

Transcript Prepared by Clerk of the Legislature Transcribers Office

Floor Debate February 23, 2026

Rough Draft

ARCH: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the thirty-first day of the One Hundred Ninth Legislature, Second Session. Our chaplain for today is Pastor Ray Smith from First Congregational Church in Ashland, and he is in Senator Jared Storm's district. Please rise.

RAY SMITH: Would you please join me in prayer? Heavenly Father, we thank you for this day. We thank you for this nation, and we thank you for the state of Nebraska. And we thank you for the beautiful and gracious people you have filled it with. We thank you for our leaders, and we thank you for their opportunity to represent all the hard workers across the state. Lord, we ask that you bless the men and women who have gathered here this morning. May you bring upon this Unicameral an understanding that only you can bring. May you fill those here today with a wisdom and discernment that only you can provide. May you grant mercy where mercy is needed. May you grant grace where grace is needed. Lord, we pray for unity, not just during this gathering, but for our Congress and Senate during their ongoing work as well. We pray for the leaders of this administration. We pray for those in our courts. We pray for those in positions of law enforcement. Lord, we ask you to protect them, guide them, grant them a heart of service, and may the decisions they make be found honorable and acceptable in your sight. As your will be done, in Jesus' name. Amen.

ARCH: I recognize Senator Margo Juarez for the Pledge of Allegiance.

JUAREZ: Colleagues, please join me. 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.

ARCH: Thank you. I call to order the thirty-first day of the One Hundred Ninth Legislature, Second Session. Senators, please record your presence. Roll call. Mr. Clerk, please record.

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

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

CLERK: I have no corrections this morning, sir.

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

Transcript Prepared by Clerk of the Legislature Transcribers Office

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Rough Draft

CLERK: There are, Mr. President. Your committee on Transportation, chaired by Senator Moser, reports LB1005, LB1162 to General File, LB1162 having committee amendments. Additionally, your Committee on the Executive Board, chaired by Senator Hansen, reports LB1155 to General File with committee amendments; and a new LR, LR347 from Senator Spivey. That'll be laid over. That's all I have at this time.

ARCH: Thank you, Mr. Clerk. I would like to recognize Senator Ballard for an announcement.

BALLARD: Thank you, Mr. President. Good morning, colleagues. Good morning, Nebraska. I just want to take a moment today to make a special recognition to one of our members of our Capitol family. State Trooper Russ Dostal began his career with the Nebraska State Patrol on July 17, 1995. Captain of the State Capitol Security Division of the Nebraska State Patrol informed me that in his 30 years of service in the state of Nebraska, Trooper Dostal served in many technical support roles, including with the headquarter of the SWAT team, the crisis negotiator, emergency vehicle operations instructor, and a peer support specialist. Trooper Dostal served more than much of his career in the headquarters traffic service before transferring to Norfolk, Burwell, and finally in February 2024 to the Capitol Division here in Lincoln. Trooper Dostal and his wife, Kristi, have five kids, 11 grandkids, and are joined today by his parents, Ron and Barb, from Howells. Today, with more than three decades of service, he's retiring from the Nebraska State Patrol. Trooper Dostal, on behalf of myself and the colleagues, want to thank you for your service to Nebraska for over 31 years and to the State Capitol for 2. Thank you.

ARCH: As Senator Ballard mentioned, he would also like to recognize some special guests, Ron and Barbara Dostal, father and mother of, of Trooper Dostel, and-- from Howells, Nebraska, and Kristi Dostal, his spouse from Waverly. Please rise and be welcomed by your Nebraska Legislature. Mr. Clerk, please proceed to the first item on the agenda.

CLERK: Mr. President, General File, LB1237, introduced by the Executive Board. It's a bill for an act relating to the State Capitol; it prohibits bringing weapons and prohibited substances into the State Capitol as prescribed; defines terms; provides a penalty; provides a duty to the Nebraska State Patrol; harmonize provisions; repeals to the original section. The bill was read for the first time on January 21 of this year and referred to the Executive Board. The Executive Board placed the bill on General File with committee amendments. When

the Legislature left the bill last week, Mr. President, pending was the bill itself, as well as an Executive Board committee amendment.

ARCH: Senator Hansen, you're recognized to refresh on your bill.

HANSEN: Thank you, Mr. President. All right, so a quick refresher on LB1237 since our last discussion, this Executive Board priority bill strengthens security at the State Capitol by prohibiting individuals from knowingly bringing weapons or prohibited substances in the building. Weapons including firearms, knives, brass knuckles, pepper spray, tasers, stun guns, prohibited substances that cover explosives and incendiary devices, and a violation is a Class 3 misdemeanor. The bill confirms the Nebraska State Patrol's responsibility for Capitol security and directs them after consulting with the Executive Board, the Governor, the Chief Justice, and the State Capitol Administrator to implement detection and prevention procedures on January 1, 2027. Following our February 2 hearing, where we heard strong support for enhanced safety concerns from gun rights advocates about Second Amendment implications, the Executive Board unanimously advanced the bill. AM2028, which we adopted, addresses much of that feedback by adding an exception: Individuals with a current and valid concealed handgun permit, concealed handgun carry license may carry a concealed handgun in the Capitol. The amendment also updates the concealed carry statute to list the Capitol as a prohibited location subject to the bill's exceptions. In short, LB1237 is a balanced, commonsense step to keep everyone safe in our Capitol, legislators, staff, visitors, and the public while respecting the rights of permit holders. And on a side note, I just want to mention over the weekend that we did get some feedback from the Nebraska Firearms (Owners) Association, and they did now change their opposition to neutral, slightly in favor because of the amendment. And I also heard back from my good friend Colonel Brewer who mentioned that the bill: it will relieve the concerns and make it fair and a reasonable option. And so I think with that amendment that really does relieve a lot of the concerns that some like myself, Second Amendment advocates have about making sure that we can ensure safety in the Capitol, or at least enhanced safety in the Capitol, and make sure that we respect the rights of the Second Amendment gun owners in our state. So thank you, Mr. President.

ARCH: Mr. Clerk, for an amendment.

CLERK: Mr. President, Senator Conrad would move to amend with AM2266.

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

CONRAD: Thank you, Mr. President. Good morning, colleagues. As noted when we commenced debate on this measure, as we were concluding our week together last week, I wanted to ensure that there was clarity and equity in regards to this proposal now and moving forward. If you look at AM2266, it is really quite straightforward. It ensures that any policies and procedures that are developed accordance to this measure will include adequate and robust publication whenever possible to let the public know if there are any restrictions on access to the State Capitol. So visitors, those who are petitioning their government for change, etcetera, can have a clear understanding of their access rights. Additionally, it ensures that there is not special, preferential, or differential access to any person who is registered or required to be registered as a lobbyist or a principal under the Nebraska Political Accountability and Disclosure Act. So from an equitable perspective, I want to ensure that there is no VIP pass now or moving forward. This is not a country club. This is the people's house, which is meant to put the people's work first. We've heard people talk about how this has correlations to how we handle courthouse security. And I understand the concerns of those who are engaged in First Amendment activity to represent their clients and to engage this Legislature that they have to come here to work. Well so do lawyers who are entering through security procedures at the courthouses. They have to go to court to do their job. So there's a definite equity correlation there. Additionally, if you look at the rules of the Legislature itself you can see that we have particular prohibitions that keep registered lobbyists off the floor of this Legislature to ensure there is not undue influence. And that meets the policy underpinning contained in our legislative rules as well. There is no First Amendment issue. This is an equity issue. If we're going to have restricted access in this Capitol at some point, which I'm still very, very skeptical of, we need to ensure that it's handled in an equitable manner. I'd ask for your favorable consideration. Thank you.

ARCH: Turning to the queue, Senator Hansen, you're recognized to speak.

HANSEN: Thank you, Mr. President. I was wondering if Senator Conrad would yield to a question.

ARCH: Senator Conrad, will you yield?

CONRAD: Of course.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate February 23, 2026
Rough Draft

HANSEN: OK, this is the first time I'm seeing this amendment. So what's the main purpose of the amendment? Is it to prevent lobbyists from using different entrances than the public?

CONRAD: Yes, any sort of differential or special treatment in terms of this security access ability measure that's moving forward. I mentioned this as we started debate last Friday, worked on it over the weekend and wanted to put it before the body for their consideration in a clear vote. I want to see on the record who pushes the green light or a red light in favor of giving lobbyists special access and treatment to this building.

HANSEN: OK. Does this in any way affect the underlying bill--

CONRAD: No.

HANSEN: --or the amendment?

CONRAD: No. Well, I mean, it amends the amendment, but it doesn't, it doesn't go to the other component in terms of your proposal to prohibit certain items from coming in. But when we've been talking about accessibility and the rumblings around the Capitol have been clear that now or at some point moving forward, there may be a pass system or otherwise developed to provide lobbyists with some sort of special access to the Capitol and I want to make sure to address those Capitol rumblings clearly. I mentioned it on Friday. If we're going to change access through this measure, which again I remain skeptical of, I want there to be clarity that at this point and moving forward there is not special favors given to the lobby.

HANSEN: OK. And this-- so since staff and senators have already a key card badge, will this affect that at all?

CONRAD: No. And if you look at the terms of the amendment-- I do actually think, Senator, we should have a, a deliberate conversation on those points. But if you look at the measure itself, it applies to those who are registered or required to register according to the Nebraska Political Accountability and Disclosure Act and utilizes those existing definitions.

HANSEN: OK. Sorry for the questions, this is the first time I'm seeing it, so I just want to make sure I work anything out. And on a side note, we are planning on bringing an amendment on Select File that will, per your recommendation, strike the Class 3 misdemeanor part and also further define what a weapon actually is. We're looking at

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate February 23, 2026
Rough Draft

striking the brass knuckles, pepper spray, tasers, and stun guns and leaving it strictly to firearms and maybe further even defining the knife part to a certain length. So we're trying to be as specific with this as we can. And I think the amendment is OK. I'm going to look it over a little bit more just to make sure, but I-- if it's what Senator Conrad is saying I, I think I'd just leave it up to the body and see what, what, what they feel with the amendment, so. Thank you, Mr. President.

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

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

ARCH: Senator Conrad, will you yield?

CONRAD: Yes.

M. CAVANAUGH: Thank you, Senator Conrad. In reading your amendment, the very last part of it where it says that no preferential or different access to any person registered or required to be registered as a lobbyist or any principal, are we considered principals under the accountability?

CONRAD: I do not believe so, Senator.

M. CAVANAUGH: Who would be considered a principal?

CONRAD: So those are the clients of the lobbyists.

M. CAVANAUGH: Oh, OK.

CONRAD: Those would be the corporations or professional associations or others that are hiring a lobbyist to represent their interests.

M. CAVANAUGH: OK, got it. I just was wondering, because the way I was reading it, I was, like, who are the principals? Because if it was us, we do have different access than the public does. So, OK, thank you. That was it.

CONRAD: Yes.

M. CAVANAUGH: So it looks like this just ensures that the people of Nebraska have access, ensuring in statute that they have access to the Capitol in the way that they currently do. So I will be voting for

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate February 23, 2026
Rough Draft

this. I am still-- I have still more questions about the underlying bill and, actually, would Senator Hansen yield to a question?

ARCH: Senator Hansen, will you yield?

HANSEN: Yes.

M. CAVANAUGH: Thank you. In developing this legislation, did you work with the State Patrol on creating a security plan or how did this kind of come to where we are today?

HANSEN: Yeah, they actually came in front of the Executive Board and gave us a chance to ask, ask questions about what their, what their goals were, what their plans were. I think once this bill passes, we can kind of get more concrete plans put together about how to move people through in and out, similar to what many other State Capitols have done.

M. CAVANAUGH: Did they speak to the amendment that the Exec Board has put forward?

HANSEN: Yes, I've been in communication with them with the amendment and they are OK with it.

M. CAVANAUGH: OK. So they feel like if we were to adopt this amendment, it would achieve the initial intent and goal of the bill?

HANSEN: Yes, and maybe make-- because it enhances their ability to-- it allows them to enhance the ability of the security of, of the Capitol, them knowing-- being able to know who is, who is not carrying. The whole registration with the, the carrying conceal license is what they're happy about, because they already know who, who can and who cannot carry in the Capitol.

M. CAVANAUGH: And will they have a list of the concealed carry?

HANSEN: They have that in a registry already.

M. CAVANAUGH: OK, but will they have access to that-- like, I don't know how that works. When somebody comes in with a concealed carry, do they have a card?

HANSEN: Yes.

M. CAVANAUGH: OK.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate February 23, 2026
Rough Draft

HANSEN: Yeah, you get, you get a state-issued card that's verifiable.

M. CAVANAUGH: OK.

HANSEN: That before we got rid of that law, what, 3 years ago, you had to-- anytime you carried, you had that on your person, so if you got pulled over, they could still look you up in the system, but you had to show that you had it.

M. CAVANAUGH: OK. So in order to bring a concealed carry into the building you have to have-- OK, I think I got it.

HANSEN: Yep.

M. CAVANAUGH: Thank you.

HANSEN: Mm-hmm.

M. CAVANAUGH: Thank you, Mr. President.

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

DeBOER: I wondered if Senator Hansen would yield to some more questions?

ARCH: Senator Hansen, would you yield?

HANSEN: Yeah, definitely.

DeBOER: Thank you. I'm also trying to kind of work my way through this. So for the folks who have the concealed carry or what we used to call the concealed carry permit, is it still called that?

HANSEN: Yes.

DeBOER: OK.

HANSEN: They still have it.

DeBOER: For those folks that would then be able to take their weapon into the Capitol, they would go through the checkpoint, or somehow the, the State Troopers would understand that they had one.

HANSEN: Yes.

DeBOER: How would then any-- would they have the same access to, to everywhere within the Capitol? In other words, could there be someone that says, OK, we're having a hearing on a sensitive topic, like we do now, and say we don't want any weapons in the room on that sensitive topic or that sensitive bill, could there be a way to do that, or would that process then go by the wayside?

HANSEN: You're talking about the annotated hearings?

DeBOER: Yeah.

HANSEN: Yeah. What I would view-- again, that's a policy change that we would have to end up making. And it kind of depends on-- and we'll kind of address that as well. I personally would like to see just the annotated hearings follow what we have from the entrance in the Capitol. So we would-- you know, right now, I think, currently, once we have an annotated hearing, we automatically have metal detectors. And so at this point, I would see-- I would like to see a policy change, but, again, it's up to the Executive Board as a whole, too, to strike that part because we're already doing the enhanced security when they enter the Capitol.

DeBOER: But so-- I guess my concern would be if we as a body have said, hey, we think that those annotated-- annotated hearings are worthwhile because we'd rather not have weapons in those hearings because they're of a sensitive or, I don't know, passionate nature, then I would be a little concerned about having folks, even though they've been through training, coming in with a weapon into those hearings. And I think we would be moving backwards on our security on those things in those particular hearings. And I think if I were wanting to create mischief in those kinds of hearings, if I understood the assignment was I had to have a concealed carry permit, couldn't I just go get one? I mean, I know it takes time and money, but couldn't get one and then--

HANSEN: If you wanted to do evil things, yes, you could do that. I mean, like, if that's what you're saying.

DeBOER: Yeah, I'm saying, like, if I wanted to--

HANSEN: If they wanted to create harm and with, with intent, they could go out there and nefariously get the carry concealed agency license and care in here to do harm. But, right now, they don't need any of that stuff, they can just walk in here and do that anyway.

DeBOER: Sure, but at least in those annotated hearings we'd say we're going to say that that's kind of a sensitive area so we won't do it there.

HANSEN: Yep, and that's not so much pertaining to the bill, that would be a policy change that we have as a Capitol and that's something we would probably have to address then after, after the bill.

DeBOER: Would the State Troopers, once they-- once someone sort of, OK, Senator DeBoer has a gun, she's walked through. We know that. At that point, maybe it's former Senator DeBoer has concealed carry, she has a gun, she's walked through the-- now do the State Troopers in any way know where I am? Do they have a list of those who have come through today with a concealed carry permit? Are they aware of sort of where those folks are walking?

HANSEN: From my understanding, yes. That's what they've told me. They at least-- now they have an idea of who and who is not carrying. Now, to what extent they're following somebody around or I don't know. We're leaving it up to the security to figure that out.

DeBOER: I guess I, I don't know how that would work because ostensibly it would be a different Trooper that was standing at the door all day, having people go through, keeping the list, and then someone who was, I don't know, walking through the halls or in the, the rooms themselves. So how would they have any way of tracking that?

HANSEN: I, I don't know, you have to ask the State Patrol about how they're going to do that. Right now, they have no way of telling anybody about anything. So, like, right now, at least this is putting some reasonable measures in place for them to identify who and who is not caring in the Capitol. And from my understanding, when I've had casual conversations with State Patrol, they're, like, they like the idea of at least knowing this. These seem like more responsible gun owners. They do-- they know a lot of them who come in here because they, you know, like we have seen over the years, be the typical people that come in here, they, they have their license.

DeBOER: And I have no, I have no doubt that most would be very responsible, but if you know the assignment and you want to do harm you could do it.

HANSEN: Yeah, it seems like a little bit-- you could say that with a whole bunch of stuff, you know what I mean, right, because that's no

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate February 23, 2026
Rough Draft

reason to, to not implement something like this. Because, right now, if somebody wanted to do harm, you don't need to do anything. You can just walk right in here and do it. And so we're actually--

ARCH: Time, Senator.

HANSEN: OK.

ARCH: Seeing no one in the queue, Senator Conrad, you're recognized to close on your amendment.

CONRAD: Thank you, Mr. President. Good morning, colleagues. I'd ask for your favorable consideration of AM226 [SIC], which amends this measure in relation to Capitol security and accessibility. Makes good on the issue-- on the promise and the issue that I brought up in debate last week to ensure that there is equitable access and no special favors moving forward when it comes to our State Capitol. Thank you, Mr. President.

ARCH: Members, the question before the body is the adoption of AM2266. All those in favor vote aye; all those opposed vote nay. There has 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. Mr. Clerk, please record.

CLERK: 31 ayes, 0 nays to place the house under call.

ARCH: 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 is under call. All unexcused members are now present. Senator Conrad, the vote was open. Will you accept call-ins? There has been a request for a roll call vote. Mr. Clerk, please call the roll.

CLERK: Senator Andersen voting no. Senator Arch not voting. Senator Armendariz voting no. Senator Ballard not voting. Senator Bosn voting no. Senator Bostar. Senator Brandt not voting. Senator John Cavanaugh voting yes. Senator Machaela Cavanaugh voting yes. Senator Clements voting no. Senator Clouse voting no. Senator Conrad voting yes. Senator DeBoer voting yes. Senator DeKay voting no. Senator Dorn voting no. Senator Dover. Senator Dungan voting yes. Senator Fredrickson voting yes. Senator Guereca voting yes. Senator Hallstrom voting no. Senator Hansen not voting. Senator Hardin voting no. Senator Holdcroft voting no. Senator Hughes not voting. Senator Hunt

Transcript Prepared by Clerk of the Legislature Transcribers Office

Floor Debate February 23, 2026

Rough Draft

voting yes. Senator Ibach not voting. Senator Jacobson voting no. Senator Juarez voting yes. Senator Kauth voting no. Senator Lippincott voting no. Senator Lonowski voting no. Senator McKinney voting yes. Senator Fred Meyer voting no. 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 not voting. Senator Rountree voting yes. Senator Sanders. Senator Sorrentino voting no. Senator Spivey voting yes. Senator Storer voting no. Senator Storm voting no. Senator Strommen not voting. Senator von Gillern voting no. Senator Wordekemper not voting. Vote is 15 ayes, 22 nays, Mr. President.

ARCH: The amendment is not adopted. I raise the call.

CLERK: Mr. President, Senator Conrad would move to amend with AM2267.

ARCH: Senator Conrad, you're recognized open on AM2267.

CONRAD: Thank you, Mr. President, and good morning, colleagues. While I'm disappointed that that commonsense measure did not move forward, I am delighted to have accountability and a record vote on which members of this body want to dole out special favors and access to lobbyists and provide an opportunity perhaps for special or differential treatment than we will be subjecting the public to when it comes to accessing the people's house. So thank you for your votes in that regard. And I think they'll speak for themselves. So AM2267 is very straightforward. And as we started debate on this measure, my good friend Senator Hansen noted that we should strike the additional new criminal penalty that LB1237 proposes. Even today on his refresh, he indicated that he would be bringing forward an amendment to strike the new criminal penalty on Select File. Why wait? I went ahead and put together an amendment on that exact point because it seemed like we had clear consensus across the political spectrum last week that the creation of a new criminal penalty in this regard was unwarranted and unworkable. Thus, it's a simple amendment. It strikes the new criminal penalty. I'd ask for your favorable consideration.

ARCH: Turning to the queue, Senator Hansen, you're recognized to speak.

HANSEN: Thank you, Mr. Speaker. If this truly-- if this really does just get rid of the-- OK, I better make sure. Senator Conrad, will you yield your question?

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate February 23, 2026
Rough Draft

ARCH: Senator Conrard, will you yield?

CONRAD: Yes.

HANSEN: Just to clarify, this just gets rid of the Class 3 misdemeanor part, right?

CONRAD: Yes.

HANSEN: OK. If that's OK, I'm OK with that amendment because we were planning on doing that anyway on Select File. So if this truly does-- this AM2267 just gets rid of the Class 3 misdemeanor, I'm OK with that. And so, again, I'll leave it up to the body to determine what they want to do, but that's just my two cents. Thank you, Mr. Speaker.

ARCH: Seeing no one in the queue, Senator Conrad, you're recognized to close on AM2267.

CONRAD: Thank you, colleagues. Thank you, Mr. President. Thank you, Senator Hansen. This is a simple amendment on page 2, strike line 3. That is where the proposal for a new criminal penalty in regards to this issue was pending before the body. As noted, this came up in debate on Friday, Senator Hansen agreed with those of us who had concerns about it. He mentioned in his refresh this morning they were planning to strike this component on Select File. My point is, if everybody's in agreement about that, I went ahead and got an amendment filed that does just that. If you have any questions about the technical aspects, of course, please let me know, but I anticipate we'll have a lot more debate on this topic. But this should be a point where there should be considerable consensus. Thank you, Mr. President. I'd ask for your favorable consideration.

ARCH: 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. Mr. Clerk, please record.

CLERK: 21 ayes, 4 nays to place the house under call.

ARCH: 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 is under call. Senators Riepe, Raybould, and Hallstrom please return to the floor. The house is under call. Senators Raybould and Riepe, please return to the floor. The house is under call. Senator Conrad, Senators Raybould and Riepe are not

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate February 23, 2026
Rough Draft

present. Would you like to wait or proceed? I'm sorry, Senator Cavanaugh. Members, the vote before the body is the adoption of AM2267. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: 30 ayes, 8 nays on the adoption of the amendment, Mr. President.

ARCH: The amendment is adopted. I raise the call. Members, the next vote is the adoption of-- Senator Hansen to close on AM2028.

HANSEN: Thank you, Mr. Speaker. And, again, colleagues, this amendment is the part that allows those with a carry concealed license to be able to carry in the Capitol. And, again, we will be bringing an amendment on Select File to narrow down the list of weapons as defined. So just kind of let everybody know that there will be another amendment on the Select File to touch on some of those items as well. Thank you, Mr. Speaker.

ARCH: Members, the question before the body is the adoption of AM2028. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: 36 ayes, 6 nays on adoption of the committee amendment, Mr. President.

ARCH: The amendment is adopted. Turning to the queue, Senator Machaela Cavanaugh, you're recognized to speak.

M. CAVANAUGH: Thank you. I was anticipating being shocked. Thank you, Mr. President. So I didn't vote for the committee amendment because I have some concerns about it. I do appreciate that we took out the criminal penalties. And so that's helpful. I wish we would have adopted Senator Conrad's previous one that didn't give lobbyists more access to the building than the people of Nebraska. That seemed like a low-hanging fruit sort of situation. But I guess that's where we're at. I-- so I've brought various versions of this. I've brought it through rules changes. I've brought it through legislation. I've proposed that the Capitol Commission could make these changes over the years. And there was never really any traction at all around it. And so I appreciate that this is getting traction this year, that it's actually, like, on General File. But I, I do still have concerns about how this is going to be executed and I have a lot of questions about how it's going to be executed. But I don't think they are things that

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate February 23, 2026
Rough Draft

can necessarily be answered on the floor so I'm probably going to have to take them off the mic and have conversations, I assume, since the amendment just got 35 votes, that the underlying bill has the at least 25 to move forward, so I'll be having those conversations with the-- with Senator Hansen and members of the Exec Committee and probably even Capitol Security between now and the next time it comes up for debate. But I also am concerned about the cost. I had the fiscal note up. And I don't-- I imagine that the cost doesn't change based on what we exempt because we still have to have the security, the security still has to exist. Yeah, \$1.4 million. And it looks-- I mean, I think it would have to be general funds, yes, because I don't think there's a cash fund that could be used. And, and it really should be part of the Capitol Commission's budget, probably. Actually-- oh, I was going to ask-- would, would Senator Clements yield to a question? It's a budget question.

ARCH: Senator Conrad, will you yield?

M. CAVANAUGH: No, Senator Clements.

ARCH: Senator Clements, will you yield?

CLEMENTS: Yes.

M. CAVANAUGH: Sorry, I know I just caught you coming in on the floor, but I was looking at the fiscal note for this bill, and it's \$1.4 million from general funds. Does the Capitol Commission have their own cash fund, or is there a fund that would be more appropriate to use for this sort of expenditure?

CLEMENTS: The plan is for the Legislative Council to pay for this, which does have that much money available.

M. CAVANAUGH: Oh, OK. So--

CLEMENTS: The Legislature itself.

M. CAVANAUGH: --it would come out of, it would come out of our budget?

CLEMENTS: Yes, the Legislature itself.

M. CAVANAUGH: OK.

CLEMENTS: We have some unused appropriations in our-- in the current budget.

M. CAVANAUGH: We do?

CLEMENTS: A little bit, yes.

M. CAVANAUGH: I thought we took away the unused.

CLEMENTS: We reduced it quite a bit, but it's not to zero quite yet.

M. CAVANAUGH: OK. Yet. OK. Well, thank you, Senator Clements. I'm sorry to have caught you off guard there, but--

CLEMENTS: That's fine.

M. CAVANAUGH: --you know me and fiscal notes, I, I start looking at them and I start having questions.

CLEMENTS: Right.

M. CAVANAUGH: So thank you. OK, well, now I have even more questions for people who aren't on the floor, meaning not in the Legislature, but people who work in the building. I've got questions about budgets now and, and our expenditures. So I might be seeking some answers on that and coming back around on this, maybe not today, but certainly in the-- between now and Select File, so. It says general funds, though, it doesn't say Legislative Council. So maybe that's going to have to be updated in the bill if that's where it's coming from or maybe that's just because we have our own general funds. I'll ask these questions to people who know better than I do, so. Thank you, Mr. President.

ARCH: Senator Spivey, you're recognized to speak?

SPIVEY: Thank you, Mr. President, and good morning, colleagues and Nebraskans, and, of course, good morning, Grandma, watching online coming to work with me. I appreciate the discussion on this bill and wanted to jump in again as we're talking about the underlying measure LB1237. And before I do that, before I do that, I wanted to first congratulate Senator McKinney on a great weekend for wrestling. A lot of folks don't know that he was an All-American. And so we both went to the same high school for a little context. He was an underclassman, so I'm 4 years older. And they always bring up Senator McKinney about what a great wrestler he was, and he's an All-American, all of this. Kind of overshadowing me a little bit, but it's fine. I don't take it personal. But he still coaches, and he is still on the mat with these kids and young people every day, and it's really beautiful to see.

That's why he brings a lot of feedback and point of view around what young folks are needing, and nonetheless, he coaches at our alma mater, and he has a couple of kids that placed. He also has a freshman that was a state champion, which is Terence Crawford's son, his namesake. And so I think, again, I want to talk on this measure, but want to just take a minute in my time in the queue just to congratulate Senator McKinney as a coach. It takes a lot of dedication and commitment to be able to ensure young people's success, and he has done that and is seeing the success on and off the mat. So congratulations, Senator McKinney. Oh, look, you got a couple claps, too. OK, so back to LB1237. I appreciate the conversation. I did vote for-- I can't remember the amendment, both amendments that Senator Conrad brought, and I appreciated the, the first amendment that removed kind of the, the carve out for lobbyists to be able to not have to participate in the same type of clearance screening as other everyday folks that are coming into the Capitol and appreciated removing the additional penalties. We have a lot of conversation about just enhanced penalties and, and what does that look like? So I, I appreciate that we were able to adopt that. I did not vote for the amendment-- the committee amendment to LB1237. And I kind of talked about this last week, is that I'm still just unclear on this process and if the intent is actually matching the impact of what we're putting forward. So I was one of the colleagues as Exec Board were going around getting feedback that I would like to see enhanced security. And I know that there's varying opinions on this. I think in this political landscape, in general, that there is increased sensitivity to political violence. I talked about last week that I saw in my hallway someone that was very agitated and aggressive that made me feel unsafe and just the process to try to get State Patrol to me what that would look like. And so I do think being able to remove weapons out of that equation would make me feel safer as a state senator. I think-- you know, I go into other local political subdivisions' place of business, and you don't bring anything in. I mentioned in Douglas County, when you go to the courthouse, you can't even have anything with a metal tip. I was going into the courthouse, actually for the OPPD meeting, and the person that I was with had a metal comb. It was a pick that had multiple metal prongs, and they could not bring it in because it could be seen-- or used to stab someone. So while I understand that we have the definition of weapon and will further define that, they have taken a step further that anything can be turned into a weapon and so that there's components for those pieces that I think would be advantageous for us to consider. I do see that I'm almost out of time, so I will get back in

the queue to kind of talk through my perspective on this. And, again, just how we think about safety while ensuring that our constituents and citizens still see themselves in the people's house, because that is important. And I think we just have to strike a fine balance with that. And I appreciate the dialogue and the Exec Board being willing to engage as well as the rest of the body in this conversation. Thank you, Mr. President.

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

GUERECA: Thank you, Mr. President. Good morning, colleagues. I, like my colleague Senator Spivey before me, was when the Executive Board was going around having initial discussions with senators, I was one of the ones that indicated a, a favorable, favorable approach to enhance security measures. But it really-- it has been a very interesting debate over these last few hours. Certainly, we, we have something very special here in Nebraska. When I first moved to this state over 13 years ago, I was definitely taken aback when there wasn't a metal detector. Like, it's such common practice in so many of the state legislatures. And I think that adds a special flavor and a special touch to the Capitol here in Lincoln. One, I do think it is probably the most beautiful State Capitol in, in the entire country. And I challenge any one of my colleagues from across the, the nation to, to have that discussion with me. This is a special place. So-- and, you know, I do think there is intentionality behind the Executive Board's decision to take this step for the first time in the State Capitol's history, I believe, to regulate the entrance and flow of visitors and ensure that certain weapons aren't coming in. I believe, as even as written, you know, concealed carry holders will be made aware to State Patrol. So it's an interesting debate to weigh out this enhanced security. And, you know, unfortunately, what has caused this conversation has been a spike in political violence, has been a spike in not political discourse, but just an animosity that is unbecoming of, of our great democracy in this country. There's nothing wrong with disagreeing with your neighbor. There's nothing wrong with having a different perspective. There's nothing wrong with ensuring that your voice is heard, lifting up the voices of your friends, of your family, of your neighbors. That is American. But when we cross the line to violence, it's, it's unbecoming of this nation. It's unbecoming of, of the, the spirit that we as Americans hold so closely. So the discussion, and I like it, right, in, in this step that we take to, to make the people's house safer, to make it a, a space where folks can come and express themselves freely without that threat of, of violence, is, is, is that step actually stifling a person's ability to

come in and make their opinion heard? I think it's a valid discussion. I think it's one that needs to be thoroughly thought out and given the full weight, because we have a special thing here. We want to make sure that this continues to be a place where our citizens can come, make their points of view heard, have access to the representatives, right? There's, there's only 49 of us representing the entire state. That's a special thing we do here in Nebraska. The fact that any citizen can come into the Rotunda, put in a note and have their elected representative come out and have a discussion with them, I think embodies the spirit of our democracy that, you know, we have come to love, that we cherish so much. So giving that full weight to that discussion of the-- striking that balance between security, the duty we have, not just the visitors, not just the citizens that come into this building, but the staff that every single day come in to do their part, to uphold, you know, the people's house. So I look forward to continuing the conversation. I look forward to taking in all points of view and making a decision that is the best decision for, not just the people who work in this building, the people who come visit this building, but what this building stands for. Thank you, Mr. President.

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

DUNGAN: Thank you, Mr. President. Good morning, colleagues. I do appreciate that we've had a little bit of debate here today and talked about a couple of these amendments. For those who were paying attention to the debate last week, you know that I, I kind of see both sides of this issue and I understand both the need for security and the desire to make sure that our staff feel safe. But I want to balance that with keeping the Capitol as open as possible and ensuring that the Capitol remains a place that people can go and spend time and feel as though this is the people's house and that it is open to them. I think that's vital and important, and I want to make sure that people are being treated equally in that circumstance. I just wanted to speak briefly to the amendment that was denied earlier. Senator Conrad had an amendment that I think was reasonable and certainly one that I assumed was going to pass, which simply clarified that lobbyists and their clients, which is a principal, that's the language that was used in the amendment, lobbyists in their principals or clients would not be given special or preferential treatment in coming into the Capitol. For those who listen to us talk all the time, you know that I still am a practicing attorney, which means I go into the courthouse on a regular basis here in Lancaster County. And there is security at the front of that courthouse. And I understand why. And I think that the, the sheriffs' deputies that are there do a fantastic

job always of making sure that they follow the security procedures and making it as quick as possible. But attorneys are not given special treatment. They don't give out special cards to all of the private attorneys that are coming in and out of the courthouse on a regular basis. And so you'll find yourself, many days in a row, walking through security, going up to court, having a case, walking a client downstairs, going to the probation office, coming back through security going to your next case. Walking back out to go to a meeting going back through security. And is it somewhat arduous from time to time? Sure. But at the end of the day it's done to ensure that people are being treated equally and that a person who is coming into the courthouse who's a member of the public who has business there as somebody who has to show up in court is being treated the same as an attorney who has come to court as well. And so I think that it just makes sense to ensure that there's that equity. Now, are there certain people who were able to get in with a badge? Sure, but those are usually staff of the county or the courthouse and not just members who have that special and preferential treatment. So the amendment that was denied earlier, I think, was a very clear delineation just saying that lobbyists and clients of those lobbyists aren't going to get special access to the Capitol. Now, there's many people out in the Rotunda right now who work in the lobby and are lobbyists, and certainly I'm not saying they're bad people or we need to be afraid of them necessarily, but what I am saying is already I feel like members of the public get often treated different than those who have the means with which to hire lobbyists or people that can speak on their behalf. When I talk to people in my community on a regular basis and they ask why I ran for office, there's a number of reasons that I give. All of them, you know, leading to the, the reason that I came here, and there's a number of reasons we all ran for office. But one of those reasons that talk about a lot is I wanted to provide a voice as best I can or amplify the voice of people who don't often have their voices heard in this Capitol. And that we want to make sure that the everyday hardworking Nebraskan from all of our districts has their voice heard the same as a company or corporation who has the means to pay a lobbyist to come in here who has that access and has that relationship with a senator. Now, if somebody has the means by which to do that, that's not an inherently bad thing. I understand why the lobby exists, to advocate on issues that everybody cares about. But to create preferential treatment not just in the way that our system works at the Capitol, in general, but specifically when it comes to literal physical access to senators and to the Capitol, I think, is inherently problematic. And so, colleagues, I don't know if people

were aware of what they were voting on when they came in for that amendment. Certainly, a number of people were out of the room and then we did a call of the house and people came in and sent in their no votes. And as I mentioned before, I think sometimes people do that based on the introducer as opposed to the actual underlying amendment, but it did not seem to me to be an absurd proposition that we ensure fair and equitable treatment across the board for all people coming to our Capitol. If LB1237 is going to pass and if we are going to limit access, I do think it's reasonable to make sure that those with means and resources are subject to the exact same requirements and regulations of those who are just everyday members of our community who might be coming in here to observe or participate in their governmental system. So, again, I remain curious about this bill and I'm going to continue to listen to the debate. I think that the other amendment getting rid of the Class 3 misdemeanor was a good step forward, but I hope that colleagues continue to engage in this debate. And with that, thank you, Mr. President.

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

ROUNTREE: Good morning and thank you, Mr. Speaker. Good morning, Nebraskans. Good morning, colleagues. It's been a good debate on this particular issue. I have only once felt threatened here, and that was in one of our hearings when someone got really agitated and started to use some language. And so I took time to look around for my State Patrol for that security to make sure that we were protected in that. But as we're talking about violence and protection, being that this is the last week of our Black History Month, I rise today, I want to speak about one of Omaha's own, Nebraska's own Malcolm X. Omaha's most famous native son is El-Haj Malik El-Shabazz. He was born in 1925 as Malcolm Little to Earl and Louise Little, and lived in Omaha less than a year of his life. In the month after Malcolm was born, Omaha's Ku Klux Klan rode up to the Little house and started smashing windows with the butts of their guns. Shouting that the family should leave Omaha because the good Christian white people didn't want Earl Little to spread trouble. Louise was there, along with her four young children, including baby Malcolm. The Littles were terrorized in Omaha by a statewide KKK Chapter with 45,000 members, with a women's branch, a kids club, and an annual state convention in the State Capitol. Malcolm spent his adolescence living in a series of foster homes and with various relatives after his father's death and his mother's institutionalization. He committed various crimes, being sentenced to 8 to 10 years in prison in 1946 for larceny and burglary. In prison, he joined the Nation of Islam, adopting the name Malcolm X to

symbolize his unknown African ancestral surname while discarding the white slave master name of Little. And after his parole in 1952, he quickly became one of the organization's most influential leaders. Malcolm X's image and voice remain almost everywhere. From Spike Lee's 1992 biopic to Beyonce's 2016 album Lemonade, his legacy endures as a symbol of black identity and empowerment. He has resonated across generations of African Americans and in contemporary culture. At the core of his message was a simple ideal: white people were not superior and black people were not inferior. This struck an emotional chord, enabling many to move from self-loathing to self-love, from oppression to self-determination, and community success. He reframed civil rights as a human rights issue and transformed black, once an insult, into a proud affirmation. He also helped popularize the term Afro-American. During his lifetime, Malcolm X emerged as a powerful voice for black empowerment. His commitment to black self-determination made him a revered figure in the Black Power movement, where he was viewed as a secular saint. Malcolm X's legacy, like the cultural giant did during his own lifetime, continued to evolve following his assassination. While his contemporaries remembered the hope and promise he provided in the face of racial injustice and unrest, successive generations continued to find inspiration in his many speeches. In the movies and documentaries recounting his activism, and in the magnitude of his life, captured in his own words with the help of Alex Hailey in the autobiography of Malcolm X. Dr. Betty Shabazz said of her husband's impact, his message to a lot of people who had lost hope was nationalistic. He didn't want them to stay there, but to be jarred into the realization that they had a pass before slavery. That they had responsibility now and that no one was going to give them anything. Even for freedom, they had to fight for it and struggle for it. Historic perspectives on Malcolm X have also evolved. Some who once saw him as a separatist have come to appreciate him. The U.S. Postal Service's release of a Malcolm X stamp in 1999 at Harlem's Apollo Theater marked his shift to public perception. Lastly, on May 23, 2024, Nebraska inducted his bust into the state's Hall of Fame in the Capitol Rotunda's courtyard galleries. The Nebraska Governor also proclaimed May 19 as Malcolm X Day. Malcolm X remains a national and international icon for many people. And will continue to be a meaningful figure for our future generations. Thank you, Mr. Speaker.

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

HUNT: Thank you, Mr. President. Good morning, Nebraskans and colleagues. Thank you, Senator Rountree, for sharing all that information about probably the most world famous Nebraskan, Malcolm X.

I actually rewatched that Spike Lee joint about him a couple nights ago and if any of you haven't seen it I think that's some required watching, honestly. I rise in opposition to LB1237 as it, as it stands right now. Colleagues, I don't think this needs to be a law. I'm, I'm still confused about why this needs to be something in statute. I personally, as far as they protect the people in this building, I trust the State Patrol to do that. I trust them to assess threats and decide what the extent of security is that we need in this Capitol. And I'm not convinced that LB1237, creating a law requiring them to do certain things to ascertain the security, is really what's needed when maybe that's something that they could do internally already. I definitely want to acknowledge what everybody agrees on, which is that Nebraskans have to feel safe when they come to their Capitol. Staff, senators, visitors, testifiers, lobbyists, whatever, all of them need to feel safe. But if we're putting something in statute, in law deciding how that safety is going to be enforced, it at least needs to apply to every single person the same way. I mean, some of these hearings that we have when we get hundreds of testifiers coming out here, I don't want them waiting to go through a metal detector or something if I don't have to do the same exact thing, if, if staff, if lobbyists don't have to do the same exact thing. I think if it's good for, for one visitor, it's for everybody. Again, why I think it probably doesn't need to be a, l-a-w, law, that it's something that we can continue to leave to the discretion of our State Patrol and the Capitol Security and the people who already assess threats and keep us safe in this building. When we start talking about changing how people have access to their government, when we start talking about new crimes, new screening procedures, new authority delegated outside of this body. I mean, the way I read LB1237, it's basically more authority delegated to the Attorney General that we're just giving up for free. Giving up for what? When we already have people keeping us safe who we can trust to do so. And so I just think we have an obligation to get this right. And I don't think we are there with LB1237. There's been some rumblings, no conversations I've been involved in, but some talk about an interim study. Usually I'm not-- I don't know if I've ever stood up and said, you know, I think what we actually need is an interim study because I usually typically see that as like kind of kicking the can and sometimes it's strategic and helpful to kick the can if, if there's something you don't want to get done. But I agree that maybe it's a little strange that we have some of the most lax official security of any Capitol in the country. I'll say, honestly, that's fine with me because I think the system that we have is working. I think everyone in this Capitol is, is safe and fine

and we have emergency security procedures that work for us. I aesthetically really like it when you come in the Capitol and you don't see these ugly, you know, metal detectors and things like that. And I, and I like the culture of welcome that we have here. I've brought so many people through this Capitol over the last decade to visit, visitors from outside the state. And I think over 90% of them remark how open it is. You know, on the way to my office, we walk past the Supreme Court of the state of Nebraska, and people remark every time, like, so the court's just here? So these are the doors, and this is, this is it right here? You know? And it's not because it's a small building or it's, you know, or some hayseed hicks or something. It's that the building is open. The building is welcoming. And I like that about it. I also think there are some serious practical questions in terms of the fiscal reality that have not been answered. We heard testimony, of course, to the Executive Board from Bob Ripley, who had worked for more than 40 years to preserve the Nebraska State Capitol. And he suggests that doing this correctly, particularly in this landmark historic building, could cost millions of dollars. There's historical preservation requirements. There's accessibility requirements. There's staffing. And these are all really important considerations.

ARCH: Time, Senator.

HUNT: Thank you, Mr. President.

ARCH: Senator Hughes would like to recognize some special guests. They are 24 fifth grade students from Heartland Community Schools from Henderson, and they are located in the north balcony. Please rise and be recognized by your Nebraska Legislature. Returning to the queue, Senator Conrad, you're recognized to speak.

CONRAD: Thank you, Mr. President. Good morning, colleagues. I have a few additional points and a few additional questions that I'd like to tease out in regards to this measure as it stands before us today. So, first of all, there's been at least some general discussion, I understand, at the Executive Board level, at the committee level. And then it's generally contemplated in this statute, this section of statute, which this measure opens up, and there's at least a reference to this in the fiscal note, which is still a very curious fiscal note to me. I'm just not sure I've ever seen one that's written in the alternative with two different options. So that's just kind of an interesting side note. But one thing that people have talked about in regards to this measure is whether or not this bill will strengthen or

improve accessibility for ADA purposes. And I just want to be clear that that's not really contemplated in the bill. There isn't a specific plan in that regard. It just kind of generally notes, and if you look at the fiscal note itself, that it does recognize that not all entrances presently meet the standards to ensure accessibility for Nebraskans who are differently abled, who are differently abled. But it does note that if they were going to make additional changes into other entrances, the fiscal note, the fiscal impact would be indeterminate. And so I just kind of want to make sure that we're clear that there isn't a clear plan or authorization or resource provided to improve accessibility for Nebraskans who are differently abled, who are differently abled as part of this, this measure. So we kind of need to, even though that's an incredibly worthy and important policy goal, and I think we do have some work to do in that regard to make sure that all Nebraskans can petition their government for change and carry out business here, or just visit in a, a, a better manner, that's not really contemplated in the measure. So we just-- we need to just be clear about that. A couple of other points that I wanted to lift up, I mentioned this in debate last week, but say, for example, under the bill and through the committee amendment, this does provide access to the building for Nebraskans that have a valid concealed carry permit, even though we've recently changed the law on that, nevertheless. But my question is, and it's been unanswered, is so you're allowing access to the building for Nebraskans who have a concealed carry permit, but then what happens once they attain access if they're going to watch Supreme Court oral arguments or if they are going to attend a function in the Governor's hearing room? Because those have different security features and prohibitions and restrictions in place. Are there going to be lockers at the court and at the Governor's Office? What happens to ensure safe storage when somebody who is granted access with a firearm then goes to a different part of the building that has different security rules in place? None of this has been answered or is contemplated would go to fiscal costs, would go ensuring clear direction for all Nebraskans so that we don't have points of confusion or escalation. So that's one piece that needs a, a lot more teasing out. I also thought it was very odd, as my friend Senator Hansen was talking about how NSP is going to create, I guess, an ever-evolving and updated State Capitol gun registry of some sort, that they're going to be distributing, perhaps, moment to moment for who's in the building with a firearm, I think that raises a lot of concerns practically policy-- from a policy perspective and legal perspective, but perhaps he can speak more to that. The last question I have is how are things handled perhaps that aren't listed as a

prohibited substance? Say for example, if a Nebraskan has legally acquired permissible medical marijuana in their briefcase or in their backpack as they're coming in to testify, that shows up on a scan at the metal detector, what happens? If anybody has an answer to how those practical questions work out, I think it would be helpful to know that.

ARCH: Time, Senator.

CONRAD: Thank you, Mr. President.

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

SPIVEY: Thank you, Mr. President. Sorry. You try to time when people are on the mic and going out to the Rotunda, and then next thing you know, I'm sprinting into the floor, so thank you. So I wanted to finish my thoughts earlier around LB1237, where I kind of left off on just about the, the balance of safety, what's in front of us, and then how do we ensure openness and people feel like this is their house and they are present. I know there's been lots of conversation, so just kind of to reset. I was speaking about an experience where I felt unsafe and trying to get someone to come and to help to navigate that. And I think when you add in these layers of weapons and what does it mean when people are utilizing them or even have permission to have them, how do you still create a, a sense of safety? And so I do appreciate that the underlying bill and Exec Board is trying to define what weapons looks like. I can appreciate that they're trying to find balance of people having a permit to be able to carry and that that isn't a reasonable kind of compromise. I still, in general, when you think about who can access firearms and what does that look like? I have a little bit more heartburn of the openness of that process and how we are vetting people. I think even the types of guns that people have inside of the Capitol, if we were going to look at allowing that to happen, can, can be addressed. I know we are more of an open state and, again, my personal preference is that it wouldn't be that way. But you think we have sixth graders and, and babies in here that come to tour the Capitol and to learn about the legislative process and to see these huge firearms across their body and what does that look like and the message that it sends? And so I do think, in general, when we talk about striking a balance in all these aspects, you're trying to balance someone's right to, to bear arms with the safety of political figures that we have seen that to be attacked in present day, in real time, numerous stories, as well as just the bill environment that you

want people to have. I do think, and, and I know that there is a removal of, like, the pepper spray and the brass knuckles and some other pieces, but I do think a weapon is a weapon. And I think about if someone has an intention to harm you, that it doesn't necessarily have to look like a gun. People can cause harm in a number of ways with the things that they bring in. And so I think that that is cause for just more consideration around when you think about the safety of people, what is needed? I think there was some talks last week that some, some folks like to carry pepper spray because we have late nights here and the parking lot can be dark and, you know, you walk with pepper spray so what would it mean to bring in here or not in here? And, and these are, again, are all lots of nuances that have to be teased out. I think we are in a short session with limited time and so that conversation is going to be difficult and so it seems like LB1237 has the votes in so how do we ensure we're putting the best bill forward from now and to Select and what moves through the body, so it doesn't have unintended consequences, but really tries to meet to me what I'm understanding the intention to be, which is around striking a balance of safety for the folks that have come here for service and sacrifice. We put a lot into our work, into our roles, and, again, everyone, no matter your job, you want to go home. You want to go safe to your family, to your friends, and that's really important to me. And, currently, in the state that we have for the Capitol I do not feel as safe in this space. And so I appreciate the attempts of trying to figure that out. I appreciate that we are able to continue to dialogue around this and, and have discourse and I'll continue to listen when not in the Rotunda talking to folks and constituents that pull you off the floor to see what we land on and how we can, again, try to put the best bill forward around this measure. Thank you, Mr. President

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

FREDRICKSON: Thank you, Mr. President. Good morning, colleagues. Good morning, Nebraskans. I have not yet spoken on this measure, but I thought I would hop in here just to talk a little bit. I think there's been a lot of good discussion and colleagues have brought up some interesting points as it relates to some of the concerns they see related to this bill. And I have the opportunity to serve on the Executive Board so certainly sat through the hearing on this bill and have been privy to some of the conversations we've had as a, as a Board as it relates to this. And I want to start by saying I don't think any member of the Board, and I don't want to speak out of turn per se, but I don't think any member of the Executive Board has taken

this lightly or has been, been flippant about the decision-making as it relates to this, this, this, this, this change. This is something that is, I think, been on the mind or has on the minds of legislators for a number of years. And, you know, I think that trying to do this in a way that is effective and, and, and, and, and does what it's intended to do while also being mindful of the rights of Nebraskans and, and the optics and not overstepping that is an important thing. My good friend, Senator Conrad, had, had brought up a number of concerns that she has, specifically as it relates to ADA accessibility, and I, I shared that concern with her. So as many of you are aware, the Capitol only has one ADA accessible entrance, which is the north side of the building. So we talked about this in, in, in the Executive Board behind the scenes, and so currently the plan would be, my understanding of course, and things can always shift or move, is that if an individual were to require ADA accessible entrance they would still be able to use the north entrance and would potentially be wanded. I don't know if that's proper terminology, but using, using a wand to check for the, the, the security of that individual. I think on the long term, we would have to look into whether or not an update to an entrance to be more ADA accessible would be an option. Likely on the east side has been the conversations that I've been privy to has been the thought. Again, that's not an immediate change per se, but that would be more of, like, long-term planning for the Legislature. It would likely be brought in front of the Planning Committee for, for that matter. But for the time being, ADA, folks who would require ADA accessible entrance would likely still go through the north entrance and have-- there, there would be State Patrol there to wand them to, to get into the building. My good friend Senator Conrad also brought up concerns about what if an individual were to come into the Capitol with this-- should this bill pass, and be holding or have a concealed carry and they were going to, for example, the Supreme Court, which currently prohibits firearms in their chambers. My understanding is that the Supreme Court is not planning to change their policy and so they would not be impacted. So, in other words, what I mean when I say that is that, it would-- the same thing would happen if this were to pass as it does today. If an individual shows up to the Supreme Court and they have a firearm, they are turned away. They are not granted access to the Supreme Court. The same would happen here. So if an individual were to show up to the Supreme Court, and they had a concealed carry, and they were permitted into the building based on the policy that we are debating right now, they would still not be permitted access to the Supreme Court because the Supreme Court does not intend to change their policy from what I understand. So these

are, I think, things to consider and, you know, I think really good questions that people are debating and, and wondering again this is a big change to the building. But I also want to take a look at this more kind of globally. I know Senator Hunt brought up some of the concerns about what this might mean from the aesthetic perspective of the Capitol and, you know, I think we, we do have one of the most beautiful Capitols in, in the nation. And Bob Ripley came and testified at the hearing. He was the former Capitol Commissioner, I don't know what the exact title was, but he talked about the-- what this might mean. He had concerns about changing the actual infrastructure of the Capitol. My understanding is that this would not-- we are not planning to actually change or adhere or fix anything permanently to the structure of the building. So similar to what we've seen with annotated hearings that have used metal detectors, these are items that can be assembled and then also taken down but do not require permanent changes to the building itself. So a lot of really, I think, interesting debates. I'm going to continue to listen to the debate. I think that-- I think Senator Hansen had mentioned this earlier on-- early on that there is room for conversation to potentially amend this and, and make it better. I'm certainly open to those conversations that I want to make sure we get this right and ensure that we are doing this effectively. Thank you, Mr. President.

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

ROUNTREE: Good morning. Thank you, Mr. President. And good morning again, Nebraskans, colleagues, as we are continuing to have good debate about our Capitol security, entrance, and so forth. I had an opportunity to come in on Saturday for a very, very beautiful event up in the Rotunda. And as we were here, just seeing the number of individuals that are here in Nebraska just coming in and spending time in their state house, unfettered access, but, you know, looking at the great structures that we have. And I have a guest coming in from the Wisconsin House of Representatives coming in on this weekend. And my desire is, as we've seen their state house, I want to bring him to our state house and let him have a look to see how we do business and where we are. But security is, is, is a concern everywhere. Down in Sarpy County, when I go to the Sarpy County courthouse, I have to strip down to just about everything, so I have to make sure that I'm wearing some tight enough pants because when I take that belt off, you know, you don't want to go through like that and everything, but. So balance, everything has balance. So as we're talking about state houses, I, I was talking with my team this morning in the office and they said if somebody comes in now, you know, there's, there's nothing

that stops them from coming in and doing harm if they want to. So everything is about balance. This historic building that we have, the great beauty of it, but balancing that against the safety of the members that work here. So I said, well, how many of the state houses in our country have a type of security that is there? So I just wanted to read on the states that have a metal detector. We're talking about that, but have Alaska-- Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, and Iowa, our next door neighbor, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Mississippi, Missouri, Nevada, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Virginia, and West Virginia. And I read those, those are just the two, two-digit state abbreviations, so I'm glad I got my history right. So they have a metal detector. How many of these states have an x-ray machine? We're talking about that. You have Alabama again, Arizona, California, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Louisiana, Maine, Maryland, Mississippi, Nevada, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Dakota, Tennessee, Texas, West Virginia, and Washington, D.C. They have x-ray machines. How many of these states have ID required to be able to access? Arkansas, Alaska, Delaware, Georgia, Kansas, Kentucky, Maryland, New Jersey, New York, and Tennessee requires a type of ID to be able to access their state house. And then another type of security that's provided, along with some of the bills that we heard in Judiciary for our state prison, was they have security fencing. Ours is open. So-- but Minnesota, Oregon, and South Carolina has state fencing as a type of a security. So there's options available as we look at securing our Capitol, but balancing that against the aesthetics of this historic building that we have and maintaining the beauty. So I too am thankful that we have our State Patrol that provides our security on a daily basis. Sometimes members that come into testify are not happy about being here to testify. And sometimes the hearings, as you know, can get really tested. So I appreciate the fact that security is ramped up so that we can protect, you know, not only our citizens, but all of the members that come to work here in our state house. So I'm excited that we'll continue to look at LB1237. Over the summer, I had some hearings about housing, and I thought we got some good production out of those hearings. I would not be adverse to having a hearing about how we best implement, you know, our security here at the Capitol. So all the needs are balanced, and we

have the proper guardrails that are instituted. So with that, Mr. President, I am thankful and I yield back any time that's remaining.

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

DeBOER: Thank you, Mr. President. Good morning, colleagues. So I talked to Senator Hansen about the committee amendment, and I'm feeling a little better about that. But I think before I completely decide that I am OK with this sort of bifurcated system, that I would talk to the State Troopers and ask them what their capacity is and how they would do this and how they foresee it and all of that sort of thing. Some of which maybe if there's more information or, or loose threads or something we could amend into the bill in Select File. So I'm listening and I do think something needs to be done. I remember last year I was walking around on the-- it was maybe the year before, somewhere in the last 2 years, I was walking on the main floor going to my office and a man came up to me and said where do I check in? And I have no clue who this man is. And I say, what? And he said where do I check in, where do I tell them that I am here? Where-- you know, and he was looking for the security measures and I said, oh, you don't have to do that here. He said anybody can just walk in here with anything? And I say, yes. He was from another state, he was completely shocked. And when I talk to colleagues from other states who are in state legislatures in other states they express similar sorts of ideas and feelings about the openness of our, our building and I have gotten the impression that folks are like, well, I do not want to come to your Capitol then, which is something that gives me pause if our Capitol is something to be avoided because it is too open. I don't know, but that was just the expression of that man and some other folks in those moments. So I do think that we're making some good progress here. I think this is a, a useful and needed bill. If it's written exactly right or not yet, I'm not sure. So I will continue to listen to the debate, but I will say that in my travels, I have not met another Capitol where I did not have to have some sort of security measure. So it makes sense that we're, we're talking about this and thinking about this at this point. And I applaud those efforts by the Executive Board. Just want to make sure that we get it right. I would yield the remainder of my time to Senator Conrad and ask her to speak again on the issue of the lobbyists, if she would so choose.

ARCH: Senator Conrad, 2 minutes.

CONRAD: OK, very good. Thank you, Mr. President. And thank you to my friend, Senator DeBoer. So earlier today, I had filed an amendment

that ensured equitable access for, for the State Capitol, ensuring that there would be no preferential treatment granted or bestowed upon registered lobbyists. I mentioned it during the commencement of our debate on this on Friday, and then followed up on it drafting the measure over the weekend and put it forward today. So that measure was rejected by the body, and I respect that, and then later brought forward a successful measure to strike the criminal penalties that were contained therein where we found consensus on that item. So I have some additional topics that I'd like to make clear for the record. AM2028, which was recently adopted by the body, indicates that Nebraska State Patrol, who by the way does a great job protecting this building and our staff and elected officials and visitors and citizens, and I have full faith in their ability to continue doing such, and I don't think that we need to lock down the Capitol in order to continue their good work, but, nevertheless, there seems to be an indication in the amendment that was adopted that NSP will promulgate additional rules or regulations and policies and procedures surrounding this rather broad grant of authority. My question is, will that be conducted pursuant to the Administrative Procedures Act? Will there be additional public hearings available so that all stakeholders know what the rules are? What policies and procedures are being proposed? How those will be applied? I'm hoping that it would go according to the APA, but I want to--

ARCH: Time, Senator.

CONRAD: Thank you, Mr. President.

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

HUNT: Thank you, Mr. President. Colleagues, I rise again in opposition to LB1237. I don't think that this needs to be a law. I do trust our State Patrol to keep people in this building safe. They are armed, they investigate threats, and they already have the responsibility of keeping senators, staff, visitors, testifiers, lobbyists, everybody in this building safe, and that work is happening right now, every day, without the unanswered questions that this bill as amended creates. And I think that before we fundamentally change how Nebraskans access their Capitol, we need to be able to explain why what's working now is not sufficient. And I think some people have tried to make that argument but it's not reaching me, frankly. I don't think we've done that. There's also the provision allowing someone committing this new offense if they don't receive prior approval from the State Troopers that they have a concealed carry permit. I think that raises a lot of

questions. I, I wonder how that process is going to work. I know that that's something for them to promulgate, for something for them to do. But, again, colleagues, they can already do that. That might be something for them to do internally that would make a lot of sense in cooperation with the Executive Board. I think that-- and the Attorney General, and the executive branch, and it can be a governmental building-wide thing. I don't see why, why that can't be the case. I think sometimes in the Legislature the nail-hammer thing is happening where if there's a problem, we seek a legislative solution. But I don't think that that's prudent always. You know, questions about this approval to concealed carry in the Legislature. What criteria are used? Is it written down? Is it public? If someone has approval to carry a weapon in the building how are visitors and staff supposed to know that? If State Patrol gives someone permission to carry a weapon in the building, how does anybody else know? What if I see somebody carrying a weapon and I, I don't know if they were approved to do that or not? Is that going to then jam up the State Patrol with all these reports and requests and things like that? Do they get a badge? Is it a credential? Is a letter in their pocket? Is it nothing? Because from the perspective of a visitor or staff or anyone else, anyone else, any of us, anybody, there's no difference between an authorized weapon and an unauthorized one. So with this bill, we're basically just asking the public, people, to trust that the system is working, people who might not even know the rules in the first place. And we're creating a structure that relies on, I guess, the discretion of the State Patrol without transparency to the public. And that makes me really uncomfortable. I think that uncertainty among the public of who's allowed to carry a weapon and who isn't creates a lot of confusion. Is it going to be, you know, we see the posters downstairs, these foam core printed poster board things from Prager University that are like a command strip to the wall, that this is the beautiful art that's now adorning our Capitol. It's so embarrassing. It's so bad. But-- so what is it going to be to explain the rules about the guns? Something command stripped to the wall? Like, I just don't think it's it. I don't think it's a good thing. I understand, I agree, that political violence is a concern nationally right now. And I understand the impulse to do something, but whatever urgency you feel to do something in the State Capitol this year, I don't think that that excuses incomplete policymaking or sloppy policymaking. I think that when we're afraid, when people within an institution are afraid, sometimes that's when we make our most permanent decisions, and those decisions can outlast the moment when they were created, the moment that created them. And a lot of us, you know, won't be here anymore as these things

are implemented because of term limits, but Nebraskans will have to live with whatever we authorize through this bill. I think that we will look back, we will see that this time could have been better spent, that this didn't need to be a law. That an interim study would have been prudent, and that we were doing this in a reactive way to things happening at the national level instead of looking in the mirror and looking at what we are doing as lawmakers to contribute to political violence in this country. There is not an urgent threat in this Capitol that necessitates LB1237.

ARCH: Time, Senator.

HUNT: Thank you, Mr. President.

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

CONRAD: Thank you, Mr. President. Good morning, colleagues. A couple of additional points that perhaps need some response or deliberation in regards to this measure. Looking at the committee amendment, AM2028, that was adopted by this body to amend the underlying LB1237, there is some definition provided in regards to what a prohibited substance is. And I know Senator Hansen said it's a work in progress and more work will be done in that regard. There is similar language attempting to define what weapons are prohibited. So a, a few just points there in regards to potential incendiary devices. Does this include fireworks? Does this include lighters? Does this include matches? I'm not sure and so I'm asking. There is also a broad grant of prohibition in regards to hazardous material. Again, I'm not 100% sure what is contemplated in that phrase on the committee amendment so we would need to perhaps tease that out. Additionally, this treats paint in the same manner as bombs. And I think-- in the very next clause, and I think that's kind of strange. I understand, of course, we don't want anybody defacing the Capitol. We already have laws in place against vandalism, criminal mischief, trespass, etcetera. And we have specific rules in place in regards to how people peacefully express their position on key issues. For example, there are criminal penalties for bringing a protest sign into the Capitol that's on a stick that have recently been upheld by the Nebraska Supreme Court. So my question is how does this apply to say, for example, artists if they were having an exhibition or a display or an artistic endeavor in the Capitol where they were going to be painting and utilizing paint for artistic purposes? How would this apply to a daycare or a school group who is coming in to visit the Capitol and may have an activity bag with them for their time here? And it's pretty commonplace that

when school children or younger visitors come here that if they're waiting with their parents for them to testify or conclude their field trip, they might grab an open hearing room or some space in the cafeteria and they might color or paint or things of that nature. So just wanted to lift that up in terms of a practical perspective. The other questions I have in regards to application of Section 2 in the committee amendment for prohibited substances and weapons, which, again, I posed on Friday, at least generally, I believe, and have yet to hear a response. So my question to Senator Hansen or other members of the Executive Committee, if they'd like to respond now or if they would like to work this out, perhaps on Select File, is quite straightforward. Are senators going to be allowed to bring weapons or prohibited substances into the Capitol? If so, why? If not, why? How is that clear in regards to the measure? How does that conform with potential questions in terms of enforceability and applicability in regards to legislative immunity? Additionally, can staff bring any prohibited substance or weapon into the Capitol? If so, why? If not, why? How is that enforced or policed? Those are some additional questions that I wanted to make sure to lift up just kind of from a pragmatic standpoint as to the list of prohibited substances and weapons, wanting to ensure equity in terms of application for staff and senators so that they're treated in the same manner as citizens who are visiting the building in that regard. And then just the last piece is I understand due to reciprocity or for other matters that even though we now have a voluntary concealed permit process in place in Nebraska, as of December 1, 2024, and I just did a quick--

ARCH: Time, Senator.

CONRAD: --Google search, there are about 90,000 Nebraskans carrying that, that designation. Thank you.

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

JUAREZ: Good morning and thank you very much for giving me the opportunity to speak on this issue this morning. You know, I, I do think it's unfortunate that the reality is that we need to continue to evaluate our safety in the Capitol due to the incidences that have occurred in our country. You know, I do think that it's an important issue to discuss. I do respect the right to carry. It's not something that I'm against. However, of course, you're always concerned about the, about the safety issues, and it doesn't appear that our gun laws really keep us safe. Obviously, what they've told to me when I raise issues about safety is that, you know, it has to do with the person

who's carrying the gun, right, not the gun itself. And, obviously, I under-- I understand that point, but this is a huge decision that we're making for the future of how we want to operate in the Capitol. I think that there are-- more discussion needs to occur. And I appreciate that we're going to take some time and, and try to evaluate how we want to go forward. I would like to yield the rest of my time to Senator Conrad. Thank you.

ARCH: Senator Conrad, 3 minutes, 10 seconds.

CONRAD: Very, very good. Thank you, Mr. President. And thank you to my friend, Senator Juarez, for a little additional time. I know that we're coming upon adjournment for the lunch break here quickly, so I just wanted to, again, you know, provide some information for the record and potential negotiations, I guess, on this measure moving forward. So even though we changed the law in Nebraska to allow for permitless concealed carry in recent years, many firearms owners still seek a voluntary certification. My understanding is primarily due to reciprocity concerns or to facilitate travel to other states that may have a different approach to that issue. And, again, just speaking very generally there. So in order to receive that permit, you'll need to be of a certain age. I think it's 21 years old. You'll need to subject yourself to a background check and you'll need to complete a, a training. And then those permits are valid, I believe, for about 5 years. So, again, if you go and look at some of the data that's been collected on that topic from the incredible professionals at the Nebraska State Patrol, you can see that there has been a precipitous decline in terms of Nebraskans who are going through that concealed carry permit process since we changed the law and that, I think, Senator Brewer brought forward that measure maybe back in 2023. So, again, if you look at the most recent statistics available, the ones that I was able to bring up quickly, there's just shy of about 90,000 Nebraskans who are utilizing that concealed carry permit today. The number was about 87,470 that came up in a, a quick Google search, admittedly. So that just kind of goes to show how that process is being utilized today. And my question is, I guess, is we are not going to allow concealed carry permits to afford access in places like courthouses or schools, for example, but then we have a different standard for certain parts of the Capitol. I just want to ensure that we have clarity in regards to the policy underpinnings and the application. I think the definitions need work overall, which Senator Hansen has conceded, and I have no doubt he'll continue to work on those in good faith. I'm glad we were able to remove the new additional criminal penalties together this morning. But I do want to

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Floor Debate February 23, 2026
Rough Draft

make sure that we have a clear understanding of the fiscal implications, how we strike the right balance in terms of First Amendment rights and in terms of Second Amendment rights. And I'm just not convinced that LB1237 is the right way to go. This is a complex issue.

ARCH: Time, Senator.

CONRAD: Thank you, Mr. President.

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

HANSEN: Thank you, Mr. Speaker. I'll, I'll be brief, colleagues. I just want to bring up maybe a notion that some senators have talked a little bit about on, on their turns here as the idea of lobbyists. And the idea, with maybe Senator Conrad's amendment, the idea now we're giving lobbyists for special interests a carve out because we didn't pass that amendment. But, actually, according to policy right now, lobbyists are treated the same as the public. They do not have badges like staff and senators do. So when this bill does-- when it gets passed and gets implemented, they will still have to use the same entrance as the public will. So, technically, we didn't need an amendment for that, because right now they do not have badges like we do or the staff. So they have to use the same entrance as the public. So just wanted to clarify that. So we're not kind of going off the road there a little bit about making sure or for the public watching that we're not giving special interest to lobbyists and kind of special carve out. So they have to use the same one as the public, so. Thank you, Mr. Speaker.

ARCH: Mr. Clerk, for items.

CLERK: Thank you, Mr. President. Conflict of Interest Statement filed by Senator Hallstrom. Additionally, your Committee on Enrollment and Review reports LB110 as correctly engrossed and placed on Final Reading Second. Additionally, your Committee on Enrollment and Review reports LB365A, LB548, LB653 as correctly engrossed and placed on Final Reading. Your Committee on Enrollment and Review reports LB822, LB824, LB816, LB900, LB823, LB979, LB722, LB1127, placed on Select File, some having E&R amendments. Additionally, Committee on Banking, Commerce and Insurance, chaired by Senator Jacobson, reports LB525 to General File with committee amendments. Your Committee on Health and Human Services, chaired by Senator Hardin, reports LB936 to General File. Your Committee on Natural Resources, chaired by Senator Brandt,

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Floor Debate February 23, 2026

Rough Draft

reports LB1232 to General File. Your Committee on Revenue, chaired by Senator von Gillern, reports LB938, LB1154, LB1191, LB1192, LB1331 [SIC--LB1131] to General File, some having committee amendments. New LR, LR348 from Senator Spivey and others, that'll be laid over. Name adds: Senator Andersen name added to LB1134, Senator Fredrickson to LB1217. And a priority motion, Senator Juarez would move to adjourn the body until Tuesday, February 24 at 9:00 a.m.

ARCH: Members, you've heard the motion. All those in favor say aye. Opposed, nay. We are adjourned.