

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate February 22, 2023

KELLY: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the thirty-second day of the One Hundred Eighth Legislature, First Session. Our chaplain today is a guest of Senator Clements', Pastor Joe Laughlin, Victory Church in Omaha, Nebraska. Please rise.

PASTOR JOE LAUGHLIN: Good morning. I'm blessed to be here today and open with this prayer. Lord, as this legislative session convenes, we acknowledge our need for wisdom. The Book of James says, if anyone lacks wisdom, let him ask of you and you will freely give wisdom if we ask in faith, not doubting. So today, Lord, we ask in faith for your wisdom. Your word says the fear of the Lord is the beginning of wisdom. Another translation renders this verse: The fear of the Lord is the foundation of wisdom. So today, we humbly approach your throne room of grace and ask to receive your wisdom, the wisdom from above. Lord, you are the creator and we are the created, yet you have ordained human government for the good of man. May each of our senators take heart today of the privilege, the gravity and the responsibility that accompanies their service to the people of Nebraska and of these United States. And may the grace of God and the wisdom of God be with each member of this legislative body. This we pray in your name, Lord Jesus. Amen.

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

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

KELLY: Thank you. I call to order the thirty-second day of the One Hundred Eighth Legislature, First Session. Senators, please record your presence. Roll call. Mr. Clerk, please record.

ASSISTANT CLERK: There is a quorum present, Mr. President.

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

ASSISTANT CLERK: No corrections this morning.

KELLY: Are there any messages, reports or announcements?

ASSISTANT CLERK: Mr. President, your Committee on Enrollment and Review reports LB1, LB151, LB207 to Select File as well as LB296 to Select File with amendments; a communication from the Governor

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regarding the appointment as the Chief Medical Officer for Health and Human Services; an amendment to be printed from Senator Moser to LB706; and a notice of committee hearing from the Revenue Committee. That's all I have at this time.

KELLY: Thank you, Mr. Clerk. Senator Clements announces a guest under the south balcony. That's Laura Laughlin of Omaha. She's the wife of Pastor Joe Laughlin. Please stand and be recognized by your Nebraska Legislature. First item, Mr. Clerk.

ASSISTANT CLERK: Mr. President, LB140, legislation introduced by Senator Brandt. It's a bill for an act relating to motor veh--

CLERK: We got a Speaker's announcement.

ASSISTANT CLERK: Oh, I'm sorry.

KELLY: Mr. Speaker, for an announcement.

ARCH: Thank you, Mr. President. Colleagues, if I could have your attention for just a second, I want to discuss an issue here. Thank you. The issue regarding a motion for the call of the house and its appropriate use has come up on several occasions in our first few days of this session. I want to, I want to address that. So I went-- the Clerk and I have discussed-- he has provided me with some research from other sessions of the Legislature, one of which I would like to reference this morning. We obviously are not the only session of the Legislature to wrestle with the use of this motion. I'd like to read a portion of a transcript from February 9, 2009. At that time, Speaker Flood was referring to a previous call of the house that did not pass. I don't think I could say it any better and it accurately reflects my understanding and sentiments. Speaker Flood, I quote: I do think that as a professional courtesy, we owe it to our members when they believe it is important enough to ask for a call of the house, that we extend the professional courtesy to those in this body that request a call of the house and for that reason, into the future, I think it's important that we all grant members the right to have a call of the house when someone feels it's appropriate, end of quote. He continues, quote: As we extend that professional courtesy to other members of our colleagues in this Legislature, I think it's also important that those requesting the call of the house do so carefully, after considering what the benefits would be to the senator requesting the call of the house, both sides, end of quote. This was a incident where he actually voted against a call of the house and reconsidered that thought and then brought this the next day to the floor. I thought that

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then-Speaker Flood said it very well by noting the professional courtesy vote of senators for this motion and the reminder that those who call the house for a vote do so after carefully considering the benefits. I fully understand the frustrations that arise on the floor during debate. However, I believe that this specific vote, a procedural vote in the affirmative, is a professional courtesy extended to another senator. And I would ask that you carefully consider your votes on this matter, particularly in the heat of debate. Thank you for your attention and careful consideration. Thank you, Mr. President.

KELLY: Thank you, Mr. Speaker. Mr. Clerk, first item.

ASSISTANT CLERK: Mr. President, LB140, offered by Senator Brandt. It's a bill for an act relating to motor vehicle registration; to provide for Czech heritage plates; provide powers, duties; harmonize provisions; provide operative dates; and repeal the original sections. Bill was referred to the Transportation and Telecommunications Committee. That committee placed the bill on General File with no committee amendments. Bill was considered yesterday. At that time, Senator Hunt offered AM470, now pending. That amendment failed. Now Senator Hunt would move to reconsider the vote on AM470.

KELLY: Senator Hunt, to open on her reconsideration. You're recognized to speak.

HUNT: Thank you, Mr. President. I, I would invite Senator Brandt to refresh us on the bill as well on his own time after I get done refreshing us on this amendment with this open on the reconsideration motion. But I also want to thank Speaker Arch for taking the time this morning to give some perspective and also some historical context in the Legislature about the use of the call of the house. I think that with such a new Legislature, I think this is probably the most new members we've had in any class since I've been here and since a little bit longer than that. Going back how far, I can't say, but. I think that the energy that we came in here with in January was very "I just won my race." You know that feeling that we've all had when we just won our race and you feel like you've got a mandate from the people and you're going to come in and kick some liberal butt and show them what's what and stand up for the people and defend the Constitution and the Second Amendment? And, like, you're coming in here, guns blazing, all this attitude about all of this stuff, but you don't realize how we have to work together and that, after you win a race, you have to learn to get along in a new institution. There's a huge difference between campaigning and between the work that we do here in

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the Legislature, and collegiality is the main part of that. And it's very abnormal to reject a call of the house. In the time that I've been here, I haven't seen that more than a handful of times before this session, and now it's becoming really common and it's just along political lines. And that tells me it's probably the new senators, honestly. It's probably the freshmen who are driving this because those who have been here know what the norms are and they know that this is not considered polite or typical. And, as-- as Speaker Arch said, there's really valid reasons for a call of the house. Yesterday, specifically, I called the house before the vote on my amendment, which was rejected, but the reason I called the house is because there were Executive Sessions going on downstairs, which raises a whole nother, you know, argument and point about norms. It's not normal for people to be pulled off the floor to go downstairs for 30-, 60-, 90-minute Executive Sessions during floor debate. Committee Chairs, you have to schedule those at a different time. Do those either under the balcony on the floor while we're having floor debate or do them before or after your, your committee hearings. So the reason I called the house yesterday, the, the motion which failed, was to make sure the people who were downstairs in Executive Sessions had the opportunity to come up and rejoin the debate now that we were back to, you know, significant matter. And another thing is, my amendment failed yesterday and I put up the reconsideration motion, which is what we're debating now. My amendment failed, and then we would have gone right to a vote on LB140, and the floor was half empty. So maybe you think a call of the house is dilatory or it's taking up time or it's not necessary. But in that case, that's not-- literally not what it was. It was to make sure people could come up here from the Executive Session, vote on my amendment if they wanted to or not, but to make sure they could vote on the underlying bill. What my amendment, AM470-- I thought last night and this morning about if I actually wanted it to go to a vote, and I think so. I think we can have this go to a vote. I don't need to take, you know, this to cloture or anything silly like that. But what this amendment does is it investigates the statute that we've opened up through LB140, which is the statute dealing with specialty license plates in Nebraska. In Nebraska, we have over 50 specialty license plates that you can get on your car, ranging from things from breast cancer awareness to childhood cancer awareness to supporting box turtles to Native American cultural awareness to mountain lion conservation, The Good Life is Outside, Support the Arts, Support the Troops. There's many ways to engage in political speech, basically, through these license plates, to advertise our state as we drive around the country with these license plates. And many of these license plates are also

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connected to funds so that when people buy one of these license plates and get it for their car, they're contributing to a fund that contributes to something else. For example, the Supports [SIC] the Arts license plates, when you buy that, it goes into a fund that supports grant programs for local arts districts in many of your home towns and cities that you represent. Also in this statute are-- is one very controversial license plate that many of you were here for the original debate for, the Choose Life license plates. Given that the Legislature in 2023, in this Legislature, is likely to pass an abortion ban with the support of the majority of the members, probably, I think that we need to strike the Choose Life license plate from the license plate statute because we will no longer be giving Nebraskans a choice. Today, the status quo is we have a 20-week ban. We have exceptions for maternal mortality, for medical emergencies, for rape and for incest. And given the lay of the land in the United States after the fall of Roe v. Wade, I think that that's a pretty moderate, pretty rational law. It's a 20-week ban with exceptions. It says that we trust medical professionals in Nebraska and we trust physicians to use their best judgment. We're not asking them to make split-second decisions that could have them losing their license or getting fined or getting incarcerated just for using their best medical judgment, as we've seen happen in other states. And that's the status quo today and that's what works for most Nebraskans according to polling in Nebraska. Of course, this Legislature is much more conservative, much more radical and not based on conservative Republican political ideology, but based on Christian nationalist ideology, where you're really putting the party as your religion over the actual teachings of Christianity. And because of that, we're likely to overturn, not overturn, but to pass an abortion ban in Nebraska, and then we'll no longer have that 20-week ban. We'll have an effective abortion ban in Nebraska. So to put a Choose Life license plate on your car would no longer make sense. I would support an amendment that might be coming later to rename it to Forced Gestation, Forced Birth. But I think "Forced Gestation" is best because that's really what you're doing, is you're putting Nebraska women in the same position as Pillen's pigs or as some of the cattle that some of you raise, as nothing but vessels to hold semen and gestate babies, and that's what most of you would like to have happen. So I would ask for your support on the reconsideration motion and your support on AM470 to remove the Choose Life license plate bit from statute, given that we will no longer be giving Nebraskans the choice to Choose Life in Nebraska. Thank you, Mr. President.

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

M. CAVANAUGH: Thank you, Mr. President. Good morning, colleagues. I would like to thank Senator Arch for his comments this morning about the call of the house. I think it is a important reminder. Senator Hunt already spoke about her reasons for calling the house. The floor was empty. I think that initially when she did a call of the house, it was, like, six votes for, six votes against. That's 12 people. That's not even a quorum, and we were going to a vote and it was over the lunch hour and, and that call failed. So I did what I said I was going to do and do a second call of the house and that call failed. And, you know, I considered just doing a series of calls of the house this morning, but decided I don't really feel like doing that because what's the point? Clearly, what's the point? But to Sen-- Speaker Arch's comments this morning, there are 16 people in this body that owe Senator Hunt an apology. I doubt she's holding her breath for one, but they still owe her one. It's-- it's so disappointing. And last night, I was thinking a lot about this place, trying not to think about this place, and I was thinking about the first time that I ever really felt, like, "ick." First time I ever really felt ick in this place, it was my freshman year. It was a late night. We were doing consent calendar and it was Final Reading on consent calendar. And Speaker Scheer-- and when we're in Final Reading, that's the same as a call of the house. You have to be in your seat. And Speaker Scheer hurried over to me to tell me that my bill that was on consent calendar on Final Reading was being pulled from the agenda, and it was, like, two bills down from a-- I don't even know, a large chunk of bills. And it was being pulled from consent calendar because three of my colleagues had submitted a letter-- actually, I think it was-- ended up being four of my colleagues-- had submitted a letter saying that they wanted it pulled from consent calendar on Final Reading, which is-- I want to say a bad word. It's a poopy thing to do. It's really, really, like, big emoji turd thing to do to a person and to not even tell the person. And it tore up the Chamber. The Speaker was angry. My other colleagues were angry on my behalf. And Senator Dave Murman apologized on the microphone for it. And I've never forgotten that. I've never forgotten that Senator Murman apologized for doing that to me. And I've always appreciated that, that he made a huge mistake and he apologized publicly for it. And I-- honestly, Senator Murman, I question if you would do that today. After what happened yesterday, I questioned that. It sat with me last night. You asked for your colleagues' comments to be struck from the record because (a) you didn't like what we were saying and (b) you didn't even know what I

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was talking about, because I wasn't talking about the prayer that you had made that morning. We've gotten lazy in our meanness. We have become lazy in our meanness. Just because it is me or--

KELLY: One minute.

M. CAVANAUGH: --Senator Hunt standing here, you've decided that it is OK to be rude. And it is not OK to be rude. I also spend a lot of time reflecting on the fact that today is the start of Lent and what that means for me as a Catholic and the sacrifices that were made and the sacrifices that we're supposed to honor as Catholics or Christians during this time period. And I just hope that others in this body who go to their religious studies and their Bible studies will take the same care to give the consideration to your actions and stop acting like this is a game, because it's not. It's not a game. Your rudeness matters. Your grace matters. Your compassion and kindness mean something. And when you are devoid of those things, it means something as well. Thank you.

KELLY: That's your time, Senator. Mr. Clerk, for an announcement.

ASSISTANT CLERK: Thank you, Mr. President. Just an announcement. The General Affairs Committee will meet under the north balcony for an Executive Session on Friday at 9:30 a.m.

KELLY: Thank you, Mr. Clerk. Senator Hardin has some guests in the north balcony: four student seniors and one teacher from Kimball High School, Kimball, Nebraska. Please stand and be recognized by your Nebraska Legislature. Senator DeBoer, you're recognized to speak.

DeBOER: Thank you, Mr. President. Good morning, colleagues. Today, I wanted to, since we're taking the time to talk about the call-of-the-house votes, I just wanted to put in my two cents about why I vote for the call of the house. And I really thank Senator Arch for his comments this morning. And some of you I've talked to about the call of the house and why I vote for the call of the house, but I thought I would sort of do a 17 birds with one stone, or however many people are, are listening. The reason I vote for the call of the house isn't about professional courtesy to the person who asked for the call of the house. It's not about rudeness. It's not about any of those things. It's about muscle memory. It's about always voting for the call of the house so that you can be confident that people will always vote for the call of the house so that when you ask your friend, who's got a bill that you're interested in but there's a lot of debate going on, hey, I need to go out for a minute, can you call the house? Or if

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there's a debate on the floor that you're worried about and for some reason you need to go have a meeting up in your office for a few minutes, or even if you don't know if there will be a, a bill that you are interested in because it's three or four bills down and you're just a little worried because you're going to go talk to your fourth graders that are here-- if you have a call of the house and if it's muscle memory for everyone to vote for the call of the house, then you can be confident that if you say to someone, please call the house. That bill is important to me, that you know you'll be able to vote on it. In this last election, they talked in the election about how many times people vote or not vote. You missed a whole lot of votes. Oh, terrible you. Well, some of that is because you're having meetings, as you know, maybe with someone outside of the body just for a minute, and then you miss the vote. So having a call of the house, having the confidence, the confidence to know that, as muscle memory, everyone's going to vote for the call of the house so that as a courtesy to all of us, to every one of you who may want to be able to walk off the floor for a few minutes and maybe get a piece of information that somebody has about a bill that's coming up, that's why I vote for the call of the house. I vote for the call of the house for insurance for all of us that we can go do the work that we need to do if we need to step off the floor. So it's really important to me that I always vote for the call of the house and that I would hope my colleagues would as well so that it's a courtesy to me if I walk off the floor or to whoever if they walk off the floor. So that's, that's the reason that I vote for it, and that's why I will continue to vote for it even if I really, really don't want to, even if it's against my interest to have more people come back. I think that democracy says we can handle having everyone in here, we can handle having everyone vote and, therefore, calling the house so that everyone gets the opportunity to vote-- these people are all elected. They're all elected by their voters. Those voices are silenced if we do not call the house because then they can't come in and vote for that. So to me, it's just really important to know that we're always going to have the insurance of doing that so that we don't silence voters in other districts even if we disagree with them, and so that we have the ability to go out and do whatever it is we need to do for a minute, even if it's execing under the balcony, even if it's execing in the other part of the-- there used to be a room back there-- I guess it's under construction now-- but in some other room where we might be execing, so that we all have the opportunity to vote and those voices aren't silenced and so that we have the confidence to be able to leave if we need to for a few minutes. Anyway--

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KELLY: One minute.

DeBOER: --sorry to take so long. Thank you so much, Mr. President.

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

J. CAVANAUGH: Thank you, Mr. President. Well, I guess I'm going to diverge from the current remarks. I, I do always vote in favor of the call of the house as well. I just think that it's-- you know, you call the house so everybody can be here to hear what's going on or, or to vote. So it doesn't seem like that big of an ask to vote for it. But I rise first in favor of the motion to reconsider, and partly because I voted for this amendment the first time. And now that I'm thinking about it, I don't think I'm-- sorry, Senator Hunt, I don't think I like this amendment. I wonder if you would entertain just a change. I'm not going to ask you a question. I'm just going to-- this is a, what do you call it, a hypothetical. Would you just consider an amendment that changes the name of the license plate but leaves it in place? That's my thought. That's what I think would maybe be more appropriate than eliminate-- oh, I apologize. I missed you say it. But anyway, so I rise in recognition of the fact today is February 22. It marks the birthday of two great Americans. One of them is one of the wisest and most intelligent Americans who was ever born, and the other is George Washington. [LAUGH] The first is my wife, Kakie, and so I wouldn't be here if it weren't for her, so I wanted to recognize her birthday and all the things she contributes to the state of Nebraska by virtue of the fact in allowing me to be here. But anyway, it's also President George Washington's birthday, which we observe Presidents' Day on Monday. We had a conversation where George Washington came up yesterday as well, and it made me think. And so I thought it would be appropriate on George Washington's birthday to read an excerpt from his Farewell Address. And this is a portion that goes: They serve to organize faction, to give it an artifa-- artificial and extraordinary force; to put in place of the delegate-- delegated will of the nation to-- the will of a party, often a small but artful and enterprising minority of the community; and, according to the alternative triumphs of different parties, to make the public administration the mirror of the ill-concerted and incongruous projects of faction, rather than the organ of cons-- consistent and wholesome plans digested by common council, and modified by mutual interests. However, combinations of associations of the above description may now and then answer popular ends. They are likely, in the course of time and things, to become potent engines, by which cunning, ambitious and unprincipled men will be enabled to subvert the power of the people and to usurp for

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themselves the reins of government; destroying afterwards the very engines which have lifted them to unjust dominion. So what the President Washington was saying there as he was leaving the national stage, in his wisdom, though not as great as my wife's, was that we should avoid becoming so entrenched in political parties that we lose the vision of the people of the-- this country, the people that we serve, and that we give over the will and the voice of the people when we serve the parties first. And this-- I think about this a lot and I think about it especially today. We are having this conversation about the call of the house, and you can probably look at who voted which way. But I think about it a lot in this body. This is the nonpartisan Legislature. This is the embodiment of that principle of George Washington, that we should put the people above parties. And we have people here who I think rightfully venerate George Washington, and there are people here who have things that they dislike about him. And certainly, I think that we can take our historical figures as they are. They had good parts and they had bad parts. But when they say--

KELLY: One minute.

J. CAVANAUGH: --thank you, Mr. President-- when they speak with such wisdom and such prescience, I think it's important to heed those words. And so I would, I would suggest to you-- I can circulate this copy if you want-- but take-- just take a minute to think about that. Reflect on what George Washington was saying is the pitfall of following too much the factions of political parties rather than the interests of the people. And so happy birthday, Kakie, and happy birthday, President Washington. Thank you.

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

CONRAD: Thank you, Mr. President. And good morning, colleagues. I just rise in concert with some of my colleagues this morning who are taking a moment to reflect on where we are in terms of the utilization of our rules, and really want to note Senator Arch's leadership in helping to ensure there was a historical record, historic practice, which help to further refine our thinking about the utilization of some of these rules. I tend to agree with the sentiment that he expressed from my friend, Senator Flood, then-Speaker Flood, and would-- I really can't think of an instance-- maybe there is one-- where I fell short. But if a time-- if a colleague asks for time or a colleague asks for a call of the house, I think that is something that, that I'm always willing to extend because they wouldn't ask if it wasn't important to them and how they were deciding to represent their constituents and advance their work. So I thought one thing that might be helpful for the

debate, just to maybe take a, a broader overview about why we come together and adopt rules and why parliamentary procedure is helpful to a body like ours, and it's really to ensure a couple of things from a, a big-picture perspective. It's to bring order to what otherwise would be chaos. It's to balance efficiency and deliberation. And as part of those overarching goals, there's some principles behind how parliamentary procedure and rules have developed for different reasons. So of course, there's the rule of majority vote. And note, colleagues, it's not the rule of the majority; it's the rule of the majority vote. It's also balanced against the rights of the minority. And when we talk about the rights of the minority, it's not to get everything they want. It's not to put the rights of the minority, whether that be a political minority, gender, race, geography, rural, urban, what have you. It's, it's not to kind of leapfrog their rights above the rule of majority vote, but it's to ensure basic balance on things like the ability to speak. The ability to speak. It's to protect things like the right of the minority to speak, to engage in speak-- speech. Additionally, parliamentary procedure rules, as they've been developed, help to also protect not just majority vote, minority rights, but individual member rights. Again, these include things like the ability to speak, the ability to make motions, the ability to file amendments, a requirement that each individual have notice, an opportunity to be heard, to participate in the work, whether that's assigned to them through the committee or on the floor of the Legislature. And a key underpinning in all of these pieces is also fairness extended from the collective to the individual, good faith, equality. And I really believe that these rules can help us to ensure that we do our best to engage in the debate in a civil and constructive way. And when perhaps our passions get the best of us, they kind of help to, to rebalance the tenor and tone of the debate. And of course our passions get the best of us from time to time. We're all--

KELLY: One minute.

CONRAD: --passionate people about our work, and that's why we worked so hard to, to get here and we work so hard when we are here. Thank you, Mr. President. The other thing that I think it's really important to remember about these rules is that we came together, we debated arduously about whether or not we would change them, we made a few technical changes this go-around after a considerable deliberative process in the Rules Committee and with public input. And we said, these are our ground rules. These are ground rules that we're going to utilize and agree to to move forward. So utilization thereof is fair game. And it is important to remember, I think, that when we conduct

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our business, if we do so with additional toxicity and acrimony, I really believe that becomes another form of voter suppression. It-- the angrier and the more mean-spirited--

KELLY: That's your time, Senator.

CONRAD: Thank you, Mr. President.

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

MURMAN: Thank you, Mr. Lieutenant Governor. My name was called out on the floor, so I feel compelled to answer. I think the most important thing is we should be debating legislation that's important to the people of Nebraska, so I'm not going to take a lot of time. But the reason I called for Senator Hunt and Senator McCa-- Cavanaugh's-- Machaela Cavanaugh's comments to be struck from the record yesterday is because they were totally irrelevant to the subject that we were discussing, the bill we were discussing at hand, and that was Senator Briese's bill. It was just a cleanup bill to eliminate the necessity for long-distance calling from the floor. So I'm just going to leave it at that. But their comments were irrelevant, and that's the reason I called for them to be stricken. And I probably won't answer any more questions if there's more because I think we are just taking up time now that should be used for debating important legislation to the people of Nebraska. Thank you.

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

MOSER: Good morning, Mr. President. Good morning, Nebraska. Good morning, colleagues. Well, I think we've veered a little off of our given agenda and we're talking about, more in general, why we're here and what we're-- what we stand for here. But if you look over the history of the world, to the beginning of mankind, many great civilizations have come and gone. They start out and they work hard and they have a unified purpose and they accomplish great things, and some of them have dominated the world. I mean, you can look at the Romans and the-- how they came to power and how they declined. And I think the United States is on that continuum as we speak. I think that the swing of the political climate in the U.S. has gone a little to the left and I think some are concerned about the future of our country and allowing other countries to manufacture all our goods and to worry more about our feelings and our extraneous issues and not staying focused on the ones that have made America great. American leaders have been-- some better than others. Some have been imperfect leaders. But without George Washington, we could still be a colony of

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Great Britain. You can look at presidents-- and I'm not going to name more-- other presidents, more current ones, because I don't want to inflame somebody-- but there have been some on both sides that have done good things as a president, in my opinion, and but yet they've been imperfect beings. They were poor-- poorly-- some of them were poorly socialized and I think would have been better if their parents had given them a good spanking now and then. But I think that that's the reason for some of the people in my district to talk to me about what we're doing here. You know, my positions on taxes, the social issues, abortion, all of those things are known quantities. My district knows where I stand on those things, and I'm not changing. And I just got elected. I had two opponents. One of them is a really sharp farmer who's got a master's degree, and another one is a member of another party who was on the school board, is very popular, and I got 80 percent of the vote. And I'm not saying I think those guys are equal to me or better than me in some respects, but I think my stand on the issues reflects my district, and that's why I vote the way I do. And I voted against the call of the house because I didn't think that the call of the house was asked for for a legitimate purpose. We've been gaming this process here the last few weeks, trying to avoid getting to bills that some of the members are scared to death of. And I think there's a saying-- I don't know who, who said it, but, you know, the cowards die a thousand deaths, the brave die but once. You know, if you've got bills that you don't like, don't do dilatory, dilatory motions and try to stall the progress, because that's going to take time--

KELLY: One minute.

MOSER: --take time from all the bills, the ones that others may like that I don't like. We need to get to as many bills as we can. And calling for the house twice in a row I don't think was courteous. Calling for coll-- roll call votes on nominations when it was evident the votes were there, that was not courteous. And so on one hand, you can say a call of the house no vote is not courteous, but I think that trend has already been set by prior actions. So going forward, I'll try to have an open mind. And I appreciate Senator Hunt's explanation of why she called the house. And maybe I would have considered my vote and, and offered it in a different way if I would have known that. But anyway, moving forward, I just wanted people to understand how I come to the conclusions that I come to. And I'm out of time, so I'll come back.

KELLY: That's your time, Senator.

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MOSER: Thank you.

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

HUNT: Thank you, Mr. President. I'm a discourteous coward, to hear Senator Moser tell it. But he made the argument himself why we should accept calls of the house. He says, if I had known her reasons, maybe I would have voted for it. It's that exact, deeply partisan, deeply mistrustful urge that's also fueled by a deeply held desire to cease debate, to silence dissent. And I will say one thing to Senator Moser, talking about Senator Briese's bill that we were discussing yesterday, Nothing I was saying was irrelevant to that bill. I was talking about the use of government resources, which is exactly what that bill was about. It was relevant, and I think that Senator Moser just got wrapped around the axle because I connected the bill, the substance and the topic of the bill, to the denominational prayer that he gave that morning. And then I connected it to several other topics. So maybe it was over his head, but it was relevant, and I think that it takes actually a little bit of skill to do that sometimes. Many things have been distributed on the floor this morning. I distributed an article that I intended to speak about from Paul Hammel and Zach Wendling in the Nebraska Examiner about the hard-- the title is "Hard Feelings Aired by Citizens Denied the Opportunity to Testify in Nebraska Legislature." This is also something we can talk about with Senator Moser specifically, as he is one of the Chairs who has been artificially, for no reason, ceasing debate in his committees. He says in the article-- oh, I don't think this whole article was printed, actually. It was copied. But you can see it online. And one thing he said in the article was that it's unfortunate that we couldn't get to everybody, as if it's not literally his fault that they didn't get to everybody. And he also said that testimony starts to get repetitive. Well, committee Chairs, you need to understand that the purpose of having Nebraskans come testify isn't so that if there's 100 people who want to speak, you hear a hundred different viewpoints, you hear 100 totally new and fresh ideas every time. The purpose of it is so that 100 people, who maybe got childcare, who maybe took time off work, who maybe had to arrange transportation, who are maybe very, very nervous to speak to their elected representatives, who maybe spent time deciding what they were going to say and rereading it and proofreading, it's to make sure that when they take the time and they bother to come sit in front of Senator Murman and his committee, that they know they're going to be respected. For a committee Chair to not only say, well, I'm sorry, everybody couldn't get heard-- when that's literally completely his choice. It's not any fault of their own that

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they weren't heard. It's the fault of Senator Murman that they weren't heard. And then to say, well, the testimony was getting a little repetitive, so we know we didn't really miss anything anyway-- that is so ignorant and rude and dismissive of not only the legislative process that we're all here a part of, but also the voices of those Nebraskans who came to testify. And maybe Senator Murman could have learned something from one of those testifiers, but we won't know because they didn't have the opportunity. But what I want to talk about is this article that Senator Kauth has distributed. It's from Tablet Magazine. And the headline is "Finland Takes Another Look at Youth Gender Medicine." Senator Kauth is, of course, leading the crusade against LGBTQ youth in Nebraska, and she chose today to distribute this article. This article--

KELLY: One minute.

HUNT: --is published by a religious publication. This is not a scientifically recognized source. This is a religious publication. And the author, Leor Sapir, is a well-known anti-LGBT activist. He's anti-LGBT kid, just like Senator Kauth, just like many of you. So I want those of you who look at this article as if it's something plausible or something that we should use to make decisions with, that that's really not what this is. This also has shades and reminds me of the abortion reversal debate that we had where people have this idea that doctors are giving patients wrong information because they're biased or because they want their patients to do something specific. This article says it's not justified to tell the parents of young people identifying as transgender that a young person is at risk of suicide without medical treatments and that the danger can be alleviated with gender reassignment. Colleagues, that's not what doctors do. There is no doctor in Nebraska or anywhere in the United States that says--

KELLY: That's your time, Senator.

HUNT: Thank you, Mr. President. I'll continue [MICROPHONE MALFUNCTION]--

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

CONRAD: Thank you, Mr. President. And good morning again, colleagues. I wanted-- I just ran out of time at my first opportunity on the mic, so I just wanted to kind of close the loop on that thought and then add some additional thinking in regards to how we extend courtesy to each other and how we utilize our rules to structure our debate and

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bring order to what otherwise would be chaos. You know, I talked about this lot-- a lot on the campaign trail, and it was something that actually really compelled me to rejoin public life after serving in this Legislature for eight years, then being term-limited and working as a civil rights attorney. But I was dismayed by the tenor and tone of our politics on the national level, and that had trickled down to the state level. And I was deeply concerned about the future of our state and of this proud institution. And I thought-- I've never been a person content to shake my fist at the clouds or wring my hands when I knew that there was perhaps more that I could do to try and make a positive difference, and I'm so honored that I have an opportunity to try and do that. Because the more headlines that are out there about these hot-button issues that I know are important to members and perhaps constituents in each of our districts, it doesn't really help to paint the picture about where most Nebraskans are in terms of their daily life. The Nebraskans I talk to-- Republican, Democrat, Independent, Libertarian-- they want this body to reset and to refocus on doing the will of the people on key kitchen-table issues that impact their lives, that help to address workforce, that help to move our economy forward, things like education and, yes, taxes and childcare and healthcare and housing. And friends, there's so much common ground there, there's so much consensus there, and there's so many exciting opportunities on those issues, particularly this year when we have resources, that it would be, I think, a travesty to spend so much of our time and attention on these very divisive issues that not only divide this body but our state, and perpetuate the toxicity in our politics and show Nebraskans that we don't have the political will or leadership to heed their call when they want us to focus on these common-ground issues to help move our state forward that affect their lives. And to my friend, Senator Murman, and to Senator Moser, here's the thing: as individual members, there is no motion to strike, because you don't get to decide. You don't get veto power over what another member brings to the debate and you don't get veto power as to what is recorded in the official record or the transcript. To Senator Moser, if he does not find the debate to resonate with him or he's not going to be open-minded on issues before the Legislature, that's fine. That's up to him how he chooses to engage in his service. However, he doesn't get to make that call for other members who-- many who are listening to debate, many who are taking notes on the procedure and the process. It's up for each-- up to each of us as individuals to decide what's right for us in terms of utilization and the rules, in terms of whether or not we engage or listen to debate and whether or not we bring an open heart or a--

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KELLY: One minute.

CONRAD: --thank you, Mr. President-- or an open mind to our work here, or if we wall ourselves off from new information or new ideas or different perspectives. And again, Mr. President, those, those different ideas actually should not be something that we should silence, silence and shun, but should be something we embrace because it makes the work better. It makes the policy better. It makes the deliberation richer. It allows us opportunities to find that common ground to work together to strengthen our bills and this institution moving forward together, instead of a divisive manner in substantive issues or strategic decisions utilizing the rules. I think it would be very sad if every senator came in here with their mind made up on every bill before they heard from the second house, before they heard from their colleagues--

KELLY: That's your time, Senator.

CONRAD: --before they had feedback from other stakeholders. Thank you, Mr. President.

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

MOSER: Thank you, Mr. President. So I just-- I wanted to continue along the lines where I ran out of time previously. And I'm not specifically talking about any senator here, so-- but just in general, as we-- as our country kind of drifts from the founding fathers' values and we get more into social issues and, and less into manufacturing and, and taking care of our security and the things that I think we need to be doing, we've lost a focus on our Christian values. And I-- to me, that's important to me, and it's, it's important to our country, I think. I think it's what brought us as far as we've gotten. Because when we stand up on the floor here-- and I'm not talking about any current senators-- but we ridicule religion and ridicule our country, we're causing concern in our constituents. You know, we're all responsible for what we say, what we believe. And if we inflame people to storm the, the Capitol and then wind-- people wind up dying, that's not right. I'll agree with that. But we can say things here that inflame our supporters and then they come to hearings and grab the microphone and start talking or they start throwing stuff. We, we need to be civil in everything we do and, and-- but without values, you know, why do we exist? It's no-- it shouldn't be surprising that we have more problem with crime and where someone may want to commit suicide and instead of doing themselves in, they'll go somewhere where there are a lot of people and they'll do in 40 people

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because, you know, they don't believe in God. They don't think they're going to have any judgment. They, they, they act on, you know, the collective conscience of the country that they-- that says that, you know, our values are not important. So, you know, that's why I come from where I come. In the discussion of the call of the house, there's a sentence beyond what Senator Flood quoted there. And it says that the President can call a call of the house out of order if the number of the missing senators would add up enough to cause the motion to fail. And I haven't ever seen that used, but when we're using calls of the house and roll call votes to stall and-- you shouldn't be surprised when you don't get a vote for the call of the house. You can't expect courtesy from one side if you don't extend it from your side. Thank you.

KELLY: Thank you, Senator. Senators Brewer and Fredrickson announced the following guests in the north balcony: members from the Nebraska Early Childhood Collaborative Prevent [SIC-- Parent] Ambassadors. It's a statewide program. Please stand and be recognized by your Nebraska Legislature. Senator Hunt, you're recognized to speak. This is your third opportunity.

HUNT: Thank you, Mr. President. Senator Moser talked about partisanship and division in this country and getting away from our Christian values and how this leads to things like the January 6th insurrection. And, first, when he talks about our Christian values, he should speak for himself, because, you know, I was raised Catholic. I was raised, you know, going to church on Ash Wednesday, Wednesday, as I've seen many of you have done today. But we don't get our values from religion. If you need religion to have values and to treat people like a good person, then I think you need to examine that a little bit more. And also, bringing up January 6 as an example of the culmination of the partisanship and division in this country, that's definitely an important symbol of that Christian nationalism that I'm talking about and the Christian supremacy that is underlying this country and this Legislature specifically, but it's misleading to focus on that one event. It's not that Christian nationalism doesn't prevent-- pose a threat to democracy, because it does. It's not that January 6 couldn't happen again, because it might. It's that when we focus on these things, it pulls the focus away from the chipping away and the, the daily focus on recognizing Christian nationalism in its less violent manifestations, in its less violent manifestations, and calling it out when we see it. That could be public funding of religious schools in the name of equality. It could be nondiscrimination principles abandoned in deference to religious objectors who say, well, I have a religious objection to that, so all you need to do is gesture at the

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religious objection and you're basically exempt from every other law that people have to follow. Social policy turned to serve Christian doctrine. Whether these are individual or institutional principles, the Christian nationalist viewpoints are getting into all of them: public funding of religious schools in the name of equality, social policy turned to serve Christian doctrine, nondiscrimination principles abandoned in deference to people who say it's against their religion to not discriminate. These threats are not theoretical. They're happening in our Legislature, they're happening all over the country, and they're encouraged by the Supreme Court. I want to return to this article that Senator Kauth, who is leading the crusade against LGBTQ youth in Nebraska, shared. It's from a source that I would not consider valid. It's a religious magazine that this is from, and it's written by an anti-LGBT activist. And the article kind of says that it's not justified to tell people who are identifying as transgender that they're at the risk of suicide unless they get medical treatment, that the suicide thing has become too pronounced in the, quote, trans conversation, unquote, which trans people have always existed, and so I don't know why this is the hobbyhorse, this is the obsession of the far right right now. But there is no doctor that says you have to be trans or you'll commit suicide, you're going to be depressed unless you're trans. That doesn't happen. And this has the satanic panic, boogeyman, crotch-watch shades of the same thing that we were debating with the abortion reversal debate. It's this fear, based on nothing, that there are doctors in Nebraska saying to patients, well, if you don't get an abortion, you know, sorry, you have to.

KELLY: One minute.

HUNT: No doctor is talking this way. In the abortion reversal debate, we were saying, well, what happens if a patient comes in after she's taken the first pill in an abortion-- medication abortion regimen and changes her mind? Well, that doctor would care for that pregnancy. The doctor wouldn't say, oh, no, you have to have an abortion. I thirst for abortions. There's no one doing this, just like there's no doctors saying, oh, I can't wait to make a whole bunch of trans kids. Nobody wants this. It's about providing care, the standard of care and using best practices according to medical consensus, and that's not what this article reflects. It reflects Senator Kauth's bigoted personal view, but it's nothing that we should be basing policy on, just like Senator Moser's personal Christian views is nothing we should be basing policy on. Thank you, Mr. President.

KELLY: Thank you, Senator. Senator Hunt, you're recognized to close on the reconsider.

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HUNT: Thank you, Mr. President. Many things get distributed on the floor, and I think it's courteous of people distributing things, if they can't get around and speak to everybody about what it is they're sharing, that they take a little bit of time to talk about it. In my time in the Legislature, that's been typical, is when you share something, you put on your light and you explain its relevance to the current debate or the policy at hand. One thing that I shared here is this article from the Nebraska Examiner, and the headline is "Hard Feelings Aired by Citizens Denied the Opportunity to Testify in the Nebraska Legislature." Yesterday, before we adjourned, several colleagues came up to me after I made the motion to reconsider and said, really, Megan? Can we just move on? Senator Moser was saying the same type of thing when he was just speaking, like, can we just move on? What is the reason? But the more you do that, the more-- the worse you make it. All I'm doing is using words. All I'm doing is speaking and using speech while all of you are actively using the hammer of government, the hammer of law to bring physical harm to Nebraskans, whether it's to LGBT Nebraskans and youth or to women who may become pregnant in Nebraska and need medical care when all I'm using is speech. And you act like I'm the one doing harm. Speech can never do harm. And if you can't sit for 15 or 30 minutes and listen to somebody make a point about something, you know, I think that's too bad. I don't think it's a big deal. This is the same issue that has been brought up by Senator Conrad, by me, and it's the same issue that's talked about in this article. And I want to read the very end of the article that talks about how Senator Wayne, in Judiciary Committee, he was sitting on the Health and Human Services Committee and Education-- let's see. He was on Education Committee, yeah, for this hearing. And Senator Wayne made time for all of the testifiers who didn't get to speak to come to his office and make sure that they were heard by him at least. And while you find quotes in this article from people like Senator Moser who say, yeah, it's really too bad they didn't get the chance to talk, well, Senator Moser, why is it they didn't get the chance to talk? Whose fault is that? Or he says, well, we were starting to hear a lot of really repetitive statements. Well, why are you the arbiter of if somebody's testimony who has taken time off work, gotten childcare, figured out what they're going to say, come to address us in this building, which can be very intimidating-- I did it before I was elected and I was shaking. These are kids who feel attacked by us, grown adults, coming to tell us how they feel, waiting for up to six, seven, eight hours downstairs to get to talk to you and you say, I don't want to hear it because it's repetitive? Shame on you. That's disgusting. But what Senator Wayne said was, I just fundamentally believe that I don't know who's showing up. I don't know

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their walk of life, Wayne said, but if they took time out of their day to come down and be heard, that's the least I can do. It is the least you can do. It is the least you can do. Thank you, Mr. President.

KELLY: Thank you, Senator Hunt. The question is the motion to reconsider. All those in favor vote aye; all those opposed-- request for the call of the house. Mr. Clerk. All those in favor vote aye; all those vote-- opposed vote nay. Record, Mr. Clerk.

ASSISTANT CLERK: 16 ayes, 5 nays to go under call, Mr. President.

KELLY: The house is under call. All unexcused members please check in. All authorized personnel please leave the floor. The house is under call. Senators Raybould, Wishart, Kauth, McKinney, Dover, Bostar, Clements, Ibach, von Gillern, your light. Senators Raybould, Wishart, Dover, Bostar, please return to the Chamber. The house is under call. Senator Wishart, please return to the Chamber. The house is under call. All unexcused members are now present. Members, the question before the body is the reconsideration motion. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

ASSISTANT CLERK: 13 ayes, 31 nays on the motion to reconsider, Mr. President.

KELLY: The motion fails. Senator Brandt, to close.

BRANDT: Thank you, Mr. Lieutenant Governor. And good morning to everybody in Nebraska. A quick recap of where we started yesterday. This is a bill to celebrate the heritage of the Czech ancestry in the state of Nebraska. And much like David Letterman had a top 10, I've got a top 10. Top 10 towns that are Czech towns in Nebraska: (1) Abie; (2) Brainard; (3) David City; (4) Dwight; (5) Milligan; (6) North Bend; (7) Prague; (8) Valparaiso; (9) Wahoo; and (10) Wilber. I would encourage everybody's green vote on LB140. Thank you.

KELLY: Thank you, Senator Brandt. The, the, the issue before the body is the advancement of LB140 to E&R Initial. Senators, all those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

ASSISTANT CLERK: 44 ayes, 0 nays on the motion to advance the bill.

KELLY: The bill advances. Raise the call. Mr. Clerk, for items.

ASSISTANT CLERK: Thank you, Mr. President. Your Committee on Agriculture, whose Chairperson is Senator Halloran, reports LB321 to General File with amendments; LB442 also to General File with

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amendments. Your Committee on Judiciary reports LB30 to General File; LB59 to General File; LB260 to General File; LB436 to General File. Committee on Judiciary reports LB27 to General File with amendments, as well as LB314. New resolutions: LR42, LR43, LR44 and LR45, all pertaining to Statehood Day, introduced by Senator Arch. New resolution: LR46 by Senator Jacobson congratulates the Thomas County Airport for being the 2022 Airport of the Year. Amendments to be printed: Senator Fredrickson to LB179, LB315, and LB626, all to be printed in the Journal. Priority bill designation: Senator Halloran, LB195. Notice of committee hearing from the Judiciary Committee. That's all I have at this time.

KELLY: Next item, Mr. Clerk.

ASSISTANT CLERK: Mr. President next bill: LB247, offered by Senator Lippincott. It's a bill for an act relating to motor vehicles; to change provisions relating to the issuance of certificates of title for certain motor vehicles; and repeal the original section. Bill was introduced on January 10 of this year. It was referred to the Transportation and Telecommunications Committee, placed on General File with no committee amendments.

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

LIPPINCOTT: Thank you, Mr. President. LB247 was introduced on behalf of the Nebraska Association of County Officials. In 2009, the Legislature transferred the responsibility for issuing motor vehicle titles from the county clerk to the county treasurer. However, Statute 28-431 was not introduced in the bill. This section states: When a forfeited motor vehicle is sold, the court order shall authorize the county clerk to issue a title to the purchaser. LB247 changes "clerk" to "treasurer," as county clerks are no longer responsible for issuing motor vehicle titles. Last year, Senator Curt Friesen introduced LB748 to make this change, and the committee advanced the bill 8-0, but it ran out of time to pass it on the floor. LB247 received no opposition testimony. Thank you, Mr. President, and I ask for your green vote.

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

CONRAD: Thank you, Mr. President. And good morning, colleagues. I rise in support of Senator Lippincott's bill to provide some kind of technical cleanup and facilitation in regards to basically our, our civil asset forfeiture rules and, and really how they play out in practice. I wanted to just make a note for the record in regards to

this legislation to kind of forecast and foreshadow some really important, critical debates that will be before the Legislature this year. And this vehicle-- no pun intended, perhaps, or pun intended, perhaps-- seemed like a, a good opportunity just to kind of lift those up. But years ago, I had the opportunity to work in perhaps one of the most diverse coalitions I've ever been a part of to address civil asset forfeiture. Senator Tommy Garrett, Senator Laura Ebke, a whole host of senators and stakeholders across the political spectrum, from the NRA to the NAACP and everybody in between, came together to craft one of the strongest reforms to civil asset forfeiture in the country right here in Nebraska. And it was, I think, not only an important effort in regards to that specific issue, but what it helps to remind us about is how much, actually, there is common ground and consensus across the political spectrum when it comes to smart justice reform. And we really need to look at that history. We really need to remember those lessons and we really need to dig in together to figure out how to replicate that model moving forward when we're going to be faced with major decisions coming out of Senator Lippincott's committee and the Appropriations Committee in regards to one of the largest and most complex earmarks in state government history in terms of building a massive new prison that won't even address our acute and significant prison overcrowding, mass incarceration and racial injustice problem and the host of thoughtful proposals that are working their way through the Judiciary Committee kind of in tandem, and other committees, related to smart justice reform. So I was thinking about civil asset forfeiture reform and how that came together in such a powerful and effective way when I was looking at the debate and looking at Senator Lippincott's bill. And I think it's really critical that we all look deeply at those lessons as we prepare for our future deliberations and taking up these key issues regarding mass incarceration and racial injustice in Nebraska. We're going to have to grapple with reform measures regardless of our decision on whether or not to build a new prison, which I am opposed to for a variety of reasons. But even if the body decides to move in that direction, which is the most expensive, least effective way to deal with our problems, we still have to keep a focus on smart justice reform, whether that's restoration of voting rights, whether that is access to safety net programs, whether that's fair chance employment or fair chance opportunities in education or sentencing reform or reentry support. We absolutely need to take the lessons forward from our civil asset forfeiture work to bear upon these critical issues and debates that will be before this body sooner than we know it and that are complex and important and touch thousands and

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thousands of Nebraska. I'll leave you with one thought. And I don't plan to talk again on this measure, but--

KELLY: One minute.

CONRAD: --this was-- thank you, Mr. President-- a, a statistic that always kind of took the breath away from various audiences when we were talking about these issues. Our system of mass incarceration has grown so unwieldy today in Nebraska-- and listen, colleagues-- about 1 in 10 kids in Nebraska will have a parent in the criminal justice system at some point in their lives. Think about that. Think about what that means for family integrity. Think about what that means for economic opportunity. Think about how that impacts educational achievement. Think about what that means for taxpayers. If we continue down the path of the status quo, it undermines our shared public safety goals, it tears apart our families and it's the most expensive burden on the taxpayer, really, on-- compared to any other aspect of our state budget. Thank you, Mr. President.

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

M. CAVANAUGH: Thank you, Mr. President. Colleagues, I appreciate that the last call of the house had 16 votes. Much improved. Still has five people voting against a call of the house, and what it signals to me is that these five people don't want to be collegial. So I had yesterday, after the failures of the calls of the house, I was genuinely upset. Genuinely upset. But, you know, holding onto things like that's not healthy, so move forward. And I thought, we'll see how this goes. And I'm disappointed, in looking at this, at who voted against, actively voted against a call of the house after everything we talked about this morning. And I had the calls of the house from yesterday and I started looking at senators' bills that had voted against it. And I thought-- and again, keep in mind, I have nothing to lose. Like, nothing of mine is going to pass in this body. Nothing of mine is even going to come out of committees in this body. So I'm a free agent beyond all free agents, so I can do uncollegial things and it doesn't really matter. And I thought, well, if we're going to be uncollegial, then, you know, last week I had those amendments that were to strike the enacting clause, and that was, like, a nice warning. And I thought, well, I-- I'm going to put together a list of bills and I'm going to put an IPP motion, indefinitely postpone motion, on these bills of people that vote against the call of the house. And then I thought this morning, you know what, that's-- let's not do that. Let's try and let things get back into a better place and

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see how it goes. And Senator Lippincott, I'm just so disappointed. But I had a colleague once tell me, when people show you who they are, believe them. So thank you for showing me who you are. I believe you. And I now know how to work with you moving forward, which is probably not at all. Thank you. I yield the remainder of my time.

KELLY: Senator Lippincott waives closing. The question is the advancement of LB247 to E&R Initial. All those senators in favor vote aye; all opposed vote nay. Record, Mr. Clerk.

ASSISTANT CLERK: 35 ayes, 0 nays on the motion to advance the bill.

KELLY: The bill advances. Mr. Clerk, next item.

ASSISTANT CLERK: Mr. President: LB298, offered by Senator Linehan. It's a bill for an act relating to education; to require collection and reporting of information regarding dyslexia in schools as prescribed; to require the State Department of Education to make a report to the Legislature. Bill was introduced on January 11, was referred to the Education Committee, placed on General File with no committee amendments.

KELLY: Thank you, Mr. Clerk. Senator Linehan, you are recognized to open.

LINEHAN: Good morning, Mr. President. Good morning, colleagues. Good morning, Nebraska. LB299 will require any-- wrong book. Not good. LB298, which is the one on the board, will bolster existing law by requiring every school district to report information relating to dyslexia to the State Department of Education. The United States Code defines a specific learning debil-- disability, or SLD, as a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, which disorder may manifest itself in the imperfect ability to listen, think, speak, read, write, spell. This code definition includes dyslexia. According to the National Center for Learning Disabilities, one in five children have some learning and attention issues. As of 2021, 49.5 million children were enrolled in K-12 public education. Using our one in five figure, that would mean 9.9 children have some sort of specific learning disability. Our current laws and policies in Nebraska require the reporting of specific learning disabilities. This is to better equip our teachers with the tools necessary to help these children with learning. For example, Title 92, Chapter 51, Section 006.04 [SIC-- 006.03] states: The multidisciplinary evaluation team shall prepare a written report of the results of the speci-- specific

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learning disability evaluation, and that report shall contain a statement about whether the child has a specific learning disability. However, I am concerned this is not being done, particularly for children with dyslexia. Nebraska parents have been reporting to me that their children are not receiving the specific tools they need to address dyslexia. This has come out as I have traveled across Nebraska last year when we were all campaigning. I ran into parents whose children had actually got a medical diagnosis of dyslexia and, as a result, were put in special ed. That's not what these kids need. These kid-- these children, these students need specific help with reading. These parents, who know what is best for their children, are seeing that the children are not performing to their full potential. Instead, they are being told that they're wrong, that their child has no learning disability and they'll catch up. This starts, like, in kindergarten and first grade, and they get told they'll catch up until they're in the third grade when everybody decides, oh, well, we can't read, so it's going to be very hard to move forward. These are the kids that end up trying to not go to school. Because if you're in the fifth and sixth and seventh grade and you can't read, school is not very fun. LB298, which will require each school district to report the number of students tested for dy-- dyslexia, the number of students exhibiting symptoms and the number of students diagnosed with dyslexia who, as a result, are receiving the care they need, not put in special ed. But actually, there are several programs that help children with dyslexia. It's kind of like phonics on steroids, and it works. And the sooner it starts, the better. Senator Pansing Br-- Pansing Brooks, who was here, left a year ago, and I worked very hard on this bill my first two years I was here to get this put in legislation. She had a family member, I have family members that have experienced this, and it is more than irritating to run into families today, four years later, who are still not getting the help they need and are being told by schools that they should just wait and see. LB298-- so the State Board of Education would be allowed to adopt and implement rules and regulations to enforce this in law. The bill came out of Education Committee 8-0. Supporters included the Department of Ed. With that, thank you, and I'd ask for your green vote.

KELLY: Thank you, Senator Linehan. Senator Blood, you are recognized to speak.

BLOOD: Thank you, Mr. President. Fellow senators, friends all, I actually stand in support of LB298, but I would ask Senator Linehan yield to a question for some clarification.

KELLY: Senator Linehan, will you yield to a question?

LINEHAN: Most certainly.

BLOOD: Thank you, Senator Linehan. Senator, I agree with everything that you just said. Just, to put that out there right away. So this is a friendly question. So can you talk a little bit about the fiscal note? So if I read it correctly, NDEE is going to be required to-- or at least they say in their fiscal note-- one full-time employee at \$129,000. I'm assuming that also adds in the benefits that they think that's going to cost for that particular employee. Is this something that is going to be part of their budget? Do they have room in their budget for this or-- what are the circumstances when it comes to this mandate that we're going to ask them to do?

LINEHAN: I think that, as we-- as you well know, Senator Blood, we pass bills that have A bills and then we have to wait for the budget to come to the floor and we have to see how much funding is available, if any, for the floor, and then we have to all decide what is a priority.

BLOOD: So, so, again, for clarification, this is not necessarily something that they have in their budget now but a mandate that we're passing down to them, and it will be the expectation that hopefully we fund this when we do approve the budget. Is that correct?

LINEHAN: That is correct. It's in a mandate that they supported.

BLOOD: I, I didn't disagree with any of that. I just wanted to make sure that, that we understand where this money comes from and that we're, we're tracking the money. Because I do think the best part about this bill is that we're going to have documentation data. Because we make so many decisions in this body based on feelings and people whispering in our ears, we often don't make important decisions like this with our kids' educations based on facts and data, so I love that part of your bill.

LINEHAN: Thank you.

BLOOD: So with that, thank you, Senator. That was the question that I had. And I would give any additional time I have to Senator Linehan if she would like to speak more on her bill.

KELLY: Senator Linehan, you have 2:45.

LINEHAN: I don't really-- I-- I think everybody who's been here for any length of time knows how sincere I am about this issue. And I

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could go on and on, but I won't. It is just-- I would-- is Senator Wayne here? Would Senator Wayne yield for a question, please?

KELLY: Senator Wayne, would you yield for a question?

WAYNE: Yes.

LINEHAN: Senator Wayne, do you think there's-- well, I'm sure that's not a fair way to ask the question. How important do you think it is that we teach children to read by the time they're in the third grade?

WAYNE: I think it's critical. All the data shows that, once after third grade, the amount of money and time and resources that is spent to have to catch a, a student up can never really-- we can never really pay for that cost as a state. It's just-- the cost is too high. It's really hard to catch students up after third grade, and that's where we see our biggest drop-off, is in third grade. We start seeing people, students disengage primarily because they can't read. And as a result of that, outcomes are typically not good for students who, by third grade, can't read at-- on level.

LINEHAN: And yesterday, I think it was yesterday, many times in Education Committee, have we had people come in and talk about how many people in juvenile justice are poor if not-- cannot read at all?

WAYNE: Yes. So right now, about 60 percent of our prison population can't read at a-- over a high school level. Usually are typically around sixth-grade level. So reading has a direct correlation to many of our individuals in, in prison right now.

LINEHAN: Thank you, Senator Wayne. Thank you, Mr. President.

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

WAYNE: Thank you. So there's two reasons why I get up and talk about this. One, a couple years ago, we passed a bill to collect data on student discipline and start having those numbers be recorded by poverty levels, income levels and also race and gender so we as a body can start understanding how our suspension rates are. But one of the things that concerned me about this bill-- not about the bill but what was in-- said in the hearing-- was we passed a bill years ago to deal with this, or at least start looking at it, and schools just weren't collecting the data, nor even trying to diagnose students. And so we shouldn't have to, I guess, to our-- I don't know why I keep saying to our younger colleagues who are, you know, first year here. It isn't just important for us to pass a bill-- and this is the one advice I'll

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tell you, because once we pass a bill, oftentimes it's not implemented the way we want or implemented at all. So it's very important that after you pass a bill, that you share with your colleagues, and even people who are coming in after you, how important the bill was to you so they can hear it directly from you first. But then you have to check two or three years afterwards to make sure it's actually being implemented the way you want. We have agencies, we have organizations and, quite honestly, education has been kind of the, the, the king of this, of, of just not doing it. And it's, and it's time that we stop that. So that's kind of where I'm at this year, is any bill that comes for us that puts a obligation on an agency or entity, if they don't do it, I'm, I'm a proponent now of taking their funding. Call me draconian or whatever, but we pass laws, they should matter, not just matter to, to some of those who think it should matter, but to everybody, whether we like it or not. And there's a way for us to change the law. You come back down and you vote on and it goes through three rounds and it gets either vetoed or not vetoed by the Governor. But to just ignore the law is, is a problem. And so this bill shouldn't be necessary. They should already be having this information because a bill was passed, I think three years ago, to deal with this. So I would encourage everybody to vote green, not only because it's the right thing to do when it comes to this particular issue, but we have to start sending a message that we really-- when we pass a bill, it actually means something, and we should implement it and those should implement it according to the intent and according to what we want. Sometimes the bill drafting is not always perfect to the intent, but people know the intent of the bill and what we're trying to do. And if there is a problem with how the bill was written, that's why you provide cleanup language. You, you shouldn't just not implement it. And this goes to a broader discussion-- and I didn't do it this year and I need to find a bill in Government, Senator Brewer, that we can have a hearing on to go back and require people to-- agencies to testify in the neutral. Because it does do a disservice when they come in and oppose a bill, like they did on this original bill three years ago, and then you pass it and then you wonder why it doesn't get implemented. Well, they already told you ahead of time that they weren't, they weren't happy with the bill, and so it's almost like a preemptive strike or a preemptive veto by other branches of government by coming in and, and-- and think about what happens when they come in and testify negative. I'm gonna go on a tangent here because I can. One, you automatically get kicked out of consent calendar. Two, you have a-- a negative testifier. So everybody in this body, what we do is we go to the committee sheet and you go-- look at who the opponents are and you're like, oh, well, why did this agency testify against it?

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Then you're in the hallway talking to PRO about the why they're against it before your colleague ever even had an opportunity to open and talk about it and talk about the, the benefit of the bill. Because inherently, government doesn't want to change; and if it does, it's only to benefit government. And that sounds crazy coming from a Democrat, but--

KELLY: One minute.

WAYNE: --unfortunately, government hasn't helped my community that much in the last 30 years of me growing up here, and, and it's time to do something different. So I gotta find a bill in Government to, to gut or to add an amendment to to have a special hearing on because I still see agencies coming in and testifying negative against bills that they ultimately have to implement. And this is just one example: Senator Linehan and Senator Pansing Brooks worked hard to pass a bill that took a lot of time and effort, and now it's being implemented, what I would say, half-assed, and that's not OK. So I would ask for a green vote on this, not-- again, it's the right thing to do, but we need to start sending messages to agencies and political subdivisions and political bodies that, when we pass a bill, it means something. Thank you, Mr. President.

KELLY: Thank you, Senator Wayne. Senator Vargas, you're recognized to speak.

VARGAS: Thank you very, very much. I stand in support of this legislation. I was going to add a little color to what Senator Wayne was, was talking about because this-- something similar happened-- I can't remember. This was about four or five years ago, where-- if you haven't had the opportunity, if you want to look up where a public school district is in terms of their evaluation, there's ratings for the school districts for you to see where they rank, and this is done by the Department of Education. It's really helpful information. We actually had to pass a bill that said we-- that they have to update this every single year. Because even though it was made clear in previous legislation they had to make this every single year, at least we thought, it was happening every three, four years, so that when you were looking at some of the performance data on a school district, on a lot of different metrics, you were looking at data from three, sometimes four years ago, and it wasn't living in real time. Senator Linehan was a supporter of that bill when we passed that bill four or five years ago. I just-- I really hope people are doing more of their due diligence on this is, this is something that should already be existing and happening in terms of the transparency, and I'm thankful

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that this is with dysles-- dyslexia, but it should be with many different-- all the different entities in terms of the subgroups that we should be looking for. But I support this bill and I'm hopeful that we don't have to pass bills like this in the future and the Department of Education is listening, because these are the types of things that should absolutely be happening, and I just appreciate your green vote on this. Thank you very much.

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

M. CAVANAUGH: Thank you, Mr. President. I just wanted to publicly offer Senator Wayne. I have a couple of government oversight bills in Government, and I'm happy to offer any of them to you for an amendment. A couple of them could even be a white-copy amendment. I would happily support adding more to the government oversight piece, including that our state agencies should be coming in neutral on bills. Their job is not to oppose or even support bills. It's their job to come in and tell us the technical side: if this works, if it doesn't work, how it could work better. And so I'm happy to offer that to Senator Wayne. I support this underlying bill. I have some questions about if it applies to public or private schools, but I think I can talk to Senator Linehan about those separately. And if my an-- questions aren't answered, I'll probably talk about it on Select File, but I'm sure they will be. Thank you.

KELLY: Thank you, Senator. Senator Linehan, you're recognized to close. Waives closing. The question is the advancement of LB298 to E&R Initial. Record your votes, please. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

ASSISTANT CLERK: 37 ayes, 0 nays on the motion to advance the bill, Mr. President.

KELLY: The bill advances. Mr. Clerk, next item.

ASSISTANT CLERK: LB299, offered by Senator Linehan, is a bill for an act relating to the Interlocal Cooperation Act; amends Section 13-809 to require approval by the voters for the issuance of certain bonds; repeal the original sections; declare an emergency. Bill was introduced on January 11 of this year, referred to the Education Committee, placed on General File with no committee amendments.

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

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LINEHAN: Thank you, Mr. President. Good morning. LB299 will require any joint entity, such as a school district and an ESU, to hold an election before issuing any bonds to fund a building project. Currently, school districts that want to conduct a new building project are required to ask the voters to approve a bond issue for a specific dollar amount. In some instances, the request is not approved by the qualified electorate of a school district. So in some cases, districts look for alternative funding methods for their projects. Two alternative funding methods are to raise funds through their special building fund, and a special building fund is up to \$0.14, but it has to be under your \$1.05 maximum levy-- I should have said within, not under-- or to enter into a cooperative agreement with another political subdivision. School districts are aware that the levy increase is not popular with voters, so some have opted to create joint interlocal agencies between schools and educational service units. However, when joint entities are created and issue bonds to fund their projects or large-- la-- borrow large sums of money, those bonds do not require a vote of the people. In other words, government entities can use a workaround that ignores a vote of the constituents, and this has happened. Bonds failed more than once, and then they did a work-around ignoring the people's vote. Consequently, in one situation, they entered into agreement to create an inter-- interlocal agency to issue bonds for the project. This is a loophole in our system of financial accountability and public spending. To close this loophole, LB299 will require any joint entity, such as a school district and an ESU, to hold an election before issuing bonds for building a project. An affirmative vote of the qualified electorate would be required to pass. If the vote for a bond issue is defeated, then it shall not be resubmitted for a period of six months from the pr-- date of the prior election. I'd like to clarify something as well. LB9-- LB299, excuse me, does not prevent schools and ESUs from creating joint public agencies, and it does not stop them from building projects. It merely requires a vote of the people for expensive building projects. And when I say expensive, I'm talking about whole new elementary schools, like, large, new elementary schools. If the citizens are going to be paying for these pro-- projects over the decades, they deserve to approve the project. So what you do-- why you have a vote when you're borrowing money is because you are putting people in debt. And if you're going to put people in debt, they should have-- they expect and should have the right to vote yes or no. LB299 contains an emergency clause. Once the Governor signs the bill into law, these provisions would apply to any joint entity created, created to use an alternative method of financing a building project. This will bring more transparency and

accountability to the way our schools fund their building projects. The people have a right to voice their opinion when they incur debt. Thank you, and I ask for your green vote on LB299.

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

M. CAVANAUGH: Thank you, Mr. Speaker. I would ask if Senator Linehan would yield to a question.

KELLY: Senator Linehan, will you yield to a question?

LINEHAN: Certainly.

M. CAVANAUGH: Thank you, Senator Linehan. First of all, thank you for bringing this bill. I love it. I love a good vote of the people on this kind of thing. I did see on the committee statement that there was opposition from-- was it Beatrice?

LINEHAN: There was.

M. CAVANAUGH: And would you mind just sharing a little bit what their opposition was?

LINEHAN: So, here are probably people in the body could speak to this better. I-- what I know is from a few-- well, Beatrice is very close to where I grew up, so I quite-- I know quite a few people in Beatrice and southeast Nebraska. They had a bond issue fail twice. And it wasn't just my understanding. Senator Dorn or-- would probably be much better to speak to this. It wasn't just that people didn't want a new school. They liked their neighborhood schools. You're in Westside-- I believe.

M. CAVANAUGH: Yes, I am.

LINEHAN: --and Westside loves their neighborhood schools. They're building--

M. CAVANAUGH: We sure do.

LINEHAN: They're building-- they're rebuilding them. So instead of having neighborhood schools-- I think there were three or four-- they were going to put all of the children-- and I-- they've done this-- next to the high school. So as you're a parent of young children, you know, five more minutes or 10 more minutes in the car to take your kids to school--

M. CAVANAUGH: It's a tardy day.

LINEHAN: --it's-- it's an issue, right?

M. CAVANAUGH: Yes, yes.

LINEHAN: So regardless of what-- and the votes weren't close, if I recall, right? It wasn't like it was, like, sliver. It was pretty significant. They decided, oh, well, we don't care about the vote of the people. We are going to build the school anyway.

M. CAVANAUGH: Ah, I see. So this would require them to not do that.

LINEHAN: This would require them to convince the people it was the right thing to do and then build it.

M. CAVANAUGH: I love it. Thank you, Senator Linehan.

LINEHAN: Thank you.

M. CAVANAUGH: I really do. I love a good transparency bill, vote of the people, be good stewards of taxpayer dollars, public input. This bill's got it all. Wow. Happy Ash Wednesday, Senator Linehan. Thank you. I will be voting for LB299, and thank you so much for that explanation of what the opposition was about. I will yield the remainder of my time.

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

BRANDT: Thank you, Mr. Lieutenant Governor. What Senator Linehan was referring to in Beatrice is that you had a bond issue before the people that had failed twice. And I know it's really tough to get a bond through in that particular community, but it-- if the school board had worked on that further and downsized or maybe give some concessions, maybe they would have eventually succeeded. My understanding then is that the school board joined-- wanted to join with the city government to form this, I call it a JPA, to build the school, and the city council said no. So then they joined with the local ESU, ESU 5. ESU 5 covers the counties of Gage, Jefferson and Saline. Part of the land taxes that I pay every year go to this ESU. Beatrice Public Schools formed a partnership with the ESU. The-- then they got local financing and they are going to build-- I don't know what the number is, but it's tens of millions of dollars-- a single school to replace the four aging schools in the town, which you can argue right, wrong or indifferent that they need that, but they did

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this without a vote of the people. And I know a lot of people in Beatrice. Beatrice isn't ne-- in my district, but it's right next to it, and it really upset a lot of the people there. And so I guess the question that I've always had on this kind of a financing arrangement is, if there would be a default, would all three counties be on the hook for-- to finance a school? Because how it's paid for then is, I believe-- and, and I guess I'll ask. Senator Linehan, would you answer a question?

KELLY: Senator Linehan, will you yield to a question?

LINEHAN: Yes.

BRANDT: Does the, the rental payments for the new school come out of their general fund?

LINEHAN: Yes.

BRANDT: Is what I said correct about how this transpired, to the best of your knowledge?

LINEHAN: Yes.

BRANDT: So your bill then wouldn't stop them from doing this. It would simply have required-- had this happened, they would have had to have a vote of the people approve this joint-- is it a JPA between the ESU and the school district?

LINEHAN: Yes.

BRANDT: All right. Thank you, Senator Linehan.

LINEHAN: Thank you.

BRANDT: I fully support this bill and I wished it had happened three years ago.

KELLY: Thank you, Senators. Senator Hughes announces the following guests in the north balcony: nine members from Leadership York. Please stand and be recognized by your Nebraska Legislature. Senator Briese, you're recognized to speak.

BRIESE: Thank you, Mr. President. Good morning, colleagues. I rise in support of LB299. I thank Senator Linehan for bringing this bill. And this really is a cleanup bill, a cleanup bill that eliminates a loophole in statute that allows these entities to bypass a vote of the

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people before initiating the bonding procedure. It normally would require a public vote before bonds are issued in these circumstances, and why is that? Because bonds really represent a long-term commitment and bonds really represent the encumbering of taxpayer property to service that long-term commitment. And I'd draw your attention to LB1000 back in 2018. That was a bill to require the issue of bonding under the Public Facility Construction and Finance Act to first be put to the voters. That was a act similar to what we're talking about here, where the public vote could be bypassed. LB1000 would require-- required a vote of the people. We passed that on consent calendar. And why was it on consent calendar? Because we as a body recognize-- we as a body recognized the taxpayer concerns here. We recognized our commitment to the taxpayers. And we wanted to close that loophole, like we should do in this situation here. I'd ask for your support on LB299. Thank you, Mr. President.

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

VARGAS: Thank you very, very much. And I support this bill for a couple reasons. One, I, I have a similar bill that actually is requiring a vote of the people if a municipality is looking to impose an occupation cell phone tax on, on individuals and taxpayers, that these would go to the vote of the people if they want to impose a new occupation tax, cell phone tax on individuals. I think it's good transparency. I know there's always a fight on whether or not there's local control when there's elected officials that are elected to make these decisions. But at the same time, if people are utilizing these legislative mechanisms to go around a bond proposal or a vote of the people, they're usually doing it because it's another avenue for creating revenue or doing something. And we're not saying you can't do it. It's, you have to be clear with the public on why and what your intentions are, and I think that's-- I think that's a level of good government, quite honestly. I did have a question for Senator Linehan, if she would entertain.

KELLY: Senator Linehan, will you yield to a question?

LINEHAN: Certainly.

VARGAS: I know we spoke briefly on the mic-- off the mic. Just wanted to get this in the record. So our previous uses of this, are they grandfathered in? Does this apply just to new instances of this?

LINEHAN: I want to be careful here. They're not-- I don't know that we have specific language that grandfathers them in, but they've already

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happened, so you can't, you can't pass a law that undoes something that's already happened.

VARGAS: Well--

LINEHAN: I'm not an attorney, so I'm not sure what that is, but I know that's one of the rules.

VARGAS: No, that's really good clarification. The reason I ask is because we had-- in previous legislations have done, even if, like, a tax has been imposed or a bond has, you can require it to go to the vote of the people retroactively. You can require those. But according to the language and according to your interpretation, this sounds like this is just for any new initiatives, these types of bond initiatives, so that-- I appreciate you getting that on the record.

LINEHAN: Bec-- one of the things I'm afraid of, if we don't do this, we're going to see a lot of it, because it's easy.

VARGAS: Say that again?

LINEHAN: One of the reasons I think we need to do this is because I think it will-- we will see many, many more people, districts, entities using this because it avoids a vote, it avoids going to the people, and it's, it's problematic. I mean, some of the instances of what we're using-- schools are using the building fund for now I think is problematic, building-- I mean, buying farms. I think it's a little out of the purview of schools to be out buying farms.

VARGAS: Yeah. No, thank you very, very much, Senator Linehan. And I agree with you on this. My concern is that it's going to be utilized as a separate tool to sue a-- usurp the process, which is why this transparency with a vote of the people is important. And again, similar to the bill that I'm working on and that I have been working on, municipalities are going down the route of-- have been using this as another revenue source. And I think good transparency with a vote of the people is actually a good practice, and it also makes sure that these, these different school entities have to do, do their job of making their case to the voters, which is a good thing. So thank you. I urge your green vote. Appreciate it.

KELLY: Thank you, Senators. Senator Dorn, you are recognized to speak.

DORN: Thank you. Thank you, Mr. Lieutenant Governor. Thank you, Senator Linehan, for bringing this bill. Wanted to bring out a few more points yet, though. I know Beatrice was-- I think the four

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people, when I look at their names that testified in opposition to this bill, they were all from Beatrice. However, Beatrice was not, or has not been, the only school district to do this in the state. I believe there's been at least two others. I know Senator Bostelman had one in his district, and I think there's one farther up north. So there's other districts that have done this. Part of-- I can explain a little bit more of what happened with Beatrice and why maybe their votes failed. Beatrice school district is approximately 27 percent to 28 percent ag land. So in that makeup, when a bond issue be-- came before the voters, the ag land people in there were going to be paying, proportionatewise, proportionate for the people there, not the houses or the valuation, the valuation was so much greater with the ag land that they were going to be paying a greater share of that. And I do know that the farmers, many of those farmers actively got together and very much opposed those elementary-- the other two bond issues. Not saying that's why it was defeated. There's other reasons why it was defeated, those two bond issues were defeated. But they did get together and they did have a conversation and they became organized in why the, the impact that would have on them and their property taxes in paying that share of it. Part of what-- I've had numerous, numerous discussions not only with the school but also with many of the patrons in the Beatrice district. The greatest concern I heard was that Beatrice, when they went and did this route-- and currently under today's statute, what they did is all allowed. It is something that-- it's kind of a loophole there, not a loophole, but it is allowed there. The patrons that talked to me were, were, were upset the most were, the vote of the people had voted this down and now they did not have the opportunity to vote on it again. Beatrice, their school district has four elementary buildings, every one of them at least 50 years old, some of them in the 75- to 80-year-old range. They are running many of those school districts, the elementary school districts, with their lunch. They're having it in what was then the basketball court. They're operating that-- bringing the food [INAUDIBLE] closets that's about 6 feet by 10 feet or 12 feet and serving the food out of there. So there's various reasons why they wanted to go ahead and do this. One is the age of the building, the cost and, and, and the cost that-- savings that they could maybe have. Beatrice, yes, they are at \$1.05, have been for years at \$1.05 on their levy. The school building fund that they have used to do this under is a maximum of \$0.14. So they are taking that \$0.14 out of their \$1.05, and what they would normally use, probably for operating, they are now down to \$0.91 of levy for their operating budget the next year. So, as the way this works or the why this might work for any school district is because as valuations increase, now that \$1.05 will

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bring in more funding. So what was originally \$0.91 of levy you were using only for operations, now you're building that amount back up. I've asked many of those people that called me and complained of-- or questioned why they didn't have a vote, I said, what would Beatrice or any school district like it that's at \$1.05, where will they be at in future years? Would they be at \$1.05 if they didn't--

ARCH: One minute.

DORN: --use this concept? Many of them agree with me that, yes, Beatrice would have been at \$1.05. So is it costing them more? Technically, yes, but they're doing it within their operating budget of that \$1.05. I will be voting for this bill because I think we need to have a vote of the people. Did Beatrice do this in a way that is allowed in today's law or today's statute? Yes, but they're not the only one. So when you hear the name Beatrice, there are also other schools doing this. What this bill will do will now, if they go into a joint venture like this, it will require a vote, and I think that's very important. So thank you. Bye.

ARCH: Thank you. Senator Erdman, you are recognized to speak.

ERDMAN: Thank you, Mr. President. And good morning. I stand in favor of Senator Linehan's LB299. As time has passed and I begin to understand what we do in education, several years ago, I tried-- I put in a bill to eliminate the learning community. Now, that bill went nowhere because all the education people came in and the university people testified against that. What they're doing in, in Beatrice, what they did there and what they're doing in other places was brought to my attention by a member of an ESU because I didn't know that that's what they had done. As Senator Wayne said early-- earlier in his conversation today, government doesn't want to change. So people voted no, and so they found a way to circumvent what the people wanted. And they're always talking about local control is very important. Local control is what I hear all the time. So let me share this, my definition of local control. It is the voters that have the control. That's local control. But we don't give them that opportunity sometimes. They circumvent or find a loophole and they do whatever they want. Senator Wayne also said we implement and pass statutes and they never get implemented, which is true, but we also pass things and put them into action and they may never go on review if they've accomplished their purpose, and I believe that's what has happened with the ESUs. They're out of control. So if I was to say I was in favor of the ESUs, that would be an understatement. I think the ESUs are very similar to the learning community, and maybe we need to

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review those and see if we need to continue under the current system we have with the ESUs. So I'll be voting in favor of LB299. I think you need to listen to the people when they vote on an issue and they've given you the direction they want to go, and you circumvent what they've decided is a bad situation. Thank you.

ARCH: Senator Conrad, you are recognized to speak.

CONRAD: Thank you, Mr. President. And good morning, colleagues. I rise in support of the measure that Senator Linehan is bringing forward today and voted it out of committee as well. It was definitely a very interesting and meaningful hearing at the Education Committee, which I'm definitely learning a lot as a new member of that committee and really appreciate the opportunity to embrace lifelong learning and go deeper on a lot of our key issues impacting the state that come through the Education Committee. And I just wanted to dovetail on Senator Dorn and Brandt's points and talk about there's no doubt that there was a great deal of sincerity and thoughtfulness and caring and a, a very earnest approach that stakeholders in the Beatrice community utilized to try to utilize all the tools within their power to enhance and update their facilities for, for their educational community. And they provided a very compelling and, and thoughtful kind of overview of that history and those efforts at the Education Committee, which I think definitely help to inform the process. I think, to Senator Linehan's point, and if you look at the committee statement itself, it's a, a pretty interesting, very diverse set of stakeholders that came in to talk about these issues. And as Senator Cavanaugh noted earlier and Senator Linehan has mentioned many times, at the heart of this measure is centering the will of the people and being respective-- respectful to the decision making and the votes of the people on key issues, whether that be bond issues or citizen initiatives or otherwise. I know we'll have some more, some more discussion about how to facilitate the will of the people when it comes to things like the minimum wage increase or the voter ID proposal, and I just want us to kind of take a pause or a moment to kind of reflect and think about the thoughtfulness in this approach in this specific proposal that centers the will of the people, that ensures more accountability and more transparency and is respectful to the taxpayers at, at the end of the day, at, at the heart of this measure. So I, I think that it's really important policy from a variety of different perspectives. And again, perhaps not a bill that's going to grab a lot of headlines, but, wow, look at the consensus. Look at the common ground coming together across the political spectrum, across geographies, working on this important measure, and I really want to commend Senator Linehan for her

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leadership in that regard. The final piece that I'll note is I do have some general concerns about how joint public agencies are being utilized in Nebraska. I think at the heart of that policy option, there are some efficiencies to be gained, there's some collaborative synergies to be gained between different entities of government coming together to pool resources and ideas. However, I do think we have to be thoughtful and watchful about a lack of accountability and transparency when those kinds of JPAs are formed together. And I know that it was done in good faith in our home community of Lincoln to try and address school needs and school safety needs. But the formation between the city of Lincoln and the Lincoln public schools in a JPA to support an expansion of police in our schools in this community has also been very controversial and it's been very challenging for citizens to know exactly what entity of government to work with--

ARCH: One minute.

CONRAD: --in addressing those measures-- thank you, Mr. President-- because now you have kind of the schools pointing at the city and kind of the city pointing at the schools and this JPA in the middle, and it just perhaps adds a layer of confusion or a lack of accountability when there might be some otherwise, particularly as the other two entities of government have elected leaders. So I thank Senator Linehan for bringing forward the measure. I think it centers the will of the people appropriately and it helps to rise onto our horizon kind of how JPAs are working in Nebraska and, and assess whether or not there needs to be any changes to those structurally moving forward. Thank you, Mr. President.

ARCH: Thank you. Seeing no one left in the queue, Senator Linehan, you're welcome to close on LB299. Senator Linehan waives closing. Question before the body is the advancement of LB299 to E&R Initial. All those in favor vote aye; opposed, nay. Has everyone voted who wishes to vote? Mr. Clerk, please record.

ASSISTANT CLERK: 38 ayes, 0 nays on the motion to advance the bill.

ARCH: The motion passes. Senator Brewer would like to welcome some members of the Community College Association seated in the north balcony. Please rise and be welcomed by the Nebraska Legislature. Mr. Clerk, next item.

ASSISTANT CLERK: Mr. President, next bill: LB146, offered by Senator Kauth. It's a bill for an act relating to revenue and taxation; to change provisions relating to improvements on leased lands and methods

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for giving notice; and to repeal the original sections. This bill was introduced on January 9, referred to the Revenue Committee, placed on General File with no committee amendments.

ARCH: Senator Kauth, you're welcome to open.

KAUTH: Thank you very much. Good morning, colleagues. I'm here to introduce LB146. This changes provisions to improvements on leased lands and the methods used to give notice. It's very much a cleanup bill. We're changing the notification of timing on improvements made from "before March 1" to "on or before March 1." Apparently, people were getting caught on the March 1st date and missing their deadline. And it also gives written permission by the taxpayer for the Tax Commissioner to give notice by email, so we're actually bringing it into the 21st century. That's-- that is the entirety of this bill. So any questions?

ARCH: Thank you, Senator Kauth. Mr. Clerk, for a motion.

ASSISTANT CLERK: Thank you, Mr. President. Senator Machaela Cavanaugh would move to bracket the bill until February 24.

ARCH: Senator Machaela Cavanaugh, you're welcome to open on your motion.

M. CAVANAUGH: Thank you, Mr. President. Colleagues, I picked an arbitrary day because this is arbitrary. This is what you should have been annoyed about. So now I'm slowing things down. Now I'm messing with the bills on the agenda. See, there's a difference: substantive debate, purposely slowing things down. I am purposely slowing things down. Why on this bill? Frankly, because I don't care about this bill, so I may as well take time on it and the next bill and the next. We're flying through the worksheet order and there's things coming up on the worksheet order that I don't want to get to. And as a result, I'm going to slow us down because, if we get two things on the worksheet order, they don't have to have a priority, which means that everyone in here gets to save their priority for something else. And there's a lot of bad things in the hopper, so I don't want you to be able to save your priority so that you can pass quickly technical bills and then prioritize mean. So this is an attempt to stop you from prioritizing mean, which frankly is being distributed around the Chamber and going to be executed on today. It's, it's tough. It's tough. I feel like I'm in a really tough space right now and that I have to sit through discussion again about legislation that is mean. And it doesn't even have a priority, and it's going to come out of my

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committee today, Senator Kauth's bill. It hurts children. It hurts children. It hurts people I love. It makes me sad to just fly through things, to fly through Senator Kauth's bills like it means nothing, like it's OK. And it's not OK. It's not OK to legislate mean. It's not OK to hurt children. It is not the job of this body. And I'm just going to keep on fighting. I'm just going to keep on fighting for those kids, for our kids, for my kids, for your kids. I don't even know what this bill does. I don't really care what this bill does. I don't care if you vote to bracket it or don't vote to bracket it, if I did a call of the house and it failed or didn't fail. I'm just taking time because I can. And for my first two years I sat in this Chamber-- I actually sat in Senator Day's seat-- and I watched Senator Chambers. And I had my rule book out all the time. The former Clerk disclosed once that the rule book is a bright color-- every year it's a bright color because he wanted to see who was reading the rule book. Yeah, Carol's, Carol's nodding at me. She gets it. And, and I was-- I've always been reading the rule book. I still read the rule book. You'd think I'd have the thing memorized by now, but I don't. And, and I watched Senator Chambers and I watched how he would handle disrespect in this Chamber. And I wish I could be as elegant, as graceful as he was at doing it. I don't have the same ability as him. I have the ability to use the rules, but he used it in a way that is unmatched and will remain unmatched, even though I try my best some days. But I just-- I, I'm real curious as to how this particular Legislature would react to his way of doing things, because you really don't seem to appreciate doing work and you don't appreciate doing strong public policy and you don't appreciate being kind to one another, being kind to Nebraskans. I'm, I'm a politician. We're all politicians. Of course I'm a politician. I ran for office twice and got elected twice. I'm here. I'm a politician. But one thing I'm really bad at is pretending. I'm really bad at pretending to be tolerant of hate. I'm really bad at pretending to be friendly with people who are hurting people that I care about. And so I don't really do it. It's probably ingrained in me to just smile and say hello to people or ask them how they're doing when in reality I want to turn my back on you. And that's what I want to do right now. I want to turn my back on the person that is hurting children in Nebraska, people that I love, people that I don't even know. But I still have to show up here every day. I still have to do this job because it's important. I still have to show up for those kids so that they don't get hurt by people that are elected to protect them. Today is going to be hard. This afternoon is going to be really hard. I don't know how the senators that have been on the Judiciary Committee have done it. It's going to be really hard. It's going to be really hard to sit with four men while they vote to take away my

rights and they vote to take away my children's rights. And I know that it's going to happen. We all know that it's going to happen, but it hurts nonetheless. Knowing that the pain is coming doesn't make the pain less painful. I had a reporter come up to me this morning knowing that we were going to eExec on the abortion ban, and she asked me if Senator Albrecht or her office ever followed up with me with any of the questions that she refused to answer during the committee hearing. And I actually-- I laughed. I was like, of course she didn't. I didn't even have an expectation that she would. She doesn't care. She does not care about facts, the truth, even going through the process of informing the committee of their concerns and questions around the integrity of legislation. She does not care. She doesn't have to. She has the votes, Right? Right, Senator Erdman? She has the votes. She doesn't have to care. You don't have to care. You've got the votes. You don't have to do anything right. You don't have to be kind or pleasant because you've got the votes, and all you have to care about is the fact that you can do whatever terrible thing you want to do because you have got the votes. And that is your prerogative. And it is my prerogative to stand up here every day and remind Nebraska that you are doing something terrible purely because you can, just because you can. I'm sorry, Nebraska, but elections matter. And I hope, I hope this legislation's-- legislative session is a lesson to the people of Nebraska that elections matter and that you sent people here that maybe you thought they were going to do what they're doing, or maybe you thought they were going to honor campaign promises around taxes and that they were just speaking rhetoric to get votes and that they weren't actually going to do all of this red meat stuff. I don't know what you thought, but you sent these people here and the repercussions are going to be grave and they're going to impact--

ARCH: One minute.

M. CAVANAUGH: --generations, and we're going to see an exodus of children, youth, families. It is tough. Gosh, it is really tough. I wanted to stay home today, but I can't because I gotta sit in the room while four men decide my future, my children's future and send it out to this Chamber for a bunch of people that can do whatever they want just because they can. Not even going to read the bill. Not going to read any of the opposition. Not going to listen to any of the professionals or experts. You're going to listen to the people who refuse to answer opposition's questions and come to consensus on absolutely anything just because they can. I'm assuming I'm almost out of time, so I'll get back in the queue.

ARCH: Senator Conrad, you are recognized to speak.

CONRAD: Thank you, Mr. President. And good morning, colleagues. We're almost at the conclusion of our time together this morning before we head into committee hearings, Executive Sessions and our afternoon work together. And I know that has weighed very heavily on Senator Cavanaugh and others' hearts and heads as they're preparing for their agenda today. And I heard just a, a few rumblings off mic about, oh, my goodness gracious, this, this-- why is Senator Cavanaugh bringing up these, these issues and these divisive measures that Senator Kauth has brought forward on this bill, which is, you know, essentially kind of a technical tax cleanup kind of related bill. And I, I just want the record to reflect, and Senator Hunt talked about this a little bit earlier, Senator Kauth has drawn our attention to her divisive bills this morning. Not only are they up in Executive Committee later today in the Health and Human Services Committee, but Senator Kauth has passed out information and materials and articles twice this morning, the first time because there was a copying error, which, of course, happens to us all. But Senator Kauth has drawn our attention to anti-trans bills this morning, both in regards to the human rights abuses that would come with denying young people access to medical care in consultation with their, their parents and, and their medical provider and then, you know, perhaps some of those implications when it comes to the ability of young people to participate in extracurricular activities, which are pending in other committees, which have yet to be set for an Executive Session. So I, I do want to just note that for the record and in support of Senator Cavanaugh's comments here because I was looking at the bills, preparing for today, and didn't see any reason to draw any additional attention to Senator Kauth's measures because they're straightforward tax, kind of, technical cleanup bills. Senator Kauth has asked the body to draw their attention to anti-trans legislation this morning by passing out these measures. Thank you, Mr. President.

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

M. CAVANAUGH: Thank you, Mr. President. Thank you, Senator Conrad. Yes, our actions have consequences. Yes, if you are distributing materials on the floor of the Legislature that you want your colleagues to look at on a particular topic, then you are opening up the conversation to that topic. So I'm sure no one will be upset with Senator Kauth for passing that out. They will be upset with Senator Cavanaugh for talking about something important. I-- gosh, the hearing on LB626, oh, that was brutal. That was brutal. Brutal. And I just dreaded it, prepared for it. It was hard. It had nothing on LB574. LB574 is going to take me a long time to recover from. I don't know if

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it's just that I'm used to pretty much a lifetime of politicians trying to take away my individual rights that LB626 was brutal but, you know, I could handle it. LB574 just attacked children. It just attacked children. It was just hurtful and mean. And children came and they yelled at me afterwards. They were mad at me because I asked too many questions. And because I asked too many questions of some of the speakers, they didn't get to testify. They were hurting. They were angry. They were scared. They were hurting. And it was because the adults in the room were doing it to them. And it really makes me kind of sick to my stomach to think that, just by association, just by being in the State Legislature, I'm hurting these kids. My kids ask me a lot about what's happening here, what bills are happening and, you know, I try to fill them in to some degree. And I'm so grateful that they were asleep when I got home from LB574. So grateful. Because there was no way I could hide my broken heart. There was no way. And my, my, my kiddos, they're inquisitive and they, they can tell and they won't let up, and they'll just keep asking me to tell them what's going on, what was the bill, what was it about, what happened. And I just couldn't face that because I couldn't have them think that my job, anything to do with my job, would hurt children. When LB376 passed last year, the family support waiver-- both of my oldest kids have friends in their class who have developmental disabilities, and when that bill passed, they were really proud of me. And I don't want them ever to not feel proud of the work that I'm doing or the work of the Legislature. I want my kids to be proud of the Legislature. I want them to be proud of how we are helping vulnerable children and not how we are hurting them. I'm just going to keep opposing Senator Kauth's bills because I don't think she understands what it means to be a legislator. I don't think she understands what it means to stand up for Nebraskans.

ARCH: One minute.

M. CAVANAUGH: And I'm sure these bills will get 33 votes, 40 votes, 48 votes. I don't know. Everybody will just vote for them. That's what you all do. Democrats and Republicans, everybody just votes for things on General File without paying attention, without any thought, without caring about the implications about the person behind it all. I think I have a close next, so I'll just leave it for a moment.

ARCH: Thank you, Senator Cavanaugh. And seeing no one in the queue, Senator Cavanaugh, you're welcome to close.

M. CAVANAUGH: Thank you, Mr. President. Someday, those of you that can do just because you can, just because you have the votes, someday you

will find that you are on the receiving end of just because I can, just because I have the votes. Someday, people you care about are going to be hurt, people you care about are going to die by suicide because of actions of this body because they feel that their government cares more about playing into political talking points than valuing them. This is a depressing place. I came here with hopes, great hopes. And frankly, my first two years, I, I achieved some great things, things that I'm very proud of. A bill I passed my freshman year that Senator Robert Hilkemann used his personal priority for. A Republican, conservative senator used his personal priority for one of my bills. And to this day, almost five years later, it is still probably the most significant thing I have done. And I accomplished it because of bipartisanship, thoughtfulness, dedication to the people of Nebraska. So thanks again, Senator Hilkemann. I am forever indebted to you. And the victims of domestic and sexual violence are forever indebted to you as well. It immediately changed people's lives, and he recognized that. And it didn't matter that it was my bill. It mattered that it was a good bill. I'd say we've lost our way, but I don't think this body has a way. So we'll go to a vote on whatever this is. And I have a bracket motion on the next one. And I don't know if we'll take up the next one or what we'll do because it's 20 to 12:00 and I plan on taking time on that. And we'll vote on my bracket motion now. And then I'll probably talk on the underlying bill for a little bit. And we'll just see when we decide to adjourn, what we get accomplished. But I'm going to talk about what I'm talking about, and I frankly don't care if the people in this Chamber are annoyed by it. You can make motions, strike the record, whatever. Read the rule book first before you do this. I highly recommend actually understanding the rules. But I don't care. I don't care about staying on topic right now. I just care about burning time, so that's what I'm gonna do. I'm gonna burn time. I think perhaps next I'll, I'll discuss Lent and the penance that is to be Lent. I, for one, feel like I am in perpetual penance right now. And I tried to explain Lent to my kids last night. I'm Catholic, raised Catholic, went to Catholic school.

ARCH: One minute.

M. CAVANAUGH: Thank you. My children are all baptized Catholic, but-- and we belong to a parish, but we're not super active in it and they don't go to religious classes, something my spouse and I have discussed and discussed and discussed and thought about doing. And I will continue this on my next time on the microphone. We're going to vote on this. I am going to spare the body from a call of the house because I, I just don't think we need to have that painful lesson of how everyone despises Senator Machaela Cavanaugh and has no respect

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for me, so I'll just let you vote against my bracket motion and we'll move on to the underlying bill. Thank you.

ARCH: Colleagues, the question before the body is the adoption of MO34, bracket until February 24, '23. All those in favor vote aye; opposed, nay. Have all those voted who wish to vote? Mr. Clerk, please record.

ASSISTANT CLERK: 5 ayes, 27 nays on the motion to bracket, Mr. President.

ARCH: The motion fails. Senator Kauth, you are welcome to close on LB146. Oh, I'm sorry, Senator Cavanaugh, you're recognized to speak.

M. CAVANAUGH: Thank you, Mr. President. Colleagues, that was a fun red board. You're welcome for not having another call of the house. But I do appreciate so many people showing up to vote against me. Makes me feel seen. I'm trying to pull up the shared drive from HHS, those committee hearings. Senator Hunt had passed out this article that talks about committee hearings. I haven't actually had a chance to read the article. I assume it's not just about the HHS hearings but also about-- yep, Education and HHS at the center. Yeah, I know. I mean, I'm not a committee Chair, so I, I know that I don't know how hard it is to schedule these sorts of hearings and how to handle it. I did see Senator-- former Senator Laura Ebke had posted some-- something about it on her-- I think it was her Twitter page and sitting through Judiciary hearings and how long those would go. I appreciate the dilemma of trying to balance allowing both proponents and opponents to have time-- pardon me-- time to, to speak and trying to be equitable in that time. I just-- sometimes it's not equitable. When you have 100 proponents and you have 300 opponents, then they don't deserve equal time. Or vice versa, you have 300 supporters and 100 opponents. They don't deserve equal time. Your time shouldn't be confined to whether you support or oppose a bill, but that you're a citizen showing up to testify. I apologize. I need to take another lozenge. I'm sure the body would be greatly disappointed if I lost my voice, but I have hot tea too. Don't worry. So, so I appreciate Senator Hunt for passing that out. I appreciate former-Senator Laura Ebke for sharing her thoughts on it as well on Twitter. I think I think-- and this is to former senators-- I think you have a responsibility to Nebraska to speak up about process, about the institution. I know many are watching what's happening in here. Many are lobbyists. I think it would be helpful for Nebraska to hear from people who were here in a less toxic time about how things should be. I cannot imagine working in a business environment and people behaving

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the way that they're behaving. I just-- I think a lot of people would have been fired. But, you know, I thought a lot of the people in here were business people, so it's interesting how, how some of them are successful in a business when they conduct themselves with--

ARCH: One minute.

M. CAVANAUGH: --such a low standard of expectation in behavior for themselves. I'm going to take a break and grab a lozenge. I see somebody else is in the queue, so I will be back in the queue.

ARCH: Senator Hunt, you are recognized.

HUNT: Thank you, Speaker Arch. I, I don't mean to take time. And my goal isn't to take time or waste time but to talk about substantive matters on the record relating to the bills that we're discussing and the issues that we have coming before us at hand in the Legislature. One thing I wanted to speak about today was a Lancaster County GOP event happening tomorrow where Charlie Kirk, the leader of Turning Point USA, will be coming and speaking. Turning Point USA is a Christian nationalist organization. And one thing that Charlie Kirk is working on right now in Arizona is a series of private schools that are, like, Turning Point USA academies. I think they're called Christian dream academies or something like that. And it's because they have these private school voucher programs. They have the public funding of private schools in Arizona, that he's able to do things like that. We're likely to have Senator Linehan's "public funding for private schools that discriminate" bill coming up soon in the Legislature-- if not this week, probably next week-- as that bill does have a priority. And this is exactly the thing I'm talking about. It's the normalization of having, you know, a guy like Charlie Kirk, who has said horrible things about fellow Americans, about the LGBTQ community. Some things he said are just outright inciting violence about trans people. He's called for violence against them, saying trans people should be dealt with like men did in the '50s and '60s, calling for the lynching of trans people and many other things. I mean, you can do your own googling and find all kinds of things about the hateful statements that he has made that the GOP is standing behind by inviting him to speak at their convention in Lancaster County. This is the creep that I'm talking about. This is the creep of not political ideology, but religious supremacy. And Senator Kauth brought this up herself by distributing these, you know, religious-based, not-based-on-any-science information today about her hatred of trans youth and LGBTQ youth. I think it's-- speaks volumes, the silence on the floor today. Senator Cavanaugh has, has her own

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motives. You know, I don't necessarily share those. We all have our own, our own purposes and reasons for saying the things that we say and what we're trying to accomplish here on the floor. But I think that some of you ought to defend the things that you're doing. You're hanging your heads in shame either knowing that you just have to get through this so you can go to your free lobbyist lunch or that you are ashamed of what you're doing. Because if you're proud of your-- what you're doing, none of you are standing up and saying so. Senator Kauth hasn't put her light on. She'd like to waive closing because she'd like to get off the mic as soon as possible and not be accountable for any of the things that she's doing because she knows that she has the votes to do it. That's what's really cowardly. Thank you, Mr. President.

ARCH: Senator Machaela Cavanaugh, you are recognized.

M. CAVANAUGH: Thank you, Mr. President. Whether you intended to or not, thank you, Senator Hunt, for giving me time to find a lozenge. Didn't quite get rid of my cough, but it helps a little. So I'm just going to read this testimony from LB574. I'm writing as a parent and pediatrician in opposition to LB574 to adopt the Let Them Grow Act. I've been a pediatrician for 20 years, practicing in Omaha for 14. I've been a parent for 15 years, raising my three children in Nebraska for most of those. I routinely-- routinely take care of adolescent patients in the hospital who have attempted suicide and/or self-harm and cite gender dysmorphia-- dysphoria as a factor. The American Academy of Pediatrics, the national organization to which most pediatricians belong and whose guidance is quite reputable, is in clear support of gender-affirming care, which includes providing youth with access to comprehensive gender-affirming and developmentally appropriate healthcare. This includes access to hormone blockers and hormone treatment in consultation with trained medical and mental health professionals. I'm also the parent of a 15-year-old who has been experiencing gender dysmorphia-- dysphoria, sorry, for the past couple of years. After many months of silence, self-isolation, severe weight loss and self-harm, my child was brave enough to tell us about their gender identification struggles. We have moved to gender-neutral pronouns and a new name, found a great therapist and child psychiatrist and meet with them both regularly, and have begun the process of securing an appointment with a physician who can outline all the medical options available. State-based legislation which would prohibit local physicians from being able to prescribe evidence-based treatment is highly concerning to me on both a personal and professional level. I have seen firsthand many times, at work and now also at home, the serious consequences that these vulnerable youth

face when they feel unsupported or unaccepted. Prohibiting access to care that is supported by multiple national medical organizations and is evidence-based singles out a group of Nebraska citizens and is wrong. My child is witty, creative, intelligent and fragile. We have come a long way over the past year, but this bill threatens to negate that progress. Being able to seek appropriate medical care, care that does not impact anyone else, should be a basic right for every Nebraska citizen. I took that one from the-- sort of the end of the testimony, I think. It says part three of the testimony. There's hundreds of pages of testimony. Senator-- Chair Hansen, members of the Health and Human Services Committee, I'm here before you as an inpatient pediatrician-- I'm gonna get in the queue-- pediatrician who has been in practice for over 10 years and as a member of the Nebraska chapter of the American Academy of Pediatrics to share my experience and perspective in opposition to the Let Them Grow Act in LB574. I have cared for a large number of children, predominantly teenagers, who have ceased being able to cope with maltreatments or mental health problems and, therefore, attempted to take their own life. I unfortunately see the ones that survive their ingestion, drowning, hanging, but not all do. I remember this testimony. Whew.

ARCH: One minute.

M. CAVANAUGH: I'm actually going to hit pause on this one because I couldn't-- I think you get the point. Kids are dying. Kids are dying because of conversations they hear about their identity, about who they are, about their self-worth. I challenge you, colleagues. I challenge you. Those of you that observe Lent as I do, I challenge you to reflect on your own values, to take penance and consider your actions. I challenge you.

ARCH: Time, Senator. Senator Cavanaugh, you're recognized for your next opportunity. And this is your third time.

M. CAVANAUGH: Thank you. I challenge you to consider what this means and if this is really who we are. Is it our jobs to legislate hate or is it our jobs to legislate tax policy and programs? I love talking about tax policy. I also love paying attention to fiscal notes and making sure that we are being good stewards of taxpayer dollars. I had a conversation with one of my colleagues about the impact that sitting next to Senator Riepe has had on me in HHS. And we chat about fiscal notes. Don't worry, Senator Riepe. It's good. It's positive. We chat about fiscal notes a lot. He calls me a fiscal hawk because I'm always reading the fiscal notes pretty detailed. And there were two bills that have come in front of the committee that I instantly liked, bills

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that definitely should have been reference to Appropriations, but, hey, here we are. And I instantly liked both of them. And Senator Riepe asked questions. And I could tell that he liked, like, the merits of what these bills were trying to do as well. But we have to be stewards of the taxpayer dollars. And just because we like the merits of the program or the activity or project, does that mean that those merits equal government dollars? And I, I appreciate that. I appreciate the learning experience and having me put pause on my own, like, instinct to be like, well, this is a great idea. We should totally do this, and think through the broader picture. I give this story, this example because I hope that others in this body that view things differently than me would actually take care-- or thing-- view things differently than Senator Hunt or Senator Conrad, which I view things differently, as Senator Hunt said. We don't view things the same all the time. Senator John Cavanaugh and I have disagreements regularly, usually on our car commute. We think-- we approach things differently. We think through things differently. I'm always learning from him, taking a new perspective, taking a step back. And I challenge everyone else in this body to do the same thing, to-- don't just vote against the call of the house. Don't just vote for something. Don't just vote against something. Look at it. Study it. Think about it on your own. Read the committee statement. Read the fiscal note. Make a decision. I am possibly done for today. If we move on to the next bill, then I will get back up. But if this is the last bill, then I am done for today and I'm going to drink some hot tea. Thank you, Mr. President.

ARCH: Seeing no one left in the queue, Senator Kauth, you are welcome to close on LB146. Senator Kauth waives close. Colleagues, the question before the body is the advancement of LB146 to E&R Initial. All those in favor vote aye; opposed, nay. Has everyone voted who wished to vote? Mr. Clerk, please record.

ASSISTANT CLERK: 31 ayes, 0 nays on the motion to advance the bill, Mr. President.

ARCH: LB146 advances. Mr. Clerk, for announcements.

ASSISTANT CLERK: Thank you, Mr. President. Amendment to be printed from Senator McKinney to LB530. A motion on LB147 from Senator Machaela Cavanaugh. Name adds: Senator Blood to LB140; Senator Sanders to LB274; Senator DeBoer to LB298; Senator Briese to LB562; Senator Aguilar to LR39; Senator Raybould to LR40. An announcement that the Government Committee will be holding an Executive Session this Thursday following their afternoon hearing. And finally, Mr.

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President, a priority motion. Senator Holdcroft would move to adjourn until Thursday, February 23, 2023, at 9:00 a.m.

ARCH: Senators, you have heard the motion to adjourn. All those in favor say aye. Opposed, nay. We are adjourned.