

Transcript Prepared by Clerk of the Legislature Transcribers Office

Floor Debate March 17, 2026

Rough Draft

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

LIPPINCOTT: Lord, we pray to be equipped as salt and light in this darkened world. We ask for your wisdom, that love would abound more and more in knowledge and depth of insight, so we may be able to discern what is best, and may be pure and blameless in our decisions. Give us grace to be godly leaders where the righteous thrive and people rejoice. But when the wicked rule, the people groan. We pray for peace, if possible, with everyone. Keep our mouths free of perversity, and corrupt talk far from our lips. May we be transparent in our conduct and may corruption be exposed wherever it may be found. Give us power to walk in integrity, so as to walk securely, not like the one who takes the crooked path, who will be found out. We petition you for vigilance to act justly, to love mercy, and walk humbly with our God. In the holy name of our Lord Jesus Christ. Amen.

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

CLOUSE: Colleagues, please join me in the Pledge. I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

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

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

KELLY: Are there any corrections for the Journal?

ASSISTANT CLERK: I have no changes for the Journal.

KELLY: Any messages, reports, or announcements?

ASSISTANT CLERK: Communication from the Governor: Dear Clerk Metzler: Engrossed LB720e, LB771e, and LB956e were received in my office on March 6, 2026, and signed on March 12, 2026. These bills were delivered to the Secretary of State on March 12, 2026. Sincerely, Jim Pillen, Governor. Second communication from the Governor: Engrossed LB948e, LB1001e, and LB1001Ae were all received in my office on March

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12, 2026, and signed on March 16, 2026. These bills were delivered to the Secretary of State on March 16, 2026. Communication from the Governor: Dear President Arch and members of the Legislature, contingent upon your approval-- oh, just-- I'm sorry. It's a gubernatorial appointment from the Governor. Enrollment and Review Committee reports that LB429 has been correctly engrossed and is placed on Final Reading; LB721 is correctly engrossed and placed on Final Reading; Legislative LB778, correctly engrossed and placed on Final Reading; LB797 has been correctly engrossed, placed on Final Reading; LB798, correctly engrossed, placed on Final Reading; 816-- LB816 is placed on Final Reading; LB824 has been correctly engrossed and placed on Final Reading; LB834 has been correctly engrossed and placed on Final Reading, along with LB903, LB979, LB1127, LB1127A. Committee on Enrollment and regrol-- Enrollment and Review has reviewed LB901 and recommends that the bill be placed on Select File, with amendments; LB768 has been reviewed and is placed on Select File, with amendments; LB1071 has been reviewed and placed on Select File, with amendments. Just new A bills? New A bills, LB820A, by Senator Ballard; LB901A. LB820A, by Senator Ballard, a bill for an act relating to appropriations; appropriate funds to aid in the carrying out of the provisions of LB820, One Hundred Ninth Legislature, Second Session; and declare an emergency. LB901A, introduced by von-- Senator von Gill-- von Gillern, a bill for an act relating to appropriations; appropriate funds to aid in carrying out the provisions of LB901, One Hundred Ninth Legislature, Second Session; and to declare an emergency. LB1181A, by Senator Bosn. Bill for an act relating to appropriations; appropriate funds to aid in the carrying out of provisions of LB1181, One Hundred Ninth Legislature, Second Session, 2026. I have amendments to LB838, by Senator Bosn; amendments by Senator DeKay to LB1261; and another amendment to LB1261, by Senator DeKay. I have a new resolution, introduced by Senator Wordekemper, LB-- LR369. That'll be laid over. That's all that I have, Mr. President.

KELLY: Thank you, Mr. Clerk. Senator Ibach would like to recognize some guests in the north balcony. They're seniors and teachers from Maywood High School. Please stand and be recognized by the Nebraska Legislature. Senator DeBoer would like to recognize some guests under the north balcony: Jen Valandra, her cousin, Tonya Valandra, her goddaughter, and Edie Valandra, all from Omaha. Please stand and be recognized by the Nebraska Legislature. Senator John Cavanaugh would like to recognize the physician of the day, Dr. John Balman of Omaha.

Please stand and be recognized by the Nebraska Legislature. I recognize Senator Ibach for an announcement.

IBACH: Thank you, Mr. President. Today, I rise to offer my sincere gratitude to the brave volunteers, firefighters, and first responders across our state as we deal with these massive, massive wildfires in central and western Nebraska. These fires have been devastating, with nearly 800,000 acres and numerous structures burned. Tragically, one life was lost. To our first responders, your courage and your tireless dedication in the face of such immense challenges have not gone unnoticed. Nebraska is incredibly, incredibly fortunate to have such committed individuals willing to step forward and serve when our communities and our neighbors need you most. On behalf of the Nebraska Legislature, thank you for your sacrifice and for everything you do to keep our fellow Nebraskans safe. Moments like this also remind us of the deep connection between our land and the people who care for it. As we work through these very difficult days, we're also recognizing National Agriculture Week. In times like these, we're reminded of the importance of the food, fuel, and fiber produced across Nebraska that sustains not only our state, but our nation and much of our world. While these fires have undoubtedly impacted our very rural districts, Nebraskans have proven time and time again that we are resilient. Excuse me. Our farmers and ranchers in rural communities understand hardship, but they also, also understand persevere-- perseverance. As a cattle producer myself, I have great confidence that our industry and our communities will endure these challenges, and we will emerge even stronger. Thank you, Mr. President.

KELLY: Thank you, Senator Ibach. Senator Bosn, you're recognized for an announcement.

BOSN: Thank you, Mr. President. Good morning, colleagues. On a separate note, Happy St. Patrick's Day. And I also wanted to wish our Lieutenant Governor a very happy birthday. There are birthday treats on behalf of his lovely wife that she brought for all of us that are in the back room, and just wanted to tell him a very special happy birthday.

KELLY: While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign LR357, LR358, LR359, LR360, LR361, LR362, and LR363. Mr. Clerk, please proceed to the first item on the agenda.

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CLERK: Mr. President, General File, LB1236A, introduced by Senator Hansen. It's a bill for an act relating to appropriations; appropriates funds to aid in the carrying out the provisions of LB1236; and declare an emergency. The bill was read for the first time on March 9 of this year and placed directly on General File.

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

HANSEN: Thank you, Mr. President. LB1236A transfers \$25,000 from the Nebraska Statute Distribution Cash Fund for fiscal year 26-27 and another \$25k for fiscal years 27-28 to the Legislative Council specifically for program 123. There is no impact on the general fund, as it simply reallocates existing cash fund resources to align with the administrative changes in LB1236. I ask for your support to advance LB1236A. Thank you, Mr. President.

KELLY: Thank you, Senator Hansen. Seeing no one else in the queue, you're recognized to close and waive. Members, the question is the advancement of LB1236A. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 39 ayes, 0 nays on advancement of the bill, Mr. President.

KELLY: LB1236A is advanced to E&R Initial. Mr. Clerk.

CLERK: Mr. President, Senator Hardin would move to suspend Rule 3, Section 14, to allow for less than seven days' notice for gubernatorial appointments.

KELLY: Senator Hardin, you're recognized to open on your rule.

HARDIN: Thank you, Mr. President. This motion is to suspend Rule 3, Section 14, the seven-calendar-day notice for public hearings, in order for the Health and Human Services Committee to conduct a hearing for an appointee for the Rural Health Advisory Commission. We would need to submit a hearing notice on March 16-- yesterday-- 2026, since March 23, 2026, is the only time she would be available. She, by the way, is Dr. Makayla Brockhaus, a family physician from Creighton, Nebraska. However, March 16, 2026 was a recess day, and the notice could not be read into the legislative record. So I ask for your green vote for this motion so we can submit a hearing notice today for the public hearing of the Rural Health Advisory Commission appointee. Thank you, Mr. President.

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KELLY: Thank you, Senator Hardin. Seeing no one else in the queue, you're recognized to close. Members, the question is the motion for a rule suspension. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 34 a yes, 0 nays, Mr. President, on the suspension of the rule.

KELLY: The motion is adopted.

CLERK: Mr. President, pursuant to the rule suspension, Health and Human Services would give notice of committee hearing. Additional item for the record, Senator Kauth, amendments to be printed to LB901; Senator Hallstrom to LB901. As it pertains to the agenda, Mr. President, General File, LB1210, introduced by Senator Clements. It's a bill for an act relating to the Cash Reserve Fund; amends Section 84-612; eliminates obsolete provisions; and repeals the original section. The bill was read for the first time on January 21 of this year and referred to the Appropriations Committee. That committee placed the bill on General File. There are no committee amendments. There are additional amendments, Mr. President.

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

CLEMENTS: Thank you, Mr. President. I'd like to withdraw AM2640.

KELLY: So ordered.

CLEMENTS: Though I have also filed AM2661, which I'd like to speak to.

KELLY: Are, are you waiving your opening, going-- and going straight to AM2261, rather?

CLEMENTS: Yes. Yes.

KELLY: You're recognized to open on the amendment.

CLEMENTS: Thank you, Mr. President. LB1210 was just a, a shell bill out of the Appropriations Committee, and it was-- the purpose of what we're doing today is that there's a bill in the Government Committee for constitutional officer salaries that does not have a priority, but this shell bill had a priority and so it was able to get on the agenda. I wanted to do this last year to adjust the constitutional officer salaries, but last year we were doing a full two-year budget and I didn't have the time to get to it and I wanted to just point out

that if we don't adjust the constitutional salaries starting next January of 2027, it can't be done for another 4 years because their salaries cannot be raised while someone is in office. All of them are up for election and whoever this bill would apply to whoever gets elected in November and takes office next January. So it's a January 2027 effective date. So the current office holders are not increased. It's just whoever gets elected in November would be receiving these increases. It has been 20 years-- as of next January, it will be 20 years since officer salaries were changed in Nebraska. And so this-- as I mentioned, this is a replacement for LB345 that was in the Government Committee without a priority. And it takes a separate bill by our Constitution to change constitutional officers' salaries, so this becomes that separate bill. The amendment, AM2661, reduces the amounts that the Government Committee had proposed. They had about a 2.25% inflation factor in their numbers. What I did was put in a 1.3% inflation factor because of budget constraints this year. You'll notice that the Public Service Commission's amounts are a lower amount of increase, but they still are increased, but that's because there are 5 of them. And to save on the fiscal note, my proposal doesn't give them as much of an increase. If others want to make an amendment now or on Select, I would be open to discussion on that one. The cost of these increases is \$97,500 for this next-- for the 6 months in our budget, because it starts January of 2027 through June 30 of '27, which are the last-- that is the last year of our budget. And so, with taxes and retirement benefits, it would be about \$112,000 it will cost in this budget. Then in 2028 and future years, it's an increase of \$224,000, but that comes in the next budget cycle. None of the officials on the handout were consulted about amounts of pay that they might receive. Nobody asked me for an amount that they would like to have for pay, so these are my numbers, mainly just based on inflation. Some-- if you really calculated out some of the, the-- the largest increase is 29%. And that sounds like a lot, and if you take 1.3% times 20 years, that's 26 times, and then it gets-- it compounds to 29%. On the handout I gave you, it shows inflation per year from the consumer price index has been 2.38% per year for 20 years. And I've lowered that to 1.3%. If you would apply 2.3%-- 2.38% per year inflation, it would increase these by 60%, rather than 29%. And so, this is half of what inflation would allow for in these salaries. And so, I, I think it's very reasonable. The budget is short, but we have 4 more years before it could be changed. It would be 24 years before any increase happened in these salaries, so I think it's appropriate to consider increasing a moderate amount for the constitutional officers' salaries. And if you look at the handout, proposed starting

January 2027, are the amounts that I'm proposing. And it was-- these are my numbers, just mainly based on an inflation factor, and I ask for your green vote on AM2661. Thank you, Mr. President.

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

ARCH: Thank you, Mr. President. First of all, I want to say I appreciate Senator Clements bringing this bill. Because this is an issue that I-- certainly needs to be on the floor, certainly needs to be-- some attention brought to it. We have a practice in Nebraska, where we lean heavily on, on-- as a public servant, we lean heavily on the term, servant. And sometimes, we do not pay fairly in, in the service that is being provided by the public servant. And I think that we see here, on the list that has been handed out, we see a list of our public servants that we do need to adjust their salaries. If we want to attract quality staff, if we want staff that are capable of handling multi-million dollar budgets and multiple, multiple staff reports, we need to be able to pay adequately to attract that quality of, of staff. That being said, I will personally be voting no on this bill, but-- and, and honestly, it is purely because of timing. I think that we're in a budget crisis right now. This, this should be the time because, as Senator Clements says, every-- this only comes around every 4 years. Unfortunately, this cycle of 4 years puts us into a position where we are seeking dollars everywhere we can, everywhere we can find them, where we are removing dollars from cash funds that people feel strongly about, and, and, and we are all having to, I say, I say "pay at the office" for what's happening in our, in our attempt to balance the budget this year. So again, I strongly support what, what Senator Clements has brought, as far as the concept and as far as the need, but I will personally be voting no because of the timing of this, at a time when we are really looking for every dollar. Thank you, Mr. President.

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

CONRAD: Thank you, Mr. President. Good morning, colleagues, and Happy St. Patrick's Day. Appreciate the comments that have been brought forward thus far, and I want to lift a few points, in terms of both process and substance. I'm not planning to lodge a formal germaneness challenge to this measure at this time, but I do want to note that while perhaps clever, procedurally, this is not aligned with our process. Yes, of course, a white copy amendment, if adopted, that

hollows out the underlying legislation could address a germaneness issue. However, as my friend Senator Clements noted in his opening, there is literally an identical proposal that was referenced to the Government Committee that emanated from that committee, is placed on the floor, and could easily have come up for debate at any time. Now this takes literally, on its face, a shell bill from the Appropriations Committee, a different jurisdictional committee, hollows that out, and grabs the subject matter from the Government Committee and puts it before the body, in terms of the substantive amendments. I don't think that complies with Rule 7 (3)(d), and I think it is very confusing to the public, just in terms of general clarity and transparency. I understand, as time is constrained, people are working hard and thinking creatively to try and move forward critical issues. In addition, in regards to the substance, I had drafted amendments on the Government Committee bill and filed those. I'd also drafted amendments to the amendment that was put before us and filed late last week that has since been withdrawn. So I need to get those redrafted, making good on my word that I think we should strike pay increases for all of the constitutional officers, with the exception of the State Auditor. I'm really of a variety of different perspectives in regards to this issue. As has been noted, we are in a significant structural budget deficit. We are making painful cuts to things impacting the most vulnerable in Nebraska, due to the fiscal recklessness of our constitutional officers and the majority of members of this body, who think it's more important to protect millionaire and billionaire tax cuts than it is to ensure we have good services for those with developmental disabilities, to ensure that we have adequate funding for the Environmental Trust, to ensure that we have appropriate support in place for our veterans and those who are experiencing homelessness, and the list goes on and on and on. So I think it is particularly wrong, from a fiscal and policy and job performance perspective, to reward these state leaders with a significant pay raise at this time. I also appreciate and understand the institutional components in a measure like this and how it is important that we look beyond the individuals who are holding the office and focus on the fact that we need to ensure that we have processes in place to encourage good people with good ideas and good experiences to seek public office, and I understand that is part of the policy underpinnings in this legislation and legislation of a similar nature that has come before the body over many years. I am waiting for my amendment to come back, to carve out all of the pay increases put forward in the legislation as amended, with the exception of the Auditor's Office. I have spoken to the Auditor many

times on this topic over the past 2 years. As is no surprise to anyone, he has conducted copious research in terms of this issue, as comparison to peers and sister states, in comparison to the treatment of this issue in Nebraska. And I think it's undeniable that we presently have and, and hopefully in the future will have Auditor Foley in this position. And he serves an incredibly valuable role, and is probably amongst the best auditor--

KELLY: That's your time, Senator.

CONRAD: --if not the best auditor we've had in state history. Thank you, Mr. President.

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

DeBOER: Thank you, Mr. President. Well, colleagues, as the one in this body who potentially has the most to gain from this particular measure financially, I will first say that I am sort of conflicted out. I don't know if I will be elected to the Public Service Commission, but my name will appear on the ballot. Here's what I'll say. It does not make sense to me, on any level, in any way, to be giving raises to some people who work in state government, regardless of their position, while we're talking about potentially having to require other members of state government to stay home without pay for a day. It doesn't make any sense at all to me to consider raises for those who make some of the higher salaries-- not the highest for sure-- in state government, when we are talking about cutting positions, when we're talking about cutting every place we can in the services that we provide to Nebraskans, when we're talking about raising fees, when we're talking about raising fees for fundamental governmental activities, like going to court, it does not make sense to me that at that same time, we should also give a raise to those who are the rough equivalent of our executives. So I will be voting a very strong no on this bill. That does not mean that I don't share Senator Cavanaugh's opinions about the good job that the, the Auditor has done. I have come and asked him for specific information. He's found that information for me in the past, and I think he does a very good job. It doesn't mean I don't think the Lieutenant Governor does a good job, I just don't that this is the right thing to be doing when we are in a structural deficit that is very unlikely to get better and when we are asking Nebraskans to give up some of the services that they get from the government, and when are saying we're now going to charge Nebraskans more for basic functions of government. It just doesn't

make sense to me. If you want to run the government like a business-- which I don't-- but if you do, it doesn't make sense to give your CEOs a raise right now. Thank you, Mr. President.

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

DOVER: Thank you, Mr. President. I think a lot of times, we talk about different things. It's kind of funny. It's kind of-- you can tell what direction people want to go by simply what they say and what facts they ignore, and what perspective they put forward. What's the right answer depends on their premise. But, you know, it's kind of funny because, sitting on Appropriations, we give health care and health insurance increases of 15.5% to, to employees of the state. We give 3.5% increase in salary raises to employees of the state. And yet, for 20, 20 years, we haven't give any increase to the elected officials in the state. I would say, knowing many of them for literally decades, they work very, very hard. They're, they're orientated towards service. I mean, I think you, as senators, realize what it takes to serve here as an elected official. And so, I, I, I would, I would support AM260-- AM2661 and LB1210. I would ask that everyone in the Chamber supports it. I think it is somehow self-- self-serving, self-centered, whatever, not to give employees or elected official raises. Why does it take 20 years? And I'll, I'll go back on this. It's only 1.3% average per year. 1.3%. And the consumer price index is 2.38%. That's half of the inflation. So are they-- I mean, should they get more? I think they should get more. I think during budgetary times, I respect Chairman Clements' suggestion that perhaps he doesn't do as much as they should get. But I definitely would ask everyone to support AM2661, LB1210, because these people do deserve a wage that somewhat reflects current-day salaries. Thank you, Mr. President.

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

CLERK: Mr. President, Senator Cavanaugh would move to amend the amendment with-- excuse me. Senator Conrad would move to amend the amendment with AM2661.

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

CONRAD: Thank you, Mr. President. Good morning, colleagues. Before you is the amendment that I had filed, I believe, to LB345 last year, and that I attempted to file this measure earlier. It had to be quickly redrafted. And shoutout to the Bill Drafters always, but particularly

for their fast work in this regard. My amendment had been drafted to Senator Clements' amendment that was filed and subsequently withdrawn. So before you is an amendment that apparently coincides with the Governor, State Treasurer, Lieutenant Governor, and Secretary of State's thinking in this regard, even without coordination. At about 8.46 a.m. this morning, under the account of Governor Jim Pillen, we received in our inboxes, a general media release indicating a joint statement of opposition by the Lieutenant Governor-- Happy birthday, Mr. Lieutenant Governor-- the State Treasurer, and Secretary of State Bob Evnen, expressing their collective opposition to the salary increases proposed for their respective offices in the amendments and LB1210. And their reasons speak for themselves and are before the body. However, if you note, this joint effort does not touch upon the increases for the State Auditor's Office. What my amendment has before you is just that. It strikes the increases for all of the other constitutional officers as proposed and would provide a salary increase to the Auditor of Public Accounts. Again, I look at this really with two minds: first, from an institutional perspective, which many members have talked about; and then, in addition, from a job performance perspective. And I think it is undeniable that Auditor Foley serves in a very professional manner. I think his work is top-notch. I think it provides incredible value to the taxpayers in waiting out-- wait-- identifying and weeding out waste, fraud, and abuse in state government across a host of different program services and budgetary items. They also do diligent work in terms of the local level, as well. And so, perhaps, this could be seen as a compromise measure to move forward with this discreet proposal, in regards to the treatment of the State Auditor. I would urge your favorable consideration. Thank you.

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

M. CAVANAUGH: Thank you, Mr. President. I rise in support of increasing constitutional officers' salaries. However, if the only way to get anything done today is to just do the auditor, I would also support that. I agree with everything that Senator Conrad has said about our State Auditor, and I think our State Auditor has been worth his weight in gold, as far as saving the state money and finding where we are, are not maybe doing things the best way and that we could actually save a significant amount of money, so I think that it is a worthy endeavor to increase his salary. However, I do believe that all constitutional officers' salaries should be increased, and I would put out there that if we're only going to increase some of them, I would

like us, as a body, to consider also increasing the Public Service Commission's salaries. I know that Senator DeBoer feels conflicted out on this, but the Public Service Commission, it's the only constitutional office that can't have another job. They can't have a consulting job. They can't have another job outside of that job, and their salary has not been raised for 20 years, as well. And the fact that they deal with the regulatory industry of our state is why they cannot have another job. It is such an-- it is such an important position that we don't allow them to have another job, and that's why I think we should honor the significance of that position with a pay increase, in addition to the State Auditor. I'm not going to bring that amendment today. I think if this bill moves forward to Select File, I will talk to people off the floor about adding back in the Public Service Commission, because I do think that it is important that we maintain a, a wage of appropriateness for that office because we do prohibit them from any other income, so I think it's important that we take that into consideration. But I know we're in a budget crisis. Believe me, I know we're in a budget crisis. But when there's a will, there's a way, and paying people what they're worth is important. And Senator Dover mentioned this, that we did pay increases for, for state employees, and I think doing pay increases for constitutional officers is, is equally important. We need to pay people what they're worth. And maybe if we went ahead and moved forward with the constitutional officers' salaries as the AM2661 has it, then maybe we would get everybody in this room to the table to discuss our revenue options to fix the budget. So thank you, Mr. President.

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

CLEMENTS: Thank you, Mr. President. I'm not in favor of AM 2690 that would single out one of these officials and leave the rest of them without any increase at all. And the-- it would put-- make the Auditor's position above all the other ones, including the Governor. I think it is our responsibility to recognize the officials that lead our state, and no one else can raise their salaries but us. It's our responsibility to do that. If you look on my handout, the last 2 columns, I have figures from all 6 of our border states-- what the average is for these positions in the border states. And the proposal that I've shown shows that all of them are well below the average of those positions in bordering states-- at least \$12,000 lower, up to \$57,000 lower than border states. And so, the-- and I was aware of that when I was working on my proposal. I didn't want them to be above

the average. [INAUDIBLE]-- but I didn't want them, them to be so far below. The, the difference below, that's after we give this increase, and so if you look at-- like the Auditor, my proposal is \$110,000. That's a \$25,000 increase currently. My proposal would be \$28,000 below the average, and this is the current pay. If you take-- add 25 and 28, I think you get \$53,000 below the current average of, of bordering states. And so, we're currently well below what states around us have done. This-- AM2661 brings them up some, but about half of what it really could have been. And so, I urge you to vote no on AM2690, so that we can move all of the salaries up as they should be. Regarding Public Service Commission, I was just made aware today that they're not able to have an outside job, any other employment, and I was not aware of that when I put these down. It would-- if you use the same factor, it would go-- the \$85,000 shown would go to \$95,000. I would be agreeable to doing that, considering they can't work another job. And so-- if you-- but I think it would be best to do that on Select File. And so, I just urge you to please consider this as a moderate increase. It's our responsibility, and I ask for your red vote on AM2690, but green vote on AM2661. Thank you, Mr. President.

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

KAUTH: Thank you, Mr. President. I've, I've heard a lot of really good points. I understand it, but I think the timing is not right. I would like to have everyone consider whether or not we could make this change, but make it take effect January 1 of 2031, so that we give some time for it to be built into the budget, so we give some time for planning, and so that people who are currently elected don't have to be put in the position of having to take a stand on this, making themselves look good or bad, but this is something that is future-looking. I also think that when we talk about raising salaries or doing things, we have so much in this body that is a certain point in time and a certain dollar amount, which means sometimes it can go 20 years before we're able to get things changed. I think we need to start considering, do we pin these things to a cost-of-living adjustment, how well everyone in the state is doing. Maybe we pin it to the median wage, but something that floats with the position that changes as we grow and change, so that every 10, 15, 20 years, we're not having to come back and say, hey, we haven't done this in a long time, and we're seeing that we're not getting the right people who are applying for these jobs because they can't make it work. I, I think we really need to give some serious consideration with how we make these

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adjustments and build in some flexibility and longevity to it. So, thank you.

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

MOSER: Thank you, Mr. President. Good morning, colleagues. Good morning, Nebraskans. The idea of giving constitutional officers a raise when our budget is a mess, I guess. We're trying to straighten out the shortfall-- offset the shortfall. And I think it's incredibly short-sighted to try to correct the problem that we've left fester for 20 years and do it at this point, when our budget is under such stress. We should address these raises more often, rather than waiting 20 years and then having it be such a big amount. The amendment, AM2690, that just singles out one constitutional officer to give a raise and not the others, I think is a bad idea. I think we should give them all a raise, or give them all the same salary they were getting before. I mean, just because we like one person who's on the list and we're mad at the other people on the list, we'd leave out the seven or eight and give a raise to one, that-- that's-- I don't want-- crazy, I'd say. So I'm going to vote no on that, on-- and I'm going to vote no on AM2661 and LB1210. It's something that needs to be addressed, but this isn't the time to do it. You know, I understand some of the sentiment to making these adjustments. I'm not saying it's not fair, that they don't deserve it, but this just isn't the time. Thank you.

KELLY: Thank you, Senator Moser. Mr. Clerk, for items.

CLERK: Thank you, Mr. President. Announcement, the Judiciary Committee will have an executive session at 10:00 in room 2102. Judiciary Committee, now, in room 2102. Additionally, your Committee on Revenue, chaired by Senator von Gillern, reports LB575 to General File with committee amendments; your Committee on Business and Labor, chaired by Senator Kauth, reports LB1089 to General File with committee amendments. New A bill, LB1235A, introduced by Senator Holdcroft, is a bill for an act relating to appropriations; appropriate funds to aid in the carrying out of the provisions of LB1235; and declare an emergency. New LR, LR370, from Senator DeBoer. That will be laid over. Amendments to be printed from Senator Hughes to LB901; Senator Clouse to LB867. That's all I have at this time.

KELLY: Thank you, Mr. Clerk. Returning to the queue, Senator Jacobson, you're recognized to speak.

JACOBSON: Thank you, Mr. President. Having spent a lot of years in business, you learn that your people are your most important asset. And although timing is never good when certain things come up, it is important that if you're not paying good people a fair salary, you're going to lose them, and you're not going to get the performance that you need. These dollars are relatively small compared to the big budget picture. When the chairman of the Appropriations Committee comes out and says this is the right thing to do, I'm going to listen to him. I, I know we've got a path forward to balance the budget, but to sit here and say our constitutional officers are not deserving of a raise, that we're going to put it off for another 5 years, that, that doesn't work. OK? So I am adamantly opposed to AM2690, and I will support the, the Clements amendment, AM2661, and the underlying bill, LB1210. These dollars, it-- it's, it's important that we pay our people appropriately. And going without raises or going with a small-- an increase that is less than the rate of inflation doesn't work elsewhere. It shouldn't work here, either. Salaries are an important part of what happens in the job, so I will be supportive of the guidance by Senator Clements, this-- the chairman of our Appropriations Committee. Also, I want to do a shoutout for Lieutenant Governor Kelly. Happy birthday. Also, want to make a-- kind of a followup on Senator Ibach's comments on the fires. We underappreciate, always, the work of our volunteer, volunteer firemen across the state. When we get out in rural Nebraska, they're virtually all volunteers. Not only are they volunteering their time, but they're volunteering their gas and their equipment to drive to the fires. It-- it's amazing what these individuals are willing to do. I would also say that I'm also appreciative that Lincoln and Omaha paid forces have sent folks out to assist with the fire. I sincerely appreciate what they've stepped up and done to help in a time of significant need. My district has been impacted by two of the fires. To really understand it, you about have to see it. I'm not encouraging anyone to go out to the area today and look. Look after the fires are over, because there is a lot of people working to get the fires out. The last thing they need is sightseers. But the damage is significant. It's kind of untold. This will go on. It'll take years to recover many of these pastures, given the extent of the fire and the fact that it's still incredibly dry. We're going to need moisture to get the grass going again. So I would just say, again, I-- I'm very concerned about the loss of property, the loss of life, and I'm also focusing on the loss of animals. There are some cases where I've heard of putting down 40 cows or more because they were so severely burnt. You just don't think about how much this is-- how impactful a, a fire can be, and it's, it's

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horrible. So again, thank you to the first responders, all the firemen who are involved in working the fire. Also, thank you to the Governor for bringing in forces outside the state. We've got the Colorado group that's in here, helping us with the fire. I'm immense-- immensely appreciative of everyone who's donating their time and their resources to put these fires out. Thank you, Mr. President

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

DOVER: Thank you, Mr. President. Well, I'd like to thank Senator Jacobson, again, for his wise words. This is very small, when compared to the budget. And just to put that in perspective, we gave somewhere around \$10 million worth of raises to the employees of the state. And if you look at this amount, \$195,000-- \$97,500 for half-- for the half-- the budget, that is insignificant amount. Again, \$195,000 versus \$10 million? And I want to thank Senator, Senator Jacobson again, for pointing out-- so if 20 years isn't long enough to wait to give somebody a less than fair wage, how long do you wait? 21, 22-- do you wait a quarter of a century? And I, and I can understand people's position on this, but we have waited way too long. And again, I will say that this amount of money, \$195,000 versus the \$10 million-- and \$10 million is just the raise that we gave to our employees [INAUDIBLE]. There were many, many other things, obviously, we spend on-- so I think, you know, looking back, past Governors Ricketts, Heineman, Johanns, Nelson, Orr, Kerrey, and Thone; past Lieutenant Governors Mike Foley, Rick Sheehy, Dave Heineman, Dave Maurstad, Kim Robak, Maxine Moul; Attorney General Doug Peterson, John Bruning, Don Stenberg; Secretary of State John Gale, Scott Moore, Allen-- and we all know Allen Beermann; Treasurer Tom Briese, John Murante, Don Stenberg, Shane Osborn, Dave Heineman, Dawn Rockey-- a lot of these are actually friends-- I think, probably friends of a lot of people here. You know what these people have in common? They were all paid the same, for 20 years. And I think it's really time that we do the right thing. Again, it's an insignificant amount, \$195,000. And just the employee raises we gave, with health and everything, \$10 million, and that is-- wouldn't even register, as far as a percentage of the total budget. So again, I stand opposed to AM2690. I think everyone should be given a raise. I understand that the Governor doesn't want his raise. So if Senator Conrad want a-- would a want-- amend that, where the Governor would not get his raise, and put it when, when Pillen is out of office-- I mean, he would be fine with that. But anyway, I support AM2661, and I thank Senator Clements for bringing

LB1210 to the floor. I, I appreciate and would support the green vote. Thank you.

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

ANDERSEN: Thank you, Mr. President. I rise in support of LB1210 and 26-- as amended by AM2661. I think as has already been noted, the timing is bad. That's right. It is bad, we are upside down on the budget. We may have a pathway to, to balance it, but we had a bad budget last year, and we may have a bad budget next year. It's been 20 years since these senior executives have gotten a pay raise. I think that our obligation is to ensure that we treat our senior executives commensurate with their contemporaries, and that's why last year, when-- I think it was, I think it was Senator Dover brought the bill last year. We went back and we looked at the 6 surrounding states and actually averaged the income by position. I think that if you are going to have the best senior executive staff, what do they do with CEOs of the company, or CFO, COO? They don't pay them the lowest wage they can get away with. They pay them what their contemporaries are worth for the job you're asking them to do, and that's exactly what this, what this does. I'm a fiscal conservative, so do I like adding more to the, the budget? No. But I do think that we need to make sure that we're paying the senior executives in this state commensurate with their colleagues. Thank you, Mr. President.

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

RAYBOULD: Thank you, Mr. President. Good morning, colleagues. Good morning, fellow Nebraskans watching us on TV. Earlier, I passed a handout that talks about how fellow Nebrassians and my colleagues can assist with the crisis that we have, due to the horrific fires in our state. And it's on the handout. Nebraska Cattlemen is accepting donations, and they have a website: nebraskacattlemen.org/disaster-relief-fund. So I just wanted to bring that to your attention. And I, I stand before you-- I do not support any increases at this time. As Speaker Arch outlined, we have many budget hurdles, impediments, obstacles before us, and I think the prudent thing would be to postpone reviewing and reflecting on the salary increases until we get through some of the many ideas I've been hearing from my colleagues in the Chamber, on how to increase revenue, creative ideas on how increase revenue and, and handle our budget deficit in a more fiscally responsible way. To give raises at this

time is-- would be considered fiscally irresponsible, until we have had a chance to work through our budget issues. Senator Dover, I do appreciate your comments, but I do not consider giving \$1.1 million out for all the raises that are being proposed in the handout from Senator Clements appropriate at this time, particularly when we just swept \$5 million from the Homeless Shelter Assistance Fund, which I think is reprehensible. It's, it's like we're really digging down deep and hurting the most vulnerable in our state to balance our budget. And I guarantee if we could put \$1.1 million back in the Homeless Shelter Assistant Trust Fund, Trust Fund, that that would go a long way in helping organizations that provide shelter to those who need it in a time of crisis. I find that a salary increase of this magnitude-- I agree. It's long overdue. But at this point in time, I would ask my colleagues to vote no, and wait until we hear some more revenue proposals and budget adjustments, and see, at that point in time, if there's funding available to even give a modest increase, but not this increase proposed. I would ask that you vote no, and we could reconsider it at another time, or even next year, but I think it's important that we continue to have this debate on our budget. I'm really thankful that so many of my colleagues are so mindful of the fiscal crisis that we're in. Now is not an appropriate time to be giving out raises for these administrative positions. Thank you, Mr. President.

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

DOVER: Yeah. I just want to thank Senator Raybould for her comments. You know, obviously, in Appropriations, we don't always agree on everything, and we take votes. And a-- and 5-4 vote takes it. But when we get done with our budget, we stand behind it. Also, I'd like to just say one thing. When Senator Raybould referenced this increase of this magnitude, \$195,000-- do you know what \$195,000 represents in the state of Nebraska? That would be about one emp-- one em-- one employee in a little bit higher position in an agency, when you include, when you include the insurance and everything. So this, this \$195,000 really is the PSL for someone a little bit higher up in an agency. So let's put-- let's talk about this magnitude. The perspective is this: this is one employee in any agency a little higher up, so this isn't a large amount of money. And I would say this-- and this is the last comment I'll make today, is this: if we treated our elected officials-- excuse me. If we treated our employees in the Legislature, in government, the same way that we have treated our elected officials, we would have no one working here. Who would work for no

increase in wage for 20 years? And I would say this: I doubt that many would work if we would do what we're suggesting-- excuse me, what Senator-- Chairman Clements is suggesting, at 1.3%. I think you would, you would find a lot less people working here if they would get a 1.3% increase over 20 years. So again, I stand opposed to AM2690, and I stand in support of AM2661 and LB1210. And I thank Chairman Clements for bringing, bringing a bill that's long overdue. Thank you.

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

BRANDT: Are we on? There we go. Thank you, Mr. President. And happy birthday. So 3 years ago, 2 years ago, we passed the start of the largest income tax decrease in Nebraska history. Next year, we will have decreased income taxes 27%. This was sold to the body that this would be made up by an explosive growth in the economy of Nebraska that will backfill this deficit. I'm going to hold them to that. I'm opposed to Senator Conrad's bill, not because I think the State Auditor isn't doing a fantastic job, but it just carves out one, one of the offices. I support LB2661 [SIC]. Yeah, it's in the face of a budget deficit, but this budget deficit is also partly because of what we did with that income tax bill, and we're standing firm on that. So if what we were told by the Chamber of Commerce and others, that this huge decrease in our income tax revenue was going to spur explosive growth in the Nebraska economy, we should run the state like a business, and part of a business is to keep your key players. Most of us don't need to look any further than our own job, Right here. It is very difficult to find good people to run for Legislature. And the number one reason I get when I ask very qualified individuals: I can't afford to give up a job and health insurance. And they may be making \$60,000 or \$80,000 for-- and this is a full-time job when we're in session-- for a job that pays \$1,000 a month with no health insurance, which is crazy. I don't know-- understand why the 49 state employees in here are the only ones in the state system that don't have health insurance, but that's in the constitution. That on the voters to decide. So we got sent here to do difficult stuff. I, I don't see this one as particularly difficult. I'm no on AM2690, I'm going to vote green on AM2661, and I'm going to vote for LB1210. Thank you.

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

RAYBOULD: Thank you, Mr. President. Good morning, colleagues, again. Thank you, Senator Brandt, for your comments. You know, I was raised

that two wrongs don't make a budget right, and that is something that we have to deal with. I know that I voted no. I was not here in 2022, when we passed, I think it was LB873 that started the income tax rate reduction, with those very same promises. Throughout the last couple of weeks, I've handed out so many studies and, and policy papers from Institutes of Economic Studies and Research, showing you that that same idea that people thought, yeah, we're going to generate so much revenue, and we're going to be so much more competitive with all of our neighboring states that we're going to have a-- you know, figure out how we're going to spend all that money. Well, you know what? Economic studies have shown, time and time again, that that's not-- there is no basis in reality for that fallacy, just like there is no such thing as trickle-down economics. And all the handouts I gave you, showing the same mistake Kansas-- the state of Kansas made, and other states that are doing the same thing-- Louisiana, state of Louisiana. I mean, I guess history repeats itself, but I don't think we should keep doing a few things: denying that we have a fiscal crisis; number two, doubling down on the accelerated income tax rate that many of you in this Chamber passed in 2023; and then, digging in. You're digging in. Like, stop. When it comes to a budget deficit, sometimes you need to say stop, I can't keep digging. I can't be a contributor to some of the things that are causing our budget deficit, however small. Because we have no problems raiding and sweeping all the trust funds, even those that are not constitutionally permitted for us to go and take those funds. So is this a small amount? Yes, perhaps in the whole conception of our budget. But when I think of the things and funds we have swept that matter to so many of our fellow Nebraskans, it gives me pause. And I hope it gives my colleagues pause at this same time, to not support it. I would be willing to reconsider this, once we get through our budget, budget deficit and some of the planning and proposals that other colleagues are working on, but now is not the right time. And to, you know, bypass our rules for something like this-- this is, this is not good policy. This is not good practices for our Legislature, and so I ask that you vote no on both AM2690, AM2661, and, of course, no on this bill, at this time. Let us work through our issues together, collaboratively, focusing on compromises. What can we compromise? It's going to take compromise to get through a sound budget. Are we going to have to look at some sales tax increases on select items? Perhaps. Are we going to have to maybe put a pause or slow down in the accelerated income tax rate reductions? Yeah. We're going to have to do that. Are we going to, perhaps, look at property tax relief slowdown, as well? I think it's important. That's our job. Our job is to pass a sound budget. Our job is not to perpetuate a

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deficit and turn it over to the next people who get elected. I don't think that's, that's why I, I ran for this job, knowing that it doesn't pay very much. But that's not what is important. We came here to do our jobs and make these tough decisions, and work together on coming up with solutions. Thank you, Mr. President.

KELLY: Thank you, Senator Raybould. Senator Hughes has some guests in the north balcony from Public Health Association of Nebraska, members from all over Nebraska. Please stand and be recognized by the Nebraska Legislature. Seeing no one else in the queue, Senator Conrad, you're recognized to close on the amendment.

CONRAD: Thank you, Mr. President. Good morning, colleagues. Appreciate everybody's ideas that were shared this morning. I think we actually had a lot of creative thinking and good debate. In closing, I would, again, ask for your favorable consideration of this amendment to adjust upward the salary for the State Auditor and leave the other constitutional officers at their present salary rate. And to just generally provide a different counterpoint to some members' opposition to that approach, indicating that perhaps it was crazy or disparate, I, I just disagree with that assessment. I think that this approach is responsive. The constitutional officers that are impacted have unequivocally stated, we do not want this pay raise to move forward. In contrast, the State Auditor has worked diligently and talked to me and other members many times, with copious amounts of research about the need to address pay adjustments in his office. As is typical in our process, we respond to impacted stakeholders. That's exactly what this amendment does. Therefore, I would request your favorable consideration. Thank you, Mr. President.

KELLY: Thank you, Senator Conrad. Members, the question is the adoption of AM2690. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 6 ayes, 27 nays on adoption of the amendment, Mr. President.

KELLY: AM2690 is not adopted. Senator Clements, you're recognized to close on AM2661.

CLEMENTS: Thank you, Mr. President. I wanted to comment about one thing. Senator Raybould was talking about \$1.1 million cost. That is the cost for all of the salaries for a year, but we currently pay \$905,000 at the current level, so it-- it's not a \$1.1 million increase. It's \$195,000 for a year, but this wouldn't go into effect

until January of '27, which is only 6 months from the end of our fiscal budget cycle, so that's why it says half year, \$97,500 is the effect of AM2661. And regarding the homeless shelter funding-- the homeless shelter, that's money that comes from the documentary tax. Documentary taxes has been increased with more home sales. And the amount-- we were told by our budget analysts that this is money that hasn't been used. The amount that's been requested for this fund has been given out, and this will be, be giving-- it gets money-- more money every year, with documentary tax as a funding source. So I don't believe we're doing any harm in that area, and that's how we analyzed most all of our cash transfers. I'd be willing to talk about Select File adjustments if someone has an idea. Public Service is one thing, or other people. If you'd like to do some adjustments, please let me know. But again, we wouldn't-- we don't treat our state employees this way with no increase for 20 years or even with half of inflation for 20 years. We've, we've found that we have had to increase wages to be able to attract enough people to staff Corrections and other agencies. And this, with regular inflation, it would be-- would take a 60% increase. This is less than 30% increase in these items. And also, the current officers, I appreciate that they're opposing an increase, but it's not going to be an increase for them. It's going to be an increase for whoever is sworn in in those offices in January of 2027. Since they're all up for election, some may, some may be here, some may not, and it's whoever the officeholder is at that time, not the current officeholders. So I ask for your green vote on AM2661 and LB1210. Thank you, Mr. President.

KELLY: Thank you, Senator Clements. Senator Raybould, you're recognized to-- oh, that was your close. Members, the question is the adoption of AM2661. All those in favor vote aye; all those opposed vote nay. There's been a request to place the house under call. The question is, shall the house go under call? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 30 ayes, 0 nays to place the house under call.

KELLY: The house is under call. Senators, please record your presence. All senators outside the Chamber, please return and record your presence. All unauthorized personnel, please leave the floor. The house under call. Senators Armendariz, please return to the Chamber and record your presence. The house is under call. All unexcused members are present. The question is the adoption of AM2661. A vote was underway. Senator Clements, would you accept call-ins? Mr. Clerk.

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CLERK: Senator Holdcroft voting yes. Senator Hunt voting no. Senator Storm voting yes. Senator DeBoer voting no. Senator Lonowski voting no. Senator McKinney voting no. Senator Guereca voting yes. Mr. President, the vote is 21 ayes, 18 nays on the adoption of the amendment.

KELLY: AM2661 is not adopted. Senator Clements, you're recognized to close on-- Senator, Senator-- I raise the call. Senator Machaela Cavanaugh, you're recognized to speak.

M. CAVANAUGH: Thank you, Mr. President. Colleagues, this is now just a shell bill, but it still has a priority. I would ask that you vote to move it to Select File so that we can continue this conversation, and hopefully bring another amendment on Select File. Thank you, Mr. President.

KELLY: Thank you, Senator Cavanaugh. Senator Clements, you are recognized to close on the bill.

CLEMENTS: Thank you, Mr. President. I thank Senator Machaela Cavanaugh for offering that suggestion that this is-- what's left is just a shell bill. The amendment-- there is no amendment now pending on it. And if we could move it to Select File and come up with a compromise of some sort, I'd be willing to work on that. So I ask for your green vote on LB1210. Thank you, Mr. President.

KELLY: Thank you, Senator Clements. Members, the question is the advancement of LB1210 to E&R Initial. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 34 ayes, 4 nays on advancement of the bill, Mr. President.

KELLY: LB1210 is advanced to E&R Initial.

CLERK: Mr. President, Select File, LB835, Senator Jacobson. There are no E&R amendments. Senator Kauth, I have FA475, with a note you'd withdraw.

KELLY: So ordered.

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

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

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GUERECA: Mr. President, I move that LB835 be advanced to E&R for engrossing.

KELLY: Senators, you heard the motion. All those in favor, say aye. Those opposed, say nay. LB835 is advanced for E&R Engrossing. Mr. Clerk.

CLERK: Mr. President, Select File, LB1181, first of all, Senator, there are E&R amendments.

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

GUERECA: Mr. President, I move that the E&R amendments to LB1181 be adopted.

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

CLERK: Senator Kauth, I have FA841, with a note you'd withdraw.

KELLY: So ordered.

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

KELLY: Senator Guereca, for a motion.

DOVER: Mr. President, I move that LB1181 be advanced to E&R for engrossing.

KELLY: Senators, you heard the motion. All those in favor, say aye. Those opposed, say nay. LB1181 is advanced for E&R Engrossing. Mr. Clerk.

CLERK: Mr. President, Select File, LB727. There are no E&R amendments. Senator Kauth, I have FA356 with a note you'd withdraw.

KELLY: So ordered.

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

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

GUERECA: Mr. President, I move that LB727 be advanced to E&R for engrossing.

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

CLERK: Mr. President, Select File, LB1240. There are no E&R amendments. Senator Kauth, I have FA900 with a note that you would withdraw.

KELLY: So ordered.

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

KELLY: Senator Guereca, for a motion.

GUERECA: Mr. President, I move that LB1240 be advanced to E&R for engrossing.

KELLY: Senators, you heard the motion. All those in favor, say aye. Those opposed, say nay. LB1240 is advanced to E&R Engrossing. Mr. Clerk, items for the record.

CLERK: Thank you, Mr. President. I have a reference report from the Reference Committee, concerning gubernatorial appointments to the State Racing and Gaming Commission, as well as the Public Employees Retirement Board; and an amendment to be printed from Senator Hughes to LB1089. That's all I have at this time.

KELLY: Thank you, Mr. Clerk. Please proceed to the next item on the agenda.

CLERK: Mr. President, General File, LB1055, introduced by Senator DeBoer. It's a bill for an act relating to the Adult Protective Services Act; defines a term; provides training requirements for adult protective services officials as prescribed; and repeals the original section. The bill was read for the first time on January 14 of this year and referred to the Judic-- Judiciary Committee. That committee placed the bill on General File. There are no committee amendments. There is an additional amendment, Mr. President.

KELLY: Senator DeBoer, you're recognized to open on the bill.

DeBOER: Thank you, Mr. President. Hello, colleagues. I'm excited to introduce to you, LB1055. Thank you to the Speaker, for designating LB1055 a consent calendar bill, and the Judiciary Committee, for voting LB1055 out on an 8-0 vote. LB1055 requires adult-- or requires employees of adult protective services in DHHS to take training on

caring for individuals with Alzheimer's disease and other dementia. The training is to be no less than one hour in length, applies to current and new employees, and employees need to undergo this training once every 5 years. In order to complete this requirement, DHHS may partner with a nonprofit organization to offer the training at no cost to the state. As our population continues to grow, we know that there are more and more calls to adult, adult protective services, where the subject of the call, the vulnerable adult, has Alzheimer's or another dementia. Interacting with this individual can be difficult, and proper training of our APS employees may help connect the vulnerable adults to the resources and support they need. It's a simple bill with no fiscal impact to the state. It would help better protect our vulnerable adults. And I will say there is an amendment, which we'll get to next, which would take away the timing requirement from when they hire new employees. DHHS thought that it might be too quick and difficult for them to get it done in time, so we just strike the timing so that it will allow them to undergo with their new employees, in the normal course of their onboarding and training process. Thank you, Mr. President.

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

CLERK: Mr. President, Senator DeBoer would move to amend with AM2706.

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

DeBOER: Thank you, Mr. President. Colleagues, this is the amendment that I told you that takes out the timeframe so that we don't specify in statute when the new employees have to have this training, so that it makes it a little easier for DHHS and gives them some flexibility of when in the onboarding process their employees take this training. Thank you.

KELLY: Thank you, Senator DeBoer. Seeing no one else in the queue, Senator DeBoer, you're recognized to close on the amendment, and waive. Senators, the question is the adoption of AM2706. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 32 ayes, 0 nays on adoption of the amendment, Mr. President.

KELLY: AM270-- AM2706 is adopted. Seeing no one else in the queue, Senator DeBoer, you're recognized and waive closing. Senators, the question is the advancement of LB1055 to E&R Initial. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

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CLERK: 33 ayes, 0 nays on advancement of the bill, Mr. President.

KELLY: LB1055 is advanced to E&R Initial. Mr. Clerk.

CLERK: Mr. President, General File, LB788, introduced by Senator Bosn. It's a bill for an act relating to the Financial Fraud Victims Reimbursement Fund; changes the administrator of the fund to the Nebraska State Patrol; provides powers and duties for the Patrol; and repeals the original section. The bill was read for the first time on January 7 of this year and referred to the Judiciary Committee. That committee placed the bill on General File.

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

BOSN: Thank you, Mr. President. LB788 was introduced to change the administration of the Financial Fraud Victims Fund from the Attorney General's Office to the Nebraska State Patrol. This was an oversight last session, in LB559, and was brought to my attention this past fall. The Nebraska State Patrol has the authority and the capacity to administer this fund. The NSP works currently with forfeited assets and is better suited to administer this fund. This bill was voted unanimously out of the Judiciary Committee. And I would like to thank Speaker Arch for placing it on the consent calendar. Thank you for your time and consideration, and I would ask for your green vote.

KELLY: Thank you, Senator Bosn. Seeing no one else in the queue, you are recognized to close and waive closing. Senators, the question is the advancement of LB788 to E&R Initial. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 32 ayes, 0 nays on advancement of the bill, Mr. President.

KELLY: LB788 is advanced to E&R Initial. Mr. Clerk.

CLERK: Mr. President, General File, LB913, introduced by Senator Guereca. It's a bill for an act relating to the Alzheimer's Disease and Other Dementia Support Act; requires the Department of Health and Human Services to appoint a dementia services coordinator as prescribed; and repeals the original section. The bill was read for the first time on January 9 of this year and referred to the Health and Human Services Committee. That committee placed the bill on General File, with committee amendments, Mr. President.

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

GUERECA: Thank you, Mr. President. Good morning, colleagues. First, I want to thank Speaker Arch for placing LB913 on consent calendar. LB913 would require the Department of Health and Human Services to appoint a dementia service coordinator. LB913 was brought to me by the Alzheimer Association as a way to clarify the intent of the position created for the Alzheimer's and Others Dementia Council in Governor Pillen's 2023 Biennium Budget, and maximize the investment by the state for that position. Currently, there are 35,000 Nebraskans living with Alzheimer's disease, and by ensuring that the role of dementia services coordinator is being fulfilled as intended, we can ensure that those living with Alzheimer's and their families and caregivers are receiving equitable access to information, resources, and referral to care statewide. The dementia service coordinator will be required to serve as a reference point for linking families caring for individuals with Alzheimer's disease and other dementia with supportive services and resources, provide information, counseling, education, and referral about services and programs, including safe and secure environments that support individuals and families dealing with Alzheimer's disease and the other dementia; collect and monitor data related to the impact of Alzheimer's disease and other dementia on residents of this state; evaluate the needs of individuals with Alzheimer's disease and other dementia and their caregivers, and identify the services, resources, and policies required to address such needs; recommend strategies on coordination for services and resources among agencies, including delivery of services to individuals with Alzheimer's and other dementia; monitor and assist development and implementation of the state plan for meeting the needs of individuals with Alzheimer's disease and other dementia and their caregivers; recommend policies, legislation, and funding necessary to implement the state plan for meeting the needs of individuals with Alzheimer's disease and other dementia and caregivers; increase awareness and create dementia-specific training to facilitate access to quality coordinated care for individuals with Alzheimer's disease and other dementia in the most integrated setting. Finally, just to clarify, this legislation is not creating a new position. It is simply clarifying the role and requiring DHHS to assign duties to an individual within the department. There is no fiscal impact created by LB913. And my thanks to the DHHS Committee for voting this out 7-0, out of committee. I thank you for your time and consideration. Please vote green on LB913.

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KELLY: Thank you, Senator Guereca. As the Clerk stated, there is a committee amendment. Senator Fredrickson, vice chair, you're recognized to open.

FREDRICKSON: Thank you, Mr. President. Good morning, colleagues. Good morning, Nebraskans. So the committee amendment, which is AM2383 to LB913-- this amendment is very simple. All it does is it strikes the nonspecified deadline for the appointment of the dimension service coordinator. So I would ask your support of AM2383 and the underlying bill, LB913. Thank you.

KELLY: Thank you, Senator Fredrickson. Seeing no one else in the queue, you're recognized and waive closing. Senators, the question is the adoption of AM2383. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

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

KELLY: AM2383 is adopted. Seeing no one else in the queue, Senator Guereca, you're recognized to close.

GUERECA: Thank you, Mr. President. Again, just want to give my thanks to the Alzheimer's Association for bringing this bill to me, the, the DHHS-- sorry, the Health and Human Services Committee for voting it out 7-0, and the Speaker, for placing this on the consent calendar. And again, colleagues, I ask for your green vote on LB913. Thank you.

KELLY: Thank you, Senator Guereca. Members, the question is the advancement of LB913 to E&R Initial. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 39 ayes, 0 nays on advancement of the bill, Mr. President.

KELLY: LB913 is advanced to E&R Initial. Mr. Clerk, for items.

CLERK: Mr. President, notice that the Transportation Committee will have an executive session under the north balcony at 11:00, Transportation Committee, under the north balcony, at 11. Additionally, your Committee on Government, Military, and Veterans Affairs, chaired by Senator Sanders, reports LB1018, LB1108, LB1256, LB830, 9-- excuse me, LB1019, LB1075 to General File, some having committee amendments. Additionally, amendment to be printed from Senator Conrad to LB838. That's all I have at this time.

KELLY: Thank you, Mr. Clerk. Please proceed to the next item on the agenda.

CLERK: Mr. President, General File, LB784, introduced by Senator Hallstrom. It's a bill for an act relating to law enforcement; changes provisions relating to residency requirements for sheriffs in certain counties and continuing education requirements for law enforcement officers; harmonize provisions; provide an operative date; and repeal the original section. The bill was read for the first time on January 7 of this year and referred to the Judiciary Committee. That committee placed the bill on General File, with committee amendments.

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

HALLSTROM: Thank you, Mr. President, members. I bring before you today, LB784. There is a committee amendment, AM2236, which is a white copy which will become the bill. I, too, want to thank Speaker Arch, for placing this significant bill on consent calendar for your consideration this morning. AM2236 to LB784 was advanced from the judiciary committee on a vote of 8-0. We worked with the Sheriffs' Association and individual sheriffs in my district over the interim to put together the 3 component parts of the bill, which are: first, sheriffs' residency requirements; second, adjustments to continuing education requirements; and third, modernizing sheriffs' uniforms. AM2236 makes a targeted modification to the statute regarding sheriff's residency. Reduces the continuing education requirements for law enforcement officers from 32 hours to 24 hours for law enforcement agencies with 25 or fewer full-time officers, and modernizes the statutory requirements for sheriffs' uniforms, which haven't been updated for at least 35 years. With regard to the continuing education requirements, the reduction from 32 hours, which was enacted in, in 2021, under LB51, we found and discovered that the sheriffs in rural parts of the state, in addition to those with smaller staffing requirements, have been negatively impacted by these changes. And as a result, I worked closely with Senator DeBoer and Senator McKinney in the committee to address some of the concerns that they had in just making a 32- to 24-hour reduction across the board. We've now reduced that again for only the smaller agencies, so it will provide that benefit and protection for them. We've also streamlined some of the annually recurring types of continuing education so that officer wellness and vehicular pursuit policies now need only be completed every 3 years, and they would go towards your annual continuing education requirements. The second provision, with regard to sheriffs'

residency requirements, could apply in many rural counties. And I believe Senator Ibach has a couple of instances out in her district where this change would be beneficial, and I also have one in Legislative District 1, to which this would be applicable and beneficial. AM2236 would allow the sheriff in a county that does not contain a city of the metropolitan, primary, or first class to reside in such county or an adjoining county while holding office. These provisions are patterned after similar law affecting county attorneys serving in a county which also does not have a city of the metropolitan, primary, or first class. Currently, the appointed Johnson County Sheriff lives in Johnson, Nebraska, which, despite the name, is located in Nemaha County. While the sheriff can serve during his period of appointment and need not reside in Johnson County, when filing for election, he would be required to move to Johnson County in order to serve if elected. AM2236 will cure this obstacle in a narrow, targeted fashion. The uniform requirements under current law are outdated and some of the uniforms are difficult to obtain. As I indicated, the statute was adopted 50 years ago, and it's been at least 35 years since they have been updated. And the uniforms that are required under the statute are becoming harder and harder to procure. Few vendors are offering law enforcement uniforms in the required pink, tan, or chocolate brown colors that the statute presently requires. More flexibility in uniform standards would allow county sheriffs more flexibility to satisfy those requirements. I think with that, I will just say that we're modernizing the uniforms in general. I may have a Select File amendment to further eliminate some of the color schemes that are required. We are retaining the current requirements under statute for Class A uniforms, but providing the greater flexibility in what we will require-- define as Class B uniforms under the statute. And I would ask for your support of the amendment to be offered and the underlying bill. Thank you.

KELLY: Thank you, Senator Hallstrom. Senator Bosn, you're recognized to open on the committee amendment.

BOSN: Thank you, Mr. President. I apologize, colleagues. AM2236 is the Judiciary Committee amendment to LB784. It amends a section that in a county that does not contain a city of the metropolitan, primary or first class, that the sheriff does not need to be a resident of the county when he or she files as sheriff, but when holding office, the sheriff shall reside in the county or an adjoining county. It also amends the portion that requires uniform requirements at the discretion of the sheriff and separated into classes to best fit the needs of each office, that each uniform should be readily

distinguishable from the other uniforms that other law enforcement agencies wear, and it also requires law enforcement officers employed by agencies consisting of less than 25 full-time officers to attend at least 24 hours of continuing education and law enforcement officers employed by agencies consisting of 25 or more full-time officers to attend at least 32 hours of continuing education annually. Colleagues, this was negotiated language in order to provide some flexibility for some of the smaller police forces in the state of Nebraska while still trying to have the maximum benefit that we can draw from having very well-trained and educated officers. It should include a refresher on de-escalation, anti-bias and implicit bias training, firearms training, wellness training, and legal update training. And at least once in each three calendar year period, the law enforcement officer shall attend continuing education. That includes a refresher course on mental health and substance abuse issues, as well as vehicle pursuit policies. I ask for your support to AM2236, and ultimately, to LB784. Thank you, Mr. President.

KELLY: Thank you, Senator Bosn. Seeing no one else in the queue, you're recognized to close on the amendment and waive. Senators, the question is the adoption of AM2236. All those in favor vote aye; all those opposed vote nay. Record, mis-- record, Mr. Clerk.

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

KELLY: AM2236 is adopted. See no one else in the queue. Senator Hallstrom, you're recognized to close, and waive. Senators, the question is the advancement of LB784 to E&R Initial. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 34 ayes, 0 nays on advancement of the bill, Mr. President.

KELLY: LB784 is advanced to E&R Initial. Mr. Clerk.

CLERK: Mr. President, General File, LB977, introduced by Senator Storer. It's a bill for an act relating to the Nebraska Rules of the Road; redefines vulnerable road user; changes provisions relating to certain animals being led, herded, or driven on or along highways, prohibits certain individuals from traveling on certain roadways; provides for operators of electric personal assistance mobility devices to yield to vulnerable road users; changes provisions relating to vulnerable road users; harmonize provisions; repeal the original section. The bill was read for the first time on January 12 of this

year and referred to the Transportation and Telecommunications Committee. That committee placed the bill on General File, Mr. President.

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

STORER: Thank you, Mr. President. And I would like to thank the Speaker for including LB977 in the consent calendar package. This is a very important bill to members in my, in my district. Moving cattle and other livestock in Nebraska's roads simply is part of doing business in rural Nebraska, and has been for generations. Yet, we discovered last year that Nebraska's statute contains no clear protections for those moving livestock or guidance for motorists who encounter them. The gap in our law can create confusion and conflict that could easily be avoided with clear statutory language. The bill requires motorists to yield the right-of-way to livestock being driven on or along the highway. LB977 also maintains the distress signal provision, requiring motorists to promptly stop if a handler of livestock raises their hands, but, but this now functions as an additional safety measure rather than the primary one. In practice, most motorists do slow down when they see cattle on the road, and often, the handler can safely wave them through. But when the handler needs traffic to stop because the herd is turning, animals are spooked, or for any reason-- other, other safety reason, raising a hand provides clear, unmistakable signal. The bill adds livestock handlers to the statutory definition of a vulnerable road user, and this recognizes that people moving livestock face unique safety risk and deserve some protections that we extend to bicyclists, motorcyclists, road workers, and others who share our highways. LB977 also includes a narrow exception that allows motorists to move their vehicle, if necessary to avoid an accident, ensuring that law-- the law does not create unintended safety hazards. What it does not do is give livestock drivers the right to take priority over emergency vehicles responding to calls or interfere with any county road work or maintenance. Those critical public safety and infrastructure functions retain their priority on our, on our roadways, and if the committee has concerns-- and we addressed those concerns in committee. This legislation is modeled after Oregon's law and refined by further considerations to-- for Nebraska. It protects ranchers, motorists, and livestock. It clarifies expectations that most rural Nebraskans already understand, but that increasing-- but increasingly need to be spelled out, as more residents become unfamiliar with agricultural practices. This bill did advance from the Transportation and

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Telecommunications Committee with no opposition and also there was no opposition in public testimony. There is no fiscal note. I ask for your green vote on LB977.

KELLY: Thank you, Senator Storer. Seeing no one else in the queue, you're recognized to close, and waive closing. Senators, the question is the advancement of LB977 to E&R Initial. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

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

KELLY: LB977 is advanced to E&R Initial. Mr. Clerk.

CLERK: Mr. President, General File, LB1087, introduced by Senator Arch. It's a bill for an act relating to the Nebraska-Ireland Commission; creates the Nebraska-Ireland Commission; and creates a fund. The bill was read for the first time on January 15 of this year and referred to the Government, Military, and Veterans Affairs Committee. That committee placed the bill on General File, with committee amendments.

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

ARCH: Good morning, everyone, and Happy St. Patrick's Day. I see a lot of green in the, in the Chamber this morning. It was pointed out to me that this must be a tremendously lucky day because, with four-leaf clovers, this is also Day 44, so we-- it's all lining up here, for the-- pure coincidence that this bill is scheduled on St. Patrick's Day. I don't know why the Speaker did that, but he, he agreed to do that. So, well, good morning. The idea for this legislation was brought to me by the President and Speaker of the Irish Senate, Senator Mark Daly. As you may recall, Senator Daly has been a guest to this Chamber, both this session and last session. Senator Daly has been traveling all over our country, visiting different states and promoting similar commissions to build lasting relations between the various states and Ireland. A public hearing on LB1087 was held on February 6, in front of the Government, Military, and Veterans Affairs Committee. The University of Nebraska, the Department of Economic Development, and the Chamber of Commerce were among some of the supporters of the bill. Additionally, letters in support were received from Senator Daly and Bertie Ahern, the former Prime Minister of Ireland. There were no opponents, and the bill was advanced 8-0. Now, for the details of the bill. The Commission will be comprised of sen-- 10 members, including the director of the Department Of Agriculture or

designee, the director of the Department of Economic Development or designee, a representative from a postsecondary educational institution, 2 representatives from a business association such as a trade organization or chamber of commerce, a representative from a nonprofit offering child and family services programs, a public member, and 3 members of the Legislature, one from each congressional district who shall serve as nonvoting members. The purpose of the Nebraska-Ireland Commission is to advance, promote, and encourage business and other mutually beneficial activities between Nebraska and Ireland. The bill does establish the Nebraska-Ireland Fund, but I have not-- I have no intention of taxpayer dollars ever being appropriated to that fund. A fund, however, is necessary to hold any monies raised on behalf of the Commission, gifts, and grants. For administrative and budgetary purposes, the Commission will be housed within the Department of Economic Development. This is the bill in a nutshell, but the commission proposed under LB1087 is not like other state commissions with a narrowly defined purpose. The commission envisioned under LB1087 is specifically designed to be a long-term, broad-based entity that will serve as a catalyst to present mutually beneficial opportunities to leaders in business, research, education, and whatever else, in both Nebraska and Ireland. The relationships developed through the commission will reveal and open up previously unidentified avenues for partic-- for partnerships and possibilities of investment and global expansion. 25 states have already adopted similar commissions with Ireland, and 20 more are currently in the legislative process of consideration. The initial Ireland Trade Commission legislation was drafted by a member of the New Jersey American-Irish State Legislators' Caucus after a trip to Ireland in 2022. After the visit to Ireland, the members of the caucus asked how its members could support the peace process in Ireland and the Good Friday Agreement. Fostering relationships and elevating economic security for the entirety of Ireland is essential in maintaining global stability. Thus, the Ireland Trade Commission was established, and as I mentioned, 25 states now have such commissions in place, with over 300 commissioners representing the various states. As the biggest English-speaking country in the European Union, Ireland is offering itself as a doorway to the rest of the EU, which represents a market of 450 million people and 27 countries. But it is also an all-Ireland commission, including both the Republic of Ireland and Northern Ireland. This would give Nebraska access to both the UK and EU markets simultaneously. Irish exports to North America total \$7.3 billion and are set to grow by 19% by 2029. According to the American Chamber of Commerce, Ireland-- over 780 Irish-owned companies in the U.S.

directly employ over 200,000 people. Conversely, there are over 870 U.S.-owned companies with operations in Ireland, directly employing over 240,000 people-- again, a relationship of mutual benefit. Part of this effort is, is to build mutually beneficial relationship-- includes an annual fall meeting in Ireland, usually scheduled around the American college football game that Ireland hosts. It brings together all the state's delegates and Ireland's top ministers for states that want to market business in Ireland and the EU, but it also brings in Irish companies that are looking to make a footprint in the U.S. It's a two-way association and I want Nebraska to be a part of it. LB1087 will help us build Nebraska's relationship with Ireland through currently unknown opportunities, opportunities in education, investment, research, or personal association. So I encourage you to support LB1087. And to quote from Prime Minister Ahern's letter: for the principles of cooperation, partnership, and peace, peace which it reflects. So I first became aware of these commissions that were being formed in other states when I visited Dublin, in Ireland, a couple years ago. That's when I had an opportunity to meet Senator Mark Daly, and began the discussion about a Nebraska relationship to Ireland, as well. Obviously, we have a heritage of Ir-- of Irish in the state of Nebraska, but more than that, as I was talking to South Dakota and the relationship they already have, they have already developed some business opportunities with those, with those individuals within the state of South Dakota that went over and said I want to market my product into EU as well as Ireland, and those relationships were formed. The unique opportunity that's before us with Ireland is when they gather together, they gather the top ministers of the various departments that allow the businesses to come and deal directly with the ministry. And, and oftentimes, what happens is you may want to do something, and, and-- but it is so difficult to find the door on how to enter a market-- enter a new market. Here, Ireland is offering that to us, as the ministers gather and, and business leaders gather. When I visited Ireland, there were 2 events that stood out to me and the opportunity that presented themselves. We were in Cork, at the university there. We're sitting around a table. There were perhaps-- perhaps 50 people in the room around the table, and all the various university departments were represented there, in Cork, and this one person started talking about the relationships formed with the United States, and in particular, the University of Nebraska. I was like, wait a-- I mean, I-- did I hear right, here? But this individual from the Agriculture Department was talking about already-established relationships with the University of Nebraska, and the opportunities for sharing research and developing products together. The other, the

other event that stood out to me was when I was introduced to a large, a large business in southern Ireland called the Cary Group. The Cary Group produces products that are used as, as, as ingredients in many, many different food sources. They improve the quality of the food, they improve the taste of the food, and all of those, all of those products. And they have a huge research division within the Cary Group. And I thought, what a perfect opportunity, again, between our university and the Innovation Campus and all the research that is being done there, and, and the opportunity, then, to put these groups together and talk about research and the development of products. The other-- I'll go on. The other, the other opportunity that I, that I became aware of was when Mark Daly was telling me about a, a meeting that he held, where, where he gathered a group of businesses in Ireland that were interested in, in, in getting a footprint into the United States. They wanted to set up an office, they wanted to set up a marketing plant, they wanted to bring business to the United States. And the question is where should we go? What should we do? And what a unique opportunity that is. So this commission is the opportunity to build personal relationships, not just for this-- not just for the country of Ireland, but also entrance, as, as I said, through Northern Ireland into the UK, because the UK, of course, pulled out of the EU. Northern Ireland has those opportunities to get into the UK market. And then, of course, Ireland itself has the opportunity to get into the EU market as the largest English-speaking country in the EU. So with that, I will-- I'll end my introduction. Be happy to answer any questions, but I would ask for your positive support of LB1087. Thank you, Mr. President.

KELLY: Thank you, Senator Arch. As the Clerk stated, there's a committee amendment. Senator Sanders, you're recognized to open.

SANDERS: Thank you, Mr. President. Happy St. Patrick's Day. And happy birthday, Lieutenant Governor. The Government Committee held its hearing on LB1087 on February 6. We heard support from Speaker Arch, the University of Nebraska, the Ancient Order of Hibernians, the Nebraska Chamber of Commerce, and the Nebraska Department of Economic Development. There was no opposition to the bill at the hearing. The committee voted unanimously to advance the bill from committee, but we did so with a couple of changes. AM2000 would do 2 things. First, it corrects one place in the bill where the commission is referred to as a task force. Second, it authorizes DED to utilize input and support from other stakeholders. The original bill referred more narrowly to the appropriate federal and state agencies. With these very minor changes, I would encourage you to support the Speaker's proposal.

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Please vote green on AM2000 and green on LB1087. Thank you, Mr. President.

KELLY: Thank you, Senator Sanders. Senator Sanders, you were, you were first in the queue prior to your opening and waive that. Thank you. Senator John Cavanaugh, you're recognized to speak.

J. CAVANAUGH: Thank you, Mr. Lieutenant Governor, and happy birthday to you, as well. And Happy St. Patrick's Day to everybody. I appreciate the Speaker just relying on luck to get this scheduled on St. Patrick's Day, but I think it is appropriate, even if it was, you know, used some of his undue influence on the Speaker's Office to get it scheduled. But I rise in support of AM2000 and LB1087. I'm co-sponsor of this bill, appreciate Speaker Arch bringing this. I think you've all had the opportunity to meet Senator Daly from Ireland and-- when he has come, a couple of times here. And this is, is a great opportunity to strengthen the already strong relationships between Nebraska and Ireland and in-- increase our opportunity to find new markets for our products. And it is, of course, fun that this bill is up on St. Patrick's Day. So, you know, I'm sure you'll be surprised to know that I'm Irish-- of Irish extraction, and like many people of Irish extraction, are, are proud of that heritage and the history of the relationship between Irish people and the state of Nebraska. And so, it's a, a great honor and privilege to be a supporter, a co-sponsor, and to be able to vote for this bill today. So I encourage your green vote on AM2000 and LB1087. Thank you, Mr. Lieutenant Governor.

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

M. CAVANAUGH: Thank you, Mr. Lieutenant Governor. Happy birthday to you and to my cousin Anne [PHONETIC], who also has a St. Patrick's Day birthday. I rise in support of LB1087. I had the honor and privilege of traveling to Ireland last year, for the U.S. trade meeting that Senator-- Speaker Arch spoke about, organized around an American football game. It was Kansas versus Iowa, so there were a lot of representatives from there. So I, I want to speak a little bit about the relationship with Ireland. For many of us, this connection is personal. Irish immigrants helped build communities across our state. They brought with them a commitment to hard work, to family, and to taking care of their neighbors-- values that still define Nebraska today. But it isn't just about heritage, it's about opportunity. Ireland today is a global leader in technology, life sciences, and

clean energy. Nebraska's growth and ag innovation, data infrastructure, and advanced manufacturing can be amplified through targeted collaborations, such as joint research centers or trade missions demonstrating tangible economic benefits. That overlap matters. Because when we build international relationships, we create a pathways for Nebraska businesses to access new markets, foreign investment to come into our communities, research partnerships that drive innovation, and opportunities for our workforce and students. That's not abstract, it's economic development. And I think it's important to say this clearly: in a global economy, states like Nebraska cannot afford to operate in isolation. We compete and we succeed by building relationships. Ireland is a natural partner for us. We share language, legal frameworks, and a long history of connection that makes collaboration easier, faster, and more effective. There's also a shared understanding between our communities. Ireland's history, shaped by hardship, including the great Irish famine and the long path to independence, reflects resilience, a value Nebraskans deeply res-- share and respect. Nebraskans understand resilience, too, as Senator Ibach even spoke this morning, about the resilience of our agricultural community that is experiencing the wildfires. We know what it means to face challenges and still invest in the future. That's something we have in common, and it shows up in the way we approach growth, community, and responsibility. So thank you to Speaker Arch for prioritizing this. It is the luck of the Irish that this happened to be on St. Patrick's Day, and I encourage you all to support LB1087. Thank you.

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

ANDERSEN: Thank you, Mr. President. I rise in support of LB1087. I think-- I appreciate Speaker Arch for bringing the, the bill. It supports a cooperative partnership and relationship between the state-- great state of Nebraska and Ireland. It will be a catalyst. It will be a conduit for, for Nebraska companies to be able to partner with companies out of Ireland, and the same thing, for Irish companies to be able to partner with Nebraska companies. Also, access to the EU is pivotal, as well. I think it's a great opportunity for both Ireland, the EU, and for Nebraska. For that reason, I support LB1087. Thank you, Mr. President.

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

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waive. Senators, the question is the adoption of AM2000. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

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

KELLY: AM2000 is adopted. Seeing no one else in the queue, Speaker Arch, you're recognized to close.

ARCH: Thank you, Mr. President. The only thing I would say in closing is this. This, this is an opportunity that is being presented to us. It's not going to come on a silver platter. It's not going to be handed to us. It's-- it is an-- what is handed to us is the opportunity-- to network, to build relationships, to find new markets, to, to engage in, in opening up more exports from the state of Nebraska, as well as perhaps attracting other companies to come to Nebraska and, and have a footprint. That being said, we will get out of it as much as we put into it, and I am optimistic that we will see this opportunity and seize it. Thank you, Mr. President.

KELLY: Thank you, Senator Arch. Members, the question is the advancement of LB1087 to E&R Initial. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 41 ayes, 0 nays on advancement of the bill, Mr. President.

KELLY: LB1087 is advanced to E&R Initial. Senator Juarez would like to recognize some guests in the north balcony from Creighton Preparatory School Young Democrats. Please stand and be recognized by your Nebraska Legislature. Mr. Clerk, for items.

CLERK: Mr. President, items for the record. Notice that the Urban Affairs Committee will have an executive session under the north balcony at 11:30. Urban Affairs Committee, exec session, under the north balcony at 11:30. Additionally, your Committee on Enrollment and Review reports LB985, LB1101, LB1155, LB1205, LB1235, as correctly engrossed and placed on Final Reading. Your Committee on Enrollment and Review also reports LB1072, LB759A, LB1237A, LB1133 to Select File, some having E&R amendments. Amendment to be printed from Senator Conrad to LB838, Senator Clements to LB1210, and Senator Clouse to LB901. That's all I have at this time.

ARCH: Thank you, Mr. Clerk. Please proceed to the next item on the agenda.

CLERK: Mr. President, General File, LB1126, introduced by Senator Moser. It's a bill for an act relating to transportation; it adopts the Infrastructure Development Investment Program Act; changes certain applicant qualification exemptions for transportation infrastructure construction contracts; redefines a term; eliminates a requirement for progressive design-build contracts, changes public-private partnership delivery method provisions, provides duties for the Department of Transportation, and provides for unsolicited proposals under the Transportation Innovation Act; changes provisions relating to suspension of operator's licenses by the Department of Motor Vehicles and the security required by the Motor Vehicle Safety Responsibility Act; defines a term, changes traffic accident reporting requirements, changes requirements for date of birth information that is included in certain vehicle accident reports, provides for the control of bicycle traffic, changes and provides for certain permit fees under the Nebraska Rules of the Road; harmonize provisions; and repeals the original section. The bill was read for the first time on January 20 of this year and referred to the Transportation and Telecommunications Committee. That committee placed the bill on General File, with committee amendments. There are additional amendments, Mr. President.

ARCH: Senator Moser, you are recognized to open on LB1126.

MOSER: Thank you, Mr. President. Good morning, colleagues and Nebraskans. LB1126 amends Nebraska law to improve city and county ability to deliver infrastructure projects. It modernizes innovative finance and alternative project delivery statutes to better facilitate public-private partnerships. It changes thresholds related to mandatory traffic accident reporting. It amends provisions related to project pre-qualification and unsolicited bids. Finally, it creates a new category of overweight vehicles called superloads, which are vehicles weighing over 160,000 pounds. LB1126 creates the Infrastructure Development Investment Program Act, which allows the department to assist in funding transportation projects throughout the state. It will be managed by the State Highway Commission, and it allows cities and counties access to funds from state and federal sources for local projects under a revolving loan program, ensuring that smaller communities have the ability to deliver critical infrastructure. It also cleans up statutes related to innovative finance and alternative project delivery to bring them into line with federal best practices. It focuses on the public-private partnership processes and allows for unsolicited bids in certain sum-- circumstances. Unsolicited bids deemed economical must be open to other competing bids. The bill also increases the statutory monetary

threshold over which vehicle accidents that cause physical damage or harm to a person must be reported. It cleans up language related to the public access to accident reports and ensures that proper reporting can be made by members of the public. This improves the efficiency, and, according to the Department of Transportation, could save up to \$30,000 a year by avoiding obtaining a new contract database. Certain types of contracts would be exempt from pre-qualification requirements, including mowing, vegetation removal, and guardrail maintenance. Certain smaller contractors are unable to meet the existing requirements and removing their requirement will increase bids throughout the state and make them more competitive. Finally, it creates a category of motor vehicles called superload vehicles, where vehicles that weigh more than 160,000 pounds, which will cause increased wear and tear on highways and roads-- the fee cap is increased, allowing the department to offset this increased wear on our transportation infrastructure. Thank you, colleagues. Our pages have handed out a blue folder that contains additional details, and questions and answers provided by the Department of Transportation. LB1126 represents a practical way to increase the quality of our transportation infrastructure in our state, and I urge you to vote green on moving it to Select File. Thank you, Mr. President.

ARCH: As the Clerk indicated, there is a committee amendment. Senator Moser, you're recognized to open on the committee amendment

MOSER: Thank you again, Mr. President. AM2432 combines several bills meant to modernize and harmonize statutory language related to the Department of Transportation and infrastructure development. It alters special assessment districts to give counties tools to better target specific areas in need of road improvement. It mandates that people studying to get a commercial driver's license receive training related to human trafficking. Finally, it amends the way the Public Service Commission regulates Medicaid nonemergency medical transportation services. I would ask each Senator whose bill has been included in this package to describe their bill and its changes. And first up would be Senator Meyer. Would you be willing to describe your bill?

ARCH: Senator Meyer, will you yield to a question?

G. MEYER: Yes, I will.

MOSER: OK. Senator Meyer, would you like to discuss your LB1107?

G. MEYER: LB1107 is a bill that provides for counties that would have a-- essentially, a suburb or a rural housing area with substandard roads that the people in that particular-- they could, they could develop their own road district. And it would provide for them to bond and improve their roads, not at the expense of the county. It's something that pertains to a number of our areas. As cities build out, our counties have bedroom communities, and it's-- it won't be the responsibility of the county to pay those bonds. It will be the responsibility of the developed road district and those people living in that road district to pay the bonds on-- with their own tax base, so that's the basis of LB1107.

MOSER: Thank you, Senator. Senator Bosn, would you yield to a question?

ARCH: Senator Bosn, will you yield to a question?

BOSN: Yes.

MOSER: Would you describe LB1073?

BOSN: Yes. Thank you. LB1073 equips CDL students with the awareness and tools to recognize and safely report potential human trafficking, leveraging their unique presence within the transportation networks across the state, where trafficking often occurs. By providing targeted, low-cost training, this law aims to strengthen public safety, support victims, and protect the integrity of the commercial driving industry. Colleagues, I will note that there was no opposition to this bill. This bill was supported unanimously in the committee and has no fiscal note, because there are organizations across the country that are working with truckers to try to implement these laws and support them so that this training can be made available. Thank you, Senator Moser.

MOSER: Thank you, Senator Bosn. Senator DeBoer, would you like to discuss LB1180?

ARCH: Senator DeBoer, will you yield to a question?

DeBOER: Yes, I will. Thank you, Senator Moser. LB1180 modernizes a small licensure process for those providing Medicaid nonemergency transportation. When a carrier wants to provide interstate Medicaid nonemergency medical transportation services-- which from now on, I'll call NEMT-- they first have to apply to the Public Service Commission for a public convenience and necessity license. If granted the

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license, the applicant carrier then goes through a subsequent licensure and approval process with the Department of Health and Human Services. This process is substantially more thorough and specific to the needs of NEMT services. As such, my bill changes the application process for carriers wanting to provide NEMT services. Instead of starting at the PSC, the applicant is to start with DHHS. Then, upon approval from DHHS to NEMT-- to provide NEMT services, the PSC will approve the final license, as the regulation of these carriers is their constitutional duty. The cut-- this cuts red tape for new carriers and reduces administrative burden on the Public Service Commission and on the companies that are applying. Thank you to the Transportation and Telecommunications Committee for LB1180 in-- for including LB1180 in the committee package.

MOSER: Thank you, Senator. Thank you, Mr. President.

ARCH: Mr. Clerk, for an amendment.

CLERK: Thank you, Mr. President. Senator Glen Meyer would move to amend with AM2562.

ARCH: Senator Meyer, you are recognized to open on your amendment.

G. MEYER: Thank you, Mr. President. In proposing LB1107, it was indicated, as we discovered later, that we needed to amend the 10-year bond designation into a 20-year, given the expense of, of bonding and road construction. By statute, the bonding limitations were 10 years, and so we are amending the bill to insert 20 years in place of 10 years, regarding the termination of the bonds. Thank you.

ARCH: Turning to the queue, Senator Andersen, you are recognized to speak.

ANDERSEN: Thank you, Mr. President. Would Senator Moser yield to a couple questions?

ARCH: Senator Moser, will you yield?

MOSER: Yes, I would.

ANDERSEN: Thank you, Senator Moser. Looking at the fee increases, can you put a little context behind that? And looking at the fiscal notes, an increase of, you know, \$4 million in a couple of different places. Just wondering if you can address the, the fees, the increased

amounts, when's the last time that they were increased, when were they last set, just so we can actually have some context behind them.

MOSER: Yes. The last time that the-- some of these fees were raised was 1986. And so, the department has been analyzing these requests for oversized loads and not getting enough-- well, even so, with these fees, they're still not getting enough money to pay for all their expenses. When they move oversized loads, the route has to be analyzed to make sure that the roadway, and the bridges, and the clearances overhead, and all the obstructions are analyzed to make sure the path that the comp-- moving company is going to use is feasible. And we went a long time without raising these fees. They-- there's a lot of engineering and a lot of work that goes into that. Plus, there's a lot of damage to the roads from oversized loads. And we were way, way less than surrounding states, so if you were planning a route across the country you might avoid other states north and south of us-- or for that matter, east and west-- and come through Nebraska, just because our fees were so low. And, and so, we want to be more in line with other states and reimburse the Department of Transportation a little bit so that they don't lose money analyzing these loads.

ANDERSEN: Thanks. So who would end up paying these fees? Is it the moving companies? Is it the transport-- you know, the trucking companies? Is it the individual people?

MOSER: The, the company moving the merchandise pays it. I would assume that whoever hired them to move this item would have to pay that fee. Compared to what moving oversized load costs-- loads cost, the fees are pretty microscopic. I mean, the oversized loads require scout cars in front and in back, and they can only travel, I believe, in daylight hours, so there, there are a lot of costs already. And, and if they thought the fees were too high, then break it up into smaller loads and move it following current laws, and you can do it that way. But in most cases, they need a special permit to get the bigger items moved. Huge transformers, big machines--

ANDERSEN: Sure.

MOSER: --sometimes beams for buildings, and those are just some examples.

ANDERSEN: All right. Thank you, Senator Moser.

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

JACOBSON: Thank you, Mr. President. I have a question for Senator Meyer, if he'd be willing to yield.

ARCH: Senator Meyer, will you yield?

G. MEYER: Yes.

JACOBSON: Senator Meyer, i-- I'm just kind of glancing through your amendment here. So you're wanting to double the length of time that the bond could be amortized over. Is that correct?

G. MEYER: That is correct. Yes.

JACOBSON: So I, I guess, I'm, I'm-- I guess as a banker, I always think about when you are financing something, you want to make sure that the financing is less than the useful life of the asset. And so, I am kind of curious. I know I'm fairly familiar with the financing structure, which I think has been good, but I want to make that we don't get caught on financing a project, and then finding that we've got costs to replace or significantly redo the project before the bonds have actually been amortized, and hence, we're doubling up on expenses. Have thoughts there?

G. MEYER: Well, if I may-- generally, what happens, we have communities-- in many cases, they are small towns losing population. We'll have housing developments in the country. People will sell blocks of land and, and have-- they might have 5, 10, 15, 20 housing-- houses in a particular area. There could be gravel roads. There could be minimum maintenance roads. So what this allows is for those particular communities to develop their own road development program, go ahead and have bonds. Currently, by statute, counties are limited to 10 years. And given the cost, it was suggested and, and proposed by NACO that we go to 20 years. I think that's reasonable. Because, in general, many of our rural communities, as we lose population, they simp-- there simply isn't the tax base to provide for these, these roads in these smaller communities, so this gives them the opportunity to actually perhaps even grow a community, so that was the basis for it. By statute, it was 10 years. And, and given the, the, the expense anymore of, of road projects, and in general, the growing, the growing interest in the growing small communities, 20 years was a good move on, on the part of extending the time of the bonding.

JACOBSON: Well, I, I appreciate that. I, I guess the really crux of my question is it-- let's take, for example, a car. If you buy a car and

you finance it over 10 years, you-- the car's probably going to wear out before you get done paying it off. So then you've got to replace the car, so now you have a double payment. And so, that's why you typically want to have a car that has, say, a five-year useful life, have a three- or four-year financing term so that the debt is paid off prior to the car being obsolete. And so I look at this with the, with the roads and say, if you need 20 years to amortize the debt on the road, but 15 years out, the road is in need of serious rehabbing, where do you get the money and how do you afford the payments to fix the road when you're still paying for the original road?

G. MEYER: That-- that's a very good question, a very good point. Once the road's built, once the bonds are [INAUDIBLE] the road's built, it's the county's responsibility to maintain the road. And, and I appreciate your point that, at the time-- there may come a time when it needs to be resurfaced. I believe, to the best, to the best of my knowledge, it would be the responsibility of that road district to generate the funding. And, and perhaps that's, that's something we, we may, we may need to address, but it's the county's responsibility to push the snow and, and those types of things. But I, I understand your concern with regard to resurfacing. But it was a suggestion we go to 10 to 20 on the bonding issue, simply because of the extensive cost. But I, but I appreciate your point.

JACOBSON: Thank you.

KELLY: Thank you, Senators. Senator Rountree would like to recognize some guests in the north balcony from Leadership Bellevue. Please stand and be recognized by the Nebraska Legislature. Senator Moser, you're recognized to speak.

MOSER: Thank you, Mr. President. The part of the package that Senator Meyer brought allows people who live in the county or along the city to form districts and assess themselves to pay the bonds off. So it's not an obligation of the state. It would be an obligation of either the state or the city that issued them. And the typical projects you're looking at are usually concrete roads and bridges which have lifetimes more in the 50-year range, so a 20-year bond is not out of reason. There's no requirement that they take 20 years. They could bond for less. If they're going to have revenue to pay them off more quickly, then it just makes sense to offer shorter-term bonds. But with the cost of building roads and the associated costs to forming a district, and hiring a bond company, and issuing the bonds, and selling them, and all those details that need to be done in order to

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take care of the financing, the 20-year was a, I think, a commonsense amendment. Thank you.

KELLY: Thank you, Senator Moser. Senator Ibach would like to recognize some guests in the north balcony. They're fourth graders from Pershing Elementary School in Lexington. Please stand and be recognized by the Nebraska Legislature. Seeing no one else in the queue, Senator Glen Meyer, you're recognized to close on the amendment, and waive. Senators, the question is the adoption of AM2562. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

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

KELLY: AM2562 is adopted. Seeing no one else in the queue, Senator Moser-- there is another amendment. Mr. Clerk.

CLERK: Mr. President, Senator DeBoer would move to amend with AM2627.

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

DeBOER: Thank you, Mr. President. Colleagues, AM2627 is negotiated language, ensuring that if transportation network companies--- think Uber or Lyft-- are providing NEMT services and are approved by DHHS to provide such services, they're not regulated under multiple different regulatory schemes, but rather, only regulations related to transportation network companies. This is basically a "belt and suspenders" amendment that the transportation network companies asked me to put in, to ensure that they did not get brought into an entirely different regulatory scheme, if they ever began providing NEMT services. So I'd ask for your green vote for this cleanup and "belt and suspenders" amendment. Thank you, Mr. President.

KELLY: Thank you, Senator DeBoer. Seeing no one else in the queue, you're recognized-- and waive closing. Senators, the question is the adoption of AM2627. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

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

KELLY: AM2627 is adopted.

CLERK: I have nothing further, Mr. President.

KELLY: Senator Moser, you're recognized to close on the committee amendment.

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MOSER: Thank you, Mr. President. Colleagues, AM2432 incorporates several others sen-- other senators' bills into LB1126, and you've heard them explain how their bills fix certain problems for us. And I would appreciate your support for AM2432. Thank you, Mr. President.

KELLY: Thank you, Senator Moser. Senators, the question is the adoption of AM2432. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

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

KELLY: AM2432 is adopted. Seeing no one else in the queue, Senator Moser, you're recognized to close and waive closing. Senators, the question is the advancement of LB1126 to E&R Initial. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

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

KELLY: LB1126 is advanced to E&R Initial. Mr. Clerk, for items.

CLERK: Thank you, Mr. President. Notice that the Appropriations Committee will meet at 12:30 in room 1003. Appropriations Committee, 10:30 [SIC], room 1003. Additionally, your Committee on Banking, Commerce, and Insurance, chaired by Senator Jac-- excuse me, 12:30, in room 1003. Your Committee on Banking, Commerce, and Insurance, chaired by Senator Jacobson, reports LB1251, LB1174, both to General File, LB1174 having committee amendments. And a priority motion, Senator Machaela Cavanaugh would move to recess the body until 1:30 p.m.

KELLY: Senators, the question is the motion to adjourn. All those in-- excuse me, recess. All those in favor, say aye. Those opposed, say nay. The Legislature is in recess.

[RECESS]

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

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

KELLY: Do you have any items for the record?

CLERK: I do, Mr. President. A conflict of interest statement from Senator Dorn disclosing a conflict of interest. That's all I have at this time.

KELLY: Please proceed to the first item on the agenda.

CLERK: Mr. President, first item on the agenda, General File, LB937 introduced by the Education Committee. It's a bill for an act relating to education; changes provisions relating to option enrollment, reading deficiency, and dyslexia reporting; repeals obsolete provisions relating to grants for evaluation model and funding from solar or wind agreements on school lands; changes reporting deadlines; repeals obsolete provisions relating to learning community levies; changes provisions relating to the Nebraska Teacher Apprenticeship Program; changes provisions relating to the Teacher Recruitment and Retention Act; defines terms; changes provisions relating to the College Pathway Program Act; harmonizes provisions; repeals the original section; outright repeals two sections in Chapter 79. The bill was read for the first time on January 9 of this year and referred to the Education Committee. Excuse me, Mr. President, Senator Conrad would move to indefinitely postpone the bill pursuant to Rule 6, Section 3(f).

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

MURMAN: Thank you, Mr. Senate [SIC] Governor. Good afternoon, Nebraskans, and happy birthday again, Mr. Lieutenant Governor. LB937 is an Education Committee priority bill. LB937 is a cleanup bill with various changes brought primarily at the request of the Department of Education. This bill touches on a lot of things, but the changes that are made are all relatively small and focus on simplifying language, removing outdated language, or harmonizing language better with current practices. The most important piece corrects an issue where the Teacher Recruitment, Recruitment and Retention Act that was supposed to provide for grants for teachers who, who pursue teaching and dual-credit courses. Under the law, a specific dual-credit endorsement does not exist, so those teachers are not eligible for the grant as intended. This bill fixes that mistake by adding language to ensure they qualify. This also ensures, under the teaching-- under the Reading Improvement Act that data is collected by grade level, which the department has indicated would be a better process. I will note that while there was originally some opposition based on changes to dyslexia reporting, all of that language has been struck from the bill. LB937 was voted out of committee on a unanimous 8-0 vote. This

bill also has a committee amendment that contains other legislation in the Education Committee, and I will speak to that when it comes up.

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

CLERK: Senator Conrad, I have a series of motions and amendments on this bill, all with notes that you would withdraw.

KELLY: So ordered.

CLERK: In that case, Mr. President, pending would be the committee amendment.

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

MURMAN: Thank you. AM2454 contains a few different bills. I speak to my pieces on that, and then yield to other members of the committee who are also included. LB1241 strengthens school background check processes by ensuring schools screen potential employees if they have ever resigned during the process of an investigation of child abuse, neglect, or sexual misconduct. This is to prevent the practice that the media has sometimes dubbed "passing the trash." Under this bill, a school employee applicant would be required to list all jobs they had where they were closely with-- they worked closely with children, typically in schools or child care, and then the hiring school would verify if there was ever a substantiated investigation for abuse, neglect, or sexual misconduct, or a resignation that occurred during an investigation. In New Jersey, there was a horrific incident that resulted in this protection being established, and LB1241 is based on that. Since then, there are at least 18 states with similar or identical protections in place. In the hearing, LB1241 received no opposition and was voted out of committee on an 8-0 vote. Also included in AM2454 is what was originally LB1243, which ensures that students at a private or home school have the opportunity to opt in to public school extracurriculars that are not regulated by the NSAA, primarily middle-schoolers. An issue arose in some schools where middle-school-age private and home school students were facing even stronger restrictions on public school extracurricular activities than high school students. As currently written, it allows home school and private school students to opt in on a part-time basis to non-regulated extracurricular activities without a credit limit. However, based on conversations with school leaders, there will be some upcoming language to balance this in the Select File. That

language will make the middle school rules more closely aligned with high school rules rather than the current system, which is neither fair nor consistent. The committee voted out LB1243 on an 8-0 vote. Also included is Senator Lonowski's LB1164. Will Senator Lonowski yield to a question?

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

LONOWSKI: Yes.

MURMAN: Senator Lonowski, would you please give a brief explanation of LB1164?

LONOWSKI: Of course. Thank you, Senator Murman. Thank you, Mr. Speaker. LB1164 expands learning opportunities for Nebraska's high school students, reducing unnecessary barriers to degree completion, and saving students time and money. It establishes a clear statewide framework for approving prior learning examinations and cut scores. By requiring transparent publicly-posted policies and consistent reporting, the bill promotes predictability for students and families. In short, this has to deal with advanced placement classes. If a student earns a high enough score in an advanced placement class, they may be relieved of taking that same course in college and thereby receiving credit for it without having to take it a second time. Thank you, Mr. President.

MURMAN: Thank you, Senator Lonowski. Will Senator Conrad-- excuse me. Also included in Senator Conrad's LB1146. Will Senator Conrad yield to a question?

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

CONRAD: Yes, of course.

MURMAN: Senator Conrad, would you please give a brief explanation of LB1146?

CONRAD: Thank you, Chair Murman. Thank you, Mr. President. To be clear, my components of the committee package leaves in place the existing truancy system. What it does do is to provide additional definition and exclusion in four narrow instances wherein the committee wants to clarify that these types of absences should not be listed as unexcused absences for purposes of truancy. When they are excused by a parent or guardian for medical or mental health issues and as amended by the committee with medical professional

documentation, absences related to pregnant and parenting students, in accordance with state law and school policy in place since 2018, so young parents don't have to choose between finishing school and taking care of their pregnancy and their child. It applies in regards to students who have documented disabilities and plans under 504, IEP or IDEA, or the Rehabilitation Act. And then finally, to the small set of kids who are identified as experiencing homelessness under federal law, and who have supportive programs in place. Thank you.

MURMAN: Thank you, Senator Conrad. And finally, included in Senator-- is Senator Hunt's LB1224. Will Senator Hunt yield to a question?

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

HUNT: Of course.

MURMAN: Senator Hunt, would you please give a brief explanation of LB1224?

HUNT: Yes. Thank you, Chairman Murman. Thank you, Mr. President. LB1224 is a bill about preventing children who are vulnerable to abuse or neglect from falling through the cracks. It would temporarily prohibit a parent who is the subject of a substantiated report of child abuse or neglect from withdrawing that child from school. The purpose of this temporary restriction is to prevent bad actors from further isolating a child who's being abused or neglected under the guise of removing them from the view of school staff and social workers who could monitor the situation and report or intervene as necessary. Under LB1224, we would provide a temporary safety net for children under the care of a known abusive parent, ensuring the child's continued contact with caring adults at their current school for 14 days after the conclusion of an investigation, or until a child welfare case is filed in court. I would like to thank the committee for their unanimous support on this bill, and for its inclusion in the package. Please vote green on AM2454 and on the underlying bill, LB937. Thank you.

MURMAN: Thank you, Senator Hunt. And with that, that's the Education Committee package. I ask that you, again, wrote-- vote green on AM2454 and on LB937, the underlying bill. Thank you.

KELLY: Thank you, Senator Murman. Moving to the queue, Senator Raybould, you're recognized to speak.

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RAYBOULD: Thank you, Mr. President. Good afternoon, colleagues. I'm hoping that Senator Murman would yield to a couple of questions.

KELLY: Senator Murman, would you yield to questions?

MURMAN: Certainly.

RAYBOULD: Thank you, Senator Murman. I, I know you and I had spoken earlier about this. I know that one of the things that mattered to at least Lincoln Public Schools is that they want to make sure that those homeschool kids are enrolled with at least up to five credit hours if they want participate in any activity, including those that are sanctioned by the NSAA and other organizations. Did you already mention that that's going to be coming up in an amendment, or?

MURMAN: Yes, that will be included-- that schools can require one class or five credit hours will be included in the amendment on Select File.

RAYBOULD: And then, were you anticipating that it would include clubs and going to the prom, and things like that? Or, what were your thoughts? Or what is the idea behind the upcoming amendment on Select?

MURMAN: Yes. To participate in any activity that is not NSAA-sanctioned would require the student that is not enrolled in the school to take one class or five credit hours.

RAYBOULD: OK, wonderful. Thank you very much for clarifying that.

MURMAN: Thank you.

KELLY: Thank you, Senators Raybould and Murman. Seeing no one else in the queue. Senators, the question is the adoption of AM2454. Senator Murman, you're recognized to close, and waive. The question is the adoption of AM2454. All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

ASSISTANT CLERK: 31 ayes, 0 nays on the adoption of the amendment, Mr. President.

KELLY: AM2454 is adopted. Mr. Clerk.

ASSISTANT CLERK: Thank you, Mr. President. Senator Murman, I have FA455 with a note that you wish to withdraw.

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KELLY: So ordered.

ASSISTANT CLERK: I have-- Senator Murman, I have FA557 with a note that you wish to withdraw.

KELLY: So ordered.

ASSISTANT CLERK: FA1001 with a note to withdraw. Oh, I'm sorry. Senator Conrad. Oh, she withdrew all her amendments, didn't she?

KELLY: So ordered.

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

KELLY: Thank you, Mr. Clerk. Senator Murman, you're recognized to close on the bill.

MURMAN: I urge you to vote green on LB937. Thank you.

KELLY: Thank you, Senator Murman. Senators, we've lost the board temporarily. Senators, everything will be a roll-call vote for the time being until the screen is back on. The question is the advancement of LB937 to E&R Initial. Mr. Clerk.

CLERK: Senator Andersen. Senator Arch voting yes. Senator Armendariz not voting. Senator Ballard voting yes. Senator Bosn voting no. Senator Bostar. Senator Brandt voting yes. Senator John Cavanaugh voting yes. Senator Machaela Cavanaugh voting yes. Senator Clements voting yes. Senator Clouse voting yes. Senator Conrad voting yes. Senator DeBoer voting yes. Senator DeKay voting yes. Senator Dorn. Senator Dorn? Senator Dover voting yes. Senator Dungan. Senator Fredrickson voting yes. Senator Guereca voting yes. Senator Hallstrom voting no. Senator Hansen. Senator Hardin voting yes. Senator Holdcroft voting yes. Senator Hughes voting yes. Senator Hunt voting yes. Senator Ibach voting yes. Senator Jacobson voting yes. Senator Juarez voting yes. Senator Kauth voting no. Senator Lippincott voting yes. Senator Lonowski voting yes. Senator McKinney voting yes. Senator Fred Meyer voting yes. Senator Glen Meyer voting yes. Senator Moser voting yes. Senator Murman voting yes. Senator Prokop not voting. Senator Quick voting yes. Senator Raybould voting yes. Senator Riepe not voting. Senator Rountree voting yes. Senator Sanders voting yes. Senator Sorrentino. Senator Spivey. Senator Storer not voting. Senator Storm voting yes. Senator Strommen. Senator von Gillern voting yes. Senator Wordekemper voting yes. Vote is 34 ayes, 3 nays on advancement of the bill, Mr. President.

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KELLY: LB937 is advanced to E&R Initial. Senator Ibach would like to recognize some guests in the north balcony. They are fourth-graders from Pershing Elementary in Lexington, Nebraska. Please stand and be recognized by the Nebraska Legislature. Mr. Clerk, for an item.

CLERK: Mr. President, single item: amendment to be printed from Senator Kauth to LB383. That's all I have at this time.

KELLY: Please proceed to the next item on the agenda.

CLERK: Mr. President, next item on the agenda: LB1135 from the Urban Affairs Committee. It's a bill for an act relating to the Nebraska Municipal Land Bank Act; changes provisions relating to boards of directors, land bank powers, acquisitions of property and reports; harmonized provisions; and repeals the original section. Bill was read for the first time on January 20 of this year and referred to the Urban Affairs Committee; that committee placed the bill on General File with committee amendments. Senator McKinney, I have MO514, MO515, and MO516, all with notes that you'd withdraw.

KELLY: So ordered.

CLERK: In that case, Mr. President, there's nothing at this time.

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

McKINNEY: Thank you, Mr. President, and thank you, colleagues. I'm presenting-- introducing LB1135 as originally introduced. It was brought to the Urban Affairs Committee to modernize the Nebraska Municipal Land Bank Act. The primary goal of the legislation is to refine the administrative framework of land banks to better support our communities. Specifically, to build updates to requirements for land bank board of directors, modify land bank powers, particularly concerning agreements with private entities temporarily holding real property, and revise its annual reporting requirements to ensure greater transparency. The Urban Affairs Committee has designated LB1135 as a-- for a broader package of municipal and urban development measures. I conclude my remarks on this, and I would like to move to the committee, committee bill.

KELLY: Senator McKinney, you're recognized open on AM2460.

McKINNEY: Thank you, Mr. President. The standing committee amendment, AM2460, replaces the original bill, incorporates four additional pieces of legislation that were heard and advanced by the Urban

Affairs Committee this session. By combining these related measures, we are providing a comprehensive set of tools for our municipalities to manage growth, transparency, and development. In AM2460, the first is LB799, Service Contract Reporting Act. This component requires cities of the metropolitan class, counties with populations over 500,000, and certain state agencies to report service contracts awarded during the fiscal year. This promotes fiscal transparency and failure to comply resulting in suspension of state aid until the report is submitted. The next bill is LB842, municipal parking. This, this grants cities of the first class, second class, and villages the statutory authority to contract with private entities for the operation and enforcement of municipal parking, and clarifies that while private entities may issue citations, the municipality must, must retain final authority over appeals, and I would ask Senator Rountree if he could further elaborate a little bit on this. Thank you.

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

ROUNTREE: Yes, sir, I will. Thank you, Mr. President. Thank you, Senator McKinney, for including LB842 into the package. I'm just rising to introduce my portion. LB842 is a concise, common-sense piece of legislation that provides a needed addendum to statutory regulations in our state concerning the ability of municipalities to contract for parking operations. Specifically, this bill would grant statutory authority to cities of the first class, cities of second class, and villages to enter contracts for parking operations, including enforcement services. I introduced this bill at the request of the United Cities of Sarpy County. As state law currently stands, only cities of the primary class and cities of the metropolitan class have been granted explicit statutory authority to enter into contracts for parking operations, including enforcement services, with relevant private entities. The only two cities in our state that fall into these classes are Lincoln and Omaha, respectively. All other Nebraska cities and communities lack this explicit statutory authority. If enacted, this legislation would give cities the flexibility to relieve police departments of the responsibility of parking enforcement, if they choose to contract. By contracting with private entities for parking enforcement, municipal law enforcement can then direct even more of their attention and capacity to their primary responsibility, keeping their communities safe. The small but impactful update to state law containing LB842 clearly contributes to the fulfillment of our collective responsibility as state legislators to improve the efficiency of government and the safety of communities throughout

Nebraska. Thank you for your attention to this bill, and please vote green on AM2460 and LB1135. Thank you, Mr. President.

McKINNEY: Thank you, Senator Rountree. The next bill is LB1163, which deal with PACE liens. This adds clarifying language to the Property Assessed Clean Energy Act to ensure that delinquent PACE assessments constitute a lien with superpriority status equal to that of real estate taxes, and I'll have Senator Fredrickson give some more clarity on the bill. Thank you.

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

FREDRICKSON: Yes, I will. Thank you, Mr. President, and thank you, Senator McKinney, for including LB1163 in the Urban Affairs Committee package, as well as the committee members. So, as Chair McKinney had mentioned-- so, LB1163 is a bill that relates to our PACE policy here in Nebraska. So, PACE is the Property Assessed Clean Energy, which originally passed in the state of Nebraska with bipartisan support in 2016, and it was an enabling legislation that allows municipalities to opt in to create PACE districts within their community. Currently, there are multiple communities across the state that have created PACE districts, including Beatrice, Columbus, Fremont, Hastings, La Vista, Lincoln, "Northfolk," North Platte, Papillion, and Omaha. PACE is, simply put, a financing tool that provides low-cost, fixed-rate financing for energy-efficient updates to properties that are designed to reduce electric, gas, water, or other utility demand or consumptions. Examples of energy-efficient updates include heating or cooling distribution systems, energy-efficient windows, air sealing, updating electrical wiring, and energy-efficient water heaters. The loan is then repaid as an assessment assigned to the property, and therefore transfers automatically if the property is sold. So, LB1163 is a very modest but critical technical amendment to the existing Nebraska PACE statute. So, C-PACE has been successfully used in Nebraska since authorized, with over \$150 million in private funding being provided to local businesses. The technical amendment is necessary to clarify the authorities of cities and counties to enforce the C-PACE lien in the case of a delinquency in repayment by a property owner. Thank you, Mr. President.

McKINNEY: Thank you, Senator Fredrickson. The next bill is LB1168, dealing with community development updates to the Community Development Law to authorize conduit revenue bonds, and ensures that extremely blighted designations remain valid for 25 years. And I'll ask Senator Wordekemper to yield to speak to this bill. Thank you.

KELLY: Senator Wordekemper, would you yield to that question?

WORDEKEMPER: Yes. Thank you, Mr. President. I'd like to thank Senator McKinney for his inclusion of what was originally my bill LB1168 in AM2460. LB1168 is a bill that expands Nebraska cities' option when structuring tax increment financing projects. TIF has been a valuable economic development tool in Nebraska for decades, and LB1168 does not change or eliminate any existing TIF options; this bill would simply add another tool in the toolbox. LB1168 does three things not currently found or explicitly mentioned in our TIF law. First, it authorizes conduit revenue bonds. This brings a single financial sophisticated investor into the vetting and contracting process early, rather than selling bonds to unrelated investors after the fact. That investor does the due diligence upfront, evaluates the project's potential, and takes on the financial risk. Second, it explicitly allows cities to pledge less than the full 100 percent of new tax revenue described in the current law. The city and the investor can agree to an annual return due to the bondholder will be satisfied by the pledge capped at 80, 90 percent, or any agreed percentage of the project's yearly tax revenue. The unpledged portion would become part of the general levy, and flow immediately to schools, counties, and other taxing entities from year one of the TIF period instead of their getting no new tax revenue from the project for up to 20 years. Third, and perhaps most importantly, it creates an option to enter a taxpayer agreement that requires the developer to cover any shortfall if the project underperforms, and gives the investor a way to collect from the landowner. Under LB1168, the developer cannot just walk away from a struggling project and leave the city holding the bag. This provision aligns the developer's interest in completing a successful project directly with the communities. Local control is maintained either way. No city would be required to use this approach; it would be available for the projects it makes sense for, and makes-- and cities retain full discretion on every decision. I yield back to Senator McKinney.

McKINNEY: Thank you, Senator Wordekemper. So, with those bills, it indicates that this package provides a robust set of administrative and economic tools for Nebraska municipalities, and I would definitely urge your support for AM2460 to LB1135.

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

CLERK: Mr. President, Senator McKinney would move to amend the committee amendments with AM2695.

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

McKINNEY: Thank you, Mr. President. I have another amendment, a little small amendment. It-- it's just a change to the individuals who could be on a land bank board, and it states that at least one member who resides in a qualified census tract located within a municipality that created the land bank; if there is more than one qualified census tract within such municipality, the member shall reside which-- within whichever qualified census tract contains the most land bank property. If there's no qualified census tract within such municipality, then this subdivision shall not apply. I brought this amendment after going, going home over the interim and speaking to a concerned constituent that wanted to make sure that, especially for my district-- a lot of the majority of the land bank property is situated in District 11, and she was concerned that there wouldn't be any community representation on the board if we didn't kind of specify the qualifications. So, that's why I brought this language. So, thank you, and I hope to get your green vote on AM2695.

KELLY: Thank you, Senator McKinney. Senator McKinney, you're recognized to close on AM2695.

McKINNEY: OK, so my close on this is just-- it is a-- more so a clarifying amendment to ensure there's community representation on the land bank board. Thank you.

KELLY: Thank you, Senator McKinney. The board is still not operable. The question is the adoption of AM2695. Mr. Clerk.

CLERK: Senator Andersen voting yes. Senator Arch voting yes. Senator Armendariz voting yes. Senator Ballard. Senator Bosn voting yes. Senator Bostar. Senator Brandt voting yes. Senator John Cavanaugh. Senator Machaela Cavanaugh voting yes. Senator Clements voting yes. Senator Clouse voting-- I'm sorry, Senator? Voting yes. Senator Conrad voting yes. Senator DeBoer voting yes. Senator DeKay voting yes. Senator Dorn voting yes. Senator Dover voting yes. Senator Dungan. Senator Fredrickson voting yes. Senator Guereca voting yes. Senator Hallstrom voting yes. Senator Hansen. Senator Hardin voting yes. Senator Holdcroft voting yes. Senator Hughes voting yes. Senator Hunt voting yes. Senator Ibach voting yes. Senator Jacobson voting yes. Senator-- Senator Jacobson? Voting yes. Senator Juarez voting yes. Senator Kauth voting yes. Senator Lippincott voting yes. Senator Lonowski voting yes. Senator McKinney voting yes. Senator Fred Meyer voting yes. Senator Glen Meyer voting yes. Senator Moser voting yes.

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Senator Murman voting yes. Senator Prokop. Senator Quick voting yes. Senator Raybould voting yes. Senator Riepe voting yes. Senator Rountree voting yes. Senator Sanders voting yes. Senator Sorrentino. Senator Spivey. Senator Storer voting yes. Senator Storm voting yes. Senator Strommen. Senator von Gillern voting yes. Senator Wordekemper voting yes. Senator Ballard voting yes. Senator John Cavanaugh voting yes. Vote is 42 ayes, 0 nays on adoption of AM2695, Mr. President.

KELLY: AM2695 is adopted. Seeing no one else in the queue, Senator McKinney, you're recognized to close on the committee amendment, AM2460.

McKINNEY: Thank you, Mr. President. Again, the committee amendment includes LB799, LB1163, LB1168, and LB11-- I mean, LB842, and I hope to get your green vote. Thank you.

KELLY: Thank you, Senator McKinney. Senators, the question is the adoption of AM2460. Mr. Clerk.

CLERK: Senator Andersen. Senator Andersen? I'm sorry. Voting yes. Senator Arch voting yes. Senator Armendariz voting yes. Senator Ballard voting yes. Senator Bosn voting yes. Senator Bostar. Senator Brandt voting yes. Senator John Cavanaugh voting yes. Senator Machaela Cavanaugh voting yes. Senator Clements voting yes. Senator Clouse voting yes. Senator Conrad voting yes. Senator DeBoer voting yes. Senator DeKay voting yes. Senator Dorn voting yes. Senator Dover voting yes. Senator Dungan. Senator Fredrickson voting yes. Senator Guereca voting yes. Senator Hallstrom voting yes. Senator Hansen. Senator Hardin-- Senator Hansen voting yes. Senator Hardin voting yes. Senator Holdcroft voting yes. Senator Hughes voting yes. Senator Hunt voting yes. Senator Ibach voting yes. Senator Jacobson voting yes. Senator Juarez voting yes. Senator Kauth voting yes. Senator Lippincott voting yes. Senator Lonowski voting yes. Senator McKinney voting yes. Senator Fred Meyer voting yes. Senator Glen Meyer voting no. Senator Moser voting yes. Senator Murman voting yes. Senator Prokop. Senator Quick voting yes. Senator Raybould voting yes. Senator Riepe voting yes. Senator Rountree voting yes. Senator Sanders voting yes. Senator Sorrentino. Senator Spivey. Senator Storer voting yes. Senator Storm voting yes. Senator Strommen. Senator von Gillern voting yes. Senator Wordekemper voting yes. Vote is 42 ayes, 1 nay, Mr. President, on adoption of the committee amendments.

KELLY: AM2460 is adopted. Senator-- Senator McKinney, you're recognized to close on the bill.

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McKINNEY: I just wish to get your green vote for LB1135. We just voted on the committee amendment. Thank you.

KELLY: Thank you, Senator McKinney. Members, the question is the advancement of LB1135 to E&R Initial. Mr. Clerk.

CLERK: Senator Andersen. Senator Andersen. Senator Arch voting yes. Senator Armendariz voting yes. Senator Ballard voting yes. Senator Bosn voting yes. Senator Bostar. Senator Brandt voting yes. Senator John Cavanaugh voting yes. Senator Machaela Cavanaugh voting yes. Senator Clements voting yes. Senator Clouse voting yes. Senator Conrad voting yes. Senator DeBoer voting yes. Senator DeKay voting yes. Senator Dorn voting yes. Senator Dover voting yes. Senator Dungan. Senator Fredrickson voting yes. Senator Guereca voting yes. Senator Hallstrom voting yes. Senator Hansen voting yes. Senator Hardin voting yes. Senator Holdcroft voting yes. Senator Hughes voting yes. Senator Hunt voting yes. Senator Ibach voting yes. Senator Jacobson. Senator Juarez voting yes. Senator Kauth voting yes. Senator Lippincott voting yes. Senator Lonowski voting yes. Senator McKinney voting yes. Senator Fred Meyer voting yes. Senator Glen Meyer voting no. Senator Moser voting yes. Senator Murman voting yes. Senator Prokop. Senator Quick voting yes. Senator Raybould voting yes. Senator Riepe voting yes. Senator Rountree voting yes. Senator Sanders voting yes. Senator Sorrentino. Senator Spivey voting yes. Senator Storer voting yes. Senator Storm voting yes. Senator Strommen. Senator von Gillern voting yes. Senator Wordekemper voting yes. Senator Jacobson voting yes. Senator Andersen voting yes. Vote is 43 ayes, 1 nay on advancement of the bill, Mr. President.

KELLY: LB1135 is advanced to E&R Initial. Mr. Clerk, next item.

CLERK: Mr. President, next bill: LB889 introduced by Senator Clouse. It's a bill for an act relating to the State Electrical Act; changes a penalty and repeals the original section. The bill was read for the first time on January 8 of this year and referred to the Judiciary Committee; that committee placed the bill on General File with committee amendments. There are additional amendments, Mr. President.

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

CLOUSE: Thank you, Mr. President, and this is the first time on the mic today, so happy birthday to you, and many, many more, we hope. This bill-- and also, to thank Senator Arch for scheduling my priority bill. This bill deals with consumer protection, and it's directed at

electricians who profess to have a electrician's license, a licensed electrician, but yet they don't, and this is fraudulent activity. And what it does, the bill-- the purpose of it is to increase the criminal penalty for knowingly and willing-- willfully violating Nebraska's electrical licensing laws. Where this comes into play is when electricians, they contract a work, and they say they have a license or they're-- and then actually do the work, and they don't have the license, and then something goes wrong or they find out some issues with the work that they had done. The state electrical department has provisions and disciplinary action to address licensed electricians that have failures, failure to perform based on how they're licensed. But if they're unlicensed and they're wilfully and intentionally violating and fraudulently stating that they are licensed electricians, there's nothing that they can do other than go through the court system, if someone needs to pursue some penalties against a person that, that willfully and, and, and basically fraudulent. The current penalty is a misdemeanor, and it's a Class I misdemeanor, which is punishable to one year in prison or a \$1,000 fine. What they found is most county attorneys are hesitant, they get backlogged and they don't generally pursue this, and so the willfully fraudulent activity goes unpunished, or there's no recourse. So, what this bill does is it changes the violation to a higher level, which is a Class IV felony, which could be a fine of up to \$10,000. Thinking along these lines that if the penalties, the consequences are much more severe for fraudulent activity, that you're be more interested in pursuing it and, and taking care of it in, in the appropriate manner. A couple of other changes in, in addition to that. It is very clear-- and we have a couple of amendments, but the-- included in changing it to a felony from a misdemeanor, we also have wording in there that it really spells out that [INAUDIBLE] they have to claim that they are a licensed electrician and are getting paid for their service. Another area that was put in through one of the amendments, and we can talk about that as you wish, but addresses if they're doing work for family, for friends, and not getting paid for it, or they're just doing pro bono work, they're not, not liable to these same conditions. So, there's a section in there that addresses that, if they're doing family work or work within-- for themselves or close friends, or things of that nature. So that's, in a nutshell, what this bill does.

KELLY: Thank you, Senator Clouse. As the Clerk stated, there's a committee amendment. Senator Bosn, you're recognized to open.

BOSN: Thank you, Mr. President. Good afternoon, colleagues. Thankfully, Senator Clouse sort of went through the substance of the

committee amendment, which is AM2168. It strikes and replaces the original sections of LB889. It does a couple of things. First, it specifies that this applies only to those performing paid electrical work without the proper license. This is a modification that was made to address some of the opposition to ensure that unpaid assistance or incidental non-commercial activity is not swept up into criminal activity. Second, the amendment adds a new provision that provides on-- that the prohibition on performing paid electrical work does not apply to individuals who are performing electrical work for certain family members-- think parents, step-parents, spouses, decedents-- excuse me, descendants not decedents-- descendants, grandparents, siblings, aunts, cousins, uncles. This addresses concerns that were raised in committee about ordinary family arrangements while preserving the public safety focus of the act. So, in short, AM2168 maintains the bill's emphasis on public safety, narrows the conduct to paid work, and provides a reasonable family exception. I ask for your support to-- of AM2160 to LB889. Thank you, Mr. President.

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

CLERK: Mr. President, Senator Clouse would move to amend with AM2550.

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

CLOUSE: Thank you. AM2550 changes one word. This was a, a-- come through drafting, and we were-- and in the committee amendment, it says to perform paid electrical work, and it was-- come out of drafting, just a little bit of, of word-changing there that says while claiming to have such of a-- such license. So, it's just a small change from-- everything else was the same, as was mentioned by Senator Bosn. Just changes paid to "while claiming to have such a license."

KELLY: Thank you, Senator Clouse. Moving to the queue, Senator John Cavanaugh, you're recognized to speak.

J. CAVANAUGH: Thank you, Mr. President, and happy birthday again. I feel like everybody should just wish you a happy birthday every opportunity we get. So, for the folks watching at home, I don't know if anybody's mentioned this yet, but normally, when we are debating a bill, we have the bill number and the time of day and the amendment and where we are up on the board here. And we're experiencing some technical difficulty, which is a little disorienting. And so-- and when we're all here and we're doing lots of other work on the sides,

and things roll around, and so you-- if you've been watching and you're hearing the votes, there's been a little bit of confusion on the oral voting. So, my understanding is we're on LB889, AM2168, and then AM25502 [SIC], that-- AM2168. And I'm sort of trying to figure out-- oh, now we're getting it on the TV over here, so there we go. At least that's-- we know where we're at in that respect. So, I heard Senator Clouse's introduction. I-- I'd heard about this bill before; not sitting on the committee of jurisdiction, was not there for the hearing. And so, I'm just-- I, I guess my question is, Senator Clouse has-- you, you mentioned-- I didn't ask Senator Clouse to yield to a question, so I'm going to say it rhetorically. I think Senator Clouse said that we needed to increase the penalty from a Class I misdemeanor, which carries up to a year in jail, to a Class IV felony, which carries up to two years in prison because county attorneys are declining to charge people with this because of-- they don't want to get backlogged in the number of, of paperwork and things. And we've heard this as a justification for increasing penalties before, and you know, if, if Senator Dungan were here, he would go through some of the analysis of one of the justifications for why we do things in the criminal justice system. And, you know, there's deterrence and rehabilitation, but efficiency of prosecution, I don't think, is generally one of them. And so, I-- I'm-- I don't understand if there is another justification for this, other than our county attorneys-- apparently, this is something that is bad and needs to be prosecuted so much that our county attorneys are refusing to do so unless they can extract a penalty of two years instead of one year. And everybody here who's been around long enough knows that, with good time, one year is maximum six months, and two years is a year. And so, it's a six-month difference in the amount of time, but it does carry that, that felony. I do think people who are untrained, unskilled, holding themselves out as electricians is, is bad, and I don't think people should do it, and I do think county attorneys should prosecute those people. I, I just don't understand if there's-- the justification is just that county attorneys are declining to file these charges because they don't feel like it, I guess. I don't know. I would like to hear a little bit more on that. And, and of course, we've heard this on other things. But I, I have practiced in criminal court for a number of years, and I can tell you, the county attorney's office has no problem-- oh, there we go, the screen's coming back on. Interesting. The county attorney's office has no problem prosecuting people on Class II misdemeanors, which carry up to six months in jail, which, with good time, is three months. So-- and they, and they routinely charge people with Class I misdemeanors that carry up to a year in

jail. And so, that-- I don't understand that justification. So, that's, that's my question. That's-- I, I-- now that we're getting back to the board, maybe we'll have a little bit more reasonable flow here. But anyone who's a proponent of this bill, I would love to hear what the justification is for giving county attorneys a pass on not filing the charges as they currently stand. Thank you, Mr. President.

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

CONRAD: Thank you, Mr. President. Good afternoon, colleagues. I had a chance to give my friend Senator Clouse a heads-up when I was preparing for debate and saw this measure on the agenda. I appreciate and understand the good intentions that he's brought the legislation forward within, as he always does, in terms of his legislative agenda. But I, I just want to make sure to express my opposition to this particular approach to addressing a consumer protection issue. Number one, I think the criminal justice system is the wrong place in general to, to address that, or shouldn't be the only place, that's for sure. We have the regulatory side on licensure; we already have existing serious criminal penalties when it comes to things like this very act. It's already subject to criminal penalty. I think a, a Class I misdemeanor, as noted, carries 0-1 year imprisonment and up to \$1,000 fine or both. This would move, this would enhance-- this would be a felony enhancement, another felony enhancement moving the exact same behavior to a Class IV felony with a potential sentence, sentence of 0-2 years in prison and up to a \$10,000 fine, and/or a combination of both fine and imprisonment. That's a, that's a pretty significant jump. Additionally, I'm unclear, as in many instances where we see new crimes coming forward and criminal enhancements coming forward, in addition to the specific misdemeanor at play here, I'm guessing that this type of behavior might also be covered under our fraud statutes or deception statutes; criminal impersonation, perhaps; theft by deception. I don't know if-- conspiracy, maybe. I don't know if there's been any sort of analysis at the committee level or otherwise as to how this fits within other existing felonies in, in Nebraska and why we need to, again, have a specific new criminal enhancement on this behavior that's already criminalized with a misdemeanor, addressed in our regulatory licensure scheme, and then, dependent upon the, the harm, would also be subject to remedy within the, the tort and the civil justice system. So, on the one hand, I think that of course consumers want to have the peace of mind that those who are working on critical electrical issues in their home and business are doing so in an appropriate and safe way, because if they're not

appropriately trained, and if that work is conducted in an unsafe manner, it can have serious, serious implications for life and health and property. And so, I, I appreciate and understand the, the issues underpinning the, the policy legislation. But I, I just don't think that this is the right solution to address inaction by a county attorney. And of course, county attorneys have unbridled discretion, prosecutorial discretion, in terms of whether or not to bring a case forward. It-- I'm not sure if beyond Senator Clouse's examples in his district or jurisdiction, is this a matter that's evading prosecution statewide? Do we have a sense about why the existing penalties or criminal or civil or regulatory structures are deficient? How does this fit into the broader discussion that we've also been having-- I see I'm almost out of time-- in regards to perpetuating a system of mass incarceration? I appreciate and understand this may only apply to a small group of people, but that's what every senator tells themselves when they bring forward a new crime or a felony criminal enhancement. Oh, this is only a small part, this is only discrete part. But we've talked about how these get stacked up over time and exacerbate our current issue and problem with mass incarceration in Nebraska. Every expert that's looked at the Nebraska sentencing structure has said stop digging, stop creating new penalties and offenses. Yet, here in the felony factory, and yet with this bill, we're continuing down the same, same tired path that results in--

KELLY: That's your time.

CONRAD: --taxpayer burden with little public safety benefit. Thank you, Mr. President

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

J. CAVANAUGH: Thank you, Mr. President. And again, happy birthday, Lieutenant Governor. I actually just pushed in to make sure it was clear that I wasn't criticizing the Clerk's staff. I really appreciate the Clerk's staff working diligently to get this screen up here so we can do our jobs more effectively and, and more fluidly, and, and the work of being done by everybody here to get the screens back on and operating as normal. We don't all realize how much we rely upon all of the work that gets done behind the scenes here until there's a small hiccup, and then realize that it's very hard for us to work on-the-fly the way that we often do without all of the tools that we've come to rely upon. So, really appreciate the work of the Clerk's staff, office, and the Capitol support staff who I think is doing some

electrical work in the back of the, the senator's room here to get the boards functioning appropriately. But I, I appreciate Senator Conrad's comments and questions, and, and I, I-- again, yes, I do think that-- I, I don't know if this is a-- well, we hear it all the time, a classic legislative statement, a solution in search of a problem, and we do, of course, want to make sure that people are not being deceived. And, as Senator Conrad correctly pointed out, there's a lot of other functions, a lot of criminal penalties, a lot of criminal charges for other sorts of fraud and impersonation that could also be stacked on top of the charge of Class I misdemeanor of practicing electrical work without a proper license. We of course want to encourage people to learn the trades in the right way, and so that they can have that certification and do that work, and, and people can act in reliance and in confidence upon those things. But again, to continue to change penalties for reasons other than that that is what the penalty should be-- you know, match the crime. And so, if the argument was, yes, this is something way more serious and it needs an enhanced penalty for that reason, that is a different conversation. But to enhance the penalty because county attorneys are choosing to decline the charge because they're busy is-- I don't think is an appropriate justification. So, thank you, Mr. President, and thank you, Clerk's staff.

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

CONRAD: Thank you, Mr. President. If Senator Clouse would yield to a question.

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

CLOUSE: Yes, I will.

CONRAD: Thank you, Senator Clouse. I mean, just generally speaking, what-- what's the, what's the policy difference between having a set of misdemeanors and having felonies?

CLOUSE: Well, as you-- the two that have been on the mic know I'm not an, an attorney. But as I look at the penalties, it appears to me that it's \$1,000 or two years, and it, it seems to be kind of a, a wide range there. Two years might be too much for incarceration, those types of things, and \$1,000 may not be enough that will really cause a difference, and I think that's why we went to that next level. \$10,000 would get you-- would get somebody's attention; \$1,000 may not. If

somebody's fraudulent and they're doing the work, and, you know, money's no object to them, they're going to do the job, get paid, and be gone. That's probably-- maybe it should be, you know, misdemeanor and a higher fine. I don't know. But that's kind of the, the logic and rationale that I associate with it.

CONRAD: Sure. And, and I appreciate you kind of teasing out the different potential penalties from existing law in, in comparison to the measure that you have before us. And of course, this is-- I'm just speaking very generally here, because we only have a few minutes, so I can't give a, a whole treatise on, on criminal justice law. But generally speaking, we, we, we kind of look at misdemeanors more as the nonviolent kind of, kind of penalties, and we look at the felonies more as those, those violent acts that, that we're most concerned about from a public safety perspective, that can cause the most harm, perpetuate the most harm. And those distinctions are in place for a variety of different reasons. It can impact the type of different collateral consequences that come with criminal conviction for future employment, or access to housing, or educational programs, or professional licensure, or what-have-you. It can impact whether or not those will be successful later on in terms of pardons, or other sort of acts of grace or record-clearing. It makes a difference in terms of how we take things like, say, for example, maybe habitual criminal into play, dependent upon the individual's past system involvement, et cetera. So, it's not just as simple as moving from one misdemeanor to a felony; it actually touches upon a, a whole different, different set of potential consequences, both for the individual in terms of their liberty, but also in terms of the taxpayer. Generally speaking, again, there's a few distinctions here, but we usually think of those misdemeanors-- you serve those in your county jail; those felonies, you serve those in the state prison. And dependent upon who picks up the tab for those different facilities, and what that means for staying in, in contact with community and family along the way. But I guess, Senator Clouse, just in the experiences that you heard in developing in this legislation, were there crimes of violence involved?

KELLY: Senator Clouse, would you yield a question?

CLOUSE: Yes, I will. To answer that, no, I would not say crimes of violence. But if you have someone that professes to be an electrician and they wire something wrong, people can get killed, and that's a reality. You don't mess around with electricity. If it's a plumber, that's a different deal. But an electrical, if they wire the house

wrong and the electrician is gone, the consequences can be severe. So, there are cases where it could be life and death, and you just don't want a, a \$1,000 fine or just pat on the back. And so, it can get very severe with that fraudulent activity and saying, yeah, I'm a licensed electrician; I don't ground it right, I don't do all those things, somebody could be severely injured.

CONRAD: No, I appreciate and understand that. I, I think in your hypothetical or fact pattern there, though, my question would be, why wouldn't existing aspects of our murder law or manslaughter law, for example, come into play in a serious situation like that?

CLOUSE: That, I don't know. Because again, I'm not an attorney. I don't know what other, what other recourse that they would have. I would hope if something like that did happen tomorrow, and we haven't done anything with that, that they do have some recourse. But right at this point, that's the direction I'm headed.

CONRAD: OK. Very good. Thank you, Senator. Thank you, Mr. President.

KELLY: Thank you, Senators. Senator Clouse, you're next in the queue.

CLOUSE: Yes, thank you. Great comments. And again, when you look at this from multi-different lenses, when you look at it from the [INAUDIBLE] the attorney's view, then they take a little different approach, or look at how things are as far as the context of penalties. Where I was looking at it was from a fraudulent activity, and just simply stating that you're something you're not. And I think that there should be some recourse to those that do that. Do I think we should fill up our jails and, and prisons for somebody that has a mild shock because it wasn't grounded right, something like that? Certainly not. But we have situations where you have maybe a, a building contractor that builds multiple houses and then he has-- hires a licensed electrician to do all the wiring. Then, they find out after the end of the subdivision that the electrician was fraudulent, didn't-- wasn't licensed at all. So, the builder and the, and the electrician have lawsuits, and they debate it. In the meantime, who are the ones that are stuck with it? The people that bought the houses assuming that their homes were built by licensed electricians. And you never know what goes on behind the walls when they're sealed up, and there's wiring and grounding and all the things that a licensed electrician knows what to do. And if they're fraudulent, professing to be something they're not, the consequences in some instances, can be quite severe. Thank you.

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KELLY: Thank you, Senator Clouse. Seeing no one else in the queue, Senator Clouse, you're recognized to close on AM2550, and waive. Senators, the question is the adoption of AM2550. Mr. Clerk.

CLERK: Senator Andersen voting yes. Senator Arch. Senator Armendariz. Senator Ballard voting yes. Senator Bosn voting yes. Senator Bostar. Senator Brandt voting yes. Senator John Cavanaugh voting no. Senator Machaela Cavanaugh voting no. Senator Clements. Senator Clouse voting yes. Senator Conrad voting no. Senator DeBoer. Senator DeKay voting yes. Senator Dorn voting yes. Senator Dover voting yes. Senator Dungan. Senator Fredrickson voting no. Senator Guereca not voting. Senator Hallstrom voting yes. Senator Hansen voting yes. Senator Hardin voting yes. Senator Holdcroft voting yes. Senator Hughes voting yes. Senator Hunt voting no. Senator Ibach voting yes. Senator Jacobson voting yes. Senator Juarez voting no. Senator Kauth. Senator Lippincott voting yes. Senator Lonowski voting yes. Senator McKinney voting no. Senator Fred Meyer voting yes. Senator Glen Meyer voting yes. Senator Moser voting yes. Senator Murman voting yes. Senator Prokop voting yes. Senator Quick not voting. Senator Raybould. Senator Riepe voting yes. Senator Rountree not voting. Senator Sanders voting yes. Senator Sorrentino. Senator Spivey not voting. Senator Storer voting yes. Senator Storm voting yes. Senator Strommen. Senator von Gillern. Senator Wordekemper voting yes. Senator Kauth voting yes. Senator Arch voting yes. Vote is 29 ayes, 7 nays, Mr. President, on adoption of AM2550.

KELLY: AM2550 is adopted. Seeing no one else in the queue, Senator Bosn, you're recognized to close on the AM2168, and waive. Senators, the question is the adoption of AM2168. Mr. Clerk.

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

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Senator Prokop voting yes. Senator Quick not voting. Senator Raybould not voting. Senator Riepe. Senator Rountree not voting. Senator Sanders voting yes. Senator Sorrentino. Senator Spivey voting no. Senator Storer voting yes. Senator Storm voting yes. Senator Strommen. Senator von Gillern. Senator Wordekemper voting yes. Vote is 27 ayes, 17 nays, Mr. President, on adoption of the committee amendment.

KELLY: AM2168 is adopted. The committee amendment, AM2168, is adopted. Senators, we'll do a machine vote on the advancement of LB889 to E&R Initial. We'll do a machine vote, and then the Clerk will call the names as they voted. So, the question is the adoption of-- or, the advancement of LB889 to E&R Initial. All those in favor, vote aye; all those opposed, vote nay. Mr. Clerk, record.

CLERK: Voting aye: Senators Andersen, Arch, Ballard, Bosn, Brandt, Clements, Clouse, DeBoer, DeKay, Dorn, Hallstrom, Hardin, Holdcroft, Hughes, Ibach, Jacobson, Kauth, Lippincott, Lonowski, Meyer-- Fred Meyer, Moser, Murman, Prokop, Sanders, Storer, Storm, Wordekemper. Voting no: Senators John Cavanaugh, Machaela Cavanaugh, Conrad, Hunt, Juarez, McKinney, Spivey. Not voting: Senators Armendariz, Bostar, Dover, Fredrickson, Guereca, Hansen, Glen Meyer, Quick, Raybould, Riepe, Rountree, von Gillern, Dungan, Sorrentino, Strommen. Vote is 27 ayes; 7 nays; 12 present, not voting; 3 excused, not voting, Mr. President.

KELLY: LB889 is advanced to ENR initial. Mr. Clerk.

CLERK: Mr. President, next item: General File, LB878 introduced by Senator Guereca. It's a bill for an act relating to state employees; it defines terms; and provides paid maternity leave as prescribed. The bill was read for the first time on January 8 of this year and referred to the Government, Military and Veterans Affairs Committee; that committee placed the bill on General File. There are no committee amendments. There are additional amendments, Mr. President.

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

GUERECA: Good afternoon, colleagues. LB878, my personal priority bill, would require the state of Nebraska to provide 6 weeks of paid maternity leave for eligible full-time employees following the birth or adoption of their child. Last summer, the Nebraska Association of Public Employees successfully negotiated a contract to provide 6 weeks of paid maternity leave to eligible employees. While this contract is

a massive step forward, I wanted to make sure that we include all state employees in this much-needed benefit. Last summer, our Executive Board updated our policies to reflect these changes and provide our legislative staff with the 6 weeks of pay reflected in the negotiated contract. I am incredibly grateful to our state employees and the fact-- sacrifices they are making to help our state function and flourish. These employees are fiercely loyal to our state, and in return, we should be providing them with the stability and security they deserve. Looking after our state employees is not only the right thing to do, it also contributes to the success of our great state. According to the Maven Clinic, companies that provide benefits as a whole are proven to see increased employee morale, loyalty, and productivity while also enhancing their ability to attract top talent. One study shows that workers are five times more likely to stay at a company when they, when they feel they are rewarded and valued, and paid family leave is high on the list of desirable benefits. According to one global study, 83 percent of millennials said they would be more likely to join a company that offers paid parental leave benefits, with a further 38 percent considering moving out of the U.S. to another country that provides improved parental leave policies. Paid leave could be the differentiator between an employee taking or leaving a role. Research shows that 58 percent of employers confirm parental leave benefits as have played a large part in improving their talent acquisition. 13 states have passed legislation to create paid and medical leave programs. According to NCSL, most state programs are funded through employee-paid payroll taxes, and some are partially funded by employer-paid payroll taxes. One thing that really stood out to me while working on this bill was the strong support it received from our State Patrol. Currently, our State Patrolwomen receive 12 weeks of unpaid leave. Colleagues, that is unacceptable. How are we expecting to attract new talent when we cannot even offer them half of what our surrounding states are? I am having-- pages have been passed out that have a comparison chart that shows the policies of other states and what they give to their patrol people. For example, South Dakota offers 12 weeks of paid maternity leave; Kansas offers 8 weeks of paid maternity leave. I also passed around a copy of support from our State Troopers Association. One piece of that letter that stood out to me was, quote, law enforcement is already a demanding profession, and female troopers are a vital part of our workforce. Benefits like this matter because they directly affected both recruitment and retention. LB878 would show current troopers and future applicants that Nebraska is serious about supporting women in law enforcement and retaining trained professionals it has already

invested in. This bill is a practical step. Other law enforcement agencies, including Omaha Police and Lincoln Police, already provide similar parental leave benefits. Several neighboring states and "fayderal"-- federal agencies do as well. LB878 helps Nebraska remain competitive, and better positions the State Patrol to recruit and keep qualified female troopers. Colleagues, when we talk about expanding the good life, I believe providing our state employees with 6 weeks of paid leave following the birth or adoption of their child is a great place to start. As it currently stands, most of our state employers receive this benefit. Let's make sure that we support all of our state employees.

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

ASSISTANT CLERK: Thank you, Mr. President. Senator Guereca would move to amend with FA462.

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

GUERECA: Thank you, Mr. President. Colleagues, I want to address the situation that I found myself in this afternoon. Senator Kauth has dropped AM2715, which includes definitions from her previous works. And I want to be very clear, this language was not run by me or by my office before being dropped. I consider AM2715 to be an unfriendly amendment. Colleague, this bill means a lot to me, and I would hate to see it die because we're choosing to play political games. Our number-one advocate in this bill has been the State Patrol, and their support and ambition for this policy motivated me to make it my personal priority. It would pain me to call them and tell them this bill is going to be filibustered and then die because politics took the wheel. Thank you.

KELLY: Thank you, Senator Guereca. Moving to the queue, Senator Storer, you're recognized to speak.

STORER: Thank you, Mr. President, and happy birthday. Would Senator Guereca yield to some questions?

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

GUERECA: Yes.

STORER: Thank you, Senator Guereca. A couple of things that I'm struggling to understand here a little bit, and you, you alluded to this in your opening. But last year, there was, as you noted, the, the

directive for 6 weeks paid maternity leave. So, can you help me understand who was not included in the Department of Administrative Services and in that NAPE contract?

GUERECA: Yes, I can, Senator Storer. I was going around trying to get to folks, because it's a-- the fiscal note, it, it-- it's-- gets-- it talks about it, but it-- it's difficult to sort of parse through it. So, NAPE is the largest union within the state of Nebraska. When they negotiated that benefit for their folks, there's a rule called the Classified Systems Personnel Rules that gives a benefit that union workers have to non-union workers. So, when that happened, that encompassed most folks in the state workforce. So, when I dropped the bill initially, it was to sort of make sure that everyone got it. And once the fiscal note came back and things started to bubble up, the three main groups that got identified as not having this policy-- and this is in the fiscal note-- is the SBLEC, which is our State Troopers, FOP, which is the Fraternal Order of Police, so that's our guards that work inside the Department of Corrections, and then the SCATA. And colleagues, apologize for not having the acronym. Those are basically the teachers that work inside Department of Corrections and Health and Human Services. So, within the Youth Correction System and within the YRTC. So, those are the three main groups that right now don't have maternity leave. And last, last year, between the-- those three groups, there was 13 employees that would have been eligible for maternity leave.

STORER: Thank you. So, 13 employees. As, as you've identified, there is a very large fiscal note. So, that's being estimated to-- based on 13 additional employees?

GUERECA: So, the-- are you-- what-- you're referring to the \$109,000? Yeah. So-- and this is where I needed some talking through it. So, the \$109,000 is what that cost would be. But-- and, and these are the last two lines of the fiscal note. It says, however, most employees are already using other leave to account for maternity leave. So, folks are already using other leave to take time off, so it's not additional costs. The next line says, so it is most likely to affect leave balances across the enterprise and not foreseeable agency budgets. That's why Department of Corrections and the State Patrol kicked back a fiscal note saying none to minimal fiscal impact, because folks are already taking their leave when they're going on maternity leave. So, they'll have more leave overall, but it's not going to affect the annual budget because that's already being accounted for, it's already baked into the budget. And we talked to Fiscal right immediately after

the hearing and on Friday, that unless something really crazy changes about the bill, there's not going to be an, an A bill, so. They predict the fiscal impact will be negligible.

STORER: And that, that will be forthcoming, I assume?

GUERECA: So, there's no A-bill.

STORER: The new, the new-- OK. One last question before we run out of time on the definition of who qualifies. As I read this, would this also now apply to fathers as well as mothers?

GUERECA: No, so under my definition-- are you-- are we referring to my definition or a forthcoming amendment?

STORER: Page 2, section-- Section 1, page 2, anyone who gives birth or adopts and is assuming a parental role. So, the way I read that, that could apply to dads as well.

GUERECA: So, if a dad-- when they adopt, they would be able to, but not if their partner gives birth.

STORER: OK. And part of my question was, is that why we saw such a potentially large fiscal note, and I believe some of the narrative also said it was undeterminable. So, that, that-- I think inclines itself to some open interpretation. But thank you, Senator Guereca.

KELLY: Thank you, Senators Storer and Guereca. Senator Spivey, you're recognized to speak.

SPIVEY: Thank you, Mr. President, and good afternoon colleagues and folks that are joining us. I wanted to stand in support of-- this screen is different, the orientation-- FA462 and LB878 brought by Senator Guereca. And we have had really good conversations offline, and wanted just to bring just some perspective. I didn't know if I was going to comment on this measure, but I do think it's important as we think about folks that we want to retain here in Nebraska, build our tech space, expand the workforce, how do we ensure that we are competitive? And benefits is definitely one way to do that. And a lot of employers, whether they're state employees or private businesses, are looking at what they offer to their workforce to ensure that they are able to choose both professional ambitions as well as personal, and I think having a leave policy is really important. I bought a measure last year that was for teachers specifically, around ensuring that they could take paid FMLA which looks at a birth of a child,

adoption, but other significant life events. Because of this reason, we know that people are navigating a lot. Life is complex, and yet, you still have to be able to provide for your families and yourself. And so, having these types of benefits at your disposal really makes a difference. Some of the things that I wanted to uplift-- and I know and appreciate Senator Guereca's conversation with Senator Storer is that I do think this needs to be for parents. A lot of times, the mom is seen as the caregiver, and the sole responsibility of child rearing and navigating kids happens to fall on them when I think that any parent needs to have stake in that. And so, making sure that any parent can take time off to care for their kids is really important, and is ensuring more equity in families and equity within the workforce. We know that if there are not parental leave policies that then, again, folks are choosing to stay or not, and usually that's going to be women exiting the workforce. And so, I think that is really important, just from an equitable standpoint, the language that we use, and should be really parental leave for this LB878. And then, I think too, just the technicalities of how you raise kids always comes up. I don't think folks realize that you cannot put a child into-- well, really, an infant into child care until 6 weeks. And so, when you think about who is at home in those first 6 weeks of life, you-- it really needs to be that parent because you literally cannot put your kid into any type of child care establishment at all. And so, I think-- and not everyone has a support system where a grandma can watch, or auntie, or a family friend. And so, I think it's really important to ensure that, again, folks are able to stay at home and then be able to support their kids in, in those first 6 weeks. I've gotten on the, on the mic to talk about this, too, and I think as we think about, you know, 6 weeks versus 3, short-term disability versus unpaid FMLA, really, the standard and what we have seen in most places is 12 weeks. Really, countries and states that are on the cutting edge of this look at a year because that postpartum period, especially for a birth of a child, is so important. We know that in that first year of life is when most deaths happen for either that mom or baby, and it's-- the driving force is because of suicide. And so, we know that that postpartum period of being able to access care, insurance, the resources is super important. And evidence shows us that having that parent, any parent at home with that kid in that first year of life and it's paid, makes the, the biggest difference. And so, I appreciate Senator Guereca bringing this piece of legislation. I would love to see this expanded for different types of populations in specific professions that-- I think this is a start, and we can chip away at who gets to access this. But this should really be a standard, and I

know Senator Machaela Cavanaugh has brought, for many years, this for the state of Nebraska to look at, which I think is absolutely the minimum of what we should be doing. And while we continue to work towards that aspiration, this is a, a first step to that. So, thank you, Mr. President, and happy birthday.

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

DORN: Thank you, Mr. Lieutenant Governor, and I, I guess I'm one that hasn't been on the mic before yet, since you've been sitting up there, but happy birthday and stuff, so, congratulations. Senator Guereca, I've talked to him several times about this bill or whatever. But would Senator Guereca answer or yield some questions?

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

GUERECA: Yes.

DORN: I, I heard you talk a little bit earlier about the fiscal note a little bit with Senator Storer, but I wasn't sure it caught all of it. There's just three groups that would be eligible for it, and it would be state funds of about-- excuse me, I'm looking up here-- of about \$65,000, \$70,000. That is in the fiscal note, but when you look on down and you look at the Department of Administrative Services, they estimate it to be about \$700,000 dollars. Could you talk a little bit about what's going on there?

GUERECA: Absolutely. So, if you skip ahead, the Department of Health and Human Services--

DORN: Yes.

GUERECA: --the fiscal note they reflected, I believe, is if every single DHHS employee who was eligible to be pregnant all got pregnant at the same time, that's what the cost would be. So yeah, that's--

DORN: But, but you talked about, I don't know, like, the year before or something, there were 13 eligible-- 13 employees that would have been eligible for this. So, the DAS employees wouldn't be eligible for this, or they're covered under the union?

GUERECA: So, the, the DAS, they-- what their fiscal note reflected, everybody in the state. So, that's why-- their analysis was these are the, the three groups that aren't currently receiving their benefit.

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And out of those three groups, if-- in year 2025, they had 3 lives birth-- or, 13 live births--

DORN: Yes.

GUERECA: --between the three group. So DHHS, except for the teachers-- to my understanding, the teachers who are working in the YRTC, their employees are already getting the benefit-- are eligible for the benefit.

DORN: So, what you're saying, they were already eligible, and they--

GUERECA: Correct.

DORN: So, the fiscal note from the Department of Health and Human Services isn't exactly correct.

GUERECA: It's, it's incorrect. Yes, sir.

DORN: It's including a lot more in there.

GUERECA: Correct. Like, their folks already get that benefit. So, that's reflecting is if-- what, what that fiscal note reflects is if it was a brand new benefit that nobody in the department got and everyone that was eligible for the benefit received it at the exact same time. So, yeah.

DORN: So, what, what-- the, the, the front part, I call it, in the fiscal note then, from the-- oh, let's hold it-- it's, it's-- well, I don't know who. State agencies, estimate fiscal note for state agencies. So, that is more the correct fiscal note?

GUERECA: Correct. Yeah, so that front page from our fiscal--

DORN: It says \$109,000. Yeah.

GUERECA: Yeah. And, and like I said, because-- and those last two lines explained it pretty well. Because folks are already using leave, be it vacation or, or whatever it may be, what it's going to affect is the balance of leaves and not the actual budget, because folks are already taking that time off.

DORN: OK. Well, if this makes it to Select File, you're planning on having a new fiscal note, then? Because if, if this amount is correct

in here, I'm probably not-- I told you I'd probably vote for it, but I'm not going to vote for it if it's \$700,000. Yeah.

GUERECA: I-- we'll, we'll definitely push to get clarification to-- if, if it moves on to Select, because-- yeah, so our fiscal note-- our Fiscal Office isn't going to give it an A-bill because what they've seen since the big NAPE contract got implemented in July, I believe, no departments have asked for more money. So, it's-- because it's already baked into their budgets, it's not really seeing a-- it's not shooting up budgets.

DORN: Well, thank you for explaining that and stuff. So I, I will listen a little bit more of the conversation, because I-- sometimes, I don't look completely at a fiscal note, and I don't know, trying to yet work my way through this one and decide, yes, this is right or that's right. So, thank you very much for answering those questions.

GUERECA: Yeah. Thank you.

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

KAUTH: Thank you, Mr. President. So, I, I am so sorry that Senator Guereca feels that this was unfriendly. I did talk with him about it this morning as soon as I could. I actually am surprised and impressed that we've made it through so much of today. I thought we'd have at least until tomorrow before this came up and we could keep working on it. My concerns with the bill are that-- just basically clarification. Nowhere in there-- it talks about maternity leave, but it doesn't specify that maternity leave is for a woman, so I want to identify that. We want to make clear that you're talking about permanent employees, so especially the part for part-time employees. We can't have people just showing up to work for a little bit and then all of a sudden going on maternity leave. And then, the third part was Department of Administrative Services would like to be the ones who actually administer this program. So, these are all-- they're small clarifications, certainly nothing I think to, to tank the bill. I support the, the recruitment efforts; I think that is an important aspect, and I don't think that we'll probably have every single person who could possibly get pregnant get pregnant at the same time. So, my floor amendment is basically just making those clarifications. Thank you.

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

ANDERSEN: Thank you, Mr. President. Would Senator Guereca yield to several questions?

ARCH: Senator Guereca, will you yield?

GUERECA: Yes.

ANDERSEN: Thank you, Senator Guereca. Not to belabor the point on the fiscal note. I do have concerns of moving a bill forward that has an incomplete, inaccurate fiscal note. As you've mentioned, Senator Guereca, one of the things I didn't see factored in here was overtime or temp hires. And what I mean by that is, if you have a work, a work center of five people, one person has a baby, that means there's four people left to do five people's worth of work. So, the logic then tracks that the four remaining people will be doing 20 percent more of the work, which means now, they will be working through lunch or they will be incurring overtime, or you'll have to hire a, a temp, temp hire to fill in for those 6 weeks while that person-- or 12 weeks, actually, when that person is gone. Senator Guereca, can you tell me, how would you actually factor that into the fiscal note, and why isn't it in there now?

GUERECA: So, thank you, Senator Andersen, for that question. That's a, that's a great question. So, a lot of those costs, because folks are already taking leave, be it unpaid leave, be it sick leave, be it vacation, folks are already taking that time off. So, the questions of shifted workloads, having to hire temps, that's already been baked into the budget for several years. I mean, as long as women have been taking time off to have childbirth. So, that's why we're not seeing a massive jump in budgets, because folks are-- and, and that's what line 2 and the last 2 lines of the fiscal note, of that front page of the fiscal note address, is that folks are already taking that leave. So, those costs already baked into state agencies' budgets.

ANDERSEN: OK, so it's baked into the cake for normal operations and a normal person, right? So, for me as a state employee, if I was going to get PTO, yeah, they factor that in. When you figure out how many work hours somebody can do, you take 2,088, that's what the annual year is, and then how much time you give them off, and that's the actual usable amount of hours that they have in the year, correct?

GUERECA: Uh, sure.

ANDERSEN: OK. So, if you take 2,088 and I get a month worth of vacation time, that's 160 hours.

GUERECA: Sure.

ANDERSEN: Math in public is dangerous, but I'll say approximately 1,900 hours a month-- a year is what you'd expect from me. But now, if I was a woman-- since I can't get pregnant; I'm a man-- but if I was a woman and could get pregnant and could have a baby, that means that it goes from 1,900 hours, and by giving them 6 weeks off, that's another 240 hours. And that takes it down to 1,650 hours, right? So, that means that there's now a gap of the, of the 240 hours. How, how do you expect to fill that gap without there being any additional cost?

GUERECA: Like, like I said, Senator, so folks are already taking other types of leave to be away from their job to be with their kids. That's already happening all across the state in every state agency. So, those-- that's-- those situations are already playing out every single day across our state government. So, that's why we're not seeing additional costs, because folks are doing that. All we're replacing is where the money comes from, from that leave, the operational side, and-- there was a DAS to sort of fix it with the operational aspects, but that's separate. All this, all this changes is the pot of money that is actually paying for the leave. The operational aspects-- folks are already taking that time off. They're already-- you know, when you go on vacation for three weeks, that time is taken off. But women are-- have been having-- have been giving birth for time immemorial, right? So, they're already taking their time off. All this changes is where the pot of money that pays for that time off comes from.

ANDERSEN: OK, so just to kind of pull that string a little further, if I took a white board and I put my hours up here on the left side, and a woman that gives birth on the right side, the usable hours I will have incurred and worked would be about 1,900 hours in a year. The woman that gave birth and took the six weeks that, that you want to give her in addition to FMLA, she'll be working 1,640, a 260-hour difference, 240-hour difference in usable work time. Right?

GUERECA: So yes, Senator. But again, these situations are already happening. So, whether or not my piece of legislation passes, those women are already not going to be at work when they give birth and they take time to be with their kids, so. Again, all this changes is where the pot of money comes from that pays for that leave.

ANDERSEN: Well, it's not exactly that simple, because you have FMLA, but you're also now going to give them another 6 weeks, right? So, those two put together back-to-back is 12 weeks. And then, if they decide to have any, any vacation time on top of that, then that's more.

GUERECA: So, they, they, they can't stack their vacation time on top of that. That would have to be a decision between them and the supervisor.

ANDERSEN: OK. They can come back for--

GUERECA: This is just the FMLA and the paid maternity leave. And again, Senator, that's already happening in every single county in the state.

ANDERSEN: Sure. And they come back for a week, and then they could take whatever they have saved up, or a month worth of vacation time.

GUERECA: And if their supervisor deems--

ARCH: Time, Senator.

ANDERSEN: Thanks.

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

RAYBOULD: Thank you, Mr. President. Good afternoon, colleagues. I, I do have a question for Senator Guereca, but right now, I'm just looking at, what are the eligibility requirements that we currently have in the state of Nebraska? And so, I'm going to read it to you. As of July 1, 2025, the state of Nebraska offers 6 weeks, 240 hours of paid maternity leave to eligible permanent state employees. Now, I can just share with you my experiences on the Lincoln City Council. We offer parental leave. Parental leave. So, it can be-- the father or the mother can take up to 6 weeks of paid leave for birth, adoption, or fostering. The point I'm trying to make is that our eligibility language is already baked in as part of our human resource department in the Department of Administrative Services. They clearly say paid maternity leave, and they further give details on it. Eligibility: permanent state employees who have given birth and received approval for FMLA leave. FMLA leave is, as many of us already know, is 12 weeks of family medical leave authorization. In many cases, some organizations, it's unpaid. So, if you are permanent state employee who has just given birth, you have-- and filed for FMLA that qualifies

you for 12 weeks of leave where they hold your job. That's a federal law, that's a state law. They will hold your job for 12 weeks. The good news is, out of those 12 weeks, the state of Nebraska will authorize 6 of those 12 weeks as paid maternity leave. And as you know, many families really plan for this, and they may-- as every state employee, you accrue time off, paid time off. You accrue other, other leave, according to the Department of Administrative Services. So, you may have saved up maybe 2 weeks of vacation time. So, you get paid 6 weeks for your maternity leave because you just gave birth, and then you may have 2 weeks of your vacation time, so [INAUDIBLE] at least you'll have 8 weeks of paid time off, which means those other 4 weeks would be unpaid time off. And so, you know, I, I questioned Senator Guereca on this, too. Like, help me understand, like, who qualifies? And it's, it's pretty simple. Permanent state employees who have given birth. That's pretty clear. I don't think we need to belabor that-- no pun intended-- point any further, because it's in our eligibility requirements at the Department of Administrative Services. So, here's the question for sir-- Senator Guereca, if you would yield to that. So I'm wondering, is there language in your bill--

ARCH: Senator Guereca, will you yield?

GUERECA: I-- yes, I will.

RAYBOULD: Thank you. Senator Guereca, is, is the eligibility requirement spelled out in your bill, or is it just a simple addition of that language to the bill?

GUERECA: So, are you talking about the DIS language, the-- to tighten it up a little bit?

RAYBOULD: Yeah, the depart-- yeah.

GUERECA: Yeah. Yeah, so they had reached out last night to my office. Again, it's about the practical implementation and some of the verbiage of making sure it's a permanent part-time employee.

RAYBOULD: Yep.

GUERECA: So, yeah. I was plotting that, on bringing that in an amendment between General and Select, to make sure we get that taken care of.

RAYBOULD: So, you're saying that you would use the language that is currently in the Department of Administrative Services for those individuals who may qualify for the 6 weeks of maternity leave. Is that correct?

GUERECA: Yes.

RAYBOULD: OK, wonderful. Thank you very much.

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

CONRAD: Thank you, Mr. President. Good afternoon, colleagues. I want to thank my friend Senator Guereca for bringing forward this legislation. I believe I'm a proud co-sponsor of the measure, and appreciate his long-standing commitment to our public employees and helping working families succeed. So, at the heart of this legislation, I see some really important policy underpinnings. Number one, I think this is a measure that's about family values, because it's about valuing families. It's about ensuring that we have thoughtful processes and policies in place to support our state employees, including our brave men and women in the State Patrol, in Corrections, and in the other small bargaining units that are identified in the fiscal note and that have been subject to this measure, making sure that they have the flexibility and resources they need to start a family or expand their family, or recognize the incredible amount of disruption and also adjustment that happens when a family lovingly opens their heart and opens their home through adoption. And I, I think that's so important, that we actually make sure our policies match our values. And I know everybody in here values Nebraska families, I know people appreciate the sacrifice of our first responders impacted by this bill, including the State Patrol and other public employees. And, you know, we heard just this morning as we were starting off our day, rightly so, my friend Senator Ibach gave a moving tribute about the impacts of the wildfires in Nebraska for families, for farmers, for livestock, for environment. And I know we've all been thinking and praying for our first responders. And in addition to adding our thoughts and prayers, we need to back it up with policy, so something like this measure that Senator Guereca has brought forward actually helps to ensure our first responders have more than our thoughts and prayers, they actually have an opportunity to start a family, to expand a family, to open up their heart and their home through adoption. It ensures that we are constantly making an evolution in our state personnel policies so that we can be

competitive in a, a, a very challenging workforce environment to both recruit and retain top talent in state government, including those on the front lines. There also seems to be just kind of a host of maybe misunderstandings or miscommunications about how this measure impacts our overall constitutional provisions, which, generally speaking, allow for Nebraska to be a right-to-work state, how this measure complements and interfaces with things like the federal FMLA law, which, of course, is unpaid and provides job protection but doesn't help to necessarily pay the bills when a couple welcomes, or an individual welcomes a new baby or a child into their home. So, this is also aligned with kind of our, our current approach, and helps to codify our current approach to these issues in regards to our state employees. And at the end of the day, I think it's just about centering and valuing families; it's about workforce, recruitment, and retention; it's about human dignity; it's about the recognition that there are some gaps in existing laws that this measure seeks to clarify, strengthen, and codify so that we have a clear and uniform approach to ensuring our valued state employees can value their families and don't have to choose between their health, their child's health, and their job. I know that I have talked to many families in my district who have a variety of different employment options and relationships, and some families I've talked to have shared the stress about how they have to return to work 10 days or 2 weeks after having a baby. And they're still healing, and they're still trying to acclimate to sleep schedules. Thank you, Mr. President. I'll go ahead and punch in again. Thank you.

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

ANDERSEN: Thank you, Mr. President. Would Senator Guereca be willing to yield to a couple questions?

KELLY: Senator Guereca, would you yield to questions?

GUERECA: Yes.

ANDERSEN: Thank you, Senator Guereca. On, on your bill, on page 2, in line 7, it talks about the definition of who gets the maternity leave. It says, "is assuming a parental role with respect to the child." Does that mean-- in this paragraph, you say maternity, so that's only women, and you're excluding men, right? So, men don't get paternity leave, correct?

GUERECA: So, under my definition, you would have to give birth or adopt a child, and then assume a parental-- and assume a parental role with the child.

ANDERSEN: So, could-- if a man adopted a child and he's a single dad, would he then qualify for the maternity leave?

GUERECA: That's correct, Senator.

ANDERSEN: OK, so it could be a man getting the, the leave.

GUERECA: In, in the cases of adoption, yes.

ANDERSEN: OK. One of the things on the fiscal note-- I don't want to be a dead horse. Too late. But under the Nebraska Department of Transportation, they said that yes, there would be a cost, but that they could not predict what it was. Any idea why?

GUERECA: You know, it, it-- so, like I said, the, the, the big thing is the big union, theirs, theirs kicked in in July, and in that time, no other state agency has asked for additional pot of money. So, they're saying there might be some costs, but it's minimal. That's why it was Corrections and State Patrol said that if there was a fiscal impact, it would be minimal or non-existent.

ANDERSEN: OK. Yeah, DOT says that they could not predict what it would be. And just one comment. When Senator Conrad said this is about family values, I'd say, to me, it's more who is responsible for taking care of the child, and I think that's really the parents. Parents are responsible. I know when I had our sons, I used my vacation time to make sure I could support my wife and, and-- with our brand-new children. But thank you very much for your time, Senator Guereca, Mr. President.

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

CONRAD: Thank you, Mr. President, and thank you, colleagues, for your good perspective on this important measure thus far. I, I was just wondering if my friend Senator Guereca would yield to a question, please.

KELLY: Senator Guereca, would you yield?

GUERECA: Yes.

CONRAD: Thank you, Senator. I was just wondering, did you-- and, and I know that we're all operating on kind of a deficit with some of the technology glitches this afternoon, maybe from the gremlins or leprechauns or otherwise. But did you have a chance-- and I know it's-- it all came up a bit faster today than maybe our-- my friend Senator Kauth was anticipating. But have you had a chance to kind of work through her floor amendment with some of the folks that were impacted? I know the State Patrol and the State Employees Union and some other folks had worked with you on this legislation. Did they have a chance to provide an analysis of that yet?

GUERECA: Unfortunately not--

CONRAD: OK.

GUERECA: Yeah, unfortunately not yet, Senator. I know Senator Kauth this morning had mentioned something to me, and said that they would forward along the language, but I didn't get it until after it got dropped, so I haven't had a chance. I believe it's been sent to some of the affected groups, but I don't believe I've heard back from them yet.

CONRAD: No, and I understand that. We're all, we're all-- even after a long weekend, we are, we are all really in the throes of the last 15 days of a short legislative session with a lot of work in front of us, and everybody's working in good faith as quickly as possible. I know that, that I've had to extend sincere apologies to colleagues because something came up more quickly than I anticipated and I didn't have a chance to run the traps on it fully or talk to them, so I think we can all relate to, to that situation. But I know that they weighed in on some of these specific aspects at the committee level, and so I, I was just wondering if they had a chance to see if that would impact either the fiscal considerations or implementation issues, or if that was in line with how other states handled this kind of policy, just if we had any sort of analysis in that regard.

GUERECA: Yeah, I know DAS, like I had mentioned earlier, had reached out to my office yesterday with some clarifying language around structural implementation of the process. So, that was something we were going to work with them to get language and put that on between General and Select, you know, just to make sure there's good guardrails in the administration of this program. So, that-- that's something we had been working on with DAS.

CONRAD: Very good. And then, I, I was hoping, too, that maybe, if you had some time, Senator, if you wanted to even have the remainder of my time, but just to talk, generally speaking, about how I'm sure your analysis or the committee analysis looked at how this measure interacts with our current practice, how it interacts with the recently-passed earned sick law by Nebraska voters, and then how it interacts with commonly-understood protections like the Family Medical Leave Act. I, I see this measure as complementary to those existing laws, and codifying, basically, existing practices in regards to this aspect of state personnel. But if I happen to be missing something, let me know if it's, if it's meant to be something new or different. It didn't appear to be, in looking at the text of the measure or the, the history of the measure thus far out of committee. Thank you.

GUERECA: No, and again, I think the, the original intent was to ensure that all of the state employees got the benefit. And in relations to the FMLA, which is 12 weeks of unpaid leave-- and I, I might have misspoken with Senator Andersen earlier. So, folks are entitled to 12 weeks of unpaid leave under the FMLA. Because this would run concurrently, and in the language of my bill, it says run concurrently with any leave authorized under the Family and Medical Leave Act of 1993. So, let's say a state employee takes her 12 weeks, those last 6 weeks would be paid under this policy because they would, they would get to use that maternity leave, but that initial 6 weeks would still be unpaid, and that's what they would be entitled to is those 12 weeks, but with only 6 of those paid.

CONRAD: Yeah. Very good. Thank you so much, Senator. And then, you know, the last point, I'm, I'm sure perhaps the different agencies, when putting together an analysis for the fiscal note, probably contemplated this as well. But of course, not every pregnancy is planned, and of course, we, we don't share the most intimate aspects of our lives--

KELLY: That's time, Senators.

CONRAD: --in advance with our employers, so it's a little, it's a little--

KELLY: That's time, Senators.

CONRAD: --tricky to analyze sometimes. Thank you.

KELLY: Senator Conrad, you're next in the queue, and this is your third time on the floor amendment. Senator Guereca, you're recognized to close on the floor amendment.

GUERECA: Thank you, Mr. President. So, this was a-- the floor amendment that I have is-- was a protective amendment that had put on, so I'll be withdrawing at the end of, of my speech here. But I just want to reiterate that, you know, DAS reached out with some practical questions about how this can be implemented, and we had fully planned to work on it in good faith and drop that amendment between General and Select. I believe Fiscal, between General and Select, is going to clean up the fiscal note so it's a little more clear, to, to show that there isn't going to be a fiscal impact to the state with the passage of LB878. Again, I made this a priority because I saw how much the State Troopers cared about it. We had a male State Trooper come in, talk about the struggles that he's seen in recruiting and retention of female State Troopers. He talked about not only the struggles recruiting, but also the fact that we're losing qualified, trained state employees because, you know, they, they want to give birth, they want to have a kid. But because our leave policies lag so far behind our neighbors and our competitors in the state, these folks are leaving the State Patrol. So, that's why, you know, I'm-- it's not a big bill. Again, it's the last sort of remaining group within the state that are doing some of the hardest jobs, and I just want to make sure they get a benefit that the rest of the state, state-- our state employees get. And with that, I'll withdraw FA462.

KELLY: So ordered. FA462 is withdrawn. Mr. Clerk.

CLERK: Mr. President, Senator Kauth would move to amend with AM2715.

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

KAUTH: Thank you, Mr. President. So, AM2715 is that clarification piece. It defines, for maternity leave, an eligible employee means a woman who is a state employee, gives birth to or adopts a child, and is assuming a parental role with respect to the child. It also clarifies we're talking about permanent part-time employees, making sure that we don't have people just showing up for a very short amount of time on a temporary basis and expecting that leave. And then, it moves the responsibility for administering this to the Department of Administration [SIC]. These are all very small clarification, and I would urge everyone to vote yes on AM2715.

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

GUERECA: Thank you, Mr. President. Like I said earlier, I consider this to be an unfriendly amendment. I didn't see the language before it was dropped. There are some practical application concerns, some legal concerns that-- and I would like some more time to work through. So, folks, I encourage red vote on this. Let's get it-- let's take the time to do this right, work through this, find an agreement that we all agree on with DAS to make sure that this is being applied correctly and we're being good stewards of taxpayer dollars. Thank you, Mr. President.

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

RAYBOULD: Thank you, Mr. President. Would Senator Kauth yield to a couple of questions?

KELLY: Senator Kauth, would you yield to questions?

KAUTH: Absolutely.

RAYBOULD: Thank you, Senator Kauth. I appreciate your efforts to clarify it a little bit more, but, you know, I'm reading the official notice memorandum about who qualifies for maternity leave, for paid maternity leave, and it says the individual must be a permanent state employee, a mother who has given birth, and have received approval for FMLA leave, FMLA leave. So-- and then, it goes on and, and says up to 240 hours or 6 weeks of paid maternity leave is available for use by eligible mothers, and is separate from the maternity leave donation program. So, did you, did you feel that that was not a sufficient enough definition on maternity leave already in the books?

KAUTH: I think it doesn't refer to it in the bill going back to that. So yes, I wanted clarification within the actual bill itself. And then also, you know, the, the-- having the Department of Administrative Services being the one to administer it, that was something that they requested. And they did request that very late. I absolutely agree with Senator Guereca on that.

RAYBOULD: OK.

KAUTH: So, thank you.

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RAYBOULD: Well, thank you very much. I'm, I'm wondering if it's, it's a simple clarification, maybe not using the wordage that you have provided, but something else that is more along the lines in the Department of Administrative Services' maternity leave definition probably should be the correct one that they-- should be used, rather than, than your interpretation of that. So--

KAUTH: Well, so the interpretation of-- I mean, maternity means female, woman. Maternity leave. Clarifying that in the actual statute language. We could also add, refer back to Department of Administrative Services, but there-- those are rules and regulations that could change, and this should be-- if we're going to say the state is going to be responsible for this and for paying for this, I think we need to have it actually in the statute.

RAYBOULD: Well, I, I, I agree with some of it, but typically, you default to what is in the Administrative Services verbiage and language, as they already defined what maternity leave is. I think in order for the consistency of enforcement and administration of-- it's-- I-- I'm not sure if you're asking us to change their current language that they use right now, or-- I, I just-- I think it's, it's unclear, and maybe your amendment is, is not necessarily needed, because the Administrative Services already defines that.

KAUTH: And I think that this just buttresses that. It gives it some extra support. Again, if they ever decide to change those regulations, we want to make sure that the state statute remains firm.

RAYBOULD: Well, it, it is really pretty clear, as, as far as I can tell, in terms of someone who gives birth, maternity leave, the mother who gives birth. So, I appreciate your-- thank you so much for answering the question.

KAUTH: Can, can, can I add one more thing? So, Department of Administrative Services is the one who suggested that language. So, they're also the ones who are in charge of the, the, the regulations that you're seeing there, but they also wanted it in the bill as well. So, it's-- I trust them when they say that they think it needs to be strengthened.

RAYBOULD: OK. Thank you, thank you very much.

KAUTH: Of course.

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RAYBOULD: And then, I have one quick question for Senator Guereca, and--

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

GUERECA: Yes.

RAYBOULD: So, you know, also in your bill, you have for a parent, a parent who adopts a child. And I've, I've reached out to the Department of Administrative Services to see if they could give me a quick answer. I didn't see that. Does the Department of Administrative Services also have language on adoption?

GUERECA: Because we're working with DAS, I haven't seen the full copy of DAS's language, but I, I do believe it should still include the adoption piece--

RAYBOULD: OK. All right.

GUERECA: --in their corrective language.

RAYBOULD: Thank you. All right. Thank you very much. Thank you, Mr. President.

KELLY: Thank you, Senators Raybould and Guereca. Mr. Clerk, for an announcement.

CLERK: Mr. President, the Judiciary Committee will have an executive session at 4:00 in Room 2102, seven minutes from now. Judiciary, executive session at 4:00 in Room 2102.

KELLY: Returning to the queue, Senator Andersen, you're recognized to speak.

ANDERSEN: Thank you, Mr. President. Would Senator Kauth yield to a question?

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

KAUTH: Certainly.

ANDERSEN: Thank you, Senator Kauth. Your amendment would change the eligibility to only women; only maternity is defined in, in your change. Is that, is that true, as opposed to LB878 that Senator Guereca said covers maternity and paternity leave?

KAUTH: Well, the word maternity means only women. So, yes.

ANDERSEN: It's pretty clear. Thank you. And the one thing I would mention-- I think, as Senator Raybould may have hit on, page 1, on line 19, that it should be the permanent full-time employees get qualified, meaning they've been employees for at least 12 months. But I thank you for bringing the amendment to the bill. Thank you, Mr. President.

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

CONRAD: Thank you, Mr. President. Good afternoon, colleagues. I did just have one question in trying to get up to speed on the floor amendment and look at the guidance document I think maybe my friend Senator Raybould was referencing that I was able to find online, in regards to the current approach utilized by DAS in regards to administering family leave policies for state employees in this regard. I just wanted to ask, because it wasn't clear to me, and so, I'll ask it rhetorically on the record, because I didn't have a chance to give Senator Kauth or Senator Guereca a heads up. But my question is, is that there's some restrictive language, I think, in the floor amendment that requires that the parent, the mother stays in a parental role or relationship in order to qualify for the leave. So, my question being-- which I think is different than the current guidance document and current approach there. My question is, would-- are we somehow penalizing or treating in a disparate way state employees, women who, for whatever reason, may give their, their child up for an adoption. And so, they weren't planning to maintain that parental relationship postpartum, but of course, would still be recovering from birth and may have some needs for maternity leave in that regard. So, I just noticed, I think there's perhaps a discrepancy between that-- like I said, that guidance document and the floor amendment that's here. I'm sure that would be nobody's intent to, to punish women who decide to make the loving choice of adoption, if that's within the dictates of their agency and, and conscience for a variety of different reasons. And so, I just want to make sure that those state employees, those moms who, who make a choice of adoption still are eligible to receive leave, to attend to their own health and postpartum needs, which can be significant, even if they, they don't intend to remain in a parental relationship postpartum. So, I, I just wanted to lift that for the record there, because that might be an, an unintended consequence. The other thing that I'm just trying to work through here-- I think my friend Senator Kauth and Senator Andersen's

perspective on some of these gender issues is well established, but I understand and appreciate they may be trying to make a point in this regard with the floor amendment or with the discussion. That's fine, that's their prerogative. But my question is, does the floor amendment, in trying to make that political point, somehow punish single dads who should be entitled to equal leave when they adopt a kid? That's my question. I don't think that's clear in terms of the amendment language that's out there. I think that needs to be addressed. When it comes to gender discrimination and sex discrimination, there's a whole separate body and, and area of law when it comes to how we work through issues of pregnancy discrimination. So sometimes, you can see some differences in approach based on gender in regards to that application. However, when it comes to adoption, we don't have that kind of, kind of very specific application, because we recognize that adoptive parents and adoptive families come in all genders for different reasons. So, I do think that we need to get some clarity on those points. We don't want to punish adoptive mothers in regards to the application of this. We don't want to punish adoptive fathers on the other side of that, in relation to this measure. And at the end of the day, maybe there's an effort to try and make a broader political point here, but the point is this: there's LGBTQ members of our state workforce, including our first responders; they pay taxes and they have children, and it's important that when we say we're going to value Nebraska families, we value all Nebraska families. So, we just need to make sure our language is clear in that regard. Thank you, Mr. President.

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

FREDRICKSON: Thank you, Mr. President. Good afternoon, colleagues and Nebraskans. So, I wanted to just speak briefly on this amendment as well. I was listening-- my friend Senator Conrad had raised a number of issues that I was certainly thinking about as I read the amendment and the language. I certainly don't know that the intention of-- the introducer of the amendment's intention was to potentially inadvertently exclude certain Nebraskans from being able to connect with their children and their, and their new families. I think a lot about cases of adoption. I mean, certainly, we-- we're-- you know, when we think about maternity leave, we, we relate this clearly to pregnancy. And yes, of course, we know that women give birth, but, you know, this also applies to cases of adoption. And so, Senator Conrad brought up a few things that, that comes to mind for me. As I read this amendment, if a-- if you were a single dad-- so, if you were male

and you were going to adopt a child, you would not be eligible for paid leave under this amendment. So, that's a huge concern for folks who are unfamiliar with adoption. That early period of time for parents, it's incredibly important to be able to form that connection with your new family member, because there is not a biological connection. And so, that time to bond and be with that child is, is essential. So, regardless of who is adopting that child, they deserve that time with their kid, as does that child; that child deserves that time to bond with their new parents. And so, again, I don't think this was the intention of the introducer of the amendment, but as I read it, there are all sorts of unintended consequences of putting this type of language into a policy like this. So-- what else was I looking at with this? I do think that-- you know, I support the bill. I appreciate Senator Guereca's efforts with this. We do talk a lot in here about being a, a state that wants to be friendly towards families and, and, and, and growing families. But I, I-- you know, we also need to acknowledge that families come in very different forms, and they're-- just because a family comes maybe in a different form than what some of us see doesn't mean that those Nebraskans should not be able to be set up for success when they grow their family or decide to grow their family this way. So, whether or not this is a genuine amendment or something that's more to make a political point of sorts, I do want us to consider that this is a serious bill. This is a bill that is meant to help Nebraskans, it's meant to help families. And it, it-- I think it's a shame that if we're going to try to be kind of cheeky here and, and, and, and throw out some of these, you know, political hot-button issues just for political points, that's, that's harmful to this process. Because this is a real bill, and this is serious bill, and we can inadvertently make this a lot more challenging for folks by, you know, trying to add some language that isn't really meant to improve the policy, but more to make a point. Thank you, Mr. President.

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

KAUTH: Thank you, Mr. President. And to respond to Senator Fredrickson, I think you mean the introducer of the bill, because it was originally written for maternity leave for eligible employees who are a state employee, gives birth to or adopts a child, and is assuming a parental role with respect to the child. That's the original part of the bill. My amendment just clarifies maternity means woman. I actually agree that if you are a dad, single dad, gay family adopting a child, you need that time to bond, so I think that-- I mean, should we do another amendment on Select File, it should say

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parental leave or specify maternity and paternity, because it is both very different. As far as-- and to Senator Conrad's point, people who give up their child for adoption deserve the-- our utmost respect and gratitude, rather than aborting a baby. But this bill specifically says maternity leave is eligible to bond with a child. So, they would need to use sick leave to take care of themselves post-delivery, because this bill, the 6-week period, is specifically to bond with that child. So again, we're looking at terminology here. And on the floor of the Legislature, terminology is everything. And, you know, people say it's, it's all political and this is just, you know, a show. Well, but those words matter. And so, I fully-- I would like to get this amendment voted on and, and moved through to Select, and I would fully support bringing a part that says about paternity, because I think that is equally important. We don't give dads enough credit or strength, and I think if we can get them to bond with their babies, it is really a great thing for a family. I do think that that will increase the fiscal note on this, so we might have some issues with that. But I am, I am open to all of those. So, thank you.

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

GUERECA: Thank you, Mr. President. Folks, I'm going to ask for your red vote on this. You know, we have been in conversations with DAS, like I said, to get the guardrails, to address their concerns. And like some of the last conversations, there's language in the amendment on the floor right now that might preclude, say, a, a man from adopting his dead sister's kids. So, I don't believe that was the intent, but language does matter. So, all I'm asking for is let's take the time, let's hammer through DAS' recommendations, let's make sure there are no unintended consequences. I want to make sure we're going through the proper channels. Let's do this right, because language does matter, and I ask for your red vote. Thank you.

KELLY: Thank you, Senator Guereca. Senator Kauth, you're recognized to close on AM2715.

KAUTH: Thank you, Mr. President. Yes, please vote yes, vote green on this amendment. We have had too many times in this Legislature where we say we are going to get something fixed on Select, and then it falls through the cracks and something doesn't happen. So, I'd rather we fix this now and have, even if it's an imperfect fix, it gets it better. Because to Senator Guereca's point, this is-- it's important. The State Patrol usually works through other senators, so I was

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surprised to see Senator Guereca working with the State Patrol. But this is something that we certainly can do, and if we clean up the language, I think it's something that we can do very successfully. So, I would urge everyone to vote green on AM2715.

KELLY: Thank you, Senator Kauth. Senators, the question is the adoption of AM2715. All those in favor, vote aye; all those opposed, vote nay. There's been a request to place the house under call. The question is, shall the house be placed under call? All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

CLERK: 26 ayes, 1 nay to place the house under call.

KELLY: The house is under call. Senators, please record your presence. All unexcused senators outside the Chamber, please return to the Chamber and record your presence. All unauthorized personnel, please leave the floor. The house under call. All unexcused members are present. The vote is open. Senator Kauth, will you accept call-ins? Yes. Mr. Clerk.

CLERK: Senator Dorn voting yes. Senator Bosn voting yes. Senator Holdcroft voting yes. Senator Storm voting yes. Senator Hughes voting yes. Senator Dover voting yes. Senator Storer voting yes. Senator Hallstrom voting yes. Senator McKinney voting no. Senator Conrad voting no. Senator Rountree voting no.

KELLY: Record, Mr. Clerk.

CLERK: Mr. President, the vote is 27 ayes, 9 nays on the adoption of the amendment.

KELLY: AM2715 is adopted. I raise the call. Mr. Clerk.

CLERK: Mr. President, Senator Machaela Cavanaugh would move to reconsider the vote just taken on AM2715.

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

M. CAVANAUGH: Thank you, Mr. President. Colleagues, this is one of those times where I think you just voted for something because you thought that you were supposed to, and you don't really-- I don't mean to insult you, but you're not paying attention. So, this amendment that you just voted on changes the leave policy for all units. What Senator Guereca's bill was doing was adding certain units to the leave policy-- no. Encompassing everyone. And not changing the leave policy,

just putting everybody into the leave policy. This amendment changes the leave policy. So, I guess if we're going to do this, we should probably end the program in TANF for fatherhood. It's a program that was started, I think, under the Ricketts administration. We put TANF funds towards promoting fatherhood. Because this amendment does the opposite of promoting fatherhood. It just says that only moms get to be home with babies if they're a state employee. So, if that's what you want to do-- I mean, my husband's a great dad; he stays home with my kids. My dad's a great dad. He watches my kids. I love dads. I think dads are great. If you don't like dads, then I guess vote for Senator Kauth's amendment. But if you think that dads have a role to play in the early childhood development of their babies, then vote for my motion to reconsider. Thank you, Mr. President.

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

M. CAVANAUGH: Senator Jacobson is a great dad and grandfather, even though he's only been a grandfather for less than a month. Vote for motion to reconsider, and we can just move forward with the bill as originally intended. Thank you.

KELLY: Thank you, Senator Cavanaugh. Senators, the question is the motion to reconsider. All those in favor, vote aye; all those opposed, vote nay. There's been a request for a roll-call vote. Mr. Clerk.

CLERK: Senator Andersen voting no. Senator Arch. Senator Armendariz. Senator Ballard voting no. Senator Bosn voting no. Senator Bostar voting-- Senator Brandt not voting. Senator John Cavanaugh voting yes. Senator Machaela Cavanaugh voting yes. Senator Clements voting no. Senator Clouse voting no. Senator Conrad voting yes. Senator DeBoer voting yes. Senator DeKay voting no. Senator Dorn voting no. Senator Dover. Senator Dungan. Senator Fredrickson. Senator Fredrickson voting yes. Senator Guereca voting yes. Senator Hallstrom voting no. Senator Hansen voting no. Senator Hardin. Senator Holdcroft voting no. Senator Hughes not voting. Senator Hunt voting yes. Senator Ibach voting no. Senator Jacobson voting no. Senator Juarez voting yes. Senator Kauth voting no. Senator Lippincott voting no. Senator Lonowski not voting. Senator McKinney voting yes. Senator Fred Meyer voting no. Senator Glen Meyer voting no. Senator Moser voting no. Senator Murman not voting. Senator Prokop. Senator Quick voting yes. Senator Raybould voting yes. Senator Riepe not voting. Senator Rountree voting yes. Senator Sanders voting no. Senator Sorrentino. Senator Spivey voting yes. Senator Storer voting no. Senator Storm voting no. Senator

Strommen. Senator von Gillern voting no. Senator Wordekemper not voting. Vote is 13 ayes, 21 nays to reconsider, Mr. President.

KELLY: The motion to reconsider is not adopted. Senator Kauth, you're recognized to close on AM-- oh. Senator Guereca, you're recognized to close on the bill.

GUERECA: Thank you, Mr. President. Well, that was an interesting whirlwind of events. So, we'll-- again, there, there, there is concerning language now in the bill that might have some unintended consequences. You know, I, I brought this bill to, you know, make sure that moms have time to recover and to bond with their kids, and that if someone takes the extraordinary leap to adopt a child, these folks have the time to bond with the kid. And again, the, the three big groups that this is going to really help is our State Troopers, our folks that work in the Department of Corrections, and our teachers who teach within the Department of Corrections and YRTC. Three incredibly groups-- three groups that are incredibly hard to recruit for. I've spoken with Fiscal. If-- you know, if we vote green on this, they'll clean up the fiscal note to show that it's not going to have an impact. That's why it's not getting an A-bill. This is, this is a good piece of legislation, folks. It's, again, the last few folks that don't have this, this leave policy. And again, it was the State Troopers, to me, that motivated me to give this my personal priority. And they're-- I'll pass around a letter from them, and I want to read one paragraph, and I hope folks listen. Most importantly, this legislation will provide real support to troopers and their families during a critical time while they recover from childbirth and take care of a new child. That kind of support sends a strong message that Nebraska values its public servants. Folks, this isn't going to cost us anything. It's going to help some people. So, I'll ask for a green vote to move on to the next round. Thank you, Mr. President.

KELLY: Thank you, Senator Guereca. Members, the question is the motion to advance LB878 to E&R Initial. All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

CLERK: 29 ayes, 5 nays on advancement of the bill, Mr. President.

KELLY: LB878 advances to E&R Initial. Mr. Clerk.

CLERK: Mr. President, an announcement: the Health and Human Services Committee will have an exec session now in Room 2022. Health and Human Services, now, Room 2022. Additionally, your Committee on Revenue

chaired by Senator von Gillern reports LB803 to General File with committee amendments. New A bill: LB847A from Senator Kauth. It's a bill for an act relating to appropriations; to aid in the carrying out of the provision-- to change appropriations; to aid in the carrying of the provisions of LB847; to repeal the original section; declare an emergency. Additionally, amendment to be printed from Senator McKinney to LB1114. That's all I have for items, Mr. President. As it pertains to the agenda, General File, LB1261 introduced by Senator DeKay at the request of the governor. Senator Conrad would move to indefinitely postpone the bill pursuant to Rule 6, Section 3(f).

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

DeKAY: Thank you, Mr. President. Today, there is an unprecedented global demand for generation equipment and other electrical components and materials to produce and deliver electricity, especially to very large loads. Our country is experiencing dramatic growth in the demand for electricity, which is driven by a number of factors, including growing electrification of transportation and heating, expansion of data centers and AI, and rising industrial use of electricity and manufacturing. The equipment constraints are global, and date all the way back to the impacts of the COVID-19 pandemic. Increased load growth has led to supply chain constraints for turbines, transformers, and other equipment needed to build power plants and serve electric consumers, meaning the lead times to get these components is now measured in years. Our nation is facing unprecedented challenges, and building the electric generation and transmission infrastructure needed to meet these future demands. Again, this is not just an issue here in Nebraska; it is a nationwide challenge. Industrial projects' unprecedented needs for power greater than 1,000 megawatts are emerging. These industries provide an opportunity for Nebraska for growth, for jobs, and all of economic opportunities that will come with them. When we are talking about electric road-- loads of this magnitude, we are also talking about potential financial risk for a public power utility and its customers. Building power plants of this size costs billions of dollars. LB1261 provides a narrow, carefully defined exception in the statute that allows private companies to make large capital commitment that a project of this size poses, reducing the financial risk to public power utilities, and as such, protects Nebraska's electric ratepayers while protecting our public power model. More specifically, this bill will allow public power entities to partner contractually with privately-owned generation developers serving large industrial loads greater than 1,000 megawatts. For a point of reference, Lincoln Electric System, or better known as LES,

serves all of the 300,000 customers and industry in the city of Lincoln. Their system peaks at about 800 megawatts in the summer. Under this bill, privately-owned generation plant would enter into a power purchase agreement with public power, and public power would deliver electricity to the large industrial customer through their current wholesale and retail obligations. The large industrial customer would pay all the related system costs and all the infrastructures upgraded needed to provide their service. This expands the pool of equipment potentially available by allowing privately-owned generation to serve this new large load, assuming the possibility of production slots and delivery schedules, or other equipment procedure avenues that could provide generation sooner than slots and schedules for public power acquired equipment. In other words, you could have a private company that is earlier in the queue to receive generation components with-- compared to public power. Again, the wait time for new generation component is now measured in years. LB1261 includes a number of provisions intended to make clear that the intent of the bill, and to preserve our public power model. The bill would require that the generation be co-located with the industrial customer. The generator would have to go through the same Power Review Board approval process that public power has to go through when they build generation. The bill strictly preserves public power's exclusive right to serve a customer at retail, and prohibits the industrial customer from reselling the electricity. In other words, the bill would not allow a private generator to sell excess generation on a grid unless they work out an agreement from public power to do so. This ensures public power retains exclusive retail service rights, and maintains its wholesale supply obligations. To protect such a large investment and ensure these projects can receive the financing they need, the bill exempts privately-owned generation plants of 1,000 megawatts and greater from-- from condemnation. The private companies need this waiver to ensure their investors will be comfortable investing in Nebraska without the threat of condemnation of their investment. Similar narrow statutory provisions limiting eminent domain by public power entities have been enacted for private renewable wind and solar generation in Nebraska. There is also a sunset provision included in the bill. Large industrial loads have stated that they would like to be up and running in as little as 18 months. Worldwide supply chain constraints permitting requirements and the regional transmission interconnection requirements often preclude public power from meeting such a short time frame. They say this bill is needed because private entities think they can do this faster. LB1261 will allow them to do so, but it includes a sunset provision so

if time passes and shows this to be untrue, we will revert back to the existing law. This sunset clause allows for potentially expanded pool of generation and other needed equipment. The five-year period allows for a reasonable assessment period for this change in public policy. If we find that LB1261 spurred economic development and diverted risk away from Nebraska's electric consumers, all while keeping our public power model intact, we can look to extend the bill with future legislative review. Or, if we find the opposite, we can repeal this provision of law. Let me be clear: LB1261 does not seek to dismantle, diminish, or disrupt public power. Nebraska has long benefited from our unique publicly-owned electric system. Our all-public power model has consistently delivered low-cost electric rates, high reliability, and broad public benefits for nearly 100 years. Public power is a cornerstone of economic development, which has supported our state's growth for generations. It is a system that we should fight to preserve, and will preserve under this bill. I will state here that any efforts to dismantle the narrow exceptions within LB1261, and any efforts open the door to smaller privately-owned generation and retail choice in Nebraska should be forcibly opposed. This legislation ensures all Nebraskans continue to receive the affordable, reliable, and secure electricity service that public power provides, while also bringing in generation necessary to serve these large industrial loads. In closing, this bill tries to strike a balance when dealing with large-load customers. Right now, public power has a statutory obligation to serve loads within its retail service area. This obligation is subject to fair and reasonable terms and conditions, including appropriate contributions required for a prospective customer to serve the load. Large loads can mean the arrival of new industries with significant economic potential, but their large energy demands and "expedited" expectations for interconnection could place extraordinary pressure on Nebraska electric utilities and electric consumers. Private companies have voiced their desire to bring their own generation assets to Nebraska to meet their company needs and their timelines. LB1261 provides a mechanism in statute to allow this to happen for large loads exceeding the 1,000 megawatt in a way that preserves our state's unique public power model. This is a bill that has the support of the state's largest power generators, the Nebraska Rural Electric Association, and the Nebraska Power Association. This is a bill where public power has-- was at the table, and worked hand-in-glove with me to draft the language. With that, thank you, Mr. President.

KELLY: Thank you, Senator DeKay. Senator Conrad, you're recognized to open on the priority motion.

CONRAD: Thank you, Mr. President. Good afternoon, colleagues. I rise in strong opposition to LB1261, and one of-- was one of two votes no on this measure coming out of the Natural Resources Committee. Let me be clear: what is contained in LB1261 is not a sunset, it's a sweetheart deal. What's contained in LB1261 is not guardrails to protect public power, but an erosion of public power. What's contained in LB1261 is not an emergency situation, it's a rush job. We've taken years to figure out how to build, evolve, and change our legal policy and regulatory structure to take into account new ideas and technologies in energy in order to interface that with our unique and proud and efficient and effective public power model in Nebraska. When it came to renewables, we didn't do it overnight; it was a long process that's still evolving. When it come to batteries, we didn't do it overnight; it was multi-year process that's still evolving. When it comes to small-scale nuclear and ideas like that, everyone acknowledges that because of technology, legal policy, and practical concerns, it's 5, 10, 15 years down the road. And when it comes to massive exceptions that swallow the rule in regards to our approach to public power like those contained in LB1261 to benefit the largest corporations at the expense of our natural resources, our public power system, our tax base and otherwise, there's no rush. This is an interim study at best, and is deserving of rigorous and robust conversation, deliberation, transparency, and engagement from all stakeholders. That's the exact opposite of how LB1261 came to fruition. Go back and check the committee hearings transcript. Go back and watch the tape. Look at the committee statement itself; it's an admission. Public power came in begrudgingly, offering tepid support for this measure because they feared it would be worse if they didn't. And there's one company, there's one massive private company who is the subject of these negotiations that is listed to benefit and participate in this proposal if it moves forward. That, my friends, is special legislation. That is prohibited by the Nebraska State Constitution. That should be a clear red flag. What is public power doing? Why have they lost their way? What is this Nebraska Legislature doing? Why have they lost their away? If there was ever an issue where we saw strong collaboration across this great diverse geography, across the beautiful tapestry of our political spectrum, it was to support our public power system, which is unique to Nebraska, which is something we're proud of, which ensures that our citizens have access to some of the most reliable and affordable power in the country

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because of that public ownership model. And here, that collaboration, that proud, that proud political culture, is turned on its head to bend and to twist the public power model, to provide huge carve-outs and exceptions to the largest, most powerful companies who want to come in and extract our land, our resources, our power, our water. We have no clarity as to the tax implications of this proposal. We have no clarity as to how the elected public representatives of these entities engage in these key decision-makings in terms of the contract formation, the waiver issues, and otherwise. This is an interim study at best. It is dangerous and ridiculous to be pushing forward a massive erosion of public power with 15 days left in the legislative session. Senator DeKay, would you answer a question?

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

DeKAY: Yes.

CONRAD: Senator DeKay, do we have enough water in Nebraska today?

DeKAY: Well, surface water, we probably do. So, I don't know where, where you're going with this. That's not for me to determine with this bill. This bill is to put an outline in front of people, in front public power, in front of the entities involved, to let them work out the contractual agreements they need, and to work on their responsibilities as far as environmental issues going forward.

CONRAD: Senator DeKay, when Tenaska and the governor's office and public power approached you to carry this legislation, you had absolutely no discussion about how massive users like data centers might impact Nebraska's water supply. Is that your contention?

DeKAY: Yes.

CONRAD: OK. Senator DeKay, do we have enough power to meet our needs today in Nebraska?

DeKAY: With ongoing manufacturing, with ongoing updates, with ongoing electric vehicles, ongoing appliances, this is an ongoing process, and we're always moving forward with more generation as we go forward. Public power is probably at the point where we're at the need of at least 600 megawatts to maintain our power structure at this point.

CONRAD: Senator DeKay, do you think LB1261 helps to ensure we can meet our future energy needs?

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DeKAY: Absolutely.

CONRAD: Why?

DeKAY: Because this is taking the risk off of the ratepayers to have to build generation that they're not going to benefit from for an entity that can come in and bring economic development to the state, and they're going to provide the financial means to build that generation and keep that financial burden off the ratepayers.

CONRAD: Senator DeKay, where does it say that in your bill? It's a short bill. Where does it have that protection for consumers?

DeKAY: This'd be contracts [INAUDIBLE]

CONRAD: So actually, your bill doesn't have any guardrails for consumers. Is that your admission?

DeKAY: No, it does have the guardrails--

CONRAD: Where?

DeKAY: That's why we're building-- that's we're [INAUDIBLE]--

CONRAD: Where in the bill does it have the guardrails? It's your bill. It's four pages.

DeKAY: I'm done answering that question. Move on to the next question.

CONRAD: Do you not know, or you need a chance to refresh your recollection?

DeKAY: The guardrails are that they-- private entities are coming in to build to provide electric, electric generation for one entity that will benefit from it. It takes the financial burden off of ratepayers to build that generation that they will not benefit from. It's that simple.

CONRAD: OK. Senator DeKay, have you had a chance to get up to speed on what the potential tax implications are for a proposed massive new data center like the one that has been subject to negotiations on this measure, and has been covered by the press?

DeKAY: That is not in my wheelhouse. This is-- this bill is an outline to let public power and the entities coming into the state to have those conversations and move forward as needed. This puts-- this bill

puts the hammer, if you want to say, in public power's hands to approve or disapprove any--

CONRAD: Senator-- OK, Senator, doesn't it actually remove the only hammer, or one of the only hammers public power has, and that's the utilization of eminent domain? It actually does the opposite of what you're saying. It has no consumer guardrails, and it removes the hammer that protects public power. Please help to provide some clarity in terms of your rhetoric versus the legislation itself.

DeKAY: Can you repeat that?

CONRAD: Where in your legislation-- you noted that it somehow is going to provide some sort of hammers to public power, but it actually removes the hammer, which is the power of eminent domain. It literally does the opposite of what you're saying on the record. So, can you reconcile that please?

DeKAY: Public power is going to have the ability to--

KELLY: That's time, Senators.

DeKAY: Thank you.

KELLY: Thank you, Senators Conrad and DeKay. Senator John Cavanaugh, you are recognized to speak.

J. CAVANAUGH: Thank you, Mr. President. Happy birthday, Lieutenant Governor. I'm just going to say it every time I get up. So-- well, I think I rise in support of MO406, which is the motion to indefinitely postpone. I, I think this is an important conversation, and I appreciate Senator Conrad and Senator DeKay kind of putting some of the-- more meat on the bone here. This is a big deal. This bill is a pretty consequential change to the law of the state of Nebraska, and I think Senator DeKay in his opening talked about the great history and tradition of public power in the state of Nebraska. Nebraska is the only entirely-public-power state. And it is something that's-- you know, it was a gift that we received currently from generations before, to make-- the citizens of Nebraska are both the customers and the owners, which means our public power entities do not have to make a profit, they don't have, you know, to meet earnings reports; they can do right by the customer/ratepayer/owner. And we have made some changes to that system over the years, specifically in the last 25 or so years, in an attempt to increase renewable energy generation in the state, in part because we-- Nebraska-- I don't think it's a shock to

anybody-- will notice that we have fewer wind turbines-- or turbines, depending on how you want to pronounce it-- than, say, our neighboring state of Iowa. And one of the reasons is that we were not able to capture some of the tax benefits from the federal level to-- at-- the public power entities were unable to do that, and so the state of Nebraska created a structure where the renewable energy generation would be able to build and get some of those credits, and then the state would-- the public power entities would purchase the power, but would not eminent domain the facilities. And this-- the-- I think that is what the-- this is attempting to mirror here. But there are a few questions that Senator Conrad I think is raising here that are very important to analyze. And so, you know, the, the reason we made those changes were to be able to get this in this-- the type of generation built in the state of Nebraska, and it was to capture those federal subsidies. Here, this is something that is-- already can happen. Somebody could build a data center here, our public utilities have built many natural gas facilities recently. OPPD has brought online probably a comparable amount of natural gas generation in the last several years to what this project is proposing. I do think that there is a lot of starry-eyed wishfulness in this bill. I think people have-- as-- I'm sure almost everybody here, if you haven't read, should read the Flatwater Free Press article from-- I think it was either last week or this weekend, and then it appeared in the print newspapers, or-- if they still, still print. I don't know. Do they still print the print newspapers? The newspapers that used to be the print newspapers published the article. But it very clearly lays out that this bill is about one particular project that is wanting to bring a massive data center to the state of Nebraska, and then have co-located energy generation produced-- natural gas generation produced by Tenaska, which is a large Nebraska company that had produced this type of power in other places. And as Senator Conrad pointed out, this is certainly getting close to special legislation because we are doing this specifically for this one particular project. We're all sort of pretending that it's not, but of course, with this tied up in the one particular project, not only is it-- it is the example that we're talking about, but it does show you that if some of these parts don't come to fruition, which a lot of these projects often don't, are we making this sort of special change in our state statute to-- that is undermining public power, eroding the public power system for a project that maybe doesn't ever happen? And I think there are a lot of good questions that are being raised about the wisdom of rushing into these projects. Anyway, there's been a good conversation about-- this legislative session about guardrails that

need to be placed around some of these massive data centers so that they don't become the type of burden that Senator DeKay laid out in his opening that they present to the state. And I'm--

KELLY: That's your time, Senator.

J. CAVANAUGH: --out of time. I'll push my light. Thank you, Mr. President

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

MOSER: Thank you, Mr. President. Good afternoon, colleagues. Good afternoon, Nebraskans. This is a bit of a monumental bill. I prioritized it so that it would hopefully get to the floor so we could talk about it. But there are great forces at work in the utility world in the United States. And Nebraska has a public power model, and the public power companies are required to serve customers that locate in their service area. So, somebody who wants to build a battery farm, they want to build a coal plant, whatever-- under current law, the utility has to serve them, and then, should the extra infrastructure that the utility, public power utility, puts in cost a lot of money, and should the person who built this, what could be speculative, speculative energy project go belly-up, the public power com-- could be exposed to big losses, because they may have built infrastructure that they have no use for. So, that's the guardrail, I think, is that there's a lot of venture capital out there that wants to build green energy or just energy projects, batteries to release-- to charge batteries at night when the power is cheaper and available, and then dump it back into the grid during the day when the peaks are higher and they're trying to shave those peaks, and they can sell that electricity for more during the day when it's needed than what it cost them to charge it at night. So, this bill attempts to put some guardrails in there. Currently, if somebody built a project, the public power companies could take possession of it by eminent domain, and this bill forgoes it with some requirements so that the developers of these co-located power plants couldn't be bought out and pushed out by the public power company as long as they follow the agreement that they come to. So, it requires them to get together ahead of time, come up with an agreement, a power purchase agreement, and so they have everything, all the cards up on the table. And I think that the public power companies, from what discussions I've had with their representatives, they want this bill. They want the protections, they want the structure that this bill provides. And so, I appreciate

Senator DeKay bringing it, and I was happy to prioritize it to get it to the floor. Thank you, Mr. President.

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

JUAREZ: Thank you very much. Good afternoon, everyone. Good afternoon to everyone online. My first time to get up and speak today, and happy birthday, Mr. President. I appreciate all those wonderful cookies we've enjoyed today. I wanted to get up and speak in opposition to this bill. I am the other person who voted no on the committee on LB1261. And believe me, I have had people reach out who are very concerned about the large data center coming to our state. And I just want to say on the record that if the governor does get this put into place and has a tremendous amount of revenue coming from this project, I sure hope that he thinks about putting that in my rail plan, and I hope that my rail plan can go through just as fast as we're trying to get this bill to go through. Wanted that to be on the record. So, I wanted to make a comment from John Hansen, who is the president of Nebraska Farmers Union, and I thought he made some great points that I do want to state so that the, the public is aware of where Nebraska Farmers Union stands. They helped established our public power system, and it has been one of the staunchest defenders over the years. It is not often we are in open disagreement with public power on most issues, but this is one of those few occasions where we are. They had a press release go out, and they are concerned about the dramatic change in how our state generates and serves unprecedented large electrical load customers. They have 9 reasons why LB1261 should not go forward, and I'll try to get through as many as I can. The recent Flatwater Free Press exposé confirms our suspicions that Governor Pillen's office, a handful of public power executives, and private sector companies developed LB1261 without the normal public and transparent process that public power system usually-- normally uses. We, the owners of our public power system, were not consulted or involved. Nothing raises more questions faster than important matters that go behind closed doors. A flawed process usually yields a correspondingly flawed policy. It is less than clear that the restrictions on the use of eminent domain included in LB1261 are what they should be to protect the long-term viability and integrity of public power system. LB1261 transfers Nebraska's electrical generation decision-making from publicly-elected boards to data center and mega-energy users in excess of 1,000 megawatts, more than the electricity needs of Lincoln. Private sector giants will do that-- do what is best for them, and not the owners of our public power system.

It is likely that mega-electricity users, users will utilize natural gas as one of its primary sources of generation. That amount of additional natural gas will undoubtedly dramatically drive up the cost of natural gas for other users, including our other public power generators and consumers, and agriculture. Natural gas is the largest single-cost component in the manufacture of anhydrous ammonia used as a nitrogen source for agriculture fertilizer. Assurances that these new mega-electrical generation consuming facilities will not compete with public power for natural gas fuel and other generation equipment needs fly in the face of basic supply-and-demand pricing realities. There is no impending emergency. The owners of our Nebraska public power system and impacted stakeholders deserve to be included in the decision-making process about the future of their system. Make no mistake about it: LB1261 represents a massive transformation change-- transformational change in our current public power system. Haste makes waste. LB1261 should be sent back to committee for a robust study resolution.

KELLY: That's your time, Senator.

JUAREZ: Thank you.

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

CONRAD: It was Senator Juarez, Mr. Lieutenant Governor. Senator Juarez. Thank you, senator Juarez. Unlike proponents of this measure, and unlike some of those who've written information in support of this business model-- and I'm reading a white paper from our friends at the Platte Institute that was published in January of this year-- they start off with a vision where they note that the Midwest grows many things. And I thought, OK, that's catchy, I agree with that; that's good value-led language. And then, they go on to say the Midwest grows many things, including data centers, and that's good news. I disagree. My vision's different. My vision for Nebraska includes farms, prairies, Sandhills, diverse innovators, entrepreneurs, businesses large and small, access to natural resources which benefit families, businesses, and communities, not a sea of data centers. That's not my vision for Nebraska. I don't share that with Senator DeKay and the governor and proponents of this bill. For years, states have led a race to the bottom-- less questions, less transparency, more tax subsidies, less regulation-- in trying to attract extractive data centers and large users unprecedented in our legal, policy, and practical understanding of these issues. And we have bent and twisted

our tax code, our energy code, to figure out how to draw down these extractive, massive users into our state. Nebraska already has, according to the Platte Institute, with 39 data centers in place, the, the Platte Center-- the Platte Institute's notes-- this is published in January of this year-- Nebraska is already punching above its weight nationally in attracting data centers. Under the current favorable tax treatment, under the current public policy and public power model. So, ask yourself, colleagues, if we're already punching above our weight nationally and we're already attracting almost 40 data centers, more so than many of our sister states, for a variety of different opportunities, what's Senator DeKay up to in this measure? It's something new and something different than the status quo allows. And new and different isn't inherently scary, but when it comes to throwing open the doors to some of the most extractive users of our natural resources with a lack of transparency as to who's benefiting? Where's this going? Why is it going there? What does this mean for water? What does this mean for power? What does this mean for tax? What does this mean for jobs? We don't have any of those answers. None of those were presented at the committee level. None. And I doubt they'll be forthcoming in the next 8 hours of debate, then 4 hours of debate, then 2 hours of debate on this measure. Another day in the Nebraska Legislature, where this proud institution put here, put together, to put asunder and aside partisan impulses, to keep at bay moneyed interests that fleece the public, now has become an institution that at every day, every twist and turn, it's "how can we utilize our power to grease the wheels for big business?" And this is just the latest example in LB1261. Politicians like Governor Pillen and Senator DeKay have recognized that in this race to the bottom, Americans and Nebraskans have become dissatisfied with the environmental impacts, with the economic impacts of these large data centers. And the polling bears it out. There's--

KELLY: That's your time, Senator.

CONRAD: Thank you, Mr. President. I didn't have a warning either, but thank you.

KELLY: That's why the light is up above me. Mr. Clerk, for items.

CLERK: Mr. President, amendment to be printed from Senator DeKay to LB1261. Additionally, amendment to be printed to be from Senator Storm to LB933. Name adds: Senator Sanders to LB1073. Senator Murman, priority motion, would move to adjourn the body until Wednesday, March 18 at 9:00 a.m.

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