

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate March 8, 2022

**HUGHES:** Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the thirty-seventh day of the One Hundred Seventh Legislature, Second Session. Our chaplain for today is Pastor Raymond Wicks from the First Baptist Church in Plattsmouth, Nebraska, Senator Clements' District. Please rise.

**PASTOR RAYMOND WICKS:** Please join me in prayer. Father and God, we are thankful for the wonderful nation you've given to us, but, Father, we need your help and we need your help in our state. The world needs your help. Father, we pray for these people in Ukraine. We pray for the people that are fleeing, that you'd give support and help those. Give strength to the neighboring countries for all innocent involved. We certainly ask for your protection and help. I pray you give wisdom. Proverbs 8 tells us wisdom cries and understanding is lifting up its voice and it's asking does anyone want God's wisdom? And, Father, I pray to you'd give wisdom to these, especially today, that are gathered to do your work. They are ministers of yours and I pray that you would give them wisdom, help them to have courage to stand for what they should with principles from your word. And I pray that you would bless them. I pray you would cause confusion for any time that it would not be what your will would be and so we ask for your help with that. Pray that you would bless our Governor and each of the senators. Each of these are individuals and I know that they have various things going on in their personal lives and I pray that you would help them, I pray that you would strengthen them, and I pray that you would work through them. And we commit this day for your glory and we ask it in Jesus' name. Amen.

**HUGHES:** Thank you, Pastor Wicks. I recognize Senator Brewer for the Pledge of Allegiance.

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

**HUGHES:** Thank you, Senator Brewer. I call to order the thirty-seventh day of the One Hundred Seventh Legislature, Second Session. Senators, please record your presence. Roll call. Mr. Clerk, please record.

**CLERK:** I have a quorum present, Mr. President.

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

**CLERK:** I have no corrections.

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

**CLERK:** There are. Mr. President, Enrollment and Review reports LB1246, LB707, LB863, LB752, LB805, LB896, LB1273, LB1273A, LB917, LB917A all to Select File, some having Enrollment and Review amendments. Your Committee on Enrollment and Review also reports LB450 and LB1099 as correctly engrossed. Your Committee on Health and Human Services, chaired by Senator Arch, reports LB1007 to General File with committee amendments attached. Senator Blood, new resolution, LR318. That will be laid over. Confirmation reports from Health and Human Services Committee, three separate reports all signed by Senator Arch as Chair. New A bills: LB805A, Senator Hughes, it's a bill for an act to appropriate funds to implement LB805; LB809A, by Senator Hughes, appropriates funds to implement the provisions of LB809; and LB1102 [SIC--LB1102A], by Senator Bostelman, it's a bill for an act to appropriate funds to implement LB1102. Two announcements, Mr. President: Education will meet under the north balcony at 10:15, Education, 10:15, north balcony; Business and Labor at 10:30 under the south balcony. That's all that I have, Mr. President.

**HUGHES:** Thank you, Mr. Clerk. Colleagues, Senator Pansing Brooks would like to recognize Dr. Christi Keim of Lincoln, who is serving as our family physician of the day on behalf of the Nebraska Academy of Family Physicians. Dr. Keim, if you would please rise to be recognized by your Nebraska Legislature? Also, Senator Carol Blood would like to recognize Girl Scouts Spirit of Nebraska. There are ten people and they are seated in the north balcony. If you would please rise to be recognized by your Nebraska Legislature. Proceeding to the agenda. Mr. Clerk, we'll proceed to confirmation reports.

**CLERK:** Mr. President, the Health and Human Services Committee reports on two appointments to the Commission for the Blind and Visually Impaired.

**HUGHES:** Senator Arch, you're recognized, as Chairman of the Health and Human Services Committee, for the confirmation reports.

**ARCH:** Thank you, Mr. President. On February 23, the Health and Human Services Committee held confirmation hearings on two appointments to

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the Commission for the Blind and Visually Impaired. The commission has a five-member board, including at least three blind persons, one member or designee of the National Federation of the Blind of Nebraska, and one member or designee of the American Council of the Blind. The first appointment is Cheryl Livingston. Cheryl is a new appointment to the Commission for the Blind and Visually Impaired. Ms. Livingston is very familiar with the commission, as she was employed there for 21 years. During that time, she received the employee of the year award, as well as the Richard Parker Memorial Award, the highest honor given by the Nebraska Federation of the Blind of Nebraska. Ms. Livingston will fill the role of one of three blind persons on the commission. And in addition to being a former employee of the commission, she has been a client of the commission, so she is extremely knowledgeable about their work and the service they provide. At her confirmation hearing, Ms. Livingston testified that in her opinion, one of the most important things the commission can do is provide its consumers with a positive attitude about blindness and that is her goal as she serves on the commission. The next is Linda Mentink. Linda Mentink is also a new appointment to the Commission for the Blind and Visually Impaired. Ms. Mentink will fill the role of one of three blind persons on the commission and she is very qualified to do so. Ms. Mentink attended Wisconsin School for the Visually Handicapped and then earned a bachelor's degree in music from the University of Wisconsin-Whitewater. Ms. Mentink has been very involved in the blind community. She joined the National Federation of the Blind in 1975, has attended every national convention of the federation since 1986, and has held various national leadership positions. Ms. Mentink joined the Nebraska chapter of the National Federation of the Blind in 2005 and has served as the vice president of the Friends of the Nebraska Commission for the Blind and as president of the alumni association of the Wisconsin School for the Visually Impaired. Both Ms. Livingston and Ms. Mentink are passionate about the work of the commission and highly qualified. Their appointments advanced unanimously from the Health and Human Services Committee, so I encourage your support of their confirmation.

**HUGHES:** Thank you, Senator Arch. Discussion is now open on the confirmation report. Seeing no one in the queue, Senator Arch, you're welcome to close on your confirmation report. Senator Arch waives closing. Colleagues, the question before us is the adoption of the report offered by the Health and Human Services Committee. All those in favor of vote aye; all those opposed vote nay. Have you all voted? Record, Mr. Clerk.

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**CLERK:** 35 ayes, 0 nays on adoption of the confirmation report.

**HUGHES:** Report is adopted. Next item.

**CLERK:** Mr. President, Health Committee reports on the appointment of Richard Wiener to the Foster Care Advisory Committee.

**HUGHES:** Senator Arch, you're recognized to open on your committee's confirmation report.

**ARCH:** Thank you, Mr. President. Dr. Richard Wiener is a new appointment to the Foster Care Advisory Committee. The Foster Care Advisory Committee is a five-member committee which supports and governs the work of the Foster Care Review Office, or FCRO. The FCRO is an independent state agency which tracks children in out-of-home care, reviews children's cases through a review process by its local citizen review boards, collects and analyzes data, and makes recommendations on conditions and outcomes. Statute requires three members of the five-member advisory committee to be local board members, one member to be representative of the public at-large, and one member to have data analysis experience. Dr. Wiener will fill the role of the member with data analysis experience. Dr. Wiener has a Ph.D. in research psychology from the University of Houston, as well as a master's of legal studies from the University of Nebraska. He served on the juvenile services subcommittee of the Nebraska Children's Commission for four years and has conducted evaluation work for the Nebraska Judiciary for the last ten years. At his confirmation hearing on February 23, Dr. Wiener testified about his passion for juvenile justice issues and keeping youth out of the criminal justice system. His expertise as a research psychologist has allowed him to serve the state of Nebraska in previous roles and he is willing to continue that service as a member of the Foster Care Advisory Committee. Dr. Wiener's appointment advanced unanimously from the Health and Human Services Committee, so I'd encourage your support for his confirmation. Thank you.

**HUGHES:** Thank you, Senator Arch. Is there any discussion on the report? Senator Lathrop, you're recognized.

**LATHROP:** Thank you, Mr. President. Colleagues, good morning. I hope you had a good weekend. I don't have a problem with this appointee. I want to take this opportunity to talk about something that came up in Judiciary Committee on Thursday, a bill introduced by Senator Hansen, and I want to talk about it a little bit this morning. Senator Hansen has been a tireless advocate for people who are incompetent and need

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to go down to the regional center to have their competency restored. Thursday, we heard a bill in Judiciary Committee dealing with this issue and I want to talk about that and I want to talk about a phone call I took from somebody yesterday about capacity at the regional centers. We have people-- and just so that you understand the criminal justice process, if you get arrested and you are charged with a crime and you go before the court and the judge, the lawyer, or the prosecutor believe you are not competent to stand trial, the court will order an assessment and then statute, law requires that you go to the regional center to have your competency restored. Now, let me tell you what it means to be incompetent. That means you can't meaningfully participate in your criminal proceedings. So you don't know what the judge's role is, what that jury is doing there. OK, you get the idea? These are very mentally ill people, very mentally ill. And Senator Hansen, when we-- when he had a bill two years ago where we could have HHS try to restore the competency outside of the regional center, our waiting period was 100 days. And I'm not kidding when I tell you the jailer from Lancaster County came in and was emotional talking about the people who are pending going to the regional center to have their competency restored. Understand, the county jail holds a whole bunch of people. A lot of them are folks who are sitting there on a drug charge waiting for their trial to come up. Now we got a guy who's incompetent, he's severely mentally ill and he needs to go down to the regional center, but we don't have the capacity, no-- nor do we have an interest in expanding capacity. So here's what's happening. These mentally ill people, who don't know a judge from their defense lawyer, are sitting in our county jails on average 128 days. Now think about that. Can you imagine a more important moral issue than that? We had the director of institutions-- Larry Kahl was in front of the committee. He had a number of reasons why they're doing ligature over there. It doesn't matter what they're doing there. They don't have enough beds, even if every one of them was available for a patient, because they're dealing with sex offenders, they're dealing with people that are committed, and they're dealing with people who need to have their competency restored, and they wait and they wait. And because we don't have enough room for the people who are in need of long-term care-- remember, we closed our regional centers and we were going to invest it and everything was going to be fine and everybody would get what they need in the community, but we're leaving a population out. Some of these people need-- need, colleagues, they need to be in a long-term setting. We do not have the capacity at the regional center and I don't see any interest in expanding it, none. We got a bunch of

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reasons and we hope to take care of the ligature issues and we got supply chain issues--

**HUGHES:** One minute.

**LATHROP:** --running the regional center. We can-- one person has waited 365 days to go to the regional center to have their competency restored and they are sitting in county jails. That's not a mental health facility. Our county jails and our Department of Corrections has become a de facto substitute for capacity in the regional centers and it's immoral. I took a call yesterday and, you know, when I go back on a-- on long weekends, I work. I'm at the law office and occasionally I will get a call from somebody who really is calling me about a-- one of our issues and I took one of those calls yesterday. A mother called me about her son. Her son is 30 years old and when he was 20 years old, he was diagnosed with a whole host of mental illnesses, you--

**HUGHES:** That's time, time, Senator, but you're next in the queue. You may continue.

**LATHROP:** --thank you, Mr. President-- a whole host, you name it: bipolar, schizoaffective disorder; the, the laundry list of major mental illnesses and this young man's been dealing with it. And here's what happens because we don't have capacity. He gets picked up on an EPC, and this is not an uncommon story. I'm not telling you an isolated event. This is happening across our state because we, we wanted to close all of our regional centers and we thought when we closed them that we left enough capacity behind and we have not. This mother said he gets picked up on a, on an EPC by law enforcement. He has lost it. He's not making sense, no one can deal with him, let's call the cops-- by the way, a dangerous situation for law enforcement when they roll in on one of these things, but they do. And, and of course, he's not going to cooperate so they have to tackle him or they have to tase him or one day, one day, as happens, he'll have a knife or he'll have some weapon and get shot. But this cycle of going, getting picked up by law enforcement, taken to a facility-- by the way, we don't have long-term capacity because our regional center is-- does not have the capacity to take somebody long term. So in they go to a hospital and they'll spend two or three days there. They'll juice him with a bunch of meds. By the way, they don't know what meds to give him because they don't know what meds he got the last time he was in there. So we're going to start over and experiment with this medicine and see if it works, and if it does and if the guy promises not to kill himself or go out and kill somebody

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else, we let him out. There's nothing after that. Imagine being a parent. Imagine being a parent. There is nothing after that. Take your medicine, Myron, take your medicine now that you're leaving the hospital. And he doesn't, because you know what? It doesn't feel good or they feel like they're being-- they're getting better so they don't. And then guess what? They spiral, they spiral and then the family can't talk to him. They can't deal with him anymore. And the next call is to law enforcement and they roll into somebody's basement. Usually, it's a family member that calls them. They roll into a dangerous situation with someone who is in mental health crisis. That guy needs more than three days over at Immanuel and he needs more care than just to shoot him up with something and tell him, you promise not to kill yourself? When we diminished our capacity in institutions, it was well-intended. Putting people in the least restrictive environment is important, but it-- but that goal should not erase or allow us to look past the fact that we need sufficient capacity because, I can tell you, the effective regional center in Omaha is the Douglas County Jail, because these guys live under a bridge, they become our homeless, they, they take a swing at a law enforcement officer, and now they're looking at a felony and they're at our Department of Corrections. They're at our Department of Corrections. It's full of people with major mental illness. Scott Frakes is running a mental institution and these people deserve something different than that. And we can't, in the name of having people in the least restrictive environment, ignore the fact that we have to have capacity for people that need more. And we don't--

**HUGHES:** One minute.

**LATHROP:** --and we are woefully short. People were in on Senator Hansen's bill that said we need 1,000 beds. The counties, we had Commissioner Schorr come in on Senator Hansen's bill. They're not a mental health facility, but they're, they're becoming a de facto mental health facility and they're mixing it up with everybody else waiting for trial on a homicide or a kidnap or a terrorist threat. This is the moral issue of the day. Soon, we'll, we'll debate the budget. We will debate the budget and for me to say, for me to say that it is a moral document would be cliché. We talk about that. Somebody will pop up and say this is a moral document. It is. What are our priorities going to be? Because we're sending these people, they are getting-- they are dying by cop.

**HUGHES:** Time, Senator. That's time. Senator Hilke, you're recognized.

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**HILKEMANN:** Thank you. I rise-- I, I really appreciate what you're saying, Senator Lathrop, and if you would like more time, I would yield time to Senator Lathrop at this time.

**HUGHES:** Senator Lathrop, 4:45.

**LATHROP:** I'd be happy to. Oh, he yielded me time? OK. Colleagues, we will-- we are sitting on a lot of resources right now and soon we'll debate the budget. There are mental health provisions in there. We got to take care of the providers. We have to do that. We need to do something about capacity at the regional center. We need to do something about long-term capacity for people who need more care and follow-up than simply to give them care for three days, get a promise from them that they won't kill themselves, and then send them out the door. I got off the phone with this mother that called me yesterday and I have to tell you, you, you all probably thought I was a one-song band and the only thing I care about is correction reform. That's important to me. It's important to me because I know who's in there. I know where they come from. It's not just the folks that come from Senator McKinney's district, but the folks who come there with mental illness. We-- in 2014, we did a special investigative committee to look at the circumstances of Nikko Jenkins' incarceration and his release. Do you know that that guy himself was petitioning, his family was petitioning to have him taken to the regional center instead of discharged? And a month before he was discharged, OK, a month before he could see freedom, he said, send me to the regional center, I'm not well. Nope, don't have the capacity, we're not going to do it; we're just going to release you into society and let you go. What he did was predictable. What he did was predictable. We need more capacity. I'm not going to be here next year, but, colleagues, we need more capacity for these people that need long-term care and it doesn't have to be a forever sentence at the, at the regional center. But it needs to be we have sex offenders that we have to take care of, we have people that need to be committed, and we don't have the beds or the capacity. And these people that need to have their competency restored, they are presumed innocent. Some of these people, they bring them in and have them plead just so they can get out of the jail. And it's not right. It's not right. Mental health is probably the number one issue of the day for this body and for the state and we need to make investments. Thank you.

**HUGHES:** Thank you, Senator Lathrop. Senator Friesen, you're recognized.

**FRIESEN:** Thank you, Mr. President. Being distracted and not hearing the confirmation issue, I guess this is a side issue, I take it, Senator Lathrop, so I will join in with Senator Lathrop and I totally agree with everything he's saying. A few years back, when we were investigating some of the long-term care facilities that had a, a large client base of mental health clients, we found the state also to be woefully short in beds for mental health. Some of those places, I mean, they, they, they were trying to do a really good thing, but our lack of facilities for more supervised care, there just wasn't a place for people. And I think most on our committee would agree that there was a percentage of those clients living on an open campus in a, in a nursing home facility who could leave any time they wanted that I felt could have been one of those cases where they ended up in jail. There was just a percentage of clients that needed to be under a little more supervision, a little more restricted care, but there were not facilities available. They had the opportunity to leave the campus at any time and not return. And to me, going off your meds and doing that would have set up a scenario where Senator Lathrop was talking about where down the road, you end up in jail. And we had a, a case like this in Hamilton County where there was a, a lady that was arrested. She was a frequent flier. It was a mental health issue. And the sheriff knew her, knew that it was a mental health issue, but had nowhere to go but to put her in the county jail. During her time in that county jail, she attacked the sheriff and subsequently ended up in the women's reformatory in York. Would have been a lot cheaper if we could have had a mental health facility to take that person to where they could have been treated properly because it wasn't a criminal activity as much as it was a mental health issue and the police were called. So we have closed facilities in the past and we have not addressed this issue and I agree with Senator Lathrop. I don't know what percent are in the, the state prison system because of mental health issues. And it's not because of one thing. It was a, it was a series of things. I'm not going to say somebody was just thrown in jail randomly because they did one thing wrong. But when you have a client that has mental health issues, it can be a series of times when the police are called. There's no other alternative, especially in rural areas. The police are the only ones that are capable of handling that person possibly. And so they end up in the county jail, they spend a little bit of time there, and hopefully a spot opens up, but it doesn't. There are no openings. And that's where, after a while, it turns into probably a prison sentence for somebody. We've got to address this, especially in the rural areas. I, I know Douglas County is trying to address it, other areas are trying to address it. But as a state and especially in the rural

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areas, we have transport times that are two to three, four hours where you have to have a deputy tied up in transporting that person. And there have been cases where they get three-fourths of the way to their destination and they're called back and, because of whatever, they either don't have room or the, the courts want to see them the next day, so you just bring them back. It is a huge issue that we don't have a place for mental health patients. And at some point in time, we have to address it if we're going to address overpopulation in our prisons. And I think now's as good a time to talk about it because I hope we're talking about it. I hope somebody has a bill that does this, but we need to build some more facilities. We have to have some more mental healthcare providers in rural areas.

**HUGHES:** One minute.

**FRIESEN:** And so I think this is an extremely important issue and I agree with-- again, with everything Senator Lathrop said. Thank you, Mr. President.

**HUGHES:** Thank you, Senator Friesen. Senator Matt Hansen, you're recognized.

**M. HANSEN:** Thank you, Mr. President, and I'll be brief. I appreciate Senator Lathrop and Senator Friesen for speaking. Obviously, my bill on Thursday was kind of the genesis for some of this realization. It's a bill I'd been working on in a variety of forms for a number of years with our county, my county, Lancaster County. And that was the thing with this bill this particular year is I don't think anybody realized how much, or at least I didn't realize how much lower the regional center is actually operating on a day-to-day basis versus the amount of licensed beds. They're licensed for 200 people, they have about 164, and that's already with a pretty sizable waitlist. That is due to a variety of issues, including some construction issues, which I understand, but that's like the difficulty we're at. And as was mentioned at the hearing, it was suggested that, you know, statewide, we have maybe around 300 of these long-term kind of high-level mental health beds and for state, our population, we probably needs some more in the 750-1,000 range. So we're already low, already low compared to our waitlist. We're already low compared to what our population says. And then we're having difficulties with even just getting the regional center at its full kind of physical and operational capacity. That's something that I think we need to step up and continue. And at some point, I hope it can be this year, but at some point, the state of Nebraska is going to have to commit

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to making sure some of these kind of long-term, secure mental health beds are more available. Thank you, Mr. President.

**HUGHES:** Thank you, Senator Hansen. Seeing no one else in the queue, Senator Arch, you're welcome to close on your confirmation report.

**ARCH:** Thank you. Just a reminder that we are voting on Dr. Richard Wiener for the Foster Care Advisory Committee, who will be the member with data analysis experience and he is deep in that. So appreciate your vote yes on this confirmation report. Thank you.

**HUGHES:** Thank you, Senator Arch. The question is the adoption of the report offered by the Health and Human Services Committee. All those in favor vote aye; all those opposed to vote nay. Have you all voted? Record, Mr. Clerk.

**CLERK:** 38 ayes, 0 nays on adoption of the confirmation report.

**HUGHES:** The confirmation report, report is adopted. Colleagues, Senator Lowe would like to introduce 60 individuals with Leadership Kearney from Kearney, Nebraska. They are seated in the north balcony. If you would please rise to be recognized by your Nebraska Legislature. Thank you for coming. Colleagues, we'll skip over the Ag Committee confirmation and move to the next one. Mr. Clerk.

**CLERK:** Mr. President, Health Committee reports on the appointment of Peggy Williams to the Commission for the Deaf and Hard of Hearing.

**HUGHES:** Senator Arch, you're welcome to open on your confirmation report.

**ARCH:** Thank you, Mr. President. Our last appointment is for Peggy Williams for the Commission for the Deaf and Hard of Hearing. Peggy Williams is a new appointment to the Commission. The Commission for the Deaf and Hard of Hearing is a nine-member commission and it is the principal state agency responsible for improving the quality and coordination of services for the deaf and hard of hearing. Ms. Williams is extremely knowledgeable and familiar with the commission, having been employed by the commission for more than 30 years before retiring in 2016. During that time, she was instrumental in drafting legislation to provide access to mental health services for the deaf and hard of hearing. She has served on a number of statewide committees to ensure quality services are being provided to this population and at her confirmation hearing, she testified very passionately about her awareness of the needs of deaf and hard of hearing people. During her time at the commission, Ms. Williams was

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nominated three times for employee of the year, has been recognized by three different Nebraska governors for her work, including Governor Kerry and Governor Ricketts. In addition to her work on the commission, Ms. Williams recently retired as a certified sign language interpreter. Ms. Williams will serve a three-year term and the state will benefit from her experience and passion for deafness and hearing loss issues. The Health and Human Services Committee voted unanimously to advance her confirmation to the floor so I encourage your support for her appointment. Thank you.

**HUGHES:** Thank you, Senator Arch. Is there any discussion on the report? Seeing none, Senator Arch, you're recognized to close on the report. Senator Arch waives closing. Colleagues, the question is the adoption of the report offered by the Health and Human Services Committee. All those in favor of vote aye; all those opposed vote nay. Have you all voted? Record, Mr. Clerk.

**CLERK:** 39 ayes, 0 nays on adoption of the confirmation report.

**HUGHES:** Confirmation report is adopted. Next item.

**CLERK:** Mr. President, Government Committee reports on the appointment of Ann Ashford to the Accountability and Disclosure Commission.

**HUGHES:** Senator Brewer, you're welcome to open on your confirmation report.

**BREWER:** Thank you, Mr. President, and I want to tell you how relieved I am that I'm not doing the report on the deaf. Today, we are going to look at Ann Ashford for her appointment. On February 23, the Government Committee held a hearing for and the-- for the Accountability and Disclosure Commission. Ms. Ashford would be a new member of the commission. However, she has experience that should be considered. She is an attorney. She has worked around a lot of campaigns. She has been the spouse of an elected official, an office holder, and she has been a candidate herself. So it is with great support that the Government Committee voted unanimously to recommend the confirmation of Ann Ashford to the State Personnel Board. Thank you, Mr. President.

**HUGHES:** Thank you, Senator Brewer. Discussion is now open on the confirmation report. Senator Flood, you're recognized.

**FLOOD:** Thank you, Mr. President. Members, I support the nomination by the Governor and I want to just take this opportunity to acknowledge the service of this couple, not just Ann, but her husband, Brad,

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former state senator and congressman. Senator Ashford was a force for good, is a force for good and he was a force for good in this Legislature. I had the privilege of working with him. I like to tell people I worked with Brad when he was a Republican. [LAUGHTER] No, now he's a Democrat, which is so Brad Ashford. If you know Brad, that's, that is him in a nutshell. He's a very generous man. Him and his wife are wonderful people. And as you may know, he's facing the challenge of his life, as he's been diagnosed with brain cancer. He is so warm, so genuine, and truly cares about the future of our state, this country, and most recently, was providing his perspective on prison reform in Nebraska. I like to tell people that when I served before in the Legislature, Brad had more ideas than people had fingers and toes in a day and he'd call me at 7:00 in the morning and he would say, how about we do this to solve this problem? And I'd say, Brad, that's the worst idea I've ever heard. He said, no problem, I'll come up with a new one in ten minutes. And he did. He was constantly working to find solutions to our state's problems and nobody liked seeing a solution more than Brad Ashford. And so I know that he's resting now. He's fighting this fight against brain cancer, but as one member of the Legislature from Norfolk, I want to salute him and his wife's service to the state and wish him all the best. Thank you, Mr. President.

**HUGHES:** Thank you, Senator Flood. Senator McCollister, you're recognized.

**McCOLLISTER:** Thank you, Mr. President. Good morning, colleagues. I've known Brad Ashford for 65 years. In fact, he's my neighbor. He lives three houses away from me. And during that 65 years that we've known each other, Brad's mother was our den mother in Cub Scouts. And Brad has served this Legislature and in Congress notably, so I heartily endorse the nomination of Ann Ashford. She'll do a terrific job and she's eminently fair and she's an attorney, so I, I think she will do a super job on the Disclosure-- Accountability and Disclosure Commission. Thank you, Mr. President.

**HUGHES:** Thank you, Senator McCollister. Senator Lathrop, you're recognized.

**LATHROP:** Thank you, Mr. President. I couldn't let this opportunity go by. Brad Ashford is one of my dearest friends from my service in this body. I had a chance to visit with him last week. He is still a very optimistic person, still very interested in the, in the common good. That said-- and I agree with everything Senator Flood said, but I can't tell you what a great friend he is and a great public servant.

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Ann Ashford is somebody I've known for a long, long time. And as much as I'm taking this opportunity to say wonderful things about Brad, Ann is a-- Ann is an accomplished individual in her own right. I am very proud to support her nomination for this position. We are lucky we have people-- and that's a family that has been committed to public service for as long as I've known them, but we are lucky to have people who are willing to serve in any capacity, and that certainly is a description of a very capable Ann Ashford and I, I would also encourage your support of her nomination. Thank you.

**HUGHES:** Thank you, Senator Lathrop. Senator Pahls, you're recognized.

**PAHLS:** Thank you, Mr. President. I, too, had the opportunity to serve with Brad and the interesting thing about it is-- was, that side of the aisle, and he was right beside me, and when this person spoke, I mean, he went everywhere. In fact, the other day when somebody said I was getting a little emotional, they made a comment, oh, you almost sound like Brad. I wish I had his capabilities or capacity. He's one of those guys who I truly miss down here because I think it's really interesting that, as Senator Flood said, well, now he's a Dem, he was a Republican. What I thought was very interesting, this past several days, I saw Brad on Facebook. He was laying in the hospital bed and the person who was shaking his hand was Don Bacon, the person who had defeated him. So it goes to show you there is a world out there. So every once in a while when we get all hung up, whether we call ourselves this or this, that picture just sent a message to me that things can happen when people start thinking. Again, Brad, I wish the best for you and of course, your lovely wife. Thank you.

**HUGHES:** Thank you, Senator Pahls. Senator Machaela Cavanaugh, you're recognized.

**M. CAVANAUGH:** Thank you, Mr. President. I rise in support of Ann Ashford's nomination to the Accountability and Disclosure Committee. I have known Ann and Brad for not 65 years, but for a very long time, and they are two lovely, gracious individuals, on their own and together. They are sweet, they are kind, they are funny. I have enjoyed fighting with Brad and reconciling with Brad several times while he was in Congress, while he was in the Legislature, and he and I have worked on some juvenile justice projects since I have been in the Legislature. I consider him a dear friend and I'm very excited to see Ann Ashford continue her service to this state. She is a public servant at heart and, as Senator Lathrop said, she is an amazing human being in her own right and Brad certainly married up when he

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married Ann. So I'm just excited to vote for them and appreciative of both of them as public servants. Thank you.

**HUGHES:** Thank you, Senator Cavanaugh. Seeing no one else in the queue, Senator Brewer, you're welcome to close on the Government, Veteran-- the Government, Military and Veterans Affairs Committee report. Senator Brewer waives closing. Colleagues, the question is the adoption of the report offered by the Government, Military and Veterans Affairs Committee. All those in favor vote aye; all those opposed vote nay. Have you all voted? Record, Mr. Clerk.

**CLERK:** 40 ayes, 0 nays on adoption of the confirmation report.

**HUGHES:** Mr. Clerk, we'll move to Final Reading. Members should return to their seats in preparation for Final Reading. Mr. Clerk, the L-- the first bill is LB567.

**CLERK:** [Read LB567 on Final Reading]

**HUGHES:** All provisions of law relative to procedure having been complied with, the question is, shall LB567 pass? All those in favor vote aye; all those opposed vote nay. Have you all voted? Record, Mr. Clerk.

**CLERK:** Voting aye: Senators Albrecht, Arch, Blood, Bostelman, Brandt, Brewer, Briese, Cavanaugh, Cavanaugh, Clements, Day, Dorn, Erdman, Flood, Friesen, Geist, Gragert, Halloran, Hansen, Hansen, Hilgers, Hilkemann, Hughes, Jacobson, Kolterman, Lathrop, Linehan, Lowe, McCollister, McDonnell, McKinney, Morfeld, Moser, Murman, Pahls, Pansing Brooks, Sanders, Slama, Stinner, Vargas, Walz, Williams. Voting nay: none. Not voting: Senators Hunt, Aguilar, Bostar, DeBoer, Lindstrom, Wayne, and Wishart. 42 ayes, 0 nays, 1 present not voting, 6 excused and not voting, Mr. President.

**HUGHES:** LB567 passes. Next item.

**CLERK:** [Read LB704 on Final Reading]

**HUGHES:** All provisions of law relative to procedure having been complied with, the question is, shall be-- LB704 pass? All those in favor of vote aye; all those opposed vote nay. Have you all voted? Record, Mr. Clerk.

**CLERK:** Voting aye: Senators Albrecht, Arch, Blood, Bostelman, Brandt, Brewer, Briese, Cavanaugh, Cavanaugh, Clements, Day, Dorn, Erdman, Flood, Friesen, Geist, Gragert, Halloran, Hansen, Hansen, Hilgers,

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Hilkemann, Hughes, Hunt, Jacobson, Kolterman, Lathrop, Linehan, Lowe, McCollister, McDonnell, McKinney, Morfeld, Moser, Murman, Pahls, Pansing Brooks, Sanders, Slama, Stinner, Vargas, Walz, Williams. Voting nay: none. Not voting: Senators Aguilar, Bostar, DeBoer, Lindstrom, Wayne, and Wishart. 43 ayes, 0 nays, 6 excused and not voting, Mr. President.

**HUGHES:** LB704 passes. We'll now proceed to LB749e.

**CLERK:** [Read LB749 on Final Reading]

**HUGHES:** All provisions of law relative to procedure having been complied with, the question is, shall LB749 pass with the emergency clause attached? This vote requires 33. All those in favor of vote aye; all those opposed to vote nay. Have you all voted? Record, Mr. Clerk.

**CLERK:** Voting aye: Senators Albrecht, Arch, Blood, Bostelman, Brandt, Brewer, Briese, Cavanaugh, Cavanaugh, Clements, Day, Dorn, Erdman, Flood, Friesen, Geist, Gragert, Halloran, Hansen, Hansen, Hilgers, Hilkemann, Hughes, Hunt, Jacobson, Kolterman, Lathrop, Linehan, Lowe, McCollister, McDonnell, McKinney, Morfeld, Moser, Murman, Pahls, Pansing Brooks, Sanders, Slama, Stinner, Vargas, Walz, Williams. Voting nay: none. Not voting: Senators Aguilar, Bostar, DeBoer, Lindstrom, Wayne, Wishart. 43 ayes, 0 nays, 6 excused and not voting, Mr. President.

**HUGHES:** LB749 passes with the emergency clause attached. We'll now proceed to LB786.

**CLERK:** [Read LB786 on Final Reading]

**HUGHES:** All provisions of law relative to procedure having been complied with, the question is, shall be-- shall LB786 pass? All those in favor of vote aye; all those opposed vote nay. Have you all voted? Record, Mr. Clerk.

**CLERK:** Voting aye: Senators Albrecht, Arch, Blood, Bostelman, Brandt, Brewer, Briese, Cavanaugh, Cavanaugh, Clements, Day, Dorn, Erdman, Flood, Friesen, Geist, Gragert, Halloran, Hansen, Hansen, Hilgers, Hilkemann, Hughes, Hunt, Jacobson, Kolterman, Lathrop, Linehan, Lowe, McCollister, McDonnell, McKinney, Morfeld, Moser, Murman, Pahls, Pansing Brooks, Sanders, Slama, Stinner, Vargas, Walz, and Williams. Voting nay: none. Not voting: Senators Aguilar, Bostar, DeBoer, Lindstrom, Wayne, and Wishart. 43 ayes, 0 nays, 6 excused and not voting, Mr. President.

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**HUGHES:** LB786 passes. We'll now proceed to LB791.

**CLERK:** [Read LB791 on Final Reading]

**HUGHES:** All provisions of law relative to procedure having been complied with, the question is, shall LB791 pass? All those in favor of vote aye; all those opposed vote nay. Have you all voted? Record, Mr. Clerk.

**CLERK:** Voting aye: Senators Albrecht, Arch, Blood, Bostelman, Brandt, Brewer, Briese, Cavanaugh, Cavanaugh, Clements, Day, Dorn, Erdman, Flood, Friesen, Geist, Gragert, Halloran, Hansen, Hansen, Hilgers, Hilkemann, Hughes, Hunt, Jacobson, Kolterman, Lathrop, Linehan, Lowe, McCollister, McDonnell, Morfeld, Moser, Murman, Pahls, Pansing Brooks, Sanders, Slama, Stinner, Vargas, Walz, Wayne, Williams. Voting nay: none. Not voting: Senators McKinney, Aguilar, Bostar, DeBoer, Lindstrom, and Wishart. 43 ayes, 0 nays, 1 present and not voting, 5 excused and not voting, Mr. President.

**HUGHES:** LB791 passes. We'll now proceed to LB847.

**CLERK:** [Read LB847 on Final Reading]

**HUGHES:** All provisions of law relative to procedure having been complied with, the question is, shall be LB-- shall LB847 pass? All those in favor vote aye; all those opposed vote nay. Have you all voted? Record, Mr. Clerk.

**CLERK:** Voting aye: Senators Albrecht, Arch, Blood, Bostelman, Brandt, Brewer, Briese, Cavanaugh, Cavanaugh, Clements, Day, Dorn, Erdman, Flood, Friesen, Geist, Gragert, Halloran, Hansen, Hansen, Hilgers, Hilkemann, Hughes, Hunt, Jacobson, Kolterman, Lathrop, Linehan, Lowe, McCollister, McDonnell, McKinney, Morfeld, Moser, Murman, Pahls, Pansing Brooks, Sanders, Slama, Stinner, Vargas, Walz, Wayne, Williams. Voting nay: none. Not voting: Senators Aguilar, Bostar, DeBoer, Lindstrom, and Wishart. 44 ayes, 0 nays, 5 excused and not voting, Mr. President.

**HUGHES:** LB847 passes. Colleagues, Senator Murman would like to recognize 12 members of the Southwest Nebraska Leadership Institute from McCook. They are seated in the north balcony. If you would please rise to be recognized by your Nebraska Legislature. Also, Senator Friesen would like to recognize four-- 42 fourth-grade elementary and St. Libory Elementary students and four teachers from Grand Island. They're seated in the south balcony. If you would

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please raise to be welcomed by your Nebraska Legislature. Proceeding to the agenda, General File consent calendar. Mr. Clerk.

**CLERK:** Mr. President, Revenue Committee would like to have an Exec Session now under the south balcony, Revenue Committee, now. Mr. President, next bill, LB697, a bill by Senator Kolterman, it's a bill for an act relating to healthcare facilities; defines terms; provides for licensure of rural emergency hospitals; requires coverage for rural emergency hospital services. Introduced on January 5 of this year, referred to the Health and Human Services Committee, advanced to General File. There are committee amendments pending.

**HUGHES:** Thank you, Mr. Clerk. As the Clerk stated, there are General-- there are committee amendments from the Health and Human Services Committee. Senator Arch, as Chairman of that committee, you're welcome to-- I'm sorry, Senator Kolterman, you're welcome to open on your bill.

**KOLTERMAN:** Thank you, Mr. President. Good morning, colleagues. Today, I rise to ask for your support of LB697 and AM1613. AM-- LB697 is a bill to provide licensure of rural emergency hospital services. In December of 2020, the United States Congress passed the Consolidated Appropriations Act of 2021 and it, and it's since been signed into law. This legislation established a new Medicare provider type called rural, rural emergency hospital. This new rural emergency hospital model will offer the opportunity for current critical access hospitals and rural prospective payment system hospitals with fewer than 50 beds to convert to rural emergency hospital status to furnish certain outpatient hospital services in rural areas. LB697 enables Nebraska to create this new provider type and to license rural emergency hospitals under the guidance of senators from-- Centers for Medicare and Medicaid Services' rules and regulations. A rural emergency hospital is defined as a facility that is enrolled in Medicare on or after January 1, 2023, does not provide any acute care inpatient services, has transfer agreements in effect with a Level I or Level II trauma center, and meets certain licensure requirements, meets requirements to be staffed emergency department, meets staff training and certification requirements established by the secretary, and meets certain conditions of participation applicable to hospital emergency departments and critical access hospitals' respective emergency services. Critical access hospitals and small rural hospitals that convert to a rural emergency hospital would be able to furnish rural emergency hospital services beginning in January of 2023. As I noted earlier, the creation of this new license is to harmonize our statutes with the federal status. As of now, I don't

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know of any hospital that may seek this new licensure, but it is important that we allow these qualified hospitals the opportunity should they need to do so. With that, I ask for your green vote on AM1613, which Chairman Arch will introduce, and LB697. Thank you and I'd be open to any questions you might have.

**HILGERS:** Thank you, Senator Kolterman. As the Clerk noted, there are committee amendments. Senator Arch, you're recognized to open on the committee amendments.

**ARCH:** Thank you, Mr. Speaker. Good morning, colleagues. AM1613 to LB697 amends Section 3 of the bill to allow rural emergency hospitals to have transfer agreements with facilities other than a Level I or Level II trauma center. This amendment, this amendment ensures that if one rural emergency hospital was overcrowded or a patient requires specific care, transfers could be made to a different facility to ensure the patient receives the needed care without that being a, a trauma facility. Without the amendment, rural emergency hospitals would only be able to transfer patients to a Level I or Level II trauma center. If an incident happened in Ogallala, the closest Level II trauma centers would be in either Kearney or Scottsbluff. The amendment allows transfers to other hospitals or other facilities necessary for patient care. With that, I urge your green vote on AM1613 and the underlying AM697 [SIC]. Thank you, Mr. Speaker.

**HILGERS:** Thank you, Senator Arch. Debate is now open on the committee amendments. Senator Pansing Brooks, you're recognized.

**PANSING BROOKS:** Thank you, Mr. Speaker. I'm, I'm standing up today to remind everybody that this is International Women's Day. And I just want to read a little bit of history about, about women and, and why we should care about this. This is an article by Lesley Kennedy at HISTORY Magazine. So despite the adoption of the 19th Amendment, many women of color, immigrant women, and poor women continue to face barriers at the polls. With the certification of the 19th Amendment to the U.S. Constitution on August 26, 1920, women secured the vote to right-- the right to vote after a decades-long fight. The 19th Amendment reads, the right of a citizen of the-- of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of sex, unquote. But while the passage of the 19th Amendment enabled most white women to vote, that wasn't the case for most women of color. For black women, their votes weren't lifted by that tide in the south. Associate Professor of Political Science Christina Rivers from DePaul University said their votes were suppressed solely on the basis of race. Also prevented

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from voting were Native Americans, both men and women. They did not gain the right to vote until the Snyder Act of 1924, four years after the ratification of the 19th Amendment and more than 50 years after the passage of the 15th Amendment. Even then, some western states, including Arizona, New Mexico, and Utah, didn't grant Native Americans the right to vote until the 1940s and '50s. It wasn't until the Cable Act of 1922 that women were allowed to keep their citizenship and gain the right to vote if they were married to an immigrant, who had to be eligible to become a U.S. citizen. In Puerto Rico, literate women won the right to vote in 1929, but it wasn't until 1935 that all women were given that right. And Asian American immigrant women were denied the vote until 1952, when the Immigration and Nationality Act allowed them to become citizens. I hardly find it surprising that most people are not listening to this information about women on International Women's Day, but I shall go forward. Even with the passage of these amendments and acts, a number of nefarious methods were used to keep segments of the population from voting. Most of these measures targeted Black Americans in the Jim Crow South, but Latino, Native American, and Asian Americans also faced obstacles to voting in the southwest and west. Rivers said, when you combine the literacy tests, invasion-- invasive registration forms, interpretation tests, poll taxes, and outright, outright violence, this kept black voting registration percentages down to the single digits in most of the Confederate South. In fact, according to Pearl Dowe, professor of political science of-- and African American studies at Emory University, where our two boys went, efforts to legalize the right to vote were fraught with racism and division stemming back to the abolitionist movement. The biracial coalition that formed during abolition was very tenuous and eventually fractured due to conflicts about what should the status of freed blacks be, she said. This was often based on whites having conflicting attitudes about the humanity of blacks and if they were equal to whites. These issues and divides continued into the suffrage movement. And I just wanted to stand up and say that many of the women in this body are people I consider friends and mentors. I think we need to celebrate the joy and the differences that women bring to the body. I think it's important that we celebrate--

**HILGERS:** One minute.

**PANSING BROOKS:** --the, the fact that women are participating in our government, participating in all factors of our society, and celebrate our friends, our mothers, our sisters, who are wonderful people, integral to the fabric of our society. Celebrate International Women's Day with me. Thank you, Mr. Speaker.

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**HILGERS:** Thank you, Senator Pansing Brooks. Senator Hunt, you're recognized.

**HUNT:** Thank you, Mr. Speaker. I became activated listening this morning to our colleagues talking about regional care facilities and long-term care centers and secure mental healthcare. I have no problem with LB697 and I want to thank my friend, Senator Pansing Brooks, for acknowledging Women's Day today. I think it's, it is a very special day and it's very important to acknowledge how far women and all women have come for representation here in Nebraska. Speaking about incarceration and the problem with that, I think that we look at it so myopically. And I have a problem with incarceration when we use it as a way to put people away who we have failed as a society. When we have problems with our schools, problems with poverty, problems with access to food and affordable housing, problems with our healthcare system, these are some of the things that drive people into incarceration. And then we look at them and say, oh, wow, people are really committing a lot of crimes, we're going to have to find new little drawers to put them in, we're going to have to build new buildings to lock them in, without looking at the underlying causes that we in this body, colleagues, are responsible for. The United States has 2.5 million people behind bars and that's more per capita than anywhere else in the world. Since 1970, the U.S. prison population has raised 700 percent. That's the most in the history of our country. Do you think that people are breaking more laws now? I don't really think that's the case. I don't think that people are worse people now than they've ever been. I think that we have a carceral system that we don't question, that we continue to strengthen. We continue to give law enforcement officers the resources and the reasons to round these people up and glorify them for it. And then when we do have people with legit mental health problems, we look for a new way to lock them up, too, instead of addressing those underlying problems that we know they have. One out of every 99 adults in this country are behind bars and one out of every 31 adults is under some kind of carceral surveillance, whether that's parole or probation or post-release supervision. And we cannot look myopically at the prison system itself to reform the prison system. It's the school systems, it's the healthcare system, it's the military complex. It's informed by dozens of systems that, colleagues, we don't question either. We don't question those other systems either. And what activated me to speak was when we started talking about mental health. We have a mental health crisis, crisis in this country, crisis in this state, crisis in this city, in every single one of our cities with people who are incarcerated, with

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people who are homeless on the streets, with our children, with our neighbors. An emergency that I'm very concerned about is the fact that one in five transgender and nonbinary youth attempted to take their own lives last year. All I want for trans kids is that they grow into trans adults, that they become happy trans adults and that's all I want for anyone in the LGBTQ community, anyone in Nebraska at all.

**HILGERS:** One minute.

**HUNT:** Thank you, Mr. Speaker. Trans and nonbinary people exist all over the world. They have throughout history. In every nationality, nationality and race and ethnicity and culture, culture and country and religion, they've always existed and they've been accepted differently by their different cultures. And in our culture, we choose to treat them as disposable. But through thousands of years of history all over the globe, in every culture, you can find trans and nonbinary people. I want to talk about Milo Winslow, who is a transgender member of our community, a transgender neighbor of ours here in Lincoln, who took his life last Thursday. And him taking his life in Lincoln is a direct consequence of organizations and lawmakers who weaponize transphobia and homophobia.

**HILGERS:** That's time, Senator. Senator, you're next in the queue. You may continue. There's only two minutes left in this particular debate.

**HUNT:** Thank you. This is the direct consequences of organizations and lawmakers who have weaponized transphobia and homophobia for political reasons. When you look at Milo Winslow's final social media posts, they reflect a man who was tortured by the political war being waged in his city around the fairness ordinance here in Lincoln, around the fight ramping up around his right to exist in his own city. On my next opportunity, I'll, I'll read that letter. Thank you, Mr. Speaker.

**HILGERS:** Thank you, Senator Hunt. Seeing no one else in the queue, Senator Arch, you're recognized to close.

**ARCH:** Thank you, Mr. Speaker. Just a reminder, this AM1613 simply allows them to transfer to other facilities other than trauma facilities. It was just an oversight in the bill. So appreciate your vote on AM1613 and LB697. Thank you.

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**HILGERS:** Thank you, Senator Arch. The question before the body is the adoption of the committee amendments. All those in favor vote aye; all those opposed vote nay. Have all those voted who wish to? Please record, Mr. Clerk.

**CLERK:** 42 ayes, 0 nays on adoption of committee amendments.

**HILGERS:** Committee amendments are adopted. We've, we've exceeded 15 minutes, Senator Kolterman, so we're just going to take a vote on the bill. The question before the body the advancement of LB697 to E&R Initial. All those in favor vote aye; all those opposed vote nay. Have all those voted who wish to? Please record, Mr. Clerk.

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

**HILGERS:** LB697 is advanced. Next bill.

**CLERK:** LB824, it's a bill by Senator Ben Hansen; it's a bill for an act relating to personal care services; includes bathing as an activity of daily living. Introduced on January 6, at that time referred to Health and Human Services, advanced to General File. There are committee amendments, Mr. President.

**HILGERS:** Senator Ben Hansen, you're recognized open on LB824.

**B. HANSEN:** Thank you, Mr. Speaker. So LB824 simply clarifies an existing term in statute regarding the authority of in-home personal care service workers to provide in-home bathing services. The personal care industry and the Department of Health and Human Services have operated under this understanding for many years. There were no opponents at the public hearing. LB824 adds two words to the current statutory scheme for in-home personal care services and has no accompanying fiscal note. It was reported to General File by the Health and Human Services Committee and the committee's vote was unanimous. So with that, I ask that you vote green on LB824 and the committee amendment. Thank you.

**HILGERS:** Thank you, Senator Hansen. As the Clerk noted, there are committee amendments. Senator Arch, you're recognized to open on AM1604.

**ARCH:** Thank you, Mr. Speaker. Good morning again, colleagues. AM1604 would strike Section 1 of LB824, which would have placed bathing in the activities of daily living within the Health Care Facilities Licensure Act. With the amendment, the bill would only apply to home health agencies and personal care health aides. This amendment was

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brought to us at the hearing by the introducer, Senator Hansen, at the request of both the Health Care Facilities Association and the Department of Health and Human Services, who agreed that the section was not needed-- that the, that the removed section was not needed. With that, I urge your green vote on AM1604 and LB824. Thank you.

**HILGERS:** Thanks, Senator Arch. Debate is now open on AM1604. Senator Hunt, you're recognized.

**HUNT:** Thank you, Mr. Speaker. Colleagues, my whole time in this Legislature, four years, I almost never get nervous speaking. I never shake. I never worry. I never wonder if I'm going to say the right thing. And I feel myself overcome with anxiety, almost dizzy with anxiety talking about this issue, because this is something, more than maybe anything I've ever spoken about here, is so personal to me and so important to me. Milo Winslow, who took his life last Thursday, a trans man here in Lincoln, his final social media posts show how tortured he was by the division in this city that has been drummed up by hateful anti-trans people among us and we are responsible for that. We have something to do with that, colleagues. The last thing he wrote was: It hasn't even been a week since the Lincoln City Council passed the Title IX changes, but honestly, it feels like it's been much longer. I am already repeatedly questioning how vocally I want to be involved while also knowing full well that this isn't a fight I will have the luxury of sitting out. I'm angry that it's a fight we're having. I'm angry at the far right for weaponizing trans feminine people for their agenda. I'm angry at the dehumanizing language they use in their fliers. I'm angry at their forcing and their religious ideologies onto others in the most hateful and vile ways. I'm angry that not even a week in and I've already been intentionally misgendered in conversations about it and told my experience is quote, an affront to God, because it's only going to get worse from here. Mostly, though, he says, I'm angry at the political move that brought us here, a move made during midterms, a move made without the financial resources to back it up, a move made when less than three years ago polling said it wouldn't pass, a move made after multiple queer and trans advocates begged for it not to be made. I'm angry that this was done without a plan and with the necks of transgender people, mostly trans feminine people, on the line, I'm angry that I now have to reckon with not trusting local politicians that I once felt I could trust. And he, he went on to say that he was going to make his account private and take some time to work on his mental health. Colleagues, mental health-- you can't solve every mental health problem by locking somebody up, by building another prison, by building another regional center, by putting

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another bed in a room where you can call someone crazy and make a nurse look after them, if you can even hire a nurse in this state anymore. Some of these problems you can just fix by being freakin' nice to people. Some of these problems you can fix by making sure people aren't starving. I have a bill to say that if you have ever had a drug conviction, you can get food assistance if you qualify for it. Almost every other state has a law like this, but, no, in Nebraska, that's too soft on crime. OK, well, what are you going to do for their mental health then when they're starving, when they can't take care of their families? I never get like this. Milo Winslow's life could have been saved. He deserved better in his life. Lincoln, he deserved better from you. Colleagues, he deserved better from us. And the trans people who are with us today still, by the grace of your God, their friends and their families who love them and care for them and our entire community that is made better by their existence, whether you like it or not--

**HILGERS:** One minute.

**HUNT:** --they are begging us to open our hearts. Look at the teachings of your Jesus and apply it to someone you don't agree with, who you don't understand, until it's your child or your friend or someone you know and then you say, well, not you, I didn't mean you, I meant those perverts, the other people I'm talking about. These people could be your children. Cleanse the hate from your heart and mind your business. It will save a life. Thank you, Mr. Speaker.

**HILGERS:** Thank you, Senator Hunt. Seeing no one else in the queue, Senator Arch, you're recognized to close. Senator Arch waives closing. The question before the body is the adoption AM1604. All those in favor of vote aye; all those opposed vote nay. Have all those voted who wish to? Please record, Mr. Clerk.

**CLERK:** 36 ayes, 0 nays on adoption of committee amendments.

**HILGERS:** Committee amendments are adopted. Seeing no one else in the queue on LB824, Senator Hansen, you're recognized to close. Senator Hansen waives closing. The question before the body is, is the advancement of LB824 to E&R Initial. All those in favor of vote aye; all those opposed vote nay. Have all those voted who wish to? Please record, Mr. Clerk.

**CLERK:** 37 ayes, 0 nays on the advancement of the bill.

**HILGERS:** LB824 is advanced. Next bill.

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**CLERK:** LB795, a bill by Senator Flood, it's a bill for an act relating to Uniform Prudent Management of Institutional Funds Act; it changes provisions relating to the release or modification of restrictions on the management, investment, and purpose of institutional fund. Introduced January 6 of this year, referred to the Banking Committee, advanced to General File. I have no amendments to the bill, Mr. President.

**HILGERS:** Senator Flood, you're recognized to open on LB795.

**FLOOD:** Thank you, Mr. Speaker, and thank you, Mr. Speaker, for placing LB795 on consent calendar. This bill does amend the Uniform Prudent Management of Institutional Funds Act. The act was codified in Nebraska statute with, with LB136, which I introduced in 2007, after the Uniform Law Commission adopted it the year prior. Its purpose is to govern the charitable management of permanent endowment funds to charitable organizations. Given the perpetual time horizon of endowments, changes in circumstances sometimes leave a charitable foundation with an endowment that can't be spent for its original purpose. For example, an endowment to a local animal shelter may no longer be able to be used for its original purpose if the shelter is now defunct. Those in charge of these endowments then are left to ask, how do we legally ensure that these funds are used in a manner consistent with the charitable purposes expressed? In those circumstances, a charity may be able to seek a judicial remedy to determine an alternate purpose, but that can be costly to pursue and is exactly why the UPMIFA provision in Section 58-615(d) was included. Currently, this section provides that if the fund is more than 20 years old and is less than \$25,000 in value, restrictions can be modified by a charity with the consent of the State Attorney General without the need for judicial action. This bill increases the dollar amount of funds provided this modification remedy from \$25,000 to \$100,000. At this time, 27 states have a limit for these small endowments higher than Nebraska's \$25,000, ranging from \$50,000 to \$250,000. Additionally, four states have built-in adjustment mechanisms that increase the limit annually. For example, the state of Tennessee has increased its limit of \$150,000 by \$5,000 on July 1 of each year since 2011. The changes under this bill would allow charitable organizations to better carry out their objectives while maintaining current safeguards for donor restrictions. Any modification will be made in accordance with the donor's probable intention and will be overseen by our State Attorney General. Therefore, a charity cannot arbitrarily alter a donor's intent with respect to a charitable gift. This bill received no opposition or neutral testimony in committee and was advanced to General File by

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the unanimous vote of the entire committee, and I would ask the body for a green vote. Thank you.

**HILGERS:** Thank you, Senator Flood. Debate is now open on LB795. Senator Machaela Cavanaugh, you're recognized.

**M. CAVANAUGH:** Thank you, Mr. Speaker, colleagues. I will likely vote for this bill, but I wanted to, to stand up in solidarity with Senator Hunt and her statements about Milo Winslow. What a devastating loss to the people of Lincoln and to the state of Nebraska for a completely preventable incident. Senator Hunt, I appreciate so much your passion and I know that the community, the transgender community in Nebraska, really needed to hear that because they are loved. They matter. There are people in this building that care about them and there are people in this building that are advocating for their rights to live their lives, and Senator Hunt is at the forefront of that. I also want to talk about priority bills. I am very frustrated and upset when I look at our agenda. We have committee priority bills on Select File. We have senator priority bills on Select File. We have senator priority bills on General File. We have committee priority bills on General File. We have Speaker priority bills on General File. We have senator priority bills again on General File. And Senator Hunt prioritized her bill that was sitting on General File from last year on February 14. Why are all of these bills scheduled ahead of hers? This is a genuine question that I hope the Speaker will address because it doesn't make any sense from what was said to us at the beginning of session. Get your priorities in, get your priorities in. You want to get them scheduled right away. Senator Hunt got her priority in for a bill that was sitting on General File and it still hasn't been scheduled, and I have gone through and there are bills that we have moved that were filed after hers. The disparity of how some of us are treated in this body by the leadership in this body is abhorrent. We represent constituents just like everyone else and our constituents aren't less important than yours. But the Speaker has so many priority bills on here and he can't schedule Senator Hunt's? It's extremely disappointing. And then you lecture us about talking on the mike like we're schoolchildren. I'm here to do a job and I'm doing that job. And if the people that elected me don't like it, they get to not elect me or elect me; it's their choice. But I am here to do a job and I intend to do it every single day. So admonish me for filibustering bills that I think have no business even coming out of committee, let alone being passed. But not scheduling Senator Hunt's bill, her priority bill, bill-- LB121-- we're in the thousands and LB121 hasn't been scheduled. Kicked out of committee last year,

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prioritized on Valentine's Day this year, still hasn't been scheduled. That's politics. That is playing politics--

**HILGERS:** One minute.

**M. CAVANAUGH:** --to the T. We don't want to give food to drug felons. We just want to continue the cycle of incarceration, intergenerational poverty, racism. I hope that the Speaker will address this, but I've learned not to hold out too much hope.

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

**FLOOD:** Thank you, Mr. President. Members, this bill amends the Uniform Prudent Management of Institutional Funds Act and I would ask for your support. Thank you, Mr. President.

**HILGERS:** Thank you, Senator Flood. The question before the body is the advancement of LB795 to E&R Initial. All those in favor vote aye; all those opposed vote nay. Have all those voted who wish to? Please record, Mr. Clerk.

**CLERK:** 37 ayes, 0 nays on the advancement of the bill.

**HILGERS:** LB795 is advanced. While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign the following LBs: LB567, LB704, LB749e, LB786, LB791, LB847, as well as the following LRs: LR304, LR306, LR308, LR309, and LR310. Next bill, Mr. Clerk.

**CLERK:** Mr. President, LB1147, a bill by Senator Friesen, relates to the Uniform Standard Code for Manufactured Homes and Recreational Vehicles. Introduced on January 19 of this year, at that time referred to the Transportation Committee; the bill was advanced to General File. No committee amendments. Senator Friesen does have an amendment to the bill, Mr. President.

**HILGERS:** Senator Friesen, you're recognized to open on LB1147.

**FRIESEN:** Thank you, Mr. President. Members of the Legislature, LB1147 makes two changes to the definition that involves the regulation and sale of recreational vehicles. The first is the definition of a fifth-wheel travel trailers. For many years, the industry standard for travel trailers was that they could not exceed more than 430 square feet in the setup mode. In 2020, the industry standards were revised to allow the fifth-wheel travel trailers to be larger when in

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the setup mode. So the Nebraska Public Service Commission utilizes the industry standards and its code compliance and plan approval process and this change will allow units exceeding 430 square feet to be sold by Nebraska-based RV dealers. The removal of this restriction will not change the size of the trailers being moved upon the highways. They must still meet the state vehicle requirements for width and length. And second, the bill also modernized the definition of a park trailer to comport it with other states and the Department of Housing and Urban Development standards. Thank you for consideration of LB1147 and I'd ask for your support. Thank you, Mr. President.

**HILGERS:** Thank you, Senator Friesen. As the Clerk noted, there is an amendment, AM1997. Senator Friesen, you're recognized to open on the amendment.

**FRIESEN:** Basically the amendment is that it has an E clause and it would take effect immediately upon passage. Thank you, Mr. President.

**HILGERS:** Thank you, Senator Friesen. Debate is now open on AM1997. Senator Machaela Cavanaugh, you're recognized.

**M. CAVANAUGH:** Thank you, Mr. Speaker. To colleagues, staff, and interested persons, January 6, 2021, re: the 2022 Legislative Session-- I think the date was wrong. It is 2022-- from Speaker Hilgers. I'm not going to read the whole thing. I'm going to skip. For those of you that have it, you would have received it in your email. On page 2-- nsome of the 2021 priority bills I consider eligible for scheduling during the 2022 Session as a 2021 carryover priority bill. These bills will have priority over carryover bills taken up in worksheet order. Please note, however, that these bills will not be rescheduled for use as a vehicle for another measure. The 2021 priority bills, which fall within the category of eligible for scheduling include any 2021 priority bills on General File or Select File yet to be debated at the stage of debate and any 2021 priority bills which was held by the principal introducer. Also, I want to provide early notice that Senator Briese's bill to adopt Daylight Savings Time year-round will be scheduled March 14, the morning following the 2022 spring-forward change in time. Any 2021 priority bill may be designated as a 2022 priority bill and will be treated as a new debate. The order of priority I intend to follow when scheduling a bill is-- everybody listening?-- first, 2022 priority bills. Doesn't matter what comes after that. As is the usual practice, at some point in the session, we will move to debating only 2022 priority bills and, when available, the budget bills-- in black

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and white, in our email, spoken on this floor by our Speaker, not honoring his word. I expect the Speaker's word to be honored and I am very disappointed that I have to stand up here and say it to everyone. Think if this is your bill. Senator Linehan and myself, we prioritized bills from last year. They've been scheduled. They were scheduled right after we prioritized them. I'm pretty sure that I would be up here every day banging my fist if my bill hadn't been prioritized. Senator Hunt has been much more gracious than I am, but I am done being gracious at all because this is ridiculous. I look at the agenda that we have now for our first full day of debate and Senator Hunt's bill should have been at the top, but instead, it's consent. Consent should not be ahead of priority bills. We keep talking about time, time, time, time. All we've got is time. Time is the only weapon. Time is the only resolution. Time is what's going to bring us together. I am tired of the Democrats in this body being treated like we don't matter, like our constituents don't matter, that you don't have to keep your word to us, that you can stand on this floor and you can say how honorable you are and how we should trust you and how you are going to stick to your word and then you don't when it's a Democrat.

**HILGERS:** One minute.

**M. CAVANAUGH:** Every single Republican in here, if your priority bill was not scheduled when it was supposed to be scheduled, you would be irate and you should be irate on behalf of Senator Hunt. This is not leadership. This is lying to us and playing political games with our priority bills. Thank you.

**HILGERS:** Thank you, Senator Cavanaugh. Senator Flood, you're recognized.

**FLOOD:** Mr. President, members, I've had the Speaker's job before and I think it's unfair to level a myriad of accusations against somebody who's trying to do his job in a short session with filibuster after filibuster after filibuster after filibuster. It is very complicated to land the plane with 106-plus priority bills. I appreciate the fact that the Speaker has made-- I think this is the third consent calendar available to the membership. If we want to be successful this session, we have to focus in on what we can accomplish and support the person putting the agenda together. I do not find this constructive. I do not find this helpful, yelling and being very upset at somebody who's trying to accomplish everything that's set out before this Legislature and criticizing him with comments that depreciate his service and the effort that he's made to try and make

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this place work. I know what that's like. I'm not in his office asking for this or that and I don't know if anybody else is, but as somebody who's been in that seat before, it's really hard to hear the criticism of someone that I know is trying to get everything done in a difficult political environment. I support the Speaker's efforts and I hope you do too. Thank you, Mr. President.

**WAYNE:** Thank you, Senator Flood. Speaker Hilgers.

**HILGERS:** Thank you, Mr. President. Good morning, colleagues. I usually don't respond to these types of attacks that go on to the floor, but this has gone directly to the way we've done business and to the trust in this body and I think Senator Cavanaugh's comments are totally without fact, without basis and deserve a brief response. I would remind Senator Cavanaugh and the body that one of the very first priority bills that I put up this year was Senator Cavanaugh's priority bill, had nothing to do with whether she was a Democrat or a Republican or even the merits of the bill. She followed the rules at the beginning of this session. She prioritized a 2022 priority bill and I got it up right away, right away. I committed last week to Senator Hunt. I told her off the mike. I said, Senator Hunt, I am going to make sure that your SNAP bill gets its day in court. I told her. I committed to her. The idea that I would pick winners or losers based on partisanship is ridiculous. Senator McKinney has a bill up today, his priority bill. Senator Morfeld, I talked over the weekend, I said, I will make sure your priority bill gets up. Last Friday-- last Thursday on the mike, I committed to Senator Wayne to ensure that his priority bill, LB1024, got heard. The accusations diminish this place, Senator Cavanaugh. What you said is without fact. Senator Pansing-- if you look at the partisanship makeup of the Speaker priority bills, it's almost an even split. The idea that I would pick winners or losers based on partisanship is wrong and diminishes this place. The idea that I wouldn't put Senators Hunt-- Senator Hunt's priority bill up, because I don't like the bill or otherwise, diminishes this place and it undermines the work that we do. I've committed to this body. I put, I put forward the rules of the game. We would do consent and I would get the priorities done. We would be done with consent right now. If you had any problem, Senator Cavanaugh, with any of my scheduling, you know what you could do? You could come talk to me. Just like every one of our colleagues have had any question with scheduling, they come talk to me and I do my very best to accommodate them. We had, going into this weekend, this last weekend, we had over 90 bills left to go. Today, the beginning of the week, as I have done every-- the two years I've been here, I have generally tried not to schedule controversial bills at the beginning

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of sess-- the beginning of the week. I have done consent, every time, beginning of the week. I told everyone what I was going to do is continue my practice of having controversial bills in the middle of the week. That is what I intend to do. We should be through consent by now. We should be on priority bills. We have a lot of work to get done. And I didn't lecture you, Senator Cavanaugh, last week about taking time on the floor. I said that to everyone. The time on this floor should be spent on the merits of the bill. Everyone has a prerogative. Everyone has the prerogative to talk about what it is that they want within the rules. I'm not going to lecture you, I'm not going to lecture Senator Erdman, I'm not going to lecture anyone on this floor. But I will tell you, when we run out of time, I will remember the people who took time away from the bills and away from the merits. We should have been done with consent counter by now. And if you ever have a problem with my scheduling, Senator Cavanaugh, you just find me. There's not one person in this body who has talked to me about any issue, no matter how difficult, where I haven't listened, including you. This is the last time I'm going to respond, but when someone gets on the mike and-- I don't care if you agree with my approach and my ideology or anything else, but if someone gets on this mike and accuses me of not following the rules of the game or trying to play favorites, that deserves a response. It absolutely deserves a response. And Senator Hunt knows that I have committed her to getting that SNAP bill up. And by the way, since apparently there's going to be questions about my scheduling, I want everyone to know I committed to Senator Lathrop last week LB920 absolutely will get heard. I committed as Senator Matt Hansen that the rental bill, the rental assistance bill, will get heard in time to have it done by the end of the month, if that's what the body decides to do. I don't need to make an announcement on that every time that I make a commitment. But if you ever have a question, just find me. Thank you, Mr. President.

**WAYNE:** Thank you, Speaker Hilgers. Seeing no one left in the queue, Senator Friesen, you are recognized to close on your amendment. Senator Friesen waives closing. The question is, shall the amendment to LB1147 be adopted? All those in favor vote aye; all those opposed vote nay. Have all voted who care to? Record, Mr. Clerk.

**CLERK:** 36 ayes, 0 nays, Mr. President, on the adoption of Senator Friesen's amendment.

**WAYNE:** The amendment is adopted. Discussion on the advancement of LB1147 to E&R Initial. Seeing no one in the queue, Senator Friesen, you are recognized to close.

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**FRIESEN:** Thank you, Mr. President. Again, this is a simple bill that will allow our local recreational vehicle dealers to sell some of the models that were, up until this bill passes, would be illegal to sell in the state of Nebraska. It just opens it up that they are able to sell those vehicles and so it's a, it's a good bill that allows, again, our local dealers to make those sales when people want some of the larger RVs that are out there. Thank you, Mr. President.

**WAYNE:** Thank you, Senator Friesen. The question is the advancement of LB1147 to E&R Initial. All those in favor vote aye; all those opposed vote nay. Have all voted? Record, Mr. Clerk.

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

**WAYNE:** The bill advances. Mr. Clerk, we will proceed to General, General File, LB807.

**CLERK:** Mr. President, LB807 is a bill by Senator Brandt relating to county government. It changes provisions relating to a tax levy and county funding for nonprofit county historical association or society. Introduced on January 6 of this year, referred to the Government Committee, advanced to General File. I have no amendments to the bill, Mr. President.

**WAYNE:** Thank you, Mr. Clerk. Senator Brandt, you are recognized to open on LB807.

**BRANDT:** Good morning, colleagues. Today I'm bringing you LB807, which would change provisions relating to a tax levy and county funding for a nonprofit county historical association or society. I want to start by thanking Speaker Hilgers for putting it on the consent calendar. LB807 would allow an association or society to have two options to receive tax funding from the county. Under the first option, the society or association would complete their own budget and have a separate tax levy for the historical association or society. The levy authority for this tax request would be allocated from the county board and would be included within the county's 50-cent levy limit. This would make the society or association consistent with how all other subdivisions adopt their budget. At present, the statute states that the association or society shall ask the county board for funding, but that tax request has to be included in the county budget rather than the association or society completing their own separate budget. The second option would be for the association or society to receive a funding request from the county board. The funding request would be paid from the general levy of the county, rather than

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setting a separate levy specific to the historical association or society. Under this option, the association or society would be required to report how the previous funding request was used before any future funding request would be paid. LB807 would not increase taxes because the funding provided under either option would still fall under the county's 50-cent levy limit. LB807 would not make any substantial changes to current procedures. Rather, it is intended to provide clarification and consistency for how nonprofit historical society budgets are handled. It would also make it easier for the public to view the amount that a historical society is asking for and how they use it. Lastly, it would cause nonprofit historical societies to be, to be handled in the same manner as county ag societies. This bill was brought to me by my former senator, Russ Karpisek, and the Nebraska Auditor of Public Accounts. I want to thank Russ Karpisek and Jeff Schreier, senior auditor in charge at the Nebraska Auditor of Public Accounts, for their work on the bill and for testifying at the hearing, along with Jon Cannon of NACO. LB807 was voted out the Government, Military and Veterans Affairs Committee unanimously, 8-0. With that, I ask for your green vote on LB807.

**WAYNE:** Thank you, Senator Brandt. Debate is now open. Seeing no one in the queue, Senator Brandt, you're recognize-- Senator Brandt waives closing. The question before the body is the advancement of LB807 to E&R Initial. All those in favor vote aye; all opposed vote nay. All, all those favor voted? All have voted-- all those in favor-- all have voted? Record, Mr. Clerk.

**CLERK:** 40 ayes, 0 nays, Mr. President, on the advancement of LB807.

**WAYNE:** The bill advances. Items for the record, Mr.-- Mr. Clerk?

**CLERK:** OK. I do, Mr. President. Thank you. Judiciary Committee, chaired by Senator Lathrop, reports LB829, LB830, LB907, LB851, and LB1124 to General File. Transportation Committee, chaired by Senator Friesen, LB1244 to General File. Education by Senator Walz reports LB1057 to General File. Business and Labor, LB815 to General File, chaired by Senator Ben Hansen. And Revenue Committee, chaired by Senator Linehan, reports LB1250 to General File. [New resolutions: LR319]. Amendment to be printed: Senator Cavanaugh to LB376A. I have notice of hearing from the Natural Resources Committee. I have new A bill, LB1241A by Senator Lathrop. It appropriates funds to implement LB1241. Bills read on Final Reading this morning [LB567, LB704, LB749e, LB786, LB791, LB847] were presented the Governor at 11:43 a.m. Announcements: Appropriations Committee Exec Session 11-- or,

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excuse me, 12:30 in Room 1524. General Affairs Exec Session, 12:45 in Room 1507. And name adds: Senator Jacobson to LB781; Briese, LB933; Dorn, LB933; Jacobson, Brewer, LB933; Blood, LB964; Briese, Jacobson, LB1086; Pansing Brooks, LR283CA, along with Morfeld, Jacobson, and Matt Hansen; Senator Arch to LR317; and Kolterman, LR317. Mr. President, Senator Hansen-- Matt Hansen would move to recess the body until 1:30 p.m.

**WAYNE:** The question is, shall the Legislature recess until 1:30? All those in favor vote aye-- say aye. All those oppose-- I'm sorry, all those in favor say aye. Nays? We are at recess.

[RECESS]

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

**CLERK:** I have a quorum present, Mr. President.

**WILLIAMS:** Thank you, Mr. Clerk. Any items for the record?

**CLERK:** I have nothing at this time. Mr. President.

**WILLIAMS:** Members, we'll return to the agenda. We will go to General File appropriations bill, LB698A. Senator Kolterman.

**KOLTERMAN:** Good afternoon, colleagues. Thank you, Mr.-- Senator Williams. LB698A is just-- it follows the, the bill that deals with continuous glucose monitors. As I, as I believe as we talked about when we introduced this bill, the fiscal note was pretty incorrect. And they've lowered it substantially, and I think it's still a little bit too high. This is a bill where if you get-- if you-- if we monitor people's blood sugar levels on a regular basis, it, it protects a lot of the problems and keeps people from getting into the hospital. So I think that this will more than pay for itself, and I'd appreciate a green light on LB698A. Thank you.

**WILLIAMS:** Thank you, Senator Kolterman. Debate is now open on LB698A. Senator Machaela Cavanaugh, you're recognized.

**M. CAVANAUGH:** Thank you, Mr. President. Colleagues, I support this AM-- or LB698 appropriations bill. I had one of-- the pages have passed out these yellow bracelets to you all. They were downstairs by-- near the information desk. There's a-- the Kim Foundation has

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set up some materials and I just wanted to share them all with you because they do a lot in behavioral health and suicide prevention, and they have a little thingy here that has the suicide prevention lifeline, 800-273-8255. That's 800-273-8255, the suicide prevention hotline. If you feel like you're alone, you're not, you're loved, you, you matter, and please call that hotline if you need to. Thank you.

**WILLIAMS:** Thank you, Senator Cavanaugh. Seeing no one in the queue, Senator Kolterman waives closing on LB698. Members, the question is the advancement of LB698A to E&R Initial. All those in favor vote aye; those opposed vote nay. Have all voted? Record, Mr. Clerk.

**CLERK:** 34 ayes, 0 nays on the advancement of LB698A.

**WILLIAMS:** The bill advances. Next item.

**CLERK:** LB804A by Senator Hughes. It appropriates funds to implement LB804.

**WILLIAMS:** Senator Hughes, you're recognized to open.

**HUGHES:** Thank you, Mr. President. Good afternoon, colleagues. LB804A is the A bill for LB804, which we passed a week ago today, last Tuesday. It is a bill that increases the maximum allowable days for a member of the Nebraska Power Review Board designated to represent Nebraska on the Southwest Power Pool's Regional State Committee so they can engage in activities on behalf of the state of Nebraska. LB804A increases the per diems up to \$15,000 per year from the Nebraska Power Review fund to accommodate the additional days allowed in LB804. This is a cash-funded agency, so they're spending-- they're wanting authority to spend their own money. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Hughes. Debate is now open on LB804A. Seeing no one in the queue, Senator Hughes, you're recognized to close. Senator Hughes waives closing. Members, the question is the advancement of LB804A to E&R Initial. All those in favor vote aye; those opposed vote nay. Have all voted that wish? Record, Mr. Clerk.

**CLERK:** 36 ayes, 0 nays on the advancement of LB804A.

**WILLIAMS:** The bill advances. Next item.

**CLERK:** Mr. President, LB1037A by Senator Arch. It's bill for an act relating to appropriations; it appropriates funds to carry out the

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provisions of LB1037. I do have an amendment to the bill, Mr. President.

**WILLIAMS:** Thank you, Mr. Clerk. Senator Arch, you're recognized to open.

**ARCH:** Thank you, Mr. President. Yeah, so the LB1037A, as the Bill Writers [SIC] took a look at it, it actually doubled the cost. And so the amendment here strikes line 2 on page 2. It strikes one of those \$400,000, insert zero. So the total A bill on this is for \$400,000. Thank you.

**WILLIAMS:** Senator Arch, is that your opening then on the amendment?

**ARCH:** Yes.

**WILLIAMS:** Thank you. Debate is now open on LB1037 and AM2193. Seeing no one wishing to speak, Senator Arch you're recognized to close on AM2193. Senator Arch waives closing. Members, the question is the attachment of AM2193 to LB1037. All those in favor vote aye; those opposed vote nay. Have all voted? Record, Mr. Clerk.

**CLERK:** 40 ayes, 0 nays on the adoption of Senator Arch's amendment.

**WILLIAMS:** The amendment is adopted. Moving back to discussion. Seeing no one in the queue, Senator Arch you're recognized a close on LB1037. Senator Arch waives closing. Members, the question is the advancement of LB1037A to E&R Initial. All those in favor vote aye; those opposed vote nay. Have all voted? Record, Mr. Clerk.

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

**WILLIAMS:** The bill advances. Returning to the agenda, Mr. Clerk.

**CLERK:** Mr. President, Final Reading. Senator McKinney, you had pending AM2196. I understand you wish to-- I'm sorry, you want to withdraw AM2148.

**McKINNEY:** Yes.

**CLERK:** Mr. President, Senator McKinney would move to return the bill for a specific amendment, AM2196.

**WILLIAMS:** Senator McKinney, you're recognized to open on your amendment.

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**McKINNEY:** AM-- the, the amendment is just reflective of the-- after Senator Geist's LB1215 was amended into 450-- LB450. So the-- this new amendment just accounts for that. Thank you.

**WILLIAMS:** Thank you, Senator McKinney. Debate is now open on the amendment. Seeing no one in the queue, Senator McKinney. Senator McKinney, you're recognized to close on your amendment. Senator McKinney waives closing. Excuse me, Senator Erdman, you're recognized.

**ERDMAN:** Thank you, Mr. President. I wonder if Senator McKinney would yield to a, to a question or two? Senator McKinney.

**McKINNEY:** Yes.

**WILLIAMS:** Senator McKinney, would you yield?

**ERDMAN:** Thank you.

**McKINNEY:** Yes.

**ERDMAN:** Thank you, Senator McKinney. Senator McKinney explain-- can you go into a little more detail about-- you said this is Senator Geist's bill that's been amended into your bill.

**McKINNEY:** Yes. So I've had an A bill that got passed, but we have moved a little too fast. And last week, Senator Geist's bill was amended onto my bill. And we're just fixing that.

**ERDMAN:** OK.

**McKINNEY:** Yeah.

**ERDMAN:** All right, thank you.

**McKINNEY:** No problem.

**WILLIAMS:** Thank you, Senator Erdman and Senator McKinney. Members, the question is returning the bill to Select File for this amendment. All those in favor vote aye; those opposed vote nay. Have all voted? Record, Mr. Clerk.

**CLERK:** 37 ayes, 0 nays to return the bill, Mr. President.

**WILLIAMS:** The bill is returned. Senator McKinney, you're now recognized to open on your amendment, AM2196.

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**McKINNEY:** Don't have too much more to say. The amendment just reflects the adoption of the LB1215 into LB450. Thank you.

**WILLIAMS:** Thank you, Senator McKinney. Debate is now open. Seeing no one wishing to debate, members, the question is the adoption of AM2196. All those in favor vote aye; those opposed vote nay. Have all voted that wish? Record, Mr. Clerk.

**CLERK:** 40 ayes, 0 nays on the adoption of the Select File amendment.

**WILLIAMS:** The amendment is adopted. We're now on Select File. Senator McKinney for a motion.

**McKINNEY:** Mr. President, I move to advance LB450A to E&R for engrossing.

**WILLIAMS:** Members, you've heard the amendment. All those in favor say aye. Those opposed say nay. The bill is advanced. Mr. Clerk for items.

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

**WILLIAMS:** OK. Returning to the agenda.

**CLERK:** Mr. President, next bill, General File, LB1112 by Senator McKinney. It's a bill for an act relating to schools; it adopts the Computer Science and Technology Act; it provides a graduation requirement; it changes duties relating to the academic content standards. Introduced on January 19 of this year. At that time, referred to the Education Committee. The bill was advanced to General File. There are committee amendments, Mr. President.

**WILLIAMS:** Senator McKinney, you're recognized the open on LB1112.

**McKINNEY:** Thank you, Mr. President, and good afternoon, colleagues. LB1112 creates the, creates the Nebraska Computer Science and Technology Act. I'd like to thank Speaker Hilgers for choosing this as one of his Speaker priorities for this session. LB1112 was heard in the Education Committee on February 15 and was advanced on a 7-0 vote. During our hearing, our committee heard testimony from members of the business community, the Chamber of Commerce, companies like Huddle and Nelnet, to discuss workforce challenges and why increasing a student's exposure to computer science and technology can fill the gap that-- gaps they are facing. We also heard from Metro Community College and Code.org about the resources available through both of their organizations to schools, teachers, and students to enact

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LB1112. All available, all available free of charge. Employers big and small support this bill and will help schools across the state prepare the student for the 21st century workforce. The proponents of LB1112 talked about the challenges they face as employers because of the shortage in workforce for tech jobs. They also talk about the crisis employers are experiencing as they want to expand their footprint in our state but have to look outside of the state because we don't have enough students with technology skills. LB1112 can change that trajectory, and this bill will help ensure our students are prepared and educated in the skills needed to succeed in a career. Technology and computer science is no longer limited to just coding classes that only a small handful of students choose to take as an elective. Instead, technology and digital literacy is embedded in every industry our, our students choose to work in: manufacturing, agriculture, healthcare, and finance. LB1112 is an opportunity to increase students' education in technology. In states that have chosen to implement similar proposals, their results, particularly for students of color and women, have been eye-opening. Nebraska should be a leader in educating our students. And if states like Arkansas could do it, I think we can, too. Since the public hearing, my office has been working with members of the Nebraska Association of School Boards, including Millard Public Schools and Omaha Public Schools to make changes to AM1942, which have been reflected in AM2101. I want to thank my cosponsor, Senator Slama, for partnering with me again on this important proposal. You might remember that she and I worked last session on LB450 [SIC--LB452], the Financial Literacy Act, which was passed last year. Before I close, I would just kind of leave you guys with some words from late Omaha, Nebraska native Malcolm X. "Education is the passport to the future, for tomorrow belongs to those who prepare for it today." Thank you.

**WILLIAMS:** Thank you, Senator McKinney. As the Clerk stated, there are amendments from the Education Committee. Senator Walz, as Chair of the committee, you're recognized to open on the committee amendments.

**WALZ:** Thank you, Mr. President. Good afternoon, colleagues. AM1942 was introduced by committee-- by the committee to accomplish two things. First, it ensures that new high school graduation requirement established by this bill, as well as the financial literacy, literacy bill last year, would only apply to students attending public schools. Second, it changes the requirement for the State Board of Education to adopt computer science and technology education standards so that such standards can be included under the mathematics, science or career and technical education standards. This gives greater flexibility to school districts in meeting the new

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requirements, especially in western Nebraska. I would like to thank Senator McKinney for working on this amendment and encourage your green vote to adopt AM1942. Thank you.

**WILLIAMS:** Thank you, Senator Walz. Mr. Clerk, there's an amendment to the committee amendment.

**CLERK:** Senator McKinney would move to amend committee amendments with AM2101.

**WILLIAMS:** Senator McKinney, you're recognized to open on AM2101.

**McKINNEY:** Thank you, Mr. President. AM2101 addresses some more concerns from the education community. Starting, it-- grad requirements will now start with the class of 2027. It's, it's important to keep the same timeline in terms of incorporating the standards in K-12 education. This is a manageable timeline and it gets this work going. Our students, however, make four-year plans for graduation as eighth graders and have already registered for high schools. We tell them that they are responsible for the graduation requirements in the handbook in place when they register for freshman year. Changing the dates of the graduating class of 2027 allows us to add it to the '23-24 handbook this fall, which will be shared next year with eighth graders. Anything sooner disrupts the educational plan for students who are trying to fit in courses to make career academies and etcetera for their schedules. Equivalent of a semester also is in this amendment of a, of a semester is in this and this is proposed because every district-- dang, I'm slipping my words. But but every district has different criteria on what they consider a credit. Some for a semester course is five and some is one. So the change in this is just saying the equivalent of a semester course, and that's about it for AM2101.

**WILLIAMS:** Thank you, Senator McKinney. Debate is now open on LB1112 and the amendment. Senator Arch, you're recognized.

**ARCH:** Thank you. Thank you, Mr. President. I, I have a question for Senator McKinney if he would yield.

**WILLIAMS:** Senator McKinney, would you yield?

**McKINNEY:** Yes.

**ARCH:** I-- in larger school districts, smaller school districts, the implementation of this, and I haven't gone through the amendment to the amendment to the bill, but are, are you concerned at all with

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some of the smaller school districts finding qualified people to teach these kinds of courses?

**McKINNEY:** No, I'm not, because within the bill you'll see that we allow for online education and blended learning opportunities. So I'm, I'm not overly concerned, and you also could take these courses offline. So it-- we-- when we worked on the bill and worked through the amendments, we tried to make sure it was as flexible as possible for a school in Omaha and a school in Scottsbluff.

**ARCH:** Thank you.

**McKINNEY:** No problem.

**ARCH:** Thanks for that answer. The only other statement I would make is we've, you know, we, we do this, we do this occasionally where we will require certain, and we did this with financial literacy, and we've done this with other, with other bills, I, I just say we, we have to be careful when we get into, when we get into dictating this one is going to be five hours and this was going to be three hours and this is going to be one hour. I mean, we have-- we are-- we're getting pretty deep into, into the schools. And so with that, I, I don't stand in opposition, but, but just a word of, of caution and, and, and thank you for the answer to that specific question. Thank you.

**WILLIAMS:** Thank you, Senator Arch and Senator McKinney. Senator Vargas, you're recognized.

**VARGAS:** Thank you very much. This is a good bill. I appreciate Senator McKinney and the other cosponsors and for a couple of reasons. So one, and I-- I mentioned this maybe in my committee before, but I'm a former STEM science teacher and I worked across the country with trying to make sure we're improving outcomes for kids in schools, and I will tell you-- and you mentioned Arkansas. Arkansas, and this is some time ago, it wasn't even recently, Arkansas passed the computer science requirement. And the reason they did it is because they wanted to get ahead of the brain drain that we have, the gaps that we currently have, especially across low income and individuals of color within STEM careers, and we continue to see these gaps in computer science and technology-related fields. And oftentimes, by the time that they get to college and these different course requirements or courses are available, they had the opportunity to get, get some initial courses in, in high school. And if we gave them some initial coursework, both online or in person, I

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think we would have been able to fill some of these high-demand, high-tech jobs we currently have. We have 10,000-plus high-tech jobs right now that are even unfilled across the state, and many of the people that came in testified on this bill are trying to get ahead of it reactively. We are behind the ball. I'm glad that this is moving forward; you know, I'm glad that it was worked out with the 2027 start date. I would have wanted to do it a little sooner, but my hope is that that negotiation, working with the school boards association and other entities, works and that some take it on their own, you know, their own accord to then start to do it quicker, not, not later, because we really can't wait. We are competing with other states and other communities, and I just appreciate this bill and I'm glad we can move forward. Thank you.

**WILLIAMS:** Thank you, Senator Vargas. Senator Blood, you're recognized.

**BLOOD:** Thank you, Mr. President. Fellow senators, friends all, at this moment, I don't stand in opposition or in support of the amendments or the underlying bill, and I did speak with Senator McKinney about this before the bill came up on the board. My concern is much as Senator Arch's concern, is that ever since I've been here, we keep going into the weeds when it comes into curriculum thinking that we know better than our school systems. And I think this is a very noble cause. I understand why there are so many supporters. We have a workforce shortage. And I'm a huge supporter of STEM. In fact, I put on my own Rosie Revere, Engineer programming in my district for grade school girls. But with that said, when we hand these unfunded mandates down and we have the expectation that schools have to pay for this, they have to pay for the extra teacher, or I don't know if the courses-- and maybe Senator McKinney can, can address this. I don't know if the courses are free to the schools they can take. If they are, then I'm probably more of a proponent than opponent. But if it's going to be a cost to the schools, this is one more thing we're asking the schools to pay for. And since we don't fully fund our schools as many other states do, we're putting another unfunded or underfunded mandate on those schools. And so the concern for me isn't that the process of what you're trying to do, why-- I understand why it's important and I am in full agreement with that part of the bill. The parts that I'm not in agreement with is what happens to a small school that's already having trouble retaining teachers. And you did kind of address that already, that they can do it online or offline, which is good since we know broadband is inconsistent across the state of Nebraska, which we still haven't fixed that problem either. But if it requires them having to hire a teacher, that's an expense.

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And then I look at our school systems in my district and Senator Arch's district. Papillion-La Vista school district, Bellevue Public School district, we're already doing this. So I don't know if we need to do a carve-out. I don't know if we need to find a way to fund this. Is there some way we can fund this without it being an unfunded mandate? Those are my concerns, and I'm hoping in between General and Select we can address those concerns, or perhaps Senator McKinney has an answer to that right now. And I'd be happy to yield any of my extra time to Senator McKinney.

**WILLIAMS:** Senator McKinney, you're yielded 2:30.

**McKINNEY:** Sure. And just to reply to you, in my opening, I stated, and I'll say it again, districts can get this coursework free of charge, so it, it won't be difficult and it's not a-- a lot of districts are already doing this, but also they could get these courses for free through Code.org and other entities in the state, so it wouldn't be a heavy lift on the districts. And I just want to say I brought this bill because, you know, I always think about, you know, what do we need to do to make sure that Nebraska is a vibrant state after I'm gone and after all of us are gone from this body? And I think this is something that could take our state to the future and prepare our students for the future because the world is changing, like, for example, the auto industry is going electric. And if our kids don't know how to use electric, use technology and things like that, that could be an issue. But that also means the workforce is going to change, and we have to make sure that our students are prepared for the workforce. If we wait later, we're going to be talking about issues about workforce and this, this and that, but we can start working on that now, and that's what I hope you all understand. Thank you.

**WILLIAMS:** Thank you, Senator McKinney and Senator Blood. Mr. Clerk, for announcement.

**CLERK:** Mr. President, Health Committee will have an Executive Session underneath the south balcony immediately, south balcony, the Health Committee, right now. Thank you.

**WILLIAMS:** Thank you, Mr. Clerk. Senator Friesen, you're recognized.

**FRIESEN:** Thank you, Mr. President. I've been watching as we keep, I guess, as a Legislature, addressing issues that K-12 should be teaching. And I am curious, I guess, where the Department of

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Education would be and where the Education Committee stands on this more. So if Senator Walz would yield to a question, please?

**WILLIAMS:** Senator Walz, would you yield?

**WALZ:** Yes.

**FRIESEN:** Senator Walz, is it typical for the Legislature to have to adopt legislation to get different courses taught in K-12 schools or what does the Department of Education, what role do they play?

**WALZ:** I would say, no, it's not typical in that we would, you know, if we could do-- if we could have conversations without having to have legislation, I think that that, you know, would be--

**FRIESEN:** So from your understanding, the Department of Education, if, if that was a-- if this was an issue that they would have looked at this or come up with a recommendation and this is kind of part of their duties or is it our duty?

**WALZ:** I, I would say that, first of all, it's the Department of Education's duty.

**FRIESEN:** OK, thank you. Well, and I'm not saying that sometimes we don't need to address issues like this, but from what I've been hearing for the past seven years that I've been here, is that we still have some public schools that we would say are failing and we keep adding more things to what they do. And in my area, they add these things without adding any extra funding, we're nonequalized, we don't get any state aid to help implement this, but yet we-- sometimes the talk is that we're failing in teaching reading, writing, and arithmetic. We have not taught the basic skills of life to a graduate of a K-12 student. They are unable to enter the workforce after K-12 graduation because they fail in their either ability to read or to be able to just balance a checkbook and live. And so we always expect kids to go on to community college or the university or the college system of some sort. But at times it seems like we have started to pick and choose around what things we think as a Legislature they should be teaching in the K-12 system, and we have not addressed those costs. And, Senator Blood, thank you for bringing that up. People always talk about unfunded mandates. This is one of those. Does it rise to the level that we as a Legislature should make this a required course in K-12? I'm not opposed to this idea. I'm-- I appreciate Senator McKinney bringing this, but it's something I think we need to keep an eye on as a body when we go

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forward if we keep mandating things and adding things to it. We don't understand course schedules. We don't understand how busy the day is in a student right now. To me, that's where the Department of Education would be doing a better job of trying to decide if this is one of those core courses that should be required in K-12. And we, as a body, we don't look at that issue. We just keep piling more things on and they have to find a way to implement it into their schedule, hire the staff. Even if the courses are free, there's, there's no such thing as a free lunch, I was always told. So I think we need to be cognizant of this and aware of it and just, just kind of sometimes slow down and think about--

**WILLIAMS:** One minute.

**FRIESEN:** --what do we expect our K-12 education to do and what should they do real good at? And to me, it's, it's preparing those kids for life after high school. And I think overall, what I'm seeing in some areas is that they are not preparing those kids for that. And maybe our time should better be spent focusing on that. And I'm not saying that this isn't important, but I think overall, we've seen too many cases where kids can't read, and that should be our priority when we talk about K-12. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Friesen and Senator Walz. Senator Wayne, you're recognized.

**WAYNE:** Thank you, Mr. President. Sunday, I had the joy of flying down to Louisiana and attending a conference. In that conference, I heard state senators say they are actually introducing bills with a lot of support to actually go farther than what Senator McKinney is actually doing. What's going on across the country is that we're realizing that we are short programmers in coding significantly, particularly also here in Nebraska, but across the country, and states are now treating code-- coding like a foreign language requirement, that there needs to be a year to two years of a foreign language requirement and now coding is considered a foreign language. That's how we're trying to meet the demand. What I find interesting is this-- is many people who complain about all the money we spend in higher education to close the workforce gap, this bill right here starts earlier to make sure we can close the workforce gap in the number-one growing field in the country, which is the tech field. That's why this bill is important. I wish the bill when father and treated it like a, a foreign language. But I understand that there's a lot of hesitant-- hesitancy of putting more and more on schools, but it is our job, it is our job to make sure that we are preparing

all kids for the next life, as you said, or after, after school Senator Friesen said. Coding is a huge requirement for that. So I think we should all get on board with this to make sure that we are putting kids in a position to learn technology that they will have to use in the future. That's why this is so important. I do agree that arithmetic, math-- I mean, arithmetic, writing, all that's very important. I don't think it's an either or. But I am saying that coding, at least what we were looking at, not just in north Omaha but across the state, coding is needed everywhere. If you look at the farming industry that's transformed, I'm, I'm meeting with farmers who are talking about GPS and I'm reading in Natural Resources about nitrate levels and how it's all being monitoring through different programs and technology. That's all based off of code. And either we can get on board and make sure our students are knowing this stuff or we can get left behind again. I don't-- see, I looked at you, Senator Erdman. I was going to bring up veterinarian school, but with that, I'm not going to go there. I'll yield the rest of my time back to the Chair.

**WILLIAMS:** Thank you, Senator Wayne. Senator Slama, you're recognized.

**SLAMA:** Thank you, Mr. President and good afternoon, colleagues. I rise today in strong support of LB1112 and the amendments that go along with it. To answer a question that was raised on the floor, the Department of Education does have a purview over this, but they've punted on the issue until at least 2026. So that is why I think Senator McKinney's LB1112 is more than timely and is very fitting to bring before the Legislature and put it in statute. When we talk about the concept of who this bill serves, computer science, kids who have access are already getting the computer science education. We're talking about serving kids here who don't have access, who live in rural areas, who might only have access to slow Internet at home, who might not have a computer in their home because their family is lower income. Computer science is a basic skill of life in this day and age, and we're setting our kids up to fail if we're not ensuring that every kid in a Nebraska public school has a chance to learn these skills. And, and in cosponsoring this bill, and I'm a strong cosponsor of this and proud to support the bill, the reception I received from the schools was that overwhelmingly they're already doing this. So when I look at LB1112 and we're talking about unfunded mandates. First off, as, as we mentioned before on the floor, all of these materials are available for free online. And if the schools are already overwhelmingly doing this, I want to see the schools raise their hands and say, no, we're actually not teaching it. And here's why, because you're setting those kids up, whether they're entering a

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field like engineering or even agriculture anymore, to fall behind their classmates and to be far more likely to fail. If we want a highly trained workforce that's grown right here in Nebraska, I can't think of a better bill for us in this body to support than LB1112. And I'd like to yield the remainder of my time to Senator McKinney if he so chooses.

**WILLIAMS:** Senator McKinney, you're yielded 2:56.

**McKINNEY:** Thank you, Mr. President. Thank you, Senator Slama. As I mentioned before, there are dozens of nonprofits in higher education institutions that have made professional development curriculum and courses available to school districts free of charge. Two of these entities, Metro Community College and Code.org, testified in support and have given us examples of resources they bring to the table without any cost to districts to access. We are not asking school districts to recreate the wheel. Dozens of courses are available online and many Nebraska high schools, 44 percent of them, are already offering computer science classes. Ensuring that all students are given an opportunity to learn foundational computer science or technology coursework is essential, and students in small schools shouldn't be left behind. Additionally, states are allowed to use their federal ESSER funds for professional development, which is another tool that districts could utilize to address workforce issues. Also, other states implementing the graduation requirements include Arkansas, South Carolina, and Nevada. Also, since Arkansas' computer science initiative was implemented, it increased the number of computer science courses enrollment by more than 800 percent since 2015. In 2014, 300 female students took computer science. Since then, there has been a 1,300 percent increase of women taking computer science classes, 700 percent increase of students of color, which started with 600 in 2014 and now are at 5,200, from 20 teachers in 2014 teaching computer science to over 600. This is a good bill for our state. This a good bill--

**WILLIAMS:** One minute.

**McKINNEY:** --to take our state into the future. Thank you.

**WILLIAMS:** Thank you, Senator McKinney and Senator Slama. Senator Albrecht, you're recognized.

**ALBRECHT:** Thank you, President. Colleagues, I'd like to rise and just talk a little bit about what's in our constitution and what our responsibility is on the floor of this Legislature. Article VII of

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the Constitution of the State of Nebraska says that "The State Department of Education shall have general supervision and administration of the school system of the state and of such other activities as the Legislature may direct." It also says that: The duties and powers that the State Board of Education shall prescribe by the Legislature and that the Commissioner of Education shall have powers and duty as the Legislature may direct. Clearly, in Nebraska, the State Board of Education and the Department of Education and the Commissioner of Education are all to be directed by the Legislature. Senator McKinney, I applaud you for bringing this up. I looked over the committee minutes. The only one that was not interested in voting for it was the Chair herself. So she looks like she's busy right now. But I'm going to continue on with, with the thought process here of we're talking in the state of Nebraska today that we are having trouble getting teachers, getting nurses. We're going to have shortages of a lot of different things. But I think what this body needs to do is just take a step back and find out what, what has happened that if the children aren't reading before they leave third grade, it would be very difficult for them to take courses like this. If the children don't have an opportunity to know and understand, like, the field that they're going to go into, if they want to be an electrician but we aren't preparing them in the, in the years before they, they go to an apprenticeship, the basic math that you need to know. I mean, there are so many things that are happening in our state right now that we can be helping businesses. We could be helping people if they just come to us with a large bill like this that can make a difference in the children's lives; but more importantly, the business leaders in our community need this. I look at this as something that I don't know that all schools can do this. I think that the teachers can learn how to, to administer and, and to teach the course. That shouldn't be a big, big deal, right? But maybe they, they teach this and they do away with something else that has nothing to do with their future. I mean, we-- we're responsible for a well-rounded child to go out into the workforce and understand how to take care of their finances. They need to be able to read, they need creative thinking. But these are the things that we, we are responsible right here on this floor to make that happen. And again, when I look at the fact that there was-- I mean, I don't see any pushback from-- the actual committee statement does not say that-- all we see is a Bellevue school. I guess there is NASB and NRCSA that were opposed to this, but I would like to maybe find out why. I understand if, if certain schools might not be able to think they can do this, but I'm quite certain that it's probably been vetted out by Senator McKinney and, and all of the different groups that he had

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come in, in support of this. But I'm very curious to find out, is it just the mandate? Because I'm looking at it like this: On this floor, it is our, it is our responsibility to take care of these schools and take them to the next level so that we can have reading and arithmetic to be something second nature to a child. But we can't do that unless we all get together and understand that it is our responsibility to be directing them as to what our state needs are because it's not happening right now, they're-- it's just the ability to do whatever--

**WILLIAMS:** One minute.

**ALBRECHT:** --they want to do when they want to do it. But I'm going to get back on the mike because I still have more questions for the Chair of Education. I'd like to know where she's at on this, why she was present, not voting, because if it's a concern of the schools, I would like to know what those concerns are. And again, I believe in local control. If, if I'm up in, in the district of where the largest Tyson food plant is and they come to our schools and say, you know, I need some children considering this for their future education, what do they need from, from the schools to help them bring people into that business and make it successful, I mean, they have-- we have a lot of different jobs up in our area and, and the colleges are looking at it, too, whatever they can do for the, for the businesses in our area so that the children get the best education before they even get--

**WILLIAMS:** Time, Senator.

**ALBRECHT:** Thank you.

**WILLIAMS:** Thank you, Senator Albrecht. Senator Hilgers, you're recognized.

**HILGERS:** Thank you, Mr. President. Good afternoon, colleagues. I rise in support of LB1112 and the underlying amendments, and I just-- I appreciate Senator McKinney's leadership on LB1112. But also, if you remember last year, another Speaker priority brought by Senator McKinney was the financial literacy bill. And sometimes the bills that we have-- that we introduce and get passed into law have immediate concrete, tangible positive impact. And then there are some bills, I think, like LB1112, that might take some time to have the impact that we all intend to have, but that they far outstrip a lot of the value in some of the other bills that we've gotten. And I think this one, and especially in conjunction with the financial

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literacy bill that Senator McKinney brought last year, are one of those that it's a kind of bill that we're going to look back, I think, in 10, 20 and 30 years and I hope be most proud of because I think it will have a transformational impact on, on the communities here in the state of Nebraska. I think Senator Wayne said it right. These are, these are the types of skills, computer science, that we hear from businesses around the state that people are clamoring for this type of background, experience, and talent. They can-- our, our Nebraska businesses can grow with this type of talent and this type of training, and we don't have enough of them. But on the same token, and we talk about it a lot, how do we change the trajectory of a family or of a community or of an individual if you didn't grow up and become the CEO of a Fortune 500 company or have the skills to be an entertainer or play basketball or be the head coach for the Nebraska Cornhuskers? The truth is, being able to have the skills to be an entrepreneur to go make your own way. And if you want to do that in this, in this economy in the next 10, 20, 30 years, it's almost nonnegotiable in a lot of ways to have this type of a background. And so I think both from the Nebraska growth perspective for the businesses we already have and that are going to come down the line, but at the same time for an individual perspective in the fourth grader, the third grader who in 10 or 20 years will use these skills to start their own business, I think we'll have an immense, unmeasurable, immeasurable positive impact on the state of Nebraska. And when you combine it with the financial literacy bill from last year, I think these two together will have a very important and positive effect. So I thank Senator McKinney for bringing it. I would urge you to vote green on the bill and the underlying amendments. Thank you, Mr. President.

**WILLIAMS:** Thank you, Speaker Hilgers. Senator Blood, you're recognized.

**BLOOD:** Thank you, Mr. President. Fellow senators, friends all, I am still not sure where I stand on either the amendments nor the underlying bill, but I would ask that Senator McKinney yield to a few questions. Hello?

**WILLIAMS:** Would you repeat that, Senator Blood?

**BLOOD:** Yes, I would ask that Senator McKinney please yield to some questions.

**WILLIAMS:** Senator McKinney, would you yield?

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**McKINNEY:** Yes.

**BLOOD:** Senator McKinney, so I understand and comprehend that the programming is free. So who oversees it? Are there teachers that have to be involved with that part of it? And if indeed it were a small school, is there a possibility they would have to hire a teacher?

**McKINNEY:** So the teachers would oversee it. But in the bill, you see that it's blended learning included in the bill, so the teachers could work it into already what they're already teaching so it isn't a burden to add another teacher.

**BLOOD:** So they wouldn't have to be qualified in any way as far as this, this subject in order to oversee it?

**McKINNEY:** No, some teachers, and why we made the amendment, some teachers are already teaching computer and technology--

**BLOOD:** Right, but--

**McKINNEY:** --computer and technology education.

**BLOOD:** --some aren't.

**McKINNEY:** Some aren't, and the reason for the amendment is to make it more flexible, so for those that are not, as you say, certified, technically.

**BLOOD:** OK, I'm not sure I have my question answered. So we know that there are teachers that are definitely teaching this--

**McKINNEY:** Yes.

**BLOOD:** --and that may also have the skills that aren't teaching it. And it's our assumption that the others will be able to catch up. Is that what you're saying or--

**McKINNEY:** I'm saying over time, potentially, yes, they'll catch up. But initially the, the bill is worked in a way that allows for teachers that don't have those credentials to still teach the education and not force districts to just add other teachers.

**BLOOD:** So, you know, I think out loud, and that's why I like to have dialogues on the mike. How would you feel about instead of K-12, K-14 where we allowed students to have two years for free here in Nebraska of community college so they could actually learn these skills, get

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certified, because what we're talking about is so much more than coding. We talk a lot about coding, but that's just a small fraction of the jobs that are out there when it comes to technology.

**McKINNEY:** It--

**BLOOD:** How would you feel about something like that, Senator McKinney?

**McKINNEY:** The bill isn't just limited to coding. It's-- it's focused on all areas of tech-- computer technology education and digital literacy. And as far as upping it to 14, I'm, I'm open to any-- I'm open to everybody learning about it, even, you know, so I'm not-- that's not something I'm opposed to. Metro Community College, for example, offers free education and offer-- also, you know, supports the bill as well.

**BLOOD:** Right. And, and so, again, I'm not against anything that this bill does. I'm-- and you know I say it all the time. I'm against unfunded, underfunded mandates. The programming itself may be free, but it sounds like there's bodies that are involved that may actually result in cost. I mean--

**McKINNEY:** It's--

**BLOOD:** --you can't deny that.

**McKINNEY:** I mean, it's possible, yes. But I would just say, I don't look at it as an unfunded mandate or anything like that. I look at it as an investment from our state into our students to prepare them for the future. And I'm willing to throw any dollar on the line to make sure our students are prepared so in ten years Hudl, Google, and the rest of those entities don't come to the body and say we got 10,000 jobs that we need to filled but we don't have the workforce.

**BLOOD:** And I, I don't disagree that we have to prep our workforce. We're in full agreement on that. But if we incur costs that are not in a school's budget--

**WILLIAMS:** One minute.

**BLOOD:** --we ultimately are investing or not, giving unfunded or underfunded mandate. And until we fully fund our schools in Nebraska, that's always going to be an issue, Senator. But again, the underlying reasoning for this bill is something that I fully support. My issue, again, is making sure that we do it right. And for me, I'd

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rather see us do a K-14, then we'd have highly qualified people who had their education paid for that could walk into the workforce. So that's something we can discuss next year, I guess.

**McKINNEY:** All right. Thank you.

**BLOOD:** Thank you, Senator.

**WILLIAMS:** Thank you, Senator Blood and Senator McKinney. Senator Friesen, you're recognized.

**FRIESEN:** Thank you, Mr. President. Again, I want to talk a little bit about the responsibility of the Legislature or the, the State Board of Education. And I would wonder if Senator Wayne would yield to some questions?

**WILLIAMS:** Senator Wayne, would you yield?

**WAYNE:** Yes, to my good friend, Senator Friesen.

**FRIESEN:** Senator Wayne, I've always enjoyed having a good discussion with you, and I know you've been on OPS Board of Education. You, as a board member, could you have instigated this and got this so that OPS would have had a course dealing with this as a school board member?

**WAYNE:** Yes. Actually, seven years ago Senator Vargas and I started this coding conversation, and actually, third graders and fourth graders started a semi-code class, and that's how they learned. And then from there, yes, we can initiate it at the local level.

**FRIESEN:** OK, so you're, you're very familiar also with how the progress of different components that we've made in requiring an education to get a certificate in the state of Nebraska. What is, what is the Department of Education's job in this whole picture?

**WAYNE:** So they set the accreditation and they set what the requirements are. And by making coding a requirement, it actually forces students to have to have to be exposed to that class. Where if it's just a volunteer, students don't always don't know what they want to do and they oftentimes aren't exposed to it. So like language arts, you have to take a-- or a foreign language, you have to take another foreign language and then you find out you might like Latin or French. But it's because it's a requirement, it exposes students to it.

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**FRIESEN:** So they have the authority, though, then to make that decision and require it in every public school.

**WAYNE:** Yes. And I would tell you that the difference is, though, we have such a, a coding gap, it's time for the state to step up.

**FRIESEN:** OK, and so you're saying that the state operates at a faster speed than the Department of Education?

**WAYNE:** No, I'm saying that stat-- we dictate to the Department of Education what they can and can't do in statute and statutes weigh more than regulations.

**FRIESEN:** But they do have the authority to do this current-- currently.

**WAYNE:** Correct.

**FRIESEN:** OK. Thank you, Senator Wayne. I appreciate it. So I, I look at this and I'm-- I do, I do realize I think a lot of schools maybe started to do this already. And I-- again, I will say I'm not opposed to the thought that we're doing this. But again, we don't understand school schedules. We don't understand how busy those students are in the day. And yet we continually-- this isn't the only bill that we've had that we keep dictating what they need to do to fulfill the requirements for graduation, and yet the Department of Education or the State Board has been working on a lot of other things, but I think maybe their attention needs to be drawn to things that matter to students and their education. So maybe they've been a little bit distracted in the past, and maybe it's time that they focus on things maybe that our schools should be looking at. So when I-- again, when I talk about funding, I have noticed that-- I believe and if I read this correctly, it only applies to public schools. And so I'm wondering why we don't require private schools to do the same thing because those kids there, we sure don't want them left behind. And again, by doing this and saying only public schools need to do this, I'm curious as to why we did that. Maybe somebody can address that on the mike at some point in time. But again, we have 170 school districts in the state that don't receive funding, and when we pass mandates down like this, it's going to cost them more money and property taxes are going to go up. And yet we continually sit here and say that schools are spending too much money, we need to put spending restraints on schools, we need to stop how much they're spending, they're increasing it too fast--

**WILLIAMS:** One minute.

**FRIESEN:** --and so we refuse to give them more money. And at the same time, we make them do more. And so I am concerned about how we fund our K-12 and how we lack funding in those nonequalized schools and how it's all paid for with property taxes. And this will end up costing schools more and there will be a property tax increase. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Friesen and Senator Wayne. Senator Vargas, you're recognized.

**VARGAS:** Thank you very much. And Senator Friesen, appreciate the dialogue, and we talked a little bit off the mike about this, but I just wanted to add some data to this because I think it's important. We have, we have a workforce issue across the country and, and in our state, and the workforce sometimes exists with making sure our existing workforce has the skills they need to be in the jobs that we currently have. That's one. But the second thing is making sure we're competitive in areas where people don't normally think that a state like Nebraska should be competitive. It's the reason why Arkansas, Mississippi, and other states are been-- have been doing something in this area. We still don't have even the direct funding we need to then even do better as a state in terms of CTE funding. That's something that we've been working on as a state. This is a step that we should have taken years ago that I think we should take, and I just want to give some statistics because I think it helps provide this. The U.S. is the most lucrative country for developer jobs in these last two years where the average salary for a developer or coder is \$95,879, with 44 percent of the developers earning nearly \$100,000 or more and 5 percent earning more than \$200,000. There are really great jobs that exist right here because there are either tech companies or our financial industry that does exist from Mutual of Omaha to Toast to Buildertrend to others that have really good jobs here that they're just seeking out and recruiting outside of our state because we don't have enough of the skills. If we could provide the pathway earlier and make sure that the skills are there and we're requiring it, and again this is in 2027 when it starts, we're still going to be behind the ball; if we do it, we're only going to be able to then create a pathway in high school where people think about the career in this trajectory. By the time they get to college, most students are thinking about their careers in a very, very honest sense. I bet you our pages right now pick their majors in their first couple of years and if they didn't have some experience that they had in their under-- in their high school, might have changed what they

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decided to do. Those first couple of years and the experiences they have and some of those coursework, and Senator Wayne and I, we, we worked on some of these issues at OPS, OPS worked on trying to provide some more coding academies and some more virtual schools-- that-- those options created pathways for, for kids that never thought in a million years that this would be a potential job career choice. That is an extremely beyond lucrative choice that they may not even have to go to college, and they may just be able to have a couple of years of community college and get a certificate from an independent entity and then could be doing really well for themselves. But if we don't reach them early enough, just in the same way we talk about trades, which I also want to support, this is a trade. So I hope we can support this and I appreciate the amendments I think it made it much more reasonable in terms of timeline. But we're behind the ball. People are looking at us and I appreciate that. Well, this bill is going to be moving forward, I hope. Thank you.

**WILLIAMS:** Thank you, Senator Vargas. Senator Albrecht, you're recognized.

**ALBRECHT:** Thank you again, President. And I rise to talk about the fiscal note. Quite frankly, I don't think there should be one. I can't imagine in our Department of Education that they wouldn't have one or two people that would be, like, like, absolutely qualified to write something like this, that they would have the education and the technology area. I can't imagine that we'd have to hire someone. So with that said, I, I really can't believe that we'd even have to have a fiscal note. We'll look, look at that at Select. But I do have some questions as to as this bill was being brought forth, and it looks like there was only one gal that was in opposition to the whole idea of this. You know, I think of Sarpy County with your-- the Facebook and, you know, the Googles and the-- I mean, just all of the technological areas that we have to cover in this state, we've got a lot of work to do to get our kids up to speed, right? So I do have a question if Senator Walz would yield to a question or two?

**WILLIAMS:** Senator Walz, would you yield?

**WALZ:** Yes.

**ALBRECHT:** Hi, thank you. Can you, can you tell me, have you heard any rumblings that this is not something that the schools would support?

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**WALZ:** The schools definitely want to make sure that they're exposing kids to computer and technology so--

**ALBRECHT:** OK.

**WALZ:** --that, you know, that's something they definitely want to do.

**ALBRECHT:** OK, and so I know you were present, not voting. Can you tell me what your concerns were?

**WALZ:** Sure, I was concerned because of the graduation requirement piece of it, and I talked to Senator McKinney right away. You know, growing up, I was really not tech savvy. I'm more of an artsy-type person. I'm not mathematical. I'm not scientific. So I was concerned that if we had a graduation requirement, that there were some kids that honestly wouldn't be able to meet that because that wasn't their forte. That was my concern.

**ALBRECHT:** So is that why it's just like a, a semester that people would have to take it? I mean, there were a few things that I probably wouldn't have enjoyed taking either, but this is just a semester, right, a semester that every child would have to take?

**WALZ:** It's-- yeah.

**ALBRECHT:** Right?

**WALZ:** And it was a separate five-credit class. But since then, it has-- it's woven into other-- the other curriculum.

**ALBRECHT:** And do you think all schools throughout the whole state would be able to handle something like this? I'm talking from the smaller schools all the way up to the big metro schools.

**WALZ:** I think the other thing is that, you know, Senator McKinney, it doesn't go into effect right away, so it does give schools the ability to plan for it. And I think that was another really important part of the bill, the change.

**ALBRECHT:** And, and only because you're in education, I'm asking these questions because it's not my area of expertise, but what type of a teacher would teach this? Would it be a math teacher? Would it be a science teacher? Would it be just an IT--

**WALZ:** It depends on the grade level. I mean, if you're in elementary, I suppose it would be the classroom teacher that would be teaching

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that; and you could teach it in science, you could teach it in reading, you could teach it in math, the way that it's set up. And it, you know, high school, it's going to be a science teacher; it's going to be a math teacher.

**ALBRECHT:** So you'll-- you would, you would think that this would be in K-12. Every grade would have to experience?

**WALZ:** Every grade experiences it in some way or another.

**ALBRECHT:** OK. I appreciate those, those answers. Again, I rise in support of LB1112 and the AMs that follow, AM1942 and AM2101. I just really am, am excited to see that we are moving in the direction to help in areas that our state needs to thrive. And we know our nurses, we know our farmers, we know the teachers that are going to go into that field, everyone needs to wrap their head around the most important things that are happening, and technology is definitely on the forefront and we are lagging behind, I feel. So again, I appreciate Senator McKinney bringing the bill and thank you for your time.

**WILLIAMS:** Thank you, Senator Albrecht and Senator Walz. Senator Erdman, you're recognized.

**ERDMAN:** Thank you, Mr. President. Mr President, let me just say again, I appreciate when you're in the Chair. I can hear you-- very nice. So as I listen to the discussion today, the thought comes to me, what is preventing the schools from doing this now? Why do we have to pass legislation to get the public schools, government schools, to teach what they need to teach? And besides that, this doesn't go into effect until '26 or '27. What do you do in the meantime? There are school districts that are already doing this. So if the State Board of Education thought this was important and preparing young people to be ready to go on with life when they graduate, they'd be doing these kind of things instead of having Senator McKinney bring a bill to teach them-- or tell them what they need to teach. So last week we had people in the Appropriations and they were talking about funding for dual courses and there was a superintendent in and the information he passed out said that 21 percent of high school graduates that take the ACT aren't prepared to go to college. So our school system is failing these young people from the time they start until they graduate from high school with a proper education so that they can pass the ACT. And then we have people who have gone to college to become a teacher, and they can't pass the test to become a teacher because they don't have the skills

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that it takes to pass the test. So we're going to lower the test, lower the, the qualifications so they can pass, instead of going back and looking and seeing what we've been doing in education so that they're not qualified, they're not able to do it, they don't have the skills. So the longer we talk about this bill, the more I'm concerned that this is something the schools could do and we do not have to pass a statute to tell them to do that. That's their job. That's what education is supposed to be all about. Well, the problem is it's instruction and not education, because education is the requirement of the student, instruction is what the school does. And so Senator Albrecht was exactly right. Out of the 512 employees they have at the Department of Education, you should be able to find one or two people that were able to do these qualifications or write this, this program up so that the schools could do it. That's a lot of people, 512. They have a large budget. And so now we're going to tell them this is what you need to do, and we have to have another full-time employee to be able to implement this program. So the longer we talk here today, the more I'm beginning to believe that this is something the schools could do and we don't need to tell them how to do it. So we'll see what the rest of the discussion is, but the longer I hear this, the less enthused I am about LB1112. Thank you.

**WILLIAMS:** Thank you, Senator Erdman. Senator Bostelman, you're recognized.

**BOSTELMAN:** Thank you, Mr. President. Well, I don't disagree that STEM and computer technology and teaching should be applied at all levels at school. In fact, my grandsons in elementary school already have their device, their, their pad, the iPad, whatever it is that they use already to, to learn. Couple of comments made, and that's what I wanted to speak to, was about the cost. I had ESUs and superintendents come into my office, both with concerns on the bill, both stating, all stating that we were doing a lot of this already, all stating that this is going to cost us more money, we don't have the teachers to do this. I understand Senator McKinney says material is free and I appreciate that. But that still takes a computer lab, that still takes a teacher, that still takes someone to sit there to oversee that instruction. I know when we've talked on distance learning with, with my schools, with superintendents for in schools, especially when our son was in school, when we start talking distance learning and that, you got to fit it into their curriculum, into their schedules. And every school district, every school, has a different schedule for their students. So it's trying to fit it into that school that fits for that school. And I think that's one of the reasons why they, they moved it to 2027. I appreciate that. But I do

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believe I've heard there is, there is no concern with the bill from schools or that, but I've heard it. I've had from my district, ESU and, and superintendents both come into my office and say they're concerned about this bill. So this point in time, I'm going to watch how it goes. I'd be interested in seeing if there's a way that we don't have to make it as mandatory as it is for the instruction, but that there's another way that we can encourage or make it so that our schools have more discretion in what they do and how they apply this. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Bostelman. Senator Friesen, you're recognized and this is your third opportunity.

**FRIESEN:** Thank you, Mr. President. So after listening to the discussion today, and I, I think this is the type of thing that has to be done on more bills that are-- we are looking at, and I think it has been a really good discussion this morning. One of my concerns when I've, I've, I think I mentioned this previously, is, is when we look at our whole picture of our education system, clear from pre-K to the university system, what I sometimes see is the overlap that we're having, and what might concern me is, listening to some of the discussion here, is that we're now trying to intentionally prepare kids to go straight into the job market when they graduate from high school. And so I'm-- that concerned me a little bit when I hear this on the floor that we need to prepare these kids so that they can grab these jobs the instant they get out of high school. And I, I don't ever want to be too understanding of, you know, there's kids who shouldn't probably go on to higher education. But sometimes if you sidetrack yourself too quickly and enter a job market that locks you into something that you haven't been exposed to other things, it concerns me a little bit, too, because you come out of high school and, and all you're looking for is to get that quick job. You sometimes now have boxed yourself into a career field which maybe is not going to be best for you longer term. And that's where I, I look at the way we are doing things today and the way the overlap between the, the high schools, community colleges, state colleges, the university system is. All of those institutions are doing kind of all of the above, and we have a lot of overlap and it concerns me a little bit that this seems to be a role. You know, we can introduce kids to the idea in high school. But the learning part of a technical-- what I call the technical part of a job, would be the community college system and working with business and delivering the, the type of employee that they need. And when you attend technical college, the thing that I liked about it when I attended it is they did include other things other than the, the course you were

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going into. They, they made sure that you were literate in the bookkeeping end of starting a business. They offered you other courses that you were deficient in to get you up to speed that the high school maybe didn't do. And so when I look at this, I'm, I'm starting to wonder if, yes, we can introduce kids to this, we can get them their interest tweaked in this, but should it get them ready for the workforce? That's where I'm having a little bit of a problem with, and maybe that's the job of our community colleges, to teach the technical fields. And now we're seeing more overlap. We're starting to see high schools getting to where the community colleges should be some more. And I'm worried that you get these kids that come out of high school, they see this job opportunity, they've been partially trained in it, and now they're funneled off and other opportunities, the door might be closed. And so I'm, I'm getting to be very reluctant now to say that this should be mandatory for graduation. Again, some kids don't like the technical parts of this at all. They, they are more in the arts, the things like that. And now you're going to require computer literacy. I'm getting a little more concerned. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Friesen. Senator Wayne, you're recognized.

**WAYNE:** Thank you, Mr. President. So Senator Erdman brought up maybe this is something more that the local school district should do. What I, what I find interesting-- it's not a knock on Senator Erdman because at least he's been consistent, he's been consistent about his, his EPIC tax, consumption tax, but we don't take that same approach to property taxes. The state collects zero in property taxes, but we don't leave it to the local jurisdiction to solve the property tax problem because we, as state senators, see a need that needs to be addressed, so we bring a bill. I understand there are concerns about maybe overloading some school districts, but if there is some schools out there that don't have computers, that's the issue, Senator Bostelman, not the fact that this bill may require them to get a computer. It's that we need to make sure they have some computers. So, Senator Albrecht, in OPS, third and fourth graders learn from their library instructors. Their librarians teach them introduction to code. Introduction to code and learning about code, there's plenty of actual curriculum out there. What I am-- what we are suggesting is we can't wait till 2026 before we start changing the culture of schools to understand that coding is important. It's a culture change. So even if this bill passed tonight or today, the reason there's an effective date later is because you're changing a culture. You still have people in this body who probably don't know

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how to use their phone completely, probably do not-- couldn't program something right now if they were asked to. It was a different culture, and there are many people who have the same seasoned experience, I won't say age, who are teaching. So it is a culture change. That's why the effective date is later. This is not something that's going to hurt schools overnight. Many of the schools are already doing this. But for those who aren't, we're saying, let's bump it up a little bit, coding is important, because there could be a point that you might not be able to even write a check without knowing a code. If you don't understand coding, it can fundamentally stop you from growing. This isn't saying when you get out of high school, you're going to go into the job market tomorrow. But what we are saying is, just like writing and arithmetic, coding is going to be a part of those things. It just doesn't have a W and a R in it. But it's a part of essential education. So all we're doing is starting to change the culture. And if we don't want to and other states are actually putting in stricter and more comprehensive reforms around coding, again, we're going to be left behind. So I would tell you to don't look at this as an unfunded mandate because it's not. We're saying that coding has to be a part of the conversation when kids graduate, that that is the future in which we are going, so let's make sure that they have the option to do that. And as far as bringing a bill and leaving it to local control, I've always said we like local control until we don't. We love local control until we don't, until you get that property tax bill; we don't like local control anymore, but we like local control when it comes to something else. Oh, we like local control until OPS adopts the health, health standards that many people don't agree with. We like local control until Mutual of Omaha decides they're going to build something downtown, then it's like, oh, we got to change TIF. We like local control until we don't.

**WILLIAMS:** One minute.

**WAYNE:** And this is one of those moments where we are trying to walk a very balanced line of local control with NDE and making sure as a state we are preparing kids for the next job on the market that maybe we don't even know about yet. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Wayne. Senator Erdman, you're recognized.

**ERDMAN:** Thank you, Mr. President. I listened to Senator Wayne. I want to know, what's a check? Anyway, so be it. Senator Wayne, I didn't say that this was too much for the education system. I think they're

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very capable of doing this without our help. The point I was trying to make is they don't. That's the point. They don't do it. OK? And if they did, you and Senator McKinney and others wouldn't be bringing this bill. We wouldn't be talking about this because they would just go ahead and do it, and they wouldn't need us to help them. The other issue is, I don't believe there's a school in the state that doesn't have computers. I don't think there's one. OK? So I don't think the computer is a problem. I think they all have them. They all did distance learning from home when the COVID pandemic was on, so I think they all have computers. But what I'm trying to say is they could do this, Senator Wayne, without us telling them to do it. And that is exactly what I think they should do without having to have Senator McKinney bring a bill for them. They should be able to do it. And I would assume that Senator Pahls, sitting there listening and he was a principal, I would think that he could agree that they could do this if they wanted to, if they decided to. There's nothing requiring them not to do this, prohibiting them. They could do it. And so we're going to proceed forward to see where the, where the vote is. But I just think that, whether we vote for this or not, the schools can still do it. And I'm with you on the point that, what do we do for five years while we're waiting for them to figure out how to do it? And so I think all that stuff can be accomplished with the current education system we got, except I don't have a lot of confidence in the Department of Education. So maybe that's why we need to do a bill, tell them what to do. Thank you.

**WILLIAMS:** Thank you, Senator Erdman. Senator Morfeld would like to introduce some students from UNL sitting in the north back-- balcony-- excuse me-- Brooklyn Terrell, Jennifer Sheppard, Riley Kirkpatrick, Patrick Baker, Lucas Jasinski, and Cameron Collier. Would you still-- would you please stand and be recognized by your Nebraska Legislature. Returning to debate, Senator Lowe, you're recognized.

**LOWE:** Thank you, Mr. President. I was just outside in the Rotunda talking to some young people and they said, what are the old fogies talking about computers about? They said, do they know anything about what they're talking about in these computers? So with that, please vote for LB1112, AM1942, and AM2101.

**WILLIAMS:** Thank you, Senator Lowe. Seeing no one in the queue, Senator McKinney, you're recognized to close on the adoption of AM2103-- AM2101. Excuse me.

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**McKINNEY:** Thank you, Mr. President. In my close, I'll just say-- I just will say that LB1112 is a bill for the future of the state of Nebraska. It's to expose our students as early as possible to computer science and technology, to make sure that when they do grow and go into the workforce, that they are prepared. This isn't a bill to try to force every kid to go into coding and be a programmer. That's not what I'm trying to do. But I'm also, you know, I also recognize that the world is changing and technology is changing every day, and we have to make sure that our, our students are prepared. Employers are fully in support of this bill because they already have a workforce shortage. And if we wait even longer, they're going to have an even more increased workforce shortage. And this is just preparing our students and making sure that they have opportunities. I think if we expose more kids to opportunities, we'll have better outcomes. That's one thing I've always preached even before getting into the Legislature is making sure we expose kids and children and our youth to, to different opportunities. Maybe a kid doesn't want to go into, you know, coding. Maybe it's something else, maybe they'll, they'll become a digital designer or something for the University of Nebraska and do all the amazing graphics that they have. It's just different things that they could be exposed to that may spark the brains that will change our, our state and our country and our society. And that's what I'm attempting to do here. Thank you.

**WILLIAMS:** Thank you, Senator McKinney. Members, the question is the adoption of AM2101. All those in favor vote aye; those opposed vote nay. Have all voted that wish? Record, Mr. Clerk.

**CLERK:** 35 ayes, 0 nays on the adoption of Senator McKinney's amendment.

**WILLIAMS:** The amendment is adopted. Returning to debate. Seeing no one in the queue, Senator Walz, you're recognized to close on AM1942. Senator Walz waives closing. Members, the question is the adoption of AM1942. All those in favor vote aye; those opposed vote nay. Have all voted that wish? Record, Mr. Clerk.

**CLERK:** 34 ayes, 0 nays on adoption of committee amendments.

**WILLIAMS:** The amendment is adopted. Returning to debate. Seeing no one in the queue, Senator McKinney, you're recognized to close on LB1112. Senator McKinney waives closing. Members, the question is the advancement of LB1112 to E&R Initial. All those in favor vote aye; those opposed vote nay. Have all voted? Record, Mr. Clerk.

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

**WILLIAMS:** LB1112 advances. Mr. Clerk for items.

**CLERK:** I'm fine right now. Thank you, Mr. President.

**WILLIAMS:** Returning to the agenda.

**CLERK:** Mr. President, Select File, LB804. Senator McKinney, I have no amendments to the bill.

**WILLIAMS:** Senator McKinney for a motion.

**McKINNEY:** Thank you, Mr. President. I move to advance LB804 to E&R for engrossing.

**WILLIAMS:** Members, you've heard the motion. All those in favor say aye. Those opposed say nay. The bill is advanced. Mr. Clerk.

**CLERK:** LB887, Senator. I have Enrollment and Review amendments, first of all.

**WILLIAMS:** Mr. McKinney for a motion, motion.

**McKINNEY:** Thank you, Mr. President. I move to adopt the E&R amendments to LB887.

**WILLIAMS:** Members, you've heard the motion to adopt the E&R amendments. All those in favor say aye. Those opposed say nay. They are adopted.

**CLERK:** I have nothing further on that bill, Senator.

**WILLIAMS:** Senator McKinney for a motion.

**McKINNEY:** Mr. President, I move to advance LB887 to E&R for engrossing.

**WILLIAMS:** Members, you've heard the motion. All those in favor say aye. Opposed say nay. Bill is advanced.

**CLERK:** LB698, Senator. I have no amendments to the bill.

**WILLIAMS:** Senator McKinney.

**McKINNEY:** Mr. President, I move to advance LB698 to E&R for engrossing.

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**WILLIAMS:** Members, you've heard the motion. All those in favor say aye. Those opposed say nay. The bill is advanced.

**CLERK:** Mr. President, LB820, no E&Rs. Senator Matt Hansen would move to amend with AM2147.

**WILLIAMS:** Senator Matt Hansen, you're recognized to open on AM2147.

**M. HANSEN:** Thank you, Mr. President. Good afternoon, colleagues. Just a reminder, LB820 is my Speaker priority changing the population threshold between primary metro class cities. AM2147 was something suggested to us by Bill Drafters; and just because of where it fell in the section, it wasn't a E&R amendment, so they asked me to bring it and I'll just read the whole thing. So on page 4, line 21, we're to strike the phrase "of such cities," show as stricken, and insert "cities described in this section." Because of how the paragraphs broke down in the bill, they thought "cities described in this section" was better terminology than "of such cities" and therefore they asked for this amendment. I'd ask for your green vote. Thank you.

**WILLIAMS:** Thank you, Senator Matt Hansen. Debate is now open. Seeing no one wishing to talk, Senator Hansen waives closing. Members, the question is the adoption of AM2147. All those in favor vote aye; those opposed vote nay. Have all voted that wish? Record, Mr. Clerk.

**CLERK:** 34 ayes, 0 nays on the adoption of Senator Hansen's amendment.

**WILLIAMS:** The amendment is adopted. Mr. Clerk.

**CLERK:** I have nothing further on that bill, Senator McKinney.

**WILLIAMS:** Senator McKinney for a motion.

**McKINNEY:** Mr. President, I move to advance LB820 to E&R for engrossing.

**WILLIAMS:** Members, you've heard the motion. All those in favor say aye. Those opposed say nay. LB820 is advanced.

**CLERK:** LB840, Senator. I have no amendments to the bill.

**WILLIAMS:** Senator McKinney for a motion.

**McKINNEY:** Mr. President, I move to advance LB840 to E&R for engrossing.

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**WILLIAMS:** Members, you've heard the motion. All those in favor say aye. Those opposed say nay. Bill is advanced.

**CLERK:** Mr. President, next bill, LB436. I have Enrollment and Review amendments, first of all, Senator.

**WILLIAMS:** Senator McKinney for a motion.

**McKINNEY:** Mr. President, I move to adopt the E&R amendments to LB436.

**WILLIAMS:** Members, you've heard the motion. All those in favor say aye. Those opposed say nay. The E&R amendments are adopted.

**CLERK:** Senator Ben Hansen would move to amend, AM2157.

**WILLIAMS:** Senator Ben Hansen, you're recognized to open AM2157.

**B. HANSEN:** Thank you, Mr. President. On General File, we adopted an amendment from the Department of Health and Human Services that reinstated language under the current law in Section 38-409. This made it so that LB824 [SIC--LB436] would require licensing in order to perform certain modalities under the Athletic Training Practice Act. In reviewing the E&R amendment, it was decided that further clarification was needed. I worked with both the athletic trainers and DHHS to bring AM2157 that reinstates additional language from current law under Section 38-408. The language in the amendment makes it clear that the application of heat, cold, air, water, or exercise shall not be restricted by the, by the Athletic Training Practice Act. Thank you.

**WILLIAMS:** Thank you, Senator Hansen. Debate is now open. Seeing no one wishing to talk, Senator Hansen, you're recognized to close on your amendment. Senator Hansen waives closing. Members, the question is the adoption of AM2157. All those in favor vote aye; those opposed vote nay. Have all voted that wish? Record, Mr. Clerk.

**CLERK:** 37 ayes, 0 nays on the adoption of Senator Hansen's amendment.

**WILLIAMS:** The amendment is adopted.

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

**WILLIAMS:** Senator McKinney.

**McKINNEY:** So, Mr. President, I move to advance LB436 to E&R for engrossing.

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**WILLIAMS:** Members, you've heard the motion. All those in favor say aye. Those opposed say nay. The bill is advanced.

**CLERK:** Mr. President, Senator McKinney, LR283CA. I have no amendments to the bill, Senator.

**WILLIAMS:** Senator McKinney for a motion.

**McKINNEY:** Mr. President, I move to advance LR283CA to E&R for engrossing.

**WILLIAMS:** Members, you've heard the motion. All those in favor say aye. Those opposed say nay. The CA is, is advanced.

**CLERK:** LB998. I have Enrollment and Review amendments, Senator.

**WILLIAMS:** Senator McKinney for a motion.

**McKINNEY:** Mr. President, I move to adopt the E&R amendments to LB998.

**WILLIAMS:** Members, you've heard the motion to adopt the E&R amendments. All those in favor say aye. Those opposed say nay. The amendments are adopted.

**CLERK:** I have nothing further on that bill, Senator.

**WILLIAMS:** Senator McKinney for a motion.

**McKINNEY:** Mr. President, I move to advance LB998 to E&R for engrossing.

**WILLIAMS:** Members, you've heard the motion. All those in favor say aye. Opposed say nay. LB998 is advanced.

**CLERK:** LB769, Senator. I have no amendments to the bill.

**WILLIAMS:** Senator McKinney.

**McKINNEY:** Mr. President, I move to advance LB769 to E&R for engrossing.

**WILLIAMS:** Members, you've heard the motion. All those in favor say aye. Those opposed say nay. The bill is advanced.

**CLERK:** LB864, Senator. I have no amendments to the bill.

**WILLIAMS:** Senator McKinney for a motion.

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**McKINNEY:** Mr. President, I move to advance LB864 to E&R for engrossing.

**WILLIAMS:** Members, you've heard the motion. All those in favor say aye. Opposed say nay. LB864 is advanced.

**CLERK:** LB1065 has Enrollment and Review amendments, Senator.

**WILLIAMS:** Senator McKinney for a motion.

**McKINNEY:** Mr. President, I move to adopt the E&R amendments to LB1065.

**WILLIAMS:** Members, you've heard the motion to adopt the E&R amendments. All those in favor say aye. Opposed say nay. The amendments are adopted.

**CLERK:** I have nothing further on that bill, Senator.

**WILLIAMS:** Senator McKinney for a motion.

**McKINNEY:** Mr. President, I move to advance LB1065 to E&R for engrossing.

**WILLIAMS:** Members, you've heard the discussion and the motion. All those in favor say aye. Opposed say nay. LB1065 is advanced.

**CLERK:** LB1246, Senator, has Enrollment and Review amendments.

**WILLIAMS:** Senator McKinney for a motion.

**McKINNEY:** Mr. President, I move to adopt the E&R amendments to LB1246.

**WILLIAMS:** Members, you've heard the motion to adopt the E&R amendments. All those in favor say aye. Opposed say nay. The amendments are adopted.

**CLERK:** I have nothing further on that bill, Senator.

**WILLIAMS:** Senator McKinney for a motion.

**McKINNEY:** Mr. President, I move to advance LB1246 to E&R for engrossing.

**WILLIAMS:** Members, you've heard the motion. All those in favor say aye. Opposed say nay. The bill is advanced.

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**CLERK:** LB848. I have no amendments to the bill, Senator.

**WILLIAMS:** Senator McKinney for a motion.

**McKINNEY:** Mr. President, I move to adopt-- I move to advance LB848 to E&R for engrossing.

**WILLIAMS:** Members, you've heard the motion. All those in favor say aye. Opposed say nay. LB848 is advanced.

**CLERK:** Senator, LB1173. I have Enrollment and Review amendments, first of all.

**WILLIAMS:** Senator McKinney for a motion.

**McKINNEY:** Mr. President, I move to adopt the E&R amendments to LB1173.

**WILLIAMS:** Members, you've heard the motion to adopt the E&R amendments. All those in favor say aye. Opposed say nay. The amendments are adopted.

**CLERK:** Senator Hunt would move to amend with AM2200.

**WILLIAMS:** Senator Hunt, you're recognized to open on AM2200.

**HUNT:** Good afternoon, colleagues. I'm happy to have the opportunity to bring this amendment today, which is the product of nearly a year's worth of studying and work. This is a friendly amendment to LB1173, which I have cleared with Senator Arch and the committee. AM2200 would add portions of my LB392 [SIC--LB932] to the committee bill. As an overview, LB392 [SIC--LB932] is the product of my interim study LR198, which examined the state's practice of intercepting Social Security benefits intended for foster children. I learned about this from a national investigation done by the Marshall Project that aired on NPR, which revealed that a majority of states were quietly doing this for decades. It was clear that it wasn't right and that we could figure out how to do something about it in Nebraska. The interim study revealed that this was indeed happening in Nebraska to something like 400 youth a month, generating nearly \$3 million a year for the state that was meant for those kids in Social Security benefits. It's been going on for at least 20 years in Nebraska. The kids that are eligible for this money are kids who are disabled or they have a parent who is dead or disabled. So these are the most vulnerable of the most vulnerable children in our state's care, and we have been taking their money without any transparency or any due

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process. After the hearing on that bill, I spoke with Chairman Arch about trying to get the bill Execed on and sent to the floor. Time was moving quickly, as it is this session, and I had already designated another bill as my personal priority, which was actually a tough decision because I wanted to prioritize this one as well. But Chairman Arch suggested to me that the committee would be more likely to support a narrowed version of the bill that took out the part that would have required the state to conserve a portion of Social Security funds for the youth in a trust account. Senator Arch said that the committee would probably be more amenable to just the provisions requiring notification to the youth and their guardian ad litem [SIC]. So while I would have liked to see us do a little bit more, I'm content with this approach. So we made the changes and worked to find a vehicle for this compromise amendment since the bill wasn't otherwise moving without a priority. After making the changes Senator Arch suggested, I worked with DHHS and have incorporated all of their recommendations. These were all minor technical changes to streamline the implementation and make sure they have enough time to update their rules. The advocates who helped work on the original LB932 have also signed off on these changes. It's kind of rare and exciting that we have agreement between the HHS Committee, the child welfare advocates, namely Appleseed, and the Department of Health and Human Services. DHHS estimates that this carved-down version will have a substantially reduced fiscal note. With the content of AM2200, the state can right the wrong of retaining youths' Social Security benefits without their knowledge, providing essential transparency for children who already face more obstacles than children who are not in state care. With notice and accounting information provided to the child or their attorney, the child or the primary adults in their life will have awareness that the youth is eligible for these Social Security benefits, the amount available for the child's personal use, and how the state is using the funds. If and when the child leaves the system, their attorney could apply to have the payee changed to a more appropriate party, like a family member, rather than the state. Without AM2200, the youth and their attorneys may never know that the state has been receiving their Social Security benefits at all, and they may never have the opportunity to receive those benefits when the child leaves the state's care. It's imperative that we pass this. Please vote green on AM2200. Thank you.

**WILLIAMS:** Thank you, Senator Hunt. Debate is now open on AM2200. Seeing no one wishing to speak, Senator Hunt, you're recognized to close on AM2200. Senator Hunt waives closing. Members, the question

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is the adoption of AM2200 to LB1173. All those in favor vote aye; those opposed vote nay. Have all voted? Record, Mr. Clerk.

**CLERK:** 29 ayes, 0 nays on the amendment, Mr. President.

**WILLIAMS:** The amendment is adopted.

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

**WILLIAMS:** Senator McKinney for a motion.

**McKINNEY:** Mr. President, I move to advance LB1173 to E&R for engrossing.

**WILLIAMS:** Members, you've heard the motion. All those in favor say aye. Those opposed say nay. LB1173 is advanced. Members, we will be skipping over LB1173A due to the change in the fiscal note. Going on to the next item, Mr. Clerk.

**CLERK:** Mr. President, LB1236 on Select File. I have Enrollment and Review amendments pending.

**WILLIAMS:** Senator McKinney for a motion.

**McKINNEY:** Mr. President, I move to adopt the E&R amendments to LB1236.

**WILLIAMS:** Members, you've heard the motion to adopt the E&R amendments. All those in favor say aye. Those opposed say nay. The amendments are adopted.

**CLERK:** I have nothing further on that bill, Senator.

**WILLIAMS:** Senator McKinney for a motion.

**McKINNEY:** Mr. President, I move to advance LB1236 to E&R for engrossing.

**WILLIAMS:** Members, you've heard the motion. All those in favor say aye. Those opposed say nay. The bill advances.

**CLERK:** LB780, Senator. I have Enrollment and Review amendments, first of all.

**WILLIAMS:** Senator McKinney for a motion.

**McKINNEY:** Mr. President, I move to adopt the E&R amendments to LB780.

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**WILLIAMS:** Members, you've heard the motion to adopt the E&R amendments. All those in favor say aye. Those opposed say nay. The amendments are adopted.

**CLERK:** Senator Wayne would move to amend, AM2156.

**WILLIAMS:** Senator Wayne, you're recognized to open on AM2156.

**WAYNE:** Thank you, Mr. President. AM2156 would incorporate the provisions of LB974 into LB780. I want to thank Senator Gragert for allowing me to include this bill in his bill. LB974, which I introduced at the request of the Nebraska Workers' Compensation Court, would amend both the current-- our current transit authority statutes to clarify that transit authorities are not exempt from workers' compensation assessments or unemployment insurance payments. The language in LB974 mirrors the similar language that was included in the tax exemption language for port authorities last year. This was brought to us both by the Workers' Compensation Court and the Department of Labor. They are, they are obviously both in favor of it. Metro Transit is a transit authority in Omaha and it's the only transit authority in the state, and it's currently paying both workers' compensation assessment and unemployment insurance payments, so this bill would have no impact on their operations. The underlying bill, LB974, received no opposition testimony in the hearing and was advanced by the Urban Affairs Committee unanimously 7-0. With that, I'd ask you to vote green on AM2156.

**WILLIAMS:** Thank you, Senator Wayne. Debate is now open on AM2156. Seeing no one in the queue, Senator Wayne, you're recognized to close on your amendment.

**WAYNE:** So I just want to be real quick. Again, this is just a cleanup bill. There was interpretation by some attorneys that felt like they were being exempted. It was never the intent. So this just clarifies that showing them that they aren't exempted. So thank you, Mr. President. Please vote green.

**WILLIAMS:** Thank you, Senator Wayne. Members, the question is the adoption of AM2156. All those in favor vote aye; those opposed vote nay. Have all voted that wish? Record, Mr. Clerk.

**CLERK:** 36 ayes, 0 nays on the adoption of Senator Wayne's amendment.

**WILLIAMS:** The amendment is adopted. Returning to debate. Senator Wayne, you're recognized.

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**WAYNE:** Thank you, Mr. President. And, colleagues, I just wanted to give a big shout out to the Workers' Compensation Court. They actually testified in neutral on this bill. You know testifying in neutral is a big deal to me this year. So just want to give them a shout out. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Wayne. Mr. Clerk.

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

**WILLIAMS:** Senator McKinney for a motion.

**McKINNEY:** Mr. President, I move to advance LB780 to E&R for engrossing.

**WILLIAMS:** Members, you've heard the motion. All those in favor say aye. Those opposed say nay. LB780 is advanced.

**CLERK:** LB925, Senator. I have Enrollment and Review amendments pending.

**WILLIAMS:** Senator McKinney for a motion.

**McKINNEY:** Mr. President, I move to adopt the E&R amendments to LB925.

**WILLIAMS:** Members, you've heard the motion to adopt the E&R amendments. All those in favor say aye. Those opposed say nay. The amendments are adopted.

**CLERK:** I have nothing further on that bill, Senator.

**WILLIAMS:** Senator McKinney for a motion.

**McKINNEY:** Mr. President, I move to advance LB925 to E&R for engrossing.

**WILLIAMS:** Members, you've heard the motion. All those in favor say aye. Those opposed say nay. LB925 is advanced.

**CLERK:** LB925A, Senator. I have no amendments to the bill.

**WILLIAMS:** Senator McKinney for a motion.

**McKINNEY:** Mr. President, I move to advance LB925A to E&R for engrossing.

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**WILLIAMS:** Members, you've heard the motion. All those in favor say aye. Those opposed say nay. The bill is advanced.

**CLERK:** Mr. President, the next bill, LB77-- excuse me, LB717. No E&Rs. First amendment to the bill, Senator McDonnell, AM2961 [SIC--AM2061].

**WILLIAMS:** Senator McDonnell, you're recognized to open on AM2061.

**McDONNELL:** Thank you, Mr. President. Good afternoon, colleagues. AM2061 is a simple yet important amendment. It consists of my bill, LB1040, which proposed to change the definition of law enforcement officer as it relates to the In the Line of Duty Death-- Duty Compensation Act. As you heard during General File discussions, this act provides a one-time death benefit to the family of the firefighter, law enforcement officer, or other first responder who dies in the line of duty. LB255, which created the act in 2021, was passed and enacted into law with the absolute best intentions. Having said that, an oversight was brought to our attention and AM2061 will address this omission. The act currently defines law enforcement officer as any member of the Nebraska State Patrol, any county or deputy sheriff or any member of the police force of any city or village. Unfor-- unfortunately and inadvertently, an unintended consequence, consequence of this definition is such that a number of law enforcement officers were excluded as being eligible for this benefit. The definition does not include officers employed by certain government entities such as state, local, or regional educational institutions, airport authority police, or deputy state sheriffs not employed by the State Patrol, just to name a few. AM2061 proposes to use the definition of law enforcement officer found in Section 81-1401, which would include those deserving and serving officers who are-- who were unintentionally left out. LB1040, which is now AM2061, was advanced out of the Business and Labor Committee with unanimous vote. I'd like to thank the committee for their support, and I'd like to thank both Senator Morfeld and Senator Pansing Brooks for allowing me to bring forward this amendment to LB717. Thank you.

**WILLIAMS:** Thank you, Senator McDonnell. Debate is now open on AM2061. Seeing no one in the queue, Senator McDonnell, you're recognized to close on AM2061. Senator McDonnell waives closing. Members, the question is the adoption of AM2061 to LB717. All those in favor vote aye; those opposed vote nay. Have all voted that wish? Record, Mr. Clerk.

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**CLERK:** 30 ayes, 0 nays on the adoption of Senator McDonnell's amendment.

**WILLIAMS:** The amendment is adopted.

**CLERK:** Mr. President, Senator Friesen would move to amend, AM2079.

**WILLIAMS:** Senator Friesen, you're recognized to open on AM2079.

**FRIESEN:** Thank you, Mr. President. In our past discussions, I questioned whether or not this is something the state of Nebraska should do. And obviously, we moved ahead. So now I did talk a little bit about, you know, adding some other workers in there whose jobs and public sector jobs require them to be in very hazardous, dangerous situations. But I, I didn't bring an amendment to add those, which I do think that there should be a little bit of discussion on some of those jobs. Department of Transportation workers are, are out there all the time in a known hazardous environment working on our roads and maintaining those roads for us. But I thought at this point at least I would address maybe, you know, we can start to measure what a human life is worth. We talked a lot about increasing this. We started out at \$50,000 and then we were getting up into that, I think, \$200,000 or \$150,000. And my amendment, what it does is basically say it would be a, I think it's \$2 million and \$50,000, the way it's-- I thought I was going to strike the \$50,000, but obviously we made a mistake. So the amendment is very simple. It just increases the amount of what a human life is worth. And when you have workers who are out there and doing these jobs, and we all admit that there is some danger to it, we properly compensate maybe some of those people when they are lost in the line of duty. And if I recall correctly, the number of people that met this requirement was fairly small. It shouldn't be a huge fiscal impact. But again, starting with some numbers, let's, let's talk a little bit about maybe what people are worth. And this is where I think I get into a little bit of a problem because when we start to get ahead of where-- what our job is here in the State Legislature and I am going to support the amendment. That doesn't mean I will support the bill because I still think this is something we shouldn't be into. It can be addressed more at the local issue. But if we're going to be talking about what is the value of some of our public safety workers-- and I thank Senator McDonnell for clarifying a little bit who is a public safety worker. I do think that makes the bill a little better. But I think we also should be looking at some of our other public workers that are out there and exposing themselves, I guess, to a, what I call, high-hazard job. And so as we

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study the bill a little bit more and it gets closer to Final Reading, maybe we need to address the issue of Department of Transportation workers, for instance, and maybe some of our other public workers in the rural electrics and NPPD and OPPD that are out there working in the storms and turning on our electricity when we have bad weather. And so this is a very simple amendment. I hope people take it seriously and look at it and I will support the amendment, but I will not support the bill. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Friesen. Debate is now open. Senator Erdman, you're recognized.

**ERDMAN:** Thank you, Mr. President. Wonder if Senator Friesen would yield to a question?

**WILLIAMS:** Senator Friesen, would you yield?

**FRIESEN:** Yes, I would.

**ERDMAN:** Senator Friesen, I, I think I read your amendment and you're going to strike \$100,000, but leave \$50,000, so it's a million, \$50,000? Is that correct?

**FRIESEN:** I think it would-- if you read the bill, it might be \$2 million and \$50,000.

**ERDMAN:** OK. OK, I didn't go back--

**FRIESEN:** You have to look at the original language.

**ERDMAN:** Yeah, I didn't read through it. I just read what your amendment was. It's going to strike \$100,000 and replace that with a million. So I just assumed it was a million, \$50,000. So when you said this is something that could be handled locally, can you reference what that might be?

**FRIESEN:** Well, I-- our local department, I mean, we do have life insurance policy for volunteer firefighters. We've had that for a lot of years. It's just something that we have done that we saw the need. And I question whether or not the state should be involved in some of this.

**ERDMAN:** So the, the fiscal note talked about this could cost us \$600,000 a year. Is that-- did you read that part?

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**FRIESEN:** I, I did. And I forget the number of, of, of people, public safety officers we've lost in the line of duty over the past couple years. I think somebody else might have that number. I don't.

**ERDMAN:** OK. So if each one of those departments were to buy a term life insurance policy, \$600,000 would go a long way in buying term life insurance. Would, would you agree?

**FRIESEN:** I think in today's markets, yes, probably so.

**ERDMAN:** OK, thank you. I appreciate your answering those questions. I, I had voted no on this bill the last time. I don't think anything has changed. I think Senator Friesen alluded to that in his comments when he said, I'm not sure the state should get involved in this. I didn't realize we were a life insurance company, but I think if you're going to do something about protecting these, the incomes of these individuals who risk their life, and I'm not downplaying that, it's important-- in fact, it's vital-- but I think there's a better way to handle this, and I think that would be with a term life insurance or some kind of a life insurance policy instead of requiring the state to do this. And so I was a no last time, and I'll continue to be a no again. Thank you.

**WILLIAMS:** Thank you, Senator Erdman and Senator Friesen. Returning to debate. Seeing no one in the queue, Senator Friesen, you're recognized a close on AM2079. Senator Friesen waives closing. Members, the question is the adoption of AM2079 to LB717. All those in favor vote aye; those opposed vote no. Have all voted that wish? Record, Mr. Clerk.

**CLERK:** 21 ayes, 2 nays on the amendment, Mr. President.

**WILLIAMS:** The amendment is not adopted. Returning to debate. Senator Friesen, you're recognized.

**FRIESEN:** Thank you, Mr. President. Now that we've established what a life is worth, let's talk again a little bit about maybe what we should be looking at and why we should be doing this and is it the role of the Legislature to do this? Again, I, I, I think we started last year with just \$50,000 and now we're jumping up to \$250,000. We've clarified a little bit who the workers are. So I'd like to hear a little more discussion and should we add some more of our public servants that are out there in a hazardous duty providing services to the state that maybe should be included in this bill? Why are we limiting it to the public safety officers? And I, I, I again thank

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McDonnell-- Senator McDonnell for bringing a clarification who that includes because it was pretty broad last time. But I do think there's a lot of occupations out there that are even with the state employees that are engaged in very hazardous duties, and we probably have more lives lost in those departments than we do in some of the other public safety positions. So again, should we be providing some sort of life insurance policy, some sort of term limit-- term life insurance policy, some sort of compensation for those workers who are putting their life on the line, keeping our roads up, for instance? That's just an example that I have, and I'm just questioning whether or not we have included enough people in this. I was serious when I put the amendment forward. You take a, a young man with a family, \$250,000 is-- doesn't go a long ways and if we are saying that we want to be responsible employers and we know that these jobs are extremely hazardous, we should be stepping up and looking at how we might do that. Again, maybe our pay isn't high enough. Maybe our pay is such a low level that these families can't afford the term insurance that it takes to protect themselves. Sometimes we need to look at our pay scale, which I think we've-- when you look at Department of Corrections and what we've done over there in the past few years, we should have been raising pay there for the last eight years. And instead, we finally got it done last year and got it up to where it's a respectable level that we expect employees to work there and stay there. And so again, if we're paying our employees that little that they can't afford to buy a term life insurance policy to protect their families, maybe our pay isn't high enough. And instead of us doing this and addressing it when we-- when somebody does get killed in the line of duty, maybe they-- we should be looking at it like maybe their should be higher and they can address how much insurance they'd like to have and what kind of coverage they have. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Friesen. Senator Matt Hansen, you're recognized.

**M. HANSEN:** Thank you, Mr. President, and good afternoon, colleagues. I don't intend to speak on this too much, but I did want to clarify at least some of my intent because both of these bills, Senator Morfeld's and Senator McDonnell's, are amending a bill that we all passed of mine last year. It was the last bill we did in General File last year. And I just want to point out that that bill we did last year was the third attempt of mine to get this passed and it's the fourth that I know of, including an attempt by Senator Mello before me. And what I had heard feedback for years and years and years was smaller, smaller amount, less people, higher standard. I personally

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would have supported being much more broader and much more generous, but I was kind of told, based on the situation and based on the mood of the body, to get it to move forward, I had to go narrow and that's something I worked on for a number of years to get accomplished. If people want to come forward and propose including more individuals, I would certainly be supportive of that. Some of my earlier versions were more generous, but this is ultimately what we could get enacted into statute. I appreciate Senator McDonnell's clarification. We didn't mean to exclude university police officers when we were defining law enforcement officer and I think this clarification in terms of actually capturing law enforcement officer helps. But that's where I was coming from in terms of who is worthy or who is wanting to be covered. I think we as a state probably owe many public employees a strong duty, especially if we're asking them to go into risky situations on behalf of us as a state, on behalf of us and our constituents. But this is what this body would ultimately allowed me to pass after multiple years of trying and that's where we got it. We got it to that amount and that category of public safety officers. I would be excited to see people consider broadening it in the future, but as I said before, I, I, I had wanted to be expansive, I had wanted to be inclusive, and in-- this body was kind of hesitant to do that and that's how we ended up where we ended up. With that, thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Matt Hansen. Senator Clements, you're recognized.

**CLEMENTS:** Thank you, Mr. President. I'm not going to be voting for this. I don't-- I think there is a difference between volunteer forces and paid forces who are negotiating their contract and being paid by an entity who probably has more resources to provide life insurance benefits. I haven't looked in to see what the benefits are for the paid fire or police, but I just feel like that the volunteers are probably-- are very lowly compensated for life insurance and the, the jump from \$50,000 to \$250,000 in one year is a really big jump. I would have thought maybe go to \$100,000, but from \$50,00 to \$250,000 was a-- quite a big increase before we have found out even what the cost of this really is and how it's really going to work. So I do not support LB717. I would support it if we would limit it to volunteer departments, and then I would probably rather have a, a smaller amount to get started with this. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Clements. Senators from Sarpy County would like to recognize a group of 30 leadership from Sarpy County members sitting in the north balcony. Would you please stand and be

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recognized by your Nebraska Legislature? Returning to debate, Senator Friesen, you're recognized.

**FRIESEN:** Thank you, Mr. President. I know a lot of people are reluctant to vote against this. It makes it look like you're voting against our law enforcement personnel or firemen and firefighters. But we talked last time about when we deal with stuff basically on an emotional issue or whether we're dealing it on facts. And to me, I'm sticking-- trying to stick to the facts of this issue and I will be able to vote against this. I do think we've overstepped our bounds and we've gone where we shouldn't go. And so I, I realize, you know, lots of times, people-- we bring bills here and it's, it's very difficult for people to vote against them. It can be used politically. That's too bad, but it is these tough issues that we're supposed to discuss and to work through and to make sure that we're doing the right thing. And that's what I'm focused on right now and I, I think this is a place where we shouldn't be. If we're going to start expanding this program, you know that down the road we're going to make this amount larger, we're going to continue to grow it, and we're going to continue to add people to this program because it's hard to vote against our state roads workers who are out there doing their job or our rural electricians who are out there in a lightning storm and the blizzards putting our electricity back up and our, our power lines up. They are working under severely hazardous conditions and we-- in that occupation, we're bound to have accidents. We don't seem to want to address those issues. But again, I don't feel it's somewhere we should be going. But down the road, as we put these things in place, it's easy to add upon it, add different people to the list, and it all makes us feel better about those jobs. Maybe instead, we should be focusing on the pay that those people receive and that they can buy their own insurance if they choose. And I think that's what most people would want if you would ask them. Give me some money up front that I can do things with my family instead of giving it to them when I'm gone. Maybe I can look out for them with a term policy, but if you would give me a little bit more pay, maybe I could spend some time on vacation with my family, maybe I don't have to have the second job. Those are the things I think we're stepping into now by adding these benefits. It doesn't help the person until they're gone. And, yes, it's a help to the family, but again, most people, if they could afford it, if their wages were high enough, would probably look at that and be buying a term life insurance policy, maybe some even do, and yet now we're going to add \$250,000 onto the top of that. And yet there are some people out there, especially when you get out to the volunteers there, where there is

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no pay; there's no settlement from the city or whoever else is in the paid departments. It does create a, a little bit of a different playing field. And so I, I, again, hope everybody looks at this and, and looks past the fact that this is a tough vote to take, but it doesn't mean that I don't support my law enforcement and my firefighters. I do appreciate everything they do, but I think there's different ways to approach this. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Friesen. Senator McDonnell, you're recognized.

**McDONNELL:** Thank you, Mr. President. Just address a, a couple of things. Again, this benefit is not for the people that are serving, not the police officers, not the correction officers, not the firefighters, paid or, our volunteer. It's for their families because they've made the ultimate sacrifice. And when we talk about what is our, our role as state senators, well, some of these people-- and we don't know-- we don't have a crystal ball going forward into the future, but we know by the past they're going to make the ultimate sacrifice and some are going to be state employees. Some are not, but it doesn't take away their sacrifice that they've made serving the citizens that they took an oath to protect and serve. So I don't wanna lose focus on what we're doing here today. What we did with the amendment was try to clarify based on an oversight of what a police officer is and who falls under that according to the statute. But don't forget these are the people that said goodbye to their families in the morning thinking that they would see them after their shift and they never came home. And we respect that sacrifice, but now the family is faced with this. That possibly could have been the only breadwinner of the family, or at least half; possibly both people were working. And now for the family, they're going to deal with that for the rest of their lives, not only the loss but the loss of income. So the idea of putting a value on a human life-- and earlier-- and I voted for Senator Friesen's amendment and, and I believe he was sincere talking about what a human life is worth. Is \$250,000 enough? No, I don't think so. Is it a way to say thank you to that family and try to make sure they're financially at least a little bit more stable after their loved one made the ultimate sacrifice? Yes. And that's the message we're sending today. Out of a \$5 billion annual budget, we're looking at potentially, these people-- and no one knows. There could-- could there be four tomorrow? Could there be before next year? Could there be ten tomorrow? We don't know, but we know they're doing dangerous work on behalf of the citizens of the state of Nebraska. And this is not for

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their ultimate sacrifice; it's for their family who has to continue after the ultimate sacrifice. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator McDonnell. Mr. Clerk for an amendment.

**CLERK:** Mr. President, if I may right before that, Senator Hunt offers LR320. That will be laid over at this time. I have amendments to be printed: Senator Bostelman, LB1102A; Flood, LB707; and Albrecht, LB933; and Arch to LB1037; McDonnell to LB964. Senator Clements would move to amend the bill, Mr. President.

**WILLIAMS:** Senator Clements, you're recognized to open on your floor amendment.

**CLEMENTS:** Thank you, Mr. President. Well, the jump from \$50,000 to \$250,000 was more than I could support. I've put in an amendment to strike the \$250,000 and change it to \$100,000 if I wrote it correctly. I believe I did. And I think it would take me too long to try to go through the bill and restrict it to volunteer departments, which was what I really was interested in also, but I am not sure how to legally do that and make sure we don't get in trouble with constitutional things. So to move it along today, I was-- is-- I'm proposing changing the death benefit from \$250,000 to \$100,000. It was just \$50,000 a year ago and this would change to a \$100,000 benefit, which I would support if it's adopted. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Clements. Debate is now open on the floor amendment of Senator Clements. Senator Morfeld, you're recognized.

**MORFELD:** Colleagues, I won't take up very much time. I just want to note that I'm not supportive of this amendment. We all voted fairly overwhelmingly in favor of \$250,000 on General File and I would ask that you vote no on this. The reason why we did \$250,000 was it wasn't a number that we just picked out of a hat, but we knew that funeral expenses are usually around \$50,000, then you have medical expenses, which generally, in a catastrophic type of incident like this, is anywhere from \$20,000 to \$100,000. And then we wanted some money for the family to be able to survive and live. And so that's the rationale behind \$250,000. It's already been approved by this body on General File. That was the intent of the bill. I urge you to vote no on FA73. Thank you.

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**WILLIAMS:** Thank you, Senator Morfeld. Senator Clements, you're recognized.

**CLEMENTS:** Thank you, Mr. President. I want to point out that this none a-- this is not-- the bill is not a flat \$250,000 amount. It's \$250,000 plus an inflation adjustment each year starting in 2023. And we've been hearing that inflation is 7.5 percent and 7.5 percent of \$250,000 is \$18,750. So 2023, we're going to be at \$268,750 and if we-- inflation keeps going that way, in ten years, it will double. And so that is why. With the inflation increase, the \$100,000 would start at \$100,000, but go to \$107,000 pretty quickly and likely to double in ten years to \$200,000 if inflation stays at the 7 percent level. Hopefully, it doesn't, but I just wanted to point out that we're really going to be at about \$269,000 in one year and then going up from there. It's OK to protect for inflation, but I would rather start at \$100,000 than the \$250,000 as the LB717. So I ask for your green vote on FA73. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Clements. Senator Friesen, you're recognized.

**FRIESEN:** Thank you, Mr. President. I just think I should rise to clarify some statements that were recently made. I, I know a funeral does not cost \$50,000 and I, I think health insurance issues or health issues or medical care is all covered even with our volunteers and with everyone else. They do have workmen's comp, so to say that we're going to spend \$50,000 for a funeral, I think is excessive. Average funeral is probably \$10,000 to \$15,000. But again, I look at the healthcare issues and those issues are addressed through-- either through workmen's comp or the health insurance plans that all the departments have. So I don't see that there's an issue of, of the healthcare of that worker being addressed with this. This is just to help the families move on after they've lost a loved one in the line of duty. So we just need to look at the facts. Let's stick to the facts and see once if this is where we should be going. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Friesen. Senator Flood, you're recognized.

**FLOOD:** Thank you, Mr. President. Members, I oppose Senator Clements' amendment, FA73. I think that \$250,000 is a fair amount. I think about what happened here in Lincoln with the investigator that found himself on the opposite end of a gun, an offender whose trial, by the way, starts in Columbus pretty soon. They can't hold it in Lincoln.

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Tell me that's not worth \$250,000. I disagree with taking it down to \$100,000. For the record, I voted for Senator Friesen's amendment. The men and women of law enforcement go out of their way. Nobody else gets called in the middle of the night to deal with a drunk that won't leave the parking lot. They get called to go deal with people that find themselves oftentimes at the worst spot in their life and they're asked to protect the public safety and sometimes they don't come home. I don't think this is unreasonable. I support LB717. That's why I voted for it on General File and I look forward to it passing. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Flood. Seeing no one in the queue, Senator Clements, you're recognized to close on FA73.

**CLEMENTS:** Thank you, Mr. President. This was a brand-new bill a year ago and it did pass with \$50,000 and I thought the proponents were pleased with that. And I'm willing to increase it to \$100,000 and that's my comfort level, and it's going to also have inflation increasing it yearly starting next year. And so I urge your green vote on FA73. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Clements. Members, the question is the adoption of FA73. All those in favor vote aye; those opposed vote nay. Have all voted that wish? Record, Mr. Clerk.

**CLERK:** 5 ayes, 25 nays, Mr. President, on the amendment.

**WILLIAMS:** The amendment is not adopted. Senator Morfeld, you're recognized to close on LB717.

**MORFELD:** Thank you, Mr. President. Colleagues, I urge you to support LB717 and I appreciate the discussion and the debate. I think this will go a long way in making sure that our first responders' families are taken care of if the worst thing happens to them. Thank you.

**WILLIAMS:** Thank you, Senator Morfeld. Mr. Clerk.

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

**WILLIAMS:** Senator McKinney for a motion.

**McKINNEY:** Mr. President, I move to advance LB717 to E&R for engrossing.

**WILLIAMS:** Members, you've heard the motion. All those in favor say aye. There's been a request for a record vote. Members, we'll

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actually do a machine vote. You've heard the discussion and the bill. All those in favor vote aye; those opposed vote nay. Have all voted that wish? Record, Mr. Clerk.

**CLERK:** 32 ayes, 4 nays, Mr. President, on the motion to advance the bill.

**WILLIAMS:** LB717 advances. Mr. Clerk.

**CLERK:** Mr. President, the next bill, LB1037. Senator McKinney, I have Enrollment and Review amendments, first of all.

**WILLIAMS:** Senator McKinney for a motion.

**McKINNEY:** Mr. President, I move to adopt the E&R amendments to LB1037.

**WILLIAMS:** Members, you've heard the motion to adopt the E&R amendments. All those in favor say aye. Those opposed say nay. The amendments are adopted.

**CLERK:** Senator Wayne has AM24-- AM2047. I understand you wish to withdraw. Thank you, Senator. Mr. President, Senator Arch would move to amend with AM2149.

**WILLIAMS:** Senator Arch, you're recognized to open on AM2149.

**ARCH:** Thank you, Mr. President. Thank you, colleagues. As you recall, LB1037 would direct the Department of Administrative Services to hire a consultant to analyze our current procurement process and make recommendations for improvements. The bill also contains provisions of LB1064, which provides a funding mechanism to permit DAS to move to an electronic procurement model. AM2149 is to address a concern that Senator Wayne rose-- raised during the General File debate about having the entity that currently carries out procurement direct the analysis of its practices. I gave Senator Wayne my word I would work on some language between General and Select. That is AM2149, which I did run by Senator Wayne. This amendment clarifies that the evaluation will be a collaborative effort between the Legislature and DAS. Everybody wants to move forward and get our procurement practices where they should be to ensure we make the best use of our taxpayer dollars and we ensure we provide the best services to Nebraskans. So the language that's included here includes the Chairperson of the Exec Board, Government, and HHS, as well as other members of the Legislature as such Chairpersons deems appropriate to work with DAS to do the study and to come up with recommendations.

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The bill calls for a report by November 15 with the anticipation that the recommendations will lead to legislation seeking significant changes to the process and it is a tight window. The bill has an emergency clause so the quicker we can get the bill passed, the sooner we can start moving forward. And with that, I urge your green vote on AM2149 and your green vote on LB1037. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Arch. Senator Kolterman, you're recognized.

**KOLTERMAN:** Thank you, Mr. President. I was wondering if Senator Arch would yield to one question?

**WILLIAMS:** Senator Arch, would you yield?

**ARCH:** Yes, I will.

**KOLTERMAN:** Senator Arch, I appreciate the amendment and the bill itself. I have one question about who hires the consultant. Will that be our committee, a committee that is put together by the Unicameral, or will that be DAS?

**ARCH:** Well, somebody has to sign the contract and, and the contract will be signed by DAS. So, so technically, who hires? The people that signed the contract. However, my discussions with Director Jackson and, and the language here, the intent is that we would also be involved in the selection of that a contractor in addition to the study itself. So the answer is both of us, but somebody has to sign the contract. The contract will be signed by DAS.

**KOLTERMAN:** OK, thank you. I, I would encourage everyone to vote green on both of these.

**WILLIAMS:** Thank you, Senator Kolterman and Senator Arch. Seeing none-- no one in the queue, Senator Arch, you're recognized to close on amendment. He waives closing. Members, the question is the adoption of AM2149 to LB1037. All those in favor vote aye; those opposed vote nay. Have all voted that wish? Record, Mr. Clerk.

**CLERK:** 43 ayes, 0 nays on the adoption of Senator Arch's amendment.

**WILLIAMS:** The amendment is adopted. Mr. Clerk.

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

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**WILLIAMS:** Senator McKinney for a motion.

**McKINNEY:** Mr. President, I move to advance LB1037 to E&R for engrossing.

**WILLIAMS:** Members, you've heard the motion. All those in favor say aye. Those opposed say nay. LB1037 is advanced.

**CLERK:** Mr. President, LB964 on Select File. No E&Rs. Senator McDonnell would move to amend, AM2146.

**WILLIAMS:** Senator McDonnell, you're recognized to open on AM2146.

**McDONNELL:** Thank you, Mr. President, and thank you to the Speaker who allowed us to use the last three minutes here and I will go quickly. AM2146 consists of a bill I introduced last session, LB660, which proposes to amend the State Employees Collective Bargaining Act to clarify certain employees of the university system and certain employees of the state colleges are able to petition the Commission of Industrial Relations, a certification of exclusive bargaining representatives, which bargaining units that are based on campus where those employees are employed. The change is necessary to ensure that the affected employees are not required to seek statewide or systemwide certification. State Employees Collective Acting [SIC] was, was put in place in 1987. I'd like to thank Business and Labor Committee for voting this unanimously out of committee. I'd also note that there is no fiscal note and also try to thank Senator Bostar, the last person I should thank, for, for allowing me to amend his bill. Thank you, Senator Bostar.

**WILLIAMS:** Thank you, Senator McDonnell. Debate is now open on AM2146. Seeing no one in the queue, Senator McDonnell, you're recognized to close. Senator McDonnell waives closing. Members, the question is the adoption of AM2146 to LB964. All those in favor vote aye; those opposed vote nay. Have all voted that wish? Record, Mr. Clerk.

**CLERK:** 37 ayes, 1 nay on the adoption of Senator McDonnell's amendment.

**WILLIAMS:** The amendment is adopted. Mr. Clerk.

**CLERK:** Nothing further on the bill, Mr. President.

**WILLIAMS:** Senator McKinney for a motion.

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**McKINNEY:** Mr. President, I move to advance LB964 to E&R for engrossing.

**WILLIAMS:** Members, you've heard the motion. All those in favor say aye. Those opposed say nay. LB964 is advanced. Mr. Clerk for items.

**CLERK:** I have, I have nothing at this time, Mr. President, thank you. Motion?

**WILLIAMS:** Members, we're returning to the 4:00 item on the agenda. Mr. Clerk.

**CLERK:** Mr. President, Senator Brewer would move to place LB773 on General File pursuant to Rule 3, Section 20(b).

**WILLIAMS:** Senator Brewer, you're recognized to open on your amendment-- or on your motion, excuse me.

**BREWER:** Thank you, Mr. President, and it should be noted that you started exactly on time. Good afternoon, colleagues. We're here this afternoon not to debate constitutional carry. We're going to debate a pull motion. I want to start by sharing some thoughts on a pull motion. I think a pull motion has a place in our rules and it should be used, but only in exceptional circumstances. So with that said, let's look at that. When I say a pull motion should only be used in exceptional circumstances, the bill in question should be a senator's priority bill, a priority bill; it should address a statewide issue with a broad public support; and I think it should be deadlocked in the committee without the votes to kill it or advance it. LB773 meets this criteria. LB773 is my priority bill. This is the most important bill that I have brought before this body in the six years that I've been here. I designated this my priority bill the first hour of the first day of this session. I have attempted many times over those six years to get constitutional carry to become the law in Nebraska. If you remember right, last year I championed LB236. I wrote that specifically to avoid the challenges of Douglas and Lancaster County. By leaving them out of that, the Attorney General determined that that was unconstitutional, and so LB236 was amended into another form and we lost the opportunity to have concealed-- constitutional carry in Nebraska. Now, is this a statewide issue? Last year, we had 91 of our 93 counties pass a resolution to declare themselves Second Amendment sanctuary counties. If you go into your drives and you Google "constitutional carry" and you go back six years and look at the emails you received-- if you go back and just look at the ones you received since we've gone into session, if you look at those

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orange cards that you've got, you would see that we're in well excess of 1,000 messages, umpteen emails, phone calls. So I believe this is a statewide issue. Those cards, those emails came from all 49 districts. I've got 500-some in my office if you want to come look at them or better yet, I'll bring them on Thursday. I believe that the passion of Nebraskans for the Second Amendment was very clear when we attempted or it was attempted to pass red flag in Nebraska. We filled the hallways, we filled the briefing rooms, everywhere. There are certain things that people are passionate about: the death penalty, abortion, and the Second Amendment. So to deny this bill the opportunity to be heard is the why I'm asking for a pull motion, but I want you to understand that it was a mutual understanding between Senator Lathrop and myself. He came to me and expressed to me the situation as it was, that there wasn't the votes to bring it out, that my path ahead would have to be a pull motion. I would tell you, from the time that Senator Lathrop entered this body, there is no one that has showed me more respect. I hope that I have returned that respect to him. So it is with his guidance that I looked at this pull motion, realizing this was my only opportunity to move this bill forward. Now I'm sure he's going to speak on it and explain more and that should be what he has a chance to do as the committee Chair. In 2020, Senator Geist used a pull motion on her abortion bill. It was her priority bill. It had received an early hearing and the committee had time to review and make a decision on that bill. She had the same situation where the bill would have not had a chance had she not used the pull motion. It was her priority bill, it was a statewide issue, and she couldn't get it out of committee. I'm in no different situation with LB773. I know no one likes pull motions, but if the Rulebook allows us to do it and if it meets this criteria, then we should be allowed to use the pull motion to bring a bill to the floor. If not, then we should do away with the rule. So with that, I would ask your support for the pull motion on LB773. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Brewer. Senator Lathrop, you're recognized.

**LATHROP:** Thank you, Mr. President. Colleagues, good afternoon. Thank you, Senator Brewer, for your kind words. And I, too, have a great deal of respect for Senator Brewer and I've enjoyed a good relationship, working relationship and a personal relationship, with Senator Brewer. Nevertheless, I stand opposed to the motion. I will tell you my view is that pull motions, while they may be provided for in the rules, circumvent the committee process. That's not a, an argument you haven't heard before and I won't belabor the point. I

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know that when I served in the first eight years, every time there was a pull motion-- and they were infrequent-- the Chairs would pull together and recognize that pull motions represent a-- threat would be too hard or too strong, but they, but they circumvent the committee process. And invariably when we have pull motions-- and, and I'm concerned that they've become normalized-- but when we have a pull motion, generally, it's a bill that's going to come to the floor and take up a long time before we have a cloture vote. There is a reason these things are deadlocked in committee and there is a reason that we respect the committee process because when these things are pulled, what, what's the point in having a committee at that point or a committee process? And while I hope that doesn't happen, what's to stop us from making it rain pull motions in this place? There are probably bills that you have. I think I might have one in Banking and Insurance that I'd like to pull that is not going to come out. They're a little more-- they have a little different world view over in the Banking and Insurance Committee on insurance matters than I do, but I don't. I don't because I respect that committee process and the, and the reality is, after a pull motion, generally we see things come out here and not have the support necessary because the committees oftentimes reflect the broader view of the, of the body. And it is for those reasons-- and, and I will respect Senator Brewer's request that we not debate the merits of the bill, which I will participate in should this motion prevail, but I would encourage you to oppose the motion to pull. Thank you.

**WILLIAMS:** Thank you, Senator Lathrop. Senator Morfeld, you're recognized.

**MORFELD:** Thank you, Mr. President. Colleagues, I rise in opposition to the pull motion and I just want to make a few different points. I, I, too, have a great deal of respect for Senator Brewer. We've disagreed on some things. We've come together on some things. That being said, the reason why I'm opposed to the pull motion is for a few different reasons. One, as somebody who has been on the Education Committee and the Judiciary Committee at the Legislature, which I believe both those committees combined, some sessions, have 20 to 25 percent of all the bills, so we sit late into the evening listening to legislation and finding out who's opposed, who's in support, and then seeing if there's common ground or if there isn't moving forward. Pull motions, in my view, undermines the committee process and the process by which the committees go through their work and hear from the public. And I think I voted for a pull motion my first year or two in the Legislature and, I'll be honest with you, I regretted it ever since. And I, I don't believe that I've ever voted

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for one since then and I've tried to be as consistent as possible since then to respect the committee process. And, you know, I respect that there are some people that don't want to talk about the merits of this legislation, but I, I respectfully disagree because I think that's tied to why it's still in committee and why it hasn't gotten out of committee, which goes to the pull motion. And the reason why there's problems with this bill is because Lincoln Police Department, the Lincoln Police Union are still opposed. I know that the Omaha Police Officer's Association and I believe the Omaha Police Department was opposed. I know that there's an amendment coming that gets them, I believe, to neutral. But that being said, the amendment, as far as I can tell-- and I've seen a draft of it, I don't know if it's changed-- it has basically 20 criminal enhancements. So at a time when we're trying to reduce the prison population, we are getting rid of the requirement, the training requirement, to be a concealed carry owner and the background check; and then we are putting in 20 additional enhancements that if you are carrying a concealed firearm at that time, you will then be subject to. So we are taking away the eight-hour require-- training requirement, which as a concealed carry owner myself, I found the eight-hour training requirement to be one of the most meaningful parts of that requirement. So we're taking away the training requirement where we go through all the different laws and obligations of a concealed carry owner and then we're actually increasing the penalties if you are concealed carrying a firearm at that time during the commission of a certain crime, everything from having to identify yourself to a police officer if you're concealed carrying and beyond. And so that is my concern is that the police department and the police union in my district, in my city, the second-largest city in the state, still has severe concerns and is in opposition. Two, we are getting rid of the training and background requirement and potentially, more importantly, the training requirement, and then increasing significantly penalties against gun owners should they violate their obligations as a concealed carry owner after we've taken away the requirement that they be trained on those things. This is a dangerous bill in the sense that I think it will harm public safety, and I look to my police department and my police union to talk about that; and then two, I think it's going to get law abide-- otherwise law-abiding gun owners caught up with very serious charges based on the compromise amendment, which the compromise amendment doesn't get all the opposition off, including my police department and my police union.

**WILLIAMS:** One minute.

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**MORFELD:** So that's why this bill has not gotten out of committee, colleagues. And I know people have been saying there was a compromise amendment out there, but it's not a compromise amendment for a lot of the people that were opposed, including other police departments. So I get that constitutional carry sounds good. It's a catchy name. But there are serious consequences, both for public safety based on what I'm hearing from my police department and my police officers, and for the actual gun owners, gun owners like myself who concealed carry, but won't have the training requirement that is critically important to ensuring that they know their obligations and the laws as somebody who cares. We are going to have law-abiding gun owners get caught up with serious crimes based on what I'm seeing from the compromise amendment. Now, I may not have the final draft of the compromise amendment. I wasn't invited to those meetings and quite frankly, I don't blame anybody, but-- for not inviting me, but in any case--

**WILLIAMS:** Time, Senator.

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

**WILLIAMS:** Thank you, Senator Morfeld. Senator McKinney, you're recognized.

**McKINNEY:** Thank you, Mr. President. I rise opposed to LB773. Interesting thing was, when this bill was heard in committee, I was actually on a fence with it because the Omaha Police Department showed up and basically said they were in opposition of LB773 because it would take away their option to target people in north Omaha and other communities in Omaha, which was problematic. But then amendment was worked on that would allow the Omaha Police Department to still disproportionately discriminate against individuals in north Omaha and it's something I'm strongly opposed to, but I also wanted to bring up an article that, that was released on Sunday that I've had one of the pages hand out to all of y'all. And it's titled, "Paying the Price: Well-worn path to prison in North Omaha fuels racial incarceration disparities." And I'm not going to read the whole article, but I'm going to, I'm going to highlight some things. First, a number of north Omaha neighborhoods produce some of the highest incarceration rates found anywhere in the country, according to the World-Herald analysis of a Harvard University study. In 2010, a national spotlight of people behind bars, more than half a dozen north Omaha census tracts produce higher rates of male incarceration than any in south-central Los Angeles. Just think about that. South-central Los Angeles is a lot bigger than north Omaha by far. Overall, Nebraska locks up people of color at a far higher rate than

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the nation as a whole and Nebraska's gaps between its low white incarceration rate and high rates of racial minorities are among the widest in the country. Keep going here: Nebraska grew its prison population more than any other state over the past decade, and that came as nearly all others saw declining inmate numbers, a drop generally attributed to falling crime rates nationally and many states reexamining of the "get tough on crime" policies of the 1980s and '90s, which massively increased incarceration. Nebraska still wants to be tough on crime, which is why LB920 is still having a fight. And the rest of the state is changing, but we're not willing to and we're wondering why we're having debates about a prison. A World-Herald analysis of federal data as of December 31, 2019, just the start-- just before the start of the pandemic, showed Nebraskans-- Nebraska's black incarceration rate was nearly 50 percent higher than the U.S. black-- United States black rate. Overall, that rate is tenth highest among states. Black people make up 5 percent of Nebraska's population, but about 27 percent of the state's inmates. The state's incarceration ranks for Hispanics is 11th, Native Americans is 7th, and Asians is 15th, also fall in the top tier nationally, and all of those stand in sharp contrast to Nebraska's incarceration rank for white people, 38th. The combination of low white incarceration rate and high rates for people of color also creates one-- some of the nation's greatest race-based incarceration disparities. Nebraska's black incarceration rate is 9-- 9.5 times its rate for white people. It's the nation's sixth-widest disparity. Only Wisconsin, Minnesota, New Jersey, Iowa, and Connecticut have bigger disparities and a 10 to 1 disparity between Native Americans and white incarceration rates. Nebraska ranks only second to Minnesota.

**WILLIAMS:** One minute.

**McKINNEY:** Notably-- well, since I got a minute, I just want-- I just hope that everyone in here reads this article and grasps it. We have to do better as a state. We have to make reforms. We have to pass LB920 and hopefully my bill, LB980, and other reform bills to change the trajectory of our state. We cannot build our way out of this and we can't continue to advocate for policies to allow police departments to disproportionately target black communities. That's what we need to do. That should be a priority of our state. Thank you.

**WILLIAMS:** Thank you, Senator McKinney. Senator Hunt, you're recognized.

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**HUNT:** Thank you, Mr. President. I rise with a concern about using a pull motion to subvert the committee process. There's a reason why we have built the committees in this body the way that we have, because we've built them with thoughtful legislators who have particular backgrounds and interests, who have experiences that lead them to be put on these different committees that they are in. Not only do I serve on Committee on Committees, which helped put together the committees, I also serve as Vice Chair of the Urban Affairs Committee. And I think it's concerning to see a committee Chair in this body try to subvert the activities of Senator Lathrop's committee. I respect our legislative process and the decisions of the Judiciary Committee members to keep this bill in committee during our short session. We don't have a lot of remaining days and with many important challenges ahead of us, such as the budget, corrections, justice reform, the canal, a controversial abortion debate that we know is sure to come, the same way this one is actually, I think that having a controversial gun debate brought on by this pull motion could derail the other work that we must do for Nebraskans this year. So for that reason, I respect the decision of the Judiciary Committee to keep the permitless concealed carry bill in committee for this session. My comments have nothing to do with the underlying bill. They have to do with the process. Senators, we have to trust the process here. We've had 609 bills introduced this year and none of us have the ability to analyze all of those bills, including our staff. That's why they're referenced to committees. Is there a time that a pull motion would be in order? I think so. That would be a situation where you have a committee Chairperson that simply refuses to bring something to a vote for a committee. But that's not what's happening here. I agree that this is a tool that we can use, but now is not the appropriate time to use this tool. Senator Groene made the same argument on his bill to hit the kids, Senator Geist made the same argument on her bill with the abortion ban, and we have the same argument happening now. But as Senator Lathrop pointed out, and as Senator Williams has pointed out in the past, this is a tool that we are able to use when the process does not work and I don't see that that's what's happening right now. I'm not hearing that the process isn't working in this case. We aren't entitled, colleagues, to have our priority bills come to the floor. If I prioritized a controversial bill and the committee didn't want to vote it out, then that's it. That's on me. That's the process. The process isn't to then strong-arm it out of committee with a pull motion. And I continue to be concerned by this increase of pull motions that we're seeing here in the Legislature. To push for a pull motion when a committee has had issues, that to me is a red flag. When a bill is

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voted out of committee, that means that there's seven or eight people who have really dug deep and considered this legislation fully. What I'm hearing with LB773 is that there's eight members of the Judiciary Committee who couldn't come to an agreement and because they couldn't come to an agreement or an understanding, now we're looking at a pull motion. And mind you, the pull motion might have 25 votes, but it doesn't have 33 votes and there probably would be 33 votes for this bill if there was some kind of agreement in the committee. So what we're considering is now really working outside of that committee process, outside of the experts in the Judiciary Committee and saying, you know what, you guys don't really know what you're doing, so as a body, we're going to pull this bill out. I've got plenty of bills, colleagues, that I would like to pull out of committees, but it sets a very dangerous precedent to say, all right, committees, you considered it, I don't agree with you, so I'm going to pull it, right? So I don't think that a pull motion is the appropriate move for the body at this time.

**WILLIAMS:** One minute.

**HUNT:** I won't speak to the merits of the bill, colleagues, because I don't know the merits of the bill. I don't have a committee statement. I don't know what's in a committee amendment here because we don't have one. I don't know what the committee would want because I haven't heard from them as a whole. We cannot pass legislation by just pulling bills from committee and subverting the entire committee process, which is a group of experts that we trust to weigh in on a topic, put forward an amendment if it's needed, and then, more often than not, we do have the support to pass bills like this. So it doesn't work for me. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Hunt. Senator Friesen, you're recognized.

**FRIESEN:** Thank you, Mr. President. So I just basically wanted to touch a few points as a Chair of a committee and my eight years here and what I've seen happen and pull motions are something that should not occur often. We should respect the committee process. But I think Senator Brewer has laid out a very good reason and numerous reasons of why this, at times, should happen. So in my first years here, I mean, we were told that pull motions, the committees-- the committee Chairs would all band together and automatically would vote no, no matter what, in order to what they call preserve the integrity of the committee process. But again, I, I will, I will say that I have supported some pull motions in the past. I've voted against some pull

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motions in the past. This one here for me will rise to the occasion that I think the people do expect us to debate this and to have a vote on this. And again, the committee process, I'd say it did work and it did get stuck there. We have had this happen in the past. I've had numerous bills stuck in committee and it's nothing unusual. But this is one of those issues that I feel personally, I guess, that rises to the, to the level that the citizens want to see us discuss this, talk about it on the floor, and have a vote because it is a constitutional right that we're talking about. And so whether or not you support the bill or support the concept behind this, I, I am going to support the pull motion in this case. But I do want people down the road to think long and hard about the reasons for a pull motion and whether or not you should support something like that. I do think they should be few and far between. I think there needs to be a good set of reasons in, in the rationale behind this before we do pull motions. And so I want everybody to be, you know, those that are going to be here longer than I am now, to think long and hard about doing a pull motion because it is easier to at times reach some sort of compromise with the committee. But in some of those cases, when you just can't reach a compromise, on those special occasions, I think the pull motion is appropriate. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Friesen. Senator McKinney, you're recognized.

**McKINNEY:** Thank you, Mr. President. And I'll continue, but I will say that, you know, I do have a CCW permit. I'm just against allowing the Omaha Police Department to disproportionately arrest and discriminate against individuals in my community. But back to this article: Notably, as the prison population falls nationally, racial disparities are shrink, shrinking. Since 2006, the incarceration rates for black and Hispanic people nationally are down more than 30 percent, roughly triple the reduction in white incarceration, incarceration. Conversely, in Nebraska, the incarceration rate for both black and white people have increased in that time. In fact, Nebraska is the only state-- again, the only state-- to increase its black incarceration rate since 2006. In that time, Nebraska's black incarceration rate has gone slightly below the national average to well above it. Nebraska's Hispanic incarceration rate has fallen since 2006, though in that time, Nebraska has still shifted from having a below-average Hispanic incarceration rate to above, to above the national average. The Harvard researchers wanted to trace the impacts of where a child grows up on, on economic standing later in life. So using the census and tax records, they created a dataset covering the 2-- 20.5 million Americans who were born between 1978

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and 1983. The researchers looked at census tracts, those-- of those individuals-- that those individuals grew up in and their later life outcomes, such as their income and educational attainment. All the information was placed into an interactive data tool called the Opportunity Atlas. One of the metrics, tools at the time used April 2010 for the census when individuals in their cohort were in their late 20s or early 30s, how many were in jail or in prison? A dig into that data reveals that four Nebraska census tracts centered on 30th and Ames, 20 percent or more of the males who grew up in those census tracts were incarcerated, and those eye-popping figures represent only those incarcerated on the actual day of the 2010 Census, Census, not whether they were in jail or in prison before or since. Those north Omaha neighborhoods weren't the highest. Nationally, eight census tracts produced over 30 percent. Still, of the nation's more than 7-- 73,000 census tracts, those four north Omaha Census tracts all ranked in the top 250 in male incarceration rate, putting them in the top four-tenth of 1 percent nationally. Seven north Omaha, north Omaha tracts had incarceration rates of at least 16 percent higher than Los Angeles, California-- north Omaha, higher than Los Angeles, California. And the county attorney in, in Douglas County thinks he doesn't overincarcerate black people, as many that stand up and say it's not a problem, but it's a problem that we must address, which is why we need to pass reforms and not build a prison and not pass bills that allow law enforcement to disproportionately discriminate against black people and people of color in this state. I don't know what else needs to be said or done to make people understand that this is a problem. What else needs to happen? We don't need any more reports, articles from the World-Herald, studies from Harvard. Wake up and read and listen. Stop being so close-minded. We have to change what we're doing in this state. And we're always talking about people leaving and attracting talent and retaining talent. How do you attract any black person when they read this article? Please tell me. How do you? No black family--

**WILLIAMS:** One minute.

**McKINNEY:** --outside of Nebraska is going to read this article and say, I want to raise a family in north Omaha or Nebraska, period, and we really need to think about that. Thank you.

**WILLIAMS:** Thank you, Senator McKinney. Senator Matt Hansen, you're recognized.

**M. HANSEN:** Thank you, Mr. President. Good afternoon, colleagues. Colleagues, I, I won't belabor the point because I think we're

getting close to a vote here. I do want to say that I do think pull motion should be fair-- fairly rare, should be rare. I've supported efforts in the past to try and raise the amount of votes from a pull motion because, in my mind, they are, they're-- should be rare and are often used on bills that are ultimately just going to face a filibuster and potentially fail on General File. I think about some of the filibusters and some of the bills we've pulled over the past and I kind of wanted people to think about pull motions. I understand people have already probably committed to this one, but if you think about pull motions going forward, think about the experiences that we've had with pull motions. Think about the multi-year fight we had about the corporal punishment student discipline bill that started with a 25-vote pull motion, rather than trying to get any sort of consensus in the Education Committee. Think about how many hours this body lost because we couldn't come to the table and just there were repeated efforts to not come to the table. Maybe LB773 is clearer and it's-- there's, there's no way to thread the needle in Judiciary. I understand that. I understand that that's how Senator Brewer and others feel. But, colleagues, when we look at pull motions, they should be rare. They should be rarer than they are. And just because you have 25 votes, to me, doesn't necessarily matter or shouldn't be the sole consideration in doing a pull motion. You probably should start considering if you have 33 votes because if you know a committee is that deadlocked, unless for some reason that committee is so unrepresentative of the body, you know you're probably in for some effort on the floor as well. I think about that just in terms of the-- a lot of the issues that we've pulled out of committee over the years have led to very contentious and messy floor fights, in part because we're bypassing the process, that there's not a committee amendment to try and have the first shot, shot at fixing the bill. There's not a committee statement to explain the process. There's all these other things you concede when you give a pull motion, knowing that you're also likely going to be facing very strong opposition. So I understand LB773, probably, commitments have made and people know how they're voting on that. But going forward, when people try and encourage you to file a pull motion in the future, when people try and encourage you to vote for a pull motion in future, please just kind of factor that in and weight that in. You're kind of acknowledging that you're taking the first step in a messy process that is probably going to lead to a filibuster and, and throughout recent history, has usually led to a successful filibuster and the bill failing. I know there's been some exceptions to that, but that's a lot of the times where we're heading into because a split committee, a 4-4 committee, is such a good indication that you do not

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have consensus in this body, even if you have a raw 25. So with that, Mr. President, thank you.

**WILLIAMS:** Thank you, Senator Matt Hansen. Senator Hunt, you're recognized.

**HUNT:** Thank you, Mr. President. I wasn't planning to speak on this again and this will be my last time, and maybe I'll have the last word because there's nobody else in the queue. Colleagues, I'm a little bit gobsmacked and shocked at how little conversation there is on this floor about the precedent we're setting for process here. I thought more of you cared about that, for real, like I know some of you just straight up don't, but like I thought more than, you know, the six people or so who have spoken did. In the past, more of you who have spoken about pull motions. Is the process, colleagues, going to be now going forward that if a bill has 25 votes for a pull motion, if I can round up 25 people to cosponsor a bill, can I expect it to be pulled? Is that normal now? The Geist abortion ban, Groene hitting the kids, Brewer's permitless concealed carry, all of these things were pulled out to the floor because they had 25 cosponsors. Where does the legislative process stop and start? Why are we bothering with committees at all? Why are we bothering with committees at all when we can pass bills instead with a popularity contest? I take my little bill from person to person and I say this one is mean to trans people, this one's mean to women, this one makes stuff harder for black people, this one makes it easier for people who are untrained to hold guns, like, and you guys sign on to that and we get 25 and we can do whatever we want? That's what this process is teaching us. We go through great pains to get the right people in the right committees. The Judiciary Committee is full of attorneys, prosecutors, people who have experience in the courts, people who handle a quarter-- somebody said a quarter-- of the bills that we get through this body, a huge chunk of them. They have more of a burden put on them as committee members than any of the rest of us on other committees have. Our Urban Affairs Committee ended hearings pretty early. Our Government Affairs Committee ended hearings pretty early because we didn't have all that many bills. The Judiciary Committee members are serious. They are multipartisan. It is not a liberal or a conservative committee. I think it's a very moderate committee. And so there's no reason to, to play this political stuff to try to get bills out of that committee. If there's any committee to trust the process, I think it's the Judiciary Committee, especially because of the weight and the heaviness of the bills that they, that they discuss in that committee, that they hear, that they vet, that they then have an Executive Committee Session

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and, you know, sit down, hash out the bill, talk about opposition and proponents, come up with a committee amendment that is amenable to everybody. And then that's something that can come to the floor and get a majority of support because it's something that the committee members all stand behind. The committee members of Judiciary don't stand behind LB773 and we've had a short little, tiny queue of speakers today to talk about that. My philosophy here in the Legislature is, I might not get what I want-- I get what I want like 3 percent of the time, honestly-- but when something is happening that I believe damages the institution, that I believe sets a precedent that weakens democracy in this body, you can't make it easy for them. You can't make it easy to do that. You make it hard. You make them fight. You make next time they want to undermine democracy or the process or the institution they go, ugh, last time it was kind of a pain, I don't know if I want to do it again.

**WILLIAMS:** One minute.

**HUNT:** You don't let him walk away with it without saying anything. I'm not trying to talk on here three times, but it should not be this easy to take any bill and bypass the committee process that the people of Nebraska have put trust in us with. I think it's shameful and I think that some of you who haven't spoken should also be ashamed. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Hunt. Senator Vargas, you're recognized.

**VARGAS:** Thank you very much. I wasn't going to get up and speak. Part of the reason I'm going to get up and speak here on this is I, I care about process. I think I care about the intent. I know we have rules. The rules govern how we operate. This is in the rules. I think many people can make the statement that it's in the rules, so we should be able to do it. I don't necessarily think that that's what's up for debate of, whether or not you can do it; it's whether or not we should do it. Here's my example. And you know, the person sitting in the President's desk right now, Senator Williams, I had a bill in my first couple of years in the Banking and Commerce and Insurance Committee and it was a payday lending reform bill, something I cared very deeply about. Something that I worked across the aisle on, actually, and had, in my estimation and our vote count, enough people that supported it on the floor. And it's not saying that being disparaging to Senator Brewer or-- in any way, shape or form. I respect him. I respect the process. This is the process he wants to go and, you know, I get it. There was a part of me that wanted to go down this route. I supported a pull motion that Senator Linehan

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pulled, did a pull motion for the third-grade reading. I get the intent. I think the reason why I didn't do it in that minute was part of the reason is I really did look and defer to the committee Chair and the expertise and the experience in this arena. And we worked for about two-and-a-half, three years on that bill and a vote-- eventually it got out of committee in a place that I didn't initially intend for it to be, especially since there were significant opponents and proponents on both sides, and a lot of the conversations that I had with committee members was wanting to make sure that the process and both the product represented both all the ideals and perspectives across the state, both urban and rural, as much as possible. And it was a difficult conversation, a set of conversations we had. It's hard for me to stomach that, even though I knew I had enough votes on the floor to push something forward-- maybe not enough votes necessarily to break a filibuster-- that we're still working within the process as much as we possibly can. And we did eventually passed a bill that, after much deliberation, got to a place where it was better and I didn't file a pull motion. I say that because some of you are listening on whether or not we should or should not and the public is listening on it too. I heard Senator Friesen speak to sometimes there's moments where we need to because it warrants debate, but that perspective on whether or not warrants debate is left up to the perspective of all of us, whether or not we generally agree. But we do have the committee structure for that reason. Look, we have some really great experts on the Judiciary Committee from a lot of different walks of life, geographically distributed. We have many lawyers and individuals in that committee that have experience dealing with this. Whether or not you agree or disagree with the actual content of the bill, which has been brought up several times, there was opposition and support on this bill, leads me to believe that normally when that happens, especially with my own bills, there's more work that can be done, not necessarily saying it's wrong or right. That's kind of where I'm landing here because I've been in this situation before, and I think we've all been in that situation in some way, shape, or form for something that we care about and love.

**WILLIAMS:** One minute.

**VARGAS:** And I want to make sure that the process for the people that we put faith in, Democrat, Republican, Independent, doesn't matter who is in that seat or in the chair, and those members of the committee, just like I did when I worked with that committee and the bank is-- Banking and Commerce and Insurance, that we work within it. It's something that when we uphold it as much as we can, it upholds

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more of the culture of what we do here and I hope that's where we ultimately land. I really hope that maybe we could get a, a version that did work for most entities and parties and I really respect the work that has been done. It's not that the work hasn't been done, but we're at this juncture where we decide whether or not it warrants pulling it out of committee and I'm not there yet. So I do appreciate the work that has been done by the, you know, Colonel Brewer and, and others. It's not a black-or-white, whether or not it hasn't been done, but when we're at this juncture, it means we have to make a decision on whether or not we're upholding more the principles of the Legislature, which will supersede many of us from here on in. With that--

**WILLIAMS:** Time, Senator.

**VARGAS:** --thank you.

**WILLIAMS:** Thank you, Senator Vargas. Senator Machaela Cavanaugh, you're recognized.

**M. CAVANAUGH:** Thank you, Mr. President. Good afternoon, colleagues. I rise in opposition to a motion to place Senator Brewer's LB773 on General File for many of the reasons that have already been stated about opposition. This circumvents the committee process and the committee process exists for a reason. Senator Brewer started out his remarks-- and I appreciate very much his remarks in opening the bill-- but that this is part of the rules and, and he's right. And what would Senator Chambers say? He would say they're just a tool and he's going to use the tools in his toolbox, and so I don't begrudge Senator Brewer for using a tool that we have in our rules. I just don't agree with it. I've actually never agreed with the pull motion and I have talked off the mike, out of session, about whether or not we should have it. And it's an interesting divide; people are kind of all over the map about whether or not we should allow pull motions. And for me, if we're going to allow pull motions, I think that the threshold should be raised because if you're going to pull a bill out of committee, it should have at least enough support to withstand a filibuster. That's my personal opinion. I also would be fine with not having a pull motion at all because the process exists for a reason. But I understand the argument that there are times where we need to have a pull motion because what if 33 people in this body supported something and it was just stuck in a committee because the committee Chairman wouldn't allow it out or the committee was split or what have you? So I get that. If there's that much support for a bill, then it should have the opportunity to have the floor debate. But

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having this low threshold-- and maybe, maybe this will have 33 votes for the motion, I don't know-- but having this low threshold for a pull motion, which is circumventing the committee process, to me, is not reasonable. And that's not at all a judgment on Senator Brewer. He has as much to do with it as the rest of us. It's really a responsibility of us as the body to, at the start of session, really take a look at what the rules are that we are adopting and question them and question if they're appropriate and if we should continue using them, because since I've been here, there's been a lot of pull motions and they are always for controversial things. And Senator Vargas was just talking about this. I don't know any bill that I could ever pass that I didn't have to work on a lot, over multiple years, usually, to get it voted on, on the floor, voted out of committee. I don't think I've introduced and passed a single bill that doesn't-- didn't have amendments even before I got it out of a committee because that's what you have to do. You have to bring the different parties together and you have to work it out. And from what I can tell, there's a lot of things in this bill that haven't been worked out yet. And from what I am hearing, but won't know until it's filed, there's a lot of things being proposed that haven't been worked out at all. So I have a lot of concerns about this bill and, and this pull motion. And when this pull motion succeeds, as it probably will, I am going to have a lot more concerns about the underlying bill and potential amendments that I will be discussing. But for now, how much time do I have, Mr. President?

**WILLIAMS:** 1:20.

**M. CAVANAUGH:** OK. I am going to share again, for those who missed it because I missed it, the article that Senator McKinney passed out. Got to change to my bifocals. OK.

**WILLIAMS:** One minute.

**M. CAVANAUGH:** Thank you. I will start and I'm back in the queue, so--  
Paying the Price: Well-worn path to prison in North Omaha fuels racial re-- racial incarceration disparities. Lovell Brock would be the first to admit his own bad choices are largely the reason he's been imprisoned three times in Nebraska, the first at age 16 for a pair of drive-by shootings, but the recently released inmate also believes the path he ultimately took to prison was laid out before him long before he ever ran afoul of the law. He grew up amid multigenerational poverty and in a single-parent home in north Omaha. Even as a kid, he recognized how segregated black-- Omaha's black community was from the rest of the city, with few ready jobs,

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elevated levels of fractured families, and school struggles and a shortage of the role-- of role models to inspire future success. I will--

**WILLIAMS:** Time, Senator.

**M. CAVANAUGH:** Thank you.

**WILLIAMS:** Thank you, Senator Machaela Cavanaugh. Senator John Cavanaugh, you're recognized.

**J. CAVANAUGH:** Thank you, Mr. President. Well, I am going to vote against the pull motion. Those laughs are probably in surprise, but there's been a lot of good conversation. I just wanted to go on the record and make sure that was clear. I'm still relatively new here. This is my second year in the Legislature. I have not voted on a pull motion before, so I don't have some of the buyer's remorse and regrets that other people have. However, I've had a number of conversations about the procedures of the, of the body and the necessity for these things and, and I think a lot of people have covered this topic that there is a rule provided for a pull motion, and so it does fit within the rules. And Senator Brewer did set out a set of criteria that he thinks cover why a pull motion is in order. I disagree with a lot of his analysis and characterization. Ultimately, the only thing in the rules is that any senator may move to place a bill on General File 20 days or more after the committee hearing if the committee has not taking any final action, and that a vote of the, the majority of the elected members for said bill shall be placed on General File, and then it's got some other parts as well after that. But ultimately, it is just-- the pull motion is, I guess, a release valve for if the body as a whole finds that the work of a committee is not doing its job. And I'm not here to tell you one way or another what a scenario like that it looks like, but what I would tell you about this particular bill is that it had a hearing, had testimony on both sides, and Senator Brewer, to his credit, has worked with those parties, a number of them who were opposed, and, and has made some amendments. There was an initial amendment placed on file, and then actually I have an amendment to that amendment, and then there is an-- a-- yet another, I think, substitution amendment on top of that, which contemplates the comments of some of the criticism. One of the reasons we have a committee structure here is that there are-- well, this is LB773. I know we had LB1236, I think, was up today. There was a-- or well, I don't know if we actually ended up getting to it, but that was a bill that we heard in General Affairs. But we have thousands of bills and they cover a varied

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subject matter area that are then put into committees based off of the expertise and experience in that subject matter. And we put faith and trust into those committees to ask those pertinent questions, to address the concerned areas of law and conflicts and things along those lines based on that experience and repeated effort to see those issues. And if we do not like the outcome of the committee deliberative process, that is one thing, where you disagree with-- about the outcome; another is where you're saying they did something inappropriate or they didn't follow through with their, their duty. And the pull motion, in my estimation, would be not so much that we just disagree with the findings of the subject-matter experts. The pull motion is intended as a tool in an emergency situation when there-- it is clear that the, the committee is not doing its job. And in this, I don't think you could say that. There is not-- it is not demonstrated that the, the Judiciary Committee didn't give an effective and fair hearing. It is not--

**WILLIAMS:** One minute.

**J. CAVANAUGH:** Thank you, Mr. President. There's no evidence that the committee didn't listen to the testimony, didn't hear all the issues, didn't see these substitute amendments and decide not to vote on those. The, the-- this is not a case where it is appropriate to take this out of the hands of the standing committee that has the subject matter. And so whether you like it or not or you agree with the outcome or not, I don't think this rises to that level of occasion. I'll talk about the subject matter of the bill if we-- if and when we come to a debate on the bill itself, but I would just say unless a, a demonstrated or something-- the-- other evidence is presented, I don't think a pull motion is in order at this time and I will be a no vote to pull this bill. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Cavanaugh. Senator Machaela Cavanaugh, you're recognized.

**M. CAVANAUGH:** Thank you. I'm just continuing to read the article. Quote: The pillars that are necessary for a community to thrive are missing, Brock said. I am a product of the struggle. And Brock's story is hardly unique. A number of north Omaha neighborhoods produce some of the highest incarceration rates found anywhere in the country, according to a World-Herald analysis of Harvard University data. In 2010, a national snapshot of people behind bars, more than a dozen-- half a dozen north Omaha census tracts produced higher rates of male incarceration than any in south-central Los Angeles. That is harrowing. Overall, Nebraska locks up people of color at far higher

rates than the nation as a whole and Nebraska's gaps between its low white incarceration rate and high rates for racial minorities are among the whitest in the country. At a time of a national reckoning over race, such disparities have become hard to ignore and they raise questions about whether Nebraska has done enough to address historical inequities and multigenerational poverty that some may say have helped create a birth-to-prison pipeline in north Omaha. If we continue down the same path that we are going down, how is the ever-- how is this ever going to change, said Senator-- State Senator Terrell McKinney, who represents the heart of north Omaha in the Legislature. McKinney said he's not surprised by Nebraska's hard rates-- high rates of black incarceration. Each time the lawmaker steps behind the barbed fences and cold steel doors of a state prison, he inevitably runs into inmates he had grown up with in north Omaha, kids he wrestled with in youth-- a youth club, classmates from grade school, middle and high school, former neighbors, cousins, and other relatives. Like poverty, north Omaha incarceration has become intergenerational. It's not uncommon to see two or even three generations of a family imprisoned. It's a normal occurrence for our black males to be incarcerated, said LaVon Stennis-Williams of ReConnect, a north Omaha organization that helps former inmates reenter society. There's nothing normal about that. The issues created by high levels of incarceration aren't confined within prison walls. The consequences often dog offenders for a lifetime, diminishing prospects for employment, further straining family ties and sustaining a cycle of hopelessness. This has been decades in the making, said Willie Barney of the Empowerment Network in north-- a north Omaha community betterment organization, but it does come down to lack of opportunity. Nebraska now has a historic opportunity to change the trajectory of a prison system that's not only among the nation's most racially unequal, but also America's most overcrowded and fastest growing too. Along with Governor Pete Ricketts' push to build a new \$270 million prison, lawmakers have before them a range of proposals forwarded by a prison working group that seek to overhaul the state's criminal justice system in an effort to reduce recidivism and incarceration. Proposals to provide more programming and treatment for offenders and more support for them once they leave prison appear to have widened support. More contentious are provisions seeking to reduce penalties for some drug and nonviolent offenses. None of the policies from the state's prison working group seek to address the economic and social conditions that criminologists have long known to be at the root of crime and incarceration, but McKinney and fellow north Omaha Senator Justin Wayne are pushing a plan to put nearly half of the state's \$1 billion

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in federal COVID-19 economic relief funds into a massive effort to economically transform north Omaha and south Omaha, the center of the city's Hispanic population. Wayne said those federal dollars, whose spending guidelines place an emphasis on areas with high poverty and low incomes--

**WILLIAMS:** One minute.

**M. CAVANAUGH:** --provide-- oh, sorry-- provide a once-in-a-lifetime opportunity to create jobs, build new affordable housing, and invest in Omaha communities that have long been neglected. Among those backing the plan are Omaha Police Chief Todd Schmaderer, who says such front-end investments would prevent crime and incarceration. I'd rather have 1,000 jobs strategically placed in the right part of our city to affect poverty, Schmaderer told lawmakers last month. That would reduce violent crime far more than 1,000 more police officers. Nebraska grew its prison population more than any other state over the past decade, and that came as nearly all others saw declining inmate numbers, drops generally attributed to failing-- falling crime rates nationally and many states reexamining the tough-on-crime policies of the '80s and '90s, which massively increased incarceration. Some who defend Nebraska's growing use of imprisonment point out the state still has a below-average incarceration rate, but that's only really true if you are white.

**WILLIAMS:** Time, Senator. Thank you, Senator Cavanaugh. Senator Hunt, you're recognized and this is your third opportunity.

**HUNT:** Thank you, Mr. President. Colleagues, I'm just asking you to stand up for the authority of our committee process and say, no, this is not how we're going to do this. If you want a bill out, you need to work with the committee. And if you fail, you can do what I do and always just try again. Just try again. It's a shame to normalize lawmaking through pull motions, flouting the committee process. Your vote on this motion will not indicate your views on the underlying bill, but on the erosion of the democratic process here in the Unicameral. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Hunt. Senator Machaela Cavanaugh, you're recognized and this is your third opportunity.

**M. CAVANAUGH:** Thank you. Nebraska now incarcerates black, Hispanic, and Native American people at rates well above the U.S. rates for those population groups. A World-Herald analysis of federal data as of December 31, 2019, just before the start of the pandemic, showed

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Nebraska's black prison incarceration rate is nearly 50 percent higher than the U.S. black rate. Overall, the rate is tenth-highest among the states. Black people make up about 5 percent of the Nebraska's population, about 27 percent of the state's inmates. The state's incarceration ranks for Hispanic (11th), Native Americans (17th), and Asian people (15th) also fall in the top tier nationally. And all of those stand in sharp contrast to Nebraska's incarceration of white people-- rank for white people (38th). The combination of Nebraska's low white incarceration rate and high rates for people of color also creates some of the nation's greatest race-based incarceration disparities. Nebraska's black incarceration rate is 9.5 times its rate for white people. It's the nation's sixth-widest disparity. Only Wisconsin, Minnesota, New Jersey, Iowa, and Connecticut have bigger disparities. And with a 10 to 1 disparity between Native American and white incarceration rates, Nebraska ranks second only to Minnesota. Notably, the pri-- sorry, I think I lost my place. I'm going in the wrong direction. I think I've lost my place, so I-- how much time do I have left?

**WILLIAMS:** 3:20.

**M. CAVANAUGH:** Thank you. I know Senator McKinney already read this article. I thought it was worth reading again and probably will be worth reading more times. This article talks about something that members, former members of this body have been talking about for a very long time. There was an intergenerational poverty task force put together here in the Nebraska Legislature when Senator Heath Mello and Senator Kathy Campbell were here because they cochaired-- or chaired and vice-chaired the task force. And there is a study and if you want to go look at the reports, the reports are available online and I will happily send it out to the body. But it is where all the reports are held online and I highly recommend you go check it out because you'll find some other really fascinating information in other reports. But that report outlines how to address intergenerational poverty in Nebraska and there are so, so many things in that report that have never happened here in Nebraska. They're just-- this year just feels like spaghetti being thrown at a wall. What is the purpose? What are we trying to do? What are we trying to achieve? What are we trying to accomplish? Are we trying to make Nebraska the most incarcerated state in the nation or are we trying to make Nebraska the best place to live, no matter who you are? Black, Native American, Hispanic, Asian American, or white; LGBTQ, cisgender normative, binary, transgendered, who are we trying to make this the best place for? Because in reading this article and seeing the bills that this body deems important and the bills that

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this body deems so unimportant that you need to lecture me about your own words, this body thinks that this place, this state, this building, this everything, is for white men.

**WILLIAMS:** One minute.

**M. CAVANAUGH:** I am not opposed to guns. I don't mind guns, I just think that we need to be sensible about them because I don't want my children to be shot at school. I know that might seem like an irrational standpoint to take, like I'm not American or something, but that's how I feel. I want, I want schools to be safe and I want us to have reasonable and strategic gun laws, and I will talk about that when the bill comes to the floor. I just-- I look at what we have before us in this Legislature and there is so much more we could be doing to improve the lives of every Nebraskan, not just the white men. Thank you.

**WILLIAMS:** Thank you, Senator Cavanaugh. Senator Slama, you're recognized.

**SLAMA:** Thank you, Mr. President, and good evening, colleagues. I will be very brief in my comments. I do support the motion to pull the bill from committee as a member of the Judiciary Committee. While I respect that the Judiciary Committee is made up of lawyers, former lawyers, aspiring lawyers like myself, we have Rule 3, Section 20(b) for a reason and I think we're having a very good, substantive conversation about this. But I would like to take a moment, because certain members who do like to point out when other members of the body are not in attendance, we do have a number of senators who have checked out, so-- including a few who are running for higher office. So I'd like to take a moment to recognize that and thank you, whether or not you're in support or in opposition of the pull motion, to thank you for just being on the floor and being here and not checked out, like a number of people in this body are. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Slama. Senator Erdman, you're recognized.

**ERDMAN:** Question.

**WILLIAMS:** There's no one left in the queue, no one left in the queue. Senator Brewer, you are recognized to close on your motion to place LB773 on General File.

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**BREWER:** Thank you, Mr. President. I think we've probably endured enough torture here today. I'm not going to go back and go one by one through those who spoke against it. Some seem to have lost focus on the fact that we're, we're voting on a pull motion, not the bill. We'll have a chance on Thursday, the whole day, to discuss the merits of the bill. But the pull motion, again, there is not a bill that comes before this body that has more interest by the people in Nebraska. There's a lot of things we debate here, but if we take a look at what should be important and what isn't, I can't help but want to go to the constitution. Now some of you guys hate that document, but I think maybe if you read it a little more, you might appreciate it. But if we take a look at the Constitution of the State of Nebraska, we've got religious freedom, we got due process, we've got slavery, slavery being prohibited, but the very first -- this is not the U.S. Constitution where it's the Second Amendment. In the Nebraska Constitution, it is in the first statement of rights. "All persons are by nature free and independent, and have certain inherent and inalienable rights; among these are life, liberty and the pursuit of happiness, and the right to keep and bear arms for security or defense of self, family, home and others, and for the lawful common defense, hunting, recreational use and all other lawful purposes, and such right shall not be denied or infringed by the state." Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Brewer. 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; those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 36 ayes, 2 nays to place the house under call.

**WILLIAMS:** The house is under call. Senators, please to 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. Senator Morfeld, please check in. There's been a request for a roll call vote in regular order. Again, members, the vote is on the motion to place LB773 on General File. Mr. Clerk.

**CLERK:** Senator Aguilar. Senator Albrecht voting yes. Senator Arch voting yes. Senator Blood. Senator Bostar voting no. Senator Bostelman voting yes. Senator Brandt voting yes. Senator Brewer voting yes. Senator Briese voting yes. Senator John Cavanaugh voting no. Senator Machaela Cavanaugh voting no. Senator Clements voting yes. Senator Day voting no. Senator DeBoer. Senator Dorn voting yes.

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Senator Erdman voting yes. Senator Flood voting yes. Senator Friesen voting yes. Senator Geist voting yes. Senator Gragert voting yes. Senator Halloran voting yes. Senator Ben Hansen voting yes. Senator Matt Hansen voting no. Senator Hilgers voting yes. Senator Hilkemann voting yes. Senator Hughes voting yes. Senator Hunt voting no. Senator Jacobson voting yes. Senator Kolterman voting yes. Senator Lathrop voting no. Senator Lindstrom voting yes. Senator Linehan voting yes. Senator Lowe voting yes. Senator McCollister. Senator McDonnell voting yes. Senator McKinney voting no. Senator Morfeld voting no. Senator Moser voting yes. Senator Murman voting yes. Senator Pahls voting yes. Senator Pansing Brooks. Senator Sanders voting yes. Senator Slama voting yes. Senator Stinner. Senator Vargas voting no. Senator Walz voting no. Senator Wayne. Senator Williams voting yes. Senator Wishart voting no. 30 ayes, 11 nays on the motion to raise-- place the bill on General File.

**WILLIAMS:** The motion is adopted. Mr. Clerk. Raise the call.

**CLERK:** I have one item, Mr. President. That is to print an amendment to LB917. Senator Linehan would like to add her name to LB933 as cointroducer and Senator Pahls would move to adjourn the body until Wednesday morning at 9:00 a.m.

**WILLIAMS:** Members, you've heard the motion to adjourn until 9:00 tomorrow morning. All those in favor say aye. Opposed? We are adjourned.