

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate January 16, 2026
Rough Draft

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

DeKAY: Colleagues, let us take a brief moment to reflect as we pre-- we prepare to finish our first full week of work. We seek Jesus as a source of wisdom. His justice is perfect, his love is enduring, and his kingdom shall have no end. We come together with a shared purpose to serve the people with integrity, fairness, and humility. May our deliberations be guided by respect for one another and by a deep commitment to the common good. Grant us clarity in thought, courage in decision-making, and above all, a compassion for one another. Help us to hear without hardened hearts, speak without spiteful speech, and act without arrogant ambition. With gratitude toward Christ, whose conquests over death serve mankind, may we follow his example as we serve our community. Amen.

DeBOER: I call on Senator Sorrentino for the Pledge of Allegiance.

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

DeBOER: Thank you. I call to order the 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, Madam President.

DeBOER: Thank you, Mr. Clerk. Are there any corrections for the Journal?

CLERK: I have no corrections this morning.

DeBOER: Thank you. Are there any messages, reports, or announcements?

CLERK: There are, Madam President. Notice of committee hearings from the Judiciary, the Transportation, and-- excuse me, Judiciary and Transportation Committee. Additionally, a reference report from the Referencing Committee concerning the referencing of LB1032 through LB1070, as well as LR303CA. Additionally, Committee on Committee report; the-- amendments to be printed from Senator Kauth to LB1071

through LB1096; a report of registered lobbyists will be found in today's Journal; an agency reports electronically filed with the Legislature can be found on the Nebraska Legislature's website. That's all I have at this time.

DeBOER: Thank you, Mr. Clerk. Senator McKinney, you are recognized for an announcement.

McKINNEY: Thank you, Madam President. So I'm rising for an announcement to kind of bring up-- not kind of, but to speak to something that happened last week and something that's going on today. Last week, a, a college teammate and also a coach while I was in college at UNO passed away due to an accident. And I just wanted to stand up and mention that. His name was Todd Meneely. He was a graduate of Omaha Skutt Catholic. He was a 4-time state wrestling champ and a 3-time Division II national champion at UNO. He won his last while I was there my freshman year of college. And then, when I became an All-American at UNO, he was my main coach and we've been friends ever since. And after UNO stopped the program, he started his own wrestling program and also began to coach at Millard South with his dad, where they won numerous state championships. And you know, last year, Nebraska had two national champions, and one of them was an individual that Todd had coached personally since he was a young kid, in Antrell Taylor. His funeral is actually going on right now. Last night, I went to his wake. And it was about-- it was a long line, and the count said about 2,000 people showed up for just his wake. And that just speaks to the individual that he was and the impact that he had on the wrestling community in Omaha. And I'm work-- I, I-- I'm working on a-- well, I have a LR, and I'll come around and talk to you guys about that, but I just wanted to come up and talk about Todd and just speak to his impact as an individual. Thank you.

DeBOER: Thank you, Senator McKinney. Senator Hansen, for an announcement.

HANSEN: Thank you, Madam President. Colleagues, a reminder that if you have a bill you want to introduce, you need to get up to Bill Drafters by 1 p.m. today. This will guarantee that you will have a 3-part to drop prior to adjournment on Wednesday the 21st. The Revisors will process bill requests made after 1 p.m. as time permits, but there's no guarantee it will be completed and ready to introduce prior to adjournment on Wednesday. Also, if you have a bill request that you would like 3-parted, the deadline to do so is Tuesday the 20th at 1 p.m. Thank you, Madam President.

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DeBOER: Thank you, Senator Hansen. Mr. Clerk, we will now proceed to the first item on the agenda.

CLERK: Madam President, Madam President, I have nothing at this time.

DeBOER: Senator von Gillern, you are recognized for a point of personal privilege.

von GILLERN: Thank you, Madam President. I just wanted to share with the body. I just learned today of the passing of Adelyne Koranda, the mother of Carol, who serves us so well here through the Clerk's Office, and handles all the bill receipts and everything else. And Carol's taking the day off today. And I believe services are Monday-- is that correct-- for her mother. So please remember Carol and her family in your thoughts and prayers as-- for the loss of her mother, Adelyne, who passed away on the 10th. Share your thoughts with her. I'm sure that Carol would appreciate a note of sympathy. And again, remember her in your thoughts and prayers. Thank you, everyone.

DeBOER: Thank you, Senator von Gillern. Mr. Clerk.

CLERK: Madam President, motion to suspend the rules. Motion-- or excuse me, suspension of Rule 5, Section 15(a), to permit the introduction of certain bills. Motion from Senator Ballard.

DeBOER: Senator Ballard, you are recognized to open.

BALLARD: Thank you, Madam President. I'm asking the body today to suspend Rule 5, Section 15(a), which limits the introduction of bills, to propose structural changes to the impact of benefit and funding status of a public retirement plan to the 90-day long session. On multiple occasions in the past, the requirement has been temporarily suspended by the Legislature to permit the introduction of such bills during a short session. Typically, this has been done in cases where potential impact to funding plan is likely to be minimal and the issue is time-- has time-sensitive in nature. In this case, my motion to suspend Rule 5, Section 15(a), permit the introduction of 3 bills, and members should have a, have a handout on these 3 bills. The first is Request 4271. It's a committee bill from the Nebraska Retirement Systems Committee reducing the state contribution of the Nebraska Judge's Retirement System plan. The committee is req-- is required to introduce bills pursuant to Nebraska Revised Statute 24-703(6), due to the, the recommendation of the plan's actuaries. The second is Req. 4455. This bill was introduced to address an issue that came up last

summer with the cost-- with the timing of a cost-of-living adjustment payment under the Omaha School Employment Retirement System plan following the transfer of management to NPERS. And the third is Req. 3999, a bill introduced by Senator Bostar, relating to the State Trooper-- Troopers Association of Nebraska. Each of these 3 bills will likely have minimal impact on the overall funding, other respective plans, and the first, and the first bill is particularly time-sensitive in nature. With this, colleagues, I'd ask for your green vote on this motion. Thank you, Madam President.

DeBOER: Thank you, Senator Ballard. Seeing no one in the queue, Senator Ballard, you're recognized to close on the motion. Senator Ballard waives closing. The question before the body, colleagues, is the suspension of Rule 5, Section 15(a). All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: 36 ayes, 0 nays on adoption of the rule suspension, Madam President.

DeBOER: It is adopted.

CLERK: Consistent with the suspension of the rule, Madam President, new bills. LB1101, introduced by the Nebraska Retirement Systems Committee, is a bill for an act relating to retirement; amends Section 24-703, Revised Statute Supplement, 2025; change the amount of the state contribution of the Nebraska Retirement Fund for Judges; repeal the original section; declare an emergency. Legislative-- LB1102, introduced by Senator Ballard, is a bill for an act relating to the Class V School Employees Retirement Act. It amends Section 79-978.01, Reissue Revised Statutes of Nebraska, and Section 79-978, and 79-9,103, Revised Statutes Supplement, 2025; redefines retirement dates; provides requirements for monthly payments of retirement allowances; changes when certain cost-of-living adjustments occur; harmonize provisions; repeals the original section. LB1103, introduced by Senator Bostar, is a bill for an act relating to the Nebraska State Patrol Retirement Act; amends Section 81-2025 and 81-2041, Reissue Revised Statutes of Nebraska; to raise the mandatory retirement age as prescribed; change provisions related to deferment retirement option plans; repeal the original section. That's all I have at this time.

DeBOER: Thank you, Mr. Clerk. Mr. Clerk, for the next item.

CLERK: Madam President, the Committee on Committees report from Senator Bosn.

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DeBOER: Senator Bosn, you are recognized to open on the Committee on Committees report.

BOSN: Thank you, Madam President. I rise asking for your green vote to adopt the report from the Committee on Committees. This is placing Senator Fred Meyer on the vacant committees--excuse me-- those being Agriculture, Business and Labor, Government and Military Affairs. I ask for your green vote. Thank you, colleagues.

DeBOER: Thank you, Senator Bosn. Seeing no one else in the queue, Senator Bosn, you're recognized to close. Senator Bosn waives closing. Colleagues, the question before the body is the adoption of the Committee on Committees report. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: 40 ayes, 0 nays on adoption of the Committee on Committees report.

DeBOER: The report is adopted. Mr. Clerk, for the next item.

CLERK: Madam President, if I could, new bills. LB1097, introduced by Senator Conrad, is a bill for an act relating to civil actions. It amends Section 13-903 and 81-8,210, Reissue Revised Statutes of Nebraska, and Section 25-228, Revised Statutes Cumulative Supplement, 2024; adopts the State and Political Subdivisions Sexual Abuse Liability Act; changes provisions relating to the statute of limitations for actions by sexual abuse victims; exempts actions from the Political Subdivisions Tort Claims Act and the State Tort Claims Act; redefines terms; harmonize provisions; repeals the original section. LB1098, introduced by Senator Juarez and others, is a bill for an act relating to railroads. It adopts the State Rail Plan Act. LB1099, introduced by Senator Hansen, is a bill for an act relating to license plates; it amends Section 66-4,100, Revised Statute Supplement-- Cumulative Supplement, 2024, and Section 60-3,163.02, Revised Statutes Supplement, 2025; to provide for the Husker Red License Plates; to provide duties to the Department of Motor Vehicles; change provisions relating to the Highway Cash Fund and the Roads Operations Cash fund; eliminates obsolete provisions; harmonize provisions; repeals the original section. LB1100, introduced by Senator Sorrentino, is a bill for an act relating to civil procedure; it amends Section 25-101, Reissue Revised Statutes of Nebraska; to modernizer-- moderni-- modernize language; and repeal the original section. LB1004, introduced by Senator Dover, is a bill for an act relating to the Motor Vehicle Registration Act; amends Section 60-362

and 60-3,164, Reissue Revised Statutes of Nebraska; to provide powers and duties to the Department of Motor Vehicles and the Department of Revenue; to provide for a determination that a resident owner is avoiding certain taxes and fees; provides for a determination that a motor vehicle or trailer has been kept for more than 30 days in this state and has situs in this state; harmonize provisions; repeal the original section. LB1105, introduced by Senator Dover, is a bill for an act relating to appropriations; to provide for appropriations; to declare an emergency. LB1106, introduced by Senator Prokop, is a bill for an act relating to fund transfers; amends Section 71-7611, Revised Statute Supplement, 2025; to provide for certain-- for transfers of funds from the Nebraska Health Care Cash Fund to the Patient Safety Cash Fund; harmonize provisions, repeals the original section, declares an emergency. LB1107, introduced by Senator Meyer. It's a bill for an act relating to the Rural Road Improvement District Act; amends Section 39-1638, 39-1639, 39-1640, 39-1641, 39-1642, 39-1643, 39-1644, 39-1645, 39-1646, 39-1647, 39-1648, 39-1649, 39-1650, 39-1651, 39-1652, 39-1653, and fif-- and 39-1655, Reissue Revised Statutes of Nebraska; to define and redefine terms; change provisions relating to the creation, enlargement, withdrawal, consolidation, dissolution, petition, hearings, improvements, funds, bonds, special assessments, certain taxes, and levies for rural road improvement districts; eliminates provisions relating to the construction of the act, harmonized provisions, repeals the original, original section; and outright repeals Section 39-1654, Reissue Revised Statutes of Nebraska. That's all I have at this time.

DeBOER: Thank you, Mr. Clerk. Mr. Clerk, for the next item.

CLERK: Madam President, as it concerns the agenda, General File, LB463, introduced by Senator Ballard. It's a bill for an act relating to schools; changes the eligible users of the Medicaid Managed Care Excess Profit Fund; changes provisions relating to the powers and duties of the state school security director; changes provisions of the School Safety and Security Reporting Act; requires school districts to develop a cardiac emergency response plan as prescribed; changes provisions relating to the School Safety and Security Fund; provides duties-- powers and duties to the State Department of Education to provide grants to schools for costs associated with a cardiac emergency response plan; harmonize provisions; repeals the original section. The bill was read for the first time on January 21 of 2025, and referred to the Health and Human Services Committee. That's all I have at this time.

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DeBOER: Thank you, Mr. Clerk. Senator Ballard, you're recognized to open on your bill.

BALLARD: Thank you, Madam President. LB463 does 3 primary things: It requires schools to have a plan for cardiac arrests, for-- and then it also requires a teacher or supervisor or coach to have additional training to use an AED equipment, and then it also requires access to an AED device. So I think it's important to highlight a few, a few different key facts. Approximately 23,000 students under the age of 18 experience cardiac arrest outside the hospital, and is actually the leading cause of adolescent deaths in the United States. And about 40% of these include are sports-related at a school activity. LB463 represents Nebraska's best chance to achieve life-saving action when dealing with these incidents. I appreciate all the conversations I've had with colleagues about the funding source for this bill. We're-- are very cognizant of unfunded mandates. Working with stakeholders, including the American Heart Association, the National Football League, Project Adam, and also the school boards, to make sure that this is in the best possible shape for, for Select File. So I continue looking forward to having those conversations. I'm sure we'll continue to have a robust debate around this bill. With that, thank you, Madam President.

DeBOER: Thank you, Senator Ballard. Turning to the queue, Senator Dungan, you're recognized.

DUNGAN: Thank you, Madam President. And good morning, colleagues. I do rise today in support of LB463. I think that Senator Ballard's done a good job of outlining what this bill does and why it's important, and also, how I think it helps the students and the people all across Nebraska. So any questions I have are not in opposition to LB463, but I do want to take a moment to talk a little bit more about the funding source and, I guess, posit some questions broadly to the body, to anybody who's watching that may have answers. Because, thus far, and during this interim-- excuse me-- I've not had a chance to get a lot of my questions answered as they pertain to the medicage-- Medicaid Managed Care Excess Profit Fund. So the Excess Profit Fund, as I'm gonna refer to it for right now, has been talked about quite a bit. Over the last number of years, there have been a few different programs that have been funded through that profit fund-- Excess Profit Fund. Specifically, because those programs seek to achieve the goal of that cash fund, which is to continue to serve Medicaid populations. Whether you're talking about domestic violence services, or glucose monitoring for pregnant folks, or Prenatal Plus, or at-home

nurse visiting, all of these programs fall under the specific reasons that that profit fund was created. Now that profit fund is intended to capture excess profit when the managed care organizations, or MCOs, have excess profit beyond a, a certain margin. I understand that that fund has fluctuated over the years, with regards to how much money is in that fund. I know some years, you'll see a \$50 million increase. Some years, it's been \$20 million. It has bounced around. And I, and I understand that that is a moving target into how much money you expect to see in that fund. As of last year, when I was asking folks about that fund, I was told different things. Depending on who you talk to, there was an expectation of anywhere between \$30 million going into it this fiscal year, or \$10 million, or no dollars. And it was really confusing, because no matter who you were talking to, it seemed like you got different answers. But the reality of the situation is that fund had, for a number of years before, had some money going into it. Now, we all became aware during this interim, mostly because of a news article that was written, that-- by the Flatwater Free Press, that the Excess Profit Fund was not just empty, but that it was over-obligated. That came as a surprise to me because that's not what my understanding was going to be happening with that fund. Now, I did some digging, I talked to some folks about that, and my understanding is that DHHS was saying that there was going to be no money coming into the Excess Profit Fund from the managed care organizations. Further conversations came after that, and no one seemed to be able to give me an answer as to why that was after years of having at least some money flowing into that fund. But no matter who I talked to, they said the fund was now empty and we'd have to find additional sources of revenue for these programs like domestic violence or at-home nurse visiting. And I understand it's important to find sustainable revenue sources for those kind of programs. Seven days ago, an article came out that was referencing a press release from DHHS, where DHHS said in their release, I believe, recent communications with managed care organizations, MCOs, have indicated some funding will become available in the Excess Profit Fund, which will allow Nebraska to move forward with funding domestic violence support services. These services were authorized under LB261, approved by the Legislature and a total of \$3 million will be distributed to Nebraska's statewide networks of providers. To me, that's a huge turnaround. And the fact that we don't have an answer as to how much money is coming into this fund I think is incredibly concerning. This fund serves vital purposes for folks all across this state, providing essential services-- for prenatal services, for at-home nurse visiting, things like that. And the fact that we're being told 2 different things almost simultaneously, I

think is incredibly problematic. And I really hope somebody can answer how much money is coming into this fund this year, and how much is going to be released. Because on one hand, if you're being told there's nothing in it, and on the other hand, you're hearing, we know there's some money that's coming into it so we're going to now be able to release \$3 million-- those are 2 very different things. The remainder of the press release gives no indication as to how much money is going to be in that fund. It simply says we wish the Legislature would seek more sustainable funding sources in the future, which I agree is a good goal. But there needs to be some answers, colleagues, about how much money is in this fund, how much money is coming into this fund in this next year. We can't simply take a word that there's no money in there and move forward--

DeBOER: That's time.

DUNGAN: --without any answers. Thank you, Madam President.

DeBOER: Thanks, Senator Dungan. Senator Hughes, you're recognized.

HUGHES: Thank you, Madam Chair. Good morning. I understand the intent of this bill, and I do support the use of AEDs. I actually have my CPR certification through the YMCA. They include AED training as part of it. We need to learn where they all are in the building, how to use, et cetera. And I do believe they can save lives. My issue with the bill as written, and I do believe that there is potential for an amendment to kind of address some of these concern-- concerns is that it's another unfunded mandate on our schools. It sounds like majority of schools, especially urban areas have something like this, but I just wonder how this affects some of our smaller schools. I'm also gonna read a little part of the bill that says: ensure that each automated external defibrillator available on school grounds or at a school athletic venue as required pursuant to this section is in an unlocked location that allows the automated external defibrillator to be retrieved and placed on an individual experiencing cardiac arrest in fewer than 3 minutes. Just from being around schools, in my district and others, we have practice fields that are quite far away from a building where a potential AED would be held. In fact, our cross-country team oftentimes travels to another area to run the hills to practice. So things like these give me concern, especially if you put in statute that you have to be within 3 minutes away. What if you don't get that to the individual and it's been 3.5 minutes? What are we oping-- opening ourselves up for, for lawsuits, things like that? So again, my-- I understand the intent. I think it's a great intent.

These do save lives. If you pay attention and start looking, AEDs are-- you'll see them in stores and just all over in buildings that you go to. And it's very important. But I just wanna address the unfunded mandate piece. And also, I have concern with the actual 3-minute requirement, especially has it-- how it affects some of our smaller schools that are much more spread out with practice fields and things like that. So I believe Senator Ballard is willing to work on an amendment. So as written, I don't support the bill. But I think at one point, I will be able to, depending on what that amendment looks like. So, thank you.

DeBOER: Thank you, Senator Hughes. Senator Storer, you're recognized.

STORER: Thank you, Madam Chairman. I'm not going to spend a lot of time because Senator Hughes has already expressed very similar concerns that, that I would bring to your attention, as well. And I have visited with Senator Ballard about this, and would Senator Ballard yield to a question?

DeBOER: Senator Ballard, for a question. Will you yield?

BALLARD: Of course.

STORER: Thank you, Senator. One of, one of my questions, I guess, is I know you've made some adjustments in, in terms of where funding could come from for this. But in the event there is not enough grant dollars available, or for some reason a school just is not granted that, that money, how, how then would they be required to pay for the requirements in, in the bill?

BALLARD: Yes. So currently, it would be as written. I'm, I'm willing to work with school boards, school administrators, to make sure this is right. It's a, a right fit, especially for your, your school districts that are, are, are rural. So right now, they would be required to pay for a AED device or defibrillator and also have the training and a plan in place. And so that's kind of where, as Senator Hughes says, the mandate comes in, but continuing to, willing to work with schools.

STORER: OK. And I understand that you are working on some amendments. Is there an anticipation that those would come on Select, or are those ready to be introduced today?

BALLARD: Yes. So I have one filed on Select right now, that takes the, that takes the funding source out and adds a different, a different

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cash for private funds and for other grants, and then also looking at trying to get-- minimize that unfunded mandate.

STORER: OK. Thank you, Senator Ballard.

BALLARD: Thank you.

STORER: Yeah. For the record, I'm certainly willing to move this on to Select File. But at that point, there would need to be some certainty that, that it is not indeed an unfunded mandate for our school system. So I appreciate, I appreciate you answering those questions.

DeBOER: Thank you, Senator Storer and Ballard. Senator Clements, you're recognized.

CLEMENTS: Thank you, Madam President. I rise in opposition to LB463, mainly because of the unfunded mandate, and also because the, the bill has no funding available. The MCO Excess Profit Fund-- in Appropriations, we've heard that-- there are 3 managed care organizations and 2 of them lost money last year. One of them made a small profit. I think I heard maybe \$3 million, and so there is no \$30 million or \$60 million come in as people have been hoping for. The other thing, in the Appropriations Committee, we looked at different people-- different bills from the past who wanted to use money from this Managed Care Excess Profit Fund. I think maybe there were about 8 different programs wanting to be funded. And we're already having to pick winners and losers, because there's only money for a couple, maybe, of them. And so, it's-- this is a mandate that would not be funded to the way it's written now. Then I received an email from a person familiar with what the school boards think about it, and I'd like to read portions of it. Senator Clements, you have LB463 on the docket on Friday. This bill is another attempt at fixing a problem that does not exist across the board. If one district is struggling to provide coverage, then that is an issue for them and their ESU to correct. I know board members in over 2 dozen school districts. None of them have indicated that this piece of legislation is necessary. Please do not vote for an unfunded mandate. We're not facing this problem. Thank you. And so I wholeheartedly agree with that. It's a problem in search of a solution. Most of the schools already have this or the ability to find funding for it, and I just think it's improper for us to give-- to require this of the schools. And the-- you'll have a handout coming around that's titled, Total State Tax Dollars Allo-- Allocated to Local Governments. I first handed this out because of the counties on the next bill, but I found on this list, 5 items going to

schools: \$1.1 billion of TEEOSA, \$230 million of their share of the property tax credit, \$750 million school property tax credit, special education, \$492 million, and then State Temporary School Fund, \$120 million. \$2,760,000,000 is going to schools from the state, and that-- there are other items that I think it-- this doesn't reflect. And so I believe we are already providing adequate funds to schools that if there's something like this that they need, they can prioritize it and fund it. And so, I urge your red vote on LB463. Thank you, Madam President.

DeBOER: Thank you, Senator Clements. Senator Ballard, you're recognized.

BALLARD: Thank you, Madam President. I'd like to address a few of the concerns raised by my colleagues. Senator Hughes mentioned the 3-minute, 3-minute guidelines to access an AED. We are working on that with the Athletic Trainers Association to move that up to a more reasonable, maybe 5-- 5-minute mark-- just work on some of the, the concerns there. So more than willing to have-- to work on that. I did misspeak a little bit with Senator Storer about the funding source. Right now, we just-- we have a cash-- a, a fund set up that does not have any dollars in it. But there are organizations around the country that are willing to put private dollars into these kind of support funds or grant funds from federal government, so just trying to find any way to make sure that this is a-- not an, not an unfunded mandate. Because like many of you said on this floor, we are very concerned about those unfunded mandates, and so just trying to find any avenue to help school districts put these life-saving devices in schools and school activities. I did want to mention a, a brief conversation with one of my colleagues on the floor yesterday, talking about a school activity to a park or to a museum. That, that liability does not fall on the schools or does not have to be for a parent that takes students to the park or a, or a fourth grade teacher. The, the onus is on the school district to have a plan in place to make sure that they-- if a cardiac arrest happens that there is a plan or a process to save that kid's life. And then finally, Senator Clements read a letter from, I'm assuming, a school board member. I don't believe this is a solution in search of a problem. You look at a-- was it a few years ago, Damar Hamlin, a very fit NFL player, very active, had a cardiac arrest on a football field that was unexpected. I have a constituent that-- and one of my neighbors, that former Husker football player, very active, very healthy, had a cardiac arrest that he was saved by an AED equipment. So I don't think this is a, as Senator Clements said, a problem-- a solution in search of a problem. These, these issues, they

happen unexpectedly, and I just want to make sure schools are equipped, teachers are equipped, and that they have the, the ability to save a life because every minute matters, every second matters in these cases. Thank you, Madam President.

DeBOER: Thank you, Senator Ballard. Senator Jacobson, you're recognized.

JACOBSON: Thank you, Madam President. I, too, rise in opposition to LB463. I don't think there's any reason to move this on from General File. Let's, let's kill it here, and we've got a lot of things to do. This is an unfunded mandate. This seems to be unfunded mandate day. And, and I'm telling you, folks, we talk about this a lot, that we want property taxes to go down and then we bring bills that are mandating that certain political subdivisions have to do certain things. That's not our job. Now, if there are school districts that want these devices and don't want to use property taxes, which they should not, then if there's a fund that becomes available that gets earmarked, they could access that. But mandating them to do this, regardless of whether there's funding there, is wrong-headed, not something the Legislature should be doing. It's the opposite of what we should be doing. So let's let them figure out what they should do with the funding that they have, and if there's a driving need in their minds, their minds, to do it, then come to the Legislature and try to figure out if there's a fund that does not involve tax dollars to pay for it. This bill needs to be killed right now. Let's don't move it on. We've got a few more bills coming up today we're going to have to do the same thing for. But let's prove to the taxpayers that we're not going to be approving more unfunded mandates for the political subdivisions-- who are the ones, by the way, who assess property taxes. It's not the Legislature. But when we pass unfunded mandates, then that's when we get involved in causing your property taxes to go higher. So vote no on LB463. Thank you.

DeBOER: Thank you, Senator Jacobson. Seeing no one else in the queue, Senator Ballard, you are recognized to close.

BALLARD: Thank you, Madam President. Again, I appreciate the conversation my colleagues and I have. I disagree with Senator Jacobson and Senator Clements. I believe that this is important legislation to address a critical concern. This is the leading cause of death in our youth, especially in schools-- to make sure that-- we have seen a, a rising uptick in these cardiac arrest incidences. And I just want to make sure that schools are prepared, that we are

continuing to work on funding sources. I, too, am, am-- have concerns about the unfunded mandate portion, so we're continuing to work on that. But I think this is a, a good use of our time to make sure that we protect kids in Nebraska, and so I ask for your green light in moving this forward to Select. Thank you, Madam President.

DeBOER: Thank you, Senator Ballard. The question before the body is the advancement of LB463 to E&R Initial. Colleagues, all those in favor vote aye; all those opposed vote nay. Have you all voted who care to? There's been a request to place the house under call. The question is, shall the house go under call? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 34 ayes, 1 nay to place the house under call.

DeBOER: The house is under call. Senators, please record your presence. Those unexcused senators outside the Chamber, please return to the Chamber and record your presence. All unauthorized personnel, please leave the floor. The house under call. Senator Hallstrom, Senator Clements, Senator Dover, Senator Hansen, please record your presence. The house is under call. Senator Ballard, everyone is now present. How would you like to proceed? There's been a request for a roll call vote. Mr. Clerk, please call the roll.

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

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yes. Vote is 25 ayes, 15 nays on advancement of the bill, Madam President.

DeBOER: The bill is advanced. Mr. Clerk. I raise the call.

CLERK: Madam President, next item on the agenda. Legislative bill-- excuse me-- LR18CA, introduced by the Government Committee. It's a constitutional amendment that would require the state to reimburse political subdivisions for responsibilities imposed by the Legislature after the year 2026 for increased levels of service required by the Legislature after the year 2026. It was read for the first time on January 16 of 2025, and referred to the Government, Military, and Veterans Affairs Committee. That committee placed it on General File. There is an amendment as well, Madam President.

DeBOER: Thank you, Mr. Clerk. Senator Sanders, as chair of the Government Committee, you are recognized to open on the bill.

SANDERS: Good morning, Madam President and Nebraska. LR18CA rests on a simple but important principle. When the Legislature assigns new responsibilities to local governments, it must also provide means to carry them out. This proposal goes to the core of how Nebraskans pay for local government and reflects long-standing issues in our state's fiscal history. For generations, Nebraska has faced high property taxes. In 1966, voters amended the Constitution to eliminate the state property tax. That decision led to a state fiscal crisis, prompting Governor Norbert Tiemann to champion the creation of Nebraska's first income and sales tax in 1967. He was defeated for re-election in 1970. While the amendment removed the state property tax, it left local property tax intact. As those taxes increased, responsibility was often placed on counties, cities, and school districts. Yet Nebraska is a Dillon Rule state. Local government exercise only the authority granted by the Legislature. We assign the responsibilities and we create the mandates. When local governments struggle with rising costs, we must acknowledge our role. Many of those costs stem from unfunded mandates enacted by this body. The Legislature has recognized this issue for decades. In 1996, LB299 established the Task Force on Unfunded Mandates, which issued its first report that same year. 18 years later, the issue remained unsol-- un-- unresolved. In 2014, the Government Committee again studied the problem through LR582, introduced by Senator Sue Crawford, examining the link between mandates and property taxes. In 2022, Senator Carol Blood introduced LR263CA, which faced no opposition, advanced unanimously from the committee, and passed through General File 34-5. But it was never

scheduled for Select File. It was reintroduced in 2024 special session as LR1CA. Again, unanimous committee support, no opposition, opposition, yet was not brought forward for debate. Last year, as the chair of the Government Committee, the committee reintroduced the proposal as this Legislature must confront how to relieve longstanding property tax pressures on Nebraskans. This is about fiscal conservatism, accountability, and ensuring that costs are not shifted without funding. The committee heard LR18CA on February 27, with testimony from school districts, cities, counties, and statewide associations, including the city of Lincoln and Sarpy County. Once again, the committee unanimously advanced the measure. I welcome thoughtful debate. This is a significant proposal, and I am open to amendments to strengthen this LR. Senator Clements has prepared an amendment that anticipates some of the additional ways that the Legislature might provide a funding source for a local mandate. I view this as a friendly amendment and I thank Senator Clements for his work to improve this idea and make it ready for prime time. I continue to have conversations-- conversations with my colleagues and the Governor's policy team. Rest assured, we are working together in good faith to produce an LR that is best for Nebraskans. If passed, LR18CA will appear on the general election ballot this fall for a vote of the people. I would also like to point out that if you have any questions, concerns or ideas, I have my staff available under the balcony. And out in the lobby, we have Joe Kohout, with Sarpy County Mayors, NACO, Jon Edwards, League of Municipality, Lynn Rex, and PRO, Kenny Zoeller and Dustin. Thank you, Madam President.

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

CLERK: Madam President, Senator Clements would move to amend with AM1727.

DeBOER: Senator Clements, you're recognized to open on your amendment.

CLEMENTS: Thank you, Madam President. It's an interesting amendment and an interesting situation I have. I am not in favor of LR18CA at all. But I did find that there is-- it has a real weakness, if it should pass, that this amendment adds a provision that says an increase in the amount of a fee that may be retained by the political subdivision would be an additional reimbursement way-- way for the state to reimburse the entity. The current language doesn't address all categories of way to reimburse a local entity. Without listing fees specifically, a situation could rise where the state would mandate an increase to an existing program-- excuse me-- or a service,

so we require the sheriff to go do another duty to serve a notice, but we don't allow for a fee to be increased by the county. So the most direct way to pay for an increase that we would mandate would be to allow them to have a fee. But the way the bill is written, it would limit, limit us to only reimbursing the local entity with an appropriation, which most likely would be general funds, and whereas it's a service being provided to the locality, to people, and having a fee increase instead would not cost the state money as long as-- if this amendment is adopted, I believe the way the bill is written. It might not allow a fee to be increased because of a mandate. And so, the, the amendment is just trying to, if this bill should pass, trying to allow for a county to be able to charge a fee for some mandate that's a service to people that shouldn't be just an appropriation from state general funds. I'll be talking about the LR18CA negatively later. But just in case this happens to move forward, I wanted to point out this weakness in the bill as presented. And with that, I, I ask for your green vote on the amendment, and then later will ask you for a red vote on the whole measure. That's-- odd thing to have to do, but I'm-- that's, that's my feeling right now. So thank you, Madam President.

DeBOER: Thank you, Senator Clements. Turning to the queue, Senator Kauth, you are recognized.

KAUTH: Thank you, Madam President. I wholeheartedly agree with the fact that we do too many unfunded mandates. I've talked with Senator Sanders about my idea. Rather than saying we will-- if we pass a law that is an unfunded mandate, then the state will automatically pay for it, which will bankrupt the state pretty darn quickly, what I would prefer to do is amend this to say, for every unfundated mandate that we try to pass, when we introduce it, we have to bring 3 that we're getting rid of from that same section. I think that way, we start cleaning things out, get rid of things that cost money that are no longer useful or valid or are outdated in some way. And that would make us think twice, really hard about the things that we say are important and that are mandates that should be made. So I'd like to suggest that to Senator Sanders, and I will work with her team to make an amendment for that.

DeBOER: Thank you, Senator Kauth. Senator Raybould, you're recognized.

RAYBOULD: Thank you, Madam President. Good morning, colleagues. I stand in support of LR18CA, and I am not certain how I feel about Senator Clements' amendment. I just wanted to spend a little bit of

time researching it a little bit more. It's no surprise. I am truly enthusiastic about passing this LR to allow it to go before the voters. I want to thank the Government, Military, and Veterans Affairs Committee and Senator Sanders. I, I really-- I feel badly with Senator Ballard's initiative that we barely eeked by, but-- for not voting on it. Because I think that's my personal theme for this session, that any additional request for funding, as, as honorable as they may seem, will just continue to put us in a greater fiscal deficit. My concern this year is that we are facing a deficit, and my other concern is that what we're seeing when the state has a deficit that they're struggling with, there's additional cost shifting to the cities and the counties. How do I know that? I've lived through that as a county commissioner when I came on board in 2011. They did away-- did away with all the jail reimbursements, which immediately created a deficit for Lancaster County. And I'd like to talk about the jail reimbursements a little bit later. What we're seeing also is a continued threat to the elimination of the inheritance tax, which is additional revenue that is not well predictable for anyone's budget. But when it comes in, those counties can use that for a lot of capital improvement investment projects, or public safety issues and reimbursement. There are several states already out there that have implemented these unfunded mandates, you know, such as Washington state, Florida, Montana, New York, just to, just to name a few. And Washington state was one of the very first ones. And this is, this is exactly what an unfunded mandate looks like. It's a prohibition. The Legislature is prohibited from imposing responsibility for new programs or increased levels of service under existing programs on any political subdivision, such as counties or cities, unless the subdivision is fully reimbursed by the state. Reimbursement methods. State reimbursement can be provided through a specific appropriation or by increases in state revenue distributions to local governments. Cost transfers. If a court order or legislative enactment transfers program costs to or from the state, the state expenditure limit must be adjusted accordingly by the dollar amount of those costs. You know, I think of Senator Carol Blood. She has brought this LR for your consideration, I don't know how many times, in, in her 8-year term in the Legislature, but it, it seemed to be wildly received. And I think it's important that in order to do our fiscal duty and our fiduciary responsibility, we need to be more diligent about being a gatekeeper. So if there is a legislative bill, we need to be the gatekeeper, if there's a fiscal note, we need to be more watchful to make sure that there is no cost to the cities or counties. And in turn, we need to really rely on the cities and counties to crunch the numbers. And if

it's a new service or additional programming requirements that they must have, then we, we need to spend some time and work with our Fiscal Office to make sure that there is no impact to those cities and counties. Sadly, this has been going on for so long. I remember as a county commissioner, I've been, been advocating for no more unfunded mandates. NACO, the Nebraska Association of County Officials, has a spreadsheet of all unfunded mandate. I know Senator Sanders reviewed some of them, but I'm happy to spend more time reviewing the list and, at times, growing list of costs that are shifted to the counties. Thank you, Madam President.

DeBOER: Thank you, Senator Raybould. Senator Riepe, you're recognized.

RIEPE: Thank you, Madam President. I stand in opposition of amendment to the Nebraska Constitution. I think that it has to be a very serious situation when we want to make changes in the constitution, and I don't believe that this is one. I would like to read briefly from the statement of intent. And I quote: any future acts of the Legislature creating new locally administered programs or imposing increased service levels on political subdivisions of the state must also provide for the state reimbursement of such-- and I emphasize mandates. I do not like mandates. I, I think this is a dangerous precedent or step that we would be taking as a Legislature. I think we tie the hands of future legislators, and I think it's not in our best interest. Thank you, Madam President.

DeBOER: Thank you, Senator Riepe. Senator Hallstrom, you're recognized.

HALLSTROM: Madam Speaker, members of the Legislature, I rise primarily to make, make a record. I do want to note from the get-go here that I am not at all insensitive to the burdens imposed by unfunded or underfunded mandates. When I talk to some of the local political subdivision representatives and they talk about unfunded mandates, whether it's school districts talking about financial literacy or IT courses or the like, much like Senator Kauth, I suggest to them that they ought to come forward, not just in response to a potential unfunded mandate, but proactively. Tell us what's on their plate that no longer serves the intended purpose, and give us an opportunity to reduce some of their cost by agreeing with them that there are certain things that they do that are no longer maybe worth the bang for the buck. I went back and listened to the testimony on this particular bill. And some of the things that were, were commented on stuck in my mind that show the uncertainty or the vagaries associated with this

particular measure. One witness said, to the extent of what we believe to be unfunded or underfunded, went on to say those programs that may, emphasis on may, involve cost. I will note that I've talked both to Senator Sanders and committee counsel. I've indicated I'm probably not going to put them on the spot with questions today, but I do want to raise some questions and some issues of concern for the body. When we look at this issue, there's a thing called, we are a Dillon's Rule state. That basically means that all of the powers and authorities of local political subdivisions are derived from state law. As a result, anything that we pass may be viewed as an unfunded or underfunded state mandate. Next, I'd like to talk a little bit about the language of the proposed constitutional amendment. I agree with Senator Riepe. This does not-- as important as the issue in general is, it doesn't, in my opinion, rise to the level of being placed into the constitution. Here's one reason. It talks about a program. I would submit we don't know what a program is. I've gone through my mind and tried to figure out different things that cost local political subdivisions. What about a new criminal penalty or an enhanced criminal penalty? Does that result in more people in the city or county jails? Does it put more cops on the beat? Is that a cost that we would have to take care of? Increased workers' compensation benefits. Each year, our workers' compensation benefits are tied to the state's average weekly wage. They usually increase on an annual basis. Is that an unfunded mandate? And when you look at the logistics of the measure, how on earth do we ever get to the point of determining how we fully reimburse each and every individual political subdivision in the state. My understanding is that the local political subdivisions consider the cell phone policy that we adopted last year to be an unfunded mandate. If that is, we're going to have to canvas each and every political subdivision to find out if it costs Syracuse-Dunbar-Avoca \$2,500, if it costs the Lincoln Public Schools \$500,000. And interestingly enough, as I think through this, will we have an unfunded mandate for the cost and the legwork associated with them having to calculate how much it costs to comply with the unfunded mandate? So I think those issues are all ones that need to be looked at and carefully considered. I need to look a little bit more at Senator Clements' amendment to determine whether or not I like that in particular, but I've got a whole host of concerns with regard to the, to the bill itself, whether or not we need to put it into the constitution. Perhaps another idea in addition to what Senator Kauth suggested, is why don't we have a local fiscal impact statement for bills to make us pause and reflect before we impose a mandate. Later this morning, we're going to talk about LB400. You're hearing that

that is a unfunded mandate. I don't disagree with that, but if you look at the fiscal note, there's absolutely no cost associated with it for the cities who are opposing that bill. That ought to be an element of the system going forward, in my opinion, if we take any action on this measure.

DeBOER: Thank you--

HALLSTROM: I may talk again, but thank you for your attention.

DeBOER: Thank you, Senator Hallstrom. Senator Arch, you're recognized.

ARCH: Thank you, Madam President. I would say to Senator Hallstrom, ditto. I think that was very well said. Those were the exact issues. That being said, I, I mean, I, I think there's-- everybody in this body has a sensitivity to unfunded mandates. However you define those, everybody has that sensitivity. There's no quicker way to be a hero than to give somebody else's money away. And, and sometimes, we may appear to be doing that within this Legislature, where, where we take, we take a mandate, we hand it down to a subdivision of government, and, and require them to do it, and we're the hero because we passed the mandate and they have the bill. So it is a serious issue, and it is something that we need to consider every time we vote. But this particular solution to that issue, I don't believe is the solution. And, and I, I would, I would agree, in particular, with the one thing that Senator Hallstrom said, and that has to do with cost. Today, we get a-- we get 2 fiscal notes, as you know, on our bills. One, one may come out of the agency or the department and one will come out of our Fiscal Office in the Legislature, and they may not agree. They may say, well, you know, if, if you require us to do this, the department and administration says we have to hire 10 people. And we say, no way do you have to hire 10 people. Well, we have to, we have to new-- have new software. We have to redesign the software that we have now. And, and, and we argue and, and, and try to resolve that, but oftentimes, it's in the perspective of the person deciding what defines cost. And what I see with something like this is I see a neverending battle over the argument of what, what is the cost associated with this. And as Senator Hallstrom said, it could be different in every single county, or different in every city, or school, or whatever it is that we do. The cost could be estimated differently. I see it-- I, I, I just frankly see it as unworkable, and I do see it as tying the hands of future Legislatures when something needs to be done. No cell phones in schools. Is there a cost associated with that? Well, could be. How many baskets have to be hung at the front door? Where do you have--

how does that work in, in every individual school, and, and-- so I, I, I don't think this is the answer. I think it is absolutely a valid discussion to have. And, and I guess one other thing that I would say and that is that in a Dillon state, we have given the authority based upon, based upon the subdivision, but given the authority for property taxes and sales taxes. So they are not left without resources, not to say that we just count on that and pass down an unfunded mandate, but, but there is opportunity and there are resources available to pay for cost. So I, I, I say exercise great caution on this. I think that it, I think that it has some significant repercussions for the future. Thank you, Madam President.

DeBOER: Thank you, Senator Arch. Mr. Clerk.

CLERK: Madam President, Senator Clements, it's my understanding that you would withdraw AM1727 at this time.

DeBOER: So ordered. Returning to the queue, Senator von Gillern, you're recognized.

von GILLERN: Thank you, Madam President. I rise in opposition to the LR. And Senator Hallstrom and Senator Arch made some great points. I don't want to rehash what they've said. But my-- in concept, I'm supported-- supportive. In execution, I'm opposed. I don't-- it will be fascinating to see the fiscal note if this were to advance, because I, I honestly don't know how that could possibly be calculated. And again, Senator Hallstrom and Senator Arch delineated those so I won't beat that horse. The one point I do want to make is that based on the current state budget that we are under today, we are-- we, we are supplementing property tax to the tune of \$1.2 billion. I don't see any way that that is not an indirect funding of mandates that we have provided to localities. Those dollars are going to taxpayers, not to the counties or the cities, so they're being usurped or being bypassed-- however you want to say it-- but it's going directly to taxpayers. But certainly, those dollars are paying for many, many services that if this were to-- if this LR were to advance, would, would then be covered. So in my, in my estimation, in my mind, and philosophically, I believe we are paying for these unfunded mandates already, through the property tax relief that we're providing to taxpayers. It's just coming in a different form and it's going in a different direction. But as a state, we're already parting with almost 20% of our state budget in order to offset these costs for the localities. So for those reasons, I will be opposed to the LR going forward. Thank you, Madam President.

DeBOER: Thank you, Senator von Gillern. Senator Raybould, you're recognized.

RAYBOULD: Thank you, Madam President. I stand in support of LR18CA. No surprise there, but I, I really want to remind my colleagues, the state has demonstrated time and time again their lack of discipline when it comes to fiscal matters. Look at us now. We're dealing with a \$471 million deficit right now. We were dealing with a deficit last year and the year before. Folks are telling us their property taxes are too high. We all agree on that one, but when the state creates mandates on programming, increase in programming services, oftentimes and in many cases there does not come additional funding. The state has always been very quick to implement caps on cities and counties in their ability to deal with some of these unfunded mandates. We're restricted by the amount of funds that we can increase, both in our levy, our property tax rate, and in other issues, particularly when it comes to fees. I have spent quite a few years as a county commissioner and city council member, and I am really in awe of our cities and counties, how diligent, how frugal, how disciplined they are when it comes to fiscal matters and working within their budgets and not having any tax rate increases. One of the things that I did want to talk about, and this just goes to the point where the state of Nebraska is quite fickle about enacting legislation and then changing their mind about legislation. We know that NACO has provided a handout, I believe, just showing you simply what are some of the unfunded mandates. Probation is supported by the county, security for the courts, court-appointed attorneys, grand juries, autopsies, sex offender registry, but this is the one that bugs me the most. It's, it's really on jail reimbursements and jail costs that are just pushed onto the counties. Just a little bit of history. In 1998, the Nebraska Legislature passed LB695, which established the County Jail Reimbursement Fund and appropriated \$6.9 million to reimburse counties for expenditures they incurred while housing state prisoners and defendants who were charged and later found guilty of state crimes but were still in the county jails and were not promptly turned over to the Penitentiary. So the counties were still housing these individuals, even though they'd been charged and sentenced. In 2011, the passage of LB383 ended the County Jail Reimbursement Fund entirely. So the state instituted reimbursement rate in 1998, and in 2011, they turned around and ended this jail reimbursement funding. One of the elements that came from the Nebraska Sentencing Reform Task Force Report show that three-quarters of revoked people-- 1,368 cases in fiscal year 2024-- are sent to the county jails. So if you've been

sentenced, you did your time in the Penitentiary, you may have a law violation, you get sent back, or there's a revocation, you have to go back through the county jail and this whole process. 20% are sent to prison, but the remainder are offered another resolution. This is really troubling. I can just tell you, in 2011, when the Legislature decided not to fund jail reimbursements, Lancaster County lost \$5.8 million, \$5.8 million. That's just Lancaster County. Douglas County incurred that same gap in their, their budget that they had to fill. Just at a, you know, just a, a snap of a finger, the Governor signing into law, this is what the state of Nebraska does. Why do I say we all should be concerned? You know, what's going to happen with Education Future Fund? You know, we've already seen in the most recent budget from the Governor that they've decreased their contribution on an annual basis to maintaining some of our commitments to public education. Hopefully, none of you are surprised. I'm certainly not surprised. This is just a continuing pattern with the state of Nebraska that we need to be mindful of. There's no accountability, as much as I would like to think that is the case. Passing this and allowing folks to vote--

DeBOER: Time, Senator.

RAYBOULD: --is one solution. Thank you, Madam President.

DeBOER: Thank you, Senator Raybould. Senator Clouse, you're recognized.

CLOUSE: Yes. Thank you, Madam President. And I rise in opposition to this bill and-- from a different approach. And my approach in looking at this is unfunded mandates are not unique to the State Legislature. If you think about things that happen at the local level through counties and schools-- all we hear about is from the counties, you're driving this to us, you're, you're bringing these costs on. And before I continue, I want to say that I think unfund-- unfunded mandates need to be looked at. That's very important to me, because some of those costs that we drive. But if you think about what happens at the local level, you have city ordinances, you have county zoning, you have all those types of things that impact the taxpayer and individuals. Those-- a lot of those are unfunded mandates because it's a regulation that's passed on. Who pays for that? Developers, all those types of things. And why did they do that? Because it's important for the development of their community, how they control their counties, and so it's local control and that's what we pass on. So I'm not supportive of this. We require some regulations at the state level,

just as they require regulations at the county and the city level. So I think this is important that we think this through a little bit, that it's not just the Legislature that passes unfunded mandates. We need to be cautious-- conscious of that and pay attention to what's going on at all levels of government. And passing this type of, of legislation, I think, really can have a lot of significant impacts going down the road, and I think we need to pay attention to that. So, thank you.

DeBOER: Thank you, Senator Clouse. Senator Storer, you're recognized.

STORER: Thank you, Madam President. And good morning, again. I appreciate the comments that have made-- been made so far-- for, against, sort of very thoughtful on both sides. However, the more I sit here and sort of listen to this discussion, the, the more clarity, actually, I'm getting on this issue. And there, there was a comment made earlier that, you know, this is just too risky, because this could end up costing the state a lot of money. That's not untrue, but we can't make that statement and not be aware-- we're admitting, by saying that, that when this body passes legislation that puts mandates on political subdivisions that it does cost someone money. Right? And so, we just want to be sure it doesn't cost the state money, but we're admitting that because we have that concern, it's going to cost somebody money. Well, those somebodies generally are those political subdivisions that this addresses. And where did those dollars come from? Primarily, property taxes. So, so that argument is falling, falling short with me for the reason that it-- that we're admitting it's, it's costing money. We just don't want it to be us. We, we want to continue to let that fall on property taxes, even though we acknowledge that we have a property tax crisis, which is really fun to talk about for a lot, lot of folks. We can acknowledge it, talk about it, but, but when it comes to really doing something meaningful to address the issue of property taxes, we're scared. So I would also add that I do think that this needs cleaned up a little bit in terms of language, because yes, I agree. When we start talking about adding or changing to the constitution, that's, that's a whole other threshold. I think it's appropriate to have the conversation about this being included in the constitution however, because anything statutory, as we all know, can be undone as quickly as it's done. A couple things that, that I want to continue to have conversations about with Senator Sanders and, and those that have engaged-- and by the way, when I looked at the committee statement, nobody came to the hearing to oppose this. There was not one testifier in opposition of this. Not one. That speaks volumes to me, quite honestly. Now, some of the, some

of the concerns that I would have in, in, in maybe working on, on the language on this would, would be a couple of things that come to my mind. You know, tightening that up to more clearly define how we determine cost, like an actual hard cost, because the last thing we want to see is a plethora of lawsuits of municipalities coming to the state and fighting over, you know, how far down did that trickle to determine an actual cost, so if we can find a way to maybe tighten up that, that definition of how cost is determined. And, and also, it's occurred to me that, that some reflection of a net increase to cost. Because the way I read this, this body could, could remove a mandate on a municipality that currently exists-- that would have been pre-2026-- which would reduce those costs, and maybe pass something that, that would increase costs less than that removed mandate could decrease costs. And so you have-- you, you still don't have a net increase. So those are just some thoughts I would like to share. I look forward to, to visiting with Senator Sanders and working through some of the concerns on, on this LR. But at the end of the day, we cannot stand here and talk about how unfunded mandates are bad and then, and then say we're afraid of what they might cost the state, without any concern of what are costing the property taxpayers.

DeBOER: Thank you, Senator Storer. Senator Wordekemper would like to recognize some guests visiting the Legislature in the balcony, first responders from across the state of Nebraska. Please rise and be welcomed by your Nebraska Legislature. Senator Jacobson, you're recognized.

JACOBSON: Thank you, Madam President. I, too, rise in opposition to LR18CA, for a lot of the same reasons that have been articulated to now. I did visit with Senator Clements. I would have supported his amendment if it had gone forward, which would have been watering down probably LR18 should it pass. But he did pull that. We'll wait and see if this moves. Again, we just looked at a bill, passed a bill in this Legislature that was an unfunded mandate and nobody, nobody cared. I shouldn't say nobody cared, 25 people didn't care, did not care that we were putting an unfunded mandate on school districts. That's what we did. There's no getting around it. We passed an unfunded mandate. All we're doing with this bill is saying now that's going to come back to the state and they'll pick up the cost. We've, we've got to stop doing this. In my mind, if we have an unfunded mandate, it needs to get stopped on this floor. We need to understand what it is and stop it. But having this unknown liability-- I'm, I'm back to what Speaker Arch said. What is, what is an unfunded mandate? Some of them are, are glaringly apparent. The last bill that we passed is un-- undeniably an

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unfunded mandate. But no cell phones in school, somebody's going to come up with a cost for that and want to send that back to the state if this bill passes. How many others will come the same way that we're, we're, we're kind of chasing a boomerang. It's, it's time to just stop passing unfunded mandates and move on. And so, I would encourage your vote against LR18CA. I will be voting no. And let's, let's start focusing on just stopping unfunded mandates, period. Thank you, Madam President.

DeBOER: Thank you, Senator Jacobson. Senator Dorn, you're recognized.

DORN: Thank you, Madam President. Would Senator Sanders yield to a question?

DeBOER: Senator Sanders, will you yield?

SANDERS: Yes.

DORN: This, this is more a question of the process, not so much of the bill. This is an LRCA, so this would be put in front of the voters. Could you explain that-- like next or this fall? And also, do we still have all 3 rounds? Do we vote on that all 3 rounds or just 2? And then, what on-- whenever the Final Reading is, how many votes are there? Just so the whole body can understand and the people listening at home.

SANDERS: Thank you, Senator Dorn. Yes. The LR18CA will have 3 rounds. And I am asking that this next round, we do a lot of work. And so, it will be-- if we can get this through Final Reading, it will be on this November's ballot. But all of us that are involved currently on this LR wants it to be the best it can be before we release it to the public to vote on. So you have till the final round to vote no.

DORN: OK. Do you-- does it require, on Final Reading, 30 votes?

SANDERS: Senator, Speaker Arch says yes.

DORN: Yes. That's what I thought. Just so, so the body understands and the people at home understand, too, where we're going through. It's not 25, and it's-- if it's filibustered or whatever, it takes 33. But it does require 30 votes on final round. Thank you very much, Senator Sanders, for clarifying that so we all, I call it kind of have an understanding. My [INAUDIBLE] up here-- didn't think I'd get up and talk too much about that-- not really about that, except for the fact that this is one topic that has come up quite often. Continually.

We've had several bills. We've had several other things brought up for this, or whatever. Understand, the, the-- our state government and how we would look at funding these and how would look at, I call it the money for them. There were times this 8 years that I've been up here, we had a-- \$2 billion in excess funds and we could have, yes, probably passed this a little better. Today, as we sit here today, officially, we have a \$471 million deficit. The, the Department of Revenue just issued now, yesterday or the day before, publicly, that we are now \$46 million short of what their forecast is. The Forecasting Board will meet again in February. That's where we'll balance the budget. If you add the \$46 million to 471, we're over \$500 million deficit. We also did find out in Appropriations-- because we've been meeting all week. Senator Clements, that slave driver that he is, knows that we won't get done with our stuff unless we do, so we've been meeting all week. One of the things that did come about-- we don't have an official number on it yet-- the state of Nebraska with health care is self-funded. And when they did the, I call it study or whatever, fiduciary study or wherever, they came back and in July or whatever, we have an 18% increase in health care cost. All of the agencies. I don't know all the numbers for all of them. The court system alone for the 2 years is \$7 million, over \$7 million. Some of them are absorbing that in their budgets. Some of them aren't making cuts because of that. So that deficit has grown. And as we talk about these things and as we look at-- oh, we'll worry about that when we pass a bill; we'll fund it then. That doesn't always happen. Do we always have the funds to do that and where do they come from and stuff. So there's, there's many things involved here. Appreciate the discussion very much. Thanks for bringing the bill and stuff, so that we do have this discussion. Thank you.

DeBOER: Thank you, Senators Dorn and Sanders. Senator Hallstrom, you're recognized.

HALLSTROM: Madam Speaker, members, just a few closing thoughts. This will probably be the last time I talk on this issue on General File. My wife sometimes suggests like I'm-- that I'm a bull in a china closet. I apologize if I was a little bit harsh in my remarks. Because I have hopefully made it clear to Senator Sanders and committee counsel that I am more than willing to work if this bill advances-- the proposed CA advances to try and find a better alternative. I would repeat, my thoughts on a better alternative if we need legislation is to put something together that has parameters and guardrails that will clearly delineate what the costs are, and we can take those into consideration, pause and reflect, if you will, to determine before we,

we make a decision to impose a, a, a mandate upon local political subdivisions. But I think, just in general, one of the things we oftentimes, at the state level, when we see state agencies put their information in on fiscal notes, that we're, we're feeling death by fiscal note. I'd be a little bit concerned if we're at the mercy of the political subdivisions coming forward, to show exactly what a particular element or program that happens to be an unfunded mandate in their eyes would constitute. So I think setting it up more along the lines-- and I think Senator Sanders even had suggested that we really need to take a look at being more disciplined in terms of not passing laws that are going to impose unnecessary costs on the local level. One other thing that I'd probably take into consideration for those that are looking at amendments is we talked a little bit about offsetting. Let's look at economic development incentives. When in-- when I listened to the committee hearing transcript on this, one of the witnesses, I think, from the cities indicated that the city of Papillion had foregone sales taxes for a period of 18 months because of an economic development incentive. The state is foregoing taxes as well. One of the things that we'd have to factor into the equation is what are the benefits that the city is realizing from that program or that business or that economic development incentive project being located in their community for which they have foregone those sales taxes. So I would just suggest that that ought to be another element that we look. Senator Storer noted a netting concept that's probably along the lines of what that would involve, so I'd certainly recommend-- and again, I would be more than happy, if the measure moves along, to try and work towards that end. But again, I think there is danger-- and as Tom Cruise said in A Few Good Men, "grave danger" in putting this into the constitution. And I'd prefer to look at alternatives that involve a, a statutory fix to this. Thank you.

DeBOER: Thank you, Senator Hallstrom. Senator Andersen, you're recognized.

ANDERSEN: Thank you, Madam President. I rise in support of LR18CA. I think it's a, a great move for accountability and for transparency. Will Senator Sanders yield for a question?

DeBOER: Senator Sanders, will you yield?

SANDERS: Yes, I will.

ANDERSEN: Thank you, Senator Sanders. Can you tell me that if this passes, will this drive a fiscal note at-- will it, will it require

fiscal notes at all levels of government? Because right now, the fiscal notes are only at the state level. But it seems like if we do this that we need to understand what the impact is to the individual levels of government. Is that, is that part of this? Do you think it would be a byproduct of it?

SANDERS: Thank you for that question, Senator Andersen. The answer is yes. Right? We need a fiscal note. We need a funding source identified on the bill.

ANDERSEN: Thank you. I think that's a great step forward. Because all too often, when we make a decision on whether we should put forth, pass a bill that creates a mandate, but we have no idea, except at the state level, what the implications are going to be at the lower levels of government. So I think that's fantastic. I think that if we find something important enough to actually pass a bill to force people to do something, mandate it, whether it's a good idea or something that they don't want to do, I think it's important enough if we pass the mandate that we should send the funding. And if we don't have the funding to ask them or require them to do something, then we shouldn't do it. Senator Sanders, I thank you and the Government Committee for, for bringing this bill. I think it's a great step forward. I know, in, in talking to Sarpy County, which I represent, this has been a continual dialogue from when I was campaigning, even through now. \$15 million a year in unfunded mandates that we've imposed on the, on the, the counties. If it's important enough that we need for them to do it, then we need to fund it. Thank you, Madam President.

DeBOER: Thank you, Senator Andersen. Senator Clements, you're recognized.

CLEMENTS: Thank you, Madam President. I stand in opposition to LR18CA resolution. And I had some handouts I wanted to go out-- to go over with you. Two handouts that have come by. One's called State Aid to Local Subdivisions for Fiscal Year '24-25. And it shows state aid that's currently going to counties, cities, and villages, school districts, and other state aid. And it has all of your counties, every county in it, and the-- for example, Sarpy County we just mentioned. They think they have \$14 million unfunded mandates. On here, Sarpy County is getting \$18.8 million a year from, from the state for state aid, not mandated, just giving-- given to them from the generosity of the state. If you look at all these-- all the counties, all 93 counties, the back of this page shows \$229,500,000 of state aid for local subdivisions-- counties-- excuse me-- cities, \$270.9 million;

school districts, \$2,491,000,000. And so I-- then I'd also wanted-- ask you to go to the other handout I put out just today, called Total State Tax Dollars Allocated to All Governments. And the first items A, B, C, D, and E are schools, and it's TOSA of \$1.163 billion, property tax credits, \$427 million total. The schools get \$235 million of that. School district property tax credit is \$750 million. Special education, \$492 million. And in Appropriations, I've-- think we've seen that that's going to be \$560 million for special education. And then State Temporary School Fund, \$119.8 million. So \$2,760,000,000 is the total of those items going to schools. Then as far as counties, it shows 4 items going to counties currently: highway revenue distribution to counties, \$218 million; insurance premium distribution to counties, \$6.9 million; Mutual Financial Assistance Fund to counties, \$4.3 million; and county public health aid, \$21.1 million. So that's a total of \$250 million going to counties currently. And so, it's not like we've made them, made them do a lot of things that we don't fund. We're funding a lot of items that we haven't been mandated to fund, and it's an allocation of their resources is what they're needing to do. I voted against the mandate-- the first bill up today, and don't really want to give-- required mandates, but there are some things that they ask us to do. Banning cell phones in school classrooms last year. The schools-- school boards were in favor of that, you know, wanting us-- they, they were positive about that. Make us do that, because it was easier for them to have the state say, you have to take the cell phones away from kids. But they weren't doing it locally. They wanted us to do it. Well, now, if that's a mandate, they could say, well, we have to put those in a locker. We have to hire a new person to man-- to work-- manage all the cell phones in every building, so that's a mandate you're going to have to pay for. But it's something they asked for. And I think that-- those kind of situations could arise as well. If everything they have to do we have to fund, they're going to ask us to do a lot more things or make them do more things that we fund. The, the resolution also talks about fully reimbursed. Who determines what is fully reimbursed? And is that acc-- is that language accurate enough? If it's just a fiscal note, that's an estimate, and when do we find out what it really-- [MALFUNCTION] we vote on something, the fiscal note doesn't seem very expensive. Then later on--

DeBOER: Time, Senator.

CLEMENTS: Thank you.

DeBOER: Thank you, Senator Clements. Colleagues, this is a 5-minute warning for bill introduction, 5-minute warning for bill introduction. Turning back to the queue, Senator Guereca, you're recognized.

GUERECA: Thank you, Madam President. Good morning, colleagues. We have just jumped right into it. We've had a call of the house. We've had a roll call vote. We're having nice, dragged, dragged out debate. But I do rise in support of LR18CA. I support it in committee. I'll be supporting it on this round of debate and moving forward. I have to disagree with my colleague, Senator Jacobson, in that what we passed-- the bill that we just voted on was an unfunded mandate. It's not. The-- what we did is exactly what's envisioned in this LR. Senator Ballard is actively working to find a funding source to pay for his bill. That's exactly what the spirit of this LR is, right? We need to make sure that we're not passing that cost down to our local political subdivisions. A little fiscal discipline is not too much to ask for, folks. Making sure that when we would-- like Senator Andersen said, if it is so important that we need to pass it, let's make sure we have a way to pay for it. It's a very simple concept. But also-- again, great debate, a lot of good points. I appreciated Senator Storer's comment of, you know, we talked about, well, this is going to cost the state billions of dollars. Well, it's costing our counties and our cities and our school dis-- school districts billions of dollars, so let's be mindful of what we pass and how we pay for it. But another good point by Senator Raybould is when we institute caps that prevent our local political subdivisions from being able to pay for things that their communities find important or that we decide is important as a state to introduce, we're-- that, that's-- that burden of responsibility to figure out how to pay for it comes to us. So again, great debate. We're going to keep having great debate on this, and I look forward to hearing from everybody. Thank you, Madam President.

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

CLERK: New bills, Madam President, if I could. LB1108, introduced by Senator Clouse, is a bill for an act relating to the public entities; it amends Section 13-824.01 and 13-824.02, Reissue Revised Statutes of Nebraska, and Section 70-637, Revised Statutes Cumulative Supplement, 2024; to change provisions related to contracts entered into by and bidding requirements and exceptions for certain entities; and repeals the original section. LB1109, introduced by Senator von Gillern at the request of the Governor, is a bill for an act relating to revenue and taxation. It amends Section 77-2704.46, 77-27,235, and 77-5804, Reissue, Reissue Revised Statutes of Nebraska, and Section 77-382 and

77-2704.12, 77-2704.15, and 77-6818, Revised Statute Cumulative Supplement, 2024; to eliminate certain sales and use tax exemptions and a renewable energy tax credit; change provisions related to the use of credits under the Nebraska Advantage Research and Development Act; to redefine a term under the ImagiNE Nebraska Act; to harmonize provisions; provide an operative date; repeal the original section; outright repeal Section 77-2701.54, 77-2704.57, 77-2704.60, 77-2704.61, 77-2704.62, Reissue Revised Statutes of Nebraska; and declare an emergency. LB1110, introduced by Senator von Gillern, is a bill for an act relating to revenue and taxation; amend Section 77-367, 77-3701, 77-3,109, 77-3,118, 77-27,107, Reissue Revised Statutes of Nebraska, and Section 77-377.02 and 77-3012, Revised Statutes Cumulative Supplement, 2024, and Section 9-1101 and 77-4025 and 77-5601, Revised Statutes Supplement, 2025; change provisions relating to the confidentiality of shared information; provide for fees; to change provisions relating to use of funds; change provisions relating to contracts between collection agencies and the Tax Commissioner; provide for certain transfers; change provisions relating to the collection enforcement of delinquent income tax claims, change the distribution of certain tax, certain tax revenue; to harmonize provisions; provide an operative date; and repeal the original section; declare an emergency. LB1111, introduced by Senator Machaela Cavanaugh, is a bill for an act relating to electricity. It amends Section 70-1024-- excuse me-- 70-1025, Revised Statutes Cumulative Supplement, 2024, and Section 70-1506, Revised Statute Supplement, 2025; required the-- an annual data center load report to the Nebraska Power Review Board; to define and redefine terms; to provide powers and duties for public power suppliers; to allow and require regulation of data centers as prescribed; change provisions relating to the regulation of cryptocurrency mining operation; and repeal the original section. LB1112, introduced by Senator McKinney, is a bill for an act relating to schools. It adopts the Statewide Standard-- Standardized Grading System Act; provides an operative date; and declares an emergency. LB1113, introduced by, introduced by the Urban Affairs Committee, is a bill for an act relating to the, to the Community Development Law; amends Section 18-2147, Revised Statutes Supplement, 2025; change provisions relating to notices for dividing ad valorem taxes; repeals the original section. LB1114, introduced by the Urban Affairs Committee, is a bill for an act relating to the Community Development Law; amends Section 18-2155, Revised Statutes Cumulative Supplement, 2024; change provisions related to eligibility of redevelopment plans for expedited review; and repeal the original section. LB1115, introduced by Senator Storer,

is a bill for an act relating to liquor. It amends Section 53-201, 53-202, 53-213, 53-216, 53-217, 53-218, 53-220, 53-221, 53-222, and 220-- 53-223, Reissue Revised Statutes of Nebraska; to redefine a term; to exempt microbreweries from certain agreement requirements between beer suppliers and wholesalers; to harmonize provisions; provide an operative date; and repeal the original section. LB1116, introduced by Senator Ibach, is a bill for an act relating to the Sports Arena Facility Financing Assistance Act. It amends Section 13-3105, Reissue Revised Statutes of Nebraska, Section 13-3108, Revised Statutes Cumulative Supplement, 2024, and Section 13-3103 and 13-3106, Revised Statutes Supplement, 2025; changes provisions relating to limitations on state assistance, public hearings, and application approvals; har-- to harmonize provisions; to repeal the original section; and declare an emergency. LB1117, introduced by Senator Ibach and others, is a bill for an act relating to postsecondary education. It amends Section 80-411, Reissue Revised Statutes of Nebraska, and Section 85-2615, 85-2616, 85-2618, 85-2620, 85-2621, Revised Statutes Supplement, 2025; change requirements for tuition waivers for dependents and veterans as prescribed; provide for reimbursement of tuition waivers as prescribed; to change requirements, limitations, amounts, and reimbursement provisions for tuition wa- waivers under the First Responder Recruitment and Retention Act; to harmonize provisions; repeal the original section. LB1118, introduced by Senator Bosn, is a bill for an act relating to the Uniform Deceptive Trade Practices Act; amends Section 87-302, Revised Statutes Supplement, 2025; to classify certain actions by a social media platform as deceptive trade practice under the act; and repeal the original section. LB1119, introduced by Senator Bosn, is a bill for an act relating to Age-Appropriate Online Design Code Act; amends Section 87-1301, 87-1302, 87-1305, and 87-1308, Revised Statute Supplement, 2025; to redefine terms; change provisions relating to collection and u-- and use of personal data and prohibited acts; provide additional duties and prohibitions for a covered online service; to harmonize provisions; repeal the original section. LB1120, introduced by Senator Hansen and others, is a bill for an act relating to gaming; amends Section 9-401, 9-411, 9-415, 9-431, 9-501, 9-507, 9-509, Reissue Revised Statutes of Nebraska, and (Section 9-427} and 9-511, (Revised Statutes Cumulative Supplement}, 2024; to authorize a progressive jackpot form of lottery and raffle under the, the Nebraska Lottery and Raffle Act and the Nebraska Small Lottery and Raffle Act as prescribed; to harm-- to provide powers and duties to the Department of Revenue; to harmonize provisions; repeal the original section. LB1121, introduced by Senator Ballard, is a bill for an act

relating to recreational vehicles; to amend Section 60-1402 and 60-2701, Reissue Revised Statutes of Nebraska, and Section 60-438.01 and 71-4603, Revised Statutes Cumulative Supplement, 2024; to adopt the Recreational Vehicle Industry Regulation Act; to eliminate certain provisions relating to the recreational vehicles under the Motor Vehicle and Industry Regulation Act; provide for additional members on the d-- on the Nebraska Motor Vehicle Industry Licensing Board and change provisions relating to such board; to redefine a term relating to the manufacture warranties; to redefine a term under the Uniform Standard Code for Manufactured Homes and Recreational Vehicles; to provide an operative date; and repeal the orig-- original sections. LB1122, introduced by Senator Bostar, is a bill for an act relating to appropriations; to state intent regarding appropriations to the Department of Health and Human Services for Medicaid nursing facility rates and related reports; and declare an emergency. LB1123, introduced by Senator Bostar, is a bill for an act relating to public safety; to amend Section 28-610, Reissue Revised Statutes of Nebraska, and Section 28-1205, Revised Statutes Supplement, 2025; to provide protections to certain power-- public safety personnel as prescribed; to define terms; to provide requirements relating to Brady-Giglio lists; and to provide confidentiality for officers; to provide duties for prosecuting agencies and public safety agencies; to prohibit retaliation; to change penalty for impersonating peace officer; to harmonize provisions; to provide an operative date; and provide severability; and repeal the original section. LR305CA, introduced by Senator Lippincott and others, constitutional amendment to provide for recall of the Governor, Lieutenant Governor, Secretary of State, State Treasurer, Attorney General, Auditor of Public Accounts, and members of the Legislature as prescribed by law. LR306, from Senator McKinney. That will be laid over.

DeBOER: Returning to the queue, Senator Murman, you're recognized.

MURMAN: Thank you, Madam President. I stand in opposition to LR18CA. But I've got to say that I am generally against unfunded mandates, and the Legislature does pass a lot of unfunded mandates. But actually, every rule or program that we do create in the Legislature can be defined as an unfunded man-- mandate. So I can't understand the frustration at the local level with, with the large number of unfunded mandates. But the problem is how do you really define unfunded mandates, and what does full reimbursement mean? Who determines what the reimbursement should be? It could be a really large number, of course, and I don't think the language in the bill is accurate enough to make that definition. So there undoubtedly would be future lawsuits

against the state from the local level based upon the, the locals not being fully reimbursed, as, as they would view any new requirement as a mandate. So there-- we have had a, a big challenge, of course, in trying to provide property tax relief in how can we or how do we control spending at the local level. So, so considering that, are we really going to pass a measure that guarantees more funding to go to the local level from the state? In summary, the Legislature does need to be more careful on passing unfunded mandates. I agree with that 100%. But it is the responsibly-- responsibility at both the state and the local de-- level in controlling spending and, and having as few as-- unfunded mandates as possible. That would be my summary, so thank you very much, Madam President.

DeBOER: Thank you, Senator Murman. Senator Raybould, you're recognized.

RAYBOULD: Thank you, Madam President. I just want to review just a few quick things. I really want to compliment Senator Jacobson, for really pointing out one of the arguments that I made that the state of Nebraska-- the state of Nebraska Legislature lacks the discipline on putting guardrails on continuing to vote for, pass, move forward legislation that clearly has unfunded mandates. That is why this, this legislation is something really critical that is needed. What discipline, what guardrails, besides something like this, would do that job for us, so that it becomes something very objective? We don't have to think about it. We can't bring a bill to the floor for debate or discussion if it has an unfunded mandate that clearly, some other political subdivision would be picking up the tab for. I know, I believe others have made comments like, well, this is going to get us into legal trouble. We don't have defined definitions. Well, you know, it's really quite simple. We do not have to invent the wheel on this. The good news, I've read a whole bunch of states. Senator Sanders had mentioned that New Hampshire has been practicing this for more than 30 years. I would respectfully request that you pass this forward to Select File. In between now and then, we will shamelessly copy the legislative wording that these other states have implemented quite successfully over the last 30 years that have not gotten them into legal jeopardy, legal problems on the interpretation or definitions of programs, additional services, reimbursement, et cetera. It's really quite that simple. And that's something I would shamelessly volunteer to assist with, and just provide you all the language that other states have successfully implemented all these last years. One other argument that Senator von Gillern made is like, just look at the amount of money that we're giving to state and local authorities

[INAUDIBLE] basis. Well, I want to share with you. I had a lot of conversation with, with former U.S. Senator Ben Nelson. And he shared with me one of the reasons why he ran for U.S. Senate because he had served as Governor for our state of Nebraska. He was just so angry about all those federal unfunded mandates being shoved down to the states. And he said, I want to run for U.S. Senate, because I'm going to put a stop to that. That is my goal as a U.S. Senator. I know he tried diligently to, to do that. But if you look at all the federal funding the state of Nebraska gets over the last 20 years, you know, it's-- it doesn't look like this, like a flat line. It doesn't like this, going down. The federal funding the state of Nebraska has been receiving over the last 20 years is a trajectory, going up. Well, there's a reasonable explanation for that. Guess what? Costs of government operations. We have talked about health care costs are increasing across the board. We're going to be dealing with that as one of the elements of our budget deficit. Additional costs for healthcare costs, additional fees and increases in expenses for delivery of health care costs. I really ask my colleagues, let this pass forward to Select File. I know Senator Sanders has made a commitment to really do the hard work. I'm willing to just get you all the legislation that you need to, to satisfy your concerns about lawsuits or insufficient qualifications or interpretations. There really is not a lot of interpretations about what goes on. One of the la-- [INAUDIBLE]-- that I [INAUDIBLE]-- talk about it [INAUDIBLE]-- last time on the mic [MALFUNCTION]-- mental health, mental health and the increasing costs of mental health care delivery. But we heard from the federal government that they have eliminated funding to several programs in our state of Nebraska that serve a growing need for these type of programs. Guess who's gonna pick up the tab on that? It's not gonna be the state of the Nebraska. It's gonna be the cities and counties who are counting on those-- that grant money from the federal government. So we're seeing these costs that the federal government is pushing on the state. The state is pushing more cost onto the cities and counties, and the cities and counties are facing with the federal cuts on a lot of programs and projects that really serve those in our state of Nebraska that so desperately need these services. Please support this to the Select File. Thank you, Madam President.

DeBOER: Thank you, Senator Raybould. Senator Strommen, you're recognized.

STROMMEN: Thank you, Madam President. I just wanted to make a couple of comments in regards to unfunded mandates, just in general, and the inherent problem with creating new problems in-- or new-- not new

problems-- new programs in general. It's-- is that if and when that funding goes away or becomes unavailable, the program does not. And those costs inevitably will return to the counties or the political subdivision. So, to Senator Jacobson's earlier comments, we as a body need to be more thoughtful when looking at any new programs that we create, especially those that carry any fiscal burden, because those will inevitably end up back in those political subdivisions. So that's really all I wanted to say. Thank you.

DeBOER: Thank you, Senator Strommen. Seeing no one else in the queue, Senator Sanders, you're recognized to close.

SANDERS: Thank you, Madam President and colleagues, for this debate. I'm speechless of the fact that so many politicians campaign against unfunded mandate. And yet, we do nothing. So all I'm asking is to get this to the next round so we, just as the debate this morning, is fair, informative, and we can figure this out as the body that we are. I thank Senator Clements for his amendment, and I look forward, please, to continuing this conversation with all of you on LR18CA. I push forward, along with states like New Hampshire, Montana, and ar-- and Oregon, who have all passed an unfunded mandate law. My office has an amendment draft with Revisors, which will be brought on Select File. I know several others have pending amendments, and I welcome that conversation and the thoughtful debate for LR. I ask for your green vote so we can continue this conversation and anew-- and new amendments for the next round for a better CA by the help of all of you, all of my colleagues here on the floor. Thank you, Madam President.

DeBOER: Thank you, Senator Sanders. The question before the body is the advancement of LR18CA to E&R Initial. 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: 33 ayes, 1 nay to place the house under call.

DeBOER: The house is under call. Senators, please record your presence. Those unexcused senators outside the Chamber, please return to the Chamber and record your presence. All unauthorized personnel, please leave the floor. The house under call. Senators Machaela Cavanaugh, Senator Clements, and Senator Dover, please return to the Chamber and record your presence. The house is under call. All senators are now present. How would you like to proceed, Senator

Sanders? There's been a request for a roll call vote. Please call the roll.

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

DeBOER: The bill is not advanced. Mr. Clerk. I raise the call.

CLERK: Madam President, some items for the record. Notice of committee hearings from the Education Committee, as well as the General Affairs Committee and the Health and Human Services Committee. Amendments to be printed from Senator Hansen to LB832, Senator Clouse to LB400. Motion to be printed, from Speaker Arch, for purposes of a rule suspension. Name adds: Senator Dungan, name added to LB958; Senator Ibach, LB990; Senator Conrad, LB1047; and Senator Juarez, name withdrawn from LB1052. Notice that the Referencing Committee will meet in 1524 upon adjournment. New LR, LR304, from Senator Fredrickson. New LR, LR304, from Senator Fredrickson. Consistent with that, a letter from Speaker Arch, requesting that LR304 be referred to the Referencing Committee for purposes of a hearing. Motion to adjourn from Senator Lonowski-- Madam President, excuse me. A priority motion, Senator Lonowski would move to adjourn until Tuesday, January 20, at 10:00 a.m.

DeBOER: Colleagues, you've heard the motion to adjourn. All those in favor, say aye. All those opposed, say nay. The motion carries. We are adjourned.