once again, there was not opposition. I would encourage everyone here to look at LB306 committee statement. There you will see proponents from various college and university systems, public and private. Every single one of these proponents had the opportunity to voice the concerns Senator Hans-- Hallstrom has mentioned. None did. Senator Hallstrom has also mentioned the test security specifically about remote proctoring. To be clear, the CLT is typically not remote proctored. This is a service typically used by rural and homeschool students to increase access to the test. However, when it is remotely proctored, the CLT uses a lockdown browser known as Respondus. Respondus is the same lockdown system used at the University of Nebraska. It also utilizes the computer's webcam to track eye movements and requires the student to move the camera around to ensure nothing could be used to cheat on the test. Even keyboard and mouse movements are recorded and tracked. Finally, the CLT uses machine learning to monitor the test results and look for any red flags. Even the law school has a remote proctored test for law school admissions. LSAT it is-- L-- it is proctored with a similar program. Many jur-- jurisdictions now offer electronic proctoring similar to that of the CLT for administering the bar exam as an option for

attorney candidates. This includes California, New York, and Illinois. AM1626 risks Nebraska competitiveness. The CLT is being accepted at schools right now. The CLT is being accepted at over 300 schools nationwide. Some of these are major universities including but not limited to Florida, Florida State, Hillsdale, Baylor, Pepperdine, and starting next year will be accepted at Arkansas and Wyoming. Even the current Department of Defense has stated they have an interest in allowing the CLT to our service academies. This is a growing trend, and Nebraska can either get on board with that trend by rejecting this amendment or we can stay in the dust. Finally, this amendment is unfair to students right here in Nebraska. Right now, students at Concordia University can apply with, with the CLT. If the LB306 passes with AM1626, those students will finally have a fair chance to be eligible to the career scholarships, much like students who apply with the ACT. If AM626 [SIC-- AM1626] passes, those students will remain ineligible-- ineligible for that scholarship. Let re-- repeat that piece. A yes vote on this amendment means students at Concordia being left out in scholarship elibi-- eligibility. It's unfair to those students. I ask for your red vote on AM1626. Thank you.

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

SORRENTINO: Thank you, Mr. President. I will rise in favor of AM1626 by Senator Hallstrom. This is a difficult decision for me because I very much respect the content and the quality of the CLT. I find no issues with it as far as being an easier exam or a more difficult exam. More than anything, I very much respect the needs of those who choose to homeschool their children, particularly for religious legion-- for religious region-- lees-- boy-- religious reasons. That's not as easy to say as it looks. My concern-- my sole concern is over the security of what I've seen, what I've read. I want to make sure it's a level playing field. And unless or until-- and I was not in on the hearings. I'm not on that committee. Unless I hear for sure that there is not shortcuts here, there's not easier ways to confuse the issue as far as fairness and accuracy, I will remain in favor of AM1626. I will say, if AM1626 is not approved, I will still be in favor of LB306. Thank you. I yield the rest of my time.

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

HUGHES: Thank you, Mr. Lieutenant Governor. So I did want to mention-- so Senator Murman-- let me stand up. I rise, I rise to speak of AM1626

on the underlying bill, LB306. Senator Murman is correct that Concordia University, which is in my district-- it's in Seward-- is the only school in the state of Nebraska that currently accepts the CLT. And when we were having these discussions and these amendments were coming up, I reached out to Concordia just to get better clarification because I had heard, well, they only use it for admission or they-- and then they don't use it for scholarship. But I just did want to clarify that. So for Concordia admission, they allow a 3.0 or higher high school GPA. And if you're under that, then CLT, ACT, or SAT scores are required. For their academic scholarships, they offer one, a presidential scholarship, and that also requires either the S-- the CLT, ACT, or SAT. They also use the same CLT, ACT, or SAT for their class placement for their freshman students. So they use the scores that-- on those tests to decide where they get placed in classes at Concordia. So for example, higher scores may mean placement in more challenging classes, maybe a higher level math, et cetera; and lower scores may mean placement in, you know, like, a mid-level class. So I wanted to just share that with how-- since that's the only college that you-- or, university that uses that here in this state. I wanted to talk about Senator Hallstrom's amendment, AM1626. And he now-- I, I had issue with-- in origi-- the amendment prior-- I think we were on General at that point-- because it is an issue that right now in statute it's only ACT. And so with this amendment, AM1626, Senator Hallstrom has added that the SAT equivalent to the ACT scores be added. And I think that's important. I think the discussion today now clearly is on the security, if you will, of the CLT and how-- if it's as secure-- you've heard people talking about potentially you can just get on your computer from home and, and do something and get away, you know, from the, the security measures that are in place, where the ACT, SAT, you actually either go on-- you go on-site and it's a proctored exam. So I'm, I'm gonna listen more on this, but I am thankful that Senator Hallstrom added the SAT piece to this amendment. And, and we'll continue on with-- and I do support the underlying bill, LB306, from our Education Committee. Thank you.

KELLY: Thank you, Senator Hughes. Senator Murman, recognized to speak.

MURMAN: Thank you, Mr. Lieutenant Governor. I stand again in opposition to AM1626. I actually did get the emails also. I, I do have answers for those emails. And by the way, both the ACT and the SAT do have remotely proctored exams, exactly like the CLT. They have remotely proctored exams also. I-- there's-- I'm sure there's a way to cheat on every kind of test you can think of, but I think it is-- I think likely more difficult to cheat on a remotely proctored test than

one that's in person proctored. But just some of the answers to those concerns. This is something that our tech and security teams have con-- this is from CLT administrator, but just to answer those questions, that our CLT test-takers who use our remotely proctored option-- and actually, 75% of the CLT test-takers take it in person. I did hand out both this letter and the earlier letter that I'd handed out before about the security of the CLT. We are able to track and prevent cloning programs through multiple means, including our updated locked browser program that detects and prevents background computer programs-- the same program used by the University of Nebraska system for its remotely proctored exams. Our video/audio recording of students and data analysis of each student's testing information for anomalies. So to expand on this issue, please consider the SAT and ACT digital test failures. Both the SAT and ACT have been altered to fully "digitalize" as of '24 and '25, respectfully-- respectively. Their sudden changes have resulted in significant technical issues for both of these testing platforms. And it lists those. Meanwhile, the CLT has been systematically improving our digital exam for nearly a decade, making our digital product the best around. And I'm talking about CLT's lockdown brows-- browser. In preparation for the CLT being implemented by policymakers in several more states, the Department of Defense and K-12 schools and the U.S. military academies this year, we are implementing an improved secure browser system for both our in-person and remotely proctored exams. This system is called the Lockdown Browser by Respondus, the program which is used by the University of Nebraska System and many other standard testing companies. Prevents access to other applications, including messaging, screen sharing, virtual machines, and remote desktops. CLT remote proctoring recording and machine learning analysis. The combination of audiovisual recording and data analysis provides both a low-tech and high-tech backstop to our locked browser program. The recording, which are reviewed three times by real humans, are able to clearly show if a test-taker is not actively engaged in exam or is attempting to use outside assistance of any kind. In other words, I think one of the persons said, well, you can have a piece of paper on the floor and then you can put it up by your computer once you get started. But they monitor your eye movements, so you've got to be looking right at the computer. And the-- as I repeat, it could clearly show if you're not actively engaged in the, in the exam or attempting to use outside assistance of any kind. And we are also able to track activity on the test-taker's computer screen. So in summary, CLT is a secure exam that has never had a cheating scandal in its ten-year history. I don't think you can say that about the other-- SAT and ACT. This cannot be

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said of other exams. As you remember, the SAT has faced international headlines for its proctors being bribed. The AC-- faced international cheating issues when its test were compromised via Chinese operations. None of this has happened with the CLT. CLT is being more broadly used, and we need to keep up. Thank you.

KELLY: Thank you, Senator Murman. Seeing no one else in the queue. Senator Hallstrom, you're recognized to close.

HALLSTROM: Thank you, Mr. President. And thank you for your time and attention. I was hopeful that this would not take too long, and I'm glad it didn't. A couple things just to clarify the record. With regard to Senator Hughes' comments, Concordia, I believe, is a private college, and the amendment in the bill only deals with public universities' and colleges' eligibility for career readiness scholarships. So it should not have any impact on Concordia's decision to use or not use that either for admissions purposes or for this particular scholarship. I think the other thing is the reason I brought this amendment back was not to take more time but to simply give the body another chance based on what I referred to as newly discovered evidence. I started out by saying I had some folks early on that said, you know, we'd expect the ACT folks and CLT to highly tout their programs and try to dispel any notions to the contrary. And I've brought to you two independent folks who have no dog in this fight who have indicated that it very readily can be gamed, and in fact the one individual who said you can use a virtual machine said that the, the testing site-- or, the testing protocol will no-- be no wiser for what's going on. And by contrast, Senator Murman continues to read exclusively from the CLT materials, which I think you'd expect to be positive from their perspective. So I think if you cut through all of that and look at what outside people are saying with regard to the security, which I we should be focused on-- and the last thing is, with regard to Senator Murman's suggestions that the ACT and the SAT have remote proctoring, I double-checked and verified just a moment ago-- and my understanding is that all of these are taken on-site and there are human beings that are observing. I had one individual tell me that they had 18 students take the ACT, and they had to have four rooms for it. They spread out the folks so they can't be cheating from one another. And there's human observation in every room of that testing site to ensure credibility and veracity in the testing process. And with that, I would ask for a green vote on AM1626.

KELLY: Thank you, Senator Hallstrom. Members, the question is the adoption of AM1626. All those in favor vote aye; all those opposed

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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.

CLERK: 30 ayes, 4 nays to place the house under call.

KELLY: 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 is under call. All unexcused members are present. Members, the question is the adoption of AM1626. Vote was open. Senator Hallstrom, will you accept call-ins? Mr. Clerk.

CLERK: Senator John Cavanaugh voting yes. Senator Juarez voting yes.

KELLY: There's been a request for a roll call vote. Mr. Clerk.

CLERK: Senator Andersen voting yes. Senator Arch. Senator Amendariz voting no. Senator Ballard voting no. Senator Bosn voting yes. Senator Bostar voting yes. Senator Brandt voting yes. Senator John Cavanaugh voting yes. Senator Machaela Cavanaugh not voting. Senator Clements voting no. Senator Clouse voting yes. Senator Conrad not voting. 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 voting yes. Senator Hansen voting no. Senator Hardin voting no. Senator Holdcroft voting no. Senator Hughes. Senator Hughes voting yes. Senator Hunt not voting. Senator Ibach voting no. Senator Jacobson not voting. Senator Juarez voting yes. Senator Kauth not voting. Senator Lippincott voting no. Senator Lonowski voting no. Senator McKeon voting no. Senator McKinney voting yes. Senator Meyer voting yes. Senator Moser voting no. Senator Murman voting no. Senator Prokop voting yes. Senator Quick voting yes. Senator Raybould voting yes. Senator Riepe not voting. Senator Rountree voting yes. Senator Sanders voting no. Senator Sorrentino voting yes. Senator Spivey voting yes. Senator Storer not voting. Senator Storm voting no. Senator Strommen voting yes. Senator von Gillern not voting. Senator Wordekemper not voting. Vote is 25 ayes, 14 nays, Mr. President, on adoption of the amendment.

KELLY: The amendment is adopted. I raise the call. Mr. Clerk.

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

KELLY: Senator Guereca, you're recognized for a motion.

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GUERECA: Mr. President, I move to advance LB306 to E&R for engrossing.

KELLY: Members, you have heard the motion. All those in favor say aye. Those opposed say nay. LB306 is advanced to E&R Engrossing. Mr. Clerk.

CLERK: Mr. President: Select File, LB306A. Senator Murman would move to indefinitely postpone the bill.

KELLY: Senator Murman to open on the motion.

MURMAN: Yes. There is no fiscal note, so I'm fine with-- we need to indefinitely postpone the A bill. Thank you.

KELLY: Thank you, Senator Murman. Seeing no one else in the queue. You're recognized to close. And waive closing. Members, the question is the motion to indefinitely postpone. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 42 ayes, 0 nays to indefinitely postpone the bill.

KELLY: The motion to indefinitely postpone is adopted. Mr. Clerk.

CLERK: Mr. President, next bill: LB265, Select File. First of all, Senator, there are E-- there are E&R amendments.

KELLY: Senator Guereca, you're recognized for a motion.

GUERECA: Mr. President, I move that the E&R amendments to LB265 be adopted.

KELLY: Members, you've heard the motion. All those in fa--

CLERK: My apologies, Mr. President. The, the bill itself was pending, LB265. When the Legislature left the bill, the E&R amendments had been adopted. Senator John Cavanaugh would move to bracket the bill with MO329.

KELLY: Senator John Cavanaugh, you're recognized to open on that motion.

J. CAVANAUGH: Thank you, Mr. President. And just as a point of clarification, Mr. Clerk, I believe there was an amendment on the board, though, before. If I recall, there had been-- Senator Sorrentino had an amendment. We had a rules conversation.

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CLERK: Mr. President, Senator Sorren-- pending was the bill itself on Select File. The E&R amendments had been adopted. Pending was Senator Sorrentino's AM900. Senator Cavanaugh would move to bracket the bill with L-- MO329.

KELLY: Senator Cavanaugh, you're recognized.

J. CAVANAUGH: Thank you, Mr. President. Thank you, colleagues. We're going to go to lunch here in a minute. I guess I-- probably if I take my full time will take us into lunch. So if people want to get a head start, they can certainly do that. But, you know, I can't resist talking. So I put up these motions this morning. And everybody-- you know, I know there's a lot of, like, looking behind the curtain around here sometimes, but-- and people are confused. And I-- you know-- my understanding of this bill-- this is not a priority bill. So this is a bill that I heard referred to as an orphan. So it had made it to Select at some point. It got hung up ultimately. This AM was part of a-- it's-- I think it's two bills. It's the original underlying LB265 and then a Senator Hallstrom bill. And there was a germaneness question as to the Senator Hallstrom bill portion of this. And there was a ruling that because it was a white copy that it was germane because there's been a, a history of that germaneness. We had that conversation. We ultimately ended up not over-- not even a-- proceeding with a motion to overrule the chair. So that's where I think folks were on this. Then that bill ended up being pushed back behind all the priority bills, which is the practice and procedure of this Legislature. And there are certainly other priority bills that are not being taken up at this point in time. This is Select File. This is a bill that could take four hours and-- or it could take four minutes if people wanted it to. But it-- right now, it's looking like people want it to take four hours. So what happened with that-- and there's a number of issues I'd like to address on that, but my understanding is, in that intervening time, the parties that were-- that this bill affects had a lot of conversations with the Department of Labor and the industry that's regulated, and then certain senators worked out a compromise that is an amendment that is proposed after this-- or, po-- an amendment to AM900. That would be a, you know, rev-- resolution to this bill that would make everybody comfortable. You know, it's the type of compromise that not everybody's happy with, but it gets you to where you-- everybody is OK with where they are. So that's what was on this bill. And I think that's the consensus of many parties, is that they want to move this bill forward. But there's been filed to this bill the minimum wage bill, which has already had its day multiple times in this Legislature. And this is not the time,

place, or manner in which to resolve that issue. It's already been said that that amendment-- that bill should be taken up next year and, and resolved at that point in time. So we have an opportunity to potentially move forward this bill that maybe in the normal procedure shouldn't be moving forward anyway, but at the moment it's gonna be extended debate on that. I did want to address a little bit about this germaneness question, and I'm happy to have the time to talk about it. So there's a rule that a white copy amendment is germane. And there is a number of reasons you want to do that, shell bills, or say a bill gets-- needs to be eliminated or does-- is no longer needed. And so then that-- there's a vehicle for another bill, which-- Senator Sanders had a bill this year about defense contractors. Senator Juarez priority bill was a bill that ultimately, because of the-- I think the change in the federal administration, there was some change in federal guidance that essentially eliminated the original bill. So then Senator Juarez, to have her priority bill, would have an opportunity for a white copy. There's a distinction, though, between a white copy-- a true white copy that is changing the fundamental nature of the bill-- so eliminating the whole previous bill and then putting in a new bill. That's a white copy. Uh-oh. The board's going backwards. So that's a white copy. What is the, the-- my-- the distinction here that I don't like on AM900 is that AM900 is LB265 and then a new bill on top of that. So, so it's-- it is Senator Sorrentino's original bill, LB265, plus Senator Hallstrom's bill. So this is an end run around that rule. It is not a true white copy. It is a white copy of LB265 with LB265. And so I think that this body should treat that sort of approach distinct from how you would treat a true white copy. So I think there is a difference in how we should approach that, and that is my issue with what was ultimately the ruling on this. And I think that this body should take a second look at that rule. We're past that point already, but that's just food for thought for everybody around here, that there's a difference between a white copy and a white copy that includes the original bill you're white-copying, because that is a way to essentially undermine germaneness on all these bills. And we've had a lot of germaneness arguments. I lost I think the most recent one. And-- you know, no hard feelings, folks. I, I, I lost this-- the, the Clerk, you know, calls balls and strikes and I guess called a strike on me on that one. Well-- I don't know. I'm not sure what, what you call that. But anyway, so that's the distinction there. This underlying bill-- again, LB265-- as amended by AM2-- AM900 and then the compromise amendment I think is really something that, you know, maybe I don't agree with, necessarily, but is something that is a compromise that everybody can live with and is probably how we

should resolve this conflict-- or, this bill going forward. I could probably go through and find a list of other bills that maybe should have gotten this time, bills that are on General File that are senator priorities or committee priorities that should be getting time that-- over a nonprioritized bill that is just-- happens to be stuck on Select File. But I think this bill got this time because it was worked out and people had put the effort in to make sure that this was a, a compromise bill. So that's why I think it's here. I think that we should respect that and not try to catch a ride with other bills that have already had their opportunity and their day. And that's why I put up my motion. I had-- at the beginning of the day, I had actually put up this motion, you know, sort of in anticipation that something might happen. And of course, I was told by everybody that nothing was going to happen. And then of course somebody files amendments to attempt to hop on. So we're going to break for lunch, I think, right? Are we breaking for lunch today? Yeah. We're gonna break for lunch here. And then we'll come back and we'll have the afternoon to have this conversation, but maybe people will have a conversation over lunch and decide that we wanna just go forward with the, the quick resolve of this bill and then move on to-- I, I-- my understanding is that there are some Final Reading motions that maybe need to be returned to Select because today-- this is another one for folks outside the Legislature: everything has to pass-- has to-- on Final Reading, it has to lay over a day. So what that means is-- this bill's on Select File. So for this bill to move, it has to move past Select today, lay over tomorrow-- which is Friday-- and then be taken up on Monday to be able to be on Final Reading. That's not a requirement of the rules of the Legislature. It is a requirement of the constitution that a bill has to be in its final form for people to read it and lay over a day before it can be taken up. So it's not something that you can dispense with or to move on from. And so this is the last opportunity today for anything to be on Select File. So those Final Read bills that need to come back for a fix then lay over tomorrow so they can be voted on on Monday-- any other bills on Select File, which-- I look-- this is really-- this one and the one we just took up are the only two that were taken up on-- that are on Select File today. So any other bills that people have told you they'll fix on Final, they can't do that after today. Today's the last day where you could bring it back from Final to fix it. So if you're intending to vote for a bill because you were promised a fix on Final, to-- if it's not resolved today and it comes up on Final tomorrow or Monday, that's the end, that there's no fix coming, because that pushes a bill past when we will be able to take it up after its layover day. So I think everybody's standing

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate May 29, 2025
Rough Draft

around waiting to go to lunch. I figure I like-- I've probably taken us enough past lunch. So I'm not going to yield the remainder of my time, Mr. President, but I will stop talking. Thank you, Mr. President.

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

ASSISTANT CLERK: Mr. President, a priority motion: Senator Moser would move to recess the body until 1:00 p.m.

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

[RECESS]

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

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

KELLY: Thank you. Do you have any items for the record?

CLERK: I have no items at this time, Mr. President.

KELLY: Please proceed to the agenda.

CLERK: Mr. President, Select File, LB265, when the Legislature left, pending was AM900, AM977 to that amendment as well as MO329, Senator John Cavanaugh's motion to bracket the bill.

KELLY: Thank you, Mr. Clerk. And Senator Fredrickson would like to recognize a guest under the north balcony. It's his father, Allen Fredrickson of Omaha. Please stand and be recognized by the Nebraska Legislature. Senator Hunt, you're recognized to speak.

HUNT: Thank you, Mr. President. Colleagues, what a disappointment, what a disappointment this afternoon. I think that we could be well down the Final Reading list if Senator Raybould had not filed her minimum wage amendment on LB265. I think we were all excited to have a soft landing today after what's been a very strenuous couple weeks. And there was a lot of excitement around this bill, which is a good workforce bill. I was actually quite excited for this bill because everybody worked together and put together something that worked. And

now, again, it's been hijacked by the Senator Raybould show. It's now the third bite at the apple, which is something Senator Sorrentino has spoke against in the past, you know, taking time over and over again to get things passed. And now this is the third time, and she's disrespecting the work of her colleagues, diminishing the hard work of the rest of us who have done a lot of work to get their bills through. LB265 is a good bill, it's had a lot of people coming to compromises and agreements on it to make something that works for workers and for employers, and now it's been hijacked and the whole bill is in danger now. I think that the best thing for the Speaker to do would be to pass over this bill until Senator Raybould withdraws her amendment. But from what I understand over conversations at lunch, that's not likely to happen. Today is the last day for Select File, I understand. And so, you know, for bills like LB265, it's got to move today. What I-- I understand the point that Senator Raybould has been making, and I do think that she's dug in and at this point it's about ego more than the policy, more than serving Nebraskans, and more than serving the small businesses that she's claiming to be backing by doggedly pursuing this at any cost. And by any cost I mean harming the budget by potentially blocking the Clements' amendment, harming Senator Sorrentino's work by potentially tanking LB265 at any cost. It's come to that. And I understand, and I'm sympathetic to the point that increasing the minimum wage could be a burden on small businesses. But I, too, am speaking as a small business owner who supported that measure, as did most Nebraskans by, by a lot, by a landslide. And what troubles me about small business owners like Senator Raybould and other supporters is that they have more solidarity with large corporations than they do with the workers themselves. That's where us small business owners should be putting all our chips. We have much more in common with the workers who we employ than the big corporations that can give these benefits, that can give higher wages, that can get this leave. And I think that a problem that politicians have who are elected is that when they think about how to help businesses, they don't understand how aligned small businesses are with workers. You know, we talk about the threats to small business from bigger chains, bigger corporations. In Senator Raybould's case, I could say, you know, Walmart, Target, Hy-Vee, I don't know, bigger grocers and stuff like that. In my case, same thing. I mean, I sell stationary, paper goods, books, and I recently opened a clothing store last year, so now I'm in that game, too, again. And, of course, there's tons of competition online and in big box stores that are in our neighborhoods too. I mean, someone could go to my store and buy something or they could drive, you know, just down the street and go

to Target and maybe get something cheaper. But what I understand is that I have a lot more in common with the nine women that I employ than I do with the CEOs at Target. That's the difference. And I will stand with those workers every step of the way. It's, it's-- I mean, I hate to use the word disappointing. I hate when people say disappointing out here, because, like, what are you, were you ever not going to be disappointed? Was there anything, anything that's ever happened in here that wasn't disappointing? Are you shocked to be disappointed? And I'm not. I'm not shocked, but I'm surprised by the lack of integrity, the lack of self-respect of the introducer of this measure to, again, doggedly, at any cost, take another bite of the apple at risk of sinking some other very important measures that have been worked out with deep collaboration, deep compromise, and have the support of the majority of members of this body. Thank you, Mr. President.

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

FREDRICKSON: Thank you, Mr. President. Good afternoon, colleagues. Good afternoon, Nebraskans. So I rise today to speak a little bit on this bill and, and, and, frankly, the bill as it currently stands, you know, LB265, I, I fully support and I, I fully support the amendments as well. The, the reason I'm, I'm rising to speak is probably for those who are watching at home who are maybe unfamiliar with what's going on behind the scenes here is that Senator Raybould has filed onto this bill, kind of last minute this morning, her subminimum wage bill which has failed in this Legislature multiple times this year. And so as a result of that, we are now taking time to speak on a bill that, frankly, has had a lot of work go into it. I know that Senator Sorrentino certainly worked hard on this bill. I've spoken to various stakeholders. The Chambers worked incredibly hard on the bill, Labor worked hard in this bill, PRO, the Department of Labor. And it's interesting because when we were looking at the agenda for today, a lot of us were thinking this was going to be kind of a really good, feel good moment where you have one of those things where when a bill was first introduced, you might've had disagreement between different stakeholders, but folks did the hard work. They listened to each other's concerns and they found some type of compromise to move forward. And that, that's, that's something we should all be proud of. And now what we're dealing with is a very hostile amendment. And this was filed, again, at the 11th hour, much to the disappointment of many stakeholders who are involved in this bill, from what I understand in conversations in the Rotunda. And it's maybe the second, third,

fourth, I, I lose track of how many times this bill has been attempted to be revived. And when I think about that, I-- if I'm being honest, I'm, I'm-- I, I, I feel embarrassed. I feel secondhand embarrassment. If you're a states person, you should at some point realize and understand there's a time to pack up your toys and go home. Since the ballot initiative has been injected in a hostile way into this bill, I want to bring up some points that some of the proponents of this measure have asked about on previous rounds of debates, because we've had multiple, multiple rounds of debate on this already. Many proponents have asked-- they said, oh, you hear from all your constituents that are opposed to this. You hear from the voters. What about the businesses in your community? Do any businesses support this? Over 200 small businesses from across the entire state have signed on in support of this measure. I've had small businesses reach out to me in my district who support this measure. What I've learned is that not every small business is as cynical as some of the most avid proponents of this. In fact, most small businesses that I speak to are very invested in their communities. They're invested in their state. They want to create communities that are healthy, that are thriving, that have economic prosperity, and they want to treat their employees well. And, yes, part of that includes paying them a minimum wage that's appropriate, and that increases with time because costs of living do increase over time. And a lot of the small businesses that I've had conversations with, they work this into their business plan. Yeah, maybe not-- they might not be pocketing as much money as they possibly could be, but guess what, some people go into business not to just pocket money for themselves. Some people go into business to benefit society. Some people go into business to provide jobs for people. It's not just about your bottom line and how many dollars you can put in your pocket. And if your business model can't afford to pay your employees, whether that's through sick leave or minimum wage that increases with time, you might need to revisit that business model. Because, to me, that's not sustainable. So, again, I appreciate the work Senator Sorrentino has done on this underlying bill. I appreciate all the work all the stakeholders have done. I will gladly, fully support that bill and the amendments, but I'm coming to speak to take time because of the hostile amendment that was filed at the last minute. Thank you, Mr. President.

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

CONRAD: Thank you, Mr. President, and good afternoon, colleagues. I rise in support of the substantive amendment that I filed and actually

had been thrilled in preparation for this debate because after a tumultuous session where all too frequently business has been pitted against labor and big government has been pitted against working families, we actually, after months of negotiations, thanks to hard work by Senator Sorrentino, the State Chamber, the Lincoln Chamber, the Omaha Chamber, the IBEW, the Nebraska Department of Labor, the Governor's Policy Research Office, and the staff from those respective offices, including Senator Sorrentino's and my own, worked arduously to come forward with a good faith compromise where everybody wins. Where everybody wins. Where we had the opportunity to continue the collaborative work between government, the private sector, and labor interests through the workforce development programs and boards that had been in place for almost 30 years and had operated without issue, and were set to be dramatically restructured. And we worked together, and we figured it out. And it was a hard negotiation, but it was good negotiation. We all learned more about the programs, we all gave a little, we all got a little. And we figured out a way how to keep a collaborative posture in state government to continue critical job training and workforce development issues in Nebraska together because they benefit working families. They benefit private businesses. They benefit the state in our bottom line. And I might be overselling it, but I told Senator Sorrentino and the Speaker's Office and Senator Kauth as Chair of Business and Labor, this is going to be the palate cleanser that we all need and deserve at the end of this tough session. This is going to be the kumbaya moment. This is going to be an opportunity for us to show each other, no matter how hard we fight, we still can find ways to come together to advance our shared interests. And, alas, here we are in a fire drill again, thanks to a hostile amendment by Senator Raybould and others that are supporting her work. I'm hopeful that we'll have a chance to step back from that brink and get back to the issues at hand, but, quite frankly, there's no trust in this body. Frequently, we would hit a challenging moment like this. The leaders in regards to whatever issue was at play would come together and we'd be able to strike a gentleman or a gentlewoman's agreement. We'd be able to have a handshake deal to say I'll pull this amendment if you do this and vice versa and this is how we'll move forward and we'll structure the debate. But when there's no trust, and when relationships are frayed, and we need that kind of collaboration in moments like that to help us operate more efficiently and effectively, it makes it really challenging. And so knowing that we had been burned time and time again by people using the rules or bending the rules to push their agenda, we have to play it out it seems. I hope that we'll have a chance to get back again to the

substantive issue, but that's where we are at the moment. My friend Senator Raybould passed out an article about why the minimum wage is bad as she has a tendency to do and has for every round of this debate, multiple rounds, more than three bites of the apple. The apple's gone. Nevertheless-- and I know my friend Senator Raybould cares about research and doing her due diligence and I admire that about her, but I do just want to note for the record the article that she passed out bashing the minimum wage was published by the Employment Policies Institute. A quick source watch discussion will tell you that this is a, a suspect stink tank that was founded decades ago by the restaurant, hotel, beverage, and tobacco companies to undercut minimum wage policy. And they've attacked President Obama. They've attacked journalists who've put forward positive stories about minimum wage, etcetera, etcetera.

KELLY: That's your time.

CONRAD: Thank you, Mr. President.

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

M. CAVANAUGH: Thank you, Mr. President. Good afternoon, Nebraska. Everybody thought this was going to be a fast day. There's an event when we adjourn that everybody wants to go to. It's called sine die. We have two different sine die parties. We have the, the fancy formal sine die party, which is tonight. And then we have the, what would we call it, whimsical sine die party next week that is put on by staff and it is an opportunity for staff to essentially decompress on all the shenanigans that they've had to bear witness to this whole session. So, you know, people are, like, oh, can we just move on from this? And I'm like, oh, we can't because my colleagues have broken every deal they've made this year. So we can't. We can't move on. We got to keep on keeping on, unfortunately. On LB306, which was actually the bill right before this bill, there was an agreement made. And there were people in this body who sat in a room with interested parties outside of this body. They made an agreement and then they broke that agreement by not voting for Senator Spivey's amendment on LB306. And now we're going to have to have a fight on a bill on Final tomorrow because there's things in a bill on Final tomorrow that were part of that agreement and they broke the agreement. So now we got to fight that because that's not cool. LB415 passed yesterday, that broke an agreement, as well, that was worked on for a long time. So we just keep, like, not being straightforward people. And I was actually

talking to someone just right outside the glass a minute ago who told me that someone's parents in my district who are very conservative and don't agree with me on policy, but they really like me because I'm honest. And, you know, you hear about people not liking politicians very much because they're dishonest. And what has transpired in the last couple of weeks here in this Legislature is exactly why people criticize politicians, because you all have been dishonest and, I mean, lied to my face, lied on the microphone when I've asked you questions, got lied to your other colleagues. It's-- and this used to not be the way things were done in here. It might be the way things are done in other places like D.C. But here in Nebraska, the good life, we always worked in good faith. And a handshake meant something. And you could trust that we were going to do what the deal was. And that has gone. That has completely vanished with this Legislature. And now when we'd be on the verge of taking something 8 hours, and instead we work it out off the mic real quick, and we take it 2. And we all get 6 hours back of our life because we make a deal. That's gone. We can't do that. Because you just lie. You can't be trusted. That's too bad. I didn't think that that's who you all wanted to be. I thought that maybe my colleagues had the same pride that I had of how we work together. And I am deeply sorry to the people of Nebraska that we can no longer trust our elected officials to do what they say they're going to do and to be people of their words. I will continue to be unabashedly honest, probably to a fault. And I'm sorry to those who are represented by members who will lie to your face when they come to your door. And who will lie to my face on the floor of the Legislature. But that's where we're at. So here we are. And now I'm just taking time until my time-- until I get cut off because that's where we're at. That's where we are at, so here we are.

KELLY: Thank you, Senator Cavanaugh.

M. CAVANAUGH: Thank you.

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

SPIVEY: Thank you, Mr. President, and good afternoon, colleagues and folks that are still joining us online, from the TV, because I got that feedback, people watch via TV, as well as in the Rotunda. I rise in support of LB265 and AM900 and AM977 as the bill stands. And from my understanding, I appreciate a lot of the work that went into this particular piece of legislation. This bill actually came up on the appropriation side when we were meeting as it relates to combining some of the cash funds and programs, thinking about efficiencies, and

then ensuring that some of key programming can still happen, like the apprenticeship support for the trades and some of those. So I appreciate the work from the folks-- I was not a part of that, so the folks that worked on that and were really intentional across party and industry in perspective to really put something together that is meaningful and intentional. And so I wanted just to uplift as we are talking about and this bill is centered around workforce and some of that. I've talked about it before, but I've spent a lot of my career working in economic development, specifically, and how do we think about economies that are not extractive? What does that look like from an industry perspective? How does innovation play a part to grow in your economy? How does education relate to that? And so I've spent my career doing that. And then also just as a mom-and-pop shop. And so we've had lots of conversations about how do we support small business and what does that look like? And I think that there is a difference between the kind of guardrails for small business that is really based on just a revenue size for, like, grant purposes, or if you're working with SBA, like you're in this category based on that. In small businesses, you can still turn out \$5 million revenue, have X amount of employees. And so mom and pop is a little bit different because that is usually generational, it's family-run and owned, and it's a truly small shop. And so I say-- I've started to say since kind of creating that delineation, that I have a mom-and-pop shop with my husband, and yesterday was National Cheeseburger Day, and my husband was able to bring the food trailer down and to be able to provide really, hopefully, folks thought delicious hamburgers to our-- my colleagues here and some of the staff. And I really wanted to be able to do that because I think sometimes there's just, like, misconceptions around how folks work and their experience and what it looks like. I remember I had someone walk in the hall with me and say, so what did you do before you got here? And I was like, before, I still do it. I still work my full-time job. My, my husband still does a restaurant. I help him with the restaurant and do his invoices and booking, like, I have to work. I cannot afford to not work. And so that experience, I think, is important in how legislation is shaped. And so I really wanted the opportunity for my colleagues to see my family and the work that we put in. That we built and are trying to build a business, really, from a dream and using the little-- the last bit of savings that we had. We started the restaurant right before the pandemic. So it was-- I can't remember what year it technically started. So I guess it was 2019. We went through No More Empty Pots, a commercial co-op kitchen, actually in District 13 that I represent, to test the market and see what it looks like. And so we were like, all

right, we're going to do it. We have a good model. We put our last into it. And then what we thought was going to be the flu turned into the COVID-19 pandemic. And we've had to pivot since. We've closed our brick and mortar. We still have the food trailer. And we had to make really hard decisions around how do we survive? Through that process, we have been committed to, though, thinking about some of the things that have come up in front of us around paid sick leave, minimum wage, grants and tax credits, right? Like all of the things that we talk about as a body, we've had to grapple with as small business owners and members of just everyday community in Nebraska. And so I appreciate the conversations that we have and, hopefully, we'll continue to provide insight to what this looks like as an everyday working Nebraskan, because the bills that we pass here, not just to impact my constituents, but me as a person, as someone who's trying to actualize for myself and for my family. And so, again, I rise in support of LB265 and amendments--

KELLY: That's your time.

SPIVEY: Thank you, Mr. President.

KELLY: Thank you, Senator Spivey, Senator Rountree, you're recognized to speak.

ROUNTREE: Good afternoon, and thank you, Mr. Lieutenant Governor. Good afternoon to all of my colleagues and all of those that are watching online on television and everyone in their respective place. I rise also in support of the motions that are on the board and also the underlying bill of LB265. During the campaign, we talked a lot about workforce development. And I got to meet a lot of people who were involved in a lot of the trades and crafts, people that you wouldn't think. But, yes, they were totally involved. When we're talking about the business aspect of things, and I appreciate what Nebraska does, and I want to see that continue, because we have a very aging workforce, our baby boomers are staying in the workforce a lot longer now. But we are going to exit, and we'll need to have those that are coming behind us to replace us. I'm a strong proponent of our mom-and-pop shops and our stores, and I try to support them first and foremost before others. And over in Bellevue, Papillion, one of the places I like to go for my ribs is in downtown old town. We always say I bring back old town, that's over in Rita Sanders' district, Senator Sanders' District, but I like ribs at Swine Dining. They have some really good ribs and they're cooking them out back. When I want some gizzards, people might not like chicken gizzards, but I love the

gizzards. I like to go down to Shug's Comfort Food, it is great comfort. But also over in my section in District 3, we have Wild Chicken Grill down in Twin Creek, and they've just prospered enough to open up a shop over in Papillion. These are mom-and-pop shops, and I like going to them because I get to talk to the people that are working. I like to see what they're doing, and that's what makes our community strong at the grassroots level. We have many others that I won't even have an opportunity to name today, but as we go in and we see their services, one thing I always try to do, if you want a next door app, they like to speak and tell you that if you can't afford to eat out and if you can afford the tip, stay home. But I am not rich by any measure because I'm on a fixed income, I'm drawing social security. However, if I go out and I'm served with great service, I like to tip well. As a pastor, I always see sowing a seed into someone's life, and that seed is going to come up and bring forth fruit. I have a great barber. My son loves to have a nice haircut, and he likes to be shaved and clean. That's father-son day for he and I. We'll do that every other Saturday morning. Get our appointments down. I used to go to All Nations Barbershop down in Bellevue. Always kept my hair nice. Fresh Fades, make sure you got a good fade. They do a great job, our small businesses. And we want to see them prosper. When I was out on the campaign trail, one day I was coming towards the end of knocking on doors and I met this young gentleman out there. I said, hey, what are you doing? What do you do? Since a lot of times we're defined by whatever our occupation is, I try to define you by the person you are, but our occupation normally comes on us. But he said, I am working as an apprentice plumber. I said, well great, because I have a leaking sink at home and I need some work. Can you come and look at it? He said, oh no, no, no, I work under supervision. So I want to let you know that people are not taking shortcuts out there. They're staying by the standard. So he said, but I'm working under supervision on a truck. I said, well, that's great. So I apologize for asking you to come. I said how much longer do you have? He said I got about 3 more years before I can get out and go on my own. I said what do you want to do? He said, I want to have my own truck so I can go and take care of the business and take care of the needs of our people. And I encouraged him, I said, thank you. I said what about your brother that was out here? Oh, he's in the trades also. So they found where they want to work and where they want to go in this lifetime. And I blessed them and said press on and endure to the end. When it gets hard, don't stop, but press on. And you can come and fix and repair my house anytime once you get your own truck. I also came up on a type of a masonry apprenticeship. I talk about my upbringing,

but my dad taught me how to mix mortar-- I see my time-- he taught me how to lay bricks and line that plumb out so when you lay those bricks they were in a perfect alignment, the type of house that you want to live in. He built the center block shed back in 1973 at our home and it's still standing now. I was home just a couple of weekends ago and it is still standing with no trepidation, with no count of debilitation on that. So it was solid, it will last. Lastly, I have Nebraska Business Development Center at UNO, I want to give them a shout-out because my wife wanted to make pound cakes, and she would have gone through them to get her business started. So thank you, Mr. President. Thank you.

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

DUNGAN: Thank you, Mr. President. Colleagues, I, I rise today, I guess, generally supportive of the bracket as of right now. But my understanding is there's potentially some amendments that have been worked out here with Senator Conrad's and the underlying bill with Senator Sorrentino's that can be addressed. This entire bill has been kind of a, a journey as we found ourselves here today, trying to understand some of the, the concerns that people have and trying to understand the impact that I think the original intent of Senator Sorrentino's bill had. I'm pulling up an email here that I received from a gentleman that lives here in Lincoln who works with the IBEW, so our electricians. And this was a concern that was raised originally around LB265, essentially highlighting their apprenticeship program and the benefits and the grants that they receive in that program from the Nebraska Worker Training Board. I think they said here, and this was new information for me, that they actually received upwards of \$90,000 a year in order to provide more of this worker training. It sounds like in the last 20 years they received close to \$750,000, which is a major contributor obviously to the success they have of training people to get into the electrician field. When I talk with young folks nowadays, there's a lot of conversation about alternatives to postsecondary education. And, you know, I had-- my, my path took me to college and then, ultimately, to law school, but I know for many other people, there are paths that are slightly different and there are paths that are necessary to the fabric of Nebraska. And what we know is that we need more people graduating from high school or getting a GED and then, ultimately, going into the trades. And, you know, when you talk to young folks, what's really exciting to me is you're actually seeing an increase, I feel like lately, in the desire that you see to get into fields like electricians' work. And when I

received this email from my friend at the IBEW, they were talking about how they have used the money that came from this board in an effort to increase the amount of folks that are going into this very necessary field. And that struck me as something that obviously is important, but also something that I think maybe people didn't realize the underlying bill had an impact on and could potentially diminish or reduce the funds that we're going to be seeing going into the training for these kind of things. There's a lot of different efforts I know that have gone into this. I think Senator Lippincott had a bill maybe last year or the year before that I cosponsored that had to do with career and technical education and ensuring that we're putting money towards that. And I, ultimately, actually cosponsored that bill because I had two young folks come to my office, high school students, who highlighted the importance to me about career and technical education. And they highlighted how that bill, in particular, provided state support for the CTE clubs or training groups, essentially through high school, and then into the postsecondary world. So I know that we've done that, we've also continued to focus at a local level on ensuring that we have access to the trades and access to career paths that are right out of high school. Here at Southeast Community College, they've obviously partnered with our high schools around here for the career and technical academy, where high school students actually go to SCC and they learn how to do various trades. And depending on the different tracks that you take, when you graduate, you actually are able to immediately go into the field. And they're partnering with various entities and organizations around Lincoln and around the area to ensure that people have jobs when they graduate. And to put it frankly, I think that's fantastic. I think we should be encouraging young folks to go into different areas and different arenas because we know that one path does not fit all. And when you look at the economic fabric of our state, and especially here in Lincoln, and especially zooming in even further in northeast Lincoln, you know that our friends who are involved in labor and in various adjacent fields are integral to our neighborhoods and to our economy. So I was alarmed at LB265 when it first came up. On first blush, it looked somewhat innocuous and I always am supportive if it doesn't have any negative impact of streamlining government and making things more efficient. But upon learning more, I grew concerned that LB265, at least in its original iteration, was going to result in the potential of reduction of funds for various technical fields and trades fields. And so my understanding is there's perhaps been some amendments or, or language changes that have been made. I look forward to potentially hearing more about that on the bill. But I, I do

currently, until I understand more of that, support Senator John Cavanaugh's motion to bracket. But I appreciate the conversation here today and look forward to the debate. Thank you, Mr. President.

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

J. CAVANAUGH: Thank you, Mr. President. Good afternoon, colleagues. So I-- yes, I again rise in support of my bracket motion. And I-- it was a quick, sort of wasn't expecting this bill to come up like right when there was 5 minutes left. And so I did cut myself a little short on the introduction because I wanted to let folks go to lunch. So I thought I'd talk a little bit about what my original concerns were. And as Senator Dungan just said, I think there has been some compromise that's been worked out on this bill over the intervening weeks, maybe even months since this bill was first up or up on Select File because there was an objection that-- to the germaneness of the AM900 and the crux of that objection is that the AM900 basically puts together two bills. One of them is LB265 and one of them is, and I don't remember the bill number, but it's a, a separate bill from Senator Hallstrom. And so the, the issue is that on its own, I think the Senator Hallstrom bill is not necessarily germane to LB265, but that's not really what I'm talking about at the moment. I'm talking more about the idea of white copying to bootstrap germaneness. So there's a precedent that, you know, germaneness, I actually got it open here. So germaneness is under Rule 7(3)(d): No motion, proposition, or subject different than--different from the-- that under consideration shall be admitted under color of amendment, and any amendment that is not germane is out of order. Germane amendments relate only to the details of a specific subject of the bill and must be in the natural and logical sequence of the subject matter of the original proposal. A nongermane amendment includes one that relates to a substantially different subject. So you recall, you know, I was arguing last week about my amendment was germane to that bill because that bill opened up sections of statute and touched on certain-- the same subject matter, which in that case was liability for doctors. And, again, I'm not talking about this specific germaneness because the question I think is whether that Senator Hallstrom's bill was germane to Senator Sorrentino's bill. But what the standard was for the ruling was whether AM900 was germane to LB265. And the problem is that because AM900 is a white copy, it is automatically considered germane because there's nothing in the original proposition anymore. It eliminates the whole original proposition. And I said on the opening that I think that there are legitimate reasons for the white

copy germaneness precedent. And-- but I think if you start taking the underlying bill and eliminating it and then adding it back in as part of the white copy, that's an end run around that ruling and is something that should not be permitted under the color of the white copy exception. And so that, I think, is the big problem with the ruling at that point in time and is not a precedent that we should adopt because it is an exception that would swallow the rule of germaneness. You know, other sort of exceptions to germaneness is if something comes out as part of the committee amendment, it is considered germane, as is part of it, but then if you're amending it into the committee amendment, it has to be germane to something in that committee amendment. So there has to be something that it can be attached to. And so if we just allow for white copying out of bills and then including that bill as part of it, I think that is a bad precedent. So that's-- that was my big issue on that debate we had months ago now, and I think it's something we should consider clarifying in the future so that we don't end up in this path. But that's not where we're at at the moment. I agree with Senator Dungan as he was just saying that there is a compromise that I think people would like to get to and see. It's Senator Conrad's amendment to Senator Sorrentino's amendment, and that's something that both the Department of Labor and the folks who are regulated by the Department of Labor have worked very hard to get to, to get both sides into a place where they are, you know, comfortable and where they need to be for this bill. So-- but at the moment, I'm standing in support of my bracket motion, but I think we'll see how things continue to evolve from here. So in the meantime, I guess I will not yield the remainder of my time. Is that what we're saying today? Thank you, Mr. President.

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

GUERECA: Thank you, Mr. President. I yield my time to Senator Raybould.

KELLY: Senator Raybould, 4 minutes, 56 seconds.

RAYBOULD: Thank you, Mr. President. Thank you, colleagues, and good afternoon. I plan to withdraw my amendment to this bill and I ask my colleagues to remove all their dilatory bracket motions that will continue to obstruct our debate on the substantive matter on this very good bill by Senator Sorrentino. So I, I do ask that my colleagues do so at the conclusion of my remarks. I do plan to talk for 10 minutes so you're welcome to leave if you'd like. Our currency in this body is

our word, our honesty, and our integrity. I have been honored and humbled to serve as an elected official for 15 years. Folks in my district and throughout the state know me. I'm direct, straightforward, and above all, honest. I don't mislead them. I am a highly fact-driven, data-driven individual. I tell it to my constituents straight, even on issues we disagree. I don't fudge numbers and I do not manipulate studies. I typically provide my colleagues, as you all know by now, the fully sourced and accredited information they need to know to come to their own conclusions. Above all, I am respectful of what our voters and respectful of all ballot initiatives. I am respectful and collegial with all my colleagues all the time, even when we disagree on many issues. It is shameful that my colleagues follow a misrepresented dialogue, intentionally and willfully misleading those listeners out there, our fellow Nebraskans, that we are completely disregarding the will of the people. This is absolutely not true. There is nothing in this minimum wage bill or the paid sick leave bill that prohibits any business from offering more than the minimum wage or offering paid sick leave right now from small businesses to large businesses. Depending on their business model, if they have the wherewithal to do it, they would do it in a heartbeat. Our minimum wage is increasing to \$15, just as our voters have asked for and approved. It is going to be increasing annually at a predictable rate, as many states are doing. Other states are capping it completely, no additional increases. It is also cleaning up outdated language to be in compliance with new wages. There is the wage for 14- and 15-year-olds. They are not allowed to do or work the same hours on the same jobs using the same equipment. I provided you a handout. It's not something that we're doing to save money, as some have alleged. It's really to be an incentive to hire young people and continue to hire young people in the workforce. But, sadly, immediately my colleagues discredit the economic data presented to them that shows true studies that teen employment in states impacted the hardest by a \$15 minimum wage increase. It says very clearly, a decrease in the broader minimum wage combined with a youth wage for teens would be the best deterrent against job loss. There's no one more than me wants to see our young people hired. These are entry-level jobs for first-time workers. This is where they learn essential skills. This is where they learn the skills and learn how to advance. So, again, I ask you colleagues, take the time to read the study. It's thoroughly researched, and it is legit. Each 10% increase in the minimum wage led to a decrease in employment growth for teenagers by 2.2%-- 2.27% over a 3-year period. This is real data. And I ask that you take the time and review it. Because if you truly say

you care about young people being in the workforce, you would have supported this wonderful change to LB258, instead of continuing to disparage it. When we voted for the reconsideration of this bill, I have to tell you, I am so grateful to the Speaker and for Brandon for doing that. But in all the precedents provided listed in the vote for this measure-- this bill and others that have been in the same circumstances, a vote was taken immediately after reconsideration. That is exactly what should have happened, otherwise, we wouldn't be here continuing to talk about it. I made a commitment from Day 1, and I've said it clearly every day, I would work within the rules of our esteemed legislative body. I have lived up to that commitment and I will do so throughout my entire term and terms here as a state senator.

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

RAYBOULD: Thank you. I am willing to bet my colleagues if something like that happened to them, where they were not allowed to vote immediately after the reconsideration, you know them, we live with them, they would have screamed loudly and often if they were denied the right to that immediate vote. I care about this institution and my colleagues and the hard work they have put in this session to get their bills to the finish line. That is the reason why I'm not-- that is why the reason I am withdrawing. I recognize them and I honor them. And it's not because of the continuous drumbeat of harmful, hurtful, hateful comments I've heard almost on a daily basis since this bill was introduced. Actually, it was introduced in 2023. If you look at the board, I am not the one who's obstructing the issue and full debate on important matters that Nebraskans want us to do. And I have never been an obstructionist in all the sessions that I have served in this legislative body, and I do not intend to do that. I think it is also shameful, and I want to call this out. Oftentimes, I don't have a chance for a rebuttal when there's a comment on the mic. Senator Hunt had passed out a, a handout just nailing the fact that I said voters didn't know what they were voting on. Those are her words and, and she put quotes on them. And she used a transcript. Here is what I said. I would suggest to this committee that voters were not aware of the implications of this increase on local employers. I think there are several things that the Legislature can do to strike a balance on the increase improved in November and not forcing our small and medium businesses to shutter or sell out. We all agree that voters spoke very loudly and clearly in support of a minimum wage increase but they certainly did not support seeing their local daycare center closed or their dog groomer facility closed. That's what I've been saying, and

I've been asking you all, talk to these small businesses. And for those small businesses that support this, institute it. Get it in place. There's nothing that's stopping or prohibiting you from doing that. What is also shameful is that Senator Cavanaugh, I know, continued to, to reference this, like this is gospel. Well, he's an attorney, and he knows that that is-- that the plain language rules should apply. And in the plain language that I provided to you, I have never once said that the voters didn't know what they were voting for. I respect them far too much. What is shameful is that you continuously misquote myself and maybe some others when their intentions are good. My intentions have always been honest and deliberate to do what is in the best interest of our fellow Nebraskans. I feel that I have served in enough public offices to know what matters to them, and I am in touch with them. What is also shameful is you have a colleague who apologizes for crossing the line several times. But an apology is so hollow when the behavior never changes. I just want to read to you a couple of letters and then I will close and I ask my colleagues to remove their bracket motions and all the others. Good evening, Jane. I'm a small business owner in Omaha with six employees. I just saw you on the floor last night and wanted to thank you for your position and common sense. As a matter of fact, we treat our folks as family and probably exceed much of what is in this bill. And I bet many of my peers do the same as well. Anyway, thank you. Here's from another one. I understand that you're taking a political pounding and a lot of personal abuse from certain Democrats about LB258. I think that's disgraceful. This is not a case of overturning the will of the people. I have read the bill, and it makes sense to me. Representative democracy is not the same as democracy by ballot initiative, which is a blunt instrument. That's the reason we have elected officials and deliberative bodies. A 14-year-old does not have the same driving rights as an adult driver, nor does he or she have the same earning power as an adult. Even for those who disagree, there's no justification for the vilifying remarks that have been made. I thank you for your courage and service, Jane, and on behalf of decent Democrats, I apologize. I have several other letters I'd like to read, because I think my colleagues have turned a deaf ear to hearing from those small businesses that some of the things we do impact. I wish you could take the time. And, hopefully, you have this session ending soon and take the summer months to really review with small businesses and ask them how they're doing and what are their plans for the future and how their business model will be impacted by some of the things that we have been doing. And I ask you, be kinder, be gentler with each other, be considerate.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate May 29, 2025
Rough Draft

KELLY: That's your--

RAYBOULD: Thank you, Mr. President.

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

DeBOER: Thank you, Mr. President. It's been a, a very long session. First, Mr. Clerk, can I ask, has that motion-- has that amendment been withdrawn? Has it been withdrawn? OK, thank you. This has been a long session and there's a lot of passion on a lot of different sides. If you don't know the people in here personally like I do, you might just see what you see on TV. And what you see on TV is never the whole person, of course. So you might think that-- you might not know, for example, that Senator Clements has the best sense of humor in here. It is the driest sense of humor you will ever come across. He is hilarious. But you probably don't pick up on that on, on the, the microphone. You do pick up on what a deeply spiritual and kind man that Senator Rountree is. That comes across when you first walk into a room with him. You know that he has a relationship with the Lord that is very important to him. But you may not know that he also has a very fun side that I am pleased to have gotten to know in this last few months. If you just watch us on TV, you may not know that we all get tired, although you've seen it. That we all get lost from time to time, we make mistakes. I, more than anyone else, you've heard me on the floor when I said-- when the Clerk says to me 41 ayes and 0 nays on the amendment, and I said it is not adopted. That was a fun day because I couldn't even do basic math. This job is hard, and there are really amazing people in here. And a year from now, I won't get to work with them anymore. And that will make me sad. It will also make me sad that I don't get to do this work for the people of Nebraska. Because even when we are exhausted, the people who are here, you know we make \$12,000 a year, so we're not here for money. And there's no fame in being a state senator, and this is not an elegant or glorious life where we stay in the same room all the time. People are here because they care deeply about these issues and about Nebraskans. And so I just want to say to my colleagues today that whether we're agreeing or disagreeing, whether we're the loyal opposition or we're on the same side, I appreciate each and every one of you. And call me an idiot, call me a softy, call me whatever you want, but I believe that the people in this room are doing what they can to do the best that they can for Nebraska. I think some of them are wrong about what's the best for Nebraska, deeply wrong sometimes, but I rely on the fact that they're doing what they think is right for Nebraska and

I think that's an important thing that we sometimes lose sight of, all of us, and I'm first in line in that. I was really mean to one of our colleagues a few weeks ago and it still haunts me. For no reason, except I was tired, which is no reason at all. So I ask us all to dig deep, find some grace for each other, and I'm not tone policing or anything like that, I think everybody take a little bit of grace for each other.

KELLY: That's your time, Senator. Thank you, Senator DeBoer. Senator Juarez, you're recognized to speak.

JUAREZ: Good afternoon, everyone, and hello again to those who are watching us online and on TV. And as a few people have said, I think I'm getting excited about closing my first session here in the Legislature. Truly, it has been a learning experience, no doubt about it, but I must say that I don't have any regrets in pursuing this position for District 5 in Omaha. Everyone might not know, but I was on the OPS School Board prior to serving in the Legislature, another public service position that I absolutely enjoyed. And I keep trying to learn every day and every week how I can be a stronger representative for my district. And I'm sure that for the rest of my term, I'm going to continuously learn every day because it's really important for me to be an effective representative. That's truly what my desire is. And I know, like for last night, it was emotional for some of us to be supporting our trans families in our communities. And I did receive, you know, some negative feedback from the perspective that I provided in being supportive of them. And I just wanted folks to know, in my district and in the state, that sometimes the decisions are tough to make on how I'm going to vote on an issue. I do try to study and get research done as much as I can. You know, but in the end, I mean, obviously the decision is mine and I have to own it. And I absolutely respect the diversity in my district. And that was a driving force for me last night to be supportive of my community. That is the perspective that I took in trying to support them. Although it didn't go, go how they wanted, I did want to explain where I was coming from. And then in regards to today, before the motion was pulled on the minimum wage, again, I was very supportive of wanting to keep that intact as the ballot initiative pursued because, of course, I heard from many in my district that that's how they wanted me to vote was to not have that change and to respect the decision that they made. And I, of course, wanted to continue to not have that eroded. But, you know, even though it may not be going forward now, it doesn't mean that there won't be changes down the road. And I'd like to yield the rest of my time to Senator Cavanaugh. Machaela. Sorry.

KELLY: Senator Machaela Cavanaugh, you have 1 minute.

M. CAVANAUGH: Thank you, Mr. President. Thank you, Senator Juarez. I just wanted to let the body know that I have an amendment request up in Drafters that I'm waiting to have come down to AM900. It is a substantive amendment and that is why I have asked people to talk on this right now so that we have time to get that appropriately drafted and filed to AM900. So thank you, Senator Juarez, for the time and also just for being amazingly you. I feel very grateful to work with you every single day and you represent your district and show up for them in all the ways possible. So I just wanted to say that for the record, have something nice said today. How much time do I have left, Mr. President?

KELLY: 1 second.

M. CAVANAUGH: Oh dear, thank you.

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

QUICK: Thank you, Mr. President, and good afternoon, colleagues. I rise in support of LB265 and all the amendments that will be following. I guess I'll thank Senator Raybould for pulling her amendment. I think that will make this a little less stressful day, and, and maybe we can pass a bill that has been worked on extensively to, to make it so that everyone can find a way to vote for it. I can tell you, as a, as a blue-collar worker, I think having that voice at the table has always been important to me and I think through my work, union work and learning about negotiations and learning how to do compromise, I appreciate the work that went into this bill with, with all the stakeholders getting to the table, working things out, and then being able to bring something forward that everyone can vote for. For the constituents back home, I know knocking doors, when I was knocking doors and running for office, a lot of times they would ask me about the filibuster or, or tell me how disappointed they were in having a filibuster. But today is one of those days where if you're watching from home, this is, this is what the filibuster sometimes is, is used for. I mean, it's a necessary tool if, if, if there's a bill or an amendment that maybe isn't appropriate or isn't-- or shouldn't be added on and so this is a way to, to keep that piece of legislation from being added on to another bill. I can tell you in the past, for the constituents as well, that I've had bills filibustered myself. Even this year, I had a bill that was filibustered. We were successful

in, in, in defeating that and, and passing the bill, but it's happened. I had a bill when I served the first 4 years that it took me 3 years to pass that bill. I think it had one veto. I made 23 changes to it. But it shows that if you keep working on it and sitting down at the table reaching compromise that at some point it's possible that you can get that passed. I wanted to also recognize-- Senator DeBoer was talking about some of the relationships in here and how we build relationships and I appreciate everyone in here and I, I know we don't always agree on certain issues, but I enjoy working with everyone in the body. And even though there's some days where it gets contentious in here, when we're done, we can all still be friends and we can still all talk about things. You know, we all come from our particular backgrounds and have our own personal lives. And, really, when we start talking about those, we have a lot of things in common. And I, I appreciate that within this body. That's one of the things I've even expressed to people back home, is how important relationships is-- relationships are in this body, and how having respect for one another is, is really important. I can remember the first time I met Senator DeBoer. We were at a, a legislative council. I'm going to say I guess that was 2019 and-- or 2018 after she won her election and her election was close and I know she was really worried about it at that time and, and I got the visit with her and I told her not to worry, that it was destiny. She didn't hear that but I, I wanted to be able to put that on the mic. I can also tell you, coming from the, you know, my background in the labor trades, how important they are to the state and how important having young people recognize-- you know, college isn't for everyone, but college is important for those who wish to, to, to do that. I know our community colleges, they also provide an important part for kids, our career pathways and our high schools, you know, directing kids maybe to see that they can have opportunities in another field, like a, a skilled labor trade, or maybe if they decide to go into nursing or something like that. But those are all important. For me, I was a welder by trade. I learned it, you know, growing up on a farm. I also went to community college for a short time just to learn some other skills in welding so I could participate in the trade and work with my employer, which was the city of Grand Island. Thank you, Mr. President.

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

McKINNEY: Thank you, Mr. President. I'll yield my time to Senator John Cavanaugh, if he would like it.

KELLY: Senator John Cavanaugh, 4 minutes, 48 seconds.

J. CAVANAUGH: Thank you, Mr. President. Thank you, Senator McKinney. Well, I think I'm going to pull my bracket motion here in, in the show of good faith of everything that everybody's talking about here to get to these amendments. I did want to respond a little bit to what has been said earlier by Senator Raybould. And I had said-- you know, I don't like to specifically talk about people or make things about individuals. And there was a number of times in the debate on both minimum wage and paid sick where there was a, a disagreement about whether the proponents of the, the bills were saying the voters didn't know what they voted for. So-- and then a number of proponents said that nobody ever said that and so there was time where I specifically circulated, I think it was on Select File for the minimum wage bill, which I think is L258 if I remember right, Senator Raybould's comments, which were to the committee hearing says: I would, I would love to agree with you, Senator, but I think a lot of people back in 2022, or actually 2021, did not know what the annual CPI increased, nor did they know what the average of the annual CPI is for the last 50 years, nor did they understand that this would have consequences on their family daycare or their grocery bills or, you know, a small grocer in a small community across the state of Nebraska closing. So I think, oftentimes, when you get these bills, it comes to us to do our job and figure out what the-- what are the-- how do we correct the unintended adverse consequences that would impact all of our fellow Nebraskans. So that's what I handed out. There is, I would say, specifically, two times where Senator Raybould said the people did not know, which is an extremely precise definition of did not know. I would argue that saying that they were unaware or did not understand are synonyms for did not know and are the same idea. And so I think that it is fair to say if somebody says voters did not know or were unaware or did not understand, it is a fair characterization of those statements to say that someone argued we should do something because the voters didn't know what they were doing. So that is my point. So I take issue with being called shameful for raising that issue. I would take issue with being called shameful for standing up repeatedly to defend working people to their access to, to paid sick leave, to minimum wage, to continually stand up to protect the will of the voters. Because no matter what you think, if you 100% believe in your heart that you're doing the right thing, and I hope that everybody who votes for these bills does think that when they vote for them, you have to understand that anything that caps the growth of minimum wage is a divergence from the will of the voters. The voters clearly voted

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for the minimum wage to go up with the CPI. So you can have a lot of other nuanced positions about why you think that's not the right thing to do and that this is a, a mitigation or a correction. So you have all those things. I disagree and I stand with the voters on that. And that's the point. So I'm going to run out of time here. But I just couldn't leave that uncorrected. So I did hand out that flyer on Select. I've asked that the Clerk's Office find the original so people can see it to see that that's actually what I was referencing when I talked about this yesterday. But, Mr. President, I would pull my bracket motion. Thank you, Mr. President.

KELLY: Without objection, so ordered. Mr. Clerk.

CLERK: Mr. President, Senator Conrad, it's my understanding you'd withdraw AM977 and substitute-- Senator Conrad--

KELLY: Senator Conrad, you're recognized for a motion, a motion to withdraw.

CLERK: Senator Conrad, it's my understanding you would move to withdraw and substitute AM977 for AM1643.

CONRAD: OK, just a minute. Do I, do I [MALFUNCTION] do I have 5 minutes? I'm sorry, I need a point of parliamentary inquiry. What's the time frame for decision-making? I just need to confer with a colleague. OK, could I ask Senator DeBoer a question?

KELLY: Senator DeBoer, will you yield?

DeBOER: I will.

CONRAD: Thank you, Senator DeBoer for always being nimble and quick on your feet. I haven't had to swap out a lot of amendments during my 11 years. Honestly, I haven't had to use the rules as much as I have in the past couple of years, as I have in, in the last, now 2, 3 years since I've rejoined the body, so it's a lifelong learning endeavor every day. But I know that another colleague was working with Bill Drafters to get an amendment down. I know I had been working with Senator Clements to try and get up a collaborative amendment to move debate forward. And if we could just have a moment to put our heads together to make sure we have a smooth process moving forward, I would deeply appreciate it. So, Senator DeBoer, if you want to perhaps provide a refresher, if you could, as a longtime member of the Rules Committee about how the objection to swapping out the amendments work, that might be helpful to me and others, please.

DeBOER: OK, well, so I think like anything else-- actually, I'm not really sure what's happening, so I'm having a little trouble answering the question. The amendment is-- was being withdrawn, and that was when the objection was, I think. So if there's an objection, I know when I'm up there, I say without objection, so withdrawn. So I assume that if there's an objection, it's not withdrawn, which would mean that it's not withdrawn. OK, that's enough of that right now. Let's talk about-- you know, Senator Wordekemper was upset that I didn't say anything nice about him on the mic earlier and I do feel remiss in that because Senator Wordekemper is one of my favorites. You should know that he also has a very good sense of humor, and I didn't mean to disparage that when I said that Senator Clements had the best, it's just that I've known Senator Clements longer. Senator Holdcroft, you may not know this about him, Senator Holdcroft is always ready with a chocolate, always. He comes up and he gives chocolates to the pages and those who are in the front every single day, I think twice or three times a day, four times, I'm standing corrected, four times a day he brings chocolates up, so that's a really nice service he performs. Senator Moser, if you don't know, you should know, he is quite a musician. And, of course, he's shaking his head because he won't admit it, but he is. And I appreciate the kind of-- Senator Moser is a cool guy, like, people don't realize how cool he can be. Who else am I looking at? Oh, Brad's plaids. Sometimes this may not be picked up quite on the camera, but Senator von Gillern, whose name is Brad, or that's what we call him, he wears plaid a lot, a lot, a lot. So I've been talking about Brad's plaid lately. Senator Ibach is kind of a fashion plate. She says, oh, I just threw this together, and it's like some amazing thing that should be on a magazine. What else is something you may not know about people here? Senator Dover, very smart guy. He has had-- it's funny because he has had a number of different jobs and it's, it's fun when he says, well, I, I once did that, so he's had quite an interesting life himself. He's got a little bit-- he used to sit in front of me in Senator Andersen's seat and we would talk philosophy. I enjoyed that and I miss that. I miss that, Senator Dover. You had to move into a different neighborhood, out into the suburbs. We call the people who are closest to the dais, we say they're in downtown, we're in midtown here, and then if you get to the back where it's a little spaced out, that's the suburbs, so he moved to the suburbs and left me here alone. I don't know how much more time we need to take, and I'm not as adept at taking time as some of the others are, so this is kind of painful for everyone I know, but there seems to still be a bunch of people huddled up together, so here we are. Buckle up. I'll tell some other things. What else? I could read

the rules, but that's not as, that's not as scintillating as, you know, this topic. Dan Quick-- Danny Quick, he is-- look, Senator Wishart who herself was called "Wiseheart" by Ernie Chambers because--

KELLY: That's your time, Senator.

DeBOER: Thank you, Mr. President.

KELLY: Mr. Clerk.

CLERK: Mr. President, my understanding, Senator Conrad made the motion to withdraw AM7-- AM977 and substitute AM1643. There was an objection. Senator Conrad then made the motion to make that withdrawal and substitution.

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

CONRAD: Thank you, Mr. President. Good afternoon, colleagues. So I would ask that you would support my motion to withdraw and substitute my amendment. The initial amendment was more placeholder. And after discussion and deliberation with the Speaker and Senator Clements and others in the body, we came up with an efficient and effective way to address the two substantive amendments that were on the board, the board that the amendment that I worked on with all of the stakeholders including Senator Sorrentino, the business community, the governor's office, the labor leadership, our staff, the Department of Labor that was going to help us hopefully have a soft landing and a good conclusion in regards to our workforce development boards and funding and grant programs to continue that good work. There additionally was an amendment filed by my friend Senator Clements to trail the budget and to make more technical updates to the related funds as per the underlying legislation and the related budgetary bills. So there was a thought that we could combine those when we found ourselves in this procedural morass thanks to Senator Raybould, but nevertheless, here we are. And so now my friend Senator Cavanaugh has identified a very clever opportunity to force an issue in regards to the budget and find a different budgetary source that she believes would be more equitable and could help to continue a line of debate that we've been looking at this year in terms of recognition of the fact that we have a structural imbalance in our budget. North Omaha funds have been rated, but funds dedicated to Lincoln, funds dedicated to greater Nebraska have been primarily untouched. So talk about being in between a rock and a hard place, but I'm going to keep my word, and I'm going to keep my word to the Speaker and to Senator Clements. We came up with this

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agreement in good faith before this other opportunity was identified, so I would ask you to support the withdrawal and substitution, and I'm happy to answer any questions. Thank you, Mr. President.

KELLY: Thank you, Senator Conrad. Senator Kauth, you're recognized.

KAUTH: Thank you, Mr.--

KELLY: Yep.

KAUTH: Maybe. There we go.

KELLY: Yes.

KAUTH: Thank you, Mr. President. Well, I have to say, I'm not-- oops, we have a point of order.

KELLY: Senator Hallstrom, please state your point of order.

HALLSTROM: Is this a debatable motion or do we move to vote immediately on the withdraw and substitution?

KELLY: It's a debatable motion.

HALLSTROM: Thank you.

KELLY: Yes, sir. Senator Kauth, 5 minutes.

KAUTH: Thank you, Mr. President. So I'm not surprised, but, you know, especially after listening to all of the scolding and the shaming from certain members of this body, we are certainly seeing everything on the other foot. The hypocrisy, the hysteria, and hyperbole on this floor is amazing. Senator Raybould removed her amendment in exchange for Senator John Cavanaugh removing his so that we could get to Senator Sorrentino's bill, LB265. And now there is, apparently, a temper tantrum going on where there's another amendment coming. And we're all supposed to wait for that amendment. However, I would like Senator Sorrentino to be able to, at least, open on his bill and tell us all the good work that he did with this. And I yield my time to Senator Sorrentino.

KELLY: Senator Sorrentino, 4 minutes, 10 seconds.

SORRENTINO: Thank you, Mr. President. Thank you, Senator Kauth. By way of a level set, this isn't the way this was supposed to go. Let me talk a little bit about LB265, AM900, which was the white copy

amendment. And I'd also like to talk about Senator Conrad and Senator Clements' amendment, AM1643, which Senator Conrad just introduced. I want to thank Senator Conrad, the IBEW, the Department of Labor, they all worked hard to get this bill where it is. I'm sure this isn't the way we planned on doing it. Since it's been about 9 weeks since we originally talked about it, I will try to observe the three Bs of public speaking. I will be brief, I will be brilliant, and I will be gone, I hope. So here we go. This bill was brought at the request of the Nebraska Department of Revenue. Forgetting about all the other amendments because the one that's really important right now is AM1643 to AM900. The purpose of this bill is to provide a simplified and consolidated funding mechanism for Nebraska's workforce development programs to the Workforce Development Program Cash Fund. The DOL has both the Nebraska workforce training and support cash fund and the workforce program cash fund. Both funds are used to award workforce development grants. By combining the funding sources for separate workforce development programs, the state will streamline efficiencies and better align workforce programs within the state. LB265 combines the funds currently held in separate accounts and, importantly, consolidates the funding mechanisms for those accounts. While LB265 makes it clear that the Department of Labor is responsible for administering the fund, I'm offering a white copy amendment, that's AM900, which provides for the Nebraska Workforce Development Board to serve as an advisory board to the Commissioner of Labor to help set forth the strategies and initiatives designed to develop the workforce in the state. As you now know, the new AM1643 amends that LB900 [SIC]. For those senators who may be unfamiliar with the Nebraska Workforce Development Fund-- Board, it is a board authorized by the federal Workforce Innovation Opportunity Act, otherwise known as WIOA, and is comprised of representatives from legislative and executive branches of state government, as well as representatives from business and labor organizations from across the state. The board meets multiple times throughout the year with the primary mission of convening state, regional, and local workforce partners to enhance the capacity and performance of Nebraska's workforce development systems, and aligns and approves the outcomes and effectiveness of federally funded and other workforce programs and investments. Through these efforts, that promotes economic growth in our state. I would also note that the newly appointed/approved Commissioner of Labor, Katie Thurber, is also a member of the Nebraska Workforce Development Board and Department of Labor staff already facilitate those board meetings. AM900, which was the white paper amendment to LB265, offers the following: the Nebraska Workforce Development Board will submit grant proposals to the

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Commissioner of Labor for her consideration. The grant proposals submitted by the board will serve as the foundation for workforce development policies aimed at cultivating Nebraska's next generation of skilled workers. AM900 also included another of my bills, LB536, which will create the first pilot program in manufacturing. This pilot program will be used as a potential guide for future pilot programs that will eventually become self-sustaining and increase our workforce development programs in other workforce areas throughout the state. The pilot program very importantly--

KELLY: That's your time, Senator.

SORRENTINO: Thank you, Mr. President.

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

STORER: Thank you, Mr. President. I yield my time to Senator Sorrentino.

KELLY: Senator Sorrentino, 4 minutes, 56 seconds.

SORRENTINO: Thank you, Mr. President. Thank you, Senator Storer. I'll complete my review of the bill. The pilot program includes a \$50,000 match, capped at \$250,000 and is only for 1 year, i.e., pilot program. AM900, as introduced, was challenged during the debate regarding the makeup of the new board by Senator Conrad's AM977. We agreed at the time to pass it through General to Select to work on it, which she has honored. It's took us quite a few weeks, but it was a joint effort of the IBEW, the Department of Labor, Senator Conrad's Office, to get that agreement in shape. That agreement is now part and parcel of another bill. OK. We have, we have that amendment built into AM1643. That was presented just a moment ago by Senator Conrad. What the issues were, and they have been resolved, was regarding the change-- the slight change in the board. It was amended so that all parties now are in agreement on the Commissioner of Labor's duties regarding grant proposals submitted by the board, as well as discretion of the Commissioner to approve up to three grant proposals without the prior approval of the board as long as they do not in the aggregate exceed 25% of the unobligated beginning annual balance of the workforce development program fund, and a requirement that the Commissioner complete a report to the chair. In sum and substance, that is the bill. I would ask if Senator Clements would yield to a question, please?

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KELLY: Senator Clements, will you yield?

CLEMENTS: Yes.

SORRENTINO: Senator, would you mind sharing a little bit of information on the AM1643, which is the product of you and Senator Conrad's efforts?

CLEMENTS: Yes, thank you. I support the withdrawal of AM977, substituting AM1643. I have an amendment, AM1636, but Senator Conrad and I-- and she had this AM977, we decided to just put them together so there's only one amendment to work on. I agree with her section of the amendment, and my section is-- there's a technical change that we need to do to coordinate this bill with a budget bill, and then also a transfer of funds from the Cash Reserve to the General Fund for funding the green sheet items, bills on Final Reading that cannot pass unless there's some funding for them. And so I would say that AM1643 is friendly from by myself and Senator Conrad. We've worked together on that. The Department of Labor has been agreeable to Senator Conrad's part, and my part is more technical in a funding portion.

SORRENTINO: I believe I have a little bit of remaining time, do I, Mr. President?

KAUTH: 1 minute, 22 seconds.

SORRENTINO: In my last minute, 1 and 22 seconds, the only thing I would add to the bill is I, until just a few moments ago, was not aware of another forthcoming amendment. I think that Senator Machaela Cavanaugh might be introducing, I don't know about that. So with that, I will conclude my remarks and yield the rest of my time. Thank you, Mr President.

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

ANDERSEN: Question.

KELLY: The question's been called. Do I see five hands? I do. The issue is, shall debate cease? All those in favor vote aye; those opposed vote nay. Record, Mr. Clerk.

CLERK: 27 ayes, 2 nays to cease debate, Mr President.

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KELLY: Debate does cease. Senator Conrad, you're recognized to close on your motion.

CONRAD: Thank you, Mr. President. Colleagues, I would ask for your favorable consideration of the motion to withdraw and substitute. It is reflective of the good faith agreement that the Speaker, Senator Clements, and myself, and others involved came to in regards to the place we find ourselves, both in terms of process and substance. I think that this will help us to move forward with debate in an efficient and effective manner. Thank you. Thank you, Mr. President.

KELLY: Thank you, Senator Conrad. Members, the question is the motion to withdraw and substitute. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 42 ayes, 0 nays on the motion, Mr President.

KELLY: The motion is adopted. Senator Conrad, you're recognized to open on the amendment.

CONRAD: Thank you, Madam-- thank you-- I'm sorry, I'm used to Senator DeBoer in the chair. Thank you, Mr. President and thank you, colleagues. As-- just to reiterate, so the amendment that is before you at the present time is-- well, let's maybe take a moment for a little bit of levity. What I'm affectionately calling a combo platter or a combination approach. So my friend Senator Clements had an amendment filed on LB265 which is important as related to his work as Appropriations Committee Chair and the budgetary actions we have taken together recently this session. I had a substantive amendment that was drafted in collaboration with Senator Sorrentino, the business community, the labor community, and the executive branch to update our workforce development programs to continue citizen engagement and oversight and responsiveness and to make sure that all stakeholders could be nimble in providing workforce development programs, grants and training as demanded by our workforce challenges and the good projects that come along. So since we were all caught a bit off guard by the hostile amendments that were filed today and the procedural reactions thereto, the Speaker, Senator Clements, I, and others agreed that it would be sound practice and substance to marry Senator Clement's amendment and my amendment together so that we could have efficient, effective debate and achieve our shared goals of doing the right thing by the budget and this workforce program. So with that, I'd be happy to yield time to my friend, Senator Clements, so he can continue to explain his substantive components of the amendment. And

my only regret and disappointment is that I'm not seated next to Senator Clements so I can do the kind of mic sharing that, that he and Senator Wayne used to do together. With that, take it away, Senator Clements.

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

CLEMENTS: Thank you, Mr. President. Thank you, Senator Conrad, and I appreciate the opportunity to get this couple of changes that I have that need to be done. I have two items in this amendment. My first item is on page 6, lines 18-22. This is a technical change which coordinates provisions of LB265 with budget funds transfer bill, LB264. LB265 terminates and transfers all the funds from two Department of Labor funds to the workforce development fund. LB264 of the budget would have transferred \$2.9 million from those terminating funds after July 1. But that can't happen if LB265 passes because LB265 has an emergency clause and takes all that money first. So this amendment replaces the loss to the budget by transferring the \$2.9 million from the workforce development fund where LB265 is moving it. So this amendment makes the books balance with no gain or loss to the budget or the workforce development fund. My second part of this amendment is a different topic and it's on page 6 lines 13-17. If you want to look at the back of the green sheet today, you'll see on line 34, column 3, what the budget looks like if all the bills on Final Reading would pass. It shows a negative \$4,798,000, a negative \$4.8 million, which means we can't pass bills that are listed below there unless there's money to cover it. So this is going to cover that because you've passed bills to Final Reading that cost \$4.8 million more than the funds available. The Forecasting Board's projection has revenues flat the next 2 years, but you are increasing spending with these bills. So we need to be careful about new spending. If all the A bills waiting for funding pass that are on Final Reading, the budget does not balance. It would be \$4.8 million short. So AM1643 has a transfer of \$5 million from the Cash Reserve rainy day fund to the General Fund to cover that shortfall. That would leave \$679 million in the Cash Reserve. That would be 12.3% of our General Fund expenses, which is still adequate above our 12% minimum that we target. Any bills that don't pass that are on Final Reading would help the budget's bottom line. But if they all do pass, they would be covered. So I ask for your green vote on AM1643, and with my provisions and Senator Conrad's provisions, which we've both agreed to do. Thank you, Mr. President.

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

HALLSTROM: Mr. President, members, I intended to call the question and Senator Cavanaugh asked me not to and I thought in fairness I, I would not do that, but I hope we get to the question very, very soon and all of the motions that are pending get removed. I do want to talk just briefly, in general, to the bill. Senator Conrad started her comments by suggesting that there had been people working arduously with extensive negotiations and collaboration. And I applaud those people that were involved in getting this bill back up to where it is today. It's been a long time since it was on the agenda, and I'm glad that they were able to work out the issues. It's a very important bill, and the subject matter with regard to workforce development is vitally important to the state. Senator Conrad also talked about frayed relationships. And frayed relationships occur when you make personal attacks against people on the floor of the Legislature. And in that respect, I want to applaud Senator Raybould for her courage and sticktoitiveness in bringing forth this measure and other related measures, and hope that we can minimize that as we move forward into the next session and finish up this year. I do want to comment on the amendment that was withdrawn. The amendment which was withdrawn, there were plenty of errors, if you will, that went forward, but that's water under the bridge. The bottom line is that that bill, as Senator Raybould suggested, would not have even been on the radar screen today had we either voted on Final Reading when the bill first came up or had we done so when it came up on the motion to reconsider. This bill-- however, the amendment will be available next session, and I appreciate the Speaker's efforts in that regard that we will move forward, and we have collectively removed that amendment in an effort to not only move this important bill forward, but also to get on to some of the important business that we have with regard to motions to return to Select File for specific amendments on bills that need that to be done. So I thank you for your, for your support of moving forward.

KELLY: Thank you, Senator Hallstrom. Senator Machaela Cavanaugh, you're recognized to speak. Senator Spivey, you're recognized to speak.

SPIVEY: Thank you, Mr. President. And just want to reiterate some of the comments that were made before. I do appreciate, again, the work that has been done on LB265 with the different partners. I know that there's a lot of conversations happening offline about amendments and

how they're moving. And so sometimes we take time in order for those conversations to wrap up and to find realignment. And so, again, I appreciate the dialogue around the bill that is in front of us and the amendments and the work that was done with Senator Conrad and Senator Clements around that and hope that we can start to find some resolve soon. You know, reflecting we're almost to the end of session and it has been a whirlwind. And these last days have been long and hard. Lots of intentional conversation, lots of hard conversations, everyone brings different perspectives and points of view and so sometimes that's hard to marry and find that space in the middle and that consensus and there has been, I think, a lot more dissonance that has been brought to the floor based on what has been in front of us and so with LB265, I think the opportunity and the continued conversation to have is around how we think economic development in our state. As I mentioned earlier, the initial conversation around what the governor was proposing with DED, those funds, some of the programming in Department of Labor was a topic of conversation. And that kind of paused as we waited to see where LB265 and what it is now landed. The Department of Economic Development plays an important role across our state from growing our economy to visioning what Nebraska will be from an economic perspective, how we are utilizing those programs, what programs we need to stop doing, things that we should continue to invest in that have momentum. And so it was a really great conversation with the director around what he sees and what does that look like going into the future. With Appropriations, we get to see every agency in a different way than other committees. And so what was in front of us around DED and then now what is being moved to Department of Labor, how we're thinking about workforce, and some of those programs, I think, is going to be a continued important conversation that will continue to be brought up on the floor through various bills. I do have an interim study that I submitted to look at specifically our economic viability and where we are now post-COVID-19. There were some studies before and work done before the pandemic around a cohesive plan for the state and now that we are guess what we would consider out of COVID-19, there was a lot of money funneled into the recovery. Industries changed, our landscape changed, and so it feels like a really good time to pause and reevaluate what is a strong economic development plan that can be supported by policy from this body that allows for us to really access the good life that we have here in Nebraska, from wages and jobs, to innovation, to transportation and housing. And so I'm looking forward to how that will work with some of the conversations we're having now. And some of the bills that are being passed and then what is in front of us. And

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so I hope that we can continue to have the conversation. I know it's long days and it's getting tough and appreciate the patience of colleagues and folks extending a little bit more grace as we wrap up this session. Thank you, Mr. President.

ARCH: Senator Guereca, you're recognized to speak. Senator Sorrentino, you're recognized to speak.

SORRENTINO: Excuse me. Thank you, Mr. President. I'll just be short and brief here. If there is any further amendments to this bill, I would encourage everybody to be in favor of AM1643, which is an amendment to AM900, and then we can vote AM900. I think the bill is substantively complete. It's a good bill. If there are any other amendments which have not withdrawn, I would, I would have to view those as hostile. So thank you, I yield the rest of my time.

ARCH: Seeing no one left in the queue, Senator Conrad, you're recognized to close on AM1643.

CONRAD: Thank you, colleagues. Thank you, Senator Sorrentino, for your support of the amendment. Thank you, Senator Clements, for your explanation of your components of the, the amendment and for your support of the amendment, thanks to legislative leadership for helping us identify a good path forward here. And I would ask for your favorable consideration of AM1643. Thank you.

ARCH: Colleagues, the question before the body is the adoption of AM1643. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: 39 ayes, 0 nays on adoption of the amendment, Mr. President.

ARCH: The amendment is adopted.

CLERK: Mr. President, Senator Conrad would withdraw AM1466.

ARCH: So ordered.

CLERK: In that case, Mr President, Senator Machaela Cavanaugh would move to amend with AM1645.

ARCH: Senator Cavanaugh, you're recognized to open on AM1645.

M. CAVANAUGH: Thank you, Mr. President. Well, this did not go in the order that I had intended or hoped for. So, yeah, this amendment is an

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amendment that, basically, the exact same amendment that was just voted on, but changes the funding source from the Cash Reserve to the Perkins Canal. We are going to have a special session. I'm now not the only one saying that, Republican men are saying it, so it must be true. And we are going to have more of a shortfall than our rainy day fund can handle, and we need to start making concessions. But we don't do that here, so I'm going to waive my close. Thank you.

ARCH: Colleagues, the question before the body is the adoption of AM1645. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: 11 ayes, 31 nays on adoption of the amendment, Mr. President.

ARCH: The amendment is not adopted.

CLERK: I have nothing further, Mr. President.

ARCH: Senator Sorrentino, you're recognized to close on AM900. Senator Sorrentino waives close. The question before the body is the adoption of AM900 to LB265. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: 43 ayes, 2 nays on adoption of the amendment, Mr. President.

ARCH: The amendment is adopted.

CLERK: Senator Guereca, I have nothing-- Senator Ballard, I have nothing further on the bill.

ARCH: Senator Ballard, for a motion.

BALLARD: Mr. President, I move LB265 to E&R for engrossing.

ARCH: All those in favor say aye. Opposed, nay. It does advance.

KELLY: Mr. Clerk, next item.

CLERK: Mr. President, it's my understanding that the Speaker has an announcement.

KELLY: Speaker Arch, you're recognized for an announcement.

ARCH: Thank you, Mr. President. As I indicated this morning, there is a section here on Final Reading, motions to return to Select File for

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a specific amendment, and I would ask that we take up LB707 at this time.

KELLY: Thank you, Mr. Speaker. Mr. Clerk.

CLERK: Mr. President, LB707, Senator von Gillern would move to return to Select File for a specific amendment, that being AM1642.

KELLY: Senator von Gillern, you're recognized to open.

von GILLERN: Thank you, Mr. President. Colleagues, I apologize, we worked really hard to try and get everything right in the language on LB707 and we had a long and very healthy conversation around this on Monday but we did find a few things that needed to be revised. So today I rise in support of AM1642 and the motion to return this to Select File for addition of this specific amendment. AM1642 has a few changes but a lot of words because they replaced a few sections. It includes several minor clarifications that were agreed upon between the Attorney General and several of the interested parties. These were just simple oversights that were not included in the floor amendments made on Monday. We wanted to make sure that those commitments that were made were honored. So those are in here. It was also found that there was a duplication in some of the tax credit language, which would have caused the tax credit to be taken twice, which obviously was not our intent. So that was a duplication. By correcting that error, we save about a half a million dollars. So as of yesterday, I was, I was pretty intransigent on pulling this back just to, to save time and, and some of the challenges around it. But once I found there was another half million bucks that we could throw to the green sheet, it was a pretty easy conversation. So I ask for your green vote on these reasonable changes to return to Select File and then the approval on the amendment. Thank you, Mr. President.

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

CLERK: 44 ayes, 0 nays on the motion, Mr. President.

KELLY: The motion is adopted.

CLERK: Mr. President, Senator von Gillern would move to amend the bill with AM1642.

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KELLY: Senator von Gillern, you're recognized to open on the amendment.

von GILLERN: Thank you. Already described what the amendment does, so I would ask for your green vote on AM1642, colleagues. Thank you.

KELLY: Thank you, Senator von Gillern. Seeing no one else in the queue, you're recognized to close and waive closing. Members, the question is the adoption of AM1642. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 46 ayes, 0 nays on adoption of the amendment, Mr. President.

KELLY: The amendment is adopted. Mr. Clerk.

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

KELLY: Senator Guereca, you're recognized for a motion.

GUERECA: Mr. President, I move that LB707 be advanced to E&R for engrossing.

KELLY: Members, you have all heard the motion. All those in favor say aye. Those opposed say nay. It is advanced. Mr. Clerk.

CLERK: Mr. President, amendments and motions to be printed to LB265 from Senator Dungan and Conrad. That's all I have at this time.

KELLY: Members, please check in for Final Reading. Senator McKinney, please return to the Chamber for Final Reading, and Senator John Cavanaugh. Mr. Clerk, the first bill on Final Reading is LB217.

CLERK: [Read LB217 on Final Reading]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB217 pass? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Ballard, Bosn, Bostar, Brandt, John Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jaconson, Juarez, Kauth, Lippincott, Lonowski, McKeon, McKinney, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: Senator Armendariz. Not

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voting: Senator Machaela Cavanaugh. Vote is 47 ayes, 1 nay, 1 excused, not voting, Mr. President.

KELLY: LB217 passes. The next bill is LB454.

CLERK: [Read LB454 on Final Reading]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB454 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, John Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: Senators Hansen and McKinney. Not voting: Senator Machaela Cavanaugh. Vote is 46 ayes, 2 nays, 1 excused, not voting, Mr. President.

KELLY: LB454 passes. The next bill is LB530. 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: 46 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 LB530]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB530 pass? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 37 ayes, 11 nays, excuse me, Mr. President. Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Clements, Clouse, DeKay, Dorn, Dover, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Ibach, Jacobson, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Sanders, Sorrentino, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: Senators John Cavanaugh, Conrad, DeBoer, Dungan, Fredrickson, Guereca, Hunt, Juarez, McKinney, Rountree, and Spivey. Not voting:

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Senator Machaela Cavanaugh. Vote is 37 ayes, 11 nays, 1 excused, not voting, Mr. President.

KELLY: LB530 passes. The next bill is LB530A.

CLERK: [Read LB530A on Final Reading]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB530A 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, John Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Ibach, Jacobson, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: Senators Hunt, Juarez, McKinney, Spivey. Not voting: Senator Machaela Cavanaugh. Vote is 44 ayes, 4 nays, 1 excused, not voting, Mr. President.

KELLY: LB530A passes. While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign LB217, LB454, LB530, and LB530A. Mr. Speaker, for an announcement.

ARCH: Thank you, Mr. President. Colleagues, our, our constitution requires a 1-day layover before a bill can be read on Final Reading. In order to have Final Reading on Monday for today's Select File bills and those returned today from Final, we need to stay in session until those bills are correctly engrossed and returned by the Revisor's Office prior to adjournment. For those of you that this is your first year in these final days, this routinely happens on one of the last days of the session. At this point, we will not be taking up LR29, but we will need to stand at ease until the bills are correctly engrossed today. The Revisor's Office has given me an estimate that the bills will, will be returned in approximately 3 to 4 hours. While we do not need everyone to stay, we do need 25 members to remain in the building and available to return to the Chamber quickly to ensure we have quorum at the time the bills are returned. Please send me an email indicating your intention to stay and my office will compile a list to ensure that we have at least 25. This is what we've done in other situations where we've, we needed 25 on a snow day, very similar here, we need 25 at, at the end of the day. You don't have to remain in the

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room, but please be available when we reconvene to adjourn after we receive these bills from the Revisors. Thank you, Mr. President.

KELLY: Thank you, Mr. Speaker. The Legislature will now stand at ease.

[EASE]

ARCH: The Legislature will resume in 10 minutes. Mr. Clerk, for items.

CLERK: Mr. President, bills read on Final Reading this afternoon were presented to the governor at 3:34 p.m. Additionally, your Committee on Enrollment Review reports LB265, LB306, and LB707 as correctly engrossed and placed on Final Reading, as well as LB707 correctly re-engrossed and placed on Final Reading second. Motions to be printed from Senator Machaela Cavanaugh to LR29. And, finally, a priority motion, Senator DeBoer would move to adjourn the body until Friday, May 30 at 9:00 a.m.

ARCH: All those in favor say aye. Opposed, nay. We are adjourned.