

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate March 23, 2023

**KELLY:** Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the forty-ninth day of the One Hundred Eighth Legislative Session, First Session. Our chaplain for today is Pastor Jim Haack, Beautiful Savior Lutheran Church, La Vista, in Speaker Arch's District. Please rise.

**PASTOR JIM HAACK:** Please join me in prayer. Almighty, Sovereign Lord, we give you thanks for your mercies which are new every morning. In your wisdom, you established civil government for the ordering of society that we may carry out our vocations for the benefit of our neighbors and ourselves. Grant to this legislative body godly wisdom and a spirit of humble service for the greater good of the people of Nebraska. Guide and direct us to be good stewards of your material blessings. Keep us safe and secure from all harm and danger and move us to obey the authorities you place over us at all levels that we may abide in peace. I pray these things in the name of Jesus Christ, your Son, our Lord. Amen.

**KELLY:** I recognize Senator Ibach for the Pledge of Allegiance.

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

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

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

**KELLY:** Thank you. Are there any corrections for the Journal?

**CLERK:** I have no corrections this morning.

**KELLY:** Are there any messages, reports or announcements?

**CLERK:** There are, Mr. President. Amendments to be printed from Senator Geist to LB61. Additionally, Senator Geist to, or, excuse me, Senator Dover to LB720. And a new LR: LR70 from Senator Sanders. That will be laid over. That's all I have at this time, Mr. President.

**KELLY:** Thank you, Mr. Clerk. Our physician of the day is Dr. Daniel Rosenquist from Senator Moser's district. Please stand and be recognized by your Nebraska Legislature. Senator Sanders announces a

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Floor Debate March 23, 2023

guest under the south balcony, Raiyah Nader from Bellevue, who attends Gross High School. Please stand and be recognized. Mr. Clerk, for items.

**CLERK:** Mr. President, the first item on the agenda: LB574, introduced by Senator Kauth. It's a bill for an act relating to public health and welfare, amend Sections 38-179, adopts the Let Them Grow Act, harmonize provisions, provides an operative date, provides for severability and repeals the original section. The bill was read for the first time on January 17 of this year and referred to the Health and Human Services Committee. That committee placed the bill on General File with no committee amendments. There are other amendments and motions pending, Mr. President.

**KELLY:** Thank you, Mr. Clerk. Senator Kauth, you are recognized for a one-minute refresh.

**KAUTH:** Thank you very much, Mr. President. In response to the question raised yesterday about the Swedish Board of Health, this is a summary of the article that was cited. The summary that follows in the introductory chapter described the updated recommendations of puberty suppression with GnRH analogs and gender-affirming hormonal treatment have become more restrictive compared to 2015. New recommendations entail a larger proportion than before among adolescents with gender incongruence referred for diagnostic assessment of gender dysphoria will need to be offered other care than hormonal treatments. For adolescents with gender incongruence, the NBHW deems that the risks of puberty suppressing treatment with GnRH analogs and gender-affirming hormonal treatment currently outweigh the possible benefits. Treatments should be offered only in exceptional cases. This judgment is based mainly on three factors: continued lack of reliable scientific evidence concerning the efficacy and the safety of both treatments, the new knowledge that detransition occurs among young adults and the uncertainty that follows from the yet unexplained increase in the number of care seekers, an increase particularly large among adolescents who are female.

**KELLY:** That's your time, Senator.

**KAUTH:** Thank you.

**KELLY:** Mr. Clerk, motions.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate March 23, 2023

**CLERK:** Mr. President, pending is a recommit motion from Senator Machaela Cavanaugh. Additionally, there's a priority motion. Senator Machaela Cavanaugh would move to bracket the bill until June 1, 2023.

**KELLY:** Senator Machaela Cavanaugh, you are recognized to open on your motion.

**M. CAVANAUGH:** On my bracket motion?

**KELLY:** Yes, your bracket.

**M. CAVANAUGH:** Yes. OK, thank you. Good morning, colleagues. OK. So yesterday, our colleague, Senator Hunt, shared something deeply personal and very much germane to this conversation. I'm grateful to her for doing such and for honoring us with that. I don't feel like she was honored back by the conversation that happened after that. I don't feel like the people that this bill impacts were honored by the conversation that happened. There was not substantive conversation about this bill. There were a series of senators who were handed articles and fake studies to read into the microphone to stop others who actually wanted to discuss the bill and answer the questions, questions posed by Senator Jana Hughes. No one could answer those questions because people were busy reading articles into the microphone. We have not had a substantive debate of LB574. So today we're going to. If you have already made up your mind and you have no interest in having a substantive debate, go sit in the lounge, do some online shopping, whatever you want. You're not talking today. You're not talking today. I'm taking back this conversation, and it starts now. From this moment forward, we're going to talk about this bill. We're going to talk about the people this bill impacts. We're going to talk about the practicality and impracticality of this bill. We're going to talk about the legal questions of this bill. We're going to talk about LB574. We're going to have a substantive debate about LB574. And if you're not here for that, come back at 11-- probably 11:30 or so and take your vote. You're trying to legislate hate. And yesterday, all you did was block people from having a substantive debate. People are trying to blame me for the outcome of today. I do not have control over your fingers. I do not have control over your buttons. Vote for it or don't vote for it. The senators that keep saying that they're voting for it because of the amendment, the amendment is not happening. The amendment is not happening. It will not happen. That is my personal guarantee, Senator Brandt, Senator Dorn, Senator Ibach, Senator Hughes, Senator Jacobson and Senator Kauth, who I don't think wants the amendment to happen. It's not happening. You want to vote for this, you vote for this. It's not my

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate March 23, 2023

fault if you vote for LB574. You are all grownups who were elected by your electorate. You stand up and you do what you think you need to do. You vote for what you believe in voting for. You are responsible for your vote. You are responsible for how you treat your colleague, Senator Hunt, and whether or not you support taking away her parental rights. Not a single person in this room can pretend like they don't know what they're doing now. You vote for LB574, you're voting to take away parental rights from one of your colleagues. Maybe more than one of your colleagues, but you know for certain one. How many is it enough? I withdraw my motion.

**KELLY:** Motion is withdrawn. Mr. Clerk, for motions.

**CLERK:** Mr. President, Senator Conrad would move to bracket LB574 until May 2, 2023.

**KELLY:** Senator Machaela Cavanaugh, you're recog-- excuse me. Senator Conrad, you're recognized to open.

**CONRAD:** Thank you, Mr. President. And good morning, colleagues. This morning, I rise as a mom, as a civil rights attorney and as a state senator to help make our closing arguments as we prepare for a decisive vote in a few hours on this radical measure, which is LB574. We all bring different lenses to our work in doing the people's work, and these are the lenses that I rely upon most heavily when deciding how to cast my vote impacting the present and future of my Nebraska constituents and the state as a whole. As a mom, that experience, which has been the greatest joy of my life, to watch my children grow, to be a part of that experience, to watch their magical development, I know in my heart I would do anything to save my child's life. If they came to me and I worked closely with doctors and psychologists to find the right path to save their life, I would do anything to save my life-- their life. And I know many, many of you parents in this body would do the exact same. That's what moms and dads across Nebraska have been sharing with us in tearful conversations, in lengthy emails, in office visits, saying, please don't use the power of the state to stop me from trying to save my child's life. We're not political. We're trying to maintain our family. We're trying to preserve our children. As a mom, I teach my kids to have empathy for others that maybe we don't understand or even agree with, but to have empathy to know that we can't walk in another's shoes, we can't walk in another family's shoes. So how do we provide love and support and bring an open heart and an open mind when we're in those challenging times that perhaps we don't understand or perhaps we disagree with? Use that same experience that I know each of you have and share deeply with your

colleagues and in your communities. Draw upon that well of empathy. Extend that to your Nebraska neighbors who deserve it and who have asked for it and know that you would want the same extended to you if you were walking that journey. Think carefully from that same moral code, that same well of empathy and kindness, why so many of you support this measure, say hateful things on the mike, but yet feel the need to then run to your colleagues like Senator Fredrickson and Senator Hunt and say, but we're still friends, right? But we're still friends, right? The desire to appear Nebraska nice or to be friends is, is telling you something. Your conscience is telling you something there. So back that up, that niceness, that empathy, that goodwill, that desire to be friendly to your colleagues, back that up with your actions. Don't just leave it as a hollow word. As a mom, I know if my family needed medical care that we have some of the best medical providers in the country. This is a pride of all Nebraska. The healthcare providers we have across Nebraska do incredible lifesaving, pathbreaking work, including providing transgender-affirming care for Nebraskans that need it. And think really carefully, colleagues. And look at the committee statement. If your child were in need of medical care, would you go to Gays Against Aroomers, The Family Research Council, the Nebraska Catholic Conference, the Nebraska Family Alliance, the Nebraskans for Founders Values, the Nebraska Eagle Forum and other individuals who are the people, the only people on record as the committee supporting this bill? Or would you seek advice and guidance from those that oppose this measure: the American College of OB-GYNs, the Nebraska Medical Association, the Nebraska Psychological Association, Kindred Psychology, One World Community Health Center, the Nebraska Chapter at American Academy of Pediatrics, the Nebraska Chapter of the Nebra-- National Association of Social Workers, the Nebraska Nurses Association, Freeman Psychotherapy and a host of individuals? That tells you all you need to know. Do your work. Do your due diligence and follow your heart as you would as a parent. Additionally, the other lens that I bring to this work is that of a civil rights attorney. I've spent my career working to advance the human rights and civil rights of all Nebraskans against government overreach and against a tyranny of the majority. And when our better angels are not heeded, our Constitution and our legal framework helps to reset the balance. And what our Bill of Rights tells us is that against a tyranny of majority, there are individual rights that cannot be and should not be impeded because they belong to the people. Those include the First Amendment. Senator Kauth's bill we're voting on today, LB574, prohibits referrals. That is a gag law. That is a gag law on Nebraska doctors, healthcare professionals, nurses. It is a gag law that is legally suspect and is found unconstitutional in a host of

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Floor Debate March 23, 2023

other contexts. Senator Kauth's bill, LB574, as written denies gender-affirming care, which implicates the nondiscrimination provisions of the Medicaid program and law and risks funding and federal intervention if that were to happen, as has happened in our sister states that have passed identical or nearly identical measures. These are not academic considerations. These have happened. Heed the experience from these great laboratories of democracy in our sister states and take the cautionary tale to heart, do not commit our state to a path that risks Medicaid funding and costly, lengthy civil rights litigation that you don't pick up, but your taxpayers will pick up the bill for. These measures, LB574 included, violate equal protection. The law is clear. You cannot discriminate against a certain class of people on the basis of gender. Gender includes sexual orientation and gender identity. You may disagree with that, but that is the law. You took an oath to uphold the law even when it's hard, even when you may personally disagree with it. To honor your oath, you need to honor the fact that all Nebraskans are entitled to equal protection.

**KELLY:** One minute.

**CONRAD:** It also-- thank you, Mr. President. --violates due process, fundamental rights to family to chart the course of medical decision making for their families. We'll talk more about that later. Any one of you can have a profile in courage moment today. You can be present, not voting or vote no, because this shouldn't be the hill to die on. It puts at risk property tax relief. It puts at risk ARPA decisions. It puts at risk workforce development. It puts at risk our budget. It puts at risk everything before this body. Come here and do what you wanted to do. Fight for education or healthcare or workforce or housing or tax relief. Do that. Do that. And vote present or not voting. If one single thing that said in this debate today or at any time causes you a scintilla of hesitation, you have to be present, not voting or vote no, period.

**KELLY:** That's your time, Senator.

**CONRAD:** Thank you, Mr. President. I withdraw the motion.

**KELLY:** The motion is withdrawn. Mr. Clerk.

**CLERK:** Mr. President, Senator Fredrickson would move to bracket LB574 until May 3, 2023.

**KELLY:** Senator Fredrickson, you are recognized to open.

**FREDRICKSON:** Thank you, Mr. President. Good morning, colleagues. Good morning, Nebraskans. So here we are on day three of this debate of the first round, and we're entering the final hours of debate here. And I want to underscore some of what we've heard this week. A lot of misinformation has been presented as fact. And perhaps most pressing of the misinformation that's been presented is all this information about Scandinavia. And the study that this bill is based on where the lead researcher of that study has gone on record saying you are misinterpreting her data. No one's responded to that yet, colleagues. I'm eager for a response to that. It's very difficult to engage in debate when an entire argument is based on a study who, I will again repeat, who's lead researcher says is being misinterpreted. So let's speak some truth here. There were a lot of questions that were asked on the mike yesterday, and I answered a lot of those questions, but perhaps some folks were not listening. One of the questions that came up was about parental consent. Parental involvement and consent is always required. No gender care-related services are provided to patients under 19 without parental consent. Again, those yesterday who asked on the mike is parental consent al-- always required, I will again say, no gender care-related services are provided to patients under 19 without parental consent. Colleagues, licensed providers like myself have codes of ethics. We have standards of care. There is process we follow. There were folks on the floor who also talked about this idea of social contagion. Colleagues, people will be themselves if we let them. When we stop punishing people for being who they are, they will be themselves. Before the 20th century, left-handedness was considered immoral. It was considered satanic. And when that stopped, the rates of people who identified as left-handed sextupled. So this whole idea that the queers are multiplying or that we are taking over the world, people will be themselves when we start punishing them for being themselves. I think a better question we should all be asking ourselves is, how many of our parents and grandparents lived their lives in secrecy? That's heartbreaking. Statistics have been thrown out about de-transitioning. I spoke to this yesterday and I'm going to again highlight it today. That data is based on old diagnostic criteria that is no longer used. When you case control for the diagnostic criteria that is used today, de-transitioning goes down to 1 percent or less. Facts matter, folks. And it's funny because after I spoke a lot about this yesterday, some of our colleagues went on the mike and just kind of continued to rely back on these studies that again-- I will say it again-- the lead researcher has said is being misinterpreted. The lead researcher on your study is saying you are not reading her data correctly. And people go back-- it kind of reminds me of-- I forgot what her name was. I think she stumped for

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate March 23, 2023

Herbster. She was like, she talked about alternative facts. Like, that, that's sort of what it, it's feeling like a bit in here. Colleagues, we have had people who are directly impacted by this bill. Kids, parents, write us, come speak to us, share their stories. And we are prioritizing people who this bill doesn't affect over the people who are affected by this. There was also some comments yesterday about how trans people need to be fixed and that they're broken. Trans people don't need to be fixed. Trans people are incredible people, and they deserve to live full lives. And lest we think some of what's been said in here this week doesn't have an impact-- a few of us got an email from the local mental health clinic. I'm going to read from that email, and I hope folks are listening to this. It says, I need you to know that since this morning session adjourned, the crisis calls from transgender and gender-diverse adolescents have begun. We have already had youth contacting their therapists in crisis and/or disclosing in session that they're actually suici-- acutely suicidal. We have had sessions with frantic parents who feel unable to keep their children safe from harming themselves. What we're saying in here is impacting people. Having at least one accepting adult in an LGBTQ person's life, can reduce the risk of suicide by 40 percent. One person. We need to allow people to be who they are. Mr. President, how much time do I have?

**KELLY:** 1:22.

**FREDRICKSON:** All right. I'm almost done. Thank you. Colleagues, I think Senator Conrad made some really compelling points earlier.

**KELLY:** One minute.

**FREDRICKSON:** Thank you, Mr. President. The reality is, if there's any part of you that has heartburn about this bill, you don't have to vote for it. There's time. If we need to do an interim study on gender-affirming care to see what is actually out there, what works, I am sure the bill will be brought back in some form. You don't have to vote for this if you're not feeling clear about this. I will withdraw my, my motion. Thank you, Mr. President.

**KELLY:** The motion is withdrawn. Senator McDonnell has a guest under the south balcony, Ichran Burns [PHONETIC] from Central High School. Please stand and be recognized by your Nebraska Legislature. Mr. Clerk, for items.

**CLERK:** Mr. President, the next item for consideration: Senator Hunt would move to bracket the bill until May 4.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate March 23, 2023

**KELLY:** Senator Hunt, you're recognized to open on your bracket motion.

**HUNT:** Thank you, Mr. President. Good morning, Nebraskans. Colleagues, for me, today is the final vote. Today's a final vote for you. Because if this is a bill that you advanced to Select File, that tells me all I need to know. We're not going to get to that amendment you want. This bill was dirty from the start. Throughout the entire course of this negotiation-- let's see. Today is day 49, so, you know, for the last 49 days of conversation, which, with the Speaker, with other legislative leaders in this body has kind of revolved around this bill, frankly-- we've made it clear that this is the line in the sand. And people have said, well, what if we go after your bills? What if we put a bunch of bills introduced by progressives up on the agenda. Are you going to filibuster those too? Yeah. Yes. Because we're not like you. We have a principle and a value that actually matters that much to us that we're willing to stand up for. This is how much this matters to us. You guys really don't get it. You really don't get that the session is over. And you're asking what precedent this sets. Is everything going to be like this now? Any time anybody doesn't like a bill, is it going to be like this now? Subsequent motions taking time, filibustering every bill? No. The fact that you're asking that shows me that you really don't get it, Senator von Gillern. You really don't get it. You've crossed a line and you've gone too far. This bill harms me in an unforgivable way. And this is a line that you don't cross with me. If you cross it today, you're staying on the other side of it because you have done irreparable harm and you're doing harm to the body and to Nebraska as well. Don't say "hi" to me in the hall. Don't ask me how my weekend was. Don't walk by my desk and ask me anything. Don't send me Christmas card. Take me off the list. You don't know me. We have no relationship. And if you don't believe me, if you think I'm going to cool down and change my mind, you should believe me. No one in the world holds a grudge like me, and no one in the world cares less about being petty than me. I don't care. I don't like you. You aren't welcome in my space. You aren't a safe person for my child to be around, or any child, frankly. Don't believe me? You should. Senator Hughes yesterday was asking all kinds of questions on the microphone, seemingly coming from a place of complete sincerity about, how does this care work? Do parents have to consent every time for kids to get gender-affirming care? Questions that had already been answered. And this morning, Senator Fredrickson was answering those questions again, and she's sitting under the balcony not listening. So I go over there and I say, he's speaking to you. He's answering the questions that you specifically had that ostensibly were, you know, preventing you from supporting this bill or not. Now she's sitting

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate March 23, 2023

with Kathleen Kauth, who's probably saying, don't worry, girl. Hold strong. We're going to, we're going to get those trans kids. Don't worry. Don't listen to Megan. Screw that. Senator Hughes said, well, some people sent me some emails, so I guess some people sent her some emails and she probably definitely read them and took them to heart. So now she knows all the facts about what trans kids go through. One of the most hateful, bigoted and wrong things that Senator Kathleen Kauth has said during this debate is that trans kids are hurting and sad. She might be right about that, but she's not right about why. The actions of bullies like Senator Kauth is what cause trans kids pain. Not the fact that they're trans. Trans kids are normal but for adults like Kathleen Kauth who harass them. Who introduced bills to make their life harder, to make them feel like outsiders when they are not. There's nothing wrong with them. They get good grades. They go to school. They do activities in clubs. They have friends. They date. They have dreams and goals. They get married. They have kids just like everybody else. Hopefully some day they run for the Legislature and they can straighten some people out. Trans kids who experience anxiety, it's not because of who they are. It's because of bullies like Senator Kathleen Kauth and the rest of you who are going along with her. You're acting like this bill is necessary to protect children when the truth is that children are harmed even by the introduction of bills like this. But I think for Senator Kathleen Kauth, that's the point. The point because protecting children to her makes it-- means that it's impossible for them to be trans and be alive. To her, that's protecting kids. The harm even introducing this bill does. I'm getting voicemails, messages, emails, people making posts calling me a groomer, saying I'm a pedophile and worse. None of that hurts me emotionally. I'm fine, but it certainly does defame me. It's defamatory. And for what? For minding my business. For living my life. For loving my child. Just like any of you would. I explicitly said this yesterday when I spoke to you that this was the reason I hesitated to send her my own experiences and my own comments on my own time, because the results of doing that are just this. This is the harm the bill does just by being introduced. And Kathleen Kauth has no apologies for that. She's happy with how this is going. It wasn't enough to introduce it, by the way. You also had to silence testimony on it. Senator Ben Hansen, you had kids crying in the hallway because you wanted to stop committee hearings and stop testimony so you could go to dinner. You wanted to silence the voices of Nebraskans who took time off, who came to speak to their senators, their representatives, which is a really intimidating thing, especially when you're a trans kid and you know you're walking into a room of people who say they hate you. Oh, we didn't literally say we hate them. Then don't vote

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate March 23, 2023

for this bill. What's wrong with you? You don't understand the difference between what you say and what you do. Even little children know it doesn't matter what you say. It only matters what you do. And today you're going to do something that can really harm a lot of people. It's because of you that we're here and it's because of you that this session is over, but all of you still have a choice. The hate that I'm getting, the threats that I'm getting, that's actually because of you. But for your actions in doing this, but for Senator Arch not abiding by the deal we made, but for Senator Kathleen Kauth introducing this, but for Senator Brandt and Senator Dorn agreeing to vote for it, but for Senator Jacobson agreeing to do some procedural shenanigans with Senator Slama. None of you are on our side. None of you are on the side of Nebraska children. You're trying to find any way to worm around so you can find a way to get to yes when most of you actually hate this bill. This isn't one of those bills that's a game to win, that a compromise is a victory. A compromise is not a victory here. We have to kill it or the session's over. Today. Today is the final vote. Each child, colleagues, is a unique individual, born a certain way. And we have to let each child be the best person they are, and it's not up to the state to tell parents what that means.

**KELLY:** One minute.

**HUNT:** We have to trust Nebraskans to do the right thing. We have to trust our neighbors and our friends and family and our communities to know what's best for their children. And I want you to trust me. Thank you, Mr. President. I withdraw my motion.

**KELLY:** The motion is withdrawn. Mr. Clerk, for items.

**ASSISTANT CLERK:** Mr. President, Senator Machaela Cavanaugh would move to bracket the bill until May 5.

**KELLY:** Senator Machaela Cavanaugh, you're recognized to speak and open on the bracket.

**M. CAVANAUGH:** Thank you, Mr. President. Colleagues, I maybe wasn't clear because some people have been talking about it like it's a secret what's going on here. What's going on here is that, yesterday, this body was verbally abusive to the trans community and to a fellow colleague and the remarks that they made about this bill and they showed disrespect to the institution and to the people that are impacted by this bill. So I made a conscious decision to work with colleagues to ensure that the conversation remained focused on the

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate March 23, 2023

bill itself. Now I see people running around reading the rulebooks, trying to once again find a way to silence me. If you spent half as much energy and time on doing the work and the business of the people of Nebraska as you do on trying to find ways to silence Senator Machaela Cavanaugh, we'd all be in a much better place. I really recommend that if you aren't interested in the debate, as most of you didn't appear to be yesterday, don't be interested in it today. Walk away. You can go do other work until it's time for the cloture vote. It's clear that those that indicated that they were thoughtful legislators are no longer thoughtful legislators. They are allowing themselves to be maligned with viciousness and hate. And that is unfortunate and disappointing. We have two people in this body clearly running for mayor, one who's announced, one who hasn't, both Republicans, but running in progressive areas. And they're going to vote for this bill. There is no conscience left. There is no con-- consideration. There is no deliberation. Honor your oath. Protect Nebraska's-- Nebraskans rights. Thank you, Senator Conrad, for those comments earlier. During the testimony on LB574, we had the medical community come out in force in opposition to this bill telling us how horrible this will be. Unfortunately for the medical community of Nebraska, one of the greatest medical communities in the country, your-- 33 of your state senators don't care. They benefit-- many of them have health complications-- they benefit from your expertise and the medicine that you provide, but they actually don't care about you as a professional, nor do they respect you. They will not listen to you. They act like the medical, medical community is some sort of fringe liberal group. Apparently, all of the Democrats in the state of Nebraska are also doctors. That's where all of our Democrats are-- how all of our Democrats are registered doctors. They're-- registered Democrats are also doctors, apparently, because we think that they're all just liberals. They couldn't possibly just be professionals who understand their jobs better than you do. We've had dozens and dozens and dozens of individuals come and testify about how this would impact their families and how they would leave the state. It's unfortunate that the State Chamber, the Omaha Chamber and the Lincoln Chamber didn't think to come and help on this bill, to come and lobby all of you and remind you about our workforce shortage and remind you about our difficulty in recruiting and retaining people to the state of Nebraska and how bills like this do us a great disservice. But they stayed hidden, just like Children's Hospital stayed hidden because they were bullied by this body. They were bullied by the Republican Party, whatever that is now. I don't even know. I don't think most of you know. Is it the Freedom Coalition, the Founders Values? Is it Patrick Peterson, who all of you male senators seem to be totally OK

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate March 23, 2023

with him following around female senators, both Democrat and Republican, taking pictures of us, being voyeuristic. He comes in front of your committee. He comments about Senator Slama and Senator Lowe and Senator Brewer saying nothing. Meanwhile, he's photographing Senator Hunt and Senator Conrad and Senator Sanders. We have fallen so far and you want it to be my fault. It is not my fault that none of you stand up for anything anymore. That is squarely on all of your shoulders. Senator Jana Hughes, who I don't even see anymore on the floor, there is a minority statement. The minority committee statement outlines very clearly-- oh, there she is-- very clearly the issues and concerns of this bill. Very clearly. I encourage you to read it. Senator Tom Brandt, I believe you talked to a family yesterday that, out of sheer terror, told you that they could accept the amendment because they are terrified that you're going to take away their child's care and medication, not because they think that the amendment is reasonable or acceptable. Plus, you're not going to get to vote on the amendment. You vote for this, you vote for this. You vote for LB574, you vote to take away parental rights and medical decision making. So, what next? Mandated vaccines. Let's take away the exception for parental decision making in vaccines. Let's take it away. Upon birth. That palette of vaccines that they offer you, that you decide whether or not to give to your infant child, take away that right. That sounds insane, right? Right, Senator Kauth, who's been very outspoken against vaccines? Insane. Insane to take away a parent's rights to decide whether or not their child should receive a vaccination. This is equally insane. This is equally terrible. Actually, this isn't equally terrible. This is way worse. This is way worse. Yesterday, the entire Legislature received a letter from healthcare providers across the state. I question if any of you read it. The 33 people who are going to vote for this bill, did any of you read this? Senator Merv Riepe and Senator John Arch, both were hospital administrators, willfully, willfully refusing to listen to the medical community in which you used to be a part of. I know that nothing I say is going to matter. It's not going to change your minds. I cannot shame you. And I'm not even trying to shame you. I'm just trying to state the obvious. You're going to run for mayor in progressive cities where-- not progressive like Democrat, progressive in like we care about human beings. We want to provide healthcare. We are two of the largest cities. We are the two largest cities in the state of Nebraska. We provide healthcare, high-quality healthcare in Lincoln and Omaha. We are one of the biggest places for employment. And we as the two individuals who are running for mayor, as Republicans running for mayor, are going to stand in the way of parental rights and stand in opposition to the LGBTQ community. Good

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate March 23, 2023

luck. Good luck on your races. I'm tired of pretending that Senator McDonnell is a Democrat. He is not. In case there was any confusion as to who I was talking about with two Republicans running for mayor. The minority statement. Section 3 of this bill contains legislative findings regarding gender and medical practice. The minority members of the committee object to these findings since they are not consistent with what--

**KELLY:** One minute.

**M. CAVANAUGH:** --professionals in medicine and psychology have determined as well as what professional associations like the Nebraska Medical Association and the American Medical Association, American Medical Association and other professional organizations have found to be best practice relating to gender, gender identity and gender-affirming care. These professionals and associations testified in opposition at the committee hearing on the bill to these findings. The medical community opposes this. Thank you, Mr. President. I withdraw my motion.

**KELLY:** The motion is withdrawn. Mr. Clerk, for items.

**CLERK:** Mr. President, Senator Day would move to bracket LB574 until May 8, 2023.

**KELLY:** Senator Day, you're recognized to open on your bracket motion.

**DAY:** Thank you, Mr. President. Good morning, colleagues. Good morning, Nebraska. I had a handful of things that I wanted to specifically talk about today, but frankly, I'm a little thrown off and wanted to mention a couple of other things first. I disagree with Senator Cavanaugh in the fact that I, I do want you listening. I want you to stay in the Chamber and listen. I believe that we can change our minds. Please listen to what we are telling you. I know that some of you have already changed your minds from the beginning of this debate to make the decision to vote for the bill. Please listen. I believe that when provided with valid, important information, we can change our minds. I will not give up on this bill until the minute that, that that cloture vote happens. I'm not going to give up. I want everybody to listen. Please. I didn't get a lot of sleep last night. I couldn't sleep because I knew what was coming today. I was thinking about a lot of the things that were said on the floor yesterday. And I spent a lot of time talking about and have spent a lot of time talking about in other debates the need for objectivity when we are making public policy. Objectivity is based, when we're talking about the practice of

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate March 23, 2023

medicine, is based on science. It is our responsibility as lawmakers to be objective when we are making decisions. And sometimes we disagree politically on the direction to take. And when we disagree, we have to go to the experts. We have to go through the research that tells us what is effective, what is not effective. We are not doctors. We talk to doctors. We get their opinions. And you have every major medical organization in the country, in the state, opposing this piece of legislation. They are the experts. And these are not radical liberal organizations. These are organization, organizations and associations that represent all physicians from across the political spectrum. But because they are scientists, they have to come to some kind of a consensus based on objectivity when they are forming opinions about public policy that affect the practice of medicine. I heard yesterday a lot of subjectivity on the mike. People were attacking science in general. We had one senator that stood up and read what is essentially a blog post from an extremely far right website talking about the "left's agenda" of wanting to follow the science on climate change. Imagine that. And on transgender care. These are the things that are being said on the public record on the mike. People are attacking the practice of science and objectivity in favor of trying to fit their personal political perspectives into public policy. That is bad policymaking, period. We are talking about the practice of medicine here. We're not talking about some theoretical, we can agree to disagree. No, we are talking about literal science with decades of research to back up the opposition to this bill. Specifically, we have been discussing the study from Sweden from the Karolinska Institute from Cecilia Dhejne and-- that has been used as the basis of defending this piece of legislation when we discussed it in committee and as we discussed it on the floor and how the-- Cecilia Dhejne, Dr. Dhejne has come out and specifically said that her work is not meant to defend bills like LB574 and how frustrating it is to her. In an interview, she's asked, before I contacted you for this interview, were you aware of the way your work was being misrepresented? She says, yes, it's very frustrating. I've seen professors use my work to support ridiculous claims. I've often had to respond myself by commenting on articles, speaking with journalists and talking about this problem at conferences. She also mentions in this interview, the aim of trans medical interventions is to bring a trans person's body more in line with their gender identity, resulting in a measurable diminishment of their gender dysphoria. However-- now, when we-- I, I want you to listen to this part because we often talk about suicidality and, and issues with depression when it comes to the LGBTQ community. I think this is a really important point to understand, that it's not their identity

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate March 23, 2023

that's the problem. She says, however, trans people as a group also experience significant social oppression in the form of bullying, abuse, rape and hate crimes. Medical transition alone won't solve the effects of crushing social oppression, social anxiety, depression and post-traumatic stress. What we found is that treatment models which ignore the effect of cultural oppression and outright hate aren't enough. We need to understand that our treatment models must be responsive to not only, only gender dysphoria, but the effects of anti-trans hate as well. That's what improved care means. And just as an example, I followed in an ambulance this morning with its lights on that was obviously traveling from Children's in Omaha. It had a Children's logo on the side of it. I followed it into Lincoln this morning. And my very first thought was coming back to this email that we received yesterday. Senator Fredrickson already mentioned this. I need you to know that since more-- since this morning session adjourned, the crisis calls from transgender and gender-diverse adolescents have begun. We have already had youth contacting their therapists in crisis and/or disclosing in session that they are acutely suicidal. The simple fact that we are having this discussion is causing-- sorry. My alarm. The simple fact that we are having this discussion is--

**KELLY:** One minute.

**DAY:** --already causing harm to the community and to the children whose lives are at stake here. If you vote to move this bill forward, you are prolonging the trauma that you are directly causing to these children and these families. This is a fact. You cannot ignore that. I have said it before. You do not get to look away from the negative effects of the policies that you implement and you vote for. I withdraw my motion. Thank you.

**KELLY:** Thank you, Senator. The motion is withdrawn. Mr. Clerk, for items.

**CLERK:** Mr. President, Senator Blood would move to bracket LB574 until May 10, 2023.

**KELLY:** Senator Blood, you're recognized to open on the bracket motion.

**BLOOD:** Thank you, Mr. President. Fellow Senators, friends all, I move to bracket LB574. I don't see it on the board. Didn't they just call me? It's still not up all the way. Does have the date. All right. I'm sorry. Has my time started while I was waiting for it to be up on the board?

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate March 23, 2023

**KELLY:** Yes, 9:24.

**BLOOD:** Unfortunate. Yesterday, during floor debate, Senator von Gillern asked me to yield to a question. And to be frank, I was in deep discussion on another topic at the time and did not hear what he had to say. So when asked the question, I was not truly given an opportunity to answer it properly. I found out later that, for some odd reason, the senator thought I was trying to take up his time, when indeed I was trying to clarify what he was talking about. Now, I've had the ability to read the transcript of what he had to say, and here is my answer. To say that sex is as basic as the X-Y determination is inaccurate. On your desk, you will find science that clearly states that it is inaccurate to think that you can tell a person's sex just by looking at whether he or she has an X or Y chromosome. Now I want to readdress the long list of concerns with the text of this bill, which I have said from the very beginning. On page 4, line 5, you talk about gender-altering surgery, irreversible or invasive procedures that involve the alteration of biologically healthy body parts. Yesterday, I used circumcision as one of the concerns with this bill. I want to make it clear, especially to my Jewish friends, that I understand this is a covenant between God and Abraham and part of your religion. As LB574, excuse me, is written, there could be legal ramifications for both religious and nonreligious surgeries that alter genitalia and not-- and is not medically necessary. You are all worried based on bad data that allegedly gender-care surgery has increased, but you put forward language that endangers the most common surgery in the United States for over a century. On page 4, line 15, you talk about cross-sex hormones such as testosterone in amounts larger than would occur normally. Clinical practice guidelines recommend female bodybuilders use testosterone treatment between 75 to 100 milligrams weekly or 150 to 200 milligrams every two weeks, way above what a woman's body would produce. Yet they can buy this over the counter or on the internet. Will you be the testosterone police? Who will control the black market when these trans children risk their lives by buying doses of unknown origin? On page 4, line 23, you talk further about gender-altering surgery that alters or removes healthy physical or anatomical characteristics. Who are you to decide someone's definition of beauty? And if they choose to amend their appearance, will you be the plastic surgery police? On page line-- on page 5, line 5, you mention prescribed drugs related to gender alteration that seek to alter or remove physical or anatomical characteristics that resemble a sex or promote the development of feminization or masculinizing features. Finasteride used-- finasteride used by nontransgendered men to block hair loss, would this be

considered promoting feminization of features? Finasteride is also used for the same purpose by transitioning men and boys as well, and it's difficult to judge why someone wants this drug prescribed if both are for esthetic purposes. Progesterone helps to counter effect-- counteract the effects of estrogen on the male body. Not only is progesterone found in males, but men rely on the alleged female hormone to preserve their masculinity. Again, will you now be the gender-alteration police? Because who knows why this drug might be used or prescribed by doctors? On page 5, line 20, gender-altering procedures does not include services to persons born with a medically verifiable disorder of sex development, including a person with external biological sex characteristics that are irresolvable and-- irresolvable and ambiguous, whatever that means. This seems to fly in the face of the whole bill in general, guys. If we trust parents to make decisions for these children, why are they exempted but not trans children? If it is about protecting children and not parental dis-- dis-- discretion, then this part of the bill contradicts everything. On page 6-- 7, Section 7, line 20 civil penalties that are discussed for doctors that perform gender-altering surgeries on minors. Lawsuits can be brought by the minors or parent or guardian. Is it not already law that minors need parental/guardian consent to perform any such surgery and that when you are unhappy with a medical procedure, you already have the right to take that medical professional to court? Why do we need new laws for that? This bill is not necessary legally. Will this be like the Geist bill several years ago that now opens the door to ambulance chasers looking to make a buck? I was asked yesterday off the mike in a very loud tone by Senator von Gillern, if we didn't like the bill, why didn't we amend it? You heard me say that you can't amend this piece of crap. And I meant that. It's nothing against Senator Kauth. I don't agree with what she is trying to do, but it's nothing against her as a person. This bill is written in a way that is going to cause unintended consequences. I'm just talking about the policy right now. And the reason I'm talking about the policy is that if you're going to hurt children, people on this floor are going to stop it. But if you're going to hurt children and do it through policy that is written in such a poor way, you need to have somebody else writing your bills. Because whoever brought this bill to you, and I'm guessing the language was already in the bill brought to you-- I, I can't see our Bill Drafters doing this big a mess. You, you got to figure this out and you got to figure this out soon. Because if you're to participate in the culture wars, if you're going to pick on little kids, can you at least show me that you know how to write a bill properly? Because I could stand for another 10 minutes on this floor and I could do another four or five things and tell you what's wrong

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate March 23, 2023

with the way that this bill is written. And the way that you do exceptions creates a whole different level of legal issues. And I'm not even a lawyer. I'm just a 62-year-old grandmother who can look at something and tell you when it's written in a piss-poor way. There are way too many people not paying attention. That's really a shame. And you know what that tells me? You guys already know how you're going to vote. Good on you, good on you for not having a backbone, not having the conviction to stand up against what you know is morally wrong. What the heck is wrong with you people? I have not said anything like this during this entire debate. But now when I look around and I look at your faces and your head's hanging down, you're not in your seats, you're not listening to debate. You're gossiping. You're chatting. If this bill is so important to you, why are you not listening to what people have to say? Why are you not listening to the experts on this floor? Why do you not understand that this is a poorly written bill that is going to cause a lot of unintended consequences that you will have to deal with? Do you want the state of Nebraska to be sued? Probably. Because we keep making mistakes and it's, oh, it's just taxpayer dollars. Why don't we go ahead and let them sue us? You don't worry about taxpayer dollars when you make mistakes like this. You don't worry about taxpayer dollars when we're constantly being sued for being idiots. And I think that's really interesting. And I think, unfortunately, that's the way that our body is going. We have to stand tight no matter how bad the bill is. We have to stand tight no matter how horrific the subject is, because we got to show a unified front. But is that what's best for Nebraskans? I'm telling you, friends, the minority is the loudest in Nebraska as it is in every state. Because the majority expects us to make rational decisions. The majority expects us to use science, data, facts and not use our personal likes and dislikes as a reason to why we support or don't support a bill.

**KELLY:** One minute.

**BLOOD:** And if my party came and told me I had to stand strong on the bill, do you know what I would tell them to do with the bill? It's not something I can say on the mike. With that, I withdraw my motion. Thank you, Mr. President.

**KELLY:** Thank you, Senator. The motion is withdrawn. Mr. Clerk, for items.

**CLERK:** Mr. President, Senator Walz would move to bracket the bill until May 9, 2023.

**KELLY:** Senator Walz, you're recognized to open on the bracket motion.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate March 23, 2023

**WALZ:** Thank you very much, Mr. President. First of all, this is not something that you would normally see me do, and I'm way, way out of my comfort zone putting up a motion. And you probably won't see me do it again. I really wish that there was something I could do or something I could say to change the situation, but I can't. I can't change minds and I can't change how people feel. And I learned that lesson the hard way. And please understand that talking about my religion or my faith is not something that I want to bring to the floor of the Legislature. I never, ever want to use God as a tool in a way that does not respect who he is to me. But I do want to be able to share my feelings regarding this and my feelings as a parent. A couple of years ago, our family went through a pretty tough time. Our son had just returned from Afghanistan after serving when he was dealing with quite a bit. I'm sorry. Not only because of his experience in Afghanistan, but he was pretty devastated do some-- due to some personal issues that he was having. And this caused him to go into a very, very severe depression. And his situation became life threatening a couple times. And as a parent, I wanted to be able to control the situation. I wanted to be able to control his feelings. And I desperately just wanted to fix it for him. And as much as I tried to fix it for him, I couldn't. And it was heartbreaking. It was heartbreaking as a mom to stand by and watch him spiral out of control. It was a very hopeless feeling. And if you, or any of you, have an intimate relationship with Jesus, you'll understand this might say that I finally surrendered to a voice that asked me, when are you going to learn that this is not your job? It's my job. It's your job to serve. It's your job to love your son, to listen to him, to be there for him and just to love him. You do your specific job and you let me do mine. That was the first time in my life that I truly ever fell on my knees and completely gave God the control. That experience taught me a lot about what my role is in this world. I sat on the HHS Committee and I listened to parents who were going through some very, very, very difficult situations with their kids. And they were making some very, very tough decisions regarding to their, their children. And as much as they wanted to change the situation or make sure that the world would treat their children with respect and dignity and love, it was something that was out of their control. In listening to that testimony, I really felt like I could relate to those parents and I could empathize with them. And I remembered that voice that spoke to me a couple years ago. And I realized that, right then, this is not an issue that I am being asked to fix. And I don't think this is an issue that any of us are being asked to fix. This is way beyond my capacity. It's way beyond my control. And it's not a decision that I should make. It is not my job. My job is to listen. My job is to care and

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate March 23, 2023

love and to serve just like I had to do with my son. I don't think this is our job, colleagues. Thank you, Mr. President. I withdraw my motion.

**KELLY:** Thank you, Senator. The motion is withdrawn. Mr. Clerk.

**CLERK:** Mr. President, Senator John Cavanaugh would move to bracket the bill until May 11, 2023.

**KELLY:** Senator John Cavanaugh, you're recognized to open on your bracket motion.

**J. CAVANAUGH:** Thank you, Mr. President. Well, I appreciate the comments of my colleagues who have spoken before me, and it is particularly hard to follow Senator Walz.

**KELLY:** 11:35.

**J. CAVANAUGH:** That's the time. Thank you. Thank you, Mr. President. And I'm not a person who--

**KELLY:** 9:30, I'm sorry. Excuse me, sir.

**J. CAVANAUGH:** I appreciate the-- that was helpful, though. Thank you. I'm not a person who likes to show my emotions, and I talk about things in a different way than, say, the other Senator Cavanaugh does. But that doesn't mean I don't have them. And it doesn't mean that I don't think about a lot of the same things. And this debate has been hard for people, and it has moved people in a lot of ways. And I-- just from the earlier comments from-- that Senator Hunt shared, Senator Walz shared, Senator Fredrickson shared in particular, it was hard for me to sit here and listen, but I did. And I've learned and I continue to learn. But I wanted to make sure that the trans community knows that, though I don't speak in the terms of my colleagues, that I share their feelings and their love and affection and support. But I wanted to talk about what I'm comfortable talking about, which is, what's the problem with this law? Under the laws of the na-- this nation and the-- thank you, Senator Hunt. And I was going to focus my comments specifically about discrimination. And people do get up and talk and they get-- they speak in forceful terms and sometimes people shut down because of that. And so when I say discrimination, I think that people immediately go to prejudice and that people have stood and said, I'm not prejudice when I support this bill. This is not a prejudice of mine. But when I say discrimination, I'm talking about it in the legal sense. And so I would ask you to think about the distinction between those two things. So Senator Dungan and I and

Senator Conrad have talked about a legal precedent that has already happened, that the state of Arkansas passed a very similar bill, similar language, and has-- is currently not in effect because it, the district court in Arkansas and the circuit court and the Eighth Circuit has found that it discriminates. And when I say discriminate, again, I mean it in the legal sense. And so I thought it might be helpful for people to understand what we mean when we talk about that. It means that the outcome that this bill seeks to effectuate affects people differently based off of their sex. And that is a protected class that Senator Conrad spoke of at the beginning of the day. That you cannot-- if you make a law that treats someone differently because of their sex, that that law is subjected to a higher level of scrutiny and that it has to overcome that burden because it discriminates. And so an example in this bill and the law in Arkansas is similar that it discriminates in which services are available. We can go-- you can have all the studies you want that talk about different things. But ultimately, at its core, this law would allow medical procedures that are deemed safe and effective for boys, but it would not allow girls to have that procedure and vice versa, would not allow procedures that are deemed safe and effective for girls and not allow boys to have that procedure. And so that is discriminatory. So the best example, the cleanest example in this bill is actually in the amendment that so many people have said that they want to see. And what that amendment says is that for someone born a female, they cannot have a breast reduction surgery-- it has a technical term-- if it's with the intention of having their outward appearance be more in conformity with the social norm of what a boy is. So if you are a, a trans man, you cannot have a breast reduction surgery. However, if you are a cis man, you can have that surgery if you have some sort of condition that would require you or would-- it would cause you to grow breasts. So that is discriminatory. This is a surgery that is approved, that is accepted, that is, is effective for individuals who are born male and want to continue to be male, but is not allowed for individuals who are born female and want to live their life or need to live their life as a, as a male. And so that is the essence of the discrimination here. It's not about whether or not these procedures are safe and effective. The discrimination that is inherent in the Arkansas bill, that's inherent in LB574, that is inherent in the amendment that is being proposed is the fact that it seeks to have different outcomes based off of what your sex at birth is. And that is discriminatory and that is what is the, the actual problem here. There are a lot of other problems that have been addressed and talked about. But as I said, this is the one I'm comfortable talking about and this is where I think I can bring some, some value to the conversation for you all.

And so I've tried to talk about it. Ultimately, I got to talk about it maybe once or twice, but I hope that people are listening to these particular parts of this conversation because, again, I think that, in your hearts, you are not prejudice, but you are pursuing a course of action that is discriminatory and it hurts people. And that is why there are so many feelings here, and that's why there are so many people who are here to listen to this. And that's why those of us that are standing up in unison in opposition to this bill are so fervent in our belief that the law should not be used to discriminate. So I could continue on that course, I suppose, but there was one other thing I wanted to talk about and it's, I guess a little bit afield, but we've had a conversation about proposals that we treat children, younger people differently in the criminal justice system than we do in this situation. And I thought it was important to at least put a point on it. And Senator Fredrickson did a very nice job of explaining how someone pursues gender-affirming care. And it is a very onerous process. You have to go through a lot of things. You have to go see a doctor, get a referral. You have to see other doctors. You have to go through some therapy. You have to do a lot of things. I don't-- I won't go into it. But basically, it is a slow and deliberative process to make a determination about whether someone's going to get-- take puberty blockers or other gender-affirming medicines. And then there's a whole other process if you're going to pursue the surgical option. This is a slow, thought-out process that involves conversations and consultation. The difference is when we talk about how we should treat children differently in the justice system is snap decisions. Those are decisions made in an instant, in the heat of the moment and they're not-- so they, they are not parallel considerations. That is illustrated here by about how much process we go through. So I know I'm running low on time, but I just wanted to make sure that I, I was able to speak to that. So when you have the opportunity to vote on this--

**KELLY:** One minute.

**J. CAVANAUGH:** Thank you, Mr. President-- I would ask that you consider that this is not about you and this is not about any of us here. It's about how this law is going to treat people outside of this room and it would, in essence, discriminate against them based off of their gender. Thank you, Mr. President. I withdraw my motion.

**KELLY:** Thank you, Senator. The motion is withdrawn. Mr. Clerk, for motions.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate March 23, 2023

**CLERK:** Mr. President, Senator Dungan would move to bracket LB574 until May 16, 2023.

**KELLY:** Senator Dungan, you're recognized to open on your bracket motion.

**DUNGAN:** Thank you, Mr. President. Colleagues, today is an awful day. I think this is an incredibly difficult day for a number of people. It's an incredibly difficult day for myself. You've heard from folks about personal stories and they've told you how this affects them. They've told you how it affects their family. I know people personally that this affects. I'm almost positive that every single one of you out there also knows people this affects. I look in the balconies here today and I'm pretty humbled by the amount of people who have come to listen, to actively, civically engage with their senators to try and make sure their voices get heard. And colleagues, I think it's incredibly important that we listen. No child should ever be made to feel lesser. And no child should ever be made to feel as though we are legislating about what they can and can't do with the consultation of their parents, doctors, medical professionals and people who know far more than we do about this subject. And so I want to pick up where Senator John Cavanaugh, my rowmate here, left off with the law. But before I get into some of those legal conversations, I want to touch on a couple of issues that we've heard people talk about over the last couple of days that we haven't had a chance to respond to because, frankly, we haven't had a lot of time to talk about it. One of the arguments we hear on a regular basis of people fighting for this law, this bill, is that they're doing it because they want to protect children. They're concerned that these medications have side effects that are going to negatively impact kids. Well, colleagues, I would urge you to go look at, how many medications children often are prescribed. And if your true concern is whether or not medications have negative side effects, I'd remind you that 3.5 million children in this country are taking ADHD medication on a daily basis, which can have a long-term side effects as well. So don't pretend like you're concerned of the side effects of drugs. If your concerns are the side effects of drugs, we can legislate that. But I heard another colleague of mine talk about how these pills and these puberty blockers and these hormones are getting in the way of nature. And they were, they were taking away God's will. And if that's the case, then I look forward to our legislation banning Viagra, because that certainly has some side effects and certainly takes away nature as well. So I just want to make sure we point that out. But colleagues, this isn't about medication. This isn't about your concern about side effects. I have a little sticker that sits here on my desk and it says, it's not about

bathrooms and it was never about water fountains. It was never about lunch counters. It was never about busses. It was never about people being mad about pants versus dresses. What it's about is fear. It's about power and control, but it comes from fear. Colleagues, I don't believe that the vast majority of you in this body are acting out of malice. I do not. I believe that when you have a lack of knowledge and a lack of information, ignorance breeds fear. And fear breeds legislation like this. And a lot of my colleagues who know way more about me than this have stood up and talked about these issues. We have actual professionals in this body who do this work for a living, who are educating or trying to educate you, and I do believe that there are folks that are here listening. But the whole purpose of today, the whole purpose of this last three days debate was to have this conversation and to listen to your colleagues. And they've been teaching you this. We evolve over time as a society. And I heard some other-- a number of conversations regarding social contagions and the concern that kids are somehow being duped or tricked into identifying in a particular way. People talk about the proliferation of individuals who identify as trans and how that's increased over the last few years. But colleagues, I would urge you also to consider that when Gallup started doing polls about who identified as LGBTQ back in 2012, about 3 percent of the population identified that way. This year, it was about 7.5 percent. I don't believe for a second that there are more gay people in the world now than there were 10 years ago, nor are there more gay people in the world now than there were 100 years ago or 1,000 years ago. And there have always been trans people. People finally feel like they can be themselves and they finally feel like they can be comfortable identifying to somebody who they truly are. There is not some massive influx of people identifying how they actually feel. It's just that they're finally comfortable to talk about it. And so do not be scared by the numbers. There is no social contagion. We should be celebrating the fact that our kids finally feel comfortable enough to tell us who they are. And I am mortified to think that our Legislature would stifle that. Having said that, I do want to pick up a little bit on the conversation about the law because what Senator Cavanaugh was speaking about is incredibly important. And what I said yesterday is that whenever we start talking about the law, it seems like people glaze over. And I understand. It's boring. I did three years of law school. I know it's boring. But the law is important when we're talking about whether or not we're passing legislation that is ultimately going to be upheld when the courts analyze it. Because make no mistake, this will be challenged immediately, as the Arkansas law went to the district courts or the eastern Arkansas federal courts. This will be challenged. And the same

circuit court that we are essentially governed by with regard to precedent here in Nebraska found that that Arkansas law should be enjoined because it violated the Equal Protection Clause. In addition to that, it was initially enjoined because it was also found to have violated the Due Process Clause. I talked about this yesterday, but it bears repeating. The Due Process Clause comes from the Fifth Amendment and the Fourteenth Amendment. To put it really simply, what it essentially says is the government can't enact laws that infringe upon your fundamental rights. It's to try to stop these majoritarian views or laws from preventing you from living your best life as an American, protected by life, liberty and the pursuit of happiness. And through a series of cases, the Supreme Court, the U.S. Supreme Court has told us that there are certain fundamental rights that we as a government cannot infringe upon. And if we do infringe upon those rights, we have to make a really good case. You heard me talk yesterday about strict scrutiny. That's a legal term. But what it means is that in order to infringe upon a fundamental right, you have to have a compelling governmental interest and the law has to be narrowly tailored to that compelling governmental interest to effectuate that interest. And in Arkansas, they argued that their compelling governmental interest was protecting children. They said, no, we do have a compelling interest here. We have to keep kids safe. And what the court said is that that is not the real reason this law was enacted. And you know how we know that? It's that medical care and medical procedures that are deemed safe to give to cisgender children are being not given to kids who are trans. Now, what that means is those drugs are safe. We're not experimenting on kids. We're not giving kids drugs that we don't know what they do. That's not how this process works. And so the idea that, oh, we can't give these drugs to trans kids because it might harm them is not reality. And the court said, no, that's not what you're doing. What you're doing is you're not giving those drugs, those puberty blockers, those hormone replacements, whatever it may be, to trans youth because you don't like the outcome. And that is not a compelling governmental interest. You not liking the outcome, you not liking what's going to happen is not a compelling governmental interest. And the law cannot be narrowly tailored to an interest that's not compelling. And so under the grounds of due process, the court said, this doesn't hold up. And what they're looking at specifically there, the fundamental right that's being infringed upon by this legislation-- and colleagues, I want to point this out because a number of you talk about this on a regular basis-- is the fundamental right to parent and care for your children.

**KELLY:** One minute.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate March 23, 2023

**DUNGAN:** Thank you, Mr. President. We hear about it time and time again in this body, that parents have rights, parents have rights, parents have rights. This law seeks to infringe upon the fundamental right of parenting your child. So, colleagues, please, please, please think about that when you look at this law. It is not going to withstand constitutional scrutiny, and just stop pushing a bill that we know is going to hurt people. The very persons that you purport to protect are reaching out to you and saying, I'm scared and I am hurting. Don't pretend like this is for them. And if you're afraid, I understand. But there are people here who are trying to help and educate you. Please listen. It makes all the difference in the world. With that, I withdraw my motion, Mr. President.

**KELLY:** Thank you, Senator. The motion is withdrawn. Mr. Clerk, for motions.

**CLERK:** Mr. President, Senator Vargas would move to bracket LB574 until May 18, 2023.

**KELLY:** Senator Vargas, you're recognized to open on your bracket motion.

**VARGAS:** Thank you very much, President. And I don't think I've ever filed a motion like this, so this is a bit new to me. And, one, I want to just thank the people that have testified-- testified-- the people and the senators that have been representing their opinions and perspectives and views. This is a very, very difficult conversation for many, many different reasons. And so I don't want to repeat or try to-- I want to do justice to the conversation and focus on a couple different things. First, I just want to react to, to two things. I know there's an article here that was sent out by Senator Kauth. It says, transgender docs warn about gender-affirmative care for youth. And I started reading it. I, I read both sides of these things, which I, I hope all my colleagues do, and I hope the public knows that we're trying to be educated on these issues. And one of the first highlights in this is discussion should be an academia, that these discussions about whether or not the right care is being provided in what instances should be within academia, should be within the profession of medical professionals. That's the thing that just sticks with me. So I, I just want to send a very clear message here that-- and this is to trans youth-- that you deserve to be valued in the state, and I know it doesn't feel like that. You deserve to live free of discrimination and hate. I'm sorry that we, or at least it hasn't been set yet, that we don't have the courage to make that possible for you today. And I'm still looking at my other colleagues, my colleagues

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate March 23, 2023

that maybe are still on the fence or have said, I'm going to support cloture because I want to support a friend, or because I want to move things along, or for some other reason that doesn't have to do with the inherent policy underneath it, that the decision you make does impact the sanctity of this body and it does-- further strengthens or dilutes what we mean by cloture, what we mean by having the substantive debate that we have, whether or not it's really solving a problem, whether or not we're listening to experts, whether or not we are protecting the rights of patients and families, whether or not we listen to experts. Any of these bans that we're talking about-- or any of these anti-trans legislations, but this ban on gender-affirming healthcare-- they're unfair to youth. It's clear government overreach. Decisions about care for transgender youth should be made by families collaborating with doctors and mental health professionals. They should be based on established medical practices. They should be rooted in science. I'm a former science teacher. When you've seen me come on the mike on different issues, I tend to lean toward what our, our healthcare experts that have been studying for years and years to do no harm and to protect patients and families first. This is the first time I think we have seen so much opposition from the medical community to a piece of legislation out of fear and harm that it's going to harm their patients. And these youth deserve access to care. It's their healthcare rights. We talk about protecting these rights. Look, LB574 is going to move us backwards in so many ways. The broader implications of this for law, for economic impacts, for growing our state. It's what scares me the most. At the end of the day, we have to do everything we can to not ignore doctors and pediatricians in Nebraska. It should raise a red flag that we have seen overwhelming consensus from pretty much every reputable-- I can't even say reputable because we're not treating them as a reputable. Just-- for, for physicians that are out there that are part of the American Academy of Pediatrics, the AMA, the Endocrine Society, the American College of Obstetrics and Gynecology, American Academy of Family Physicians, the American Psychiatric Association and American Psychological Association and the American Academy of Child and Adolescent Psychiatry, I apologize because we cannot call you reputable because we clearly are disagreeing in opposition of what you're saying. And in fact, many of you that are listening to this that are probably getting really frustrated with that near fact probably should consider running for the Legislature. Because if you have a voice in here, then it's a lot harder to refute your specific voice in doing this work. I hate that it has to come to that. We had to hear stories from some of my colleagues that have been gut-wrenching stories on how personal this is to them, not only for

their identity, but the identity of their loved ones, that we clearly need more experts in this field. I hate that it's come down to that. Look, this penalizes healthcare professionals. This continues to make it extremely difficult for us to even keep healthcare professionals here. This is telling them that we are-- and the broader implications, is limiting an entire branch of medical care to make the practice of medicine a one size fits all does a great disservice. At what point are we going to continue to legislate what healthcare professionals can and cannot do? So if we're recruiting for every single one of our healthcare professionals or for our institutions, we're saying don't come here. We don't trust you to actually make the best decisions on behalf of patients and their families and alongside with them and to counsel them and to help them for really difficult decisions. We know better. Go to one of the other states. We're also telling that to the patients and the families that they should go to another state, that you should not be heard or seen here. This is a dangerous overstep of government. And [INAUDIBLE]-- I don't think I've even said that on the floor because usually we're debating trying to invest in education or make sure that we are addressing economic problems and issues or jobs or lowering taxes or any of these other really urgent problems I heard in the campaign trail, affordable housing, addressing poverty. I can list off so many other things. This is not a problem that we are solving. This is seeking out a problem, and it's more of the politics that I did not choose to be a part of when I ran for the Legislature. I wanted to be a part of solutions that we're going to try to solve. I also wanted to be part of the nonpartisan Legislature where every single one of us is diligently thinking about what it means when we're voting for cloture for something. Really thinking about what that means, that we are judged for it, not only by our constituents, but by former senators that have sat here and have deliberated on very difficult decisions knowing that when they are doing that, it is supporting the legislation at hand largely. That's what you're doing. Many people have talked about the legal implications on what's going to happen in court cases, so I do not want to relitigate that. But LB574 is going to limit our experts' ability to provide compassionate and safe medical care. It's going to cause irreparable harm to their patients. These are Nebraskans-- or until they decide to move, they're Nebraskans. As Senator Conrad said this best earlier, when we were sworn into office here in this room, we took an oath. We should be doing everything that we possibly can to make Nebraska a place for everyone. And we are doing the opposite in doing this. We're telling many different constituents, we're telling many different youth, we're telling healthcare professionals and families: you don't belong here and we know better than you. We need, we need to do a lot more. Not

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate March 23, 2023

make it harder for people. And it is really a-- truly a dark day in the Legislature where we have so many people against something in the record--

**KELLY:** One minute.

**VARGAS:** --that we're just saying, not that, that we disagree with you, but we're just going to ignore you. I want you to know that that's not the belief of everybody in this body. And even for the people that are firmly in the support of this bill, I hope you are in support of the bill because of the policy and you truly believe it. For the people that are truly in the middle that do not know enough about this, that have been asking questions that have been answered several times that Senator Hunt said or that Senator Fredrickson or any other senators had educated you on, if you don't feel like this is the right decision for you, it's OK not to vote for cloture. It's truly OK. We are judged on what, what we do in protecting the sanctity of this body. And I hope we take that decision very, very seriously when we get to that point. I remain opposed to LB574, and I appreciate everybody for listening. And withdraw my motion, please.

**KELLY:** Your motion is withdrawn. Thank you, Senator. Mr. Clerk, for motions.

**CLERK:** Mr. President, Senator Conrad would move to bracket LB574 until May 17, 2023.

**KELLY:** Senator Conrad, you're welcome-- you're recognized to open on your amendment-- your motion, excuse me.

**CONRAD:** Thank you, Mr. President. Again, good morning, colleagues. There's been so many heartfelt statements and speeches that have been pres-- presented today and over the past many days, sharing members' thinking and deliberations and groundings in why they support or oppose this measure. And as caring people who want to do right for this state, this institution, our constituents and our future, take those to heart, think deeply about them and recognize when you're asked to cast your vote in a few moments if there is anything that's touched your heart or your head in regards to science, in regards to personal experience, in regards to policy, in regards to practicality, you should vote no or present, not voting. If you know and harbor a scintilla of hesitation in your heart or head about this matter, all you have to do is simply be present, not voting and allow the Legislature to conduct interim studies on these matters as Senator Kauth, I believe has indicated may be an option that she would pursue.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate March 23, 2023

And as Senator Dorn noted, this won't be the last word on it. Let, let us have broader hearings. Let us do more deliberation. Let us not rush to judgment. We know what's happening here. It's a part of a well-documented national political effort that Nebraska has resisted because we have good judgment, because we care for our neighbors even when we disagree. And at every single stage of what's become a very acrimonious and heartbreaking session, we've seen the same result. This isn't about a perfect talking point. This isn't about a perfect procedural strategy. This is a matter and an exertion of raw political power at every turn. You do not have to go along with the tide. You each have an ability to stand in your power. You each have a vote that is independently and honestly cast according to your conscience. Even if you feel discomfort or misunderstanding about trans-affirming care, be present and not voting or vote no because you want to fight for property taxes-- relief. Be present or not voting or vote no if you want to advance the Governor's education plan. Members have been crystal clear about what happens in regards to filibuster if this moves forward. Don't kid yourself that there's some perfect amendment coming down the pike that's going to assuage your fear and your conscience. It's not on the board today when you cast your vote, and you know it. And that amendment in and of itself doesn't remove the filibuster. And it affirms that gender-affirming care in many instances is actually appropriate. So think about how logically inconsistent that is, how practically that's not helpful to moving the session forward on your priorities. And for a moment, recognize that there has been times in each of our lives where we feel, for a variety of different reasons, that we've been discriminated against or somebody that we love has been discriminated against, and ask yourself if that is OK. Ask yourself if you came here to perpetuate that discrimination. Or ask yourself if it's better to exercise your judgment to ensure that the role of the Nebraska Legislature isn't to perpetuate discrimination, but to remove it so that we can all live a life full of liberty and freedom outside of government overreach and intervention into intimate aspects of our personal lives, our parental lives, and our, our access to medical care. The Legislature shouldn't feel this way. I've been a member of this body for eight years and 45, 48 days, whatever it is today. And I'm glad my friend, Senator Aguilar, is back today because I know he has a long history in this body as well. This isn't normal, and it's only normal if you perpetuate it. You have the power to say, I will not be taken by a tide of not-- toxic political acrimony that swamp the federal level or our sister states. I will stand and I will say, not here, not now. We have more important things to do. You have the ability to help us do that. Don't shrug your shoulders. Don't shirk your oath. I want to ask

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate March 23, 2023

my friend, Senator Wishart, some questions as a senior member of this body, body, if she'll yield.

**KELLY:** Senator Wishart, will you yield?

**WISHART:** I will. Thank you.

**CONRAD:** Senator Wishart, as a senior member of this body and a long-time staffer who's observed this body, I was hoping you could share some reflections about how this precarious moment that we find ourselves in is not the norm, the tradition--

**WISHART:** Thank you, Senator Conrad. And thank you giving-- for giving me an opportunity to speak because I missed my, my opportunity yesterday, and I think this is an important question. I was reflecting this morning with my husband on this, on this debate that has occurred over the last two days and also more broadly on my time in the Legislature and the fact that I know that many individuals in this Legislature and their constituents care deeply about liberty and about pushing back on, on government control. And I think one thing that's very important-- and it's something that, that I have felt personally because I am a senator who has taken votes that would, quote, go against the party line and have received sort of the, the heat from that. But the reason that I've taken those votes on many different subjects is that it's important for me to recognize that just because an area of law or a rule that's being put in place may not affect me personally, doesn't mean that it isn't something that I should have a lot of heartburn over putting in place for somebody else. It's so tempting to walk into this Legislature with the narrow focus of liberty, defining only what we personally as individuals want to ensure that government isn't encroaching on. It's a lot harder for us to stretch ourselves to recognize that that same liberty that we care about, the same limited, small government that makes the state and this country very special is something that we really should think about applying to everyone. So thank you, Senator Conrad, for giving me this opportunity to say this, because I do think we need, as a Legislature, to think about the liberties overall that we're looking at taking away this year or giving to individuals and making sure that we're standing up for as many people as possible in our state. Thank you, Senator Conrad.

**CONRAD:** Thank you, Senator Wishart. I appreciate your response. Colleagues, in a few moments, a vote of "no" or present, not voting on the cloture motion saves the session. It's not a referendum on whether

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate March 23, 2023

or not you like or agree with Senator Kauth or Senator Cavanaugh. It saves the session.

**KELLY:** One minute.

**CONRAD:** Be the statesman or woman that you came here to be. A law-- a vote of present, not voting or "no" stands on the sides of families. It stands on the side of the law. It stands on the side of policy. It stands on the side of morals. It stands on the side of medicine. It stands on the side of faith. It stands on the side of science. It stands with the business and economic development interests of this state and our future. A vote of present, not voting or "no" saves the session, is on the right side of law, policy and history. It's that simple. It's that simple. If you want to save the session, be present, not voting or vote no. If you want to take up any other issue, that's your option. Thank you, Mr. President. I withdraw the motion.

**KELLY:** Thank you, Senator. The motion is withdrawn. Mr. Clerk, for items.

**CLERK:** Mr. President, the next motion: Senator Day would move to bracket LB574 until May 19, 2023.

**KELLY:** Thank you. Senator Dover has some guests in the north-- in the south balcony from the Elkhorn Rural Public Power District. Please stand and be recognized by your Nebraska Legislature. Senator Lippincott has some guests in the south balcony from Aurora Elementary. Please stand and be recognized by your Nebraska Legislature. Senator Day, you're recognized to open on your bracket motion.

**DAY:** Thank you, Mr. President. I know that this is going to be my last time on the mike today before we get to cloture. We've heard a lot of really important points this morning and really crucial pieces of this discussion. We've heard about the science behind the support for gender-affirming care. We have heard about the support from the medical community for access to gender-affirming care. We've heard about the need to keep these discussions about the practice of medicine and transgender care in academia and in research and science, and not in political bodies. We've heard about the very real, current legal problems with pieces of legislation like this. We have heard about the very real and imminent lawsuits that will occur in the state of Nebraska if this piece of legislation gets passed. We've also heard some really important personal stories from people, and I think that's what I wanted to, to finish my morning talking about. As I mentioned

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate March 23, 2023

earlier, I followed in an ambulance this morning from Children's in Omaha into Lincoln. Lights were on. It was obviously rushing. I'm not sure where they were going. Obviously, I don't know what was happening. But for me, my immediate thoughts went to the email that we were all sent that Senator Hunt passed out to us yesterday. And I'm just going to read that really quick. Thank you for all you're doing, Megan. I am in the process of sending a copy of this email to the rest of your colleagues. I am writing to you as a licensed psychologist and the clinical supervisor for several mental health therapists at Kindred Psychology. I am also writing to you with tears streaming down my face with fear. I need you to know that since this morning session adjourned, the crisis calls from transgender and gender-diverse adolescents have begun. We've already had youth contacting their therapists in crisis and/or disclosing in session that they are acutely suicidal. We've had-- we have had sessions with frantic parents who feel unable to keep their children safe from harming themselves or completing suicide. As you consider your next actions on LB574 tomorrow, I beg you to proceed with the awareness that actions to advance LB574 will most certainly be the driver for suicide by some of the youth served by your practice. I wish I could show you the terrified faces of these vulnerable youth, let you witness the heaving sobs that emerge from their bodies when they're safe in an affirming, therapeutic environment. I wish you could hear the agony in the voices of parents who feel certain that the manner and near certainty of their children's death is being decided for them, possibly within the next two days. Envision the pain of these fellow human beings and please hear me. Voting for LB574 will result in the deaths of transgender and gender-diverse adolescents likely before the end of the school year. I cannot keep them all safe. I need your partnership. Please help me keep them safe. Respectfully, Cammy [PHONETIC]. Thank you. I have a 10-year-old and a 14-year-old myself and so I think that's why this stuff is so hard for me to read, because I look into their eyes every day when I come home and then see how hard it is to just be a person in 2023, how hard it is to be a kid, let alone having your very existence being debated by adults on TV. I cannot imagine the pain. I want all of you to go into the rotunda and look into the eyes of those parents and tell them that you're voting for this bill knowing that it could potentially kill their child. I want you to look at the kids in the balcony and understand the implications of what you're doing when you vote green on this bill today. You do not have to vote for this bill. I know that there is a group of senators in here who will not be changed by debate today, but I also know that there is a group of senators who have hearts, who listen, who care about these families, who care about these kids and who have been

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate March 23, 2023

listening to these families in the weeks prior to this debate. I know you don't want to vote for this. You do not have to. I genuinely believe that moments like this are put in front of us to give us an opportunity to do the right thing. You are all being given an opportunity today to choose life for these transgender babies, to choose to stop the torture of this debate for these kids. That is the choice you are making today, in addition to saving the rest of this session. Because if it continues, Senator Cavanaugh has several senators that are joining her in filibustering, including myself. You do not have to vote for this. Please. Present, not voting is sufficient. You don't have to vote no. Feel it in your heart. I know it's there. Look into the eyes of these kids and these parents who are hurting at the very sight of this conversation. Please stop it. This is the opportunity for you to be the one who does the right thing. You are given the gift of the opportunity. Please take it. And we all know it is not easy to do the right thing. If it was easy, everybody would do it. If it was easy, we wouldn't be having this debate. This is your opportunity to stop the suffering of these children and these families. Just one of you. We need just one of you to be present, not voting. That's it. It ends it today. I believe that we can do it. I believe in the hearts of the people in this body. I'm begging you. Please. Present, not voting or "no" on cloture today.

**KELLY:** One minute.

**DAY:** I withdraw my motion. Thank you, Mr. President.

**KELLY:** Thank you, Senator. The motion is withdrawn. Mr. Clerk, for motions.

**CLERK:** Mr. President, Senator Machaela Cavanaugh would move to bracket LB574 until May 22, 2023.

**KELLY:** Senator Machaela Cavanaugh, you're recognized to open on your bracket motion.

**M. CAVANAUGH:** Thank you, Mr. President, colleagues. Thank you, Senator Day. One person. One person can be the person who decides how the rest of the session goes. One person. Last Friday, Senator-- Speaker Arch spoke on the floor that he and I had come to an agreement. The agreement was that he was going to schedule this bill for floor debate this week. It would go its eight hours. And at that moment in time, we both knew it did not have the votes. And if it failed on cloture, I was going to stop filibustering the session. On Monday, Senator Jacobson started working with several of you who were previously

stated to have not been in support of the bill on an amendment, an amendment that will never be adopted, an amendment that will never be debated, an amendment that will never be attached. The agreement was, if this fails on cloture, I stop filibustering the session. I am not breaking any agreement. Senator Arch isn't-- Speaker Arch isn't breaking any agreement. He never agreed to vote present, not voting or against this. He agreed to schedule the bill, and I agreed that if it failed on cloture, I would stop filibustering. It is well within Senator Jacobson's right to come up with an amendment and to work that amendment. And it is well within my right to ensure that that amendment doesn't make its way to the board. This happens on all sides, on lots of different bills, all of the time. I'd ask if Senator Hunt would yield to a question.

**KELLY:** Senator Hunt, will you yield?

**HUNT:** Sure. Yeah.

**M. CAVANAUGH:** Thank you, Senator Hunt. Again, thank you just for being you, mostly.

**HUNT:** Everyone loves it. No problem.

**M. CAVANAUGH:** I think there's a lot of people here who do. You talked yesterday about your son and some of the concerns-- you shared some of the concerns you have over sharing about your son. And I'm very grateful to you for your strength and for his as well. I just wondered if you would want to tell us a little bit more about as a parent-- not as a queer parent-- a parent, what it was like for you to have your son come to you and what this process has been like. I mean, you can talk as a queer parent if you want.

**HUNT:** Yeah. Well, I would say it all started around just before the beginning of the pandemic. And there was probably not a better time for a child and a family to go through this than during a time when we were all being at home together anyway. You know, he was out of school. We were able to, to find counselors and therapists, you know, psychotherapists for mental health counseling that we saw for more than a year before we ever had any other appointments or pursued anything else. And it was also good that it was during the pandemic and during this time, because when school started up again, he was going to junior high. He was going to middle school. So we started again at a new school where he could start with a new cohort of peers and kind of be who he is, like, right away at the new school. You

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate March 23, 2023

know, new year, new me kind of thing. And-- how much time do we have, Mr. President?

**KELLY:** 5:51.

**HUNT:** OK. Thank you. I, I've heard a lot of parents of trans youth who are in older generations, you know, who have trans youth who are maybe my age, around my age, say things like, you know, I have to accept that my daughter is dead and now I have a son, or say that, you know, my daughter is no longer with us and now we have a son-- things like this that I think are very dramatic, actually, and very violent in a way and don't really reflect what my experience and what I think the experience of many people in my generation feel, which is, my child is the same. I have the same child. It's literally the same. My child didn't go anywhere. I'm blessed that my child felt comfortable and loved enough in his home to disclose this to his caregivers. And all that-- I didn't lose anything. I gained so much. I gained the trust of my child. The, the privilege and blessing of him letting me know who he is. And in previous generations, I just don't think that that was normal. It wasn't typical. I mean, even to come out as gay was verboten in my generation. You know, we have all these stories of people being kicked out of their houses, of people being homeless, of people experiencing all kinds of assault and abuse just for naming the thing that they are; not for any action taken, but just for words spoken. And I never want that to happen in my home. None of my children will ever, ever think that they don't have a home with me. And, you know, that goes for any child. And-- so was it easy for me? No. Was I super happy about this information? Frankly, no. It was really difficult for me. I-- but one thing I think I did right-- you know, I guess time will tell. We don't know until later. But one thing I think I did right with my son is I never processed any of my grief or sadness or shock or any kind of emotions like that with him. I have my own mental health therapist. I have my own friends and support network who I worked through this through, who I lean on for support. And I never bring this to my son and say that he's made my life hard in any way, that he's caused me any kind of anxiety in any way, because, you know, that's for me to process. That's not to put on him. And at the end of the day, I have to really see this for what it is, which is a privilege to get to know my child better as he grows up. You know, I miss-- when I think about, I miss my child from before, what I'm really missing is my baby. And who among us doesn't miss their baby? I mean, I miss having a 2-year-old. I miss having an 8-year-old. I miss having a pleasant child. I mean, I have a, a teenager and he's a very normal teenager. He has crushes on girls. He plays with friends. He tries to make movies on his phone. He learns to

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate March 23, 2023

play new instruments. He writes plays and performs them with his neighbors. Like, it's the most normal childhood ever. And what's also normal is my kid giving me a lot of attitude right now, and sometimes, like, he's a little annoying, but I love my kid. I have a normal kid, and I miss having a baby, but I don't miss anything-- I would-- I wouldn't do anything to trade him or change him.

**M. CAVANAUGH:** Thank you. Thank you, Senator Hunt. You have a really wonderful kid.

**HUNT:** Yeah.

**M. CAVANAUGH:** Yeah. And I'm getting to that point of that teenage attitude with my own children. I think they've been teens since they were three. Colleagues, please, just don't vote green for cloture. Let's move forward. Let's have the session the state deserves. Thank you. I withdraw my motion.

**KELLY:** Thank you, Senator. The motion is withdrawn. Mr. Clerk, for a motion.

**CLERK:** Mr. President, Senator Fredrickson would move to bracket LB574 until May 23, 2023.

**KELLY:** Senator Fredrickson, you're recognized to open on your bracket motion.

**FREDRICKSON:** Thank you, Mr. President. All right, colleagues. Here we are. So, this has been really hard. I, I started this week saying that I was dreading this from the moment I heard a rumor that a bill like this was going to be introduced. And I spoke about how this is difficult for so many reasons. But I think today really underscored for me that one of the hardest things about this is how difficult this has been for our body, the Legislature. I've listened today to the courage, to the vulnerability that has been shared on this floor, and it's really an honor to stand here with all of you. And I can't stop thinking about the parents. I can't stop thinking about Senator Walz's comments. I can't stop thinking about what Senator Hunt shared. And I can't stop thinking about, about my own parents, and my mom, who passed away last year, and she accepted me. I apologize. I also got an email from a constituent who is a parent that I'm going to read. It said, Senator Fredrickson, as a constituent in your district, and more importantly a mom to an incredible son, I implore you to oppose LB574 and fight hard to ensure that that bill fails. My son has been receiving life-affirming care since 2020 and has survived through some

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate March 23, 2023

dark times in his childhood and adolescence. There were many nights I sat up with him all night long for fear that he wouldn't be here any longer when we woke up. Watching your child feel so foreign in their own body that they believe they don't belong in this world is heart-wrenching. If it weren't for finding a mental health therapist that could help him better understand what he was going through and that it was OK and accepting, I firmly believe he wouldn't be with us today. As the years have progressed, he has been better able to understand and love himself for the beautiful gift to the world that he is. With the gender-affirming care he has received, he will tell you that he has never felt better and is thriving in life. He is not only on a full-ride scholarship as a freshman in college, but he received perfect grades in his first semester. Thankfully, he has college and gender-inclusive housing, and he has met friends that will-- he will probably have for a lifetime. He has found an amazing partner to share his life with. And as his mom, I could not be prouder of his attitude, kindness and compassion for others, courage and intelligence. He is the type of young man that Nebraska needs to stay in Nebraska to build a life here and to contribute to this state. Unfortunately, some of the laws and the people who are trying to create policy to discriminate against others, this is an unwelcoming and increasingly unsafe place for him to want to be. Until policymakers find empathy and take the time to truly understand and experience of others, we will lose some of our best and brightest upcoming minds. Like Senator Walz, I wish this were different. I don't like this at all. And I wish I could say or do something to have changed this. To my LGBTQ family, I spoke to you at the beginning of the week and I'll speak to you again regardless of what happens today. Heads up. Chins up. We're survivors. Me standing in this room is proof of that. Colleagues, this is an opportunity for courage. Some of us in this room have to practice courage every day showing up here. Please be courageous. With that, I'll withdraw my motion. Thank you, Mr. President.

**KELLY:** The motion is withdrawn. Thank you, Senator. Senator Murman announces some guests in the south balcony, some seniors from Southwest High School in Bartley, Nebraska. Please stand and be recognized by your Nebraska Legislature. Mr. Clerk, for a motion.

**CLERK:** Mr. President, Senator Kauth would move to invoke cloture pursuant to Rule 7, Section 10 on LB574.

**KELLY:** Senator Kauth, for what purpose do you rise?

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate March 23, 2023

**KAUTH:** Thank you, Mr. President. I would like to invoke cloture. Call of the house, please.

**KELLY:** There's been a request to place the house under call. The question is, shall the house go under call? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 41 ayes, 0 nays to place the house under call.

**KELLY:** The house is under call. Senators, please record your presence. Those unexcused senators outside the Chamber, please return to the Chamber and record your presence. All unauthorized personnel, please leave the floor. The house is under call. Senators Armendariz, Vargas, Slama, McDonnell, Wayne, Arch, please return to the Chamber. The house is under call. All unexcused members are present. Members, the first vote is on the motion to invoke cloture. All those in favor vote aye; all-- roll call, reverse, Mr. Clerk.

**CLERK:** Senator Wishart voting no. Senator Wayne voting no. Senator Walz voting no. Senator von Gillern voting yes. Senator Vargas voting no. Senator Slama voting yes. Senator Sanders voting yes. Senator Riepe voting yes. Senator Raybould voting no. Senator Murman voting yes. Senator Moser voting yes. Senator McKinney voting no. Senator McDonnell voting yes. Senator Lowe voting yes. Senator Lippincott voting yes. Senator Linehan voting yes. Senator Kauth voting yes. Senator Jacobson voting yes. Senator Ibach voting yes. Senator Hunt voting no. Senator Hughes voting yes. Senator Holdcroft voting yes. Senator Hardin voting yes. Senator Hansen voting yes. Senator Halloran voting yes. Senator Geist voting yes. Senator Fredrickson voting no. Senator Erdman voting yes. Senator Dungan voting no. Senator Dover voting yes. Senator Dorn voting yes. Senator DeKay voting yes. Senator DeBoer voting no. Senator Day voting no. Senator Conrad voting no. Senator Clements voting yes. Senator Machaela Cavanaugh voting no. Senator John Cavanaugh voting no. Senator Briese voting yes. Senator Brewer voting yes. Senator Brandt voting yes. Senator Bostelman voting yes. Senator Bostar voting no. Senator Blood voting no. Senator Ballard voting yes. Senator Armendariz voting yes. Senator Arch voting yes. Senator Albrecht voting yes. Senator Aguilar voting yes. Vote is 33 ayes, 16 nays, Mr. President, on the motion to invoke cloture.

**KELLY:** The visitors are-- in this Chamber are welcome but should refrain from any outburst. Any outburst. The next item before the body is the motion to recommit to committee. All those in favor vote aye; all those-- request for roll call. Mr. Clerk.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate March 23, 2023

**CLERK:** Senator Aguilar voting no. Senator Albrecht voting no. Senator Arch voting no. Senator Armendariz voting no. Senator Ballard voting no. Senator Blood voting yes. Senator Bostar not voting. Senator Bostelman voting no. Senator Brandt voting no. Senator Brewer voting no. Senator Briese voting no. Senator John Cavanaugh voting yes. Senator Machaela Cavanaugh voting yes. Senator Clements voting no. Senator Conrad voting yes. Senator Day voting yes. Senator DeBoer voting yes. Senator DeKay voting no. Senator Dorn voting no. Senator Dover voting no. Senator Dungan voting yes. Senator Erdman voting no. Senator Fredrickson voting yes. Senator Geist voting no. Senator Halloran voting no. Senator Hansen voting no. Senator Hardin voting no. Senator Holdcroft voting no. Senator Hughes voting no. Senator Hunt voting yes. Senator Ibach voting no. Senator Jacobson voting no. Senator Kauth voting no. Senator Linehan voting no. Senator Lippincott voting no. Senator Lowe voting no. Senator McDonnell voting no. Senator McKinney voting yes. Senator Moser voting no. Senator Murman voting no. Senator Raybould voting yes. Senator Riepe voting no. Senator Sanders voting no. Senator Slama voting no. Senator Vargas voting yes. Senator von Gillern voting no. Senator Walz voting yes. Senator Wayne voting yes. Senator Wishart voting yes. Vote is 15 ayes, 33 nays, Mr. President, on the motion to recommit.

**KELLY:** The motion to recommit fails. The issue now is the advancement of LB574 to E&R Initial. All those in favor vote aye; all those opposed vote nay. Request for a roll call. Mr. Clerk.

**CLERK:** Senator Aguilar voting yes. Senator Albrecht voting yes. Senator Arch voting yes. Senator Armendariz voting no. Senator Ballard voting yes. Senator Blood voting no. Senator Bostar voting no. Senator Bostelman voting yes. Senator Brandt not voting. Senator Brewer voting yes. Senator Briese voting yes. Senator John Cavanaugh voting no. Senator Machaela Cavanaugh voting no. Senator Clements voting yes. Senator Conrad voting no. Senator Day voting no. Senator DeBoer voting no. Senator DeKay voting yes. Senator Dorn voting yes. Senator Dover voting yes. Senator Dungan voting no. Senator Erdman voting yes. Senator Fredrickson voting no. Senator Geist voting yes. Senator Halloran voting yes. Senator Hansen voting yes. Senator Hardin voting yes. Senator Holdcroft voting yes. Senator Hughes not voting. Senator Hunt voting no. Senator Ibach voting yes. Senator Jacobson voting yes. Senator Kauth voting yes. Senator Linehan voting yes. Senator Lippincott voting yes. Senator Lowe voting yes. Senator McDonnell voting yes. Senator McKinney voting no. Senator Moser voting yes. Senator Murman voting yes. Senator Raybould voting no. Senator Riepe voting yes. Senator Sanders voting yes. Senator Slama voting yes. Senator Vargas voting no. Senator von Gillern voting yes. Senator

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate March 23, 2023

Walz voting no. Senator Wayne voting no. Senator Wishart voting no.  
Vote is 30 ayes, 17 nays, Mr. President, on advancement of the bill.

**KELLY:** LB574 advances to E&R Initial. Mr. Clerk, for items. I raise the call.

**CLERK:** Mr. President, amendments to be printed: Senator Fredrickson to LB181; Senator Machaela Cavanaugh to LB276. Additionally name-- excuse me, notice that the Revenue Committee will be holding Executive Session at noon in room 1524; Revenue Committee, Executive Session, noon, room 1524. Finally, Mr. President, priority motion. Senator Briese would move to adjourn the body until Friday, March 24 at 9:00 a.m.

**KELLY:** The question is, the question is to adjourn. And a request for a roll call vote. Mr. Clerk.

**CLERK:** Senator Aguilar voting yes. Senator Albrecht voting yes. Senator Arch voting yes. Senator Armendariz voting yes. Senator Ballard voting yes. Senator Blood voting no. Senator Bostar voting yes. Senator Bostelman voting yes. Senator Brandt voting yes. Senator Brewer voting yes. Senator Briese voting yes. Senator John Cavanaugh voting yes. Senator Machaela Cavanaugh voting no. Senator Clements voting yes. Senator Conrad voting no. Senator Day voting no. Senator DeBoer voting yes. Senator DeKay voting yes. Senator Dorn voting yes. Senator Dover voting yes. Senator Dungan voting yes. Senator Erdman voting yes. Senator Fredrickson voting yes. Senator Geist voting yes. Senator Halloran voting yes. Senator Hansen voting yes. Senator Hardin voting yes. Senator Holdcroft voting yes. Senator Hughes voting yes. Senator Hunt voting no. Senator Ibach voting yes. Senator Jacobson. Senator Kauth voting yes. Senator Linehan voting yes. Senator Lippincott voting yes. Senator Lowe voting yes. Senator McDonnell voting yes. Senator McKinney voting yes. Senator Moser voting yes. Senator Murman voting yes. Senator Raybould voting yes. Senator Riepe voting yes. Senator Sanders. Senator Sanders voting yes. Senator Slama voting yes. Senator Vargas voting yes. Senator von Gillern voting yes. Senator Walz voting yes. Senator Wayne voting no. Senator Wishart voting yes. The vote is 42 ayes, 6 nays, Mr. President, on adjournment.

**KELLY:** We are adjourned.