

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate February 27, 2026  
Rough Draft

**KELLY:** Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the thirty-fifth day of the One Hundred Ninth Legislature, Second Session. Our chaplain for today is Mark Smith, Royal Family Church in Omaha, a guest of Senator Clements. Please rise.

**MARK SMITH:** Praise the Lord. Let's please bow our heads and have a word of prayer. First of all, Lord God, thank you that the men and women of this Legislature acknowledge you by desiring prayer. And so because they recognize you and understand that they don't have the wisdom to make righteous laws without your help, I ask that you hear my prayer. Lord, guide the men and women of this Legislature with your mighty hand, and grant them the wisdom of Jesus Christ to make laws that will please you and benefit our society. Lord, reward them for the sacrifices they make to be here in these sessions and blessings be upon their homes and their families. In Jesus Christ's name. Amen.

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

**LONOWSKI:** 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 thirty-fifth day of the One Hundred Ninth Legislature, Second Session. Senators, please record your presence. Roll call. Mr. Clerk, please record.

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

**KELLY:** Are there any corrections for the Journal?

**ASSISTANT CLERK:** I have no corrections for the Journal.

**KELLY:** Any messages, reports, or announcements?

**ASSISTANT CLERK:** Thank you, Mr. President. The-- your Committee on Urban Affairs, chaired by Senator McKinney, reports LB1041 to General File with committee amendments. Committee on Education, chaired by Senator Murman, reports LB1224 to General File with committee amendments. And I have the report of registered lobbyists for the week of February 26. This will be placed in the Journal. And also agency reports electronically filed with the Legislature can be found on the Nebraska Legislature's website. That's all I have, Mr. President.

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**KELLY:** Thank you, Mr. Clerk. Senator Bosn would like to recognize the physician of the day, Dr. Joe Miller of Lincoln. Please stand and be recognized by the Nebraska Legislature. Mr. Clerk, please proceed to the first item on the agenda.

**ASSISTANT CLERK:** Thank you, Mr. President. General File, LB1001A. A bill for an act relating to appropriations; to appropriate funds to aid in carrying out the provisions of LB1001. First read-- the bill was first read on February 17. It was placed on General File. And I do have an amendment to the bill, Mr. President.

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

**HOLDCROFT:** Thank you, Mr. President. LB1001 is the cleanup bill for the Racing and Gaming Commission and one of the actions it takes is to move the Problem Gambling Commission from under the Department of Revenue to the Department for Racing and Gaming, which is probably a better fit for it. This-- the Problem Gambling Commission has been around for many, many years, long before Racing and Gaming Commission was established, and so it's always resided under the Department of Revenue, but the people have decided that it would definitely work better if it was under Racing and Gaming Commission. So that is what LB1001 does. What the A bill does is transfers the Compulsive Gambling Assistance Fund from under the Department of Revenue to the Department of Racing and Gaming. There will be a 3-day-- 3-month gap unless we do an emergency clause. So we will also be bringing an amendment for LB1001 later today with an emergency clause. Thank you, Mr. President.

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

**ASSISTANT CLERK:** Mr. President, Senator Holdcroft would amend with AM2175.

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

**HOLDCROFT:** Yes, this amendment just adds the emergency clause to the A bill. Thank you, Mr. President.

**KELLY:** Thank you, Senator Holdcroft. Seeing no one else in the queue, you're recognized to close and waive closing. Members, the question is the adoption of AM2175. All of those in favor vote aye; all of those opposed vote nay. Record, Mr. Clerk.

**ASSISTANT CLERK:** 36 ayes, 0 nays on the adoption of the amendment, Mr. President.

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**KELLY:** AM2175 is adopted. Seeing no one else in the queue, Senator Holdcroft, you're recognized and waive closing. Members, the question is the advancement of LB1001A to E&R Initial. All of those in favor vote aye; all of those opposed vote nay. Record, Mr. Clerk.

**ASSISTANT CLERK:** 36 ayes, 0 nays on the advancement of the bill, Mr. President.

**KELLY:** LB1001A is advanced to E&R Initial. Mr. Clerk.

**ASSISTANT CLERK:** Mr. President, General File, LB1127A. A bill for an act relating to appropriations; to appropriate funds to aid in the carrying out of the provisions of LB1127. The bill was first read on February 17 of this year and placed directly on General File.

**KELLY:** Senator Dover, you're recognized to open.

**DOVER:** Thank you, Mr. President, and good morning, colleagues. Today, I'm presenting LB1127A, the companion appropriation bill to LB1127, which is scheduled for Select File consideration later this morning. To refresh your memory, LB1127 would give authority to the Game and Parks Commission to develop and implement a new hang tag parks pass option for purchase by Nebraska residents. Nebraska Game and Parks Commission has indicated that if LB1127 is adopted, projected revenues generated from the sale of the new hang tag park permit option is expected to exceed the amount of this appropriation by a substantial margin. I would appreciate your advancement of LB1127A and look forward to further discussion of LB1127A later today. Thank you.

**KELLY:** Thank you, Senator Dover. Seeing no one else in the queue, you're recognized to close and waive closing. Senators, the question is the adoption-- the advancement of LB1127A to E&R Initial. All of those in favor vote aye; all of those opposed vote nay. Record, Mr. Clerk.

**ASSISTANT CLERK:** 40 ayes, 0 nays on the advancement of LB1127A, Mr. President.

**KELLY:** LB1127A is advanced to E&R Initial. Senator Lippincott would like to recognize some guests under the north balcony, Trinity Chappellear, Samuel Wishman, and Greggery Hartman. Please stand and be recognized by the Nebraska Legislature. Mr. Clerk.

**CLERK:** Mr. President, the General Affairs Committee would report favorably on the gubernatorial appointment of Brenda Davis, Crystal

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Dunning, Shari Hofschire, Timothy Jeffrey, and Lori Williams to the Nebraska Arts Council.

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

**HOLDCROFT:** Thank you, Mr. President. It's my pleasure to bring forward five new appointments to-- actually some of them are, are re-ups, but-- to the Nebraska Arts Council. The first one is Brenda Davis for gubernatorial reappointment to the Nebraska Arts Council. Ms. Davis appeared before the General Affairs Committee where there were no testifiers in opposition to her reappointment and the committee unanimously advanced her reappointment to Nebraska Arts Council. Ms. Davis has served since 2005 as a temporary guest lecturer at the University of Nebraska-Lincoln where she has helped educate and mentor emerging artists in our state. She holds a Master of Fine Arts degree from the Yale School of Drama and a Bachelor of Arts in Theater from Loyola University Chicago. Ms. Davis' extensive academic preparation, combined with her years of teaching and mentorship, reflect both a deep commitment to the arts and a strong understanding of their educational and cultural value. Her experience and leadership will be an asset to the Nebraska Arts Council as it works to support artists, organizations, and communities across our state. I am pleased to present Lori Williams for gubernatorial appointment to the Nebraska Arts Council. Ms. Williams appeared before the General Affairs Committee where there were no testifiers in opposition to her reappointment and the committee unanimously advanced her reappointment to the Nebraska Arts Council. Ms. Williams was born and raised in Norfolk, Nebraska and earned a Bachelor of Arts in Business Administration from the University of Nebraska-Lincoln. She and her husband are proud owners of Insurance Associates, Incorporated, a three-generation independent agency where she serves as Vice President and Financial Advisor. A lifelong volunteer, Ms. Williams has dedicated her time and talents to many organizations. She served as Executive Director of the Great American Comedy Festival honoring Johnny Carson and has held leadership and financial roles with For the Girls, Inc., The Salvation Army of Norfolk, The Zone After School Program, and the First Congregational United Church of Christ. Her dedication to service has been recognized with Norfolk's prestigious Norfolk oscar award and an award from the Philanthropic Council of Nebraska. Ms. Williams has also been a tireless advocate in the fight against breast cancer, helping raise funds for medical equipment and research. I am pleased to present Crystal Dunning for gubernatorial reappointment to the Nebraska Arts Council. Ms. Dunning appeared before the General Affairs Committee where there were no testifiers in

opposition to her reappointment and the committee unanimously advanced her reappointment to the Nebraska Arts Council. Ms. Dunning currently serves as senior partner success team leader at FreeWill where she provides strategic leadership and partnership development. She holds a Master's of Music from the University of Nebraska-Lincoln and a Bachelor of Arts in Liberal Arts from Northwestern State University. Ms. Dunning's background uniquely positions her to contribute meaningfully to the Nebraska Arts Council's mission of promoting, cultivating, and sustaining the arts across our state. She understands both the creative and organizational dimensions of arts-- of art leadership. And she brings a thoughtful, collaborative approach to serving Nebraska's communities. I am pleased to present Timothy Jeffrey for gubernatorial reappointment to the Nebraska Arts Council. Mr. Jeffrey appeared before the General Affairs Committee where there were no testifiers in opposition to his reappointment and the committee unanimously advanced his reappointment to the Nebraska Arts Council. Mr. Jeffrey was born and raised in Omaha and has spent over 25 years with the Kiewit Corporation, where he currently serves as Director of Real Estate. He holds a Bachelor of Science in Business Administration from Marquette University and a Master's in International Management from Thunderbird School of Global Management. Beyond his professional accomplishments, Mr. Jeffrey has shown a deep commitment to the arts and the community. He has served 10 years on the Board of Trustees of the Omaha Community Playhouse, currently as its President, and contributes to the Strategic Advisory Board of 9Wood. Mr. Jeffrey and his wife have volunteered with children in India and Haiti, serve as foster parents and provide respite care, demonstrating their dedication to supporting others both at home and abroad. And, finally, I am pleased to present Shari Hofschire for gubernatorial reappointment to the Nebraska Arts Council. Ms. Hofschire appeared before the General Affairs Committee where there were no testifiers in opposition to her reappointment and the committee unanimously advanced her reappointment to the Nebraska Arts Council. Ms. Hofschire is a retired arts history-- art history and art education instructor, Emeritus, from the University of Nebraska Omaha, where she also directed the Center for Innovation in Arts Education, and the Prairie Vision's Professional Development Institute. Earlier in her career, she taught in Omaha Public Schools and with the U.S. State Department's American Public Schools in Hanau, Germany. She holds a Master of Arts in Art History from George Washington University, as well as advanced degrees in English and Education from the University of Nebraska Omaha. Ms. Hofschire has served in leadership roles on numerous local, state, and national arts and

education boards, including the Mid-America Arts Alliance, the Nebraska Shakespeare Festival, the Omaha Children's Museum, and the Nebraska Fine Arts Standards Consortium. She has also served as President of several organizations, including the Nebraska Arts Council. Her many honors include the Governor's Arts Award for Excellence in Art Education and Recognition as Higher Education Art Educator of the Year by the Nebraska Art Teachers Association. Her decades of service, leadership, and commitment to arts education make her exceptionally well qualified to serve on the-- excuse me-- on the Nebraska Arts Council. On behalf of the General Affairs Committee, I respectfully ask your favorable consideration for these five candidates, all of whom came out of committee 8-0. Thank you, Mr. President.

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

**ASSISTANT CLERK:** 40 ayes, 0 nays on the adoption of the General Affairs Committee report, Mr. President.

**KELLY:** The committee report is adopted. Mr. Clerk.

**CLERK:** Mr. President, the General Affairs Committee would report favorably on the appointment of Randall Conroy to the State Racing and Gaming Commission.

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

**HOLDCROFT:** Thank you, Mr. President. I am pleased to present Randall Conroy for a gubernatorial appointment to the Racing and Gaming Commission. Mr. Conroy appeared before the General Affairs Committee where there were no testifiers in opposition to his appointment, and the committee unanimously advanced his appointment to the Racing and Gaming Commission. This is a new appointment for the Commission. Mr. Conroy brings more than two decades of direct leadership experience in the gaming industry, combined with a strong commitment to committee engagement and regulatory integrity. Mr. Conroy recently retired from Caesars Entertainment in June 2024 after a distinguished 23-year career in gaming operations. During his tenure, he served in several senior executive roles, including General Manager of Horseshoe Baltimore Casino [SIC], General Manager of Harrah's Joliet, General Manager of Harrah's Metropolis. In these roles, Mr. Conroy was

responsible for comprehensive gaming operation, regulatory compliance, financial performance, and community relations. He has been licensed in numerous jurisdictions and possesses a strong working knowledge of regulatory frameworks and oversight responsibilities. In addition to casino operations, he has racing industry experience in both Kentucky and Pennsylvania. Following his retirement, Mr. Conroy and his wife relocated their family to the Omaha area, settling in Papillion, where they have significant family roots. As casino gaming is relatively new to Nebraska, Mr. Conroy's deep operational and regulatory experience positions him to provide valuable insight and guidance to the Commission during his important period of growth and oversight. While he does not currently serve on any state boards or commissions, Mr. Conroy has been actively involved in charitable, philanthropic, and economic development organizations throughout his career. His service has included work with the Red Cross, Catholic Charities and Joliet, the South Baltimore Gateway Partnership, supporting economic development initiatives, and CityTeam in Philadelphia serving individuals experiencing homelessness. Mr. Conroy's combination of executive leadership, regulatory experience, racing and gaming experience, and demonstrated commitment to community service makes him well qualified to serve as Commissioner. On behalf of the General Affairs Committee, I respectfully ask for your favorable consideration of Randall Conroy's appointment to the Racing and Gaming Commission. Thank you, Mr. President.

**KELLY:** Thank you, Senator Holdcroft. Seeing no one else in the queue, you're recognized to close and waive closing. Senators, the question is the adoption of the General Affairs Committee report. All of those in favor vote aye; all of those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 40 ayes, 0 nays on adoption of the committee report, Mr. President.

**KELLY:** Committee report is adopted. Mr. Clerk.

**CLERK:** Mr. President, the General Affairs Committee would report favorably on the gubernatorial appointments of Boyd L. Pedersen and Tyler C. Ritz to the State Electrical Board.

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

**HOLDCROFT:** Thank you, Mr. President. I am pleased to present Boyd L. Pedersen for gubernatorial reappointment to the Nebraska State Electrical Board. Mr. Conroy [SIC] appeared before the General Affairs

Committee where there were no testifiers in opposition to his appointment and the committee unanimously advanced his reappointment to Nebraska State Electrical Board. Mr. Pedersen has devoted more than four decades to the electrical trade. He began his career with Tunink Construction in 1978, and in 1984 [SIC] founded Boyd's Electrical Services, Incorporated, where he continues to serve as owner and electrician. Over the years, he has grown from a self-employed electrician into the owner of a respected regional company. His experience includes electrical installation, service, and maintenance, as well as electromechanical systems, industrial automation, data systems, layout, and design. He brings to the Board extensive knowledge of trade education, safety standards, and code compliance, critical components of the Board's responsibility to protect public safety. In addition to his professional accomplishments, Mr. Pedersen has also been active in his community, serving organizations such as the Neligh Church of Christ, the Neligh-Oakdale Truck [SIC] Foundation, the Antelope County Shooters, and the Antelope County Historical Society. Mr. Pedersen's decades of hands-on experience, business leadership, and dedication to safety and compliance make him exceptionally well qualified to continue serving on the Nebraska State Electrical Board. I am pleased to present Tyler C. Ritz for gubernatorial reappointment to the Nebraska State Electrical Board. Mr. Ritz appeared before the General Affairs Committee where there were no testifiers in opposition to his reappointment, and the committee unanimously advanced his reappointment to the Nebraska State Electrical Board. Mr. Ritz brings nearly two decades of experience in Nebraska's electrical industry. He began his career as an apprentice with Middleton Electric from 2007 to 2010 and went on to serve with Willmar Electric from 2010 to 2016, including 5 years as a Journeyman and Foreman. In 2016, he entered public service and has served-- and has since served as an Electrical Inspector for the city of Kearney for more than 8 years. In addition to his professional experience, Mr. Ritz has served for over 3 years on the Board of Independent Alliance of the Electrical Industry, demonstrating his commitment to professional standards and continuing education. Mr. Ritz's career reflects steady progress, practical expertise, and a clear commitment to safety and compliance. His experience as both a licensed Journeyman, Foreman and as a Municipal Inspector provides him with a balanced perspective that will serve the Nebraska State Electrical Board well. On behalf of the General Affairs Committee, I respectfully ask for your favorable consideration of these two reappointments to the Nebraska State Electrical Board. Thank you, Mr. President.

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**KELLY:** Thank you, Senator Holdcroft. Seeing no one else in the queue, you're recognized to close and waive closing. Senators, the question is the adoption of the committee report from General Affairs. All of those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 44 ayes, 0 nays on adoption of the committee report, Mr. President.

**KELLY:** The committee report is adopted. Mr. Clerk.

**CLERK:** Mr. President, the Agriculture Committee would report favorably on the gubernatorial appointment of Susan J. Connell to the Nebraska Brand Committee.

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

**DeKAY:** Thank you, Mr. President. The Agriculture Committee reports favorably on the appointment of Susan Connell to the Nebraska Brand Committee. The Brand Committee consists of five members appointed by the Governor. At least three members shall be active cattlemen and at least one member shall represent cattle feeders. Ms. Connell is appointed as a cattle representative replacing Marie Farr whose term expired August of last year. Susan is a ranch business manager for Connell Ranch LLP and as an Environmental Consultant for Carter Lake Counseling [SIC] LLC, both self-employed occupations out of her home in Hyannis, Nebraska. She is a graduate of Valentine High School, earned a bachelor degree in interior design from the College of Business Technology at the University of Nebraska at Kearney, and also attended Mid-Plains Community College in North Platte and Metropolitan State College in Denver, Colorado. Organizations Susan has been associated with as an officer include Nebraska Daughters of the Revolution, Sandhills Chapter, Shepherd of the Hills Lutheran Church of Hyannis, and the Hyannis Sandbox 4-H Club of Hyannis. Susan's appointment is highly endorsed by two sitting members of the Legislature, Senator Strommen and Senator Storer, and former Senator Steve Erdman who also sent communications recommending Ms. Connell's appointment. There was also one online commenter who also recommended approval. Ms. Connell appeared in person for a confirmation hearing on February 17. The committee voted 8-0 to recommend confirmation of her appointment to the Brand Committee. I would urge your yes vote on the committee report. Thank you, Mr. President.

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**KELLY:** Thank you, Senator DeKay. Seeing no one else in the queue, you're recognized and close-- waiving close-- waive closing. Senators, the question is the adoption of the committee report from Agriculture. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

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

**KELLY:** The committee report from Agriculture is adopted. Mr. Clerk.

**CLERK:** Mr. President, the Agriculture Committee report favorably on the appointment of Mark Hesser to the State Fair Board.

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

**DeKAY:** Thank you, Mr. President. The Agriculture Committee reports favorably on the appointment of Mark Hesser to serve as a member of the Nebraska State Fair Board. Mr. Hesser appeared via Zoom audio before the Agriculture Committee for his confirmation hearing on February 17. The Fair Board is an 11-member board, seven members chosen by State Fair districts according to the bylaws of the Fair Board and four members appointed by the Governor. Three of these appointed members represent the business communities of their respective congressional district and one represents the business community of the whole city Grand Island. Mark would represent the business community of the First Congressional District replacing Beth Smith who has served three full terms and was not eligible for reappointment. Mr. Hesser is currently the Vice President of Pinnacle Bancorp and until the end of 2025 served as President and CEO. He was employed as an Examiner for the Nebraska Department of Banking from 1987 through June 1990 and entered the banking with Pinnacle Bancorp at that time. Mr. Hesser is a graduate of Lincoln Southeast High School and earned a Bachelor Degree in Finance from the University of Nebraska. He has previously served on the State Fair Foundation Board. Mr. Hesser has in the past served as a Governor and Officer of Aksarben and he and his wife annually, annually sponsor students participating in the calf challenge at Aksarben. He currently holds or has held numerous other board officers and administrative positions on community and business and service associations including Lincoln Community Foundation, Community Development Resources of Lincoln, Lincoln Chamber Foundation, and the Lincoln Chamber of Commerce, and a partnership for economic development. Mr. Hesser brings a wealth of connection to the business community of the First Congressional

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District and relevant experience. The committee vote was unanimous 8-0 to recommend the approval of his appointment. I ask for your green vote from the committee report. Thank you, Mr. President.

**KELLY:** Thank you, Senator DeKay. Seeing no one else in the queue, you're close-- you're-- and waive closing. Members, the question is the adoption of the Agriculture Committee committee report. All of those in favor vote aye; all of those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 36 ayes, 0 nays on adoption of the committee report, Mr. President.

**KELLY:** The committee report is adopted. Mr. Clerk.

**CLERK:** Mr. President, the Education Committee would report favorably on the gubernatorial appointment of Jon Abegglen to the Board of Educational Lands and Funds.

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

**MURMAN:** Thank you, Mr. Lieutenant Governor. Mr. Abegglen from Kearney is a reappointment to the Bureau [SIC] of Educational Lands and Funds. He spoke positively about his vision for BELF at the hearing and has served on a number of community and civic boards in the state, leading to the committee voting 8-0 for his reappointment. I support his reappointment to the Board. Thank you.

**KELLY:** Thank you, Senator Murman. Seeing no one else in the queue, you're recognized to close and waive closing. Senators, the question is the adoption of the committee report from Education. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 35 ayes, 0 nays on adoption of the committee report, Mr. President.

**KELLY:** The committee report is adopted. Mr. Clerk.

**CLERK:** Mr. President, the Education Committee would report favorably on the appointment of Chad W. Buckendahl and Joshua Fields to the Technical Advisory Committee for Statewide Assessment.

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

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**MURMAN:** Thank you. Dr. Buckendahl is a reappointment to the committee. He has a Physical Doctorate in Quantitative and Qualitative Methods in education and has worked on evaluating the National Assessment of Educational Progress or NAEP Assessment, making him a highly qualified member. Dr. Fields is also a reappointment to the committee. He has a Doctorate of Education Administration and serves as Superintendent of Seward Public Schools. Both appointees were voted out of committee 8-0. I move their positive vote. Thank you.

**KELLY:** Thank you, Senator Murman. Seeing no one else in the queue, you are recognized to close and waive closing. Senators, the question is the adoption of the committee report from Education. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 32 ayes, 0 nays on adoption of the committee report, Mr. President.

**KELLY:** Committee report is adopted. Mr. Clerk.

**CLERK:** Mr. President, the Education Committee would report favorably on the appointments of Paul J. Von Behren and William Wilson to the Coordinating Commission for Postsecondary Education.

**KELLY:** Senator Murman, you are recognized to open.

**MURMAN:** Thank you, Mr. Lieutenant Governor. Dr. Von Behren from Fremont is a reappointment to the Commission and has a Doctorate of Veterinary Medicine and a Master of Business Administration, and has worked in a variety of fields, giving him a solid perspective when it comes to developing Nebraska's future workforce. Mr. Wilson from Plattsmouth is a reappointment to the Commission, has served on the Commission since Governor Heineman, has served on the CHI Midland Community Hospital Board, and has worked as an engineering and construction manager. Both appointees were voted out of committee 8-0. I move their approval. Thank you.

**KELLY:** Thank you, Senator Murman. Seeing no one else in the queue, you're recognized to close and waive closing. Senators, the question is the adoption of the committee report from the Education Committee. All of those in favor vote aye; all of those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 35 ayes, 0 nays on adoption of the committee report, Mr. President.

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**KELLY:** The committee report is adopted. Mr. Clerk.

**CLERK:** Mr. President, the Natural Resources Committee would report favorably on the gubernatorial appointment of Dallen R. Juelfs to the Nebraska Oil and Gas Conservation Commission.

**KELLY:** Senator Brandt, you're recognized to open.

**BRANDT:** Thank you, Mr. President. Good morning, colleagues. On behalf of the Natural Resources Committee, today I offer for your consideration the nomination of Mr. Dallen Juelfs for reappointment to the Nebraska Oil and Gas Conservation Commission for a term from June 2025 to June of 2029. The Oil and Gas Conservation Commission consists of three members appointed by the Governor with the approval of this body. At least one member of the Commission must have had experience in the production of oil and gas, and shall have resided in the state for at least 1 year. Each of the other members shall have resided in the state for 3 years. Members serve 4-year terms. The Natural Resources Committee had a public hearing on February 25, 2026, where Mr. Juelfs appeared by telephone and answered the committee's questions. Mr. Juelfs lives in Scottsbluff, Nebraska, and is employed at Banner Capital Bank, headquartered in Cheyenne, Wyoming. He has served on the Commission since 2023 and is particularly pleased to be on the Commission where he is able to fulfill his goal to protect groundwater and well-drilling operations in this state. There was no testimony, either online or in person, in opposition to Mr. Juelfs's appointment. Colleagues, I ask for your green vote on the appointment of Mr. Dallen Juelfs to the Oil and Gas Conservation Commission.

**KELLY:** Thank you, Senator Brandt. Seeing no one else in the queue, you're recognized for closing and waive. Senators, the question is the adoption of the Natural Resources Committee report. All of those in favor vote aye; all of those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 36 ayes, 0 nays on adoption of the committee report, Mr. President.

**KELLY:** The committee report is adopted. Mr. Clerk.

**CLERK:** Mr. President, the Natural Resources Committee would report favorably on the appointments of Lynn Mayhew and Amy Staples to the Environmental Quality Council.

**KELLY:** Senator Brandt, you're recognized to open.

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**BRANDT:** Thank you, Mr. President. Good morning, colleagues. On behalf of the Natural Resources Committee, today I offer for your consideration the nomination of Lynn Mayhew and Amy Staples for reappointment to the Environmental Quality Council for a term from June 23, 2025 to June 22, 2029. The Environmental Quality Council is a 17-member public body appointed by the Governor to represent specific interest and adopt regulations that are then administered by DWEE. The Natural Resources Committee had a public hearing on February 25, 2026, where Mr. Mayhew appeared in person and Ms. Staples appeared by phone and both answered the committee's questions. Mr. Mayhew lives in Grand Island, Nebraska and is currently employed as the Assistant Utilities Director at Grand Island Utilities. He represents a position for the power generating industry. Mr. Mayhew has a degree in civil engineering from UNL and served as a Nuclear Machinist Mate in the U.S. Navy. He has served on the Nebraska Water Resources Association Board, the Middle Platte Nebraska Habitat Conservation Coalition, and has served on the Environmental Quality Council since 2024. Mr. Mayhew's nomination was advanced to this body by an 8-0 vote of the committee. Ms. Staples lives in Broken Bow, Nebraska and is currently employed as the Director of Regulatory Compliance at Adams Land and Cattle Company in Broken Bow. She represents the biologist position on the council. Ms. Staples has served on the Broken Bow School Board, the Doane University Agribusiness Advisory Board, the Broken Bow Chamber of Commerce Board, and has served on the Environmental Quality Council since 2021. Colleagues, I ask for your green vote for the confirmation of Mr. Lynn Mayhew and Ms. Amy Staples to the Environmental Quality Council.

**KELLY:** Thank you, Senator Brandt. Seeing no one else in the queue, you're recognized to close and waive closing. Members, the question is the adoption of the committee report from Natural Resources. All those in favor vote aye; all of those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 41 ayes, 0 nays on adoption of the committee report, Mr. President.

**KELLY:** The committee report is adopted. Mr. Clerk, items for the record.

**CLERK:** Thank you, Mr. President. Your Committee on Judiciary, chaired by Senator Bosn, reports LB1084 and LB1055 to General File. Additionally, your Committee on Judiciary would give notice of public hearing. Amendment to be printed from Senator von Gillern to LB954. That's all I have at this time.

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**KELLY:** Thank you, Mr. Clerk. Mr. Clerk, we will proceed to Final Reading. Senators, please return to your seats. Senator Dover, please return to the Chamber for Final Reading. Mr. Clerk, the first bill is LB548.

**CLERK:** [Read LB548 on Final Reading]

**KELLY:** All provisions of law relative to procedure having been complied with, the question is, shall LB548 pass? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**CLERK:** Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKinney, Meyer, Meyer, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: Senator Guereca. Not voting: Senator Moser. Vote is 47 ayes, 1 nay, 1 excused, not voting, Mr. President.

**KELLY:** LB548 passes. The next bill is LB70. The first vote is to dispense with the at-large reading. All of those in favor vote aye; all of those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 44 ayes, 1 nay to dispense with the at-large reading.

**KELLY:** The at-large reading is dispensed with. The next vote-- all provisions of law relative to procedure-- Mr. Clerk, please read the title.

**CLERK:** [Read title of LB70]

**KELLY:** All provisions of law relative to procedure having been complied with, the question is, shall LB70 pass? All of those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

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

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voting: Senator Moser. Vote is 47 nays, 1 nay, 1 excused, not voting, Mr. President.

**KELLY:** LB70 passes. The next bill is LB110.

**CLERK:** [Read LB110 on Final Reading]

**KELLY:** All provisions of law relative to procedure having been complied with, the question is, shall LB110 pass? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**CLERK:** Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKinney, Meyer, Meyer Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: Senator Dungan. Not voting: Senator Moser. Senator Dungan voting yes. Vote is 48 ayes, 0 nays, 1 excused, not voting, Mr. President.

**KELLY:** LB110 passes. The next bill is LB653. Mr. Clerk.

**CLERK:** Mr. President, Senator McKinney would move to recommit LB653 to the Education Committee.

**KELLY:** Senator McKinney, you're recognized to open on the motion.

**McKINNEY:** Thank you, Mr. President. So we're here today, I do think this should be recommitted, but that would be voted down and this bill will still pass, but I wanted to take some time to just, you know, elaborate on the fact that we're going back to suspending 5-year-olds in the state of Nebraska. On General File we had a, I thought, a good debate about this bill. I removed my motions because Senator Murman made it seem as though that we could bring legitimate amendments on Select File to address the language around violent behavior and chronic behavior and, you know, make it put some better guardrails up in this bill. But that was voted down because we didn't want to define what was violent behavior, we didn't want to define what was chronic behavior, and we didn't want to allow schools to have in-school suspension, essentially. That's what my amendment did, it didn't take away from the core of what this bill does, and that was a little annoying, you know? I, in good faith, brought an amendment to address the language of the bill, but it was perceived as though I was trying to prevent the bill from passing, or that my amendment wouldn't allow

for what the bill does. And that was far from the truth. Then Senator Spivey brought-- brought an amendment just to say report on what's going on, and that was perceived as taking away from what the bill does. I am strongly against suspending kids. I have talked to no adult outside of this body that thinks it's a good idea. Not one adult that I've talked to, and I'm talking about adults from diverse perspectives, not just people that look like me. Although kids that look like me, especially black boys, are disproportionately suspended. That does not mean that black boys are the most kids in our system that get in trouble either. I mean based on population size that wouldn't even make sense at all. But the fact that we're going back to suspending kids in the state of Nebraska upsets me to the core because just for fact, just a couple years ago, when this bill was passed, members of this body that are still in this body voted to do so. And some of them were sitting on the Education Committee when the amendment was presented and made. The original bill only dealt with the city of Omaha. But in the Education Committee, Senator Linehan, at the time, brought up the issue that her grandson was suspended. I think he was going to school in Grand Island or somewhere. So the committee, not Senator McKinney, the Education Committee, and which the current Chair was sitting on, approved an amendment to expand it to the state. And I didn't object to it because I don't think kids should be suspended and, and your geographic location shouldn't determine that. Then this body, also last week, passed a bill that took away human relations requirements for teachers in school, which deals with implicit bias, dealing with kids from diverse backgrounds and those type of things. So on one hand, you're going to take away the training that teachers should be required to take to deal with kids from different backgrounds and you're going to resuspend them. And there is no pipeline, a strong pipeline of diverse teachers going into our schools. And that's just been a fact for a long time. So it's troubling to say the least that this is going to occur, especially, you know, this is our last day in this body during Black History Month. And one of the last things we're going to do on the last day while we're in session during Black History Month is pass a bill that will outright ensure that more black kids will be disproportionately suspended in our schools. Thank you, Nebraska Legislature. That is what we're doing. But, you know, nobody cares. All I did was bring an amendment to say define language. Allow for in-school suspension alternative, just purposeful in-school suspension. I didn't take away from what this bill said. I took off my amendment, we could have went 8 hours on General File, but I thought everybody was acting in good faith when I removed my amendments so we could bring amendments on

Select to improve the bill. But this Legislature shot them down for no reason. Nobody stood up and gave a legit reason, because they didn't read the amendment. The amendment didn't take away from the bill, it defined language and allowed for purposeful in-school suspensions. Then I talked to the school district in which I represent and they said that they wasn't for or against the amendment but it was made to seem as though they were against it. Now, I don't know, somebody-- some confusion somewhere, because I reached out to them, I definitely did, I emailed all the school board members and asked them what happened. And the response I got was we were approached the day of, we wasn't for or against the amendment, but it was made to seem as though the school district I represent was against the amendment. Now, I don't know what happened between translation, between what was communicated on the floor versus what happened outside the glass. I'll take them for their word, it is what it is. But the fact that we're going back to suspending kids and we couldn't put guardrails, better guardrails within this bill when I was led to believe that if I brought an amendment on Select that defined the language a little better and did those things, it wouldn't be seen as a hostile amendment. No, that didn't happen. People stood up like, oh, Senator McKinney is trying to kill the bill. How was I trying to kill the bill by defining language? Please explain that to me. Would Senator Murman yield to a question?

**KELLY:** Senator Merman, would you yield to a question?

**MURMAN:** Certainly.

**McKINNEY:** Thank you, Senator Murman. On General File for this bill, I had some motions up that could have took us to 8 hours. But there was conversations made that we could come to some type of agreement if I brought an amendment to define what was violent behavior and chronic behavior and those type of things on Select. But on Select, the amendments weren't adopted. Do you know why that happened?

**MURMAN:** Yeah, well, we've got it amended so that I, I think the vast majority of everyone in the state would agree that kids that are-- what is the terminology I used, as threatening should, should be able to be suspended, too. And schools just do it so that they can talk to the parents or whoever is responsible and determine the best path forward.

**McKINNEY:** But my question is-- we had a conversation on General and you stood up and said if amendments are made in good faith, which I

did bring in good faith to define the language, you would be OK with that. And then on Select, it didn't seem to be the case. So what changed?

**MURMAN:** Nothing's changed, but you'll have to remind me what the amendments were, but--

**McKINNEY:** The, the amendment-- my amendment defined violent behavior and chronic behavior and allowed for, if the schools wanted to do it, purposeful in-school suspension.

**MURMAN:** In the most recent amendment that was adopted, violent and disruptive behavior, threatening behavior actually, is defined in the amendment so everyone knows what that means.

**McKINNEY:** Yeah, but, but that's my, but that's my issue. You could assume what it means, but it's not humanized in a way that accounts for a 5-year-old being a 5-year-old. And because of cultural differences, what you may deem as looking violent or being violent may not come off to somebody else.

**KELLY:** That's time, Senators.

**McKINNEY:** Thank you.

**KELLY:** Thank you, Senators McKinney and Murman. Senator Conrad, you're recognized to speak.

**CONRAD:** Thank you, Mr. President. Good morning, colleagues. I just wanted to clarify why I plan to vote for the motion to recommit, and if that's not successful, plan to vote against the measure. And to be clear, it's, it's really disappointing that it's moved to that, but I guess perhaps a good primer in terms of process. So LB653, the underlying legislation introduced by my friend Senator Murman as Chair of the Education Committee, is actually a really strong bill and a really exciting bill that he's led with a lot of heart on and that was responsive to concerns and considerations we heard from families with disabled kids all across the state in regards to many years of testimony about how they were being discriminated against in the option enrollment, option enrollment program. So this original legislation, which had, if you check the committee statement, support from Education Rights Counsel and the Arc of Nebraska, it was opposed by some school rights groups and also the, the schools themselves. And what this legislation meant to do was to try and make a positive difference because we knew from anecdotal experiences, we knew from

the newly established and released data on these points that despite the fact that Nebraska was in many ways a very, very early adopter of public school choice for a lot of good reasons, and option enrollment works well for well over 90% of the families that utilize it, but we know that it's not working well for families who have kids with different learning needs, families who had kids with disabilities. And like I said, we've heard these anecdotal stories. We also worked together in the Education Committee over the past couple of years to pass a, a bill that I brought forward to say, OK, let's gather up not just anecdotal information, but let's see how widespread this problem is across the state. And in true bipartisan fashion, we passed a measure to actually establish data and reporting for what was happening with option enrollment and denials, and particularly for students with disabilities. And once we had an opportunity to glean some of the, the, the first years of reporting, it was really quite troubling and perhaps a, a starker disparity than we had even imagined based on anecdotal reports. So despite the fact that kids with disabilities only make up about 17% of the student population, they were being rejected for option enrollment at almost 40% of the rejections, a really, really significant disparity. This issue has also been well publicized through stories like the one in Flatwater Free Press that was published in June of last year detailing stories about how families with disabilities have been left out of this public school choice option enrollment program that helps other families choose what school is best for their kids. It tells the stories of how those denials have frustrated the families, caused a great deal of expense and time and energy. It details how families are, you know, moving to try and secure better services for their kids in the special ed front. And it also details how options like LB653, that I was really excited to work with Senator Murman on, could really, really make a difference to take the next step after we had established the baseline of data to ensure equity and parity for kids with disabilities. Their parents are taxpayers. Schools are funded by tax dollars. If the option program is working good for 90% of taxpayers in Nebraska, it shouldn't have a prima facie discrimination for kids with disabilities, period. So I, I was really excited about the legislation. It got watered down coming out of committees because the schools pushed back hard, which I think is disappointing and something that we should come together as the Legislature and say, sorry schools, discrimination on disability is wrong. But now we've, we've been a bit hijacked here.

**KELLY:** That's your time, Senator.

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**CONRAD:** Thank you, Mr. President.

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

**M. CAVANAUGH:** Thank you, Mr. President. I stand in support of M0468 to recommit to committee. I'd, I'd really like us to return to Select and, and make some changes to LB653 for a lot of the same reasons as what Senator Conrad was talking about, the original intent of LB653. I feel like it has been not only co-opted, but I'm not even sure what the right word is. Yesterday was my priority bill hearing on developmental disabilities. And as I have said many times before, the entire reason that I ran for the Legislature was to work to ensure that the state of Nebraska was taking care of our developmental and intellectually disabled community. And, and that's one of the reasons that I liked LB653 to begin with. But as amended, it does the opposite. It harms our developmental and intellectually disabled community by allowing for the suspension of, of children, young children, who very well could be struggling with some of these issues. And instead of talking about resourcing classrooms and, and teachers so that they can appropriately handle difficult situations with children, we're just going to take the easy way. And in doing that, we are not saving the state any money. In fact, we're costing the state money because we are just perpetuating the preschool-to-prison pipeline. And we are not doing right by our kids. I understand the desire to help teachers. I want to help teachers. I have the utmost respect for teachers, they're amazing. And I want to help them be resourced to do their job to the best of their ability. So investing more in their education, investing more and recruiting more teachers and training teachers and having smaller class sizes, these are the things that we need to be focusing on. These are things that are going to make a difference in kids' lives and in teachers' lives, but allowing them to be removed from the classroom because they're disruptive is not the answer. And not only removed from the classroom, but removed from the school. That's not the answer. And that causes a whole host of additional issues. What are their parents going to do with them? How are they going to work? What are the long-term implications to our economy if we are taking children out of the school because they're disruptive, we're not assessing or addressing their needs, we're taking their parents out of the workforce because we're not addressing the kids' needs, and now we are having another person that potentially is going to have to, if they aren't already, working full-time, multiple jobs and qualifying for government assistance programs like Supplemental Nutrition Assistance or child

care subsidies or TANF or LIHEAP, we're just further marginalizing people in poverty. What are we doing? And why are we doing it? What's the plan? I always think of that show, *Modern Family*, when the car starts rolling down the hill and the mom yells to the dad, what's the plan? I feel like that, what is the plan, what's the plan, colleagues? What's the plan long term for the kids, for the economy, for the workforce, for the budget? What are we doing? Why are we here? I know why I'm here. It's to fight for developmental disabled and intellectually disabled individuals in any marginalized community as well. That's why I'm here. I don't know what we're doing though and this bill, as well intended as it was initially, is just doing more harm than good at this point. So thank you, Mr. President.

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

**GUERECA:** Right. A little different order than me and Senator Cavanaugh have been taking these last few days. Thank you, Mr. President. I rise in support of the motion to recommit to committee. You know, when I first heard of this plan, or the, the concept of banning out-of-school suspension for second, first, and kindergartners, I call it the sniff test. I run it by individuals that I come across in my-- so when I'm not in the building, you know, regular Nebraskans, if you will, folks, not exactly plugged in to the political machinations of this building, sort of see what-- their take. Folks that don't understand the, the wheeling and dealings and the political calm realities. Just to really get a sense of what folks think. And when I said, hey, should we suspend 5-year-olds, send them back home for a few days, you know, we got to having conversations. And I actually had a conversation with someone in this building. And what I heard from a lot of folks, including a couple of people in this building, was if these children are acting in, in, in a way that it's disruptive to the classroom at such a young age, because, again, we're dealing with 5 and 6 and 7-year-olds, and maybe we need a refresher on how big 5, 6, and 7-year-olds are. They're, they're babies, period, that's what they are. If they're acting in, in, in such a way that's so disruptive, we have to look at why. A lot of the times, it's something going on at home. And I guess that's where not just myself, but a lot of people sort of get tripped up. Instead of getting this 5-year-old the support that they need, the resources they need, the help that they need that they're not receiving at home-- and, and, and a lot of times it's not, not the parent's fault, the parents are working, they have other kids, whatever it may be, there's, there's a wide range of reasons why this specific child isn't receiving the attention that they need, and

that's OK, I'm not blaming the parents. But what I can't wrap my head around is how we're moving the child from an environment that we as a society have said, hey, let's, let's pool our resources to make sure our kids get the tools that they need to succeed. That's what schools are. That's the state of Nebraska, the community of Omaha, the community of, insert a town in your district. We're going to pool our resources to, to make our kids-- they are given those resources, those tools to be successful. What we're saying is let's remove the child from the environment that we as a society has deemed a place to pool our resources and send them home. Now best case scenario, that kid's going to sit at home for 3 or 4 days and watch cartoons, mess around on their phone. That's the best case scenario, colleagues. The worst case scenario really quickly gets a lot worse. And that's where I have a problem with this piece of legislation. Because across this state, this isn't just an Omaha problem, across this state, not every household is a nurturing household. And instead of getting these children the help that they need, we're putting them back in those situations, well, gosh, folks, I guess I'm going to really need someone to talk me through how that is what's best for the children of this state. Thank you, Mr. President.

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

**DUNGAN:** Thank you, Mr. President. Good morning, colleagues. I do rise, I think, in favor of the motion to recommit currently and opposed to LB653 in its current iteration. I do appreciate that on the last round of debate there was some discussion about trying to make this bill better. But, ultimately, in reading the bill and looking at the potential consequences, I still have concerns that, ultimately, it's going to disproportionately impact certain folks in the community. Senator McKinney spoke at great length during his opening about folks that it's going to affect, and I wanted to reiterate some of the comments, I think, that were made earlier about our friends in the developmental disabilities community that are going to be impacted by this. All of us, I believe, received a letter from the Arc of Nebraska, which seeks to be a voice on behalf of the developmental disabilities community about this bill. Came back in a couple weeks ago, I guess, early February. And one of the things they noted in there that I thought was very important to point out was that during the school year back in 2020-2021, when they did an analysis of suspensions of students with developmental disabilities, students in the DD population represented 17% of total enrollment, yet they accounted for 45.6% of the students receiving more than one

out-of-school suspension. And those same student populations in the DD community represented 30.9% of students subject to in-school suspensions. So the reason I think those numbers are, are important is they provide a stark contrast between the population percentage of the total school population and who has or hasn't been suspended. And so I think that that is noteworthy, because what I think my concern is about the language of LB653 in its current form is it doesn't have the guardrails and some of the definitions that, I think, would have been helpful in understanding what is or what isn't suspendable behavior. And where we run into problems with that, colleagues, is the bill in its current form allows for the suspension of students kindergarten through second grade when, I'm trying to find the exact language here, as it pertains to the violent behavior or the potential for physical violence to others. And I understand what that is seeking to address. But I think the big problem here is it's overly broad and doesn't fully, I think, capture the potential problems for the developmental disabilities community when you have folks that are DD that might be undiagnosed, who might be having some sort of episode or escalated behavior due to the underlying conditions that they are experiencing at that time that aren't necessarily threatening in nature or intending to be violent in nature, but it could result in their suspension. And without the understanding that, I think, was outlined in some of those definitions, it leaves us in a position where we're going to see a disproportionate harm to those students. And people may think one suspension isn't that big of a deal. But what we know from the statistics and the studies is that even one day of missed school due to a suspension can have a snowballing effect. We know that when students are taken out of school, it can have a harmful impact on their ability to keep up with their schoolwork. It can have a harmful ability socially with other students. It can then turn into additional disciplinary action when that student is perceived by teachers or administrators as problematic or potentially going to continue to have that behavior. And so even one suspension can lend itself to a much larger array of issues down the road. And so I think that's my concern. I appreciated the suggestions that we had on Select File with regards to Senator McKinney's definitions pertaining to what is or what isn't that violent behavior, and certainly pertaining to what the school does or doesn't have to do. I understand that most schools do have meetings with students and their parents after a suspension happens. I think that that is important because, as has also been mentioned, we need to make sure that we're addressing the down--upstream problems, not just the downstream consequences. And so I do appreciate the hard work that's gone into this bill, especially as it

pertains to trying to help some people with option enrollment, but I do fear that at the end of the day, the current language is overly broad and in an effort to, I guess, try to keep classrooms calm and secure my concern is this overly broad language is going to, ultimately, result in a disproportionate impact on our friends in the developmental disabilities community and harm their ability to stay in the classrooms and continue to be educated as other students. And so with that, I would encourage--

**KELLY:** That's your time.

**DUNGAN:** --your green vote on the motion to recommit. Thank you.

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

**HANSEN:** Thank you, Mr. Lieutenant Governor. Well, colleagues, I just want to bring up a notion here, kind of a common assumption in our society, that kind of goes to the heart of the argument against Senator Murman's bill for or against the ability to suspend a, a student who is K-2. And that's the idea that public education is a fundamental right. In reality, public education is not a right. It's a privilege and it's one provided through the generosity of taxpayers, the dedication of teachers, and the structure of a free society. And treating it as an entitlement has led to complacency, declining standards, and a dangerous sense of dependency. First, let's be clear about what a right actually is. And that's true rights, which is life, liberty, and property. And those are inherent. They don't require taking from others to provide them. They exist independently of government action. Education, especially the publicly funded kind from kindergarten through high school, is different. It demands resources, buildings, books, salaries, buses, all paid for by other people's labor and money. When we call it a right, we imply that someone else is obligated to supply it, no matter the cost or quality. That shifts the focus from gratitude and responsibility to demands and grievances. Some of the very things we're talking about right now. History shows us that widespread public education is a relatively modern achievement, not a natural or universal condition. In many parts of the world, even today, children have no access to formal schooling. In our own country, before compulsory public systems, families, communities, churches, and private efforts, educated children. The fact that we now offer it broadly is a remarkable privilege, one that previous generations fought hard to establish and found. Yet, when we treat education as an automatic entitlement, something strange

happens, standards slip, accountability fades, parents and students expect results without effort, and educators face less pressure to deliver excellence. We've seen test scores stagnate or decline despite ever-increasing spending. We've watched schools become battlegrounds for ideology rather than places for rigorous learning. When something is viewed as a guaranteed right then an earned privilege, people stop, stop valuing it, and those providing it stop striving to improve it. As a great economist and thinker, one of my favorite people to read, Thomas Sowell, he mentioned in his book, *Wealth, Poverty, and Politics*, which is a good book, by the way, our schools and colleges are laying a guilt trip on these young people whose parents are productive and who are raising them to become productive. What is amazing is how easily this has been done, largely just by replacing the word achievement with the word privilege. And Sowell nails it here, by reframing success and opportunity as underprivileged, we've undermined the, the very values that make education valuable, hard work, personal responsibility, and appreciation for what's been provided. Public education should be seen as a gift, a privilege that opens doors, not a handout that breeds resentment when it falls short. So let's reclaim this proper perspective. Public education is a tremendous privilege, one we should cherish, improve, and hold accountable. It deserves our best efforts, not our blind demands. When we treat it as a privilege, we foster gratitude, excellence, and real progress. When you treat it as a right without limits, we risk turning it into something mediocre at best and divisive at worst. So, colleagues, since we're going to be talking about this for a while, I just wanted to bring up that topic with the understanding about maybe what education really is, public education, especially in our, in our community. And the idea that students in my opinion have to work to be there and understand that it is a privilege. So with that, I would encourage my colleagues to vote no on the motion to recommit to committee and yes on the bill by Senator Murman. Thank you, Mr. President.

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

**ROUNTREE:** Good morning and thank you, Mr. President. Good morning, colleagues, and good morning to those that are watching online. I do rise to stand with MO468 to recommit to committee. We understand rights and privileges. If education was totally a privilege, there would be no one coming after you for truancy. When kids are not in school, no one would care because you can throw your privilege away, but when it's a right, you know you'll stand for that. So that's all I

want to say about that. But as we are in our last day here, we celebrate here on the Unicameral for our Black History Month, I just want to rise and speak very quickly about one that we all know, Senator Ernie Chambers. So there's so much that I could stand and read for the whole day about him, but I won't do that. I just want to take a little quick excerpt from the Death Penitentiary Information Center, that was something that was really passionate to him. So in the month of Black History Month, the DPIC celebrates weekly profiles and they're celebrating Ernie Chambers. As a trailblazing figure in Nebraska politics, Ernie Chambers is best known for his unwavering commitment to justice and equality. Ernie was elected in 1970. He served in the Nebraska State Legislature here for 46 years. Throughout his career, Chambers championed a variety of causes, including equal pensions for women, the cessation of corporate punishment in schools, and the elimination of sales tax on groceries. Across 36 legislative sessions, he sponsored bills to abolish the death penalty, including the 2015 bill that temporarily repealed capital punishment in Nebraska. Senator Chambers said his mission was to serve the least, the last, and the lost, a testament to his dedication to the marginalized and the underserved. When the Legislature debated whether to override Governor Pete Ricketts' veto of the 2015 death penalty abolition bill, Senator Chambers said this will be the shining moment of the Nebraska Legislature. The world, by anybody's reckoning, is a place filled with darkness, contention, and violence. We today can move to lift part of that cloud of darkness that has been hovering over this state for all these years. The bipartisan 30 to 19 vote made Nebraska the 19th state to abolish the death penalty. Governor Ricketts later personally funded and led an effort to reinstate the death penalty via voter referendum. And in 2016, Nebraska voters overturned the State Legislature's decision. Senator Chambers' effort to end the death penalty began in 1971 when he visited a penitentiary. He said I don't see how anybody comes out of prison without being filled with an unreasoning, bitter hatred. In his own words he said since I was first conscious of the difference between right and wrong, I've been opposed to the death penalty. My argument is simple, nobody should kill anybody. And killing someone as punishment, it's the most barbaric act of all. Senator Chambers' journey into the world of activism and politics began with the moment that shaped his understanding of the power of words. As a young black man working in a local post office, he spoke out against workplace discrimination only to be fired in retaliation. Senator Chambers retired from the Legislature in 2021 when he reached the state's term limit. His goddaughter and fellow legislator, Senator Patty Pansing Brooks, gave

a speech honoring him at his retirement. She described Senator Chambers as a man who stands as a beacon of resilience. Senator Chambers is also a Nebraska legend, whose voice rose and pierced our hearts at times when we failed to live up to our best ideals. Brooks emphasized that to honor Senator Chambers' legacy, we must do everything we can to change things so that they do not remain the same. We must vote and believe we can help to change the world for good. Thank you, Mr. President. With that, I yield any time back.

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

**HUGHES:** Thank you, Mr. President. Sorry, I was off to the side having a conversation about property taxes, of all things. I just want to stand and talk a little bit on this bill. I heard some senators saying that, you know, we're talking about sending home-- suspending little, little kids 3, 4 days. That is not the case. It might be a half a day, typically, they maybe have destroyed a room or, you know, done something and they just need to go home. I look at this-- I represent Class B and down schools in my district and, and that's who I want to talk to. But I, I want to tell a story because we're, we're telling other stories. I have a friend here in Lincoln that is a school nurse at one of the elementary schools here in Lincoln and she was telling the story the other day that a third grader destroyed a room again. And when I say destroy, throwing chairs, throwing desks, the kids-- the other kids have to come out of that room, you know, completely ransacking the room. This was this fall. And the third grader got sent home. And do you know what he said to the teachers and the staff at the school? Well, why am I getting in trouble now? Because he was doing this in first grade and second grade and he never got sent home. Kids are not stupid. And he likes to be in school. He doesn't want to be gone from school. And this is a consequence of his behavior. And I don't see why we are eliminating a certain grade from this. It should not be used all the time. It should only be used in extreme instances. But guess what, sometimes it works as a consequence, and maybe that will change some behaviors. We are handicapping our schools, and I ask every single one of you, every single one of-- anybody listening to this, go talk to kindergarten, first, second grade teachers. The behaviors are getting worse, and I've, I've said it before, I don't know why. I don't know if it's too much time on, on the, the cell phones and, and too much-- they're not just engaging in opportunities with other kids and other people and know how to behave, but they're getting worse. And I want you all to talk to some of these teachers and just hear some of the things they have to deal with. And we cannot

handicap them from tools that might work because guess what, they've got another 18 to 25 kids in that class that we are also responsible for educating and taking care of, so I am in support of this bill and I just wanted to make some of those comments. Thank you, Mr. President.

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

**SPIVEY:** Thank you, Mr. President, and good morning, colleagues and folks that are watching. I apologize for my voice. I'm feeling a bit under the weather. Our house is fighting some, some bugs, like a lot of folks. And so I apologize for that, but wasn't planning to get on the mic for this, but wanted to uplift just, again, some thoughts around that. I, I appreciate Senator McKinney and this motion around this recommit and would support a recommit to committee or back to Select because I think he is absolutely right. I specifically asked Senator Murman on the mic around the commitment to discussions, what those discussions would look like in good faith, and I don't believe those were honored in that way, and so motions were removed and behavior and approaches were set and conversations were had based on that good that wasn't honored and, and things absolutely change. And I think you owe it to your colleagues to name when that changes or things are not the same. All we have is our word and how we work with each other. And so I, I do think that was a missed opportunity for this. In regards to Senator Hughes, and I appreciate the stories, because I think the stories bring life to the conversation, right? We can humanize it. We, we can talk about different cases that happen. And one of the, the-- the items that were raised were behaviors are getting worse and we don't know why. And originally on the discussion on Select, I talked about we don't know why and the data allows us to go and address the core root issue. And so my amendment, which was not advanced, would say, hey, NDE is aggregating and taking this data anyway. I am asking the districts for data that they already are getting to be able to publish so it's readily accessible on their website, because data can help us understand the why. Why are behaviors increasing? And from NDE and what we saw when suspensions before the original bill was passed, the disproportionate demographics of young people that were impacted were male, black, and special education students. That's what the data showed us. And so why is that? What is happening if these groups of students that make up smaller amounts of the population are disproportionately represented? We have to understand why policy, big P and little p, in practice are not working for these students and what's happening. And that, that

was not advanced, and I think, again, that was a misstep to enhance the bill, even if I disagree with it. When I was looking at the original bill that Senator McKinney passed and what teachers were not OK with around the suspensions, there was specific language in that bill that said you had to look for alternatives. So if you felt like a student had disruptive behavior that were impacting other students, that, that did not allow you to manage your classroom, that there were alternatives that needed to be in place and that could be explored. And so those alternatives could be this multi-disciplinary team approach to help understand what was happening with that student. That could be, you know, a reprieve with the counselor, like alternatives could have happened in order to ensure that that student wasn't just suspended, because, again, when you look at the data from NDE, students were removed from the school for long periods of time, 3 to 4 days, for insubordination with no definition of what insubordination means. And what I know the definition to mean is that you didn't listen to someone that is in charge of you. My children don't listen to me any day of the week. I have to redirect my oldest son, who I love, I love him and he's such a great kid, 10 times a day. Naasir, did you not hear me when I said this? Naasir, can you please go pick up your clothes and actually put it in the basket? Naasir, that sock is a part of your clothes, right? And so the, the, the amendments that were offered, offered guardrails so that there could be continuity of what was applied when teachers felt like that they could. And so I, I see I'm almost out of time and I know we have a long agenda, but I, I think this is not ready, especially now that the suspension piece was added, and, and I do think it, it deserves more time on, if not committee, moving back to Select so that we can get it right, because our, our kids, our babies deserve for us to get this right. Thank you, Mr. President.

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

**J. CAVANAUGH:** Thank you, Mr. President. I'm just looking to see, I think the cameras have a red light now, but it doesn't look like it. Well, I rise in support of the motion to recommit. And I would, I would add to what Senator Spivey just said that if her son would listen to her, maybe he wouldn't be a fan of Alabama football. But it's a conversation to keep-- you, you know, you can't-- you, you raise your kids as best you can, you send them out in the world, and then they end up cheering for Alabama football. So, you know, we all try as parents. So, yeah, I rise in support of the motion to recommit and I agree with a lot of what's been said. I did specifically want to

talk about the Nebraska Constitution, Article VII, Section 1, Education, and it says: The Legislature; free institutions [SIC] in common schools provide. The Legislature shall provide for the free instruction in the common schools of the state of all persons between the ages of 5 and 21 years. The Legislature may provide for the education of others in educational institutions owned and controlled by the state or political subdivisions thereof. So, essentially, what it is saying is that education is a right and we have an obligation. We shall provide free instruction in common schools. So I just wanted to make sure that we were understanding that we have this obligation to educate the youth of this state and we have an obligation to do an actual good job of it and I, and I agree that there are kids out there who misbehave. I'm a, a parent of four kids and I feel Senator Spivey's pain about when you say something and they don't listen and then you feel like you're saying the same thing over and over again and you get to the point where you think maybe I didn't say it out loud or something like that. And then, of course, have the great privilege of going into schools in my district and visiting with fourth graders, in particular. It's one of my favorite things to do. I think I've told this story before about when I go into a fourth grade I like to, you know, obviously, talk about Nebraska history and George Norris and, and the Legislature. But I also like to just give the kids a little bit of insight into how legislating works and so I came up with this idea of Jolly Ranchers, where I get a bag of the-- you know, a big bag of Jolly Ranchers that comes in grape, cherry, sour apple, blue raspberry, and I think there's one more, grape, cherry, sour apple, blue raspberry-- oh, watermelon. And so there's these five flavors and I separate them all out, and I say to the kids, OK, you know, who's-- what's everybody-- what flavor do you want, and then they vote, and if no flavor gets a majority, then they can try to convince the other kids to change their vote to their flavor. The caveat being that whichever flavor wins, that is the one everybody gets. So if there's, you know, 40 kids in a class, 21 of them vote for blue raspberry, every kid gets blue raspberry. I'm not a blue raspberry fan so that would be a bad thing for me. But, anyway, so love this opportunity to get in front of kids, but when you do get that, you go into schools and I have seen, you know, a lot of rambunctious kids and a lot of, you know, misbehaving and the teachers are very skilled and I'm jealous at the way in which they're able to get the kids to quiet down and focus and pay attention. And so I think teachers should be respected and appreciated for that hard work that they put in, in helping kids to learn through getting them to calm down and focus and behave. And I think that is-- it is truly an issue

because one kid can disrupt class. But the kids that, as Senator McKinney, I think, started out this conversation saying, the ones that are getting suspended and kicked out of class disproportionately look more like Senator McKinney than they look like me. And as Senator Dungan talked about, kids who are getting suspended are more likely to have mental health issues or developmental issues. And so we have an obligation to educate these kids, to give them opportunities, to help them along and shepherd them. And the-- it's a constitutional obligation under the Nebraska Constitution. So just to be clear, education is not discretionary. It is something that we have a constitutional obligation. So, again, I support the motion to recommit and opposed to LB653 as it is currently drafted. Thank you, Mr. President.

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

**McKINNEY:** Thank you, Mr. President. Again, as Senator Cavanaugh stated, I think education is a right. Secondly, this whole thing about kids need consequences and things like that, but if I remember right, the people saying these things voted to suspend kids when the bill passed originally, which-- I mean, if you, if you thought they deserved consequences, why did you vote to not suspend them previously? Makes no sense. And I'm not going to belabor the day, I just, you know, just find it interesting, you know? And if, if you believe public education is a privilege because of taxpayers, don't those kids' parents pay taxes? So shouldn't their kids be allowed in our public schools if, if their parents are paying taxes? Just a thought. Should they work to be there? Contrary to popular belief, a lot of kids that are suspended actually have good grades, actually are some of the smartest kids in our schools. They're just misunderstood by people within our schools and society, so they end up getting suspended. When you have an education system that is outdated and behind the rest of the world, you end up with these situations. You have classrooms crowded with 30-plus kids at times. It's multiple reasons why a kid would act out. They could have a disability. They could have went to sleep hungry last night. It's multiple things, but to just say, oh, we're just going to blanket-- just, just do a blanket suspension policy, it's crazy. And what's also crazy is in the bill that passed, schools were allowed to implement alternatives, but they refused to implement alternatives. They just wanted to come back to this body and say let's suspend kids again. They didn't even try. But you want kids to try. You want kids to be held to a standard that our, that our schools aren't even holding up. They didn't even try to

implement alternatives. They didn't try to meet the needs of kids who may end up in these situations. But you want kids to meet these needs or a higher standard. You want a 5-year-old to meet a higher standard than an educator. That's the problem with society. And I could go on a longer conversation about this about young people and old people and how-- I'm not going to go down that rabbit hole right now, but I truly believe the problem with society is just miscommunication between young and old, and I think it's because one side has a standard that they don't live up to, but I'll leave it alone right now. But my thing is, you think they should deserve consequences, but you voted to suspend them 2 years ago. You did, because you voted for the package. Two, it's a right. Well, their parents pay taxes too. So if their parents are paying taxes, shouldn't their kids be allowed in our schools? Shouldn't their kids be allowed that privilege? Just a thought. But as I stated, you know, I acted in good faith. I could have took this 8 hours on General, but I acted on good faith, but others did not. And it's clear. So this bill will pass. We will be suspending 5-year-olds again without guardrails. And then there will be reports that says suspensions in OPS have went up, and most of them are black boys. Happy we're doing that on, I guess, our last day during Black History Month. I'm not happy at all. That was very sarcastic, but thank you.

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

**M. CAVANAUGH:** Thank you, Mr. President. Thank you to Senator Rountree for his remarks on the history of a remarkable individual who is the longest-serving member of this Legislature and did a lot of amazing things while he was here. I actually remember when my hair bill, the protecting natural hair bill passed, LB1060, and he-- and then the Governor vetoed it-- and he made a sandwich board and stood outside of the Governor's Mansion with the sandwich board about the veto. And it was just very, very sweet that he did that. I really appreciated it. And I appreciated his friendship. I still appreciate his friendship. So thank you to Senator Rountree for those kind remarks as we close out Black History Month and we, we close it out tomorrow with a statehood gala, so what a way to celebrate our black history. I really hope that this motion is taken seriously because I think LB653 has great potential but it's falling short in this final iteration and I think we can do better by our children in this state, especially our little ones. So I just hope everybody takes that to heart, takes into consideration what we're talking about this morning, and vote green on MO468. Thank you, Mr. President.

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

**SPIVEY:** Thank you, Mr. President. Good morning again, colleagues. There is one thing that I, I wanted to make sure that I uplifted again as we kind of add some color to this conversation and as we move on with the rest of our morning that we actually had in Appropriations. So I sit on the Appropriations Committee. It's a 5-day committee so I'm there consistently with my colleagues and in front of us and inside of the budget is a Governor recommendation for \$7 million for vouchers or education credits. And so we, again, are taking up this issue, we're having this conversation, and it's for the agency hearing. So the \$7 million that comes from general funds for this was at Department of Labor. And so it was at the Department of Labor hearing, folks came to testify in support, opposition, or neutral. And the head of NSEA, which is the teacher's union, came, Tim Royers, to come in opposition to this bill. And so when you come to testify, the senators that are on that committee can ask you questions. And so the questions started to be asked, and a conversation was brought up that has been brought up since I've been in the body, and I know before, specifically around north Omaha and students having the opportunity to learn and having different pathways for education that are better suited because public education is not always right and, and, and all of these things. And I, and I think that conversation is important and why I'm bringing up on the floor as it relates to this bill because in that hearing I wanted to put on the record is that this is to me the crux of the issue. So the, the offering of vouchers for students to have other educational opportunities to meet their needs is a reaction to a symptom and not the core root issue. The core root issue and what is in front of us is how do we think about our education system overall in meeting the unique needs of families and students and then we design a system, the entire system that is flexible and nimble that we can critique, adjust to ensure their success. And so when we, as a body, when we, as state senators, pass a bill that we know has disproportionate impacts on black kids in north Omaha, because there is data from Department of Education that shows this, the original intent of Senator McKinney's bill was specifically for Omaha, the biggest district in the state that has the highest population of black students that was suspending the highest population of black students, we can see from that data that then those students in that same population are disproportionately represented on probation and in detention and are disproportionately represented in our carceral or prison system. There is a clear lineage and correlation to student

success and disciplinary action within our schools into what we are seeing on our carceral side, which spends more taxpayer dollars money to incarcerate people, which removes people from homes. I've stood up on the mic to talk about my experience with my dad's incarceration. And so, to me, that is a conversation, and that is the conversation that we started to have in Appropriations that I wanted to make sure got on the record here is that we have to ensure that the policies that we pass and how we are thinking about this is comprehensive because it does make a difference. What we do in LB653 right now today, colleagues, will impact our prison budget and how much we spend taxpayer dollars on. It will impact the number of black boys explicitly that are on probation and inside of detention and it will absolutely make the difference of those same young people, those same kids that will then go into adult prison because we did not address the core root issue of behavior and discipline. And instead of saying what happened to you, how do we take a trauma-informed approach to ensuring that you are OK, that your family has what you need, we are saying we are willing to throw you away. Thank you, Mr. President.

**KELLY:** Thank you, Senator Spivey. Seeing no one else in the queue, Senator McKinney, you're recognized to close.

**McKINNEY:** Thank you. We can move on from this. But I just want to close and say when LB705 passed, which allow-- which prohibited the suspension of preschool and second graders, it passed by this body 47-0. There was only 2 present, not voting. That was Senator Hunt and Senator Machaela Cavanaugh. The rest of this body at the time voted yes to suspend-- to not suspend. So if you're saying now they need consequences, did they not need consequences then? If you're saying now that it's a privilege, not a right, was it not a privilege and a right then? I'm just trying to understand. When you voted yes, why did you vote yes? Because if you felt that strongly then, you should have voted no. But you voted for the package. Just being honest. And it came out of that committee 7-1. The only one voting no to put it into the package was Senator Walz. Just saying. But, you know, it's just interesting, the things we pick and choose to say we care about one day, not care about this day or that day. But when all I did was bring an amendment to clarify language on what is violent behavior and chronic behavior in a good faith effort after not taking it 8 hours on General, after discussions with the Chair, it gets voted down because, one, I don't think the Chair ever stood up and said it was OK, which was weird in so many ways. And, two, this body not even reading the amendment, just, oh, Senator McKinney put up an amendment against Senator Murman's bill. We got to vote it down. Read the amendment. All

it did was clarify language and say they could use purposeful in-school suspension. It did not take away from the nature of the bill. But you voted no on my amendment out of, out of not even reading my amendment. So when you stand up and say, you know, Senator McKinney is so passionate on this issue and all this, I don't want to hear it, because you're not reading these things. Read the bills. I try to read any bill that I stand up and talk about. I try to read it at least to get a grasp of what is being proposed, not just, oh, I'm just going to stand up, and just say a bunch of words. We think kids should be suspended because they need consequences. My amendment took nothing from what you said. All it did was clarify language. I'm lost. I'm, I'm trying to understand. Are we in the same world or are we not in the same world? Makes no sense to me that you stand up against something saying a bunch of things that the amendment does not address. My amendment didn't say don't suspend. That ship has sailed. I was just trying to make sure we have some better language and guardrails in place to when they do get suspended kids aren't just thrown out to the wolves, which is going to happen. Then we're going to wonder why, when they get older, they end up in more deep-- deeper into our child welfare systems, deeper into our juvenile justice systems, wonder why we're building prisons that are overcrowded. All this intersects, but nobody cares because it makes people feel good and then people stand up and say we need property tax relief. You can't get property tax relief if you don't address societal issues that cause people to end up in need of our systems. It's backwards thinking. If you help people and give them basic needs, they don't need the system. If we address the needs, you don't need to put more money into certain spaces. But that's my close. You know, you can pull this amendment and we can move on. I just wanted to say that. Thank you.

**KELLY:** Thank you, Senator McKinney. Without objection, so ordered. The next vote is to dispense with the, the next vote is to dispense with the at-large reading. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 42 ayes, 5 nays to dispense with the at-large reading.

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

**CLERK:** [Read title of LB653]

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**KELLY:** All provisions of law relative to procedure having been complied with, the question is, shall LB653 pass? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**CLERK:** Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Clements, Clouse, DeKay, Dorn, Dover, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Ibach, Jacobson, Kauth, Lippincott, Lonowski, Meyer, Meyer, Murman, Riepe, Sanders, Sorrentino, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: Senators Cavanaugh, Cavanaugh, Conrad, DeBoer, Dungan, Fredrickson, Guereca, Hunt, Juarez, McKinney, Prokop, Quick, Raybould, Rountree, Spivey. Not voting: Senator Moser. Vote is 33 ayes, 15 nays, 1 excused, not voting, Mr. President.

**KELLY:** LB653 passes. The next bill is LB741.

**CLERK:** [Read LB741 on Final Reading]

**KELLY:** All provisions of law relative to procedure having been complied with, the question is, shall LB741 pass? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**CLERK:** Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKinney, Meyer, Meyer, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: none. Not voting: Senator Moser. Vote is 48 ayes, 0 nays, 1 excused, not voting, Mr. President.

**KELLY:** LB741 passes. The next bill is LB751.

**CLERK:** [Read LB751 on Final Reading]

**KELLY:** All provisions of law relative to procedure having been complied with, the question is, shall LB751 pass? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

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

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Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: Senator Lonowski. Not voting: Senator Moser. Vote is 47 ayes, 1 nay, 1 excused, not voting, Mr. President.

**KELLY:** LB751 passes. The next bill is LB783. 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:** 44 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 LB783]

**KELLY:** All provisions of law relative to procedure having been complied with, the question is, shall LB783 pass? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**CLERK:** Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKinney, Meyer, Meyer, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: none. Not voting: Senator Moser. Vote is 48 ayes, 0 nays, 1 excused, not voting, Mr. President.

**KELLY:** LB783 passes. The next bill is LB807. Mr. Clerk.

**CLERK:** Mr. President, Senator Machaela Cavanaugh would move to recommit the bill to committee.

**KELLY:** Senator Machaela Cavanaugh, you're recognized to open on the motion.

**M. CAVANAUGH:** Thank you, Mr. President. I am not going to take this to cloture or anything. But when I was looking at the bill again this morning, I realized that it takes-- well, hold on. So it takes the, the funding out of the general funds for the Riparian Vegetation Management grants and moves them to the cash fund of the Water Resources Cash Fund. Now, I am taking time right now on this, not because I disagree with the bill, but because I wanted to explain, and

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I said this the other day, that in advance of our budget debate, there's a lot in the budget. And so when I can take time to explain some pieces of it, I'm going to. So what we have done, and by we, it's the royal we, not me, but what the committee has done is we are taking money out of the Environmental Trust Fund, which is constitutionally protected, and we are moving it into this cash fund so that we can offset General Fund expenditures. And we are reducing the General Fund appropriation of various things in this cash fund and paying for them with the Environmental Trust Fund. Now, the problem with this is that we don't have the authority to do that. The Environmental Trust Fund is in the constitution. It's protected in the constitution. We've in the past taken interest and just decided to interpret that that's not in the constitution, though I think that there's a case to be made that that is in the constitution. So we're going to hear a lot of this when we get to the budget debate, that we are shifting a lot of things from general funds to cash funds, and cash funds a lot of times that are funded by fees for service. And so we're not really doing Nebraskans any great service by doing that. It's not a good practice, it's not sustainable. It doesn't help us with the next biennium's budget. But this one in particular is unconstitutional. And so that's an added, like, not just like it's not cool and it's just, you know, not sustainable, not wise, those arguments, it's not constitutional, so we shouldn't be doing it. So I just wanted to flag that for the body as we are moving with this bill. So in realizing that that's what this shift is doing, I am going to be present, not voting, and then it's going to automatically switch to a no, but then on the report it's going to have an asterisk that says I'm present, not voting. So, Senator Ibach, I am not voting against your bill. I am abstaining from voting because I am concerned about the Environmental Trust Fund. And with that, I will withdraw my motion. Thank you, Mr. President.

**KELLY:** So ordered. The next vote is to dispense with the at-large reading. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 44 ayes, 1 nay to dispense with the at-large reading, Mr. President.

**KELLY:** The at-large reading is dispensed with. Please read the title.

**CLERK:** [Read title of LB807]

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**KELLY:** All provisions of law relative to procedure having been complied with, the question is, shall LB807 pass? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**CLERK:** Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Clements, Clouse, DeBoer, DeKay, Dorn, Dover, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Ibach, Jacobson, Kauth, Lippincott, Lonowski, Meyer, Meyer, Murman, Prokop, Quick, Raybould, Riepe, Sanders, Sorrentino, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: Senators Cavanaugh, Cavanaugh, Conrad, Dungan, Hunt, Juarez, McKinney, Rountree, Spivey. Not voting: Senator Moser. Vote is 39 ayes, 9 nays, 1 excused, not voting, Mr. President.

**KELLY:** LB807 passes. The next bill is LB836. 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:** 45 ayes, 1 nay to dispense with the at-large reading, Mr. President.

**KELLY:** The at-large reading is dispensed with. Please read the title.

**CLERK:** [Read title of LB836]

**KELLY:** All provisions of law relative to procedure having been complied with, the question is, shall LB836 pass? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**CLERK:** Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKinney, Meyer, Meyer, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: none. Not voting: Senator Moser. Voter is 48 ayes, 0 nays, 1 excused, not voting, Mr. President.

**KELLY:** LB836 passes. The next bill is LB877. The first vote is to dispense with the at-large reading. All those in favor-- Mr. Clerk, for a motion.

**CLERK:** Mr. President, Senator Conrad would move to recommit the bill. Senator Conrad, I have MO424 with a note that you'd withdraw.

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**KELLY:** So ordered.

**CLERK:** Senator Conrad, I also have FA983 and FA984 both with notes that you'd withdraw.

**CONRAD:** Yes, please.

**KELLY:** So ordered.

**CLERK:** In that case, Mr. President, I have nothing further at this time.

**KELLY:** 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:** 43 ayes, 1 nay to dispense with the at-large reading, Mr. President.

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

**CLERK:** [Read title of LB877]

**KELLY:** All provisions of law relative to procedure having been complied with, the question is, shall LB877 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, DeKay, Dorn, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Ibach, Juarez, Kauth, Lippincott, Lonowski, Meyer, Meyer, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: Senators Machaela Cavanaugh, DeBoer, Dover, Hunt, Jacobson, McKinney. Not voting: Senator Moser. Vote is 42 ayes, 6 nays, 1 excused, not voting, Mr. President.

**KELLY:** LB877 passes. The next bill is LB795. Mr. Clerk, for a motion.

**CLERK:** Mr. President, Senator Conrad would move to, to recommit the bill to the Judiciary Committee with MO423.

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

**CONRAD:** Thank you, Mr. President. Good morning, colleagues. I had filed these motions and measures when this bill was amended with Senator Storer's measure in regards to providing a potential life sentence for even trace amounts of fentanyl which I think is-- technically, it perhaps just doesn't reflect what her goal or intent was there to ensure that larger quantities are, are punished more significantly. But, again, the language itself of the amendment and the clear dialogue and text from the committee hearing including from the Attorney General, who is former U.S. Attorney General, I believe, and other proponents noted that it would, in fact, allow for a potential life sentence for a trace amount of fentanyl. And that, that, I think, is problematic in terms of how it was drafted and would exacerbate our state's mass incarceration problem. So to be clear, I didn't have a significant amount of heartburn, really much opposition at all to the underlying LB795 brought forward by my friend Senator DeKay, but it was really that what I considered to be a hostile amendment, I know Senator DeKay did not consider it to be hostile amendment that was joined on Select File. So I, I felt that perhaps we, we needed to take pause before we push forward with that on Final Reading to see if members had additional comments that they wanted to add. And just to reaffirm the fact that every time we have a new crime, every time that we have criminal enhancement, it undermines our goals of achieving smart justice reform that has better outcomes for individuals, better protects human rights, saves the taxpayer dollars, and, and moves in the wrong direction, then our state had been headed in regards to our work to implement the CSG recommendations and the CJI recommendations. So I, I just wanted to make sure that we had a placeholder there and appreciate your consideration. Thank you, Mr. President.

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

**DeBOER:** Thank you, Mr. President, and good morning, colleagues. Today is my last day of regular hearings, of regular hearing days for Judiciary. And I've been on that committee for 8 years. And as we're talking about a bill that's relevant to that committee, I wanted to take a second to make a few observations to perhaps give those of you who will serve on that committee in the future and those of us who are still dealing with bills in Judiciary an opportunity to think about a couple of things that I've observed over the years and experiences I've had in that committee as we continue to shape our laws based in that area. And that is this: I have noticed a pattern in these last 8 years that has accelerated in more recent years, that imagines that a

misdemeanor is not a crime. And, colleagues, I would ask you to bear in mind and watch this trend where folks come into the committee and say if it's a misdemeanor, it's not a crime. Of course, that's not accurate. A misdemeanor is a crime, any misdemeanor is a crime, an infraction is a crime, a misdemeanor is a crime. It's dealt with-- through the criminal justice system. But this movement that we have away from thinking that a misdemeanor is a crime is for me something that I think this body needs to take note of. Last year, I said we had become the felony factory, and I think it's a related issue that we are turning more and more to making felonies where in the past we might have made something a misdemeanor, where in past we might not have made a separate specific crime, but had it fall under a crime that already existed. And, colleagues, I know we're all busy, but I, I do think this is something we ought to pay attention to. Because as we think about our criminal code, in general-- when I first started, folks said to me that we have to think about the proportionality of it. And I said what, what are you talking about? But the advice to me was to think about the fact that we don't think it's the same thing to steal a candy bar as to light a house on fire while people are living in it. That sense of proportionality is something that we 49 are tasked with. No one else does that. The 49 of us in this room are tasked with making sure that our criminal code remains proportionate. And as we think about the misdemeanors and the fact that we're told in committee-- colleagues, we're told in committee that if it's a misdemeanor no one will prosecute it. And so folks want to make things felonies because they don't feel like things are being treated properly as misdemeanors. That's something that we as policymakers in this state ought to know and ought to have the ability to weigh in on, that misdemeanors as a concept should be considered, that we need to think about what does proportionality mean in our state? The other thing I've noticed, and I see I'm running out of time, is that-- the other thing I have noticed is that we have tried to prescribe more and more and more human behavior to fill all the holes, all the gaps that we perceive so that we can block out every hole to make sure that there's a crime. But making something a crime is not the same thing as stopping the behavior. And every time we fill one hole, there's seven others that could still be open. So the question for our body is, how do we make less crime? That's what we should be doing as policymakers. And, yes, part of that is thinking about our criminal code and making sure that it--

**KELLY:** That's your time, Senator. Senator Machaela Cavanaugh, you're recognized to speak.

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**M. CAVANAUGH:** Thank you, Mr. President. I'll yield my time to Senator DeBoer.

**KELLY:** Senator DeBoer, 4 minutes, 55 seconds.

**DeBOER:** Thank you, Mr. President. Thank you, Senator Machaela Cavanaugh. So as we prescribe more and more behavior, as our, as our criminal code becomes more and more complex, does that leave those who prosecute-- those who attempt to follow the law, does it, does it leave the transparency that we need and knowing that we will never be able to fill all the holes, should we look instead at what is causing the crime? As I sat for 8 years and listened to people come and tell their stories to the Judiciary Committee, and there's a reason that there is a box of Kleenex on the testifiers' table in Judiciary, as I listened to their testimonies for 8 years, I noticed that there are a lot of root causes of criminal behavior that this body could address. And I charge all of you who will be here, I beg you, to consider the causes as well as the symptoms. When we're thinking about our criminal code, to continue to think about proportionality, and to continue to think about how do we actually stop crime before it happens, and the answer to that may and will sometimes be by having a criminal violation for such behavior. But it may also be to find some other method for addressing the cause. And I know that's a much harder thing to do. And it has a lot more nuance, but, colleagues, people are desperate and desperate people commit crimes and they will commit them regardless of what we do in this body with respect to making more things criminal and with respect to making those penalties more severe. I have seen this. So on the last day of my Judiciary Committee hearings, I ask you to think about proportionality as you go forward into the future here. I ask you to think of our criminal code and making sure that misdemeanors matter, because there is a reason that in the history of this country, there have both been misdemeanors and felonies. To think about how serious felonies are. And I'm not saying that they're not issues that we need to address with felonies, that's not it at all, I'm saying we've got to be consistent with our proportionality. Thank you, Mr. President.

**KELLY:** Thank you, Senator DeBoer, and you're next in the queue and now out of the queue. The question is the motion-- Senator Conrad to close.

**CONRAD:** Thank you, Mr. President and thank you, colleagues. I would just want to make a, a few points in closing. I also want to thank my friend Senator DeBoer for her thoughtful remarks and for her service

as a longtime member of this body and the Judiciary Committee. We all know that our friends on Judiciary Committee work really, really hard and have a lot of very challenging issues before them and a lot of long contentious, controversial, emotional hearings. They have to deal with a lot of complexities in the law, both civil and criminal, and they work a lot of late hours. And I think we-- even when we find ourselves in disagreement we, we have a, a great deal of gratitude for the hard work each member of that committee puts in. It's a perfect dovetail to Senator DeBoer's comments that I just wanted to insert to the record as quickly as possible on this matter. It continues the discussions we had on Select File and it reinforces the comments that she, she shared with us eloquently this morning. Looking at it from a singular perspective, the creation of a new crime or the enhancement of a penalty may seem innocuous, but when you look at the context, when you at the aggregate, the state house to prison pipeline is real, and it is a significant driver in terms of prison overcrowding and mass incarceration. And this has been well documented. I'm reading from an ACLU report that I remember because I was the Director at the time in between my terms of service here that looked at a lot of these issues. So from 2007 to 2017, in that 10-year period, the Unicameral introduced over 160 bills to increase crimes and penalties. About 40 of those during that period were passed into law, many of the bills involving nonviolent crimes. In the same exact time frame, we saw the Nebraska prison population rise by 1,000 people, 1,000 people in that same 10-year period, which is a, a huge jump in a relatively small population compared to our sister states for our, our prison population, demonstrating that clear association between the increased penalties, broadening of offenses, and the surge in prison growth. Now, we also did a subsequent report that looked at where we went from 2017 forward: 2017, 11 new felonies and new crimes and penalty enhancements were passed by this body, 7 in 2018, 12 in 2019, 11 in 2020, and 10 in 2021. I also asked Legislative Research because the ACLU's research have left off after 2022 to see where things had been recently. And I will tell you, I'm happy to share it with members, it's a 9-page report of new felonies, new crimes, and new criminal enhancements just from the past few years. And this stands in sharp contrast to the recommendations from CSG, to the recommendations from CJI, even to the recommendations of the LB50 task force. Nowhere in the research is it recommended that the Nebraska Legislature continue to create new crimes and penalties and enhancements. And each of these taken individually forgets that most of this activity, much like the things that are points of contention in this measure, are already subject to significant criminal penalties. It stands in contrast how

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the federal government's moving many of our sister states, including many red states. We have to stop a reflexive approach to new crimes, new punishments, and criminal enhancements if we want to get better outcomes for both the taxpayer and society. Thank you, Mr. President.

**KELLY:** Thank you, Senator Conrad. Senators, the question is the motion to recommit. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 12 ayes, 29 nays to recommit the bill, Mr President.

**KELLY:** The motion is not adopted. Mr. Clerk.

**CLERK:** Mr. President, Senator Conrad would to return the bill, the bill to Select File for a specific amendment, that being FA977.

**CONRAD:** Thank you, Mr. President. I'd like to withdraw.

**KELLY:** So ordered.

**CLERK:** Mr. President, Senator Conrad, I have FA978 with a note that you withdraw.

**KELLY:** So ordered.

**CLERK:** Senator Conrad, I also have FA979, FA890, FA981, both with notes that you'd withdraw. Excuse me, and FA982, all with notes that you'd withdraw.

**KELLY:** So ordered.

**CLERK:** In that case, Mr. President, I have nothing further at this time.

**KELLY:** Senators, please return to your seats. The next vote is to dispense with the at-large reading. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 39 ayes, 1 nay to dispense with the at-large reading, Mr. President.

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

**CLERK:** [Read title of LB795]

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**KELLY:** All provisions of law relative to procedure having been complied with, the question is, shall LB795 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, Clements, Clouse, DeKay, Dorn, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Ibach, Jacobson, Kauth, Lippincott, Lonowski, Meyer, Meyer, Murman, Prokop, Riepe, Sanders, Sorrentino, Storer, Storm, von Gillern, Wordekemper. Voting no: Senators Cavanaugh, Cavanaugh, Conrad, DeBoer, Dungan, Fredrickson, Guereca, Hunt, Juarez, McKinney, Quick, Raybould, Rountree, Spivey, Strommen. Not voting: Senators Armendariz, Dover, and Moser. The vote is 31 ayes, 15-- Senator Strommen-- sorry, Senator Strommen voting yes. Vote is 32 ayes, 14 nays, 3 excused, not voting, Mr. President.

**KELLY:** LB795 passes. While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign LB548, LB70, LB110, LB653, LB741, LB751, LB783, LB807, LB836, LB877, and LB795.

**CLERK:** Mr. President, next item on the agenda, LB771 from Senator Ballard. Senator Fredrickson would return the bill to Select File for a specific amendment, that being AM2262.

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

**FREDRICKSON:** Thank you, Mr. President. Good morning, colleagues. Good morning, Nebraskans. I rise today to request your support of the motion to return to Select File and adopt AM2262. This amendment, which was originally FA1013, was already adopted on Select File by a 31-0 vote. The Legislature's intent was clear, both from the vote and from floor debate. Crucially, no one contacted either my office or Senator Ballard's office to discuss the proper incorporation of the original floor amendment. I've spoken to-- with the Clerk's Office, and we are in agreement that this is a simple correction that should have been addressed during the Enrollment and Review process. My concern is that if we outright ignore a clear act of the Legislature, that that could set a potential dangerous precedent. Had this occurred later in the session, this bill could have been jeopardized. So, again, I respectfully request your support for the motion to return to Select File and to adopt AM2262. Thank you.

**KELLY:** Thank you, Senator Fredrickson. Seeing no one else in the queue, you're recognized to close and waive closing. Senators, the

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question is the motion to return to Select. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 46 ayes, 0 nays to return the bill to Select File, Mr President.

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

**FREDRICKSON:** So, again, this is the exact same amendment that we adopted on Select and I ask for your green vote. Thank you.

**KELLY:** Thank you, Senator Fredrickson. You're recognized to close and waive closing. Members, the question is the adoption of AM2262. 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. Senator Guereca, you're recognized for a motion.

**GUERECA:** Mr. President, I move that LB771 be advanced to E&R for engrossing.

**KELLY:** Senators, you heard the motion. All those in favor say aye. Those opposed say nay. It is adopted. Speaker Arch, you're recognized for an announcement.

**ARCH:** Thank you, Mr. President. Colleagues, today we conclude the first phase of our short 60-day session. Emphasize short. Our morning floor debate and public hearings in the afternoon phase is, is complete. So when we begin full-day floor debate next Tuesday, we will have only 22 days left of floor debate. And keep in mind the final 3 days of session are limited to Final Reading and potential override motions. How we spend those 22 days and how much we accomplish will depend upon how judicious each of you are with our limited time remaining on the floor, 10 of those 22 days will be spent on the budget. The Appropriations Committee anticipates placing the budget bills on General File a week from today. We have one week before we begin the budget debate the afternoon of Monday, March 9. Next week, my priority will be on scheduling budget bills that are, that are related to increasing revenues or positively impacting the General Fund in another way. And you will see the priority bills listed on today's agenda drop down below other priorities that will positively

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impact the General Fund. So for the next 10 days, approximately more, we are going to be, we are going to be really focused on budget and, and getting our balanced budget accomplished. So I antici-- so I anticipate those bills to take up most, if not all, of our debate time. That leaves us 8 days and some time in between budget bills for the remaining 40 priority bills on General File, 7 bills on Select, and the 55 priority bills still remaining in committee, which may be advanced for further debate. With that number of priority bills yet to be considered, several priority bills may be left unheard this session. As a housekeeping matter, I want to remind everyone that as we begin full-day floor debate next week, we will continue the practice of working through the lunch hour on the last day of the work week and adjourn early to mid-afternoon. This will be the routine for the remainder of the session. So, Senators, enjoy your 3-day weekend, and I will see you back here on Tuesday. Thank you, Mr. President.

**KELLY:** Thank you, Speaker Arch. Mr. Clerk, for items.

**CLERK:** Thank you, Mr. President. Your Committee on Health Human Services, chaired by Senator Hardin, reports to LB867 to General File with committee amendments. Your Committee on Agriculture, chaired by Senator DeKay, reports LB1188 to General File with committee amendments. Series of motions to be printed from Senator Conrad to LB965, LB1059. Report from the Health and Human Services Committee concerning several gubernatorial appointments to State Board of Health, Commission for the Blind and Visually Impaired, Stem Cell Research Advisory Committee, Nebraska Rural Health Advisory Commission. Conflict of Interest Statement from Senator Hardin disclosing certain conflicts of interest. New LR, LR353 from Senator Clouse, that'll be laid over. Notice that the Government Committee will have an executive session this Friday, immediately following their hearing. Government Committee immediately following the hearing in Room 1507. And a priority motion, Senator Hunt would move to adjourn the body until Tuesday, March 3 at 10:00 a.m.

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