

KELLY: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the Forty-Eighth day of the One Hundred Ninth Legislature, Second Session. Our chaplain for today is Reverend Debra McKnight, Urban Abbey United Methodist Church, Omaha, in Senator Guereca's district. Please rise.

DEBRA McKNIGHT: Will you join me in prayer and meditation? Loving God, living water, you call us with the poetry and presence of passion. You whisper in ancient words and modern connections. Grant us the courage, in a world of uncertainty, ego, and anger, to pause like trees planted by streams of water that give life. The psalmists and the prophets alike speak of rootedness; grant us the courage to sink deep into the soil of this great plains that holds and reaches deep enough to survive the scorching sun and dry days. The poets and the psalmists and the prophets of the past invite us into a fruitfulness that comes in due season, that sings and prays and tells stories of pruning and change, sowing and tending that fruit may come, and leaves will shade the ground and the branches will make a home. May we be rooted in the greater good, the common hope of your great divine ever-flowing love, a love born of courage in a world of control; a love of depth that doesn't demand, ban, or burden, but bears all things. May we bear the fruits of justice and compassion, born of care and humility. May we open to a presence that inspires our hearts to grow and our hands to serve the most vulnerable, until there is no last and there is no least; until everyone goes to bed safe, beloved, and well-fed. May we be like trees planted by streams of water that give life, that flow through parched places, that soothes hardened hearts, that tames our egos and our selfish grasping. May we flourish, and, in all that we do, may we give life. Amen.

KELLY: I recognize Speaker Arch for the Pledge of Allegiance.

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

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

KELLY: Are there any corrections for the Journal?

CLERK: I have no corrections this morning, sir.

KELLY: Any messages, reports, or announcements?

CLERK: There is, Mr. President. The Nebraska Retirement Systems Committee would give notice of committee hearing. That's all I have at this time.

KELLY: Thank you, Mr. Clerk. Senator Storer would like to recognize the physician of the day, Dr. Beth Dodson of Valentine. Please stand and be recognized by the Nebraska Legislature. Senator Sorrentino would like to recognize the guests under the north balcony: Jim Loyet of Omaha, please stand and be recognized by the Nebraska Legislature. Senator Raybould would like to recognize three guests under the north balcony: Kira Zaitsava-- Kira Zaitsava and Randy Bretz of Holy Family sponsor. Please stand and be recognized by the Nebraska Legislature. Senator Clouse, you're recognized for an announcement.

CLOUSE: Yes, thank you, Mr. President. Colleagues, we have an invitation this week to-- on Wednesday for Hot Meals USA. They were going to provide lunch and demonstrate their capabilities for emergency response. They serve meals. They've got a number of trailers. We started that in Kearney during the COVID era, and they've taken this process and, and they've expanded it, and they travel all over the Midwest whenever there's emergencies, whether it's flooding, tornadoes-- in this case, fires. So, they wanted to show what their capacity to serve is. But unfortunately, as we've all talked about the last couple weeks, they are out in North Platte serving the paid fire professionals that are there still putting out fires. So, that invitation for Wednesday with Hot Meals USA will be canceled. Hopefully, next year, they'll be able to be here, and hopefully don't have any emergencies, tornadoes, or anything like that in your area over the summer. But then, they can demonstrate next year the capacity that they have and the functionality that they're able to bring to the table in emergency response. Thank you, Mr. President.

KELLY: Thank you, Senator Clouse. Speaker Arch, you're recognized for a message.

ARCH: Thank you, Mr. President. Just a quick reminder that today, we begin our 1:00 return to the Chamber for our afternoon

session. So, we've been having an hour and a half lunch break; we will now have a one-hour lunch break to pick up an extra half hour. And that will continue through the end of the session. Thank you, Mr. President.

KELLY: Thank you, Speaker. Senator Jacobson, you're recognized for an announcement.

JACOBSON: Thank you, Mr. President. I just wanted to echo again, the fires now are virtually contained there at Cottonwood near North Platte. I did go home this weekend and was able to notice they are doing some burn-out of some areas that they need to just clean up. But I did get out there Saturday morning. I went to the bank, and there was-- I noticed an Irvington Volunteer Fire Department pickup parking themselves. They're near-- part of Omaha. They were going in to buy coffee at Scooter's, so I got in there fast enough to buy their coffee for them. And we had a nice conversation, and they were telling me about fighting the fires. And they said-- and I had kind of forgotten about this-- that in those canyons, it's full of rattlesnakes. And so, in addition to fighting fire, there's rattlesnakes that are getting away from the fire too, so it's good that you're wearing gear because you're, you're having some pretty upset, I think, rattlesnakes, as well, so. Just a little additional to the hazards that they were dealing with there. But extremely appreciative of all of the particularly volunteer firefighters who spent a tremendous amount of time and effort to come in here and get these fires under control. So, big thank you.

KELLY: Thank you, Senator Jacobson. Mr. Clerk, please begin with the first item on the agenda.

CLERK: Mr. President, General File, LB753 introduced by Senator Rountree. It's a bill for act relating to the Protection Orders Act; provides duties for peace officers relating to military protective orders; provides that such orders shall be admissible in proceedings under the, the Act; defines a term; eliminates an unnecessary definition; harmonize provisions; and repeals the original section. The bill was read for the first time on January 7 of, of this year and referred to the Judiciary Committee; that committee placed the bill on General File, Mr. President.

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

ROUNTREE: Good morning, Mr. President. Good morning, colleagues, and good morning to those that are watching with us across Nebraska. Today, I rise to introduce LB753, which would ensure military protective orders may be admissible as evidence in court. LB753 was created with the partnership of the Department of Defense to close a critical gap in our reporting system. In our state, we have seen too many instances of domestic violence and death which could have been prevented. We must work to make sure that when there are clear issues, we do not let anyone slip through the cracks. Michelle Richart of the Department of Defense submitted a letter in support of this bill, stating addressing this important policy in Nebraska is of great significance, with over 15,000 active duty, National Guard, and reserve military members, and nearly 7,000 spouses of military members stationed and living in the state. Our service members hold a crucial role in protecting the interests of the United States both at home and abroad, and ensuring our overall national security. Through development of interpersonal violence policies at the state level, facilitating enhanced implementation at local levels, states can help empower victims, deter offenders, and create an environment for military families that ensures their well-being and enhances their resilience and readiness. Interpersonal violence extends well beyond an individual victim, as the effects of violence directly impact all our service members, their families, the units to which they are assigned, and our greater national security. Without coordinated communication between authorities, offenses can go unaddressed, leaving victims at risk and undermining a commander's ability to ensure the welfare of their unit. LB753 provides two essential solutions to bridge this jurisdictional gap. First, it allows military protective orders as evidence. The bill enables state courts to consider a commander-issued MPO as evidence when a victim seeks a temporary civilian restraining order. This allows a victim's advocates to tell their clients an MPO, MPO will be admissible in court instead of telling their clients it should not be-- it should be admissible. Second, it enhances information sharing. The bill encourages reciprocal information sharing between civilian and military law enforcement. Peace officers will ascertain whether an MPO registered in the FBI's National Crime Information Center database has been issued against someone who was arrested and associated with the armed services. If so, the peace officer would notify the law enforcement agency which entered the MPO. These provisions directly complement federal law and the DoD's own efforts, including our Family Advocacy Program, to prevent and respond to domestic abuse. By strengthening the partnership

between Nebraska and the military, this legislation will improve the well-being of our service members and their families, thereby enhancing the readiness of our force. I believe that we must do all we can to protect survivors in our state. By improving communication and allowing military protective orders in courts, we may be able to prevent harm to a lot of families. I appreciate your attention to this bill. There is still more to be done, and I'd ask for your support on this legislation as one small part of the efforts to protect those in our state. LB753 came out of the Judiciary Committee unanimously, and has no fiscal note. At the committee hearing, the Nebraska Coalition to End Sexual and Domestic Violence and the Commission on Military and Veteran Affairs plus 14 proponent comments online were received. Thank you, and please vote green for LB753. And thank you, Mr. President.

KELLY: Thank you, Senator Rountree. Seeing no one else in the queue, you're recognized to close, and waive closing. Senators, the question is the advancement of LB753 to E&R Initial. All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

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

KELLY: LB753 is advanced to E&R Initial. Mr. Clerk.

CLERK: Mr. President, General File, LB904 introduced by Senator Arch. It's a bill for an act relating to the Nebraska Political Accountability and Disclosure Act; changes provisions relating to Chinese military companies; harmonizes provisions; and repeals the original section. 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, Mr. President.

KELLY: Thank you, Mr. Clerk. Speaker Arch, you're recognized to open.

ARCH: Thank you, Mr. President. Good morning, colleagues. Today, I'm introducing LB904, which I brought at the request of the Clerk of the Legislature, Brandon Metzler. This bill provides some clarity to a bill we passed last year. It is too substantive for a Revisor bill, so it needed to be a standalone measure. A public hearing on LB904 was held on February 4 in

front of the Government, Military and Veterans Affairs Committee. Nobody testified in opposition to the bill, and it was advanced unanimously. The bill has no fiscal impact. In 2025, the Legislature passed LB644, which enacted the Foreign Adversary and Terrorist Agent Registration Act. As part of that act, individuals who are registered to lobby on behalf of a Chinese military company are to disclose that relationship on the lobby registration form filed with the Clerk of the Legislature. Also as part of the act, individuals who were retained as a consultant on behalf a Chinese company are to disclose that relation on a form with the Nebraska Public [SIC] Accountability and Disclosure Commission. At issue is when LB644 was passed, both disclosure requirements were placed in Section 49-1480 of the Nebraska Statutes. Section 49-1480 specifically governs lobbying activities. Putting the requirements that a consultant file a disclosure form with the NADC in the same section of statute has led to some confusion. So, LB904 would provide clarification by transferring the NADC reporting requirements out of 49-1480 and into an entirely different section, ensuring a clear distinction, a delineation between these two reporting requirements. Bill does not change or create any new obligations under the Foreign Adversary and Terrorist Registration Act, and that is all there is to LB904, and I would ask for your green vote. Thank you, Mr. President.

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

SANDERS: Thank you, Mr. President, I rise in support of LB904. This bill cleans up changes made by Senator Bostar's LB644 last year. It clarifies that certain registrations required under the bill would be submitted to the Nebraska Accountability and Disclosure Commission and not the Clerk of the Legislature. Our Clerk, Brandon Metzler, and the executive director of NADC, Scott Danigole, both testified in support of LB904 at our hearing in the Government Committee. The committee voted 8, 8-0 to advance the bill. Thank you, Mr. President.

KELLY: Thank you, Senator Sanders. Seeing no one else in the queue, Speaker Arch, you're recognized, and waive closing. Senators, the question is the advancement of LB904 to E&R Initial. All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

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

KELLY: LB904 is advanced to E&R Initial. Mr. Clerk.

CLERK: Mr. President, General File, LB1195 introduced by Senator Storer. It's a bill for an act relating to jails; it eliminates requirements relating to female inmates of county jails and jail matrons; and outright repeals Section 47-111. Bill was read for the first time on January 21 of this year and referred to the Judiciary Committee; that committee placed the bill on General File with committee amendments, Mr. President.

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

STORER: Thank you, Mr. President, and good morning. I rise to open on LB1195, which modernizes Nebraska's Statute 47-111, a law that has been on the books since 1903. A currently-- as currently written, this statute requires that every county jail holding female prisoners provide 24-hour supervision by a female correction officer. Actually, the original statute reads "matron." Well while intended, this requirement creates real operational challenges, particularly for smaller counties. A rural county housing one or maybe two female inmates under this current provision, current statute, must still maintain a female staff coverage around the clock, 24 hours a day, 7 days a week. That is both operationally difficult and expensive for counties with limited resources. This statute was written long before professional correctional training existed, before federal PREA standards existed or were established, and before the modern accountability systems our jails operate under today were put in place. LB1195 updates this law to reflect that reality. It permits male correctional officers to perform routine supervisory duties for female inmates, such as giving out meals, dispersing medications, and doing cell checks. The requirement for female officer-- officer supervision is retained in counties containing a city of metropolitan class or primary class where staffing resources exist-- do exist to meet that standard. Senator Bosn will speak to AM2538, which ensures that meaningful protections for the dignity and safety of female inmates remain in place alongside this modernization. I ask for your green vote today on LB1195 and the committee amendment, AM2538, both reflecting updates to statute that are meaningful and common-sense. Thank you, Mr. President.

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

BOSN: Thank you, Mr. President. Good morning, colleagues. AM2358 is the Judiciary Committee amendment to LB1195. This amendment amends Section 47-111 by limiting the amend-- the bill to apply only to a county containing a city of the metropolitan class or a city of the primary class. The reason for this, colleagues, was that it eased some of the staffing concerns for the small-- smaller and rural jails. Additionally, the amendment adds a new section of law that provides that each county and city jail shall comply with the rules and regulations of the Jail Standards Board concerning cross-gender supervision and cross-gender super-- searches of inmates. As pointed out by Senator Storer, this section of statute was last updated in 1984, and this amendment codifies adherence to the jail standards, regardless of the size of the county or city. Colleagues, I ask for your green vote on AM2358, as well as LB1195. Thank you, Mr. President.

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

CONRAD: Thank you, Mr. President. Good morning, colleagues. In trying to get up to speed on this measure, I had an opportunity to review it upon introduction, and I thought, oh, that's kind of an interesting concept, and perhaps innocuous or good for addressing some of the staffing capacity issues in our smaller communities. But I know that there were concerns raised from advocates at the committee level about how this would work in practice to ensure that removal of perhaps this antiquated component of state law to provide more flexibility would really work for female inmates to ensure that the underlying public policy reasons to prevent sexual abuse and ensure human dignity came into play when we were having male jailers be responsible for intimate aspects, perhaps, of searches or otherwise, in regards to female inmates. So, I listened to the opening and to the committee amendment, and maybe I'll just ask some questions on the record to see if perhaps the introducer or committee chair would like to respond, since I hadn't had a chance to flag it for them yet. But I know that there was a reference or an indication that the rules and regulations related to this provision may perhaps remain in effect, or I guess might need to be updated through the APA or other processes to ensure congruence. Looking at the Nebraska Administrative Code and the

Jail Standards Board in, I believe, Title 81, Chapter 6, there are some components that require that strip searches and body cavity searches must happen by facility employees of the same sex as the inmate, and then there's an exception for qualified medical personnel and cases of emergency. There's also a similar restriction in regards to pat-down searches, and then there is more detailed rule and regulation in regards to strip search and body cavity search. So, I guess I, I would just ask perhaps if Senator Bosn or Senator Storer has had a chance to touch base with the Jail Standards Board to see how this legislation may or may not impact the existing regulatory components of this measure, and then just what safeguards are in place perhaps for emergency situations, and, and to prevent any impermissible searches or otherwise from male jailers to female detainees or inmates. Thank you, Mr. President.

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

STORER: Thank you, Senator Conrad. I was waiting for you to ask me a question, but I, I just jumped in here. So, I'll, I'll certainly happy to respond to those concerns. Those are valid concerns. We were very thoughtful to make sure that we did not do anything that would, would take out that provision for gender, same-gender searches that you referred to in jail standards. And actually, we worked very closely with jail standards on this legislation every step of the way. And so, the amendment that we offered is just almost sort of doubling the security that those provisions are met. All of our jails do have to-- excuse me-- comply to Nebraska jail standards regulations, but this amendment-- excuse me-- this amendment just ensures that that takes place, and it just says each county and city jails shall comply with the rules, regulations of all jails standard board con-- concerning cross-gender supervision and cross-gender searches of inmates. So, your, your question is appreciated. And yes, we have worked closely with jail standards to ensure that that will not, at any time, be allowed for a, for a female to be searched by a male correction officer. So, thank you for that. And again, I would ask for your vote on the amendment, because that does ensure that very provision.

KELLY: Thank you, Senator Storer. Senator von Gillern would like to recognize guests in the north balcony: Nebraska manufacturers from the Nebraska Chamber of Commerce. Please stand and be recognized by the Nebraska Legislature. Senator Fred Meyer would

like to recognize guests in the north balcony: they are 14 high school members from Wheel [SIC] Central in Bartlett. Please stand and be recognized by the Nebraska Legislature. Senator Conrad, you're recognized to speak.

CONRAD: Thank you, Mr. President. Good morning, colleagues. I really appreciate Senator Storer's excellent explanation in regards to the committee amendment. It seems to me that does seek to in many instances codify the existing jail standards that ensure appropriate staffing for things like pat-downs or cavity searches or things of that nature, to recognize and respect human rights aspects in this. The last question I would just ask very, very briefly-- and I know we're time-limited on consent, so I want to just do it as efficiently as possible. I noticed on the committee statement that my home county, Lancaster County, Board of Commissioners had taken a position in opposition to this legislation, and just if Senator Bosn or Senator Storer would just like to see it-- let us know for the record whether or not their concerns were fully mitigated in regards to the kitty-- committee amendment, that would be appreciated. Thank you, Mr. President.

KELLY: Thank you, Senator Conrad. Seeing no one else in the queue, Senator Bosn is recognized to close on the committee amendment.

BOSN: Thank you, Mr. President. I would normally waive, but I was looking here to see if I could find the information to address Senator Conrad's question, and I'm happy to work with her between this round and the next round of debate. I can't find the committee statement to see that, but my notes reflect that Joe Kohout, on behalf of the Lancaster County Board of Commissioners, took a neutral position on the bill, and that the amendment addresses the concerns that he raised in a neutral capacity on behalf of the Lancaster County Board. Again, I ask for your green vote on AM2358 and ultimately on LB1195. Thank you, Mr. President.

KELLY: Thank you, Senator Bosn. Senators, the question is the adoption of AM2358. All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

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

KELLY: AM2358 is adopted. Senator Machaela Cavanaugh, you're recognized to speak.

M. CAVANAUGH: Thank you, Mr. President. Good morning, colleagues. I'm just listening to the conversation this morning, and I am a little hesitant on this bill, so I think I'm going to take the opportunity to learn more about what these changes are between General and Select File. I'll, I'll be abstaining from voting today. I, I understand, like, mirroring PREA, but wonder about the necessity of this change. Having seen various things with same-sex women's penitentiaries and the YRTC, I, I, I want to make sure that we are not doing something that we think is going to be a short-term, like, not a big deal, and then turns out to have greater repercussions. So, I appreciate the conversation this morning and the questions that have been raised, and I will be looking at this a little bit more closely between General and Select. Thank you, Mr. President.

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

STORER: Thank you, Mr. President. Again, I want to emphasize this bill did-- was not opposed by, by any of the counties. We did work with Joe Kohout, and addressed any of concerns he had before committee. Came out of-- came out of committee 8-0, and have worked closely with jail standards to make sure that those issues that had been brought up or questions have been addressed, and that indeed is covered within that amendment, just to ensure those, those concerns are addressed. So, I appreciate your support and your green vote for LB1195.

KELLY: Thank you, Senator Storer. Members, the question is the adoption-- or, the advancement of LB1195 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: LB1195 is advanced to E&R Initial. Mr. Clerk.

CLERK: Mr. President, General File, LB829 introduced by Senator Lonowski. It's a bill for an act relating to the Auditor of Public Accounts; changes provisions relating to certain audit examinations; repeals the original section. The bill was read

for the first time on January 7 of this year and referred to the Government, Military and Veterans Affairs Committee; that committee placed the bill on General File with committee amendments, Mr. President.

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

LONOWSKI: Thank you, Mr. President. Good morning, colleagues. Good morning, fellow Nebraskans. I'd first like to thank Speaker Arch for selecting LB829 as consent calendar for today's scheduling. I also want to thank Senator Sanders and the Government, Military and Veterans Affairs Committee for advancing LB829 unanimously, along with AM2091. Following my remarks, you will hear chairman explain-- Chairwoman Sanders explain AM2091. This bill is brought to me by Nebraska Auditor of Public Accounts Mike Foley. LB829 is nothing more than technical cleanup legislation that updates the reference in Nebraska Revised Statute Section 84-304 to the year of the federal government auditing standards applicable to the work performed by Auditor Foley's office. Per section 84-304, such audit work is required to be done in accordance with the government auditing standards published by the Comptroller General of the United States Government Accountability Office. LB829 simply ensures that the most current version of those standards is being followed. There was no opposition to LB829 during its January 29 public hearing before the Government, Military and Veterans Affairs Committee, and no online comments had been submitted regarding it. The committee amendment, AM2091 on, on LB829 merely clarifies the year of the pertinent government auditing standards. In summary, LB829 not only needs to be passed in order to ensure ongoing compliance with long-standing statutory mandate, but it is also wholly uncontroversial. I thank you for your green vote on both committee AM-- committee amendment AM2091 and LB829. Thank you, Mr. President.

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

SANDERS: Thank you, Mr. President. The Government Committee heard LB829 on January 29. After Senator Lonowski's opening, we heard from Auditor's office about the need for the bill. The government accounting standards, or GAS, put out by the federal

government has been updated, and that means we need to follow suit in order to be in compliance. The original bill would have removed references to specific versions of GAS to be used by our State Auditor. On the advice of the committee counsel, the committee amendment adds a year reference to the updated GAS version that the Auditors should use. This simple change in the committee amendment will help us avoid any unconstitutional delegation of our legislative authority to the federal government. Our committee voted unanimously to advance LB829 with AM2091. I ask for your green vote on AM2091 and on LB829. Thank you, Mr. President.

KELLY: Thank you, Senator Sanders. Seeing no one else in the queue, you're recognized to close. Senator Sanders-- and waives. Senators, the question is the adoption of AM2091. All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

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

KELLY: AM2091 is adopted. Seeing no one else in the queue, Senator Lonowski, you're recognized to close, and waive closing. Senators, the question is the advancement of LB829 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: LB829 is advanced to E&R Initial. Mr. Clerk.

CLERK: Mr. President, General File, LB1253 introduced by Senator Bostar. It's a bill for an act relating to tax deed proceedings; changes provisions relating to applicability of laws; repeals the original section; declares an emergency. The bill was read for the first time on January 21 of this year and referred to the Revenue Committee; that committee placed the bill on General File. There is an additional amendment, Mr. President.

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

BOSTAR: Thank you, Mr. President. LB1253 is a straightforward clarification bill. It makes clear that the updates the Legislature adopted in LB650 last year apply to tax sale certificates that are now maturing and moving through the tax

deed and foreclosure process. Significant changes have occurred since the United States Supreme Court decision in *Tyler v. Hennepin County* where the court held that government should not benefit from a delinquent property owner's equity. Since that decision, the Legislature has made targeted adjustments to Nebraska's tax sale process to strike a balance, preserving a reliable mechanism for local governments to collect delinquent property taxes while ensuring that property owners do not unjustly lose their equity. LB1253 clarifies that tax sale certificates purchased beginning in 2022 will proceed under the process adopted last year. The bill looks back to 2022 because, under the current law, a tax sale certificate holder may not foreclose on a property until three years after the purchase date. As those certificates now become eligible for foreclosure, the bill ensures the Legislature's recent reforms apply uniformly and are fully-enforceable for all tax sale certificates issued in 2022 or later. LB1253 was heard by the Revenue Committee on February 11. There were no opponents and advanced out of committee on an 8-0 vote. In just a moment, I will open on AM2108, which includes language requested by NACO to make clear that LB1253 focuses on the foreclosure process and does not include redeemable certificates. I'd ask for your support of LB1253. Thank you.

KELLY: Thank you, Senator Bostar, and Senator Bostar would like to recognize guests in the north balcony: they're fourth-through sixth-graders from Bluestem Montessori in Lincoln. Please stand and be recognized by the Nebraska Legislature. Mr. Clerk, for an amendment.

CLERK: Mr. President, Senator Bostar would move to amend the bill with AM2108.

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

BOSTAR: Thank you again, Mr. President. AM2108 clarifies the green copy does not apply to tax sale certificates that have already been redeemed. The intent of LB1253 is to address the changes enacted last legislative session that focus specifically on the foreclosure process. A concern was raised that the bill, as originally drafted, could be interpreted as overly-broad. This amendment makes clear that the legislation applies only to the foreclosure process, and does not affect redeemed certificates. We worked with NACO on the language, and they are

supportive of the clarification. With that, I would ask for your green vote on AM2108 and LB1253. Thank you, colleagues.

KELLY: Thank you, Senator Bostar. Seeing no one else in the queue, you're recognized to close, and waive closing on the amendment. Senators, the question is the adoption of AM2108. All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

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

KELLY: AM2108 is adopted. Seeing no one else in the queue, Senator Bostar, you're recognized and waive closing on the advancement of LB1253 to E&R Initial. Senators, the question is the advancement of LB1253 to E&R Initial. All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

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

KELLY: LB1253 is advanced to E&R Initial. Mr. Clerk.

ASSISTANT CLERK: Mr. President, Select File. First of all, I have no E&R amendments. Senator Kauth, I have FA713 with a note you wish to withdraw.

KELLY: So ordered.

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

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

GUERECA: Mr. President, I move that LB1055 be advanced to E&R for engrossing.

KELLY: Senators, you heard the motion. All those in favor, say aye. Those opposed, say nay. LB1055 is advanced for E&R Engrossing. Mr. Clerk.

ASSISTANT CLERK: Mr. President, I have no E&R amendments. Senator Kauth, I do have FA417 with a note you wish to withdraw.

KELLY: So ordered.

ASSISTANT 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 LB788 be advanced to E&R for engrossing.

KELLY: Senators, you heard the motion. All those in favor, say aye. Those opposed, say nay. LB788 is advanced E&R Engrossing. Mr. Clerk.

CLERK: Mr. President, Select File. 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 LB913 be adopted.

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

CLERK: Senator Kauth, I have FA573 with a note you'd withdraw.

KELLY: So ordered.

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

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

GUERECA: Mr. President, I move that LB913 be advanced to E&R for engrossing.

KELLY: Senators, you heard the motion. All those in favor, say aye. Those opposed, say nay. LB913 is advanced to E&R Engrossing. Mr. Clerk.

CLERK: Mr. President, Select File, LB784. 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 LB784 be adopted.

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

CLERK: Senator-- Senator Kauth, I have FA413 with a note you'd withdraw.

KELLY: So ordered.

CLERK: In that case, Mr. President, Senator Hallstrom would move to amend with AM2682.

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

HALLSTROM: Thank you, Mr. President, members. I will attempt to be brief. Subsequent to the introduction of the bill and the advancement from committee, the Sheriff's Association and some individual sheriffs got in touch with us with regard to one aspect of the bill which happens to be the modernization of the uniform requirements under state law. You may recall I indicated that those had not been updated for at least 35 years. Some of the provisions-- even after the bill was advanced from committee, concerns were raised that some of the provisions were too prescriptive, including the color of the badges, the color of the collars, whether or not the cap has to have a flap. This amendment would simply remove some of those overly-prescriptive requirements, and still provide maximum flexibility to have safe uniforms for our law enforcement officers, sheriffs, and deputies. I would ask for your green vote on AM2682 and advancement of the bill. Thank you.

KELLY: Thank you, Senator Hallstrom. Seeing no one else in the queue, you're recognized to close on the amendment, and waive. Senators, the question is the advancement of LB2682-- the adoption of that amendment. All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

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

KELLY: AM2682 is adopted.

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

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

GUERECA: Mr. President, I move that LB784 be advanced to E&R for engrossing.

KELLY: Senators, you heard the motion. All those in favor, say aye. Those opposed, say nay. LB784 is advanced to E&R Engrossing. Mr. Clerk.

CLERK: Mr. President, Select File, LB977. Senator Kauth, I have FA633 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.

GUERECA: Mr. President, I move that LB977 be advanced to E&R for engrossing.

KELLY: Senators, you've heard the motion. All those in favor, say aye. Those opposed, say nay. LB977 is advanced for E&R Engrossing. Mr. Clerk

CLERK: Mr. President, General File, LB905 introduced by Senator Arch. It's a bill for an act relating to state government; eliminates the Nebraska Potato Development Act and provisions related to the Nebraska Potato Development Committee, the Nebraska Potato Development Fund, and the Division of Potato Development in the Department of Agriculture; changes to eliminates provisions related to the Climate Assessment Response Committee, the Nebraska Aquaculture Board, the Board of Advanced Practice Registered Nurses, the Board of Alcohol and Drug Counseling, the Board of Examiners for County Highway and City Street Superintendents, the Children's Behavioral Health Task Force, the Foster Care Reimbursement Rate Committee, the Bridge to Independence Advisory Committee, the Natural Gas Fuel Board, the Women's Health Initiative Advisory Council, the Women's Health Initiative Fund, the State Advisory Committee on Substance Abuse Services, the Veterinary Prescription Monitoring Program Task Force, the Advisory Council on Public Water Supply,

the Breast and Cervical Cancer Advisory Committee, the Critical Incident Stress Management Council, the Vacant Building and Excess Land Committee, Governor's Residence Advisory Commission, the State Comprehensive Capital Facilities Planning Committee, the technical panel for the Nebraska Information Technology Commission, the Suggestion Award Board, the human trafficking task force within the Nebraska Commission on Law Enforcement and Criminal Justice, the State Emergency Response Commission, the Private Onsite Wastewater Treatment System Advisory Committee, the National Statuary-- Statutory [SIC] Hall of the United States Capitol, the Willa Cather National Statuary Hall Cash Fund, the Chief Standing Bear National Statuary Hall Cash Fund, the Nebraska Safety Center Advisory Council, the technical plan [SIC] for the Nebraska Information Technology Commission, the Rural Broadband Task Force, and the Rural Broadband Task Force Fund; eliminates provisions relating to solid waste management study and advisory committee and a private post-secondary career school advisory committee; eliminates provisions and obsolete provisions-- penalties and obsolete provisions; harmonizes provisions; provide an operative date; repeals several sections-- original sections; outright repeals several sections in Chapter two, Chapter 72, Chapter 81, Chapter 82, Chapter 39, Chapter 72, and sections in Chapters 2, 38, 39, 43, 66, 71, 72, 81, 85, and 86; and declares an emergency. 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 is an additional amendment, Mr. President.

KELLY: Thank you, Mr. Clerk. Speaker Arch, you're recognized to open.

ARCH: Thank you, Mr. President. Good morning once again, colleagues. Today, I'm introducing LB905. I would characterize this bill as a cleanup of a measure this Legislature passed last year. However, like LB904, which we heard a few minutes ago, LB905 is too substantive to be a Revisor bill and had to be introduced as its own measure. A public hearing on LB005 was held in front of the Government, Military and Veterans Affairs Committee on February 6, and advanced unanimously on an 8-0 vote. There were no testifiers, and the bill has no fiscal impact. As you may recall, during the 2025 session, we passed LB346, which terminated or reassigned 39 different boards, commissions, committees, and councils. I had introduced LB346 on

behalf of the governor as part of his efforts to eliminate government inefficiencies. A review of these government-created boards, commissions, committees, and councils found many were no longer serving a purpose, were carrying out duplicative functions, or were performing tasks that could be easily be, be absorbed by another entity. At the time I introduced LB346, Nebraska had more than 225 legislatively-created entities. As passed, LB346 called for the termination or reassignment of the commissions and boards to take place in July 2026. Also, the statutes governing the 39 commissions and boards were located in a number of different sections and chapters. This, coupled with the delayed effective date, put LB346 in conflict with other provisions of law, and did not harmonize with existing statute. I want to personally thank our Revisor, Marcia McClurg. During the statute codification process that takes place over the interim, Marcia discovered the inaccuracies and put in extra work to make the necessary corrections to ensure the policies we adopted last session are properly codified and able to be carried out. This work is reflected in LB905. In addition to cleaning up the provisions adopted last year in LB346, LB905 provides clarification with respect to the transferring of duties from eliminated boards to other entities. LB346 eliminated the Board of Examiners for County Highway and City Street Superintendents, and transferred its duties to the Board for Public Roads Classifications and Standards. LB905 clarifies that the members of the former board shall be presumed eligible to serve on the Public Roads Board, and also authorizes board members to meet at such times and places necessary to carry out its duties. The bill also clarifies that members who are appointed to the board when the Legislature is not in session shall act as interim employee-- appointees. I do have an amendment to this section coming up, AM2149, that provides that these presumed-eligible members, if appointed, would serve a term of four years. LB346 also terminated the Vacant Building and Excess Land Committee, and assigned its duties to the Department of Administrative Services. LB905 transfers the responsibility of declaring whether a state-owned building or land is vacant or excess to the Director of Administrative Services. Additionally, the Director of DAS is responsible for granting utility easements on state-owned land. I will note that there were two public comments posted in opposition to the bill related to the elimination of the Climate Assessment Response Committee. Again, this bill is, is mostly a clean-up of last year's LB346, in which we already eliminated the Climate Assessment Response Committee. With or without this bill, all the committees, commissions, and boards we eliminated last year

will still terminate on July 1, 2026, but LB905 will provide necessary clarification, and I ask for your green vote. Thank you, Mr. President.

KELLY: Thank you, Speaker Arch. Mr. Clerk, for an amendment.

CLERK: Mr. President, if I could quickly, the Banking, Commerce and Insurance Committee will have an exec session now in Room 2102. Banking, Commerce and Insurance Committee, exec session now in 2102. Mr. President, Senator Arch would move to amend the bill with AM2149.

KELLY: Speaker Arch, you're recognized to open on the amendment.

ARCH: Thank you, Mr. President. I introduced AM2149 at the request of the Governor's Policy Research Office and the Nebraska Department of Transportation. It sets a term of four years for those members from the former Board of Examiners for County Highway and City Street Superintendents who may be appointed to the Board of Public Roads Classifications and Standards. Those members could be reappointed after the term expires. That's all it does, and I ask that you vote yes on its adoption. Thank you, Mr. President.

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

CONRAD: Thank you, Mr. President. Good morning, colleagues. I-- overall, I think this is probably an innocuous bill, and probably a good bill that follows up on a lengthy track record from my friend Speaker Arch to try and identify redundant, antiquated, or outdated boards and commissions to better streamline state government, and to ensure that important duties are carried out, but that we're not duplicating efforts or working with inefficient, outdated kind of structures in that regard. We know that there's a lot of time, energy and attention that goes into the nomination of gubernatorial appointees for these matters, both for the executive and for the legislative branch. We know it is a critical leadership development opportunity for many citizens to step forward and share their expertise and help shape policy on the state level, but we also know that sometimes, these commissions and boards are created for a very specific purpose, and then, once the purpose is addressed, they continue to remain in existence, and, and that can be messy from a statutory perspective and just kind of

general government efficiency and operations perspective, and not provide the kind of meaningful opportunities for citizen engagement and leadership that we had hoped once the original purpose has subsided. I really appreciate the fact that Speaker Arch in taking up this important project, has been very responsive to community members who've stepped forward to say, hey, wait a minute, this work in this particular commission is actually very vibrant, is very evergreen, serves a very important purpose from establishment to present day. And when those concerns have been brought forward, the Speaker has been very, very responsive to those, to those concerns, and I think that is a, a great way to approach this more comprehensive undertaking to streamline state government boards and commissions. But I, I did just want to see if the Speaker would perhaps yield to a technical question in regards to this particular amendment, please.

KELLY: Speaker Arch, would you yield to a question?

ARCH: Yes.

CONRAD: Thank you, Mr. Speaker. The-- you highlighted how this would perhaps provide some clarity in terms of the appointment process in interim-- during the interim period, et cetera. Does this actually change the, the current policy or practice in regards to those interim appointments, or does it just provide some sort of clarity as to how that works for this specific board or commission?

ARCH: Yeah, no, I don't, I don't believe that it changes those-- that appointment process at all.

CONRAD: Great. That, that was my read as well, but I wanted to make sure I, I didn't miss something because I wasn't at the committee-level deliberations on, on these, on these matters. And then, the other question I would just ask is-- you know, one thing that I think seems like it might be present when we take up a government-streamlining and removal of red tape kind of effort like the one that you've led for many years-- and this, perhaps, just being the companion technical follow-up-- but it, it has thus far yielded very little in terms of actual fiscal savings, which I think is interesting from a lot of different perspectives, and you would hope to see it generate quite a bit more of fiscal savings in this important work. But it seems that many of the still-present and required policy duties that were

previously handled by these boards and commissions are being subsumed by existing state agencies and structures, and so that's an important way for the policy development to continue, but it is a bit curious. I know in the broader effort you had in the last year and then perhaps in this technical piece, why we're not seeing a greater fiscal savings on, on, on the elimination of antiquated boards and commissions, so I just wanted to lift that up. Thank you, Mr. President. Thank you, Mr. Speaker.

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

SANDERS: Thank you, Mr. President. I rise in support of LB905. Part of the regular work of the Legislature is to prune away programs and public bodies that have outlived their usefulness. The Government Committee produces a report on Nebraska boards and commission every four years. Our committee staff surveys the many different boards and commissions in our state statutes, mostly to check for signs of activity. Our recent report was published at the end of 2024. When a board or commission becomes dormant or we see that there is a duplication of effort, it is appropriate for this Legislature to act. This bill would eliminate several boards and committees. Where appropriate, the bill transfers the responsibilities over to a different public body. The bill also eliminates number of inactive cash funds and lapsed their contents into the General Fund. Senator Arch's bill came before the Government Committee for its public hearing on February 6. There were no testifiers other than Speaker Arch. The Government Committee voted unanimously to advance the bill to General File. I would encourage you to vote green on Speaker Arch's amendment, AM2149, and LB905. Thank you, Mr. President.

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

M. CAVANAUGH: Thank you, Mr. President. Well, I love a good mix-up on commissions and cash funds and things like that. I, I was looking at this, and I, I, I had some thoughts, but I actually-- if Senator-- Speaker Arch wouldn't mind answering-- yielding to a question.

KELLY: Speaker Arch, will you yield to questions?

ARCH: Sure.

M. CAVANAUGH: I heard-- I don't know if it was you or the Clerk saying about broadband being in here. It's not the broadband BEAD program, is it? I apologize. I should have asked.

ARCH: No, no, it's not.

M. CAVANAUGH: OK. Because--

ARCH: That's a whole different discussion.

M. CAVANAUGH: Right. I, I was, I was going to be a little surprised that there was no testimony because, as people may know, the broadband BEAD money has sunsetted, but the program still exists, so I thought maybe that was it, but it's a different broadband. And I'm, I'm just now talking a little bit because I see that you're maybe getting clarification on what the broadband part of it was, so I'm just going to-- OK. Do you know what the broadband piece was?

ARCH: Well, there is a-- there is a-- in sections 75, 76, 77, 79, there is a Rural Broadband Task Force that terminates starting July 1, 2026. I am told that any money remaining in their fund will be transferred to the General Fund, but that is-- but that is-- that's not the BEAD-- that's not the BEAD task force.

M. CAVANAUGH: OK. Oh, yes, this is the task force that Senator Bostelman started.

ARCH: That--

M. CAVANAUGH: Oh, Friesen. Senator Friesen. I, I, I stand corrected.

ARCH: Yep. If you say so. I, I don't, I don't remember who's--

M. CAVANAUGH: Senator DeBoer-- I phoned a friend.

ARCH: --I don't remember who started it, but yeah. Yeah.

M. CAVANAUGH: Senator DeBoer was-- said it was Friesen, so I-- I'm publicly saying she says it's Friesen. I'm going with that. So, thank you for answering my question. I also was interested in the Potato Board, but I'll leave those questions for off-the-mic. Thank you, Mr. President

KELLY: Thank you, Senator Cavanaugh and Speaker Arch. Senator Spivey, you're recognized to speak.

SPIVEY: Thank you, Mr. President, and good morning, colleagues, Nebraskans, and of course, grandma. Good morning, thanks for coming to work with me. I rise in, I think, support of LB905, and just had a few questions for Speaker Arch, if he would be willing to yield.

KELLY: Speaker Arch, will you yield?

ARCH: Yes.

SPIVEY: Sorry, I did not give you a heads up because everything is chaotic and moving fast. But I did have a few questions that I don't think will catch you off guard. Just wanted to get some clarity. So, looking at the child welfare and juvenile justice committees that are changing, that is the Foster Care Reimbursement Rate Committee and then the Bridge to Independence. I know it's moving all of those to task force under the Nebraska Commission, which I think would be helpful because things are so siloed. And with talking to the Nebraska Children's Commission, I know that there has been some lag on the appointments for their commissioners, so they're not able to get things done and they are not feeling, I think, as in-tune with the Legislature right now with, like, how do we really help to move their work? And so, I just wanted to get your perspective on those two moves, because we see foster care reimbursement rates come up so much, and even just the Bridge to Independence and what does that mean for kids aging out? Was there any conversation about how we best support the commission if they are absorbing this, when they're already having structural issues with getting that engagement?

ARCH: Sure. You and I have had some discussions about the Nebraska Children's Commission, and, and I think that when we went through this last year, we, we took a look at the Nebraska Children's Commission and thought "that's for another day." It is-- it, it has developed over time, subcommittees and sub-subcommittees, and, I mean, it has a lot of people involved, which is very appropriate. I think that that's probably something that we should be looking at. One of the challenges is finding the, the, the volunteers willing to serve on those, and a lot of times, the delay on appointments is, is just caused by the sheer number of volunteers necessary to, to staff and to

fill all those appointments. So, I think maybe if, if over the interim there can be more discussion on the, on the Children's Commission specifically, and how to, how to, how to streamline the input and, and maybe reduce some of the appointments necessary, I think we would find, structurally, it would be easier to fill those positions and, and have meaningful input. Very important. The Children's Commission is extremely important, absolutely. And, and so-- way we can strengthen that, the better.

SPIVEY: Yeah, I totally agree. And maybe there are a lot of folks that are leaving the body that have that expertise, like yourself, Senator Machaela Cavanaugh that worked on that. So, maybe there could be some commitment that, in the interim, we can support some of that infrastructure and just that transition of knowledge and what this means, because I just-- I, I met with them, and again, like you said, you and I have talked about it, and it's just so important, and I just don't want things to lapse as they get more of the work centralized that now they feel like "OK, how do I manage all of this?" and some of those other pieces weren't there. So, appreciate that. And then my other quick question was just around the human trafficking task force. I believe this is on page 51-60, but I don't know if that has changed because I got this information pulled earlier, and this is-- it says that after July 1, 2026 that there's no statutory task force meetings or semi-annual reports or formal centralized study recommended legislation. And so, I just know that trafficking has been such an important conversation and that there's been a lot of movement to try to pass upstream policy. And so, just was wondering-- because I wasn't clear if the human trafficking kind of content and information is being moved somewhere else, or what does that look like? Or am I misunderstanding the bill?

ARCH: So, my understanding is, on the human trafficking task force, that it was, it was set up early to provide input; that now has moved into the attorney general's office and is being managed in that, in that office. And so, the task force itself was eliminated, but, but of course, the emphasis on human trafficking continues.

SPIVEY: Thank you. That makes sense. Again, I just-- I wanted to make sure I understood those pieces. And then, I, I fibbed a little bit. I have one, like, kind of last question. Do you have the lapsed amount that is coming from all of the cash funds? I

did not see it in the fiscal note of, like, what that estimate is, and I don't think we've seen it on the Appropriations side.

ARCH: No, I do not have that. I do not have the number. We eliminated-- we, we, we were just dealing with the committees and the task forces and the commissions and so forth; we weren't dealing with the dollars in, in LB346.

SPIVEY: OK. So maybe I'll just put a note for the record-- I see my time is up. Thank you, Mr. Speaker-- that maybe our--

KELLY: That's time.

SPIVEY: --Fiscal Analyst can help us with that.

KELLY: Thank you, Senator Spivey and Speaker Arch. Senator DeBoer, you're recognized to speak.

DeBOER: Thank you, Mr. President. I thought I would talk about the Rural Broadband Task Force, then. So, the Rural Broadband Task Force was created before I was even in the body. It may not have been a Senator Friesen bill that originally created it. I can't recall at this time, but he was the one that was representing the body at the time that I came in to the Legislature. What the Rural Broadband Task Force did is it looked at, what is the situation with broadband in Nebraska? What are some of the issues? One of the issues they identified was the mapping at that time was very, very bad. That has since gotten a lot better. We now know a lot more where we do and don't have broadband, so that was an important advancement that, based on the recommendations of the Rural Broadband Task Force-- I know Senator Brandt and some others had a lot of work on that in the, in the early time in my term here. It also identified a need to really be aware of where at least state dollars were going in terms of speed. So, you may recall Senator Bostelman had a bill, probably in '22 or '23, to change what constituted served or underserved; that was based in part on the recommendations of the Rural Broadband Task Force and some of the things that they had come up with in their report to the body. So, it was, I think, a highly successful task force. Without the federal dollars from the BEAD funding, of course, we would not have been able to-- and now, since most of those BEAD dollars are in question, we may not be able to build out the rural broadband like we wanted to. And there is perhaps-- once all that gets sort of settled with the BEAD funding and whether

or not it actually gets to be used to build broadband in Nebraska, there might be a need again for a rural broadband task force once the dust settles from that, because, folks, we all know how absolutely important rural broadband is for the future of our state, and especially when we're getting into things like precision ag more and more, we're going to need more and more broadband. And the importance of that for our rural communities so that folks, for example, can work from home; so if a woman is a farmer and her husband has a job that is a work-from-home job that provides insurance, you can see the benefit of that to our rural communities. So, it is absolutely essential that folks keep their eye on the issue of rural broadband. The particular task force that is addressed in this particular bill, I'm comfortable letting it lapse at this time and having folks take a look at the issue of rural broadband again from a new lens after the, the sort of dust has settled about what's going to happen with BEAD. If we had gotten the federal dollars we were supposed to get from the previous administration to build out fiber, then the Broadband Office was suggesting that we would have been built out by '29. That's no longer the case because of the fact that of the-- we're, we're only getting about \$50 million of the, the dollars that we were supposed to get of the about \$400 million, so we lost most of that money now. But we'll, we'll keep our hopes up, and maybe something will break through on that, and we'll be able to build out broadband throughout the state. I'm comfortable for now with this provision. Thank you, Mr. President.

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

M. CAVANAUGH: OK, I lied. I am going to talk about potatoes. But I'm not going to ask the Speaker to yield to any questions. I, of course, have now taken a deep dive into the potato committee, and I, I genuinely do have some concerns, but-- I'm going to bring them up now, and then I'm going to talk about them with the Speaker between General and Select File to see if, if they're founded or not. OK, so I am a self-proclaimed nerd, and I also talk a lot about The Bean Bag, and I won't hold it up here, but I do have at my desk my favorite periodical, The Bean Bag, which is the Dry Bean Growers Association's quarterly periodical, and that led me to look up the Nebraska Potato Development Committee, which, by the way, if you have a periodical, I would love to get on your mailing list. As a woman of Irish and German descent, big fan of potatoes. However, I am

a little ashamed to admit that I do not know what part of the state is known for growing potatoes, and I also don't know if any of my colleagues in the body are potato farmers. And I-- no, I'm getting a head shake that nobody is. Oh, Senator Erdman was. OK. Senator Erdman was a potato farmer. That must mean why I liked him so much. But my concern is that there is a commodities board, and it says that following are the members of the commodities board: Corn Development, Utilization, and Marketing Board; Nebraska Dairy Industry Development Board; Grain Sorghum Development, Utilization, and Marketing Board; Nebraska Wheat Development, Utilization, and Marketing Board; Dry Bean Commission-- AKA The Bean Bag-- Nebraska Potato Development Committee; Nebraska Poultry and Egg Development, Utilization, and Marketing Committee; and the Dry Pea and Lentil Commission. And so, my concern is, if we eliminate the Nebraska Potato Development Committee, then who will be representing the potato farmers' interests in the Commodities Board? So, that is my first question that I will be discussing between General and Select File, and maybe there is a practical answer for that. The other issue-- and this is one that I am going to probably be following up with Senator Clements on from Appropriations, because there is fees established by the-- this board for the potato inspection, and so I am curious how that's going to work, because it looks like, in LB905, that now the director will just establish the estimated inspection fees based on the inspector's salary, mileage, and other travel expenses, but previously, that was done in consult with the Nebraska Potato Development Committee. And we have fees kind of all over the place here, and so whenever I see something with fees, it kind of sends my antenna up. Want to make sure that we are not unintentionally increasing fees or giving somebody the authority to increase fees that we didn't mean to. So, I know I said I wasn't going to talk about potatoes; here I am talking about potatoes. And also, anytime I can plug The Bean Bag. Thank you, Mr. President.

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

DORN: Thank you, Mr. Lieutenant Governor. And I, I just wanted to correct a little bit. I, I-- yes, Erdman. I was pointing to Erdman. Senator Erdman didn't raise potatoes, but out in that part of the state, and that's also where we have the sugar beet. In the fall, you'll go by big piles out there of sugar beets and stuff, so. It takes certain type of soil, and that, farther west, is where you do that. So, I just wanted to clarify that,

so I, I, I didn't want everybody to think that Senator Erdman did raise potatoes, but they do in the western part of the state. Thank you.

KELLY: Thank you, Senator Dorn. Seeing no one else in the queue, Speaker Arch, you're recognized to close on the amendment.

ARCH: Thank you, Mr. President. I would, I would reflect on Senator Machaela Cavanaugh's comments regarding the potato board. I was, I was handed-- when this LB346 went through last year, I was handed an, an article from September 14, 1945, where the potato authorities were worried over the effect of withdrawal of federal support September 15, and the impact on the market. So, the potato issue has been in Nebraska for quite a while, and I would be happy to entertain questions between here and Select. With that, I would encourage your vote positive on AM2149 and LB905. Thank you, Mr. President.

KELLY: Thank you, Speaker Arch. Senators, the question is the adoption of AM2149. All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

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

KELLY: AM2149 is adopted. Senator John Cavanaugh, you're recognized to speak.

J. CAVANAUGH: Thank you, Mr. President. Good morning, colleagues. I wasn't going to punch in on this one. I know this is such a hot debate and everybody needs to hear people's opinions on this. But a couple of things. I did talk to a potato farmer fairly recently, and what they said is that they want, want sandy, irrigated soil. So, like a lot of the territory on the edge of the Sandhills seems to be a good place to grow potatoes. But I wanted to reference-- Speaker Arch referenced the article. I'm pretty sure I gave him that article last year when we debated this, and I used as my resource one of my favorite things, which is the Omaha Public Library's newspaper archive. So, if you belong to the Omaha Public Library or-- the Lincoln Public Library has reciprocity with the Omaha Public Library-- you can get onto the website, you can go and look at the archive of the Omaha World-Herald coverage going back to the original days of the Omaha Herald, and have all kinds of articles. It's really-- can be interesting. I like to read

historical coverage of this place and other stuff, and it's-- it, it is really a great resource and asset that is free to use for you if you have a library membership. So, you can go back and find great stories like that and put in context why we have a potato board. And then, I think, if I remember right, that was the only article referencing the potato board in, in, in the last 70 years or so. So, encourage your green vote on LB905, and encourage everybody to use the library as much as you can.

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

CONRAD: Thank you, Mr. President, good morning colleagues. I think my friend Speaker Arch did a great job of lifting up just kind of the legislative history, procedural and substantive history in regards to some concerns from the public in regards this legislation, particularly concerns about the elimination or removal of the Climate Assessment Response Committee, which we moved off the board last year, and then this would have some additional cleanups in that regard. But I do just want to note that if you look at the history of that established board back to 1991, I believe, that particular committee helped to develop plans to mitigate drought and other climate-related impacts. It had leadership from the governor's office, had really diverse representation from a variety of state agencies, and then had a lot of the research prowess really connected to the University of Nebraska, and significant buy-in and engagement from ag producers across the state. So, I also just want to make sure, though, as we reflect upon that elimination from the last year, that we perhaps provide assurances or an update, so-to-speak, to Nebraska citizens who were concerned about the elimination of that Climate Assessment Response Committee. If Speaker Arch happens to know if those duties and obligations were reassigned to the new Department of Energy and-- or if they're still led or housed in the governor's office, or what happens with some of the research that is conducted through the university or otherwise. Because looking at their website, they're still posting relevant information, including from just about a week ago in regards to drought conditions in Nebraska and other matters. So, if Speaker Arch would yield to a question, please.

KELLY: Speaker Arch, would you yield?

ARCH: Yes.

CONRAD: Thank you, Mr. Speaker. Do you happen to know or remember from the elimination of that Climate Assessment Response Committee, once it was abolished, do you have a sense about where those obligations or duties were then assigned or assumed?

ARCH: Yes, and, and you said it correctly, it, it, it is regarding drought, and that is-- and that was why it was originally formed. So, the objective was to keep the governor informed on drought conditions in the state, and we now have the U.S. Drought Monitor online, and the governor can access that at any time. And so, that was, that was the, the original intention, and so, it didn't-- the, the, the, the work wasn't picked up by a state task force, but rather by U.S. and the Drought Monitor that is now online.

CONRAD: Very good. Thank you so much, Mr. Speaker. I think that will provide some clarity to citizens who I know weighed in on this topic. And then, I've had other constituents who are passionate about environmental justice just raise concerns on this measure to try and get a better understanding about kind of what happened to that work, where that work resides moving forward after the obsolete commission was removed in, in last year's comprehensive cleanup measure, and I, I think that will provide a, a great deal of, of clarity to citizens who are concerned about that. I do just want to lift up, of course, with things like implementation of the ONE RED, the, the major, I think, \$300 million grant that Nebraska has received to engage on environmental justice issues. We want to make sure that we have as many eyes as possible on those key considerations. And then of course, we have things like LB1261, which is moving through the Legislature and that, you know, seeks to provide a statutory exception to our public power process in order to facilitate major energy users like data centers that are going to create a significant amount of pressure on our water supplies, on our power supplies.

KELLY: That's your time.

CONRAD: Thank you, Mr. President.

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

M. CAVANAUGH: Thank you, Mr. President. I was actually going to ask Senator John Cavanaugh to yield to a question, but I see he is not available on the floor at the moment. He must have known that when he started talking about libraries that I was going to grill him. So, I will no longer take up time on the Speaker's bill, although I do love to nerd out about these things. But Senator John Cavanaugh, just be on notice: I am going to be asking you questions about the library next time I see you on the floor. Thank you, Mr. President.

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

ARCH: Thank you, Mr. President. Appreciate your support on LB905, and we passed the amendment. But I, I would say that this is-- this should be an ongoing work of the Legislature in coordination with, with the governor on, on making sure that we're always looking at, at the, the commissions, the task forces that we implement in our statutes. I think when we, when we were looking at LB346 last year, we recognized that a lot of times, when we start a new program or we start, we start something new, we, we will create something like this so that we don't lose track of it. And then, over time, perhaps it's time to look again and, and see whether that's still serving the function. So, this isn't a one-and-done, and I hope that in the future years, the Legislature will continue this work. Thank you, Mr. President.

KELLY: Thank you, Speaker Arch. Senators, the question is the advancement of LB905 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: LB905 advances to E&R Initial. Mr. Clerk, items for the record.

CLERK: Mr. President, amendments to be printed from Senator-- amendments and motion to be printed from the Senator DeBoer to LB304; amendment to be printed from Senator Spivey to LB304. New LR: LR395 from Senator Prokop; that'll be laid over. That's all I have at this time.

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

CLERK: Mr. President, General File, LB781 introduced by Senator Ballard. It's a bill for an act relating to motor vehicles; updates-- adopts updates to federal law and updates certain federal references; changes civil penalties against certain motor carriers; repeals the original section; declares an emergency. The bill was read for the first time on January 7 of this year and referred to the Transportation and Telecommunications Committee; that committee placed the bill on General File.

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

BALLARD: Thank you, Mr. President. LB781 is the annual update bill for the DMV and the Carrier Enforcement Division of the State Patrol to keep consistent with federal laws and regulations, and thank you Speaker Arch for his priority designation. LB781 adopts the most recent version of federal laws and regulations in effect as of January 1, 2026. For these examples, the federal law referenced to insurance of commercial driver's license, unified carrier regulation act, the international registration plan, rules governing manufactured home, parking regulations and people with disabilities, regulation governing low-speed vehicles contained within the federal motor vehicle safety standards, and updating motor carrier enforcement civil penalties. As Director Lahm testified at the hearing, the passage of LB781 is necessary for Nebraska to maintain compliance with federal motor vehicle and commercial transportation laws, ensuring continued access to federal funding. LB781 had no opposition testimony, and was voted out of the Transportation and Telecommunications Committee on an 8-0 vote. I ask for your green light on LB781. Thank you, Mr. President.

KELLY: Thank you, Senator Ballard. Seeing no one else in the queue, you're recognized, and waive closing. Senators, the question is the advancement of LB781 to E&R Initial. All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

CLERK: 35 ayes, 0 nays on advancement of the bill, Mr. President.

KELLY: LB781 is advanced to E&R Initial. Mr. Clerk.

CLERK: Mr. President, General File, LB986 introduced by Senator Bostar. It's a bill for an act relating to campaign expenditures; provides for expenditures for security services and systems; harmonizes provisions; repeals the original section; declares an emergency. Bill was read for the first time on January 12 of this year and referred to the Executive Board; that committee placed the bill on General File with committee amendments.

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

BOSTAR: Thank you, Mr. President. LB986 responds to a well-documented and growing reality facing candidates and public officials at every level of government. Threats, harassment, violence, and intimidation tied to public service are increasing. We've all seen and followed the news of recent attacks on Minnesota lawmakers, presidential candidates, as well as plots and attacks on governors and officials across the country. National research from the University of Nebraska at Omaha's National Counterterrorism Innovation Technology and Education Center with data compiled from 2013 to 2023 shows that threats against public officials have risen steadily over the past decade, with 2023 representing the highest number of federally-charged threat cases on record. Elected officials and election workers are among the most frequently targeted groups, and researchers note that federal cases represent only a fraction of total threats, many of which are handled by state and local law enforcement or go unreported. At the state and local level, a 2024 Brennan Center report found that more than 40 percent of state legislators have experienced direct threats, and nearly one in four reported being less willing to hold public events because of safety concerns. The same report specifically recommends that states update existing laws to allow candidates and officeholders to pay for legitimate security measures as part of participating safely in the democratic process. LB986 does just that. The bill addresses growing security concerns by expressly allowing campaign funds to be used for security services and systems, such as hiring security personnel, installing monitoring systems, or upgrading physical security. The bill allows candidates and officeholders flexibility to respond quickly to safety and security concerns without having to draw solely on personal or state resources. LB986 is about safeguarding participation in the democratic process and protecting the people who serve our communities. The bill was heard on February 4 in the Executive Board; there was

no opposition testimony, and advanced on a 9-0 vote. I'd ask for your green vote on LB986. Thank you very much.

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

HANSEN: Thank you, Mr. President. AM25-- or, AM2353 is a single-word amendment offered by the Executive Board. It adds a reasonableness standard to the underlying bill, specifically in Section 2, Subsection (10). It inserts the word "reasonable" after "other" in reference to physical and structural security measures and improvements. The Executive Board added this language to prevent any potential abuse of campaign funds, and to give the Accountability and Disclosure Commission a clear guiding standard for what may be reasonable-- what may reasonably be considered security expenses when it comes to campaign expenditures. The amendment had unanimous support in the Executive Board, and I urge the body to adopt AM2353 and advance LB986 to Select File. Thank you, Mr. President.

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

LIPPINCOTT: Thank you, sir, and I would appreciate it if Senator Bostar would entertain a couple of questions, please.

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

BOSTAR: Yes.

LIPPINCOTT: Yeah, you and I talked off-mic just a few minutes ago about your bill. And just a clarification, I wanted to ask you about any reporting mechanism that would be included with the Nebraska Accountability and Disclosure Commission.

BOSTAR: Yeah, and thank you for that. So, these provisions would be included in the already-existing framework that exists for reporting, disclosure, and enforcement. So, the NADC-- all of this would be reported and itemized to the NADC, just like everything else. They would have the authority to essentially rule on valid expenses or not, just like they do now. And all of this would be disclosed, so it would all happen with full transparency. So, we're using the existing system, and we're simply adding a provision to it.

LIPPINCOTT: All right. Thank you for answering that question. I'd appreciate that. Overall, I see that we just got a handout a few moments ago that have a bunch of concerns, and just the overriding concern that folks have, I believe, is just whether or not this bill has guardrails. So, specifically, how does this stop candidates from raising money for home improvements in the name of security measures?

BOSTAR: So, I-- we-- you know, we actually had a lot of conversation about this in committee, about what the right approach is. Because there was discussion about dollar caps, restrictions, all sorts of things. And ultimately, where we landed-- and again, I'm, I'm open to all kinds of suggestions. I mean, we're-- this isn't a closed door on any of this. But ultimately, my reading from the committee discussion was that having some flexibility in place was valuable. What stops a candidate from frivolously spending in this regard is the same thing that stops a candidate from spending frivolously in any other kind of category of allowed use. I mean, you know, right now, candidates can raise money and spend it on parties and travel and fine dining if they want to. Those are allowed uses right now. And so, we, we trust the commission to identify what is clearly outside the bounds of reasonable in the law, and I would imagine we would continue to do so in this regard, but while ensuring that we are giving individuals the tools they need to make sure that we're addressing real concerns.

LIPPINCOTT: Thank you for that answer. And just one additional question: would you be willing to limit it to a dollar amount?

BOSTAR: Yeah. So, we-- this was a-- this was a question that we talked about in committee quite a bit, and there's-- there are reasons why it's not a good idea. So, the hiring of security personnel is far and away one of the most expensive things you could do in the, in the arena of security and safety services. It's very expensive. And so, I-- the concern is that if you restricted it to a dollar amount-- and it would also be a question, how would that work? You know, is that a dollar amount over the course of a year, of a certain reporting period, or what would that mean? But that would most likely be the casualty, is you would not be able to high-- hire security personnel when you needed to. And, and I know of a number of examples where that has been important for ensuring the safety of public officials and their families.

LIPPINCOTT: Thank you, sir. I appreciate it.

BOSTAR: Thank you.

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

M. CAVANAUGH: Thank you, Mr. President. Would Senator Bostar yield to a question?

KELLY: Senator Bostar, would you yield?

BOSTAR: Yes.

M. CAVANAUGH: Would you entertain adding to this for child care, for candidates to use their campaign funds for child care?

BOSTAR: I, I mean, it has my support.

M. CAVANAUGH: OK. I just-- I, I bring it up because Senator Hunt has brought this since our first year here when she and I both had-- our kids were very young, and I just bring it up more to highlight the issue that it's an expense that we cannot use our campaign funds for. So maybe future legislators, when I'm not here, but you'll still be here, can entertain bringing that kind of amendment, because, as you well know-- you also have littles-- that it is expensive, child care is expensive, and this job does not pay well.

BOSTAR: All true.

M. CAVANAUGH: Thank you, Senator Bostar.

BOSTAR: Thank you.

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

CONRAD: Thank you, Mr. President. Good morning, colleagues. I appreciate the good dialogue on this measure introduced by my friend Senator Bostar in regards to LB986. The issue definitely caught my attention on the agenda, and I know it has been a point of discussion for elected officials and their families and their staff in regards to horrific political violence that has negatively impacted far, far too many lives. And I know there

have been similar deliberations in regards to the Capitol security measure that continues to move forward in the Legislature this year. If Senator Hansen perhaps would yield to questions, as chair of Exec Board and introducer of this amendment.

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

HANSEN: Yes.

CONRAD: Thank you so much, Senator Hansen. Sorry I didn't have a chance to circle up with you this morning on it. But for those of us not on the exec committee, can you just help us to get a better understanding of the reasonableness component that's put forth in the committee amendment, which I think is sound-- is that based upon a, a decision by NADC or by the candidate or elected official?

HANSEN: That was actually by the Executive Board. I think it was a concern that I had and maybe some others did about making sure this doesn't kind of-- the use of campaign funds can't be used for unreasonable purposes like "I'm concerned about the security of my house, therefore, I want to build a new house with my campaign funds." And obviously, I'm assuming the NADC would obviously put a red flag on that, but in statute, putting the term "reasonable" seemed like an appropriate measure to make sure that we're-- these have some kind of guardrails, I think, in statute with the language. So, that's-- that was the goal of putting "reasonable" in there.

CONRAD: Yes, I, I think that I-- that is a, a, a thoughtful amendment. I was just trying to discern, is the reasonableness standard, in the, in the mind's eye of the candidate and/or elected official, or the Nebraska Accountability and Disclosure Commission? Who assesses the reasonableness standard?

HANSEN: Well, I would assume that--

CONRAD: I'm guessing the regulator, but--

HANSEN: Yes, yes. Yeah, it is. But then that would also hopefully then tell the candidate or the person running, saying, OK, that I cannot use this for unreasonable purposes, and they would have to make that determination, and then-- along with the NADC.

CONRAD: OK. Very good. And then, a couple of other questions just trying to kind of sort through how this would work out. Is the security allowance for-- limited to just the period of candidacy or term of elected office? Many times after candidates leave elected office, they still have an active campaign account for a variety of different reasons. There's-- maybe they'll run for something in the future, maybe they haven't worked through the dissolution components for different reasons, they want to give it to non-profits or other candidates, whatever. Does-- would-- under this proposal as amended, would that allow for a former elected official or a former candidate to keep utilizing these funds for home security or personal security, bodyguards, security systems-- I don't know if they're able to purchase weapons or otherwise to protect themselves, if they assess that to be reasonable. Did, did Exec Board talk about any of those kinds of, of, of components for implementation?

HANSEN: Yeah, I don't think there was a lot of discussion with that subject, with-- the idea, I think, is that this will still be in the hands of the NADC, and would be interpreted as all of the campaign, campaign funds typically are now. I think we're keeping-- it's not like this bill was being kept in line with how we address campaign funds being used per the NADC interpretation. So, we weren't going to, anything in statute, change anything with that, because that's typically the NADC's decision. Like, just like right now, currently, you can probably use-- when you're done, you can use campaign funds to travel after you're not elected anymore, if you're trying to follow up on something, right? Or, or if you are running for another office. You know? So, I'm assuming if there's-- I'm assuming a legitimate threat to somebody's security and they still needed to maintain some of those security standards after they're done with their term, they might be able to use some of those, and I'm sure the NADC would look into that and determine-- make that determination.

CONRAD: Thank you, Senator Hansen. I see we're just about out of time, so I might just punch in quickly again just to get a better understanding of perhaps there's some other good models out there on the federal level or from our sister states that have explored similar issues and have put caps in place, require documentation of credible threats before--

KELLY: That's your time, Senator.

CONRAD: --authorizing the spending. Thank you. Thank you, Mr. President. Thank you, Senator Hansen.

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

G. MEYER: Thank you, Mr. President. I rise in opposition to, to this particular bill, LB986. I don't think that the concept is necessarily a bad concept, but given the number of questions-- part of it of, of-- is part of the handout that I had passed out-- given the numbers of questions and the ambiguity in, in some of the language and, and the opportunities that would appear to abuse something like this, certainly, with a lack of dollar amounts, specificity with regard to what actually constitutes security, I think it probably behooves us to, to maybe refine this a little bit more, perhaps bring it back next year. We really don't need to pass a bill like this and then pretty much do a major overhaul the following session, and I'm pretty sure that's exactly what's going to happen here. There's entirely too much ambiguity. Not a bad concept; in principle, I can support the concept, but I, I just don't think the bill is ready yet for primetime. I, I would, would like to point out, in the titling of this particular, particular handout, I do know how to spell "learning;" you know, it's a reference to some of the substantial discrepancies that have happened to one of the states north of us. And let's, let's be a little more circumspect when we, when we start looking at these things: the cost, the use, those types of things should be examined, in, in my opinion, in greater detail. So with that, I yield the balance of my time.

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

RAYBOULD: Thank you, Mr. President. Good morning, colleagues. Good morning, fellow Nebraskans. So, you know, I, I agree with Senator Meyer, and I agree with Senator Conrad. I appreciate the concept of this. I know in light of some of the divisiveness that we see in our nation at this point in time, and some of violence that we have seen, it's, it's a scary moment in time for any elected official. And of course, I think many, if not all of us, have thought about our families, how do we keep them safe, despite the, the very public face that we have and all the meetings that we attend. And so, I, I do support the concept, and I don't know if my other colleagues-- but I know that I've,

I've been in public service for a while, and so, yes, we have cameras installed; yes, we get immediate notification if someone is-- or, instantaneous notification if there is someone at our front door, our back door, in our yard, just for some well-being and and confidence that we are all safe and secure, for whatever reason. And I, I have a couple of questions, and I'm hoping Senator Bostar might yield to a couple of questions.

KELLY: Senator Bostar, would you yield to some questions?

BOSTAR: Yes.

RAYBOULD: Thank you, Senator Bostar. I know you're, you're hearing a lot of great suggestions from our colleagues today about maybe having the guardrails, maybe having these-- this funding-- permissibility of this funding expire once your term of elected office ends after, like, a period of three months while you reconcile your accounts and so on. Is there-- so, help us understand the reason why it was drafted without some of these guardrails that we're talking about today.

BOSTAR: Well, I think-- so, we've talked about a couple of things. One is the sort of monetary cap, and that was a subject of discussion, like I said, in committee, and it was opted not to move forward with that. As far as eligibility post your service in office, I, I actually don't really have a problem with that. I think, I think probably it makes sense to do something like that and align it with more than just these provisions, right? I mean, we have examples of individuals using their campaign funds after they're effectively voted out of office, and going on trips and travel and dining and everything else. So, I, I actually think getting all of that under control makes sense. So, there are things that I think are, are-- we could absolutely do.

RAYBOULD: So, I guess the other question is-- I mean, if there is a viable threat to you or your family, wouldn't you take immediate action and, and not even care about, number one, the expense or being reimbursed for it from your campaign funds?

BOSTAR: What are you asking me?

RAYBOULD: So, I'm, I'm asking you the question, wouldn't you take immediate action if there was a viable threat, regardless of getting reimbursed from your campaign funds?

BOSTAR: Of course I would.

RAYBOULD: OK. And I think, I think that's realistically what each and every one of us would do.

BOSTAR: OK, but there's another issue here, which is that if you, for example, could have an alarm system on your home--

RAYBOULD: Yeah.

BOSTAR: It's, it's not-- not every threat, not every situation or scenario comes with advance notice, right? Not every risk is broadcast to you. So sometimes, it's prudent when you do this kind of work to take reasonable measures to ensure that your family can be safe, and I just want to help people be able to do that. Because not everyone is in the same position of being able to necessarily do that out-of-pocket. I've had to do some of those things, and I'm happy to pay for it myself, but I-- not everyone can.

RAYBOULD: OK. Thank, thank you, Senator, very much for your candid responses. And I, I know that implementing some safeguards is not a costly endeavor.

BOSTAR: I'm sorry, could-- my apologies. I was asked a question off to the side. Could you repeat that?

RAYBOULD: No, I'm sorry. I said thank you, Senator Bostar. I didn't have another question.

BOSTAR: Oh, thank you.

RAYBOULD: I appreciate your candor very much. But I know that these measures are, are not costly. There's a lot of great programs-- Blink, Ring, you name it-- out there that, that are pretty standard and truly affordable. So, I, I do have reservations. Like many of you, I would like to see more guardrails. Thank you, Mr. President.

KELLY: Thank you, Senator Raybould. Senator Conrad, you're recognized to speak. Announcement, Mr. Clerk.

CLERK: Thank you, Mr. President. Quickly, the Revenue Committee will have an executive session at 11:00 in Room 2102. Revenue Committee, 11:00, Room 2102.

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

CONRAD: Thank you, Mr. President. Again, good morning, colleagues. I think we've had a lot of good questions on this very well-intentioned legislation brought forward by my friend Senator Bostar. Perhaps Senator Meyer or others can work with the Executive Board and Senator Bostar to provide more clarity if the bill moves forward today, which I'm guessing it will, from General to Select, to perhaps look at some other models from the federal level or our sister states that put caps in place, that require documented verification of significant public safety threats, that help to ensure more clarity than the reasonableness standard perhaps, that look at aspects of making this perhaps time-limited, looking perhaps at limitations on the types of security measures that can be purchased with these funds, because it seems pretty open-ended here. So I think, again, the, the measure is well-intentioned. It does seem to be very, very broad, and perhaps subject to abuse by candidates or elected office-- elected officials just because of how diffuse and, and vague and broad it is, and I think that perhaps if the legislation moves forward, it could be more narrowly-tailored to advance the same goals with more clear directions about how these funds are utilized. I also know that over the past maybe year, couple years, as instances of political violence have arisen in other states, local law enforcement has reached out to elected officials to touch base about security. They have offered, I think-- and I can't speak for all communities. I know some law enforcement agencies have literally offered monitoring and security devices and technical support to elected officials. Maybe we need to take those kinds of components into place to make sure that there's not a layering or a double-dipping here. I guess it's probably important to know whether or not some of those, you know, offers of providing Ring can-- Ring systems or monitoring from local law enforcement, or even political parties, which I know have engaged in some of these discussions as well. Does that count as an in-kind donation? Does that count as a gift that needs to be reported? Just some of these kind of boring but important things to figure out on the regulatory and reporting side of it, as these issues have arisen and elected officials and candidates may be seeking additional clarity that this legislation can provide to the regulators at the Accountability and Disclosure Commission to help sort out. I personally don't think this legislation is necessary. I have been in public life 12 years as a member of this Legislature, 8 years plus in high-profile controversial work on the state

level, and I have had a few odd instances that perhaps might cause pause for concern, but overall, I've-- I, I feel safe conducting work in public life, even on complex or controversial issues. And I know different members have had different experiences and have different levels of comfort, and, of course, I want to be aware of that. But I do think that perhaps it's not necessary now, and if it does move forward, perhaps we can work together just to ensure that there is a little bit more clarity or restriction on time, manner, amount, documented credible threats, et cetera. Thank you, Mr. President.

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

SPIVEY: Thank you, Mr. President, and good morning, colleagues. And I'm sure all of these babies to my left are going to be recognized, but I just got up from working and I saw all y'all here. Hey, I'm so glad that y' all are here and seeing us at work for you. Y'all look really good today. So, I'm excited to hear where you're from, and hopefully we can see you in the hallway. But I appreciated the dialogue and just wanted to stand up. Originally, I thought I was somewhere, and again, because of good debate and why we're here, just had some other thoughts that I wanted to uplift, and appreciated the comments from my colleagues. I absolutely understand Senator Bostar's intent with the bill. When we talked about security measures at the Capitol just in general, with how open we are here and what does it mean in terms of people being able to bring in weapons, and that we have beautiful kids that come, like the ones that I just talked to, how do we ensure their safety as well, and what does that look like? And so I think, you know, this has been a topic of conversation for us in general to work through, around how do we have accessibility, make sure people feel safe, and safe in that we can try to limit any extreme risk or acts of violence, right? We can't solve for everything. And I can understand with LB986, the intent with that of trying to understand, what do we need in our homes or in other places that would create a, a space of security that is reasonable? So, I do support the AM2353 that added that word in. I think that is also still subjective of what I think is reasonable versus someone else, and appreciated some of the feedback from Senator Raybould and Meyer just around tighter provisions and what that could look like if we added caps, or what the use is for, and some of the questions that were passed out. I do think it's true that there are spaces in other entities that help to lift up some security measures, as

Senator Conrad had mentioned, when there were the very viral murders and incidences of violence that happened in Minnesota. A lot, at least on my party's side, reached out to senators that are members of that political party to say, hey, here's what we know. We can offer Ring cameras, we can provide support, we are trying to figure out who was on this list and really work to ensure safety. And so, I do know that does exist in some spaces. I don't know how equitable or accessible it, it is for all public officials in that same way, but I do know that happened. I already have a Ring camera just in general because things happen. And so, there are, again, already measures that would be set up. But again, can understand the intention with LB986 and seems like that there is some opportunity to tighten up the parameters to ensure that there's not misuse, that the intent of the legislation actually matches the impact, and we're not creating other loopholes and that it might not necessarily be ready for primetime if there's not agreement to work on some amendments between now and Select. But really do appreciate the dialogue and perspective raised up by Senator Raybould, Meyer, and Conrad on this, and appreciate Senator Bostar. You really trying to highlight your intent with the bill and what you're hoping to achieve, and will continue to listen to debate before I make a decision on where I am with this measure. Thank you, Mr. President.

KELLY: Thank you, Senator Spivey. Senator Hallstrom would like to recognize some guests in the south balcony: fourth graders from Hayward Elementary in Nebraska City. Please stand and be recognized by the Nebraska Legislature. Senator Glen Meyer, you're recognized to speak.

G. MEYER: Thank you, Mr. President. I think all the questions, all the concerns that have been expressed by the other senators - I appreciate that very much. I want to thank Senator Bostar for actually bringing the bill. I think it's, it's a good conversation for us to have, given, somewhat unfortunately, the political climate we're in today. I do support AM2353, which, which makes it a, a, a better bill. I still think it's not really quite ready for primetime, and I think there's a good deal of work that needs to be done on it, and I'd prefer that not be done on the floor of the Legislature, certainly given the time constraints we have and all the conversation and concerns that have been expressed in discussing the bill. You know, all of us make a sacrifice to come down here, whether it's, whether it's a financial sacrifice with regard to our personal finances,

the, the time that we're away from our families. When I'm down here, it's not unusual for a, for a member of my family to be home alone, and frankly, when, when I got elected to this body, we installed motion lights and cameras for, for their security, and that's, that's part of the sacrifice. That's part of the financial sacrifice, and that's part of time sacrifice that we all commit to when we, when we run and we get elected to come down here. So, given that, I'd like to be brief. Once again, don't necessarily disagree with the concept, but, but I think this bill needs a great deal more work before we can move forward. I yield the balance of my time. Thank you, Mr. President.

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

HUNT: Thank you, Mr. President. Good morning, Nebraskans and colleagues. I've been listening to the debate on this bill, LB986, and thinking about sort of the spectrum of things that we are allowed to use our campaign funds for. In Nebraska, something I've learned in my eight years of experience here and from talking to colleagues in other states who are elected, we actually have pretty loose campaign finance laws; there's a pretty broad range of things that we can already use our campaign funds for. And I think-- you know, this might be an unpopular opinion, but I kind of think that's a good thing. I think that we need to be incredibly diligent and much, much, much more strict when we're talking about taxpayer dollars, when we're talking about, you know, funding things that all of us get to benefit from that all taxpayers pay into. But when you're pounding the pavement and you're getting these donations from people in Nebraska, you're getting people giving you \$5, \$10, \$30-- you know, I kind of do have the opinion that these are people who are trusting us to use that money the right way, whether that's buying yard signs or sending out mail, or maybe getting a security camera for your house. I don't know. I-- I'm not sure how I feel about LB986. I have a problem that I've talked about many times with the increase of our surveillance state in our country and in our culture. I'm uncomfortable that now the majority of houses down the street have a camera on the front door that could, could take a video of you at any time, and how that footage can be used, and how surveillance video can be used, and the fact that younger generations of people are getting more and more comfortable being surveilled constantly, whether it's the camera on your door or the apps on your phone,

or, you know, the increased government surveillance that we're seeing as well at the federal level and the state level. And these are things that concern me. And I think about, I guess, opening the door to more of that, and what that means. We-- you, know, I also kind of agree with what Senator Conrad said, that I don't if it's a necessary thing. I have a much higher risk tolerance for threats and violence, I suppose, than a lot of my colleagues seem to. I've observed from conversations. I'm not afraid of Nebraskans. There's, there's no experience I've had that made me want to stop doing this work or that made me fear for my life or safety, and I've experienced the gamut of it. You know, similar to many of you, you know, I've done a lot controversial work in my time here, and in my time as an activist and advocate before this work. And my belief is that if somebody wants to cause harm to me, they're going to find a way to do that. So, the best thing I can do is to live my principles and have integrity, and mind my business and live my life, because that's the best all of us can do. So, I don't live in this fear that some people do, which is understandable. But I also wanted to mention there are things that I think that we should be able to use our campaign funds for. I'm going to put my light on just in case I run out of time. I have a bill right now in committee, LB74. I've introduced this bill three, four times, maybe more times than that. And what this bill would do is allow us, allow legislators to use campaign funds for child care and the cost of travel for minor children. When I became elected, I had a young child-- and I'm a single parent, I'm single mom, so it's just me and her. And my first year in the Legislature in 2019, I got nominated to serve on a couple national boards, and that work required some travel. And luckily, it's, it's within the scope of our law here in Nebraska that I could use campaign funds to do that travel. But then, I had the challenge of either finding child care for my kid to stay home while I did that travel, or paying her way for another plane ticket, which could be \$300, \$500, \$600 for her to come with me, and that was a hurdle, as a newly-elected lawmaker and a single mother to a young child, that I never anticipated. What I, what I learned when I spoke to the Accountability and Disclosure Commission, to Frank Daley, who was there at the time, was that they ask that campaign expenses pass a quote-unquote but-for test; that but for your position as an elected official, you would not have this expense. So, in my opinion, the cost of travel for my minor child to a conference in Nashville or a conference Austin or a conference D.C., because of my work-- Mr. President--

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

HUNT: Thank you, sir. So, to my mind, but for my position as an elected official, I would not have this expense of having to take my minor child to a conference. Therefore, that should be permissible spending under our campaign finance laws in Nebraska. The commission thought that this was not clear, that this maybe a gray area, and they suggested I introduce legislation to clarify that, if that's what I want the case to be. So, I introduced the bill, like I said, three, four, five times. I don't know how, how often. And right now, that's LB74. It languishes in committee; we have not had an exec on it, and I've never been able to get that out of committee. When Senator Brewer, Colonel Brewer, Chairman Brewer was running the Government, Military and Veterans Affairs Committee, by the time he was about out of there, after his eight years, he was starting to soften, and I probably should have put a lot-- I probably should have pushed a lot harder to get that bill out at that time, because I think that he was starting to come around and agree that that was a good use of campaign funds. But it is, it is in the game; it's in play right now. It's LB74. I would be encouraged if Senator Bostar would be willing to work with me and members of the Government, Military and Veterans Affairs Committee to get that out and get that attached to this bill, because I think that our legislator-- Legislature in Nebraska is much more strong, much more representative of the people who we are elected to serve if it reflects the identities and experiences of the people we serve. When our campaign finance laws were written, it didn't contemplate that a single mother with a young child could be a lawmaker, and now that's the case. That's often the case, and it will continue to be the case in the future, and there's lots of scenarios like that, so. LB74 is, I think, a bill that we should look at attaching to this bill. That would get my support, for sure. And it's a way for us to make sure that in future Legislatures, lawmakers who are, you know, low-income-- which many of us are here, actually-- are not prevented from doing the work that they were elected to do, that they would not have to do but for being elected, like, like traveling to conferences, like serving on different boards around the country, like working with the-- what's the, what's the acronym? Senator DeBoer, what the acronym? There's the Council of State Governments and the, and the NCSL, the National Conference of State Legislators [SIC], Council of State Legislators [SIC]. Yeah, so there's all these opportunities that we get to do, and I hate the idea that there are lawmakers who are prevented from doing that work because maybe they've got a

five-year-old and they can't pay for child care, nor can they pay for a plane ticket for the kid to come, so. I've always thought that that was a policy that would greatly enhance the ability of lawmakers in Nebraska to serve the people that sent them here to do this work. Not afraid of Nebraskans, don't want the money to buy a Ring camera, but when I have to go to a conference, it would be nice to be able to bring my kid. Thank you, Mr. President.

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

M. CAVANAUGH: Thank you, Mr. President. Would Senator John Cavanaugh yield to a question?

KELLY: Senator John Cavanaugh, would you yield?

J. CAVANAUGH: Yes.

M. CAVANAUGH: Thank you, Senator Cavanaugh. So, on a previous bill, with-- Speaker Arch had a bill about different commissions and committees, and one was the potato committee. And then, you spoke about the article that the Speaker referenced, that you actually got that article for him, and you found it via the library. Is that correct?

J. CAVANAUGH: Yes.

M. CAVANAUGH: My question to you is, how did you find it? Did you find through, did you do, like, microfiche, microfilm? Did you find it online? Was it a LexisNexis search? Could you expound on how you actually came to have this article?

J. CAVANAUGH: I certainly can, and we actually had a microfilm, microfiche bill in Government this year, so now I know the difference between the two.

M. CAVANAUGH: Oh, one's flat.

J. CAVANAUGH: Maybe I'll save that for another day. So, the library has a good website, the Omaha Public Library has a good website. They have a number of good technical or, or digital platforms, including the Libby app, which you can have on your phone, and you can search for books, both audio books and

digital formats of print books, so you can read and listen to books separately.

M. CAVANAUGH: I feel like you're skirting the answer to my question.

J. CAVANAUGH: I'm, I'm laying the context--

M. CAVANAUGH: OK.

J. CAVANAUGH: --so that you can fully understand. So, this information is not available on the Libby app, and-- but on the website, you can use the website in the standard format where you can go and search books and put them on hold for pick-up at the library, also see what's available on the Libby app. But they have additional online resources that include print news archives, and they have the archive of the Omaha World-Herald in a digitized format of microfiche, so that there are actual images of the newspapers that were printed, which is the, the article that I shared with--

M. CAVANAUGH: But in 1945, the Omaha World-Herald didn't exist.

J. CAVANAUGH: Well, so they-- it's the Omaha World-Herald and its predecessors, including-- there's the Omaha Star, the Omaha Bee, the Omaha Herald, the Omaha World, and they-- of course, the Omaha Sun, which won the Pulitzer Prize. And--

M. CAVANAUGH: And our mom is the only columnist who appeared in both the Omaha Sun and the Omaha World-Herald.

J. CAVANAUGH: I don't know that that--

M. CAVANAUGH: That's a question in a Nebraska trivia game.

J. CAVANAUGH: Oh, OK. Well, there you go. I didn't know that one. I learned something. So, it has all these archives, and if you go back earlier than about the 1990s, it's in this sort of digital format where it's an image of the page. In the more recent ones, it's a digitized article, which is nice; it makes it maybe a little bit more searchable, but it does prevent you from getting, you know, the pictures that were included and the context of the other articles around it, and seeing how it actually was laid out in the paper. So, you know, it's-- some benefits and, and drawbacks to the setups.

M. CAVANAUGH: So, you can now go and look-- you could still go and look at the microfiche and see the actual--

J. CAVANAUGH: Not for the current newspapers, no.

M. CAVANAUGH: Oh.

J. CAVANAUGH: That-- that's the difference, is they changed over to the more-- the digitized-- it just looks like a news-- it looks like an, an article you would print off of the paper right now or something, so it's just text without the other borders. But--

M. CAVANAUGH: But the 1945 article, could you not find the original--

J. CAVANAUGH: That, you can see. So, what I shared with Speaker Arch was actually a image of that article, is really what it would be. So, it's-- it is the-- it has the margins and the print, so it looks like just-- I-- like you had just cut it out of the newspaper. And so, you can search based off of year, date, windows; you can search for like-- so, I, I, I think I just searched the potato board, and I saw how many articles or how many times it had appeared over the last 100 years, and then went and picked the-- that article, which was I think the most recent version of it, and was able to pull that up and print off an image of that and share it, so--

M. CAVANAUGH: Thank you. Looks like I'm almost out of time, so I just wanted to say please do not teach our father how to do this. I already get enough articles from him. I don't need more.

J. CAVANAUGH: Oh, well, I don't-- I won't.

M. CAVANAUGH: Thanks for answering my questions.

KELLY: Thank you, Senator Cavanaugh. Senator Conrad, you're recognized to speak. This is your third opportunity on the amendment.

CONRAD: Thank you, Mr. President. Good morning, colleagues. Just wanted to lift a procedural point quickly for the debate. I am interested by the discussion from members this morning to look at somehow advancing Senator Hunt's provision to update our campaign finance laws to take into account the modern realities

of working families and parents who are running for office and serving in office. I think that is important, and has languished for far too long. But I do just want to note, I think typically, most campaign finance issues are referenced to the Government Committee, like Senator Hunt's bill, which she mentioned. And it is conspicuous and strange to me that this campaign finance matter was referenced to the Executive Board. So, if perhaps there were an effort to combine some of those concepts, there may be some procedural hurdles that we'll, we'll need to work through, and it, it does-- it is just a very, a very odd reference decision when compared to our past practice on these issues within the subject-matter jurisdiction of the Government, Military and Veterans Affairs Committee. Thank you, Mr. President.

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

J. CAVANAUGH: Thank you, Mr. President. I, I did think-- just had a moment of, I guess, clarity about the conversation Senator Machaela Cavanaugh and I were having in reference to relevance to the bill. So, this bill is about expanded uses of campaign funds, and Senator Hunt did talk a lot about that the-- I, I can't remember what she said-- but-for test of whether you do this because of you are an elected official or whether you would normally do it. And I do recall that there is some un-- some lack of clarity about what is allowable expenses for, like, our offices and things. And there's some disagreement, I, I recall, about whether you can use campaign funds to get a newspaper membership and have it delivered to your office or something. I do personally believe reading the newspaper every day is something that we should be doing as part of this job, but I do hope people would do it even if they weren't here. But, in interests of this, you can read the newspapers online on the, the website for the library. So, you can use your library card. You have to log in every day and do it every day, so you can't get, like, a regular-- the membership. So, you can read the New York Times through there. I believe you can read the Wall Street Journal, and I think the local papers. So, I do think we should all support our local papers and pay for them, but this job does take a lot of our time and our energy and our ability to earn money outside of this place. And so, if you do want to access print journalism and can't afford the ongoing memberships, you-- if you live in the city of Omaha or Lincoln, you should be able to get them through at least the Omaha Public Library's website,

and then reciprocity with the city of Lincoln's website or Lincoln membership. I, I assume other communities have really good libraries as well, so probably have some of these similar programs to get access to these newspapers. But it may be something to consider. I haven't brought a bill on it for clarifying that offices should be able to use campaign funds for things like water coolers and, and some of those other functions and newspapers, things that just make it a little bit more welcoming to your constituents when they come and visit, when people come to your office. And then, of course, making sure you have access to that information. But again, library, great tremendous resource for these things, and can help us bridge the gap in terms to the expenses that we do bear as a result of being here and doing this job. Thank you, Mr. President.

KELLY: Thank you, Senator Cavanaugh. Seeing no one else in the queue, Senator Hansen, you're recognized to close, and waive closing on the amendment. Senators, the question is the adoption of AM2353. All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

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

KELLY: AM2353 is adopted. Seeing no one else in the queue, Senator Bostar, you're recognized to close on the bill.

BOSTAR: Thank you, Mr. President, and thank you colleagues for the discussion. You know, as I said previously, I think that there are absolutely things that we can do and adopt that would maintain the sort of purpose behind the measure without compromising it. And just, you know, my only request is that we just are, are careful about how we do it. We don't want to create an environment where we prohibit some sort of security endeavor that would be required or necessary in a given time without understanding the consequences of doing so. And so, with that, I would ask for your green vote. Happy to talk to folks between now and Select about thoughts and ideas and what they might envision. And so, thank you very much for the conversation. Thank you, Mr. President.

KELLY: Thank you, Senator Bostar. Senators, the question is the advancement of LB986 to E&R Initial. All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

ASSISTANT CLERK: 37 ayes, 3 nays on the advancement of the bill, Mr. President.

KELLY: LB986 is advanced to E&R Initial. Mr. Clerk.

ASSISTANT CLERK: Mr. President, General File, LB955 introduced by Senator Hardin. Bill for an act relating to the Pharmacy Practice Act; amends Section 39-2867.03; to allow a physician assistant prescribing under a collaborative agreement to enter into a practice agreement with a pharmacist; and to repeal the original section. Bill was first read on January 12 of this year. Bill was referred to the Health and Human Services Committee; that committee replaces the bill on it-- on General File. There are no amendments pending, Mr. President.

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

HARDIN: Thank you, Mr. President. Thanks to Speaker Arch for selecting LB955 as a Speaker priority bill. LB955 is a narrow administrative clarification that restores the long-standing ability of physician assistants to participate in CPAs-- those are collaborative practice agreements-- under their existing prescribing authority. It re-establishes parity among advanced practice providers, and assures Nebraska law is not standing in the way of care models that improve access, reduce delays, and allow all providers to practice at the fullest extent of their education and training. Collaborative practice agreements, or CPAs, are formal agreements that allow pharmacists to work directly with prescribing clinicians to manage and adjust medication therapy under defined protocols. These agreements are widely-used in Nebraska to help patients with chronic conditions, cancer treatment side effects, and complex medication regimens to receive timely coordinated care. A recent interpretation of statute by the Board of Pharmacy created uncertainty about whether physician assistants could continue participating in CPAs despite years of safe and effective practice. As a result, some health systems removed PAs from these agreements, even when the PA was the health care provider primarily managing the patient. This bill does not expand scope of practice or reduce oversight; it simply ensures that Nebraska statute supports team-based care and patient access, rather than creating unnecessary barriers. Thank you, Mr. President.

KELLY: Thank you, Senator Hardin. Seeing no one else in the queue, you're recognized to close, and waive closing. Senators, the question is the advancement of LB955 to E&R Initial. All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

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

KELLY: LB955 is advanced to E&R Initial. Mr. Clerk.

ASSISTANT CLERK: General File, LB921. A bill for an act relating to labor; to adopt the Nebraska Worker Adjustment and Retraining Notification Act; to change certain employment-- employer duties under the Non-English-Speaking Workers Protection Act; and repeal the original sections. When the Legislature last considered the bill, Mr. President, it had before it the committee amendment, as well as Senator Ibach's amendment, AM2786.

KELLY: Thank you, Mr. Clerk. Senator Ibach, you're recog-- you're recognized for a two-minute refresh.

IBACH: Thank you very much, Mr. President. I'll be brief. LB921 adopts the Nebraska Worker Adjustment and Retraining Notification Act, better known as the WARN Act, and makes minor changes to the Non-English-Speaking Workers Protection Act. At its core, this bill promotes transparency by providing additional notice for mass layoffs to allow employees 90 days to react to-- to react, as opposed to the federal requirement of 60 days, as outlined in AM2786. Additionally, the Department of Labor has identified funding eliminating the fiscal requirement. LB308, which is also included in this Business and Labor package, simply creates a health care staffing agency registry to allow a public database promoting transparency and accountability to protect Nebraskans. To be fiscally responsible, we've amended with AM2761 which delays the implementation of the Health Care Staffing Agency Registration Act to July 1 of 2027, which will allow for a cash fund identified to be used in creating the registry. Thank you very much, Mr. President.

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

KAUTH: Thank you, Mr. President. So, as Senator Ibach said-- she explained her LB921. She also has in the package LB308, which is a health care staffing bill. And I will tell you that that was actually introduced last year, and Senator Ibach and all of the parties worked for over a year to make sure that it got to the right place. Senator Dover has LB544, which is basically making provisions for unemployment. So, if you are offered a job, you have a certain amount of time to respond to that job. And I will tell you, he also worked very hard with people who had concerns on the committee about his-- he added the word "suitable;" if you're offered a suitable job, extended the time to response from two days to seven days, and added a provision allowing the commissioner to consider whether or not the means used to communicate with the applicant were, were correct. And then finally, Senator Wordekemper has his bill, LB1070, which deals with line-of-duty claims. So, I ask everyone for your green vote on both the amendment and the underlying bill. Thank you.

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

ASSISTANT CLERK: Mr. President, Senator Ibach would move to amend the committee amendment with AM2761.

KELLY: Senator Ibach, a refresh on the amendment, please. Two minute.

IBACH: As I mentioned, AM2761-- as I mentioned, that delays the implementation of the health care staffing agency registration to July 1 of next year. We've already identified a cash fund that can be utilized in creating that registry, and that will eliminate any of the General Fund obligations. Thank you, Mr. President.

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

GUERECA: Thank you, Mr. President. Good morning, colleagues. You heard me talking about E&R amendment, but this is my first time talking "substantly"-- substantively on the mic. I, as we left it prior to the weekend, have concerns about 5-- LB544, which is amended into the committee package. And I, I do appreciate the good work of the, of the committee, and I know Senator Dover had, again, had worked with the committee to make some changes to his LB544. But I, I question the timing of it and its, its-- I don't want to say its necessity, but certainly the timing

right now. You know, it's, it's an unemployment insurance. This is something that-- it's, it's baked into an employee's compensation package. So, here in Nebraska, the employer is the primary funder of the unemployment insurance, but it is baked into your compensation package. Employers, when they hire someone, they take that into consideration when they make that job offer. And we're not talking about a lot of money, because this is not meant to be a substitute for salary; it's supposed to be an insurance to-- if something were to happen-- and again, this is through no fault of your own. So, if an employer does-- or, if an employee does something to get fired, they do not receive the unemployment insurance. You know, things happen, and, and, and companies have to lay folks off. That's what the unemployment insurance is for, is when an employee, through no fault of their own, is let go from their job, they get roughly 50 percent of their paycheck until they find employment. Now, that 50 percent of your paycheck is capped, and here in the state of Nebraska, we cap that at \$444 a week. Now, if someone-- to earn \$444 a week has to be working 11 hours-- would be-- have to earn \$11 an hour. Which means under the current minimum wage, you know, you're really--there's not that many folks between the minimum wage and sort of the ceiling that folks reach was at \$22 an hour. Because again, this isn't supposed to be a long-term benefit that, you know, keeps you-- or says, hey, you know, I don't need to go back to work, I'm receiving an unemployment insurance benefit. That's not what this is. This is when you lose your job, when you just need something to help keep a roof over your head and food on the table while you go out and seek gainful employment. And again, we have a long list of requirements here in Nebraska to motivate folks. And in Nebraska, we have low unemployment. We have some of the lowest unemployment rates in the country. We have some of the highest labor participation rates in the country. We have some of the highest rates of two-job households in the country. Here in Nebraska, people work. So, to add another requirement at a time when we're seeing a looming energy crisis because of what's going on in the Middle East, we're already feeling it at the gas pump, and if we're feeling it now at the gas pump, we're going to be feeling it at the grocery store in a couple weeks. And we do not yet know what the outcome and what the, what the effect of the-- of a-- of the largest fires in the history of our state, what that's going to do to the price of meat, to the price of other commodities. I do not think now, of all times, when we have a crippling affordability crisis, is the right time to throw in something, another obstacle at a time when folks really could use the, the-- that, that 50 percent of their

salary to get through and find gainful employment. Adding that additional barrier just doesn't seem right. And I'm not saying I'm not open to that conversation later, but right here, right now, with our situation, I, I do have to stand in opposition to that.

KELLY: That's time.

GUERECA: Thank you, Mr. President.

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

CONRAD: Thank you, Mr. President. Good morning, colleagues. I rise in continued concern with the committee amendment, which has components therein that seek to arbitrarily limit access to the already-limited amount of unemployment benefits for displaced workers-- remember, workers who are displaced through no fault of their own. And on the one hand, in regards to Senator Ibach's piece, which is seeking to address notification issues when large employers pull up stakes and really leave a wake of confusion and disruption and uncertainty for our state economy and for local communities trying to fill in some gaps, look at things like that are in place in Iowa, just to provide a little bit more notification so that state and local officials and impacted workers can navigate those disruptions more so. So, I think that's generally moving in the right direction, and it's meant to be a policy that supports minimizing disruption for employees who are impacted through no fault of their own by major decisions of their employers. On the flip side of this, we've got an effort that seeks to penalize those employees who face job disruption through no fault of their own, and I also just don't quite understand how this measure works. There are already risks and penalties in place under the unemployment program if a displaced employee refuses suitable work, so that-- that's already part of how the program works. And there's also literally a form online for the Department of Labor where employers can report if somebody is offered a "comparable"-- a comparable job to their previous job at comparable wages and hours, and refuses to accept the job offer. They can also already be disqualified from unemployment benefits, and there's-- I, I believe that can also apply to the job author or the withdrawal of the hiring process, perhaps. So, I'm not exactly sure how this fits within the existing restrictions and parameters of the unemployment program, which provides a very

modest amount of support to an employee who loses a job through no fault of their own. There's already requirements that the employee must perform multiple reemployment activities every week, including job applications, logging those in; there's already a waiting period for the first week, where those modest benefits are not available; there's already reporting if somebody is refusing to work when offered a suitable replacement job. So this, again, just seems unnecessary and perhaps meanspirited that we're-- we already have all of these requirements in place to access modest temporary help when an employee is fired-- loses their job through no fault of their own. And now, if they miss an interview, we're going to also penalize their access to this lifeline of support after they've lost their job that they wanted to work at through no fault of their own. So, I, I, I, I strongly believe that component of the legislation should be removed from the committee package. I think it is really incongruent with Senator Ibach's components in here, which is meant to support displaced workers and communities, and I think that component from Senator Dover really seeks to undercut displaced workers and it just-- it doesn't make sense together in the committee package; it seems to already be covered by suitable restrictions that exist in our unemployment program. This just seems unnecessary and incongruent. Thank you, Mr. President.

KELLY: Thank you, Senator Conrad. Senator Riepe would like to recognize guests in the north balcony: they are fourth-graders from Norris Elementary in Omaha. Please stand and be recognized by the Nebraska Legislature. Senator Machaela Cavanaugh, you're recognized to speak.

M. CAVANAUGH: Thank you, Mr. President. So, I, I was trying to look and see what Senator Ibach's amendment does. I know we discussed this on Friday. That was the last time we were here. Time starts to kind of meld together end of session. Yes, so on Friday, we were discussing this bill, and I don't recall which-- Senator Ibach's amendment takes out Sections 23, 24, and 25. Insert the following new sections, Section 19, Health Care Staffing Agency Registry Act, and then renumbers other sections. And then, on page 10, line 15, strike "General Fund" and insert "Contractor and Professional Employer Organizational Registration Cash Fund," which I believe Senator Ibach mentioned in her refresh, is they identified a cash fund. Although I, I do wonder-- and I will ask maybe later, because I see that she's engaged in a conversation-- about more information about this

cash fund. Or, I suppose I could look it up. Contractor and Professional Employer Organization Registration Cash Fund. And I don't recall what exactly the fiscal note was on this that we are seeking. OK, it's \$90,000-- approximately \$90,000 for-- it looks like a PSL-- personnel-- PSL is a-- what does PSL stand for? I know it's, like, same thing as an FTE. It's an employee. PSL is an employee. So, so we're going to use the cash fund instead of the general funds, but I would like to learn more about what the cash fund actually is, and I will have to look that up between now and the next time on the microphone. I like to know how our cash funds are being funded and if it's an appropriate use of the fund, because we seem to be shifting a lot of things away from general funds, and some of them might be appropriate; other utilizations, some of the may not. I renewed my driver's-- not my driver's license, my license plates over the weekend online, the DMV, and I of course looked at what all the different fees and things were. And as, as most people know, I'm a huge fan of the director of the DMV, Rhonda Lahm. And so, I was thinking about her and her quest to have zero visits to the DMV in a lifetime. That's her, her future goal. Obviously, I'm, I'm, I'm looking at Senator Riepe. You and I have probably done more than zero visits. I don't think we can ever get to that point. But it was nice to renew my license plate tags online. It took me about one minute, maybe a little bit less. And now, they'll just be mailed to my house, and I'll have to get a little washcloth and wipe off my license plate and stick them on, and good to go. It's always been a little inconvenient because both of my cars are renewed in these months when we're here, like, March and April, so I always have to remember to do it. So, since it's been an online process, that's made my life a lot easier because, as my colleagues know, it's hectic to get the very few things we want to get done in life done on our one or two days off, so. But I-- sorry, that was a digression. I was talking about that because of fees, and I was looking at the fees on the DMV and just now thinking about what pays for this particular cash fund. So, when I am off the mic, I will be looking at figuring that piece out. It is-- again, what was the cash fund called? Got a lot of things open here. The Contractor and Professional Employer Organization Registration Cash Fund. I'm very interested to learn what that is all about. Thank you, Mr. President.

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

SPIVEY: Thank you, Mr. President, and good morning, colleagues. I know we are approaching the lunch hour, and appreciate the conversations and items raised for discussion among my colleagues. I did want to say, Senator Cavanaugh, that I kind of like going to the DMV. I, I didn't want to talk about that, and I'll get back to my original point, but you kind of raised that. I feel like it's a rites of passage to have to go to the DMV, to wait in the line, to figure it out. If you have to get your, you know, lice-- or, your actual license and then you have a picture that you hate for years and years and years and wonder why you look like that. And then, to figure out your tags. I mean, it's, it's a rites of passage, Senator Fredrickson, is what I'm saying. And so, I understand her concern with the cash fund and her love and affinity for the DMV. And also, like, we all have to go through it so we can talk about it together over coffees or sometimes adult beverages, around what that experience was like. But for the underlying bill at hand, LB921, I appreciate Senator Ibach and the intent of what she is bringing, and have been trying to keep up with all of the amendments as they get filed pretty quickly and, and understand the ramifications. I do-- wanted to kind of lean in and, and add some commentary to some of the feedback from Senator Conrad just around how do we access some of the unemployment benefits for folks that are navigating unemployment, especially when there's a situation like what happened at Tyson, no fault of their own, a major employer leaves, and there's this shock into what is needing to happen. And so, I think already now, we have really, really tight processes and procedures to access unemployment. It can be sometimes very burdensome for people to know how to navigate, or-- where's the right place to go? Did I get the right paperwork? What do those meetings need to look like? Because that-- we know that government is not always easy to navigate. We just talked about that with the DMV. It's like that if you need to go get a new birth certificate, or you lost your social security card. And so, we know that some of these resources and services are very difficult for folks to figure out, especially if you're in a point of crisis or urgency and you need to be able to get what you need to take care of your family. And so, I appreciate that uplifting of how this amendment goes with the underlying bill, and there's maybe some misalignment of intent for those processes. And again, how can we make it easier and just accessible for people to get the services and resources that they paid into as employees? And now, they are needing something different, and so because they are unemployed, no fault of their own, as what was mentioned, and that they can access that to be able to take care of their family. There are

some other amendments added to this that I was looking at the impacts to what it does, and I know Senator Guereca had-- just had some concerns that were also uplifted around how does this impact working people, what does it mean, and, and kind of not being on the board yet. And so, I do appreciate the underlying bill of LB921, of what is working to be achieved. I think there is some definite concern with AM2420, the Business and Labor Committee amendment, and some of the changes that it implements. And, you know, just again, from a philosophical-- how we pass policy and what we hope to achieve here as policymakers-- I come from working families; I am impacted and my community is impacted, my family is impacted by the policies that we pass here, and I think we, we just want to be very intentional that what we do and the amendments and the changes that we make, while they might seem minuscule or just a, a, a word change here or a phrase here, that it actually has impact into how people navigate day-to-day. And so, we want to ensure that we're really thoughtful about that, and I appreciate the conversation and feedback to the underlying bill LB921 and AM2420 on that, and will continue to get in the queue to have discussion. I'm going to look up some of the other changes to make sure I understand and, and that there's clarity, and I appreciate the, the dialogue and debate that we are, are having on this this morning. Thank you, Mr. President.

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

CLERK: Mr. President, your Committee on Judiciary chaired by Senator Bosn reports LB935 to General File with committee amendments. Additionally, your Committee on Education chaired by Senator Murman reports LB1050 to General File with committee amendments. Amendments to be printed from Senator Hansen to LB1219, Senator Ballard to LB997, Senator Rountree to LB839. Senator Machaela Cavanaugh, series of amendments to LB304; Senator Hallstrom, LB803; Senator Hallstrom, LB803 as well. Senator Rountree, new A-bill: LB841A, bill for an act relating to appropriations; to appropriate funds to aid in the carrying out of the provisions of LB841. Finally, Mr. President, a priority motion: Senator Lonowski would move to recess the body until 1:00 p.m.

KELLY: The question is the motion to recess. All those in favor say aye. Those opposed, nay. The Legislature is in recess until 1:00.

[RECESS]

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

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

ARCH: Thank you, Mr. Clerk. Do you have any items for the record?

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

ARCH: Thank you, Mr. Clerk. We'll proceed to the first item on this afternoon's agenda.

CLERK: Mr. President, General File, LB921 introduced by Senator Ibach. When the Legislature left the bill, pending was the bill itself, a committee amendment, as well as an amendment to said committee amendment from Senator Ibach.

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

McKINNEY: Thank you, Mr. President. I rise because I sit on the committee, and I did support to vote this out of committee, and one of the reasons was the changes and the amendments to improve the bill, which is why. So, I just wanted to say that. I know people might have had questions. I know that especially the issue around people replying to applications in a, in a, in a certain time period-- initially, it was two days, and that was definitely not reasonable at all, but I did think that there was an improvement. Not to say it's the greatest improvement or that it could be better, or it shouldn't even be put in place, but I did feel if it was going to move forward that two-- seven days was better than two days, and that is where I landed. No, it's probably not the greatest. Yes, it probably shouldn't be there, but improvement from two days to seven days, I thought, was better than two days, and that's why I did support it if it was going to be moved forward because we were possibly going to be talking about two days instead of seven days. Just to provide some clarity on why I voted the way I did. Also, you know, I wanted to say a couple other things. First, I want to say congratulations to the Husker wrestling team for placing third

at the Division I wrestling championships. This is their second in a row Top 3 finish at the nationals, which is great. Had two runner-ups that placed in a tournament: Antrell Taylor at 157 and Christopher Minto at, I think 184-- 174? Yeah, I think it's 174. And then, the last thing I wanted to say was that I wanted send my condolences to the Grigsby family because of a loss in their family. Terry Grigsby, who was a high school classmate of mines. He also coached football and track at Omaha North, and he passed over the weekend, and it's definitely a, a, a huge blow to the community. He impacted a lot of lives in the community, and he was just a great dude. Always smiling every time you saw him, always great energy, had good, you know, respect with the kids, and all the kids loved him. And you could-- if you knew him, you knew he cared a lot about giving back and helping kids, and making sure kids were, you know, doing the right thing and being taught the right things, whether it was in football or on, or on the track. So, I definitely send my condolences out to his family, because that is a huge loss, definitely for the family, but also to the-- north Omaha and Omaha North community, so. Thank you.

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

GUERECA: Thank you, Mr. President. I guess I could give a refresher on what my points are. Again, I, I continue to have concerns about the portions taken from LB944 [SIC] contained in the committee amendment of LB921. You know, when, when asked about what the motivation for this, this change in statute for the legislation-- and there was-- there, there was talks about concerns and frustrations with employers, the inconvenience of scheduling interviews, not having anyone show up, the inconvenience of sending out emails to invite folks for interviews and nobody showing up. And, as someone who manages a small organization who's run into those problems-- or I've sent out extended interviews, no one responded-- to where I've set an interview and had someone not show up. It's really frustrating. But when I weigh that against a family not being able to pay rent or not being to buy food for one week, it seems disproportionate, it seems heavy-handed. And again, we find ourselves at a very unique and very unfortunate moment in time, right here, right now, on this 48th legislative day. We are dealing with an energy crisis where we've seen the price of fuel skyrocket. And if we're seeing it at the gas pump now, that means we're going to see it at grocery store very soon. We are just barely getting a grasp on what the aftermath of the largest

fires in the history of this state, which has hit us square in the agricultural industry, hitting us-- hitting our, our areas that produce beef at a time where we're at a record low national herd in the middle of calving season. We don't yet know what reality for Nebraskans is going to look like in six months and a year. And folks, this does not just deal with working Nebrask-- this-- it, it affects Nebraskans of every socioeconomic level. It actually affects folks that might be higher-earning Nebraskans because, again, this unemployment insurance benefit-- because it's an insurance benefit that's paid into-- is capped at \$440 a week. So, if I'm making \$35, \$40 an hour, providing a good life for my family, a comfortable life, and, through no fault of my own, I lose my job, the money I'm receiving is capped at \$440. So, at a time when I'm trying to grasp what's going on, trying to figure out what the next best step for my family is, dealing with what could often be cumbersome registration requirements for this unemployment insurance, trying to navigate the job market, trying to coordinate things here and there, making cuts to our household budget, like Nebraskans do, we're added-- we're adding an extra hurdle to where if someone misses something, misses the offer of a job interview, I lose my \$440 for the entire week. That could 100 percent be the difference between making my rent payment or not. That could be 100 percent the difference between making a car payment or not. And that could absolutely, absolutely be the difference on whether or not a family could pay for food or not. Colleagues, this is not the time for this legislation. You know, we're, we're going to keep talking about it. My recommendation is we take this out, we reassess later. But now, right now, adding this burden to Nebraskans at their lowest moment seems heavy-handed. Thank you, Mr. President.

ARCH: Senator Machaela Cavanaugh, for what purpose do you rise?

M. CAVANAUGH: To divide the question.

ARCH: Senator Cavanaugh, if you could please come forward. We will discuss the division. Senator Kauth. Mr. Clerk, please explain the division.

CLERK: Mr. President, the first piece of the division, AM2864, containing the entirety of the committee amendment except for Section 16. AM2863 will contain Section 16, which my understanding is LB544 from the committee package. The Business and Labor Committee would move to amend LB921 with AM2864.

ARCH: Senator Kauth, you're recognized to open on the first division.

KAUTH: So, I would just like to point out that this bill came out of-- every aspect of LB921 came out of committee 7-0, no dissension. We fixed some issues within the committee. Senator Ibach is working on a couple of other amendments; those amendments are not what's being pulled out, so apparently there is an effort to stretch things out, waste some time. And so, by pulling out LB544 and by questioning LB544-- LB544 simply states when people are on an-- on unemployment and they get a job interview, they actually have to show up. I think it's not unreasonable to expect people to show for the job interviews rather than ghosting. And I'm sure many of us who are in the employment world have heard about this, where people say, yes, I'll show up for an interview, and no one turns up. That wastes so much time. These are good business bills. The-- you know, it's, it's interesting, the, the efforts to separate them. I was surprised that it was Senator Dover's that got pulled apart. There's a lot of stuff that was thrown into it, as far as why they were wanting to separate. I heard Senator Guereca talking about calving operations. Not sure what that has to do with showing up for a job interview when you are without a job. Very, very important that you take that responsibility seriously. So, right now, because they've decided to divide the question, that part will be pulled out; it will stand on its own, and we will vote on that second. We'll be voting first up on the LB921, LB308, and the LB1170 from Senator Ibach and Senator Wordekemper. And since we already have 33 votes yes on the entire bill, I would ask that we just move along and vote for this bill. Thank you.

ARCH: Mr. Clerk, for an amendment.

CLERK: Mr. President, Senator Ibach would move to amend the first division with AM2761.

ARCH: Senator Ibach, you have been previously recognized to open on this amendment, so we will turn to the queue. Senator Rountree, you are recognized to speak.

ROUNTREE: Good afternoon, and thank you so much, Mr. President, Mr. Speaker. I'm going to stay with my original comments prior to the division because I wanted to ask some input, just for perspective. But before I talk about the bill, I just wanted to

give acknowledgement to this past Saturday being the World Down Syndrome Day, March the 21st. We had socks distributed to our Unicameral members on last Friday, some wore those on Saturday. I have mine on today. But World Down Syndrome Day was created to celebrate the lives of people with Down Syndrome and to make sure they have the same freedoms and opportunities as everybody else. On the 21st of March, which is 21/3, matches the three copies of the chromosome 21. This is unique to people with Down Syndrome. World Down Syndrome Day has been an official part of the United Nations calendar since 2012, and there is more information that you can go out and read about that. But on the 21st of March each year, the Down Syndrome International calls everyone to action with the theme to ensure the human rights of people with Down Syndrome, and works with members to organize worldwide activities and discussions. And so, the theme for this year's Down Syndrome Day was "Together Against Loneliness." And so, that's-- so I just wanted to give recognition to that, and say thank you for all who participate and all who take care of our members with Down Syndrome, and just ensure they have a good life. But I wanted to talk about, prior to the division, we've heard a lot of good conversation. And, and a situation happened yesterday that kind of reminded me of some of the discussion that we had on Friday. I-- my good senator said, you know, people ghost their interviews and so forth. I don't know. I've always tried to be present at anything that I've had to attend, and the people that I've known have tried to be present at interviews and what they may have. But I was listening to constituents as I've been out and about, and many times, the constituents ask, how much more can we stand? How much more will you push on us? How much will you take from us? How much more will you push us on the outside? And I tell them on-- we're in the Unicameral, from my perspective, trying to do the best that we can, ensuring that everyone's voice is heard. But I was working with a young member who was making an application for a great program that we have here in Nebraska. She filled out all of her paperwork, got everything done, did the email, delivered the documents, and we were happy we got that first part done. In fullness of time and in season, we're waiting for a response back, but no response comes back. And so, then we reach back out and say, hey, listen, I sent this to you, I got this delivered to you, and they said, well, we never got it. So, here we are assuming that communication has been completed, and communication has not. So, they got all of the documents down together so we'll hand-carry it down and ensure that we do make a connection and ensure that we do get things on the roll. Sometimes, when members may be called for an interview, we may

call, you might leave a message, and we'll assume that communication has happened. In my family, my wife and I, my two daughters, our phone numbers are 5678. That's our digits of the last digit. Someone else who has a nine-- not in my family, but if there's a mispunch and that nine is dialed, they may get a message, oh, we don't know who this Rountree fella is, and so that's, that's no communication. But the person that calls said, hey, I left a message, and so now, I'm waiting. So, we're over here waiting for communication back from employees scheduling interviews, and they said, we've made a call and we're waiting to hear back. So, there is a great disconnect. It's disjointed. And so, that brought me back to the point of looking at that particular portion in 16, which is going to be divided out. I'll just get these comments out. But it talks about "without good cause," "without good cause." We need to understand fully what that "without good cause" is. I see other things that are in the bill. You know, we might pass on this, we might pass on that, but who's going to make the decision? Is it going to be subjective? It's a matter of perspective. So, if one person's perspective is, I did all I was supposed to do, I called, I left a message, but they didn't call back, so now we're going to put it to the side and move along home, someone may be left out. Unintended consequences. So-- without good cause.

ARCH: Time, Senator.

ROUNTREE: Thank you so much, Mr. President.

ARCH: Mr. Clerk, for an announcement.

CLERK: Mr. President, the Judiciary Committee will have an exec session under the south balcony at 1:30. Judiciary Committee under the south balcony at 1:30. That's all I have at this time.

ARCH: Returning to the queue, Senator Dover, you're recognized to speak.

DOVER: Thank you, Mr. President. So, I'd like to clarify a couple of things. Number one is Senator Raybould had brought and asked about the fiscal note, and just-- so, through the amendment, the committee amendment, in talking-- in communication with the Department of Labor, they indicated that a reporting portal for employees already exists, and removing this from the bill would eliminate the fiscal note. So, there is no fiscal note on my bill. Again, can I repeat that? No fiscal

note. Secondary-- second, I'd like to address-- currently in statute-- and I'm going to read for-- read it right to you. So, an individual shall be-- this is current statute-- an individual shall be disqualified for benefits for any week of unemployment in which the commissioner finds he or she failed without good cause to apply for available, suitable work when so directed by the employment office or the commissioner to respond to an offer for a job interview for suitable work within one week. So anyway-- so that's, that's included in statute. So, I want to make sure that I punched in today for some further context and history on LB544 from communications, or, or just debate that we had last time this was up. First, the version I included in AM12-- AM2154 was not the original version that was drafted. This is an amended version that came to be after conversation with the Business and Labor Committee. This compromise, again, as been stated earlier, this is a compromise which allowed it to come out of the committee 7-0. So again, this is 7-0, as been stated earlier. Second, the-- this portion of statute where these changes are being made already states that recipients of unemployment must show proof that they are actively applying for work to receive the assistance, otherwise they will risk being disqualified receiving benefits. Again, as I just read to you, it already exists in statute. This new language ensures applicants are indeed making an effort to go to interviews if offered the jobs they have-- are already applying for. So, I think really briefly, to explain why I need to do this or whatever, why-- and I mean, I've been handling hiring people for 40 years now-- why is it that we have people that fill out applications for a job opening that we're offering one of our companies, and they don't ever show up for the interview? It's really simple, folks. They aren't required to show up for the interview, and that's why I have the legislation here. The goal of the individual receiving unemployment benefits is to someday not receive them because they have secured new employment. I do not believe this is placing an undue burden on individuals who should already be actively seeking employment. Further language down states the commissioner-- and this is important-- the commissioner may-- and I said may-- consider the manner of communication established between the individual and their prospective employer about how the interview will be conducted or a job offer will be extended in determining if an individual failed to appear for a previously-scheduled job interview without notifying the prospective employer of the need to cancel or reschedule the interview, or failed to respond to an offer for a job. End quote. There is a lot of grace extended here, a lot of grace. We are not telling the commissioner you must take

benefits away no matter what; we are letting them use their professional judgment of the individual and the situation before disqualifying benefits. Again, I believe the bill is about accountability and ensuring these benefits are temporary assistance to help individuals get back on their feet. Thank you, Mr. President.

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

QUICK: Thank you, Mr. President. I know I talked briefly about this last week when we were-- when we were on this bill, and, and specifically on this, on Senator Dover's portion. You know, I-- my experience with unemployment benefits, being a temporary worker, you know, they would have us go to-- I know we took an aptitude test to start with, and then they would have us go around to-- give us a, a-- maybe one or two, maybe three employers to go to. I know one of the employers that I went to-- I don't remember the other ones, but I do remember, remember going to Charter Communications. The thing is, once I went there, they wanted to hire me full-time, and I said, well, I only-- I'm only going to be probably working here two months, you know, maybe three months until they call me back to my, to my employer, because I'm working in Central City. So, they didn't make a job offer. They, they wanted me to assure them that I would be there full-time. So, those are other things that kind of happen with all-- with unemployment benefits. You know, there's, there's temporary workers, there's also people who are displaced workers who get laid off. There's also workers who, who, who maybe are terminated from their position. I should know this, but I don't really remember. I think when you're, when you're fired from a job, I think some of the criteria's maybe a little bit different than when you're laid off, but I could be wrong about that. I just don't want to see-- you know, I, I understand what Senator Dover is trying to do and what he's saying, you know, it's-- but some of my issues have, have to do with-- for any other, if you went in to, to apply for a job, and let's just say you made an appointment to apply for a job and you're not on unemployment benefits, you're not going to be held, held accountable because you didn't show up, other than you probably won't get the job. I do say-- do, do think, too, that now, any more these days, with all the employment agencies, I don't know how many employers are even using the Department of Labor anymore. I, I really don't that for a fact, you know, how many employees actually-- displaced employees have, have the opportunity to apply for jobs or get jobs through them versus

going through an unemp-- or, an employment agency. And I know there are some issues with, with that as well, because when you work with it through an employment agency, when, when you're hired to a, to a job, they actually-- you're working through that employment agency, so some of your benefits or some of your wages are collected for the employment agency. They get part of that, part of your wage. And so, that's another area of, of concern once in a while that I have when, when we've hired-- when, when there have been people who go through an employment agency. And I understand the necessity for it. They do a good job. I, I actually went through an employment agency one other time just to-- I went to work for a farmer. So, I went through them, they found-- I found a farmer over by, I think it was Dorchester, and I went over and I interviewed with that farmer, and I eventually decided, hey, that's not what I want to do. You know? I'm going to just stay where I'm at. So, I have used both. But I do still have those concerns that a, a displaced worker or a temporary worker-- you know, I know the Department of Labor, I think they do a good job of making sure-- they would probably make sure that maybe that employee wouldn't-- they would work carefully with them to make sure they're educated on-- at least I would hope they would be-- educate that, that displaced worker to help them understand that if you don't show up for this interview, there is a chance that you could lose, lose your benefit. And I think that should be a-- that should be a necessary part or a required part for them to do, to make sure that that displaced worker understands their rights and understands what position they would be put in if they don't show up, if they don't-- you know, if they're not doing their part to line up. Because I think as an employee, you have to-- or as a displaced worker, you have to actually line up your interview, if I'm not mistaken. So, I think I had to set up that interview process with that employer, like with Charter Communications when I went there. So, I think that's another area. Just making sure that that employee understands their rights would be another important part of that whole process. And like I say, I think one of my concerns is to making sure-- are, are-- is, is this really a necessary-- is this-- how many, how many displaced workers or how many employers have been affected by someone not showing up? And actually, would have that employee qualified with their skills to actually work there? So right now, I'm still-- I still have my concerns--

ARCH: Time, Senator.

QUICK: Thank you, Mr. President.

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

JUAREZ: Thank you very much. I-- good afternoon, colleagues, and good afternoon to everyone online. I am unsure where I stand on this bill since the question has been divided, and I hope to get more clarification on my decision in the future as we continue to discuss the bill. I did want to mention a couple things here, as far as-- since we're talking about employment, I wanted to show my support for the national farm workers. And this is something that I'm sponsoring for the National Farm Worker Awareness Week, and I want all of my colleagues to know that, as I did last year, I'm going to be hosting a drop-off site for a long-sleeve shirt. It's a long-sleeve shirt drive for the farm workers. You'll be able to drop off light-colored natural fabric, long-sleeve, gently-used shirts. And you, you can drop them off in my office, and-- my room number is 1528, and I'm going to be hosting this drive from March 23rd to the 31st, and an email is being sent out in regards to this drive. These donations help protect workers from sun exposure and pesticide contact while they're working in the fields. Our farmer-- farm workers do such great and important work across our state. I know how our agricultural community is a tremendous driver, the number-one driver in our state. And so, it would be great for this-- our Capitol and everyone in-house here to show support for the employees who definitely are a part of that success. And I-- like I said, an email has been sent out in regards to this drive. I wanted to also mention a couple of things as far as employment goes with the Latino community. Let me see, I've lost my space here. I wanted to mention about the Hispanic workers and where they are employed by industry. This has been between 2010 and 2022, and indicate the percentage change. They are in the construction industry; in 2010, 9.3 percent, in 2022, we're at 15.4 percent. The growth of that participation has been 6.1 percent. Another high area has been in educational services, health care, and social assistance. This-- the percentage in 2010 was 13.5, and in 2022, 14.9. The difference in that growth was 1.4 percent. Then, in the retail trade, we have in 2010, 8.2 percent with growth to 10.9 percent, and the difference there has been 2.7. Let's see, there was another information I wanted to show here. Oh yes, I wanted to mention about the unemployment for population 16 years and over, and I'm getting this information from the Nebraska Commission on Latino-Americans who prepared a report, and this was dated in November of 2023. I

want to give them credit for these statistics that I am sharing. The unemployment rate among the Nebraska Hispanic-Latino population 16 years and over was only 1.8 percent; that was the second-lowest in the nation after Kentucky, which was 1.7 percent.

ARCH: Time, Senator.

JUAREZ: Thank you.

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

HALLSTROM: Mr. Speaker, members. A couple of things I wanted to talk about. Thank you, Senator Rountree. Last year, my wife and I handed out socks for the World Down Syndrome Day. Shout-out to my niece, Michelle Brody [PHONETIC], in commemoration of that day. What I want to do is, is talk real briefly about Senator Wordekemper's bill. He brought a bill that contained provisions that are important to Johnson County down in Legislative District 1. I appreciate him having done that. Last year, you remem-- may remember we had LB534, and an amendment to that bill addressed the issue where Johnson County was taking a long time to be able to be paid for a claim that was related to a prison riot down in Tecumseh a number of years ago. And one of the things that came up in the process of looking at that is that you had a single accident, you had the potential for multiple defendants, and you may have to bring different claims over time. In this case, they had only brought an action against one individual defendant. They may still bring other actions in the future. And the, the bill, as originally introduced, would have basically required them to file separate claims and to reach the threshold, the threshold for the state to step in and pick up for excessive cost is based on a certain percentage of their property tax valuation, and there's a cap on what the Johnson County folks have to pay for that. So, we were appreciative of getting that paid last year, but we also wanted to clarify that any claim subsequent to that that flows from the original incident is in fact going to be covered under that singular claim, and so this bill, or this part of the amendment, does that, and I certainly would appreciate support for the amendment of Senator Ibach as well as the underlying amendments before the body right now. Just like to address-- I, I listened closely to Senator Guereca. I think he, he mentioned that there's a, a cap of \$440 a week, and what if you have an individual that's being paid \$35 to \$40 an hour and they lose their job? Well, with

regard to the next amendment that we'll talk about, the one that's been divided out to be taken last, I would certainly hope if someone is getting paid \$35 to \$40 an hour happens to unfortunately lose their job and is at the cap of the unemployment insurance weekly benefits that they would not miss an interview to try and find substitute employment. So, to use that example seems a little bit far-fetched in terms of looking at the underlying provisions of Senator Dover's part of the amendment which is yet to come, which is if you don't show up for an interview, there are certain requirements that you have to show good faith that you're trying to find suitable and alternative employment as quickly as possible, to get yourself off of the unemployment rolls and back into the rolls of those who are being paid a salary at a, at a place of employment that-- again, I would find it highly unlikely that someone in that position is not going to show up for an interview when they have a chance to regain sustainable employment. Thank you.

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

CONRAD: Thank you, Mr. President. Good afternoon, colleagues. I think we'll have an opportunity to continue to debate in regards to the unemployment insurance issue, which has caused some really good questions and good back-and-forth in trying to understand whether or not we need to move forward with that measure as part of this kind of package approach to these Business and Labor issues, and primarily the, the headliner on LB921 that seeks to adopt essentially Senator Ibach's measure, which would be a quote-unquote kind of state-level WARN Act, a Worker Adjustment Retraining and Notification Act. So, I, again, have not had an opportunity to dig too deeply into this as I'm not a committee member, but I do know that there are federal thresholds and kind of requirements in place in that regard. I think the federal level has a 100-employee threshold. This seems to apply to employers with 25 or more employees, and that can be a, a pretty significant difference just generally in trying to understand if maybe this is perhaps casting the net-- net a little bit too widely to significantly expand coverage beyond the federal standard, capturing a large number of small and mid-- mid-sized employers that could have some compliance burdens or headaches on those entities without dedicated HR staff, and was just wondering if perhaps through her subsequent amendments or otherwise, if members of the committee could just talk generally about how that policy choice was kind of arrived at in order to move from 100-employee threshold down to, to 25. That seems

perhaps, like I said, a-- maybe casting the net a little too widely, but perhaps that's because it was a threshold that was used in Iowa or otherwise. I also am just trying to get a better understanding about some of the definitional aspects and interpretation risks with things like mass layoff, employment loss, single-site employment, trying to understand when the legal obligations essentially are triggered so that everybody's on the same page with trying to comply with this new regulatory framework employ-- applied to business decision-making, and especially on a much more expansive kind of level than we see with the federal Warrant Act, which hits just the larger employ-- employers, and I think is pretty well-established in terms of compliance and notification. So, I, I just don't know if somebody could speak to the committee level about how that threshold was chosen, whether we need any additional legislative history or definitional amendments on some of these terms that are utilized, or whether or not the plain meaning of the statute or amendments is sufficient, and perhaps is not ambiguous or vague in any regard. And just trying to kind of get an understanding about what exceptions might come forward in regards to this new regulatory scheme for unforeseeable business circumstances or natural disasters, or if there are issues related to capital financing or cash flow or business-related, is it fact-specific-- it seems very subjective in terms of making the determination. And then, just trying to get a better understanding about the enforcement components, which is vested in the Nebraska Department of Labor and carrying penalties of up to \$100 per day per violation, which sounds pretty modest on its face, but then, again, when you would take that against, perhaps-- it could add up quickly. And just making sure that aligns with other components of labor-based enforcement issues with the Nebraska Department of Labor. I--

KELLY: That's your time, Senator.

CONRAD: Thank you, Mr. President.

KELLY: Thank you, Senator Conrad. Mr. Clerk, for items for the record and announcement.

CLERK: Thank you, Mr. President. Amendments to be printed from Senator Conrad to LB935, Senator Guereca to LB878, Senator Murman to LB1050. New LR: LR396 from Senator Lippincott; that'll be laid over. And an announcement, the Banking Committee will

have an exec session at 2:00 in Room 2102. Banking Committee, 2102 at 2:00. That's all I have at this time.

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

SPIVEY: Thank you, Mr. President, and good afternoon, colleagues and folks that are joining us online. I also want to say good afternoon specifically to the folks that join us from inside of our correctional facilities. When I go and tour, they always know, like, what's happening, they pay attention, and are still active participants of community, even though they are currently removed and navigating incarceration. And so, I appreciate how they stay in tune and, and see what we are doing, because of the things that we pass especially impact them. So, looking at LB921, there was a couple pieces that I know we will get to because the question has been divided with the package that I just wanted to just provide some context, and have really listened carefully to the debate that's in front of us and the issues and concerns that folks have raised. And so, I know that there was some questions about specifically Senator Dover's pieces and some of the unemployment and some of the comments that were made that I just wanted to, again, provide some insight to. Specifically on the unemployment side, if someone is a displaced worker or had been working and lost their job suddenly, they have been paying into unemployment benefits. And so, them accessing the unemployment while they are re-situating their lives, looking at what is next for them, is appropriate because they have paid into this benefit. And so, there was some comments made around, you know, folks are not showing up to job descripti-- or, job interviews because they don't have to, and they're taking up these benefits. Well, these are benefits that they have paid into and that they are using at a time when they are trying to right-size what's best for them. Maybe with this layoff or quick termination at no fault of their own, they are thinking about a different skillset or a different career trajectory. And so, again, the benefits are allowed and available to them, and they have been paying into them, so I don't know why we would not want them to access it in a way that is accessible without barriers and helps them still maintain their lives and their families. And also, there was some comments just around why people miss their job interview. So, they don't come, it's because they're not mandated. But there's a lot of life reasons why people miss an interview. They could have had an emergency with their child and then could not call

because that emergency is taking that time. They could have found another job and had just not followed up yet for that job interview, or they could be exploring something else. Or sometimes, people just forget. And so, I think there's, there's this idea or assumption that folks are taking advantage of something, or they're "abled-body" and they have to. And there's a lot of context and circumstance of what's happening with someone, especially that is navigating employment and what that looks like for them, that I think we are trying to dictate in law in a way that doesn't allow for that nuance, or doesn't even seem trust-based. Like, we trust people that they are going to make the best decisions for themselves and their families, and that includes their employment journey and the exploration of that. And so, I think that I wanted to, again, just provide some context and, and some thoughts to those remarks on the mic, because I-- again, I don't think it honors what we know to be true or that we, that we see with hard-working Nebraskans. Like, we have one of the lowest unemployment rates in the nation. So, folks are working. Some folks are underemployed; they're working two and three jobs to make ends meet. And so, I-- again, I just wanted to uplift that. I see my light is on, and so really quickly wanted to think about some other questions that I had for consideration, just around the implementation and administration of some of the pieces that will be divided with the question. I'm looking and thinking about the transition period and proposed effective date, what rulemaking would be required with the Department of Labor, and it kind of gives sole discretion and ownership to DOL, which, again, I don't know if it's a good or bad thing, but I do think it should be a consideration as we think about policymaking. Has the department indicated whether additional staffing or funding would be necessary in this instance? And so, there are a lot of questions around the oper-- how we operationalize this in a way that makes sense from a structure perspective of that agency, and then also that person. And so, I will save some other comments next time I'm on the mic. Thank you, Mr. President.

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

KAUTH: Question.

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

CLERK: 27 ayes, 5 nays to cease debate.

KELLY: Debate does cease. Senator Ibach, you're recognized to close on AM2761, and waives. Senators, the question is the adoption of AM2761. All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

CLERK: 41 ayes, 0 nays on adoption of AM2761, Mr. President.

KELLY: AM2761 is adopted. Mr. Clerk.

CLERK: Mr. President, Senator Ibach would move to amend with AM2786.

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

IBACH: Thank you, Mr. President. As I indicated earlier, AM2786 mirrors the federal requirements when it comes to the number of employees affected. My original bill was for 25, and we amended that to 100 while retaining the requirements of the additional 30-day notice. So, thank you very much, Mr. President.

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

HALLSTROM: Yes, I rise in support of Senator Ibach's amendment. I think this is an important change to make so that we keep as consistent as we can with federal law, provide some additional flexibility and protections for truly small businesses and employers, and I thank you for your time.

KELLY: Thank you, Senator Hallstrom. Senator Conrad, you're recognized to speak, and waive. Senator Kauth, you're recognized to speak.

KAUTH: I withdraw.

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

M. CAVANAUGH: Thank you, Mr. President. I was the one who asked, as you may remember, to divide the question. And so, the current division on the board, AM2864, is the bulk of the bill or the package out of the committee, and then after we move through that, then it'll be the amendment to-- that is Section 16 or

LB544, and that's the piece that I'll be getting back up to discuss when we get to it. Thank you, Mr. President.

KELLY: Thank you, Senator Cavanaugh. Returning in the queue, Senator Guereca, you're recognized to speak. Senator Moser, you're recognized to speak, and waive. Senator Kauth, you're recognized to speak.

KAUTH: Question.

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

CLERK: 28 days, 2 days to cease debate.

KELLY: Debate does cease. Senator Ibach, you're recognized to close and waive closing. Senators, the question is the adoption of AM2786. All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

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

KELLY: AM2786 is adopted. Mr. Clerk.

CLERK: Senator Ibach, I have FA550 with a note you'd withdraw.

KELLY: So ordered.

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

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

CONRAD: Thank you, Mr. President. Good afternoon, colleagues. Looking in other aspects of LB867 [SIC], just trying to get a handle on some of the aspects that have been deemed a cleanup or technical update to understand if that is the right kind of analysis for some of these changes, or if there are more significant substantive policy shifts. And by the way, I really appreciate my friend Senator Ibach for bringing that recent successful amendment to ensure better clarity, to ensure better targeting for the new components of the WARN Act on, on the

state level. I think that will work much, much, much better for many small and mid-sized businesses as well. But one thing that I'm trying to kind of sort out here and get up to speed on is whether or not there is perhaps a more substantive policy shift lurking around Medicaid or spousal support and eligibility for different public benefits programs, and kind of trying to understand-- it seems that maybe part of this bill or the amendments may eliminate legal mechanisms to allow for asset protection for some spouses, and I just want to make sure that, again, we-- if we're going to have a policy shift, we have a, a good, clear debate and record on that. If it is technical cleanup, it's technical cleanup, but I just want to make sure that-- to flag that issue, because if we're in some way eliminating legal protections for assets to be protected by, by certain spouses in regards to medical support or Medicaid eligibility context, I just think we need to perhaps have a, a stronger record. So, if anybody on the committee wants to speak to those, those components, that would be appreciated. Thank you, Mr. President.

KELLY: Thank you, Senator Conrad. Seeing no one else in the queue, Senator Kauth, you're recognized to close on AM2864, and waive. Members, the question is the adoption of AM2864. All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

CLERK: 37 ayes, 0 nays on the first-- on the first division of the committee amendment, Mr. President.

KELLY: It is adopted. Mr. Clerk.

CLERK: Mr. President, the, the second division of the committee amendment, AM2863.

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

KAUTH: So, the second division, which is LB544, which is Senator Dover's bill, which also had 33 votes in the vote card, basically expects people to be responsible; if they are given a job interview to show up for that interview and not ghost the employer. So, I would like to ask Senator Dover if he would like to explain this further.

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

DOVER: Yes.

KAUTH: That's the question.

DOVER: No, I get it, yeah. This bill clarifies that skipping a job interview without notifying this prospective employer or failing to respond to an offer of suitable employment within seven business days is the same as not conducting work-search activities at all. This makes the claimant ineligible for benefits for that week. This only applies to interviews and job offers for suitable work. Claimants can hypothetically turn down or skip job interviews and offers for the job that, for example, pays substantially less, or are substantially further distance to travel than to the previous employment. Again, in statute, it is worth noting that Nebraska has defined the following reasons why a claimant could refuse to accept suitable employment: if the position offered is vacant due to direct-- directly to a strike, lockout, or other labor dispute; if the wages, hours, or others conditions of work offered are substantially less favorable to the employee-- the individual than those prevailing for the similar work in the locality; if, as a condition of being employed, the individual would be required to join a company union or resign from or refrain from joining any bona fide labor organization. Nothing in this bill changes the current definition of suitable employment. Why is this legislation needed in Nebraska? Nebraska employers are currently looking for workers to fill more than 40,000, 40,000 jobs. Again, we're looking for people to fill 40,000 jobs, so I think it would be good to encourage those folks. If they're going to fill an application-- I think some people do fill out an application only because it's required for unemployment-- that we up it a little bit and say you actually need to show up for the job interview. In recent years, some employment claimants have heart-- have half-heartedly complied with work-search requirements; they apply for a job but never respond to an offer of employment, and/or they schedule the job interview but never show up. I wish I could tell you how many times I've, I've sat there, or a manager of mine has sat there waiting for that-- optimistically waiting for that person to show up for the interview, and guess what? No one shows up. And then, you get on your-- you got on the phone, you text him "Hey," you know, and then nobody. You're ghosted. 78 percent of employers nationwide are being ghosted by job-seekers. Current law is vague on what happens if someone refuses suitable work. There's no deadline to respond to job offers, and no built-in incentive to require a

person to attend interviews or skill tests. Strengthening work requirements-- search requirements by prohibiting ghosting ensure that the unemployment program remains focused on connecting workers to open jobs. I think that's one of the most important thing to say. This is just following down the logic of current state statutes. If we have current state statute that says, you need to-- if you're going to get unemployment benefits, you're going to apply for a job. And guess what? They go that far. And then, why is the next piece missing? It's there because it currently isn't included in statute, and that's what my legislation attempts to do. Which other states prohibit interview ghosting? Tennessee, Arkansas, Kansas, Idaho, Utah, Montana, South Dakota, North Dakota. Strengthening work search requirements by prohibiting ghosting ensures that employment programs remain focused on connecting workers to open jobs. Won't this force people to accept jobs they-- not suitable, or that they are overqualified for? Nothing in this legislation will require a person to accept a job for which they do not have the skills or training. The definition of "suitable employment" remains the same as it is currently. This includes jobs for which the claimant may be overqualified. Among the criteria determining if work is suitable is that the job opportunity requires similar skills and/or training, and does not pay substantially less than prior employment. Why does it matter? The clothes on your back, the food on your plate, the roof over your head all come from the power of work. Allowing the government to disincentivize the life-changing power of work robs the individuals and families of the opportunity to live the American dream. There is dignity in work. Work helps people find stability, opportunity, and self-sufficiency. Welfare benefits are not meant to benefit the truly needy-- or, excuse me, excuse me-- but welfare benefits are meant to benefit the truly needy, those who fall upon difficult times. They're not meant to be a way of life or a career path. For those who are receiving taxpayer-funded benefits, it is reasonable expectation that they be asked to seek their next job in order to receive benefits. The longer a person is unemployed, the more difficult it becomes to find a job. I think anyone who's ever had a job interview and sees a-- the, the work history of someone who hasn't worked for quite a while, you're wondering, is this the kind of person I want to employ? You want to employee a person who's constantly employed and has worked for a specific length of time, hopefully a while, before you offer them the job. Prohibiting interview ghosting sets unemployment individuals up for success and a brighter future by orienting them quickly toward their next step. Business owners are struggling to keep their doors open

because it's difficult to find workers. Refocusing the unemployment program on work can help, can help ease the labor shortage and keep communities and businesses thriving. Thank you, Mr. President.

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

M. CAVANAUGH: Thank you, Mr. President. Would Senator Dover yield to a question?

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

DOVER: Yes, I would.

M. CAVANAUGH: Senator Dover, did you know that unemployment in Nebraska is not an entitlement program, but it is 100% paid for by payroll taxes that go into the unemployment fund?

DOVER: Yes.

M. CAVANAUGH: So, it's not on the taxpayers. It's on the employees themselves, and the employers.

DOVER: I consider that a tax.

M. CAVANAUGH: Well, it's a tax--

DOVER: [INAUDIBLE] a payroll tax that-- [INAUDIBLE]-- I mean, aren't all--

M. CAVANAUGH: Right, but--

DOVER: Isn't any-- I consider any money taken by the-- by-- from people, unless it's a user fee, a tax.

M. CAVANAUGH: OK. OK. So, it's a payroll tax, yes. But it is not a tax that we pay. It's not, like, coming out of the general funds. It's, it's a tax that goes specifically--

DOVER: Right.

M. CAVANAUGH: --into the unemployment fund. The people who are on unemployment were laid off, not-- you can't get unemployment for misconduct or for quitting your job, so these are people

that were laid off for a reason and they qualify for unemployment. I'm-- just want to couch this--

DOVER: Are you say-- I guess my question is, you're saying that everyone that doesn't have a job was laid off?

M. CAVANAUGH: If you-- to qualify for unemployment, you have to have been working and then no longer be working, but not have just quit your job and walked away. You can't get unemployment. And you can't have been fired for being terrible at your job. You have to have been essentially laid off to qualify for unemployment. So, these are hardworking people like the people of Lexington, Nebraska. This is the population we should be thinking of when we're thinking of unemployment. So, the people of Nebraska, they were-- Lexington-- were laid off and put on unemployment. My question to you about your particular bill is, how is this going to be monitored, and how is going to-- like, what is the reporting mechanism? Now somebody interviews somebody for a job, and they have to call the Department of Labor and report whether or not they responded or showed up?

DOVER: No, it's about the Department of Labor to, to do this. Just-- to do this just as it is with-- whether you're actually seeking business. Seeking-- excuse me. Seeking employment.

M. CAVANAUGH: But you already have all kinds of documentation you have to give to the Department of Labor when you are seeking unemployment benefits, so what is the documentation that an employee-- a prospective--

DOVER: I suppose, I suppose someone could call in and report them. I, I-- my previous, my previous legislation had in it where there would be a place where you could report these people. So, I mean-- and, and talking to different friends that have businesses said, you know what, I have no problem reporting someone who doesn't show up for a job. So, I wanted-- I don't want it-- because someone may say that's an, that's an unfair burden.

M. CAVANAUGH: How do you know-- how do you know to report them? Do you know because they have on their resume that they worked at the Lexington Tyson factory, therefore, they must have been laid off and that's why they're seeking a job, so if they don't show up, then you know to report that person? How do you know to report somebody?

DOVER: I would, I would probably-- I'd personally call up, call up the Department of Labor, find out who I need to talk to, and say this person didn't show up, and they say, well, sorry, they're not-- they could clarify at that point that they were laid off or they didn't qualify, or they weren't receiving unemployment benefits.

CONRAD: And you think that you, as a prospective employer-- the, the burden of having set up an, an appointment and somebody not showing up, you think that it should be done on taxpayer dollars, that the Department of Labor adjudicate you on this? I mean--

DOVER: I'm, I'm, I'm saying-- I actually had-- originally had a website that they would be assigned a number, they would simply go on the website--.

M. CAVANAUGH: Which would cost taxpayer dollars.

DOVER: --and repeat [INAUDIBLE]. Right.

M. CAVANAUGH: Yes, and that's why you eliminated it, because it costs money. But still, you're--

DOVER: Well, I-- no, I didn't, I didn't, I didn't eliminate the-- it was basically-- the, the, the bill was amended, this version of the bill was amended by the committee so that it would come out of the committee 7-0. And so, there was, there was nobody in the committee that voted against the amended version of my bill.

M. CAVANAUGH: OK. But the-- but you-- your idea was that there would be a website that you would go and report this on.

DOVER: Mm-hmm.

M. CAVANAUGH: And that would cost taxpayer dollars, because you've been inconvenienced as an employer and now you want to call the Department of Labor, which also causes taxpayer dollars, which is because you are being inconvenienced as a prospective employer. And you are then saying that these people are saying-- taking taxpayer dollars when, in fact, they have been laid off and they are taking money that is due to them through the payroll tax that they pay and their employer pays. So, I'm a little confused as to why you think that you being

inconvenienced as an employer is a reason to have this legislation move forward at taxpayer expense, because it is going to cost staff time in the Department of Labor to track these things and to figure out how to execute and mediate this legislation, which you have clearly not thought through beyond the website, because you don't have an answer to me as to how this is going to be enforced.

DOVER: Well, I would say this, is to say that someone who goes out and is on employment and will not go to a job interview is costing the state money right now, because they're taking unemployment benefits--

M. CAVANAUGH: No, they're costing their, their previous employer money, because that's how the payroll tax works. You get penalized on the number of people you have that you have--

DOVER: Those, those--

M. CAVANAUGH: The way payroll tax works is that an employer has to pay more if they've had to pay out more.

KELLY: That's time, Senator. Thank you, Senator Cavanaugh. Senator Dover, you're next in the queue.

DOVER: Well, I just ask everyone to look at what was handed out here. It's provided by the Foundation for Government Accountability; it's, it's labeled ghosting employers, bad-faith work searches undermines the employment program. Most state laws require those on unemployment to accept offers of suitable employment, but very few states' laws address what happens when a claimant simply stops responding to employers. They can report they applied for a job, but there is often no consequence for skipping subsequent interviews. The labor force participation rate is lower than it was pre-pandemic. There are more than 8 million open jobs in America today, and America needs workers but employment-- but individuals who-- excuse me. America needs workers, but individuals on unemployment are leaving employers "on read" when they do not show up for interviews. The solution? Close the ghosting loophole and ensure that unemployment claimants who fail to respond to offers of employment or who skip interviews lose eligibility for additional unemployment benefits. It's popular. 62 percent of voters support disqualifying individuals for refusing suitable work. And it's trending. As I stated earlier, states like Arkansas, Montana,

North Dakota, South Dakota, and Tennessee have used a mixture of executive and legislative actions to ask employers to report ghosting so benefit eligibility can be reassessed. Legislators should codify this provision to ensure that future workforce agency staff continue to place high value on program integrity. Thank you, Mr. President.

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

J. CAVANAUGH: Thank you, Mr. President. Good afternoon, colleagues. So, I, I think I'm opposed to AM2863. I was just reading it. But I did a handout, which is being handed out right now, so fortuitous timing. An article that I pulled up. I saw Senator Dover hand out this handout called ghosting employers: bad-faith work searches undermines the unemployment program. So, I just quickly went on the internet. First thing that came up, CNBC article about ghost job postings, which is where businesses post jobs they have no intention of filling. And so, this article that you should all be getting fairly soon here, if you haven't got it yet-- so, just take a look at it-- describes the-- this practice of millions and-- of jobs being posted across the country, applications being taken, and then no one ever intending to hire anyone. And they-- apparently, employers do this for any number of reasons, which is-- one of them, I guess the least offensive one, is probably that they at some point are looking for folks for a job, but they aren't actually looking right now. And so, anybody-- I'm sure many of us in here have looked for jobs before. And, you know, when you apply for a job and you send out, you know, cover letter, resume, all the-- all those sorts of things. Sorry. And of course, you see a job that you're, like, oh, this would be great; I'm really excited about taking this job or whatever, and you get your hopes up: there's a job out there that's perfect for me. And you apply for it, and never hear back. So, I get what Senator Dover is talking about: the folks, the businesses who are-- post a job, and they see an employee, somebody-- a potential employee who wants to work for them, and they're excited, of course, about that too. And then, the person doesn't show up. And so, I, I hear what he's saying. But it is important to understand that this is a two-way street, and that there is certainly a, a power dynamic situation in worker-- employer-employee potential relationships, and that there are definitely employers, potential employers who are posting these ghost jobs as well. And so, we need to, when we're passing laws, be thoughtful of everyone, not just the one who is

our friends. As Senator Dover said, friends of his who have had this situation. So, we needed to be considering all Nebraskans and all people. So I, I appreciate the conversation between Senator Machaela Cavanaugh and Senator Dover. And I did go and look at the section of statute here, and while it does seem simple to say if somebody fails to show up, then-- and doesn't respond within this time period, that they would lose their benefits. I, I don't understand what the mechanism would be. If a-- are employers going to just affirmatively, every job application that they receive, going to submit to the Department of Labor if somebody doesn't accept the job or doesn't show up? Or are they only going to do it for the people they know are on unemployment? Or, what-- what's the situation? Because not every unemployed person, not every job seeker is on unemployment. And so, then is the state responsible, then, to police that? Are they going to affirmatively reach out to the folks who are on unemployment? Are they going to have to go through that list of employees or potential employees who came to apply for a job and say, 10 of these folks are on an unemployment and 10 them are not, and we're only going to reach out to the ones who are on unemployment? So, I, I-- there does seem to be a-- just a disconnect between how this works in reality and what is in the statute. But I also am concerned about, again, the power dynamic and the risk for abuse in this. I know that Senator Dover said that it has to be suitable work and suitable pay and things like that. But if someone knows that they can cause someone to lose their benefits if they don't accept a job, they can certainly cause them hassle and problems; to say, well, they didn't accept this job, and it was suitable employment. And then, of course, it's the person who's on unemployment have to litigate this through the department when they're trying to determine to keep their benefits just so they can look for jobs that are actually suitable for them. I'm going to run out of time, so I guess I'll try and talk again on this, if folks will continue the conversation. And I haven't seen the article come around yet, but I swear I did hand out an article that is about ghost-- it's called ghost-- oh, Senator Holdcroft has it-- but ghosting on the other side. So, just to keep in mind, this is a two-way street; this is-- there are folks both applying for jobs and folks hiring, and that there are bad actors on both sides. But does it rise the level of changing state statute that could potentially adversely affect everyone involved just to solve a problem of a few people? So, I'll push my light and talk about the-- pick up where I left off. 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 really hope that we can take this controversial measure out of this bill so that we could move forward. Also, I apologize: I misspoke, colleagues. I had my agenda transposed and had some concerns about the next HHS bill that I accidentally got into the record at my last time at the mic, so that was just a little afternoon fatigue and we'll tighten that up on the HHS bill coming forward. But I went back and looked at the committee statement in regards to my friend Senator Dover's bill, and it's not like Nebraska businesses were crying out for this. There was one proponent from a Florida-based right-wing think tank that was there, along with a representative from the Nebraska Grocers Association, and that's it. That were-- the-- that was the, the complete list of supportive testifiers. So, if you look at the Florida organization that came in, they're a national right-of-center organization that works on a variety of issues, primarily dismantling the safety net, pushing for a flat tax, pushing for school choice, anti-"DEI," pushing for bans on ranked-choice voting, ending ballot drop boxes, and a host of other policy agenda items that they work on. And I do just want to be clear about a couple of things. Nebraska consistently maintains one of the lowest unemployment rates in the nation, and its system, its unemployment insurance-- insurance-- is more manageable than many other states'. Our system is solvent, it is well-funded, it has been able to weather economic downturn well, and we see basically a well- funded system with lower tax rates than many of our sister states, and much, much, much stricter "lowum"-- lower maximum benefits compared to many other states. So, I think this is one of those issues where we have to be really careful when approached by a national think tag-- tank with a one-size-fits-all approach, because it doesn't meet the moment in terms of the reality of the employment workforce in Nebraska. I also heard some pretty classist comments from my friend Senator Hallstrom in regards to this issue, and I'm looking at this handout from my friend Senator Dover pushing this measure, which shows a guy sitting on a couch looking at his phone. So, apparently, the, the, the general underpinning from colleagues pushing this is that people who were laid off due to no fault of their own-- not because of misconduct, not because they quit-- they're lazy and they don't want to go to work, and they should be penalized at every turn when they're utilizing a temporary unemployment insurance program while they're searching for suit of-- suitable replacement employment. And that's part and parcel

with the disdain for low-income working families and individuals that we've heard day after day after day in these sessions. The other thing that I think is important to note here is, if you look at the group that's pushing this, FGA, and you look at their issues on unemployment and reemployment, they're stating that they need to have these crackdowns and these model policies because people are sitting at home making more than they do if they're working. So my question is, "Is that the case, Senator Dover, in Nebraska?" if Senator Dover would yield.

KELLY: Senator Dover, would you yield?

DOVER: Yeah. Actually, I would, I would agree with that, what you just said, because we have a number of-- we manage hundreds of apartments and talk to different people, and there are a, are a large number of-- well, I will say there's a significant number of people who currently are in employment, and they-- I don't know what the terms is, because I'm, I'm older now. I don't know--

CONRAD: But Senator Dover, they don't make the same amount--

DOVER: Oh, excuse me, can I answer? Can I answer? Can I please answer?

CONRAD: --when they're in unemployment. Sure.

DOVER: Thank you. So, the thing is, is by doing-- there's a term nowadays, and Senator Guereca is a little younger than I am, so he might know the term. But there's, there's a term when you're doing, like, side jobs, right?

CONRAD: Hustle. Side hustle.

DOVER: And so, they can be on unemployment-- [INAUDIBLE] pardon?

CONRAD: Side hustle.

DOVER: Side-- I don't-- side-- I don't know if-- there's a different one. But anyway, not quite so-- talking about hustles. But there are people that I know that are renting from our places that basically are on unemployment, and they're doing jobs on the internet and getting paid and doing other jobs, whether it's working and getting paid cash and stuff. They're getting around this. So, if your question is "are there people

out doing this on unemployment doing these kind of things that, that aren't actually trying to get a job and then pay payroll tax which funds this," et cetera? Yes, there are.

KELLY: That's time, Senators.

CONRAD: OK, very good. Thank you, Senator.

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

ANDERSEN: Question.

KELLY: The question's been called. Do I see five hands? I do. The question is, shall debate cease? 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: 27 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 and record your presence. All unauthorized personnel, please leave the floor. The house is under call. Senator Riepe, please return to the Chamber and record your presence. The house is under call. All unexcused members are present. The question was the motion to end debate. The vote was underway. Senator Andersen, would you take call-ins? Yes. Mr. Clerk.

CLERK: Senator Bosn voting yes. Senator Strommen voting yes. Senator von Gillern voting yes. Senator DeKay voting yes. Senator Hardin voting yes. Senator Brandt voting yes. Senator Riepe voting yes. Senator Fred Meyer voting yes. Senator Hallstrom voting yes. Senator Wordekemper voting yes. Senator Conrad voting no. Senator Ballard voting yes. Senator Arch voting yes.

KELLY: Record, Mr. Clerk.

CLERK: 27 ayes, 7 nays to cease debate, Mr. President.

KELLY: Debate does cease. Senator Kauth, you're recognized to close on AM2863, and waive. Senators, the question is the

adoption of AM2863. All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

CLERK: 34 ayes, 6 nays on adoption of the amendment.

KELLY: The motion carries. Senator Kauth-- the motion carries, the amendment is adopted. Mr. Clerk. Raise the call.

CLERK: Mr. President, Senator Machaela Cavanaugh would move to reconsider the vote taken on AM2863.

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

M. CAVANAUGH: Thank you, Mr. President. I wasn't actually going to do a reconsideration, but since debate on this ceased so quickly when we were having an actual conversation about what this bill does-- and it is clear that the introducer of LB544 does not understand unemployment insurance or how unemployment in the state of Nebraska works, and I'm pretty sure that 33 of you that just voted for that don't understand it either. This isn't like your, you know, your witch hunt against poor people who are on entitlement programs. These are people who have been laid off, who are seeking work, who have only a certain amount of time, maximum 26 weeks a year, that they can qualify for unemployment, so they are motivated to get a job. But you all are voting to have this weird little thing where if they don't show up or they don't contact somebody for some reason, that they lose access to their unemployment benefit for that week because Senator Dover was inconvenienced when he was hiring people? Like, that's cool, because everything we're doing this year is just against the working man. We got to cut wages, we got a-- we got a tax incentive bill on the docket here for UP. You guys want to-- you want that to go quickly? It's not going to, if we get-- keep doing things like this to working people. These things-- things that are helping the wealthy are going to take time. They're going to take a lot of time if we can't do things that help working people. And this doesn't even help working people; this just holds them at the harmlessness of the difficulty, currently, of unemployment. How many of you have applied for unemployment? During the pandemic, I went online, I tried to apply for unemployment to see the process. It took me three hours to try and do it. I think maybe the system has improved since 2019 or 2020, but I'm, I'm not sure. I haven't tried it again. So, yeah, I don't like LB544. I don't like passing a bill because it passed out of committee unanimously

because people didn't want to go against Senator Dover and his inconvenience of his time. This costs taxpayer dollars. This costs the Department of Labor work to do. And then, we're going to take away people's unemployment benefits. Again, think of the people in Lexington who were laid off at Tyson, who, for whatever reason, don't show up to a job interview or don't accept a job that's offered to them for whatever reason, that this doesn't allow for any flexibility in that interpretation whatsoever. So then, whoever went-- whoever they had the misfortune of having an interview with-- say Senator Dover-- that person, Senator Dover, is going to make it his personal mission to make sure that they lose out on a week's worth of benefits. So now, what are we going to do? And also, those benefits are not 100 percent of their wages from when they were laid off; they are a percentage of their wages. So, they've lost their job, they're getting less money, they're being penalized because of something that was probably out of their control. Probably a sick kid. Maybe they're sick, maybe they're hospitalized. Who knows? Maybe their cell phone doesn't work because they're not getting paid enough money to pay their cell phone bill because they lost their job. So, we're going to legislate penalizing them for the audacity of inconveniencing a business owner over a job interview. This is just so ridiculous and disgusting. 11 days. I just keep telling myself, 11 days before I don't have to show up and look at people who tell me how much they care about children, they care about babies, they care about minorities, they care about the poor. You don't care. You do not care at all. Because if you did, you would have just voted to not adopt this amendment, and we would have moved on, and that would have been it. But no, we have to find new and creative ways to harm working people of Nebraska at every turn. And the thing that is really disgusting to me is that they voted for you. They put you here because they thought you had their best interests at heart, but you don't. You don't care about working Nebraskans, hard-working Nebraskans, the people of Lexington. Voting for this amendment is voting against the people Lexington who were just laid off. That's what you're doing. Is it their fault? Is it the people of Lexington's fault that they just lost their job, that Tyson closed down that factory, that they are all looking for jobs and on unemployment? Is it their children's fault? Is it their family's fault? Is it their community's fault? You're going to take away their benefits because they didn't show up to an interview, and now they can't even buy food at the local, local grocery store. It's not an entitlement. Tyson paid into it. Paid into it so that when they pulled up stakes on us like they did, that their

employees had a safety net. And now, you want to take it away because an employee may inconvenience Senator Dover over not showing up for a job interview. That is just the epitome of ridiculous and selfishness. Do better. Be better, colleagues. This is ridiculous. Thank you.

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

KAUTH: Question.

KELLY: The question's been called. Do I see five hands? I do. The question is, shall debate cease? 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: 26 ayes, 1 nay to place the house under call.

KELLY: The house is under call. Senators, please record your presence. All unauthorized personnel, please leave the floor. All senators who are unexcused, please return to the Chamber and record your presence. The house under call. Senators Hallstrom, Hardin, Jacobson, Ballard, and Riepe, please return to the Chamber and record your presence. The house is under call. All unexcused members are in the Chamber. The question is the motion for debate to cease. The vote was underway. Senator Kauth, will you accept call-ins? Mr. Clerk.

CLERK: Senator Andersen voting yes. Senator Moser voting yes. Senator Jacobson voting yes. Senator Hardin voting yes. Senator Hansen voting yes. Senator Hallstrom voting yes. Senator Ballard voting yes. Senator von Gillern voting yes.

KELLY: Record, Mr. Clerk.

CLERK: 27 ayes, 9 nays to cease debate, Mr. President.

KELLY: Debate does cease. Senator Machaela Cavanaugh, you're recognized to close on the motion.

M. CAVANAUGH: Thank you, Mr. President. Thank you to Senator Kauth for making sure that I'm the only person that gets to speak on this motion. So, to go back to some of the earlier questions/points, you cannot make the same amount on

unemployment as you did while working. If you have a side hustle, gig economy, et cetera, that is taxable income, you must report it. So, you have to let your unemployment agency know about that. Also, your unemployment benefits are taxable income as well, so you're not-- you're still paying taxes on the income that you are getting. And this all boils down to Senator Dover was inconvenienced with some job interviews, and so now we are going to punish the people of Lexington; in case any of them miss a job interview, now their family's going to miss out on their unemployment benefit for the week because Senator Dover was inconvenienced as an employer doing job interviews. And with that, you all don't deserve a second chance. You don't deserve to fix your mistake from the last vote, so I'm going to pull my motion. Thank you, Mr. President.

KELLY: Thank you, Senator Cavanaugh. Without objection, so ordered. Senators the question is the-- I raise the call. Returning to debate. Senator Spivey, you're recognized to speak.

SPIVEY: Thank you, Mr. President. I was actually in the queue to talk about the division of the question with the portion that was Senator Dover's, which was LB544, if I'm remembering the number correctly from the committee amendment. And the question was called when I-- I thought we were having intentional, aligned debate to the measure that was in front of us, and so I will speak to that now. I supported the underlying LB921 from Senator Ibach, and really appreciated the work that she has been doing on behalf of her community specifically with the impacts of Tyson, and just how she is showing up for economic development. I am unsure if I will vote for LB921 with this measure a part of it, because of some of the conversation that was raised previously that I will continue to talk now for my time on the mic. So, I actually run an agency. We have 18 staff. We're about a \$4 million budget. So, we have had folks transition; terminated, they needed to go, elimination of position, a number of different reasons why, and they have filed for unemployment. And we "consistencely"-- consistently pay into that payroll tax. You have the option of paying into it early. Like, if no one is utilizing or filing unemployment claims, it goes into, like, a savings account, or you can pay as it comes. We use a PEO provider for our HR, and so when we get unemployment claims, which we have had, we then pay for that; both the employee pays in and we pay in. And so, it is not an entitlement program in the same way that I think folks are comparing to, like, a Medicaid when-- or a SNAP, where people

have wanted tighter work requirements. This is a benefit that you pay into as an employee, and then, if something happens where you no longer have a job you're able to access, and you have paid into it, almost similar to Social Security. If you are working-- and, and actually this happened with my family when my mom passed away. She was working, she paid into Social Security, so when she transitioned "uninspectively," my sister was able to get survivor benefits to help take up again for what was needed for her care, because it is a benefit, not an entitlement program. And so, I think the, the conversation from Senator Dover was misaligned in that way, that it is not a welfare program and these are not welfare benefits. And so, I just want to make sure that is clear and in the record as we are talking about now what has been added into LB921, which I think does taint the original intent of the bill. We also-- there was conversations about open jobs, and we have all these open jobs because people are ghosting-- a very millennial term-- ghosting employees, right? I was thinking about that. And they use "read" too. I was, like, oh, you can't do that. But it's fine. Here we are. And so, they're ghosting these employers, and that's why they cannot fill these 40,000 open jobs, when that's actually not the reason. There has been a lot of data produced by local respected entities on both sides of the aisle that are working in the space of economic development that has given a roadmap of why we have these open jobs. It is because we cannot retain and keep talent here because of the culture war policy that we pass. Folks don't want to move to Nebraska. They don't want to stay here, especially when you have the option with remote work to move anywhere and build your family. And so, there are a lot of conversations around how do we build an environment where people can live, work, and play where they are. And so, I think there is misalignment in actual data and proof of why we have those 40,000 open jobs that were named. My light is on, and so I'll get back in. Hopefully, the question is not called, because I, I have a lot of actual debate and, and conversation that I hope to have with my colleagues around this. Then, it goes back to the implementation, which I, I hope some of my other colleagues speak to. This cannot be implemented in a way that is not subjective and does not cost the department more money. What does it mean to have missed a job description-- or, a job interview if you don't give the notice and you are in the hospital, and you still cannot follow up? Or, if you had a life event, or maybe you didn't see the notification and it went to your spam that you were scheduled for an interview, and so you are still looking because technology doesn't work in your favor.

There-- there's a number of things that don't make this practical from an implementation perspective--

KELLY: That's your time.

SPIVEY: Thank you, Mr. President.

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

M. CAVANAUGH: Thank you, Mr. President. So, I was in the queue previously to talk about the LB544 and taking that out, but, you know, we just are very impatient here in the Nebraska Legislature to screw over working Nebraskans. We've got to do it as quickly as possible. We cannot have robust debate. We don't want anybody here catching on to the fact that we are doing things that are harmful to you. So, yeah, 33 of my colleagues voted for that, and, you know, one of the things about legislation is that it sometimes on the surface seems like, oh, this does that; OK, that makes sense. And so then, and-- but as you dig into it and you talk about it more and debate evolves, you come to find that maybe it didn't do what you thought it did. And I think for some in the body, that's the case with LB544; that it was this-- OK, here's a, here's a proposal, and then some entities, I think it was maybe staffing agencies, or I'm not even sure who Senator Dover negotiated with to expand to a week-- which I also have a question about that. Is a week five days, or is it seven days? Is it five-day work week, or is it seven days? And is that in statute somewhere else? Because it clearly says "a week," so how long is the week in the case of LB544? So, things like that. But how did we come to a week? Who decided that a week was the appropriate amount of time? And, and so, you know, I can see how this is an evolution. So maybe people, if they actually engaged in the floor debate, would come to have a different perspective. Just saying that a bill gets out of committee unanimously is not a reason enough to vote for a bill in my mind. I mean, it, it may be an indicator that there's a lot of good stuff or consensus things inside the bill. I still like to look at what's in the bill. I looked at what was in this bill. I like Senator Ibach's bill. I do not like LB544. So, it is my prerogative as a legislator in this body to attempt to amend LB921 to be what I consider to be a stronger bill for workers in Nebraska. I think that LB544 is going to harm the people of Lexington and any other entity that is having massive layoffs and trying to scramble to find work, and I don't want to

do that to our hardworking neighbors and families and friends. So, I tried to the best of my ability-- which is clearly not very well, because my colleagues love to cut off the debate. Because again, if we are going to harm Nebraskans, we want to do it quickly. We don't want to have any sort of thoughtful discussion about it whatsoever. We want to just move forward, run roughshod over your families. But there was a lot of misunderstanding as to what unemployment in Nebraska is. Unemployment is not an entitlement program. Unemployment is a payroll tax that employers-- I thought that it was employees and employers, but apparently it's just employers-- pay into. And then, employers fight against paying out unemployment oftentimes because the amount that they pay into the insurance program is based on their historical former employees' utilization. So, if they have massive layoffs, then they are going to have-- their percent that they have to pay in is going to go up. So, that's kind of a way to motivate employers to not just have massive layoffs, because then they'll have to pay into the unemployment at a larger rate. But this is money-- this is an insurance program for employers and employees in this state, and what we are proposing to do with the amended language in LB921 is to penalize people who have lost their job, who are on unemployment seeking another job because they only get six months of unemployment maximum. So, we are going to penalize them because they didn't show up. And 33 of your Nebraska senators voted for that, like, proactively, all-in; they knew it wasn't a misunderstanding. We stood here and talked about it multiple times. Not as many as we could have because, you know, we can't have robust debate. But we did.

KELLY: That's--

M. CAVANAUGH: Thank you, Mr. President.

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

GUERECA: Thank you, Mr. President. Well, I-- I'm sure a couple of folks behind me are going to say, you know, I'm going to talk about the vote we just took because I was unable to speak on some points that I wanted to before that vote-- before the question was called. But as I'm sitting here, you know, looking up statistics on labor force participation and, you know, how, you know, our Nebraskans do a great job of showing up and holding down steady employment, it occurred to me, if, if

someone sets up an interview and doesn't show up, that's a red flag. I'm not going to hire that person. So, why would you want to incentivize someone who probably has poor work ethic? To amuse you? That's what we just did. We said, hey, if you don't amuse this employer, we're going to take away your, at best, \$440 a week. If I'm trying to fill a position, I want to know that the person that I just interviewed has the basic work ethic to, when they set something, they'll show up to something. If someone is unable to show up to an appointment that they set, I don't want to hire them. That's a red flag that when you're interviewing someone, you look for. In reality, we just made it worse for our employers. OK. That makes a lot of sense, colleagues. But sure, why not? You know, I was going to ask some of my colleagues on the Appropriations Committee what percentage of our state budget was going to this entitlement that's being abused; that we have so many people, according to this sheet, leaving employers on read. And the sheet that says the lowest labor force participation-- how much money-- this is, this is a big issue. So clearly, they're, they're, they're, they're welching the government, they're welching our taxpayers. How much of the budget that we're fighting over is going to the unemployment that these people are, you know, just really getting rich off of? Well, the answer is zero. This is an insurance that, here in Nebraska, the employer pays for. But again, that's part of the compensation package. You take into consideration how much money is going to-- the total the employee's going to cost you. So, it's an insurance. It's paid. So-- and again, you're not getting rich off of this. If you make more than \$20, \$22 an hour, you are-- any, any amount over \$20 an hour, you're going to make less than 50 percent of your wage. The incentive to show up to a job interview, the incentive to find gainful employment is not making less than fifty percent of your salary. And here in Nebraska, we have honest, hard-working people. That's why we have some-- again, I'm like a broken record-- some of the lowest labor force participation-- or, highest labor force participation in the country. Nebraskans show up to work. So, all we did was incentivize people who probably don't want to take your job to show up to an interview and lie to our Nebraska employers. Great. We have now made it harder for Nebraska employers to screen out bad applicants. All in a hard day's work, folks. And it's unfortunate, because there's a lot of good stuff in LB922 [SIC] that a lot senators worked really hard in. But all-- buried in that great stuff, we have now made it harder for Nebraska employers to screen out bad applicants. Because I've hired people--

KELLY: That's your time, Senator.

GUERECA: Thank you, Mr. President.

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

QUICK: Thank you, Mr. President, and good afternoon, colleagues. I think I've talked about this before a little bit, but, you know, I think I'm probably the only one, as far as I can tell from some of the conversations, who's actually probably utilized employ-- unemployment insurance. And like I talked before, it's because of the seasonal work that I was involved in, and we would get laid off two to three months every year. I know there were some of truck drivers, they might be laid off for up to five months. And so, I know that was pretty hard on them and their families, because they-- their intention was to come back. I don't know exactly what all of them did, if some of them picked up a part-time job. But the only other thing you could do is, you could only make up to half your unemployment benefits if you were going to work an extra job. I don't know if it's still the same way now, but that's the way it was when, when I collected those benefits. You know, one of my questions is-- and-- is-- you know, I know they're talking about this ghosting, but how many people are actually use-- utilizing unemployment benefits that they're saying are ghosting them, versus just someone who's looking for a job, someone who is job seeking? Because I'm going to guess there's people out there who are ghosting employers who are just job seeking as well. So, what's that breakdown look like? What's the breakdown between the number or percentage of people who are on unemployment insurance versus all these-- all the other job seekers who are out there looking for something? And I-- you know, I'll leave that up to Senator Dover, if he's got those answers later on. I didn't ask him prove it-- you know, before I got on the mic. But maybe if he's got some information on that, that-- as to what-- how it worked for him, maybe he can answer those questions at that time. But I'll give him the chance maybe to look that information up, because I'm going to guess that not everybody that ghosted him was on unemployment benefits. You know, when we're talking about punishing someone who, who-- and, and on some aspects, they're already, if they don't go out and seek employment, they're already going to lose their benefit for that, for that week, so-- but I think that's something that if someone is, you know, for whatever reason-- I know we've, we've-

- this has been drilled in several times. You know, people who maybe have lost their, their position through a layoff or whatever. And you talk about Lexington right now. I mean, I've talked to some people who, who know about what some of the-- what's going on there. And, you know, and some of those-- some of the people that worked there, maybe one of the parents moved away to try to get employment to support the family because their kids wanted to finish school there. So, you know, those kids have ties to that community, they have ties to the school, so they're still trying to work. And maybe one of the parents has moved away from home just to try to make enough money to support the family; the other parent is staying there to try to, to, you know, make sure the kids are getting to school and take care of the children when they're home. And so, one parent might be working somewhere, the other parent might be on unemployment benefits and maybe working a part-time job for the meantime, or trying to find some other type of full-, full-time employment. I know there's promise, maybe, or they're looking at maybe bringing in a different employer, so I know some people are probably waiting that, that out a little bit, just to see how that all works out, so that they can still provide for their families. And, you know, the one thing we've got to remember, this is just temporary assistance. I mean, up to six months is what you can collect the unemployment benefits. And when that's done, then, then I don't know that you can collect them for another year. I don't know how that really works, but I think it's for another year. And usually, that's a-- that's how it worked for me, because every year we would, we would get laid off in probably about November, maybe, depending on the weather. Maybe December, but most times it was probably in November. You know, we would only get one week of vacation where I worked at, so we would have to use that one week of vacation. Because you don't get to draw your benefits right away; you have to wait, and I want to say it was, like, two weeks before you actually got a check, unemployment check. So, our one week of vacation, they really wouldn't let us take it throughout the rest of the year. We would have take it for that week in between when we got benefits so we didn't lose any income each week. And I got paid every week when I worked at the sand and gravel ready-mix operation. And so-- and then, like I said, they would-- eventually, they let me work an extra one day, and then there were a couple of years they let work all winter full time. So, I was--

KELLY: That's your time, Senator.

QUICK: Thank you, Mr. President.

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

HUNT: Thank you, Mr. President. I also have questions for Senator Dover, but with everybody calling the question, you know, I've got some thoughts I'd like to share, too, and I don't want to give all five minutes of my time to this conversation I'd to have with the introducer. It looks like in the queue, next, we have Senator John Cavanaugh, Conrad, Andersen, Dover. Andersen's likely to call the question, and we won't even get to hear from Dover. So, very well done guys. Well freaking done. Like, let's get to the bottom of what this amendment and bill actually does, and we didn't even get the chance to do that. This strikes me-- and I'd like to be proven wrong. I'd it explained to me why I'm wrong, but we don't have any time because you don't let us debate. It strikes me as one of those bills that's a model bill and you're just trying to do something. You're just trying to introduce anything and do something, and it sounds like it hurts workers and it sound like it helps business owners, so it'll fly through. And here we are, it flew through. But what does it do? It's still unclear to me how business owners actually report the employee for not showing up. I think Senator Guereca said something like it, it takes a certified letter or something like that. You know, I-- I'd like to understand that. And I appreciated Senator Quick's questions about, what if this person who didn't show up to the interview is not even on unemployment? That's a great question. And I also really-- what made me initially put my light on 100 years ago was when Senator John Cavanaugh passed out this article about the ghost job postings. This is a real thing. That activated me because I know about this. I know what these are. I have several friends who are unemployed, looking for work. I have one friend-- and these are, like, college-educated people, married women with kids, like, no slouch, right? One of them's been looking for a suitable job for over a year, one of them around three years, and now she's working as a nanny to make ends meet. But they are applying for jobs all the time. I know, because we're, we're texting, we're in the group chat, we're sending each other job listings so they can find something. And I can't tell you how many times I've heard them talk about, OK, I wrote my cover letter, I attached my resume; furthermore, I had to type in the entire resume to the application. And then, I submitted it after maybe an hour of job application time, and got an immediate

rejection. These are these ghost jobs where they aren't even intending to fill the job, or they go through all the steps of the cover letter and typing in the resume and attaching the resume, and then they never hear back. And so, if there's any classism, colleagues, that we are entitled to feel, I think it's toward these business owners and these bosses that are taking advantage of the labor force by wasting their time. Where's the bill to stand up for those people? Where's the bill to say stand up for the workers and say, when your boss wastes your time and ghosts you, you have, you know, a course of action against them. That's never going to happen. It only goes the other way; it only goes the way we're, we're actually punishing the workers. I've been an employer in Nebraska for over 20 years myself. I don't feel entitled-- I don't feel entitled to the time of the people who apply for jobs at my business. In fact, if they're not going to show up for the interview, that's a data point that I'd like to know. I don't want an applicant to be under this artificial pressure to turn up for an interview if they're sick, if they decide they don't want the job, if their phone is dead, if they oversleep, if they hit too many red lights, if there's a freaking train. I don't care the reason. If they don't come to the job interview, A, it's frankly none of my business why; B, now I know I don't want to hire them. And C, maybe there's an extenuating circumstance where they then contact me later and they say, sorry I didn't make it, here's why, and then I can decide what to do with that data, too. I can decide what to do with that information as an employer. What happened to that, Senator Dover, fellow business owners of the room? Why does everything have to be a law? And why do the laws we pass only hurt workers? I think some of us could stand to, to face some kind of consequence for wasting the time of the labor force, of the workers that make it possible for us to even be here, for us to support our families. There are a myriad of ways that workers are having their time wasted by the people in power in this country right now, and in this state. But those are not the things that we ever address. And now we're-- you know, I heard Senator Dover attacking people who have side hustles, saying that they're taking advantage of the system, this and that. They're just trying to make a buck. So now, you don't want to get your DoorDash, I guess?

KELLY: That's your time, Senator.

HUNT: There's no end to the judgment that we have of these people that they do not deserve. Thank you, Mr. President.

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

J. CAVANAUGH: Thank you, Mr. President. Good afternoon, colleagues. I always appreciate Senator Hunt giving a shout-out to the article that I handed out. So, you should have it on your desk now. It says, ghost job postings are adding another layer of uncertainty to the stalling job picture-- jobs picture. And then it says, judging by our current data, you'd think there'd literally be-- there's literal job-- literally a job out there for anyone who wants one. Looking deeper under the hood, though, tells a different story. The level of job openings, as reported by the Bureau of Labor Statistics, for years has shown there are at least as many available positions as there are unemployed workers, which of course we all know that many people have more than one job, so that's not always clear anyway. But comparing the openings with the actual hiring shows that not all those jobs are being filled, not even close. In fact, since the beginning of 2024, job openings have outnumbered job hirings by more than 2.2 million a month, according to the Bureau of Labor Statistics data. That points to an ongoing problem with, quote, ghost jobs that never seem to get filled. The U.S. labor market looks deceptively strong on paper, millions of openings suggesting opportunity, but many are illusions, says Jasmine Escalera, career expert at MyPerfectResume, an employer assistant-- assistance platform that released a report this week that showed that shadow employment market. The ghost job economy inflates hope, wastes job-seekers' time, clouds the data that policymakers rely on to steer our economy. Job openings have generally been on the decline since the peak of 12 million in 2022, when opportunities outnumbered available workers better than 2:1. In August, latest month for which data is available-- this article's a little old-- because the government shut down, openings totaled more than 7.2 million, while hirings were 5.1. The ratio of vacancies to workers was about even. To be sure, this picture isn't as simple as comparing the two numbers. The posting numbers represent the total stock of jobs, while hiring are the flow of people hired during a particular month. So, a job can get posted across multiple months without being filled, but that doesn't necessarily mean the companies advertising those positions don't intend to hire someone. Potential inventory. Moreover, some companies will post jobs just to keep an inventory of potential workers for positions that may open in the future. So, what that one is saying there is that some of these jobs are posted, and there is no job. And so, again, as Senator Hunt just talked about, a lot of people go through a lot

of effort to apply for a job and get their hopes up and things, and it's a company has posted this job thinking that, well, if we need to fire somebody, we want to have somebody on, on deck to replace them. And so, it's the same sort of situation that we're talking about here, but on the other side. Finally, the opening-to-hiring ratio has fallen over the last few years from 1.8 to 1; at the peak of the job opening cycle, the current levels are 1.4 to 1, indicating fewer ghost jobs out there. So, there we go. Good job. It's doing better. So anyway, I'm probably going to run out of time, but-- just read the last paragraph. For job seekers, this means wasted time. For policymakers, it means distorted data. For employers, it raises serious credibility issues, Escalera said. Until postings more accurately reflect actual hiring, workers will continue to chase jobs that don't exist, and trust in the labor market will erode. So, the point in raising all that is, of course, that we're having a very one-sided conversation here. And we did see the vote that was a rush to pass the bill while there were folks who were actually having a conversation on it. And I do understand when people get frustrated when people are talking about a bill that we're not on, or talking about some other subject, and it does seem like people are wasting time. But when we get to the actual issue that people were talking about and people are punching in-- I didn't punch in on this until we were actually on the section itself. You know, the debate was structured in a way that there was divided into two parts; one part was about the rest of the bill, and then one part was about this part that people have an issue with. We got to the part we had an issue with, and I think maybe two or three people spoke before we moved forward with two questions being called. And so, I, I-- there are truly concerns about this section, though not the least of which is that it's prioritizing one side of the equation over the other, and we need to be thinking about everyone when we are passing the laws of the state of Nebraska. And so, I-- there are totally legitimate technical questions that maybe could have been sussed out if we had time before we rushed. And maybe some folks will propose some amendments while we're still talking about this bill. But this is a real thing. I know the question is, why would businesses do this? I don't know the answer to that other than the one suggested in there, which is just to have a stock of potential people they can reach out to when they are ready to hire. But I don't know why there are 2 million unfilled jobs every month that people are applying for. So, I'm-- looks like I'm out of time. Thank you, Mr. President.

KELLY: Thank you, Senator Cavanaugh. Senator Conrad, you're recognized to speak. Mr. Clerk, for items.

CLERK: Mr. President, some items for the record. Your Committee on Judiciary chaired by Senator Bosn reports LB994 and LB1096 to General File, LB1096 having committee amendments. Your Committee on Appropriations chaired by Senator Clements reports LB1209 to General File. Amendment to be printed from Senator Conrad to LB803, and a report from the Banking, Commerce and Insurance Committee concerning gubernatorial appointment to the Department of Economic Development. Mr. President, as it concerns the bill, LB921, Senator Machaela Cavanaugh would move to amend with FA1111.

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

M. CAVANAUGH: Thank you, Mr. President. That was faster than I expected. Thank you to the Clerk's team for getting that done. OK, this is what I'd like to call a compromise amendment. We could adopt this and just move forward. So, this-- let me pull up the language here. If the commissioner finds that the prospective employer failed to communicate with the potential employee, that prospective employer shall be responsible to reimburse the prospective loss or missing benefits resulting from the false report. So, you know, if we're assuming malice on the part of the prospective employee, and it turns out they didn't do anything wrong-- you maybe, I don't know, had their email address incorrectly transcribed or had their phone number off by one number, then you have to pay their benefits that they lost out on because you called and reported them. So, I think that is a fair middle-of-the-road compromise. It will keep bad actors from false reporting. So, we've got people who are highly motivated to show up to job interviews because they've been laid off from their job in Lexington at the Tyson plant, and then we have prospective employers who want to hire these people. And now, the employ-- the prospective employees, they're going to lose out on their employment benefit if they don't show up; the prospective employer is going to have to pay for it if they incorrectly don't notify the people. So, it seems like it's a nice little compromise. And it's FA1111, what a lucky number. So yeah, I think that this is, this is good. If we do this, then we can just move forward, because I think there's like five hours left on this bill, and we all know it has votes for cloture, so it'd be best to just wrap this up in a pretty little bow, and there we have it. Of course, now, don't go asking me questions

like how this is going to work, what the mechanism is for this, because it's going to work however LB544 was originally going to work, which-- I have no idea how that was going to work except for people contacting the Department of Labor. But hey, if it's good for the goose, it's for the gander. So, if employers can have the-- direct the Department of layer-- Labor to go after prospective employees who didn't show up for a job interview for a multitude of reasons-- doesn't matter what the reasons are at all, the statute doesn't take that into consideration. Did somebody die? Doesn't matter. Are you hospitalized? Doesn't matter. Are you in a coma? Doesn't matter. But what does matter is that you ghosted on a job interview. So, this now just creates another avenue for us to not penalize the working man. I look forward to my colleagues supporting FA1111. Thank you, Mr. President.

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

CONRAD: Thank you, Mr. President. Good afternoon, colleagues. Trying to get up to speed on my friend Senator Machaela Cavanaugh's floor amendment in this regard. I think it's got some interesting points for discussion. But I do just want to lift up and echo a few things that we've heard from colleagues in regards to this contentious component of the legislation. I, I do think that overall, the think tank-- the out-of-state think tank that's pushing this measure and some of the comments that we've heard from proponents thus far seem to indicate that Nebraskans who've lost their job through no fault of their own are lazy; that they're somehow gaming the system instead of reporting income as required; that they're somehow making more, quote unquote, sitting around on unemployment than they are back in the workforce; that we have to do something to get people back in workforce because we have so many open jobs. We do. We do. We have a lot of open jobs in Nebraska. People have to report any income that comes in or face penalties, including side hustles. People are not making more on unemployment than they are from when they were working. Nebraska consistently has one of the lowest unemployment rates in the country, one of highest percentages of both parents working outside of the home, has been ranked as the highest state of adults working full year, year-round, full-time, and living in poverty. And we say we want people to work, we want people to work, so that's why we're going to eviscerate the safety net. We say we people to work, we want people to work, we're going to add more penalties

and more hurdles to our unemployment insurance program. We want more people to work, we want more people to work, but we're also going to take away the voter-approved minimum wage increases. We're also going to take away the voter-approved meaningful-but-modest earned sick leave provisions. And the commentary in regards to this legislation throughout is really classist and offensive. The boss's time is more important than the employee's. The worker's needs and circumstances are less important than that boss's. Speaks for itself. And I also want to point out the juxtaposition of our agenda items here today. Here, we have an anti-worker provision tucked in a Business and Labor measure that's meant to help displaced workers in one of the most significant economic disruptions present in our communities in our state, with the sudden closure of the Tyson plant. We have tens of thousands of open jobs. And later, just a few items down on the agenda, we have brand new special legislation to give one of the largest companies in the state and in the world, with a market capitalization of almost \$140 billion that pays their CEO almost \$18 million a year, extra corporate welfare. So, in this instance, we're going to penalize, erect hurdles, punch down on displaced workers, and just a few exciting bills later, we're going to have an opportunity to sweeten the corporate welfare package for one of the largest, most well-capitalized businesses in the state and in the world. When I say each day in this Legislature is like a Dickens novel, it's not hyperbole, it's printed. And if we have so many open jobs, which we do, why are we incentivizing any of this? Why don't we let the free market work itself out? Why do these big, big, huge corporations need more of our tax dollars to pay for new carpet at their headquarters and stuff? That's a literal component--

KELLY: That's your time, Senator.

CONRAD: --of the bill that we're going to debate. Thank you, Mr. President.

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

ANDERSEN: Thank you Mr. President. I'd like to yield the remainder of my time to Senator Dover.

KELLY: Senator Dover, 4 minutes, 55 seconds.

DOVER: Thank you, Senator Andersen. So anyway, first of all, I guess-- I'd like to say this. This is in a 2025 Nebraska issues poll by center of excellence [SIC] polling. Would you support or oppose temporarily suspending individuals for unemployment benefits if they repeatedly failed up to show for scheduled job interviews? 70 percent of likely voters strongly or somewhat support that. So basically, let's just-- I don't care, Democrat or Republican, three out of four people approve of the legislation. Let's just talk about listening to what people want, because that's what we hear about: "we don't listen to the people." And that's fine. It's kind of crazy, because I'm sitting here listening to-- I love the words that some of the people use. "Punch down." We're punch-- I'm not punching down any, anybody, Senator Conrad. Please. Save it for someone else. This isn't about anti-worker, for God's sakes. This is about anti-irresponsible people who take advantage of a system. This is about maintaining the integrity of the unemployment insurance. It's about integrity. This isn't about anybody personal. And I love how Senator Cavanaugh gets up and says, Senator Dover doesn't like to be inconvenienced, blah, blah, blah. Well, three out of four people in Nebraska, Republicans and Democrats, guess what? They approve of this legislation. And I do thank Senator Cavanaugh for asking some questions. And so, I'll have some answers. So, I'm glad that she found the answer to what she misquoted earlier about when she was asking me about unemployment insurance, because she had to then get up and said she didn't understand what she was talking about. And she accused me of not knowing what I'm talking about. At least she admitted it on the mic so I don't have to go there, do I? And who pays for unemployment insurance? I do. Why? Because I'm an employer. Because employers pay it. I'm glad, I'm glad she at least found the truth on that one. And then, I, I do have the answer as far as how's this big system going to work because Mr. Dover always does [INAUDIBLE] oh, get out of here. So, pulled up my notes from the, from the bill. This is obviously from 2025. In communication with the Department of Labor, they indicated that a reporting portal full employers are-- a "ployer"-- excuse me. A reporting portal for employers already exists. So basically, they're filling out a report already, already weekly for unemployment benefits. So, guess what? They'll have to say, did they get any job interviews, and did they go to them? Well, you know what? And it kills me-- I mean, what world, what world are we in where we think people should be able to apply for a job and then, and then not communicate? Because that's what this is called. This is called ghosting, right? It's ridiculous. And I'll say this, too. As far as-- did anyone even read the bill?

Anyone sitting here, talking about-- criticizing it? Did they even read it? Because I'm going to read it to them, OK? Here's what it says. It says the-- first of all, one last thing. In existing statutes, it says an individual shall be disqualified from benefits from-- for, for any week of employment in which the, the commissioner finds that he or she is not filled within good cause to apply for available, suitable work as so directed by-- et cetera, et cetera. So, the definition of week is already in the current statute, and it aligns with the federal definition of the week according to the Department of Labor. So, there's your definition, Senator Cavanaugh. And then, let's go on. So, as for what the bill actually says, because supposedly-- don't listen to what these people are saying because they don't know what they're talking about. They're making it sound out like it's so cruel; we're not fair to any-- anybody or anything here. So, but anyway. Do you think that it's fair to respond to an offer for a job interview for suitable work? Do you that it's fair to respond to an offer for a job interview for a suitable work? I think you should. If you're receiving the employer's tax-funded unemployment insurance, you should respond. Should you respond to an offer for a job for suitable work? If you're looking for a work-- if you looking for a job, don't you think you be able to respond? And then thirdly [INAUDIBLE] I'll wrap up-- appear for a previously-scheduled job interview. Boy, isn't that really not being fair? You have to show up for a job interview that you set up without notification. Thank you.

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

DOVER: Question.

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

CLERK: 28 ayes, 4 nays to cease debate, Mr. President.

KELLY: Debate does cease. Senator Machaela Cavanaugh, you're recognized to close on FA1111.

M. CAVANAUGH: Thank you, Mr. President. Well, at least there was a slight, tiny bit of discussion on the amendment. Well, it wasn't really on the amendment, it was to the opposition to LB544, but, but I guess that's better than nothing. So yes, I

did correct myself on unemployment. I thought that both employees and employers paid into it, but then I got clarification that it's just the employers. So yes, I did correct myself. It's not my bill, so I don't really feel responsible to know everything about unemployment insurance. But I definitely know more than Senator Dover does, even though he got up here and yelled about it. And I didn't bring a bill about something that I didn't understand, and I also didn't get up here and say that I brought the bill because I had been inconvenienced with job interviews and then rail against me calling you out for being inconvenienced about people ghosting job interviews. So, you know, there's things we say, and then we react to things that people say, and I was reacting to the fact that Senator Dover, in his introduction last week on, on the committee amendment to LB921 said that this came because he has been inconvenienced by people not showing up to job interviews, and that's kind of where we started. And I wasn't going to take really that much time on this bill, but then, you know, I just kind of realized that you all were behaving really poorly, so I figured, why not? You know? Because if you guys didn't want to take a lot of time on this bill, you would have just let debate happen organically. We would have gone to a vote on LB544, and we would have moved on to the next thing. But instead, you got all cute with your calling the question constantly, which takes up way more time constantly. And so now, here we are with FA1111 which hasn't been debated at all. And since it hasn't debated at all, I'm definitely going to reconsider the vote on this, because I want to have a debate. And I'm just going to keep-- I'm just going to keep chipping away at our time here today on LB921 until we start debating and stop calling the question, because this is an important bill. And I do think that I would concur with Senator Conrad that we are punching down on the working man this session, this biennium, really. I think going after paid sick leave, going after minimum wage, cutting-- having a fight, actually holding hostage child care subsidies for school vouchers, make that make sense. We don't like poor kids having access to child care, but we do like them having access to private school once they have been out of child care. What? Huh? No. So, that's currently what's going on, is that some of my colleagues are holding hostage the budget, which-- I'm not a fan of the budget, so I'm going to, like, argue there too much. But they're holding hostage the budget. And then more specifically, they're holding hostage low-income workers' access to child care, Senator Dover being a part of the coalition that is holding hostage low-income workers having access to child care for school vouchers. So, don't tell me you're not punching

down on the working man when that's exactly what you are doing 100 percent of the time. There's a coalition in here that wants to hold hostage new babies and their moms going back to work so that some kids can go to a private school, which-- yes, I think that there's an obligation to cover the one-year gap between the state and the feds, but that obligation can also be covered by philanthropy, which it always is. Creighton Prep can probably raise the money for the scholarships for those students for one year. The Omaha Archdiocese can raise the money for one of year of tuition for the kids that are going to those schools. I don't know what other schools are utilizing this program, but I know that Pete Ricketts is Catholic, and he could write a fat check. I know that Jim Pillen is Catholic, and he's got \$10 million in his account for his campaign that he could donate 3.5 of that to a scholarship fund. So, we could work this out and not hurt working kids and families, or we can punch down on the working man. Thank you, Mr. President. Roll--

KELLY: Thank you, Senator-- thank you, Senator Cavanaugh. There's been a request for a roll call vote on FA1111. Mr. Clerk.

CLERK: Senator Andersen voting no. Senator Arch. Senator Armendariz voting no. Senator Ballard voting no. Senator Bosn. Senator Bostar. Senator Brandt voting no. Senator John Cavanaugh voting yes. Senator Machaela Cavanaugh not voting. Senator Clements voting no. Senator Clouse voting no. Senator Conrad voting yes. Senator DeBoer voting yes. Senator DeKay. Senator Dorn voting no. Senator Dover voting no. Senator Dungan. Senator Fredrickson not voting. Senator Guereca. Senator Hallstrom voting no. Senator Hansen voting no. Senator Hardin voting no. Senator Holdcroft voting no. Senator Hughes voting no. Senator Hunt voting yes. Senator Ibach voting no. Senator Jacobson voting no. Senator Juarez voting yes. Senator Kauth voting no. Senator Lippincott voting no. Senator Lonowski. Senator McKinney voting yes. Senator Fred Meyer voting no. Senator Glen Meyer voting no. Senator Moser voting no. Senator Murman voting no. Senator Prokop. Senator Quick voting yes. Senator Raybould voting no. Senator Riepe not voting. Senator Rountree voting yes. Senator Sanders voting no. Senator Sorrentino voting no. Senator Spivey voting yes. Senator Storer voting no. Senator Storm voting no. Senator Strommen not voting. Senator von Gillern voting no. Senator Wordekemper not voting. Vote is 9 ayes, 27 nays, Mr. President, on adoption of the amendment.

KELLY: FA1111 is not adopted. Mr. Clerk.

CLERK: Mr. President, Senator Machaela Cavanaugh would move to reconsider the vote just taken with MO544.

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

M. CAVANAUGH: Thank you, Mr. President. I just looked-- the screen back there had glitched for a second. I was, like, oh, no one's in the queue. So, I, I think I made this clear before, but it's fine if not. I am now, like legitimately, openly, not hiding the ball, just taking time because I'm irritated. I'm irritated that you keep calling the question. So, if people will stop calling the question and the conversation will just organically come to its end, I will stop filing things. But if we're going to keep calling the question, I'm going to keep filing things, because this is ridiculous. Trying to have a regular conversation about an issue that was important to me. And honestly, I don't even know how important was to anybody else in here. This was important to me. I talked about it last week. I had filed an amendment last week, decided that a better way to go about it was to divide the question, so withdrew the amendment, went to the Clerk before lunch, divided the question, came back, here we are. Then, we start calling the question because we can't have a conversation. Just period, we can't have a conversion. So now, you all keep having to scuttle back here every few minutes because somebody calls the question, because we can't have a conversation about a policy issue that is impactful to a wide swath of people, including all of those people that were let go in Lexington from the Tyson plant. So, you know, you don't have to think about people in Senator Spivey's district, or Senator Guereca or Senator Juarez's district. We're not just talking about black and brown people here; we're talking about white midwestern folks in Lexington, Nebraska. Maybe you can care about that. So, the fact that we couldn't have a conversation, that we had to keep calling the question, calling the question, call of the house, everybody come in. Like, we would have been done with this at, like, 1:45. Really, the only reason we weren't done with it before lunch was because I wanted to have time for the Clerk's office to divide the question. So, we talked for a few minutes that we needed to right before lunch, came back from lunch, then we did this. Then, you all behaved the way that you behaved, and now, it is 3:45 and we are on a motion to reconsider FA1111 because you can't do your job of having "substantitive" debate on a policy

issue that impacts white Midwestern workers. That's why we are where we are. This session has been a complete disaster, an assault on working people in Nebraska. Between the federal government changes that now are being pushed down to the state level on Medicaid and health care, cuts to special education funding, cuts to university funding, cuts to biomedical research, but no cuts, no cuts to income or corporate taxes, and no cuts to property taxes. No, no, no, no, no. No, no, don't touch those. Hands off. What we got to do is we got to go after those working-class people who aren't showing up for job interviews. That's what we got to do. We don't need to find a solution to our revenue problem, we don't need to find a solution to the budget. We also apparently don't need to provide child care subsidies for low-income workers, these-- probably a lot of these same workers that would qualify, but now that's being held hostage by the school choice people. So that's strange, because normally, you would think that that was a Venn diagram; people who support school choice also support safe access to early childhood care for workers. But apparently not, I was wrong on that one. So, we're just continuing and continuing and continuing to just chip away at the everyman. And then standing up, all the bluster, upset at the-- I wouldn't even call it an accusation, I'd say it's just a straight-up fact that we're punching down on the working man, that that is what we are doing here. We're cutting programs, we're fighting over money for disability, for developmental disability, for physical disability, for intellectual disability; we're going to bankrupt hospitals over the Medicaid look-back; we are going to cut funding to Prenatal Plus programming, because I'm not even sure why we would do that. Also, make that make sense. There was a proposal to cut funding to the perinatal quality improvement program; fortunately, we did not take that cut. I believe we didn't cut pediatric cancer. It is amazing to me that that was even an option presented to us by the governor's office. But yeah, we've made a lot of really poor choices over the last several years that have led us to this manufactured deficit. We continue to make poor choices that are keeping us in this deficit while also harming our ability to have a thriving economy because we're cutting things from the arts to the environment. We've got amazing state parks here; we're taking funding away. We're harming veterans' funding. We're-- well, we did, we did undo the-- taking the money from the 529 NEST accounts. The Appropriations Committee did, after I put an amendment up to take that out of the budget and 12 people voted for it-- thank you to 11 of you, because I was one of the 12. So, thank you to the 11 people who voted for my amendment to

take out taking the NEST 529 money. You're welcome to the rest of you that it has been all been taken out of budget, because it's securities fraud. So, if we hadn't done that and you voted for the budget, you would essentially be committing a federal crime. But not that any of you care about that too much. So, yeah. So, I'm just here talking. I'm talking for this 10 minutes, because why not? And I was ready to move on to the HHS bill I think is next about an hour ago, but then people kept calling the question. And I was, like, well, this is a good opportunity to learn a lesson about bad behavior. And so, I'm just going to be this irritating talking person until people stop calling the question. And then, we'll just organically end and move forward with the next thing on the agenda. So, that's where we're at. FA1111 requires that if a potential employer-- so, somebody who you're going to have a job interview with-- reports a potential employee, I guess, to the Department of Labor-- unclear what the process is, but let's assume that that's the process. So, if they report them, saying that they did not show up to their job-- the job interview, and they did not reschedule, and then they lose their unemployment wages for that week, if it turns out that it was the potential employer's fault-slash-mistake, then that potential employer will have to pay for those benefits that that person missed out on. And the idea here is to just ensure that we don't have bad actors of these potential employers just filing claims with the Department of Labor against people. Like, maybe the person did show up, and maybe they didn't get along. And so, instead of saying that they showed up, they just lie and say that they didn't show up, and then they're, like, yeah, you're going to get dinged. Who knows? That could happen. We don't really account for that. All we account for is, if you miss the interview and the report-- the employer reports that you missed the interview, then you lose your benefits. So, that's where we're at. So, this motion is to reconsider the vote that was previously taken, so I think we have to actually vote twice. So, it would take 25 to reconsider, and then we vote again on FA1111, which would also take 25. So, here's hoping, fingers crossed, people stop calling the question and we can move on to the next thing. If not, I'll just file more stuff. Thank you, Mr. President.

KELLY: Thank you, Senator Cavanaugh. Senators, the question is the motion to reconsider. Senator Storer, you're recognized to speak.

STORER: Thank you, Mr. President. Good afternoon. I have been listening to a lot of this debate, and I-- I'm really, really disappointed because what we've just heard is kind of reflective of why bills like this are needed. And what this bill does is simple. This is a one-page bill. Nowhere in here, by the way, does it say Lexington; nowhere in here does it say any specific race. All of these insinuations that we're targeting some population, some town, some-- is nothing more than gaslighting. It's ridiculous. This bill is simple: it says you're accountable. If you're on unemployment and you apply for a job, you are accountable to show up. Wow. The fact we're debating that, that that's a problem, is mind-boggling to me. My husband and I actually experienced this idea of ghosting, and we don't, we don't have a lot of employees, but-- and we don't have a lot of turnover. So, after COVID, we had to replace an employee because his house flooded and he had nowhere to live, and we had to have some time to rebuild a place for someone to live, and that's another story. But it was the first time I experienced this, and I was-- my-- I was kind of blown away, where, you know, somebody called, applied for the job, set up a time to, to come, and they just didn't show up. And we tried to call them, make sure they were OK. We were actually worried about them, if they had a wreck. And it was actually one of my adult children that said, Mom, that's called ghosting. It was the first time I had experienced that. So, I've had a firsthand experience with this. I don't know if that individual was on unemployment or not, however. But what it resembles, what it-- what it's reflective of to me, and what-- the speech we just heard is very similar-- is the lack of respect and accountability that is all of a sudden developed in our society. It is shocking that people just don't show up for an, for an interview, they don't follow through, they don't do what they said they were going to do, or they do something because they're don't-- they're having a tantrum. I saw that in my grandson last night, which is expected. I don't expect to see it here, however. The respect for people's time here-- you know, there are 49 of us here, and we all have different situations, and we're all here under different circumstances, but every single one of us is making a commitment to be here, every single one of us. Every single one of us is making a sacrifice to be there. We're leaving a job, we're leaving a family. For some of us, that means days at a time, weeks at a time to be here and serve the people of Nebraska. And right now, what we're being shown is an immense amount of disrespect to just waste our time, the time that we are sacrificing to serve this state. So, back to the bill, which is simple. One page. Some bills take a little time to read; this

one does not. And a couple of notes that, that I've taken while I've listened to this is, is that this is not taxpayer money for unemployment. I don't know where you think the money comes from. The money tree that everybody thinks that we shake, that's called taxpayer money. And in this case, it's employers who pay taxes. It's a tax that they're paying for their unemployment. And the reason that employers' unemployment tax goes up is when there are more claims on that unemployment, and that, that, in essence, is the longer someone remains on it or the more people that are on it. Simple math. So, yeah, it's an increase, an increase in tax. So, the goal here is simply to connect someone who is now unemployed with someone who is looking for an employee in a-- in the efficient, expedient manner, and to make sure that nobody is taking advantage of that interim period and causing the cost to go up for everyone. This is trying to improve the economy by connecting and filling, what, it's 58, 53,000 open jobs in Nebraska? People need those jobs filled. Employers are looking for individuals to fill those positions, and this bill aims to try and do that. It is trying to get people connected with the jobs. It might not be the perfect job. I always used to-- my kids right out of college were always, like, looking for the perfect job. I said, you know what the perfect job is? The one that pays you. That's the perfect job. Sometimes, we don't land the perfect job right away. So, I support LB921 and the underlying LB544. Thank you.

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

HALLSTROM: Question that I have is, why do we have a rule that allows a matter to be reconsidered with only nine votes in favor? And based on that, I would encourage Senator Lippincott to put before the body a rule next year that requires something like at least 17 votes, something that's akin to our filibuster rule, our motion to for cloture rule in reverse, so that we have meaningful issues that have some level of support for which a reconsideration might actually be meritorious. I didn't want Senator Cavanaugh to think I was exhibiting bad behavior by calling the question, so I thank you for your time.

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

SPIVEY: Thank you, Mr. President. You can feel the tension with the late night setting in, so I hope we can reel it back in and,

and folks continue to bait the measure at hand, which, again, I have appreciated the intentional discourse that we are having. So, the underlying bill, LB921, has a portion of the bill, Senator Dover's, which I am getting up to speak about, LB544, which was passed as a part of the committee amendment. Just for folks watching and kind of where we are, that is the portion that I think folks are, are talking about. I think I got the LB number right of Senator Dover's original bill, so don't quote me; there's a ton of numbers that go pretty quickly. But that is the underlying kind of theme around this requirement for the interviews for folks accessing unemployment. I support the original bill before amended with that portion, LB921, and wanted to finish some of my thoughts that I had earlier on the mic before my time ran out around the implementation around this portion. So again, from an implementation perspective, as the bill is-- that portion of the bill is written, it talks about that Department of Labor has the option and kind of purview-- it's not mandating, but giving them the option to say if a person does not attend a job interview, and then does not communicate in a certain amount of time why they missed it or what does that look like, then they would lose benefits, which I think is very problematic, especially if it is someone that is navigating a crisis personally; that could be the loss of a job, quickly trying to decide what's going to happen with child care and all these things. Life happens, and it, and it can be difficult. And so, to put that type of assumption or requirement, I think, is difficult just from a navigating people management perspective, and then the actual structural implementation of Department of Labor. Because it is so broad, how does it not become subjective? How do you ensure that it is applied equitably? It is going to take more administrative support to get those reports, then to apply those and to seek out the, the information to say, like, OK did that person miss it, and what was the reason? Did they not say it? That is just going to take inherently more administrative time, which is going to cost more money. So, I do think there is fiscal impact. We talk a lot-- and being a member of the Appropriations, a fiscal note versus fiscal impact-- when you look at a fiscal note, that is just usually the cost to the state. And so, does it have a General Fund impact? Is it cash funds? It is a-- is it a specific money amount versus fiscal impact is very different, that there are implications fiscally or monetarily to what we are talking about, and we don't capture that in the same way. And so, I do think, while there's not a fiscal note associated based on the changes, there, there is going to be fiscal impact to the administration of Department of Labor that we need to be

thoughtful of when we're passing legislation. Even though it feels like a very short, quick bill, we need think about those things. The shortness and brevity doesn't mean that there aren't ripples in long-term impact. And so, I do have concerns with LB921 now, with that portion of that bill that was adopted in the Business and Labor Committee statement around implementation, and it really feeling circumstantial around the qualifications and criteria if you miss an interview or not. You know-- and I, and I go back to some of the conversation before around open jobs, and what does that look like? And so, one, the type of job makes a difference in the industry where we are seeing those; a lot of the open jobs we are seeing now are because of the tax of immigrant labor into some key industries like agriculture and manufacturing, and so we need to account for that, and I think the conversation around that is very different, and then it's not necessarily alignment to the, the matter at hand. And also, I go back to my previous statement of, how do you retain and attract talent? We have to address some of the underlying cultural policies and practices that we have seen push through in the Legislature and, and other levels of government that don't allow for people to live, work, and play here. There are validated, trusted organizations that are not rooted in one political affiliation or not, or geography, urban or rural, that really are speaking to Nebraska overall that have given us a roadmap of why we see these open jobs, how we need to have intentional economic development, and that is not happening.

KELLY: Thank you--

SPIVEY: Thank you. Mr. President

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

ROUNTREE: Good afternoon, and thank you, Mr. President. Good afternoon, colleagues, and to those that are still yet watching with us online. I'm really appreciative of all the debate that we've had today. I go back to my original point that I was making earlier about sometimes fail to connect on communication. I'm learning that term, "ghosting;" I didn't know what the term meant as well, but I am-- I ghosted. I ghosted a job when I was a freshman in college. BITD, back in the day, I got hired at Hardee's. The very first night, they put me on the grill, and I didn't have any training on how to make all the burgers, but

nobody else came to work, so I had that grill by myself. I was winging it, and then a bus came in and everybody was in line, and I was struggling in the back. That was a Saturday night. Sunday, I did not come back to work. Monday, I was done. So I ghosted, I quit. I was done with that. I worked many other jobs. And Senator Quick talked earlier today about having drawn unemployment compensation. When I worked construction with my father, during the winter months when it was colder outside and we couldn't get a lot of work, sometimes our employer only gave us X number of hours, and we did what we called then signing up. We drew unemployment through the winter time. It never did meet the needs of, you know, going out and taking care of the full-time job, but it was something coming in, and that's what we did. So, as I've been talking around in the body today about the connectivity and ensuring that someone was able to, you know, make sure that a message was received, a message that was communicated before being cut off. I have a daughter that lives in Aurora, Colorado, and so she's been looking at new jobs. And so, I just wrote her quickly just a little while ago, and I said, hey, we're talking about this ghost jobs. And we saw the article that Senator Cavanaugh had put out about ghost jobs. And I said as you were out and about, what kind-- what are you seeing out there? Are there a lot of ghost jobs? So she said, yeah, well, sometimes the recruiter will schedule a generic interview, and then not show up for the meeting. That's the recruiter, or the one that should be doing an interview. They may schedule that, but then they don't show up for that particular interview, she said. But there is not really a way beyond that to figure out if the position exists or not. If it's been posted for months or the link is broken, she said, I'll go directly to the company website to check if it's real or not, so that's an opportunity for her to look at other things that are out there. She said, but I feel that there should be three strikes rule or something similar, because sometimes, circumstances come up where you can't make the interview. We all know that you can get stuck in traffic. For those of us that have tested in the military for promotions, coming to the base, there is a railroad track coming down one of the main highways, and if you get there at the time that that train is across there, you are going to be late. Going to be late. And when it's time for testing, once that test door closed at 8:00 and you're not there, you have been excommunicated for that year. We talk about good reasons, but most of the time you're out, you don't get an opportunity to go back in the test, and you wait for the next year. So, my daughter goes further on and say, you know, some examples, you know, things that are out of your control.

Getting home late from picking up the kids from school, that happens. We have families that we are out there. And I'm not sure about how it works for unemployment, but if they track applications, but I don't think they should be cut off unless there's a pattern of documented scheduled interviews being missed, so there's pattern. We talk a lot about patterns, patterns of behavior, patterns that we see. So, if there is a situation, have that effective communication with the member or the job person that was going to be conducting the interview, make sure we can follow what we can connect and say, hey, the train got me. It'll get you in a number of places in Bellevue, and you're not going to get by. And believe me, listen, there are some long trains. They're long. I might count sometimes 150 cars. Count it as they go by, because all you're going to do is wait. But at least have a pattern documented and be able to work it out, because I still believe that most people want to work; they want to have good jobs, and they want to be able to take care of their families. So, with that, Mr. President, thank you so much. Thank you, colleagues.

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

QUICK: Thank you, Mr. President. And I know you're all probably getting tired of hearing me talk about my work experience and, and what happened with some of the employees that worked at, at the sand and gravel ready-mix operation that I worked at. And I worked there for 15 years, and really, that's the job that got me the, the job skills, and helped create the opportunity for me to get a job at the power plant. So, really, it was a-- it was a-- really, that work experience was vital to me improving my situation going forward. And really, it was a low-paying job. I mean, I made minimum wage when I first started there. I think when I started back in probably, like-- I want to say '78 or '79, I was making, like, \$3 and some cents an hour. And then, I know I got a wage increase up to, like, \$5. And the most I ever made there-- and I would have left there in '88-- I was making \$7.15 an hour in 1988. And I think by the, by the end of my career there, we were-- they were allowing me to maybe work through the winter at that time. But a lot of the workers that worked there-- actually, the employer and the employees knew how this was going to work. I mean, most of the truck drivers, they knew that they were going to be laid off, probably the earliest ones to be laid off, because once the gravel started sticking to the boxes, then they-- it was-- made it hard-- you know, pretty

impossible to haul gravel, or if the gravel was too chunky, frozen and stuff, so. But both the employees and employers, they understood-- or, there was that understanding that there were going to be layoffs for the winter. But they wanted all the guys to come back because they had trained them, they knew exactly what, what the work was. You know, a lot of the guys that were truck drivers either graveled the county roads or they hauled gravel to all the-- either ready-mix plants or hauled gravel to some of the, like, construction sites where they maybe were taking fill sand and things like that. And so, I mean, like I say, those seasonal workers, I think this situation makes it maybe a little bit tougher for them because they're probably not going to be going out seeking other jobs, or if they're required to, they'll-- they're not going to be hired somewhere because they are going to expect-- they're expecting to go back to that employer that they had been working for previously. So, the other thing I wanted to make sure that, you know, I touched on a little bit was workers' rights. And it's not just even for, you know, with the understanding how unemployment benefits work for people who get laid off. When they go in to apply, you know, I would hope that the, the Department of Labor is making them aware of what their rights are, what they're required to do and what they're-- what, what they can be held accountable to do if they're-- if they don't accomplish the, the goals that they're supposed to meet, but also with the workers' compensation. That's another area where I think a lot of employees don't understand their rights, if they're, if they're injured on the job. And those are really all-- those are both really important keys for workers to understand. What, what are my rights? Can I choose my own doctor for, like, workman's comp? Can I-- you know, when I fill out this paperwork, am I signing everything away that I'm, I'm saying that, you know, you're, you're going to make sure I'm provided with, with coverage to get-- you know, cover my injury, but that I'm also going to be able to still have a job here when it's all said and done? So, I, I think sometimes, when, like, if you're looking at workers' comp, sometimes employees, when they're injured, they're not looking in that-- looking at that stack of papers and understanding everything they're signing. So, I just want to make sure that workers are heard and that they're-- and they're-- also, that they understand the rights that they have. I know Senator Rountree was talking about trains a little bit, and "delayment" of trains. We've had some train delays in Grand Island because of the blockage of UP. I know I've had conversations with both UP railroad and people in my community, and I've gotten calls from people when they block the-- that-- the one intersection at

Capital Avenue, it causes a lot of problems not just for people trying to get to and from work, but people also some, some instances where, you know, we want to make sure that first responders can get through there, fire and rescue and that type of-- those type of situations. So, at that very east end of Grand Island, where Capital Avenue crosses the UP tracks, and then the next intersection, I believe that's on-- I can't remember actually the street that that's on, but that's another intersection that gets blocked, and then you would have to go--

KELLY: That's your time, Senator.

QUICK: Thank you, Mr. President.

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

MURMAN: Question.

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

CLERK: 26 ayes, 4 nays to cease debate, Mr. President.

KELLY: Debate does cease. Senator Machaela Cavanaugh, you're recognized to close.

M. CAVANAUGH: Thank you, Mr. President. Well, I-- you called my bluff, Senator Murman. You called my bluff. Because I-- you know, I could keep going. I'm not going to take up my bracket motion that I have. Just letting the Clerk's office know that right now. I could keep going, but I am going to let my better angels prevail. And Bob Hallstrom just quoted the movie Frozen to me. "Let it go." So now, I feel even more like I should just let it go. Plus, I really never intended to take this much time. It's a good bill, Senator Ibach. It's not, it's not about that. So, yes, I actually-- but I do believe that Senator Conrad, if she'd like-- I'll yield the remainder of my time to Senator Conrad. Oh, but one more thing. Just notice that the motion, Senator Dover, it's 5-4-4. Poetry. I'll yield my time to Senator Conrad.

KELLY: Thank you, Senator Cavanaugh. Senator Conrad, 3 minutes, 58 seconds.

CONRAD: Oh, that's not that much time. Thank you, Mr. President. Thank you, Senator Cavanaugh. Maybe I'll refile-- maybe I'll file the bracket. I haven't decided yet. But I just want to respond to a, a few points here. Number one, in terms of process, even being so bold as to call for a rules change because some members are so annoyed that they have to listen to senators who care about workers' rights, health, and safety, utilize the only tools that we have available, which is building a record and taking time on the floor, and want to literally change the rules of this body that have stood for many years to ensure minority voice just because the senators who are winning almost every battle to eviscerate workers' rights, health, and safety have to listen to an alternative point of view. Wow. Let's talk about what's going on here, and that's an evisceration of workers' rights, health, and safety in ways great and small. Nebraska does have many unfilled jobs due to chronic long-term labor shortages because we have a rapidly aging population. We have significant brain drain. We have young talent leaving for other states for a bunch of different reasons. We aren't seeing these jobs going unfilled because Nebraskans are lazy, and the data and the common sense back that's up-- back that up. When you look at what's happening in Nebraska and across the country, you can see state legislators, cynical state legislatures are pushing to eviscerate workers comp, unemployment insurance, safety net, job training, actual apprenticeship programs, minimum wage, earned sick leave, tax equity. The list goes on and on and on and on about what they're doing to utilize their power at every turn to benefit the wealthy and hurt working families. And this is a small part of that really big puzzle. Thank you, Mr. President.

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

CLERK: 7 ayes, 28 nays to reconsider, Mr. President.

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

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

KELLY: Returning to debate, Senator Hunt, you're recognized to speak.

HUNT: Thanks, Mr. President. I'm going to say a couple things and then yield the remainder of my time to Senator Conrad, but I'm-- I don't know, I'm not, I'm not-- the-- I'm not living or dying over this, you know what I mean? There-i it's a bad bill. It's bad amendment that we've adopted. It, it is harmful, it doesn't help anybody. But think about the things that we have before us yet to do. And it's really hard to, to rate them in terms of harmfulness, for sure, but there are too many laws-- there are too many laws that we introduce that expand bureaucracy and do nothing but make life harder for normal people. And this is bureaucracy for workers, it's bureaucracy for employers. If I've got someone not showing up to a job interview, do I really want to fill out a form and, and take steps, take time out of my day to harm them? To jam them up even more? I can't imagine a world where we would ever treat an employee's time or a job applicant's time as important as, as a boss's time, and I think that that's a big problem with the way that we're thinking in this Legislature and in society right now. And as an employer, I am humiliated thinking about a fellow boss like Senator Dover being so mad that somebody didn't show up for an interview once that they would support a bill like this. Who cares? If somebody didn't show up to a job interview with me, you know what I would do? Go on with my day. Do you think I'd wait up for them? No. I just hired an administrative aide here. I probably hire three or four people a year at my shops. When people don't show to the interview, which happens, you know, what I do? I draft a bill and I call ALEC and I introduce it, and I get it attached to the Business and Labor Committee priority bill, and I stand up and I say, this is about workers' rights. Are you kidding me? Who has the time? All the things to do on this planet, imagine being so mad that someone stood you up for your interview for your job that you introduce a bill about it, causing more bureaucracy, more forms, more work, by the way, for the Department of Labor to do with their infinite resources. Imagine being that mad. I'm-- I'd be humiliated. I'd have my kids walking through the streets embarrassed that their mommy can't have her feelings hurt without introducing a bill about it. It could not be me. If someone didn't show up to a job interview for me, which has happened-- I can't even think of the time because I don't care-- I would go on with my life, I would mind my business; I would not introduce a whole bill about it and have all this extra bureaucracy added to government. And that's how you should feel, too, if you're a grownup and you're mature. Ridiculous idea. I'm going to yield the remainder of my time to Senator Conrad. Thanks.

KELLY: Thank you, Senator Hunt. Senator Conrad, 1 minute, 45 seconds.

CONRAD: Very good. Thank you, Mr. President. Thank you to my friend, Senator Hunt. I think I'm next in the queue, so I might be able to wrap it up in 1:45, or might just carry over here. Colleagues, I, I also just want to note a couple of other points here in regards to where we are at this stage in the session, Day 48 today, the 60-day session. Really, really limited time remaining, and we're staring down the barrel of having to suspend our rules because we can't get our budget passed by the 50th day. Everybody knew that the hallmark issue of the session would be budget and tax matters due to the-- I think when we started session, about \$470 million structural budget deficit, which is now ballooned to over \$680 million due to your fiscal recklessness which benefits the most wealthy, and then is ballooning to almost a billion dollars in the out years, but those millionaire-billionaire tax cuts and corporate welfare programs are off the table. And instead, we're going to take our time and our energy to cut critical human services and programs. The big issues that have taken most of the debate this year, like Senator Hallstrom's workers' compensation measure, doesn't do one thing; doesn't contribute one penny to balancing the budget. But that was his choice to spend time on that, and he knew it would be contentious. I don't set the agenda. Senator Hunt doesn't set the agenda. The Speaker sets the agenda, so he has decided it's a--

KELLY: Senator, that's your time--

CONRAD: Thank you, Mr. President.

KELLY: --but you're next in the queue.

CONRAD: Thank you, Mr. President. So, the Speaker has decided it's a good use of our time in this short session to spend time, legis-- literally legislative days that were spent on that unnecessary workers' compensation measure that didn't help with the budget at all, that pushed back deliberations to ensure we actually could meet our rules to get a balanced budget or budget adjustments through in the short session. But that was more important to senators: to waste multiple days on a workers' comp package that was unnecessary and didn't do one thing to help the budget or tax situation. And that's just one example, not to mention the filibuster led by many, many opponents in this body

against ensuring firefighters have a better process in place when they develop cancer on the job. They also launched a multi-day filibuster to eat up time. And now, members are so upset that we're taking a few minutes to talk about the most recent effort to chip away at workers' rights, health, and safety, and the long-established safety net and grand bargain that ensures when somebody loses their job through no fault of their own, they get temporary assistance to take care of basic family needs and get back in the workforce as quickly as possible without utilizing other public-- without utilizing public safety programs. So, there's a very small number of senators in this body who hold progressive viewpoints. We don't chair committees, we don't set the agenda, we don't serve in leadership. Most of our bills, you know, are at various stages of moving forward here. So, let's not forget for one second who's in charge, who sets the agenda, the only tools that we have available to react thereto, and the broader context of what is involved. A majority in this body aligned with a radical executive that seeks to utilize their power at every single moment to only benefit the wealthy and the biggest corporations. Whether it comes to special favors for big ag or big corporations at the expense of little guys that are out there trying to make ends meet, or workers who get injured through no fault of their own, or everyday citizens who are driving on a highway and get injured through no fault of their own. We don't have a budget in place, we don't have a clear path forward. We're going to have to suspend our rules just to do basic budgetary functions. And many members have committed many days over the last 48 days to things that don't do anything to address our hallmark issue of budget and tax, but they're pushing measures that undercut and eviscerate workers' rights, health, and safety. And not only have they pushed those and we've spent time on them, but they're planning to spend a lot more time on them in the next 12 days. Not figuring out how to balance the budget, pushing pet projects for big corporations, and we've got a huge one on the agenda in just a few bills. We've got a bunch more that are seeking airtime. More efforts to chip away at earned sick leave, more "effits"-- efforts to put our thumb on the scale of the justice system in favor of insurance companies and big corporations, more efforts to punish poor children and their working parents who utilize the child care subsidy program. Ever since the majority has failed to advance a balanced budget, the key issue and undercurrent has be-- has been "you progressives better come to the table, or we're going to punish poor kids." So, that's what you've been saying privately; say it on the mic. Let your

constituents know what kind of work you're doing down here and how you negotiate. Thank you, Mr. President.

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

DOVER: Thank you. I was wondering if Senator Rountree would entertain a question.

DOVER: Senator Rowntree, will you yield?

ROUNTREE: I will.

DOVER: Thank you. I was listening to your explanation about the train and everything. Could you explain what my legislation-- about the long train, how it, you know, it kept you from getting to somewhere on time? Could you please explain to me how that relates to my bill?

ROUNTREE: I was talking about being able to make the appointments; if appointments aren't kept, then at least have some communication as to why appointments aren't kept. We say, if a person missed an interview, then an employer may take some action. You've talked about many people that have ghosted you and have stood up. But my point was that there are reasons why sometimes people are not able to make it. I talked earlier on the mic about wrong numbers. Sometimes, expect a communication, but it didn't happen. So, the point about the train was that I might be trying to get to the interview, but if I'm caught by the train, I'm not going to make it to the interview,--

DOVER: OK.

ROUNTREE: --so that was my point.

ARCH: Thank you, Senator Rountree. And that's exactly why the "amendent"-- the amendment that came out of committee said this. It said you only get in trouble if you don't notify your prospective employer of a need to cancel or reschedule the interview. So, Senator Rountree, as long as you just-- if you can't make it, you're behind a long train or whatever it may be, you simply need to call that employer and say, hey, sorry, I got caught behind a long train, and you're OK, and you are not going to lose any unemployment benefits. Were you aware of that?

ROUNTREE: That was what it stated in the bill.

DOVER: Yes. That's what it states in the bill.

ROUNTREE: That's what the states in the bill.

DOVER: You can simply say, hey, I, I had something come up, I can't make it.

ROUNTREE: Yeah. And the other part that I was making also was that sometimes, if there's communication that's expected and communication doesn't happen.

DOVER: Correct, and that's why the, the lower part of the bill says the commission may consider the manner of communication established between the individual and the prospective employer of what, of what actions, if any, they're going to take.

ROUNTREE: Correct.

DOVER: Yes. All right, thank you. Thank you. Is Senator Spivey in the Chamber? OK, no. OK. I, I don't-- I'm sure it happens to a number of people sometimes in the Chamber, but the mixed characterization of a bill saying that it does certain things or it's horrible and it's beating up the little guy, I think, that Senator Conrad had alluded to. But I'll tell you one thing, my wife and I started out, we were the little guys. My wife I started, when we were first married, a construction company, and we were the little guys, so we had a hard time getting any-- we used to get concrete-- for anybody in construction, we got the hot load of concrete because we were the little guy. I remember for a period of five years having to borrow money to make payroll. So, it amazes me how people will characterize a bill, or, even as you see on the floor today, characterize an individual, right? How Senator Dover is mad. Well, I wasn't mad because someone didn't show up. I thought it was disrespectful. And I probably was a little upset when someone-- my manager who scheduled this time couldn't do their job and maybe was supposed to be out on a job-- on a job site or something like that. So, it's interesting what people will say when they don't read a bill, or perhaps try to "mischaracter" things. Or sometimes, say things, such as "eviscerate" and some of those words like that, because they make for a good press and good-- and a good argument, and perhaps a really, well, a good quote on the front page of a paper, or wherever it may go, may go in. But I'd like to clarify again. I think Senator Spivey had brought-- oh,

Senator Spivey. There she is. Could you ask-- answer a question, please?

ARCH: Senator Spivey, will you yield?

SPIVEY: Yes.

DOVER: Thank you, Senator Spivey. Could you explain the, the, the point you were making about a mother with children and how my bill would hurt her?

SPIVEY: I don't know. Can you recall what I said? I talked on the mic, like, three times.

DOVER: OK.

SPIVEY: Is there a-- something specific that I said?

DOVER: I, I-- well, I-- [INAUDIBLE]-- instead of-- I don't want to put words in your mouth. But it seemed as though, in my understanding anyway, was if you, if you had kids and stuff like that, or something came up, or the kids, or who knows what might happen, you may not be able to make the appointment for the job interview.

SPIVEY: Oh, yes. So, what I said was that life happens, and so there could be a reason why someone doesn't call. Like, their phone can get cut off, or what if their kids were put into the emergency room, and so that they didn't make the job interview and they don't call within the window that you said.

DOVER: So, just for clarification, there isn't a-- there isn't necessarily a window date of having to get back to let them know you have to cancel or reschedule your interview in my bill. So, as long as you-- as long as you let them know that, hey, my kids have this, or I'm-- for God's sake, I've had four kids, right? I took my kids to the emergency over a number of issues, as I'm sure maybe perhaps you have too. So, they're not going to lose unemployment benefits if something happens to your kids or whatever it may be. You just simply need to call up and say, hey, this happened, or if you even don't want to share it, you can say personal-- something personal came up,--

ARCH: Time, Senator.

DOVER: --I'm sorry, can I reschedule? Thank you, Mr. President.

HALLSTROM: Senator DeKay would like to recognize some special guests. They are UNL beef industry scholars from Lincoln here. There's 15 located in the north balcony. Please rise and be welcomed by your Nebraska Legislature. Returning to the queue, John Cavanaugh, you're-- Senator Cavanaugh, you are recognized to speak.

J. CAVANAUGH: Thank you, Mr. President. Good afternoon, colleagues. Happy to have a chance to talk again on this. Good to see the folks from the beef industry scholars. I think it was almost about a year ago right now where we were debating the fake meat bill, and so-- brings back memories. So-- well, I appreciate the conversation and trying to clarify, and it is good to try to have a little bit of a conversation with folks who have concerns and try to address them, so I appreciate Senator Dover raising that. I, I would just add in myself-- I guess inject myself into the conversation between Senator Dover and Senator Spivey. And Senator Dover was laying out the sort of de-minimis nature of the hurdle to folks, so, saying it's not so hard to do X, Y, and Z to make sure that you get your benefits. The, the issue I think that people have with this particular section of the bill is that when people are unemployed and have a lot of things going on in their life, we are now, by statute, adding one more thing on top of that to guarantee, or to, to get them the, the pay that they need to put groceries on the table, to pay their insurance, to pay their rent, to put gas in the car so they can go to these job interviews. I think people-- the, the complaint that I hear from the folks who are opposed to this bill is one that I think is going over unheard by the people who are in favor of this bill. I don't think there's any thought that it is not-- it is, it is unpleasant to be waiting for someone and they don't show up. That's happened to everybody, whether it's an employment situation or other. It is frustrating, it is a lack of respect, and you get-- and you, you-- I, I think you'd be rightfully could be angry in that situation. But to, to change state law to make it harder for someone who is struggling and is potentially in crisis to put food on the table is what the opposition here is, and I think the folks who are in favor of this bill are not listening to that criticism. And as we've learned this year that we have been-- done some good productive work when folks listen to each other's criticisms and attempt to address them. And so, I, I get when people feel attacked and that they're frustrated about

people having criticisms of, of their bills, but trying to hear where people are coming from and maybe finding a path forward in that conversation. So, I think that-- and then of course, the continual calling the question just because it's people having criticism or opposition to a bill can feel inconvenient when everybody thinks we should just be moving on. But again, this is an issue where someone has worked and lost their job through, you know, not, not something that they did, not some-- you know, getting fired for not showing up or failing a drug test or whatever. But somebody has lost their job because the employer shut down or was downsizing. And they're looking for work, and they are getting up to-- I think it's-- \$526 a week is the maximum benefit at this point. And they're looking for work, and in this scenario, something has happened where they don't show up to a job interview or they don't respond to a job offer, and then, the onus then becomes on them to prove that that was a justified thing, whether they did have a car trouble or they, you know, they had to go the-- take their kid to the doctor, or whatever it is may be a justifiable reason. But they're-- they are then at the-- in this limbo or situation where they aren't going to be able to get their \$526, which is their only lifeline in that week. And so, the, the rate at which we are passing, moving this forward, in lack of consideration or thought about that, is what is concerning to people here and why there is some anger and frustration on the other side about why this bill is being moved and people are not even entertaining the criticisms. So, I continue to be opposed to that section of the bill, and I've run out of time here to talk about it, but I'll push my light so I can talk a little bit more about what my specific criticisms are. But I do have concern about how-- I don't know how this would actually work in practice. And so, that-- that's the problem. I know Senator Machaela Cavanaugh did propose a suggestion of, of one clarifying amendment which I think got voted on before really anyone got to digest it, which is another issue about moving too quickly. Sometimes, doing good work here takes a little bit of time and a little bit of effort. And so, you know, it-- it's inconvenient, of course. But when we are talking about people losing their lifeline in crisis, I think we really should take a minute and think about--

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

McKINNEY: Thank you, Mr. President. So, on this bill, I've been listening to it. Honestly, the conversation just annoys me. And

I did vote for this in the committee. And again, I said, why? Initially, it was two days, and it went to seven, and I felt two days was definitely a problem. But if they were going to vote this out, and just me knowing the Legislature, the bill was probably going to pass. Two days is better than seven. But-- just annoyed a little bit about this. So, would Senator Dover answer some questions?

ARCH: Senator Dover, will you yield?

DOVER: Yes, I will.

McKINNEY: Thank you, Senator Dover. My first question is, how would somebody that ended up in a car wreck call their employer to tell them-- call a potential employer to tell them that they're-- that they can't make it to the interview?

DOVER: In the second part, it says that the commissioner has full jurisdiction, where they may-- or, they may take it, but they don't have to. So I'm guessing-- I guess that either-- at some point when things settle down, either a [INAUDIBLE] family member or something may call, but it's not going to be important. But all you have to do is reach out. I'm guessing though-- and if they missed it, they would even be reinstated.

McKINNEY: But, but-- but would the person's-- but would the person's benefits be impacted until the-- until DOL figures it out, though?

DOVER: Not if someone reached out to the DOL, DOL. But I, I mean, I, I guess my question-- I guess, to answer your question, is-- I don't know how often that would happen.

McKINNEY: What if-- it's, it's-- I'm-- it's just a hypothetical.

DOVER: Right.

McKINNEY: My second thing is, last time you were on the mic, you asked questions of two people,--

DOVER: Yes.

McKINNEY: --and it was-- it kind of stuck out to me, because I've been sitting here all day, and a lot of people have spoken out against this bill and against this bill, and it just seemed

very convenient for you to ask those two people. Why did you choose those two?

ARCH: Because they're the last two people that spoke, and I'd written it down to, to clarify. And, and here, the thing is-- I don't think ask-- I don't think-- and I hope that Senator Rountree and Senator Spivey thinks in any way that was any type of a hostile question. They obviously thought, due to two different situations that whether it's a, a busy mother or a long train that they would lose unemployment benefits, so I wanted to understand and explain to them what part of the bill said that is not an issue. And I think if we would-- I'll say this. If we talk more often, like you're doing now with me, asking questions, I think we'd get closer to what the truth is about a bill. And so, I think it's better for me to clarify. And I-- there might-- and, and, and since Senator Rountree got up and talked, after Senator Spivey got up and talked and said those things, you know what, bet there's a-- I would almost bet that there are some other senators in this Chamber that think that that's true, that it's true. And it's not true. And that's why I asked questions.

McKINNEY: But, but from my, from my perspective, I don't think you approached those two with the energy that you just wanted to talk it out and find understanding.

DOVER: Right.

McKINNEY: It came off, came off as if you were trying to catch them into something or try to make them look some certain type of way. So, when you say you wish we could have productive,--

DOVER: Yeah.

McKINNEY: --cordial conversations, you have to approach it that way, and I don't-- in my opinion, my opinion only, I don't think you approached it that way. And I thought it was just very convenient, looking at the number of people that spoke out against this bill, and more people have pushed back against is stronger than those two, that you would conveniently choose those two to ask questions of and grill, in a sense. So, I, I just think if we're going to be collegial, cordial, and try to have productive conversations on these bills, I think the approach to it needs to be a lot different. Yes, you might be frustrated that people are pushing back against your bill, but

that don't mean that you try to reciprocate the energy and then expect people to not see something how it comes off. So, as you're saying, you wish a conversation that we're having could be more productive with other people. I think when you get on the mic and you start asking those type of questions, you should approach it in a, in a better way, because what you did did not come off right, and it did not look good. And I'm just being honest. Thank you.

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

CONRAD: Thank you, Mr. President. Good afternoon, colleagues. This would be my last time to speak on this measure, and you know what? The, the appropriate remedy for speech that you find offensive or distasteful is more speech. I am a free speech absolutist, and I definitely respect and appreciate members' ability to speak out however they see fit in terms of representing their constituents. And various members who are pushing forward with this controversial component have criticized opponents' utilization of time, have criticized our tactics available to us under the rules upon which we all agreed upon and set and voted on to structure debate, and that comes into play particularly when things are not consensus-based and contentious. And now, there's the criticism on tone, and now, there is even the criticism on word choice. I'm not going to dumb down my vocabulary in, in terms of how I conduct my, my representation of my constituents. That's how I talk. It's how I've always talked. If people don't like the word "eviscerate," let me give you another word that starts with "e." How about empathy? I've heard Senator Dover and others who have incredible personal stories about how they've overcome obstacles, and they were able to be successful in their professions or in political life or in their community, and then, you know, take those experiences and come to this body, and those experience are so enriching. But my question is, why don't those experiences-- another "e" word-- also result in empathy? If you're sharing experiences about how you had to borrow from family or friends to make ends meet, if you're trying to empathize with the plight of working people, or who-- people who find themselves in a tough spot through no fault of their own, through a sudden job loss or medical issue or otherwise, where's the empathy in the policymaking? Why do those experiences that shaped you make you less understanding of challenges that real people go through and more determined to erect hurdles to their ability to navigate through those hard situations? One thing I talk about a lot in

regards to my service in the Legislature over 12 years is, of course, we've seen an increase in partisanship, and we've see a loss of institutional memory on both process and substance. But we've also just seen such a mean-spiritedness in our politics, and the common good sense and the generosity of spirit that I see on display every day in Nebraska is not present in its present political leadership. And I don't understand that, because Nebraskans are hardworking and Nebraskans are kind, and Nebraskans look out for their neighbors. I don't know a single Nebraskan who wouldn't hesitate to bring a casserole to somebody in need, or help with child care, or scoop the snow. Why isn't that same spirit on display in our policy making? When representatives who have districts that are economically challenged push back and say this policy is going to make it harder for my constituents to succeed, why isn't that taken with an open heart and an open mind? Why is there a reflexive defensiveness there?

ARCH: Time, Senator.

CONRAD: I'm not going to change-- thank you. Thank you, Mr. President.

ARCH: Senator John Cavanaugh, you're recognized to speak, and this is your third opportunity.

J. CAVANAUGH: Oh. Thank you, Mr. President. I would like to ask Senator Dover a question. I know-- I see he's having a conversation off the side with Senator Rountree, but I wonder if Senator Dover would make it to his microphone and I could ask him a question?

ARCH: Senator Dover, will you yield?

J. CAVANAUGH: He-- he's walking. I'll talk while he's walking and just give him the, the broad strokes of what I'm asking. So, this is my sort of technical concern about this bill. So, it has this part, the original statutory language says that an individual is disqualified from benefits if they fail-- if the commission finds that they failed without good cause to apply for available suitable work, and then it adds into this that-- or to respond to an offer for a job interview or suitable work within one week-- to respond for an offer of a job for suitable work within-- oh, sorry. Within one week-- [INAUDIBLE] to respond to an interview within one week, or offer of job, and

then to appear for a previously-scheduled job interview. So, here-- my question is, how, how does the commission find out that someone failed to respond or didn't show up? Because if somebody's on unemployment, I think they have an affirmative duty to fill in on the website every week the jobs that they have applied for and things like that. But so, my question to Senator Dover is-- I, I just don't understand how the commission finds out that somebody was offered a job and failed to respond, or was offered-- and failed to show up to an interview.

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

DOVER: Yes. It would be the same way as they would find out if someone wasn't doing applications for employment and "therefy"-- and therefore not get unemployment.

J. CAVANAUGH: So--

DOVER: It would be required to-- they're required to fill out a weekly-- go in, fill out weekly report. Also, just for clarification, there would be another way. Let's say that an employer had set up an appointment and the person didn't show, they could call the Department of Labor. There is a-- there is a phone number Department Labor does have in place that you can actually call up and say, hey, this person did not show up, or if you had something else going on maybe with it. I don't know what it could be. But there is a place for an employer to call to say they didn't-- they're not following through with their requirements.

J. CAVANAUGH: OK. So, this would-- then the onus is on the employers to call in and report, and-- but the employers don't know if somebody's on unemployment, right?

DOVER: I'm guessing that the-- I'm guessing there would be a form, since that is-- would be-- if the bill passes, that would be a requirement just as it is, written in the statute that they have to actively search and they have to-- and then they fill out the weekly thing, here's the place I went and actually searched and filled out a job application. Because I believe, because that's, that's actually a requirement and you have to fill out a form, they go on and fill out applications. And I personally believe the reason I brought the bill was if, in its requirement to actually attend the, the interviews and stuff,

they would then have to report that also, and I think their probability of them showing up would be increased.

J. CAVANAUGH: I, I, I-- I'm not contending with the--

DOVER: Right.

J. CAVANAUGH: --intention or anything, I'm just sort of trying mechanically to figure it out. So, the person who is on unemployment would be required to disclose to the employer that they're on unemployment when they are seeking a job?

DOVER: Pardon?

J. CAVANAUGH: So, would the potential employee be required to disclose the potential employer that they are on unemployment currently?

DOVER: No, they're require-- they have a weekly-- they have a weekly report that they have to go out and fill out, where they applied for jobs, [INAUDIBLE] like that. And then, simply, they would have to report if they were offered any, any jobs, you know, intended, intended an interview or whatever. They would have report that, just as they're reporting the fact where they applied for a job and filled out application.

J. CAVANAUGH: OK. So, when they go and say, I applied for 10 jobs this week, or whatever the requirement is, they'd have to say, and I skipped this job interview from this one and I was offered this job and didn't respond?

DOVER: I, I don't know exactly the verbiage, because I'm guessing the Department of Labor will come up with what they figure is a satisfactory questionnaire to fill out.

J. CAVANAUGH: OK.

DOVER: Or report-- reporting system.

J. CAVANAUGH: And then, in addition to whatever that system is, the employer could call the Department of Labor and say, I, I had an interview or a job offer, and this person ghosted.

DOVER: And they do the-- yes. Yes, thank you, Senator Cavanaugh. They-- and they do that now. There is a phone number that

employers can call to report the person that made it-- that was a no-show. So, there is-- that, that does exist today, if a person wants to do that.

J. CAVANAUGH: OK. Well, thank you for, for clarifying that for me, Senator Dover. I'm out of time, and I don't get another chance to talk on this. But I do think there are still mechanical questions that need to be figured out. So, obviously, we're on General File, so if I have a suggestion between now and Select, I'll certainly approach Senator Dover with my suggestion to try and figure out how to make this work in a reasonable way. I do have concerns about requiring people to disclose their actions in that, that way, and I certainly have concerns about a potentiality for abuse by someone who is angry-- maybe rightfully angry, but angry at a potential employee in that situation. So, I will continue to think on that. Thank you, Mr. President.

ARCH: Senator Andersen, you're recognized to speak. Seeing no one left in the queue, Senator Ibach, you're recognized to close on LB921.

IBACH: Thank you very much, Mr. President. I would just reiterate LB921 is a, a bill that addresses a real need, especially in, in my district. I truly do appreciate everyone's support and discussion around this bill. It's been a very good conversation, and I think a lot of us have understood a little bit better the situation that some employees go through and how we can certainly help them. I would just note that when I went to Lexington in December, I had a group of folks give me 972 letters from employees and their families and community friends speaking to the need to do something in response to the situation that we had with Tyson. This bill, among-- as well as a couple other bills that I'm bringing truly do speak to the need that those folks brought to me. I think it's appropriate, I think it's timely, I think it's relevant, and I think it's good legislation for us to take care of employees across our state. I would also ask if Senator Wordekemper would yield. Do you have any closing com--

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

WORDEKEMPER: Yes.

IBACH: Thank you. Do you have any closing comments on your bill?

WORDEKEMPER: Yes, thank you. I'll go over my bill. LB1170 is a cleanup bill developed by consultation with DAS, attorney general's office, and Senator Hallstrom. Senator Hallstrom did touch base earlier today. The first deals with his bill there was the store-- the State Tort Claims Act. It allows counties to recover prosecution costs for crimes committed at the state correctional facilities when those costs exceed two and one half cents per \$100 of taxable valuation. That framework worked until the riots, and so this is a clean-up bill to work with the counties on that for multiple claims. The second portion addresses the Line of Duty Death [SIC] Compensation Act. Nebraska statute already recognize cardiac events, cancer, and mental illness tied to traumatic exposures, and this clean-up matches it with the federal law that was passed in December. Thank you.

IBACH: Thank you, Senator Wordekemper. I appreciate you bringing this bill. And as we mentioned, all of these bills came out of our committee 7-0, so they had broad support within our committee. I wonder if Senator Dover would yield.

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

DOVER: Yes, I would.

IBACH: Senator Dover, would you just give us a brief overview of what your bill does?

DOVER: Well, I think we had quite a bit of discussion. Basically, it just says that you-- if you-- you need to show up for the job interview when you have it scheduled, and if you don't, let the people know that you couldn't make it or you're not going to make it, and that's pretty much it. It just adds that to actually going out and filling job applications out.

IBACH: Thank you, Senator Dover. And then my bill, my other bill, LB308, it really is the result of some cooperation, some collaboration with health care professionals regarding the agencies that do traveling health care professionals. What it really does is protect health care workers and their right to work in this state, and it protects hospitals, care homes, facilities that use those agencies and their employees. And so, with that, I just really appreciate everyone's conversation, and I would ask for your green vote on LB921. Thank you very much.

ARCH: Members, the question before the body is the advancement of LB921 to E&R Initial. All those in favor, vote aye; all those opposed, vote nay. Mr. Clerk, please record.

CLERK: 33 ayes, 3 nays to advance the bill, Mr. President.

ARCH: LB921 advances to E&R Initial. Items for the record, Mr. Clerk.

CLERK: Mr. President, your Committee on Health and Human Services chaired by Senator Hardin reports LB958 and LR296 to General File, and to the Legislature for further consideration for LR296. Your Committee on Revenue chaired Senator von Gillern reports LB757 to General File with committee amendments. Amendments to be printed from Senator Spivey to LB1135. Senator Clements, motions to be printed to LB1209. Senator Raybould, amendment to be printed to LB901. New LR: LR397 from Senator Clouse; that'll be laid over. That's all I have at this time.

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

CLERK: Mr. President, General File, LB867 from the Health Committee. Senator McKinney would move to indefinitely postpone the bill pursuant to Rule 6, Section 3(f) with MO490.

ARCH: Senator Hardin, you're recognized open on LB867.

HARDIN: Thank you, Mr. President. LB867 was introduced by the Health and Human Services Committee, and has three major ideas. First, it eliminates the Medicaid spousal asset protection framework which governs how assets are treated when one spouse seeks institutional Medicaid, removing the special carve-outs those provisions create through other statutes. Second, it organizes the Department of Health and Human Services by separating aging services out of the developmental disabilities division and moving them into the Medicaid and long-term care division, reflecting that aging is more logically aligned with long-term care administration than with developmental disabilities. Third, it conducts statutory housekeeping, eliminating obsolete nursing compact provisions, the maternal child health work fund, clarifying that health care background checks apply only to initial licenses, and improving the Bridge to Independence eligibility standard. With your permission, I'll move on to the first committee amendment now. AM2270-- standing committee amendment AM2270 includes committee bill LB867 as

amended, and incorporates LB845 as amended, LB733 as amended, LB1144 as amended, and LB1013 as amended. One comment on that: LB1013 is being removed via another amendment. As chair of the Health and Human Services Committee, I want to ensure that our state's public health system is working effectively and efficiently; I believe that the bills in this package accomplished this. LB867 was introduced by the Health and Human Services Committee, and makes several targeted changes across Nebraska's Health and Human Services statutes. First, the bill as amended removes the elimination of the Medicaid spousal asset protection, and allows the healthy spouse of someone entering a Medicaid-funded care facility to formally set aside certain assets and income for their own use. This has been a protection for married couples navigating long-term care costs, and its removal is the most significant policy change in the bill. In short, we protect spouses from impoverishment under these circumstances. Second, the bill strengthens protections for special needs trusts by ensuring that anyone, not just parents of children with disabilities, can fund a pooled special needs trust account without facing a transfer penalty. This closes a gap that left adults without the same protection previously extended to children. Third, it removes the requirement that the child support customer service unit hire a minimum number of new employees based on the local labor force while keeping the requirement that the units stay located in Nebraska. Finally, the bill removes outdated cross-references to the spousal asset protection provisions being repealed elsewhere in the bill without changing the state's underlying rights to recover medical costs from third parties. LB845 was introduced by the Health and Human Services Committee. As amended, this bill combines two existing advisory groups, the Alzheimer's Disease and Other Dementia Advisory Council and the Division of Medicaid and Long-Term Care Advisory Committee on Aging into a single new group called the Aging, Alzheimer's, and Dementia Advisory Council, which shall consist of seventeen voting members. The requirements about who serves on the council are changed to include an individual or advocate with experience or expertise in aging and special populations. A dedicated fund for the group's work is created. LB733 was introduced by Senator Riepe. As amended, this bill changes the name of the Division of Development(al) Disabilities of DHHS to the Division of Disability and Aging of DHHS. LB1144 was introduced by myself; this bill amends Medicaid statutes to broaden the definition of a health plan and establish clearer requirements for claim response and denial procedures. The bill expands the definition of health plan to include service benefit plans, managed care

organizations, pharmacy benefit managers, and any other entity legally responsible by law, contract, or agreement for payment of a health care item or service claim. The bill also requires any entity issuing a health plan to respond to a request from DHHS regarding a claim for payment if the claim relates to certain-- or, services provided within the preceding three years. The bill prohibits a health plan from denying a claim submitted by DHHS solely due to the date of submission, the type or format of the claim form, or improper documentation, provided that DHHS submits the claim within three years of the service date and initiates action within six years of claim submission. Health plans must provide requested information within 30 days of a DHHS request absent good cause for delay, and requests for coverage information must identify the individual at issue. LB1013 is something that we are still awaiting the Drafters to provide us some language on, but we're removing LB1013 from this package. Health and Human Services Committee advanced LB867 with AM2270 with a 4-3 vote. I'd appreciate your green vote on AM2270 to LB867. Thank you.

ARCH: Senator McKinney, you are recognized to open on your motion to indefinitely postpone.

McKINNEY: Thank you, Mr. President. So, I brought this motion because there was a provision in this bill that many, including myself, had a lot of concerns with, and it was the issue around the YRTCs and that conversation that-- I'm glad people are saying they're going to try to do an interim study to further discuss it and look into the pros and cons of these type of movements. My, my bigger concern also is that my fear-- and I, I think it's-- it has happened or it's in the process that the department-- and I hope they don't do it-- of moving the young men from NCYF to RTC. And the issue with that is a lot of issues. One, if you take the individuals out of NCYF and move them into an adult facility, how are you going to, you know, work with the law, you know, sight and sound, you know, making sure young adults are not placed with individuals that are older, especially since, you know, we are detaining 11-year-olds now. I saw-- I think it was yesterday-- a young man. I think he was 16, was sentenced to prison as an adult. So, that is my concern, that you shut down NCYF and then you move these young individuals into adult facilities, and, you know, history has told us that bad things happen, and can, can and will happen because you are mixing those populations. Yes, some people think that people at the age of 15 should be charged and convicted as

adults. These same people still don't think those kids at 16 should be able to vote in our elections, so I think that's a contradiction. But even so, I think we need to have deeper conversations, especially with the YRTCs and all the things you see in the news about abuse that has occurred, and the accusations that have happened. And those-- a lot of those accusations wouldn't have come out if not for, you know, kids and families speaking out, and I think people also in the judiciary speaking out, because things were being swept under the rug and kids were being abused. And just to move young girls from one facility to another that has all these problems, then move the boys to a youth prison for rehabilitation doesn't make sense. Does the facility even have the proper mechanisms for rehabilitation and treatment? It's a-- it's, it's currently a prison; it's not designed as a YRTC. Then, the conversations about moving the kids in NCYF into a prison that is already overcrowded and has a lot of issues. It's just a lot concerns that I do think needs to take more time and more conversations in the interim. And I don't think it should happen, but if it does, at least go through the proper processes to ensure that further harm is not done. So, I am grateful that Senator Hansen-- I just talked to him, he said he's pulling his bill, and also the conversations about doing an interim study to further study this, and look at it in an in-depth way. And I yield the rest of my time to Senator John Fredrickson. Thank you.

ARCH: Senator Fredrickson, 6 minutes, 10 seconds.

FREDRICKSON: Thank you, Mr. President, and thank you, Senator McKinney, for yielding your time. So, good evening, colleagues, and good evening to Nebraskans. So, I wanted to speak a little bit about some of what Senator McKinney had, had spoken about. And first and foremost, I want to start by saying I'm appreciative of, of Senator Hardin, Chair Hardin, for bringing AM2859, which is forthcoming. We don't-- haven't yet seen that on the board, but that is the component or the upcoming amendment that will strike the section that Senator McKinney was referring to. But I do think even though we do plan to strike that, which I think is an important step, I do think it is important to speak a little bit more about LB1013, which was the original bill for this, and, and the hearing for that bill, because this is something that I think we need to be thinking pretty seriously about as a Legislature, about potential future plans for the youth and, and, and those that are involved in the YRTC facilities. So, I remember when I first saw LB1013, I

actually thought it was a very innocuous bill. I mean, it seems very simple; it, it simply states that it's looking to shift the allowable gender at a specific facility in our state. And so, on the surface, that felt very, very sort of reasonable, and that there wasn't much going on there. But it became quite clear at the hearing for this piece of legislation that this was sort of that first step needed for a lot of-- a, a, a lot of subsequent action to, to occur, which, which frankly was, was-- you know, the plan-- and my understanding was that this was going to involve essentially transferring youth from almost every single facility we have and kind of shuffling them around and moving them around a little bit. So, whenever that happens, that obviously brings up a lot of questions. You know, this is historically something that we have not been responsible with, as a state. I think that there's been some unnecessary damage that-- that's occurred as a result of that. So, the, the other concerns that had come up on that hearing were a few things. One was there was, there was no interim study conducted, there was no real analysis provided as to why this was going on, and sort of what the impact this would have, in terms of consultation with-- whether that's educators, whether that's therapists, whether that's providers that work with these youth. And I, and I actually met with the department, DHHS, I think it was, like, a week or two ago, regarding this exact plan and this exact move. And, and I'd requested from them, you know, documentation related to the sort of evidence base and strategy and sort of long-term planning and, and, and vision for this plan, and, and, and, and still waiting for that information. And just this last week, I actually introduced with Senator Clouse LR380, which is an interim study to look in more detail to this exact concern. But there are a number of things that I want to just kind of get into legislative record that seem to be the plan that has been proposed the-- with LB1013 being an unnecessary first step to kind of get this thing into, into action. So, my understanding of the proposed relocations under the plan is, assuming that this eventually does pass, is that the department and the Department of Corrections are working together, and the plan is to-- the boys that are currently housed at YRTC Kearney would be relocating to a youth prison in Omaha, the Nebraska Correctional Youth Facility. The girls who are currently housed at YRTC Hastings, the plan would be to move them to the YRTC Kearney. So, once the youth from YRTC Kearney are moved to Omaha, the female population of YRTC Hastings would then be moved to the YRTC Kearney facility. Then, the teens currently housed at Whitehall, which is a campus here in Lincoln, Nebraska-- and, and, and specifically, for folks who are unfamiliar with

Whitehall, this is a facility that houses kids that have substance use disorders or sexually harmful behaviors, so it's a very specific population that's housed there. They would be transferred to YRTC Hastings, and then the youth currently at the NYCF, which is the facility in Omaha. They would be moved to the Reception and Treatment Center, the-- which is an adult prison here in Lincoln, and Senator McKinney spoke a little bit about some of the concerns with that. Obviously, housing youth at an adult facility is, is, is-- raises a lot of flags. I think that it's easy to say that the youth will be fully separated from adults on the surface, but there are many instances-- I mean, so, for folks who have toured facilities, our, our prisons in our state-- I used to work at a prison in Brooklyn-- many things come up where you are constantly having to move populations around facilities. And so, you know, whether that's a fire drill, whether that's a weather-related event, whether that's a leak, so that, that raises, I think, a number of concerns. You know, these are youth under the guardianship of us, Nebraska, as a state, and placing them in a facility with adults is something that I think all of us should take note of and, and be quite concerned with. So, that's, that's something that we need to have a closer look at and a better understanding of whether or not that's in the best interests of, of these young people. And then, the plan would then be for, for DHHS to, to vacate Whitehall. So, you know, there's, there's a lot of, as you can see, moving pieces from a seemingly kind of innocuous piece of legislation; a bill that simply changes the gender that's able to reside at a facility was actually a necessary component to get this larger plan in place. And so, I see that the time is kind of going down a little bit. There it goes.

ARCH: Time, Senator.

FREDRICKSON: I think I'm next in the queue, though.

ARCH: And you're next in the queue.

FREDRICKSON: I'm next in the queue. OK, so I'll continue this a little bit. So, other things that-- so yes, there's all the moving of the youth around to all these different facilities, which can be a huge concern. But the other thing I want to bring people's attention to as well is that these are youth who are obviously receiving services where they are currently located. So, whether that's educational services, whether that's psychotherapeutic services, they have providers in these

different communities. And one of the things that really stuck out at the hearing was, we would hear from a lot of these service providers, whether they were teachers, whether they were therapists, whether they were social workers who were working at these facilities, and they were essentially telling us that, you know, should we make all these moves, the question came up of whether or not the services would follow the youth, right? So, in other words, if an, if an individual is currently getting substance abuse treatment services, or if there's a young person who's in a facility, for example, for sexually harmful behaviors, would they be able to continue their interventions and rehabilitation programs at their new facilities? And what became clear at the hearing was that it-- it's not quite-- that's not a guarantee. So, a lot of the workforce-- we talk a lot about here-- in here about workforce issues and, and housing issues, and all sorts of things in the rural parts of the state and different parts of state. Finding new providers for all of these different interventions and services is, is a challenge in any city; it can especially be a huge challenge when you're considering people moving around from Kearney to Hastings to Omaha to Lincoln, et cetera, et cetera, et cetera. So, there's no guarantee that these young people would continue to have the same interventions that they were previously having. Another big concern that, that got up was related specifically to educational components. And so, currently, these young people, depending on what facility that they are housed in, they, they have in-person instruction, they have teachers, they have, you know, currently a Rule 18 school, for example, which essentially is a fully-operating high school. So, it's almost like you would consider any other public high school in our, in our state that is available for these students. It was presented that it seems like the plan was to change some of the educational requirements from a Rule 18 school to a Rule 10 school. Rule 10 schools really shift the requirements that these students would have. So, there was a lot of conversation about remote learning, online learning, et cetera, et cetera. And this, to me, was, was, was actually really surprising because we've had so many conversations in here about how remote learning is not as effective as in-person instruction. We saw that certainly during the pandemic. I know a lot of folks in here have talked about and expressed concern about some of the learning loss that's occurred when there was not in-person instruction for these students. And so, shifting away from that and looking as a cost-saving measure to go more towards online or remote learning for these, these youth was-- is a, is a huge concern of mine, and something that remains a concern of mine if that is in fact part

of the longer-term plan with that. And so, with the-- so, it's a, it's a question of, you know, of course, the, the treatment, the intervention that these youth are receiving, whether or not they're going to continue to have that support, but also the basic educational component and whether or not they're-- these young people are going to be able to continue to pursue their, their educational pursuits. So, there were a number of concerns brought up about this, and I have a number questions as well which I'm hoping with the interim study that Senator Clouse and I have introduced last week that hopefully we can get some clarity around that. And you know, some of the questions that I certainly have-- and I hope to speak with the department as well the Department of Corrections a bit more about this-- is, you know, kind of what their plan would be. So, since this is in fact-- LB1013 is being stripped from this committee package, you know, whether or not they would agree to not move any of the children at all from these facilities while we do an interim study. In other words, to sort of better understand what the long-term goal is, whether or not this is in the best interests of the young people and, and, and going to be effective for the young people, and, and kind of waiting for the results of that interim study to come back before any action is really taken, you know, especially when we consider moving vulnerable youth across the state. And I'm also interested, you know, kind of what the plan exactly is during the interim. So, you know, obviously, this is just one facility that we're talking about with the gender change and the statute, but is there possibly going to be movement on these other components that I outlined earlier that would go into place with, with that? So, I have a few more questions. I see that I'm kind of getting towards the end of my time. I'll punch probably back in a little bit to talk more about that, and I will get back on the mic. Thank you, Mr. President.

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

QUICK: Thank you, Mr. President. And Senator Fredrickson did a, did a great job of, of talking about a lot of the same things I'm concerned about. I know that I do appreciate the fact that they're trying to maybe-- it looks like they may be taking this out of the, of the bill, at least the portion that has to do with whether it's a boys or girls facility. But I think there's another bill later on that still deals with the education piece. I'm, I'm pretty positive about that, so. You know, I was here-- when I was here-- the-- my first four years, we had the whole

issue with-- there were staff assaults at, at the Kearney facility. There was also the issue with the-- at the Geneva, Geneva, Geneva facility with the, with the girls there. And I know at one point, and I'm pretty sure I was still here when they moved the girls from Geneva to Kearney on the, on the same site with the boys. And I can remember I had some real concerns that they were-- that they were doing that. You know, I think there was-- you know, the outcomes maybe ended up OK. They eventually moved the girls over to, to Hastings-- because I also had concerns-- the Hastings facility, at that time when the girls were in Geneva, was used for substance abuse. So, some of the kids or, or juveniles who had substance abuse issues would actually go to Hastings for that. And then evidently, they moved that to the Whitehall in, in Lincoln, so. But I'll go on. You know, some of my concerns really have to do more with, like, some, some of what Senator Fredrickson talked about, when you're moving especially the, the, the juveniles from the Whitehall facility, and you're moving then to Hastings, and from my understanding from what I was hearing, the staff would probably not be traveling or would not be traveling to that facility, and maybe would not want to travel to Hastings. But they also understand-- they understood the need for the type of care that those juveniles needed to be successful or maybe to rehabilitate themselves so that they could come out and have productive lives after that. And that's the whole point of the YRTC, is it's youth rehabilitation treatment centers. So, they're not supposed to be used as a jail, but they are detainment and, and rehabilitation for those juveniles and the, and the services that they receive. I know one of the issues with the previous-- when I was in a Legislature, a previous situations, it had a lot to do with putting staff through training fairly quickly, moving them in with the youth maybe too soon, ready-- before they were ready to be there, and I think that resulted in some of the staff assaults. I know recently they had some of the sexual abuse at the Kearney facility, which-- that's all resulted in maybe-- I'm going to say, I think there was a lawsuit over that, and there probably still is one going on, but that was a whole-- another big issue. I think that also goes back to maybe overturning-- you know, you have a staff turnover, training staff too soon to be in with the youth, and not quite ready to be in there with them, so. I think another issue that I always took up was that they needed better programming, making sure that those kids had access to the programs as they needed to, to be successful. I know they're-- they were-- one of the reasons they gave was moving the, the boys from Kearney to Omaha was that the higher percentage would maybe help them be able to

have, you know, family counseling and that for the, for the juveniles in Omaha, but I see it as more of an, an issue now, because now you're moving from central Nebraska to the east side of Nebraska. So now, you've the kids-- maybe you got juveniles from Scottsbluff or even Grand Island, or from the western part of the state; their families now have to travel clear to Omaha for those service to help with their, their-- to be part of those counseling services and, and have visitation rights, because I know they receive those as well, so your families would come visit. The other problem I see is, is that facility in Omaha is more of a juvenile prison for juveniles who are tried as adults for, for their offenses, and they're not in a YRTC, but in an, in an actual juvenile facility for, for, for those type of offenses. So, you know, we're trying to make a facility that's actually meant to be a prison a YRTC. And then, I-- the other big thing for me is, is moving those-- the juveniles from Whitehall.

ARCH: Time, Senator.

QUICK: Thank you, Mr. President.

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

DeBOER: Thank you, Mr. President. Colleagues, I have two substantive issues about things that no one else is talking about that I have discovered in this bill, in this package, that Senator Hardin and his staff have very graciously said they would work with me on between General and Select, but I would like to draw your attention to these two issues because I don't know if anyone else is, is necessarily going to talk about them. The first is some changes that this bill makes to the Alzheimer's Disease and Other Dementias Advisory Council. So, this is a council that I championed in 2022. The background on the issue goes further back than there. In 2014, LB-- or, Kate Bolz, Senator Kate Bolz passed LB690, which created the Aging Nebraskans Task Force, a statewide task force on aging. The task force made-- task force made recommendations; among them was to develop an Alzheimer's state plan. LB320 the following year implemented some of these items and created the first Alzheimer's state plan, however, the plan sat for multiple years. Anyway, things have happened in this whole thing. The problem is that LB867 before you adds the term "aging" to the title of the council, and in many ways, I think this dilutes the importance of the council's focus on Alzheimer's and other

dementias. Additionally, there may be a problem with some federal funding if we do this. The CDC, for example, has declared Alzheimer's and other dementias a public health crisis. We spend nearly half a billion dollars in Medicaid just on caring of individuals with Alzheimer's. Seniors with Alzheimer's and other dementias have twice as many hospital stays each year as those without Alzheimer's and other dementias. At age 80, three-fourths of people with Alzheimer's and other Dementia's live in a nursing home compared to with just 4 percent of the general population, and 61 percent of our nursing home residents have moderate or severe cognitive impairment. The uniqueness of these diseases means that we need to keep the separate group that works on them. I think that will also allow us to take advantage of some money from the federal government that is specifically focused on Alzheimer's and other dementias, which are unique diseases and different than other types of aging diseases. So, that's one piece. The second piece deals with pooled special needs trusts. In 2024, I passed a bill regarding pooled special needs trusts. By way of background, pooled special needs trusts are trusts utilized by individuals with disabilities in order to afford expenses outside of their usual allowance from their care facility. Individuals in care facilities are often given allowance of only \$75 to cover any expense not directly related to their care. So, it could be shoes, mattresses, toothpastes, your everyday expenses. So, in 2024, I bought-- brought LB1290, which was passed as part of LB1072 to address an inconsistency in how DHHS determined eligibility for Medicaid when an individual had a pooled special needs trust. LB1290 sought to harmonize provisions with the federal law, ensure consistency and clarity in our laws. So, I worry that the removal of subsection (e) from 30-38,113 could put us back where we were in 2024, where individuals are treated differently solely for their having a pooled special needs trust. So, I am working with Senator Hardin and his staff to make sure that we do not have a problem with folks who are in these special needs trusts, and that we can continue to care for these vulnerable adults in this way. So, both with respect to the Alzheimer's and other dementia piece, and with the pooled special needs trusts to very vulnerable groups of adults that I am working, hopefully, to make sure that we don't have unintended consequences of this bill before you now, and I will hopefully have something for you on Select File. Thank you, Mr. President.

ARCH: Members, the Legislature will now stand at ease until 6:05. When returning, Senators Clouse, Spivey, and Fredrickson will be first in the queue.

SERGEANT AT ARMS: The Legislature will resume in five minutes.

KELLY: The Legislature will resume. Senator Clouse, you're recognized to speak.

CLOUSE: Whoa. Thank you, Mr. President. Shocking introduction. Colleagues, the few of you that are here, I just want to take a couple minutes and, and thank Senator Hardin for removing LB1013. We've talked at ad nauseam probably before dinner, and so I think we can wrap this one up, and I would just say that a couple things about LB13 [SIC] that caused some concern to me was some of the education changes, and it's a significant upheaval to the entire system. But I also want to state that having an interim study, I think, is the right path to take, and I think it's appropriate, but I would also like to say that we may very well get to the same resolution. But I just think this is the right approach to do it. We'll get a lot of people involved. I personally have been to a couple of facilities mentioned, but over the interim, I plan to visit a couple of the others just to get a good feel of the nature of what, what these moves are looking like and how these kids are impacted. So, with that, I would yield the rest of my time. Thank you, Mr. Speaker.

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

SPIVEY: Thank you, Mr. President. I know some colleagues are still coming back from our dinner break, and so I hope folks are still engaging and paying attention, and, and I think this piece is really important. I, I rise to just give some commentary to the portion of the bill that looks at NCYF and the YRTC's. I support the underlining [SIC] bill, LB867, without those components in it, and just wanted to speak to the Appropriations side and what we saw. I appreciate Senator Fredrickson and what he laid out during his time on the mic, just around some of the concerns, the hearing, and what we saw from different stakeholders around that move. For me, we saw in the budget that it would have a savings of, like, \$6 million if this transition to having the, the folks move from Kearney to Omaha, the young people, and then moving the kids from NCYF to RTC in what used to be the geriatric ward. NCYF is actually in my district, and

so those young folks that have been sentenced as adults go there first, because, again, there's lots of evidence to show why you should not have young people, while sentenced as adults, housed with adults. And again, if we think about young people being the, the most apt population to be rehabilitated, you start to institutionalize them in a way that doesn't align to what they say the intent of corrections is. And so, there was lots of concerns in the budget. There was some language around that. And during the hearing, I specifically, along with some of my colleagues, asked questions around, how did this come up? What did this look like? The feedback from both Director Jeffreys and Corsi at the time was that they had discussion themselves around this move. And I guess, as you know, colleagues and, and heads of agencies that this can be an opportunity to think about the structure of where these young people are a little bit differently. And while I can appreciate the transparency in how the decision came about, I do think that there needs to be some evidence-based approaches to what we do with these young people, as well as we think about long-term impacts. I know Senator Clouse talked about the impacts of staffing and the specialized staffing that you see in Kearney, how that will impact those folks in their role. But then also, how would the young people that are moved to Omaha have access to the-- those same types of specialized care and support. Majority of the kids that are in NCYF, their families are located in Omaha. And so, then again, you move them further away, it, it is harder for them to be able to have some sort of family integration and connection still, and support. And as I mentioned, there's lots of data that does not support the integration of young people into adult facilities, and there are lots of concerns just about the actual structure of those facilities. The Corrections Department has asked for some funding to go back into the budget that was earmarked for deferred maintenance; we took from the fund that allows for that. So again, from a budget perspective and just a strategic understanding of-- what are we doing with these young people? What does that look like from their experience? There's a ton of questions that have yet to have been answered. And so, I appreciate the work of folks on the committee to think through that, and to ask the hard questions on the HHS side. In Appropriations, we also had some of those same questions and concerns, and spent some time with those agencies as they came in front of us about their budget, around what did that look like, because there was language in the budget that we did not include, and I appreciate that we are able to take this out and then move forward a package, LB867, that has some really good components in there, like the child care pieces that Senator

Hansen brought, and some of the other bills that are a part of the committee amendment. So, I just wanted to, again, uplift and bring some insight from the Appropriations side as we talked about this, and appreciate everyone really working to address the concerns, not just that as legislatures [SIC] that we've had, but community members and other interest groups and stakeholders around what would happen with this really big programmatic shift in care of some of our most vulnerable populations. Thank you, Mr. President.

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

HARDIN: Thank you, Mr. President. Yes, I just wanted to reconfirm we're pulling the YRTC portion of the bill out. And yes, I'm also working with Senator DeBoer on some things related to a couple of pieces, pieces she was concerned about. And so, just wanted to reconfirm those things on the microphone, and I appreciate it. Thank you, Mr. President.

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

WORDEKEMPER: Thank you, Mr. President. I'd like to know if Senator Hardin would yield to a question, please.

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

HARDIN: Yes.

WORDEKEMPER: Thank you, Senator Hardin. I know we talked a, a little bit about this bill. Would removing the word "initial" from Section 2 of the committee amendment, AM2270-- would that mean that medical practitioners in Nebraska would have to fingerprint background check every two years or so when they had to do their renewal for their license?

HARDIN: Good question. No. This change has nothing to do with the license renewals. Renewals are governed by separate statutes, and, and changing those would require an entirely different piece of legislation. Here's the problem this change is actually solving: under current Nebraska law, fingerprint background checks are only authorized for someone applying for their first ever Nebraska license. So, the FBI has interpreted

the word "initial" to mean exactly that: your very first license application in Nebraska. This has created an unintended problem with compact licenses. A compact license allows a practitioner already licensed in Nebraska to also practice in other states, useful for things like a doctor who wants to treat patients via telehealth across state lines. Applying for a compact license is a separate process from getting your original Nebraska license, so it requires its own background check. The trouble is, the FBI currently refuses to run that background check because the applicant already has a Nebraska license, meaning they're no longer an initial applicant under the current wording of the law. So, by removing the word initial, Nebraska can authorize the FBI to conduct fingerprint background checks in these compact license situations as well. So, the practical result is that practitioners can get their compact licenses processed faster and without unnecessary delays, so making it easier for them to legally practice in multiple states, so. Something that we--

WORDEKEMPER: All right. Well, thank you for clarifying that for the record. I know as long as that's clear, we're good with that, and I appreciate you bringing this bill.

HARDIN: Thank you.

WORDEKEMPER: Thank you.

KELLY: Thank you, Senators Wordekemper and Hardin. Senator Rountree, you're recognized to speak.

ROUNTREE: Good evening. Thank you, Mr. President. I just rise in support of the removal, the amendment that is forthcoming to remove this particular portion of the committee bill out. Over the course of the summer, I had a chance to go down to YN-- NYCF and visit with our young people. We visited across multiple areas over the course the summer, and even though some might have been charged as adults in certain crimes or offenses, still, they're young people. And we recognize that is-- a person doesn't mature until about 25, 26 years old, so we still need to be very careful with them. People are already going through trauma as they're inside, and part of our corrections and rehabilitative processes is to, yes, certainly pay for what the "desentence" is, but also to rehabilitate and to bring out. So, I'm in supportive of a having a study done over the course of the summer, really so that we don't, we don't move in haste, but

we have an opportunity to really analyze each particular part, each part of the move that is proposed, and make sure that we can do the best for all of our Nebraskans, especially for the youth that are impacted by this proposal. So, I just want to say I rise in support of this amendment that is going to be forthcoming and for a study this summer. Thank you so much, Mr. President.

KELLY: Thank you, Senator Rountree. Seeing no one else in the queue, Senator McKinney, you're recognized to close on your priority motion.

McKINNEY: Thank you, Mr. President, and thank you to those who spoke. I think the concern around the YRTC's and the, the youth that would be impacted by the change that was, you know, initially proposed speaks to why it needs to be delayed, it needs to be further thought through, and we need to have deeper conversations about it. You know, I really think about the youth that are in NCYF and the potential for them to be moved into another facility that was not designed for them, or with them in mind, essentially. You know, there's a reason why they are in NCYF. So, when the department or anybody thinks about that, they need to really consider that. Yes, they are incarcerated, but-- which is wild. But I guess there's a reason why people, some people probably think it's a good idea, because they probably feel that, well, they're in prison, so we could just move them anywhere. But having NCYF speaks to why, you know, we should look at them in a different light, in a different way, because a 14-year-old or a 15-year-old should not be in the same facility as a 50-year-old or a 35-year old. There's differences in, in, in a lot of things, and I hate the fact that these kids-- because they are-- have to, you know, be charged as adults, and we can't find better ways to address the issues, although our society continuously fails kids in those situations, especially in the child welfare system. I really-- that might be a bill I might do. You know what? Is it too late to-- it might be too late to send in interim studies. But it, it definitely is a bill I'll probably explore, is to do a survey of our prison population and to see how many people in our prison populations were in our child welfare system. And then that would tell you-- and I'm sure I'll be right-- how bad our child welfare system is, and how we, as a state, have not done our job to ensure that those in child welfare are successful. I guarantee it's a high number. I'm almost sure of it. So, I, I do think that survey needs to be conducted, because I think it would speak to and

maybe assist in getting people to understand why when people propose changes to our child welfare system because of the negative impacts that happen to youth needs to happen. You know? Look at the story around what's happening with the abuse situations in the YRTC. You know, before I got in here, there was an issue with the girls in Geneva, I believe. That, that was a big issue. So, we need to do something, we need to improve the system, and I just don't think moving them from this facility to that facility is going to make a world of a difference when the system itself needs to be fixed. And how are you going to move somebody from a rehabilitative treatment center to a prison that is not designed to rehabilitate, not designed for treatment? Probably don't even have enough green space or enough lighting and all type of things. Some of the reasons why the youth jail in downtown Omaha is still sitting empty, because of those concerns. And the fact that they built it to house less youth, but the older DCYC has more every day, so they designed it to not ever work, but that's another story for another day. And I'll pull this amendment. Thank you.

KELLY: Thank you, Senator McKinney. Without objection, so ordered. Mr. Clerk.

CLERK: Mr. President, General File, LB867 introduced by the Health and Human Services Committee. It's a bill for an act relating to the Department of Health and Human Services; changes requirements for rules and regulations regarding special needs trusts as prescribed; changes provisions regarding fingerprint requirements for the Uniform Credentialing Act; redefines a term; change requirements for Title IV-D customer service unit; changes funding provisions for child care grants; changes eligibility requirements for young adults in the Bridge to Independence program; changes and eliminates requirements relating to application for determination of need for and payment of assistance to the aged, blind, and disabled; changes a requirement of the state commodity supplemental food program; changes responsibility requirements for the Division of Children and Family Services; eliminates provisions relating to spousal assets under the Medical Assistance Act; eliminates provisions relating to the maternal and child health and public health work fund; eliminates an obsolete nurse licensure compact; provides for the use of wholesale drug distribution license fees for the Prescription Drug Monitoring Program; harmonizes provisions; repeals the original sections; and outright repeals several sections within Chapter 68, 71. Bill was read for the first time

on January 8 of this year and referred to the Health and Human Services Committee; that committee placed the bill on General File with committee amendments, Mr. President.

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

HARDIN: Thank you, Mr. President. AM2555 to committee amendment AM2270 of LB867 makes technical modifications to the membership and duties of the newly-formed Aging, Alzheimer's, and Dementia Advisory Council. This language has been negotiated between the Alzheimer's Disease and Other Dementias Advisory Council and the Medicaid and Long-Term Care Advisory Committee to ensure equivocal representation and provide more clarity. I'd appreciate your green vote on this amendment. Thank you.

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

CLERK: Mr. President, Senator McKinney would move to bracket the bill with MO491.

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

McKINNEY: So, again, my concerns-- and the concerns are being addressed in moving this out. I do want to say, another concern a, a bunch of us have, and I think it's valid, that the "Department of Punitive Services," or you could say Correctional Services, just ensuring that they're not moving youth from NCYF to the RTC. And although this says-- there's indications that there are going to be interim studies to further discuss the, the transition of the youth from YRTCs, there's no protections in this currently to ensure that the "Department of Punitive Services" doesn't move youth from NCYF to RTC. Then, DHHS would still be allowed, in theory, to move those youth from YRTC Kearney to NCYF. There's nothing stopping that. The only thing that the interim study would do was say, hey, let's have a conversation about this wider transition, but we need to have a conversation about "NDPCS" not allowing DHHS to move boys from Kearney to Omaha, then the boys from Omaha to Lincoln. So, would Senator Hardin yield to a question?

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

HARDIN: Yes.

McKINNEY: Thank you, Senator Hardin. I know that there's been discussions about an interim study to further look into this potential transition. Has there been conversations about ensuring that Corrections and DHHS does not work out an agreement to move boys from NCYF to RTC and boys from Kearney to NCYF?

HARDIN: At this point, I think given the fact that they're going to be-- you know, we're going to be studying this in detail. I know that there have been discussions in the past, but I think that's the whole purpose of doing the interim study, is to kind of look at it from start to finish and make determinations moving forward. So, it's not so much looking backwards, but looking forwards.

McKINNEY: OK. Do, do you-- has the interim study already been filed?

HARDIN: We did, yes. Before the deadline. Correct.

McKINNEY: OK. Do you know the number? Well, I could get it from you off the mic.

HARDIN: I, I do not, but I can ask.

McKINNEY: OK.

HARDIN: We don't know it yet.

McKINNEY: OK. Yeah, because I just want to make sure that although an interim study is happening, that the both agencies do not make an agreement to jump the gun, and then we come back here next year and trying to address it. I, I appreciate the interim study and the pause, but there's still a possibility for them to still go forward with the boys from Kearney to Omaha and the boys from Omaha to Lincoln. Because if I remember right, Senator Hansen's bill dealt with the genders that are allowed in the facilities, whether boys or girls, which would allow the girls from Whitehall to go to Kearney. So, I just-- concerned about that.

HARDIN: Can I respond to that?

McKINNEY: Yeah.

HARDIN: So, LB1013 really did only one thing. It actually didn't talk at, at all about how any of that movement would take place; it really only added that Kearney could be for boys or girls--

McKINNEY: Mm-hmm.

HARDIN: --was all that it added. So, everything else was inferred, and even by the department, which was that had to take place inside the statute first. And so-- because right now, Kearney's just boys.

McKINNEY: Right.

HARDIN: And so, once we did that, that's what would open up the opportunity for everything else. And so, everything else made sense to go, OK, well, if this, then that. But that's really all that LB1013 did.

McKINNEY: All right. Thank you. And appreciate that, Senator Hansen. And I'll talk-- I, I mean Hardin. I'll-- and I'll talk to you further about the language of the interim study, just because I think we have to have a, a, a wider conversation about conversations about sight and sound, whether the facility is designed and prepared for youth. Then, you talk about a prison and moving boys from a rehabilitation treatment center to a prison. That is a bigger difference in what's inside, how it was designed, how would it-- how it will impact them over time. A prison is different than a treatment center. So, that's why I think we need to find a way to make sure neither agency comes to some broader agreement to start transitioning those boys, because it can have detrimental impacts. When I was talking about kids being in a system-- and if you survey our prison system, a lot of individuals in our prison system were impacted by child welfare. And I think that speaks volumes about why we have to be delicate about the conversation. I think a couple people will speak, and then I'll probably end up pulling this too. But I just wanted to open that conversation up for the floor so we can have a discussion. Thank you.

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

J. CAVANAUGH: Thank you, Mr. President. Thank you, Senator McKinney and Chair Hardin, for the conversation. So, I just actually pushed my light. I've been listening to the

conversation, and sometimes, we're all in here and we get into our, like, what do you call it? Acronym-speak, and things like that. So, I thought it might be helpful to clarify what we're talking about. So when folks say NCYF, they mean the Nebraska Correctional Youth Facility, which-- the Nebraska Correctional Youth Facility is a male correctional facility with a general population adult housing units in addition to specialized housing for youth offenders adjudicated as adults. NCYF is a maximum, medium, and minimum security facility. This-- I'm reading this off of the Department of Corrections website, by the way. The building encompasses approximately 5,400 [SIC] square feet, and it-- let's see, I'm trying to find the part. There's a few other things you can go look up yourself. But one of the things that Senator McKinney was talking about was that this is a facility that houses youths. It is a correctional facility, meaning a penitentiary with young men in particular. And we are having a conversation about places also called YRTC, which is Youth Rehabilitation and Treatment Centers. So, those-- there's a distinction between those two facilities. And of course, there's a distinction between juvenile court and adult court or criminal court, and what is the, the goals of those systems and, and who is in those. And so, in the juvenile court system, where we send kids to places like YRTC, Youth Rehabilitation and Treatment Centers, and so that is to rehabilitate and help these kids. Get-- fix whatever the issue is that maybe had them end up in the criminal justice or the-- well, the juvenile court system at that time. And so, the difference is the NCYF, the Nebraska Correctional Youth Facility, is a facility that is-- houses the-- the people in this, the young men in this facility, are younger people under the age of 19 or 18-- well, under 19 who have been convicted in adult court of felonies, meaning that they are being incarcerated for longer than a year in a penitentiary system, which can-- we-- obviously, there's a rehabilitation aspect to our, our penitentiary system; we have a lot of programming and things. But there's also a punitive aspect. So, the distinction between YRTCs and NCYF is YRTCs are not meant to be punitive. So, the kids are not supposed to be being punished, they are supposed to be being helped and rehabilitated to help them get out of the system. And those who are in NCYF are both being rehabilitated, but also are being incarcerated as a form of punishment. And so, there's a distinction there, and of course, the places are built to serve their purpose. And so, the concern that people have raised here-- and I think thankfully, the committee and other senators have agreed to take out this part that is of controversy, which is allowing the movement of young

females to the YRTC Kearney, which can really only become possible by moving the males out of YRTC Kearney to some other facility. And so, the concern is that they will be moved to someplace like this NCYF facility, which, again, is a, a punitive or penitentiary setting. And of course, the other concern is that the young persons there will be moved to an adult facility and be locked up, incarcerated with adults. And so, those are some of the parts that are moving there, and the dominoes that fall in terms of where-- why people are concerned about each one of these moves. So, I'm going to run out of time. But one of the, the problems, I think as Senator Hardin pointed out, is the-- there was a very small part of language in this bill that would allow the movement of females to YRTC Kearney. And so, the concern is that there are other movements afoot that are not authorized or attempted to be authorized under the proposed language here. And so, there is concern about those other moves and whether they are going to be continue-- undertaken with-- even before this interim study that we're being told is happening. And so, that's, that's the concern. I hope helpful to lay the groundwork.

KELLY: That's your time.

J. CAVANAUGH: Thank you, Mr. President.

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

M. CAVANAUGH: Thank you, Mr. President. I'm, I'm raising to share my concerns as well around the YRTC situation. So, in 2019, the YRTC Geneva had-- I guess the easiest way to describe it is an uprising of the female youth population there. YRTC Geneva no longer exists. It was sold on govdeals.com for about \$300-and-some-change K, \$300,000. So, you know, check out govdeals.com, I guess, to find some state-owned land. But at that time, that facility was uninhabitable. And so, the female youth population was transported from there to the Kearney campus. And for a while, there was both female and male population at the Kearney campus. Now, in addition to that not being ideal and having issues with PREA and sight and scene, sound and scene and all of those things, the facilities themselves at Kearney were built for a male population. You go into the cottages and the, the, the restroom area, and there's urinals. And also, concerns around PREA was that when you walk into those cottages on that very first floor, you actually--

like, it's an open space, and then the restrooms with the showers and everything are right there behind a glass, like, wall, and that glass wall is frosted over, like, I don't know, a few feet in the middle of it all, but you can see into there, which is by design. And when I was there visiting the female population, there were male employees working in there. And so, if a female youth went to use the restroom, a male employee could see them through the glass. So, that was a problem then. Don't think that that changes anything. I think it's still a problem now. And we just had this conversation this morning about male and female correctional employees. I think it was maybe Senator Storer's bill this morning that this was a discussion around. So, I, I realize that there's going to be an amendment to take the YRTC piece out, but I just want to reiterate for this body and for the future of the Legislature that changes made to the population and location of the Youth Rehabilitation Treatment Centers should be done with the utmost caution and planning. And so, Senator Spivey talked about having a strategic plan and really thinking through what makes the most sense, evidence-based practices. These are the things that we should be considering before we entertain any sort of move or change to statute. And I really would caution the future Legislature from making these changes, because when we went through this in 2019, it was a different administration, and we're in a different administration now, and there'll be a different administration sometime in the future. And each administration is faced with its own set of problems and issues, but the youth population in the YRTC is, is semi-constant, and so we need to have really strategic thinking about how we are approaching this population of youth, because we are trying to get them back on good footing, get them back into their home situation, whatever that may look like, and we don't want to do what we did in 2019 where we moved a population in the middle of the night from Geneva to Kearney. Then we moved them from Kearney, some of them to Hastings, some of them to Lincoln, to Lancaster County "Detentional" Center that we are now leasing, and I don't even know how long the lease is. So, we disrupted the lives of this youth significantly in 2019 and 2020, and I just want to caution us all from doing that again. Let's learn from our past mistakes, let's take this slow and be careful and deliberate in how we approach these young people. Thank you, Mr. President.

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

SPIVEY: Thank you, Mr. President, and appreciate the comments, Senator Cavanaugh, because I do think the context is really important because this is such a complex and important issue, and people and young people that we're specifically talking about. And as term limits means that you lose a lot of that institutional knowledge, I know that there are folks that are terming out this year that have really worked on these issues and have been in some of the kind of chaos and imploding with this system. And so, I appreciate the grounding in historical pieces so we can make sure that we do learn. I wanted to just add, because I do think definitions are important, and it feels like we are always an acronym soup here, and every place that you go, new company, government, whatever, there's a ton of acronyms. And so, I did just want to uplift that PREA means the Prison Rape Elimination Act, which was passed at the federal level, and it's to provide for the analysis of incidents and effects of prison rape in federal, state, and local institutions, including information resources, recommendation, and funding to protect individuals. And so, I appreciate that pause by Senator John Cavanaugh because it is like learning so many acronyms and, and where things are. And so, I just wanted to make sure that I named that, because PREA governs a lot of our little-p policies inside of our institutions. One of the things that I just wanted to circle back to, and why I got on the mic, be-- from my concerns-- and Senator McKinney and Chair Hardin kind of had this conversation-- is when we saw the language in the budget and through Appropriations, a lot of red flags went up, and specifically with LB1013 that was named, that gave the permission to move the, the YR-- the YRTCs based on gender, that it gave that permission. And so, while the bill felt-- and that was not in Appropriations, that was in HHS. And so, while that felt very like, OK, it's giving that agency permission, the actual plan was more comprehensive, and that's where the concern comes in. When we saw the language in the governor's proposal, it had all of this laid out, of the movement and why and the cost savings, and what they were doing with the facilities, which, one, should not be in the budget, and has real implications. And so, even with the removal of this piece on the HHS side, which, for folks at home to understand-- and maybe folks that are-- don't work in this space with these agencies-- is that the YRTCs are under the purview of HHS, while NCYF, which is the youth prison facility, is under the purview of Corrections. So, there are two separate agencies. And so, this will kind of pause the YRTC move and allow for intentional learning and understanding and, and-- to happen. And on the youth and correction side, they can still move the young men

from NCYF to RTC, which is still problematic. And so, while the conversation happened circular with all of these together, I do just want to make sure I uplift that these are two separate agencies that have two different jurisdictions over these programs and facility. And so, I think the kind of concern and still red flag that Senator McKinney was uplifting was that we need to ensure that the young men that are in NCYF, the adult prison that is in District 13, which is in Omaha, are not moved and put into the adult facility at RTC, which is a regional treatment center that is housed in Lincoln. And so, we want to ensure that that does not happen, and that that is also thought about and very intentional in its approach, because we know, again, that evidence says that is not the best method for rehabilitation, even though these young people have longer sentences and are charged as adults. And we do know that the facility in Omaha, the NCYF, is a campus style. And so, what they are moving to is not that; it was a former geriatrics-- or what they are proposed to move to is a former geriatrics unit that has a very different structure, and again, an intention when you talk about rehabilitation. And so, I do hope that the study looks at both agencies and their purview, not just the Y RTCs, and that it could be joint since those conversations are happening together. And appreciate the pause and consideration that we are discussing on the floor tonight, because this is so important. Thank you, Mr. President.

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

BRANDT: Thank you, Mr. President. So, it's 2019. I've been a senator for less than a year. I get a phone call from Sara Howard, who was chair of the HHS Committee, and something's going on in Geneva. Geneva's in my district. I meet Senators Howard, Patty Pansing Brooks, and Senator Lathrop over there, and we go into the Y RTC unannounced and try to figure out what is going on over there. What happened is, a group of girls, in the middle of the night, in three of the older dorms-- actually, one of the old dorms had a very low ceiling, and started breaking off some sprinkler heads. Because the management in Lincoln had decided to get rid of local maintenance and contract it out instead of having people that have been there for 25 or 30 years, at 1:00 or 2:00 in the morning, they had nobody that knew how to turn the water off. So, the water ran down the hallways and soaked up the drywall. By the time they got the water off, the facility was completely flooded, and mold several

weeks later started to form in these walls, and then it was time to start scapegoating people. It was very unfortunate. Geneva in 2017 was ranked probably the best girls YRTC in the nation, and by 2019, all of a sudden, we've got a huge problem here, and they overreacted. And the, the long and short of it is, we had 76 jobs there of people that really cared, had a very nice facility that wasn't being properly maintained, and then we had to move those girls out of there because of the mold. And I'll, I'll continue with some more of the story here in a little bit. I'd like to yield the rest of my time to Speaker Arch.

KELLY: Speaker Arch, 2 minutes, 50 seconds.

ARCH: Thank you, Mr. President. Senator Brandt, I remember that time very well. I was on HHS at that time, on the committee. Vice chair. Senator Howard came to me and said that I need you to chair a special investigative committee; we've got to really figure this out. We had hearings out in Geneva. We came out there, and then in 2020, we, we formed that investigative committee and did the investigation. Found that there were a number of issues, and we addressed them all, in-- I believe, and I think we addressed the well. We got the Department of Education involved. At the time, it was Commissioner Matt Blomstedt. And we worked with-- we worked the Department of Education because what we, what we saw, one of the pieces that we saw was that education was an afterthought for these kids. The, the program, the YRTC program was the focus, and education was not a big concern, or, I should say it was not at the level of concern that we felt was necessary. And so, a superintendent was created, and, and we dramatically-- they dramatically changed the education program, and it became quite good. Definite change from what was more of perhaps a more punitive mindset to more of a rehabilitative mindset, and that program was essential. One of the things we saw in Geneva, what really happened in Geneva-- I mean, we had a whole bunch of administrative things that I would say was around the, the periphery of the, of the issue. But at the heart of the issue was the program in Geneva-- I mean, it was a-- it was a prescribed program. The program in Geneva was, was being done, and a change was made somewhere in administration, and it was no longer being done, but it was not replaced with a different program. So, there was no program for the girls. Well, naturally, the girls acted out, and that was when they-- that was when the damage occurred to Geneva, and an immediate move had to, had to happen. One of the things, though, that we saw

was that there was also a lot of kids coming from Douglas County. I mean they had a mixed relationship with the judges in Douglas County. Some judges in Douglas County did not like what was happening in the YRTC anyway, but afterwards, they reestablished those relationships with the judges, and, and, and the kids were being referred from Douglas County. So, that being said-- and I'm really concerned my red light's going to come on here, and I-- if somebody could just yield me-- or, ask me a question-- Senator Conrad, if you could just ask me a question, I'd really appreciate it.

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

CONRAD: Yes, I yield my time to Speaker Arch.

KELLY: Speaker Arch, 5 minutes.

ARCH: Thank you. So, so, one of the-- one of the things that I saw in this YRTC discussion, move here, move there, change this, change that-- I thought there were some things that were worth discussion. During that, during that time on the HHS Committee, and when I chaired the HHS Committee, we went through Whitehall. It's old. I mean, it's, it's really old. And, and there's, there's a lot of needs at Whitehall for facility. But then, we also had issues in Hastings. When, when the girls moved to Hastings to begin with, we had issues with hiring of staff, and the, and the traveling of staff from Geneva to Hastings, and all of that was going on. So, the concerns that have been brought up about, about "Will there be adequate staffing for this particular population in Hastings?" are legitimate. That-- those are questions that should be asked. The other thing that-- the other thing that of course interested me when I saw the YRTC discussion was, was because there now are so many kids come from-- coming from Douglas County, it would be hard to argue that there would not be a benefit in having Douglas County kids in a YRTC in Douglas County. Where families could visit and, and, and establish those relationships where they could transition back to the community because they're already in the community, versus, you know, setting up Zoom, or setting up some type of a video conferencing with family. Families could go in, make sure that their, their youth is being cared for well. Lot of advantages. Having the judges that are referring these kids in the same county where the kids are located, lot of advantages. But when I saw that-- when I saw that this was a

plan that was in motion already, frankly, I, I, I think I talked to Senator Hardin, and I, and I talked to the administration, and I said, I just-- this-- to me, just too fast. Too fast. Needed to slow down so that these questions can be asked and the, and the, and the answers can be given. It's something that the, the HHS Committee would be well-versed in overseeing the briefing and the discussion of that. It's not an investigation, but rather, it's "what about this?" and "what about that?" and those types of questions can be asked in, in the hearing room. Because I think it's-- I think it is a worthwhile discussion. When we, when we, when we came to the conclusion of our investigative committee, one of the other things we did was we made a capital request to the Legislature for two cottages out in, out in Kearney to replace the dorm rooms that were out there. Awful. Dorm rooms, big problem, big, big problem-- where, where the beds were around the outside of the room, and, and at night, it was not a real safe place to be. So, we, we funded that. One of those cottages has been constructed, and part of it-- part of it, it hit-- you know, of course, COVID hit, and zoom go the construction costs and everything else. And one of those cottages, I believe, has been constructed and is available. But again, we're kind of back to re-evaluating where these YRTC's should be. Senator Brandt and I just had a conversation, and, you know, Senator Brandt, obviously from Geneva, saw what was going on there, saw what happened with the girls, and we both look, look at each other and say, like-- and, and Senator Machaela Cavanaugh as well. She was very involved in it. We look at each other and say, who's going to-- who's going to remember this after we're gone? Well, you don't. I mean, that's the reality of it. Nobody, nobody can guarantee that. But I think that if this next interim, next year, the HHS Committee got involved and they got their head into it, there would be another generation of senators that would, that would remember. We don't want to repeat what happened. We absolutely do not want to repeat what happened. That was a tragedy for the kids, it was a tragedy for state, it was, it was just-- it was just not good. And all could have been avoided had there been very thoughtful planning all the way through. So with that, I say thank you, Senator Hardin, I'm-- and, and thank you for this discussion. This is a very important issue to the state. Thank you, Mr. President.

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

KAUTH: Thank you, Mr. President. So, it's not often that Senator Machaela Cavanaugh and I agree on something, but I fully support what she's saying about the women and the-- boys and girls should not be put together in the same facility. In 2023, I vividly remember how upset she was when those girls had to be moved into the male-dominated YRTC. She was concerned about their privacy and about their safety, and I agreed. She talked today about restrooms with showers in an open space that you could see into, and that there might be male guards who are actually watching. Clearly, Senator Machaela Cavanaugh acknowledges that males and females should have separate spaces for both privacy and safety, and I look forward to the-- her support for LB730 that would completely address this issue. Thank you, Mr. President.

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

BRANDT: Thank you, Mr. President. I guess I've got a few more thoughts about this. I don't know if anybody's listening anymore; that's fine. Probably the two main things that stick out about what happened to the YRTCs back then is maintenance, and I see history repeating itself right here with Whitehall, with the same group overseeing this. My question is, we've got a \$5.5 billion state budget; why are we not maintaining state facilities? We do at our other campuses, and it's like there was a conscious choice to let Whitehall disintegrate. And I guess, having toured it, yeah, the buildings are old. They're serviceable, in my opinion. They could either be fixed up, or you can bulldoze the whole campus and put a new campus right there. The other thing I'm concerned about is education. Geneva had an accredited high school at the YRTC. Kearney had an accredited high school at the YRTC. I would hope that we don't go to some kind of a GED online system for these kids. These kids need a lot of help. A lot of these kids come from broken homes. You talk to the staffs in the YRTCs, and they kind of tell you what the protocol is. A new kid comes in, the first 10 days, the only expectation is that the, the, the kid get up in time for breakfast, take their shower, and go to school. Not do homework, not pay attention; get into a routine that they've never had. And then, after that, they would slowly work with them to do homework and try and address the needs that they've got. So many of these kids were so many grades behind, the school systems had given up on them, and everybody else obviously had too. My concern, if we start to short-change this

system, we're going to pay for this down the road. I remember being in hearings on YRTC, and we had ladies and men come in with a lot of gratitude for what the state of Nebraska did for them. And yeah, there's recidivism in all aspects of society, but it was kind of a good feeling to have somebody come into a hearing once and say that the state of Nebraska did a very good job and did a good thing here. So, for those of you that will be here next year, I hope you pay attention to this and hold, hold the administration accountable to do things the right way. Thank you, Mr. President.

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

CONRAD: Thank you, Mr. President. Good mor-- good evening, colleagues. I appreciate the really truly excellent debate we've had on this, and I think that record is pretty clear that there's a fairly strong sense of bipartisan distrust about making hasty moves with youth in our facilities. And so, I appreciate that Senator Hardin has brought forward this amendment to be clear that this misguided, rushed, and hasty plan will not be rushing forward. I think members are right to remember the headache and heartache and chaos that came with the situation at the YRTCs in Geneva and otherwise, and we don't want to repeat those mistakes, and we want to ensure that the progress we've made in regards to education continues. We want to make sure that we have thoughtful plans when it comes to safety, when it comes to labor and staffing, when it comes to community connections, when it comes to youth outcomes, and when it comes to, of course, facilities and dollars and cents. And one thing that I think really jumped out to me in trying to understand more about this proposal was that it seems that really what the focus was, was a lot of focus on budget and budgetary savings, and discussions about facilities, and using this kind of rearranging of youth assignments as a way to perhaps balance the budget. And I, I want to lift up a couple of other points here. I've had a chance to read HHS's reports and the ombudsman's reports that detail different aspects of state facilities and their maintenance needs and their current condition. And it's undeniable that we have infrastructure needs that need to be addressed at places like Whitehall, for example, due to the, the aging nature of that facility and otherwise. But colleagues, let me be clear here as well: one of the ways that we address needed investments in our infrastructure and state assets is through a 309 process. We've cut those budgets, we've

swept those funds. We've made the waiting list longer to ensure that the money we specifically set aside to improve state facilities like Whitehall can't stretch as far because of budgetary cuts and sweeps. The other thing that I think is really troubling about this discussion is that we're hearing a lot about how we really don't have the funds to make the requisite upgrades at places like Whitehall. But then now, just two spaces down on the agenda, one of the largest, most successful companies in the world is asking Nebraska taxpayers to pick up the tab for their facility renovations, and it seems like that's probably going to go flying through here. Make that make sense. So, we-- when we talk about youth justice in Nebraska, we also need to be thinking about the recent disturbing reports of sexual assault. We need to be clear-eyed about the fact that juvenile solitary is on the rise in Nebraska. We need to be aware that we have haunting examples like the Nebraska State Penitentiary, where deferred maintenance allowed an aging facility to move into disrepair, and then it pushed forward a narrative to build a massive new prison. We can't ignore these other contextual pieces when it comes to state facilities and those who are in our care, and particularly our youth. The other thing that I wish that we would spend as much time and attention on when it came to human rights and youth well-being would be to figure out a way to finally get some advancement to ensure justice for youth who are sexually assaulted while they're in state care. That bill has languished in the Judiciary Committee for years after Governor Pillen's needless and heartless veto on that bipartisan, common-sense measure. So, when we talk about our kids--

KELLY: That's your time, Senator.

CONRAD: Thank you, Mr. President.

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

SPIVEY: Thank you, Mr. President. And I do really appreciate the dialog this evening around this. I appreciate Senator Brandt for his comments, and Speaker Arch for his. We-- Speaker Arch and I have spent a lot of time talking about this, and we kind of alluded to those conversations earlier when we were talking about the role of the Children's Commission and some of these other pieces. And so, I-- I'm glad that folks are hearing this and able to engage. Because, again, we do lose that

institutional knowledge, and it is so important. I also have an LR on the Appropriations side that I submitted that looked at kids that are in both child welfare and within our courts and correction systems, to think about how the money is flowing. What does it look like, and whose care are they in? What are the reimbursement rates? How does that relate to services, the laws that we pass, fees charged, or is that tax funding? Because I think that's also important to ensure that we can really resource this work, and the budgets are held with the people that are actually implementing or holding those services. Because, as Senator Conrad mentioned, the budget comes in front of us, and what we are seeing are cuts to some of the things that we know really provides long-term impact for not only just the care of these kids and their well-being who we are responsible for, whether on the HHS side or Corrections side, we are responsible for these young people. But then also, how we use effectively taxpayer dollars. And so, going upstream to solve for why kids are even touching this system, thinking about how do we have evidence-based services will make us more effective in how we budget and think about our fiduciary responsibility. I, I did want to uplift something that Senator Conrad mentioned. So, she kind of stole my thunder a little bit with the facility maintenance. So, the 309 committee-- commission-- and I think Senator Dorn is not on the floor. He sits on there from Appropriations. We did sweep millions of dollars from that committee that looks at state facility maintenance. And I do think that's important because of what Senator Brandt named and the state of these facilities and, again, the living conditions of the folks that we are responsible for are not humane, are not with dignity, do not support rehabilitation. And so, when we make decisions as a body and a collective to not invest in those from a very financial, "bioneering" decision-making framework or place, then we see the implications of what is being discussed today, of the, the hardships and chaos that we have oversight over, and are not really leaning into the role and responsibility as state senators to ensure it doesn't happen. And so, while the budget always seems like numbers, very black-and-white, it's not. I have talked about on the floor, some of my other colleagues have talked about on the floor that this is a moral document, and it represents our priorities. And as we use YRTC's and NCYF, the youth corrections facility, these are case studies to what that means in the budget; of what it really looks like to have a moral document that does not always reflect what we are saying on the other side. We just had this conversation around LB653 and the vouchers. And folks talked about on the mic, you know,

education is a lever, a lever for change for folks that are navigating extreme poverty, and gives them a chance. And so, again, when we talk about the investment of-- within these areas and these complex social issues, we have to think about it comprehensively here, too, from our budget to the policies that we pass. And, as Senator McKinney mentioned, a lot of the kids, over 60 percent that are in NCYF, in the adult prison, started out in child welfare. The data is already there. There's actually reports; the IG puts those out, and some of our other watch groups can pull that data. Voices for Children have-- has really strong data, ACLU Nebraska. And so, I really appreciate the conversation tonight and folks leaning in to better understand what is in front of us, the decisions that we make. Because while this is one component, there are other spaces and bills that will be coming up that lend itself to this conversation that we have to think about strategically and comprehensively so we have continuity across the board, and we're not making siloed policy decisions that have outsized negative impact. Thank you, Mr. President.

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

CLOUSE: Thank you, Mr. President. I rise really in response to Senator Brandt and Senator Machaela Cavanaugh talking about 2019. I'm like, that's all you got? I go back to, like, 2000 when YRTCs were under Corrections, and a lot of things 25 years or so ago that we've been working with YRTCs in Kearney. And we had a lot issues in, but yet we were able to work through those. And, and as I've seen the changes in the last few years, I guess I'd, I'd have to say I've been pleasantly please-- or, pleased with how the YRTC in Kearney has evolved and done a lot of the, of the right things. And part of that was due to the education. I remember vividly when we had the girls and the boys there, and talking to the guys that worked out there, and they were telling stories of just literally chaos and how that was very problematic. We worked through that. In the last couple years, things have been going very well. We had-- just recently, we had some issues that came up that were disturbing, and I think we've got to get those addressed, and I'm, I'm sure that HHS will do that. But we focus on some of those negative things, and we forget about the positive things that are happening in these facilities. And I think one of the biggest turnarounds-- a couple years ago, a few years ago was when they started doing a different assessment of, of the boys and what facilities they

need to go to. And I think when they started separating those things out, I think that helped quite a bit. I would also say that I've been to graduations at the YRTC in Kearney, so I can tell you that the rehabilitation does work, and we have turned the lives around in some of these-- some of these boys. And I have the concerns, and I've stated that, and I never-- an hour ago when I got back from dinner, I never thought we'd still be talking about this particular topic. And I apologize, Senator Hardin, that I got back into the mic, because I thought we were going to be done some time ago. But I think we just need to never lose sight of the fact that this-- these moves can be significant; it can impact these kids; it can impact the communities they're in; the teachers, the educational piece, all those types of things. So, I, I appreciate the fact we can slow it down, take a look at it, and make the decisions that are in the best interests of all. Thank you.

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

DeBOER: Thank you, Mr. President. I was going to wait to talk about this on the amendment itself, but since this seems to be the time when we're all discussing the YRTC issue, I thought I would put my little two cents in. And I'll be very quick about it, Senator Hardin. I did want to note, when we're talking about moving kids throughout the state, when we're talking about moving kids from Douglas County to Kearney, when we're talking about moving kids to different places, there's something that we don't always think about. We had a bill in Judiciary this year that was a Senator Rountree bill that talked about the practice of shackling kids. When you drive kids, some of whom are not even law violators that are within our system, and you're moving them from place to place-- not every time, and it's kind of hard to know which times will and which times won't-- but a lot of times, kids will be shackled. And shackled is not just handcuffs; shackled is restraints on your legs, restraints on your hands. And we heard testimony of men and women who, when they had been younger, had been shackled as they were driven for hours. So, they were being transported from one facility to another, or in some cases, when they went to medical appointments. We did hear that testimony as well. But sometimes, it was going from one place to another. And they-- you could see it in their face, the trauma they experienced from sitting in a vehicle shackled for hours. So, I hope that when you all are looking at this next year, one of the considerations you have

about this fruit-basket upset, everybody's moving around the state kind of situation, is that when we move children from one place to another, if we are shackling them to move them, that is going to have long-term consequences on their psyche. We heard the testimony about that. So, it would, in my opinion, be in our best interest not to be routinely moving people over several hours at a time, particularly making sure that in those situations there isn't shackling involved. This young man who came in and spoke about being for hours in the back of a vehicle shackled, to hear him tell that story-- I hope that's a consideration that people have when they're thinking about this. Thank you, Mr. President.

KELLY: Thank you, Senator DeBoer. Seeing no one else in the queue, Senator McKinney, you're recognized to close on your bracket.

McKINNEY: Thank you, Mr. President. You know, I enjoyed the conversation. It was actually good that people were getting up and speaking their piece on this issue because I think it is an issue that we all should be concerned about. You know, Senator Brandt, something stuck out to me. You mentioned a deliberate effort not to keep Whitehall maintained properly. I feel the same about the Nebraska State Penitentiary, too, with \$60-plus million of deferred maintenance that I think was deliberate to justify the new prison. And it, it speaks to the issue of-- we allocate and appropriate state dollars to do things to maintain facilities. We have a maintenance committee, a building and maintenance committee where agencies can request dollars to maintain facilities that they don't do. And I think that's the issue; I think no matter if somebody's in an adult facility or a youth facility, the facility should be maintained properly. You know, it-- there's health issues, there's just safety issues and those type of things. But it doesn't occur. But even so, I'm just really concerned about these transitions, or these proposed transitions. So, I'm really hopeful and I'm trying to be as optimistic as possible with these agencies, both of these agencies especially, because I think they're the ones that we all should have the most concern about, HHS and "NDPCS," we should be concerned about. So, thanks for the conversation. You can pull this amendment. Thank you.

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

CLERK: Mr. President, Senator McKinney would move to recommit the bill to committee. Mr. President, Senator McKinney, my understanding is you'd withdraw MO492.

KELLY: So ordered.

CLERK: In that case, Mr. President, Senator McKinney would move to amend with A-- FA1021.

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

McKINNEY: Thank you. I think this amendment addressed a concern about what is being pulled out, so you could withdraw this one as well.

KELLY: So ordered. Mr. Clerk.

CLERK: Mr. President, Senator Clouse would move to amend with AM2685.

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

CLERK: Senator Clouse, am I understanding you withdraw that?

CLOUSE: Yes.

KELLY: So ordered.

CLERK: In that case, Mr. President, Senator Hardin would move to amend with AM2859.

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

HARDIN: Thank you, Mr. President. AM28-- forgive me. 59. Sorry. This one. AM2859 to committee amendment AM2270 of LB867 removes Section 29 of committee amendment AM2270, and this is what actually pulls LB1013. Thank you.

KELLY: Seeing no one else in the queue, Senator Hardin, you're recognized to close, and waive closing. Senators, the question is the adoption of AM2859. 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: AM2859 is adopted. Mr. Clerk.

CLERK: Mr. President, Senator Hardin would move to amend with AM2555.

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

HARDIN: Thank you, Mr. President. Yes, this is the technical modification to the membership and duties of the newly-formed Aging, Alzheimer's, and Dementia Advisory Council. This was the language negotiated between the Alzheimer's Disease and Other Dementia Advisory Council and Medicaid and Long-Term Care Advisory Committee to ensure equivocal representation and provide more clarity. I'd appreciate your green vote on this amendment.

KELLY: Thank you, Senator Hardin. Seeing no one else at the queue, you're recognized to close, and waive closing. Senators, the question is the adoption of AM2555. All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

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

KELLY: AM2555 is adopted. Mr. Clerk.

CLERK: Mr. President, Senator Hardin would move to amend with AM2830.

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

HARDIN: Thank you, Mr. President. LB1217 is new legislation within AM2030 authorizing the state Department of Education to permit any accredited public or private school to maintain any form of FDA-approved epinephrine for emergency treatment of student allergic reactions. This bill was voted out of the Health and Human Services Committee by a vote of 7-0, and I would appreciate your green vote on LB1217. Thank you.

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

the question is the adoption of AM2830. All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

CLERK: 40 ayes, 0 nays on adoption of AM2830.

KELLY: AM2830 is adopted. Mr. Clerk.

CLERK: Mr. President, Senator Hardin would move to amend with AM2829.

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

HARDIN: Thank you, Mr. President. AM2829 incorporates the amended provisions of LB1143, which more clearly defines how utilization may be used in calculating prospective rates and establishing a floor for average weighted Medicaid nursing facility daily rates. This amendment permits deviation from the nursing facility rate earmark only by calculating the average weighted Medicaid nursing facility rate by dividing the projected total Medicaid nursing facility expenditures by the total-- projected total nursing facility days for the prospective rate period. The number of projected days must be reported to the Legislature. This amendment prevents the average weighted nursing facility daily rate from falling below the rate as of January 1, 2026 unless directed by the Legislature or in event of a state of emergency declared by the governor. Also, this amendment requires DHHS to submit a request to the Centers for Medicare and Medicaid to establish a money-follows-the-person program by December 31, 2026. LB1143 as amended was voted out of the Appropriations Committee by a vote of 8 yeas, 0 nays, and 1 absent. I'd appreciate your green vote on AM2829.

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

DORN: Thank you, Mr. Lieutenant Governor. I wanted to get up and talk a little bit about this. Senator Hardin introduced this bill, LB1143, and I was one of them that had some language in a previous bill, and wanted to make sure this was worked out. I will thank the department very much. I will also thank Senator Armendariz for being involved with these negotiations and, and to make sure that the language and the wordage-- one little thing is-- sometimes changes quite a bit in some of these bills, and this is one of those things. So, I want to thank Senator

Hardin for letting us work through this process, the long-term care people very much for helping with working through this process, and the department. So, thank you very much. Yield my time.

KELLY: Thank you, Senator Dorn. Seeing no one else in the queue, Senator Hardin, you're recognized to close, and waive closing on the amendment. Senators, the adoption-- the question is the adoption of AM2829. All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

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

KELLY: AM2829 is adopted. Mr. Clerk.

CLERK: Mr. President, Senator Riepe would move to amend with AM2856.

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

RIEPE: Thank you, Mr. President, Chairman Harding [SIC], and callings-- colleagues. I rise to introduce amendment AM2856 that incorporates the substance of my LB959 into LB867. This amendment would require the Department of Health and Human Services to establish a youth after-school eligibility letter for individuals who are 16 or 17 years of age and seeking employment in school-age child care programs or temporary non-residential child care programs. This is a practical workforce expansion measure. It creates a clear pathway for young people to enter the child care field, helping programs meet staffing needs while still maintaining the background checks, training, and safety standards we expect. This concept was originated in concert with Complete [SIC] Kids in Omaha. I appreciate very much the work that they do in the area of child care. The major benefit of this is that it allows facilities to recruit staff earlier than they typically would, and to complete the necessary paperwork for a youth to work in a child care setting well in advance of when the facility would actually need that employee. It simply terms-- in simple terms, a facility could recruit a 16- or 17-year-old for summer work in March, get the process completed, and have that person ready to step in and start working when the time comes. Under the amendment, an applicant would need to complete the registered as required and checks-- background check dominations-- or, documentation, and a 7-hour

new staff orientation approved by the department. The bill also allows provisional employment while background checks are pending, so long as the applicant is not left alone with children, is not counted in staffing ratios, and remains limited in those program settings. Once the required steps are completed, the department would issue a youth after-school eligibility letter; that letter would be valid for one year, and could be renewed through an expedited process established by the department. The amendment also allows licensed child care programs and approved youth-serving programs to accept the letter as proof that the holder has met the initial background check and training requirements. The amendment further authorizes the department to adopt and promulgate rules and regulations to carry out the section, including procedures for applicants, background check verification, renewals, fees, training provided approval, and private and data-sharing protections. It also includes the federal funding safeguards contained in the amended versions of the bill so that the section would not apply, and doing so would result in the loss of federal funding or otherwise violate any federal requirements. LB959 was advanced out of committee on a 7-0 vote, and it is expected to have no fiscal impact. It is a common-sense step to help expand Nebraska's child care workforce and help keeping the proper safeguards in place. And I ask for your support. Thank you, Mr. President.

KELLY: Thank you, Senator Riepe. Seeing no one else in the queue, you're recognized to close on your amendment, and waive. Senators, the question is the adoption of AM2856. All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

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

KELLY: AM2856 is adopted. Mr. Clerk.

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

KELLY: Seeing no one else in the queue, Senator Hardin, you're recognized to close on the committee amendment.

HARDIN: Thank you, Mr. President. We, we want kids to be safe. We want to do this in a sensible matter-- manner. And so, again, we did file the LR. And while we don't have a number back yet-- just yet, we'll definitely let everyone know when that will be

coming up during this interim season, and would very much, you know, based on the conversation here today, to have people participate in that, and like to harvest all of the best ideas. And so, appreciate that very much. AM2270, just to remind you, does a few things. In addition to pulling LB1013, again, it removes the elimination of the Medicaid spousal asset protection. In short, protects spouses from impoverishment. Secondly, it works thematically here to strengthen protections for special needs trusts. Thirdly, it removes the requirement that the child support customer service unit hire a minimum number of new employees based on the local labor force, while keeping the requirement that the unit stay located in Nebraska. And lastly, the bill removes outdated cross references to the spousal asset protection piece. And so, very much appreciate your green vote on AM2270.

KELLY: Thank you, Senator Hardin. Senators, the question is the adoption of AM2270. All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

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

KELLY: AM2270 is adopted. Mr. Clerk.

CLERK: I have nothing further, Mr. President.

KELLY: Senators, the question-- Senator Hardin, you're recognized to close.

HARDIN: Thank you, Mr. President. This year, we broke a record. We had 68 bills in Health and Human Services in a 60-day session, and so that is the greatest number we've ever worked through. And so, LB867 is a little heavier than what we anticipated; so is LB912, the other bill that we had for the committee. And so, I would very much appreciate your green vote on LB867. Thank you.

KELLY: Thank you, Senator Hardin. Senators, the question is the advancement of LB867 to E&R Initial. All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

CLERK: 47 ayes, 0 nays on advancement of the bill, Mr. President.

KELLY: LB867 is advanced to E&R Initial. Items for the record, Mr. Clerk.

CLERK: Mr. President, your Committee on Enrollment and Review reports LB1072 and LB1133 as correctly engrossed and placed on Final Reading. Additionally, amendment to be printed from Senator von Gillern to LB901; amendment to be printed from Senator Kauth to LB847; Senator Conrad, LB1165. Senator Conrad, new LR: LR398; that will be laid over. That's all I have at this time.

KELLY: Thank you, Mr. Clerk. Next item on the agenda, please.

CLERK: Mr. President, General File, LB1075 introduced by Senator Sanders. It's a bill for an act relating to government; provides a duty to the village board of trustees to provide powers to the village clerk; changes provisions relating to vacancies in a city council or village board; changes provisions relating to election workers, candidate name changes, candidate filing forms, political party rules, notices of election, photographic identification requirements, voting precinct boundaries, ballots, special elections by mail, recounts, election expenses, prohibited activities, petitions, watchers and observers, records available for public inspection, delivery of the abstract of votes, penalties in school district elections; eliminates provisions relating to initiative and referendum petitions; harmonizes provisions; provide an operative date; and repeals the original section; outright repeals Section 32-1406; and declares an emergency. 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. There are additional amendments, Mr. President.

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

SANDERS: Good evening and thank you, Mr. President. LB1075 is the annual omnibus elections bill requested by the Secretary of State. Part of the regular duties of the Government Committee includes updating our election laws to ensure that our elections are open and accurate. This bill purposes changes to a number of different statutes relating to elections. These changes are village board vacancies, election workers, special elections, candidate filing and name changes, unaffiliated voters, election

notices and sample ballots, precinct "bondaries," voter identification processes, "puplic"-- public voter records, poll watchers, voting abstracts, recount procedures, signature forgery, and electioneering. I, I will go into greater detail on the content of LB1075 and the changes in the committee amendment during my next time on the microphone. Thank you, Mr. President.

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

SANDERS: Thank you, Mr. President. The Government Committee held its hearing on LB1075 on February the 11th. We heard favorable testimony from Deputy Secretary of State Wayne Bena, as well as representatives from our local elections offices, NACO, and the League of Municipalities. There was no opposition on the bill at the hearing. LB1075 was advanced with AM2496 by Government Committee on a 7-1 vote. The committee amendment makes several changes to the base bill and adds provisions from five other bills. The changes proposed to the original content of LB1075 include adjusting the delivery deadline for election abstracts from the counties to the Secretary of State, setting of a dollar amount for the cost of recounts, and striking original Section 39, which contained changes to the filing deadline for requests to exceed school district property tax request authority. In addition to those changes to base bill, AM2496 adds the provisions of the following bills: LB884, LB8-- LB927, LB969, LB1002, and LB1074. LB884 is Senator Andersen's bill updating statute, voter registration, ballot, and poll watchers. The amendment strikes LB884's original Section 1, and it makes changes to allow for midday ballot pickups at polling places and to eliminate the expense of closed-circuit TV mandate in the green copy of LB884. LB927 is another bill from Senator Andersen. It would prohibit involvement by foreign nationals in the funding and organizing of ballot question committees. Our committee amendment adds a provision allowing the NADC to assess the administrative fee against someone violating the law. This fee would cover the actual costs of the commission's investigation and "judification." LB969 was introduced by Senator Hallstrom to create a state database of county and municipal financial data. The committee amendment would shift administrative responsibilities for maintaining the database from the State Auditor to DAS, a change which eliminates the state fiscal impact that was estimated from the original bill. LB1002 was introduced by Senator Machaela Cavanaugh at the

request, request of the NADC to increase the commission's fees to account for inflation. Most of these fees were last adjusted about 25 years ago. Finally, LB1074 is a bill I introduced at the request of the State Treasurer to revise unclaimed property statutes. These changes would clarify "timelane"-- timelines for certain reports that have been filed with the Treasurer, and would create a new cash fund to facilitate a securities liquidation project planned by the Treasurer's office. LB1075 and AM2496 were voted out of Government Committee on a 7-1 vote. Since the bill advanced from committee, my office has been involved in further conversation with Senator Conrad and other provisions from LB1075 relating to how to close a petition circulator may be to a ballot box during early voting. Last year, we removed language on the topic from our election package in LB521. The previous proposal would have prohibited petition circulation within 200 feet of a drop box; the version we're included this year intended to be better protect, protect the interests of both petition circulars-- circulators and voters by setting that boundary at 50 feet. Senator Conrad is proposing we reduce the buffer to 25 feet. I believe that strikes the right balance, and I consider Conrad's amendment to be a friendly one. I would ask your green vote on Conrad's amendment, AM2654, green on AM2496, and green on LB1075. Thank you, Mr. President.

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

CLERK: Mr. President, Senator Conrad would move to amend the committee amendments with AM2654.

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

CONRAD: Thank you, colleagues. Good evening, colleagues. Thank you to my friend, Senator Sanders, chair of the Government Committee, and thank you to committee staff, committee members, and representatives from voting rights organizations and the Secretary of State's office. This has been a long-languishing issue and discussion amongst various stakeholders to figure out the right way to strike the right balance when it comes to critical rights of free expression, and the sanctity of our vote and our voting rights. So, it's long been well established that we have clear protections and parameters in place on election day that prevent things like electioneering. You can't wear your candidate swag and go into the polling place and hand out pamphlets and ask folks to support your candidate. That's well established. Everybody understands that. I actually had an

opportunity to work with then-Senator Hilgers to strengthen free expression rights in that regard when he was a member of the Legislature and I was working for a civil rights organization. So, that's been well established. Very clear kind of set of parameters that protects the right to cast your vote free of harassment, free of encumbrance, while also respecting appropriately free expression principles. However, we have struggled for years to figure out how to hit the right balance of rights when it comes to petition gathering, for example, which can be part of electioneering, perhaps, not on election day, but surrounding ballot boxes. And the differences, colleagues, are significant. On election day, we are time-limited: polls are open 8:00 a.m. to 8:00 p.m. The polls themselves are clearly well-marked. There is clear enforcement and information available for all stakeholders about where the halo is, how the respective activities are conducted, and it has served our state well. There has not been a lot of confusion or contention around that, and has struck the right balance of rights. However, as we start to see the utilization of ballot drop boxes, there has been attempts to limit signature-gathering around petition-- or, around election drop boxes based upon some of the same principles. However, there's key differences in place. Election ballot box-- boxes are there for early voters, and they're not time-limited to just election day, because they can start receiving ballots for, for weeks before that. They also are not always clearly well-marked from outside of the space where those ballot election box may be, perhaps unfairly, unknowingly ensnaring those engaged in the precious right of petition into potential criminal sanction. The violations for electioneering are misdemeanors. And so, we have worked to try and figure out, because of these differences with the time frame, because of these differences with the markings, and because of the need to ensure that we do not chill petition rights in the quintessential public square, we've gone back and forth and back and forth for many years to try and figure out the right balance. I think what we have before you in this amendment is that: something that perhaps doesn't fully satisfy all the parties, but satisfies all of the parties just enough to help us move forward and to prevent this issue from coming back in future years, and to prevent a protracted debate on this important committee package bill. So, the last thing I will just say is I appreciate the good work from committee staff, Senator Sanders, the Secretary of State's office, and others in trying to negotiate this, this appropriate halo in regards to petition gathering around ballot collection sites. And I do just want to note, it's important that we remember the first right, the first

right result-- reserved for the people in Nebraska, the right to petition their government, is sacrosanct and should be protected, and this helps to ensure that that can continue. These rights don't belong to any one point on the political spectrum. We have seen successful ballot initiatives led by conservative leaders, we have successful ballot initiative led by progressive leaders. And I think if you go and you check what's on file with the Secretary of State right now, there's far more conservative-led citizen initiative petitions on file right now than there are ones that could be considered or classified progressive. These rights belong to everyone, regardless of the issue that is on those petition pages. And we need to ensure, when people are gathering at the DMV, at the county square courthouse out in Seward, downtown in front of a vibrant business district where they're near collection sites placed at things like public library, that we don't needlessly chill the right to petition because of the more expansive nature that comes with the collection of early vote ballot boxes. So, thank you to Senator Sanders, thank you to Secretary of State's office. I'm happy to answer questions, and would urge your favorable consideration. Thank you.

KELLY: Thank you, Senator Conrad. Seeing no one else in the queue, Senator Conrad, you're recognized to close, and waive closing. Members, the question is the adoption of AM2654. 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: AM2654 is adopted. Senator Hunt, you're recognized to speak.

HUNT: Thank you, Mr. President. Colleagues, I wanted to speak briefly to the amendment for this committee bill, AM2496. I don't, I don't like this bill, and I have some problems with some of the language, and I voiced these concerns during the committee hearing and during the executive session, and I also want to share them on the record here on General File debate. If you look at the committee amendment, on page 61, I don't remember whose bill this was that is the contribution to the committee amendment, and I don't remember the name of the bill, or the number of the bill, I should say. But I'm concerned that we have some First Amendment problems with this language in this

part of the bill. It reads-- it-- on page 61, line 27, this is subsection (3): "it shall be unlawful for a foreign national to directly or indirectly solicit the making of a contribution or expenditure by another person or committee to support or oppose the qualification, passage, or defeat of ballot question." It continues: "it shall be unlawful for a foreign national to direct, dictate, control, or directly or indirectly participate in the decision-making process of any person or committee regarding that person's or committee's activities to support or oppose the qualification, passage, or defeat of a ballot question, including decisions concerning the making of contributions or expenditures." So obviously, the intention of this bill originally was to say if you're a foreign national, if you're not an American, if you're not a voter here, you can't contribute or run a ballot initiative question, and I get that. My problem with the language is a lot of the saying, like, directly or indirectly solicit the making of a contribution by another person. And what I think this could be-- what I think this could be interpreted to mean is that if there's a Dreamer, if there's a person here in the country who's not a citizen-- maybe they've lived here 30 years, maybe they live here because their parents moved here and they're a minor child in high school or something, maybe they're here on a visa. You know, there-- there's a hundred reasons that somebody could be here and not be a citizen, of course. But if they take an interest in a ballot question that's going to be on our ballot in Nebraska, it's not saying they can't run it or contribute to it financially; it's saying they can't touch it at all. And by that I mean, share a post on Instagram saying, hey, we are supporting this movement for this cause and we're having a rally at Memorial Park on Saturday, please come and participate. Or, it's a post where they're saying, hey, we're having a fundraiser at this coffee shop on Saturday for this cause, come and donate, or here's a link to donate. Click here to contribute. I think that the language in this would interpret that as the indirect solicitation of a contribution by a foreign national. So, I do think that it has kind of a First Amendment problem. I think that even if someone is not a legal voter, they should be able to advocate for issues that matter to them. And even if it's not the intention of this Legislature for a scenario like I described to catch, you know, a high school student or a college student or someone who's lived here for 30 years but isn't a citizen, any of these people in any kind of legal hot water, I do believe that the language could be interpreted to say that. So, again, I get the intent, but I think that saying that a foreign national can't touch a ballot initiative at all, it's

going to chill speech, it's going have an unintended consequence of honestly giving some people who do want to go after these kids, who do want to go after this folks, kind of a legal standing to do so. And you know, honestly, looking at how things are going in our country right now, that makes me really nervous. And I said so in the hearing, I said so in committee. For that reason, I'm going to be a no on LB1075 with this amendment, and I encourage us to think critically about what the language in this amendment really says versus what our intention is, because I think it is much, much, much more broad than is intended. Thank you, Mr. President.

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

J. CAVANAUGH: Thank you, Mr. President. Good evening, colleagues. Getting late here. So, I, I had the exact same reaction Senator Hunt had when I saw this. Well, I sit on the Government Committee, heard the hearing on this bill. Senator Hunt did raise these concerns during committee, and then, when it was being put in the package, I raised these concerns with staff and had a good conversation with Mr. Bena from the Secretary of State's office. And I, I think that there is a concern about how it's written and the-- but I have talked-- when I talked to Mr. Bena-- and certainly other folks can chime in about what their intention is here-- but like a lot of things in this place, I think there are intentions where, you know, we try to serve a goal, and sometimes we can find a fix to something that still serves the goal that we are seeking to achieve. So, I brought the original bill that banned foreign money in the state of Nebraska in campaign ballot initiatives. And so, the, the lay of the land there is it had been illegal for a long time, and then the FEC changed its guidance and interpreted ballot-- issue ballot initiatives as different than candidate committees. And so, the federal prohibition on foreign dollars in campaigns was no longer extended to issue ballot questions at the state level. And so, when that happened, I brought the bill to reinstate that and put back into effect that prohibition. So, I passed that original bill, this-- and I'm sure people are, are aware that the attorney general is suing a number of ballot initiatives and committees that worked on ballot initiatives that are on the opposite political-- or persuasion to what the attorney general is. And so there's some, of course, consternation about targeting, or something along those lines. I do think-- believe that a prohibition on foreign

money in our campaigns is good, and I agree with Senator Hunt, though, a prohibition on individuals who are not citizens from exercising their freedom of speech is a bad idea. And so, I, I raised those concerns, thanks to Senator Hunt flagging them, and had a conversation with Mr. Bena. And in that conversation, it was, as it was explained to me, and I think is accurate, but could probably-- we could find a way to bolster it-- that the prohibition is on the campaign work itself, the paid campaign, the paid communications, and that's the intention, is that it's money coming into the country. And so, someone being here, having an opportunity to volunteer and express their opinion is not something that we should be-- we should be silencing or chilling. And so, I don't think that's the intention, and I did talk with Mr. Bena, and this is why I'm not speaking for anybody else, but I do think that folks involved here would be willing to find a way to clarify that language. I did have conversations with Mr. Bena and committee before we even met at the committee level. I said, well, if we can find-- think of some language that would bolster that, that might be a good thing. I haven't proposed anything here. Obviously, we're on General File, but I think it's, it's worth having that conversation and finding ways to ensure that college students and young people who just want to go knock on doors or tweet about something are not going to be, well, held criminally or civilly liable for that. But that-- so, I think my point is that the, the intention seems to be that we should-- that this isn't-- is directed at the campaigns themselves. So, I agree with Senator Hunt's flagging of this. I had the exact same concern. I'm certainly willing to work with the committee counsel, with Mr. Bena, with Senator Andersen, with Senator Hunt, everybody who's involved in this, to find a way to make this serve the intentions. So, thank you, Mr. President.

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

CLERK: Mr. President, Senator Machaela Cavanaugh would move to amend with FA1112.

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

M. CAVANAUGH: Thank you, Mr. President. I see I was taken out of the queue, but that's OK, because I can get back in the queue. So, first of all, thank you to Senator Hunt for highlighting her concerns in this bill. And I went and looked at this page 62 that was mentioned. And so, the section that this AM, this floor

amendment strikes, is 64. However, I'm not entirely sure that that's what we want to do. I think that as Senator John Cavanaugh said, there's an opportunity here to work on language, and I would like to see us do that, because I think that Senator Hunt brought up some really valid concerns that I share as well. And, as Senator John Cavanaugh mentioned, there is a pending lawsuit from the attorney general's office. And so, being one of the Cavanaugh members of my family who is not an attorney, I don't feel as comfortable knowing what this does or doesn't do, but it-- I understand the-- what the intention is. I also agree foreign money involved in our campaigns is, is not a good thing, so it's a good thing to make sure that foreign money isn't involved in campaigns. But this seems to go further than that, and we want to make sure that our, our Dreamers, or just our study-abroad students who want to get civically involved, that they can get involved and it not be a crime, basically. Foreign money should not be involved in our ballot initiatives or in our elections, but foreign nationals who are here participating in the civic process here is a little bit of a different issue, and so we want to make sure that we have this buttoned up correctly. I would prefer that we work on this language and bring an amendment maybe tomorrow morning to, to address these concerns, because I'm not usually a fan of taking something from General to Select, especially if we have the time to get something worked out now. But I also could be persuaded otherwise, I guess. So, FA1112 currently strikes section 64. I think that that's probably just a quick, quick little thing up there that we probably shouldn't adopt. Instead, let's come together and find the right language changes to-- I believe it's Senator Andersen's bill, LB927. So, I think we can find the language change to LB927 that'll serve the purposes as Senator John Cavanaugh mentioned, but also protect the populations that Senator Hunt was talking about and in being civically engaged, so. Thank you, Mr. President

KELLY: Thank you, Senator Cavanaugh. Senator Cavanaugh, you were next in the-- and are next in queue.

M. CAVANAUGH: That's OK.

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

HUNT: President-- thank you, Mr. President. Chairwoman Sanders has shared her willingness to work on this language between General and Select or between today and tomorrow, whichever.

We'll, we'll talk about it. But thank you, Chairwoman. I, I, I trust her to follow through on that for sure, and work on that. And I also appreciate what Senator John Cavanaugh said about bringing this question to Wayne Bena in the Secretary of State's office. I trust Wayne, too. Mr. Bena is an utmost professional. He's very serious about election integrity, and I've, I've had a great time working with him here in the Legislature. I find him very trustworthy. Got no problem with him. But I do have concerns of other people. You know what I mean? I-- it's one thing to say, oh, the Secretary of State doesn't have a problem with the language; this isn't how they intend to interpret it, this isn't what they mean to say; they aren't saying that if a non-citizen is promoting a fundraiser for a ballot initiative that then they could have a cause of action brought against them. All well and good, but that doesn't mean that that's what the language says. My point is that regardless of the intention of the introducer, regardless of intention of this Legislature even-- although legislative intent is very important in these court cases-- and regardless of the intention the Secretary of State's office, what the actual language is in the law is what's going to cause a, a person to be prosecuted under this law for, for doing something like promoting a fundraiser or even volunteering for a campaign. I just want to be really careful that we aren't discouraging civic engagement that we really want to encourage in people, even if they are not a citizen. So, yeah, I look forward to working on that language together with other members of the committee. And if that happens, you know, I'll, I'll shut up and be happy. So, thank you, Mr. President.

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

M. CAVANAUGH: Thank you, Mr. President. Colleagues, we're just going to go ahead and move this tonight. And I know that Chairwoman Sanders is committed to, to working on this between General and Select File, so we don't need to belabor this. I will withdraw FA1112. Thank you, Mr. President.

KELLY: So ordered. Seeing no one else in the queue, Senator Sanders, you're recognized to close on AM2496.

SANDERS: Thank you, Mr. President. I'm committed to working on this bill from General to Select, whether that means by tomorrow. And I want to thank the staff and the hard work of all

those that are involved, the senators, and a big shout-out to the Bill Drafters that we much need. Thank you very much, and I ask for your green vote. Thank you.

KELLY: Thank you, Senator Sanders. Senators, the question is the adoption of AM2496. All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

CLERK: 43 ayes, 1 nay on adoption of the committee amendment, Mr. President.

KELLY: AM2496 is adopted. Seeing no one else in the queue, Senator Sanders, you're recognized to close, and waive closing. Members, the question is the advancement of LB1075 to E&R Initial. All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

CLERK: 43 ayes, 1 nay on advancement of the bill, Mr. President.

KELLY: LB1075 is advanced to E&R Initial. Mr. Clerk, for items for the record.

CLERK: Mr. President, single item. Senator Rountree would move to adjourn the body until Tuesday, March 24th at 9:00 a.m.

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