

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate March 17, 2023

**KELLY:** Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the seventy-ninth day of the One Hundred Eighth Legislature, First Session. Our chaplain today is Reverend Kate West from Senator DeKay's district. Please rise.

**REVEREND WEST:** Good morning, beautiful people. Let's take a few moments to center ourselves to invite the divine into our lives, taking a deep breath, feeling the goodness and the love that is in the world enter our bodies, filling our lungs and our beings. And releasing the negativity, the things that distract us from hearing the voice of the divine in the world. Let us pray. Great love, we are thankful for this beautiful day that you have given us to come together to be about your work in this world, in this state, in this place. Open our hearts and our minds to hear you as you rustle through this place. Help us to remember those who are less fortunate than we are, those who are considered the "other" and on the margins of society, those who need a reminder that love will always win at the end of the day. God, you take care of our needs, and so we take a moment of silence now to pour our hearts and minds before you. Great spirit, remind us of our missions and of our goals this day. Help us to support each other and those we represent. Be with those who struggle for any reason this day that they may have the resources they need to make today better than yesterday. It is all of these things and more. We pray. Amen. Amen.

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

**LOWE:** Please join with me in the Pledge of Allegiance. 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 seventy-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, Mr. Clerk. Are there any corrections for the Journal?

**CLERK:** Mr. President, Senator Machaela Cavanaugh has a correction for the Journal. On page 1518, the M. Cavanaugh point of order was not recognized because the body had invoked cloture. Correction being M.

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Cavanaugh made repeated points of order; the numbers should be specified.

**KELLY:** Mr. Speaker, I recognize you for a point of order.

**ARCH:** Mr. President, if I recall correctly, you've previously ruled that corrections to the Journal from the floor are not in order.

**KELLY:** I have, Mr. Speaker. Senator Conrad, you were recognized first.

**CONRAD:** Thank you, Mr. President. Good morning, colleagues. I'd move to overrule the Chair.

**KELLY:** Senator Conrad, you're recognized to open on your motion to overrule the Chair.

**CONRAD:** Thank you, Mr. President. Again, good morning, colleagues. I appreciate having a point of order recognized this morning. I think that's appropriate in, in terms of our past practice, precedent and our rules. I think, unfortunately, that was not the case in the midst of a very pitched legislative debate last evening. And, of course, some of that is evident on the record, but not all. I think my colleagues can attest to the fact, as can the presiding officer, and the record is clear that I do not raise points of order in a willy-nilly fashion. I rose last night in relation to the impropriety of the cloture motion in terms of how it was being handled. And I was not all-- I was not recognized nor allowed to present that information to the record, which was critical from a variety of different perspectives. The presiding officer-- in this instance, the Lieutenant Governor-- does not have the ability or right to not recognize a member's point of order. It is not discretionary. It is fundamental to our rules and, in this instance, to the separation of powers. Additionally, it was important from a procedural perspective and had substantive implications. When the motion for cloture was filed, the only thing on the board was a motion to return to Select File, not the substantive amendment. That was not the case in terms of how it was handled. It is now-- and it is-- it stands in contrast to how matters of that nature have been handled in the past. So I do believe that we as a body, as a collective, have the ability to ensure clarity and accuracy in our recordkeeping, including the Journal, and it's best to take it up as contemporaneously as possible to ensure that we have a clear recollection of any errors in need of correction. So I would ask my colleagues to join me in overruling the Chair and ensuring fidelity to our ability as a collective to ensure accuracy in our recordkeeping. Thank you, Mr. President.

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**KELLY:** Thank you, Senator Cavanaugh-- Conrad. Excuse me. As a reminder: on this motion to overrule the Chair, all senators may speak once. You may yield to questions. You may not yield your time to other senators. Senator Machaela Cavanaugh, you're recognized to speak.

**M. CAVANAUGH:** Thank you, Mr. President. I'm not sure if I'm supposed to speak to the motion to overrule the Chair or if perhaps I should speak to the bills on the agenda so that people can call the question on the bills on the agenda since I'm speaking on them now when we're not on them. It's so confusing, the inconsistency of this body. Yesterday, in the words of Annie [PHONETIC], we're plain awful. Plain awful. The voice of the people was squashed repeatedly. Democracy was undermined by the presiding officer and by members of this body. There was a concerted effort to do wrong by the Legislature itself and the state of Nebraska. Process and procedure was dismissed, overridden, ignored at every turn for your ill-gotten gains of a victory. And 33 people in this room are completely, 100 percent complacent in all of it. And then, with the exception of one, they all scurried out the back door through the construction site. I have never seen such cowardice in my life. You did not have the courage to face your victims in the Rotunda, the parents that you are stealing their rights away from, the children who you are harming, the doctors whose professions you are dismantling, the women whose lives you are endangering. You scurried away. And then the likes of people like Senator Brewer go on the radio saying how I'm uncivil. I might be uncivil, but I have integrity on my side. I stood up for the most vulnerable people. I stood up when it wasn't popular. I stood up when it hurt. I stood up when it cost me everything. And the people in this Chamber who know better, who know better, who know better, voted to hurt children, to hurt parents, to hurt the medical professional, to hurt the business community, to hurt the state. And you did it, you did it while also dismantling this institution. I was getting text messages from former colleagues during the end of the evening-- Republicans, all of them. Numerous former colleague Republicans who were in utter despair watching people they considered to be moderates and friends and colleagues that they could rely on. Disappointment beyond belief. And I told them, call them. Tell them. Tell them what they did. Tell them what they did because they know it. They know it. They know what they did. They know what side they were on. And they know they were on the absolute wrong side of history. And they destroyed this institution yesterday with their vote and with their actions. Tell them because they don't give a flying flip what I have to say. They don't care how right I am. They don't care how wrong

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everyone else is. They are going to go along to get along and they're going to go with the--

**KELLY:** One minute.

**M. CAVANAUGH:** --crowd and scurry out that door because they knew what they were doing was "irreputably" wrong. And they couldn't face the people that they were harming. They couldn't face the families that they were harming. They sit next to a colleague and they took her vote-- her rights away with their vote. Took her rights away. Shameful. Nothing less than shameful. But I learned how to take time off the clock. So, kudos to you all for showing me that. I enjoy spending today with you together. It's going to be a fun ride. I can guarantee you. A fun ride. Thank you, Mr. President.

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

**J. CAVANAUGH:** Thank you, Mr. President. Well, I rise in support of the motion to overrule the Chair. I disagreed with the ruling last time when the Chair relied upon Mason's. And I didn't disagree with his reliance upon Mason's, I disagreed with the Chair's interpretation of those sections of Mason's, which is a relevant distinction because, last night in the debate, Senator Wayne attempted to amend the motion to recommit. And he made a, a sound argument that relied on clear language from Mason's that said a motion to recommit to committee is amendable as to which committee it is recommitted to. Mason's said that in plain language. And the Chair ruled that that was not in order. We attempted to overrule the Chair, and this body refused to do that, to overrule the Chair on that ruling. And I think it's important that we be clear. The rules do say that first we rely upon our rules. And if they are unclear, then we rely on our traditions and precedents, and we may rely upon Mason's. And there are those here who would like to rely upon Mason's when it suits them and not when it doesn't. And as Senator Wayne pointed out last night, our rules did not specify whether he could make the amendment that he offered and that he distinguished from the one precedent that was articulated to him, which was distinguishable in the sense that it was a filed motion to a different committee and not an amendment to a motion that was already on file, which is clearly distinguishable. And so the Chair chose not to recognize the authority or guidance of Mason's in that context because the Chair wanted the particular outcome. The reason we have rules, the reason we rely upon precedent and the reason we look towards Mason's is so we have certainty in how we are going to conduct ourselves. If people come in here and they can skirt the rules, change

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the rules, we can go against precedent when convenient, we can pick and choose which rules we follow when convenient, then no one knows what's going to happen in here. And we saw that play out yesterday when a previously would have been two-hour debate became a six-hour debate because, at every turn, we stopped counting time, which has not been something that happened before. On that very bill yesterday, that was up yesterday, when it was on General File, there was a debate about overruling the Chair that lasted for hours and was counted against the time. And so the purpose of consistency in the rules is so we are all on the same page and we do not have that scrambling. We had a lot of discussions up at the, the podium there because people did not know what was going to happen because we are not consistently applying and following our rules. And we have previously in this session allowed for a correction of the Journal from the floor. And there is a good argument for allowing for corrections of the Journal from the floor because the Journal is the record of what we did here and that it is this body--

**KELLY:** One minute.

**J. CAVANAUGH:** Thank you, Mr. President-- this body that has to accept what is the Journal. When he reads it across up there and he says "any corrections for the Journal?" that's for us to say, I've read the Journal. I have a problem with it. I don't accept it as written. What is the purpose of our vote on that accepting the Journal if we have no ability to correct it? How can we know that the record is accurate if there's no opportunity to make corrections and to discuss those corrections? The attempt here proposed by Senator Machaela Cavanaugh is a legitimate correction to this Journal. It's clarifying what happened yesterday, and it's important that we maintain that ability and that we follow our rules and that we understand which rules we're following and we apply them consistently so that everybody has a fair opportunity to be heard.

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

**J. CAVANAUGH:** Thank you, Mr. President.

**KELLY:** Thank you, Senator Cavanaugh. Senator Bosn would like to recognize the physician of the day: Dr. George Voigtlander of Lincoln. Please stand and be recognized by your Nebraska Legislature. Senator Conrad, I'm passing over you in the queue. You will be recognized to close. Senator Raybould, you're recognized to, to speak.

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**RAYBOULD:** Thank you, Mr. President. Good morning, colleagues. Good morning, my fellow Nebraskans watching on TV out there. I do stand in support of overruling the Chair. But I'd also want to thank the Lieutenant Governor, our Clerk and our Speaker for assisting and giving me time yesterday to, to work through some of the concerns that I had expressed and some of the inconsistencies that I have observed this session as a brand-new state senator. And I am appreciative that you gave very thoughtful consideration to some of the concerns that I raised about the time and tracking time. And for that reason, I think it's, it's so important to make sure that our Journal reflects some of the, the current-- concerns and items that were raised yesterday that really took up a tremendous amount of our time and deliberations yesterday on, on dealing with such a weighty matter, matter. And I think that's so important that, going forward, if there are things to learn or if there are corrections to be made, then they should be made, and that I think we should as a body be able to look back and say, could we have done something differently? Could we have done something better? What were the, the lessons learned? I know that, in the considerations that we talked about yesterday, we tried to go back and look at the Journal from previous, previous days to verify or clarify or validate some of the concerns that we were raising about tracking of the time and how, how, how motions and points of order were handled in the past just to create some consistency for the body that will help dispel people's concerns going forward as we continue to, to work as a Unicameral trying to come up with the best policy that we all care deeply about. And, and I think for that reason, corrections to the Journal are so essential so that we can be more consistent with policymaking and decision-making going forward. So, thank you, Mr. President.

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

**HUNT:** Thank you, Mr. President. Good afternoon, Nebraskans. I, I think it's going to be another long day. It might be a midnight type of day, looking at this agenda today. But I support this motion to overrule the Chair. How is this place supposed to work if we don't have a way to correct the Journal from the floor? I feel like folks keep doing their best, their earnest best, to follow the rules, follow past precedent, follow tradition, follow what we understand the rules to be, and then the way those rules are enforced is unpredictable, inconsistent. And then when we have questions about those rules or we, we want to correct the Journal to reflect what actually happened in debate for posterity and for the, the edification of the debates that we have for the people of Nebraska here, it's ruled out of order or

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it's-- we're told that we can't do it for different, inconsistent reasons. If we cannot correct the Journal from the floor in the moment, in a contemporary way, contemporaneous way, what is the right manner to do it? I have a feeling, based on the precedent set by Lieutenant Governor Kelly, who has been the most inconsistent president that I've seen in this Legislature-- Lieutenant Governor Foley was consistent. I mean-- you know, say what you will about how he ruled on things or what he thought about things or how he put his thumb on the scale for different bills, which he certainly did-- you know, at 10:00 a.m. out lobbying for something and then at 2:00 p.m. ruling on it from the Chair. But at least he was consistent. And I think that what this belies and betrays is the inexperience of this Lieutenant Governor, the inexperience of our Speaker and the inexperience of this body that has put people in positions of leadership from day one who are not, frankly, up to the task, aren't up to the task because they don't understand the rules and norms and traditions of this body. And worse than not understanding them-- because you can teach. I mean, you can learn to understand something. You don't respect them. You don't want to understand them. You don't want to do better. Speaker Arch doesn't want to do better. Lieutenant Governor Kelly doesn't want to improve. And what happens when all this goes down this way is the optics for Nebraskans are also really bad. I remember last night, Senator Kathleen Kauth said she gets two or three emails a week telling her to keep at it. What about the hundreds of emails a day that we get begging us to protect the people and families and children of Nebraska by not passing these bills? That's what speaks to me. And today in my inbox-- I was going to read a couple-- but today in my inbox, I have dozens. Not three or four, but dozens. Like, maybe 40 emails from Nebraskans who are specifically talking about process yesterday, who are spec-- not talking about the bill. I've got hundreds about the bill. I've got maybe 40 from people saying the process was wrong. The way you executed the rules was wrong. And the optics of that for Nebraskans is terrible. I don't want what's happening at the federal level in Congress with the, with the Supreme Court, with all of these things, to infect our civic process here in the state of Nebraska. We're above that. We've never had that before. That's never been a problem for us here in this state. And it shouldn't become a problem just--

**KELLY:** One minute.

**HUNT:** --because of the inexperience of this body and the insistence on adding insult to injury with every single win, ill-gotten gain gotten unfairly, gotten by putting your thumb on the scale, applying the rules and consistently, throwing the optics out the window so

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Nebraskans don't even know what's going on. It's nothing to be proud of. And I would encourage you to support the motion to overrule the Chair. I know you can do it. I've seen you do it before, you know, when it served you. And that's just one more example of the way this institution has been trampled on by this class. Thank you, Mr. President.

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

**ARCH:** Thank you, Mr. President. First of all, I want to, I want to speak to this point of order. And we, we've debated this before. We have a process for correcting the Journal. When you go to, when you go to our rules-- and, people, we do read our rules. The Clerk of the Legislature shall attend sessions, call the roll and keep journal of proceedings. We have, we have delegated the responsibility of keeping the Journal and making those corrections to the Clerk. So for that reason, I stand in opposition to overruling the Chair. I believe we have a process. We know-- we can correct the Journal, and it's appropriate for us to suggest corrections to the Journal to the Clerk. And that's our-- that is, that is our process. Now I want to speak to something else, because there is a lot of talk about how we just are throwing out rules on a regular basis, changing rules midstream. I cannot tell you how many times this session people have come to me and said, just interpret this rule this way. And I go to the Clerk and I sit down and I say, has that rule ever been interpreted that way? No. No, we've always interpreted it this way. I've gone back to the person; I'm saying I'm not going to do that. I'm not going to reinterpret the rules. The stopping of the clock for procedural motions has been consistent this year, to my knowledge, with one exception on General File, LB574. And that was not intentional on my part. But I understand that the clock management and how that was going to be done yesterday was communicated to a number of senators in this room, who, after-- I don't know. Was it four, five hours?-- raised it as an issue as though nobody had ever heard about that, that the clock was going to stop on overruling the Chair on procedural motions. My understanding is that was communicated. What is inconsistent this year and I find challenging and troubling is that rules now are being pushed into new uses never done before. So we say, we don't go to Mason's Manual. We have our procedures, precedent. We have, we have those things that we have done. And sometimes we have not used them in that way, and that is precedent. So we don't use them that way. But the rules this year have been pushed and pushed and pushed to new uses. That's where I find the inconsistency. We aren't looking at precedent. We aren't looking at past history. There's a new

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twist to this rule. There's a new spin that we can put on this, and I have resisted that from the very beginning of this session. I understand how important it is, that it is predictable, that we know how to manage and use our rules. Use-- hopefully not abuse-- because, frankly, you can't write enough rules. We could have a summer session of just nothing but rules, and the book could be about that thick. And there aren't enough rules when people don't want to follow the appropriate use of those rules. And I'm not, I'm not speaking to anybody in particular in this body. But that's the challenge that falls on me, is the consistent use of rules. So to those people that are standing up today and yesterday and saying we just change the rules any time we want to change them-- not true. Absolutely not true.

**KELLY:** One minute.

**ARCH:** But what is happening is the pushing of the use of rules that have never been used for that purpose. And now suddenly we find ourselves being challenged with the use of those rules. That's where we are. So with that, I'll stop there. But I rise in opposition to overruling the Chair. Thank you.

**KELLY:** Thank you, Senator Arch. Senator Dungan, you're recognized to speak.

**DUNGAN:** Thank you, Mr. President. Good morning, colleagues. I do appreciate the Speaker having a conversation about this. As I've noted before, and many of us also in this room are-- were new. And so I, I think that there's a little bit of a lack of knowledge for-- for me, at least-- as how things have been done in the past. And so when I look at these rules and when I try to determine how they operate, I do go to the Rule Book. And that was one of the things that was hammered into us during orientation, was read the rules, and they tell you that over and over. And then I've learned a lot about Mason's Manual since we've been in the body. And so I know we had a little bit of a discussion about Mason's yesterday. And my understanding of the Rule Book is that if there is ever anything that is silent as to the specific thing you're looking for, that you may, and historically have, referred to Mason's in an effort to sort of flesh out some of the questions you may have or, or, I guess, clarify. And the reason for that is our Rule Book is not always the most clear. It can, for example, give you the overarching rule that pertains to that subject, but it doesn't get into some of the nitty-gritty of what questions you may have. And I think that's where we oftentimes get into our, our debates, is, you know, in this particular nuanced instance, how does this work? Or, how do we answer this particular question? And so I did

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look at the Rule Book with regards to the modification of the Journal, and I do respectfully disagree that it can't be modified from the floor. My understanding is that the Clerk does have the ability to modify the Journal, but I don't believe-- at least based on my reading of that-- that providing that duty to the Clerk then removes that duty from the body. And the reason for that is I-- my reading of that rule in Section 19 is that it gives the Clerk the right to do that. But in that language, it does not specifically prohibit the body from doing it themselves. If you look at Mason's, Mason's Rules-- and I believe it's Section 700, which is the "Authority to Correct the Journal." Senator Wayne pointed this out previously when we had this debate, but subsection (1) of Section 700 says the right of a legislative body to correct its journal is an inherent right that does not depend on the constitution nor upon statute. Goes on to say that each house of the Legislature has the power to correct its journal prior to final adjournment. Obviously, we only have one house here. But it does go on to outline sort of the process and procedure within which the legislative body can correct its journal. But it's that first section, the right of a legislative body to correct its journal is an inherent right that does not depend upon the constitution nor upon statute. And so, although it does appear that we have delegated to the Clerk the option of modifying the Journal, the Clerk has that ability, I don't believe that giving that ability to the Clerk means that it is prohibited that the body can do that. If there was a specific rule saying that there can't be any motions to modify the Journal from the floor, then I think that would maybe be a lot clearer. And if that was the intention of the rules, then I think that can be something that's clarified moving forward. But certainly, the way that our Rule Book is currently written, it does not appear to be prohibited. I do share concerns about the rules being followed in a consistent manner. I also understand that yesterday was incredibly hectic. And I understand there was a lot of things happening. And so I do applaud, again, the staff and also presiding folks here for doing their best to try to make sure that these things are followed. I know it's, I know it's hard. I know it's difficult. But I do believe that these are good-faith conversations that we're having with regards to whether or not the rules are being consistently adhered to. And I do think it's important for us as a body to continue to strive towards application of the rules that is across-the-board consistent with everybody and across-the-board consistent which-- with each individual bill. And so--

**KELLY:** One minute.

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**DUNGAN:** Thank you, Mr. President. Again, referencing Mason's and our own Rule Book, I see nothing that prohibits us from having modifications to the Journal from the floor. And, in fact, given the fact that it is the inherent right of a legislative body to correct its journal, I don't see any issue with that. I'm happy to continue having conversations about it with anybody else. But I would urge my colleagues to vote yes on this motion to overrule the Chair, as I do believe we as a body have the right to modify our Journal. Thank you, Mr. President.

**KELLY:** Thank you, Senator Dungan. Senator Conrad, you're recognized to close on the motion.

**CONRAD:** Thank you, Mr. President. Good morning, colleagues. Appreciate the dialogue and debate that we've had this morning in regards to this important issue. And I just wanted to add a few additional reflections and citations to the record so that is clear. So, from a constitutional perspective, we have the ultimate authority to set our own rules in the Nebraska Legislature. You can look at Article III, Section 10. And that's crystal clear, that the Legislature shall determine the rules of its proceedings, period. We came together after a fairly rocky start and a very robust public hearing with, I think, well over 100 Nebraskans who stepped forward to share their ideas about process and dozens of rule changes. And we were able to find some consensus to preserve our traditions and integrity that ensures majority rule but also protects minority rights, to ensure some continuity in terms of our rules overall. And while everybody lost a little and everybody gained a little, we came together, working really hard with the Rules Committee and the Speaker, and we adopted rules unanimously together. We made an agreement with each other that that, that that was the set of rules that we were going to work within and under, as is our right and authority under the Nebraska Constitution. So I would additionally note I have a sincere disagreement with my friend, Speaker Arch, when he says we don't engage in willy-nilly changes to the rules, for example. That's just not clear, colleagues. You can look at the record and you can see midway through this year, Senator Erdman put forward a rules change in regards to motions. You all adopted it without a public hearing as required under our rules. That's a fact. So we do change the rules willy-nilly midstream when it suits our purposes. And you decided not to follow our rules, which you could have accomplished the exact same thing with a slight delay by engaging a public hearing. But nonetheless, you chose not to in contravention of our rules and traditions. Additionally, there has been a clear indication that we count time differently for different purposes on different matters, and that was important to be drawn out

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because it matters in terms of the procedural and the substantive results. So we saw happen yesterday what we've seen throughout the session, was an exertion of raw political power. Questions regarding sincere and important questions regarding germaneness? Don't care. Sincere and important issues that are constitutionally required regarding single subject and titled? Don't care. Our rules which require bills to be introduced within the first 10 days and be subject to public hearing absolutely did not happen. If LB626 is dead, the amendment you adopt yesterday is new matter in regards to abortion policy. It was not introduced as a bill and it was not subject to public hearing. So when you say we don't change the rules willy-nilly, that flies in the face of the record and experience that we shared together over the past 70-odd days. So in closing, I will let the record be clear that while there is no specific rule in regards to recognition of a point of order, our precedent, tradition, and custom has always been to recognize one. Has always been to recognize one. And the point that I brought forward--

**KELLY:** One minute.

**CONRAD:** --is not dilatory-- thank you, Mr. President-- but was in relation to the motion on the board and in impropriety of how the cloture motion was called. If you look additionally to Mason's Legislative Manual, Chapter 14, Section 150, it provides a fundamental right, colleagues, a fundamental right for a member to raise a point of order. And it says, points of order are presented to the providing-- presiding officer for determination. The ruling on points of order may always be questioned by the body on appeal and the question decided by the body itself. We should not ever cede our ability and authority as a collective to determine our own rules and we should not cede that to the presiding officer. Additionally, if you look at Mason's Legislative Manual, Chapter 22, Section 234, you will also see the explanation of the duty of the presiding officer to recognize and immediately take notice of a member's point of order. It is not discretionary--

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

**CONRAD:** Thank you, Mr. President. I urge you to overrule the Chair.

**KELLY:** Thank you, Senator Conrad. Mem-- members, we'll proceed to the vote on the motion to overrule the Chair. Request for a roll call vote. And it takes-- with four members excused, it would take 24 votes to overrule the Chair. 23. 23 votes. Mr. Clerk.

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**CLERK:** Senator Aguilar voting no. Senator Albrecht voting no. Senator Arch voting no. Senator Armendariz voting no. Senator Ballard voting no. Senator Blood not voting. Senator Bosn voting no. Senator Bostar. Senator Bostelman voting no. Senator Brandt voting no. Senator Brewer voting no. Senator Briese voting no. Senator John Cavanaugh voting yes. Senator Machaela Cavanaugh not voting. Senator Clements voting no. Senator Conrad voting yes. Senator Day. 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. Senator Halloran voting no. Senator Hansen voting no. Senator Hardin voting no. Senator Holdcroft voting no. Senator Hughes voting no. Senator Hunt not voting. 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 not voting. Senator Wayne. Senator Wishart not voting. Vote is 7 ayes, 33 nays, Mr. President, on the motion to overrule the Chair.

**KELLY:** The motion to overrule the Chair fails. Mr. Clerk for items.

**CLERK:** I have no corrections for the Journal, Mr. President.

**KELLY:** Mr. Clerk for the first item on-- Senator Cavanaugh, please state your point of order.

**M. CAVANAUGH:** I submitted corrections for the Journal.

**KELLY:** Senator, there was just a ruling by the body that those were out of order. We're proceeding. Mr. Clerk, please call the roll.

**CLERK:** Senator Aguilar not voting. Senator Albrecht not voting. Senator Arch voting yes. Senator Armendariz voting yes. Senator Ballard voting yes. Senator Blood voting yes. Senator Bosn voting yes. Senator Bostar not voting. Senator Bostelman voting yes. Senator Brandt voting yes. Senator Brewer voting yes. Senator Briese voting yes. Senator John Cavanaugh not voting. Senator Machaela Cavanaugh voting no. Senator Clements voting yes. Senator Conrad voting no. Senator Day. Senator DeBoer not voting. Senator DeKay voting yes. Senator Dorn voting yes. Senator Dover voting yes. Senator Dungan not voting. Senator Erdman voting yes. Senator Fredrickson. Senator Halloran voting yes. Senator Hansen voting yes. Senator Hardin voting yes. Senator Holdcroft voting yes. Senator Hughes voting yes. Senator

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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 not voting. Senator von Gillern voting yes. Senator Walz not voting. Senator Wayne. Senator Wishart not voting. Vote is 32 ayes, 5 nays on adoption of the Journal.

**KELLY:** The Journal is adopted. Mr. Clerk for first item on the agenda.

**CLERK:** Mr. President, some items first. New LR: LR179 from Senator Arch. That'll be referred to the Executive Board. LR180, LR181 from Senator Slama. Those will both be referred to the Executive Board. New LRs from Senator Clements: LR182, LR183. Those will both be referred to the Executive Board as well. Amendment to be printed from Senator Raybould to LB531. That's all I have at this time, Mr. President.

**KELLY:** Thank you, Mr. Clerk. Mr. Clerk for first item on the agenda. If all senators could find their seats. We're on Final Reading. Mr. Clerk.

**CLERK:** Mr. President. Final Reading. Speaker priority bill: LB813. First of all, I've got a motion from Senator Machaela Cavanaugh to return LB813 to Select File for a specific amendment, that being FA121.

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

**M. CAVANAUGH:** Thank you, Mr. President. So, just for everyone's knowledge, when you voted for the Journal as it was, you voted for an extremely inaccurate Journal. But maybe we're OK with that. I mean, did I black out last night when Senator Albrecht made the motion for cloture on Senator Kauth's bill? Because we didn't go to my corrections for the Journal, the Journal still says that Senator Albrecht made the motions for cloture on Senator Kauth's bill. But bygones, right? Who cares about that stuff? It's just the permanent record. Just because you don't like me doesn't mean I'm wrong. But, there we go. OK. So, this is going to be a very long day because we are on Final Reading. Great scheduling to have Final Reading after yesterday where everyone has to sit in their seats for the two hours. And then the next two hours and the next two hours and the next two hours. But hopefully we find ways to take time outside of the bill so

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you all can get up from your seats. Because that'll be fun, won't it? It will. Yesterday, when we were on Final Reading and I was sitting in my seat and I wanted to look at the queue-- and you're not supposed to get up from your seat, so I went old school. I used the telephone. The phones on your desk, they actually work. If you dial, dial 250, you get the President's desk. And I don't remember which pages were up there, but thank you, whoever it was that continually was reading me the queue because I did not want to get tackled by Charlie, the Red Coat. He, he was being very patient with me, but I was definitely pushing the limits of his patience by not staying in my seat. So I thought I should follow the rules-- follow the rules and stay in my seat during Final Reading, because that's what you're supposed to do. I like to follow the rules. Push them, sure. But I follow them. That's part of the reason that yesterday was just so-- just-- if you want to do things the right way, there's a reason that we have our order and our structure and our rules and our Rule Book and then Mason Manual to fall back on. There's a reason for all of that. And that reason is that that's how it works. That's how we all are playing on the same level playing field. If you are to achieve your goals, you should be able to achieve them going through the process in the proper way. And when you have the majority-- not just the majority, but the two-thirds majority-- you should absolutely be able to achieve your goals going through it the proper way. If you have to lie, cheat, steal to get your outcome, you should really ask yourselves, should you be doing this? And if you have to exit through a construction zone, you should ask yourself, should you have voted that way? I remember a couple years ago Senator Brewer and Senator Slama making fun of me for being upset over guns in the Capitol and me introducing a gun bill and having people with loaded guns sitting behind me because I felt threatened by that. I exited through the door that everyone else exited through. I entered through the door that everyone else entered through. There actually is a back exit out of the Judiciary room that I could have probably asked to take, but I didn't. I exited to the parking lot, as I always do. And I expressed on here my fear for my safety and well-being. And I was mocked. I was mocked by the same people who exited through that door and went through construction because they couldn't face their victims. And those same-- one of those people got on the radio this morning and called me uncivil. Why do I point it out? I don't know. Why not? I'm taking up time. I may as well air my grievances, right? Today is the Festivus of the Legislature. Feats of strength, mental strength. I listened to the prayer this morning. And I don't oftentimes listen to the prayer. And I actually was not planning to listen to the prayer this morning. When I heard that the, the, the person was from Senator DeKay's district, I

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honestly wrote them off and thought, well, great. This is just going to be more speaking, speaking to the lying liars of this and assuaging your guilt of all the things. But it wasn't. So, that's bad on me. Prejudging. The minister this morning said exactly what I needed to hear and exactly what you all probably should hear, but I'm certain didn't. That love is love. And love cannot be defeated. And then she asked us to be silent and reflect. And I reflected on how much I love the children of this state. All of them. And how much I love them for who they are. And how much I want them to love themselves for who they are. And how much I want them to feel like they matter, that they're worth fighting for. I reflected on how much I'm going to fight for them. And that just because this body failed them yesterday does not mean that I failed them and it does not mean that I will fail them, because I will not. On February 23, I got on this microphone and I made a speech, and it ridiculously went viral. And for better or worse, that put a target on me in this body because you couldn't let me have a win. A win. I lost on my birthday, on January 17 of 2023. When LB574 was introduced, I lost. On February 8, when we had the public hearing, I lost. On February 22, when the HHS Committee voted LB574 and LB626 out of committee, I lost. On February 23, when I had strep throat and I stood on this floor and I made a speech that went viral, I lost. I have lost every single day. And if the bill yesterday had been defeated, I still would not have won. This has cost me time with my children. This has cost me time with my husband. This has cost me time with my friends. I have a friend out of state-- who's actually never been to Nebraska-- and she's going through a horrible divorce. Horrible. And I'm not able to show up for her in the way that I normally would.

**DORN:** One minute.

**M. CAVANAUGH:** This is costing me on every level possible. And I am going to continue. I'm going to continue for the remainder of this session and the next. I'm going to continue. As long as I'm here and that there is a threat by this body to do harm to children, I am going to continue. Because the cost to me is great, but the cost of not doing it is greater. Trans children deserve our love, our support. They are worth fighting for. And I am going to fight for them. Every minute of every day that I am in this Chamber, I am going to fight for them. And you choose to be on Senator Kauth's side in this fight. That's your choice. But it comes with consequences, and they will--

**DORN:** Time.

**M. CAVANAUGH:** --be severe.

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**DORN:** Just a reminder: even though we are on Final Reading, the motion before us is to return to Select File, so members are allowed to move around the Chamber. However, you cannot leave the back glass doors or the side doors. Senator Slama, you're recognized to speak.

**SLAMA:** Good morning, colleagues. All right. I'll bite. If you want to get up this morning and complain about procedure, that's fine. If you want to get up and be sad about how a vote didn't turn out yesterday the way you wanted, that's also fine. But don't you dare get up here and spout about cowardice when senators chose not to incite a mob of hundreds of angry protesters that not only were packing the Rotunda, but were blocking every single entrance out of this building. Don't you dare spout about cowardice when we had senators leaking where senators were evacuating to so that the angry mob could go catch them there. I would love to know why senators' locations were popping up on Twitter last night and tweets encouraging groups of people to harass senators as they ate to get up and trash their houses. The comments that were made on the floor yesterday, we didn't engage with. We didn't bring in the thousands of pro-life Nebraskans. We didn't bring in the thousands of people that really would prefer that you not cut the genitals off of their children. Because we didn't want to incite a mob. We care about the people who keep us safe, and we respect them and we respect our colleagues. We respect that they have people to go home to that they care about. This is beyond anything that we're debating on the floor. This is about looking to your left and to your right and giving a damn about that person and that they have lives outside of this place. You know what? LB574 is alive today because of Senator Machaela Cavanaugh. She is the reason that bill is still alive. The first few rounds of debate on LB574, that bill had 30 votes coming up on the floor. But then Machaela Cavanaugh got up and ran her mouth because she was just overjoyed that the national media was here to give her some more attention. So that gave us 33 votes. Like, this bill is alive because of Senator Machaela Cavanaugh. It is probably going to pass because of Senator Machaela Cavanaugh. That just needs to get on the record, because Senator Machaela Cavanaugh has spent her time lying this morning about what Senator Brewer and I said. I called Senator Machaela Cavanaugh out for lying about what Senator Brewer said back in the day. I pointed out that he had two Purple Hearts because he served our country honorably. I did not lie. I did not make fun of Senator Machaela Cavanaugh. I'm not going to play this revisionist history game anymore. Somebody's going to get hurt. And when that happens, that is on the people who yesterday took time to incite a mob to anger them more, to get them more riled up. Because thank God no one got seriously hurt, because that would have been on

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each and every single one of you who urged it to happen, who wished it to happen. You've called this Legislature an embarrassment, Senator Machaela Cavanaugh. You are the one who is an embarrassment to this Legislature and to this state. Thank you, Mr. President.

**DORN:** Senator Clements-- thank you, Senator Slama. Senator Clements, you're recognized to speak.

**CLEMENTS:** Thank you, Mr. President. I rise in objection-- opposition to FA121 and the motion to return to Select File. The bill on the board is LB813. The motion to FA121 simply says to strike Section 1. Section 1 is the definitions of the appropriation periods. And the bill uses abbreviations like FY '22-2023, which means July 1 of 2022 through June 30 of 2023. This is a bill that we call the deficit appropriation for the current year, which goes through June 30 of this year. And striking Section 1 would be detrimental to the definitions and the purpose of the bill. And the-- LB813 we've debated a couple of different times. The primary things you'll find in it are Health and Human Services had a number of software, IT expenses, renewing of licenses. They had one termination of a software contract, which is going to be later today in the claims bill. This is the funding for that, but the approval for it will be in the claims bill, the \$5.5 million to the Wipro company settlement. And then the, the other major part of this is going to be Corrections had a major increase in pay for their officers. And the total of the General Fund's effect of LB813 is about \$31 million. There are some additions and subtractions that happened in those items. We had-- the Appropriations Committee received a handout. It was about 13 pages long, and we went through all of those one at a time, approving almost all of them and passing over a few. And so the return to Select File would not be appropriate for that amendment. That is going to damage the integrity of the bill. And I would appreciate and-- a red vote on that amendment. And if people have questions about the bill itself, I'd be glad to discuss that. Thank you, Mr. President.

**DORN:** Thank you, Senator Clements. Senator Machaela Cavanaugh, you're recognized to speak.

**M. CAVANAUGH:** Thank you, Mr. President. Strike Section 1. It's the definition of an appropriation period. I've actually argued this previously. Strike it or don't strike it. If you strike it, it's really intent language and we already know what our appropriation period is, so does it really need to be there? It's like the serial comma. Is it necessary? No. Does it provide clarification? Yes. Should we keep it? Probably. But I'm a lover of the serial comma and I like

clarity. So I appreciate Senator Clements being in opposition to striking it. Clarity is important. Helps us navigate the world. Rules are important. Clarity in policy is important. Consistency is important, so. OK. Where is it? Oh, I think-- did this get distributed yesterday? Yeah. OK. So yesterday, there was-- oh, I'm sorry. It has your initials on here. Senator Fredrickson distributed a comparison of AM1658 and AM1474. AM1658 sets Nebraska up for lawsuits. AM1658-- this is Senator Hansen's amendment that you all so wonderfully voted for-- mandates similar bans on gender-affirming care that have been blocked in other states. An Arkansas court has blocked Arkansas from enforcing its ban on gender-affirming care for children. The Eighth Circuit Court, which includes Nebraska, has rejected Arkansas' efforts to revive the law. Federal courts have also blocked a ban in Alabama that bars minors from receiving nonsurgical care, such as puberty blockers and hormones. Additionally, Tennessee has been sued by the U.S. Department of Justice over their ban and also sued by three transgender children and their parents. In addition, a Missouri judge just this month blocked the AG's sweeping restrictions on transgender care before they were able to take effect. You know, one would think that we would want to make sure that when we pass policy that it is going to stand up to muster and not be fought so ferociously in the courts and, with it being telepath very clearly, that it's probably not going to fare well. So it's going to cost us a lot of money and we're going to lose. One would think that this body would care about that when we're so singularly focused on tax relief. But what I have learned in this budget-- year's budget is that we're totally cool wasting money, wasting taxpayer money because we can just steal it from healthcare pots of money. So we can lawsuit it up. Lawsuit it up. I'm sure the TANF rainy day fund can cover these, these court fees somehow. I mean, this does impact children. Maybe some of the trans kids that are impacted will be at 50 percent of the poverty level. And then we can use the TANF rainy day funds to pay for the court fees to try and destroy their lives. AM1658 is gender-based discrimination. Procedures outlawed in AM1658 are based solely upon an individual's gender or sex. The amendment doesn't ban a procedure. It provides a ban on who can receive a procedure. This kind of discrimination is additional grounds for a lawsuit.

**DORN:** One minute.

**M. CAVANAUGH:** AM1658 is ambiguous. AM1658 authorizes the chief medical officer to adopt and promulgate rules and regulations to provide for nonsurgical gender-altering procedures for individuals younger than 19, such as puberty-blocking drugs, cross-sex hormones, or both. This delegation of power within statute is ambiguous. AM1474-- the actual

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compromise amendment that I still hate, but is an actual compromise. AM1474-- I think I'm almost out of time, so I'll just read that one on my next time on the mike. Cool. Thanks, Mr. President.

**DORN:** Thank you, Senator Machaela Cavanaugh. Senator Moser, you're recognized to speak.

**MOSER:** Thank you, Mr. President. Good morning, colleagues. Good morning, Nebraskans. I feel compelled to talk a little bit about what happened yesterday. I don't agree with the synopsis of what happened that has been presented by other senators. The rules were followed last night. The rules may have limited debate, but following the rules throughout the, the entire session has limited debate and discussion and the progress of bills. The-- if, if the rules don't allow enough debate, then let's change the rules. Or if the rules allow too much debate, if they allow somebody to speak for hours, days on one topic, maybe the rules should be changed. But I don't think that our decisions that we make in this body should be determined by who shouts the loudest. That's wrong. That's not the civilized way to govern, to "beller" at the top of your lungs. You know, there were some events on January 6 where the crowd was upset about some of the things the government did. And some politicians incited those people, allegedly, to protest. And some of those protests got out of hand. And last night, from this floor, members were quoting and acknowledging chants of protesters in the Rotunda. I think that incites more bad behavior. I don't think that that's good for the process. I don't think that's being respectful, collegial, however you want to describe it. I understand the passion of those people, but that's not the way to express it. Most of us left by the back door last night because we didn't want to confront that crowd. Why would you want to go out there and incite them to-- who knows what they may do? They were out of control. They were shrieking at the top of their lungs, crowding up against the glass. When you're trying to resolve conflict, the last thing you want to do is confront somebody. You want to de-escalate the conflict. You want to get away and let people cool down and let the sun come up another day for you to consider, you know, how we move forward. But there was nothing cowardly about leaving without walking the gauntlet through that crowd. What if the crowd had grabbed somebody? What if they had pushed somebody? What if two people had just bumped together accidentally and started a scuffle? Then the State Patrol would feel compelled to get involved, and they'd come in and try and break it up. And it, it could have wound up badly. Somebody could have gotten hurt. Could have been a senator. Could have been one of the protesters. Could have been one of the State Patrol. That's not the way to govern. That's not the way to govern. You know,

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we-- I-- we talked to the Speaker about filibuster rules because filibusters were being used to delay things, and it was obvious we weren't going to get things done that we wanted to get done. And the Speaker stood up for the rules. Arch said, I'm not going to change the filibuster rule. And I told him, if you cut it in half, we'll get twice as much done. He said no.

**DORN:** One minute.

**MOSER:** So, we have rules. We followed them. The rules aren't perfect. But if you don't like the rules, then we need to change them. Thank you.

**DORN:** Thank you, Senator Moser. Senator Conrad, you're recognized to speak.

**CONRAD:** Thank you, Mr. President. Good morning, colleagues. I wanted to just flag a few items that I was hoping to spend a little bit more time talking about and debating this morning as I was doing a final review of LB813 last night after we adjourned and I had a chance to just briefly talk with our colleagues that-- near me, Senator Vargas and Senator Wishart, in regards to some matters, and just gave a very, very brief heads-up to Chair Clements in regards to a few items that I thought might be helpful to redirecting some of our debate to some of the critical, substantive issues before us in LB813. So if you look at that, you can see that there is important intent language and important appropriations components related to how we handle childcare reimbursement. And it reflects an ongoing process where we do a survey of childcare providers in Nebraska to figure out kind of what that market rate is. And then we kind of set our rates to figure out how to ensure our childcare providers that receive state support and families that receive work supports can stay open and accessible and competitive in attracting workforce. So I, I do want to draw the body's attention to that this morning. There's also some language in regards to perhaps reallocation or reappropriation of some ARPA funds. And I, I do think it would be helpful if, over the interim or at some point, we had a more clear and comprehensive understanding of how much is perhaps unallocated, how much is unexpended. I understand that most of the ARPA funds have been actually allocated but perhaps have not been expended. And there's key upcoming deadlines in 2024 and 2026 that we need to be aware of and make sure that we can be nimble to fully utilize our Federal Reserve dollar-- or, federal relief dollars to the greatest and highest purposes. There's also a component in the legislation that relates to some of the initial distributions for the opioid settlement that I've talked about before that I think are

important to readdress in a, a pretty significant amount of reappropriations for HHS administration and Corrections. I'm very pleased that Senator Clements did provide some additional information about why there was such a significant reappropriation for Corrections. And that was to address, as I understand it from his commentary, the negotiated compensation increases for a front lines, Corrections worker, which I think are very, very important. So I have an amendment filed later that is substantive as to the childcare market rate survey and the allocations related to that. But I, I just wanted to raise that as well because we're going to have some time together this morning, so perhaps it would be good to refocus on what sounds to be a common thread through very divergent and very challenging conversations and issues. But if there is some sort of common ground and consensus on ensuring child welfare and child protection, OK. Let's go. Let's make sure that we have the best state in the country when it comes to having, starting, or expanding a family. Let's make sure we have the best resources available to ensure that kids are in a safe place when their parents are at work.

**DORN:** One minute.

**CONRAD:** Let's make sure that we have access to a strong safety net so that moms who decide to start a family or expand a family have a little bit of extra help for postpartum care. You say-- and I take you at your word-- that your convictions compel you to protect the children. Then meet us in the middle, and let's protect the children. Let's protect the children that are here. Let's deliver for working families. We have made modest, very modest, but important gains through Senator DeBoer and Senator Bostar's work on childcare this year. We haven't lifted a finger on poverty allowance for schools. We haven't lifted a finger for school meals. We haven't lifted a finger in terms of strengthening the social net more broadly for postpartum moms. If we're going to protect children and family, even if we have significant disagreement and will remain--

**DORN:** Time.

**CONRAD:** --in disagreement-- thank you, Mr. President.

**DORN:** Thank you, Senator Conrad. Senator Machaela Cavanaugh, you're recognized to speak. And this is your last time before your close.

**M. CAVANAUGH:** Thank you, Mr. President. I'm struggling with it, like-- ooh, so much to unpack in some of the comments, but. I think that the comments-- they speak for themselves, so I don't need to unpack other

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people's comments. All right. AM1474, the compromise amendment to LB574. I would like to just acknowledge-- I do appreciate the honesty with which Senator Ben Hansen spoke about this yesterday, because he never called it negotiations. Never called it negotiations. It was a listening exercise. It was presented to all of us that you were negotiating, but it wasn't actually negotiating, and I appreciate that honesty. You didn't try to dress that pig up. All right. That's mean to pigs. I love pigs, especially little, little mini pigs. They're, they're adorable. Sorry. Sorry to pigs. OK. AM1474 does not set up Nebraska for a lawsuit. AM1474 is constitutional. What? Let's start there. That's bananas. What? Senator John Cavanaugh, you started with constitutional? Get out of here. That's not how we do things. It's constitutional because it sets forth specific and strict standards that must be met in order to receive gender-affirming care. Avoiding a total ban leaves Nebraska constitutionally compliant. Again, I don't know where you're coming at with this constitutionality stuff. We like the courts here in Nebraska. We like spending the taxpayer dollars on frivolity. AM1474 does not discriminate based on gender. Well, where's the fun in that? If we're not discriminating based on gender, then what are we doing? Am I right? Unlike AM1658, there are no bans within AM1474 based on a person's gender. Well, that's just bananas. If we can't discriminate, what's the point? Right? That's why we're passing LB574, because we are dying to be discriminatory. 33 people in this Chamber want to discriminate. Don't come at them with a compromise that eliminates the discrimination part of it, that eliminates the unconstitutional part of it. Don't do that. That's stupid. Sorry. I love you. AM1474 sets clear standards of care. Under AM1474-- does not leave important questions to the chief medical officer, but rather provides clear and direct restrictions regarding standards that must be met for someone under 19 to receive gender-affirming medical treatment. LB1472-- LB1474 ensures that parental consent is always required and sets forth diagnostic criteria for healthcare providers to follow, among other strict standards. Putting these standards directly into statute protects all children regardless of their gender. I mean, get out of here. We have an option to do exactly what Senator Kauth says she wants to do, is constitutional, alleviates a significant amount of the opposition from the medical community, doesn't take away parental rights--

**DORN:** One minute.

**M. CAVANAUGH:** --why would we do that when we could just pass a turd instead? A Skittles sandwich, as it were. Why would we do that? Why did you even bother with that? That's just, that's just bananas. That's just bananas. You created an opportunity for the people who

lied to our faces and told us that they didn't like the bill and they needed to see certain things happen. You created an opportunity for them to do the right thing. And they didn't take it. Of course they didn't take it. They lied to our faces when they said, this is a bad bill and I don't want to vote for it. And they voted for it numerous times-- three, actually. And then they're going to vote for a fourth time. And they actually have the opportunity to adopt AM1474 because it's still filed. So when this bill comes back on Final, there will be a motion to return it to Select for this specific amendment. So you all get that opportunity. You--

**DORN:** Time.

**M. CAVANAUGH:** Thank you.

**DORN:** Thank you, Senator Machaela Cavanaugh. Senator Blood, you're recognized to speak.

**BLOOD:** Thank you, Mr. President. Fellow senators, friends all, I stand opposed to the return to Select File and in support of the underlying bill. And to be very honest, it was not my intent to speak today. Yesterday was a very long day. I would like to see us make some progress. But with this said, there are things that I think need to be said. For those of you that like everything to be more controlled and neat, democracy is certainly not the government for you. And the reason it is often messy is because everyone who wants to participate actually can participate. Some are emotional. Some are rational. Some are angry. Some are sad. But whatever they are, they have the right to feel that way and share with you why they feel that way. You know, I have respect for Senator Brewer, although I've bested him a couple times having my name in his mouth. And that's OK because he's entitled to his opinion. And I treat him respectfully. But he has fought for their right to do exactly what they did yesterday, as have many other veterans on this floor. Now, they don't have to agree with the fact that people exercised those rights. But nonetheless, I thank Senator Brewer and others for protecting my right to do what happened yesterday. It is our job to protect their constitutional rights, as Senator Brewer and others have done. If we are protecting the First Amendment rights, that means we protect their right to assemble and to express their views through protest. To compare it with January 6, there's a difference between a riot and a protest. And if what Senator Slama said was, was true-- and I don't know because I've blocked many of you on social media because you're not my constituents and some of the things I saw were very hateful at the beginning of the year and I just didn't want to see it. So if indeed people were telling your

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locations or supposedly home addresses, well, shame on them. That's not appropriate. However, what happened yesterday was appropriate. They have the right to assemble, assemble. They have the right to express their views, as they did in the balcony up there and the balcony up there, regardless whether they're for or against these bills. And like the Second Amendment that you all feel so very strongly about, you don't get to cherry-pick which parts of the Constitution you like and you don't like. You don't get to cherry-pick the Constitution. I've had conversations with a couple of you on the floor. You guys may be surprised to know that I don't really give a damn if somebody's open carries or not. My concern is always-- it always seems to be the people that say that they're scared of, like, trans kids and that's why they're open carrying in the Capitol. I don't get that. I don't think people that are scared of things should have a gun. That's the wrong reason to have a gun. I think that that's a weird brain perspective. But that's a whole nother discussion. But you don't see me talking about that when we talk about the guns, because that's my personal belief and my personal concern. Senator Moser talked about them not being civilized because they were yelling. But again, that was a rally, not a riot. And to say that they were pressed up against the glass was ridiculous. There was State Patrol there making sure that that didn't happen. And maybe it felt that way because we're kind of in a fishbowl. And I'm sure that you felt a little compressed. But to talk about what if this would happen or that would happen-- do you know how many times I've walked out to crowds of people when I voted against what they wanted?

**DORN:** One minute.

**BLOOD:** Lots. As have senators that came before us that voted on a lot more controversial issues. If you feel so strongly to vote yes or no against a bill and the people that you are concerned might not like that vote are out in the Rotunda-- we have security. We have State Patrol. But this constant "what if this happened or that happened" is kind of childish. Let's put on our big boy pants and face those that you may oppose or support because that is part of our job, like it or not. I had people walked me outside the Capitol. I didn't know if they were friend or foe. And my response immediately was, how could I help you, sir? How can I help you, ma'am? It wasn't like, oh, whose side are you on? Because I got to know before I can talk to you. We're better than this conversation--

**DORN:** Time. Thank you, Senator Blood. Senator Conrad, you're recognized to speak.

**CONRAD:** Thank you, Mr. President. And again, good morning, colleagues. I was just preparing to bring forward some substantive amendments to help direct our deliberations this morning in regards to the importance that perhaps we can find common ground and consensus in relation to childcare. In continuation of my past comments: to my friends and to my colleagues who say with passion that they want to ensure that each Nebraskan is treated with dignity and respect and that they are not pushing these measures from a homophobic or transphobic perspective, then join with us to create a culture of belonging for all Nebraskans. Let's pass strong nondiscrimination laws to ensure that no Nebraskan is denied a job or housing or education because of who they are and who they love. I'll take you at your word. We have time. We can do it together. Is it empty rhetoric or is it real? It's up to you to accept the challenge. I'll look forward to seeing your names as co-sponsors on those nondiscrimination measures, and I'll look forward to working with you to find vehicles to move them forward this session. I also want to add a quick reflection in regards to free speech. When it comes to free speech, then I'm, I'm probably as close to an absolutist as you'll come and think that it is a precious right that must be protected. And the founders were on to something when they made it the first amendment, the most important, the bedrock from which many of our other rights, fundamental rights, derive-- the right to petition your government, the right to organize, the right to associate, the right to speak shall not be infringed. And we have equally strong provisions in our state constitution, as most of our sister states do as well. So-- I've said it before, I'll say it again. It's not my job to tone-police other members here. And they have a right to represent their constituents as they see fit, to engage in debate, personal- or policy-based, as they see fit. And I'm not going to undermine the association, the organization, and the speech that happened in regards to these measures, not just yesterday, but throughout the entirety of the session, from the introductions to the public hearings to each rounds of debate. We almost closed our legislative doors again yesterday, colleagues, and there's a clear constitutional provision that we do our work in public. And Nebraska has a strong and proud tradition of open government through our open records laws and our public meetings laws and the rules of this Legislature. And you know what? Free speech is inconvenient sometimes, and sometimes it feels really, really intense. But the reason that speech was happening was not because of procedural points of order. It was happening because legislation seeks to undermine the dignity, autonomy, civil rights, and human rights of women, families, and trans youth. And it's part of a pattern and practice in a national playbook

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that's sweeping our country. That's at the heart of the expression. And even though we sacrifice and we know--

**DORN:** One minute.

**CONRAD:** --this is challenging-- thank you, Mr. President-- I'm not going to complain about the honor and opportunity to serve my state with each of you in this august body. Because you know who has really hard jobs? Little kids that are working in meatpacking plants. And we haven't lifted a finger to protect them. You know who else has really hard jobs? The moms and dads in my district, in your districts, that, because of unemployment, because of a lack of a social safety net, are working multiple jobs with little to no benefits and having to make heartbreaking decisions every day about how to put food on the table, about how to ensure their kids are safe, about whether or not they can accept a raise if they lose their safety net. And we have, undeniably, from a North Star perspective the worst--

**DORN:** Time.

**CONRAD:** --start-- thank you, Mr. President.

**DORN:** Thank you, Senator Conrad. Senator Linehan, you're recognized to speak.

**LINEHAN:** Good morning, Mr. President. Good morning, colleagues. I have several things bouncing around in my head, but the first thing I want to do this morning is say at least how much I appreciate, and several others in this body, appreciate Speaker Arch. He has had an incredibly difficult job this year. This is my seventh year and I have never heard so much name-calling, personal attacks, out-and-out rudeness and threats. So how did we start this year? This is how Senator Arch start. He was told, he was told he would do this or else, by a handful of senators. Not the majority. Actually, the majority, whether it was 33 or 25, didn't agree what, what a handful wanted. You will act that or we will filibuster every bill, which you have. He has been pleaded with from both-- from the right, both inside and outside the Legislature, to change the filibuster rules. He has refused to do so. I know it's hard to lose. I've lost a lot of times here. But you had 33 senators yesterday that agreed with a bill. And I've never seen-- when you get that, it's over. I also wanted to thank Lieutenant Governor Kelly. Very difficult position to be in. First year at the job and managed us through it yesterday. I too have missed a lot of time with grandkids. But we're going to plow through. Now, as for statements that this Legislature has done nothing for kids, I'm

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astounded. We've just passed or about to pass the biggest school funding bill that we have done since I don't know when, probably since 1980s. We are going to cover 80 percent of special ed kids, which we have been fighting for since my class, since we got here. As far as the poverty allowance, I've worked on that several times. So here's the reality about the poverty allowance. The schools it would help would be Omaha, Lexington, South Sioux City-- I'm going to forget some-- Hastings maybe. It's where there are really a lot of poor kids. Well, you know what? There's a couple three big schools, large schools that always have at least 21 senators who don't want us to move the poverty allowance because it wouldn't help them. So if you want to take on that fight-- and I know Senator Wayne does-- I'm all in on that fight. But understand, you're going to have some people who have constituency school districts in this body that are not going to be happy with you because they're very happy the way the poverty allowance is right now. Some of the things that were said on the floor last night were utterly ridiculous. But calling us out that we're not doing our jobs-- I'm, I'm tired of it. And, and the idea that this is the first time Legislature's debated abortion--

**DORN:** One minute.

**LINEHAN:** --that is just simply not true, not even close to truth. They have been debating abortion since, since I've been involved in politics, which-- I really hate to say this-- but 30 years. 30 years. On April 13, 2010, when the 20-week abortion path-- bill passed-- it was Senator Flood, now Congressman Flood's bill-- it was a 44-5 vote. They have-- we have had debates in this body over tough issues every year I've been here, but the behavior is significantly different. Thank you, Mr. President.

**DORN:** Thank you, Senator Linehan. Senator Moser, you're recognized to speak.

**MOSER:** Thank you, Mr. President. Good morning again, colleagues. Am I the only one that sees the irony of the senator who's responsible for 90 percent of the filibusters here complaining about missing time with her family? We can debate the issues in calm, reasoned ways. Vote and move on. We don't need to push our weight around by filibustering things just to take time. We've all missed times with our families, our businesses, our friends. You know, the older I get, the more precious time is. As far as facing the crowd going out of here-- I've been in politics for 17 years. I've been yelled at. I've been called names. I've been sworn at. I've been so close with people yelling at me that their spit was flying on my face. I never hit anybody, never

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pushed anybody, and I stayed cool. But going out into that crowd after the vote would have been inciteful. There's no reason to do that. When you have conflict, you don't go out and duke it out and yell at each other and who knows where that could wind up. We've got the power. Yeah, we've got the State Patrol. They would come out there and defend us. But why risk that? Why take that chance? Why take that chance? I can lift one end of a 500-pound piano. I'm not afraid of those protesters. But why start a fight and start something that ends badly? For what reason? It's not going to change the result. We can't legislate based on who yells the loudest. I don't care if it's protesters in the lobby or if it's senators on the floor. Reason, common sense. Those things have to rule. Yes, the rules have been stretched some ways here and there. And-- but yet, they are your rules. If you don't like the rules, change them. You know, the filibuster rule allowed a lot of time to be taken. One day we had a bill up, and there were four or five priority motions made in between the openings and closings. Nobody else could speak. No amendment could be offered. Was it within the rules? Yes, but it had never been done. Is it collegial? No. Does it help the process? No. And then they wonder why there's polarization in here. This started the very first day. One of the senators was questioning somebody on the Committee on Committees. Did you or did you not call so-and-so and ask them if-- whatever it was? I mean, what is this, Perry Mason? Collegiality is lost. I hope we can get it back. Thank you.

**DORN:** Thank you, Senator Moser. Senator Wayne, you're recognized to speak.

**WAYNE:** Thank you, Mr. President. So I have a little different perspective because, you know, I grew up in a biracial household where my mom's from a small town in Iowa. It's so conservative, far right, left, far left. Progressives are in both of my families. And, and Thanksgiving and Christmases are always a little interesting around politics. But the consensus of everybody I talked to last night was that nobody actually won yesterday. We all lost. And I don't think people could understand that because this entire session and this body has come down to two words for me: egos and selfishness. Egos of, we can't let them win, on both sides. We can't reward bad behavior. I can't tell you the number of times I've heard that when I was fighting for north Omaha. The selfishness because we can't wait to tweet, to post something, to go back to our constituents and say we have dug in and we are not moving. And on display-- and it's not just about the bill-- the entire atmosphere last night. We lost. I could argue that a 12-week was a win for many progressives. I can argue that the amendment was a win. But we can't sit down and have real

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conversations. Last night, I went home and I was trying to figure out words to make this sound right or make what happened here-- give me a little bit of hope back in humanity in this, in this place. There are some really good friends that I have on the other side. And at times, we can figure out how to work together. And at times, I've told people on the other side, don't vote for my bill on this. You can ask Merv, his first year-- my first year down here. Because I understand politics. And you can ask Senator Linehan when she would come from-- having a meeting. I'd be like, you're not voting for this bill. Because I understand politics. But we're going beyond politics. We have entered this place that-- winners at all cost. And I hope the last few days we're here we can get some work done and set aside our egos, set aside the selfishness, and actually help out Nebraskans. I mean, think about this. We're in national news not because of a bill we passed to attract the biggest and brightest students, to retain people here, to move corporations here to create more jobs. We're in national news because we're fighting about rules that sometimes we change. We're fighting about issues that are divisive. And I'm not saying those issues can't come up. But that's what this entire session has come down to. Nobody's moving here. Corporations are looking at us saying they're not coming.

**DORN:** One minute.

**WAYNE:** Some of our biggest events may pull out of Omaha. Then what do we do? Your property tax relief comes from many of our state and local income taxes and sales tax. We have to start figuring out how to get in a room and find balance on a lot of things. And I hope we can do that. I hope nobody else on this floor makes a personal attack. And I'm not going to stay up here and say I never did it. I think I did it every time with Senator Groene. But we got to do better, including myself. So I'm willing to work this last week, week, two weeks, and figure out how we get something done. I hope everybody else is. Thank you, Mr. President.

**DORN:** Thank you, Senator Wayne. Seeing no one else in the queue, Senator Machaela Cavanaugh, you're recognized to close. Excuse me. Senator Hunt just punt, punt-- pushed the button. Senator Hunt, you're recognized to speak.

**HUNT:** Thank you, Mr. President. Senator Linehan said in this article on April 11, 2023 in the Nebraska Examiner, higher-than-anticipated fiscal note may require trims in proposed income tax cuts. Main sponsor says some adjustments were to be anticipated, but has concerns about fiscal estimates. In the article, she said, Linehan said if

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trims are needed, part of LB754 could be delayed. She said that perhaps a tax credit given to companies that provide childcare programs could be pared back, something Briese said he would not support. Colleagues, Senator Linehan is so dedicated to helping poor kids that she offered cutting the childcare tax credit instead of a \$3.99-- 3.99 percent income corporate tax rate. That's how much she cares about kids. She cares so much about kids that she wants to drain tax dollars that go to support public schools that serve everybody, including gay kids, including kids with two dads, like our colleague Senator Fredrickson, including people who have trans kids, like me, and raid the coffers to divert all of these money to religious schools that she thinks are better. She took us to a tour of all these religious schools, and they were not better. They were not better. And the principal and superintendent of these schools could not answer my questions about if they allow gay kids. And when I said that, Senator Linehan rebuked me. She goes, Megan. Like, don't ask these bigots about how they're bigoted? Get out of here. Why you invite me to this tour when you know this is my top issue? Why isn't it everybody's top issue? This bill that we passed yesterday, taking away care from trans kids-- which, Senator Slama, does not mean cutting off their genitals. That's not what's happening to kids in Nebraska. That's not what's happening to kids anywhere in the country. That's not the standard of care. But when you say things like this, it gets people really scared. It gets people really, like, feeling a strong emotion. But you're describing something that doesn't even happen. And then you've got all these people voting for a bill that is literally not needed, that's harmful to people. It's like passing a bill-- you're, you're passing a bill to take away healthcare from a group of people. It would be the same thing if we introduced a bill saying we cannot give healthcare to anybody with brown hair. We can't give healthcare to anyone with a left foot and a right foot. We can't give necessary healthcare to anybody who was born in Hastings. Like, it's just who people are. All of you would think that that's ridiculous. All of you would think that that's discriminatory. And it is. Senator Linehan and, and Senator Moser sort of said the same thing. Oh, when you lose, it's over. When it's over, it's over. You guys can't really say, when you have 33 votes, it's over, when you didn't have 33 votes on a previous round. And Speaker Arch said it was over until Governor Pillen came in and whipped him into shape. Governor Pillen came to Lynne Walz's-- Senator Walz's place of work in Fremont to shake her down. To say nothing of what he did to Senator Riepe. Who's intimidating? Who's using intimidation? Is it the people out in the Rotunda who are standing up for their rights? Or is it your Governor who's interfering in the

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separation of powers to get his way to discriminate against Nebraskans?

**DORN:** One minute.

**HUNT:** It's not over. When you lose, it's not over. It wasn't over for you with LB626. It's never been over for you. And it's not going to be over next year. Senator Riepe thinks he made a deal. He's got some cover. Next year, we're going to work together to take away criminal penalties for this abortion ban-- this 10-week ban, not a 12-week ban. We are never going to have 25 or 33 votes to take criminal penalties out of this abortion ban next year. That's not realistic. That's not going to happen. If it's not going to happen this year with this Legislature, it's not happening next year. And Senator Hansen is, is not going to be amenable to something like that. He loves this bill. He wishes it went further. Thank you, Mr. President.

**DORN:** Thank you, Senator Hunt. And you are next in the queue, so you're recognized to speak.

**HUNT:** Thank you. When I left yesterday through the Rotunda, like a normal, nonscared person who's not afraid to face my constituents-- first of all, I would die of embarrassment if my constituents thought that I wasn't able to face them. When you guys had some gun bill a couple years ago-- and my office was downstairs-- like, right below where we are now in the west hallway-- the overflow rooms for the gun hearing that day were right next to my office. Right next to where Senator Moser and Senator Brandt were and Senator Murman were in that hallway. And there were guys with long guns standing outside my office, staring me down, blocking the door to my office. Did I go out the back entrance? Did I have my staff pull my car around? No, because what are you going to do, shoot me? What are you going to do, bump into me? As Senator Moser said he was afraid of happening out there. They knew I weren't going to-- I wasn't going to support that gun bill. They're going to shoot me about it? I wasn't afraid of that. You guys are afraid to get bumped into by some queer teens out there? That's what you're describing. That's what you're afraid of. There were people with guns out there. They weren't on my side, I'll say that. Perhaps they should be. But if people on my side were the ones that were armed coming in here with long guns into the Capitol, we'd have some different gun laws real quick. Trans people are under attack in this country. Plain and simple. It's dangerous right now in this country and in Nebraska to live outside the gender binary, to question this stuff, to, to even look like you're outside the gender binary. I hear you people talk about teachers with blue hair, about-- teachers

with blue hair teaching kids Marxist stuff or whatever in school. And this is just anti-queer coded comments. Trans people are under attack and LGBTQ people are under attack. In the most recent tally, the ACLU, the ACLU tracked nearly 500 anti-LGBTQ bills in this country, introduced in state legislatures all over the place. So when I say this has never happened in Nebraska, Senator Linehan, I'm not talking about an abortion ban. We've had abortion bans before, and we've defeated them before fair and square. But it wasn't over for you, was it? Didn't have 33, but it wasn't over. What we haven't had before in Nebraska is this kind of unprecedented attack on trans healthcare. We've never had any anti-trans bill before. We've never had a bathroom bill that anyone in the Legislature would have taken seriously. All these Republicans who used to be in here, who all of you respect-- and if we didn't have term limits, you would be kissing their butts because they'd be the ones in charge and you'd be like, oh, please put me on a committee, whatever. They're texting us last night about how devastating it is what you guys are doing to this institution. And I said, don't bring that energy to me. Don't text me and vent about it. Text your friends. Text Senator Brandt that. Go tell Senator Riepe that. Go tell Senator Hughes that-- all these people you were so excited to have come into the body-- to maintain the respect for this place that you have so much reverence for. Don't bring that to me. Go tell the people who need to hear it. This is what we have not had before, and this is this breakdown of collegiality.

**DORN:** One minute.

**HUNT:** Thank you, Mr. President. It's just irreparable. It's irreparable. To me, it's like if you voted for a bill saying you can't get healthcare if you have a left foot and a right foot. You can't get healthcare if you were born in Blair. You can't get healthcare if you have two or more children. It's just who you are. It's just a thing about life. And you know this. Senator Riepe knows this. Senator Hughes know this. Senator Brandt knows this. There are people in here who have taken tough votes, and you are not among the ranks of those people. And I don't respect you. When I was out in the Rotunda last night, when I walked through-- I started saying this earlier-- when I walked through, this person-- you know, I was sort of looking straight ahead at first. And then to my left and my right, this kind of path is opening to let me walk through. And people are holding my hand, shaking my hand, trying to pat me on the back and hug me and things like that. Crying parents, crying kids.

**DORN:** Time. Thank you, Senator Hunt. And you are next in the queue, so you're recognized to speak.

**HUNT:** Thank you, Mr. President. And one person, as I got about halfway through the crowd, a little shorter than me, gave me this big hug and just started sobbing into my chest in that way like you felt before, you know. And I'm holding them and I'm kind of stroking their back, and they're just violently sobbing into me. And this person told me that they had tried to take their life during this legislative session. This was probably over 18, maybe, like, 20 or something. And they told me this in my ear. And they thanked me for everything we've been doing to fight for them and their rights, and Senator Cavanaugh too. Did anyone say that to you guys on the way out of the secret entrance? Did anyone thank you for everything you've done for them? I told that person-- this person said that they had attempted suicide during this session in Nebraska. A trans person. And I said to them, do not let one of these trash people who I work with be the reason that you're not here. They don't matter. The potential you have for the rest of your life is so much bigger than the damage any of these trash people can do in their little four-year or eight-year term. The world is big. There are more places for you to go. If Nebraska isn't the place for you, you have to put yourself and your health first. That's what I said to them. Don't let one of these garbage people be the reason you're not here. I think that when we talk about trans life, we have to also talk about trans joy. We have to talk about trans going to the grocery store. We have to talk about trans, you know, minding their business and not being bothered by lawmakers when they're just trying to live. And I hate this focus on suicidality and depression. Senator Kauth has stood up and said that trans kids are suicidal and depressed because they're trans. No, it's because of bullies like her who are trying to legislate their existence and take away their right to be viewed as fully human in our culture and society. That's why they're depressed. If we just left them alone and didn't do all this, we'd be having a nice time. We, we might even be done by now with this Final Reading worksheet. We'd all be having a nice time. And you could still hate trans people. Senator Kauth, Kathleen Kauth would still hate trans people. Several of you could still refuse to take tough votes. And, you know, go, oh, it's hard to be a senator. It's so hard. I didn't know it'd be this hard. It's never been hard for me to go out and face my voters. It's never been hard for me to face them down, whether they're blue hair or whether they're holding a long gun. And no, you're not doing your job if you're afraid of that, and I'm not afraid to say so. Me calling you trash is not the same thing as losing your human rights. It's not worse. It's just words. It's not like a vote that takes someone's rights away. Thank you, Mr. President.

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**DORN:** Thank you, Senator Hunt. Senator Lowe, you're recognized to speak.

**LOWE:** Thank you, Mr. President. Well, Senator Wayne, that didn't take long. The name-calling is back. And I'm sorry. I'm sorry for the people of Nebraska. The senators who stood up and fought for our youth, we've just been called trash. You know, I walked out with the rest of the senators out the back door over here to the left of the Chamber. And I walked down through the halls with them. And then I realized I left my computer up here on the floor. So I started back up here. And I found a couple other people that had lost their way, so I led them back through to where they needed to go. And then I came back up here. I walked up here and I thanked the Red Coats for standing up for the senators here on this floor. I thanked the staff for them being here and putting up with everything that had to happen yesterday. And then I walked out the door. I walked through the crowd. And yes, I did get yelled at. And that's about it. I got yelled at. I was not afraid of them. I never have been afraid of them. Because they throw words. Words you should listen to when they have meaning. If they don't have meaning, words don't hurt. It seems like we run on emotion here anymore. Will this hurt my feelings? Not if it's right or not. It's about feelings. And should I do this because it's politically correct? It's not about what's right or not. And what we did yesterday, 33 of us believe it is right. And that's it. That's all. But the vote has been taken and it's time to move on with our work today. Thank you, Mr. President.

**DORN:** Thank you, Senator Lowe. Senator Linehan, you're recognized to speak.

**LINEHAN:** Thank you, Mr. President. I just asked Senator Clements if we could get back on track here and actually talk about the bill that's on the board instead of all the other things that people seem to be coming up. So would Senator Clements yield for a question?

**DORN:** Senator Clements, will you yield to a question?

**CLEMENTS:** Yes.

**LINEHAN:** Thank you, Senator Clements. What exactly does this-- what are there, four appropriations bills, three-- how many appropriations bills do we need to get through here?

**CLEMENTS:** Five. We have three today, two tomorrow.

**LINEHAN:** Five. OK. So what does this bill do?

**CLEMENTS:** This one adjusts the budget for agencies who have a difference in what they projected of-- starting with two years ago and they've had expenses that were unforeseen or sometimes they had some savings. The-- I could just-- if you look on-- go to page 74 if you have your Martian green book. It has a narrative about it. And then starting on page 76, there are general funds, cash funds, federal funds, revolving funds, and some salary limit items that were adjusted. For example, the homestead exemption. The homestead exemption is something that we estimate how much-- how many people are going to turn in a homestead exemption. And this time, we had reimbursements of \$119.5 million, which is lower than the \$121 million that was expected. So we reduced by \$1.8 million the appropriation for the rest of this fiscal year, which I think was really pretty close. We do a pretty good job of estimating the major costs that we had. Referred to before is in Health and Human Services, where they ended up with needing to update some computers, buy some more computer software. And then in replacing that software, they also had terminated a software contract with a company that we had spent-- been working on for a few years and never did get the software contract regarding signing up for Medicaid or estimating Medicaid benefits and that they had a \$15 million lawsuit against the state, and the state settled it for \$5.5 million. We thought the, the state position was they never did perform on their contract, but that's how settlements go. And that-- the funding is in this bill. On the schedule today, you'll find the claims bill from Business and Labor that has the authorization to pay that claim. And the one other major item in Corrections we added there in the negotiations with the staff in Corrections in order to be able to hire staff where they were-- had a lot of vacancies and shortages. On page 77, it shows per diem payments of \$12.8 million increased and salary increase of \$12 million. And so those are-- that's kind of an overview of what we have. There are, you know, a few other items.

**DORN:** One minute.

**CLEMENTS:** Thank you. State Colleges, Affordable Housing, Site and Building Development, Universal Service Fund, Department of Transportation, Unemployment Insurance, and TEEOSA all had some adjustments, some, you know, some up and some down. But that's totaling \$31 million, and that has already been-- on the green sheet, the amount available to the floor, the \$31 million has already been taken out.

**LINEHAN:** OK. Thank you, Senator Clements. So I guess we all should probably, if we're going to be on this for two days, we should all

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find where our green books are. I saw some pull them out of their desk. I think mine's down in my office. And I would say-- oh, look at all those green books. All right. So let's talk about the budget. Thank you, Mr. Clements. Senator Clements.

**DORN:** Thank you, Senator Linehan and Senator Clements. Senator McKinney, you're recognized to speak.

**McKINNEY:** Thank you, Mr. President. I was sitting there and then I was listening to Senator Clements talk about increasing wages for correctional officers. And I was thinking in my head, I was like, well, why don't we increase wages for incarcerated individuals inside of our institutions? For multiple reasons. Number one, they are not slaves and they shouldn't be paid \$1.21 an hour or less unless they work in a specialized position. Secondly, inflation has went up and a lot of those men and women inside of our correctional facilities are struggling with paying for commissary, paying for calls and those type of things. But we're paying them slave wages because we treat them as slaves. And according to the 13th Amendment, we can, which is a problem. But they are not slaves. And we should be raising the wages of incarcerated individuals if we're going to build prisons and raise, raise the wages of their overseers. It's stuff like that that we should prioritize as a state. Because the effects of an individual in prison not being able to pay for commissary, pay for calls to talk to family, doesn't-- it don't just affect them. It affects their families. It affects our society. But we overlook that because we view people that are incarcerated as bad people, criminals, they got what they deserved and those type of things. And that's a problem. And it's a-- it honestly speaks to why we have all these issues in our nation, because we have a lack of humanity for people overall. We can't see people as individuals. We only see them as what we deem them as because they made a mistake. And in doing so, we are treating them like slaves, literally, by paying men and women \$1 an hour. It is a huge problem. And I think in one of my bills I introduced this year, I asked that, you know, they be paid at least the minimum wage of the state. I'll keep pushing for that because I think we should do it. And if we're on this for two days, this bill specifically, I might put an amendment up just to raise their wages because I think it should happen. I think it's inhumane to pay men and women \$1 an hour to work for Cornhusker State Industries so we can have fancy chairs in this body while they, while, while they basically slaved away. Why we make license plate-- they make license plates for us and the state charges a bunch of money for license plates and registration, but we're treating men and women like slaves. So if we're going to raise the wages of the overseers, we should also raise, raise the wages of the

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individuals who are making these products, who are-- who we're treating as slaves, literally. That is a, that is a problem. We have a humanity issue in this country and in this body. And y'all could disagree with me all y'all want, but it's true. We have a pure lack of humanity for people. And we're treating men and women that are incarcerated currently as, as slaves, literally. The 13th Amendment should take that provision out of it, and our state should try to be a leader in something and not a leader in having a lack of humanity for people. Thank you.

**DORN:** Thank you, Senator McKinney. Senator Wayne, you're recognized to speak.

**WAYNE:** Thank you, Mr. President. Colleagues, I think one of the things that-- I'm just going to give you a strategy that I used I think my second year that was probably one of the most effective tools of building relationships is I got on the floor during a filibuster and passed out a sheet of my district, a map. And I walked through my, my district. And every year, Senator Halloran hands out the little thing. So I'm in District 13. I'm going to kind of tell you about my district a little bit. But I do think at Executive Council-- Legislative Council, since Trevor's on the floor-- I think, one, we should do it in Fort Robinson. And two, we should have senators go through their legislative districts so people can know who they represent and where they come from. So the reason people say I'm in the middle is because I have the most diverse district in the state. From income level, I have two homeless shelters down by the airport to a recently passed Walter Scott-- but his son still lives there, Mike McCarthy. Those who know Chip Davis, Manhattan Steamrollers [SIC-- Mannheim Steamroller], founded. Lives in Ponca. Which is interesting because, for those who are into hip-hop culture and, and like modern day music, every once in a while, you'll see a private jet fly into Eppley-- which is also the airport in my district-- of some of the most talented musicians, rap artists, country singers in the world. And they go to his studio and cut songs and help make music there. So besides the, the Ponca, Rolling Ponca Hills, which are very, very beautiful, I have Omaha Country Club. Me and Omaha Country Club have a-- and that's in proper grammar for those who are transcribing-- me and Omaha Country Club have a unique history. I used to swim at Mount View Swimming Pool, and we used to swim against them competitively. And we had a diving competition, and they didn't like the fact that we had so many black kids. And they wouldn't come to our pool because on 66th and Hartman-- which by no means was, like, the model of north-- middle of north Omaha-- they felt unsafe and didn't want to go down there. But I have a unique history of, of Omaha Country Club is because that's where,

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from the '70s to mid-'90s where most of the deals were cut in Omaha. It was that and Happy Hollow. So you had meetings there and you saw the famous cars going up there and all the famous people from Omaha, the bigwigs. And it was kind of like a "I want to be like them" in country club. Then you go down to Florence, historic Florence-- by the way, there's still the ugly green, metal-- I can't even call it a retaining wall-- that I have been trying to change for seven years. Talk about bureaucracy, bureaucracy in our Department of Roads. But Florence is a historic place. It's one of our oldest-- not-- Bellevue's older-- but one of our oldest villages. And it goes back to Mormons. And that's where they stopped for a really, really cold winter. Why do I bring that up? We have over a million, close to-- now it's about 1,500,000 of travelers who go up to their, what they would consider their sacred ground, and tour it. So we have a huge tourism just in Florence by itself. So that's a very, very, very short snapshot. I will tell you about Raven Oaks. That's the area that I live in now. When OPS started recruiting teachers and principals from the south at historically black universities, that's where they started to place people. So Raven Oaks had a very biracial and black culture right in the heart of-- right, right on the edge of Ponca, right next to country club. Kind of ironic in the '80s. Then you had my little neighborhood, which was by Hartman Elementary, which is really ironic because between Springville, Pinewood, and Hartman-- it's less than a mile and--

**DORN:** One minute.

**WAYNE:** --we have three elementary schools that are completely different. So from income to diversity. And now my district holds the largest Myanmar-- Murmans. Sorry. Murrans [PHONETIC]-- not Murmans. I'm looking at Dave Murman. They used to be Myanmars. The Kerns [PHONETIC-- Karens]. I don't know their proper name now because I don't want to be disrespectful to them. But we have over 5,000 of, of those individuals who-- refugees who have come here. So, I'm not in the middle because I want to be. I'm in the middle because my district's in the middle, and that's-- I represent my district. So I think it's very important that some of us, especially when you first get here, you don't know where people come from and you don't spend time going on a mountain or hanging out and talking to them. So maybe we ought to try that next year at our Legislative Council, is people can figure out where people are and where they come from. Thank you, Mr. President.

**DORN:** Thank you, Senator Wayne. Senator Linehan, you're recognized to speak. And this is your third time.

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**LINEHAN:** Oh. I'm sorry. It's-- I think-- Senator Wayne, could you yield for a question?

**DORN:** Senator Wayne, will you yield to a question?

**WAYNE:** Reluctantly, yes. I don't know what you're about to ask me.

**LINEHAN:** I think it's Kah-rin [Karen].

**WAYNE:** Kah-rin? Ker-- Ker-- I might have said it wrong.

**LINEHAN:** No, I, I, I don't know for sure.

**WAYNE:** I don't know-- I'll-- will find out here shortly. I'm going to get, like, six, seven text messages.

**LINEHAN:** OK. Thank you. I know that because one of my children, I think it was when she was with the Lutheran Family Services, worked a lot with that community. That's a community-- talk about-- they were stuck in-- and I'm going to mess this up even further. And if I'm wrong, I'm sure-- hopefully my daughter's watching me and she'll text me and tell me I'm telling the wrong story. But they lived for years in refugee camps. Years. And I can't remember-- I think I remember, but I'm not going to make a mistake. But the refugee camp was close to a border of another country. And they didn't really belong in the country the refugee camp was in. So at some times, the host country would turn their backs while rebels come in from the other country and killed people. So they grew up-- children grew up with mothers and fathers laying across them at night when people would attack so they wouldn't get killed. Sometimes it's good to remember just how lucky we are to be here. And we're not perfect and we make mistakes and we have discrimination, but we should and do hopefully strive to make it better every day. So, back to the budget. So on page 17, we have our General Fund appropriations. So where do we spend all this money? \$5.34 billion. Well, it seems in '24-25, \$758,877,840 will go to the university and state college systems. Good investment, I think. Health-- these are agency operations. I'm sorry. I should-- so this is operations budgets. Health and Human Services, \$354 million-- I'll just-- I'll just go-- I'll round it off-- \$355 million. Correctional Services, \$353 million. Courts, \$227 million. State Patrol, \$86 million. Actually, \$87 million. Retirement Board, \$63 million. Now we can go to state aid to individuals and others. Medicaid, \$1 billion. So out of \$5.3 billion, \$1 billion goes to Medicaid. Child Welfare Aid, \$198 million. Public Assistance, \$198 million. Excuse me. That's Dis-- Developmental Disabilities. Public Assistance, \$86 million.

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Behavioral Health Aid, \$85.3 million. Children's Health Insurance, \$26.7 million. So that's all the children that aren't covered by other insurance. And I've talked to Children's Hospital before, as I'm sure many of you have. Many times, when children come to Children's Hospital, they don't have insurance, and that's when they get sign-- signed up for our state plan that covers children. And somebody can correct me if I'm wrong, but I think--

**DORN:** One minute.

**LINEHAN:** --in the last four years, I-- our CHIP program in our state is one of the more generous of the nation. We cover dental. We cover glasses. We cover things that we don't have to cover by federal law. Nebraska Broadband Bridge Act, \$19.8 million. I-- you can all read it for yourself. We, we do a lot in the state for people. And I, I think it's unfair to the taxpayers and the citizens in Nebraska to get up here all the time and say somehow we, we're not doing anything for anybody. Thank you, Mr. President.

**DORN:** Thank you, Senator Linehan and Senator Wayne. Senator Holdcroft, you're recognized to speak.

**HOLDCROFT:** Thank you, Mr. President. I can't pass up the opportunity to speak about the most important part of the, the budget, which is the \$10, \$10 million for the south Sarpy County wastewater treatment. Some people want to call it "sewer treatment," but I prefer the term "wastewater." And let me just give you a little history behind-- about the project. There is a ridge-- first of all, Sarpy County is the smallest county by area, but the third largest by population, and only 40 percent of it is actually developed. There's a ridge that goes from the-- to the-- from the northwest part of the, of the county to the southeast part of the county. And, and everything south of that ridge is not developable because of-- there's no wastewater treatment. So the county recognized this, and initially they thought about building a, a, a sewer treatment plant south-- in the south part of Sarpy County. But Omaha actually approached them and said, we have excess capacity in our treatment plant, which is just south of Bellevue. And so why don't you just pump the wastewater over the ridge and then into that plant? And so they, with the help of the Legislature, they formed up an interlocal agency, which is actually composed of the Sarpy County Board and, and six-- actually six cities: Bellevue, Papillion, Springfield, Gretna, La Vista, and Omaha. And this agency is-- it was formed and actually hired a couple people to oversee the project. It's really three phases of a project. The first part is it takes care of the kind of the western part of, of Sarpy County, mostly around La

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Vista, Papillion area down to Springfield. And then the second part would-- which is-- and, and the first part and the second part are currently in production. They're more than shovel-ready. They're actually burying pipe, and it runs to the eastern part of, of the county and into the treatment plant, which is just south of Bellevue. So this will immediately open up developable properties around, around Bellevue and also around Springfield, north of Springfield. So it's, it's well in the works. And then they were working along very well. The, the whole project is about \$280 million. But unfortunately, with inflation in the last couple years increasing prices, they came up about \$60 million short to finish the project. And, and the most important project hasn't been started yet. It's kind of in the middle, which will really open up south Sarpy County. 27,000 taxable properties. And it will, over the next 30 years, will bring in \$11.7 billion-- with a B-- in increased income tax and, and sales tax in the area. So it's a, it's an investment. It's \$10 million in investment with an \$11.7 million return over the next 30 years. And I-- and that's-- I believe that's why the Governor included it in the budget. So the project is, is waiting at the center-- for this, for this funding. Initially, we had a request for \$60 million. It went to the Natural Resources Committee, and, and they pushed back on that. And we had-- we reduced it down to \$15 million, which will give us-- it will cover the interest on a, on a loan. And the, the whole project was to be funded by development costs. So as developers came into the area and, and purchased land, there would be a fee--

**DORN:** One minute.

**HOLDCROFT:** Thank you, Mr. President-- there would be a fee to, to tap into the sewer system. And then there would be sewer hookups also. And the whole project is supposed to be self-funding. However, with the-- we really can't-- until we have the financing in base-- in place, we can't finish the third phase. So that's what this \$10 million does. And, and it was-- again, it was, it was \$15 million and then it-- they dropped it to \$10 million. But I'm sure we'll find a way to, to finish the project. So, I'll yield the rest of my time, Mr. President. Thank you.

**DORN:** Thank you, Senator Holdcroft. Senator Hansen, you're recognized to speak.

**HANSEN:** Thank you, Mr. President. Any time I get a chance to talk about the budget, I always look forward to it. And I appreciate Senator Holdcroft bringing up his wastewater treatment plant and his \$10 million as important to him. You know what I didn't get? \$10

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million for Blair water treatment plants, though. I just had to put that out there for you. And it's OK. I'll find a way one way or the other between now and next year. Would Senator Wayne, yield to a question?

**DORN:** Senator Wayne, will you yield to a question?

**WAYNE:** Yes.

**HANSEN:** What was it-- I kind of caught part of it. What were you saying about somebody taking a private jet into your district?

**WAYNE:** Oh. So we have one of the best music studios at, at-- Chip Davis has one of them. And so, Jay-Z and others have flown in to record songs with him or help-- he helps them sometimes.

**HANSEN:** OK. In my district-- I know we have the Blair Airport, and I think they're looking at actually diverting some of that airway to the Blair Airport, some-- for private jets. So they may actually be starting to go to my district now pretty soon. And so I hate to take that away from you, but.

**WAYNE:** I have a bill on that to make sure that doesn't happen.

**HANSEN:** OK. As I figured. I-- thank you, Senator Wayne. On a side note, I do want to just give a shout-out to the Appropriations Committee and all the hard work they've done on this budget, their fiscal responsibility by them, by the Governor's Office and their recommendations. So I know it's a lot of work. It's a lot of time and effort. I didn't think Senator Clements could get more gray hair, but I think he did going through this whole process of being the Chair of that. And so I appreciate all the work that he's done because, you know, it's a stressful job. And one thing I also do want to mention is I do appreciate the Governor prioritizing those in the DD community and appropriating more funds towards that and the Appropriations Committee for also looking at the DD community and the work that needs to be done to make sure that those providers get rate increases because they are really doing the yeoman's work that we-- a lot of us don't really understand about-- what they actually do and how much time and effort they put in to take care of those individuals who have a hard time taking care of themselves. One thing I think that Senator Machaela Cavanaugh and I actually agree on-- which, we don't agree on a whole lot, but-- our passion for the DD community and what we can do as a state to help them out. One of the things that I do appreciate, the-- from the Appropriations Committee is their allocation of \$2

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million to the-- the old Dana campus that we have in Blair that is now run by Angels Share. And in case some of you don't know about Angels Share: Angels Share is actually the facility that took over the Dana campus, is refurbishing it, which takes a lot of, of work since we had the hailstorm years ago. But they are a facility that actually houses and helps educate and workfor-- workforce development for those aging out of the foster care system. When I looked at some of the numbers about those who age out of our foster care system and the amount of homelessness, those who-- recidivism rate, who-- the ones who go into prison after getting out of the foster care system was staggering. Like, just truly staggering. About 50 percent in some instances. Those who get out of foster care system, end up as single mothers was staggering. And so I appreciate the state allocating money for, for organizations such as Angels Share who help actually get those who age out of the foster care system to get back in the workforce, get back on their feet, you know, the, the hands-up approach. I, I do appreciate that, so. I wanted to take a minute. I just at least want to make sure I recognize all the work they've done, and hopefully we can kind of keep this fiscal responsibility in the years to come. Thank you, Mr. President.

**DORN:** Thank you, Senator Hansen. Senator Day, you're recognized to speak.

**DAY:** Thank you, Mr. President. I would like to yield my time to Senator Machaela Cavanaugh.

**DORN:** Senator Machaela Cavanaugh, you're yielded 4:50.

**M. CAVANAUGH:** Thank you, Mr. President. Thank you, Senator Day. Well, I appreciate that people are getting up and talking about the budget more so than they did on the previous rounds of debate on the budget. But I do know that there is a more substantive amendment pending, so I would like to withdraw my FA121.

**DORN:** The amendment is withdrawn. Mr. Clerk for items.

**CLERK:** Mr. President, some items quickly. New LR: LR184 from Senator Moser. That'll be referred to the Executive Board. LB185 from Senator Moser. That'll be referred to the Executive Board as well. LB186 from Senator Albrecht and LB187 from Senator Albrecht. LB186 being referred to the Executive Board. LB187 being laid over. Senator Briese, LR188. Referred to the Executive Board. Senator Day, LR189. Referred to the Executive Board. Senator Fredrickson, LR190. Referred to the Executive Board. New A bill: LB50a. Introduced by Senator Wayne. It's a bill for

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an act relating to appropriations. Appropriates funds to aid in the carrying out of provisions of LB50. Concerning LB813, Mr. President. Next item: Senator Conrad would move to return to Select-- the bill to Select File for a specific amendment, that being AM1791.

**DORN:** Senator Bostelman would like to recognize 25 fourth through eighth graders and five teachers from Fisher's Elementary in Schuyler, Nebraska. They are in your north balcony and some underneath the south balcony. Please stand and be recognized by your Nebraska State Legislature. Senator Conrad, you're recognized to open.

**CONRAD:** Thank you, Mr. President. Good morning again, colleagues. I know we're getting close to concluding our time on this measure this morning. And as I mentioned before in some introductory comments in doing final review for LB813 last night, I did see that there was perhaps an opportunity to raise and perhaps address ways to strengthen our safety net when it comes to ensuring childcare for more Nebraskans. So I, I think that this is a substantive and serious proposal, and I wanted to walk through why I thought it was important. So I think that we do have agreement, even though if it hasn't been reflected in our perhaps overall focus this legislative session, that workforce challenges in Nebraska are our number one issue. That seems to be the case talking to rural leaders, to urban leaders, to business leaders, to families across the state as well. So in recognition of that challenge, there's a host of different ways to address that. Yes, including tax equity and tax relief that Senator Linehan and the Revenue Committee have brought forward in a host of different measures. But there's also solutions attendant there too, like childcare, being a primary driver in terms of work support so that we can keep more people in the workforce and bring more people into the workforce. Nebraska consistently has one of the highest percentages of both parents working outside of the home. It consistently has one of the highest percentages of women working outside of the home. It can-- we have consistently had one of the lowest unemployment and underemployment rates-- I'm sorry-- unemployment rates in not only our state's history, but I think the, the nation's in recent years. So how can we address these workforce challenges? So when you look at information from Voices for Children, when you look at information from HHS in regards to the annual market rate survey, looking at the most recent "Kids Count" report, we can see that childcare creates a barrier to work. In that report, they noted that about 6 percent of Nebraskans, which is just shy of 10,000 people, about 10,000 Nebraskans, or about 6 percent of parents of children zero to five did not take a job, quit a job, or greatly change their job because of childcare problems in the last year. There were about 20,700 kids in

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Nebraska who received childcare subsidies in various components: in home care, childcare centers and through school programs. And one of the ways that we deal with this is we do a market rate survey I think-- if it's not every year, maybe it's every other year-- to figure out what the cost is for the provision of childcare. And then we direct to do a reimbursement for childcare providers, much like you may be familiar with, like the developmental disability providers that my friend, Senator Hansen, just talked about very eloquently. And I, I agree that there's good things happening there this session. Or behavioral health providers or nursing home or other healthcare providers. So we do this provider rate reimbursement. So this is kind of the, the parallel version in terms of, of how we address childcare. And Nebraska has made strides in recent years to move from paying a dismal 50 percent or 60 percent in terms of reimbursement to childcare providers. We've continued to move, move the needle in the right direction. I believe by statute and in this current budget, as reflected in this substantive amendment, there is an indication we'll, we'll be paying our childcare providers 75 percent, essentially, of what it costs to provide childcare. So if we know that we need to grow the safety net, if we know that we need to ensure access to safe, affordable childcare to ensure kids get their best start in life and that parents have the ability to work at their highest potential in our economy, we should make sure that we're providing reimbursements to childcare providers that actually meet their actual needs. So my amendment would move that from the current 75 percentile to 100 percent. I am happy to answer any questions. And look forward to at least a few minutes of debate before, before we have a cloture motion on the board this morning. Thank you, Mr. President.

**DORN:** Thank you, Senator Conrad. Senator Vargas, you're recognized to speak.

**VARGAS:** Thank you very much. I'm not yet sure on AM1791. And I will check in with Senator Conrad here if we do indeed get to a vote before cloture, which I-- I don't know if we will. But I wanted to talk on a couple different-- the adjustments here. You know, somebody earlier-- I can't remember if it was Senator Hansen or somebody talking about the fiscal responsibility with the budget. And I think at least talking about LB813, I do think it's important. The reason why we have this-- and there are substantial sort of mid-adjustments we're making in this. The reason we have substantial mid-adjustments is if you were a fly on the wall in the Appropriations Committee, we often ask agencies to come to us and then they tell us this is what we need. And then when they are describing their needs for how they're going to spend, you know, we are-- we're really taking them to-- to holding

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them accountable on how they're spending their funds and what they intend to use it for, the historical averages and, you know, I wish some of you could see. All, all colleagues weigh in on this, which has been really-- especially our new colleagues-- weigh in on this. And what's important about this is what we do-- what we've done in the last two years-- so we're really talking about making changes to the budget from two years ago. When we're doing it, we ask the agencies and, and all the programs to spend wisely. And if they are indeed in need of additional funds for a specific purpose or if they are indeed in need of more cash fund authority-- or, sorry-- spending authority to be able to then do the work of their agency, that they come back and tell us that they need, they need that. The reason why we have sometimes a substantial bill like this and big changes is because they're telling us, hey, we actually realized we need to do a bit more. And that's why we tend to agree with most of the things that are brought, to, to, to Chairman Clements' point. So, many of the things that you see-- you know, oftentimes I get somebody asking me, are we putting more within this bill? More money towards housing? I'm like, yes and no. We're not putting more money towards housing. We are, we are realizing that there's more of an unmet need and we can put more money to it. Are we putting more money towards Department Correctional Services? We are, but largely because they have more need to then hire more staff so that we can make sure people are getting the educational services within the Corrections system so that they can go and get either the GED coursework or, you know, high school graduation coursework or the mental health services when we don't have those staffing individuals. So what we're doing here is we tell the agencies, be lean, be efficient. And at the same time, come back to us when you need more funds when it's absolutely something that we need to invest in. So this is a representation of those things, as well as sometimes agencies telling us, look. We, we maybe overspent. Sometimes they're giving-- that's not always reflected in what you see in the adjustments. When they tell us, we have more money. We're giving it back. That sometimes happens as well. But oftentimes, this is because we have asked them to be fairly lean and we're trying to be fiscally responsible. I still think that there is-- and we'll debate this in LB814-- that there is more that we can do outside of education spending, outside of special education funding. And I've said that on the mike several times. We'll get to that debate here shortly. But for the purposes of this bill, I do want to thank the committee. I want to thank the Chairman and others why this is an important set of circumstances on how we approach this. LB813 is the way that we responsibly ask agencies to come back and tell us, we need more money for this reason. We want you to adjust our funding from last year. We

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want you-- we want to give you the rationale to it, and we're going to back it up.

**DORN:** One minute.

**VARGAS:** And it's for basic-- the basic things that we really need to make done. This is about making sure DHHS is working more appropriately. This is to make sure that we can continue to improve the housing programs that we have. This is to make sure that we have the staff so that inmates and individuals that are incarcerated are-- have, have the ability to get the services they need. And we need to do more of that, to Senator McKinney's point-- and I support many of the things that he has been saying-- to make sure that our state colleges are not running on fumes, to make sure that we are continuing to invest in our Site and Development Fund, that the funds are going out when we have the, the authority and we give them the authority to do so, and to leverage federal funds when they are coming back in. So since we're having this conversation/debate on the bill and-- I want to make sure that the public is educated and everybody else is educated. I appreciate your support on this bill. And thank you, everybody, for their comments.

**DORN:** Thank you, Senator Vargas. Senator Cavanaugh, please state your point of order.

**M. CAVANAUGH:** Prior to us getting to a cloture vote yesterday, there was a point of order made, but it was made after cloture. So for some inexplicable reason, it wasn't acknowledged. But the question was, it's the motion to return to Select that's on the board or is it the motion to return to Select and the AM1791 that is on the board when we get to cloture? I would like a ruling from the Chair as to whether the motion and the amendment are on the board or just the motion itself.

**DORN:** Senator Cavanaugh, please come forward. Senator Cavanaugh, responding to your point of order, we're going to cloture. Oh, excuse me. If you go to cloture, the motion to return to Select File is voted on. The effect of that adoption would be presentation of the amendment. And therefore, the amendment would then be voted on on cloture.

**M. CAVANAUGH:** [MICROPHONE MALFUNCTION]-- to overrule the Chair.

**DORN:** Senator Cavanaugh and Senator Conrad, pre-- please approach. Senator Cavanaugh, you're recognized for further explanation.

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**M. CAVANAUGH:** Thank you, Mr. President. As it was explained to me, and I believe I understand accurately, my point of order for clarification on the interpretation or-- of-- or guidance on the rulings was given by the Chair. And I appreciate that. And it is a parliamentary inquiry and not a procedural ruling, and so I will withdraw my motion to overrule the Chair. Thank you.

**DORN:** Mr. Clerk for a motion.

**CLERK:** Mr. President, Speaker Arch would move to invoke cloture on LB813 pursuant to Rule 7, Section 10.

**DORN:** Speaker Arch, for what purpose do you rise?

**ARCH:** Machine vote.

**DORN:** We are on Final Reading, so members, please find your seat. All members are present. The motion is to invoke cloture. There's been a request for a roll call vote. Mr. Clerk.

**CLERK:** Senator Aguilar. Senator Albrecht voting yes. Senator Arch voting yes. Senator Armendariz voting yes. Senator Ballard voting yes. Senator Blood voting yes. Senator Bosn voting yes. Senator Bostar voting yes. Senator Bostelman voting yes. Senator Brandt voting yes. Senator Brewer voting yes. Senator Briese voting yes. Senator John Cavanaugh not voting. Senator Machaela Cavanaugh not voting. Senator Clements voting yes. Senator Conrad voting yes. Senator Day voting yes. 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 Halloran voting yes. Senator Hansen voting yes. Senator Hardin voting yes. Senator Holdcroft voting yes. Senator Hughes voting yes. Senator Hunt not voting. 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 not voting. Senator Moser voting yes. Senator Murman voting yes. Senator Raybould voting yes. Senator Riepe voting yes. Senator Sanders voting yes. Senator Slama voting yes. Senator Vargas voting yes. Senator von Gillern voting yes. Senator Walz voting yes. Senator Wayne not voting. Senator Wishart voting yes. The vote is 43 ayes, 0 nays, Mr. President, on the motion to invoke cloture.

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**DORN:** The cloture vote passes. The next vote is to return AM1791 to Select File. There has been a request for roll call. Mr. Clerk, please call the roll.

**CLERK:** Senator Aguilar. Senator Albrecht voting no. Senator Arch voting no. Senator Armendariz voting no. Senator Ballard voting no. Senator Blood voting no. Senator Bosn voting no. Senator Bostar voting yes. 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 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. Senator Vargas voting no. Senator von Gillern voting no. Senator Walz voting no-- voting yes. Senator Wayne voting yes. Senator Wishart voting no. Vote is 13 ayes, 35 nays, Mr. President on the motion to return to Select File.

**DORN:** The motion does not pass. Mr. Clerk, the next mo-- is-- the next item is to dispense with the at-large reading. All-- there's been a request for a roll call vote. Mr. Clerk, please record. Excuse me. Please do the roll call.

**CLERK:** Senator Aguilar. Senator Albrecht voting yes. Senator Arch voting yes. Senator Armendariz voting yes. Senator Ballard voting yes. Senator Blood voting yes. Senator Bosn voting yes. 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 not voting. Senator Clements voting yes. Senator Conrad voting yes. Senator Day not voting. 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 Halloran voting yes. Senator Hansen voting yes. Senator Hardin voting yes. Senator Holdcroft voting yes. Senator Hughes voting yes. Senator Hunt not voting. Senator Ibach voting yes. Senator Jacobson voting yes. Senator Kauth voting yes. Senator Linehan voting yes. Senator

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Lippincott voting yes. Senator Lowe voting yes. Senator McDonnell voting yes. Senator McKinney not voting. Senator Moser voting yes. Senator Murman voting yes. Senator Raybould voting yes. Senator Riepe voting yes. Senator Sanders voting yes. Senator Slama voting yes. Senator Vargas voting yes. Senator von Gillern voting yes. Senator Walz voting yes. Senator Wayne not voting. Senator Wishart voting yes. Vote is 43 ayes, 0 nays, Mr. President, to dispense with the at-large reading.

**DORN:** The motion is adopted that-- the at-large reading is dispensed with. Mr. Clerk, please read the title.

**CLERK:** [Read title of LB813]

**DORN:** All provisions of law relative to procedure having been compiled with, the question is, shall LB813 pass with the emergency cause? All-- there's been a request for a roll call. Mr. Clerk.

**CLERK:** Senator Aguilar. Senator Albrecht voting yes. Senator Arch voting yes. Senator Armendariz voting yes. Senator Ballard voting yes. Senator Blood voting yes. Senator Bosn voting yes. 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 not voting. Senator Clements voting yes. Senator Conrad voting yes. Senator Day voting yes. 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 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 voting yes. Senator Kauth voting yes. Senator Linehan voting yes. Senator Lippincott voting yes. Senator Lowe voting yes. Senator McDonnell voting yes. Senator McKinney not voting. Senator Moser voting yes. Senator Murman voting yes. Senator Raybould voting yes. Senator Riepe voting yes. Senator Sanders voting yes. Senator Slama voting yes. Senator Vargas voting yes. Senator von Gillern voting yes. Senator Walz voting yes. Senator Wayne not voting. Senator Wishart voting yes. Senator Machaela Cavanaugh voting no.

**DORN:** Mr. Clerk.

**CLERK:** 44 ayes, 2 nays, 2 present, not voting, 1 excused, not voting, Mr. President, on the passage of LB813e.

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**DORN:** LB813e passes with the emergency clause. Mr. Clerk for items.

**CLERK:** Mr. President, a couple of notifications. The Executive Board will meet in room 1525 at noon. Reference Committee will meet, will meet in room 1525 immediately following the Executive Board meeting. Additionally, the Government Committee will hold an Executive Session at noon in room 1507. Government, noon, 1507. Mr. President, Senator Albrecht would move to recess the body until 1:15 p.m.

**DORN:** Recess until 1:15. All in favor vote-- say aye. Opposed, same sign. Motion passes. We are recessed.

[RECESS]

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

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

**KELLY:** Do you have any items on the record?

**CLERK:** I do, Mr. President. New LR: LR191 from Senator Ibach. That'll be referred to the Le-- to the Executive Board. LR192 from Senator Linehan, also referred to the Executive Board. Reference report from the Referencing Committee on the approved, approved references of LR146 and the appointment of Jason Hayes, director of Nebraska Retirement-- Nebraska Public Employees Retirement Systems. New A bill from Senator McKinney: LB531A. It's a bill for an act relating to appropriations; appropriates funds to aid in the carrying out of the provisions of LB531; declares an emergency. That's all I have this time, Mr. President.

**KELLY:** Thank you, Mr. Clerk. While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign LB813. Mr. Clerk for a motion.

**CLERK:** Mr. President, Senator Machaela Cavanaugh would move to stand at ease for 30 minutes.

**KELLY:** It's the ruling of the Chair that a motion to stand at ease is not a priority motion to be made from the floor. Senator Cavanaugh has moved to overrule the Chair. Each member may speak one time and each member is allowed to ask others to yield to questions. Senators are

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not allowed to yield their time to others. Senator Machaela Cavanaugh, you're recognized to open.

**M. CAVANAUGH:** Thank you, Mr. President. Colleagues, when we began this afternoon, there were 32 people checked in. We are on Final Reading for the budget. It takes 33 for cloture. Everyone knows we will be going to cloture. I thought it was worthwhile to stand at ease for 30 minutes so that our remaining colleagues who are not inside the Chamber could join us for Final Reading on the budget bill. So, there we go. Also, I want to take time, so it's doubly good for me. But the reality is that 32 people were checked in when we came back from our lunch recess. We need 33 individuals for cloture. And, well, I mean, I haven't voted for cloture on any of the budget bills. And I don't know there's-- I don't think Senator Hunt has either. I'm not sure if Senator McKinney has, but-- and Senator Wayne has not. So that's 4 of the 32 people in here have yet to vote for cloture on the budget bills. So it feels like a real gamble to take up the budget bill, get us to cloture without everyone present. So, there's your collegiality from me for the day. Just trying to make sure y'all can be here. I've been taking notes on some of the things that have been said this morning about the debate yesterday on LB574. And-- oh. I realize that I'm in the queue and I'm opening and I can't open, be in the queue, and close. Don't want to get Senator Erdman's ire up here, so I will get myself out of the queue. And I know that I will just be recognized to close on this. So, notes on all of this. People voted for the LB574 because they care about the children and it's good policy. Oh, wait. No. People voted for LB574 because of Machaela. That is excellent policymaking, colleagues. This morning, Senator Slama literally said that this-- LB574 would have been dead, would have been dead if it weren't for the hyperpartisanship games, pettiness that you all wanted to perpetrate against Senator Machaela Cavanaugh. LB574 would have been dead if it weren't for pettiness partisanship wanting to hurt me. That's why LB574 moved forward. That's why. I appreciate her honesty. When it is over, it is over. You're right, Senator Linehan. LB626 is dead. But y'all are sore losers, so you got to break the rules of the Legislature to get something done-- something that is actually worse, has greater penalties. Senator Albrecht, although I fundamentally disagree with her interpretation of LB60-- LB626, she went above and beyond, out of her way, mental gymnastics to try to argue that LB626 had zero criminal penalties. The amendment you all adopted yesterday has a lot of criminal penalties. A lot of criminal penalties. It's just-- is a criminal penalty. And she wrote her bill the way that she did to get it referenced to HHS because she knew, and so did everyone else who helped her, knew that they couldn't make the argument. Even

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in this Legislature, they couldn't make the argument that it should go to HHS if it had the criminal penalties that the amendment yesterday had. So she made sure it didn't have criminal penalties. But the amendment yesterday has criminal penalties. And Senator Riepe introduced an amendment for 12 weeks. AM1658 is 10 weeks, not 12. 10 weeks with criminal penalties. Senator Riepe's amendment for LB626 was 12 weeks and no criminal penalties, took into account fetal anomalies, mental healthcare, medical emergency, and necessity. None of that exists in AM1658. And Senator Riepe knows. He knows that nobody's going to work with him to change anything. And there's an E clause. There is an E clause in AM1658, which means it takes effect immediately-- immediately-- the day after this is enacted into law, which, according to The Washington Post, apparently is going to be Friday. Immediately after, criminal penalties will be enforced. Our medical institutions are going to begin spiraling next week. Does it matter? Do you care about healthcare in rural Nebraska? Do you care about your hospitals? Do you care about labor and delivery in Grand Island, in North Platte, in Kearney? Because you don't if you voted for that, because doctors are not going to risk going to jail to the-- take care of their patients. They're just not. And not only are doctors not going to go to jail, the technicians in the room, the nurses in the room, all of these people are not going to risk jail. They're going to leave the profession instead or the state. But guess what, everybody? Guess what, Nebraska? You got me. You got me. And that's all that really matters, right? As long as I am suffering, who cares about the policy? Who cares about the doctors? Who cares about the patients? Who cares about Grand Island's healthcare? Who cares about North Platte's healthcare? Who cares about Kearney's healthcare? Who cares about Scottsbluff's healthcare? Not this body. Nope. What they care about is taking me down a peg. There are no pegs to take me down. I'm in the gutter. I am. I am miserable. I am depressed. I am sad. I legitimately thought that I was going to have a heart attack yesterday. Not metaphorically. I actually thought I was going to have a heart attack yesterday. I'm a mess. I'm not winning. And destroying healthcare in Nebraska to get at me for that level of pettiness? Nobody is winning. Nobody is winning. And if you want me to be civil about it, I'm sorry. You're going to be disappointed. I am not going to be civil. I am not going to be civil about people taking away civil rights. I am not going to be civil about people taking away human rights. And I am not going to be civil about this body taking away parental rights from a colleague, because that is the height of incivility. So-- I read The Washington Post article. I saw that it said that we could have this bill as early as Friday of this week. And I thought, God bless. You know what? Let's do it. Let's do it. But as

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I said on February 23 and I've said times since then, it's going to cost you something, colleagues. It's going to cost you something. And I am going to take all of the time, every single solitary minute of it, to make sure that the Speaker has to decide what actually gets scheduled in these last handful of days. Every minute of it. So, start your campaign. Launch your complaints to the Speaker. Ask for your thing to be prioritized. Because you better believe-- you better believe I am here every minute of every day from here through the remainder.

**KELLY:** One minute.

**M. CAVANAUGH:** I am in pain. I am inflicting pain. I am not going anywhere. I am not winning anything. I have lost everything. But I will not, I will not stand aside and let this body cavalierly, incivility pass this baloney Skittles without it costing you too. So, I'm going to take time wherever I can. I'm going to find the time to take, and I am going to keep on keeping on. I look forward to our time together this afternoon. It should be a joy. I think I am about out of my time. So, thank you very much, Mr. President.

**KELLY:** Thank you, Senator Cavanaugh. Senator Hunt, you're recognized to speak on the motion to overrule the Chair.

**HUNT:** Thank you, Mr. President. I, I'm not sure where I stand on the motion to overrule the Chair, because I would like 30 minutes right now to stand at ease so we can go to Speaker Arch's office and talk about some of the problems with AM1658 so that perhaps we can have some listening sessions, decide to return LB574 to Select File for an amendment after we get some people together to talk about some of the problems with this amendment. So I think that standing at ease for at least 30 minutes, perhaps 45 minutes, would probably be the best way to do that right now. I do agree that, you know, the Speaker and the Chair can decide if they want to do that or not, want to have that motion to stand at ease, but I also think that we should probably put it to a vote [INAUDIBLE] everybody because there are some questions that I have about this amendment because it's not well-written. I get that you hate trans people. I get that you, Senator Kathleen Kauth, hate my child specifically. But this amendment does have some problems. For one thing, on page 7, line 17, it talks about the act-- OK. So this is the amendment from Senator Ben Hansen. The violation of the Preborn Child Protection Act. Let's, let's also pause here and note that the Preborn Child Protection Act never had a hearing, doesn't have a committee statement, was never voted out of committee, and has not gone through any kind of due process to warrant being

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added as an amendment that's not germane to LB574, which is hateful and discriminatory in the first place. But the amendment says, Beginning October 1, 2023, performing gender-altering procedures for an individual younger than 19 years of age in violation of Section 17 of this act. Section 17 of this act brings us to the Let Them Grow Act. And this grand compromise-- as characterized by professional mediator, Senator Kathleen Kauth-- includes a grandfather clause, which she thinks is really generous and cool. And that's on page 14, line 18, where it says: This section doesn't apply to the continuation of treatment using puberty-blocking drugs, cross-sex hormones, or both when the course of treatment before the operative date of this section-- when the course of treatment began before the operative date of this section. So this amendment has an E clause. It has an emergency clause, meaning it'll go into effect as soon as we pass it, which, as Senator Cavanaugh said, sounds like the Speaker told The Washington Post that that's going to be Friday, but I haven't heard that from him. What the bill is not clear about is, if it has this grandfather clause that allows young people in Nebraska who are taking puberty blockers or taking hormones before October 1 if they would be able to continue treatment with the next step of the process if they are already underway with treatment. So what I mean by that is, say there's a 14-year-old boy who's been prescribed puberty blockers to give their family a little bit of time to decide, you know, what's best for their family, what can they afford, for one thing-- which, in Nebraska, gender-affirming care is not cheap at all. It's not like you can go to the vending machine and just get some, as Senator Kathleen Kauth would make it sound like. It's very expensive. It's hard to get appointments. You have to have several appointments. You have to be getting care for at least a year before you can be prescribed puberty blockers. So what happens under this amendment if a 14-year-old boy is getting puberty blockers but then at age 16 or 17--

**KELLY:** One minute.

**HUNT:** Thank you, Mr. President-- what happens then at age 16 or 17 if they've been taking these puberty blockers for maybe two or three years and then they want to go on to gender-affirming hormones? So they've been taking puberty blockers for two or three years. At that point, when they're, like, 17 or something, they want to start taking hormones. Are they then grandfathered in under this amendment? That's not clear in this language. What is clear is that they could stay on puberty blockers if they were taking them before October 1 of this year. But then what are we going to do with a 16-year-old boy who's been taking puberty blockers forever and it's time for them to start hormone treatment? Will they have to go out of state to get treatment

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like that? That's a problem because we know that if people have to go out of state, they're actually not receiving the best diagnostic care that they can have because no one is hoofing it to California to, you know, get two weeks--

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

**HUNT:** --let alone a year of gender-affirming care that they need in order to get--

**KELLY:** Thank you, Senator Hunt.

**HUNT:** --the prescription. Thank you.

**KELLY:** Senator Erdman, you're recognized to speak.

**ERDMAN:** Thank you, Mr. President. We will be, at some point, talking about the pay for the senators. And so, at the lunch hour, Senator McDonnell and I had a conversation about his plan on how we are compensated. So I was wondering if Senator McDonnell would yield to a question.

**KELLY:** Senator McDonnell, will you yield to some questions?

**McDONNELL:** Yes.

**ERDMAN:** Senator McDonnell, I thought your idea was interesting, to say the least. Can you describe for us exactly what you and I talked about?

**McDONNELL:** So as-- yes. Thank you. Good, good afternoon, colleagues. As we all know, we are compensated \$1,000 a month. And what Senator Erdman and I were talking about, potentially, we could look at an opportunity for 12 people in a year to make \$49,000 each based on a system of a lottery. So Senator Erdman and I were, were discussing that. And that's as far as the discussions went during, during lunch today. But it would be on a rotating basis if a winner would not be eligible to win more than once. But then at that point, 37 of us would not get compensated at all for, for that year. But that was some of the discussion we had over our lunch period. And, and I'm here to try to answer any other questions. Thank you, Senator Erdman.

**ERDMAN:** OK. So let me see if I got this right now. So one of us each month would win \$49,000. And then at the beginning of the next year, we'd start all over again. And the ones that won that first year could put their name in the second year? I think that's a great idea. I

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mean, we have an opportunity, if you think about. If you're a gambler-- I'm not-- but if you're a gambler, that'd be a great opportunity. I don't know. What, what would the odds be on that? 49 to 1? Something like that? Pretty good odds. Yeah. Pretty good. Anyway, I thought that was a great-- is a great plan. We'll see what happens. If we ever get to this bill, maybe we can make an amendment to do that. I'm not sure what a motion to stand at ease is, and, and I'm sure why they did it. I'm convinced about that. That wasn't hard to figure out. So we'll do whatever we need to do to get these bills passed. But I want to say this: I and many others are sick and tired of being here late at night. It is disrespectful to those people in the front of this Chamber that are here after we leave, closing up for the day, coming in early to get ready for the new day. So my recommendation is, once the budget bills are passed, we go back to 9:00 to 5:00. And whatever we get, we get. Or as soon as the budget bills are passed, I drop in a sine die motion. One of the two. But there's no need for us to be here and listen to the whining and complaining about losing. Votes have consequences. The vote was taken. It's done. It's settled. But we're going to continue to talk about this. And even after Friday or Thursday, whenever it comes up again and we pass LB574, we'll hear about it continuously after that. This is not going away. So I ask the Speaker to make a decision: 9:00 to 5:00 or go home. Thank you.

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

**WAYNE:** Thank you, Mr. President. Colleagues, I'm all for using rules and using things. What, what concerns me right now is the reaction to the reaction. So how I explain it to-- and I'm not disrespecting anybody by calling anybody a kid here-- but how I explain it to my kids who I used to coach is, it's never the first person who gets caught. It's always the second one who reacts back on the field. They're the one who get the technical. They're the ones who get thrown out. And that's how this body is when it comes to rule changes or even, even how we vote sometimes. So, I'm worried about a whole bunch of rule changes coming next year because of one or two things or one or two people or one or two bills that moved forward. So there's some things that I just never have the luxury to say on this floor. And part of it is because I'm a black man in America, and part of it is I don't have to respect the person in the position, but I was always brought up to respect the position. There's things that Supreme Court Justice Clarence Thomas and I will never agree on, but I respect the position. There's things that President Trump and I will never agree on, but I'll always respect the position. And when we start getting away from that, no matter how personal-- I was taught that my

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community loses. And I've seen it play over, not just during my lifetime, but historically. Because it's never the first reaction or the first action. It's the reaction. And these rules were crafted in a way to make sure, at a time when there was just one of us, had the ability to have a voice and to do some things. And I'm concerned, for the last five days-- yes, I challenged the ability to change the Journal. I saw an opening. I went for it. Backed off. There's things we can do. I'm just concerned of the reaction. We change the filibuster rule, we change some of these rules-- we already saw the reaction now that we can't even, we can't even withdraw an amendment to recan-- to recommit, to indefinitely postpone. That was a reaction. That took away a tool. We have to balance this. And I'm not going to pretend that I know what everybody's going through in this body, but damn sure don't pretend that you know what I'm going through. We're not just elected people who are robots. We do. We have feelings. We have families. And we have people who are struggling. And we have people in our families, at the end of the day, that our policy decisions will affect. And every day, I walk in here with that burden. There's things that if I say on the floor that was said this year, north Omaha would lose all of the ability to, to have money right now and to do-- change the outcomes. I don't have that luxury and that privilege.

**KELLY:** One minute.

**WAYNE:** I'm not saying you shouldn't voice your opinion. Because if, if I had had that luxury and privilege, maybe I would. But we need to be careful. And that's just not my side of the aisle. I've been saying the same thing on both sides of the aisle. We threw out a lot yesterday, but I don't want our reaction to keep throwing out more. Because sooner or later, it will truly be majority governs. And maybe some of the communities you represent haven't seen that, but take a trip with me down 16th Street and 24th Street and see the devastation without some of these rules and the ability for the minority to have a voice and see why that burden I'm carrying every day. Thank you, Mr. President.

**KELLY:** Thank you, Senator Wayne. Senator Lowe has two guests under the south balcony: former State Senators Tom Carlson, Holdrege; and Les Seiler, Hastings. Please stand and be recognized by your Nebraska Legislature. Senator John Cavanaugh, you're recognized to speak.

**J. CAVANAUGH:** Thank you, Mr. President. I appreciate the comments of Senator Wayne about the necessity to not throw out rules in haste. I think that it is important that we use the rules appropriately. And to

that end, I was sitting here looking through the Rule Book and looking through Mason's and trying to find what standing at ease is, and I couldn't find anything. I found motion to adjourn or recess. And one thing that stuck out to me was, a motion to adjourn shall be in order except while a member is speaking, when a motion to adjourn or recess has been defeated, and after Final Reading of a bill during a roll call thereon. So-- and the reason that stuck out to me is I seem to recall at some point during the year-- we stand-- we've stand-- stood at ease many times for dinner and things like that, and nobody's objected to that. We probably should recess, but I think the reason we don't recess is because then everybody would have to check back in, and it takes a long time to get everybody checked in. I bet you-- let's see. It's 1:55. We came back at 1:15. I bet you not everybody's checked in yet. But, you know, so we need to get a quorum. We need people to check in. So we kind of fudge the rules on that for the interest of efficiency so people can go get some dinner. And, you know, usually, in that dinner time, whoever is next in the queue comes back up first and talks to an empty room. It's been me a couple of times being the one talking to the empty room. So, that's when we usually use stand at ease. We used one last night when there was a disruption in the balcony and, you know, the Speaker said we're standing at ease. And it was kind of a unilateral assertion of standing at ease. He wasn't in the Chair at the time, so it wasn't even the Chair making the determination that we were standing at ease. It was the Speaker from the floor. But the one that jumped out at me when I was reading this rule was, while a member's speaking. And I was trying to find-- the transcript is not up yet-- but I think on the Select File round of debate on LB734, we did stand at ease in the middle of the floor speech. And-- so I don't know what the rules are on standing at ease. I don't think I'm going to overrule the Chair, vote to overrule the Chair on this one because I don't think that we should be sort of using this thing of convenience or not official rule in other ways. We shouldn't expand its use outside of the universal acceptance of it for dinner. We shouldn't be using it in more and more places and times. So I think I will vote to sustain the Chair. But I do have concerns about the fact that we're conceding the fact that this is something the Chair can do. That, that's problematic, I guess. But I do think if it is a thing that exists, it should probably be held to a standard like that of motions to recess, because that's what it is. It's just sort of a shorthand, brief recess, an unofficial recess. And it doesn't seem like we should be violating that particular rule when we are using this made-up rule. Now, if anybody has got-- if it's in there somewhere-- I couldn't find it. If it's in Mason's, if it's in the rules, if it stands-- if it's under a

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different name, I, I'd be happy to hear it. But I couldn't find anything that was stand at ease or akin to recess. I'd-- I would say, in our Journal, it does say stand at ease and it does say how long we stood at ease, 2:14 to 2:29, and-- again, for dinner or whatever, things like that.

**KELLY:** One minute.

**J. CAVANAUGH:** Thank you, Ms. President. If you look at yes-- I, I did look at yesterday's Journal. It does have stand at ease in there. I don't think it said how long we stood at ease in that particular Journal, but maybe I missed it the first time I looked at it. So, like I said, I think I'll be voting with the Chair on this particular one but not because I think stand at ease is something we should be doing, but because I think that we shouldn't be doing it. I'm not exa-- I'm, I'm not conceding the fact that I think this is a power that stands with the Chair. Thank you, Mr. President.

**KELLY:** Thank you, Senator Cavanaugh. Senator Machaela Cavanaugh, you're recognized to close on your motion to overrule the Chair.

**M. CAVANAUGH:** Thank you, Mr. President. I agree with everything Senator John Cavanaugh said about standing at ease. I do think that we-- if we have come to an agreement that we stand at ease at dinner time even though it isn't in our rules or in the Mason's Manual but we have generally, through consensus, accepted that, then, OK. That's our generally accepted practice. But it has been utilized in other ways that are completely not in consensus whatsoever. And, and so I do think we should be consistent or have a rule on how we do standing at ease. I introduced the motion today because it is not spoken to. Therefore, it is not explicitly prohibited to make a motion to stand at ease. The reason I used the stand at ease today, as Senator John Cavanaugh had mentioned, a motion to adjourn or recess would be a more appropriate action to take under normal circumstances. However, I did the motion to stand at ease at this moment in time because we had 32 members checked in. We were debating the budget. If it went to cloture and we only had 32 members, the budget would have failed. And 4 of us have historically not voted for cloture that were of that 32. Also, the budget, even without cloture, needs 33 votes. It needs 33 votes. So if we had done nothing and just sat down and dispensed with the Reading and voted on the bill, it would have failed. You're welcome. My making a motion to stand at ease literally saved the budget. Y'all need to pay more attention to what you're doing. I think we have more people here now. I think we have the people here necessary for a vote at any point in debate on Final Reading for the budget. You might not

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like my tone, but I keep doing you solids. Because I don't like the budget. I oppose the budget. I don't think the budget is a moral document. I think it's an immoral document. But here I am, saving you from yourselves on process and procedure again. If I had not made this motion, if I had not delayed the start of the next bill, the next bill would have failed, period. Because if I hadn't delayed it, I probably also wouldn't have filibustered it. I would have just let it go to a vote because I knew it would fail. And see what you would do then. Process and procedure. It's important. You should learn it. And you should use the tools appropriately. Earlier today, I made a motion to overrule the Chair. I was brought up to the front. We had a conversation. It was deemed not the right motion to make. I wasn't going to fight that because I believe in the process. If it's not the right process, I'm not going to try and use it. I'm not going to cheat. I'm not going to lie. And I'm not going to steal. I'll leave that to my colleagues to do. I withdraw my motion to overrule the Chair. Thank you, Mr. President.

**KELLY:** Motion is withdrawn. Mr. Clerk for items.

**CLERK:** Mr. President, bills presented to the Governor on May 17, 2023 were the following: LB813e. Next item on the agenda, Mr. President: Final Reading, LB815e. First of all, I have a motion from Senator Clements to recommit the bill to committee with a note he wishes to withdraw. In that case, Mr. President, the first item: Senator Machaela would move to return LB815 to Select File for a specific amendment, that being FA124.

**KELLY:** Senator Machaela Cavanaugh, you're recognized to open on the floor amendment.

**M. CAVANAUGH:** Thank you, Mr. President. When it's a Speaker's major proposal, you don't have to file your protective motions because the Speaker gets to order the motions, so it doesn't really matter, but-- and also, you'll notice that I didn't file any protective motions on any of the budget bills because I knew it didn't matter. But I appreciate [INAUDIBLE] motion to recommit to committee, as I had. And Senator Wayne, the Chair of Judiciary, was like, hey. Hold up. This actually should be recommitted to a different committee because of the rules change halfway through the session. That was very problematic. Something that we have not yet realized on day 79 or whatever day we're on is what you do to me, you do to each other, you do to the body, you do to the institution. And many of your things are reactionary and not well-thought-out. Because here I am. Here I am. Just living my best life. Winning. I-- you know, people do tell you,

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like, take a step back. Rethink and reframe the situation. So, OK. I'll take a step back. I'll rethink. I'll reframe. Am I winning? I said that I wasn't. But Senator Albrecht's total ban failed. LB626, it failed. So-- well, that's good. Senator Kauth's bill that she absolutely categorically did not want to make a single word of a change to also failed. It has moved forward with changes. So I guess that's a win. I don't like them, but she didn't want them. So I guess, great. I guess this is what they mean when they say something's a compromise is that everybody's upset. I know Senator Albrecht's upset. Yesterday, you took away her ability to get a total ban on abortion next year. There's no way. There is no way Senator Albrecht, in her final year, is going to get the bill that she's been working on, LB626, or some variation of it. You all took that away from her yesterday. So she lost big twice. She lost big on LB626 and she lost big again yesterday. And yesterday was probably even worse for her because, honestly, you all betrayed her. You betrayed her. She's been working on this forever. She's brought versions of a bill that I personally despise and think are terrible public policy. But I've always been upfront with her about where I stand on all of it. And she's always known where I'm going to vote on all of it. But yesterday, her colleagues who sat by her desk to comfort her when LB626 failed, they voted against her ability to get the job done next year. So, ouch. That's got to really sting. That's got to really sting. Yeah. I got a lot of thoughts on LB574 and the amendment on that too. I'm sure Senator Kauth does too because I know she didn't-- I know-- we all know. She told the press numerous times. She had no interest in changing a single word of that. Now, some say, because they would lose people on the right. I think Senator Hansen was concerned about that, and that's what his amendment was, to, to show the people, the more moderate people in the body, that they were willing to compromise by coming up with this amendment that actually made things worse. But they were willing to compromise. The fact that they didn't lose any of the precious souls on the right that they were worried about losing is a very clear indicator that they gave up nothing except for the integrity of Senator Kauth's bill as she had it developed. That's the only thing they gave up. But, bygones, right? So, yeah. I guess if I shake it up and I reframe it, I am winning. Yay. It's a horrible win. It's ugly. It's messy. But I guess at least I'm not losing alone. So, welcome to the losers tables. Pull up a chair. Senator Kauth, Senator Albrecht, you're welcome to join me. I'm losing something. You're losing something. How fun for us. We can start weekly meetings. So, FA124, Strike Section 1. Great. Section 1. And this is our salary, so I guess everyone was willing to forego our salary right after lunch when we were going to just pick things up

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right after lunch. 32 people here for a bill that has to have 33 votes to pass. Fun, fun, fun. So, Section 1. There is hereby appropriated (1) \$632,982 from the General Fund for FY 2023-24 and \$632,982 from the General Fund for FY '24-25 to the Legislative Council, for Program 1, for the pro-- for the payment of salaries of members of the Nebraska Legislature and the payment is to be made-- to-- the payment to be made as provided by provision 6-- by provi-- as provided by Chapter-- sorry-- 68, Article 6. Total expenditures for permanent and temporary salaries and per diems from funds appropriated in this section shall not exceed \$588,000 for FY 2023-2024 or \$588,000 for '24-25. That's what we're striking. Actually, this isn't technically our salaries, I guess. This is the appropriated funds for, like, Social Security and payroll tax or something like that. I don't remember specifically. Medicaid? Medicare? Some fees or taxes that go around-- along with our salary that the state has to pay, so. I mean, I wouldn't return it to Select for this, but I know some people in here have been fast and loose with supporting some of my amendments to strike sections of these bills. So maybe we'll just see people getting crazy today and voting to return FA124 to Select. I mean, honestly, you could return it to Select and then this would be a fun, a fun little exercise. You return it to Select, but when it gets to Select, it then has to get 25 votes to be adopted. Return it to Select, it doesn't get 25 votes. When the, when the amendment fails to get adopted, it automatically goes back to Final and we sit down and we vote on it. That's a fun little procedural thing.

**KELLY:** One minute.

**M. CAVANAUGH:** Thank you. And that has actually happened before, that we've made motions-- well-- no-- I shouldn't-- that's not true. I think what normally happens is that it just fails to return to Select. Now I'm trying to think. I don't know. I feel like Senator Conrad was think-- discussing a time that a bill actually returned to Select but the amendment failed to get adopted, which was probably some sort of agreement amongst colleagues that, I will vote for the motion to return to Select, I won't vote for the amendment sort of situation. I could see that happening. But, generally speaking, return to Select unless it is already worked out, like when Senator Bostar did it. I don't know if that was last week or a month ago. Time seems to have no meaning any longer. But when Senator Bostar returned to Select for a specific amendment, he had gotten all the votes already lined up and-- so that was easy peasy. But otherwise, if somebody just files an amendment, as I did, it's not very likely--

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

**M. CAVANAUGH:** Thank you, Mr. President.

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

**LINEHAN:** Thank you, Mr. President. When Senator Wayne was up a little bit ago, he tried to be careful not to offend someone. I'm not going to try and be that careful. One thing I learned-- I worked with the State Department, which had some of the greatest people I've ever worked with. But it also had a lot of people who, the first time you would meet them, told, told me where they went to college and how many degrees they had, and it was frequently Yale or Harvard. And what I learned is you have to stand there and tell me how smart you are, you're not. Senator Albrecht's bill was not a total ban. So in the last 10 minutes, we heard that two or three times. Not true. Well, it's not true. Her bill, she believes in her heart of hearts, was a compromise. She supports the total ban. That's not what her bill was. We also heard in the last 10 minutes, there's the final year. I'm sorry. That's not true. We have another year. Some of us may wonder why we're coming back after this year, but we have another year. Rules changed halfway through the session because a group of senators decided they were going to get up with motions like this, talk, sit down, and withdraw, and locked every other senator out of the debate for a day. And the Speaker could not let that go by. And there are senators on the floor that knew when it was happening what the result would be. I don't, I don't think there's a real appreciation for how important minority rights are in this body and how it will not work if we destroy them. We don't have two houses. And two houses, you can screw around like this. You can, like, pass silly bills because you have-- you know the other house will all go to conference and it'll get cleaned up. We don't have that here. I don't, I, I don't mind debating the bill. I actually think that's what we're here to do. But we cannot allow people just to get up and say things that aren't just true. They're just not true. It's not a matter of opinion. It's factual errors that are being repeated on the floor. It's not OK. I want to pass-- a bill to pass. As little as it is, it helps. I, I can't imagine what the-- as we all know-- way more people than we think watch this every day, or at least part of it. What are they thinking? They might be thinking we don't deserve \$12,000 a year is what they might be thinking. I mean, childish behavior again and again and again. What goes through my head is what my parents used to say when I was a kid. Knock it off. Like, quit. Act like grown-ups. Respect each other. I want to debate the bills. I don't want to be here till 10:00 at night. I'm not the only-- there are plenty of

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people in this room who are missing dates with grandkids, missing soccer games--

**KELLY:** One minute.

**LINEHAN:** --missing baseball games. We have-- what do we have, 10 days left, 11 days left? We really want to be here 16 hours the next 11 days? Well, we won't be. But it's-- we need to do the business of the state, treat each other with a little respect. You know, there's the other old saying. If you can't say nice-- if you can't say anything nice, just don't say anything. Or if you want to burn up time, get up and talk. Yes, I'd rather hear about recipes than calling each other out and making up stuff that's not true. Talk about your childhood, your high school, your favorite football team. I don't care. But let's cut it out. Thank you, Mr. President.

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

**M. CAVANAUGH:** Thank you, Mr. President. I do have a good recipe. I made a potato pesto lasagna. I, I made the recipe myself. There's this restaurant and a piazza in Florence. And I went there with my husband on our honeymoon. And he ordered this lasagna. It was a potato pesto lasagna. And it was amazing. And I spent about two years trying to recreate it before I finally got it, at least as right as I think I'll ever get it. And then I adapted it because lasagna is actually-- like, I do love a good lasagna, but it's not like-- I kind of prefer just pasta, different types of noodles of pasta. So, so I did also adapt a version of it that was, like, fusilli pasta. So-- because that also takes less time to make. So if you want to make this-- and it's kind of a decadent dish. OK. So, first, pesto. Now, you can buy store-bought pesto. Of course, you can buy it in a jar. And I buy pesto in a jar all the time. But if you're going to sit down to make this dish-- folks, please dispense with the store-bought jar of pesto and make your own. If you've got a line on a good seed guy, like I do-- Senator John Cavanaugh-- grow your own basil in mass. And-- so then harvest the basil. Now, this must be a John Cavanaugh thing because my dad also-- my dad doesn't do the starter seeds. Senator John Cavanaugh does the starter seeds for a million things. I've talked about that previously. We don't have to go down that road again right now. But my dad always plants basil in, like, five different pots across their patio. I don't quite know why he does it, because he never harvests it, like, ever. Not a single leaf of basil in all of these pots of basil. So every time I go over to my parents' house in the summertime, I go around and I pick the basil to make sure that it

doesn't overgrow and all that. And then when it starts to go to seed on the top, I, I take scissors and I go around and I clip the tops off so that that doesn't happen either. So-- and I spend a lot of time at my parents' house in the summertime with my kids because they have a swimming pool. So that's a nice place to go when it's hot out. So, anyways. Get a line-- get your own John Cavanaugh with basil. Or grow your own basil. I don't know. And pick the basil and that-- to make your pesto. Now, if you're making your own pesto, you can make it dairy-free. I personally like to use parmesan cheese in it. And if I'm going to go through making my own pesto, I'm not going to use the powdered parmesan cheese-- although, no judgment here, because I love that stuff. I love the powdered parmesan cheese. But if I'm going to make my own pesto, I'm going to use, like, real parmesan cheese. I realize I need get back-- I'm going to make my own parmesan cheese. If you're just tuning in, Senator Linehan asked for recipes instead of rhetoric, so I'm trying to, to liven the mood, shall we, with my pesto recipe. OK. So you get your basil. You get your parmesan cheese. If you want to go dairy-free, go dairy-free. Don't use vegan cheese, though. Don't muck it-- like, just skip the cheese. If you don't want to use real parmesan cheese, skip the cheese. Don't use vegan cheese. Nothing wrong with vegan cheese, but that's not what we're going for here with this pesto. OK. So, we've got our basil. We've got our cheese. Salt. You're going to need salt. Maybe a little bit of pepper--

**KELLY:** One minute.

**M. CAVANAUGH:** --but, really just salt. A lemon or two, depending on how big of a, a batch you're making. And nuts. Now, pine nuts are the traditional, but they are very expensive. You do not have to use pine nuts. You can use walnuts, You can use almonds. Walnuts are usually my go-to. And-- if I'm not going to use pine nuts. And if you are going to use pine nuts, you want to pan-toast them first. Don't just-- we're all in at this point. Let's not get lazy. Pan-toast your pine nuts before you put them into the food processor to make your pesto. OK. Do this thing with your walnuts. If you're going to use walnuts, pan-toast them as well. That just means, like, you dry-- you put them in a pan and you just, you know, move them around on some low heat so that they get a little, a little-- that gets kind of the oils out, it gets the flavors kind of just popping a little bit more. OK. I think I'm almost out of time, so I'm going to finish the--

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

**M. CAVANAUGH:** Thank you.

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

**CLEMENTS:** Thank you, Mr. President. I stand in opposition to the motion to return to Select File. The amendment would pretty much delete this whole bill. The bill is 11 lines long. And what LB815 is is the senators' salaries. It has to be a separate bill each, each biennium. And it's the bill that would pay each of us \$1,000 per month, whether we earn it or not. And I also wanted to thank the Appropriations Committee for their hard work. We had a lot of requests this year. Agencies knew that there was some extra money, so they put in extra requests. Senators knew and lobbyists knew there was extra money, so they put in 87 bills or had senators bring them. And we ended up working through our lunch hours for three weeks every session day for three weeks, and we took turns paying for the lunch. And I wanted to thank each of the Appropriations Committee members for volunteering to pay for lunch. Whoever paid for it got to select where we would eat, whether it was going to be Subway or Arby's or Mexican. We, we had a good variety, and I really appreciated that. So we were able to get a lot of work done and still participate in sessions. Regarding senators' pay, I have had some suggestions. One person says, well, maybe I shouldn't be paid at all. There's so much entertainment here that maybe we should pay for the ability to watch things going on here. And-- well, that was an interesting comment. There is some entertainment value. Then another comment was a person who doesn't-- does not like scary movies would really want to get paid more for having to watch scary movies here at times. Then there's the lottery. That was a new one I heard today, where we would draw a name each month. One person would get all 49 senators' \$1,000, \$49,000. And for, for a year's time, we get-- 12 people would get \$49,000. And 37 people would get zero. And-- oh, dear. I'm not a gambler. Never been very lucky at gambling or cards, so I'm, I'm not in favor of that one. But what we are voting here, the bill that the Appropriations Committee worked hard and finally came to a 9-0 vote for \$1,000 a month per senator for, for the next two years. And I was figuring, as I like to figure, if you're-- if you were working a 40-hour a week job 8 hours a day--

**KELLY:** One minute.

**CLEMENTS:** --you would be getting paid \$5.76 per hour. And that's below the new minimum wage that voters put in. But the voters need to raise our pay if they think we're worth any more than that, but sometimes we are, sometimes we're not. But, just back to the bill. I oppose the

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motion to return to Select File. I would ask for your green vote on LB815. Thank you.

**KELLY:** Thank you, Senator Clements. Senator Machaela Cavanaugh, you're recognized to speak. This is your final time before close.

**M. CAVANAUGH:** Thank you, Mr. President. OK. Well, I'm happy to take time from anyone else. I do have more amendments pending. But if anybody wants to yield me time, I'm happy to take time. OK. Pesto. Basil, parmesan cheese or no cheese, nuts-- pine nuts are the traditional. They're expensive. I oftentimes use walnuts. Pan, pan-- like, dry heat, toast your nuts-- your pine nuts and your walnuts. I just realized how that sounded. Salt, lemon. Am I forgetting anything? Oh, probably some olive oil. Also a little bit of water. So you put it in the food processor. Portions, do what you like. Do you like a more nut-heavy pesto or a more pesto-heavy pesto? I don't know. Do what you like. Anyways, those are the ingredients. I usually do things by feel. I don't follow recipes. I just kind of do. Squeeze some lemon juice in. The lemon juice is really important because it really adds brightness to the flavor of the pesto. It's really-- and if you do use jarred pesto, use-- add lemon juice to that as well because, again, it will give it that brightness, it's some freshness in there. OK. So you use a food processor. If you have an immersion blend, I guess you can use that. Or a blender. You can use a blender. You might have to add some water to it as you're mixing it because it, it could get dry. Or add oil. But if you don't want it to be, like, super heavy in the oil, I would add water. Or both. OK. So this is for making potato pesto lasagna. All right. So then-- I told you this is a rich and decadent dish-- Alfredo sauce. But you got to make your own. Again, you can't, you can't do jarred Alfredo sauce. Now, the recipe for Alfredo sauce I do not know off the top of my head. So that one, I'm, I'm going to have to spend some time and look up again. As opposed to the pesto recipe, which I gave you zero measurements whatsoever. So, clearly, knowing it on the top of my head was a little bit disingenuous. I know what the ingredients are. Alfredo sauce is, of course, very dairy-heavy. So if you went through the steps of making the pesto without any dairy in it, probably you are not making this dish. You are just making a homemade pesto, which is also delicious and, and has its own wonderful virtues. But you make the Alfredo sauce, you make the pesto. Potatoes. Now, the potatoes are not the lasagna. You still have lasagna noodles. The potatoes are potatoes. Boil some potatoes. Parboil them. Don't boil them, like, till they're mushy. Parboil some potatoes, throw them in an ice bath, take them out, slice them. Now, slicing is to the beholder. I would say-- I don't know. Is that, like, a quarter-inch? A fourth of an inch? Fourth of an inch is a quarter of

an inch, isn't it? Yeah. OK. May-- let's-- we'll go for a quarter-inch. Slice them to be about a quarter-inch. Try and slice them as evenly as you can. You could-- if you did this before you parboiled them, I think it would be hard to do it-- well, maybe you could do it after you parboil them. You could use a mandolin slicer to slice them so that they're all the same size. Or, again, if you have a food processor, they've got those cool, little circle attachments that go on top. And one is, like-- one side is for grating and the other side is for slicing. So you can use that too.

**KELLY:** One minute.

**M. CAVANAUGH:** Thank you. OK. So, parboil your potatoes, slice them. Now, this is an ingredient that wasn't in the original, but I added it, and it seemed to work well: sun-dried tomatoes. Those I don't make myself. I probably would like to try. I-- actually, maybe this year I will try. My husband gave me an air, air fryer for my birthday this year because I'm in my forties and those are the kind of exciting things you get for your birthday. I love it. This is not a comment of, like, not a good gift. It was a great gift. It-- he knew how much I wanted one, so thank you for that. And the air fryer does have a dehydration function. So I may, when I finally get my tomatoes going from the seeds that Senator John Cavanaugh got from the seed library that he started, when I get my-- is it Cherokee tomato? Is it the Cherokee? Is that the best--

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

**M. CAVANAUGH:** Oh, thank you.

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

**CLEMENTS:** Thank you, Mr. President. The previous bill that we had, LB813, I was the next person in the queue when cloture was called, and I had some items I wanted to review on that. So this is not going to be on this bill. What I'm speaking now is what we passed earlier, but I thought it would be of interest to the senators to hear some more detail about what LB813, the deficit bill that's this current fiscal year. First item, we had the Secretary of State's been receiving a lot of public records request regarding elections, the election machines. And he-- his staff has been overwhelmed with requests. And he had one person just with one-fourth of their time allocated. He needed another one and three-quarters time. Now, that one-- we waited on that and we did not fund in this calendar year-- fiscal year. But in the bill

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tomorrow, in LB814, with his biannual request, there is going to be some increase for him to be able to respond to public records requests because it is a statutory requirement. The things we did approve: the State Auditor. In 2020, LB871 required the State Treasurer to provide annual continuing education programs for all city, village, and county treasurers. And the program started in 2021 with about 520 municipalities and 93 counties participating. And to accommodate this workload, the Treasurer needed one and a half more full-time employees. And we approved that one. The Department of Education had a number of requests. I'm just going to point one out here. They relocated from where they have been in the state office building-- and, and maybe some other buildings-- they're now in what was the State Farm building at 84th and O Street. And there was a \$380,000 General Fund request for relocation. And we questioned that, and we found that that was a one-time expense and hopefully is going to be reducing-- not be that much every year. But we did approve a request for them to relocate. There's some remodeling that they're doing there. Another one in Department of Education: the TEEOSA Fund has an adjustment. The TEEOSA Fund gets a portion of the insurance company premium taxes that are paid. And the amount that came in was greater than what had been expected. There was \$4.1 million additional premium tax that came in to TEEOSA. When that happens, the rest of TEEOSA is General Fund appropriations, so we're able to reduce General Fund appropriations by \$4.1 million. And that was accepted and that's a positive effect to the budget. And, I'm doing these by agency order. The next one. Also-- under the Department of, of Education [INAUDIBLE] the, the Nebraska Center for the Blind or Visually Impaired. And they have experienced an increase in expenses--

**KELLY:** One minute.

**CLEMENTS:** Thank you-- and they serve the state and they, they needed to hire another specialist. They had an increase in their cost of labor and increase in the number of students. And-- so we approved \$166,710 additional for the Center for the Blind and Visually Impaired to accommodate their needs and their increased expenses. And I think I'll stop there. I'll need some more time later. Thank you, Mr. President.

**KELLY:** Thank you, Senator Clements. Senator DeKay, you're recognized to speak.

**DeKAY:** Thank you, Mr. President. With the clock running, I was just going to ask if Senator Clements would yield to a question.

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**KELLY:** Senator Clements, would you yield to a question?

**CLEMENTS:** Yes.

**DeKAY:** Could you give us more information on the bill, LB815, that's on the board right now?

**CLEMENTS:** Well, would it be all right if I also used LB813?

**DeKAY:** Absolutely.

**CLEMENTS:** All right. Yes, I could. Thank you. Regarding LB815, that's your senator pay, your \$1,000 a month. And that's in the constitution. We cannot change that. But it does require us to vote about it, and we'll need to vote that to continue to be paid starting July 1 this year. And it would require a constitutional vote of the people on the ballot in November of '24 to change that. So I do urge a-- your green vote on LB815. But back to LB813, the deficit bill. The next agency I had was Public Service Commission, to increase their salary limit and their government aid. And the Nebraska Universal Service Fund, we approved a \$10 million increase in their appropriation. They said there are currently \$100 million worth of projects in various stages of buildout using the Universal Service Fund. The cash balance of December of 2022 was approximately \$102 million. And-- but at that point, approximately \$16.8 million had been expended on aid in the fiscal year. And so we would-- that may have been one reason that we did think there was \$40 million extra that we could use to help the Cash Reserve. [INAUDIBLE] seeing \$102-- \$100-- \$102 million balance with just \$16.8 million spent. Of course, as you recall, when we, we did-- we proposed that transfer, but it was reversed during debate. So-- now that I see there are \$100 million worth of projects in various stages, we did allow a \$10 million increase for that. And then next thing was, again, the Public Service Commission increasing their salary limit. The new programs that they have and the categories which they fund have expanded and they were needing additional staff, so we approved \$49,356 more for public service staff to help administer the Universal Service Fund additional projects. Next one is the Department of Labor. Department of Labor mainly does unemployment insurance, and they have an unemployment insurance modernization request. The annual software renewal cost for the NEworks system-- and the NEworks system is the Department of Labor, Labor unemployment benefits online system for beneficiaries. And these are federal funds. And that was \$2 million additional that they needed to renew software for the NEworks system, and we did approve that.

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**KELLY:** One minute.

**CLEMENTS:** Thank you, Mr. President. Then, then we got into Health and Human Services. I have been through quite a bit of Health and Human Services. Previously, there was hardware updates for out-of-warranty devices, \$6.2 million. Now, the health information exchange-- we might talk about that more later. A company by the name of CyncHealth. \$11 million for-- requirements for the health information exchange and prescription drug program through CyncHealth. And that was \$11 million that we did approve of general funds. And with that, I'll, I'll stop there. Thank you, Mr. President.

**KELLY:** Thank you, Senator Clements and DeKay. Senator Hunt, you're recognized to speak.

**HUNT:** Thank you, Mr. President. I have a couple things I wanted to share. While I was sitting here, I watched one of you walk by who I used to be kind of close to and used to really hold in high esteem and-- we've had some fun in the past. And I just thought to myself how much I don't like that person and, like, just what a bummer this has been. And I thought about the last big conference that I went to as a lawmaker last summer. And it was a bipartisan conference. It wasn't one of those, you know, really niche things. And there were a lot of people there from the Legislature, including a lot of members who were term-limited and aren't here now. And I was thinking about how we hung out all day, every day, all of us. We had lunch together. We had-- and not, like, provided by the conference, that the conference-- like, we would go out and have lunch together and have fun at a fun place. We had dinner together. We went for walks. We had drinks. My kid was there. Everyone was nice to my son. They weren't trying to, like, pass laws to discriminate against him or things like that. And it was a really nice time. We had so much fun. And I was chuckling to myself because, you know what this thought pattern is? It's a lot like going through a breakup. And it might have been a long time since some of you have been through a breakup. It's been a long time for me too. But it's kind of that feeling of, like, the bargaining. Like, you kind of feel the end is coming and you're sad and you're like, I-- how can I change? How can I fix it? For example, Senator Kathleen Kauth's listening sessions-- you know, it was, surely we must be able to come to some agreement. Surely there must be a way out of this. There must be a way that I can be better in order to make you happy. And then you find out that the other person doesn't want to do anything for the relationship. They don't want to give anything or, or change anything. They just want you to do all the work in the relationship. And that's exactly what it's like in this body. It's like an abusive

relationship. And you bargain, you plead, you try to make it work. And you go through a tough breakup where you're sad. You know, you're mourning those friendships and those relationships. And then, eventually, after some time passes, you see somebody walk by and you just think, good thing I'm not in a relationship with them anymore. But-- you know, this person who walked by, I, I would have done anything for them. And it's, like, all I wanted them to do was not discriminate against my son. I would have done anything for them. I, I made deals with them. I voted for their stuff. I, I visited their home. I liked their kids. I knew their family. We went on, on trips, you know, for conferences and stuff. And I don't like that person. Because everything I did for them, it didn't matter when the rubber met the road and LB574 came up. And all I did was say, don't pass a bill that would discriminate against my family. And they couldn't do that for me. It's an abusive relationship. And it's a really good feeling to get to the place where you're not trying to bargain, you're not trying to fix it. You're just accepting that it's trash people-- that, that it's just literally bad people. We're not sending our best to Nebraska. And I don't blame voters for this at all. I think we have a huge pipeline problem, and I talk about that a lot. You look at what's happening in this Legislature, no normal person would ever willingly subject themselves to this. Nobody normal wants to run for office. You see how they turn the screws on Senator Riepe and you think, that's not something I really want to be a part of. You see how people treat me. Some death threat I got just, just a couple hours ago. And you think, hmm, that's not something--

**KELLY:** One minute.

**HUNT:** --I really want to put my family through. Thank you, Mr. President. And I get that. So the problem isn't the voters. The problem isn't that people aren't picking the right ones. It's that trash people are running and then that's what we end up with. Just literally bad, irredeemable people. And I'm glad we broke up. There's a doctor named Brady Kerr-- and I'm going to say who it is. He's a neonatologist in Omaha-- and that's the specialty that deals with premature infants and infants and special diagnoses that they get that are really serious at times. And I got up in the first place to share some of his thoughts about the legislation we've had under consideration here. Thank you, Mr. President.

**KELLY:** Thank you, Senator Hunt. Senator Clements, you're recognized to speak. This is your last time on the motion.

**CLEMENTS:** Thank you, Mr. President. Moving on through this-- back to LB813. Thought it would be-- since we have some time here, it would be good to continue to advise the body of the details that were in that bill. Next one is Department of Roads, Department of Transportation. There was the new Infrastructure Investment and Jobs Act, IIJA, from the federal government, and the Bipartisan Infrastructure Bill, as it was also called. It was passed into law, and so the Department of Transportation requested an increase in appropriation for this fiscal year to allow for federal funds to be obligated. And for additional federal funds to be obligated, there's a required 20 percent state match, which the Department of Transportation is requesting to be provided from the Cash Reserve. And so we did appropriate \$100 million for that transfer. And that provides a state match and that-- that's the 20 percent, so that gives us then \$400 million of federal funds, for a total of \$500 million to be able to spend. And so that is going to help. I hope maybe that will keep us from having to bond so much that-- at least delay that a while. But we-- the committee did approve \$100 million Cash Reserve. That'll-- and the Cash Reserve transfer will be in the bill tomorrow but-- for, for the future years. But for this fiscal year, we did approve that. Next was Department of Corrections. They've had an increase in expenses, so they requested-- you'll see in the book, it just says a per diem expense request exceeding their budget. They had medical expenses that increased. And their medical expenses they estimate to be \$37.9 million. Not the increase, but the total. There are about 5,500 inmates in Corrections. And that's \$6,890, almost \$7,000 a year, per inmate that it's, it's costing. And the inflation factor is an, an increase there. Also, the food expense increase. They're estimating \$10.3 million for this remaining fiscal-- for this fiscal year. And that's \$1,873 a year per inmate. Their request was \$12.8 million above what they had estimated in their previous budget. And we did approve that. And that-- and you did approve that this morning when you voted for LB813. I think, I think I'm at a stopping point there. Thank you, Mr. President.

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

**HUNT:** Thank you, Mr. President. Nebraskans, I was talking about this neonatologist, neonatalist, this doctor in Omaha who has reached out to us several times lending his expertise and experience caring for pregnancies and for newborns and for premature babies, and sharing his expertise as a, as a medical provider and some things that he's seen in his practice here in Nebraska. And he has been one of the clearest and most impactful communicators, in my opinion, coming from a place of complete professionalism. And I wanted to share his thoughts about

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what happened yesterday. He writes: In my medical career, I've never experienced anything like what I witnessed and heard yesterday. For many of you, I was embarrassed and ashamed. For the first time in my life, I felt ashamed of the state I love and call home. I now fear one of my daughters will have a child with a fetal anomaly when they get older or that one of my kids will be trans, because I would not be able to give them the appropriate medical care that they would need, care based in science and endorsed by the AMA and AAP-- the American Medical Association and American Academy of Pediatrics. I write you because I feel I have a duty to do so for my patients. So for those of you willing to read, here we go. LB574 and LB626-- to say nothing of the Frankenstein amendment that is not LB626. It's a whole new bill that never had a hearing, but I know what he's talking about-- LB574 and LB626 are not related. Having a majority of senators vote that they were was a disgrace. And it certainly doesn't make it true. The health issues in the two bills are cared for by completely different medical specialties, different kinds of doctors. Any physician asserting the two bills are related to one another in a court of law would be committing perjury, in my opinion. I have no idea how you can honestly get away with that in your legislative body. You aren't saving babies. That's what I do. That's what obstetricians do. I would gladly invite any of you to come to rounds with me or help me do call if you want to help save babies. Unfortunately, I don't think any of you have the education, qualifications, or experience to do so. Those facts don't preclude you from having an opinion, but you are dealing with lives with these bills. When one of my patients dies, it crushes me. My medical colleagues and I take this very seriously. It's unreal to me that some of you assert that you are protecting or saving babies, implying those on the other side of these bills do not. We also believe we are saving babies. We simply have an education, training, and years of experience to support our position. Compassion. It hasn't been discussed much, at least not by me. I didn't think I had to. But after yesterday, it's clear compassion needs to be addressed. Babies deserve compassion, like every other patient. As I testified in Lincoln, neonatologists try to save every baby we can. Sometimes we even push too hard to do so. In 2023, we can't save them all. When we can't, we give them compassionate care. There is nothing compassionate about forcing a baby to be born so that the baby can then die minutes or hours later. To me, that is cruel. My patients deserve compassion. Thankfully, lethal anomalies of that severity don't happen every day. Again, those of you supporting LB626 won't have to join me when I now have to tell expectant mothers that have to carry their--

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**KELLY:** One minute.

**HUNT:** --baby to term and then watch their baby die for defects like limb-body wall, anencephaly, pentalogy of Cantrell, or countless other rare syndromes. The crazy thing that you don't seem to get, colleagues, is that if a family wanted to carry any of those babies to term to watch them die, I'd support it. I'd be there to help them. I would do that because I respect their right to have a personal, spiritual, and religious belief that may be different from mine. The AAP guides us in these situations. Pediatricians, pediatric medical subspecialists, and pediatric surgical specialists should respect families and their religious or spiritual beliefs and collaborate with them to develop treatment plans to promote their children's health. Thank you, Mr. President.

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

**BOSTELMAN:** Thank you, Mr. President. Good afternoon, colleagues and Nebraska. I wonder if Senator Clements would yield to a question.

**KELLY:** Senator Clements, would you yield to a question?

**CLEMENTS:** Yes.

**BOSTELMAN:** Senator Clements, thank you. You were just talking about LB813, and you made mention to the Department of Transportation and the Infrastructure Act to do-- what was that act called again?

**CLEMENTS:** The Infrastructure Investment and Jobs Act, also called the Bipartisan Infrastructure Bill-- Infrastructure Bill.

**BOSTELMAN:** And that bill was for roads and bridges type work, correct?

**CLEMENTS:** Yes. That was a federal government bill.

**BOSTELMAN:** Right. And out of that, could you explain the, the, the dollars-- the finances on that, what, what you went over before?

**CLEMENTS:** Yes. It has a 80/20 split-- the state providing 20 percent; the federal, 80 percent. And we approved \$100 million of state funds. And I would hope that that creates \$400 million of federal funds for a total of \$500 million that, if it's all approved, that we would be eligible for.

**BOSTELMAN:** \$500 million, correct?

**CLEMENTS:** Yes.

**BOSTELMAN:** OK. Thank you, Senator Clements. Well, folks, my favorite subject so far this year: County Bridge Match Program. DOT is getting \$500 million. Zero, zero of that goes to the counties for a County Bridge Match Program. \$8 million-- \$6 million to \$8 million dollars is all that they would need out of that. Zero. That's problematic. I hope someone that can direct the DOT or someone within DOT realizes you got \$500 million to do state work and county work for roads and bridges. Asking for \$8 million to help our counties replace bridges that are closed and/or repair them. And the other thing is, on our smaller bridges, you replace them with box culverts. And that's not a huge ask, folks. That's something that our counties need-- makes a significant prog-- significant investment into them, a significant need for them. It helps them considerably. Especially if we're talking about a 80/20 match. My goodness. What they could do with \$6 million to \$8 million would be significant. Because my understanding is-- let's see. The Department of Transportation awarded 30 county bridges funding out of 149 requests, just slightly more than 20 percent. Hmm. I think we have a need out there. I don't think \$8 million out of \$500 million is too much to ask for. Again, I hope someone's listening. And I will be asking others if that will help them make this decision to make that decision. Because it is that important to us. Thank you, Mr. President.

**KELLY:** Thank you, Senator Bostelman. Senator Hunt, you're recognized to speak. And this is your final time on the motion to return.

**HUNT:** Thank you, Mr. President. Continuing this email from Dr. Brady Kerr, who's a neonatologist in Omaha, I want to restate this last point and then move into this next one. He says: The crazy thing you don't seem to get-- which, thank you so much, Dr. Kerr, for making this point-- the thing you don't seem to get is that if a family wanted to carry any of these babies to term and watch them die, I would support it. I'd be there to help them. I'd do that because I respect their right to have a personal, spiritual, and religious belief that may be different from mine. Consistency. I'm also a member of the Fetal and Infant Mortality Review Committee in Douglas County. I've sent many of you emails in which I informed you that the two leading causes of infant mortality in Douglas County are extreme prematurity and unsafe sleep practices. Why not help on those issues? We need your help. I can only assume that if you truly want to save babies, then you will optimize their health after birth. That would mean mandating vaccinations against childhood disease, expanding Medicaid that provides them medical care for many children, paying

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teachers a better wage, and passing gun control laws given that guns are now the leading cause of death of kids in America, having surpassed what was the number one cause for decades: injuries and accidents. What's next? Birth control? Gay marriage? Wisdom and faith. I assume many of you believe your judgment is better than the major medical organizations opposed to this bill. I assume many of you think your judgment is better than the major medical associations that are opposed to this bill. Many of you have cited your faith as reasoning for your views. I also have faith. Mine teaches me humility. When I can't make a patient better, it sucks. I'm reminded of how little I can truly help sometimes despite all that I've learned. Some of you seem to have no faith in physicians or our medical organizations. I would never presume to know more about law than the American Bar Association, nor do I try to dictate what they do. I have faith that they will regulate themselves. Logic and reason. The amendment proposed allows the CMO, the chief medical officer, of the Board of Health, to control and decide on regulations for abortion and trans care. Is this true? How can that be legal or wise? Medicine already has numerous safeguards in place that regulate and police medical care. Does it make sense to have an ENT physician be the ultimate decider on obstetrical issues? Is she/he even boarded in obstetrics? Does he/she practice obstetrics as well? Why not let me, a neonatologist, decide and have final say on all policy and standards for the entire medical field of psychiatry? Compromise and autonomy. Some of you spoke about compromise yesterday. The existing 20-week gestation ban is already a compromise. I'll admit it does cause problems sometimes in medical situations. A fetus cannot live independently outside the womb until 22 weeks at the earliest. The lungs can't exchange oxygen and carbon dioxide prior to then. The gas-exchanging units in the lung haven't formed yet. Most 22-week gestational age babies die. Those that don't are almost guaranteed to have lifelong severe disabilities. Again, when parents--

**KELLY:** One minute.

**HUNT:** --know this and want to resuscitate a 22-week gestation newborn, I do it. I honor what they hope and wish for their child. And I trust that the family has their child's best interest in mind. Sometimes I honor their wishes even when I know the baby will suffer and die. The bills you are proposing take away parental rights and autonomy. I'm no saint. I've made mistakes in my life. I think about the big ones often, and I am compelled to be honest with myself. We physicians are not evil. We are not the enemy of the state of Nebraska. Please let us do the jobs we have trained for, and don't take away the rights of Nebraskans. Thank you, Mr. President.

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

**RAYBOULD:** Thank you, Mr. President. I too received the same email from, from Dr. Kerr. And as Senator Hunt was reading it-- I am making copies so that the senators who are busy doing other things will hopefully take a moment and have a chance to, to read his words of wisdom that we've heard from so many physicians that are specialists in obstetrics and gynecology, neonatology, and this important field. And then if Senator Hunt would like it, I'd like to yield the rest of my time to her. Thank you.

**KELLY:** Senator Hunt, you have 4:20.

**HUNT:** Thank you very much. And thank you, Senator Raybould. It is so dangerous right now in Nebraska to be-- well, in the whole, in the whole country-- in the most wealthy country in the world, the country that put a man on the moon, the country that invented the internet and the computer and the microchip, the country that invented the automobile. It's one of the most dangerous places right now to be a pregnant woman or to be trans. And that's a policy choice. That's a policy choice. That's not because there's anything inherently dangerous. It's not because we don't have the medical, you know, know-how and expertise and research and knowledge to prevent bad outcomes from difficult pregnancies or complicated pregnancies. It's not because we don't have compassion in our communities for LGBTQ people. It's because of lawmakers like all of you who are bringing down the hammer of the law to make people's lives harder. Despite the technology we have, despite the knowledge we have, despite the experience and, and professionals that we have who know what they're doing, lawmakers like us-- bankers, businesspeople, farmers, nurses, stay-at-home moms, whoever the hell we all are-- we think that we know better than Nebraskans what they should do with their own bodies, what they should do with their health. And we think that we know better than established medical experts what best practices should be for these kinds of treatments. Nearly 500 anti-gay bills have been introduced in state legislatures across the country this year. So people like Senator Linehan don't get to stand up all mad and say, how dare you say I'm anti-gay? I'm not anti-gay. When you support bans on trans healthcare, that's anti-gay. That's not just anti-trans. We can't silo all of these things into separate little categories and act like they don't influence each other. As you said yesterday, it's germane. It's germane. And we can't pretend that this attack on trans Americans is not connected with the attack on abortion and reproductive rights and bodily autonomy because, again, we can't silo

these things into separate, particular categories and say that they don't have anything to do with each other. It's all a part of cutting back people's rights and cutting down on the same thing that's resulting in people being harmed, being hurt, dying. Senator Moser talking about instigation. I think he was-- he should say so more directly. You should take a page from my book. Be direct, man. He's saying what I said on the mike yesterday, which moved me to tears, which-- how many times have you seen that in the Legislature? I'm not Machaela Cavanaugh. I'm not out here crying all the time. I'm not a crier. They were saying out there "one more vote to save our lives." And then when I went--

**KELLY:** One minute.

**HUNT:** --out there, one of those people told me that they had tried to take their life this year. It's not hyperbole. It's not fake. It's not an exaggeration. This was a vote to save lives. And I said that. I said, I just realized-- I just put together what they're saying out there, because it's a din. I couldn't quite hear. "One more vote to save our lives." And Mike Moser, Senator Moser's going, oh, I don't think we should repeat what the protesters are saying because it's just like the January 6th insurrection where you're inciting violence. Excuse me. I know you're not talking about me. I know you're not talking about those protesters in the Rotunda yesterday who were here to beg you to not take their civil human rights away. I know that's not what I heard. Thank you, Mr. President.

**KELLY:** Thank you, Senator Hunt. Seeing no one else in the queue, Senator Machaela Cavanaugh, you're recognized to close on the motion return to Select File.

**M. CAVANAUGH:** Thank you, Mr. President. I did find the actual recipe of my potato pesto lasagna and-- maybe I'll share it later online. But it, it does say jars of pesto. In parentheses, of course, use homemade pesto, which is always better. I think this is from, like, 2008. So, clearly, I still like the homemade pesto. So, yeah. That's-- lasagna sauce or Alfredo sauce. I have a-- it doesn't have the recipe for the Alfredo. But I do have-- I'm sure if I look I can find my Alfredo sauce recipe somewhere. You could-- if you want to do an easier version of this-- it's still delicious. I'm just saying, if you're, like, going to go for, like, go for broke on both calories and taste, do some of these things from scratch. That's going to yield the best result possible. I also, though, found attached to it my focaccia bread recipe, which is pretty decent, actually. So, there was-- I had a stint where I was really into making bread. And I like to try to

make all different kinds of breads. Focaccia is really an easy one to make that's really delicious. But I, I love making sourdough, doing your starter. And at the height-- not the height. Really, the start of the pandemic, when everyone was baking, you couldn't get yeast. There was no yeast in stores because everybody had, like, bought out all the yeast because they were home baking. So, I'm sure this will surprise a lot of my colleagues: I'm a nerd, and I taught myself how to make yeast. Wild yeast. So I made wild yeast. It was a fun science experiment with my kids and we made wild yeast. And then we made sourdough bread and-- yeah. That was fun. Good times. I have mentioned before, I do like to cook. I have a few other recipes on here. I have my, my baba ghanoush recipe and my hummus recipe. I, I used to make my own hummus a lot more than I do now. You know, time. But I do-- there's a couple of hummuses that I like a lot. One is oasis hummus, which is delicious, and you can buy it at both the Hy-Vee and Costco. And it is a local hummus. And my other hummus that I really like is the Hy-Vee store-brand hummus. Yeah. I don't-- I feel like maybe because it's also-- maybe it's made locally. It just feels like maybe there's less preservatives in those. But when in doubt, I like to make my own hummus, so. The hummus recipe is on here too. I don't think it has soaking the beans. Though, if you really want to be economical and make your own hummus, buy garbanzo beans and soak them first before making the hummus. Or if you have a pressure cooker, like an instapot, soak your beans in there. I think there's actually instapot recipes for making hummus. Feel like I've seen that before. I've used my instapot for making black beans from dry beans, but I don't think I've used it for hummus. I've also used it for making yogurt. I like plain yogurt. My husband made fun of me because you have to use, like, a starter of yogurt. And he feels-- I would dispute this statement-- he feels that you have to use this equal amount of--

**KELLY:** One minute.

**M. CAVANAUGH:** --starter yogurt as the yogurt you're actually going to make. And so you're basically making the exact same amount of yogurt with the yogurt. I don't think that that's actually true. But I, I haven't made my own yogurt probably in a couple of years. But it is delicious. And you can save the whey. When you strain your yogurt, all that liquid is whey. And you can use that. You can use that in baking. It's great protein. If you're, like, really into working out and you're trying to increase your protein intake, sa-- when you make your own yogurt, save the whey and use it in your shakes or in your baking. And it's just that extra boost of protein. So, there you go. All right. Well, I think I'm almost out of time, but I'm happy to talk about more recipes. I actually love talking about recipes, so I

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appreciate that suggestion for that low [INAUDIBLE]. I love to cook. And I don't cook meat, so people are like, what do you cook? Well, buckle up.

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

**M. CAVANAUGH:** We got some hours to learn. Thank you.

**KELLY:** Thank you, Senator Cavanaugh. Seeing-- yes-- the-- members, the question is the return to Select File. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 1 aye, 37 nays on the motion to return to Select File.

**KELLY:** The motion fails. Mr. Clerk.

**CLERK:** Mr. President, some items quickly. Notice: a committee hearing from the Retirement Systems Committee. Additionally, motions to be printed to-- from Senator Slama to LB535. Additionally, new LRs, Senator McDonnell: LR193, LR194, LR195, LR196, LR197, and LR198-- excuse me-- and LR199, all of which are referred to the Executive Board. Concerning LB815, Mr. President, Senator Machaela Cavanaugh would move to return the bill to Select File for a specific amendment, that being FA125.

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

**M. CAVANAUGH:** Thank you, Mr. President. OK. Just getting to LB815, FA125: strike Section 2. And Section 2 is: This act becomes operative on July 1, 2023. Probably don't want to strike it. Or you do. I don't know. OK. I was looking through my email. That's where I, typically over the years, have stored or shared various recipes. And I came across my friend's recipes that have-- are-- include eggs. OK. Your friend has recipes that specifically include eggs. Why, yes, yes she does. Because she's an egg farmer. And as part of her CSA, she would always give a weekly recipe-- probably still does-- a weekly recipe on how to use eggs and maybe some other of the produce that was included in the CSA. So I found some of her egg recipes. But I didn't find the one that she made for me once out at her farm in Avoca, Iowa. And, and so now I'm mentally trying to recall, recall that. And so, yeah. My friends-- it's my two best friends from growing up. My best friend from grade school married my best friend from high school, and they met at my 16th birthday party. And they have been married since 2002. Yes. And I was in their wedding. It was here in Lincoln. They were both going to grad school at the time. And then, then they moved to

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Avoca, Iowa to start a farm. And they've been doing that ever since. And Jeremy still does copyediting, I think sometimes for the university press. Not entirely sure. And then he and Amber run the farm together. And they have three wonderful children. Anyhoo. One of the times I went out to visit them-- I think it was actually when my oldest was a baby and their youngest was a baby. They're the same age. And so I had gone out there. Maybe they made me lunch or something with this egg dish. But it was delicious. It stuck with me. It's something I have tried to make before. And I think I've done OK. But, you know. Not as great. Any-- OK. So this is a totally different recipe, though. Has nothing-- I mean, I think there's, there's eggs in this recipe. Are there? Yes, there are eggs in this recipe. But it has nothing to do with my friends. I just-- that was just a story about my friends, I guess: Amber and Jeremy. This is a recipe for Texas sheet cake, is what it's called. I don't know what makes it Texas. Maybe it's the buttermilk in it. So this is a chocolate cake that my Aunt Sheila, who passed away in October of 2018-- my aunt Sheila always would make this, this cake at our lake family gatherings and-- she would make this cake, but she also would hide it on top of the refrigerator because it, it kept for a couple of days really, really well. And-- so she would make this big sheet cake. And then she would put it on top of the refrigerator. There was just enough, just enough room between the refrigerator and the cabinets that she could put it right in there to hide it from the kids. I always knew where it was, but I didn't, I didn't dig into it because I, I am a bit of a rule-follower. And-- so she would make this cake. And there's usually birthdays to be celebrated, so it was probably for whatever day was going to be somebody's birthday. Now, my dad's birthday is always when we're there and my husband's birthday is always when we're there. And I always say, for their entire married life, both my father and my husband have spent their birthdays on vacation with their in-laws. That's-- I mean, that's living the dream right there, right? Have no choice on how to celebrate your birthday. OK. Texas sheet cake. Oh, I should note that this is not the cake-- this cake was not made for my husband's birthday, however. I always make the cake for his birthday. And I make a carrot cake, and it is fantastic. And the secret is I can't eat it. Because in order to make a really excellent carrot cake that isn't dry, you need to use crushed pineapple. I am allergic to pineapple, so I make a cake-- carrot cake is my favorite also-- but I make a cake that I cannot eat for my husband for his birthday. I could make it without the pineapple, but I don't want his birthday cake to be subpar. I'm not a monster. If I'm going to make it, it's going to be as amazing as I can possibly make it be. I have a picture from the lake one year where I'm decorating the, the carrot cake. It's one of

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my favorite pictures. And my brother, Mike, is standing next to me and he has very long hair in the picture. OK. So, the chocolate sheet cake. Oh, also, the carrot cake recipe that I make, my aunt Sheila gave me. But it wasn't her recipe. I think she got it from Betty Crocker. She gave me a lot of great recipes. We exchanged a lot of recipes. She was really organized. And she had a binder. And you all know how much I love a binder. And she-- this was her lake binder. She maybe had one for her house too. But at the lake, she had a binder above the oven, cabinets, of recipes, recipes she would put in, like, a clear page if she cut it out of a newspaper or a magazine. She had all these recipes. And every-- the recipe that I had printed off, she-- actually, the reason I've typed up some of my own recipes was to give to her because she wanted them for her binder. So, yeah. So she-- so the carrot cake that I make was out of her binder, and it was a Betty Crocker carrot cake recipe. And you really-- you can't-- when you're baking, it's very hard to go wrong with Betty Crocker. I mean, it's Betty Crocker. It's her whole business. It's her whole reason for being. Texas chocolate sheet cake. Oh, it doesn't say chocolate. I inserted the chocolate, chocolate. Just Texas sheet cake. But it is-- spoiler alert, it is chocolate. OK. Sift in a bowl, two cups sugar, two cups flour, one teaspoon baking soda, one teaspoon baking powder, half a teaspoon of salt, in a pan, melt. Two sticks of oleo or butter. I use butter, she says. Oleo-- I don't even, I don't even know if you can buy oleo. You probably can. Or is that just Crisco? I don't know. Is oleo Crisco? Is that the same thing? No, it's not? No. OK. I'm being told it's not the same thing. Oh my gosh. You would think that was the most blasphemous thing I've said all week. My goodness. No, oleo is not the same thing as Crisco. Colleagues, Nebraska, I apologize for the offense. I will, I will get to the bottom of this. But for now, for this recipe, let's stick with two sticks of butter. Melt it in a pan. Two tablespoons of cocoa powder and one cup of water. Bring to a rapid boil and pour over dry ingredients. Mix well. Add two beaten eggs. Now, what that means, two beaten eggs-- crack the eggs into either a bowl or-- I oftentimes use a coffee mug, myself. Crack them into the coffee mug and whip them before you mix them into the other ingredients. So two beaten eggs. Half a cup of buttermilk, one teaspoon of vanilla. Mix well. OK. I can get a little heavy-handed with vanilla. I personally like the flavor. So if I'm making something, it might accidentally get two instead of one teaspoon of vanilla. Bake in a greased and floured 17 by 12 cookie sheet pan size for 3-- pan at 350 for 20 minutes. OK. It's not a complicated thing except for that whole oleo question. Then there's the icing. Oh, dear Lord. Oh, boy. The icing. Melt one stick of oleo.

**ARCH:** One minute.

**M. CAVANAUGH:** Or butter. I'm going to go with butter again. One stick of butter, four tablespoons of cocoa, six tablespoons of buttermilk. Bring to a rapid boil. Add one box or three and a half cups of powdered sugar, one teaspoon vanilla. Beat well. OK. Then at the bottom, there's a note specifically from my aunt. Mach, I think this cake is better if made two days ahead. Ha. Also, you can also add nuts to the icing. I haven't ever, but I think pecans would be good. Oh, not if I don't-- not if I want to share it with my dear friend, Senator DeBoer. I'm not going to put pecans in the icing. Goodness. I'll give-- serve her that cake and serve myself the cake with the pineapple in it and we can go to the hospital together. OK. Oh. I'm not sure who the note is from. Senator Blood, thank you. Oleo is margarine.

**ARCH:** Time, Senator.

**M. CAVANAUGH:** Thank you.

**ARCH:** And you are next in the queue.

**M. CAVANAUGH:** Thank you. It's not margarine. It is margarine. I'm getting conflicting answers here. What is the difference between margarine and, and--

**BLOOD:** Crisco's fat.

**M. CAVANAUGH:** Crisco's vegetable shortening. What is margarine?

**BLOOD:** Yellow fat.

**M. CAVANAUGH:** OK. For those listening or the-- or for the transcribers, I guess-- I am being told that, that Crisco is fat, which is vegetable shortening. It's not lard. And margarine is yellow fat. Is that the technical term? Yellow fat? Who knew? I was trying to be noncontroversial by talking about recipes. And now we're like-- just, wow. I am so sorry, America, for the offense I have perpetrated on the baking world. All right. Let's look this up. Oleo versus margarine. Oleo is another word for margarine. OK. Nothing more, nothing less. Its used-- it's still used today, but it's not as common as it once was. Well, it's interesting because it's in this recipe, but I do remember when my uncle was in hospice at the Douglas County Hospital and-- I don't know if a lot of people know we have a county hospital, but we do, in Douglas County. And their hospice area is lovely. And, and I spent a lot of time there in the fall of 2015. Yes.

So when my uncle was there, the menu would sometimes have oleo on it, which is-- I-- odd. Like, I guess they wanted to-- they wanted to make sure you knew it wasn't butter? But what an old-fashioned term to use: oleo. And why would you use oleo instead-- ooh, can you use Crisco instead of oleo? That's an excellent question. To use shortening as a substitute for baking-- for oil in baking, you can swap the two using equal amounts. Well, there you go. Now, you can't always swap everything in equal amounts. If you're going to swap different ingredients, you can't swap them in equal amounts. And, again, if you're in a pinch with baking and a recipe calls for-- and now, I'm not going to get it right, because I always get them confused. There's baking powder and there's baking soda, and one of them is part of the other one. Like, it's an ingredient that includes the other one. But you can compensate-- if you don't have the right one, you can compensate with the other one. But it's not a one-for-one exchange. So if a recipe calls for baking powder, that is a specific thing and that does a specific thing to your recipe. And if it calls for baking soda-- again, specific thing does a specific thing. So not a one-to-one. Next thing. When I lived in the UK and it was Thanksgiving, I wanted to-- I didn't know Senator DeBoer at the time, so-- I wanted to make a pecan pie. I love pecan pie. I wanted to make a pecan pie. You need corn syrup to make a pecan pie. They do not sell corn syrup in the UK, or at least they didn't at that time. I could not find corn syrup. So, the Googles, the Google machine-- it was a thing back then, even though corn syrup wasn't. And I was able to come up with a recipe to make a ingredient that was not corn syrup but could act as a substitute for corn syrup. I will have to figure that one out. I don't remember what it was.

**ARCH:** One minute.

**M. CAVANAUGH:** It probably-- think-- one minute?

**ARCH:** One minute.

**M. CAVANAUGH:** Thank you. It probably had maple syrup in it, but I don't-- I really don't remember now. And I think that was actually the first time I ever really was brave enough to substitute for an ingredient like that. Like, oh, I don't have this. What do I do? Substitute something else. It's been very liberating in my cooking. Once you realize that you can substitute things, you can substitute them. A recipe calls for dill and you don't like dill but you like basil; substitute. Or it calls-- a recipe calls for cilantro-- and for some people, cilantro actually tastes like soap. I love cilantro. But for some people, it actually tastes like soap. So-- and one of those

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people is my sister. So when I am cooking and my sister is around, I actively--

**ARCH:** Time, Senator.

**M. CAVANAUGH:** --don't-- thank you-- use cilantro.

**ARCH:** Senator Walz, you are recognized to speak.

**WALZ:** Thank you, Mr. President. I stand in opposition to return to Select File. And as Trevor Fitzgerald would say, I'm pretty sure I need to make a correction to the record. Senator Cavanaugh, would you yield to a question, please?

**ARCH:** Sen-- Machaela Cavanaugh, will you yield?

**M. CAVANAUGH:** Trepidatiously, yes.

**WALZ:** All right. Did you say that you had a friend who farm-- was a egg farmer?

**M. CAVANAUGH:** Oh. Well, I called her an egg farmer, but that's not actually--

**WALZ:** OK. Thank you, Senator Cavanaugh. Senator Brandt, would you yield to a question, please?

**ARCH:** Senator Brandt, will you yield?

**BRANDT:** Yes, I would.

**WALZ:** Before I make this correction to the record, would you verify: is there any such thing as an egg farmer?

**BRANDT:** Chicken farmers, but not really egg farmers.

**WALZ:** All right. Thank you, Senator Brandt. With that, I would like to make a correction to the record, that it is a chicken farmer, not an egg farmer. Thank you, Mr. President.

**ARCH:** Senator Cavanaugh, you're next in the queue.

**M. CAVANAUGH:** Thank you, Mr. President. Is this my last time before my close?

**ARCH:** Yes.

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**M. CAVANAUGH:** Thank you. Yes, I did call my friend an egg farmer. But, I mean, if you are going out and harvesting the eggs from the roost, does that, does that not mean you are an egg farmer? You are harvesting them. I mean, they were chicken caretakers. They still are. Why am I saying it in the past tense? They still are. They still have chickens. I-- they're not specific to a chicken farm. Like, they farm other things. They have vegetables. Would Senator Walz yield to a question?

**ARCH:** Senator Walz, will you yield?

**WALZ:** Yes.

**M. CAVANAUGH:** OK. If you, if you are a farmer and you have chickens and you have vegetables that you-- like, they have a CSA. So what kind of farmer are you? Because it's not just chickens.

**WALZ:** You're chicken and a vegetable farmer.

**M. CAVANAUGH:** You can be two at once?

**WALZ:** Yes. But Senator Conrad said there's also no such thing as a steak farmer, just so you know.

**M. CAVANAUGH:** Well, that-- but that's because you have to harvest-- you have to take the cow away from your farm to be slaughtered and, and-- the steak is produced there at the slaughterhouse. It's not produced at the farm. But the egg that you are harvesting from the roost is produced at the farm. Egg producer, even though the chickens are producing the eggs. I love this conversation so much. I'm confused by it, but I love it. So-- wait. Egg producer, even though the chickens are producing the eggs-- oh, I'm the egg producer. OK. So, my friends-- gosh, I wish I had told them to watch if I knew I was going to talk about Amber and Jeremy this much. Amber and Jeremy are egg producers and vegetable farmers and chicken farmers and turkey farmers. They got it all. You should go out to Avoca, Iowa. Amber is my best friend from high school, and she met Jeremy at my 16th birthday party where everyone had to dress up like someone who had the same birthday as me. And they both dressed up as whatever gangster has the same birthday as me. And then a lot of people dressed up as my neighbor, Tom Rowan [PHONETIC], because he and I have the same birthday. Just some-- he's, like, four or five years older than me. But our moms were friends, and so I knew him and I knew that we had the same birthday. So that was on my birthday invite as an option. James Earl Jones, Betty White-- I cannot remember the gangsters' name

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that they both dressed as-- or Tom Rowan. So, yeah. But then-- so Jeremy and I were best friends from grade school. And Jeremy's older sister, Heather, and my sister, Maureen, were friends. And we all rode the school bus together. And Maureen and Heather decided that they wanted to be related. And the way for them to be related was for Jeremy and I to get married. So Jeremy and I got married on the school bus one afternoon after school. And then he met my best friend, Amber, at my birthday party. And then after college and all that fun stuff, they got married. And at their rehearsal dinner-- because I, I wanted things to be on the up and up, so I went on LegalZoom and printed off divorce papers to serve to him at the rehearsal dinner because I wanted their marriage to be legit out of the gate. I didn't want there to be any question about that fourth grade bus ride where we got married so that our sisters could be related. I wanted this to be above board 100 percent. And they have now been married for 20--

**KELLY:** One minute.

**M. CAVANAUGH:** What? It'll be 21 years this summer. Their marriage can drink. It never has before. Never has. And they are now egg producers, chicken farmers, turkey farmers, and vegetable farmers. So there you go. 21 years of marriage, a weird school bus ride, and a lifetime of friendship with two amazing people. No. It's Amber and Jeremy-- Amber Mohr and Jeremy Hall, Fork Tail Farms. Sign up for their CSA. I think I'm about out of time. This is my last time, so I will be back for my closing. Thank you, Mr. President.

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

**HUNT:** Thank you, Mr. President. Senator Cavanaugh was talking about egg farming and child marriage, and this is, like, the most apropos conservative legislative conversation we could possibly be having, just about. Senator Cavanaugh remembers more about the details of her life than, than anyone I know. These stories about who was married to who for 21 years. And then they had the baby. And then they got christened at the lake. And then they owned the farm. And their cousin married my brother on the school bus. Like, it's a lot. And I would never, ever, ever put all that stuff together. And if any of you know-- this is a meme, so it's, like, for young people. But this meme from Always Sunny in Philadelphia, that show on FX, where it's Charlie Day, and he's standing in front of a wall that's, like, all of these pictures and stuff connected by yarn like you see in TV shows where they're doing, like, a, a crime investigation or something. That's Senator Cavanaugh doing a filibuster, is we've got the Betty Crocker

and then the egg farmer and then I got married on the school bus. Like, OK. Whatever. I don't even remember all that stuff about my own life. My financial goal-- I decided this in my early twenties. My financial goal in life-- am I there? No. I'm farther along than I was-- is to eat at a restaurant for every meal of every day so I never, ever, ever have to cook. And, you know, in the morning I'll have, like, a Pop-Tart. Don't have to cook that. I will sometimes late at night have a bowl of cereal, which is-- it is cooking, but it's definitely minimal cooking. But for lunch and dinner, I'm either DoorDashing something or getting delivery from a place or going to a restaurant. And, for a long time, I had a lot of guilt about that. Like-- because I hear people like Senator Cavanaugh and my friends talking about how fun it is to cook and they love cooking and I made my own wild yeast. Like, you would never catch me in 100 years making yeast. I would do anything to not have to even have any yeast in my house because then I'd have to cook something with it. But I would go to the store and buy some bread that someone else made with yeast or I would gladly accept a loaf of bread from Senator Cavanaugh and her lovely kids who made it as an activity. Growing up, one thing that we frequently made, as you know, was Kool-Aid. Can't you just hear the wooden spoon, like, rattling around the plastic Tupperware pitcher? All of us had those Tupperware pitchers growing up. My friend's family had a red one with a white lid. It was kind of a burgundy '80s color. I had other friends who had ones that were yellow and orange. My mom had one that was clear, which I think is very her aesthetic. It's very "it's going to go with everything" type of thing. It looks good in the fridge. And you can see how much is in it, so that was also practical, which is very my mom. If you've ever watched Martha Stewart Living or seen her show or even seen, like, more recently, some of the funny little sketches and bits that Martha's done-- my mom is exactly like Martha Stewart in terms of, like, affect and attitude and sense of humor. If you get her, that's exactly who raised me. If that explains anything, there you have it. But, yeah. Having an aesthetic fridge was important to her, so it would have been a clear container. So, yeah. The, the point-- I was listening to Senator Cavanaugh talk about making her pesto and all of the great meals that she's had traveling and coming home to try and recreate the meals and taking her and her husband back to their honeymoon when they eat this wonderful--

**KELLY:** One minute.

**HUNT:** --lasagna. One minute already? Thank you, Mr. President. And that's not an experience I have, because when I go have a great meal at a restaurant, all I know is I want to keep going to that restaurant, not, I want to learn how to make it at home, because it

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just brings me no joy. I think I have some sensory issues, possibly, with, like, smells and textures and mess. And I would love to have a house with no kitchen at all. I would love to have a house with a dining table, a place to eat the takeout that we get, and no kitchen-- no countertops, no place for the mess, no place for anything to get sticky, no place for the jam to get spilled onto the countertop and it stays there forever because you don't see it, and then you put your hand in and it's sticky. And I spend a lot of time when I'm not here just cleaning my house and getting rid of any kind of--

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

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

**KELLY:** You're recognized to speak. You're next in the queue.

**HUNT:** Thank you, Mr. President-- getting rid of any kind of trace of crumb or stickiness because my son loves to cook. And my mom and I were joking about this over Mother's Day. It really kind of skips a generation. So my grandmother, my mom's mom, who I really identify with-- I love her. I'm fortunate to still have all four of my grandparents plus some extras because we had some philandering going on and we had some divorces. But I've got all my biological grandparents plus some bonus grandparents. And my mom's mom is one who I really like and admire and relate to. She's a little superficial. She's a little into fashion and looks and makeup and does not cook, does not like to cook. Little silly. I, I really feel like I'm a lot like her. And then my mom is this '80s, prototypical granola mom who made everything herself, did everything herself, has, like, a very traditional view of the family but also very, very independent and stubborn. And then me and then my son, who is more like my mom. So I think it skips a generation. And we were joking over Mother's Day that my mom, when she was growing up, her mom would give her Hostess CupCakes because she heard me saying on the floor a couple weeks ago that my mom would never let us have Little Debbie stuff or Hostess stuff because she did homemade stuff, homemade food. And she said that her mom always had Little Debbie and Hostess. Her mom was always giving her, like, the Sno Ball or the prepackaged CupCake from the store or whatever. And back then, it was, like, new. It was kind of cool to have, like, prepackaged food that you could just get at the grocery store. And then when I was a kid, my mom-- who grew up on this packaged food-- made everything homemade. And then Ash, my, my son-- I make almost nothing homemade. Sometimes because he wants to, but not much because I don't like it. And now he's going to my mom, to Grandma, to say, please, just make me some food because all my mom

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does is buy, you know, stuff from restaurants and stuff from the grocery store. So, it does skip a generation and that was a funny thing. Senator, Senator Fredrickson reminded me that I used to host a cookie party every year. And the reason I did that was because there was a woman in Omaha who was really, really cool. And I met her, like, 20 years ago. And she used to have a cookie party every year. And I got invited to the cookie party for, like, 10 years in a row. And then-- I'm not invited to the cookie party anymore? I don't know if she's not having it. And I don't want to know. I do not want to know. I don't wish to find out if she's just not having the party anymore or if I'm specifically not invited anymore. I choose to believe that she's just not doing it. But, I missed it. And so I decided to start having a cookie party. And Senator Fredrickson came to my party last year with his son and his husband, and his adorable son spent most of the party playing in my dog's kennel and playing with the dog. And that was very sweet. There were not a lot of kids there, so Leon really bonded with the dog. But, yeah. That was really a step outside my comfort zone in terms of having not only food in the house but on the counter and having-- frosting got everywhere. Sprinkles. I was sweeping up sprinkles for a day, which, to me, is too long. He's over there going "courage." But, yeah. I used to, I used to feel really bad about that. And then as I got older, I just kind of said, you know, I'm really--

**KELLY:** One minute.

**HUNT:** --happiest-- thank you, Mr. President-- I'm really happiest when I'm not cooking. I'm happiest when I don't have the mess in my life. I'm only one woman. I've got a stubborn teenager who's got his own life going on. I've got no man to clean up after me like the rest of you. And-- so, I just am going to try to keep my house clean, and that's what's really brought me the most joy. Back to the bills that we have at hand. This whole session has really been about LB574, obviously. It's been about a discriminatory, bigoted bill that a freshman senator introduced that everybody else in the body decided need to become the focus and the priority of this whole session. And we have a really bleak outlook, I think, in this country because of the way conservatives have latched on to this specific issue. I think that the broad understanding of the Republican Party 15 years ago is that they talk--

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

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

**KELLY:** You're next in the queue. And that's your third time.

**HUNT:** Thank you. I think the broad understanding of the Republican Party 15 years ago-- and I think this is true-- is that they talked to social conservatives when they campaigned, when they were on the trail. They were speaking to social conservatives, speaking to those evangelicals. They talked social conservative, but they governed economic conservatism. The actual non-negotiable for them was tax cuts, as it is for Senator Linehan and many of you with these corporate tax cuts that we have this year in our Legislature, which, you know, LB574, is kind of a shiny thing that they're waving around over here to distract from the fact that they're raiding the coffers with these tax cuts that are going to be unsustainable, that we're not going to be able to pay for over time and then we're going to be in, like, a Brownback-Kansas situation. But hopefully by then I'll be long gone. All of you-- I've heard Senator Moser, for example, say, well, it's the people in the future who are going to have to deal with it. So, he knows he's going to be long gone and-- that's the beauty of term limits, is we can make this mess, make people happy in the short term, but we don't have to pay the cost for that down the road because we're not going to be here. So that's what we're laying the groundwork for. But in the past, I think, for the Republican Party, the actual non-negotiable was the tax cuts. And then they would turn around and tell the evangelicals whatever they needed to hear in order to get out and vote so that Republicans could stay in charge and do the tax cuts. And I think over this 15-year period, that more or less has flipped. That balance has really flipped. And now you have the post-Trump Republican Party-- and there's a lot of people who are opportunistic about economics. But these questions of what I would call social, gender hierarchy, you know, the social, culture war types of issues, that's what has really become fundamental to the party. And this existing divide that exists right now-- and I'll-- you know, we'll see over the next 15 years, like, how that continues to evolve. This existing divide that we have on the right between more economic concerns versus more socially conservative concerns-- I actually think that they have more similarities with each other than they differ because conservative economics, such as what Senator Linehan is working on-- raiding the coffers to support private schools instead of supporting public schools that serve all the kids-- conservative economics like that, that tends to, to promote conservative social outcomes. Conservative economics leads to conservative social outcomes. When we take away the money from the public schools-- or, the government schools, as many of you people call them-- and give it to private religious schools, that results in more conservative

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outcomes for our entire society. There's also been an interesting turn in right-wing politics over the course of the last decade where there's been a lot of motivation and energy around this social, conservative wing of the party, this wing that's devoted to an explicit construction and explicit definition of what it means to be American. Who gets to be American? Who gets to be proud to be an American? Who gets to be a patriot? Who gets to put the American flag emoji on their profile? And all of those things are divided along gender, class, and race. One of the dividing points for this was in 2016 in North Carolina, where you had the state legislature and Pat McCrory in that state legislature, and they introduced and they passed--

**KELLY:** One minute.

**HUNT:** Thank you, Mr. President-- one of the first bathroom bills in the country, which is basically LB575, the bill that Senator Kauth introduced this year. A bathroom bill, to say, you know, we need to do crotch watch and genital police to figure out what you have between your legs before we know what bathroom you're allowed to go use. So basically, a law requiring transgender people to use the bathroom that aligns with their sex assigned at birth on their original birth certificate. And this was really one of the first major tests for transgender rights in the political sphere. This was definitely the largest test that gender rights had had in some time. And that bill was signed into law. And you quickly saw a number of corporations and large institutions like the NBA and performers like Bruce Springsteen pulling out of North Carolina and saying, because of this bathroom bill, we're not even going to come here. They were saying, well, we're not going to spend money in a state that would endorse this kind of hate. And according to one analysis, that lost North Carolina around \$3 billion in economic growth. And this is the same thing that business leaders, that the State Chamber--

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

**HUNT:** --is saying will happen in Nebraska. Thank you, Mr. President.

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

**M. CAVANAUGH:** Thank you, Mr. President. Senator Hunt, I'm going to have to take issue with something you said. You were like, Senator Machaela Cavanaugh can do this whole web map of things and, and basically-- she didn't say this. I'm going to paraphrase,

disassociation of ideas and concepts from the history of her life. And then you go on to talk about Kool-Aid and Tupperware and the color of your friend's parents' Tupperware that they mixed the Kool-Aid in. Girlfriend. You're there. You're there. I mean, you've been listening to a masterclass on random conversation for the entire session, but you have, you have just internalized it. And it is, it is coming through. It's really, it's-- I get it from the Kate Cavanaugh school of conversation. Unfortunately, the way that this happens here is that the conversation is just me with myself. So, I have to prompt myself on these conversations. But my mom is amazing at the deep dive down the valley. And the valley takes weird turns, but you're still getting to the same spot at the end, but you just don't know where you went by the time you got there. You turn around, you're like, how did I get to this spot? What was-- where did we go? And then it's like-- that's a conversation with my mom. In the best possible way. It's amazing. You're going to learn things you never thought you would learn, like that Tom Rowan and I have the same birthday and people dressed up like him for my 16th birthday party. And, yeah. So, anyways. I just-- I wrote-- I literally wrote down "Kool-Aid" and "Tupperware" because Senator Hunt got on the mike and she's like, I don't know how she does it. And then she did it herself. And I'm like, bam. You just did it. That's how you do it. Talk about Tupperware and Kool-Aid. Talk about the artwork on Kool-Aid. Oh, the artwork on Kool-Aid. We were supposed to re-up that conversation. What was it about? The artwork on the Kool-Aid versus another. The cup. I-- my cup disappeared. Dang it. I got to get another one of those. I do love that cup. Oh, I know. I was going to talk about the artwork on the Garbage Pail Kids. That was one of the things I wanted to talk about. But before that, I'm going to tell a story about myself that I told last night after, after I was here, about my Cabbage Patch Kid: Mort Timmy. So, I had a Cabbage Patch-- and God bless my mother. I cannot believe she got us Cabbage Patch Kids for Christmas, because I would not have done that for my kids-- like, gone and waited in line, like, overnight at a toy store or wherever because they were so popular, to get a Cabbage Patch Kid. But my mother did. And one of my Cabbage Patch Kids growing up, his name was Mort Timmy. And I never liked the name "Mort Timmy." And when you get a Cabbage Patch Kid, it has a birth certificate. And-- because you are-- you adopt. You adopt your Cabbage Patch Kid. And so-- and you can change the name. You don't have to keep the name that the Cabbage Patch Kid came with. And I was going to change Mort Timmy's name, but then I didn't. Here's why. I did not want Mort Timmy to feel bad about who he was. I was probably seven. I have been this person my whole life.

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**KELLY:** One minute.

**M. CAVANAUGH:** I have even cared about my inanimate Cabbage Patch Kid doll's feelings of self-worth. So, his name is Mort Timmy. And I still have him. And he is wonderful. And he is perfect exactly how he is. He does have a few scuff marks on his face from the, the wear and tear of the decades, but. That is my Cabbage Patch Kids story. Thank you, Mr. President.

**KELLY:** Thank you, Senator Cavanaugh. Members, the issue-- question is the adoption of FA125 to return to-- oh, excuse me. The question is the motion to return to Select File. All those in favor vote aye; all those opposed vote nay. Request for a roll call vote. Mr. Clerk.

**CLERK:** Senator Aguilar voting no. Senator Albrecht voting no. Senator Arch voting no. Senator Armendariz voting no. Senator Ballard voting no. Senator Blood voting no. Senator Bosn voting no. Senator Bostar voting no. Senator Bostelman voting no. Senator Brandt voting no. Senator Brewer voting no. Senator Briese voting no. Senator John Cavanaugh voting no. Senator Machaela Cavanaugh not voting. Senator Clements voting no. Senator Conrad voting no. Senator Day not voting. Senator DeBoer voting no. Senator DeKay voting no. Senator Dorn voting no. Senator Dover. Senator Dungan voting no. Senator Erdman voting no. Senator Fredrickson voting no. Senator Halloran voting no. Senator Hansen. Senator Hardin voting no. Senator Holdcroft voting no. Senator Hughes voting no. Senator Hunt not voting. 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 not voting. Senator Moser voting no. Senator Murman voting no. Senator Raybould not voting. Senator Riepe voting no. Senator Sanders voting no. Senator Slama voting no. Senator Vargas. Senator von Gillern voting no. Senator Walz voting no. Senator Wayne. Senator Wishart voting no. Vote is 0 ayes, 40 nays, Mr. President, on the motion to return.

**KELLY:** The motion fails. Mr. Clerk.

**CLERK:** Mr. President, some items. New LR: Senator Clements, LR200. That will be referred to the Executive Board. Mr. President, your Committee on Enrollment and Review reports LB574 is correctly engrossed and placed on Final Reading. Second, new LR: LR201 from Senator Fredrickson. That'll be referred to the Executive Board, as well as LR202 from Senator Fredrickson also referred to the Executive Board. LR from Senator Dorn. New LR: LR203. That will be referred to the Executive Board. That's all I have at this time, Mr. President.

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**KELLY:** Senator Machaela Cavanaugh, please state your point of order.

**M. CAVANAUGH:** You're clearly delaying getting to my next amendment to go to cloture instead of getting to my next amendment. Please clarify if that's not the case.

**KELLY:** Senator Cavanaugh, when we finished the last matter, there was one minute left, and I was simply inquiring whether we should proceed or wait. And by the time we had that discussion, we've now hit 4:04. Mr. Clerk, you have a motion?

**CLERK:** I do, Mr. President. Senator Arch would move to invoke cloture on LB815 pursuant to Rule 7, Section 10.

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

**ARCH:** Roll call vote. Excuse me. Roll call vote.

**KELLY:** Members, the-- there's been a motion for-- to invoke cloture. All those in favor vote-- oh, there's a request for a roll call vote. All those in-- excuse me. 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 yes. Senator Bosn voting yes. 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 not voting. Senator Clements voting yes. Senator Conrad voting yes. Senator Day voting yes. 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 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 voting yes. Senator Kauth voting yes. Senator Linehan voting yes. Senator Lippincott voting yes. Senator Lowe voting yes. Senator McDonnell voting yes. Senator McKinney not voting. Senator Moser voting yes. Senator Murman voting yes. Senator Raybould voting yes. Senator Riepe voting yes. Senator Sanders voting yes. Senator Slama voting yes. Senator Vargas voting yes. Senator von Gillern voting yes. Senator Walz voting yes. Senator Wayne. Senator Wishart voting yes. Vote is 45 ayes, 1 nays-- 1 nay on the motion to invoke cloture.

**KELLY:** Cloture is invoked. Mr. Clerk, please read the bill.

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**CLERK:** [Read LB815 on Final Reading.]

**KELLY:** All provisions of law relative to procedure having been complied with, the question now is, shall LB815 pass with the emergency clause? All those in favor vote aye; all those opposed vote nay. 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 yes. Senator Bosn voting yes. 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 not voting. Senator Clements voting yes. Senator Conrad voting yes. Senator Day voting yes. 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 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 voting yes. Senator Kauth voting yes. Senator Linehan voting yes. Senator Lippincott voting yes. Senator Lowe voting yes. Senator McDonnell voting yes. Senator McKinney not voting. Senator Moser voting yes. Senator Murman voting yes. Senator Raybould voting yes. Senator Riepe voting yes. Senator Sanders voting yes. Senator Slama voting yes. Senator Vargas voting yes. Senator von Gillern voting yes. Senator Walz voting yes. Senator Wayne. Senator Wishart voting yes. Vote is 45 ayes, 1 nay, Mr. President, on the-- excuse me. 45 ayes, 1 nay, 2 present, not voting, 1 excused, not voting.

**KELLY:** LB815 passes with the emergency clause. Mr. Clerk, next item.

**CLERK:** Mr. President, next item on the agenda: LB816. First of all, Senator Machaela Cavanaugh would move to return the bill to Select File for a specific amendment, that being AM1704.

**KELLY:** Senator Machaela Cavanaugh, you're recognized to open.

**M. CAVANAUGH:** Thank you, Mr. President. So, colleagues-- again, it's good to pay attention. If I hadn't been paying attention, we might have had an issue because when we went to cloture, the motion that we had just voted on-- my motion to return to Select for the specific amendment-- was still on the board. So what would we have done if it hadn't been taken off the board? Would we have voted for it twice? Would that, in effect, have been a motion to reconsider the vote we

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had just taken by happenstance? I don't know. Certainly intriguing. It's good to pay attention and to follow the process. So we have now passed, on Final Reading, seven bills. Yay, us. It is day 79 and we have passed seven bills. And I was just sitting here thinking: let's say-- let's be ambitious and say we pass a total of 45 bills, including LB574. Guess what percent of the bills that will be? 2 percent. 2 percent of bills passed will be LB574. That is actually a very large amount for one bill, to take up 2 percent of the entire session. Let's see here. We have how many bills this year, like, 804-- well, 816 at least, so. 0.1 percent. One-tenth of 1 percent is what one bill represents in this body. One-tenth of 1 percent. Anyways. Probably not that interesting, but there you go. OK. So-- recipes. I found this list of recipes that I had put together. Now, these are ones that I found on, on different websites. I don't know if I've made any of them. If I did, I definitely didn't follow the recipes. I love cookbooks. I love to look at the pictures in the cookbooks. I love to read recipes. I hate to follow recipes. Not my jam. I look for recipes-- at recipes for inspiration in cooking, but not for actual cooking. And this is also part of the reason-- I can bake. I do bake. I don't enjoy baking that much because baking requires much more precision. Baking is really science. Cooking, cooking, to me, is more like art. Baking is also art, but it is an art form that also has science. So, I can do it. It's just not, it's just not what interests me as much. I prefer, I prefer to cook. I prefer to just freehand it. So I found this, this list in, in my, my personal Google drive of recipes that I realize now-- I remember. I was planning an event and I was putting together a menu for the caterer. And it was a caterer that I wasn't really, like, thrilled to be using. But you know when you book a venue, oftentimes there's a caterer attached with the venue. And you would have to-- in order to-- use a different caterer, you would have to buy out the catering contract. And that is a very expensive endeavor. Like, it oftentimes will cost, like, \$5,000 just to buy out the contract so you can bring in whatever caterer you want. So-- especially if you're doing something for a nonprofit-- which, I don't remember what event this was that I was doing this for, but I do remember that I didn't like the caterer. But if you're doing it for a nonprofit, then you probably are trying to save money and you're not going to go with buying out the caterer to get the caterer you want. So you're just going to go with the caterer. So that's what we were doing. So I was planning this dinner and I decided to look up recipes for the dinner to give to the caterer in hopes of guiding to a meal that I thought was more appropriate for the dinner party, or whatever the event was. And-- now, one thing about, about this is that-- so, catering-- cook-- you cook to the middle, which means, like, you're

not cooking to the blandest taste and you're not cooking to the most adventurous taste. You're cooking to the middle. But when you cook to the middle-- I mean, you're trying to serve a large group of people. I get it. But you're going to miss out on the opportunity to make something special. So, I was trying to get this caterer to not cook to the middle, but to maybe be a little bit more creative. So this first recipe is roasted cabbage with warm rosemary dressing. I love cabbage. The slices of this actually look like artichoke hearts in the picture, but I am intrigued in what is the warm walnut rosemary dressing. OK. So, holiday vegetables-- OK. Three-- one three-fourths pounds heads of green cabbage each cut into six wedges through the core. You got to do it through the core. Otherwise, it's going to fall apart. Three-fourths cups extra virgin oil, oil, salt, freshly ground pepper, eight garlic cloves peeled and halved. Eight garlic cloves does sound like a lot. Normally, when I see how much garlic something calls for, I, like, double or triple it. Eight garlic cloves is a lot, so I probably-- they probably were serious about their garlic. I usually feel like-- again, cooking to the middle. People are cooking to the middle. You're going to be low on the garlic for what you really want. Although, my sister-- different sister than the one that doesn't like cilantro, the other sister-- she once told me that she thinks that cooking with garlic is lazy. I wonder if she even remembers telling me that. So, for a while, I tried to not cook with garlic at all, but I genuinely love garlic, so I'm back at it. Whether it's lazy or not, I love it, so there you go. OK. So, eight garlic cloves peeled and halved. Six rosemary sprigs, one and a fourth cup walnuts, one stick unsalted butter. Use oleo if you want to. No, don't. Use butter. A fourth a cup apple cider vinegar. Two tablespoons Moscatel vinegar-- see note-- or white balsamic vinegar. OK. Preheat oven to 400 in a large roasting pan. Toss the cabbage wedges with the oil-- olive oil, and season with salt and pepper. Arrange the wedges cut-side down in a single layer and scatter the garlic and rosemary sprigs around them. Cover lightly with foil. Bake for about 45 minutes until cabbage core is tender. Uncover and bake for 20 minutes longer, turning once until cabbage is brown around the edges. Arrange the cabbage on a platter and tent with foil. Strip the rosemary leaves from stems. Discard the stems and garlic. Don't discard the garlic. What? I get it. You used it as an aromatic. That's why you cooked it with eight cloves of garlic-- cloves of garlic. But come on. Don't get rid of them. At the very least, set them aside, mush them up, and put, like, gar-- make some garlic bread or something. Am I right? Like, it's been infused with, it's been infused with rosemary and garlic, so. That sounds awesome for garlic bread. Take the garlic, mash it up, spread it on some toast. Maybe sprinkle some more salt. Maybe cut up some rosemary

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leaves to sprinkle in with it to really get it. Ooh, that powdered parmesan-- that I was definitely not dissing earlier because I love it-- use some of that on your garlic toast too. That stuff is excellent for making garlic bread. Like, if you want cheesy garlic bread but--

**KELLY:** One minute.

**M. CAVANAUGH:** --you don't want it, like, cheesy-cheesy garlic bread-- powdered parmesan. You buy it at the grocery store in those little containers. They usually have a green screw-top lid, plastic thing. Use that. Don't discard the garlic. Reuse the garlic. Reuse, reduce, recycle. Anyways. OK. In a medium skillet, toast the walnuts-- toast your nuts-- over medium heat, tossing until lightly browned, five minutes. Let cool, then coarsely chop in the same skillet. Melt the butter. Add the chopped walnuts and cook over a moderate heat, stirring until butter turns medium brown and smells nutty. OK. About five minutes. Add rosemary needles and cook, stirring until crisp, about one minute. Reduce the heat to low. Stir in both vinegars and cook until the dressing is lightly-- slightly reduced. About two minutes. Season with salt and pepper. Spoon the dressing over the cabbage wedges and serve.

**KELLY:** That's your time, Senator. And you're next in the queue.

**M. CAVANAUGH:** Thank you. That sounded delicious. I don't know if I've actually ever made this. I might have to make it. OK. Notes: Moscatel vinegar, a lightly sweet and tangy, Spanish white balsamic-like vinegar is available at specialty food stores and online. OK. Well, great. The next recipe is for glazed carrots with cardamom and ginger. I don't know what this dinner party was that I was looking up recipes for, but now I want to throw this dinner party. Glazed carrots with cardamom and ginger. You-- have you ever had coffee with cardamom in it? Fresh roasted coffee with cardamom. Now, this is something that my husband and I discuss, because he really likes it. I like it. You can-- it is a spice, yes. You can-- I feel you can have too much cardamom in your coffee. Nick, however, errs on the heavy side of cardamom. And typically, if you're going to have cardamom in your coffee, you're probably having Arabic coffee. And after I read this recipe, I'll tell you how to make Arabic coffee, a specialty of mine. OK. Glazed carrots with cardamom and ginger. Most people cook carrots in water, Shawn McClain-- whoever that is-- says, which, which dulls their flavor. His secret to keeping them super tasty is to cook the-- cook them in carrot juice and orange juice until glazed. Interesting. Well, well, well. I never thought of that. Cook-- if you're going to--

instead of cooking carrots, doing cooked carrots in water, cook them in carrot juice and orange juice. I'm going to try that. I clearly never read this recipe before. OK. So, two-- six tablespoons unsalted butter, fourth a cup thinly sliced ginger, one garlic clove (minced). Again, I would probably double it or triple it. Four cardamom pods, three pounds carrots sliced in diagonal, one-third inch. You can also use baby carrots left whole. Two tablespoons sugar, half a cup fresh carrot juice, half a cup fresh orange juice, salt, and freshly ground pepper in a large skillet. Melt the butter. Add the ginger, garlic, and cardamom, and cook over moderate heat until fragrant but not browned, about two minutes. Add the carrots and sugar and cook over a moderate heat-- moderately high heat, stirring occasionally until the carrots are crisp-tender, about five minutes. Add the carrot and orange juices, and bring to a simmer. Season with salt and pepper. Cover with parchment paper in a tight-fitting lid and cook the carrots over low heat until tender, about 12 minutes. In a tight-fitting lid? All right. Uncover and cook, moderate heat, until the carrots are glazed, about five minutes longer. Discard the ginger and cardamom pods. Transfer to a bowl and serve. Great. OK. Let's see here. What was I going to talk about? Oh, how to make Arabic coffee. That's right. How much time do I have left, Mr. President?

**KELLY:** 1:22.

**M. CAVANAUGH:** Oh, I don't know if I can do it justice. You certainly couldn't make Arabic coffee in 1:22 seconds. No. It, it is a-- it is intentional and it takes time. And I prefer to do it over a gas range stove. I have an electric stove. I do recall there being a controversy over electric sto-- or, gas range stoves, like, a month ago, that the Democrats were coming for your gas range stoves.

**KELLY:** One minute.

**M. CAVANAUGH:** Everybody get rid of your gas range stove. Watch out, the Democrats are going to get rid of them. I love gas range stoves. I know it's a bold statement. I love them. I don't-- my house did not come with one. And you have to have a gas line put in in order to have one. It's not, like, an easy "swaperoo." It takes, like, having a lot of things done. So I do not have a gas range stove, but I am team gas range. I like them. They're better for cooking. They cook more evenly. You can also set a red pepper or an eggplant on the stove to roast. Done it many times. Delicious. So-- I don't know if that's going to be as controversial as the egg farmer or the oleo conversation from earlier, but I'm being bold and saying I like a gas range stove.

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

**M. CAVANAUGH:** Thank you.

**KELLY:** Thank you, Senator Cavanaugh. Mr. Clerk for items.

**CLERK:** Mr. President, apologies. Senator Clements, I had a MO931 with a note you wish to withdraw. In that case, Mr. President, returning to the pending return to Select File from Senator Machaela Cavanaugh.

**KELLY:** Senator Blood, you're recognized to speak.

**BLOOD:** Thank you, Mr. President. Fellow senators, friends all. Think I'm going to take this conversation in a different direction because I think Senator Cavanaugh is just making everybody hungry. I do stand opposed to Senator Cavanaugh's motion to return this bill to Select File and hope that we get to go to the underlying bill soon, which I do support, which is LB816e. But during this process, Senator DeKay and I were having a conversation. And during that conversation, I'd like to announce that he named the snake that lives in my backyard. And we have named it Jerry because it is a DeKay snake, so I'm going to pass that on. I told him that if we find more of its siblings that he'll have to come up with more names. But for now, we have Jerry DeKay eating slugs in my backyard, which means we have a very healthy garden, so I'm looking to a bountiful collection of produce here in a few months. But with that, I started thinking about the names on the floor of the Legislature and some of the concerns that I have because I don't think we all know how to pronounce each other's names. Now, I know it was really confusing when Senator Flood was here and we were constantly hearing Flood and Blood get mixed up. In fact, I switched our nametags on April Fool's Day one year. And I'm not picking on anybody when I say this. I'm just pointing out what I've heard. So, our Clerk, when he says "Hallow-rin," says "Hollow-rin." And I always thought it was "Hallow-rin." So if I'm saying your names wrong, I want to know. I always thought it was Senator "Slaw-ma," S-l-a-m-a, but I hear it "S-c-h-l-a-m-a" when our Clerk says it. Sch-- I can't even do it. Schlama. So, is there, like, a silent "C-H" in that name? I don't know. But if I'm saying Senator Slama's name wrong, I would want to know. When Senator Sanders talks about Senator Linehan, she calls her Senator "Lan-ahan." So, maybe for the last seven years I've been calling Senator Linehan the wrong name. I, again, don't know, and I hope that you guys will correct me if I say your names wrong. Some of the other things I've heard: von Gillern. "von Gillerin" I have heard. I know that's not right, but I'm telling you that's what I'm hearing, right? And several other ways to pronounce it that I can't even make

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my mouth do, so. Good to know that I got your name right. And, for a long time, Senator McDonnell. Senator McDonald, right? We've heard that a lot. And Senator Bosn, you really confused the heck out of people when you came to this floor because you're, like, missing a vowel. And so I've heard Senator Bawz-nin and Bawz-men, but it's Bawz-in, correct? So I sit here all day long, clearly, and listen to everything you guys say. Sometimes I write it down because I think it's funny. But it would be great if we could all figure out how to say each other's names because it's probably confusing to the people who watch. And I just wanted to say a personal shout-out and a thank-you to Senator DeKay for helping to name my snake. With that, I would yield back any time I have to the Speaker. Thank you.

**KELLY:** Thank you, Senator Blood. Senator Machaela Cavanaugh, you're recognized speak. And this is your last time before your close.

**M. CAVANAUGH:** Thank you, Mr. President. Arabic coffee. Yes. I know. Senator Fredrickson was nodding his head like he knows how to make Arabic coffee. Oh. He drank a lot of Arabic coffee. But did you make it? Oh, OK. Ah. All right. So I learned to make Arabic coffee over a hot plate. I've made it on my stovetop, but that really is not-- again, gas stove preferred. So, you need a specific pot to make your Arabic coffee. And I have one. And it looks like a little, like a little jar, but it's metal. And then it has a very long handle. And you hold the handle and you hold the pot flat on the, on the thing, and you start to boil the water. OK. So you boil the water. And when the water gets to a boil, you start to scoop in the coffee grounds. And they are very fine. Very finely ground. And it is best to have very freshly ground coffee grounds, of course. Even better if you can have freshly roasted and ground coffee grounds. And if you're my husband, if you can throw in some cardamom, he's real happy. OK. So you scoop in one scoop of coffee. And then-- you got to have a different spoon. Well, you don't have to, but you know how it is if you have a wet spoon and you're going to do another scoop of coffee and you have a wet spoon and it's going to get all stuck. You can. It's fine. OK. So you scoop in the coffee grounds. And it's going to kind of bubble up if you're not, if you're not paying attention. And you got to kind of lift it just a little bit off the heat and stir it real quick, real quick so that the grounds kind of get incorporated into the water. And then you stand there and you stir and you stir and you stir. And when it starts to get kind of dissolved, when the coffee grounds start to get kind of dissolved, that's when you decide, did I put enough grounds in? I might need to add a second scoop. Same thing. Comes gushing up. You got to lift it up off the heat just a little bit. Not all the way, but just a little bit. And stir quickly until

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that bubbling coffeeness simmers down. OK. So then you stand there and you stir and you stir and you stir and you stir and you stir. Now: sugar. I don't take sugar in my coffee, generally speaking. If I'm having Arabic coffee-- the way I had it the first time, they served it with sugar. And the way I had it every other time, when anyone who this was a natively made beverage made it, they made it with sugar. So, in my mind, you put sugar in your Arabic coffee. I actually-- this just occurs to me now. I don't think I have ever made my brother, John Cavanaugh, Arabic coffee. He takes his coffee black. And he has trained his palate to tolerate all types of black coffee. And now I am thinking that I should make it a point-- maybe for Father's Day this year I will make my brother his own batch of Arabic coffee. Now, you don't drink, like, a whole-- you don't drink a cup of this. It's almost like an espresso. You drink a small cup of it. It is very, very strong. I don't think that coffee can put hair on your chest. But if it could, this coffee would. And if it did, it would be outlawed in Nebraska, because that would probably be construed as some sort of hormone therapy for girls who are-- want to be--

**KELLY:** One minute.

**M. CAVANAUGH:** --boys. So-- sorry. I'm supposed to stay on recipe topics. I'll get back to it. OK. So, the Arabic coffee. You got to stir it for a long time. You got to make sure that there aren't grounds in it. You want the grounds to become one with the water. Now, at the end, when you pour it into your cup, there is going to be, like, sludge that settles to the bottom. Don't drink that. I mean, you could chew that, but you don't want to drink your full cup. You drink all but the, but the remains. The remains shall remain. And that is a very quick and simplistic description of making Arabic coffee. I have not done it for a couple of years because it is time-consuming and my kids would not appreciate that. But I used to make it all the time before I had kids. I would make it for my husband all the time, and I enjoyed doing that, so. And I think I'm about out of time, so I guess I'll be back on my closing.

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

**M. CAVANAUGH:** Thank you, Mr. President.

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

**CLEMENTS:** Thank you, Mr. President. I rise in opposition to the motion to return to Select File. AM1704 strikes Section 1. In Section 1 is

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appropriation language desc-- describing the two fiscal years-- this bill is regarding fiscal year '23-24 and '24-25-- and we need to have that in the bill to make it complete. And then as a refresher, LB816 is what we call salaries of constitutional officers. And it has-- let's see here. It has judges' salaries, which are these salaries-- their base salary from the previous biennium without increase. It does also, though, have the increase for health insurance. So-- there will be another bill later that has the increased portion, how much the salaries are going up, and that's done in the Judiciary Committee. But this is-- this bill has their base pay plus what the cost of increased health insurance would be. So the Supreme Court judges are in here; appeals court judges, retired judges, juvenile court judges, county court judges. Then we get to the Governor. The Governor's salary is \$151,900. And I think that would be salary and benefits. Lieutenant Governor, \$119,000. Secretary of State, \$122,000. The State Auditor, \$128,000. The Attorney General, \$141,000. That's the salary and benefits. The salary portion is \$95,000. State Treasurer, salary of \$85,000; but with benefits, total of \$132,000. The public service commissioners, for all of them, \$375,000 of salary, \$503,000 total with benefits. The Board of Parole's salaries-- there are five of them-- \$508,000 of salaries, \$682,000 total with benefits. The Tax Commissioner in Department of Revenue, salary limit of \$197,000. And then Workers' Compensation Court. I'm not-- think there are maybe six judges there. \$1.2 million of salary. Then we have some retired Workers' Compen Court-- Compensation Court judges as well. And so that, that is the item that we will be voting on in LB816, which is judges and constitutional officers. It's interesting that we have three branches of government. When I talk to fourth grade classes-- which I did, a couple of them yesterday-- I tell them that we have three branches of government: legislative, executive, and judicial. And I've been pleased; most of them can name those three. But then I tell them that the Governor can't spend any money and doesn't even get paid until we approve his pay and his budget.

**KELLY:** One minute.

**CLEMENTS:** The Supreme Court doesn't get any pay or can't spend any money for their operations until the Legislature approves their budget. And so, it's an interesting way to, I think, to tell the students that come how we work together with the three separate branches of government, but they-- we need to work with them and they need to work with us. And I think it's a good illustration of how we work together. And I, I would ask for your green vote on LB816 so that we can keep the judicial and executive branches functioning. Thank you, Mr. President.

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

**HUNT:** Thank you, Mr. President. Talking about supporting our local businesses and our local economy, I just found out online that today is International Day Against Homophobia, Transphobia, and Biphobia. And the Omaha Storm Chasers, which is our baseball team in Omaha, they are having-- I found this out from them. It's on their account. They're having Pride Night on June 1. And around the concourse, there will be tables from Heartland Pride, River City Gender Alliance, OutNebraska, and other organizations that support the LGBTQ community. And that's for Omaha Storm Chasers on Thursday, June 1. And so, Senator Aguilar, Albrecht, Arch, Armendariz, Senator Ballard-- fellow small business owner here in Lincoln-- Senator Bosn, Senator Bostelman, Senator Brandt, Senator Brewer, Senator Tom Briese, Senator Rob Clements, Senator DeKay, Senator Dorn, Senator Dover, Senator Erdman, Senator Halloran, Senator Hansen, Senator Hardin, Senator Rick Holdcroft, Senator Jana Hughes, Senator Teresa Ibach, Senator Mike Jacobson, Senator Kathleen Kauth, Senator Lou Ann Linehan, Senator Lippincott, Senator Lowe, Senator Mike McDonnell, Senator Moser, Senator Murman, Senator Riepe, Senator Sanders, Senator Slama, and Senator von Gillern, if you want to go watch a baseball game, that might not be the day for you because I know that you'll want to be sure to use your dollars to support organizations and businesses that do discriminate against transgender people. As Senator Kathleen Kauth said, we want to be really mindful about where we're spending our dollars in Nebraska. And it's really good to know which organizations and businesses in our state are supporting gay rights and trans rights so that we can choose to spend our money elsewhere, as Senator Kathleen Kauth said to the press. And so if you enjoy baseball or you have taken your family to Omaha Storm Chasers' game, maybe-- you could go, certainly. And maybe you'll learn something. Maybe you'd change your mind about some of your internalized transphobia and hateful, discriminatory views that you hold. But if you're like Senator Kathleen Kauth and you don't want to spend your money at organizations that support human rights, then that might be something to add to your list of things not to do with your family. I asked a couple days ago-- at, like, midnight-- online, what trans people, particularly in Nebraska, wish lawmakers knew. What is it that you wish lawmakers knew? And one of the most striking responses I got-- I, I should tell you how many responses I got. I will. One of the most striking responses I got that kind of shook me a little bit is they said, lawmakers already know about trans people. There's nothing they don't know that they need to know. They know and they're doing it anyway.

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It's not an issue of ignorance or, you know-- it's not ignorance. It's not that they don't know. It's that they know and they hate us anyway. And that kind of shook me because I was like, you know what? That's about right. So I'm trying to find-- [RECORDER MALFUNCTION]-- said they're not attacking us because they misunderstand us. There you have it. That's fair. So this--

**KELLY:** One minute.

**HUNT:** Thank you, Mr. President. This question I asked was: Transgender friends, what do you wish lawmakers understood about what it's like to be you? And I asked this at midnight on May 15. And it got 204 replies, 44 quotes. So, people sharing different things. And some of the things people shared were just about the ability to access gender-affirming care without political interference, saying things-- [RECORDER MALFUNCTION]-- in my real body, and that's all I want. Not their love, respect or attention. Just-- [RECORDER MALFUNCTION]-- being able to resolve my medical-- [RECORDER MALFUNCTION]-- replied: That my medicine is medicine. One other person said: They could stop trying to tell doctors how to do medicine. That would be a great start.

**KELLY:** That's your time. And you are next in the queue, Senator.

**HUNT:** Thank you. An overarching theme that a lot of folks wanted to convey was that trans people are the same as the rest of us. They're just folks who want to exist comfortably in the world, take care of their families, and go on about their lives. Thank you, Cassy. We have a-- what? Vanilla. Is it hot chocolate? There's a vanilla hot chocolate. Breaking news. There's now vanilla hot chocolate. They probably had it already, but I'm just learning about this. And it's served in this cup. The size of the cup is HV7 from Signature Cups, and it's based on the jazz design from Sweetheart Cup Company that was made in 1992. Smells good. An overarching theme that a lot of people wanted to convey was that trans people are the same as everybody else. This one person, Jessica Clarice, said: We are boring, regular people. We are parents. We work at normal jobs, doing normal tasks. If we hadn't become fodder for culture wars, we would be unnoticed by most. That's right. We just want to live our lives, raise our kids. We are just as religious, if not more, than those who hate us. Mia Moore said: Transgender people are multifaceted and have so much going on besides just being transgender. We're not a monolith. Most people who transitioned as adults wish they could have started earlier. Restricting our access to the means of transition will never help us or protect us. AJ says: I'm literally just a regular dude. I just

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happened to need testosterone injections to get my testosterone. Being trans is not important unless other people make it important. Crystal says-- they, they live in Florida-- living here in Florida, I just wish they saw us and understood that we are human. I'm forced to be an activist for my own existence daily, it feels, and it's so hard. That's what's so hard, being forced to be an activist for your own existence. Lexa Black says: I'm just a writer who happens to be trans and disabled. All I want is a pretty simple life in peace, safe place to rest my head at night, a loving and supportive wife, maybe a dog and a cat, my basic needs met, including healthcare, gender-affirming care and otherwise. Lilliana [PHONETIC] said-- Lilliana is engaged. Congratulations, Lilliana. She said: That I want a life not unlike most people-- to raise my daughter, marry my girlfriend, and grow old together and to be left alone to be who I am without a constant legal or social knife at my throat. What these people are talking about is what you're doing to them. Like, they would not have these problems if you weren't actively doing something to them. These problems don't exist in the world without you taking action like with LB574. Nick says: I want what everyone wants-- to live peacefully, to love and be loved. Dylan says: That I'm a regular human being. I'm no different than any other person. We all have different stories and pasts. I'm just a kid that wants to help people by doing my part as a firefighter. I want to help the environment. I like fishing, art, reading, being a Christian. I'm human. As much as people like Senator Kathleen Kauth want to convince you that there's some sort of epidemic of trans folks-- the word that she uses is "contagion," which is a word associated with disease, which, not to say the H-word is the same thing-- Hitler said about the Jews before--

**KELLY:** One minute.

**HUNT:** We cannot compare these types of things. But when people say there is a trans genocide going on, that's something that I agree with. People are passing laws deliberately in a mindful way to erase trans existence, to erase trans existence from life. And that is embodied by the type of language that lawmakers use to talk about it. When Kathleen Kauth says this is a contagion, like it's a scourge or a pandemic-- which she doesn't believe in. She, she's not, like, a COVID believer. But she thinks that being transgender is a scourge, based on the language she herself has used. There is not an epidemic of trans people. Trans people have existed throughout history, and only recently have they begun to be able to feel and be their most authentic selves because of social acceptance. This person, named Sophie [PHONETIC]--

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**KELLY:** That's your time, Senator. And you're next in the queue. And that's your last time on this motion.

**HUNT:** Thank you, Mr. President. This person named Sophie said that she would like lawmakers to know that, We have always existed. We are older than Islam, older than Christianity, older than Judaism, older than the very concept of civilization itself. So long as humans have existed, so have we. And so long as humans continue to exist, so will we. Erin Reed says-- and Erin is a person I'm, I'm really lucky to have in my circle. She is the fiancée-- her fiancée is Zooey Zephyr, who is a lawmaker in Montana who has been barred. She-- we talked about her earlier. She's been barred from speaking for the rest of the entire legislative session. She's a state representative in Montana who's been kicked out of the legislature because she said that the legislature would have blood on their hands if they passed a ban against healthcare for trans kids, which they did. Their feel-- their feelings were so hurt that she said "you'll have blood on your hands," which we've said that here. They kicked her out of the legislature. So, you know, maybe, maybe that's coming down the chute for us. I don't know. But that's what they did in Montana. But Representative Zephyr's fiancée, Erin Reed, said: That I have always been trans, even though I only transitioned four years ago. It may seem like there are a lot of trans people all of a sudden, but we have always been here. It's only recently that so many of us felt like we could be accepted as ourselves. A lot of queer people might know-- like, the T-shirt slogan and the bumper sticker slogan: if being gay was a choice, I'd be gayer. Trans people don't choose to be trans, full stop. While many trans folks who have access to gender-affirming care will share that they're happy and liberated in their authentic identities, it takes work to get there. And the work it takes to get there is a major, life-threatening undertaking. Even without bigots like Senator Kathleen Kauth standing in the way, it is-- can be a life-threatening undertaking for them to do that. Trans people do not choose to be born in the wrong bodies. They don't choose to be persecuted in the name of some political agenda. They just exist. It's like being left-handed. It's like someone's hair color. It's nothing. If it bothers you, ignore it. Write it in your diary. Hate them on your own time. Don't pass a whole law. This person, Rosie, says: I didn't ask or choose to be trans. Most people are born in the right body. I was not. My brain nagged at me every single day and I tried to suppress it for over 40 years until it became unbearable. I had to accept my true self or I would have gone mad or I'd be dead. Dr. Andrea Grover says: No one chooses to become a second-class citizen. If it were actually a choice, no one would join a minority that's hated just for existing or

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to have their rights and safety threatened on the regular. Also, we pay a lot of taxes and are fine, upstanding citizens too. Former Representative Stephanie Byers from Kansas says: Being trans isn't a lifestyle choice. It's our very existence. Without access to medical care, without affirmation of who we are, it doesn't make us any less trans. Being trans is not indoctrinated. It doesn't come from the outside. It's within us and it awakens when its time comes. Sabrina says: It's an innate part of who we are. You can try to deny its existence, ban our healthcare, and limit our social expression, but it won't change the fact that we're still trans. I tried repressing it since I was about 13, but it only made me hate myself--

**KELLY:** One minute.

**HUNT:** --until I finally accepted it. Corinne says: Coming out to parents at age 26 already felt nearly impossible. If care is banned, coming out to supportive parents means uprooting the entire family. Some kids will stupidly, selflessly choose the despair out of the closet-- the despair of the closet over feeling like a burden. It will kill. It would have killed me. Fern said: That I'm happy. I wasn't coerced by doctors to transition. I wasn't indoctrinated into a cult. I've always known I was in the wrong body, and finally getting to be myself has had a more significant positive impact on my life than anything else. Thank you, Mr. President.

**ARCH:** Senator Day, you're recognized.

**DAY:** Thank you, Mr. President. And good evening, colleagues. I have been saving up a lot of the things that I wanted to say about yesterday's debate. I spent all night talking-- thinking about what happened and was surprised this morning to hear senators so taken aback by the idea that those of us who opposed LB574 are somehow still upset and we're still talking about it. Yesterday was the third, fourth, fifth, sixth opportunity to end this conversation. And you could have ended the conversation. You could have ended the filibuster yesterday. Easily. Two-hour debate. You didn't make it to the amendment, the bill dies. But instead, you cheated and lied your way into getting to an amendment that you knew made the bill worse. And you voted for it. So here we are. And there's sort of an ongoing theme this session of discussions about, well, you know, I made sure to thank the Red Coats and I went up and I thanked the staff. And I see people sharing, you know, taking and offering candy to the pages. How much do you think it means to a staff member or a page if you thank them for the work that they did or offer them a mini Snickers and then you turn around and vote to take their rights away? Do you think it

makes up for that? We seem to misunderstand the difference between being nice and being kind in here. A lot of people are really good at being surface-level nice, about having really friendly conversations about the weather or about your kids. But people don't understand what it means to be a genuinely kind human being. According to definitions from dictionary.com, "nice" is defined as "pleasing, agreeable, delightful," while "kind" is defined as "having, showing, or proceeding from benevolence." It goes on to say, it seems that while "nice" and "kind" carry positive connotations, only the latter indicates an ethical significance. There were people who, as has already been discussed, left the Chamber last night through a special exit so they could avoid confronting the people who had been out in the Chamber-- or, excuse me-- out in the Rotunda all day literally begging them not to vote to take their rights away. And I had comments on Twitter from people when I pointed it out, even comments on the floor this morning. Well, don't you know that--

**ARCH:** One minute.

**DAY:** --these people, these people have, have lives outside of here? Look to your left and your right. They have families to go home to. Yeah, exactly. That's what we've been talking about the whole session. Look to your left and your right. You're taking your own colleague's rights away. You literally voted to take their rights away. Which one is worse: walking through a group of people who you know are angry with you or using the power of your office and the power of government to take someone's right to be a parent away, to take someone's right to access to healthcare away? Which one do you think is worse?

**ARCH:** Time, Senator. Seeing no one left in the queue-- Senator Day, you're recognized to speak.

**DAY:** Thank you, Mr. President. Which one is worse? Which one is more valuable to you? Do you value your friends who are surface-level nice? Or do you value your friends who, when you genuinely need somebody to understand, they take the time to listen and genuinely help? Which one is more valuable to you? I don't get it. Like, I, I don't care if you think that you're a good person because you can tell the Red Coats "thank you," but you can't walk through the people who you literally just took rights away from. You're not a good person. We have a lot of people in here who will offer to buy you coffee. They'll smile and talk to you nicely to your face. And then they will literally turn right around and say the most nasty, disgusting things about you to other senators. They will literally turn around and call you a groomer or a pedophile. They will literally turn around and vote to take your

right to bodily autonomy away. And the thing is is that, like-- as I've said multiple times, the two sides are not the same. You not passing an abortion ban and you not passing a ban on gender-affirming care does not mean that you don't get to be pro-life. It doesn't mean that you don't get to hate trans people. You do. You can go on living your life being pro-life and anti-trans and anti-LGBTQ forever. You are not hurt by not passing these bills. But when you do pass these bills, you are literally reaching into someone's life and dictating how they get to live. You are reaching into someone's life and taking away rights that are absolutely sacred to them. The right to determine if, when, and under what circumstance you start a family. The right to determine who you love and who you want to marry. The right to get your own child the healthcare that they need to stay alive. You are taking that away from people. Do you not think that they're going to be upset about that? Do you not think they're going to stand out in the Rotunda and stomp their feet and shout all day long? And you're too afraid to go out there and look them in the eye. But somehow it's OK because you're offering the pages candy.

**ARCH:** One minute.

**DAY:** Since we didn't get any time to talk about the actual bill yesterday, I'm going to continue to talk about why LB574 as amended is problematic for the state of Nebraska for all of the dozens of reasons that we've already talked about. Nebraska already has had, for many years, a problem with brain drain. And again, the irony that we didn't get to point out yesterday, because we didn't have time to talk about it, was we spent all morning talking about taxes and how we're going to attract young people and young talent into the state or keep young people in the state. We have to find ways to attract young people. And then voting for a bill that will literally push them away.

**ARCH:** Time, Senator. And you are next in the queue.

**DAY:** Thank you, Mr. President. Nebraska has had a problem with brain drain for years. And bills like LB574 and the new amendment are only going to exacerbate the problem. Nebraska is losing college-educated residents at a rate of about 2,000 people per year. Nebraska Public Media news reporter, William Padmore, asks those who track brain drain what's being done about it and how a reversal of Roe v. Wade could affect the issue. So we're specifically talking about abortion rights here. The article goes on to discuss a young woman talking about, as much as she loves Nebraska, she plans on leaving. Just kind of assessing where I wanted to go, not necessarily geographically, but just kind of in my life, and realized that the opportunities for

growth that I was looking for did not exist here. When we talk about brain drain, we usually want to talk about the net domestic migration of those with a bachelor's degree or more, Schafer says. According to the center's research, Nebraska has been suffering from a brain drain-- from brain drain for at least the past decade. Degree-carrying residents have been leaving the state at a rate of about 2,000 people per year. To put that into perspective, we have over 1.9 million people here in Nebraska. So 2,000 leaving the state every year is not an especially high number, but it is certainly our most educated workforce. Opportunities careerwise and pay partly explain why the young woman and people like her wanted to move. And then it goes on to say: But there's another reason why she wants out. Days after an unofficial Supreme Court opinion overturning Roe v. Wade leaked to the media, she says she told her husband she didn't want to live in a place where her abortion rights aren't protected by law. I was just flat out like: Listen. I know that both of our families are here. I know that we grew up in Nebras-- Nebraska-- excuse me-- but, like, if this goes into effect, I don't want to live here. Political climate or culture doesn't even rank among the top five reasons why people like Craig leave the state, according to UNO's research. But when Omaha Chamber of Commerce and UNO surveyed young professionals in 2019, they found that nearly half of respondents do care about their community's values and culture. Since the leaked Roe v. Wade opinion was published, the chamber says it's aware of the potential of future abortion restrictions to affecting brain drain. But Ana Lopez Shalla, the chamber's senior director of workforce development, says the organization hasn't given an official opinion yet. Back to North Carolina. Talking about one of the bathroom bills that was passed in North Carolina a few years back, as Senator Hunt mentioned earlier. It says: Despite Republican assurances that North Carolina's bathroom bill-- another anti-trans bill-- isn't hurting the economy, the law limiting LGBTQ protections will cost the state more than \$3.76 billion in lost business over a dozen years, according to an Associated Press analysis.

**ARCH:** One minute.

**DAY:** Thank you, Mr. President. Over the past year, North Carolina has suffered financial hits ranging from scuttled plans for a PayPal facility that would have added an estimated \$2.66 billion to the state's economy to a canceled Ringo Starr concert that deprived a town's amphitheater of about \$33,000 in revenue. The blows have landed in the state's biggest cities as well as towns surrounding its flagship university and from the mountain to the coast. So for Nebraska-specific information, some highlights from the letter talking

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about the Omaha Chamber coming out with a letter of businesses opposing LB574--

**ARCH:** Time, Senator.

**DAY:** I'm about out of time.

**ARCH:** And that was your last opportunity.

**DAY:** Thank you.

**ARCH:** Seeing no one left in the queue, Senator Machaela Cavanaugh, you're welcome to close on your return to Select File.

**M. CAVANAUGH:** Thank you, Mr. President. Just doing some research. Apparently, there were implications to what happened yesterday, one of them being that a major philanthropic entity in Omaha is withdrawing their support from parochial schools. Yikes. Guess they're putting their money where their mouth is. So I was looking at their 990 to see what that actually looks like, and it is substantial. I had a reporter call me today to talk to me-- they wanted to ask me about something very-- it's-- like, I would call it a deep cut. Years ago. I don't even know. 8, 10 years ago. Not sure. StoryBoard-- or, not StoryBoard. Story, Story, StoryCorps with NPR. They came to, to Omaha. They were at the Joslyn Museum. They had an [INAUDIBLE]. And they set up-- and you could sign up for, like, a lottery ticket to get to do it. And I signed up to do it. And I wanted to interview my parents. And-- so this reporter apparently found this interview that I did on my parents years ago. And in this interview, I was asking my parents-- this is before I ever thought about running for office-- I was asking my parents about how their faith informed how they engaged in politics. As many people know, my dad was in the Legislature and he also served in Congress in the '70s. And my parents are, are Catholic. They have eight children. They raised us all Catholic, sent us to Catholic schools, Catholic high school. Most of us, I think, if not all, went to Catholic universities as well. Catholic. Yeah. We're, like, the poster children for Catholicism. Eight of us. But anyways, in this, I was asking them about how their faith informed. And this has been a question that's been asked of me during all of this. Like, how, how is how you were brought up, how is your faith informing this? And my faith informs me that this-- that it is my job, my duty, my responsibility to stand up for vulnerable people who cannot stand up for themselves and to use my position of power to that end. The lessons that I learned in my religious upbringing taught me that. And I've been asked about that in, in, in conjunction with the Catholic

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Church. And I am Catholic and I say that I'm Catholic, and it hurts my heart a lot to say it because of the perversion of the institution of Catholicism. I hate that there are people in this world that show up in this Chamber and show up in these balconies and show up in your offices and show up to dinner with you who pervert my religion, to be proponents of hate-filled, vitriolic legislation that harms children. I hate it. I hate it. And--

**ARCH:** One minute.

**M. CAVANAUGH:** --I'm not going to leave the religion because I am not going to allow those individuals to take that ownership away from me, to force me out of my own religion. Just like Senator McDonnell won't let me force him out of his party, and he shouldn't. He can be whatever political party he wants, no matter how much I disagree fundamentally with every decision that he makes. He should not get forced out of the Democratic Party by me, and I will not get forced out of the Catholic Church by the Catholic Conference. I will stand up and talk about it, however. And I am grateful to those in the philanthropic community who are going to withhold dollars from organizations and institutions that proactively seek to discriminate and advocate and lobby for hate-filled, vitriolic legislation. I appreciate that.

**ARCH:** Time, Senator.

**M. CAVANAUGH:** Thank you.

**ARCH:** Colleagues, the question before the body is the return to Select File for a specific amendment. All those in favor vote aye; all those opposed vote nay. There has been a request for a roll call vote. Mr. Clerk.

**CLERK:** Senator Aguilar. Senator Albrecht voting no. Senator Arch voting no. Senator Armendariz voting no. Senator Ballard voting no. Senator Blood voting no. Senator Bosn voting no. Senator Bostar voting no. Senator Bostelman voting no. Senator Brandt voting no. Senator Brewer voting no. Senator Briese voting no. Senator John Cavanaugh. Senator Machaela Cavanaugh not voting. Senator Clements voting no. Senator Conrad voting no. Senator Day not voting. Senator DeBoer voting no. Senator DeKay voting no. Senator Dorn voting no. Senator Dover voting no. Senator Dungan. Senator Erdman. Excuse me-- Senator Dungan voting no. Senator Erdman. Senator Fredrickson voting no. Senator Halloran voting no. Senator Hansen. Senator Hardin voting no. Senator Holdcroft voting no. Senator Hughes voting no. Senator Hunt

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not voting. Senator Ibach. 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 not voting. Senator Moser voting no. Senator Murman voting no. Senator Raybould voting no. Senator Riepe voting no. Senator Sanders voting no. Senator Slama voting no. Senator Vargas voting no. Senator von Gillern voting no. Senator Walz voting no. Senator Wayne. Senator Wishart voting no. Vote is 0 ayes, 39 nays, Mr. President, on the motion to return.

**ARCH:** Motion to-- the motion to return fails. Mr. Clerk, do you have any items?

**CLERK:** I do, Mr. President. New LR: LR204 from Senator DeBoer, as well as LR2R-- LR205. Both of which are referred to the Executive Board. Concerning LB816, Mr. President, Senator Machaela Cavanaugh would move to return the bill to Select File for a specific amendment, that being FA127.

**ARCH:** Senator Cavanaugh, you are welcome to open on your motion to return to Select.

**M. CAVANAUGH:** Thank you, Mr. President. This strikes a section. And I had it open. I think this just strikes Section 4, Drawing and Paying Warrants. Page 2, line 14 through line 21. Strike Section 4, Drawing and Paying Warrants. The director of Administrative Services shall draw warrants upon the proper fund in the State Treasury for an amount not to exceed the appropriations set forth in this act upon presentation of proper documentation. The State Treasurer shall pay the warrants out of the appropriate funds. Workers' compensation premium assessments shall not be paid from the programs listed in this act. There we go. OK. So, yeah. I was just talking about, on the last bill, about people not spending their money, including their philanthropic daughter-- dollars to support organizations that support hate against children. So that's great. I guess-- and these are-- I mean, in fairness, these organizations have been doing this forever. So, I guess thank you to Senator Kauth for shining such a bright light on the bigotry of it all that they now feel pressure to no longer support these organizations that have been in active opposition of the LGBTQ community for a very long time. So that's something positive. I'm going to look for the positives that come out of this. So, organizations that espouse hate-filled viewpoints on the human condition are going to lose major funding. Our tax dollars are going to-- our tax revenues-- receipts are going to significantly decrease because economic development in Nebraska is going to dry up as a

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result of these bills. So that's not really a positive so much as-- I don't even know. It's not an I told you so. It's more like the stick coming and just being a stick. I guess-- so that's not a positive. It's actually really a negative. It truly is a negative that our economic development is going to dry up and our tax receipts are going to decrease, which is going to result in us having to increase our actual taxes that we put upon our own citizens because we are not going to have that revenue coming into our state because corporations have told us very clearly that they won't come here. Very clearly. And if we want to call their bluff, we already know what happened with Conagra. And it was about the culture, because they went to a higher tax state, because they preferred it. They preferred the life of living in Illinois to the life of living in Nebraska. And no, there is nothing we could have done at that moment in time, but there was decades of choices that we could have made. And that's what we'll be saying a decade from now when companies leave here because of this policy, because they can't get employees to come here, because they can't maintain their business here, because nobody wants to live here. We're going to say there's nothing we could have done to stop Google from leaving. There's nothing we could have done to stop Amazon from leaving. There's nothing we could have done to stop Facebook from leaving. They just didn't want to be here because of the things we did do. But we'll feign ignorance on that. And that's a future Legislature's problem anyways. I mean, so many of the people in here are term-limited. It's going to be a new everything in 2025. So, not my problem, right? I mean, it's my problem. I'll still be here in 2025, but. Unfortunately, for I think pretty much everyone, I will still be here. Yes. So-- OK. I was talking about some recipes before I got on this tactic. I was going to go back to the recipes and see. Then I got distracted and ordered some dinner. And then I looked up the 990 of this group to see exactly-- or, this entity to see exactly how much money they give to some of these enti-- organizations. And I was like, ooh, damn. That is, that is a significant blow. A significant blow. But Senator Hunt and I will revisit our starting of our children's scholarship fund. I know we talked about it a while back. It was probably, like, actually last week, but it feels like three months ago. Starting our own scholarship fund to, to provide scholarships to LGBTQ youth. So perhaps that scholarship fund will, will benefit from these dollars that are being taken away from the other institute-- educational institutions. And we can start making sure that kids that are in the LGBTQAI+ community are not harmed in the educational system or-- well, that's not true. Our educational system has a lot of flaws, but. Do the least harm that you can should be, should be the-- that, that should be the Legislature's motto: do

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the least harm possible. Congrats, everybody. You did the least harm you could possibly do today. Pat yourselves on the back. That's actually true of today. We are doing the least harm we could possibly do today while also still being harmful because we are passing the budget and-- well, these budgets are not so much-- they don't have-- they're not as controversial. What we do tomorrow is going to be a little bit more controversial. I think that's going to be, like, the 181-page budget bill that probably nobody read. But, I read. And I read it to you. So if you listened to me, then I guess, by association, you read it-- or, listened to it. OK. So back to the recipes. Balsamic glazed cipolli-- definitely not saying that right-- with lemon and bay leaves. I do not know what this is. Oh, they're a type of onion. Ah. Ooh. I love onions too. Garlic and onions. I'm a fun date. I love garlic and I love onions. I'm not going to read that one right now because I've been wanting to read this one and I have passed it several times. And I'm like, ah, I got to go back and read that one. Fig, orange, and pistachio conserve. According to Chef Ernest Miller, a conserve is a jam-like condiment made from two or more fruits, including dried fruit or nuts, especially likes their-- you know what? My, my food is calling me. I'm going to get out of the queue so that I can get my food. I'll yield the remainder of my time. Thank you, Mr. President.

**ARCH:** Colleagues, we will be standing at ease until 6:00 p.m. We will still be on Final Reading when we resume, so please return promptly to the Chamber at 6:00.

[EASE]

**KELLY:** We'll resume debate on LB816. Senator Clements-- who said that? Senator Cavanaugh, what's your point of order?

**M. CAVANAUGH:** We are on Final Reading and everyone has not returned to the Chamber, so debate should not resume.

**KELLY:** Thank you. Senators, we are on Final Reading. Please check in. Senators Conrad, Vargas, Briese, Hughes, and Bosn, please return to the Chamber and record your presence. We're on Final Reading. Senators Vargas, Hughes, and Bosn, please return to the Chamber and record your presence. We are on Final Reading. All unexcused members are present. Senators, we will return to debate on Final Reading on LB816, specifically on the motion. Senator Clements, you're recognized to speak.

**WAYNE:** Could I just stay here?

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**CLEMENTS:** Yeah, that's fine. I guess my assistant's not going to be with me. Thank you, Mr. President. I rise in opposition to the motion to return Select File. FA127 would deal-- it would strike Section 4. In Section 4, it instructs the Department of Administrative Services to draw warrants on the proper fund in the State Treasury and for the Treasurer to pay the warrants out of the appropriate funds. Well, we'd like for them to pay the amounts out of the correct funds, and so that would be detrimental to this bill, and would urge your red vote on that but a green vote on LB816. And LB816 is the salaries of judges and constitutional officers, like the Governor and Lieutenant Governor. And I hadn't finished on LB813, the first bill we had, on some of the deficit items that we had for this fiscal year. I worked on-- last time, we had correctional services, their medical expense, and food expense. Then we've talked before about their salary. The salary increase was \$12 million for this fiscal year, and we did approve that because they filled a bunch of jobs that had been vacant. And then the other-- what the good news is that, in 2022, they had, they had \$13.7 million worth of overtime pay. And so if we can eliminate \$13 million of overtime pay and add \$12 million of regular pay, we'll be having more employees for a similar cost. So the overtime for 2023, we weren't given an estimate, but it should be much less than it was because we have staff on regular pay. The next item is educational television, the Nebraska Educational Television [SIC] Commission runs the Nebraska media, and they had a problem with a tower, KLNE in Lexington, the tower lights. The Federal Aviation Administration guidelines require towers to-- sufficiently close to an airway must be lit. And this tower by Lexington is 1,191 feet tall and requires to be lit at night. And the tower was hit by lightning and is currently not operational. So you have a tower there with no lights on it, and it's a potential hazard; and the FAA is saying that we have to have it operating. And so we allocated \$160,000 for lighting that tower. And if anybody would like to make a bid on that, it's 1,191 feet to the top. If you'd like to get paid \$160,000 to climb up and put lights on it, just let NET know. They're, they're looking for a bid, I think. Next, the state colleges, the State College Board, which is Wayne State, Peru State, and Chadron State Colleges, they had a request for more funding for adjunct professors to increase their pay--

**KELLY:** One minute.

**CLEMENTS:** --thank you-- increasing their pay from \$850 to \$1,000 per credit. And it does save money using adjunct professors and keeps student costs low. So we approved \$423,000 for that. They also had insurance costs, their insurance went up quite a bit for those three

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campuses. We approved \$176,000 there. And the operating expenses for the state colleges went up, and we approved \$735,000 because of inflation on those three campuses' operating expenses. And I had one more thing: the Affordable Housing Trust Fund had more cash come in from documentary tax, so we allowed \$10 million more for Affordable Housing Trust Fund because they had additional cash receipts.

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

**CLEMENTS:** Thank you.

**KELLY:** Thank you, Senator Clements. Senator Linehan, you're recognized to speak.

**LINEHAN:** Mr. President, good evening. I was wondering if Senator Machaela Cavanaugh would yield to some questions?

**KELLY:** Senator Machaela Cavanaugh, would you yield to some questions?

**M. CAVANAUGH:** Yes.

**LINEHAN:** So before we broke for dinner, you were talking about a significant-- I think you said a significant donor.

**M. CAVANAUGH:** Philanthropist, yes.

**LINEHAN:** Yes. So-- and you talked about their 990.

**M. CAVANAUGH:** Yes.

**LINEHAN:** So this is a foundation?

**M. CAVANAUGH:** Well, yes. It's a foundation. That's philanthropy.

**LINEHAN:** Yes. And they are going to do what?

**M. CAVANAUGH:** They are going to discontinue funding of schools, educational programs that discriminate.

**LINEHAN:** I don't think that's what you said the first time.

**M. CAVANAUGH:** I said parochial schools.

**LINEHAN:** OK. That's what I thought you said. So has this been a--

**M. CAVANAUGH:** Potato, potato, but yes.

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**LINEHAN:** Did you-- has there been a press release?

**M. CAVANAUGH:** Not that I'm aware of.

**LINEHAN:** How do you know?

**M. CAVANAUGH:** How do I know what?

**LINEHAN:** How do you know that they're going to pull their funding?

**M. CAVANAUGH:** I was informed.

**LINEHAN:** Oh, but you're-- are you willing to say who informed you?

**M. CAVANAUGH:** No.

**LINEHAN:** And they pulled it because--

**M. CAVANAUGH:** Of yesterday.

**LINEHAN:** What yesterday?

**M. CAVANAUGH:** The need to stand up for the LGBTQ youth of this state.

**LINEHAN:** It wasn't about abortion? I have a pretty good idea who it is.

**M. CAVANAUGH:** Maybe it was about, maybe it was about that as well. I had-- I might not be fully informed. There might be more than one reason.

**LINEHAN:** Did the person that actually makes that decision let you know or is this a rumor?

**M. CAVANAUGH:** I am not going to answer those questions.

**LINEHAN:** Was the-- you're not going to answer whether it was a decision-maker--

**M. CAVANAUGH:** No, I'm not. I'm not going to answer.

**LINEHAN:** OK.

**M. CAVANAUGH:** I'm not going to answer questions that would identify for you who I spoke with. No, I'm not.

**LINEHAN:** I'm sorry. Can you repeat that?

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**M. CAVANAUGH:** I am not going to identify for you who I spoke with. No, I will not answer those questions.

**LINEHAN:** Well, then I think until there's a press release or there's an announcement from a actual person who's in control of the foundation, we should maybe set that aside.

**M. CAVANAUGH:** That's, that's your perspective. That's not my perspective.

**LINEHAN:** Thank you, Senator Cavanaugh.

**M. CAVANAUGH:** You're welcome.

**KELLY:** Thank you, Senators. Senator Machaela Cavanaugh, you're next in the queue.

**M. CAVANAUGH:** Thank you, Mr. President. I'm sure that things will be released in the way that they want to be released. I was also told about an incident that happened out in the Chamber and-- yesterday-- not in the Chamber-- I apologize-- in the Rotunda yesterday, that there was a protester, somebody who opposed to LB574, who had an altercation with somebody who supported LB574. And the person who opposed it was-- it's unclear what injuries they sustained. It sounds like minor injuries-- physical injuries, not minor emotional injuries-- but minor physical injuries. And then that person, the person who injured the other person, the injured party was a child. The perpetrator was an adult. So, great job, everybody, protecting kids. An adult supporter of LB574 injured a child opponent of LB574. It is pretty poetic, really, although I am very sorry for that child on so many levels. But the person who injured them, the child-- I was about to say her, but I honestly don't know if, if-- I don't know what the child is, so I'll say "them." The person who injured them was just orscet-- escorted out of the building. I'm guessing they weren't banned for life. But I totally take Mike Moser's point, Senator Moser's point, from this morning about being concerned about things happening because supporters of the, of the bill, LB574, were inciting violence against children, so. Now that I am aware of that, gosh. Yeah. I haven't heard anybody who supports LB574 stand up and say anything about it. I've been waiting for someone to say something about it because I know everybody knows about it because we got an email about it. And when we got the email about it, I asked my staff to look into it further as well. But this entire Legislature received an email this morning about this altercation, and no one, not one of 33 people, stood up here and said how that was an unfortunate thing

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that happened and that that is not the spirit of the bill, to protect children. It is a contrary to your protection of children for a supporter of a bill that is all about protecting children would then assault a child who opposes the bill. Not a one. It's almost 6:30 p.m. Not a one. But you all left through the construction site because you were concerned about your well-being because you implemented a bill that is harmful to children under the guise that it protects children, and you had to run and hide from those children. Meanwhile, your supporters are assaulting those children. And honestly, that all fits. That all fits. I never know what I'm going to talk about, especially after dinner. Dinner is the hardest time for me to think about what I'm going to talk about. And I was coming back here and I thought, what am I going to talk about after dinner? Should I go back to recipes? But Senator Linehan stopped me in the hallway and told me she was going to ask me questions. And I knew what she was going to ask me questions about.

**KELLY:** One minute.

**M. CAVANAUGH:** It hearkens back to the corporations and the Human Rights Campaign letter. And I knew what she was going to ask me about. So instead of shifting back to lighthearted cooking by Cavanaugh, I'll just talk about how I'm thinking and feeling. And it is not good. It is not good. And I know the last time I, I said something-- it was when the Westboro Baptist Church was coming and I said I had lost all respect for the Speaker and probably a lot of other people. And somebody's like, how can you keep losing all respect? And my brother had some sort of philosophical way to explain how you can lose all respect, but it, like, marginally gets smaller and smaller. Infitive-- infinite, infinite. I don't know. He's mouthing the word to me and I'm just doing a very poor job.

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

**M. CAVANAUGH:** Thank you.

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

**HUNT:** Thank you, Mr. President. Good evening, Nebraskans. It is true. And I am hearing from other people. You know, it's their news. It's not for us to break the news on the floor of the Legislature because Senator Linehan is worried or because business leaders are actually doing what they said they were going to do, which is we're going to lose business, events are going to pull out, funding is going to

leave-- shut it down, yeah-- because of the vote that you took yesterday on LB574. You can't do this stuff and then, like, Senator Hughes, walk around and go, are you mad? Why are you mad? Why are people mad? You can't do this stuff and then, like, Senator Linehan go, now who's pulling funding? Why would that be? Huh, weird. These things have consequences. And no, it's not over. It's not over, just like LB626 wasn't over. Then you manifested a whole new bill out of thin air, rammed it through after you sent the Governor around to everybody to threaten them. It's not a great system. It's nothing to be proud of. Some of the other responses I got to my query about "what do you wish lawmakers and policymakers knew about what it's like to be you" that I posed to trans people? One woman, Corinne, said: Coming out to parents at 26 already felt nearly impossible. If care is banned, coming out to supportive parents-- accidentally clicked on something-- coming out to supportive parents means uprooting the entire family. Some kids will stupidly, selflessly choose the despair of the closet over feeling like a burden to their parents. It will kill. It would have killed me. Rachel says: The almost immediate resolution of conflict within my brain once starting HRT. It felt right. Tegan says: Gender-affirming care literally saves lives. We aren't groomed to be trans. It's something we know about ourselves from a very young age. We just aren't always empowered with the knowledge to vocalize it. Transitioning has enabled me to live a life I never knew was possible. Elspeth says: The labor we go through to fully understand ourselves, we take the time to make sure. I knew I questioned everything before I started HRT at 40-- that's hormone replacement therapy-- before any surgeries. These are not light decisions. Alison said: That transitioning was an enormous act of faith that was undertaken after a long period of discernment, after consultation with no less than clergy, doctors, nurses, psychologists, lawyers, friends, and family. That coming out and being my true and authentic self saved my life. I was hiding who I really was and I acted in evil, hypermasculine ways that hurt the people I loved. HRT has made me the happiest and healthiest mentally, emotionally, and physically person I can be. Trans kids know who they are, and we need to believe them. We need to support them. We need to help them make the right decisions. And there can be a whole spectrum of decisions that's right for them. Everyone is on their own timeline, and the people who don't get to see what that timeline is are the people here in this Chamber. We don't know better than families. We don't know better than doctors. And we don't know better than these kids themselves who they are. By creating a culture of openness and acceptance and affirmation, young trans kids--

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**KELLY:** One minute.

**HUNT:** --have better outcomes for a healthier, safer, happier, more successful life into their adulthood. Josephine says: When kids tell you they are trans, they know it. It's not a fad or a phase. And yes, even at age four. This person who is a mother of a trans teen says: I would add that living as your authentic self is very hard and takes courage. A lot of you know that in this body because you haven't been able to take votes that really represent who you are and what you believe. She continues: Imagine being so sure of that identity that you are willing to endure the hate and ignorance. The rest of us need to support them, period. Thank you, Mr. President.

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

**HANSEN:** Thank you, Mr. President. Would Senator Cavanaugh yield to a question, please? Senator Machaela Cavanaugh.

**KELLY:** Senator Machaela Cavanaugh, would you yield to a question?

**M. CAVANAUGH:** Yes.

**HANSEN:** You mentioned that we all got an email this morning pertaining to the incident last night. I've looked through my email, I didn't see anything. You said that it got sent to all of us. I asked a couple of my colleagues if they got it and they didn't either. Do you know who it was from?

**M. CAVANAUGH:** I will have to look and find it and get back to you.

**HANSEN:** That's fine. You can share it with me later. I, I, at least, did want to share what-- because she alluded to an incident that happened last night about a, quote unquote, assault. And so what I'm going to read to you is actually from Nebraska State Patrol Capitol Security, Tuesday evening at 8:05 p.m. NSP Capitol Security observed an altercation between multiple people on the second floor of the Capitol building. During the incident, a man and a teenage girl were arguing. The girl ripped a pamphlet and dropped it on the man. The man tossed another pamphlet in the air. The girl then retrieved a pamphlet from the ground and threw it at the man. A Capitol security guard then stepped in to separate those involved. The girl reported that a piece of paper had hit her in the face. The girl's mother called 911, and both Lincoln Fire and Rescue and the Lincoln Police Department responded. The girl was transported to the hospital. NSP is not aware of any physical injuries. The man was removed from the building by

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Capitol Security. The Lincoln Police Department investigated the incident, and no citations were issued. From their official report-- I wouldn't say it's official, but that's what they reported on online, on social media-- it doesn't sound like quite the altercation that Senator Cavanaugh alluded to. I wasn't there. I didn't see it. I didn't hear from both parties, so I can't say with 100 percent certainty. I just want to make it public for the record on what their views were on the incident. So with that, I'll yield the rest of my time to Senator Slama, if she so choose.

**KELLY:** Senator Slama, you have 3:05.

**SLAMA:** Thank you, Senator Hansen. And I, I would just like to respond that, given the information we've been provided by law enforcement about this incident, I do find it inappropriate that two people were throwing papers at each other. And my thoughts and prayers are with whoever got injured by a piece of paper yesterday. So thank you, Mr. President.

**KELLY:** Thank you, Senator. And you are next in the queue.

**SLAMA:** And I would just like to note because I forgot that no charges of assault were filed against anybody involved in that incident. So before we start claiming that somebody assaulted another-- like, those words have meaning-- and no charges were filed and I think it's important that we don't incriminate individuals on the floor of this Legislature without charges being filed against them. Thank you, Mr. President.

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

**M. CAVANAUGH:** Thank you, Mr. President. Is this my last time?

**KELLY:** Last time before your, before your close.

**M. CAVANAUGH:** Thank you. Fig, orange, and pistachio conserve. OK. So this looks like it's on, like, a crostini. According to Chef Ernest Miller, a conserve is a jam-like condiment made from two or more fruits, including dried fruit or nuts. Especially likes-- he especially likes their complex flavor and texture. In this conserve, he uses the iconic California trio: figs, oranges, and pistachios. All right. So three half-a-pint canning jars with lids and rings. Oh boy. This sounds like we're going to make, like, can preserve-- conserve, not preserve, conserve-- first. OK. One and a fourth pounds black mission figs cut into one-inch pieces, two cups of sugar, finely

grated zest of two oranges, half a cup of fresh orange juice, two tablespoons of fresh lemon juice, half a teaspoon of cinnamon, one-eighth teaspoon ground cloves, one-third cup raw shelled pistachios. Fill a large pot with water. Cover, and bring to a boil. This is very-- this is really walking you through. This is really holding your hand. Step one, boil water. But not only boil water, fill a pot with water. Don't forget that important step. If you're going to boil water, please first put said water into a pot. Step two, cover it. Step three, bring to a boil. They-- I'm a little disappointed. They started out thorough and then they kind of, you know, like, let it go, because I would have put more steps in there: cover it, place it on the stovetop, turn the burner on, and then bring to a boil. Add the canning jars and lids, rings with a set of tongs and a ladle and simmer over low heat for about 10 minutes to sterilize. Cover the pot, then turn off the heat. Set a metal rack in another large pot. Fill the pot with water, cover, and bring to a boil. Wow. Meanwhile, in a medium saucepan-- how many pans do you have to have to make this conserve? I don't have this many. Oh. I guess that's why I never made it. Meanwhile, in a medium saucepan, combine the figs with sugar, orange zest, and juice, lemon juice, cinnamon, and cloves. Bring to a boil, stirring to dissolve the sugar. Boil over moderately high heat, stirring occasionally, and reduced to three cups, about 10 minutes. Stir in the pistachios. Using the sterilized tongs, remove the jar from the hot water and transfer to a rimmed baking sheet. Ladle the conserve into the jars, leaving half an inch at the top. Using the tongs, place the lids on the jars followed by the rings. Screw on the lids securely, but not too tightly. Using canning tongs, lower the jars into boiling water of a pot at the rack-- with the rack at the bottom, making sure they are covered by at least half an inch of water. Boil over high heat for 15 minutes. Using the canning tongs, transfer the jar to a rack to cool until the lid seals. They will look concave. Refrigerate any jars that do not seal. Store the sealed jars in a cool, dark place for up to six months. Served with grilled bread and fresh ricotta. That's in the picture above. I-- OK. I-- this was, again, this was recipes that I had researched for a, a dinner event that I was planning for an organization that I was working at, I think. Otherwise, I don't know what this is about. But I have these all saved. Maybe I just wanted to make them. But if I was planning to give a caterer this conserve recipe, I'm pretty sure they would have kicked me out of their office because they would be, like, I'm not going to can-- I'm not going to work on canning a conserve for this dinner party of yours, as they will share.

**KELLY:** One minute.

**M. CAVANAUGH:** But now I really kind of want to make this. And I want to dig into what is the difference between a preserve, a jam, and a conserve, and a compote? And a compote. All right. So I only got one minute left, and then I'm done until my closing. So, I mean, I guess people keep asking me questions, but. Otherwise, when I come back for my closing, I've got baked butternut squash and cheese polenta. Yeah. That sounds good. Ooh, I also forgot about my sweet potato lasagna recipe. That one is really good. Man, I didn't realize I had multiple lasagna recipes. Because I don't eat that much lasagna, but I guess I do. Again, they're vegetarian because I'm a vegetarian.

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

**M. CAVANAUGH:** Thank you.

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

**HANSEN:** Thank you, Mr. President. I want to go back to that incident that Senator Cavanaugh was talking about earlier, where she-- I wouldn't say accused somebody, but she read that somebody assaulted a young girl. And I found the email. Actually, she was right. There was an email that was sent to us this morning. I won't mention the name, but if I could, I want to read it to everybody and see if you can tell some differences between what-- somebody who sends somebody an email versus a Nebraska State Patrol Capitol Security report. So this is the email. She says: You guys talked about what happened last night. How many of you know that a 15-year-old girl was assaulted by a 40-year-old male that was wearing a red hat supporting Republicans? She went to the hospital. So yes, someone was hurt. Republicans and McDonnell are reprehensible to have let this happen, to be afraid of children and women. Do better. And I hope charges happen to that man. You should all be ashamed of yourselves. So when we get up here and start talking about an incident that happened, I'm going to go with the report from Nebraska State Patrol versus an email from a random constituent who might have some political bias. So Senator Slama is right. When we do come up here and talk about stuff that happens that we hear about, instances such as this, I think we should be a little bit careful about how we frame it because words actually, yes, do have meaning on here, especially coming from us. And so make sure that we wait, have some pause, hear from both sides of the story before you get up here and crucify somebody we don't even know who it is. So, thank you, Mr. President.

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**KELLY:** Thank you, Senator Hansen. Senator DeKay, you're recognized to speak.

**DeKAY:** Thank you, Mr. President. When I was walking up from supper tonight, I was actually thinking about what I wanted to say tonight too, and it come to me. Why don't we talk about LB816 and get a recap of what this bill's all about so when we do go to the vote, we have a better understanding of what we're going to be voting on? Would Senator Clements yield to a question?

**KELLY:** Senator Clements, would you yield to a question?

**CLEMENTS:** Yes.

**DeKAY:** Would you like to give us a brief recap on LB816?

**CLEMENTS:** Yes, I would. Thank you, Senator DeKay. LB816 is the salaries for judges, the base salary for judges, and increases in their health insurance benefits. The base salary means what they were getting paid last year, and this will carry it forward for the next two years. The, the bill after this is going to be the increased amount, which the Judiciary Committee controls. But this-- the bill in LB816 is going to reaffirm the current base salaries for Supreme Court judges, appeals judges, retired judges, juvenile court judges, county court judges. Then we get to the Governor and the constitutional officers-- officers: the Governor at \$105,000 salary; Lieutenant Governor at \$75,000; Secretary of State, \$85,000; the Auditor, \$85,000; the Attorney General, \$95,000; the State Treasurer at \$85,000; public service commissioners, \$375,000 for five of them-- you can figure that out. I can't do that in my head that quickly-- the Board of Parole salaries, \$508,000 for the Board of Parole. I think there are five of them. The Tax Commissioner, salary limit of \$197,000. I think that's probably more than just him; workers' compensation court, judges' salaries, and workers' compensation court, retired and acting judges' salaries. And those are the items that are in LB816. We will need to-- so we need to do that to affirm the constitutional officers. And I believe it's in the constitution, that's why we had a separate bill for the senators' salaries and we're required to have a separate bill for the constitutional officers and the judges. That's in there. Salaries for all the other agency directors and agency staff are in tomorrow's bill in the general funds bill, but we're required to have a separate bill for these salaries. I suppose for transparency so they're not just buried and our, our salaries just aren't hidden somewhere in a 180-page bill. And this bill is pretty short, only seven pages. And so, again, the floor

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amendment is an unfriendly amendment that would cut out a section that is needed to make this bill operate correctly. So I oppose the return to Select File motion and will ask for your support on LB816 for a green vote. Thank you, Mr. President.

**KELLY:** Thank you, Senator Clements. And Senator DeKay, you have 0:59 left.

**DeKAY:** Thank you. I will yield back the rest of my time.

**KELLY:** Thank you, Senator DeKay. Senator Hunt, you're recognized.

**HUNT:** Thank you, Mr. President. I will be voting against FA127 and also against LB816 for a variety of reasons. One reason is the same reason a lot of you voted for LB574, which is I'm in a bad mood about the introducer. Just like you guys were in a bad mood about Senator Cavanaugh when Senator Slama was saying, oh, you know, the reason it's passing, Senator Cavanaugh, is because of you, because of your persistence and your filibuster and your antics and behavior and it wouldn't have had the votes to pass if you weren't doing all this. So that's an example of some legislation that was made personal due to feelings about the introducer or someone else in the body, and I don't really feel like voting for LB816 either. I don't really feel like doing much. But I want to tell my constituents: I'd give myself like a, like a C+ for you this session in terms of staying on top of other legislation, dealmaking, this and that. But that's my best, that's the best I can do. And I also feel grateful that I'm part of a team of people who has been working on finding paths, as I have through this whole session. Just because, you know, a channel is closed off to me, there are always ways for us to communicate and stay in relationship. Speaking about Senator Cavanaugh's point and also calling back to a point I was making earlier, I have made homemade jam one time in my life, and it was 13 years ago. I know this because my son was just a baby. And we went to Getting's Garden in Iowa to pick strawberries. And at the time, I ran a dress design company. And I was also-- I had a blog. That was my income. And it was one of those old-timey, mid-2000s blogs that actually generated a lot of ad revenue. And I wrote a book about making fabric flowers. I was a craft instructor. I went all over the country teaching classes and speaking at conferences, and I got a book deal, and that was my life for a long time, being a craft designer. I contributed to over 25 other books designing projects, designing products for different, you know, product lines and craft companies that you would find at Hobby Lobby or Mangelsen's or things like that. And that was my life for, like, 10 years. But one of the things that we did for the blog to get, you

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know, engagement and comments and things was my staff and I at the time went to Getting's Gardens, we picked all these strawberries with my baby, who, you know, was very cute, and eating the strawberries. And we made jam out of the strawberries, and that was the first time I'd ever done it. I grew up with my mom doing it. She was always canning something, and I was not ever really part of that that I remember. She would probably say I was. She would probably say, yes, you were helping from start to finish on the whole thing, but I don't remember anything like that. But yeah, that was the only time I ever canned something. And we took really nice pictures and we did a post about it, got a bunch of comments sponsored by Ball or whatever type of Mason jar, got my little check, and that's how I supported my family. That was my life for a long time, that was the only time I ever made homemade jam. First and last time. I would rather pay for the jam at this point in my life, but goes to show you that people change. Goes to show you that people's priorities can change. Asking people who are trans what it is that they would like lawmakers to--

**KELLY:** One minute.

**HUNT:** --understand about them-- thank you, Mr. President-- this is the part, the type of response that moved me most. And this is when I say things like passing a bill like LB574 is the same as passing a bill to say, you know, no healthcare for people with brown hair, no healthcare for people who are born in Lincoln, no healthcare for people with three out of four grandparents living. Like, any arbitrary thing you can say about a person, it's the same type of discrimination because you're just saying somebody can't have something based on who they are, based on something they can't change about themselves. And that's what these responses really reflect. This respondent, Jadyn, says: That being a pawn in political games is more stressful than anything else that I live on a daily basis. That I've had to accept that I'll never get to go back to Arkansas to see my family and friends. That HRT aided in getting me off all anxiety and depression medications--

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

**HUNT:** --and saved my life.

**KELLY:** That's your time. And you're next in the queue.

**HUNT:** That HRT aided in getting me off all anxiety and depression meds and saved my life. Samantha replied-- yeah, this is nice-- I wish more Democrat lawmakers understood that it's really demoralizing to watch the people who are supposed to have our backs completely ignore the

issue, outside of a few notable exceptions like yourself. I feel like I'm fighting for my life and politicians don't have my back. Kira says: I wish they understood that personal identity is as precious as it defines the scope of our life experience. The authority of identity shouldn't belong to the government. It should belong to the individual, as our life is truest belonging. We must define ourselves to be free. This person said: That we spend so long trying to accept ourselves, and now we have to answer to every politician that has some hateful rhetoric up their sleeve. For example, Senator Kathleen Kauth. We just want the freedom to exist as peacefully as possible, and it wasn't until they started throwing tantrums that all eyes shifted. There is truly no trans agenda, and there's a lot of misinformation out there. There are politicians who are desperate for people to believe that trans people are a danger to society, that they're a danger to themselves, that they're making decisions that aren't in their own best interest. And these misconceptions cause a lot of harm because these are the stereotypes and pervasive things people say that actually put people in danger, that actually do put trans people in danger. There is no trans agenda beyond just staying in live-- staying alive. The fact that this bill is even introduced, that we've got protesters out in the Rotunda now who were out there all day yesterday chanting for five-plus hours at us, that calls to the suicide hotline have spiked, that even that there was a report of an assault last night. We can quibble about if someone got hit in the face with a piece of paper, what that is. And I know you guys don't believe in feelings, but, you know, it sounds like this person had a, had a panic attack. I know what that's like. That's nothing to sneeze at. Even if they're fine, even if that happened, we know it could have been so much worse. We know that there were armed people out there. And we know that none of this would ever have happened if one of you had been present, not voting on General File. There you have it. That's the end. This person says: I want them to know the obvious. We're not pedophiles. We're not hurting children. We're not a cult. We're not a social contagion, to use the hateful rhetoric that Senator Kathleen Kauth said yesterday and has continued to say throughout the session. We are not trying to destroy anything except bigotry against us and to live in the public sphere unafraid. We will not be complicit in our own eradication. Ramona says: No one chooses to be trans. It's not a lifestyle or a fetish. It's simply who we are. It's not about invading women's spaces or turning children trans. All we want is for our bodies to align with who we are. Dee says: That we have no agenda. That we only want to be left alone and not treated as political footballs. They're not an ideology. They're not a movement. They're

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just people who are trying to mind their business-- and they could, hurting nobody, if not for you. Thank you, Mr. President.

**HUNT:** Thank you, Senator Hunt. Senator Bostelman, you're recognized to speak.

**BOSTELMAN:** Thank you, Mr. President. As Senator DeKay was talking a little bit ago about understanding a little bit more about the bills we're actually seeing or voting on here in just a few minutes, I have a couple questions for Senator Clements if he would yield.

**KELLY:** Senator Clements, would you yield to some questions?

**CLEMENTS:** Yes.

**BOSTELMAN:** Senator Clements, on LB816, you mentioned a little bit ago that this is for salaries of constitutional officers. Is that correct?

**CLEMENTS:** Yes.

**BOSTELMAN:** Do you-- how many constitutional officers do we have?

**CLEMENTS:** Let me get to the bill here. I'll have to count it up. We have one, two, three, four, five, six, seven-- well, eight, nine. I counted nine.

**BOSTELMAN:** You said there's about nine?

**CLEMENTS:** Well, they're-- public service commission I'm counting as one, so there's four more there. And Board of Parole's another four more, so nine plus eight, 17--

**BOSTELMAN:** So we have 17.

**CLEMENTS:** --plus then there's judges involved too.

**BOSTELMAN:** I'm sorry. The last part. Plus who?

**CLEMENTS:** There are judges besides the constitutional officers.

**BOSTELMAN:** Right. But right now, just looking at constitutional officers-- and there's 17 the way it sounds-- how much total are they-- do we have as far as the pay for those? What's that total?

**CLEMENTS:** The dollar amount for those in the fiscal note is not separated between the judges and the constitutional officers. The

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total amount of general funds is \$32 million for judges and constitutional officers.

**BOSTELMAN:** So if we have 17 constitutional officers, is there any way that it shows, it breaks down between-- and the judges come underneath the next bill which is LB799, correct?

**CLEMENTS:** No, only the-- the increase for judges will be the next bill. This is the base pay-- carrying forward last year's base pay to the next two years.

**BOSTELMAN:** OK. Thank you. So how many-- can you tell-- you may not-- but how many judges then there are there?

**CLEMENTS:** Oh, there's-- that would be a lot. There's the Supreme Court, the appeals courts, the juvenile courts, county courts. So they're all over the state. Senator Wayne might be able to tell you better, but there's, there's districts all over the state for the county courts and district court, juvenile court judges.

**BOSTELMAN:** Does it-- does the document show us the difference in pay, say, between a district court judge and a Supreme Court judge?

**CLEMENTS:** It only gives me totals for all the judges, I would need to know how many judges there are in each category. Supreme Court is \$1.3 million of salaries for-- that's for seven of them. So it's almost \$200,000 per Supreme Court Justice. Appeals court, \$1.1 million. And you'd have to divide that by how many appeals court judges there are. We'd have to find somebody that would know how many appeals court judges are there. Does anybody know? If there are five, it would be about \$200,000 per person.

**BOSTELMAN:** So are there-- does it break down for the district judges then, how many district judges there are?

**KELLY:** One minute.

**CLEMENTS:** I don't see exactly-- don't see district court judges in here. I just see the county court. Sorry.

**BOSTELMAN:** So for county courts then.

**CLEMENTS:** Yeah. County court salary is \$10 million, \$10.3 million. And there are a lot of county court judges all over the state.

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**BOSTELMAN:** And we go back-- and when we originally started, was it \$32 million is what we're talking for this bill?

**CLEMENTS:** The total-- let me get to the fiscal note-- the total is \$32.3-- \$32.8 million of general funds, and there are some cash funds, \$1.7. So the total amount is \$34.5 million of judges and constitutional officers combined.

**BOSTELMAN:** OK. Thank you very much, Senator Clements. I appreciate that. It helps us understand a lot--

**KELLY:** That's time.

**BOSTELMAN:** --me a lot better as to where we're on, on LB816.

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

**BOSTELMAN:** Thank you.

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

**LIPPINCOTT:** Thank you, sir. I was one of the nine members on the Appropriations Committee this past year. Obviously, this is my first year. There were three of us brand new on Appropriations. Recently, I talked to two of the past Chairmans of the Appropriations Committee, and I asked them, I said, how long did it take before you felt comfortable on the Appropriations Committee knowing the workings of the committee and all the intricacies of the committee? And both of them gave an interesting answer. They said approximately four years, which that kind of shocked me. But I've come to realize that there's a great deal of moving parts in the Appropriations Committee and how our budget is all thrown together. And as a matter of fact, it kind of reminds me-- I had a conversation with John Cavanaugh a while back. And John was on the Agriculture Committee a number of years ago. And, of course, he, being from Omaha, he said it was like learning a new language. And I can certainly appreciate that, being a farm kid. It has a, a language of its own. And, of course, being in the Air Force and then at Delta Airlines, aviation has its own language. And if Senator Clements has a minute or two, I would like to ask him a couple of questions just to kind of give an overview. Recently, I wrote an article-- I write articles every week for our hometown newspapers-- and I wrote an article about how the budget is built. And it was very interesting to note that it doesn't all just start with us in January. It starts months before that. And if Senator Clements could kind of give an overview as to Keisha, the job that she does, and the-- all

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the individuals that she has working for her and how each one of them have a specified-- specific area of expertise that they work on. And it's a very laborious task for them to put together a budget proposal and then for us to review it.

**KELLY:** Senator Clements, would you yield to that question?

**CLEMENTS:** Yes, I will. Yes. Thank you. The main budget bill is in this red notebook and the-- there are 75 state agencies. And starting in mid-September, they, they send in their requests to the Governor's Budget Office, and the Governor's Budget Office then forwards them to our Fiscal Office. The Fiscal Office puts together this binder, which has the requests of every one of the agencies. They have a lot of different programs. We have Health and Human Services. We have the university. We have NET, the Department of Education, Transportation, Game and Parks, every agency; and so every one of those agencies is in this notebook. And so-- and the Governor has put all of those together-- well, the Fiscal Office puts those together after the Governor forwards it to them. And then we start going through page by page looking at the requests and approving [INAUDIBLE] carry forward items, but then new items we have to discuss. And we may ask the agency why they need this, or pass over it the first time and then have them come back in for a hearing later. So the first time, we go through the whole book--

**KELLY:** One minute.

**CLEMENTS:** --thank you-- we go through the whole book by our-- just the committee. Then we have hearings for any agency who would like to come in that was not approved for one of the requests. And the agency will come in and explain why they wanted a certain item that we passed over the first time, and-- so that's how the process works. And we go through-- after the agencies come in, then we go through the-- all those secondary requests and vote on-- up or down on each of those items. And that's pretty much the budget process, but it takes all of January, February, March, and April every session day to get that done and a lot of lunchtimes and some, some during session. I just wanted to thank the committee for all their work. And it's been a long process, but I'm glad to see that we're getting it done.

**KELLY:** That's your time, Senators. Thank you, Senators Lippincott and Clements. Mr. Clerk, you have a motion on the desk.

**CLERK:** I do, Mr. President. Speaker Arch would move to invoke cloture on LB816 pursuant to Rule 7, Section 10.

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**KELLY:** Speaker Arch, for what purpose do you rise?

**ARCH:** Roll call vote.

**KELLY:** Senators, please find your seats. We're on Final Reading. All senators-- unexcused senators are present and in their seat. All unexcused members are present. There's been a request for a roll call vote on the cloture. Mr. Speaker-- or, 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 yes. Senator Bosn voting yes. 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 not voting. Senator Clements voting yes. Senator Conrad voting yes. Senator Day voting yes. 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. 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 voting yes. Senator Kauth voting yes. Senator Linehan voting yes. Senator Lippincott voting yes. Senator Lowe voting yes. Senator McDonnell voting yes. Senator McKinney not voting. Senator Moser voting yes. Senator Murman voting yes. Senator Raybould voting yes. Senator Riepe voting yes. Senator Sanders voting yes. Senator Slama voting no. Senator Vargas voting yes. Senator von Gillern voting yes. Senator Walz voting yes. Senator Wayne not voting. Senator Wishart voting yes. Vote is 43 ayes, 2 nays to invoke cloture, Mr. President.

**KELLY:** Cloture is invoked. Senators, the next vote is on the motion to return to Select File for amendment FA127. There's been a request for a roll call vote. Mr. Clerk.

**CLERK:** Senator Aguilar voting no. Senator Albrecht voting no. Senator Arch voting no. Senator Armendariz voting no. Senator Ballard voting no. Senator Blood voting no. Senator Bosn voting no. Senator Bostar voting no. Senator Bostelman voting no. Senator Brandt voting no. Senator Brewer voting no. Senator Briese voting no. Senator John Cavanaugh voting yes. Senator Machaela Cavanaugh not voting. Senator Clements voting no. Senator Conrad voting no. Senator Day not voting. Senator DeBoer voting no. Senator DeKay voting no. Senator Dorn voting no. Senator Dover voting no. Senator Dungan voting no. Senator Erdman voting no. Senator Fredrickson. Senator Halloran voting no. Senator

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Hansen voting no. Senator Hardin voting no. Senator Holdcroft voting no. Senator Hughes voting no. Senator Hunt not voting. 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 not voting. Senator Moser voting no. Senator Murman voting no. Senator Raybould voting no. Senator Riepe voting no. Senator Sanders voting no. Senator Slama voting no. Senator Vargas voting no. Senator von Gillern voting no. Senator Walz voting no. Senator Wayne not voting. Senator Wishart voting no. Vote is 1 aye, 42 nays, Mr. President, on the motion to return to Select File.

**KELLY:** Motion fails. Mr. Clerk, please read the bill.

**CLERK:** [Read LB816 on Final Reading]

**KELLY:** All provisions of law relative proced-- to procedure having been compli-- complied with, the question is, shall LB816 pass with the emergency clause? There's been 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 yes. Senator Bosh voting yes. 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 not voting. Senator Clements voting yes. Senator Conrad voting yes. Senator Day voting yes. 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 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 voting yes. Senator Kauth voting yes. Senator Linehan voting yes. Senator Lippincott voting yes. Senator Lowe voting yes. Senator McDonnell voting yes. Senator McKinney not voting. Senator Moser voting yes. Senator Murman voting yes. Senator Raybould voting yes. Senator Riepe voting yes. Senator Sanders voting yes. Senator Slama voting no. Senator Vargas voting yes. Senator von Gillern voting yes. Senator Walz voting yes. Senator Wayne not voting. Senator Wishart voting yes. Vote is 44 ayes, 2 nays, 3 present, not voting, 0 excused, not voting.

**KELLY:** LB816 passes with the emergency clause. Mr. Clerk for items.

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**CLERK:** Mr. President, some items quickly. Amendments to be printed from Senator Machaela Cavanaugh to LB814. Senator Clements to LB814 as well. New LR: LR206 from Senator Wishart. That'll be referred to the Executive Board. And LR207 from Senator John Cavanaugh. That will also be referred to the Executive Board. Mr. President, returning to the agenda: LB799. Mr. President, Senator Machaela Cavanaugh would move to return the bill to Select File for a specific amendment, that being AM-- Mr. President, excuse me, a priority motion: Senator Machaela Cavanaugh would move to recommit the bill to committee.

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

**M. CAVANAUGH:** Thank you, Mr. President. I forgot about my priority motion on this. The committee, Judiciary. All right. I do not remember what this bill is. Oh, judges' salaries. Yes, yes, judges' salaries. Now it's all coming back to me, vaguely, in very sparse detail. Oh, I'm sorry. I don't know about you all, but I am tired. Yesterday was a long day. Today is a long day. And it's, like, extra long when we're on Final Reading because you can't leave. You can go to the restroom, you can sit off to the side, but you can't leave. Even if I want my favorite ice, which is from the vending machine room, I have to have a page get it. Even if I have the time to go and get it myself, I still have to have a page get it because we're on Final Reading. So that makes this extra painful. I have noticed the lobby is quite empty from lobbyists, not from other people, but from lobbyists, because they can't pull people off the floor because we're on Final Reading. You can't leave. And that was right when we got back from dinner. I made the point of order. And, and it was, it was acknowledged that we needed to wait. Because we are on Final Reading, we couldn't just stand at ease and "unstand" at ease, whatever that is, undo presto magic, and not have everybody check in because we're on Final Reading. I do see, like, people are flocking out of the two doors. And I assume that they are just hanging out back in the cloak area because they cannot leave unless they're all checking out. Ooh, dangerous. Do we have 33 people checked in? Oh my goodness. Do we have 33 people checked in? Do we have 33 people checked in? Oh, good. All right. You unlucky souls that didn't check out fast enough, you have to stay in case I stop filibustering because this needs 33 votes. Yikes. Yikes. So make sure before you check out that you're not number 17 to check out. Because let me just tell you, the moment that there are 32 people checked in, I am definitely going to pull things up to go to vote on this. And then others will have to filibuster the bill and until people who were checked out get back. Yikes. Math. Math is great. Math is great. All right. So we've got 33 checked in. That's great. This

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has had a journey. Let's see here. It was introduced in January, had a March hearing. It was placed on General File, Speaker priority, Speaker major proposal. Now, what does the Speaker major proposal mean? That the Speaker gets to take up the order of the amendments and motions. So this actually-- technically, this priority motion did not have to be taken up as a priority motion because it is a Speaker major proposal. So this could have come up after my amendment, but I assume that, that wasn't done because, why go out of the natural order unless there's a necessary reason to do it? And there isn't because nobody cares about getting to my pending amendment. I'm not sure that I care about getting to my pending amendment. I might care. I have to refresh myself on what my pending amendment does. Oh, it strikes Section 1. And in this case, I don't recall what Section 1 was. So, Final Reading, strikes Section 1. Huh? Well, now here's a question that I genuinely don't know the answer to. My amendment that is pending strikes Section 1. Section 1 itself strikes statute. If we were to adopt my amendment striking Section 1, would we, therefore, be striking the striking of the statute? We would. We'd be "unstriking--" by striking Section 1, we'd be "unstriking" the, the striking? Say that 10 times fast, "unstriking" the striking, "unstriking" the striking, "unstriking the striking, "unstriking" the striking. I lost count. That was probably three times. OK. Well, don't worry, because we are on a motion to recommit to committee. And hopefully there are still 33 people in the Chamber. Kind of got to count now, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34. Just by the hair of my chinny chin chin. Two people. If two people leave, bam, off to the races. Bam, off to the races. Don't recommend it, folks. Don't check out. There's only 34 people here. Or do. Or do check out. That would be fun. Do check out. Oh, more people came in. All right. Two in, out two. Two in, two out. We're at 36. Wait, I missed-- nope, I think I counted him. I don't know if I counted Senator Hansen because he's sitting up front and I don't know if he was sitting over there when I started counting. So we might be-- we could be at 37. We could be at 37. Well, in that case, five, six-- I know, my math is bad-- four people can leave and we're good. But if five people leave, we are not so good, so. Mr. President, how much time do I have?

**KELLY:** 2:35 seconds.

**M. CAVANAUGH:** Thank you. And I believe I'm next in the queue. OK, so someone sent me "Fighting Monopoly Power: How States and Cities Can Beat Back Corporate Control and Build Thriving Communities," which sounds interesting, but I just want to take a moment before I dig into that for a preview for tomorrow's conversation because tomorrow is

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going to be the mainline budget. And tomorrow is another opportunity to talk about how great we're doing with our Corrections system and how much money we are throwing at it. Senator McKinney made some great comments this morning about loss of workforce, brain drain. I think he termed it differently. I might be-- hopefully, I'm not paraphrasing incorrectly, but passing legislation that's unfriendly that makes people not want to live here. It's going to make our incarcerated population even that more important because they're stuck here. So they're going to become an economic driver unlike we've ever known before. So we probably should pay them livable wages because those wages pay income taxes and they pay tax on goods and services that they purchase. So in reality, if we are stuck having an incarcerated workforce, ergo, therefore, connect the--

**KELLY:** One minute.

**M. CAVANAUGH:** --dots, we should be paying them a livable wage because that is the only way our economy is going to thrive and survive moving forward. The Corrections business model from your Nebraska Legislature. I really think we should flesh this out. I think, I think, I think Senator McKinney was on to something this morning. I mean, yes, livable wages, great idea. But this is a guaranteed pool of human beings that cannot leave the state. So let's capitalize on that. Heck, let's exploit that. In fact, let's increase that. We should-- I have changed my mind. Let's not do criminal justice reform. If we do that, we might lose this valuable workforce that we are going to have to rely upon.

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

**M. CAVANAUGH:** Thank you.

**KELLY:** --but you're next in the queue.

**M. CAVANAUGH:** Thank you. We are going to have to rely upon incarcerated individuals to be the economic driver and workforce in this state moving forward because they are the only people that can't leave if they want to. Other people can't leave if they want to for economic reasons. These are people who can't leave if they want to for-- it does-- economic reasons are not taken into account. They just can't leave. Their house, their home is the square footage we have given them. So, as such, I do think it's important that we reevaluate pay because so much, so much of our tax receipts are based off of income taxes and sales tax. And if we have our major population of a workforce incarcerated getting paid cents on the dollar, they are not

going to be contributing to our economic revenue the way that we need them to to effect property tax relief. Now, maybe this won't matter because we won't need to educate children anymore because parents won't bring them here. So maybe that's the long game that we're playing here. Maybe that's the math that we're playing here, is that parents will leave, parents won't relocate here, our child population will drastically decline. Of course, there's always the concern of Senator Erdman's great replacement theory to take into account, so we might have that. Gosh, what a tangled web. What to do? What to do? Well, regardless, I still think that we should increase wages for incarcerated individuals because a dollar, whatever they make, is not a livable wage. It is not helpful for even buying commissary items and certainly not helpful for supporting a family outside of the Corrections system. So if we want to improve the economic health and reduce recidivism for our incarcerated populations, we should definitely be considering increasing the pay within Corrections. So there we go. Now, do I have any more recipes to share? I kind of need a theme, like, a type of food. I did print off-- the recipe sheet that I printed off included a recipe for Muhammara, which is a Middle Eastern dip-ish. I mean, it can be a dip. There's different types. The type that I sent-- printed off was a roasted red pepper walnut, I think, pomegranate molasses-- not pomegranate and molasses, a pomegranate molasses. I set it here somewhere. Where did I set that? Just a moment. OK. Well, that's just an article on genocide. Well, that's not what I'm looking for. I'm looking for my Muhammara recipe. Well, darn it all. All right. Well, I will have to find it again later, but that's one type of Muhammara. It could also be, like, this--

**KELLY:** One minute.

**M. CAVANAUGH:** --sort of spicy red pepper, red pepper flake type of dip. That version I have used to make some excellent soups. There was a point in my time-- a time of my life where the only apparatus I had to cook on was a little hot plate and, and nothing else. Like, nothing. Not a microwave, not an oven, not a stove, not a toaster, not a toaster oven, a hot plate for about six months. So I had to get very creative at that point in time with my cooking. And-- yeah, I did, I think, for the most part. But the Muhammara was one of the things that I remember coming across and using in my cooking and then trying to reproduce it. Again, I like to try and reproduce things. This is a hard line difference between myself and Senator Megan Hunt. I like to try and reproduce meals that I've had because I like cooking. I just like to learn. I just-- I, I like the creativity of it. I like the challenge of it. Oh, Senator Blood was asking me about making my own

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yeast, wild yeast. And I think I'm not going to have enough time on this time go around, so I'll explain that another time.

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

**M. CAVANAUGH:** Thank you.

**KELLY:** While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign LB816. Sen-- [INAUDIBLE] with the timer, Senator. Senator John Cavanaugh, you're recognized to speak.

**J. CAVANAUGH:** Thank you, Mr. President. I, I feel like I won't be able to meet that, you know, the drama that was built with the expectations there. But I just wanted to punch in. Yeah, I've been-- haven't talked much today, but I feel like Senator Machaela Cavanaugh has made a couple of statements that I, I feel like I need to either respond to or correct. One is called Cherokee Purple tomatoes. Those are the tomatoes that I get from the seed library that are fantastic. I gave some to Senator DeKay that I got from the library. And when she was talking about losing all respect and I had, I guess, explained or suggested to her that maybe when she has said it more than once, it fits into this sort of, I guess, theoretical physics model of "you can never close a distance entirely." If you're going, you know, from point A to point B, you can never get to point B. You just go halfway between point A and point B. And then, you know, you go-- you can go halfway between new-- you know, point A sub one and point B. And then you go halfway between A sub one, sub one, and so on. And you just keep halving the distance, so you never actually get there. And so I just proposed that maybe that's what, when she has said that more than once about any particular individual, that maybe that's what she-- was referring to it in that context. So I think those are the two big ones that I wanted to make sure I responded to. But as long as I've got you, this weekend is the last weekend of neighborhood dump day in Omaha. And you guys all know how much I love neighborhood dump day. So go-- you can go to the Wasteline, Omaha Wasteline. You can look up neighborhood dump day, May 20, find the locations. I think that actually, Senator Machaela Cavanaugh's neighborhood is having one at Hillside School this weekend. And then I believe there is one at Elmwood Park. So some good locations to take some things to get to dump. You can borrow, you know, if you have a truck or you can borrow your brother's truck, and go, you know, take some things to the dump. And also it is, now that we're coming full circle, got my seeds from the seed library, got my seeds started, got some of them actually transferred into the beds. But I need to deliver the seed starters

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that I have, and I've got about 120 or so. So if anybody wants-- I think I've got all kinds of things: okra, spinach, basil, lots of basil. I know. I'll bring some to you. That was-- for the record, that was-- Senator Machaela Cavanaugh was waving. Again, Senator Erdman, that's what the for the record's for, putting things into the record that aren't visible from the audio recording so that they can be recorded in the record. Senator Machaela Cavanaugh was waving when I said, who would like some seed starters? Anyway, judges' salaries is this bill. I think I'll be voting for this. We've got some really great judges. Oh, and Senator Bostelman's question on the last round, six Court of Appeals judges. I don't know how many other-- there's lots of different judges, all different levels. I'm sure somebody has a list of the total number of judges, but I did-- that one was easily findable on the court website. But so I'll be voting for that. I will not be voting for the motion to recommit on this particular bill. And if any-- and if anything else comes up that I think Senator Cavanaugh requires specific correction from me on, I will punch in again. Thank you, Mr. President.

**KELLY:** Thank you, Senator Cavanaugh. Senator Day, you are recognized to speak.

**DAY:** Thank you, Mr. President. I rise in support of LB799 and in opposition to the motion to recommit. I have been patiently waiting to join the conversation about food and cooking for the entire session because I love to cook and I love talking about food and talking about how much I love talking about food and wine. And Senator Cavanaugh has graciously started that conversation, and I will eventually join that conversation. Cooking is maybe a more recent hobby of mine in the last several years. I wasn't really into cooking when I was younger. I was a big fan of not having to do the work and just eating out. But the older I've gotten and the more I've gotten-- and I talk about this all the time and people are probably sick of hearing it from me, but the more I talk about my own heritage, my family, my mother's side of the family being from Sicily, and looking more into that and then traveling more, I have gotten more into cooking and food from that perspective. And eventually, I will talk about that, and I know you all cannot wait. But first, I want to continue to dig more into what I did not get to talk about yesterday on LB574, and I'm not sure if I will have time to talk about because we only have two hours left on that bill. So going back to the issues that Nebraska has already had for a decade with brain drain, currently losing over 2,000 college-educated young people over the age of 25 per year, partially because of career opportunities and low pay, and also as more people have weighed in recently because of the political climate and the

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culture of Nebraska and things like LB574. So, specifically, the business community's opposition to LB574, even as amended-- so if you think that voting for the amended version of LB574 somehow you're voting for a version of a bill that the business community does not oppose, you're not, because they had also mentioned abortion restrictions in the things that they see as being problematic in creating a positive-- a business-positive environment. On April 26, an article came out. Let's see. This is from Paul Hammel, titled "Omaha Chamber Urges Legislature to Avoid Measures Contrary to a Positive Business Environment." At least two companies have crossed Omaha off meeting lists due to bills like one blocking gender-affirming care for minors, LB574. Concern about losing conventions and new employees, the Greater Omaha Chamber of Commerce took a stand Wednesday in support of diversity, equity, and inclusion, and against legislation that threaten Nebraska as the warm and welcoming state as we know it to be. We have to be an inclusive state if we want to have a future, said Tim Burke, the interim president/CEO of the business organization. Burke spoke after the chamber issued a broad statement on Wednesday calling on state lawmakers to pursue legislation that is, quote, supportive and inclusive and not harmful to efforts to recruit and retain needed workers. Again, I will mention the fact that we spent all day yesterday before moving on to LB574, talking about incentives taxwise to attract young talent and young workers and, beyond that, some of the other tax bills, corporations into the state and keep the ones that we already have. And then we have had three separate occasions this session where we've had three separate letters that have been sent out on behalf of hundreds of businesses urging the Legislature not to introduce and pass bills like LB574.

**KELLY:** That's your time, Senator. I did, I did not give you your one-minute warning, so it's my fault. My fault. Senator Hunt, you are recognized to speak.

**HUNT:** Thank you, Mr. President. I feel so bad about what happened yesterday, but I feel so, so encouraged by the feedback, by the messages from people in your districts, from farmers, from people all over Nebraska, from people I have known since I was young, people who were my teachers when I was a kid, people I met around the country at different conferences as a lawmaker. And one person just texted me: Thank you, thank you, thank you. And he's a professor who has a trans son. And, you know, it's one of those things where it's, like, I didn't even think that he was listening. I didn't even know that he was watching what we were doing. And, you know, it goes both ways, doesn't it? You never know how many people are looking at what you're doing, for better and for worse. Senator Kauth doesn't know how many

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kids have seen what she's doing and chosen to harm themselves, who have contemplated doing something terrible. And I say to those kids, do not let someone like Senator Kauth be the reason that you're not here anymore. Your life is worth so much more than that, than anything she can ever do to you. I asked trans people what they wished lawmakers knew about them, and I want to share some of their responses. Alex said: We're a large, diverse group of individuals with a diverse range of beliefs. We're not an ideology or even a movement. Every time I click on one of these, it takes me out of the page. All right. Gail [SIC-- Gali] says: That we are not evil and that transitioning is something we can't not do. And honestly, we're not hurting anyone. Trans people are at an increased risk of violence every day. Reports show that at least 32 transgender folks were fatally attacked in the U.S. in 2022. Legislation that attempts to criminalize trans folks only increases the risk of violence. That, in and of itself, is a major cause for concern. Even the legislation, even the introduction of legislation increases the risk of violence against trans people. But they know that. I have to think that Senator Kathleen Kauth knows that and that she is glad. I think that if we were to say to her, what do you think about increased risk of violence against trans people? She'd say I've got no problem with that. I don't want them to live in Nebraska anyway, because that's pretty much what she has said on the record in the news. Trans people are at an increased risk of violence every day. It forces trans people to be on high alert to protect themselves instead of living, thriving, and contributing to their communities. This kind of trauma, fear, and risk can have lifelong consequences, contributing to their overall health, to their well-being, to where they choose to live and where they're able to be in community with others. Remember that guy who said one of the saddest things to him is that he feels he can't go back to Arkansas to see his friends and family where he grew up? I promise you, Senator Linehan, that there are Nebraskans who are going to have the exact same experience because of LB574. Because they're going to see that lawmakers have made Nebraska a place that's not safe for them to live. This person says: That so much of our lives revolve around trying to avoid hostile treatment from people who think we shouldn't exist. Joan says: I already struggle with self-image and just want to--

**KELLY:** One minute.

**HUNT:** --be happy, but I live scared of every lifted truck cat calling me and then getting mad after they realize. Ah, she's saying that she gets catcalled. And then when people realize she's trans, she's more at risk of violence and that scares her. I get that. This person says:

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It's the fear, the fear of losing jobs and social standing once you're out. One thing that Senator Kathleen Kauth doesn't understand, or at least didn't say, is that when we talk about "detransitioners," or people who go back into the closet from being trans or people who decide they do not want to live as a trans person, it's most likely in almost every case because of threats of violence or because of lack of acceptance from their community, because they aren't able to get a job, they lose their housing, whatever reason, because of their identity as a trans person, not because they change their mind.

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

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

**KELLY:** Thank you, Senator Hunt. Senator Day, you are recognized to speak.

**DAY:** Thank you, Mr. President. Going back to the article from Paul Hammel about the Omaha Chamber statement. In the article, it says-- let's see here, Tim Burke, who is the interim president and CEO, said that the chamber has received at least two messages from companies that have crossed Omaha off their list of annual meeting sites because of the bills being considered by the Legislature this year. Let me repeat myself if you are not listening. The Omaha Chamber received messages from two separate companies that crossed Nebraska [SIC] off their list of annual meeting sites because of bills like LB574. It's already happening simply because the bills have been introduced. What do you think is going to happen if the bill passes, which, at this point, I assume it's likely to? As I mentioned earlier, in North Carolina, the anti-trans bill that they passed costs the state more than \$3.76 billion in lost business over 12 years. You literally have hundreds of businesses asking you not to vote for these bills, and you will turn yourselves upside down and inside out to do so. These businesses don't care about their taxes if they can't find employees to work for them. The disconnect sometimes of some of the people in this Chamber is so bizarre to me. Like, last night after the vote, there were some protesters up in the balcony chanting the same thing that the protesters out in the Rotunda were chanting: One more vote to save our lives. And it-- we were a little bit shaken up in the Chamber, quite frankly, just because of how things had gone during the day. They were clearing out the balconies. I started to tear up a little bit because, again, this session I've just been overly emotional because of everything that's going on. And there was senators standing over to-- on the other side of the Chamber in here just laughing and giggling away, not thinking twice about what they

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had just done and about what they were doing. Just palling around, laughing and giggling. It's just a fun Tuesday night here in the Chamber.

**KELLY:** One minute.

**DAY:** Thank you, Mr. President. We are passing legislation that is not only very dangerous to the people of Nebraska, it is dangerous to the economy of Nebraska, and we are so dead set on doing it that we won't even hear the other side. We have an amendment, we have an amendment that is an actual compromise sitting there on Select File that illustrates in black and white what the actual compromise was supposed to look like in contrast to the amendment that was adapted yesterday.

**KELLY:** That's your time, Senator. And you're next in the queue.

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

**KELLY:** And that's your last time.

**DAY:** OK. Thank you. In addition to the two companies that crossed Nebraska [SIC] off their list of annual meeting sites because of these bills, Tim Burke also said a potential employee from Little Rock, Arkansas declined a job in Omaha specifically because of the political climate here. Tim Burke said: That's the impact it's having on employment and recruit-- recruiting and retention. It's literally happening right now. Businesses, corporations, employees are, are saying, no, we are not going there. We don't want to go there. And I don't understand why you don't care about that. What, what kind of future do you want to leave for your children and your grandchildren and your great grandchildren? Is that the legacy you want to leave behind, is being a part of the Legislature that destroyed Nebraska's economy? Being a part of the Legislature that voted bills through that literally created the tipping point for, for Nebraska becoming one of the least business-friendly states in the country? Is that what you want? Because that's what you're doing. And you cannot deny that. We have it here in black and white. I think it's funny that, like, we, we start talking about the incident that happened out in the Rotunda or wherever it happened on the second floor, whether it was assault or, you know, somebody got hit in the face with a piece of paper and we're, we're really focused on what the facts are. I really want to focus on the facts. We really got to, we really got to weed through the political bias. It really matters when we're talking about that. But when we're talking about actual legislation that's going to impact literally thousands and thousands of people's lives in Nebraska, we

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don't care about the facts. We don't care about working through the truth and the political bias. We want to set aside the discussion about the group that had decided to pull their funding from parochial schools until we have a press release. But when we get the press release, you just ignore it, like we did with the, with the letter from the 300-plus corporations. We came back, we provided you the evidence that it was up-to-date and that it was relevant to, to our legislation after you asked us to set it aside, and then you just brushed it aside and basically said you didn't care. Where's the disconnect? Where does it happen for you? I don't understand when we work so hard in here-- all of us do. Everybody's tired, everybody's stressed, everybody's worn out. Even on the most simple piece of legislation-- at least I do-- I got to work really hard to get it to go anywhere.

**KELLY:** One minute.

**DAY:** Thank you, Mr. President. Why do you want all of that hard work to go towards things that are literally going to tear your own state apart? Why? I don't get it. What are you here for? Genuinely. Burke said the chamber statement came after business leaders expressed concerns about bills viewed as sexist, racist, or homophobic working their way through the Legislature this year. Initially, he said, the organization, which represents 3,000 businesses, felt it was not equipped to weigh in on issues involving personal medical care decisions or medical decisions regarding patients, their children, and healthcare providers. But over time, Burke said, it became clear that the efforts--

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

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

**KELLY:** Thank you, Senator Day. Senator Machaela Cavanaugh, you're recognized to speak. And that's your last time before your close.

**M. CAVANAUGH:** Thank you, Mr. President. So yesterday, I-- actually I had my remarks that I said at the start of yesterday's debate on LB574. I had them typed up. I typed them up. I didn't have them typed up. I don't have a stenographer. Take this down. No, I, I type them myself. I really like-- I was going to say Angela Lansbury. Whoo, I'm a little tired. I really like Agatha Christie. I mean, Angela Lansbury's character in *Murder, She Wrote* I think is kind of loosely based on being, like, an Agatha Christie-type person. But anyways, I really like Agatha Christie. And oftentimes in Agatha Christie, there

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will be, like, a, a secretary who's taking down the notes or taking correspondence. I would love to have somebody who just takes correspondence for me. Don't know what that means, but that would be very fun. Oh, I was looking for my remarks. They're here somewhere. Thought, thought maybe I should read them again. And I probably will if I find them. I, I will read them again. Why do I bring this up? A reporter. Honestly, lose track. I know we all do right now. These days, all the reporters want to talk to all of us because this is must-see TV here in Nebraska Legislature. Who isn't watching public access TV at 7:57 on a Wednesday night. Is it Wednesday? It is Wednesday, I think. Happy birthday to either Ayman [PHONETIC] or John. And if it's John's birthday today, it's Ayman's birthday tomorrow. And if it's Ayman's birthday today, it's John's birthday tomorrow. I have a lot of family. Nick's birthday-- Mikey's birthday was the third, Nick's birthday was the fourth. Diane's was yesterday, the 16th with Senator DeBoer. Ayman or John is today, Ayman or John is tomorrow. This is all one family. They have a lot of May birthdays. They're my cousins. So happy birthday, Ayman. Actually, if it is Ayman's birthday, I should have wished him birthday way earlier because he turned four. So hopefully today is John's birthday. Happy birthday, John. And then earlier tomorrow, I will remember to wish Ayman a happy birthday. Oh my gosh, I was talking about my remarks from yesterday and I got so sidetracked. This is, like, I-- Senator Hunt, I'm so sorry. I can't even imagine what it's like to have a conversation with me, like, because this is-- I mean, this is what it is to, like, have a conversation with me. And it's, like, focus, focus, Machaela. What were you trying to tell me? I wasn't trying to tell you that it was Ayman's birthday. I just remembered that it might be or it might not be, and that just sent me on a journey. So this morning, I was really channeling-- I'm sure a lot of people know this, this gif or this gif, jif, gif. I was really channeling Leslie Knope, where she's wearing the T-shirt that says "I hate Mondays" and she's drinking, like, a Big Gulp of some sort. That's what I was channeling this morning when I got dressed. I, I, I'm actually dressed up more-- it's hard to believe I could be dressed up less-- but I am dressed up more than I was initially planning to be today. I was going to wear my hot pink sweatpants and a T-shirt and really channel those vibes. But I stayed here last night. And I had my hot pink sweatpants, but I--

**KELLY:** One minute.

**M. CAVANAUGH:** --thank you-- the only T-shirts I had were political campaign T-shirts. And I might be in a dark place, but I still am going to repre-- re-- respect this institution enough to not roll in wearing a campaign T-shirt. So I'm wearing my, my romper, jumper,

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whatever you want to call it, which is actually-- it's nice, it's a nice outfit. I usually wear a blazer with it, but I'm wearing it with just a cardigan today. And I got my hair tossed up into a super, super messy lavender crushed velvet scrunchy from my oldest child, who I took it from them right before I left to come here because I was, like, I need something to pull my hair back. And not wearing any makeup and just rolling in Leslie Knope style. I don't have a Big Gulp because I don't--

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

**M. CAVANAUGH:** --drink Big Gulps, but-- thank you, Mr. President.

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

**J. CAVANAUGH:** Thank you, Mr. President. Who. Very fitting that I had come from a long distance because the reason I punched in was to circle back to what I was talking about earlier. Had a professor email me, so people are watching at home, watching us. Even though it's really quiet in here, it feels like-- there's one person up in the gallery-- no, two people. There may be people over here that I can't see. But there's not-- this is a pretty low-key time in here and so it feels like nobody is paying attention. But I did have a college professor email me and say the thing I was talking about was called-- is a Zeno's Paradox, or one of the Zeno's Paradox. And it's from-- I looked it up, I think it was Aristotle-- the professor can email me if I'm getting it wrong-- but about the idea that, yeah, you, you can divide a task, a finite task into an infinite number of steps and, therefore, theoretically, you could never finish a finite task. And so, I thought that was maybe appropriate to point out that we could call, you know, it, it the Machaela Cavanaugh corollary to Zeno's Paradox. Maybe it would be a new mathematical theorem or a philosophy exercise. So that was one thought. And then-- I actually think I have it here. So the other one I thought was kind of interesting was that it's-- this is from an extremely reputable source, Wikipedia-- describing the Zeno's Paradox, and it says the sequence also presents a second problem, in that it contains no first distance to run, for any possible finite first distance could be divided in half, and hence would not be first after all. Hence, the trip cannot even begin. The paradoxical conclusion then would be that travel over any finite distance can be neither completed nor begun, and so all motion must be an illusion. The argument is called the "Dichotomy" because it involves repeatedly splitting a distance in two parts. An example with the original sense can be found in the as-- asymp-- symptoms. I'm not

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sure how to pronounce that. It's also known as the Race Course Paradox. So I just thought that was interesting to say that, you know, some things-- a finite exercise can be so construed as to seem-- become impossible to even begin, let alone finish. I don't know. That just seems kind of-- maybe apropos of everything we're doing here all the time. But anyway, so. Thank you, Mr. President.

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

**HUNT:** Thank you, Mr. President. Is this my third opportunity? OK. Thanks. I asked trans people what it is that they wished lawmakers understood about their lives. And one thing that was another theme that came out from these responses, which there were hundreds, is that trans people fear that their lives will be turned upside down because of these laws. While the threat of violence and harassment are at the forefront of the minds of trans folks, they also fear that they will have to relocate to places where they feel safe and affirmed even if they don't want to leave their communities. Even worse, some people are worried that their children will be taken away from them or their families will be split apart just because they're trans. Especially in states like Texas and Florida, where they have passed laws basically putting a bounty on the heads of parents of trans kids. And Missouri, where they have an actual government phone number where you can call to report parents of trans kids as-- for investigation of child abuse. And after seeing this session-- I mean, there's really no reason to think that this isn't going to happen here. I was speaking to a former Republican state senator yesterday. He and I were texting last night after the vote. And he said that Ash and I should have an escape plan from the state. And I said, Ash will be fine. We'll be fine no matter what happens. Like, you know, I have enough privilege and means that he'll always get the care he needs no matter what my colleagues do. And he said, I don't think so. You see, this is a Republican former state senator of Nebraska. And he said, I don't think so. I think-- look at what's going aro-- on throughout the country. In Nebraska, I think you need to start making a contingency plan. So, you know, I don't know if I'm going to do that, but that was the advice I got from one of our former Republican colleagues. And it wasn't John McCollister, so, like, don't worry about that. It was a real Republican. Sylvia [PHONETIC] says: I'm a normal woman. I walk my dog, talk to the neighbors, stress about dentist appointments, et cetera. I love where I live. I love my family. And I live in constant fear that one election could force me to uproot my entire life-- colleagues. This person says: That we, like anyone else, care for our families more than anything in the world. That now more than ever, we're

terrified those families will be ripped away from us or worse. Transphobic legislation like the bill introduced by Senator Kathleen Kauth and voted on by 33 of you, it doesn't make people less trans. It just makes them more susceptible to violence, to danger, to mental health problems, to suicide. Just like how banning abortion doesn't get away, you know, doesn't take away the need for abortion. It doesn't reduce the need for abortion. Banning gender-affirming care also doesn't remove the need for it. And this bill and the amendment that we put into the bill, just shows how these issues of bodily autonomy are totally tied together. And it's all part of the same playbook. Trans people will always exist no matter what the law is. Unfortunately, if the law criminalizes the existence and needs of trans people, all it does is cause further harm leading to greater risks. All trans people deserve to live in a world that is accepting and affirming of who they are. It's really as simple as that. And it shouldn't be different from state to state or town to town. Just by virtue of the fact that they're a person, a human being, an autonomous individual--

**KELLY:** One minute.

**HUNT:** --made perfect, born perfect. They are worthy of the same rights as everyone else. And that's why I say if you were introducing a bill to discriminate on the basis of anything else people can't control about themselves. If people with male pattern baldness couldn't get healthcare, if people with erectile dysfunction couldn't get healthcare, if people with IBS couldn't get healthcare, I would say the same thing. It's discrimination. This person says: For one, most trans suicidality is due to external factors like rejection from family or church, bullying, discrimination, et cetera, not inherent self-hate. Most reason for regret or detransition is due to the same thing, not change in gender identity. Hate causes most problems for trans people at every stage.

**KELLY:** That's your time, Senator. You're next in the queue. And that's your final time on the amendment.

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

**KELLY:** On the motion.

**HUNT:** This person says: Being trans is inherent. Kids and adults don't magically feel incongruence one day. They are trans with or without resources. However, truth is that folks don't come out or are stricken from getting treatment or are living a miserable life, one that is a

countdown to death. That's what they said. This person said: That if they just tried to legislate us out of existence and into an early grave, they're not going to get rid of us. They're going to-- they're just going to be quickly and starkly reminded of the quote: those who make peaceful revolution impossible make violent revolution inevitable. This person, Jennifer, said: I wish they'd understand that being trans isn't a mental disorder and it's not curable. There's nothing to cure. They can subject me to a million horrors, ply me with tortures unending, render my very existence illegal, even drag me out and crucify me, but I will always be a woman. A lot of the responses were not, you know, anything I can read. This person said: I wish-- I said transgender friends, what do you wish lawmakers understood about what it's like to be you? This person said: I wish they knew how much I hate them. I hate them for turning what was the passive existence of a tiny group of people who have always existed into the most divisive issue of the decade. That's their words, but I get that. This person said: Being trans is not a choice or a mental illness. We aren't forcing your cis children to be trans, nor are we advocating for, quote, genital mutilation, unquote, of children. In fact, the most transitioning trans children can do is name change, new set of pronouns, wardrobe, hormones, et cetera. This person said: Hormones are reversible, gender-affirming care is necessary, and gender reassignment isn't being done on children. I would never want to turn someone trans. Why would I want them to live in a world that hates you and wants you to be exterminated? There you have it. This person, Zoey [PHONETIC], says: That being transgender and embracing what it means for someone to be transgender enriches the human experience we all share, that gender is so complex, so manifold, so permeable, and that each new expression or nonexpression is a chance for joy. Yeah. This person, Slade [PHONETIC], says: Trying to legislate people's presentation and expression is a violation of our First Amendment rights. We just want to be ourselves. This calls to mind Senator Murman's anti-drag bill. You know, I think that he tried to amend that bill to say if the person's intent is to entertain or teach or educate or something like that-- like, trying to narrow the definition of drag. But at the end of the day, it's the same thing. It's trying to legislate people's presentation and expression, what they wear, what they look like. This is the road that we're going down. And many other states are already on that road, so there's no reason to think that the same thing isn't going to happen in Nebraska. And that if you think it's not going to go that far, you're being duped. You're allowing yourself to be taken for a fool. These things never end. They never stop. We get a 20-week ban, then we want a full ban. We get a 12-week ban, then we want a 6-week ban, then we want a full ban. We

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block puberty blockers and hormones, then we're blocking everything. Then we're going after adults. Then we're having a narc line to call pa-- call parents of trans kids and report them for child abuse. It's already happening all over--

**KELLY:** One minute.

**HUNT:** --the country, so don't think it's not going to happen here. Banning drag shows, banning pride parades. This happened today in Florida. This person said: That every day is a struggle to exist, whether it's a fear that some dude is going to hate-crime me because he feels insecure about his own issues or that I might get my ass beat if I use the bathroom. I just want to live. I'm not hurting anyone. Other people hurt me. This person said: That banning care will not only force people into the closet, it will either oust people from their families and hometowns or kill them. Yes, I said kill because this will kill people. They'll become so miserable and unable to find happiness that they won't survive the pain. This person said: Please stop making our lives miserable by kicking us out of schools through bad laws. Looking at you, Florida.

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

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

**KELLY:** Thank you, Senator Hunt. Senator Machaela Cavanaugh, you're recognized to close on the motion to recommit.

**M. CAVANAUGH:** Thank you, Mr. President. Well, I'm sure this will come as a shock to so many of you, but my cousin, who doesn't even live in Nebraska, is watching. And it is not his birthday today. So happy birthday to Ayman [PHONETIC], who definitely should not be watching because he probably is in bed or getting on his way to bed. So I apologize, Ayman, that I didn't wish you a happy birthday earlier in the day when you would have maybe seen it. But I love you. And to my cousin, John, who is watching because, in his words, he lives in Illinois and the General Assembly in Illinois has adjourned for the evening. So obviously, he's going to watch the Nebraska Legislature because there's literally nothing else on TV, John? But in case I forget tomorrow: to my cousin, John, happy birthday. I love that you're watching, as bizarre as it is. I, I realize somebody gave me a T-shirt today. So I guess if I want a full on rock my Leslie Knope look tomorrow with the pink sweatpants-- it's a nonpolitical T-shirt, and I think it has already become my favorite T-shirt that I own. The Oxford Comma Preservation Society, defenders of tradition, comma,

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form, comma, and clarity. How exciting is that? Oh my God. I don't know. I'm, I'm conflicted because it's not political, but it is taking an advocacy stance. So it's-- I think it's borderline if that's appropriate or not. So I probably-- I guess we'll see tomorrow what I decide. But it is tempting, but perhaps a bit controversial to go that full-throated with my endorsement of the Oxford comma by wearing it on a T-shirt. I mean, it's not surprising how I feel about it. I have spent several hours extensively discussing the Oxford comma. And I forgot that at some point, I need to bring up the split infinitive. That's a whole nother talking point. But that's what the 60-day session is for. That's when we will really dig in to the split infinitive. We'll move on-- in the 60-day session, we'll move on from the Oxford comma and on to the split infinitive. So, my closing. Ah, yes. I am closing on my motion to recommit to committee because that's what we're doing here. Ooh. So I've been periodically checking. We are down negative 13 members. So as long as no more than 3 check out, we should be good, assuming that everyone who's present is voting for the bill. Because I guess if-- currently, if we went to a vote on this bill and four members of the body that are in here-- I'm just doing the math. I'm just doing the math here. But if four members of the body that are in the Chamber right now do not vote for the bill, then we have a problem. So-- which is interesting. But I don't think we'll have four people not vote for it. I feel like at best, two. Maybe. Maybe three, but probably not four. So I think we're in good stead as far as a vote goes. I would say that if more people leave--

**KELLY:** One minute.

**M. CAVANAUGH:** --if more people do leave, then we are going to be in less good stead, because then with every person that checks out, we are really running a gamble that the votes are going to be in the Chamber for this bill. Will they or won't they? I don't know. Well, I have so-- I have-- like, my desk is a hot mess. There's so much paper over here. And I also keep the cover sheets when I print. I know-- just back there, there's-- in the recycling bin, there's, like, everybody's cover sheets. I keep the cover sheets. I use them for scratch paper. I like to handwrite out the names in the--

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

**M. CAVANAUGH:** Thank you.

**KELLY:** Thank you, Senator Cavanaugh. Members, the question is the motion to recommit. All those in favor vote aye; all those opposed vote nay. Request for a roll call vote. Mr. Clerk.

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**CLERK:** Senator Aguilar. Senator Albrecht voting no. Senator Arch voting no. Senator Armendariz voting no. Senator Ballard voting no. Senator Blood voting no. Senator Bosn. Senator Bostar voting no. Senator Bostelman voting no. Senator Brandt voting no. Senator Brewer voting no. Senator Briese voting no. Senator John Cavanaugh voting no. Senator Machaela Cavanaugh not voting. Senator Clements voting no. Senator Conrad voting no. Senator Day not voting. Senator DeBoer voting no. Senator DeKay voting no. Senator Dorn voting no. Senator Dover voting no. Senator Dungan. Senator Erdman voting yes. Senator Fredrickson. Senator Halloran. Senator Hansen. Senator Hardin voting no. Senator Holdcroft voting no. Senator Hughes. Senator Hunt voting no. Senator Ibach voting no. Senator Jacobson voting no. Senator Kauth voting no. Senator Linehan. Senator Lippincott voting no. Senator Lowe voting no. Senator McDonnell. Senator McKinney. Senator Moser. Senator Murman voting no. Senator Raybould voting no. Senator Riepe voting no. Senator Sanders voting no. Senator Slama. Senator Vargas. Senator von Gillern voting no. Senator Walz voting no. Senator Wayne. Senator Wishart voting no. Vote is 1 aye, 32 nays, Mr. President, on the motion to recommit to committee.

**KELLY:** The motion fails. Mr. Clerk for the next items.

**CLERK:** Mr. President, next item: LB-- excuse me-- Senator Machaela Cavanaugh would move to return the bill to Select File for specific amendment, that being AM1711.

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

**M. CAVANAUGH:** Thank you, Mr. President. My math was off. We've got 35. So we need-- only 2 people can leave. Actually, I'll amend that. Only one person can leave because I probably won't vote for this, so that would take us down to 32. If two people leave and myself, then the bill doesn't have 33 votes. Boy. Hope everybody stays checked in. All right. Let's see here. I've got-- well, there's the article on March-- oh, no, not March. May 4. "More Than 115 Nebraska Business Leaders Sign Letter Opposing Bills That Attack LGBTQ Rights." And then on May 8, "Some Businesses That Endorsed a Letter Against Anti-LGBTQ Proposals Fight-- Field Harassing Calls." Yeah, that's-- that was great. I'm sure they're still fielding them. Remember this? Good times. Good times. April 13. "Nebraska Lawmakers Narrowly Advance Trans Health Care Bill After Internal Chaos." Legislature paused after 45 minutes to determine next steps amid uncertainty on "olive branch" amendment. Remember when there was an olive branch amendment? Remember that, Senator Jacobson? That debacle. Yet still that debacle is better

than the debacle from yesterday. So. We did. We, we withdrew everything so that we could get to the amendment. We were, we were ready to-- I actually voted for the amendment. And I had people ask, why did you vote for the amendment? And I said, because if we're going to enter into negotiations, I would rather negotiate from that terrible point than the way far to the right terrible point. So I'd rather stay at the, the terrible point as opposed to the travesty of a point. But instead, we found somewhere between the terrible point and the travesty of the point. And then we went further to the other side of the travesty of the point with the compromise that you all voted for yesterday, so. It all was such a farce. And I could see that it was a farce. Political theater, I think, is what it's called. It was all political theater. I, I suppose-- I was going to say I didn't participate in it, but I suppose I did in that I participated in trying to take the temperature down in the Chamber, try to tone my-- police my tone. I always want to say tone my police. Police my tone so that the negotiations could be entered into in good faith. And of course, that was all a farce. There was no intention by the introducer or the supporters of LB574 to do anything in good faith, including following through on their own olive branch. Because when they had the opportunity to, they didn't want to. Why? Because she didn't have to. She had the votes. She had your numbers pegged from the beginning, from the get go. She knew that with enough Twitter harassment, people in this body would cave. My goodness. If I caved to Twitter trolls, hoo. Either you all would be getting much more out of me than you want, or, on the other side, things would be way worse than they currently are with me. So good thing I don't do it on either sides. Because if I give in to the Twitter trolls that are harassing me to harass all of you, it would be-- like, if you think that today is painful, let me tell you, these people that are harassing me to, to make your lives terrible, if I gave in to them the way you give in to the people that want to make my life terrible, it would be a hot, hot mess. A hot mess. But I do this thing where I don't do that. It works like this. Anonymous people in Twitter send me messages, sometimes private, sometimes public, telling me various random thoughts of theirs, critiques and criticisms on how I should conduct myself. And I don't do that because I am an adult who was elected to this position, who got here through hard work and conversation with my constituents and transparency on where I stand on all of the issues. Yeah. So there we go. Oh, something does strike me. Senator McDonnell asked Senator Kauth to yield to questions yesterday about something on the campaign trail. And then I k-- honest, legitimately, I blacked out because I couldn't handle listening to the answer. But I'm going to answer what-- if the question was asked of me about things I heard on the

campaign trail. Guess what? Nobody on my district-- and my district is right next to Senator Kauth's district-- nobody in my district, interestingly enough, wanted this. No one. Huh. Now, I know for a fact that there are people in Senator Kauth's district who will oppose this because Senator Kauth is taking away their rights, just like she's taking away Senator Hunt's rights. I know that Senator Kauth actively targeted her own constituents' parental rights. Why do I know that? Because that family has been here, up there, out there, in the media, talking about it over and over and over again. And it feels slightly personal and malicious towards this family that lives in her district, because we know that the trans population is a very small subset of the general population. I don't know. I don't know what they did to cross her hairs. But as her constituents-- maybe her-- their neighbors? No, their neighbors love them because they are amazing parents and human beings. I don't know how Senator Kauth decided to target this family in her district, but she did. And you all are helping her. And they are amazing. They're so amazing. And they've got the greatest kids. They're one of those families that the kids have, like, the same first letter of their name, which I think is kind of cute. Yeah. So back to Twitter. I don't, I don't let people on Twitter telling me what to do. And I didn't have people in my district telling me that they wanted me to take away their rights as parents. If anything, I had conversations when it came to parental rights and medical decision-making, I did have those conversations, and they were exclusively centered on vaccinations. Exclusively. I had parents tell me, because they knew-- they had heard about me and my, my feelings about believing in the pandemic as a real thing-- and so they were concerned about what I was going to do when it came to their rights about making medical decisions for their children. And I was confronted with this numerous times. And it was aggressive more than once. And I get it. This woman shows up to your door and you think she's there, wants your vote, and wants to take away your parental rights. Get out of here with that. Am I right? Yeah. But I didn't want to take away their parental rights. I don't want to require--

**ARCH:** One minute.

**M. CAVANAUGH:** --children to get vaccinations. I don't want to make that mandate. Do I think in certain settings we all are going to have to abide by regulations? Yes, of course. But that's why you can make a choice. Schools have vacci-- vaccination protocols. You can homeschool your child. You are not forced to vaccinate your child. And I would never want to take away your right to make that choice. Ever. Ever. So when my constituents told me they were worried about parental rights and medical decision-making, I listened to them and I voted against

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LB574. Not because of that, but it certainly didn't hurt. It certainly didn't hurt to have my constituents tell me, hey, by the way, really don't like when the government tries to overstep and take away my rights to care for my own child.

**ARCH:** Time, Senator.

**M. CAVANAUGH:** Thank you, Mr. President.

**ARCH:** Senator DeBoer, you're recognized.

**DeBOER:** Thank you, Mr. President. Well, colleagues, this is my bill, so I thought I would get up and kind of talk about what it's about for a second because some of us may have forgotten between Select and Final Reading. This is the bill for judges' salaries. So this bill is going to raise the salary for our judges. And at first, they-- that may sound something like, oh, why are we giving them more money? But it's a, it's a really good thing to give them more money. They do a lot of hard work for us. As we develop more and more problem-solving courts-- some of you are familiar with those-- those are those courts that take a specific thing-- maybe it's a drug court, a mental health court, we have a veterans court, different things like that-- those are really intensive programs for our judges to be involved in because they deal with individuals and really trying to kind of set those individuals on a different path. So they-- I've had the opportunity to sit in on one of these meetings where they talk about all the, the folks who are coming-- it was the young people's problem-solving court. And they talked about all the different individuals that were going to be in the room that day. All the people are there. And you see the judge talking to each individual that's in the program, each individual and this person-- in this case, young person. And it was really an interesting experience to see that, but also to see how much work that is for the judges. So our judges work very, very hard. The other thing about our judges is that, you know, it's kind of a, a labor of love because, for many of them, they could be making a lot more money in private practice. Even with these raises, that will still be the case. They can make a lot more money in private practice than they can make even after these raises. And what the Chief Justice said when he came in to testify on this bill is that without making them even remotely competitive, they're getting fewer and fewer applications for our judge positions. And that's really kind of a problem because, of course, we want to have the judicial selection committee have as many applicants as possible so that they have as many to choose from. You know, our legal system is really only as good as the judges that administer justice through it. And so we've got to

make sure that we have the best judges. One way to do that is to help them have a, not commensurate with private practice, but a, a, a, a wage that recognizes their expertise and experience in the field of law and recognizes that they're not, they're not doing this for the money, but that they are also not doing it as a charity. So they're doing it as a job. And they have a lot of experience. We want to get the best ones. And so I support this bill. This bill, this bill was actually amended-- and we voted that through either on General or Select, I think General-- to include the negotiated salary, which, the executive branch worked with the judicial branch, and they kind of came to an agreement about what that number would be. The structure of our judicial salaries all go off of our Supreme Court Chief Justice. The justices make the same then. And then it sort of goes down from there as a portion of that number. So what we're really doing in this bill, if you're looking at the actual language, is we're changing what the Chief Justice's salary is, because then the rest sort of--

**KELLY:** One minute.

**DeBOER:** --all go within that. So that's all we're doing in this bill, is we're setting the rate for this biennium for our judges' salaries. I think this is really important. And our justices and our judges in our judicial system in Nebraska are really great. We have really great-- we have been fortunate in Nebraska. We have really great judges and justices. So, that's the bill. And I'm very excited because this will be my first time ever to file a cloture motion. I've only once ever been filibustered, and I withdrew the bill, so this is the first time I will ever file a cloture motion. So we'll see that in about half an hour or a little more than that. Thank you, Mr. President.

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

**M. CAVANAUGH:** Thank you, Mr. President. I could just use a spritz. Yeah. OK. I'm not-- not-- I'm, I'm laughing to myself because I just told myself a joke, and it's hilarious. I'm the funniest person I know most of the time. That's not true. I'm not very funny at all. I'm just tired and punchy and, and still contemplating, is it appropriate for me to wear a T-shirt advocating for the Oxford comma tomorrow or not? God, I'm really, I'm really torn up about it, which probably means, to be honest, that I won't do it. This is how my mind works. I'm like, I'm going to do this. And then like, ugh, no. You shouldn't do that. Then I mull it over. Then I talk myself out of it. Then I talk myself back into it. Then I talk myself out of it again. And then I think, that's just not-- you know, you don't want to do that. No. That's

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probably how I'm going to end on the T-shirt. I do want to wear it. Mostly, I just want to wear sweatpants. And since I have no nonpolitical top to wear with said sweatpants-- I suppose I could wear this again and just button up the cardigan. It's two different pinks, though. Can you do that? I'm getting a yes from behind me. Yes, you can do two different pinks. Checked the numbers. Crunched some numbers. Not really. Just went back there to see who's-- who's-- I was going to say who's logged in. Went back there to see who's logged in or checked in to the Chamber. And we are at 37. Ooh. So, unless four people are going to be PVN or no on this bill, we're, we're still, we're still riding strong, sitting pretty, et cetera, et cetera. There is a group missing and I'm assuming that they're going to show up for the vote because I doubt that they've actually left the building. But there is a group missing that usually comes in here in a much more jubilant mood than I am. Must come from not being-- sitting in the Chamber for hours that they're in such a jubilant mood. The people that are checked out. The group of people that are checked out that will, I assume, come in at the end to vote and be in, in such a sober state of mind for these hallowed Chambers. Yeah. LB574 timeline. So January 17, my birthday, and not-- when I was growing up I initially thought that it was Martin Luther King's birthday because it, oftentimes, Martin Luther King obser-- observed fell on my birthday. But actually, Martin Luther King's birthday is January 16. But it is James Earl Jones' birthday, Betty White-- and she passed away, like, two weeks before she turned 100. May she rest in peace. I love Betty White. Michelle Obama. As I previously stated, Tom Rowan. Some gangster. I want to say Al Capone, but I know it wasn't Al Capone, unless it was. I don't know.

**ARCH:** One minute.

**M. CAVANAUGH:** Yeah. So LB574 introduced, February 8. The hearing, February 22. The Executive Session, February 24. Priority designation, March 22. Minority committee statement filed, March 23. General File debate concludes. Yeah. General File debate concludes. When was-- when was the rules change? It was, like, the next week. I think that was a Friday. And then the next Monday or Tuesday, whatever the first day of the week was, is when the we had the rules change, the rules change that the people who voted for have abdicated all responsibility for changing the rules by trying to blame me for their actions. When you do something, it's you. When you vote, you're the one voting. I don't push your button. I might push your buttons, but I don't push your button.

**ARCH:** Time, Senator.

**M. CAVANAUGH:** Thank you.

**ARCH:** Senator Bostelman, you're recognized.

**BOSTELMAN:** Thank you, Mr. Speaker. Good evening, Nebraskans. Listening to Senator DeBoer talk about LB799 a little bit really piqued my interest in a couple areas. The first area that was of interest to me is that I've had the opportunity in the last several years to, to be acquainted with a couple fairly newly appointed county judges or judges in and near my district. And, and those judges, both-- one was a county attorney and one was a defense attorney. And it's been interesting to, to know them and their role in those two positions and their role now in their position as a judge, and how that-- the meaning of that to them, and that responsibility they have, and how that is brought forward in, in their decisions and the work that they do. And I think it's very important what we do. And what Senator DeBoer was talking about earlier with this bill, is part of it is, is the increase in salaries, or what they receive, and-- quite frankly, kind of what she said, I think along those lines. And I'll ask Senator DeBoer to yield to a question.

**KELLY:** Senator Boer, will-- DeBoer, will you yield to a question?

**DeBOER:** Yes, I will.

**BOSTELMAN:** Thank you, Senator DeBoer. You know, one of the things that I think you commented on, and perhaps you can-- would be willing to expand upon it a bit more is, you know, the work that they do, th-- and the professionalism it took, and, and what that means to them. Because part of what they do also is drug court. And drug courts take a enormous amount of work and a lot of extra time on their part. And when we do an increase to them, even though it, it, it, it's not going to bring them par, maybe, with what they would earn in a private practice. But it's very important to them for us to be able to get us-- get them into a little bit better salary range, if you will. And do you want to speak to that just a little bit?

**DeBOER:** Yeah. Thank you, Senator Bostelman, for, for noting that. Yeah, one of the things that's happening across the country with respect to judicial resources is that more and more we're using judges and our court for things like problem-solving courts, of which drug court is an example. I mentioned also mental health court, young persons' court, veterans' court. There's a number of different kinds of, of courts like that. And these are really intensive programs for the judge because the judge has a file with each individual person

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that's put into that program and then follows along with that person as they're going through, and meeting goals, or not meeting goals. And it's really, like, it's not just knowing the law then-- you have to know that as a, as a judge-- but it's also sort of knowing how to work with people. You get around a table, and the, the judge leads the meeting, and there's, you know, depending on what kind of court it is, maybe there's a drug counselor, there's different sorts of folks. And so they're leading that meeting to try and work with all these people to figure out how to help each person to progress through it. It's really-- I mean it's, it's kind of like here where sometimes you get done at the end of the day and you're exhausted and you don't even know what you did. It's that mental sort of emotional energy that these judges put into these courts that's really, really-- like, even if they work the same number of hours, that kind of intense work. So, you know--

**KELLY:** One minute.

**DeBOER:** --I think we ought to recognize that by trying to make them have a, again, not quite competitive but slightly more competitive salary.

**BOSTELMAN:** Thank you. Yeah, and I agree. I've had the opportunity to-- we had a couple of drug court graduations. And talking to the graduates themselves, and understanding that role that the judge played in that and the importance of that judge being in that process and the work they do, that's outstanding work that they do. And I think it's a great opportunity we have with LB799. I support LB799. I do oppose the amendment, but the work that our judges do, the county level with, with the mental health or with the drug courts is, is phenomenal, you know. And I, I, I really thank the judiciary for, for taking that upon themselves to do that because it's making a difference in a lot of individuals' lives. And so with that, I want to thank you, Senator DeBoer, for bringing the bill. And I'll yield the rest of my time back to the Chair. Thank you.

**KELLY:** Thank you, Senators Bostelman and DeBoer. Senator Hunt, you're recognized to speak.

**HUNT:** Thank you, Mr. President. I rise in support of LB799 and still thinking about AM1711. Going to read over that a couple more times before I decide how I'm going to come down on that one. I asked people, I said, transgender friends, what do you wish lawmakers understood about what it's like to be you? This is another excellent response that is probably the truest response. They said: This isn't a

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misunderstanding to be cleared up. If they only knew the true facts or understood our point of view, saying that it's not about misunderstanding, it's not about ignorance. He continues: They know what they're doing and they're doing it intentionally. The only thing I want them to know-- well, I can't finish reading that one. They don't have fond feelings. This person said in response, what do you wish lawmakers understood about what it's like to be you? I just want to pee. There you have it. Great answer. Someone said, Evelyn [PHONETIC] said: It's actually so awesome to be me. I'm skimming these real quick to make sure I don't accidentally say something we don't want on the record. But this guy said: I keep saying this over and over again, but imagine dying and you're laid to rest until a name that isn't yours, an identity that's foreign to you, and it's something you have no control over any more because, well, you're dead. You're immortalized as a person you never were. This person, I don't know what they mean. A lot of people encouraging folks to read the responses, like I'm sharing with you. This person said: That I, of perfectly clear and sound mind, have a genuine and deeply rooted personal desire to-- oh. That's not appropriate either. Again, not fond feelings for my colleagues. Just imagine something bad. They said something bad they want to do to you. This person said: That we're being subjected to genocide and we need help. Erica [PHONETIC] says: That people want to use the state to murder us, that they like the purge and want a chance to murder us themselves and get away with it. That's how they feel. You hear the things the Senator Kauth says on the mike, and you wouldn't blame them for feeling that way. This person, Jessica [PHONETIC], says: A lot of people making these laws understand us just fine and are actively malevolent, so, uh, I guess I want them to understand what it feels like to-- I can't finish that one. This person says: That if it weren't for this care, I and many others would be dead. My parents would have had to bury their child. And instead, I've since graduated college, went through six years of transitioning, and I finally feel like I might have a future. Most importantly, I'm alive. This person says: I wish conservatives had basic human empathy. I wish Democrats actually cared enough to force change instead of rely on, like, six representatives and senators to pull their slack. Hoo. That was said. Thank you for saying that. This person said: They're not attacking us because they misunderstand us. I'm just as human as they are and I want to live. I just want to live the best life I can. That's it. This person says: It is hard to survive. I had to fight to be myself. I survived 34 suicide attempts due to no-go acceptance from my parents and no affirming care until my adulthood. I have lived with so much trauma and anxiety due to that. This Nebraskan said: My partner once said, I worry when you use--

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**KELLY:** One minute.

**HUNT:** --a public restroom, you won't come home. This was in 2017. The worry diminished for a while, but it's back again now. I wish lawmakers understood the sort of pressure cooker they are creating, that their words directly affect us. This person, Alexa [PHONETIC], said: No one knew I was intersex. Haven't had a lot of conversation about intersex people, which is real. You know, people aren't just XX or XY. There are other things. No one knew I was intersex until they cut me open for gender-affirming surgery, and there are bound to be more people like me. I didn't have grafts. I had vaginal canal repair of my existing tissue. This was for an adult. And I'll stop there. Thank you, Mr. President.

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

**DAY:** Thank you, Mr. President. Returning back to some of what I missed out on sharing yesterday, continuing to connect the dots between bills like LB574 and the decline in local economies in other states. The statement from the Omaha Chamber included discussion of two companies crossing Nebraska off their list of annual meeting sites. In the article, Mr. Burke from the chamber also mentioned an employee who specifically declined a job in Omaha because of the political climate. Burke said the chamber's statement came after business leaders expressed concerns about bills viewed as sexist, racist, or homophobic working their way through the Legislature this year. Initially, he said: The organization, which represents 3,000 businesses, felt it was not equipped to weigh in on issues involving personal medical care decisions or medical decisions regarding parents, their children and healthcare providers. But over time, Burke said: It became clear that the efforts to recruit workers and conventions were being harmed by the dialogue at the State Capitol. He said that in his conversations at a recent gathering of young business professionals, it was clear that they don't want government coming between them and their medical decisions, but want, quote, the Legislature to facilitate their hopes and dreams. We're not in a position where we cannot worry about young people leaving the state, Burke said. The chamber letter stated that organization is-- the chamber letter stated that the organization is fully committed to diversity, equity, and inclusion in recruiting and retaining a talented workforce. We ask our elected officials to focus on their work on being a part of the long-term solution on the policy matters of the highest importance to Nebraskans, the statement said. I will remind you again, the anti-trans bill that was passed in North Carolina will cost the state more than \$3.76 billion in lost business

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over a dozen years. Over the past year, according to this article, North Carolina suffered financial hits ranging from scuttled plans for a PayPal facility-- again, PayPal was literally going to put a facility in the state and decided not to because of bills like LB574. They lost out on \$2.66 billion that could have been potentially added to the state's economy because of bills like LB574. What do you think is going to happen to Nebraska? I don't want to hear about how any of you all are pro-business, talking about the economy, workforce issues when you're voting for bills that do things like this.

**KELLY:** One minute.

**DAY:** Thank you, Mr. President. Another letter, in addition to the chamber letter, which was, I believe, the second letter to come out, I think, was signed by an additional 70 employers in Nebraska independent of the Omaha Chamber's effort, also objects to the transgender care bill. Allen Fredrickson, founder and CEO of Signature Performance, a healthcare company headquartered in Omaha, said Wednesday night that employers think the proposal is impacting the ability of businesses to fill the state's 60,000 to 70,000 job vacancies. We need talent, he said. We want Nebraska to be a welcoming, belonging, inclusive state. Such issues, Fredrickson said, are particularly important for the younger generation of workers who are demanding that government stay out of such personal health decisions.

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

**DAY:** Thank you.

**KELLY:** Thank you, Senator Day. Senator Machaela Cavanaugh, you're recognized to speak. And this is your last time before your close.

**M. CAVANAUGH:** Thank you, Mr. President. All right. My fact-checker/cousin who's watching, who's birthday is tomorrow, John-- not my brother, my, my cousin. I'm related to a lot of Johns, but my cousin, John, fact-checked, and the gangster is, in fact, Al Capone. So there we go, who I share a birthday with. OK. How about for something nice? Today is the last day that our very own Kennedy Zuroff is here with us before she takes off for North Dakota to get married this weekend. Congratulations, Kennedy. What a wonderful way to spend your pre-wedding time. Kennedy is amazing, has been with the Clerk's Office. She has been with us through college, and now she is going to be getting married this weekend. A couple of weeks ago, months ago-- time is a construct-- I asked her what her wedding date was because I

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was going to bracket a motion until that date. But obviously, it's on the weekend, so I couldn't. So when I was bracketing to May 19, it was the rehearsal, the rehearsal for Kennedy's wedding. So congratulations. We're all very excited for you. Look forward to seeing the pictures of you in your gorgeous dress, I assume. Or maybe you're wearing a pantsuit. I don't know, but I can't wait to see the pictures if you're willing to share them with us. And I'm sure it'll be a happy occasion for you and your fiancée and your family. And then you get to come back here. Woo. What a-- that's the real honeymoon. That's when the honeymoon really starts, so. Sorry, I just couldn't let it go. Couldn't let us get to the end of the night without saying something. And it's always nice to celebrate something positive. I, I should have done it earlier when all of the pages were here. Darn it. Darn it. Now there's just, I think, three or four here. Don't worry. I'll embarrass you when you get back. And thank you again to my cousin, who I-- seriously, you've got a dog, like, go, go for a walk or something, John. You don't need to be-- don't fact-check the Nebraska Legislature. I feel flattered that my cousin in Illinois is, like, watching me at work. You know what that is, though. Like, it's kind of funny when I hear from family and friends because they're watching the Legislature, like I hear my parent-- my parents will send me a text. My dad sent me a text about when our cat died when I was talking about pets. And it, it is, it's like-- think of any other job you've ever had, and have your parents watching you at your job all of the time. Like, that's what this is. So I-- for some parents, maybe that's a dream, like, they get to watch their child at work any time they want because it's all on TV all the time. I don't know that that is my parents dream. I think my parents dream is for me to be at home so that they can help my husband less with my children. Because they help and they're amazing, as is my husband, who's amazing. And I miss him. I didn't get to see him yesterday after I left in the morning, and I really could've used a hug from him. He gives really good hugs. So. But we have, I don't know, 14 minutes or so left on this bill before we go to cloture. So for tho--

**KELLY:** One minute.

**M. CAVANAUGH:** --for those 12 or so people who have checked out to no man's land, if you're planning to come back to vote, to walk in here for this sober occasion to vote, you have about 13 minutes to do so. All right. Somebody else is in the queue. I'll let them talk. Thank you, Mr. President.

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

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**DORN:** Thank, thank you, Mr. President. Listening a little while ago there to Senator Bostelman and Senator DeBoer talk about this bill, L7-- LB799. Very much support the bill. During the Appropriations Committee work this year, we talked quite often about, I call it, the court systems budget, and we had a little bit of discussion about this budget also. This bill, LB799, has a fiscal note of about-- a little over \$2 million the first year and almost \$4 million the second year. But I don't know if everybody quite understands or realize who all this affects. This also affects the Supreme Court, the Court of Appeals, the district and juvenile courts judges, and also county courts. And then also it said in the fiscal note, the one thing it did too also was added Senator Aguilar's LB81 into this bill, which added an additional county court judge in both Buffalo and Hall counties. But I also then went and started looking up, I call it, our Supreme Court, and all of this falls under our Supreme Court budget or whatever. Our Supreme Court budget for this next year is going to be a little over-- general funds, a little bit over \$216 million. So I don't know if the people in the state of Nebraska realize the impacts that-- and how big our court system is. It's not only district courts, county courts, but it's probation officers, it's also some of the, I call it, the, the foster kid-- not foster kids, but some of those kids programs yet and stuff. There are many, many things in this. And, and our Supreme Court budget isn't just a little budget-- and this is overseen by the whole court system. And I think they do a very, very good job here in the state of Nebraska. We have many, many judges out there that put in some long days, some long times, and are very, very supportive of how our system does work here in the state of Nebraska. But when you think that-- you know, we talk about our, I call it, our prison system, and the amount of money we're spending on that and all those workers, when you look at this budget and it's \$216 million of general funds the first year, and it has some revolving funds and federal funds, but \$234 million is their budget. I think this also shows you the impact that the court systems have in the state of Nebraska and how it leaves an impression on so many other things that we need to be so, so thankful for. So I'll yield the rest of my time.

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

**HUNT:** Thank you, Mr. President. I asked people, I said, transgender people, what is it that you want legislators to know about you and your life? And this person said: Coming out to parents at 26 already felt nearly impossible. Let's see. This person said: Like, I just want to exist. I came out right before all of this BS happened. Like, I was actually planning to move to Missouri to live with one of my best

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friends, and thank God I didn't. If it was a choice, why would I choose to be treated as lesser than others? This person, Sasha [PHONETIC], said: I found a way to live my life without the constant anxiety and depression, et cetera, that plagued the first 21 years of my life. All I want is the freedom to continue to live my happiest and healthiest life and to be treated with a base level of respect by my government and community. This person, Jessica [PHONETIC], says: I'm more than just a trans woman. I'm your neighbor. I work in higher ed supporting these bright minds. My wife and I are raising our kids to be hopeful and kind. I'm boring. All I want to do is live a quiet life. Instead, I have to be fearful of you making me even more ostracized. This person says: Being trans is not the most significant thing in my life. I'm a person, and being trans is not central to my daily life. I go to work, pay my bills, have hobbies, have goals and dreams. I just want to live my life. Sylvia [PHONETIC] says: I'm a normal woman. I walk my dog, talk to the neighbors, stress about dentist appointments, et cetera. I love where I live. I love my family, and I live in constant fear that one election could uproot my entire life. Bryce [PHONETIC] said: I wish they could understand that the first 40 years of my life was the facade. It was a tedious exercise of going through the motions and being what other people wanted me to be. It is my life since that pivotal turning point of self-acceptance that is the authentic one. This person reminds me of two people I know in Omaha. Many of you know because I've mentioned it several times. I ran a dress store in Omaha for about 10 years. And one thing about our store was that we-- Mr. President, is this my third opportunity? OK. One thing about my dress store is that we carried sizes up to 5X. So for people of size, for plus-sized people, we had a lot of options for them because we wanted people to come to our store with their friends and everyone could find something that fits them, everyone can find something they like. And we started the business with this goal. And throughout the course of owning that company, we worked with a lot of different designers all over the world, like about a dozen, to help them grade their designs up to larger sizes and make their designs in sizes besides small, medium, and large to actually fit everybody. A lot of people don't know, getting into my old life, when you're grading a pattern, what that means is you're adding inches to different parts of the pattern of the, of the clothing to make it fit people of different sizes. And between small, medium, large, you usually add a gradation of one and a half to two inches all around the seam for each size that you go up. But once you start getting into 1X, 2X, 3X, 4X, you have to grade it differently. You can't just make it-- you can't just add, like, four inches all around because then it won't--

**KELLY:** One minute.

**HUNT:** --fit, then it won't look normal, like a normal jacket or dress or something. Because, you know, you couldn't add four inches to the end of the sleeve, as you would for a small, medium, and large because, you know, a 4X person doesn't have like a four-inch longer arm. So there's different ways that you have to grade patterns. And in my company, we worked with different designers to help them do it correctly so we could sell clothing that actually fit different people. And we had one customer who often came in in the morning, often was waiting right before we opened at 10:00 a.m. And she was trans. She was a trans woman. And she was older, maybe in her sixties, I would say, and recently transitioned. And she had a story really similar to what I'm hearing from a lot of people who are answering this question that I asked, which is, I lived my whole life unhappy with who I was. I always knew I was trans--

**KELLY:** That's your time, Senator. And you're next in the queue.

**HUNT:** Thank you. I always knew I was trans and I didn't even have the language for it till I was older because I didn't see anybody else this way. And when you're in your sixties, you know, that makes a lot of sense. You know that you're different. But because there isn't a lot of social acceptance, there isn't a lot of social visibility of other trans people, let alone other LGBTQ identities, maybe you don't have the language or the vocabulary to express who you are. Well, this woman in her sixties, she was, she was starting to get it. And she wanted to look cute. She wanted to look good. She wanted to finally dress the way that she really felt inside. When she started coming to our store, she was male-presenting. Dressing like a man. If, if she left our store, everyone would think that's a guy leaving the store. And it took a little time for her to get kind of confident enough to tell us that she was trans and she wanted help finding clothes that would fit her. And she was plus-sized and very tall. And she was one of our most loyal customers, honestly, is-- we, we would go to market-- you know, we went to market in London and Vegas and Los Angeles, and we would go to market and we would specifically look for items of clothing for this woman. And we'd say it needs to come in small, medium, large, and then we-- it also had to come up to 4X for this customer that we have because we know that this is perfect for her. And there are many, many customers that we had over the years like this, where we'd be at a market looking in a showroom, talking to a designer, and I'd say, this skirt is perfect for this person, this dress is perfect for this person. And sometimes on our website-- about 80 percent of our sales were online-- we would actually name the item

of clothing after the person that we thought it was perfect for. And there were several times that we gave this woman free clothing or, you know, if she bought something, we would give her something else to take with her as well that we thought maybe was a little more outside her comfort zone but she could try. And it was the most encouraging, awesome thing, seeing her in public, seeing her wearing something from my store and nobody giving a F, nobody caring at all. Just be at the bar, having your beer, having your charcuterie board, whatever, having fun with your friends, and no one's looking around going, look at the tranny. Look at this transgender person. Look at this freak. That's the kind of thing that Senator Kauth would say. That's not anything that I ever heard from anybody in real life. But when we introduce bills and move them forward, like LB574, this is what puts a spotlight on people like this woman for no reason, who's just minding their business, just trying to live their life, who's finally out and struggling to find a dress to fit her. And that's what these responses are saying. I'm a normal woman. I walk my dog, talk to the neighbors, stress about dental appointments. I live in constant fear that one election will uproot my life. Thank you, Mr. President.

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

**DAY:** Thank you, Mr. President. What a kind and lovely story to hear Senator Hunt describing how she helped take care of and show this woman that she cared for her and wanted to help her however she could and supported her in the best way that she possibly could as a small business owner. Continuing to talk about what I didn't get to discuss yesterday. I am just going to continue to repeat myself over and over because sometimes people are listening, sometimes they're not. Sometimes they're in here, sometimes they're not. In North Carolina, they had an anti-trans bill that will cost the state more than \$3.76 billion in lost business over a dozen years, according to an Associated Press analysis. North Carolina suffered financial hits, including a scuttled plan for a PayPal facility that would have added an estimated \$2.66 billion to the state's economy. And we are setting Nebraska up for the very exact same thing. The letter from the Omaha Chamber of Commerce, in his discussion about the letter and the feedback that he had gotten on the chamber's-- and the chamber weighing in on the issues, Tim Burke from the Omaha Chamber mentioned at least two companies that had crossed Nebraska off of their list of annual meeting sites because of the bills being considered in the Legislature. He also mentioned specifically an employee who said that he declined a job in Omaha, specifically because of the political climate. Over time, Burke said: It became clear that efforts to recruit workers and conventions were being harmed by the dialogue at

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the state capitol, which is why they felt the need to weigh in on LB574 and encourage lawmakers not to vote for it. He said that in his conversations at a recent gathering of young business professionals, it was clear that they don't want government coming between them and their medical decisions, but want the Legislature to facilitate their hopes and dreams. We asked our elected officials to focus on their work on being part of the long-term solution, on the policy matters of the highest importance to Nebraskans, the statement said, which, as has been stated multiple times, does not include a ban on gender-affirming care for Nebraskans or an abortion ban. That is not a policy matter of the highest importance to Nebraskans. And, in fact, it is detrimental to the growth of the state from multiple perspectives. So we had the letter from the Omaha Chamber. Excuse me.

**KELLY:** One minute.

**DAY:** Thank you, Mr. President. The letter from the Omaha Chamber, which represents 3,000 businesses urging policymakers not to vote for LB574. We also had another letter independent of the Omaha Chamber's effort that was, at the time, signed by more than 70 employers, urging us, again, not to vote for LB574. And then we had the most recent letter that was signed by 300-plus corporations, including Neba-- Nebraska-based Union Pacific and other businesses that have significant operations in the state, like Amazon, Cargill, Kellogg, Google, and U.S. Bank, all asking us not--

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

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

**KELLY:** Thank you, Senator Day. Mr. Clerk, you have a motion on the desk.

**CLERK:** I do, Mr. President. Senator DeBoer would move to invoke cloture on LB799 pursuant to Rule 7, Section 10.

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

**DeBOER:** I'd like to request a roll call vote in regular order.

**KELLY:** Members. The vote is on the motion to invoke cloture. There's been a request for a roll call vote, regular order. Mr. Clerk.

**CLERK:** Senator Aguilar. Senator Albrecht voting yes. Senator Arch voting yes. Senator Armendariz voting yes. Senator Ballard voting yes. Senator Blood voting yes. Senator Bostn voting yes. Senator Bostar

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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 not voting. Senator Clements voting yes. Senator Conrad voting yes. Senator Day voting yes. 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 Halloran voting yes. Senator Hansen. Senator Hardin voting yes. Senator Holdcroft voting yes. Senator Hughes voting yes. Senator Hunt voting yes. Senator Ibach voting yes. Senator Jacobson voting yes. Senator Kauth voting yes. Senator Linehan. Senator Lippincott voting yes. Senator Lowe voting yes. Senator McDonnell voting yes. Senator McKinney not voting. Senator Moser. Senator Murman voting yes. Senator Raybould voting yes. Senator Riepe voting yes. Senator Sanders voting yes. Senator Slama. Senator Vargas voting yes. Senator von Gillern voting yes. Senator Walz voting yes. Senator Wayne not voting. Senator Wishart voting yes. Vote is 41 ayes, 0 nays, Mr. President, to invoke cloture.

**KELLY:** Cloture is invoked. The next vote is to return to Select File for AM1711. There's been a request for a roll call vote. Mr. Clerk.

**CLERK:** Senator Aguilar. Senator Albrecht voting no. Senator Arch voting no. Senator Armendariz voting no. Senator Ballard voting no. Senator Blood voting no. Senator Bosn voting no. Senator Bostar voting no. Senator Bostelman voting no. Senator Brandt voting no. Senator Brewer voting no. Senator Briese voting no. Senator John Cavanaugh voting no. Senator Machaela Cavanaugh not voting. Senator Clements voting no. Senator Conrad voting no. Senator Day not voting. Senator DeBoer voting no. Senator DeKay voting no. Senator Dorn voting no. Senator Dover voting no. Senator Dungan voting no. Senator Erdman voting no. Senator Fredrickson voting no. Senator Halloran voting no. Senator Hansen. Senator Hardin voting no. Senator Holdcroft voting no. Senator Hughes voting no. Senator Hunt voting no. Senator Ibach voting no. Senator Jacobson voting no. Senator Kauth voting no. Senator Linehan. Senator Lippincott voting no. Senator Lowe voting no. Senator McDonnell voting no. Senator McKinney not voting. Senator Moser. Senator Murman voting no. Senator Raybould voting no. Senator Riepe voting no. Senator Sanders voting no. Senator Slama. Senator Vargas voting no. Senator von Gillern voting no. Senator Walz voting no. Senator Wayne not voting. Senator Wishart voting no. The vote is 0 ayes, 40 nays. Mr. President, on the motion to return to Select File.

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**KELLY:** The motion to return to Select File fails. The next vote is to dispense with the at-large reading. There's a request for a roll call vote. Mr. Clerk.

**CLERK:** Senator Aguilar. Senator Albrecht voting yes. Senator Arch voting yes. Senator Armendariz voting yes. Senator Ballard voting yes. Senator Blood voting yes. Senator Bosn voting yes. 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 not voting. Senator Clements voting yes. Senator Conrad voting yes. Senator Day voting yes. 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 Halloran voting yes. Senator Hansen. Senator Hardin voting yes. Senator Holdcroft voting yes. Senator Hughes voting yes. Senator Hunt voting yes. Senator Ibach voting yes. Senator Jacobson voting yes. Senator Kauth voting yes. Senator Linehan. Senator Lippincott voting yes. Senator Lowe voting yes. Senator McDonnell voting yes. Senator McKinney voting yes. Senator Moser. Senator Murman voting yes. Senator Raybould voting yes. Senator Riepe voting yes. Senator Sanders voting yes. Senator Slama. Senator Vargas voting yes. Senator von Gillern voting yes. Senator Walz voting yes. Senator Wayne not voting. Senator Wishart voting yes. The vote is 42 ayes, 0 nays, Mr. President, on the motion to dispense the at-large reading.

**KELLY:** The at-large reading is dispensed with. Mr. Clerk, please read the title.

**CLERK:** [Read title of LB799]

**KELLY:** All provisions of law relative to procedure having been complied with, the question is, shall LB799 pass with an emergency clause? All those in favor vote aye; all those opposed vote nay. Request for a roll call. Mr. Clerk.

**CLERK:** Senator Aguilar. Senator Albrecht voting yes. Senator Arch voting yes. Senator Armendariz voting yes. Senator Ballard voting yes. Senator Blood voting yes. Senator Bosn voting yes. 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 not voting. Senator Clements voting yes. Senator Conrad voting yes. Senator Day voting yes. Senator DeBoer voting yes. Senator DeKay voting yes. Senator Dorn voting yes. Senator Dover voting yes. Senator Dungan voting yes.

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Senator Erdman voting yes. Senator Fredrickson voting yes. Senator Halloran not voting. Senator Hansen. Senator Hardin voting yes. Senator Holdcroft voting yes. Senator Hughes voting yes. Senator Hunt voting yes. Senator Ibach voting yes. Senator Senator Jacobson voting yes. Senator Kauth voting yes. Senator Linehan. Senator Lippincott voting yes. Senator Lowe voting yes. Senator McDonnell voting yes. Senator McKinney not voting. Senator Moser. Senator Murman voting yes. Senator Raybould voting yes. Senator Riepe voting yes. Senator Sanders voting yes. Senator Slama. Senator Vargas voting yes. Senator von Gillern voting yes. Senator Walz voting yes. Senator Wayne not voting. Senator Wishart voting yes. Vote is 40 ayes, 0 nays, 4 present, not voting, 5 excused, not voting, Mr. President.

**KELLY:** Record, Mr. Clerk.

**CLERK:** 40 ayes, 0 nays, 4 present, not voting, 5 excused, not voting, Mr. President.

**KELLY:** LB799 with the emergency clause passes. Senator Cavanaugh, please state your point of order.

**M. CAVANAUGH:** Thank you. I apologize. I should have come up earlier, but pursuant to Rule-- not on this bill, on the A bill. Pursuant to Rule 8, Section 5, I believe we need to pass over the A bill because we have not completed the budget bills. So I would ask, I guess, for a ruling or an inquiry or, or moving past the A bill.

**KELLY:** Senator Cavanaugh and Speaker Arch, please come forward. Senator Cavanaugh, with regard to your point of inquiry, it's my understanding that this bill has always been considered part of the budget package and moves with the budget bills. Yes. Mr. Clerk for items on the agenda. Senator Wayne, for what purpose do you rise?

**WAYNE:** I'll, I'll-- I move to overrule the Chair. This is not a budget bill, and it's never been a budget bill. This is a Speaker priority.

**KELLY:** Senator Wayne and Speaker Arch, could you please come forward? And Senator DeBoer, it was your bill. Members, as a reminder, we're still on Final Reading. Mr. Speaker, you're recognized for a message.

**ARCH:** So after discussions, we will pass over this bill. We'll go to the next one.

**KELLY:** Mr. Clerk for agenda items.

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**CLERK:** Mr. President, the next item on the agenda: LB282. First of all, I've got a motion to recommit from Senator Riepe, priority motion that he wishes to withdraw. Next item, Mr. President: Senator Hunt would move to return to Select File for a specific amendment, that being AM1286.

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

**HUNT:** Thank-- thank you, Mr. President. Thank you, colleagues. Let me quickly pull this up. This is the state claims bill. And this is a motion to return to Select File for a specific amendment, AM1286. And AM1286 is one of three amendments that I filed on this bill. And it inserts the following new section. Section 8. Too many things popping up. OK. Section 8, The Children's Death in the Line of Education Fund is created. The State Treasurer shall transfer \$5 million from the General Fund to the Children's Death in the Line of Education Fund as soon as administratively possible after the effective date of this act. The Children's Death in the Line of Education Fund shall only be used to pay claims relating to wrongful death, injury, mental trauma, or physical trauma resulting from school shooting events. Any money in the fund available for investment shall be invested by the State Investment Officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act. We heard a bill in Business and Labor Committee this year from a woman who was at the Sonic in-- Bellevue or Papillion-- in Bellevue, where there was a shooter that came in and shot up the Sonic and, and killed somebody. And there's a girl who worked at that Sonic, and she was not physically injured, but she has PTSD that is so serious and so traumatic and terrible that she hasn't been able to return to work, and she has not been able to be eligible for workers' compensation because of the nature of her damages, basically. And that bill, that conversation-- I believe it was introduced by Senator Blood-- and I'm open to being corrected, but this is my, my memory off the cuff on May 17 at 9:30 p.m. Her experience made me think about the types of claims that we compensate in this state and the way workers over the years have fought so hard for those claims to be recognized. And we're still working to make sure that people who are at their place of employment, through no fault of their own, who experience an injury, are able to get compensation from their employer due to that injury. And sometimes that's also claims against the state, as in LB282. There are lots of different state claims that we deal with here in Nebraska. And one thing that I think the state of Nebraska should be responsible for, if we are expanding access to firearms in our state, as we did this year with the passage of Senator Brewer's priority bill, making it easier for people to carry concealed weapons in our state without a permit,

without any training or licensing, on the road to a lot of your personal goal of just making it legal for people to have any firearm anywhere with no training or registration at all, what we can see from other states where this has happened is simply an increase in gun violence. And of course, we're seeing an increase in gun violence in our schools all over the country. Many people have talked in this Chamber who are parents of young kids about what it's like to have your kid come home and describe going through an active shooter drill, to describe going through a lockdown drill. And my son has been through them since he started school. And they're no big deal to him. To him, they're the same thing as what a tornado drill was to me or what a fire drill was to me. You know, during a tornado drill, we would go in the bathrooms by the gym and they would turn off the lights, which was really scary at the time. And we would sit on the floor along the wall. For a fire drill, of course, we all go outside, past the flagpole. Past the flagpole was the key that we all had to get out there. But when I was growing up, we never had active shooter drills. Columbine happened-- the Columbine shooting happened when I was 13. Eric Harris and Dylan Klebold. And those-- that was the first school shooting that kind of activated our public imagination and public consciousness around what easy access to firearms is doing to the mental health of kids in our schools. And it was the first time that there was really a school shooting that I knew about in my life. But after that happened, even though I was only 13, we never had any kind of drill for a school shooting. We never had any kind of drill for a lockdown as long as I was in school. But for kids today, that's not the same. If there should be a case where there is a school shooting in Nebraska, what AM1286 does is it creates the Children's Death in the Line of Education Fund, which will allow for state claims against wrongful death, injury, mental trauma, or physical trauma resulting from a school shooting in Nebraska. This is something that more states should be thinking about, as, ultimately because of the laws we pass, the government is-- who is responsible and culpable for the increase in gun violence in our schools. And we fund public education in our state, ostensibly for now-- against your will-- but we fund public education to make sure that every child in our state can have a quality education near their home, you know, within driving distance, or they can be bussed, that prepares them for a successful life. And that's funded by the state. So if something should happen throughout the course of that education and there is a shooting because of the actions of the state that have loosened these gun laws, then the state has to be responsible for that as well. And that's my argument. I think it's true. For the underlying bill, LB282, we had 15 proponents come in, not including the introducer, representing the

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Department of Administrative Services, Risk Management; the Nebraska Press Advertising Service; the Attorney General's Office; the Nebraska State Volunteer Firefighters Association; the Nebraska Fire Chiefs Association; the State Fire Marshal; the Nebraska Accountability and Disclosure Commission; the Nebraska Department of Transportation; the Nebraska Department of Health and Human Services; the Nebraska Public Employees Retirement Systems; the Nebraska Lottery and Department of Revenue; Nebraska Department of Veterans Affairs; Nebraska Game and Parks Commission; Nebraska Department of Labor; Nebraska State Treasurer, and they had two people come through for that. Char Scott and Kim Juilfs. There were no--

**KELLY:** One minute.

**HUNT:** --opponents. Thank you, Mr. President-- and there was nobody coming in with neutral testimony. LB282, the underlying bill is typically, traditionally introduced by the Chair of the Business and Labor Committee. When Senator Ben Hansen was the Chair of Business and Labor before he went to chair Health and Human Services Committee, he also introduced the state claims bill. Before that, the Chair was Senator Matt Hansen, and he introduced the state claims bill. And the purpose of this is to introduce the claims against the state that are required by statute to be reviewed by the Legislature. The state risk manager has submitted tort and workers' compensation claims against the state and certain write-offs for the Legislature's review and the appropriation of funds. I encourage your green vote on AM1286. Thank you, Mr. President.

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

**CLEMENTS:** Thank you, Mr. President. I wanted to rise in opposition to the motion to return to Select File and in support of LB282. And I've dealt with two of the items-- this is the state claims bill-- and two of the items I've dealt with quite a bit: one is the Health and Human Services Wipro software contract that was terminated as \$5.5 million. That is general funds expense that will-- let's see. We've already funded that. This is just to approve the authorization of the claim. We've funded that already in the deficit bill of \$5.5 million. That-- that's found on page 77 of the budget book, line 20-- well, and agency 25. The other item-- major item that I've dealt with here is on page 3 of the budget book. It's called State Indemnification Revolving Fund. \$18.75 million was a settlement with the State Patrol on a lawsuit regarding their retirement contributions. And that is in the-- came out of the Cash Reserve. That is already shown in our budget and has

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reduced the Cash Reserve. And the Cash Reserve report you see on page 3, I just wanted to let you know the, the-- those two large items have already been funded in the budget. The bill here is just to approve the claim, and we need to do both of them together. The other items-- so that's \$20.6 million, I think is the total, I see for the claims bill. And the majority of it is those two items. And Senator-- Chairman Riepe has the rest of the items. I would like to yield the rest of my time to Senator Riepe.

**KELLY:** Senator Riepe, you have 2:25.

**RIEPE:** Thank you, Mr. President. Thank you, Senator Clements. The Business and Labor Committee holds the responsibility of oversight and authority for the state claims as built into LB282e. AM1286 as presented is presented as an unfriendly amendment because all of the bills that are in LB282e have been negotiated and settled by the risk manager, which is Mr. Simpson of the Administrative Services Agency, or by the various agencies. This particular amendment and any other amendments have not come in front of the Business and Labor Committee, nor have they been filed, if you will, with the Labor Department so that the risk management people could address these. So of-- we did have in the-- built into LB282e is the line of duty, and those were four of those. Last year, in 2022, the state authorized \$50,000 for payment to the individual estates. And legislation was passed, and that's now \$250,000. So that along with the settlement that Senator Clements talked about--

**KELLY:** One minute.

**CLEMENTS:** Thank you, sir-- with the software, which was \$5.5 million, I believe. And then-- and the state highway patrolman, along with a number of other incidental bills, pretty much makes up the LB282. I would ask you that we need tonight-- to pass as it is because that's what's been settled, without anything new coming to it. Thank you, Mr. President.

**KELLY:** Thank you, Senator Riepe. And you're next in the queue, Senator Riepe. And waive. Senator Machaela Cavanaugh, you're recognized to speak.

**M. CAVANAUGH:** Thank you, Mr. President. I am hearing from home about my, my child's active shooter training today, and it is breaking my heart. Oh, yes. Just for the record. For the record, as Senator John Cavanaugh would say, for the record, I did make the point of inquiry

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before Senator Wayne did about the A bill. So, just want that stated for the record. Thank you, Mr. President.

**KELLY:** Thank you, Senator Cavanaugh. Seeing no one else in the queue, Senator Hunt, you're recognized to close on AM1286.

**HUNT:** Thank you, Mr. President. AM1286 is a great amendment. It's to make sure that the state is accountable for any damages that happened in schools. And I encourage your green vote. Thank you. Mr. President, I'll request a roll call vote.

**KELLY:** Thank you, Senator Hunt. Members, the question is the motion to return to Select File. Senators, please find your seats. Mr. Clerk, please call the role.

**CLERK:** Senator Aguilar. Senator Albrecht. Senator Arch voting no. Senator Armendariz voting no. Senator Ballard voting no. Senator Blood. Senator Bosn voting no. Senator Bostar voting no. Senator Bostelman voting no. Senator Brandt voting no. Senator Brewer voting no. Senator Briese voting no. Senator John Cavanaugh voting no. Senator Machaela Cavanaugh voting yes. Senator Clements voting no. Senator Conrad voting no. Senator Day not voting. Senator DeBoer voting no. Senator DeKay voting no. Senator Dorn voting no. Senator Dover voting no. Senator Dungan voting no. Senator Erdman voting no. Senator Fredrickson voting no. Senator Halloran voting no. Senator Hansen. 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. Senator Lippincott voting no. Senator Lowe voting no. Senator McDonnell voting no. Senator McKinney not voting. Senator Moser. Senator Murman voting no. Senator Raybould. Senator Riepe voting no. Senator Sanders. Senator Slama. Senator Vargas voting no. Senator von Gillern voting no. Senator Walz. Senator Wayne not voting. Senator Wishart voting no. Vote is 2 ayes, 4-- 34 nays to return to Select File, Mr. President.

**KELLY:** The motion fails. Mr. Clerk for next agenda item.

**CLERK:** Mr. President, next item: Senator Hunt would move to return to Select File for a specific amendment, that being AM1285.

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

**HUNT:** Thank you, Mr. President. AM1285 is an amendment to LB282, and it inserts the following new section, Section 8. The Compulsory Pregnancy Claims Fund is created. The State Treasurer shall transfer

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\$5 million from the General Fund to the Compulsory Pregnancy Claims Fund as soon as administratively possible after the effective date of this act. The Compulsory Pregnancy Claims Fund shall only be used to pay claims relating to wrongful death, injury, mental trauma, or physical trauma resulting from any Nebraska statute or rule or regulation restricting bodily autonomy. Any money in the fund available for investment shall be invested by the State Investment Officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act. The intention of this amendment is to, again, hold the state accountable for damages that it directly causes by forcing Nebraskans to give birth. There is some bad news in Nebraska as of today, some breaking news, which is that, today, Planned Parenthood in Nebraska told me that they are booked out until July. So today in Nebraska, Senator Riepe, if a woman is six weeks pregnant and she needs an abortion today, the chances are she'll be past the cutoff time by the time an appointment is made available to her at Planned Parenthood in Nebraska. Advocates have-- they told me a story about specifically one person. One, one friend of mine, Chelsea [PHONETIC] from NEAR, Nebraska Abortion Resources, told me that she's trying to get someone in for a medication abortion, which is the most common type of abortion in Nebraska and in the country, where you take two pills that, that end a pregnancy. And it's typically done in the first six weeks of pregnancy. So Chelsea told me that she's trying to get someone in for a medication abortion and literally can't. She's going to have to get someone into another state in order to get that care because in Nebraska, they're just out of, out of appointments at Planned Parenthood. Now, this is no worries to most of you. You say, yeah, yeah, yeah, this is what we wanted. Good, goodie, good. And-- but, you know, this really goes pretty much against what Senator Riepe was talking about with his vote on LB626, that the reason he opposed a six-week ban was because it was going to fundamentally prevent people from being able to end a pregnancy early in pregnancy before most people even know that they're pregnant, and that's already what's happening in Nebraska with the impending passage of LB574 with that Frankenstein of an amendment tacked on to it. And the screws turned on Senator Riepe, Chairman of Business and Labor, to force him to vote for it. The Governor coming to colleagues' places of work to turn the screws on them and make them vote for it. This is the obstruction of justice, the obstruction of separation of powers at the highest level in this state. And that's what we're dealing with. We already have people in Nebraska who aren't going to be able to get abortion care even if they're before six weeks pregnant right now. People right now who are less than six weeks pregnant who want to terminate their pregnancy, they can't get an appointment to do that until July in

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Nebraska because they are so booked out. And that is the real results of policies like LB626, like LB574. So we know that this is going to cause mental trauma, for sure. We know that this could cause physical trauma if people aren't able to end a dangerous or complicated pregnancy that presents physical danger to the mother. And we want the state to be responsible for any kind of wrongful death that occurs because of Senator Riepe's vote and because of Senator Hughes's vote and Senator Lowe's vote and Senator Holdcroft's vote and Senator Ballard's vote, knowing that women are going to be injured, that women could die, that women could leave behind families they already have, that women could leave behind partners and husbands as they lose a wanted pregnancy. Who is going to be liable for that? I believe that if the state is forcing these people to give birth in Nebraska, often at great risk to the mother, the state should be liable for damages that might arise from that. And that's what this amendment does. It creates the Compulsory Pregnancy Claims Fund. Because in Nebraska, we're compelling people to be pregnant, were forcing them to give birth thanks to Senator Riepe, and he should vote for this amendment and take responsibility for that. We're making it easier in Nebraska to access guns, but we reject responsibility for the school shootings and shootings in public that are going to arise from that. There's a mass shooting in this country every day. It used to be thoughts and prayers every couple weeks, every couple months. And when is it going to be enough and when is this finally going to end? And now it's every day. And it's to the degree that we don't even talk about it. I'm numb to it too. When I see news about a school shooting, a mass shooting, a shooting at a mall, at a church, at a synagogue, whatever, I'm sad. I say, damn, not again. But I can't, I can't even do more than that. I can push my button red on a gun bill. I have a vote to make a law, but that does no good here. I said we could start a fund to compensate families who lose a child in a school shooting in Nebraska, but the Legislature rejected that. The state keeps bringing down these laws that are dangerous to Nebraskans, that increase the danger of being a Nebraskan through no fault of your own. And that's what the purpose of claims are. That's what the purpose of LB282 is, is to dispense with claims against the state. If the state makes it easier to die in a public shooting in a school shooting, then we should be responsible for that. If the state makes it easier for a pregnant woman to die in childbirth because she was forced to carry an unviable pregnancy to term by the laws in our state, then we should be responsible for that. Where does the responsibility begin and end for us as lawmakers? To hear Senator Moser tell it, we're not going to be here to worry about it. So it's not our problem. That's what he said about the tax bill. What's going to happen when Nebraska is bankrupt and the punch bowl is

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empty and we don't have any money? Not his problem. He'll be term-limited. Next schmo can figure it out. We're taking the same attitude toward innocent Nebraskans if we don't support AM1285. We're saying, oh, died in childbirth? Your fault. You would say, you should have either closed your legs and not gotten pregnant or you should have just not lived in Nebraska. Because we know that in Nebraska, if you have a difficult pregnancy, if you have a complicated pregnancy, if there's some kind of fetal anomaly, if you're a child pregnant by rape or incest, there's functionally not going to be a way for you to get the medical care that you need. So what could result from that? Wrongful death injury, mental trauma, physical trauma? Any kind of damages that happen to a person because of the laws that we pass, where it passes the but/for test-- but for this law being passed, we would not be in this situation. But for LB574, we would not have wrongful deaths in Nebraska at the hands of the state of women who have complicated pregnancies.

**KELLY:** One minute.

**HUNT:** If it doesn't pass that but/for test, the state should be responsible for compensation to those victims because those are the victims of the state. Those are the victims of Senator Riepe, the Chairman of the Business and Labor Committee and the introducer of this bill. Thank you, Mr. President.

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

**RIEPE:** Thank you, Mr. President. I appreciate the opportunity. I think this is much to do about nothing. AM1285 was not taken in front of the Business and Labor Committee for consideration. It has not been negotiated either by the Administrative Services Agency nor the agency as such. I might remind, Senator, that this is-- tonight is not a repeat of LB574 and with all the concerns and, and challenges and name-calling that go with that and did last night. This is currently, I would point out, that the new legislation that was forwarded last night still has to go to the last opportunity. So it's not law. It won't be law. And it's not law tonight, and it won't be until it goes through the final hearing and also has the Governor's signature. I think this is a made-up thing. We've been functioning in the state under the 20-week ban, if you will. And we have not had this be a situation. I've-- quite frankly, I don't know any other term than to say I think it's totally ridiculous. Thank you, Mr. President.

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**KELLY:** Thank you, Senator Riepe. Senator Machaela Cavanaugh, you are recognized to speak.

**M. CAVANAUGH:** Thank you, Mr. President. I wasn't going to speak, but I was listening to Senator Hunt introduce this amendment and I was intrigued. And then Senator Riepe made a comment about how this didn't have a hearing. So it was completely ridiculous. Has nothing to do with yesterday, when it has everything to do with yesterday. The amendment yesterday didn't have a hearing. It wasn't even attached to a bill in the right committee. Senator Hunt is just trying to be proactive for the destruction that is to come from your negligence. Compulsory Pregnancy Claims Fund is created. \$5 million is not going to be nearly enough, Senator Hunt. Not nearly enough. That could maybe cover a handful of pregnancies. Is something needing a hearing or not needing a hearing? Let's build that legislative record, shall we? Is it new content? It's creating a fund in the claims. It's a claims fund. Doesn't sound like new content to me. We're just willy-nilly with rules here. Precedent, procedure, yadda, yadda, yadda. So, yeah. It's not ridiculous. And everything we are doing is tied to LB574, Senator Riepe. Everything we are doing is tied to LB574. And the actions that you and 32 other people took yesterday have consequences. And some of those consequences are going to be that we need to enact legislation to protect the victims of your legislation. And for the 20-week ban-- yes, in fact, there probably are people impacted by that, that could utilize this claim, if it existed. Certainly. The individuals, the birthing folk-- not women, folk-- the birthing folk who are impacted by the 20-week ban, which isn't actually a 20-week ban. In reality, it's a 14-week ban. And what we passed yesterday is a 10-week ban. And no, it hasn't been passed into law, but it may as well have been. It has to lay over. It's a procedural thing. So unless you're announcing to the world that you're not going to vote for the 10-week ban with criminal penalties, then yes, it is, in effect, the law, starting the moment it is passed. Because it has an E clause because this body is reckless with the constituents of this state. So I rise in support of AM1285 because buck it all. You all mucked things up. No, I said buck it, with a B. Don't you worry. You all mucked things up yesterday and now you need us, per usual, to clean up your mess and care for the people of this state. So that's what Senator Hunt is doing with AM1285. And I, for one, thank her for it. And I look forward to voting for it. And I think calling another senator's amendment like this "ridiculous" is interesting, based on the tone-policing I've heard all day today. But if we are one-- one thing we definitely are is a double standard in this place. Thank you, Mr. President.

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

**HUNT:** Thank you, Mr.--

**KELLY:** Excuse me. We have a priority motion, Senator.

**HUNT:** OK.

**KELLY:** Mr. Clerk.

**CLERK:** Mr. President, couple items, quickly. Senator-- amendments to be printed, Senator Dorn to LB562 and LB562A. Priority motion: Senator Hardin would move to adjourn the body until Thursday, May 18, 2023 at 9:00 a.m.

**KELLY:** Senators, you've heard the motion to adjourn. All those in favor say aye; those opposed say nay. We are adjourned.