

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate February 5, 2024

**KELLY:** Welcome to the George W. Norris Legislative Chamber for the twenty-second day of the One Hundred Eighth Legislature, Second Session. Our chaplain today, from Senator Hughes's district, is Reverend Shawn Kitzing, Our Redeemer Lutheran Church, Staplehurst. Please rise.

**REVEREND KITZING:** Let us pray. Gracious Heavenly Father, we give you thanks and praise this day for the good government that we celebrate here in the state of Nebraska. Be with and bless all of our state senators. They make those decisions to make this state a better place for all. And also, this day, we want to give thanks to you and ask you to bless the families of all of these senators. As they reconvene this Monday, many are leaving home for the week. And bless them, and let us all thank them for the sacrifices that they give for the good of our government here in the state. As we pray this all in your name, Amen.

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

**McDONNELL:** Good morning. Will everyone please join me in the Pledge? I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

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

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

**KELLY:** Are there any corrections for the Journal?

**CLERK:** I do. Mr. President, on page 321, line 2, strike "Reported to the Legislature for further Consideration." and replace with "Placed on General File.". That's all I have this morning.

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

**CLERK:** There are, Mr. President. The Revenue Committee reports favorably on the gubernatorial appointment of Steven Keetle to the Tax Equalization and Review Commission. Additionally, amendment to be printed, Senator Aguilar to LB51. It's all I have at this time.

**KELLY:** Thank you. While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign LR288 and LR289. Mr. Clerk, first item on the agenda, please.

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**CLERK:** Mr. President, Select File, LB600A. Senator, I have nothing on the bill.

**KELLY:** Senator Ballard for a motion.

**BALLARD:** Mr., Mr. President, I move that LB600A be advanced to E&R for engrossing.

**KELLY:** Members, you've heard the motion to advance LB600A to E&R Engrossing. All those in favor say aye. All those opposed, nay. It is advanced. Mr. Clerk.

**CLERK:** Mr. President, the next item on the agenda, the Government, Military and Veterans Affairs Committee report would report favorably on the gubernatorial appointment of Craig Strong, ad-- Adjutant General of the Military Department.

**KELLY:** Senator Brewer, you're recognized to open on the appointment.

**BREWER:** Thank you, Mr. President. Good morning. The Government, Military and Veterans Affairs Committee held an appointment confirmation hearing on Major General Craig Strong. On 24 January, we had the chance to hear about Craig's impressive career, first, as a military officer, with his multiple opportunities to serve his country in different capacities, both state and nation, and secondly, about his ability and training as a attorney and his professional experience there. He was appointed by, by Governor Pillen. Most of the time when we are doing these confirmations, it's, I guess, what you call [INAUDIBLE] a ceremonial thing that you do. In this case, with Craig, I was blessed to work with Craig about 25 years ago, when he was a young lieutenant. We are very fortunate that the selection that Governor Pillen made is what I believe to be the finest individual he could have selected in the Nebraska National Guard. So I, I strongly support and endorse Craig Strong. The committee voted out unanimous. And with that, I would ask for your green vote in the confirmation of Major General Strong as the Adjutant General and the director of NEMA. Thank you, Mr. President.

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

**M. CAVANAUGH:** Thank you, Mr. President. Good morning, colleagues. This is more of a housekeeping statement/question. I believe last year, we had this conversation about gubernatorial appointments and having a "shared drive" file so that we could all access them. And I don't know if that actually has happened yet. So I'm just taking a

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moment to say thank you to Senator Brewer, for bringing forward this confirmation report. And hopefully, we can find a way forward that we can look at these reports in advance. Thank you so much.

**KELLY:** Seeing no one else in the queue, Senator Brewer, you are recognized to close.

**BREWER:** Thank you, Mr. President. I will call down to the office. And I can't guarantee they can digitally get things in very fast, but I can get a paper copy of Craig's bio so that anyone and everyone who is interested are welcome to it. With that, again, I would ask for your green vote on the confirmation of Craig Strong as the Adjutant General for Nebraska. Thank you, Mr. President.

**KELLY:** Thank you, Senator Brewer. Members, the question is the adoption of the committee report from Government, Military and Veterans Affairs Committee. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 38 ayes, 0 nays, Mr. President, on adoption of the gubernatorial appointment report.

**KELLY:** The report is adopted. Mr. Clerk.

**CLERK:** Mr. President, next item. The Natural Resources Committee would report favorably on the gubernatorial appointment of Theodore Vasko to the Nebraska Environmental Trust Board.

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

**BOSTELMAN:** Thank you, Mr. President. Good morning, Nebraska. Good morning, colleagues. The Natural Resources Committee held a confirmation hearing on January 25, 2024, to consider the gubernatorial appointee, Theodore "Ted" Vasko. Mr. Vasko is a new appointment to the Nebraska Environmental Trust Board, to serve a term from October 24, 2023 until March 10, '29. He is a District 1 member of the board. The Nebraska Environmental Trust Board is comprised of 14 members, 3 from each of the 3 districts, who are appointed by the Governor, as well as the 5 agency directors from the departments of Game and Parks, Natural Resources, Agriculture, Environment and Energy, and HHS Public Health. The Environmental Trust Board meets quarterly, and holds special meetings in between-- when needed or as needed. The mission of the Nebraska Environmental Trust is to conserve, enhance, and restore the natural environments of Nebraska. The Trust is to comp-- to complement existing activities, stimulate private investment, and emphasize long-term

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gain. The Trust is to lead in the development of a vision of Nebraska's future environment. The Trust is to collaborate with public and private efforts to achieve that vision. Mr. Vasko is from Papillion, Nebraska, and is a self-employed real estate developer as well as a farmer. He is a Millard High graduate and is in the coaching hall of fame at Creighton Prep. He was also the Nebraska Game and Parks coach of the year for 2003 for trap shooting, and he has been a Ducks Unlimited youth mentor and was sportsman of the year in 1999. In addition, he has served on the Sarpy County Tourism Board. We had a very lively, enjoyable conversation with Mr. Vasko. Several of us did have connections with him, especially through the trap league. With that, he appeared in person at the hearing, and committee voted 8-0 to advance his confirmation. I would ask your green vote, please.

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

**M. CAVANAUGH:** Thank you, Mr. President. Just an update. Can I be the chair of administrative updates? Is that a thing? Can we make that a thing? I love giving administrative updates. OK. I knew we had this conversation last year. And colleagues, it's on the Uninet under applications. At the top of the applications tab, there is the gubernatorial appointees and there is a dropdown menu. Thank you to Theresa Ramos in the Tech Center, for creating this great resource for us all. And if you happen to-- I know I was hanging on Senator Bostelman's every word, but if you happen to miss who we are talking about and you go to the agenda, you just have to go look at that line in the Journal, for the report out of the committee reports. Thank you, Mr. President.

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

**FREDRICKSON:** Thank you, Mr. President. And good morning, colleagues. Good morning, Nebraskans. I, I just want to rise really quickly, as a member of the Natural Resources Committee, and voice my support for Mr. Vasko and his nomination. He was very thoughtful in his committee hearing. He had a lot of things to share and clearly is, I think, going to contribute a lot to, to this board. I also wanted to share that Mr. Vasko has a very special connection to the Legislature. As Senator Bostelman mentioned, he is a trap shooting coach. For folks who don't know, he was the coach of our very own Clerk, Mr. Metzler, in trap shooting at Prep, who holds a record in trap shooting for Creighton Prep, I believe, of sorts. So, so Senator Brewer, you

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better watch out. You might-- there might be a better shot in the, in the Chamber than you. I don't know. But-- so I just want to quickly share some support of Mr. Vasko, and urge folks to go-- vote green on his appointment. Thank you.

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

**BOSTELMAN:** Thank you, Mr. President. Thank you, Senator Fredrickson, for reminding me of that. My son, I think, actually shot against our Clerk, at that time. And I was a coach at Oak Creek 4-H Sporting Club. I think we had a good rivalry going on there between our 2 clubs. Although our Clerk was shooting on a high school team and my son was shooting on the 4-H team, so they really didn't compete head-to-head for trophies, but they did on score. So with that, I ask for your green vote for the confirmation of Mr. Vasko, please. Thank you.

**KELLY:** Thank you, Senator Bostelman. Members, the question is the adoption of the Natural Resources Committee report. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 38 ayes, 0 nays, Mr. President on adoption of the committee report.

**KELLY:** Committee report is adopted. Mr. Clerk.

**CLERK:** Mr. President, next committee report, from the Natural Resources Committee considers the gubernatorial appointment of Eric Hansen to the Nebraska Environmental Trust Board.

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

**BOSTELMAN:** Thank you, Mr. President. Again, the Natural Resource Committee held a confirmation hearing on January 25, 2024 to consider gubernatorial appointee Eric Hansen. Mr. Hansen is a new appointment to the Nebraska Environmental Trust Board, to serve a term from October 24, '23 until March 10, '29. He is a District 3 member of the board. As you remember, I just spoke, the Nebraska Environmental Trust Board is comprised of 14 members, 3 from each of the 3 districts, who are appointed by the Governor, as well as the 5 agency directors from the departments of Game and Parks, Natural Resources, Agriculture, Environment, Environment and Energy and HHS Public Health. The Environmental Trust Board meets quarterly and holds special meetings in between when needed. The mission of the Nebraska Environmental Trust is to conserve, enhance and restore the natural

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environ-- environments of Nebraska. The Trust is to contemplate existing activities, can stimulate private investment, and emphasize long-term gain. The Trust is to lead in the development of a vision of Nebraska's future environment. The Trust is to collaborate with public and private efforts to achieve that vision. Mr. Hansen is a fifth-generation Sandhills rancher, excuse me, fifth generation Sandhills rancher from North Platte, Nebraska. He is married and his wife Jill have 4 daughters. He graduated from Nebraska Wesleyan University with a BA in business administration. In the past, he has served on the Twin Platte NRD board of directors. He is currently a vice-- he is currently the vice chairman of the Sandhills Task Force, an organize-- an organization that combines private and public conservation groups with ranchers to cost share on a wide variety of projects but benefit natural resources and profitable ranching. He is also currently the chair of the Nebraska Cattlemen natural resources environment committee, as well as serving on the executive and finance committee. He appeared in person at the hearing, and the committee voted 7, 0 and 1, with 1 present and not voting, to advance his confirmation. With that, I would ask for your green vote on the confirmation of Mr. Hansen. Thank you.

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

**J. CAVANAUGH:** Thank you, Mr. President. Thank you, Chairman Bostelman, for your work on the committee and on these introductions. I just wanted to rise-- I, I voted for the previous confirmation, and I did appreciate the fun facts that we learned about the Clerk through that. And I was the one present not voting on Mr. Hansen. And I just felt to-- I needed to explain that vote. I just was in another committee introducing a bill, and so I wasn't there to hear Mr. Hansen. And if folks remember, I've got kind of a, I guess a-- an avid interest in the Environmental Trust and have been very active in those confirmations. I did look at Mr. Hansen's biography and it all looks good to me. It looks like he will be a good member of the Environmental Trust. I did reach out to him because I just wanted to make sure before I voted for somebody that I had an opportunity to speak with him. I haven't-- we haven't yet connected, but I just wanted to make sure that when you look at the report and you see that there's one not voting, that it was-- there's-- it's not a signal that there's anything wrong with Mr. Hansen. It was just that I wasn't there to be able to, to, I guess, telegraph to all of you what I really think about it. So that's the reason I was not voting. I would still-- I think he, he-- at this point, would encourage your

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green vote on Mr. Hansen. And again, I do appreciate the work of the Natural Resources Committee. Thank you, Mr. President.

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

**BOSTELMAN:** Thank you. Again, I would just encourage you to green vote on the confirmation of Mr. Hansen. He is a fifth-generation rancher in the Sandhills of Nebraska, is dedicated to the Sandhills and the preservation of those lands. And he's been working very hard to do that. So your green vote on the confirmation of Mr. Hansen would be appreciated. Thank you.

**KELLY:** Thank you, Senator Bostelman. Members, the question is the adoption of the Natural Resources Committee report. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 35 ayes, 0 nays, Mr. President, on adoption of the committee report.

**KELLY:** Committee report is adopted. Mr. Clerk.

**CLERK:** Mr. President, the next item, a committee report from the Revenue Committee concerning the gubernatorial appointment of James R. Kamm to the-- as Tax Commissioner, the Department of Revenue.

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

**LINEHAN:** Thank you, Mr. President and good morning, colleagues. James R. Kamm has extensive history in Nebraska financial services industry. He's interim vice president for business and finance at the University of Nebraska at Omaha from November 21 through May 22, assistant vice chancellor for business and finance at UNO from July 19 through the fall of 19-- 2023, senior vice president of First Westroads Bank in Omaha from August 10 through July 19, skilled financial professional with experience in both private and public sectors. He's effect-- effective communicator and a strong listener. Mr. Kamm has also been very involved in his community, including Omaha-- in Omaha and in Columbus, Huntington Park Homeowners Association, Teammates Mentoring Program, St. Patrick's Church, Elkhorn, Nebraska Bankers Association, Boys Town High School athletic booster, CUES School System corporate campaign, city of Columbus Business Improvement District, Columbus Area Chamber of Commerce, committee member, retail development committee, Rotary in Columbus, St. Isidore's Church in Columbus, Completely KIDS, Omaha. I would ask

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for your green vote for James R. Kamm to be Tax Commissioner. Thank you.

**KELLY:** Thank you, Senator Linehan. Seeing no one else in the queue, you're recognized to close, and waive. Members, the question is the adoption of the Revenue Committee report. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**ASSISTANT CLERK:** 37 ayes, 0 nays on the adoption of the report.

**KELLY:** Committee report is adopted. Senator Lowe and Senator Meyer have some guests in the north balcony from the Buffalo County Youth Advisory Board in Kearney, Nebraska. Please stand and be recognized by your Nebraska Legislature. Senator Hughes would like to recognize Dr. Pat Hotovy as the physician of the day, from York. Please stand and be recognized by your Nebraska Legislature. Mr. Clerk, for the agenda.

**ASSISTANT CLERK:** Mr. President, the next bill is LB287, offered by Senator Brewer. It's a bill for an act relating to the Joint Public Agency Act; amends Section 13-2508; to prohibit new joint public agencies as prescribed; to repeal original sections. The bill was introduced last year. It was referred to the Government, Military and Veterans Affairs Committee. That committee placed the bill on General File with committee amendments.

**KELLY:** Thank you, Mr. Clerk. Senator Brewer, you're recognized to open.

**BREWER:** Thank you, Mr. President. This bill was the shell, shell bill that I introduced last year. We had a committee amendment that guts the bill, and we used it as a vehicle for our committee package. So I'll explain the committee package and the contents of the bill on my next time up at the mic. Thank you, Mr. President.

**KELLY:** Thank you, Senator Brewer. As the Clerk stated, there's a committee amendment. Senator Brewer, you're recognized to open on the committee amendment.

**BREWER:** Thank you, again, Mr. President. All right. So LB287 is the shell bill that we introduced last year. AM2060, that is a committee amendment. It contains 6 other bills that we heard in the Government Committee. The first one is LB47, from Senator Dorn, that adjusts the notice requirements for public meetings held by the local fire districts. It includes LB269 from Senator Halloran. Restores our redistricting timeline that we had to change, and which scrambles a



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part of our COVID-related delays in the 2020 Census. Then we have LB2-- LB302, which is Senator Linehan's, and it would require more transparency from our public officials, related to conflicts of interest. Then we have LB313. That's Senator Lowe's bill. It would adjust our procedures for filing congressional vacancies. We have LB513, was a bill to update our Open Meetings Act. It accounts for situations where the public body gets their notice out in time to the local newspaper. But when the paper cannot get the notification published in time, this corrects that. It also uses video, video teleconferencing as a type of, of way of having public meetings. And lastly, we have LB514, which was our 2023 elections cleanup bill from the Secretary of State. The Government Committee voted the package out last week, 8-0. Would ask for your green vote on AM2060 and a green vote on the base bill of LB287. Thank you, Mr. President.

**KELLY:** Thank you, Senator Brewer. Mr. Clerk for an item.

**ASSISTANT CLERK:** Mr. President, Senator Clements would move to amend the committee amendments with AM2343.

**KELLY:** Senator Clements, you're recognized to open on AM2343.

**CLEMENTS:** Thank you, Mr. President. I'm introducing AM2343 as an updated version of my legislative bill, LB390, which was heard in the Government Committee February 2, 2023. It was voted out to the floor March of-- 22 of 2023, and is on General File. LB390 was brought to me by the Secretary of State to update processes regarding early ballots that are mailed to voters, and to clarify duties and requirements for voter agents who obtain and turn in ballots for others. The amendment amends Section 32-808 and 32-943 of the Election Act. There are 14 pages to the amendment, but there are not that many changes. Page 1 changes Section 28, the time early ballots are to be mailed out prior to an election. It changes the early ballot mailing out date from at least 35 days to not more than 30 days. This 30-day limit is to match the current 30-day period for obtaining a ballot in person. The rationale for aligning these time periods is logistical. Ballots are certified by the Secretary of State 50 days before an election. Having 2 ballot mailing deadlines, 35 days and 30 days prior, has created printing and delivery problems with ballot availability, especially as early voting has become more popular. Having equal time periods provides 20 days, rather than only 15 days for the Secretary to prepare and mail thousands of early ballots to voters. Pages 1 and 2 amended-- amends Section 32 to clarify the duties and requirements for voter agents. Existing law allowed voter agents to pick up or request a maximum of 2 ballots for

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voters who appoint them as agents. However, the return of ballots by voter agents has not currently-- is not currently outlined in law. The amendment clarifies that a voter agent may also return a ballot for no more than 2 early voters. The agent would sign the outside of the ballot envelope, as well as the voter. To avoid undue influence, the bill also excludes the agent from being the voter's employer. Page 3 adds an exception to the 2-ballot limit for residents in long-term care or assisted living facilities. A facility may designate up to 2 employees as special voter agents, who may request or return ballots for any of their residents wanting help. They would register with the Secretary of State to serve as special voter agents on behalf of the facility. Pages 3-7 add in 3 places that the agent, in addition to the voter, is to sign the voter's oath on the envelope of the returned ballot. Pages 8-14 are instructions for the election officials in counting ballots, adding the agent's signature language for 5 types of voting circumstances that may occur. Finally, page 13 sets the effective date at January 1, 2025. Ballot envelopes have already been printed for 2024, so the Secretary requested more time to make these changes. We had hoped to get a July 1 of 2024 effective date, but the Secretary requested that we put in January 1, 2025. So this provision will not affect the 2024 elections. I thank you for your consideration of this amendment and I ask for your green vote on AM2343. Thank you, Mr. President.

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

**LOWE:** Thank you, Lieutenant Governor. Last year, I introduced LB313 on behalf of the Secretary of State's Office. This bill was requested because of the odd sequence of events that saw our state needing to run a special election for House-- for a House member, and having an appointed to-- and having an appointment to the U.S. Senate in the same year. It became clear to the secret-- Secretary of State's Election Division that our statutes dealing with both those and selections of law were inadequate. LB313 makes it clear that a House selection-- special election must take place between 75 and 90 days after a vacancy becomes official. Current law simply says within 90 days. It also clarifies that a special election has to take place on a Tuesday. It requires that a candidate running in a special election must have their certificate and fees paid at least 67 days prior to the election. LB313 also addresses the timeline for determining how long an appointment-- appointed senator will serve before having to run for an election. Previous language mentioned a vacancy occurring 60 days before the general election, while new language specifies August 1 before the general election as a new deadline. It also

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clarifies the election time if a Senate seat becomes open in a period where there is not an upcoming statewide general election, or the appointment happens before August 1 in a general election year. There was no opposition to this bill in the hearing. I want to thank Chairman Brewer and the rest of the Government Affairs Committee for including LB313 in this package. Thank you, Lieutenant Governor.

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

**BREWER:** Thank you, Mr. President. Well, it-- I do not oppose the contents of AM2043, everyone should understand this, that I consider it an unfriendly amendment, simply because my mission, as the Chair of the Government Committee, is to figure out how to get this bill, that includes 5 other senators' bills, plus the election cleanup bill through this body. And even though the, the concept, I understand, of what Senator Clements wants to do here, I believe it endangers our ability to have a Government cleanup bill. We did not have one last year. I do not want to see us lose the opportunity to have one this year, so I do consider this an unfriendly bill and I do not support it. Thank you, Mr. President.

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

**DORN:** Thank you. Thank you, Mr. Lieutenant Governor. I, I, too, want to thank Senator Brewer and the committee for amending LB47 into LB287. Under current Statute 84-1411, a public body or advisory committee must give public notice of the time and the place of each meeting in a newspaper of general circulation within the public body's jurisdiction. In 2022, LB148 permitted a city of the second class or a village to either publish its notice or post a written notice in 3 conspicuous public place in such city or village. Last year, I introduced LB47 at the request of a small rural fire district. And that bill-- in 2020, LB148 did not include small rural fire districts. The bill would simply add a governing body of a rural fire district or suburban fire protection district to the list of public, public bodies currently allowed to post a notice in 3 conspicuous places. I want to emphasize that these notices must be in conspicuous places, in other words, something like a bank or a post office. They can't be in the back of a service station back by the restroom or whatever. I think it is appropriate to allow these smaller bodies, who have limited financial resources, to post a notice if they choose to, rather than have it published in a

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newspaper. Again, thank you to the Government Committee for incorporating LB47 into their committee package.

**KELLY:** Thank you, Senator Dorn. Senator Brewer-- Senator Conrad, you're recognized to speak.

**CONRAD:** Thank you, Mr. President. Good morning, colleagues. I rise in support of LB287 and the Government Committee package amendment, AM2060. I rise in opposition to AM2343, and would just want to reaffirm our Chair's assessment that this is an unfriendly amendment. I appreciate and understand why Senator Clements is trying to move items on his personal legislative agenda forward, as is our practice. But I do feel like this is an unnecessary restriction on voting rights. If you go back and you check the committee statement in regards to the original bill, LB390, you can see that this measure that Senator Clements put forward garnered significant opposition and raises serious issues about what I believe would be enacting more barriers to voters rights to participate in an election and in our process, with a lot of unanswered questions. So I would ask the committee to-- or the, the body to reject this amendment, or if Senator Clements wants to move forward with additional debate, to really ask members to check the committee statement, to ask committee members questions about their concerns with LB390. And with that, I-- I'll close on that component. The other thing that I did want to lift in regards to LB287 and the Government Committee amendment itself, is that I have been working, in good faith, with the Secretary of State's Office, committee counsel, Chairman Brewer and other members of the committee to address certain components of the legislation regarded-- regarding electioneering, to make sure that we have appropriate, agreed-upon definitions, and that we don't have unintended consequences in terms of potential prohibited activities for-- related to electioneering, to spark criminal penalties. So I know that we perhaps need to do a little bit more technical work from General File to Select, on making sure that those definitions and appropriate exclusions are reflected in the committee amendment, and I think that we can definitely do that. I, I, I have trust in all of the stakeholders that are working on that measure and just wanted to note it for the record, in case you see chan-- changes, in regards to electioneering components in between General and Select, because we're, we're going to continue to, to refine those components. Thank you, Mr. President.

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

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**HALLORAN:** Thank you, Mr. President. Good morning, colleagues. I want to thank Senator Brewer and the Government, Military and Veterans Affairs Committee for including LB269 into LB287. I introduced LB269 last year, which was brought to me by the Secretary of State's Office. The bill would put back into place all the changes to the redistricting timelines this body made in 2021, in LB285. These changes were necessary, due to the Census data being late for the first time in history. Colleagues, as you recall, the Census was late because of the difficulty, under COVID-19 issues, to collect it in a timely, timely fashion. It is now time to put back the original deadlines for boundary changes to their original language, prior to start of 2024 election cycle. Thank you, Mr. President. And I yield my time.

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

**LINEHAN:** Thank you, Mr. President. And good morning, again, colleagues. I rise in support of the Government's amendment to this bill and the overall bill. I'm also going to voice support for Senator Clements' amendment. But first, I'm going to go back and thank the Government Committee for including LB302, which is-- will amend the Nebraska Accountability and Disclosure Act. This bill will harmonize language to include political subdivisions as a descriptive term. LB302, which is now part of the amendment, will extend disclosure reporting to all public employees whose decisions might distinguishably benefit or cause a detriment to their family or other associations. Public officials of any public subdivision would have to follow the same disclosure rules and procedures as elected officials. Consequently, those officials who would have prepared written statements for public record about potential conflicts and abstain from activities that could be a conflict of interest. During-- when this hearing-- we received amendments from the Accountability and Disclosure Commission. The language that the committee adopted will now cover all officials elected, nonelected, that hold public office. Additionally, public employees would need to make disclosures if their salaries and benefits are over \$150,000. LB9-- LB299 also created a carveout for SIDs or sanitary improvement districts exempt from this bill. So I was surprised-- in the federal government, when you reach a certain salary level, you have to do a disclosure just like an elected official, because at certain salary levels, you are making decisions about spending or not spending money, about who to give contracts to and who not to give contracts to. So at that point, you need-- there needs to be some transparency as to who's doing what. So this would-- we're not talking about our

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staff-- well, at least not very many of them at that salary, but-- if any. But there are, inside our agencies, staff that's-- well, in that 150 and over who make decisions, there should be transparency. So I'd appreciate the support for that. On Senator Clements' amendment-- and I looked at the-- I looked at the committee report, as Senator Conrad suggested. And I see Civic Nebraska, and Civic Nebraska Table [SIC], and the ACLU. And I haven't-- I mean, maybe there's something really wrong with it. Here's what I do think is really wrong, which has been going on. I also looked at committee statement and Secretary of State is for it, and so is the Deputy Secretary of State. I think when we have these special elections or maybe any, any election, and we have places, whether it's a school, the library or people drive up instead of going to a ballot box, are dropping their ballots-- well, they, they call it harvesting, that's what they call it, ballot harvesting. I think it's very dangerous. I especially, I especially think it's not right when it's on a bond issue, and you can call parents and ask them why they haven't voted yet. And all you have to do when you drop off your children, you drop your ballot off, too. I don't think that's right. And maybe Senator Clements' bill isn't perfect and this amendment isn't exactly what it should be, but this is something we need to stop. So thank you, Mr. President.

**KELLY:** Thank you, Senator Linehan. Seeing no one else in the queue, Senator Clements, you're recognized to close on AM2343.

**CLEMENTS:** Thank you, Mr. President. Again, this was an adjustment to election procedures by-- brought me-- to me by the Secretary of State, changing early ballot mail out from 35 to 30 days. And, currently, you can only pick up or request 2 ballots as an agent. It is silent on what you can return as an agent. And it all-- it says you can return 2 ballots as an agent, although it does add an exception for nursing facilities. And the effective date is not until January 1 of 2025. It's not going to affect 2024 elections. And I have spoken with Senator Brewer, and I'm willing to make adjustments on Select if this is-- if there are problems in the-- any of the sections that he sees. We haven't had a chance to talk about the details, but I would ask for your green vote on AM2343.

**KELLY:** Thank you, Senator Clements. Members, members, the question is the adoption of AM2343. All those in favor vote aye; all those opposed vote nay. There's been a request to place the house under call. Record, Mr. Clerk.

**CLERK:** 25 ayes, 14 nays on adoption of the amendment, Mr. President.

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**KELLY:** AM2343 is adopted. Senator Brewer, you're recognized to close on-- Mr. Clerk for motions.

**CLERK:** Mr. President, Senator Wayne would move to reconsider the vote just taken on AM2343.

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

**WAYNE:** Thank you, Mr. President. Colleagues, well, this is an issue that I think Senator Brewer said it best when he was on the mic, that he was trying to make sure that this got passed and we didn't take up a lot of time. But the adoption of AM23 [SIC-- AM2343] turns this into a filibuster. And so, I don't know anything else to say but that, whether it happens on General File or Select File, I don't know how you don't move this now to at least a, a long debate. And with that, I yield the rest of my time to Senator Conrad.

**KELLY:** Senator Conrad, you have 9 minutes and 15 seconds.

**CONRAD:** OK. Thank you so much, Mr. President. Thank you so much to my friend Senator Wayne for his swift procedural work, as per usual, very adept application of the rules available to all of us. Friends, I rise in support of the reconsideration motion, and would really ask everyone to pay attention. It's Monday morning. We're excited to see each other after busy, long weekends with family and in the district and preparing for our hearings this afternoon. And there's been a lot of collegial chatter in regards to our important work together. That being said, amid that chatter, there is a serious amendment that Senator Clements has filed here. You have heard the analysis from Chairman Brewer that he considers this amendment to be unfriendly. And let me be clear, it is. If this measure is attached to the Government Committee package, which was put together in good faith, with a host of thoughtful measures brought by a diverse amount of members in this body, to make improvements to aspects of voting and accountability and public participation laws, I, I think that those measures are in jeopardy. What LB-- what AM2343 is, is in essence, LB390 as introduced by Senator Clements, which makes significant changes to vote-by-mail processes and the ability of voters to utilize an agent to return their ballots. This has particular implications for seniors and for voters who are differently abled, in particular. So we need to slow down real fast, and we need to draw our attention to what Senator Clements has put before us and which received majority support a few moments ago. Now, to be clear, there are good faith, principled disagreements about whether or not we should have vote-by-mail, about whether or not we should have agents

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involved in the process. Colleagues, I will tell you, the Government Committee has heard a host of different measures that have been brought forward seeking to restrict voting rights, seeking to erect barriers to public participation. And the Government Committee has decided not to put those forward in our Government Committee package due to the complex and controversial natures of those big debates regarding voter integrity and elections. You'll remember, colleagues, that we worked together in an arduous but good faith fashion last year to implement the will of the voters in regards to the constitutional amendment on voter ID. That was an opportunity to not only effectuate the will of the people, but to ensure that we were doing so in a way that did not perpetuate unfounded myths regarding voter fraud and that did not otherwise disenfranchise eligible voters in Nebraska from participating. That was a very challenging task that we took up together. Everybody gave a little bit. Everybody got a little bit. We figured out how to effectuate the will of the voters. We worked closely with election commissioners, the Secretary of State's and other election officials to try and bring that forward. And we had listened carefully on the Government Committee to citizen concerns about election integrity. And you can look no further than your local election officials, than Nebraska's very conservative Secretary of State, which has demonstrated, which has researched, which has been clear: There may be other issues with voter fraud in other states, but not here. Not in Nebraska. And we need to be very, very careful about taking down this committee package with a host of smart bills in it if we're going to keep AM2343 on it, which is LB390. This measure is not needed. This measure is controversial. This measure poses significant threats, impediments, and barriers to the utilization of vote-by-mail, which more and more Nebraskans utilize in every cycle, and the ability to work with agents to return your ballot, that would have significant and disproportionate impacts on senior voters and voters who are differently abled. So I'm going to ask you to pull up LB390 quickly. We're probably going to have enough time this morning because we're probably going to get stuck here until we move forward unless we can get a quick, favorable vote in terms of Senator Wayne's reconsideration motion, because I think this will sink the Government package, which is important and needs to move. And I think it will definitely inject a significant amount of needless controversy into our well-run elections, better well-run because of our Secretary of State and our hard-working local election officials. These are absolutely solutions in search of a problem. They're addressing matters that are not present in Nebraska, and they do nothing more than put more impediments in place for otherwise eligible voters to exercise their voting rights. Thank you, Mr.



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President. And I would urge a swift adoption of Senator Wayne's motion to reconsider.

**KELLY:** Thank you, Senator Conrad. And you are next in the queue. And waive. Senator Brandt has some guests in the north balcony, Groundwork Nebraska Cooperative Council, 10 in total. Please stand and be recognized by your Nebraska Legislature. Senator Linehan, you are recognized to speak.

**LINEHAN:** Thank you, Mr. President. I've talked to Chair-- Chairman Clements, and I don't ever want to irritate Chairman Brewer, so I guess I am going to support Senator Wayne's amendment, but I don't think this subject should drop. Again, I went back and looked at the committee amendment that's part of Senator Clements' amendment here. And I, I agree that 35 days is too long for mail-in ballots. 30 days is long enough. We now have elections that go over a month, and they're exhausting. And I don't think they're really that productive. And I, I definitely want to say this, I am not for this because I think we have voter fraud in Nebraska or that I don't think our Secretary of State and his team is not incredibly competent. I've never bought into that. But do I think that 35 days is too long? Yes. Do I think ballot harvesting-- and it happens, guys. I've seen it with schools, with ballot issues where they call the parents or send out emails to bring your ballot to school. It's not OK. It's not fraud. It's just, it, it doesn't protect people, to be able to make their decisions on their own, in the privacy of their home or at the ballot box. I just-- it-- again, Secretary Evnen and Wayne Bena both supported this bill. So I, I hope between now and Select, there are going to have to be more conversations. I trust that Senator Conrad has some legitimate concerns, and I hope the committee will work with Senator Clements and try to address those concerns. But to keep peace, I will support Senator Wayne's amendment. Thank you.

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

**CLEMENTS:** Thank you, Mr. President. Didn't realize there were still issues regarding this amendment, and speaking with Senator Brewer. And I've also heard that Secretary of State does not want to lose the basic provisions of LB287. And so I'm going to ask you to vote yes to reconsider the vote, excuse me, vote yes to reconsider the vote on AM2343 and to defeat AM2343 so that we can come to a resolution on-- to some provisions that would not be detrimental to LB287. So I would ask for a green vote on the reconsider motion and then a red vote on AM2343. I would, would not be able to withdraw the amendment because

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it has passed one vote, but we'll need-- this is the process, basically, to withdraw my amendment. Thank you, Mr. President.

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

**WAYNE:** I'll waive. We're going to do the trust fall and see how this plays out. And so, I'm closing my eyes and I'm leaning back.

**KELLY:** Senator Wayne, you're recognized to close on the motion to reconsider.

**WAYNE:** I'll re-- I'll repeat again, we're working on the trust fall. But no, I-- colleagues, here's what I generally think. When you have big issues like this, those big issues should stand alone and we should talk about that issue. What we shouldn't do is add these on committee cleanup bills and committee noncontroversial bills, because it does cause problems down the road. And we've-- actually, that's how we got into our prison crowding. Now that I got a little bit of time to close, I'll tell you. We got rid of our 1/3 rule, which was the standard rule for 60 years, on something like this, where it was a cleanup. And they accident-- well, I don't know if-- Senator Pierce-- Perch-- Peach-- Per-- whatever-- Pirsch did not accidentally do it, but crossed it out. And something like this happened, where it was a noncontroversial bill, slid that part in, and literally, our 1/3 rule was gone. And it's hard to get that back in, because it is a controversial rule that took a lot of years to pass in the 1970s. And it's been that way until, really, 2000 is when that happened. So I think it's right to motion to reconsider. If you have big ideas, let's make sure we have a full conversation about those big ideas. I'm not necessarily disagreeing with it, but we shouldn't necessarily do it this way. So I'd ask for a green vote on the motion to reconsider. Thank you.

**KELLY:** Thank you, Senator Wayne. Members, the question is the motion to reconsider. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 41 ayes, 5 nays on the reconsideration motion.

**KELLY:** The motion is adopted.

**CLERK:** Mr. President, Senator Clements would offer AM2343.

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

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**CLEMENTS:** Mr. President, thank you. I withdraw AM2343. Thank you.

**KELLY:** Without objection. So ordered. Returning to debate on AM2060. Senator Clements, you're recognized to speak.

**CLEMENTS:** I waive.

**KELLY:** Seeing no one else in the queue, Senator Brewer, you're recognized to close on AM2060.

**BREWER:** Thank you, Mr. President. All right, quick refresher. LB289 is the shell bill that is used for the Government priority bill. Within the Government priority bill, is LB47, Senator Dorn's LB269, Senator Halloran's 2-- LB302, Senator Linehan's LB313, Senator Lowe's, and the elections cleanup bill being LB514. Just as a parting thing, so you guys understand, that, that have concerns and are interested in the subjects that were just discussed with Senator Clements' bill, Senator Hansen has many of these in a bill coming up next week in the Government Committee, in LB1211. So I understand. This is not an issue that we're not trying to work, but we're just trying to figure out what right looks like with it. So with that, I would ask for your support, your green vote on AM2060, and also on the base bill, LB287. Thank you, sir.

**KELLY:** Thank you, Senator Brewer. You're recognized to close on the amendment. Members, the question is the adoption of AM2060. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 44 ayes, 0 nays, Mr. President, on the adoption of the committee amendment.

**KELLY:** AM2060 is adopted. Is there any further discussion on the bill? Senator Brewer, you're recognized to close on the bill, and waive. Members, the question is the advancement to E&R Initial of LB287. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 44 ayes, 0 nays, Mr. President, on advancement of the bill.

**KELLY:** LB287 advances to E&R Initial. Mr. Clerk for items.

**CLERK:** Mr. President, notice of committee hearing from the Education Committee, as well as the Government, Military and Veterans Affairs Committee. New LR, LR297, introduced by Senator Murman. That'll be laid over. That's all I have at this time, Mr. President.

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**KELLY:** Next item, Mr. Clerk.

**CLERK:** Mr. President, return-- returning to the agenda. LB143, introduced by Senator Conrad. It's a bill for an act relating to time; provides for year-round daylight savings time as prescribed; harmonize provisions; and repeals the original section. The bill was read for the first time on January 6 of this-- of last year, and referred to the Government, Military and Veterans Affairs Committee. That committee placed the bill on General File, Mr. President. When the Legislature left the bill, pending was the bill itself, as well as an amendment from Senator Erdman, FA207.

**KELLY:** Senator Conrad, you're recognized for a 1-minute refresh on the bill.

**CONRAD:** Good. Thank you so much, Mr. President. And just briefly, colleagues, and I'll punch in again here. But this is a measure I picked up from Senator Briese. It would allow for Nebraska to follow a gradual process, as envisioned and allowed under federal law, to petition for change from the practice wherein we change our clocks twice a year to move to daylight saving time year-round, upon the approval of 4 adjacent states and the federal government. Senator Murman-- Erdman, Erdman has filed an amendment to do another thing allowable under federal law, and that would be to move to standard time immediately, as our sister states in Arizona and Hawaii do. Thank you, Mr. President.

**KELLY:** Thank you, Senator Conrad. Senator Erdman, you're recognized for a 1-minute refresh.

**ERDMAN:** Thank you, Lieutenant Governor. Good morning. Senator Conrad fairly stated what we're trying to do here. It's quite obvious that changing our clocks twice a year is detrimental to people's health, and it takes a while to adjust to that even if you do. And so what my amendment does is stay on standard time year-round. And that's basically the sum of what I'm trying to accomplish. Thank you.

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

**ERDMAN:** Thank you again, Mr. President. Last week, we had an, an opportunity to talk about standard time as being the permanent time. We had had comments made about the states around us that have already selected to stay on daylight savings time. We have one adjustment that they're trying to make in the state of Wyoming. The state of

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Wyoming did approve daylight savings time as their permanent time, and they are in the process of repealing that and going back to standard time. So the only state around us, if they accomplish that task, will be Colorado. And as has been stated several times on this floor, that can never happen until Congress makes that designation. And I want to draw your attention to something about that. In 1973, 1973, Congress adopted daylight savings time as the time that would remain year-round. Early in 1974, they repealed that. They seen the negatives of going to daylight savings time year-round and they repealed it in 1974. So if history has anything to do with it, Congress, in the near future or even in the far distant future will not approve daylight savings time. And I passed out a document to everybody in the room, that has a map that shows how many days the sun will come up after 8:00, and where it comes and up when it comes up now if we would stay on standard time. And I want to bring your attention to the fact that over 1/2 of the state, over 1/2 of the state will have over 100 days when the sun comes up after 8:00. And if you look at the map that I presented to you, if you look at that group of counties, starting with Cherry County at the top, to the southern part-- southern border, they will have 140 days that the sun will come up after 8:00. And the latest, the, the latest it will come up in December in that region is 9:10. So if you live in Valentine, Nebraska, if daylight saving time become the permanent time, the sun will arise at 9:10 a.m. There is significant issues with having the sun come up after 9:00 anywhere in the state. And you'll notice, even in Lincoln, Nebraska, under this proposal, you'll have 120 days that the sun will come up after 8:00. So it's an issue that we have to deal with that is unforeseen if you don't look at the map. And so as you look at that map and you draw your own conclusions about what daylight savings time will mean to this region where the most populous people-- most population live, it is a problem. And so going to permanent time, we can do that without Congressional approval. It's an opportunity for us to not change our clock twice a day. It is also an opportunity for us to improve people's health because of the time change, as well as adjusting to the time change. And so, as I had mentioned last week, some of the things that you need to take into consideration. And as I said this morning earlier to some people I was speaking with, is follow the science. And the science proves that changing to daylight savings time is detrimental to your health. So some of the comments that you'll see in that same document that I sent out-- that I had passed out, is permanent daylight saving time as the worst option. And I would say if you do not adopt standard time as being the year-round time, you need to stay with what you have. Because if you don't stay with the current system where we fall

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back into standard time in the winter time, you're going to have that darkness as I described earlier. But permanent daylight saving time is the worst option of all. And so as we move forward, you need to make a decision about what's best for people's health, what people have requested. And I understand that the recreational people are very upset about going to standard time year-round, but that is the opportunity that we find today-- find ourselves in. We can make this decision today. We don't have to have any approval from the government, and we can go to standard time. And Wyoming will be-- if that passes in Wyoming, they'll be on the same time we are. So I seen an article written by how many times you have to change your clock after we change to standard time and say, Colorado just goes to mountain time or to daylight savings time, and I don't think it makes any difference when you're going for the 150-200 miles across the state, from the, from the standard time to mountain time, that it will make a difference how many times you have to change your clock. People will understand, they'll get used to it, and they'll understand that the time is what it is. And I thought that was an interesting article that Senator John Cavanaugh passed out this morning, about who dis-- who described, described or discovered or set in place the time zones we have. And it was the railroad. So I would ask for your green vote, for once and for all, not to have to change our clocks twice a year. Thank you.

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

**CONRAD:** Thank you so much, Mr. President. And thanks to my friend, Senator Erdman, for his thoughtful explanation of his amendment. Multiple constituents, colleagues, stakeholders have said, you know, what are, what are you going to do in regards to Senator Erdman's amendment? I do consider this a friendly amendment. I do consider this a-- an important policy choice for the Legislature. I think this is an excellent policy discussion. And to be clear, the reason I was always such an enthusiastic supporter of Senator Briese's measure and then an enthusiastic co-sponsor of his measure before I picked it up after he was appointed State Treasurer, is because when you look at the polling, when you talk to your neighbors, well north of 60% of Americans are tired of changing our clocks twice a year. It is disruptive from a health perspective, from a conservation perspective, from a parenting perspective, and it definitely impacts economic issues as well. That being said, LB143, as introduced by Senator Briese, follows a gradual approach allowed under federal law that about 20 of our sister states have also adopted, to adopt permanent daylight saving time, upon the agreement of adjacent states

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and the federal government. Also allowable under federal law, as evidenced in Senator Erdman's amendment, is for states to make an immediate change to standard time, as is in place in Hawaii and in Arizona. Colleagues, just to refresh your recollection and in good faith to opponents who have contacted me, there was robust discussion at the committee level. That discussion has continued on the floor, lifting up legitimate concerns from our partners in the golf industry and the broadcasting industry, which talked about how if Senator Erdman's amendment were adopted, that may impact their business, recreational opportunities for Nebraskans and broadcasting and programming issues for Nebraskans. I am going to support Senator Erdman's amendment, and I'm going to support the underlying bill, whether his amendment is adopted or not. My primary goal is to effectuate a way for us to stop with the significant disruptions in changing our clocks twice a year. I've read the studies from both sides about what option is the best. I think that they have merit, I think that they are well-researched, and I also think it's a close call. I definitely think there are positive attributes and potential unintended consequences from choosing either option, whether that's permanent daylight saving time or setting our clocks solely to standard time. That being said, I specifically wanted to bring this forward because, as a mom of 2 little ones, I know how disruptive that twice a year time change used to be for their nap schedules, used to be for their sleep schedules, and is still hard on them today, even though they're a little bit older now and don't require naps most days. But I have heard a lot of great feedback from constituents about how they agree that changing our clocks twice a year is disruptive for a variety of reasons. That's the easy part. And then, people of goodwill definitely have strong feelings about the best way to go about it. Senator Erdman's amendment would allow us to move immediately.

**KELLY:** One minute.

**CONRAD:** Thank you, Mr. President. LB143, as originally introduced and advanced, follows a more gradual process. With that, I'm happy to answer questions. I hope that we can get to a vote on this today. It's been languishing on the agenda a bit as we've attended to other matters. But I think it would be great to, to get a vote and move forward. Thank you, Mr. President.

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

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**ARCH:** Thank you, Mr. President. I, I would agree with Senator Conrad. We've, we've talked quite a bit about this over time. But I have a, I have a question for Senator Conrad. I, I want to make a statement, if she would just-- I want to, I want to make sure I'm thinking correctly on this. So as I see it, we, in the body here, have 3 choices. We can do nothing, in other words-- and that would be a no vote on everything, including LB143. We can do daylight standard time permanent, which is a-- really a trigger bill. Some other conditions would have to occur. So that would be a no on FA207, a yes on LB143, a yes on, on the underlying bill. And that would be sometime in the future, like I say, a trigger. Right? And then there would be a permanent central standard time-- yes on FA207, which would amend, and then yes on the bill. And that would take effect-- and this is my question-- when? The effective date of the bill? Is that, is that when that would take effect? But those are the 3 options that I see right now in front of the body as far as votes go. And, and I just wanted to make sure-- I just want to confirm that with you, Senator Conrad, and in particular, the effective date if we vote yes on the, on the floor amendment, the effective date of that. So if Senator Conrad would yield to a question.

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

**CONRAD:** Yes, of course.

**ARCH:** Yes. So, Senator Conrad, you heard my 3 options. First of all, am I-- is that correct? Those are the three options in front of us.

**CONRAD:** Yes. Absolutely.

**ARCH:** OK. And then effective date on, on the floor amendment, what, what would be the effective date for that?

**CONRAD:** Thank you, Mr. Speaker. And so, I-- my understanding and I'll clarify if I'm wrong here, but LB143 does not have an emergency clause. So if Senator Erdman's floor amendment were to be adopted and would reflect the body's decision to move immediately to standard time as is allowable, it would take effect approximately 3 day-- 3 months after it were signed into law by the Governor under our current practice.

**ARCH:** OK. And, and daylight savings time, if, if the-- if LB143 were to be adopted without the floor amendment, that would-- nothing would happen immediately. That would sit and wait for some of the other



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conditions to be met, surrounding states, those, those types of things. Correct?

**CONRAD:** Yes. That's correct, Mr. Speaker. 100% right. So if FA207 is rejected and LB143 moves forward, that would take effect in Nebraska 3 months after it was signed by the Governor, as is our practice. And then no action would happen until 3 adjacent states around Nebraska also adopt that practice. Currently, Colorado and Wyoming have, other neighbors are immersed in discussions as we speak, and then Congress must also act. Those are the 2 contingents that must occur if LB143 goes forward without Senator Erdman's amendment. So it would be a much more gradual process and uncertain at best, but would follow the, the path that I think about 19 of our sister states have moved in, as they've joined this effort over the last 5 years.

**ARCH:** OK. Thank you, Senator Conrad. Thank you, Mr. President.

**KELLY:** Thank you, Mr. Speaker. And thank you, Senator Conrad. Senator Murman, you're recognized to speak.

**MURMAN:** Thank you. Mr. Lieutenant Governor. I rise today in support of Senator Erdman's FA207 in standard time. Ensuring we have sunny mornings may seem like a simple convenience issue, but the reality is it's a public health issue and a public safety issue. Our bodies and brains have a natural need for sunlight in the day and dark in the night. In this case, I'm not a neuroscientist, but I can read their opinion and defer to them. Professor of neurology from Washington University, St. Louis, Raman Malhotra, writes that permanent daylight savings time is the worst option. Permanent standard time is more natural for our bodies and the best option for our health. A professor from University of Colorado, Kenneth Wright, writes, all evidence suggests permanent standard time is going to be healthier. So why is this? Because our body has a natural wake, work, and sleep rhythm. Permanent standard time is closer aligned with that. Permanent, permanent daylight savings time is not. So we are not aligned with that natural rhythm and instead follow daylight savings time, the American Academy of Sleep Medicine writes, there could be an increased chance of chronic sleep loss, leading to risks of obesity, cardiovascular disease, and depression. I have a list with me of about 40 professional or economic health organizations who have endorsed permanent standard time as the best year-round clock for these reasons. This is not just a health issue, but also a safety issue. With permanent daylight savings time, we see a dangerous combination of sleep-deprived drivers and children walking to school in the dark. To give some examples, allow me to read some headlines

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and portions from newspapers when we last passed permanent daylight savings time back in 1974. If you're curious about seeing these articles, I'm happy to show them to you. Schoolgirl-- girl hurt. Accident blamed on time change, is one. Children had to meet their school buses in darkness, confronting traffic, still relying on headlights. Children's deaths spur-- did-- to repeal daylight-- Children's deaths spur bid to repeal daylight savings. A girl, 6, critically injured in accident. School children exposed to danger, is another headline. I have personal experienced, quite often, driving through small towns and around rural Nebraska when kids are getting on the school bus early in the morning when it's dark, and I can verify it's much more dangerous at that time, when they have to get on the bus, whether it's in town or out in the country in the dark. And if there's even just a little bit of daylight, it makes it much safer. Don't take my word for it. Let's see what the Academy of Sleep Medicine says. Standard time ensures more light and promotes safety in the morning. For morning commuters and children heading off to school, dark mornings caused by permanent daylight savings time pose numerous safety concerns. More darkness during early morning commutes may also contribute to an increased risk of traffic fatalities. I appreciate Senator Conrad's comment that changing the clock is a, is a big issue also, but we got to follow what health and safety experts say, and that's the reason I have--

**KELLY:** One minute.

**MURMAN:** --strong support for permanent, permanent standard time. Thank you, Mr. Lieutenant Governor. More so, we can learn the past and look to why, when Congress did pass permanent daylight savings time, we quickly got rid of it, as Senator Erdman mentioned. For these reasons, I believe Senator Erdman's FA207 is the best way to approach this issue. And I yield back my time. Thank you.

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

**JACOBSON:** Thank you, Mr. President. I'll be brief. I've thought about this quite a bit. I've gotten a lot of emails on this issue and other issues. One thing I've heard loud and clear from my constituents is don't mess with our time. OK. And so, I think we've concluded, as others have said, that moving the clocks forward and backward, people are sick of. People are telling us, I think, loud and clear, we don't want to do this anymore. So we want to go one way or the other. And I think we've learned, and I think Senator Erdman has outlined it very well, as has Senator Conrad, that-- who brought a bill that was

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based-- going to make permanent daylight savings times, and then decided-- what the worst part of this is, as, as I think has been articulated, is we don't want to keep moving our clocks back and forth. So let's pick one and go with it. And I think it's the right move forward to adopt FA207 and then pass the bill, LB143. We're done moving our clocks. We're on, we're on standard time now. We would just stay there. Living where I do in North Platte, I can tell you that I'm pretty close to the mountain time standard, time zone change. Part of my district is in mountain time. Part of my district is in central time. That's messing things up enough. Let's don't be moving the clocks around, too. So I'm going to support FA207 and also LB143. Thank you, Mr. President.

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

**ALBRECHT:** Thank you, Mr. President. Well, we're going to find out that we all come from different parts of the state, and we all have different needs. I, of course, am in northeast Nebraska, which would affect, obviously, the South Dakota/Iowa area that we do business in. But I just want to-- just put on the record, Jim Timm, the president and executive director of the Nebraska Broadcasters Association, had sent me a letter, and I think it's important to, to read through the programming disruptions. Station programming that Nebraska count-- that Nebraskans count on, on hearing or viewing in certain times of the day would be disrupted. Further, many of the Nebraska radio and TV stations are relied upon for news, weather, and information by commuters and other residents of bordering states. Permanent standard time would negatively impact citizens, businesses, and stations in communities such as Omaha, Scottsbluff, Falls City, Superior, McCook, Chadron, and Valentine, to name a few. On the AM radio access, the Federal Communications Commission, the FCC, requires most AM stations to reduce their operating power or cease operating between sunset and sunrise in order to avoid interference with other AM stations. Permanent standard time would reduce their broadcast reach in the winter months, leaving people without news and programming that they count on, while causing stations to lose operating revenue that they need to keep them in business. And on the TV broadcast schedules, they risk-- their risk of FCC fines, operating on clocks different from our neighboring states, would impact the broadcast times of live supporting events-- sporting, excuse me, sporting events and live telecasts. Further, TV stations' programming may comply with FCC rules for the time a program is permitted to be on the air in one state but could violate the safe harbor rules in another. Panhandle residents who receive TV newscasts from Denver stations would have to

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wait an hour later to see them. The Nebraska Broadcasters Association board of directors understands that people are tired of changing their clocks twice a year for a number of reasons, but LB143 will achieve that goal without significantly disrupting, disrupting the service and information that people count on from Nebraska's local radio and TV stations. So he's asking, please vote no on the permanent standard time. And then I also had a letter from Wayne, Nebraska, David Kelly, the owner of the KTI-- KTCH and KCTY stations. He said he understands that the Legislature is looking to adopt permanent standard time for Nebraska. While the twice a year time change is inconvenient to many, the proposal of LB143, LB143 will create an even more chaos by establishing Nebraska as an island. This move will especially be inconvenient for us here in the northeast Nebraska, given the close connections with the Sioux City area and access to commerce in South Dakota and Iowa. Appreciate your understanding of how this will affect the constituents. So I personally don't have an issue with the changing of the times. You know, with-- we have all 4 different seasons. I do care a lot about the children, but, you know, you either put the kids to bed earlier or later and it lasts for 2 or 3 days. It's not a big deal to me, but I'm just in favor of keeping it the way it is. Thank you, Mr. President.

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

**CLEMENTS:** Thank you, Mr. President. I have been-- really have been surprised with the number of people that say it's that hard-- it's so hard to change the clock back and forth twice a year. I did appreciate Senator Erdman's handout on the second-- third page, talking about why the permanent daylight savings time was repealed in 19-- from 1974, because of children's lives being taken by sleep-deprived drivers driving in the dark. The bottom right-hand panel talks about most work and school starts at 8 a.m. And 8 a.m. Daylight Savings Time January 16th in Omaha is dark but with standard time, 8 a.m. in Omaha is daylight. And also, I do appreciate daylight savings time in the summertime. My family does outdoor activities then. And I would prefer the system that we currently have, so I'm going to vote no on FA207 and then no on LB143. I prefer to leave things the way they are. We've been doing it this way 50 years now, I believe, roughly. And I think it's been a good system, and I-- so I am asking your red vote on FA207 and red on LB143. Thank you, Mr. President.

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**KELLY:** Thank you, Senator Clements. Senator Lippincott announces a guest under the north balcony, Courtney Brandes from Central City, Nebraska. Please stand and be recognized by your Nebraska Legislature. Senator Erdman, you're recognized to speak.

**ERDMAN:** Thank you, Mr. President. Good morning, again. As I listen to the discussion this morning and the reasons that people have for one time or another, it is quite obvious that we're divided on this question. If you believe, if you believe that if LB143 passes without my amendment that it's going to mean something, you're totally wrong. Means nothing. It's the same as doing absolutely nothing. And I'll tell you why that is. It's because Congress tried this in '73 and it didn't last, making daylight savings time permanent. And if you just think about it for a moment, if we have to have 3 other states adopt daylight saving time as a permanent time and then Congress has to approve that, do you think Congress is going to approve 3 states in the central part of the United States and 3 states in the west, like Washington, Oregon, Idaho, and then 3 states in the east, or 5 states here? You're totally wrong. They're not going to do that. What will happen if they make a decision on daylight savings time, we won't have to do anything because they will make it nationwide. That will be the decision. The congressional decision will be either standard time everywhere in the United States or nowhere. That's what it's going to be. And so if FA207, FA207 doesn't pass, I'll be voting against LB143 because it does nothing. It absolutely does nothing. And so I've been told many times in meetings that I've attended, you can't make a negative motion, and that's basically what LB143 is without FA207. And so I think Senator Murman explained the issues very well, about the scientific ramifications, the health issues, the safety issues that are going to be dealt with if you make daylight savings time permanent, and so I won't go into that. But I just wanted to make you aware of the fact that it will never happen. It will never happen that 3 states adjacent to Nebraska or even 3 states including Nebraska will ever become a time zone of their own. It will never happen. So just let it be known, if you don't pass FA207, you just as well not vote for LB143, because it doesn't mean anything because the same thing happens if you don't pass LB143 as we currently have. What we currently have is better, is better. Changing your clock twice a year is better than LB143 having permanent daylight savings time. That's plain and simple, the straight-up truth. So if you haven't looked at that map that I sent out and you hadn't looked at what Senator Clements alluded to at the bottom of page 2, please do that. And I full well know that probably no discussion we can have on this floor of the Legislature is going to

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change anybody's mind. But we go through this process every time thinking it possibly can. And maybe there's a rare occasion, maybe this will be the time that it does change someone's mind. But anyway, vote green on FA207. If it doesn't pass, vote no on LB143. Thank you.

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

**WAYNE:** Thank you, Mr. President. And at this time, I'll yield Senator Erdman my time.

**KELLY:** Senator Erdman, you have 4 minutes, 50 seconds.

**ERDMAN:** Thank you, Senator Wayne. You know, Senator Clements made a comment about the information about when it was repealed, the daylight savings time was repealed, and that information is on page 3. And in 1974, from Nebraska State [SIC] Senator Roman Hruska, he made a motion-- he made a motion in Congress against daylight savings time. So we've been talking about daylight savings time and permanent time longer than it took us to repeal the helmet law. That's quite a while. And so, this is the first time that I know of, and I'm not a historian in the legislator, but-- Legislature, but I think this is the first time we're going to have an opportunity to vote on this. And so when you make that vote, make sure that you have reviewed that document that I sent, that I distributed, and make sure you understand exactly what your vote means. Your vote means absolutely nothing unless you vote for FA207. Thank you.

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

**MEYER:** Thank you, Mr. President. So in 1973, Congress voted to go to year-round, year-round daylight savings time, and then shortly thereafter, repealed it. Golly, is that the first time Congress got something wrong? I think not. But shortly after that, they finally got it right the next time, and we've been doing that for the last 50 years. If only things in our daily lives were as simple as changing our clocks twice a year. I, I know my life is much more complicated than that. There's much bigger issues than, than changing clocks. I think this issue has a much to do about nothing. I have 6 grandchildren that play softball and baseball, and we work long hours on the farm-- farming and ranching. And my-- if my grandkids are-- I know a couple of the towns they play do not have lights on their field. So that means that we have to quit whatever we're doing at 4:00 so they can start their games earlier in the day or possibly not

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even have their parents attend their games because it's dark by 8:30 or 9. And I just don't see the wisdom of that. All of the quotes that were handed out here on the floor are basically 50 years old. Where else do we listen to scientific facts that are 50 years old? Nowhere. So I would encourage a no vote on both of these issues. As a new state senator, I guess I'm somewhat disappointed that we're spending this much time on something that is so, I'll say trivial, because it-- I asked my family doctor, is this, is this something that we should, that we should be concerned about psychologically or physically? And he said, absolutely not. For normal people, this makes absolute-- absolutely no difference. The recreation industry, which I think is strong, I think rural Nebraska relies on competition between towns with their, with their children, in, in all of the sports. And I think following the, the time regimen we have now just fits very, very well. With the, with the change twice a year, my kids get on the-- my grandkids get on the school bus when it's light and they get off when it's light. And I, I am just not a fan of, of, either one of these bills. And I would encourage your vote no on both of these. Thank you.

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

**SLAMA:** Thank you, Mr. President. And good morning, colleagues. While I do agree with most of the United States, in that we should, at some point, stop changing our clocks, I believe this is a federal issue. The problem is, is if we adopt FA207 and we move Nebraska immediately to daylight standard time, we're going to be creating Nebraska Standard and Nebraska Mountain Standard Time. And we're going to be on an island. We will have a different time zone than all of our surrounding states. There will be no continuity. We will be on our own. It's-- if we want to pass LB143 and send a message to the federal government that, hey, we want to stop switching our clocks, that's fine. But if we're adopting FA207 and making Nebraska its literal own island for daylight standard time-- like, I don't think people realize how bad of a deal this is going to end up being. Like, Nebraska will be on its own in terms of where our clocks are for certain periods of the year. So I rise wholeheartedly opposed as respectfully as I can be, to FA207. I'm lukewarm on LB143. I agree with Senator Meyer, in that we should be getting to some more important issues than something that's going to be taken care of on a federal level. Thank you, Mr. President.

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

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**MOSER:** Question.

**KELLY:** The question has been called. Do I see 5 hands? I do. The question is, shall debate cease? All those in favor vote aye; all those opposed vote nay. Record Mr. Clerk.

**CLERK:** 28 ayes, 2 nays to cease debate, Mr. President.

**KELLY:** Debate does cease. Senator Erdman, you're recognized to close on FA207.

**ERDMAN:** Thank you, Mr. President. And I want a call of the house, so when you're ready to vote, everybody is here.

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

**CLERK:** 34 ayes, 1 nay, Mr. President, to place the house under call.

**KELLY:** The house is under call. Senators, please record your presence. Those unexcused senators outside the Chamber, please return to the Chamber and record your presence. All unauthorized personnel, please leave the floor. The house is under call. Senator Erdman, you're recognized to continue your close.

**ERDMAN:** Thank you very much, Mr. President. I listened to Senator Slama's comment about we would be an outlier. As you all know, we make adjustments between General and Select, and I understood and do understand what she says, that if we put this into effect immediately, it may have an adverse effect on those states that around-- surround us. So it would be wise that, after we advance FA207 and LB143, that we make an adjustment to make the date that it takes effect as to '25, in the spring of '25. So that would be my desire when we get this advanced from General to Select, to make that adjustment, instead of having it go into effect 3 months after the Governor signs it into law. That would put us in a peculiar position. I get that. So vote for FA207. We'll make an adjustment between General and Select to address that issue. And we will then be the state, the only state in, in this region that will have, at that time, adopted permanent time as our-- standard time as our permanent time, except for Wyoming, when they get theirs completed. So I ask you to vote green on FA207. Thank you.



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**KELLY:** Senator Machaela Cavanaugh, Senator Dungan, please return to the Chamber and record your presence. The house is under call. All unexcused members are now present. Members, the question is the adoption of FA207. All those in favor vote aye; all those-- roll call has been requested. Mr. Clerk.

**CLERK:** Senator Aguilar voting yes. 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 yes. Senator Brandt voting no. Senator Brewer voting yes. Senator John Cavanaugh. Senator Machaela Cavanaugh not voting. Senator Clements voting no. Senator Conrad voting yes. Senator Day voting no. Senator DeBoer voting no. Senator DeKay voting no. Senator Dorn voting no. Senator Dover voting no. Senator Dungan voting no. Senator Erdman voting yes. Senator Fredrickson voting no. Senator Halloran voting yes. Senator Hansen. Senator Hardin voting yes. Senator Holdcroft voting yes. Senator Hughes voting no. Senator Hunt voting yes. Senator Ibach voting no. Senator Jacobson voting yes. Senator Kauth voting yes. Senator Linehan not voting. Senator Lippincott voting yes. Senator Lowe voting no. Senator McDonnell voting yes. Senator McKinney voting yes. Senator Meyer voting no. Senator Moser voting no. Senator Murman voting yes. Senator Raybould. Senator Riepe voting no. Senator Sanders voting no. Senator Slama voting no. Senator Vargas voting yes. Senator von Gillern voting no. Senator Walz voting yes. Senator Wayne voting yes. Senator Wishart voting yes. Vote is 19 ayes, 25 nays, Mr. President, on the adoption of FA207.

**KELLY:** FA207 is not adopted. I raise the call. Returning to the queue. Senator Kauth, you're recognized to speak. Seeing no one else-- Senator Erdman, you're recognized to speak.

**ERDMAN:** Thank you, Mr. President. I want to thank those who had the common sense to vote yes. I appreciate that. So as I said earlier, this is now a nothing bill. This does absolutely, absolutely nothing. OK. So just know if you vote green on this, that your vote is absolutely wasted because this is going to be something that will never be decided by Congress. So I'm voting no and I encourage you to do the same. Thank you.

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

**CLEMENTS:** Thank you, Mr. President. I prefer to keep the daylight savings time, standard time system the way we have it, and believe--

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I did talk to my school superintendent. And he really doesn't want to have kids going to school in the dark in December or January. And that's probably my primary reason for continuing with standard time in the winter. But I still do want-- appreciate the daylight savings time we have in the summertime, but I think it should end in the fall like we do now. So I oppose LB143 with year-round time. And I agree with Senator Erdman that it really wouldn't change anything, because it's a federal issue. And so I urge your red vote on LB143. Thank you, Mr. President.

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

**CONRAD:** Thank you so much, Mr. President. And I am delighted that hopefully we'll have a chance to resolve this issue before we break for lunch today, and want to thank everybody who weighed in, in good faith with passionate, thoughtful arguments, in regards to Senator Erdman's amendment and the underlying legislation. Couple points for your consideration on, as I urge your advancement and adoption and support of LB143. This is a measure that Senator Tom Briese brought forward for many years. There is a very diverse set of co-sponsors, including myself, that have added their name to this, this cycle and in years previous, to give voice to their constituents' concerns that they find the twice-a-year practice of changing our clocks disruptive, for economic, personal, health, conservation, and a host of different reasons. LB143 follows a gradual approach allowed under federal law, that 19 of our sister states have joined in the past 5 years, that allow for an election of permanent daylight saving time upon the enactment by 3 adjacent states and Congressional approval. I think that this helps to move forward a gradual, thoughtful way to urge our federal representatives to act quickly and to end the disruptive time change that it seems nobody really enjoys. OK, not nobody. We heard from some folks that are just fine with the status quo, and they did a great job of sharing why. I actually wanted to make sure to thank Senator Albrecht for giving clear voice to the concerns from the broadcasters. I had that on my to-do list, and she did it in such a fantastic way. So I want to thank her for bringing that forward. I also want to thank Senator Erdman for bringing forward his floor amendment that gave the body an immediate option. And if anybody was concerned about whether or not the nonpartisan spirit was alive and well in the Nebraska Legislature, look no farther than the vote on Senator Erdman's floor amendment. That was really interesting and cool to see how people came together to decide how to cast their vote on that and in good faith. Finally, I would just let you know that I did receive a note in regards to debate this

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morning, wherein the State Chamber wants to add its support for LB143, which was not reflected on your committee statement. So I just wanted to, to bring up that late support. I want to thank Senator Briese for his long-standing leadership on this issue. And it's really fun to carry this bill forward. So let's get a vote and hopefully join 19 of our sister states to move towards ending the twice-a-year disruption in the time change. Thank you, Mr. President. I would urge your favorable vote on LB143.

**KELLY:** Thank you, Senator Conrad. Members, the question is the advancement to E&R Initial of LB143. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 14 ayes, 15 nays [SIC--25 nays], Mr. President, on advancement of the bill.

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

**CONRAD:** Yes. I rose to request a call of the house and a roll call vote.

**KELLY:** Senator Conrad, the vote's already been called.

**CONRAD:** I-- but I had-- I had sig--

**KELLY:** Please approach, Senator Conrad. The bill is advanced. Mr. Clerk, for items. Excuse me. The bail-- the bill fails to advance. Mr. Clerk for items.

**CLERK:** Mr. President, new LR, LR298, from Senator Arch. That will be referred-- communication from Speaker Arch, pursuant to Rule 4, Section 8, referring LR298 to the Reference Committee for proper reference. Name adds: Senator Lippincott, LB16, Senator Lippincott also, LB188, LB228, LB230, LB250, LB853; Senator Dorn, LB910; Senator Vargas, LB913; Senator Hansen, LB1061; Senator Hardin, LB1087; Senator Halloran, LB1260. Finally, Mr. President, a priority motion. Senator Brewer would move to adjourn the body until Tuesday, February 6, 2024 at 9:00 a.m.

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