

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate February 9, 2026
Rough Draft

KELLY: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the twenty-third day of the One Hundred Ninth Legislature, Second Session. Our chaplain for today is Senator Storer. Please rise.

STORER: Good morning, colleagues. Please join me in prayer. Gracious and Heavenly Father, we come before you with humility, aware of the weight of responsibility entrusted to us. Guide us to carry out our work with-- without grumbling or division, and guard our hearts from pride, impatience and self-interest. We pray for the essential gifts of integrity and wisdom, that as leaders our decisions may be marked by fairness, clarity and respect for human dignity. In a world often shaped by conflict and confusion, help us to be people of character, steady, truthful, and just. May we hold firmly to what gives life. To truth, to justice, and to the good of those we are called to serve. Let our words be measured, our actions honorable, and our leadership a light that fosters hope rather than harm. We ask that our call to service not be driven by personal gain, but by a sincere desire to promote peace, stability, and a measure of good leadership. Strengthen us to lead with courage and compassion, and to reflect what is right, even when it is difficult. We place our work and our nation in your care. In Jesus' name, amen.

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

DORN: 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 twenty-third day of the One Hundred Ninth Legislature, Second Session. Senators, please record your presence. Roll call. Mr. Clerk, please record.

CLERK: There is 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?

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CLERK: There are, Mr. President. Amendments to be printed from Senator Dorn to LB1187, Senator Ballard to LB1101, Senator Clouse to LB1151. That's all I have this time.

KELLY: Thank you. Senator Jacobson, you are recognized for an announcement.

JACOBSON: Thank you, Mr. President. I'm happy to announce that our daughter Mary gave birth to our first grandchild on Saturday night at 9:32 p.m. So it's Dennis Michael Vagelis [PHONETIC], 8 pounds, 32 ounces. So big boy, born by C-section, so Mary's not moving around quite as well as she was before, but very happy. Mother, son, great shape, they're getting along well. We got to spend time with him yesterday, and he was dead to the world. He just was sleeping away. But pretty active kid out of the gate, I understand. So I just wanted everyone to know, thank you.

KELLY: While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign LR335, LR336 and LR337. Mr. Clerk, please proceed to the agenda.

CLERK: Mr. President, first item on the agenda, Select File, LB397. There were no E&R amendments. Senator John Cavanaugh had AM1945 pending when the Legislature left.

KELLY: Senator Cavanaugh for a refresh.

J. CAVANAUGH: Thank you, Mr. President. Well, congratulations to Senator Jacobson and, and family. That's such exciting news. So it's great to hear good news around here. So a refresh on this amendment. This is Senator Moser's bill that eliminates the requirement that there be workplace safety committees, and we talked about it on General-- well, on General File. And there was the conversation that public sector employees are not covered by OSHA. So Senator Moser's bill is basically to eliminate a, a duplicative state authority for workplace safety that is covered by OSHA. On General File, we had the conversation and it came to our attention that public sector employees in Nebraska are not cover by OSHA because Nebraska does not have a state plan for that. So what my amendment does is essentially keeps in place the stricken language that and Senator Moser struck but requires that public sector employees still have workplace safety protection coverage. So I'll punch in and talk more substantively. But it

essentially, does-- I think, doesn't undermine the intention of Senator Moser's bill. It just makes sure that we are not taking away protections for public sector and employees who are not covered by OSHA. So I will talk a little bit more. Thank you, Mr. President.

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

DUNGAN: Thank you, Mr. President. Good morning, colleagues. I do rise today in favor of AM1945, and I guess a little hesitant and still listening to the conversation as it pertains to LB397. I wanted to provide just a little bit of context for the bill that we're talking about here today and kind of where we came from, and remind some colleagues about what it is we're actually debating here. So broadly, my concern with LB397 is that it continues to whittle away at workplace safety. I think when LB397 was first up on General File, it was proposed to this body as simply just a cleanup measure that eliminated programs that don't currently have funding. When I dug into LB397 though in a little bit more detail, there were certain parts in here that I found problematic because what they're doing is they're getting rid of these structures that are currently in place for our Department of Labor to provide oversight for workplace safety in a mandatory fashion. I appreciated the Department of Labor was out in the Rotunda the last time we debated this bill, and I was curious what sort of the consequences would be if we eliminate the Workplace Safety Consultation Program. Because if you look at LB397 on page 9, there's this entire Section 3 that strikes the Workplace Safety Consultation Program, and it strikes all of the language that mandatorily subjects employers to occupational safety and health inspections under the Nebraska Department of Labor. So my concern was, if this gets struck, that there's not any authority for the Department of Labor to on their own volition and with the power of the Department of Labor to go in and search these facilities to make sure they're adhering to workplace safety requirements. My understanding from talking with them is that there are programs that are available where companies or businesses can opt in to allow the investigations or the inspections through OSHA. But as Senator John Cavanaugh indicated, OSHA doesn't cover those public employees. So there's a lot of different things at work here and a lot things that are at play that I think we need to be very careful about before we pass a bill that strikes an entire program. Now, I understand that part of the argument that's been made is that the Workplace Safety Consultation Program hasn't been funded by this

Legislature for a few years. I think since 2003 maybe is what was said. I think that is a broader conversation that we can have about whether or not we as a state should be funding workplace safety. But what I'm concerned about is if LB397 passes, it strikes all of this language which eliminates all of the structure of this program, which in the future, if we were to try to bolster this program or work with the Department of Labor to have mandatory inspections, then the skeletal structure of workplace safety in Nebraska is gone. And if we remove our ability to have this kind of supervision by the Department of Labor, I'm concerned that we are giving up too much of that ability to keep workers safe. I went back through again and I looked at some of the comments online about this, and there's not a lot. But one of the things I did the first time on the mic when we were here on General File is talk about what the importance of workplace safety is. And in a legislative session that has been marked, I think, by, frankly, continued attacks on working families, both from a monetary perspective on their paycheck, but now also in a safety perspective on making sure that there actually are those workplace safeties in place on a day-to-day basis, I found it alarming when you go and read the comments from people who actually are the boots on the ground, who work in relatively dangerous jobs, like meatpacking plants. And there are quotes, if you go look at the online comments, colleagues, about the perils that they face day in and day out when they go to work, and in the face of continued stressor [MALFUNCTION]-- difficulty of those jobs for the Nebraska Legislature to remove the authority to have these workplace safety programs, I think is problematic. So I am generally, I think, opposed to the heart of LB397, but I wanna say this, colleagues, and I hope people are listening, AM1945 is a genuine amendment that seeks to fix a problem that I think was unintentionally missed in LB397. The discussion around public employees and whether or not they're covered by OSHA is an important distinction. And what AM1945 does, at least to the best of my reading of it, is ensure that these workplace safety committees remain in place for those public employees to have some added protection because they're not covered by OSHA the same way that the private employees might be. And so I think AM1945, you should have emails, colleagues from public employee groups who have reached out to you, I think, about the support of AM1945 explaining the importance of ensuring these safeties. I would encourage you to listen to those public servants, and I would encourage you listen to your constituents who work in these jobs. And I think Senator John Cavanaugh's AM1945 seeks to address a true

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problem. With that, I'd encourage your green vote. Thank you, Mr. President.

KELLY: Thank you, Senator Dungan. Senator John Cavanaugh, you're recognized as me.

J. CAVANAUGH: Thank you, Mr. President. Good morning colleagues. Just take a real quick minute here to talk a little bit more and not on the refresh. So talked about this, what the bill does, on the refresh. I'm having a conversation with Senator Moser and I'm gonna step out in the lobby here and talk with the Department of Labor. Sounds like we maybe are making some progress on something to get us to where people are gonna be more comfortable with this bill. I would reiterate what Senator Dungan was just saying. But ultimately, again, this is how this place should work, is there was a bill brought, we had some folks ask questions on General File, bringing an amendment on Select File to attempt to make changes to address those concerns raised on General File. And now we'll have a conversation, and hopefully we can get to a place where maybe my amendment does do a little bit more than the folks in favor of this bill are, you know, concerned, so we can find a way to step back the amendment and still accomplish the modification that I think is important. And so, again, the point is, the original bill is trying to get rid of some government regulation that doesn't act-- isn't actually doing anything, hasn't done much since 2003. There are different arguments you can make about whether maybe we should fund that and require it to do that, or we should at least, in my proposal, leave it in place for the folks who are not covered by OSHA. So Senator Moser pointed out that this bill is, or the, or the Workplace Safety Committee as they exist, are in place to be like a re-- the state version or overseeing of OSHA, Occupational Safety Administration, at the federal level. And that it hasn't been used in more than two decades, and so he's trying to clean this up and take some work off the Department of Labor's books. Senator Quick on General File pointed out that public sector employees are not covered by OSHA. And so, as Senator Dungan just pointed out, we've heard from public sector employees who are concerned about the elimination of this requirement. And so my amendment puts the requirement back in place as it pertains to public sector employees who are not covered by OSHA. So what that does is, if the argument for this bill is to eliminate, eliminate duplication, it puts back into place those who are not duplicative, not duplicating work. So just making sure that folks who are our, you know, street cleaners and, and maintenance

workers, our firefighters, and our public power employees, all of those folks are still protected in the workplace and ensure they have that workplace safety. So that's what the amendment does. So I'm going to step out and have a quick conversation. Hopefully we can come to some agreement and we can get this amendment-- get an amendment that we can all agree on and, and move forward. So I'll yield the remainder of my time. Thank you, Mr. President.

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

CONRAD: Thank you, Mr. President. Good morning, colleagues. While my friends Senator Cavanaugh and my friend Senator Moser have an opportunity to confer in regards to potential language that may forge and find consensus on this topic, particularly as it relates to public employees, I thought I would just add a few additional points to the record for your consideration. So proponents of this measure have said that they're bringing it forward to remove unnecessary, perhaps, red tape or outdated, antiquated, unu-- unutilized or underutilized components in our state law, and have also pointed to the fact that they think that these duties can be handled through OSHA. So I, I did just want to note though that at this moment OSHA funding faces significant proposed funding cuts, seeking budget reductions on the federal level of multi-- multiple millions of dollars and proposed to cut hundreds of staff positions. So this trend and this present situation is really moving away from a broader OSHA presence to ensure prevention and also accountability when it comes to workplace savings. That is something that I think we need to be really thoughtful of as we take up this issue. So at the heart of this measure is an effort and an opportunity that prior Legislatures thought would be helpful to ensure a proactive approach to addressing workplace safety instead of just looking at workplace tragedies after the fact. So, in Nebraska, the statistics are pretty varied, actually, in terms of trend lines about where we are. The most recent statistics that I could find available were from the U.S. Bureau of Labor Statistics in 2023, and that noted that fatal work injuries in Nebraska were 46 people. 46 people died on the job, our fellow Nebraskans, in 2023. That was down from the previous year of reports in 2022, but fatal occupational injuries in the state have ranged anywhere from a high of 83 people in 1994 and to a low of 35 in 2017. And keep in mind the, the low watermark for occupational fatality in Nebraska for the data that we have available indicates that in 2017, 35 Nebraskans lost their lives

on the job. And that's the low watermark. The most recent information we have available shows that about 50, 46 Nebraskan lost their job-- lost their life on the job. And these are just fatalities. These aren't serious injuries as well. So that, that's very important to keep in mind. And perhaps this measure was first put forward when we were at that higher, that higher threshold for workplace injury and death. But nevertheless, anything that we can do on the preventative side to bring together workers, management, to open up a dialogue, to identify issues, to increase training, to instill a culture of workplace safety, which is at the very heart of what workplace safety committees do, is good. The old saying that an ounce of prevention is, is the smarter way to go. This is exactly what's at the heart of this. We also know that there are a lot of hardworking Nebraskans that are working in really dangerous conditions. We know that was a deadly explosion in Fremont in my friend's Senator Wordekemper's district at a plant where a worker and his children who were in the break room that day lost their lives. We know there have been significant, well-publicized instances of child labor law violations in Nebraska, not only in terms of wage and hour, but also children's deaths. We, we know that there is more work to do to ensure that all Nebraskans have not only a dignified workplace, but a safe workplace. Thank you, Mr. President.

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

GUERECA: Thank you Mr. President. Good morning colleagues. I hope we all had a restful weekend. I rise definitely in support of AM1495. I think my colleague, Senator Cavanaugh, pointed out what was probably an unintentional consequence of a colleague trying to clean up a section of labor law. So definitely am in support of, of AM1495 to make sure that our public sector employees do have at least some voice in the maintaining of their workplace safety. But I think at its core, I oppose LB397. And I'm gonna sound like a broken clock, but for so many of the reasons my colleagues before me have uplifted, it's one in a series of unfortunate trends that this Legislature has taken to sort of chip away at, I don't want to say workplace safety, but it's sort of workers' autonomy, workers' ability to have a say in their compensation future. And in this case, it's going to be about safety. Yet at its core, it's dealing with these, with these safety committees, which, you know, in the first round of debate we heard some pretty outlandish comments of what these safety committees were,

kind of what the undue burden that they would place on employers. And, you know, we heard that potentially if we do away with the safety committee, we would see rages-- wages rise. But the reality is, colleagues, these safety committees, a lot of times, when actually implemented in workplaces all across the state, are really just informal gatherings of management and of workers that are highlighting simple things, simple changes that they're seeing while going about their day-to-day job. Little things that can be fixed. Because the reality, colleagues, is in, in a workplace, in an industrial work setting, it's never one big thing that goes wrong that leads to tragedy. It is a chain of little things that go wrong. One thing goes wrong here, an oversight here, a thing goes wrong here, and it cascades. And it's that cascade that leads to tragedy. Senator Conrad talked about, you know, where we were in workplace death. Those tragedies, almost every single time when those, when a workplace death is investigated, we see a series of little things that went wrong that led to catastrophe. All the safety committee does is it brings together management and folks that are actually working, that are doing the day-to-day job, and highlight, highlight those little things. Highlight things that could potentially break that catastrophic chain that leads you to death or to irreparable harm done to a working Nebraskan. I heard from working people all across the state, and you hear of, of, you know, larger companies with very much structured workplace committees, but oftentimes it's, it's an informal setting. One of my colleagues here talked about the workplace committee he had at his, at his shop, sitting around at lunch talking about, hey, let's make sure that the, you know, the cables are tied up. And oh gosh, you know, try to move boxes down this aisle, and it was cluttered. Let's get that clutter out of the aisle. Those little things, while they seem mundane, colleagues, again, is one out of a series of things that can potentially go wrong that leads to injury, and unfortunately, sometimes death. So taking the time to have these structures in place, and I get it. I understand that the formal inspection setting with the Department of Labor has been unfunded for a long time. And like my colleague Senator Dungan said, we should revisit that. Let's make sure that, you know, the, the-- these checks and balances are in place to make sure that our workers are safe. But again at its core, these worker-- these safety committees are places where honest conversations are had, where little things can be highlighted. But it's those little things. It's the cables in, in, in the hallway, it's the boxes cluttering the aisle. If we're able to

have these conversations-- I had a worker out in, in central Nebraska talking about how he met his co-op, the safety committee is a bunch of guys that get together, they buy some chicken for the local grocery store, and they have a conversation about what they could do to make their workplace a little bit safer. So I think making sure that, and again, in statute, it literally outlines the cost to maintain and operate safety committees shall be minimal to the employer. We're talking about a program that has minimal cost to the employer, but could potentially save lives. Thank you, Mr. President.

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

McKINNEY: Thank you Mr. President. I rise in support of AM1945. I got a message last week from somebody who is with the local employees and, you know, offered their feedback and perspective on this, stating that from their review, the amendment that Senator Cavanaugh has introduced restores critical statutory language requiring safety committees and injury prevention programs for employers covered under the Nebraska Workers Compensation Act, including public employers. For municipal and county employees, this is not simply a policy preference, it's a foundational safety structure. Because Nebraska is not a state-planned OSHA state, most cities and county workers do not fall under federal OSHA jurisdiction. Without state statutory safety structure, workplace safety for public employees risks becoming discretionary policy rather than enforceable standard. The amendment represents a balanced, practical solution that preserves modernization efforts while ensuring Nebraska does not unintentionally create a regulatory gap for public workforce that maintains infrastructure, public facilities, water systems, roads, and essential services for our communities. The goal is to not slow modernization. Their goal is to make sure modernization does not come at the cost of worker safety, taxpayer risk to exposure, or preventable injury. And that's why they are in support of this amendment, and it's also why I'm in support of this amendment. I think anything we could do to make sure our public employee safety is, you know, taken care of and thought about, I think it's important. I think this is a friendly amendment. It's my understanding that there's some conversations going on to address any concerns with the amendment that could potentially make sure this goes forward. So with that, thank you.

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

MOSER: Thank you, Mr. President. Good morning colleagues, good morning Nebraskans. So LB397, in its original form, was meant to remove some verbiage requiring safety committees. The rules and regs were not being enforced because they didn't have staff to do it, and [MALFUNCTION] these had their own safety committees anyway. And so the Department of Labor felt that if we could remove those things from the statute that that would solve a problem for them where we have laws on the books that we're not following. So then Senator Cavanaugh came up with this amendment which, in its first version, kind of undid everything that LB397 did, and probably there would be enough votes to not approve his amendment. But in the discussion with Senator Cavanaugh about this, we may have come up with a, a way to make it permissible to have safety committees and just not required. So Senator Cavanaugh, could you respond to a question?

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

J. CAVANAUGH: Yes.

MOSER: So, did you like my paraphrase of our--

J. CAVANAUGH: I think, yes, I think you got it. I did have the opportunity to visit with the Department of Labor out in the Rotunda. And based off of our conversation that you and I had with them and the amendment that I filed, sounds they are OK with, if we adopt the FA that I've just filed, and then AM1495 and then LB397, that works for them. So--

MOSER: Well, and it works for you?

J. CAVANAUGH: That would work for me as well.

MOSER: So you would remove AM1445?

J. CAVANAUGH: No, we would adopt AM1445 as amended by the floor amendment once we get it. So the floor amendment changes AM1445 to eliminate the--

MOSER: So we got to wait to have the floor amendment?

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J. CAVANAUGH: We can ask the Clerk to read it across now. I just asked him to hold it until we talk to the Department.

MOSER: OK.

J. CAVANAUGH: So we are, we are ready to proceed with voting. And I can certainly walk everybody through the explanation when the floor amendment gets up there.

MOSER: OK.

J. CAVANAUGH: But I just want to make sure you-- yes, so I talked to Department of Labor. The floor amendment fixes their concerns. The amendment as amended would help with my concerns. And then we can move forward with the bill.

MOSER: Harmony is a wonderful thing.

J. CAVANAUGH: Thank you for working with me on this, Senator Moser.

KELLY: Thank you, Senators Moser and Cavanaugh. Senator Dungan, you're-- Mr. Clerk for, for an item.

CLERK: Mr. President, Senator John Cavanaugh would move to amend with FA964.

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

J. CAVANAUGH: Thank you, Mr. President. And again, thank you, Senator Moser. Thank you to the folks from the Department of Labor. So what this amendment does, as Senator Moser was talking about, so to kind of set the whole table, LB397 eliminates these sort of old duplicative commissions. And AM1945 adds back the requirements of these workplace safety committees as it pertains to public sector employees. There parts of it then are eliminated in FA964. One of them is a requirement that the Department of Labor create new regs in pursuit of that, which I think we can all agree is not necessary. And so that part is eliminated because there's already current regs in place and we're not trying to create a new affirmative duty for the Department of Labor. We're just trying to restore it for folks who already have this. So FA964 eliminates that requirement and then it changes, makes one other small change. It changes a "shall" to a "may," which everybody who's been here any length of time knows how important that change is, but

what it does is it changes for public sector employees that rather than saying they shall bargain for workplace safety committees in their collective bargaining, it says they may. So this just says that then folks can, can do this. It doesn't say that they have to do it. So I think this creates, puts us back in a position where we were previously and does make sure that we are not eliminating all of this for public sector employees, but only really for private sector employees. So as I said, the Department of Labor is OK with FA964 and AM1945 if we adopt FA964. And then LB397, I think, becomes less of a, a rollback of pub-- of employees' safety. I think there are obviously still other considerations, but this does make sure that folks who are not covered by OSHA are still having access to these workplace safety committees. So I would encourage your green vote on FA964, AM1945, thank you Mr. President.

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

DUNGAN: Thank you, Mr. President. Colleagues, I do rise in favor of the floor amendment. I appreciate the negotiations that have happened between Senator Moser and Senator John Cavanaugh. That's how the system is meant to work. And I think for those who sometimes wonder why we're debating and why we're having the back and forth, that's exactly why. Because it gives time for these conversations to happen and people can work on amendments to come to some consensus. I do want to be clear, I do still have hesitations about LB397. I actually went back and found the transcript from the floor of the Legislature from the morning and the afternoon of April 19th, 1993. And I was just commenting to Senator Strommen that it's kind of funny to go back and read these because they debate and say similar things to what we are saying right now. And so it's kind of funny to back that many decades and see the same kind of conversations happening. But there's a pretty robust conversation that took place April 19th of 1993 between Senators Landis, Senator Lindsay, Senator Abboud, and a couple of others that got involved. And I just want to contextualize. And what we're talking about with these workplace safety programs was part of a larger package that came out of a workers' comp compromise that came forth after a monthslong task force that I think proposed upwards of 12 different things to make workers' comp better for everybody. And of particular note that I appreciated, Senator Landis, in one of his openings, talked about how this was a, a compromise that had brought people to the table, both employers and employees, in an effort to

make things more affordable. And one of the things that they knew helped was actually increasing workplace safety by ensuring these committees were in place, which ultimately reduced costs. And so Senator Conrad, others have commented on the fact that when you have these investments to prevention, it saves you money down the line. So I am hesitant to see any of the workplace safety committees be taken out. That being said, I think the floor amendment is a great compromise to try to continue to protect those public sector employees who don't have the same protections as private sector employees. And so I do encourage the green vote on that. And colleagues, if you ever get a chance to go back and read the transcripts, it's very informative, because you can see where these bills came from and what was being debated. And I think that one of the things we lose with term limits is that institutional knowledge. There's also a really great discussion as to whether or not a hostess cupcake compromiser-- comprises a lunch between Senator Landis and Senator Beutler, but I will, I will not go into that in great detail. But with that, colleagues, I would encourage your green vote on FA964 and AM1945 as amended. Thank you, Mr. President.

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

MOSER: Thank you, Mr. President. Good morning again, colleagues and fellow Nebraskans. So the discussion that I had with Senator John Cavanaugh about the bill, I think his concerns were that LB397 might in some way set back safety committees, and so by making at a "may" instead of a "shall," and then removing one paragraph from his amendment, I think, is acceptable to me and it's acceptable to the Department of Labor, so at this point. Unless something blows up beyond this point. But right now it looks good. I'd appreciate your support for-- better write this down, I'm recommending that you vote for a Cavanaugh amendment. But I would like you to vote for FA964 and then AM1945 after it's amended, and then for the bill LB397. Thank you.

KELLY: Thank you, Senator Moser. Seeing no one else in the queue, Senator John Cavanaugh, you're recognized to close on FA964.

J. CAVANAUGH: Thank you, Mr. President. Thank you Senator Moser. It, it is an auspicious day, 10:42 on February 9th, 2026. I really do appreciate Senator Moser working with me on this, and the Department

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of Labor, in finding a solution that makes a whole lot of folks more comfortable with this bill. And so I think that is, again, this is how this place should work. Have a conversation, identify issues, find a solution, propose that, and then negotiate and, and get to somewhere that actually helps everybody out a little bit. So, again, I ask for your green vote on FA964 and AM1945. Thank you, Mr. President.

KELLY: Thank you, Senator Cavanaugh. Senators the question is the adoption of FA964. All those in favor, vote aye. All those opposed, vote nay. Record, Mr. Clerk.

CLERK: 38 ayes, 1 nay on adoption of the amendment, Mr President.

KELLY: FA964 is adopted. Seeing no one else in the queue, Senator John Cavanaugh, you're recognized to close on AM1945.

J. CAVANAUGH: Thank you, Mr. President. Thank you, colleagues. This will be real quick. I appreciate Senator Moser working with me. AM1945 with the amendment you just adopted eliminates the Department of Labor's concerns about my amendment. And then AM1945 helps with my concerns about LB397. So this gets everybody into a good spot, and we can all feel good about this and move on to the next bill. So I encourage your green vote on AM1945. Thank you, Mr. President.

KELLY: Thank you, Senator Cavanaugh. Members, the question is the adoption of AM1945. All those in favor, vote aye. All those opposed, vote nay. Record, Mr. Clerk.

CLERK: 44 ayes, 0 nays on adoption of the amendment, Mr. President.

KELLY: AM1945 is adopted. Mr. Clerk.

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

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

GUERECA: Mr. President, I move that LB397 be advanced to E&R for engrossing.

J. CAVANAUGH: Machine vote.

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KELLY: There's a request for machine vote. The question is the advancement of LB397 to E&R Engrossing. All of those in favor, vote aye. All those opposed, vote nay. Record, Mr. Clerk.

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

KELLY: LB397 is advanced to E&R Engrossing. Mr. Clerk.

CLERK: Mr. President, Select File, LB441. First of all, 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 LB441 be adopted.

KELLY: Senators, you heard the motion. All those in favor, say aye. Those opposed, say nay. The E&R amendments are adopted.

CLERK: Senator Spivey would move to amend with AM1897.

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

SPIVEY: Thank you, Mr. President. I'm not sure what AM1897 is. There should be a motion from Senator von Gillern and a floor amendment that we need to get to. So give me just one second, please. Mr. President, what-- Mr. Clerk, what is the amendment for AM1897?

CLERK: Senator, it adds Section two, for purpose of this section, authorized inspector means an individual credentialed with the state agency, county, city, village, issuing permits or a third-party inspector registered or licensed in the state of Nebraska contracted as a result of project specification requirements. Authorized inspector does not include an individual performing a self-performed inspection for the individual's own permit or building; as well as additional provisions under Section 2.

SPIVEY: Thank you. Thank you, Mr. Clerk and Mr. President, for that. So I want to make sure, and going back through all of the amendments and what was adopted. So, OK, thank you. So, again, LB441 modernizes virtual inspections and there was a little bit of confusion around making sure that the language was correct when it went through

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Revisors. One of the key components that we needed to make sure was not in places around this list, and how we talk about this list versus what is available with the specific contractor and who was being pulled and so. I appreciate Senator von Gillern on looking through those things and catching them, and making sure that we have everything together. And so I have a couple of folks in the queue just to make sure that my amendment is what it needs to be. And I can confer with Senator von Gillern his upcoming amendment and then we can move this bill forward. So thank you, Mr. President.

KELLY: Thank you, Senator Spivey. Moving to the queue, Senator Machaela-- Mr. Clerk, for an amendment.

CLERK: Mr. President, Senator von Gillern would move to amend with FA956.

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

von GILLERN: Thank you, Mr. President. And Senator Spivey, thank you for your comments on that, and it is a little confusing because we're amending a white copy amendment to, to get this squared away. So my amendment, 9-- FA956, clarifies some language that Senator Spivey and I talked about last time when this was on General File. And what it does as it removes the requirement to provide a list of personnel, which we found-- we felt was burdensome and, and was a privacy concern and a lot of other matters. And it changes, if you want to pull it up, you can take a look. It removes the words provide "a list of contractors who are" and it replaces it with "the name of the contractor who is." So now if you utilize this tool of a video inspection you have to provide the name of the contractor in the singular form asking for the inspection. Very simple, very easy clarification. And I, I appreciate Senator Spivey working with me on this to add clarity on this. So I'd ask your green vote on FA956 and then when AM1897 comes up, this will amend that, and then we can vote green on that and then LB441. Thank you, Mr. President.

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

SPIVEY: Thank you, Mr. President. Thank you, Senator von Gillern. I was trying to make sure our amendments was right and from a process

perspective, because I did not want to mess this up. And so thank you again for the clarity. And just so from a process standpoint, we need AM1897 to stay up, so it is amended by the floor amendment. So I agree, if I can have folks green vote on FA956. And again, appreciate Senator von Gillern making sure that what we agreed to was actually there, and again apologize for any confusion through the process as we're trying to navigate this and so many drafters and, and folks touching the bill. So, again, if I can have folks green vote on FA956 and AM19-- AM1897 and the overall LB441, we can get our morning going and moving forward. Thank you.

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

SPIVEY: Thank you, Mr. President. So, colleagues, it's just a little process, things happening that we just need to give the, the Clerk a little bit of time to get together for FA956 and then the AM and then underlying bill LB441. So fortunately, or unfortunately, you get to hear me talk for five minutes. And so yeah, so just take a little break, get, get ready for the next bill, if you haven't had a chance to review. And I'm just going to talk a little bit just about my weekend and what happened. So, oh, you have something, Senator Rountree? OK, well, I guess you're saved by the bell. You don't have to hear me talk about my kid-filled weekend of the zoo, which is actually really nice. My youngest and I had a great time on Sunday, enjoyed the nice weather. But I would yield my time to Senator Rountree, so he can give us a little bit of insight that he has this morning.

KELLY: Thank you, Senator Spivey. Senator Rountree, 4 minutes, 5 seconds.

ROUNTREE: Good morning, Mr. President. And thank you so much, Senator Spivey, for the yielded time. And good morning to all of our colleagues here in Nebraska and those that are watching online this morning. As we're continuing in our theme and vein of Black History Month and our celebration, for many of you may or may not know, I spent 30 years in our great United States Air Force, serving many of those years in the overseas area, as well as 10 years up in the great state of North Dakota. Definitely cold, so the cold that we experience here is nothing like the cold that we experienced there. But yesterday there was monumental signing back in 1948, so I'll just read this out

as we recognize and acknowledge. President Harry S. Truman signed Executive Order 9981 on July 26, 1948. He abolished racial discrimination in the United States armed forces and ordered in full integration. That was very important. The order declared that there shall be quality of treatment and opportunity for all persons in the armed services without regard to race, color, religion, or national origin. Some of the key details of this desegregation of the military. The order was influenced by pressure from civil rights groups and the brutal treatment of black veterans returning from World War II. Those of you know that we went and we fought in overseas area, we were able to serve in positions and capacities in the overseas area and other armed services that we weren't allowed here in our own, our own military. So while the Air Force and Navy integrated relatively quickly, the Army took several years, with the final segregated units being eliminated by 1951 and 1952. How significant was this? The significance of this action alongside desegregating the federal workforce, that's by Executive Order 9980, was a cornerstone of Truman's civil rights policy and a major early step towards national desegregation. What was the result of this Executive Order in its signing? What it did was officially end the practice of separating troops by race which had been standard in the previous wars. And so as a result of that, and the full integration, everyone was able to bring their strengths to bear in the battle. People from different backgrounds, different upbringings, and different viewpoints, but yet coming together when there is one vision and one focus. And for us in the Air Force, that was to fly, fight, and win. Now while I did not fly the planes, I was in the comptroller career field. So that meant that as we are dealing with the budget items that we're going to deal with on the floor, I dealt with the budget for each one of our Air Force units that I served. Most recently, as a civilian, I served as the budget officer out at Offutt Air Force Base, our premier base here in Nebraska, and one of the premier Air Force bases in our United States. We accomplished some great things because I had a very diverse team able to capitalize on each individual strength of the individuals that were in our organization. And therefore, being able to organize that and bring it all together, we have some of the highest awards and recognitions in our whole United States and across the military services across the world. So it takes everyone on the team to come together and to be able to move the ball forward and get across the

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goal line and get the victory. Thank you so much, Mr. President. And with that, I yield any time that I have.

KELLY: Thank you, Senator Rountree. Senator von Gillern, you're recognized to close on FA956.

VON GILLERN: Thank you, Mr. President. I won't take any time here other than to say thank you to the Clerk for getting the amendments in the proper order and the language correct to make sure that this revised language makes it into the final bill. Thank you, Mr. President.

KELLY: Thank you, Senator Von Gillern. Senators, the question is the adoption of FA956. All those in favor, vote aye. All those opposed, vote nay. Record, Mr. Clerk.

CLERK: 43 ayes, 0 nays on adoption of the amendment, Mr. President.

KELLY: FA956 is adopted. Mr. Clerk for an amendment.

CLERK: Mr. President, Senator Spivey would open on FA965.

KELLY: Senator Spivey, you're recognized to open on FA965.

SPIVEY: Thank you, Mr. President. So, colleagues, as Senator von Gillern mentioned, thank you, Mr. Clerk, for getting all the amendments in the right order. Based on the process, I-- we originally had a floor amendment that struck the word "personnel" and put "contractor," and that is this amendment. So it's just making sure that that gets into the final language, which was agreed upon, [MALFUNCTION]-- and making sure the "personnel" is not in the final language, and it is "contractor" singular. And so, I just ask for your green vote on FA965 to ensure that that language is in the final language of LB441. Thank you, Mr. President.

KELLY: Thank you, Senator Spivey. Seeing no one else in the queue, you're recognized, and waive closing. Senators, the question is the adoption of FA965. All those in favor, vote aye. All those opposed, vote nay. Record, Mr. Clerk.

CLERK: 42 ayes, 0 nays on adoption of the floor amendment, Mr. President.

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KELLY: FA965 is adopted.

CLERK: I have nothing further at this time, Mr. President.

KELLY: Senator Spivey, you're recognized to close on the amendment, and waive. [MALFUNCTION]-- is the adoption of AM1897. All those in favor, vote aye. All those opposed, vote nay. Record, Mr. Clerk.

CLERK: 41 ayes, 0 nays on adoption to AM1897, Mr. President.

KELLY: AM1897 is adopted.

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

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

GUERECA: Mr. President, I move that LB441 be advanced to E&R for engrossing.

KELLY: Senators, you heard the motion. All those in favor, say aye. Those opposed, say nay. LB441 is advanced for E&R Engrossing. Mr. Clerk.

CLERK: Mr. President, Select File, LB794, there are no E&R amendments. Senator Kauth, I have FA423 with a note that you withdraw.

KELLY: So ordered.

CLERK: In that case, Mr. President, Senator DeKay would move to amend with AM2019.

KELLY: Senator DeKay, you're recognized open on the amendment.

DeKAY: Thank you Mr. President. AM2019 would amend the provisions of my bill LB827 into LB794. LB827 is a bill that I introduced after some folks concerned about issues involved water quality, water quantity, and soil health expressed interest to some members of my staff last year about clarifying and affirming what NRDs can do as it relates to educating the public about such issues in statute. LB827, which would affirm that our state's NRDs have the power and authority to provide education to the public on issues related to water quality, quantity, and soil health. Under this bill, an NRD could choose to participate in, assist in developing, or establish programs to educate, foster, promote, research, assess, and share knowledge and practices among

agricultural producers and the general public to improve water quality, water quantity management or soil health practices. Such, such efforts may include, but are not limited to, conducting demonstration projects, hosting or participating in educational research events to inform agricultural producers and the general public about issues and concern of employing practices to protect and preserve natural resources in the state. A district would also be able to enter into agreements or contribute to efforts with various individuals and entities including agricultural producers, governmental agencies and non-profit organizations which includes foundations. This legislation is intended to complement what existing law section 2-3229 already permits the NRDs to do. That particular statute outlines the 12 broad purposes of the NRDs, which includes developing and executing programs relating to erosion prevention and controlled soil conservation and water supply for any beneficial uses. This bill does not aim to reinvent the wheel, change what is now being done in many NRDs already, nor have a fiscal impact on the state. Rather, LB827 clarifies authorization for many existing education programs and any existing local funding dedicated to such programs. It would remain up to the individual NRD boards to decide whether or not they want to use their power and authority to participate in or create any new education program. It would also remain under the purview of the NRD boards to decide on any expenditure of local funds for these programs. In other words, this bill is permissive and is not a mandate on NRDs. Finally, I also want to add goal 3 of the Healthy Soils Task Force report, including developing the next generation of soil health practitioners by including groups like UNL, NRCS, and the NRDs for education and development of soil-health practices. Ultimately, this bill acknowledges in statute what many NRDs are now doing with regard to these education programs, and helps give assurance to NRD boards now and in the future about their role in educating the public, including our state's agricultural producers, on issues relating to water quality, water quantity, and soil health. LB827 was heard by the Natural Resources Committee on January 28th and was advanced to the General File by unanimous 8-0 vote. The NRDs and the Nebraska Farmers Union has testified in support. There was no opposition at the hearing or online. I would appreciate your support for AM2019. Thank you, Mr. President.

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KELLY: Thank you, Senator DeKay. Seeing no one else in the queue, you're recognized, and waive closing. Senator Storer, you're recognized to speak.

STORER: Quick question. Would Senator DeKay yield to a question?

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

DeKAY: Yes.

STORER: In the amendment, I just had one, one quick question. The language in line 9-- I've got to get it in front of me. Line 9 of the amendment, page 2, about the may enter into educational programs for the general public about practices to protect and preserve natural resources in the state. Would you be opposed to an amendment to strike "preserve" and insert "conserve?"

DeKAY: No objection to that.

STORER: And my concern there is just sometimes we get those two terms-- we swap them out inappropriately. Preserve is to keep in an unchanged state. Conserve is use responsibly.

DeKAY: Yep.

STORER: I'm going to quick file a floor amendment, if that's acceptable.

DeKAY: That's fine.

STORER: OK.

KELLY: Seeing no one else in the queue, Senator DeKay, your-- you're recognized to close on the amendment, and waive. Senators, the question is the adoption of AM2019. All those in favor, vote aye. All those opposed, vote nay. Record, Mr. Clerk.

CLERK: 35 ayes, 0 nays on adoption of the amendment, Mr. President.

KELLY: AM2019 is adopted.

CLERK: Mr. President, Senator Storer would move to amend with FA260-- or excuse me, FA966.

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KELLY: Senator Storer, you're recognized open on FA966.

STORER: Thank you, Mr. President. And thank you to Senator DeKay, and apologies for such a short notice. I, as I was just reading through that amendment to F94 [SIC]. I, I'm very tuned in to making sure that we use just the appropriate language. Preservation has often been used when, when we really mean conservation. And the intent of our natural resources is always to conserve, which is use in a responsible manner, rather than the term preserve, which was keep in an unchanged state, which not practical or, or even achievable. So I again thank you, Senator DeKay, for being open to this really simple one-word change. Doesn't change the intent otherwise of the bill or the amendment. And so I would ask for a green vote on FA966.

KELLY: Thank you, Senator Storer. Seeing no one else in the queue, you're recognized to close, and waive closing on FA966. Senators, the question is the adoption of FA966. All those in favor, vote aye. All those opposed, vote nay. Record, Mr. Clerk.

CLERK: 33 ayes, 0 nays on adoption of the floor amendment, Mr. President.

KELLY: FA966 is adopted. Mr. Clerk.

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

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

GUERECA: Mr. President, I move that LB794 be advanced at E&R for engrossing.

KELLY: Senators, you heard the motion. All those in favor, say aye. Those opposed, say nay. LB794 is advanced for E&R Engrossing. Mr. Clerk.

CLERK: Mr. President, Select File, LB717. First of all, there are E&R amendments, Mr. President.

KELLY: Senator Guereca, you are recognized for a motion.

GUERECA: Mr. President, I move that the E&R amendments to LB717 be adopted.

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KELLY: Senators, you heard the motion. All those in favor, say aye. And those opposed, say nay. The E&R amendments are adopted. Mr. Clerk.

CLERK: Senator Kauth, I have FA346 with a note that you'd withdraw.

KELLY: So ordered.

CLERK: In that case, Mr. President, Senator Jacobson would move to amend with AM1890.

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

JACOBSON: Thank you, Mr. President. To begin with, I want to make a slight correction on my earlier announcement about the arrival of my grandson. He came at 9:32 p.m. He was, was weighed 8 pounds, 12 ounces. OK, for those who are wondering. Now there's a little debate on how tall he was. My grand-- my son-in-law said 20 inches, my daughter says 21. My son-in law was present, but I'm gonna go with the 21, just if I have to choose. So thank you, yes. Thank you, Mr. President. And good morning, colleagues. AM1890 is an amendment to, to the E&R amendment. It is a technical cleanup amendment to LB717. While these changes are minor enough that are-- they could have been handled in E&R amendment, Bill Drafters and I want to err on the side of caution and bring them as a separate amendment. This does not change the underlying policy of the bill. It simply ensures that statutory language is precise before we move on to the Final Reading. I would appreciate your support for AM11-- or AM1890.

KELLY: Thank you, Senator Jacobson. Seeing no one else in the queue, you're recognized to close, and waive closing. Senators, the question is the adoption of AM1890. All those in favor, vote aye. All those opposed, vote nay. Record, Mr. Clerk.

CLERK: 30 ayes, 0 nays on adoption of the amendment, Mr. President.

KELLY: AM1890 is adopted.

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

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

GUERECA: President, I move that LB717 be advanced at E&R for engrossing.

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KELLY: Members, you heard the motion. All those in favor, say aye. Those opposed, say nay. LB717 is advanced to E&R Engrossing. Mr. Clerk.

CLERK: Mr. President, Select File, LB719. Senator Kauth, I have FA348 with a note that you withdraw.

KELLY: So ordered.

CLERK: In that case, Senator, I have nothing further on the bill.

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

GUERECA: Mr. President, I move that LB719 be advanced to E&R for engrossing.

KELLY: Senators, you heard the motion. All those in favor, say aye. Those opposed, say nay. LB719 is advanced to E&R Engrossing. Mr. Clerk.

CLERK: Mr. President, Select File, LB718. Senator, there are E&R amendments, first of all.

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

GUERECA: Mr. President, I move that the E&R amendments to LB718 be adopted.

KELLY: Senators, you heard the motion. All those in favor, say aye. Those opposed, say nay. The E&R amendments are adopted. Mr. Clerk.

CLERK: Senator Kauth, I have FA347, with a note that you withdraw.

KELLY: So ordered.

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

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

GUERECA: Mr. President, I move that LB718 be advanced to E&R for engrossing.

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KELLY: Senators, you heard the motion. All those in favor, say aye. Those opposed, say nay. LB718 is advanced to E&R Engrossing. Mr. Clerk.

CLERK: Senator, Select File, LB202. Senator, I have nothing on the bill.

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

GUERECA: Mr. President, I move that LB202 be advanced to E&R for engrossing.

KELLY: Senators, you heard the motion. All those in favor, say aye. Those opposed, say nay. LB202 is advanced for E&R Engrossing. Mr. Clerk.

CLERK: Mr. President, Select File, LB320. 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 LB320 be adopted.

KELLY: Senators, you heard the motion. All those in favor, say aye. Those opposed, say nay. The E&R amendments are adopted. Mr. Clerk.

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

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

GUERECA: Mr. President, I move that LB320 be advanced to E&R for engrossing.

KELLY: Senators, you heard the motion. All those in favor, say aye. Those opposed, say nay. LB320 is advanced for E&R Engrossing. Mr. Clerk.

CLERK: Mr. President, Select File, LB663. Senator, first of all, there are E&R amendments.

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

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GUERECA: Mr. President, I move that the E&R amendments to LB 663 be adopted.

KELLY: Senators, you heard the motion. All those in favor, say aye. All those opposed, say nay. The E&R amendments are adopted. Mr. Clerk.

CLERK: Mr. President, Senator Storer would move to amend with AM1986.

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

STORER: Thank you, Mr. President. That was the year I graduated high school. That's kind of fun. AM1986 is just a really simple cleanup. When we passed the amendment on General, we're just-- we missed one alignment of language, and so that's all this is doing is clarifying and keeping the language all the same. So page 4, line 27, it should say "for a conditional use permit or special exception." So I appreciate your green vote on AM1986. Thank you.

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

RAYBOULD: Thank you, Mr. President. Good morning, colleagues. Good morning, fellow Nebraskans watching us on TV. I appreciate Senator Storer, a fellow county commissioner, introducing this piece of legislation. The one concern I have is I am in support of LB663, however, I've heard some concerns from a number of people. And I'm hoping that Senator Storer would yield to a few questions.

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

STORER: Yes, I will.

RAYBOULD: Here's the biggest concern I heard from maybe a, a neighboring landowner, should they want to appeal or protest the permit. And as we know as county commissioners, sometimes neighbors just don't like changes to their farmland or their neighboring farmer's land either. So would you have just a few moments to review the timeline? So if there is someone who has a, a legitimate concern, would that person have time to provide evidence to either the planning commissioner or should it get a conditional approval to the county board?

STORER: Yes, I appreciate Senator Raybould's questions, and we've had some good, robust conversation about this. So the, the-- this doesn't change those requirements for how far ahead of time landowners have to be sent notification of a hearing and the application that's been submitted. So I'm double-checking, but I'm pretty sure that's two weeks prior to the hearing, all adjoining landowners to any conditional use permit have to be notified. And so that happens when prior to the hearing at the zoning-- planning and zoning board, and then they're going to have that same opportunity to be notified-- or requirement, not opportunity. There's a requirement that they are notified again, two weeks ahead of time, prior to the hearing at the county board. So the total process, what the bill primarily is doing is putting kind of a shot clock on, on the total process. So 30 days for an application to be received, approved, you know, and deemed to be complete. Then it's 90 days for the planning and zoning to have their hearings and make a recommendation. So the landowners would have the opportunity then, and then there's going to be a whole nother 120-day period with the county board for those same provisions. So, you know, they're going to have you know upwards of 200 days honestly to potentially get-- have time, you know, to do a little research and, and find information.

RAYBOULD: Thank you. And if the county board approves it, and the individual does have recourse through the district courts if they want to file a legal appeal, is that right?

STORER: Yes, yes, they do. And the-- I know you had some questions about the language in the bill about, you know, rebuttable presumption. And that really is in-- that addresses that formal appeal that's gonna happen after it's approved or denied.

RAYBOULD: OK. Thank you, Senator Storer.

STORER: Yes.

RAYBOULD: Thank you, Mr. President.

STORER: Thank you, Senator Raybould.

KELLY: Thank you, Senators Raybould and Storer. Seeing no one else in the queue, Senator Storer, you're recognized to close on the amendment, and waive. Senators, the question is the adoption of

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AM1986. All those in favor, vote aye. All those opposed, vote nay.
Record, Mr. Clerk.

CLERK: 34 ayes, 0 nays on adoption of the amendment, Mr. President.

KELLY: AM1986 is adopted. Mr. Clerk.

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

KELLY: Senator Guereca for a motion.

GUERECA: Mr. President, I move that LB663 be advanced to E&R for engrossing.

KELLY: Members, you heard the motion. All those in favor say aye. Those opposed say nay. AM663 is advanced to E&R Engrossing. Mr. Clerk.

CLERK: Mr. President, Select File, LB103. Senator, there are E&R amendments.

KELLY: Senator Guereca for a motion.

GUERECA: Mr. President, I move that the E&R amendments to LB103 be adopted.

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

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

KELLY: Senator Guereca, you are recognized for a motion.

GUERECA: Mr. President, I move that LB103 be advanced to E&R for engrossing.

KELLY: Senators, you heard the motion. All those in favor, say aye. Those opposed, say nay. LB103 is advanced to E&R Engrossing. Mr. Clerk.

CLERK: Mr. President, LB821, Select File. Senator Kauth, I have FA450 with a note you'd withdraw.

KELLY: So ordered.

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CLERK: In that case, Senator, I have nothing further on the bill.

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

GUERECA: Mr. President, I move that LB821 be advanced to E&R for engrossing.

KELLY: Senators, you heard the motion. All those in favor, say aye. Those opposed, say nay. LB821 is advanced to E&R Engrossing. Mr. Clerk.

CLERK: Mr. President, General File, LB1001, introduced by the General Affairs Committee. It's a bill for an act relating to racing and gaming. Changes provisions relating to licensed racetrack enclosure terms and conditions, parimutuel wagering, the distribution of amounts deducted from wagers on horse racing, registration of Nebraska bred horses, simulcast facility licenses and assistance to problem gamblers; provide for administrative fees; changes provision relating to the Nebraska Commission on Problem Gambling and place such commission for administrative purposes within the State Racing and Gaming Commission; changes and eliminates provisions relating to compulsive gambler assistance funds change the provisions relating the Charitable Gaming Division of the Department of Revenue; provides an exception for the required age of individuals to play keno at a licensed racetrack enclosure; harmonize provisions; and repeals the original section; outright repeals Section 9-1007. Bill was read for the first time on January 13th of this year and sent to the General Affairs Committee. That committee placed the bill on General File with committee amendments, Mr. President.

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

HOLDCROFT: Can I get the committee amendments on the board?

KELLY: Senator Holdcroft, you're recognized to open on AM1946.

HOLDCROFT: Thank you, Mr. President and colleagues. Good morning. I rise to introduce LB1001 as amended by committee amendment, AM1946. Requested by the Nebraska Racing and Gaming Commission, LB1001 updates and modernizes Nebraska's laws governing racetracks, wagering, horse registration, simulcasting, and problem gambling oversight. LB1001 clarifies and strengthens racing rules. It allows racetrack to request

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waivers when natural events or other conditions make live racing impract-- impractical. It also improves how wagering funds are handled by requiring specifies prize money to be paid to official breed registrars, supporting purse supplements and breeder and stallion awards. LB1001 requires timely registration of Nebraska-bred thoroughbreds and quarter horses, and makes the designation of official registrars mandatory. It also updates simulcast rules including consultation with breed organizations, and equal rights for quarter horse tracks in approving simulcast times. Second, LB1001 improves problem gaming oversight by moving the Nebraska Commission on Problem Gambling under the Racing and Gaming Commission and adding annual gaming tax proceeds as a funding source for treatment and prevention programs. It also requires coordination between the charitable gam-- gaming division and the problem gaming commission on prevention messaging. LB1001 also attaches two other bills with the committee amendment: LB828, introduced by Senator DeKay, modernizes rules for gift enterprises and savings promotion raffles by applying the definition of operator uniformly, and updating definitions to include credit unions. Senator DeKay, will you yield to a question?

KELLY: Senator DeKay, would you yield?

DeKAY: Yes.

HOLDCROFT: Senator DeKay, can you tell us more about LB828?

DeKAY: Certainly. LB828 deals with gift enterprises. In layman's terms, a gift enterprise is also commonly referred to as a sweepstakes. It is a type of contest that involves distribution of gifts based on chance. Operates similar to a lottery where the transfer of gifts are contingent upon luck. However, unlike a lottery, a gift enterprise does not require payment to enter. An example of a typical gift enterprise is a local retailer running a month-long promotion where customers receive a ticket for every purchase. At the end of it, they have a monthly drawing and a ticket is selected to win. Currently, any person under the Nebraska Revised Statute, an operator of gift enterprise, as defined in the code, any person, firm, corporation, financial institution, association, or government entity, or agent of employee thereof. So what it does is just puts together the three types of people that can run sweepstakes or this. And right now, as notified, Nebraska has two states that prohibit nonprofits from being able to conduct a gift enterprise. More nonprofits across

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the country use gift enterprises as a fundraiser tool, and Nebraska nonprofits cannot. This just puts Nebraska nonprofits in conformity with the other two entities involved. Thank you.

HOLDCROFT: Thank you, Senator DeKay. Also the second bill attached to this bill is LB1047, introduced by me, which updates bingo laws to allow music-themed bingo, increases prize limits, and expands special event bingo opportunities for non-profits with safeguards to ensure responsible play. These changes were adopted unanimously in committee with strong support and no opposition. All three of these bills had no opposition in committee hearings, and they all came out of committee 8-0. LB1001 is a balanced, practical update that supports Nebraska's racing and gaming industries while protecting consumers and strengthening problem gaming prevention. I urge your support and ask that the bill be advanced. Thank you, Mr. President.

KELLY: Thank you, Senator Holdcroft. Senators, the question is the adoption-- Senator Holdcroft, you are recognized to close, and waive closing. Senators, the question is the adoption of 18-- AM1946. All those in favor, vote aye. All those opposed, vote nay. Record, Mr. Clerk.

CLERK: 34 ayes, 0 nays on adoption of the committee amendment.

KELLY: AM1946 is adopted. Mr. Clerk.

CLERK: Mr. President, Senator, I have FA954 with a note that you'd withdraw.

KELLY: So ordered.

CLERK: In that case, Mr. President, I have nothing further.

KELLY: Senators, the question is the advancement of LB-- Senator Holdcroft, you are recognize to close.

HOLDCROFT: I would just reiterate that all three of these bills came out of committee 8-0, and that there was no opposition at any of the hearings. I request your green vote.

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KELLY: Thank you, Senator Holdcroft. Senators, the question is the advancement of LB1001 to E&R Initial. All those in favor, vote aye. All those opposed, vote nay. Record, Mr. Clerk.

CLERK: 37 ayes, 0 nays on advancement of the bill, Mr. President.

KELLY: LB1001 is advanced to E&R Initial. Mr. Clerk.

CLERK: Mr. President, General File, LB720, introduced by Senator Quick. It's a bill for an act relating to body art licensure. It requires the Department of Health and Human Services to create a temporary event license for body artists attending certain events; repeals the original section; and declares an emergency. The bill was read for the first time on January 7th of this year and referred to the Health and Human Services Committee. That committee placed the bill on General File with committee amendments, Mr. President.

KELLY: Senator Quick, you are recognized to open.

QUICK: Thank you, Mr. President, and good morning, colleagues. Today I'm introducing LB720. Tattoo conventions, expos, and specialty events are a growing industry across the country. These events draw thousands of attendees, generate hotel stays, fill restaurants, and bring new dollars into local economies. Yet Nebraska has struggled to attract these events because our current licensing structure makes it difficult for out-of-state artists to participate legally and safely. Event organizers look for, for states with clear, workable licensing pathways. Without one, they simply choose another state. When we lose these, these events, we lose the hotel bookings, vendor fees, tourism spending, and tax revenue that come with them. LB720 creates a temporary body artist license for licensed out-of-state artists, giving Nebraska a straightforward-- straightforward process that makes the state more competitive with other states who have temporary licenses for tattoo artists. By creating a temporary, non-renewable license, we strike the right balance between maintaining strong health and safety standards and allowing artists to work during short-term events. This bill maintains Nebraska's commitment to public health. Temporary licenses must hold an active, unrestricted license in an-- in another state, and the facilities they work in must undergo an in-person inspection by a trained health specialist. LB720 authorizes a modest fee set at \$50, which helps offset administrative costs. More importantly, the economic activity generated by even a single

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multi-day event far exceeds the cost of administering these licenses. We are talking about policy that pays for itself many times over. In short, LB720 is a smart, targeted economic development bill. It supports small businesses, encourages tourism, and positions Nebraska as a welcoming, well-regulated destination for body art events, all without compromising safety or increasing regulatory burden. There will be a committee amendment coming up to address one of the issues in the bill. And I haven't also-- I've been asked by several senators what tattoo I will get if this bill passes, and I haven't currently selected a tattoo. And I'm not sure I may get one, but I may select one just to say I, I like that certain tattoo. But we'll see. LB720 came out of the Health and Human Services Committee 7-0. There was no opposition. Thank you for your attention, and I ask you to vote green on LB720 and the following amendment. Thank you, Mr. President.

KELLY: Thank you, Senator Quick. Senator Fredrickson, as Vice Chair, you're recognized to open on the committee amendment.

FREDRICKSON: Thank you, Mr. President. I believe the Chair is in possession of the committee amendment, but we'd-- as Senator Quick had mentioned in his opening, this was simply a cleanup amendment. There were a couple of concerns that some folks had to ensure that this would be in line with what the intention and the, the goals of the bill. But like I said, no opposition to the bill, and the committee voted out 7-0, and it looks like we have committee staff rushing back here quickly. Thank you, sir. All right, here's the prepared script. Committee Amendment AM1899 makes the following changes. First, the DHHS is required to create and issue a temporary non-renewable event license for an individual who is attending a body art event which shall allow the individual to practice no more than 7 consecutive days in any 12-month period. No more than two temporary event licenses shall be issued to the same individual in any 12-month-period. An individual holding an event license shall practice within a licensed body art facility that has been inspected pursuant to this section. Second, the amendment makes a change in the documentation requirements when an individual is applying for an event license. Specifically, the sponsorship letter shall be submitted from the owner or operator of a licensed body art facilities at which the individual will practice under the event license. Third, the state of issuance and number of the individual's license or permit are added to the list of requirements for the event license. Fourth, DHHS is now required to charge a \$50 fee for issuance of the event licenses. And lastly, DHHS

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may conduct an in-person inspection of the body art facility where body art practice will occur for a body art event to assess compliance with DHHS's rules and regulations. Such inspection may be conducted by a health specialist with a body art training, including, but not limited to, a registered environmental health specialist. The HHS Committee advanced to LB720 with AM1899 by a 7-0 vote. I would appreciate your green votes on AM1899 to LB720. Thank you.

KELLY: Thank you, Senator Fredrickson. Moving to the queue, Senator Quick, you're recognized to speak.

QUICK: Thank you, Mr. President. I just punched in in case I needed to clarify what the amendment was about. So with that, I'll yield the rest of my time. Thank you.

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

DUNGAN: Thank you, Mr. President. Colleagues, I do rise today in favor of the AM and the LB. I was wondering if Senator Quick would answer a quick question about this bill.

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

QUICK: Yes, I will.

DUNGAN: Thank you, Senator Quick. If this bill passes, will you commit on the record to going and getting a tattoo with me at this convention?

QUICK: I don't think I can commit to that yet. I have to-- I'll have to check with my wife first.

DUNGAN: That is a judicious and smart answer. Well, thank you, Senator Quick. I think this provides a lot of economic benefit to the area, and I think it's good overall. So I would encourage a green vote on AM1899. Thank you, Mr. President.

KELLY: Thank you, Senator Dungan. Seeing no one else in the queue, senators, the question is the adoption of AM-- Senator Hardin, you're recognized to close on the amendment, AM1899, and waive. Senators, the

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question is the adoption of AM1899. All those in favor, vote aye. All those opposed, vote nay. Record, Mr. Clerk.

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

KELLY: AM1899 is adopted.

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

KELLY: Senator Quick, you're recognized to close, and waive closing. Senators, the question is the advancement of LB720 to E&R Initial. All those in favor, vote aye. All those opposed, vote nay. Record, Mr. Clerk.

CLERK: 38 ayes, 0 nays on advancement of the bill, Mr. President.

KELLY: LB720 is advanced to E&R Initial. Mr. Clerk.

CLERK: Mr. President, General File, LB745, introduced by Senator Juarez. It's a bill for an act relating to education. It changes provisions relating to requirements for a diploma of high school equivalency; and repeals the original section. The bill was read for the first time on January 7th of this year and referred to the Education Committee. That committee placed the bill on General File.

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

JUAREZ: Thank you, Mr. President. Good morning, colleagues. And good morning, fellow Nebraskans. I'm really shocked that I'm talking on my bill today, but I'm pretty happy about it. We're going through a roll this morning, so hopefully we'll continue that with my bill. Today, I rise to introduce LB745, a bill that makes a targeted change to Nebraska's laws governing high school equivalency diplomas. Specifically, this bill strikes a portion of statute that delays awarding the General Education Development Diploma, GED, to 16 and 17-year-old Nebraskans until they turn 18. Beyond this change of when the GED diploma can be issued, the bill does not alter the educational requirements for earning a GED or Nebraska's compulsory attendance age. This bill has overwhelming support of the Education Committee and was voted out 8-0, and has no fiscal impact. I appreciate the committee members highlighting that this is a simple fix that could

help many students in Nebraska. Under current Nebraska statute and policy, students who are, who are 16 and 17 can take the GED test with appropriate documentation and approvals, but can't receive the diploma until after their 18th birthday. This statutory delay creates unnecessary burdens on young people who have met all the academic requirements and are ready to move on to the next stage of their lives. This bill was brought by a constituent's mom who had firsthand experience with how the current statute could limit opportunities for motivated students. The student's mother gave a moving testimony on how a very advanced student experienced extreme bullying to the point that she needed to leave the traditional school setting and continue high school as a homeschool student. It was the best choice for her and her family. In May of 2025, her daughter at the age of 16 studied and passed the GED exam. She was so excited and very proud of herself and was actually-- anxiously awaiting her diploma in the mail, but it never came. Her mother reached out to NDE and was informed that no one is allowed a diploma until they're 18. Her mother pushed back and raised the issue that plenty of seniors are 17 when they walk across the graduation stage and receive a diploma in the traditional route. She spoke about kids who are taking the GED, homeschooled kids, bullied kids, overachievers, kids who are ready to move on to the next chapter. This mom and daughter duo found an outdated statute that does not allow for flexibility in decisions families are making for their children in our educational system. Thank you to, thank you to this student and mother for pushing through and bringing this to my attention. Based on information provided by the Nebraska Department of Education. 75 students between the ages of 16 and 17 completed the GED requirements between January 23 and November 25. However, these 75 students were unable to receive their GED and reap the benefits of this credential until a year or two after passing the exam. Each one of those students worked hard, met the requirements, and passed, but they had to wait a year or two to receive their diploma because of this statute. Here in the Midwest, Nebraska and Iowa are currently 2 of about 10 states that retain a statutory requirement preventing GED diplomas from being issued until age 18. Removing that requirement aligns Nebraska with the majority of states and respects young people's achievements without lowering the rigor or purpose of the GED credential. Although this bill provides a narrow technical change, it has a very real consequence for Nebraskans who are ready, willing, and able to enter the workforce, pursue post-secondary education, enlist in the military, or support their families. For these young people

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receiving the GED diploma at the time they earn it, rather than waiting, means recognition of their academic accomplishment when it matters most. It means that they can move forward to further success. Thank you, and I ask for your green light.

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

HUGHES: Thank you, Mr. President. I just wanted to stand up quick and mention this. During the hearing, honestly, we were kind of surprised that it was still this way in the books, that you could not get your GED certificate until you turned 18. We allow kids, maybe they've skipped a grade or whatever, they graduate from high school at age 17, they get their degree upon completion when they walk across the stage. And this just kind of fills that gap for the kids and, and homeschool kids sometimes take this GED test for their high school degree. And again, waiting until you're 18 absolutely makes no sense. So no-- a very common-sense bill. Again, kind of surprised that it's been this way in the books as long as it has, so happy that Senator Juarez had a constituent that brought it to her and that we can get this through. Thank you.

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

JUAREZ: OK, just a few brief comments, thank you. I want to reiterate that this is a tiny fix that could mean a lot for those students who take their own path. Any diploma or certificate awarded to our Nebraskans is truly an accomplishment and something to be proud of. Let's make it easier for our motivated students seeking their GEDs. Thank you.

KELLY: Thank you, Senator Juarez. Senators, the question is the advancement of LB745 to E&R Initial. All those in favor, vote aye. All those opposed, vote nay. Record, Mr. Clerk.

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

KELLY: LB745 is advanced to E&R Initial. Mr. Clerk.

CLERK: Mr. President, General File, LB940, introduced by Senator Murman. It's a bill for an act relating to schools. It prohibits certain color additives in school meals as prescribed. The bill was

read for the first time on January 9th of this year and referred to the Education Committee. That committee placed the bill on General File. There is an additional amendment, Mr. President.

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

von GILLERN: Thank you, Mr. Lieutenant Governor. In recent years, the subject of chemicals in our food and how they are affecting our health as, as a whole has gotten bigger and bigger. LB940 is a piece of that conversation. LB940 is a simple bill. It prohibits a small list of petroleum-based artificial food dyes from being used in school-provided meals. Those dyes include Blue 1, Blue 2, Green 3, Red 40, Yellow 5, and Yellow 6. It's important to note that West Virginia, California, Delaware, and Utah have all passed very similar or identical legislation. So this is a growing movement that has bipartisan support. Furthermore, the United Kingdom and the European Union require warning labels on all foods containing these chemicals, so this has really become a global movement as well. I will note that this bill only addresses the provided cafeteria breakfasts and lunches. I am not looking to police every treat a teacher may bring into their classroom, vending machines, or a snack a child brings from home, just the school-provided meals. This is not an arbitrary list of chemicals, but instead specifically matches chemicals that the United States Department of Health and Human Services and the United States Food and Drug Administration have identified as dyes that they plan to work with the food industry to eliminate from the food supply. That being said, these plans have not really been announced, and the federal government has so far been slow to act on these plans. With that context, I'll go into why this matters. A 2024 article from Ohio State University's Wexner Medical Center provides some good research. It tells us that these dyes can make conditions such as ADHD, anxiety, and oppositional defiant disorder worse. As chair of the Education Committee, I routinely-- routinely hear from teachers and administrators about how behavior and discipline problems are getting worse and worse in our schools. This leads to an important question. If American children are eating more and more processed foods that may be linked to worsening behavioral conditions, and those behavioral conditions are worsening, then perhaps one piece of our overall approach should be to take on these processed foods. Finally, I will point out that the school meals that are provided are, of course, subsidized by the Nebraska taxpayer. Nebraska consumers and parents have the right to

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make informed purchases on the foods that they wish to consume or feed to their children as they best see fit. But when, but when it comes to meals, we, as a government, use taxpayer dollars to fund and then distribute to our state's children, we have an obligation to make sure these meals are nutritious so they can thrive and be the best students they can be. And a final note, DHHS indicated to my office that the current implementation date of August would result in a cost. So per their recommendation, AM1817 will address that. LB940 was voted out of the Education Committee on a unanimous 8-0 vote. Thank you, Mr. Lieutenant Governor.

KELLY: Thank you, Senator Murman. Mr. Clerk, for an amendment.

CLERK: Thank you, Mr. President. Senator Murman, I have FA567 with a note that you'd withdraw.

KELLY: So ordered.

CLERK: In that case, Mr President, Senator Murman, I have AM1817.

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

von GILLERN: Thank you, Mr. Lieutenant Governor. AM1817 simply pushes back the start date by one year. This was based on DHHS recommendation as some food may already have been purchased and may not be used up within the current timeline. By kicking the start date back one year, we ensure none of the already-purchased food is restricted, as we certainly don't want to waste food. Thank you, and I ask for your green vote on the amendment.

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

CONRAD: Thank you, Mr. President. Good morning colleagues. I wanted to make a few points in regards to this legislation. So another key piece that we heard at the committee level and that I know I had a chance to come across in regards to my own research in preparation for looking at this bill was the fact that there are a host of our sister states who are moving in this direction. And you see red states like, I believe, West Virginia and blue states like California that were really on the vanguard of this movement to try and make school meals healthier. And so it's kind of, I think, always perhaps interesting when you see a confluence of factors coming together across the

political spectrum, perhaps for different reasons, to achieve the, the same result. So I think that's one component that is underlying this legislation, which is very interesting to see the kind of, you know, southern rural, more rural states working with one of the larger states in the country with very different and divergent geographies and populations, et cetera. And Nebraska would be joining that movement. The other thing that I think is interesting as we're starting to think about health and nutrition and public health and school meals is that there's kind of a, a growing or ever-strengthening effort to build a strong coalition amongst ag, amongst poverty advocates, amongst conservationists, amongst parents, amongst public health folks, to try and ensure that we make healthy food more affordable and accessible at the community level, but particularly in our schools as well. So when you see the farm-to-table movements, when you see the farm-to-school movements, when you hear things like the food-is-medicine movement, I think that those are very, very interesting areas for, for us to lean into, particularly as an ag leader in this country. The other pieces that I wanted to lift up in regards to this particular issue is perhaps one thing to broaden the lens. So while this does target and prohibit certain food dyes which have been found in highly-processed foods, in an effort, I guess, to try and make school meals healthier, it can't be the end-all and be-all when it comes to our focus on student meals. It has to be part of a broader effort to ensure that school meals are indeed accessible and affordable and healthy. And best practices show that what we should do in addition to looking at things like the measure Senator Murman has before us is to provide state-level funding for no-cost breakfast and lunch available to all students regardless of income. I think my friend Senator Bostar and Senator Machaela Cavanaugh have introduced multiple bills on that topic over the years, and I think perhaps are even carrying over from last biennium. There should be efforts to eliminate the-- or reduce the price co-pays for those that are on reduced-price meals. There should be increased support for school meal infrastructure to ensure that frontline kitchen staff have the equipment they need to increase capacity and increase their ability to serve more home-cooked, school-cooked meals, appealing meals instead of having to rely upon highly-processed things. There should be an opportunity within the cafeteria to really boost the provision and access to local foods and fruits and vegetables, which many times, you know, is a great boon for local producers, and ensuring healthy eating habits for our students. There should be an

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examination of things like grab-and-go options to help students have access if they're not able to get to school for transportation or other purposes during the, the meal time to still meet their nutrition needs. And school meal debt should be addressed, including the ending the practice, practice of meal shaming or shame sandwiches et cetera. I was proud to have led an effort to prohibit student school meals from being turned over to collections with support from many in this body, and that was signed by the Governor, so we are making strides in that regard. But when it comes to community eligibility, when it come to these other policies-- thank you, Mr. President.

KELLY: Thank you, Senator Conrad. Senator-- Mr. Clerk, for items.

CLERK: Thank you, Mr. President. Your Committee on Revenue, Chaired by Senator von Gillern, reports LB778 to General File. Additionally, name adds: Senator Wordekemper to LB938, Senator von Gillern to LB997, Senator DeKay to LB1183. And a priority motion, Senator Bosn would move to adjourn the body until Tuesday, February 10th, at 9:00 a.m.

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