

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate February 21, 2025
Rough Draft

ARCH: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the thirtieth day of the One Hundred Ninth Legislature, First Session. Our chaplain for today is Pastor Marcus Kramer from Faith, Hope and Love Fellowship in Creighton, Nebraska, in Senator Barry DeKay's district. Please rise.

MARCUS KRAMER: Good morning and God bless you. Father God, we come to you humbly yet boldly this morning. We ask you to fill each person in this room with your amazing love. Father, we also ask that the Holy Spirit would give each person in this room the full power that you desire us to have, according to Jesus Christ's riches and glory. Father, we thank you for our great state of Nebraska. We thank you for every city, county, and township, Lord. We thank you for the amazing scenery that you created when you created the world, Lord. Here in Nebraska we are so blessed, Father God, and we thank you for blessing us to be Nebraska citizens. Lord, we pray over all of our ranchers, over all of our business people, over every one of our schools and police departments and, and, and sheriff's departments and fire departments, Lord. We thank you for the amazing service that our EMTs and emergency effort people continue to support in our great state, Father God. Father, we speak over this legislative session, Lord, that common sense would reign and that the integrity would be up to your standards in this room, Father God. We thank you, Father God, that you continue to give us your amazing grace and mercy. And that you continue to qualify us despite our imperfections, to be chosen vessels used by you, Father God. We thank you, Father God, for your protection over our state and over each person in this room. And Father, again, we just mostly thank you for your amazing love which was proven by the sacrifice of your son, Jesus Christ. We thank you for that, in his name. Amen.

ARCH: I recognize Senator von Gillern for the Pledge.

von GILLERN: 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.

ARCH: Thank you. I call to order the thirtieth day of the One Hundred Ninth Legislature, First Session. Senators, please record your presence. Roll call. All right. Mr. Clerk, please record.

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

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

CLERK: I have no corrections this morning, sir.

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

ARCH: There are, Mr. President. Your Committee on Urban Affairs, chaired by Senator McKinney, reports LB292 to General File, with committee amendments. Additionally, committee reports from the Natural Resources Committee concerning gubernatorial appointments to the Nebraska Natural Resources Commission, Nebraska Power Review Board. Agency reports electronically filed with the Nebraska-- with the Legislature can be found on Nebraska Legislature's website. And a report of registered lobbyists for February 20, 2025, will be found in the Legislative Journal. That's all I have at this time.

ARCH: Senator DeKay would like to recognize a special guest, Annie Kramer, from Creighton, Nebraska, the spouse of this morning's pastor, seated under the south balcony. Please rise, be welcomed by your Legislature. We will now proceed to the first item on the agenda.

CLERK: Thank you, Mr. President. First item on the agenda, committee report concerning the gubernatorial appointment of Duane Gangwish to the Nebraska Brand Committee.

ARCH: Senator DeKay, you're recognized to open on the committee report.

DeKAY: Thank you, Mr. President. Good morning, colleagues. The Agriculture Committee reports favorably on the reappointment of Duane Gangwish to the Nebraska Brand Committee. The Brand Committee consists of 5 members appointed by the governor. At least 3 members shall be active Cattlemen, and at least 1, 1 member shall represent cattle feeders. Mr. Gangwish is a representative of the feeding sector. Duane has completed 1 term as a member of the Brand Committee, and will continue into his second term, pending confirmation of his reappointment. He was first appointed in July of 2021 to complete a term vacated by his predecessor that ended August 28, 2024. He is currently serving as chair of the Brand Committee. Duane lives near Lexington and has been a chief financial officer for Darr Feedlot Incorporated, operation near Cozad, from April 2018 to the present. Previously, he was an operations manager for Verified Beef, LLC, which helps livestock producers market their production in premium markets throughout source and process verification and other marketing

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services. He also, in the past, been self-employed as a consultant, advising livestock operations on meeting regulatory requirements. Duane is a graduate of Shelton Public Schools and earned a bachelor's degree in animal science from the University of Nebraska. Mr. Gangwish appeared in person for his confirmation hearing on February 11. The committee voted 8-0 to recommend the approval of his reappointment. I would urge your yes vote on the committee report. Thank you, Mr. President.

ARCH: Senator Ibach, you're recognized to speak.

IBACH: Thank you very much. Thank you very much, Mr. President. I would just lend my support to Mr. Gangwish, as well. As a fellow member of our Dawson County constituency, he's done a really good job in identifying the needs and the support for the Brand Committee. And I would just encourage everyone to green light on Mr. Gangwish. Thank you very much.

ARCH: Seeing no one else in the queue, Senator DeKay, you're recognized to close. Senator DeKay waives close. Colleagues, the question before the body is the confirmation report from Agriculture. All those in favor, vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: 40 ayes-- 41 ayes, 0 nays, Mr. President, on adoption of the committee report.

ARCH: Confirmation report is adopted. Mr. Clerk, next item.

CLERK: Mr. President, Senator Hardin would move to withdraw LB333.

ARCH: Senator Hardin, you're recognized to open.

HARDIN: Thank you, Mr. President. What we discovered in the process of pursuing an opportunity to have younger qualified drivers of propane delivery, particularly in rural areas, is something that's already in statute so we simply want to withdraw the bill. Thank you.

ARCH: Seeing no one in the queue, you're recognized to close. Senator Hardin waives close. Colleagues, the question before the body is the motion to withdraw LB333. All those in favor vote aye; opposed, vote nay. Mr. Clerk, please record.

CLERK: 39 nays, 0 nays, Mr. President, on the motion to withdraw.

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ARCH: The motion is adopted. Mr. Clerk, next item.

CLERK: Mr. President, the next item on the agenda, Senator Brandt would move to spend Rule 3, Section 14, to allow for the cancellation of a public hearing on LB695.

ARCH: Senator Brandt, you're recognized to open on your motion.

BRANDT: Thank you, Mr. President. LB695 was scheduled for Wednesday, February 26, I believe. And the introducer of the bill, Senator Dover, came to me and had a lot of testifiers unable to make that date and asked that we move that to March 5, which we were willing to do. But it was past the point of notification on the public hearing, so we have to suspend the rules to move that hearing from February to March.

ARCH: Seeing no one in the queue, you're welcome to close. Senator Brandt waives close. The question before the body is the motion to suspend the rules. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: 41 nays, 1 nay on the motion to suspend the rules, Mr. President.

ARCH: The motion is successful.

CLERK: Mr. President, pursuant to the rule suspension, the Natural Resources Committee would give public notice of the cancellation of LB695. Additionally, Mr. President, if I may, an item. New A bill, LB609A, introduced by Senator Bostar. It's a bill for an act relating to appropriations; appropriate funds to aid in the carrying out the provisions of LB609. Additionally, your Committee on Natural Resources, chaired by Senator Brandt, reports LB344 and LB480 to General File. That's all I have at this time.

ARCH: Senator Dungan would like to recognize some special guests today, 7 guests from the Nebraska School Counselor Association from across Nebraska. They are located in the north balcony. Please rise and be welcomed by your Legislature. Senator Dungan also has special guests seated under the south balcony, Nicki Hanseling from Lincoln and Mattie Trejo Amen from Lincoln. Please rise and be welcomed. OK. Mr. Clerk, we'll move to Final Reading. Members should return to their seats in preparation for Final Reading. Members, please return to your seats for Final Reading. Colleagues, we would ask that you check in for this first-- to begin Final Reading. Please check in. Colleagues,

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if you're seated at your desks, please check in. Mr. Clerk, first item.

CLERK: Mr. President, Final Reading. [Read LB1 on Final Reading]

ARCH: Members, LB1 is a Revisor's bill that amends provisions of the medical marijuana laws enacted by an initiative in 2024. Pursuant to Article III, Section 2 of the Nebraska Constitution, amending a law enacted by the people by initiative requires a two-thirds vote, 33 aye votes, for final passage. The emergency clause on LB1 requires a two-thirds vote, as well. All provisions of law relative to procedure having been complied with, the question is shall LB1 pass? All those in favor vote aye; all those opposed vote nay. And this was-- this is a vote to be passed with the emergency clause attached. All those in favor, vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: Voting aye: Senators Andersen, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: None. Not voting: Senator McKinney. Vote is 48 ayes, 0 nays, 1 excused, not voting, Mr. President.

ARCH: LB1 passes. Mr. Clerk, next item.

CLERK: [Read LB2 on Final Reading]

ARCH: All provisions of law relative to procedure having been complied with, the question is shall LB2 pass with the-- does not have an emergency clause. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: None. Not voting: Senator McKinney. Vote is 48 ayes, 0 nays, 1 excused, not voting, Mr. President.

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ARCH: LB2 does pass. Mr. Clerk, next item.

CLERK: [Read LB20 on Final Reading]

ARCH: All provisions of law relative to procedure having been complied with, the question is, shall LB20 pass? All those in favor vote aye; all those opposed, vote nay. Mr. Clerk, please record.

CLERK: Voting aye: Senators Andersen, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: None. Not voting: Senators McKinney. Vote is 48 ayes, 0 nays, 1 excused, not voting, Mr. President.

ARCH: LB20 passes. Mr. Clerk, next item. The first vote is to dispense with the at-large reading. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: 45 ayes, 3 nays, to dispense with the at-large reading.

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

CLERK: [Read title of LB38]

ARCH: All provisions of law relative to procedure having been complied with, the question is shall LB38 pass? All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: Voting aye: Senator Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: None. Not voting: Senator McKinney. Vote is 48 ayes, 1-- 0 nays, 1 excused, not voting, Mr. President.

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ARCH: LB38 passes. Mr. Clerk, next item, LB43e. The first vote is to dispense with the at-large reading. All those in fo-- in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: 47 ayes, 0 nays to dispense with the at-large reading, Mr. President.

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

CLERK: [Read title of LB43]

ARCH: All provisions of law relative to procedure having been complied with, the question is shall be LB43 pass with the emergency clause attached? All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: Voting aye: Senators Andersen, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: None. Not voting: Senator McKinney. Vote is 48 ayes, 0 nays, 1 excused, not voting, Mr. President.

ARCH: LB43 does pass with the emergency clause attached. Mr. Clerk, next item.

CLERK: [Read LB58 on Final Reading]

ARCH: All provisions of law relative to procedure having been complied with, the question is shall LB51 pass? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: None. Not voting: Senator McKinney. Vote is 48 ayes, 0 nays, 1 excused, not voting, Mr. President.

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ARCH: LB51 does pass. Next item, LB52. The first vote is to dispense with the at-large reading. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 46 ayes, 1 nay to dispense with the at-large reading, Mr. President.

ARCH: The at-large reading is dispensed with. Please read the title.

CLERK: [Read title of LB52]

ARCH: All provisions of law relative to procedure having been complied with, the question is shall LB52 pass? All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Frederickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: None. Not voting: Senator McKinney. Vote is 48 ayes, 0 nays, 1 excused, not, Mr. President.

ARCH: LB52 does pass. Mr. Clerk, next item.

CLERK: [Read LB58 on Final Reading]

ARCH: All provisions of law relative to procedure having been complied with, the question is shall LB58 pass? All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordkemper. Voting no: None. Not voting: Senator. McKinney. Vote is 48 ayes, 0 nays 1 excused, not voting.

ARCH: LB58 does pass. Mr. Clerk, next item, LB72. The first vote is to dispense with the attached-- with the at-large reading. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

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CLERK: 47 ayes, 0 nays to dispense with the at-large reading, Mr. President.

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

CLERK: [Read title of LB72]

ARCH: All provisions of law relative to procedure having been complied with, the question is shall LB72 pass? All those in favor vote aye, all those opposed vote nay. Mr. Clerk, please record.

CLERK: Voting aye: Senator Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: Senator Hunt. Not voting: Senator McKinney. Vote is 47 ayes, 1 nay, 1 excused, not voting, Mr. President.

ARCH: LB72 passes. Mr. Clerk, next item.

CLERK: [Read LB85 on Final Reading]

ARCH: All provisions of law relative to procedure having been complied with, the question is shall LB85 pass? All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: None. Not voting: Senator McKinney. Vote is 48 ayes, 0 nays. 1 excused, not voting, Mr. President.

ARCH: LB85 does pass. Mr. Clerk, next item.

CLERK: [Read LB91 on Final Reading]

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ARCH: All provisions of law relative to procedure having been complied with, the question is LB91 pass? All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: None. Not voting: Senator McKinney. Vote is 48 ayes, 0 nays, 1 excused, not voting, Mr. President.

ARCH: LB91 does pass. Mr. Clerk, next item.

CLERK: [Read LB108 on Final Reading]

ARCH: All provisions of the law relative to procedure having been complied with, the question is shall LB108 pass with the emergency clause attached? All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: None. Not voting: Senator McKinney. Vote is 48 ayes, 0 nays, 1 excused, not voting, Mr. President.

ARCH: LB108 does pass with the emergency clause attached. Mr. Clerk. Senator Hunt, for what purpose do you rise?

HUNT: Point of parliamentary inquiry.

ARCH: Please state your inquiry.

HUNT: Thank you. So I filed a conflict of interest with the NADC, and I was present, not voting on LB72. And I understand that the system is set up now, because of the rule that we passed that the light shows up red or green, whether or not you're not voting. But I'm curious why

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the Clerk read it across as a no instead of a present, not voting.
Thank you.

ARCH: Mr. Clerk, could you respond to the parliamentary inquiry?

CLERK: Senator Hunt, to-- according to the rules, to properly file an accountability and disclosure notice, it's got to go to Accounting, the Speaker's Office, and the Clerk's Office. You did all 3 of those things. We have-- we are still-- we've got a staff advisory opinion into accountability and disclosure to make sure that the form you, you sent in-- well, it did match all aspects of a conflict of interest form. Once we have received that back, that confirmation, we plan to meet with the Speaker. We'll read that across. You will then be shown as, in the Journal, a present, not voting. But until we have that document actually read across and in the Journal to show that you have that filed, we can't operate outside of the rule in that case.

HUNT: Thank you, Mr. Clerk. The letter of the rule says that the conflict of interest report has to be filed. And so after, after Final Reading, maybe we could talk about what filed means. Because I did file it. So according to the letter of the rule, I think that my vote should, should have been read across correctly. Thank you.

ARCH: Thank you, Senator Hunt. Mr. Clerk, next item.

CLERK: [Read LB126 on Final Reading]

ARCH: All provisions of law related to procedure having been complied with, the question is shall LB126 pass? All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: None. Not voting: Senator McKinney. Vote is 48 ayes, 0 nays, 1 excused, not voting, Mr. President.

ARCH: LB126 does pass. Mr. Clerk, next item.

CLERK: [Read LB167 on Final Reading]

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ARCH: All provisions of law relative to procedure having been complied with, the question is shall LB167 pass with the emergency clause attached? All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: Voting aye: Senator Andersen, Arch, Armendariz, Ballard, Bosn, Boastar, Brandt, John Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: Senator Machaela Cavanaugh. Not voting: Senator McKinney. Vote is 47 ayes, 1 nay, 1 excused, not voting, Mr. President.

ARCH: LB167 passes with the emergency clause attached. Mr. Clerk, the next item is 182-- LB182. The first vote is to dispense with the at-large reading. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: 45 ayes, 1 nay [SIC -- 2 nays] to dispense with the at-large reading, Mr. President.

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

CLERK: [Read title of LB182]

ARCH: All provisions of law related to procedure have been complied with, the question is LB182 pass? All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no. Senators Juarez and Spivey. Not voting: Senator McKinney. Vote is 46 ayes, 2 nays, 1 excused, not voting, Mr. President.

ARCH: LB182 does pass, Mr. Clerk, next item.

CLERK: [Read LB194 on Final Reading]

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ARCH: All provisions of law relative to procedure having been complied with, the question is shall LB194 pass? All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, John Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: None. Not voting: Senators Machaela Cavanaugh and McKinney. Vote is 47 ayes, 0 nays, 2 excused, not voting, Mr. President.

ARCH: LB194 does pass. Mr. Clerk, LB208. The first vote is to dispense with the at-- with the at-large reading. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 47 ayes, 0 nays to dispense with the at-large reading, Mr. President.

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

CLERK: [Read title of LB208]

ARCH: All provisions of law relative to procedure having been complied with, the question is shall LB208 pass? All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, John Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: None. Not voting: Senators Machaela Cavanaugh and McKinney. Vote is 47 ayes, 0 nays, 2 excused, not voting, Mr. President.

ARCH: LB208 does pass. Mr. Clerk, next item, LB209e. The first vote is to dispense with the at-large reading. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

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CLERK: 45 ayes, 0 nays to dispense with the at-large reading, Mr. President.

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

CLERK: [Read title of LB209]

ARCH: All provisions of law relative to procedure having been complied with, the question is shall LB209 pass with the emergency clause attached? All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, John Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: None. Not voting: Senators Machaela Cavanaugh and McKinney. Vote is 47 ayes, 0 nays, 2 excused, not voting, Mr. President.

ARCH: LB209 does pass with the emergency clause attached. Senator Kauth would like to recognize our doctors for the day, Dr. Subhash Paknikar of Omaha and Dr. Jayashree Paknikar of Omaha. Please rise. Thank you for coming. Mr. Clerk, we'll now proceed to General File. First item, please.

CLERK: Mr. President, General File, LB123, introduced by Senator Sanders. It's a bill for an act relating to political subdivisions; amends sections 13-522 and 19-2907; changes provisions relating to withholding money due to noncompliance with budget limits and annual audits for certain political subdivisions; repeals the original section. The bill was read for the first time on January 10 of this year in front of the Government, Military and Veterans Affairs Committee. That committee placed the bill on General File. I have nothing pending on the bill, Mr. President.

ARCH: Senator Sanders, you're welcome to open on LB123.

SANDERS: Good morning, Mr. President, colleagues, and Nebraska. LB123 was requested by the State Treasurer's Office in coordination with the State Auditor's Office, to synchronize the withholding and potential redistribution of state aid, specifically, highway allocation, in 2

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statutes, 19-2907 and 13-552 [SIC], for non-compliant cities and villages. Currently, there is a discrepancy between these 2 statutes recording-- regarding fund distributions-- redistribution. And this bill aims to align 13-522 with 19-2907. Additionally, it introduces provisions to address continual noncompliance in both statutes. The first objective is to harmonize the withholding and redistribution process in statutes 19-2907, 13-522, and 13-3407. For cities or villages that remain non-compliant after the 6-month escrow period and forfeit aid under 1907-- 19-2907, forfeited funds are redistributed within the same county while 13-522 and 13-3407 distribute the funds statewide. We propose updating 13-522 and 13-3407 to match 19-2907. Redistribution statewide often results in small amounts, particularly for smaller villages that tend to remain non-compliant after the escrow period. The second objective is to add provision to both statutes that would remove a non-compliant city or village from the distribution if they do not comply within 12 months of receiving notice from the Auditor's Office. This would prevent prolonged withholding and redistribution process. If the city or village becomes compliant, it would be reinstated in the distribution. Currently, we have been withholding and redistributing highway allocations funds, funds for South Bend and about-- for about 5 years, totaling over \$81,000 since 2019, with no resolution in sight. Highway allocation and incentive payments are the most common-- commonly withheld funds. This bor-- this bill came out of committee at zero-- 8-0 vote. I would greatly appreciate your green vote on LB123. Thank you, Mr. President.

ARCH: Seeing no one in the queue, you're welcome to close on LB123. Senator Sanders waives close. Colleagues, the question before the body is the adoption of LB103-- the passing of LB123. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

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

ARCH: LB123 does advance to E&R Initial. While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign LB1e, LB2, LB20, LB38, LB43e, LB51, LB52, LB58, LB72, LB85, LB91, LB108e, LB126, LB167e, LB182, LB194, LB208, LB209e. Mr. Clerk, next item.

CLERK: Mr. President, General File, LB373, introduced by Senator Hansen. It's a bill for an act relating to roads; to amend section 39-1722, and 39-1724, and 39-1725, Reissue Revised Statutes of Nebraska, and section 39-1410, Revised Statutes Cumulative Supplement, 2024; changes provisions relating to section lines and vacation or

abandonment of public roads; harmonizes provisions; repeals the original section. The bill was read for the first time on January 16 of this year and referred to the Government, Military and Veterans Affairs Committee. That committee placed the bill on General File. There's nothing on the bill at this time, Mr. President.

ARCH: Senator Hansen, you're recognized to open on LB373.

HANSEN: Thank you, Mr. Speaker. LB373 works to clarify and update state statutes set years ago. Back in 1855, the United States government began the, the process of contracting surveyors to divide up the territory of Nebraska into sections. It took around 50 years to complete the project, dividing the state into townships that are each 6 miles, containing 36 sections. Each section is 1 square mile. We still referred to these sections. And in 1957, it was determined by the Legislature that section lines should be declared as public roads. If you drive through parts of rural Nebraska, you will see a public road every square mile. In certain areas, you can drive for miles without seeing a house, but each mile will bring you to an intersection of roads that were built along section lines. Through further conversations, I found an inconsistency in the interpretation of state statute. Some on the state level think the declaration of-- from 1957 is more of a statement that suggests public roads must be placed, first and foremost, on section lines. Others have come to the conclusion that section lines must be roads, causing miles of public roads to be built where it is unnecessary. Counties are divided into 3 groups based on population size: Large counties with more than 50,000 people; medium counties with 5-50,000 people; and small counties with less than 5,000. From the latest numbers, medium to small counties spend 31-33% of their budget on roads. Rural county officials feel like current state statute requires them to maintain public roads every square mile, regardless if they are used or not. LB373 clears this confusion. It would make state statute read quote. The section lines are hereby declared but are not required to be public roads. This clarification is the main reason for this bill. It also allows counties to vacate or move-- remove some of these roads that are not being used through an updated process, without the requirement of a study. I worked with the Department of Transportation, the counties, and the county commissioners while writing this language. I do want to mention that the same language was passed out of committee last year as LB1174. I added a few changes this year at the suggestion of the state surveyors. LB373 was voted out of committee with an 8-0 vote. It takes into consideration the desires of the people, the needs of the county, and the overall ability to be responsible with taxpayer

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dollars. I'm open to answer any questions you may have, and ask that you support LB373. And colleagues, this is one of those instances where we are able to get rid of, of an unfunded mandate. So this is our opportunity. Thank you, Mr. Speaker.

ARCH: Senator Clements, you're recognized to speak.

CLEMENTS: Thank you, Mr. President. I stand in support of LB373. In visiting with county officials, they have found some confusion on what our laws really are, on what roads they have to put on section lines, and especially in smaller counties. This will help clarify and remove a mandate that is unworkable. Please vote green on LB373. Thank you, Mr. President.

ARCH: Seeing no one in the queue, Senator Hansen waives close. Colleagues, the question before the body is the advancement to E&R Initial of LB373. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: 40 ayes, no nays on advancement of the bill, Mr. President.

ARCH: LB373 does advance. Mr. Clerk, next item.

CLERK: Mr. Pres-- Mr. President, the next bill, General File, LB294, introduced by Senator Storer. It's a bill for an act relating to County Visitors Improvement Fund; amends section 81-3-- 3720; changes provisions relating to grants; repeals the original section. The bill was read for the first time on January 15 of this year and referred to the Government, Military and Veterans Affairs Committee. That committee placed the bill on General File, with committee amendments, Mr. President.

ARCH: Senator Storer, you're recognized to open on LB294.

STORER: Thank you, Mr. Speaker. Good morning, colleagues. I am here today to introduce LB294. This is a bill designed to create greater flexibility in the amount of grant funding that is available through the County Visitor Improvement Fund. These funds, which utilize proceeds from local lodging tax, were created to help counties develop, expand, and improve facilities at their visitor attractions. Tourism in Nebraska is becoming a significant part of the economy, including in the Sandhills. And actually, Atlas Obscura, a national organization promoting tourism, has chosen the Nebraska Sandhills as 1 of 5 outstanding des-- destinations to visit in 2025. The County Visitor Improvement Fund was originally created in 2005 by Senators

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Beutler and Landis to provide funding for the restoration of the William Jennings Bryan home. This program was established as a companion to the County Visitor Promotion Fund. While the Promotion Fund supports marketing and advertising campaigns to attract visitors. The Improvement Fund focuses on funding infrastructure projects for visitor attractions. Both funds are sourced from county lodging tax revenues, and under current law, counties are limited to awarding annual grants of up to 1% of their lodging tax collections. What we're trying to remedy with LB294 is to allow counties who collect a smaller amount a little bit more meaningful dollar amount to expend per year. So we are asking of the greater amount of either 1% or \$5,000, whichever is greater. For perspective, this would impact or, or help 4 of my 11 counties that currently, would, would be limited 1% of their annual dollars, and their tourism improvement funds would be limited-- would be less than \$5,000. The bill would initially-- like I said, it was initially drafted-- actually, we started at \$2,500 and realized that that wasn't going to be very helpful, so we made an amendment to increase that to \$5,000. In my opinion, counties should be empowered to utilize their available funds in ways that enhance visitor attractions. And I do want to be clear, this is not any increase in, in lodging tax. This is just enabling counties to-- really giving them budget authority to spend the dollars that they have already collected. The purpose of the Improvement Fund is to better address the need to, to attract visitors to our counties. So I would encourage you to vote yes. For a note, this did come out of committee 8-0, and is, again no, no increase in taxes, just increasing the authority for our smaller counties to spend a little bit more meaningful amount on an on one project in a single year to help promote tourism. So happy to answer any questions. Thank you for your green vote.

ARCH: Senator Sanders for committee amendment.

SANDERS: Thank you, Mr. President. This was voted out of committee 8-0, and expands the cap from \$2,500 to \$5,000. Thank you, Mr. President.

ARCH: Seeing no one in the queue, you're welcome to close on AM54. Senator Sanders waives close. Colleagues, the question before the body is the adoption of AM54 to LB294. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: 37 ayes, 0 nays on adoption of the committee amendment, Mr. President.

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ARCH: AM54 is adopted. Senator Storer, you are recognized to close on LB294. Senator Storer waives close. Colleagues, the question before the body is the advancement of LB294 to E&R Initial. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

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

ARCH: LB294 does advance. Mr. Clerk, next item.

CLERK: Next item, Mr. President, General File, LB31, introduced by Senator Conrad. It's a bill for an act relating to schools; states legislative findings; requires the State Board of Education develop a model policy relating to the use of student surveillance, monitoring, and tracking technology by school districts as prescribed; requires each school district to adopt a policy consistent with the model policy. The bill was read for the first time on January 9 of this year and referred to the Education Committee. That committee placed the bill on General File. There's currently nothing on the bill, Mr. President. Oh, excuse me, Mr. President. I have no committee amendments. I have additional amendments.

ARCH: Senator Conrad, you're recognized open on LB31.

CONRAD: Thank you. And if you could please refresh my recollection, recollection, do I have 5 or 10 minutes on open?

ARCH: 10 minutes.

CONRAD: Thank you very much. Thank you, colleagues. Happy Friday. It's good to see the temperature gauge moving in the right direction. And there's particular celebration in the air as our students have returned to school in Lincoln after a, a very fun and challenging snow and cold week at home. But I am proud today to introduce LB31 on General File. And I want to spend a little bit of time talking about how this bill came to fruition, how it came to the Education Committee, and why it is important. If you look at the committee statement, you can see that this bill advanced unanimously from a very politically diverse committee. This bill, LB31, comes on the hill-- heels of an interim study that I introduced almost a year ago, LR321, which was referred to the Education Committee. And thanks to Senator Murman's leadership as chair, he afforded us a public hearing on this topic no-- on November 1, 2024. Following the interim study hearing, it became clear, as I continue to build support and work in good faith in building a true right-left coalition with advocates and

parents and students, that we did not have a clear picture of the landscape in Nebraska's schools when it comes to their utilization of surveillance and ed tech tools, which have implications for parents' rights, student privacy, and taxpayer stewardship. During my course of service on the Education Committee over the last biennium, these issues continued to pop up, in regards to concerns on student surveys, on student tracking, on student data, and what was happening with these various tools that were being deployed in our schools and what that meant for parents and students. So I opened up a conversation during the course of some of those bills with Dr. Sue Greenwald. And as you might imagine, and I know she has communicated the same to our committee and to many of you, we, we frequently do not see eye to eye on many issues impacting education policy or public policy in our state. But we listen sincerely to each other in recognizing that there was common ground when it comes to concerns for parental rights, for students' privacy, and for taxpayers, as we see a proliferation of tools being deployed in our schools that implicate these areas. And it's well understood that any time you have big tech and big government holding hands, civil rights and civil liberties are at risk. So rather than moving forward with a stringent ban on these technologies, rather than moving forward with more dictates to our partners at our great, local public schools, what we did was say, let's simply pull together information. Let's do a transparency bill to im-parent students-- to empower students and parents and taxpayers to get a good understanding of what tools are being utilized in their school, how much they cost, how data is collected and shared, and whether or not there are any sort of abilities for parents to opt out of these, as parents retain the right to do so for various aspects of guiding their student's education and curriculum decisions. If you look at the committee statement and the fiscal note, you can see this bill has no fiscal note. Additionally, colleagues, this is part of a longstanding pattern in practice in this body and before the Education Committee, re-- related to a type of bill that is a standard policy directive bill, where we utilize the power granted to us under the Nebraska Constitution to direct the State Board of Education, to make certain to take certain actions, which is exactly what this legislation does, is in line with a long-standing list of successful legislation that does the same and many other similar bills before us this very session. This bill addresses an important and an emerging issue in an ever-changing legal landscape and tech landscape that is indeed ever green. This bill aligns with the policy goals to empower parents and to protect kids against big tech, which has been a key issue this legislative session, as highlighted by press releases and

events from the governor and the Attorney General and my friend, Senator Storer and Senator Bosn and Senator Sanders and Senator Hardin, and Senator DeBoer, Senator-- all of these senators have brought forward various important pieces of legislation to protect our kids and their data against the negative implications of big tech. This falls squarely within those policy goals. And it's important if we can stay laser focused on our desire to protect our kids and fight back against big tech, much like was said in the famous Tinker decision, students should not shed their rights at the schoolhouse door, and we should not forgo those policy goals just because schools are involved. Friends, this legislation is also grounded in a longstanding and fundamental and unambiguous line of cases from the United States Supreme Court that has said consistently that parents have the right to control their child's education. Emanating from a seminal case in Nebraska, actually back in 1923, Meyer v. Nebraska, carrying through to Pierce v. Society of Sisters, then to Wisconsin v. Yoder. It's unequivocal that parents have a fundamental right to control their child's education, and if they don't have information to know what tools of surveillance or data collection or surveys are being utilized by their school, they cannot exert and understand and be empowered to utilize that control. Again, this bill has no fiscal note. It is a standard policy directive bill. It is not an unfunded mandate to any school. If anything, as other policy directive bills do, the bill actually assists smaller schools in providing technical support on creating policies around important issues in education. It helps to bring some uniformity, and it also helps to ensure local control for these decision-makings. Other examples of policy directive bills that are before the Legislature this session or that have been successful in recent sessions, include Senator Sanders' bill, introduced at the request of the governor and supported by the Attorney General, to develop a model policy for the utilization of cell phones in schools. Incidentally, that was also opposed by the schools and administrators that are opposing this measure. Additionally, Senator Holdcroft has a bill which we haven't yet had a hearing on, in regards to asking the State Board of Education to set standards for teaching human embryology. In recent years, Senator Vargas passed a policy directive bill to provide support to our local schools to ensure that pregnant and parenting students don't have to be forced out when they choose to have a child, but can continue their education. Senator Brewer and Senator McKinney have worked hard with Senator Linehan to ensure policy directive bills in regards to dyslexia, in regard to indigenous students, in regard to nondiscrimination and hairstyle protections, and dress codes were

developed. These bills, many of them, were also opposed by the very people who are opposing this measure today. Additionally, the State Board of Education has a \$2.3 billion budget and 500 FTEs that can easily absorb the cost of putting together a model policy to help guide our schools and help to empower parents, which is at the heart of this matter. I see I'm almost out of time, but I'm hoping that we'll have a spirited debate today and look forward to questions and continuing the dialogue. Thank you, Mr. President.

ARCH: Mr. Clerk, for an amendment.

CLERK: Mr. President, Senator Conrad would move to amend with AM358.

ARCH: Senator Conrad, you're recognized to open on your amendment.

CONRAD: Thank you, Mr. President. And I also wanted to highlight that we're also waiting on an additional amendment to this amendment, based on some of the concerns and feedback that I've heard from people like my friend, Senator Kauth, and some of the schools that have brought forward concerns about the language in the bill and their concerns about having to somehow publish sensitive security protocols or schematics, which I genuinely believe to be a misread of the bill. If you look at the bill, there is absolutely no requirement that there is any sort of publication for that kind of sensitive matter. But in the spirit of good faith, to hear their concerns and the concerns brought forward by, by senators who share those concerns, we do have a clarifying amendment at Bill Drafters now, and I'm hoping that it will come back today and will provide additional clarity on that point in regards to this bill. And I'm happy to work on that with Senator Kauth and others, which has really been the crux of most of the opposition in regards to this measure. So I think we could hopefully, quickly clarify that so that we can focus on the broader issues at hand. Friends, this legislation is grounded in transparency. And it's important that parents and students and taxpayers know what local schools are spending their dollars on and what they are doing with sensitive student information. Transparency and open government is a hallmark of our strong political traditions in Nebraska. We see this effectuated through our public records and open meetings laws. The inscription in our State Capitol is, of course, familiar, that the salvation of the state is the watchfulness of the citizen. The schools testifying in opposition to this bill even acknowledged that most of this information is already considered public record by the institutions because of education, because it involves public actors spending public funds for public purposes, which receive the highest

level of transparency under our sunshine laws. Additionally, many, many pending bills regarding improved citizen transparency for taxpayers and parents are very typical of our collaborative work. Look no further than Senate-- my friend, Senator Dover's bill, pending-- a, a bill pending regarding pulling public information on school budgets all together in one place, to make it easy for parents and taxpayers and policymakers to be empowered to utilize that public information. Senator Linehan has done great work in re-- in recent years, to ensure that there's clear disclosures and information about public funds that are being utilized by schools to lobby. Senator Sanders had a bill. Senator Murman had a bill regarding increased transparency to empower parents to know what's happening with student curriculum in libraries, which I supported and we helped to move through. Almost all of these legislative efforts, much like the one before you today, were opposed by the schools. We hear the feedback from our partners on the local level, but we also move forward when there is a lack of action on the local or state level. And that's exactly what LB31 allows us to do today. Friends, if the problem is perhaps me or you don't like my politics or you're upset about my work on other bills, I understand that. And I will work if need be, to find a substitute sponsor for this legislation, because I don't care who gets the credit. I care that this important issue moves forward, and that the carefully built right-left coalition that I've been a sincere and hardworking member of for well over a year on these topics, has an opportunity to move this simple transparency measure forward this session because the time is right. And it's important that we move forward so that parents and taxpayers and kids and policymakers know what, indeed, is the landscape, with the proliferation of these tech tools and surveillance tools in our schools. We'll have plenty of time to talk today additionally, about the existing federal and state law landscape. There are at least 3 major student privacy protection measures on the books on the federal level, and in between 35 and 40 of our sister states have also passed state laws supplementing these federal laws to protect student data and protection, including in Nebraska. In recent years, there have been efforts to update and strengthen these laws that carry out a long, a long and well-established goal to protect student information from unlawful or improper disclosure and to ensure that parents remain in the driver's seat about providing informed consent when these tools are foisted upon their children and their students. What LB31 helps to do is to provide information to parents so that they can ask basic questions about best practices in their schools. Many parents are struggling today to understand what website services and apps are being utilized in my child's school this year.

How does my school handle directory information? What is my school's approach to school safety and what does that mean for privacy? Does my child's school administer surveys, including the collection of very sensitive information, like mental health information, like sexual activity and illicit drugs or alcohol experimentation. We have heard, at the Education Committee, from parents who are rightly upset about these surveys that are being sent out to our schools and collecting this information without their knowledge or consent. Parents have a right to ask, what are the rules for recording devices that are utilized in my child's schools? How is the school working to secure my child's information? How is the school training teachers and staff to protect this information? How do we ensure that these tools don't go on autopilot, but remain in the public eye to ensure ongoing training happens, so that we don't forget about ongoing cost with expensive tools and maintenance contracts. And then, what happens in the event of a data breach? Friends, there is a lot of money being spent in digital tracking and surveillance and ed tech tools monitoring children. Estimates show that there-- this is a multi-billion dollar industry, and schools are spending significant amounts on these tools for upfront services and ongoing contracts. And it's important, as we ask, as every dollar is precious, are these funds perhaps better utilized to put more teachers in our classrooms and bring class sizes down, or increase teacher pay, or build up needed supports for kids with special needs. There's so many needs in our classrooms we hear about day in and day out on the Education Committee, and we wonder where all of these resources that we're sending from the local, state, and federal government go. Many of them go to our great public school teachers and putting together decent facilities, and ensuring kids have the tools they need to learn and be successful. But there's also an ever-present push by ed tech vendors to grab those public dollars and keep them in their hands instead of where they should be invested: in the front lines of our classrooms to get more teachers, more counselors, and more loving adults who can bring their knowledge and passion for education to our students, instead of pushing it on to an iPad or being content to allow these apps and tracking services to run rampant through our schools. I see that my time is almost up. Again, I see there's lots of people in the queue. I'm looking forward to the amendment I've been working on with Senator Kauth this morning, coming down to provide the clarity on the school security protocols and schematics, and appreciate your consideration. Thank you, Mr. President.

ARCH: Senator Kauth, you're recognized to speak.

KAUTH: Thank you, Mr. President. I will agree with Senator Conrad. We don't always agree on things, but when there's a good bill that can be worked, we should absolutely work together to figure out what's the best way to handle it. I very much appreciate the fact that she took my concern and Millard's concern seriously, that this bill might cause some people to think that they have to put their physical security measures online and available to the public. So I very much appreciate that she was willing to look at doing an amendment that would make it very clear that this does not affect the physical security. So I want to read the letter from Millard, just to let you know kind of where they're at. On behalf of Millard Public Schools, we write to share our concerns regarding LB31. The safety and security of our students, staff, and families remain a top priority for our district. We work closely with industry experts and law enforcement agencies to ensure a safe and secure learning environment. While we appreciate efforts to ensure privacy, we are concerned that LB31 may unintentionally create challenges in maintaining the level of security our schools require. LB31 requires schools to disclose potentially sensitive safety and security information, including details about implemented security measures. In doing so, it could inadvertently reveal areas of vulnerability, creating risks rather than strengthening protections. Safeguarding security plans is critical to ensuring the safety of our students and staff. We respectfully oppose LB31 and would be happy to engage in further dialogue to develop solutions without compromising sensitive information. We appreciate your commitment to privacy and student safety, and welcome the opportunity to collaborate on policies that best support this shared goal. So that's from Millard. And again, their, their focus is that this might reveal sensitive information about where cameras are, what security measures and the school has taken. And those are things that need to be kept private for the safety of our students. But the intent of this bill appears to be to protect the, the thoughts of students, how they're acting and thinking, their keystrokes, everything they're doing and saying at school. And I applaud that greatly. I want to read a letter from Lisa Schonhoff, who is one of our newest State Board of Education members. While technology can make life easier when it comes to storing student data, it also comes with risks. Many public and private schools across our state use PowerSchool, a comprehensive system with extensive, configurable features to meet the needs of schools and districts of all sizes and types, including public, charter, private, international schools, and more. With a click of a button, I can check my child's grades, attendance, and more. Unfortunately, this convenience may come with downsides that are necessary to evaluate. PowerSchool, whose

school records, whose school records software is used to support more than 60 million students across the United States, was hit by an intrusion in December that compromised the company's customer support portal with stolen credentials, allowing access to reams of personal data belonging to students and teachers in K-12 schools. As schools continue to store larger quantities of student data in these types of database systems, it is reasonable to believe that parents may have concerns regarding the personal data of their children. Since 2020, almost every school district in Nebraska has used emergency relief funds to purchase transformative social and emotional learning curriculum materials, such as Second Step. While using this type of curriculum materials, teachers are required to regularly collect the mental health data of students. Oftentimes, this data is stored in databases, such as Panorama. Parents may be unaware of the surveys and how the survey data is stored. Another form of student surveillance that is becoming more popular, especially in larger school districts, is a digital hall pass. In an effort to keep schools safer, administrators say that digital hall passes help them to know who is in the halls and when. Securly is a popular digital hall pass that tracks the student's hallway movements. Students are provided with limited hall passes and must sign out of the classroom on their device. Securly discern-- uses AI to transform students' online activity into actionable insights aligned to K-12 standards like SEL and MTSS, which is multi-tiered system of support. And it automates data collection and analysis, providing real-time insights for efficient decision-making by educators. Many parents are concerned that this may normalize ongoing surveillance of students. Securly is currently engaged in a class action lawsuit due to unauthorized collection, recording, and dissemination of plaintiffs' and class members' data. There's a lot going on in our schools that was never there when you and I were in school. Kids-- their, their motions are being tracked, their keystrokes are being tracked, their emotions are being tracked. Everything is being tracked. And what we know is that that data is worth money, so someone is collecting informa--

ARCH: Time, Senator.

KAUTH: Thank you.

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

MURMAN: Thank you, Mr. Speaker. I rise today in support of the amendment, AM358 and the underlying bill, LB31. In the Education Committee, we voted on LB31 with unanimous support. I want to be very

clear. This bill does not ban any practice that schools may use. Instead, it asks the State Board of Education to make a model policy. The goal of that policy is so parents can be informed about how students may be tracked, how schools might collect the data, and what happens with that data. During the last few years and my time as chair of Education Committee, we have put an extra emphasis on parental involvement and transparency. Parents should and deserve to be put in the driver's seat of their child's education. Senator Conrad has brought a way to give parents some more information and transparency, without putting too much of an additional burden on the work our great schools have to do. So I thank you very much, and I ask for your support of AM358 and the underlying bill. Thank you, Mr. President.

ARCH: Senator von Gillern, you're recognized to speak.

von GILLERN: Good morning, colleagues. Good morning, Nebraskans. We have a interesting debate going on here. And as has been, been mentioned by Senator Conrad and Senator Kauth and Senator Murman, I think that there are ways to work through some of the necessary changes on the bill. There are several amendments that are in process. I know that Senator Hallstrom has an amendment that's upcoming. Senator Conrad has already dropped her AM358, which I agree with portions of, but we had a very quick time or a very short amount of time to review that. And then she mentioned that there's another amendment in drafting that will be coming, if I heard her properly. So there's a lot in the works here, but my comments are prepared around the base bill, so I'll go ahead and make those comments around the base bill, understanding the potential amendments may be coming, and we will all want to work towards some sort of compromise and find some common ground. I encourage you all to read the bill closely. I mean, we're all very busy. This is-- we don't get an opportunity to read every bill. This is a relatively short bill. It doesn't take long to read, and it, it raised my interest and my concern very quickly as I read through it. As a senator of Legislative District 4, I represent Omaha Public Schools, the largest district in the state, Millard Public Schools, the third largest, and Elkhorn Public Schools, the fifth largest district. 86,000 students in the districts that I represent, over 25% of the state population. We have other districts that have, that have notified-- or that have sent information in, in opposition. Excuse me. Technology is great when it works. We have, let's see, Lincoln Public Schools testified as opposed. That's another 41,766 students, bringing the total up to 39% of the public school population that's opposed to, to this bill. I'm also told that Gretna-- we had a letter that came through from Gretna. That's another

6,700 students, and I think there are others that are coming throughout the morning that we'll learn about. So I'm told that these districts are opposed to LB31 for any number of reasons, which I'll be talking about now and on my coming times on the mic. If you want to know what it's about, I suggest that you read an article that I passed out-- and I've killed a few trees today. My apologies. That, that-- from the ACLU, and that will really inform you on what direction that this is trying to go. Some good things in there, but also some things that are concerning. I'll also ask that you get online and read Senator Hallstrom's AM345, which I know that when the time comes, he, he is hoping to draw up to amend the bill, which salvages a few parts of the bill that have merit, but also eliminates a number of the requirements that are very challenging. I read through the committee statement. I'm also confused, frankly, as to how this came out of committee with, with no nay votes. I think, frankly, it was a little bit of a sleeper. Again, when you read through it, the concerns come out. But I see that-- and listen closely to this. The opposing, the opposing testifiers-- there were 2 opposing testifiers, and they testified on behalf of the Nebraska Council of School Administrators, Schools Taking Action for Nebraska Children's Education, the Greater Nebraska Schools Association, Nebraska Rural Community Schools Association, Nebraska State Education Association, which represents 26,000 teachers and administrators, the Nebraska Association of Technology Administrators, the Nebraska Association of School Boards, and the Police Officers Association of Nebraska. That, that got my attention. Again, I think it's a little bit of a sleeper that really didn't get a whole lot of concern in the committee. And, and again, no bad on the committee members, but I think when we look at how far-reaching this bill may go, it, it raises a number of concerns. I believe it's a wolf in sheep's clothing. It's a Trojan horse to carry things forward that we do not want to advance in our school systems. It's portrayed as protecting kids, but in my concern, it does exactly the opposite. The bill, I believe, is a lot less about privacy than it is about gathering data from school districts, which, ironically, is what the bill is purported to not do. I do want to stress, before my time runs out on this time on the mic, I 100% agree with Senator Conrad, Senator Kauth mentioned it, others, Senator Murman mentioned it, we should not be collecting data on our kids and selling it. We should know who possesses that data. We should know what's being done with that data, and we should be cautious with that. That part we 100% agree upon. But other parts of the bill concern me gravely, and I will save the remainder of my comments for my next time on the mic. Thank you, Mr. President.

ARCH: Senator Sorrentino would like to recognize 11 students from the fourth grade from Spirit and Grace Academy in Elkhorn. They are seated in north balcony. If the students please rise and be welcomed by your Legislature. Senator Hallstrom, you're recognized to speak.

HALLSTROM: Mr. President, members, thank you. I would echo many of the things that Senator von Gillern has said with regard to the objectives of the, the bill, to protect students, and the concerns that he's expressed with regard to the sharing and selling. However, when I was campaigning, I had many discussions with the school administrators, school representatives, and they expressed concerns over mandated policies, mandated curriculums. They acknowledged it's hard to testify against some of these things because they are meritorious. And my suggestion to them was, if we do have policies that the Legislature, in its infinite wisdom decides that are meritorious, that they should maybe come forward and tell us if they've got any policies or curriculum that are no longer carrying out their intended purpose, to see if we can't take that burden off of their plate in exchange for any new policies or curriculums that we may foist upon them. I started this process looking at technical issues. Quite frankly, I've got the next amendment up, AM345, which will give us an opportunity to look at some of those amendments. And I'll discuss them in further detail if and when that amendment surfaces, and perhaps there'll be some work done over the weekend, where we can, can fine tune those concerns. But since that time, I've also had a number of contacts-- actually, been inundated with contacts from school districts in my legislative district, expressing their substantive concerns over the bill and asking if there's really a need for the bill. And as a result-- I appreciate Senator Kauth's comments with regard to-- on page 2, I believe, of the bill, specifically identifying and inventorying the type of surveillance tools or student surveys used or considered for use. I think that's a major issue. I was not aware of that when I drafted my amendment, but it's certainly something that is on my radar screen at this time. The other issues that that's been raised and I, I know and-- that Senator Conrad will not be receptive to this, but it's in my amendment, is whether or not the policy that's directed here should be mandatory or permissive. And I do want to note, for the record, I do appreciate that Senator Conrad has-- I shared my amendment with her, along with my concerns. Gave her a marked up version of that. She's been gracious enough to respond back with the, the points that we can be in agreement on and the points that, that she remains in disagreement. And again, the major issue that we're going to be looking at is the permissive versus mandatory nature. And

it sounds from her comments like Senator Kauth's concerns and those of others with regard to the sharing and selling of data is something that she's in the process of working on, and I appreciate that as well. But again, I will have another opportunity on the mic, either this morning or as the process moves forward, to express some of the concerns that are raised and addressed in AM345. One of them in particular, we have a statement in there that says the schools, under the guise of protecting students, have adopted mass surveillance. I think that's offensive, has no place in the statute, and is just one of the technical issues that I would hope that we could address. And I think Senator Conrad has indicated her willingness to do so. So with that, I would yield my remaining time back to the chair.

ARCH: Senator Brandt, you're recognized to speak.

BRANDT: Thank you, Mr. President. I raise-- I rise today in opposition to LB31 as it is presented because of significant concern-- concerns it raises regarding school safety, privacy, compliance, and operation feasibility. In Legislative District 32, every 2 weeks, we have a Zoom meeting with all 14 of our superintendents. As the bill is written today, none of them support it. There, there are some concerns. I'm going to read to you a letter from Josh McDowell, superintendent of Crete Public Schools and president of STANCE. It starts: Schools across Nebraska are deeply concerned that LB31 could compromise school safety or force school districts to abandon infrastructure that has become a fundamental expectation in modern educational environments. Any data shared with or collected by private entities is already subject to stringent federal privacy laws, which strictly govern access and distribution by third parties. Many schools contract with companies that provide security-related software, which often necessitates entering into legally binding agreements that prohibit the disclosure of trade secrets or proprietary information. Compliance with LB31's requirement to publicly post such information on a school's website would directly violate these agreements, exposing schools to legal liability and potential service disruptions. A key consideration in this discussion is the significant federal funding that schools receive through the E-Rate program. This program provides millions of dollars to schools, contingent upon compliance with the Children's Internet Protection Act, called CIPA. CIPA mandates that schools establish internet safety policies and implement technology protection measures. If LB31 is enacted, schools will be forced to evaluate whether the policies required under CIPA are in conflict with LB31's provisions, potentially jeopardizing critical E-Rate funding. We oppose LB31 in its current form for the following reasons. (1) It

advances a false and misleading narrative that attacks both the intent and impact of technology implemented by K-12 schools. The bill insinuates that schools are purchasing tools of mass surveillance under the guise of security or efficiency, when in reality, these tools are vital to ensuring student safety and the security of sensitive school data. (2) It lacks clear definitions of key terms such as mass surveillance, monitoring, and tracking technology, making it nearly impossible to determine the operational scope of the bill's requirements. (3) It imposes a burdensome and costly reporting mandate that unnecessarily duplicates existing federal regulations. Schools already comply with federal privacy laws, including the Protection of Pupil Rights Amendment, PPRA, and the Family Educational Rights and Privacy Act, FERPA. LB31's reporting requirements would add redundant layers of compliance without providing meaningful benefits. (4) It undermines cybersecurity protections by failing to recognize reporting safeguards afforded under the Protected Critical Infrastructure Information Program and the Cybersecurity and Infrastructure Security Agency. Public disclosure, disclosure of cybersecurity measures could expose schools to increased cyberthreats and vulnerabilities. The goal of protecting civil rights, ensuring transparency, and safeguarding privacy is commendable, but LBN31 would achieve these objectives at the cost of school safety, data security, and legal compliance. Signed, Josh McDowell, President of STANCE. For these reasons, I urge my colleagues to oppose L31 in its current form. I would yield the rest of my time to Senator von Gillern.

ARCH: Senator von Gillern, 38 seconds.

von GILLERN: OK. Very quickly, I'll say what he said. Senator Brandt did a great job of highlighting some of the concerns around the bill. The-- I believe I've got, I've got a letter being passed out from Omaha Public Schools. The last paragraph of that letter will very similarly represent what Senator Brandt said. And I'll reserve the rest of my comments for my next time on the mic. Thank you, Mr. President.

ARCH: Senator Conrad, you are recognized to speak.

Speaker 5: I'll give you my time. OK.

CONRAD: I'm sorry. I was visiting with Senator Rountree. Did-- was there a question or was it just my time in the queue? I'm sorry. I just didn't hear the--

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ARCH: You're next--

CONRAD: --context.

ARCH: You're next in the queue.

CONRAD: Oh, OK. Very good. Thank you so much. Really appreciate the good questions and dialogue from folks on and off the mic in regards to this important issue. And as noted, there, there are longstanding federal and state laws that recognize the importance of protecting our children's private information, particularly in our schools. There is longstanding agreement amongst national and state leaders that protecting privacy matters. And schools have always had to navigate between the tricky balance of ensuring student autonomy and dignity and security and privacy, while also figuring out how to keep kids safe and assess what they've learned. Those are, are important consent policy considerations that our, our schools have always balanced, as they have utilized new technologies in our classrooms and on our campuses. But it's important to recognize that the proliferation of these track-- tracking tools has, has really shot up in recent years, and has really burdened school budgets, and has very few meaningful guardrails around how this information is utilized in our schools. And Senator von Gillern is a dear friend, and I take his comments to heart. And I really want to lean in to what he said at the end of his first time at the mic. We all agree that we need to have basic information around these critical issues available and accessible. That is all that LB31 is. It is a model policy directive bill that asks the State Board of Ed to develop a policy on these issues, so that schools can get something on the books and that parents and taxpayers can be informed. It doesn't say you can't utilize this-- these tools. It doesn't say that you have to have any additional disclosures or trainings or other mandates. It simply says we need to develop a baseline of understanding at the school level about the tools that are out there. That's all it says. I, I, I really want you to keep focused on the heart of the legislation, which really advances longstanding goals and our shared goals here today, as well. It's also important to know, and I know that this gets a little bit confusing, but many of the federal privacy protections that are governing our schools and our kids that are longstanding, actually have kind of a loophole in place. So there are strong privacy protections for our kids in the schools under federal law. But then it says this information can be widely utilized by school officials, which makes sense so that they can carry out their legitimate educational activities. How schools and ed tech are getting around those privacy

protections are noted in the terms of their contracts and agreements that we've seen presented to the Education Committee, and that are in place in most schools that utilize this. Wherein, by the very terms of the contract, the school designates and delegates its status as a school official to the tech company. Therefore-- thereby alleviating some of the privacy protections that would otherwise be available, by utilizing that legal fiction in contract terms. So that's the part that the schools leave out when they talk to their state senators about, well, we already have privacy protections in place. This is covered in our contracts. But actually, that designation and delegation and description of a tech vendor serving in the equal position as a school official exploits a loophole in federal law and weakens our shared goal to protect our kids' privacy. Thank you, Mr. President.

ARCH: Senator Spivey, you're recognized to speak.

SPIVEY: Thank you, Mr. President. And good morning, colleagues and folks that are watching online and from the Rotunda. I really appreciate all of the conversation and all of the handouts and information, as I'm not on that committee. So I appreciate being able to better understand the context as we are having this conversation. I did-- just wanted to uplift quickly that I am the former board president of ACLU Nebraska, so spent lots of time in that space working with not just our local state affiliate, but nationally. And I think the information as what they have come up with and what they have submitted is really the role of ACLU. They are not partisan. They are not political. They are always going to advocate and bring forth different opportunities and places of inquiry, so it is not abnormal to see them in this space or weigh in on this type of issue. And so, I, I don't think the information from ACLU is a reason to say that we should not continue to debate and better understand the bill that Senator Conrad has brought forth. But again, the role of ACLU is to always ask those questions, to provide points of clarity, inquiry, and to challenge us to make sure that we are honoring and, and sitting in the spaces of civil liberties. With that, I would like to yield the rest of my time to Senator Conrad, if she so chooses. Thank you, Mr. President.

ARCH: Senator Conrad, 3 minutes, 30.

CONRAD: Thank you, Senator Spivey, and thank you for reaffirming the work that the ACLU has done in this space to lift civil rights and civil liberties concerns amidst the proliferation of technology and ed

tech and school surveillance, as they've done in any number of governmental contexts as a governmental watchdog, who works to check government overreach on personal and, and individual rights and liberty. So I mentioned very proudly in my opening on this bill that this effort is the product of a strong right-left coalition that is working together on these issues. So I know perhaps that isn't something you hear or see every day, but it should be, actually, a very important consideration of this legislation. When you see unlikely allies come together, sometimes for the same reasons, sometimes for different reasons, to focus on the same result, that's actually when politics, in my opinion and estimation, gets really interesting and really cool and really powerful. So to be able to work with organizations and entities at each point on the political spectrum in advance of basic transparency for these tools, that's, that's very exciting to be a part of and should be something that, that strengthens support for the legislation rather than undermines it. The other thing that I think it is important to note is that as schools are utilizing these tools more so, even with some of the existing agreements they have in place, there are still breaches. And we've seen a very, very high profile breach of private student information, and in some instances, private family information, when a vendor named PowerSchool that was in place in many public and private schools across the country, including in Nebraska, was breached. They didn't even handle basic security protocols, according to news reports, and sensitive student and family information related to medical, academic, personal information was breached. And one thing that's really sad about this and shows the need for a measure like this, I received, for example, a communication-- multiple communications from parents at Westside Public Schools, where they were assured by school leaders that their school was not impacted by the data breach of PowerSchool. Yet, then PowerSchool started to reach out to individual families and tell them that they were. And school officials had no idea that the tool that they were utilizing in their school, that was breached, actually impacted students and families in their school and sent out assurances otherwise. So I know our folks at the local level care about kids and care about education and are working as hard as they can. But this just goes to show you even very well-resourced districts, like Westside, that are utilizing this information and upon a breach, don't even know what's happening with that information for the families and individual students in their schools. That-- those, those things are literally unfolding, just in recent weeks and months, right here in Nebraska. Because of this massive data breach and attack by PowerSchool, some attorney generals

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and some private actors have already opened investigations and moved forward with consumer protection lawsuits. I--

ARCH: Time, Senator.

CONRAD: Thank you, Mr. President.

ARCH: Senator Rountree, you are recognized to speak.

ROUNTREE: Thank you, Mr. President. To, to our colleagues here in the Unicameral and to those that are watching online, I just rise very quickly to say that we do need to have the security in our school systems. As a substitute school teacher, when I go into the classroom, I'm really thinking about the safety and security of all of our students that are there, how I want to enact protection, but also when we get ready to go out in the halls, transitioning back and forth to the dining facility and back, just keeping that great accountability and not having it lost. We know that as a parent, when my kids were in school, I always wanted to make sure that I knew what was going on with them, and if there was any type of tracking technology or anything like that, we wanted to ensure that I was aware of that. And so I [INAUDIBLE] and want to yield the rest of my time to Senator Conrad, so she can finish what we have already brought onto the floor. Senator Conrad, I yield that time to her.

ARCH: Senator Conrad, 4 minutes.

CONRAD: Thank you, Mr. President. And thank you to my friend, Senator Rountree. Friends, I just wanted to continue and let you know, since this has been such a hot topic and something that I'm concerned about, and other parents and students and organizations across the state and the political spectrum are also concerned about, when it comes to the commercialization and weaponization and risks that come with breach in mass data collection and dissemination. I did send a letter to Nebraska Attorney General Mike Hilgers in recent days, recent weeks, to lift up the PowerSchool breach in public and private schools in Nebraska, and to ask his team to look at potential legal issues that might be within their jurisdiction, because it has serious ramifications for Nebraska students in Nebraska parents and Nebraska families. And as you know, even though we have sharp disagreements on a host of issues, I appreciate and applaud his effort to protect Nebraskans' data when it was breached by major healthcare companies recently, in the litigation that he's brought forward in that regard. And this would fall under the same vein. Friends, it's also a good

reminder when you look at the research and the literature around these issues, the top 3 industries that are the highest target for data hacks and data breach are finance, medical, and schools coming in 3. So it's important to note, even though there are agreements in place, and apparently there are some attempted guardrails in place, when you look at the school-- the PowerSchool situation, they're a major vendor with significant resources working in schools all across the country and in Nebraska. And they didn't even follow basic security protocols on the back end, and it exposed our kids' and their families' private data to those who might miss appropriate and utilize it in a negative way. And the schools that are utilizing that don't even know who's subject to the breach and not. And parents are scrambling to figure out what the status is, in regards to their student records and their family records. So if we had a simple policy and a simple inventory that says, yeah, this is what we use at LPS. It's these, it's these tools. This is how much it costs. Here's the guardrails we have in place. Here's whether or not you can opt out as a parent. And the answer may very well be no friends, right. We have security cameras. You can't opt out of that. Oh, OK. It says no on the checklist. Look at the bill, colleagues. Don't-- put aside your personal or political feelings towards me and look at the bill. The same concerns that have been brought forward by the schools, I've, I've heard them and I've asked them, show me in the simple 4-page bill where it says what you're saying will happen. And they can't point to it. So let's not get toiled up in personal battles or misinformation. Let's look at the bill before us and try and move forward to advance our stated, shared goals of protecting taxpayers, kids, and parents. Thank you, Mr. President.

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

M. CAVANAUGH: Thank you, Mr. President. Good morning, colleagues. I rise-- well, I actually-- I guess I don't know what the amendment is. I think I missed it, but it's just clarifying language. Is that correct? Yeah. That's correct. OK. I rise in support of LB31. Reading it over and reading over some of the letters that have been distributed-- we all come with our own experience and backgrounds to this place, and it informs a lot of our decision-making. I am a parent of children in the Westside School District. So when I hear this conversation about data breaches in the Westside School District, my ears are going to perk up quite a bit. And I will say that there was a data breach, and it is concerning to me and how it impacts my family, specifically. I understand the, the notion that this might be labor intensive, but as I hear Senator Conrad speak and I read through this

bill and I think about what it is, really, it's a-- when you download an app on your phone and you accept the policies, that's on you. But when our kids are in their schools and there's data and, and technology being implemented, I don't think that it is too cumbersome to tell parents if that data is being sold. And the answer should be no to start with. Any contracts that any education and all institution enters into for technology improvements should include a clause that the company that they are contracting with cannot collect and keep the data associated with that. And it concerns me that there's opposition to that being a clear policy. Obviously, what Senator Conrad said about security cameras. Well, you can't opt out of security cameras because they're security cameras. But we do have a-- I think it's called Artworks [PHONETIC] or Artistry [PHONETIC]. I can't remember exactly what the program is, but I get an email once a week of a picture of my kids' art projects. And it's cool. I love it. It's great, but it's an outside vendor that the school contracts with to do this. And I am now sitting here listening to this debate and I'm like, OK, well, I have been remiss. I'm so used to technology and, and the ease of technology, I need to find out if that company, that vendor, has access to utilize my children's artwork, their information. Like what, what does it mean? And I don't think it's unreasonable to say that the school should tell you we have these vendor contracts that are technology-based that collect data, and we have an option for you to opt out of it, or we have it explicitly in the contract that they cannot collect and keep data. That was something that when we had TestNebraska starting here in Nebraska, back in 2020, with Nomi Health, that was a huge concern. Because the way that contract was written, it was very unclear if they were collecting data from everyone who went through their portal. And eventually, clarification was made but the initial contract was extraordinarily murky. So I, I do think good governance is protecting citizens and our privacy. And even though my data has been breached at a federal level as I was-- am a former federal employee, that doesn't mean that I should just say it's OK for everybody's data to be breached. We need to do more, especially with our kids and technology. So I appreciate the conversation this morning. And I, I understand that there's, you know, some challenges that need to be worked out. But what I'm hearing from Senator Conrad is she's willing to work on those, so I hope we can move forward with this bill. And as many people say, make changes between General and Select and get to a better product. Thank you, Mr. President.

ARCH: Senator von Gillern, you're recognized to speak.

von GILLERN: Thank you, Mr. President. I, I picked up on something that Senator Machaela Cavanaugh shared, which I absolutely want to echo. And I, I may misquote, so forgive me, but she said we all bring our own experiences to the discussion. I have the unique and unfortunate position of representing a school district where an administrator was murdered in 2011. And that absolutely informs my opinions and informs my thoughts. It was, thankfully, 2 years after my youngest was out of school, so we did not have concerns about them physically, but it absolutely struck to the core of the Millard School District and, and the community of Omaha. And I'll share more information about that when we gather again. I've got some information that I'll share about that shooting, but it absolutely informs my opinion and directs my thoughts on, on the bill that we're discussing today. In my reading of the bill, if Senator Conrad were to be successful in her bid, schools would have to post information that's critical to maintaining their security systems and in the end, protecting school-- protecting kids, teachers and staff. What does this bill do to increase safety for kids, teachers and staff in schools? The answer is nothing. How does it help teachers teach? How does it help administrators help provide support for staff? It doesn't. How does a bill save money for school districts and allow them to increase salaries of those most important influencers of our children? It doesn't. It'll cost them money and time. How does a bill reduce the number of state mandates on school districts that Senator Conrad and others have said are so burdensome in the past? It doesn't. It adds yet another paperwork filing and busywork task for them, all in an effort, actually, to gather data, again, ironically. And again, I want to emphasize we are on the same page. I absolutely do not believe that schools or technology companies should gather data for profit. I absolutely do believe that gathering data for the protection of our kids and staff is a worthwhile venture. I understand that Senator Conrad is concerned about that data gathering, possession, and sale. And again, we are in agreement. No tech company should financially benefit from gathering data on our kids, and I believe that when we get to see it, Senator Hallstrom's amendment preserves this part of the bill and I will support that. Section 2 in the bill requires that the State Department of Education develop a model policy regarding security systems, data gathering, and storage. And again, I don't have an issue with that. Several on the state board have weighed in and they're willing to do this, and they feel that it is an important and, and worthy use of their time. LB31 says that the State Board shall do a number of things, where I might encourage those changing to may. Same with the local districts, that school districts

may adopt these policies, not shall adopt these policies. But again, most concerning to me is that LB31 could require that the gather-- after gathering of sensitive and proprietary and critical information and data on security systems, that they post this information on their web page. Senator Conrad and I had a conversation last week. She said this information is already available through Freedom of Information, through Privacy acts. And I said, well, you know what? If, if I'm contemplating a nefarious act in a school-- if I'm a 16-year-old that's angry, I'm not going to file for a FOIA. I'm going to go to the website. If the data is there and I can determine what kind of systems the school uses, how they use them, potentially where they are-- the, the bill does not-- it, it, it-- it's-- there's a, there's a lesson to be learned here, I think, for ev-- for all of us. And it's taken me a while to get there, and I'm not-- certainly not there yet. You can read what the bill says, but you also need to read what the bill doesn't say. And it doesn't say that you would not have to post things like location of security cameras. I mean, you can read in the bill, you can read that, that the requirement for inventory of security systems and security equipment absolutely could require the location of security cameras, which, again, would assist someone of nefarious plans. LB31 says that the policy shall require certain things: Gathering info on security firms that a district works with. That might be the alarm company, a surveillance company, or an outside resource officer, providers, it doesn't specify. Again, what does the bill not say? Requires inventory of security equipment and systems, I, I, I fail to understand why that's critical and what that does to provide increased safety for our kids. I'll save the rest of my thoughts for my next time on the mic. Thank you, Mr. President.

ARCH: Senator Hughes, you're recognized to speak.

HUGHES: Thank you, Mr. Speaker. Let's see. I rise, I, I rise in somewhat of support of LB31, with some amendments. I do support AM358. I think there's some amendments being worked on. So I actually do serve on the Education Committee. And this was voted out, and I did vote this out. I have sent a couple of-- a few of my concerns to Senator Conrad, and I just wanted to talk a little bit about how some of our districts in District 24 use some of these things. And I, and I think there's 2 different pieces we're talking about here. We are talking about surveillance and security things and tracking that way, and then we're also talking about tracking, I would say more in the classroom, whether it be an app or-- and, and it's kind of capturing the, the keyboard clicks, if you will, and that data. And, and that is-- they're, they're-- both can be concerned about and-- but I think

addressed different ways. So for example, some of the school districts in my, in my area and when I was on school board prior with Seward Public Schools, we used surveillance cameras or digital cameras, I guess. I don't want to call them surveillance, but they are surveilling-- cameras on the grounds of the building. And then specifically, we had gotten those installed in our buses. And I think other people have, have talked about these thing-- they come in very, very handy. When I was on school board, there was an incident on the bus. Well, your bus driver is at the front of the bus, driving, eyes forward, I hope, and things can happen at the back of the bus. And there was a situation with a student and, and-- with 2 students. And one, you know, student came home and parents are like, oh, this, you know, student A did this to my student. The, the student was like, no, this is what happened. Well, the bus driver doesn't know what happened, right? They're driving the bus. So the video cameras come in very handy. And you go back to that footage and you can watch, actually, what happened on that bus. Bring both parties to the table, both parents to that video camera and they see what happened. And now, we actually know what happened and can proceed on. So they come in extremely handy, security reasons as well. Another surveillance thing used in some of the schools are like vape detectors. So those are in the restrooms, and, and just notify the school if that-- the vape usage is going on, typically in the restrooms, because that's where it happens. And then, some schools use digital hall monitoring, et cetera. So I guess my biggest concern now, after this has been voted out, is really on line 7, section (i). And it says, the name and contact information for each private company, vendor, and governmental entity providing the technology, I think-- and, and that's a little bit to what Senator von Gillern was talking about with the risk, is if-- you know, oh, Seward Public Schools uses Honeywell cameras that cost this much, that gives a lot of information to someone that potentially could use that nefariously, and know exact-- I know now which cameras to hack into if I'm, you know, going after it or whatever. So I don't like the detailed information-- vendor, cost-- of those items, because I think it gives too much information out just having that on the website. I'm totally fine with a more generic list being-- you know, the, the school district uses digital cameras on the property, they use it on the, the buses. They use vape detectors. They use digital hall passes. I'm, I'm uncomfortable with just the-- all the detail of those items being used. Now, flipping the page, when we were in this hearing, we heard a lot about the tracking and how data-- that's what these digital companies want, right, is data that they can share and sell. And so that's the concern, is kind of the, the

keyboard clicks that you're, you're getting that information on from these students. And I was meeting with a superintendent just outside of our district, and they shared with me that with any vendor, they have a student data privacy agreement, and they make every vendor sign that agreement. So with the school and the vendor both sign it. And for example, on this digital-- or sorry, student data privacy agreement, it outlines what the scope and the purpose of it--

ARCH: Time, Senator.

HUGHES: Oh, thank you.

ARCH: Senator Kauth, you're recognized to speak.

KAUTH: Thank you, Mr. President. So this has been absolutely a fascinating discussion. And you can see us kind of clustering in, in little groups and talking as we're, we're hearing more and more information. And really, this week has been the first that I had heard about this bill. I had concerns about the physical security aspect of it. So Senator Conrad's LA was kind enough to help me draft a bill that-- or an amendment that would exempt physical security information from being put on the website. So then talking to Senator Hallstrom and looking at his amendment, which will be up, I believe, next. He has an amendment that would remove the requirement that this information be placed on the website total. So, so I'm still kind of betwixt and between about what to do about this amendment. I think the, the important discussion here is that our kids are having data collected, and we don't know how that data is being used. As parents, it should be our right to say you cannot use my child's information. Senator von Gillern made a very good point that should the school need to keep track of, of the keystrokes to identify someone who's possibly suicidal or very upset with someone to be able to address that issue at that time, that's a good use of that data. But selling the information to these national companies or companies just scooping up this information and developing products for it, I don't like that. So I know Senator Hallstrom's amendment gives a, a lot more permissiveness. It takes out the "shalls" and puts "mays." I really-- I-- I'm struggling with that part of it. So right now, again, I have a lot of information that I'm sorting through, and I really appreciate all the school districts who have sent in their letter saying why they're concerned and what they're concerned about. And I appreciate all the people who are texting and emailing us. I'm, I'm getting people saying that private companies are not held to FERPA, the education, you know, privacy. So, so once it gets into a private

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company's hands, there may be nothing that we can do to protect it, unless, as Senator Hughes said, each vendor has a signed contract with each district. There is just a lot of information to digest here. One of the concerns that I also want to point out is the digital tracking. So in the, in the bill, it talks about digital tracking and hall passes. So kids are being given-- and I don't know if this is something that they have to use their cell phones for or if they're given something to hold that tracks them in the hallways so you know where they are, or-- so it allows them to go use the restroom, or go to the office, or whatever it is that they need a hall pass for. But if it is them using their own cell phones, number one, that means they all have to have a phone. And number two, we have several bills that we are going to be hearing about restricting the use of cell phones in schools. So I think, right now, we have so many things going on in this Legislature with different types of technology and education, it's going to take a while to really assess everything that needs to be happening. So, so all that to be said, I'm grateful for everybody talking about this. I think this is a really serious conversation. I do want parents to have much more control over the information that is being taken from their children and used or not used, with or without their consent. So thank you. I yield my time.

DORN: Thank you, Senator Kauth. Mr. Clerk, for announcements.

CLERK: Thank you, Mr. President. Bills read, read on Final Reading this morning were presented to the governor at 10:35 a.m. Your Committee on Banking, Commerce and Insurance, chaired by Senator Jacobsen reports LB482, LB473 to General File, both having committee amendments. Notice of committee hearing from the Health and Human Services Committee, Natural Resources Committee. Amendments to be printed from Senator Riepe to LB160, Senator Bosn to LB195, Senator Jacobson to LB250, Senator Holdcroft to LB357, Senator Hallstrom to LB31. New LR from Senator Kauth, LR48, offering condolences to the family, friends, and fellow officers of Kyle McKay-- McAcy. That will be laid over. Name adds: Senator Conrad, name added to LB61; Sanders, LB193; Senator Conrad, LB253; Senator Frederickson, LB338; Hansen, LB468; Dungan, LB628; Sanders, name added to LB644 and LB660. Notice that the Judiciary Committee will meet in executive session at 1:00 in room 1103. Judiciary Committee, exec session, room 1:00 in room 1103. Finally, Mr. President, a priority motion. Senator Armendariz would move to adjourn the body until Monday, February 24, 2025, at 10:00 a.m.

DORN: Speaker Arch, you're recognized for an announcement.

ARCH: Thank you, Mr. President. I'm-- the, the pages have handed around a memo this morning and-- just now, and it, it is regarding priority bill designation procedures and timelines. I just want to point out a couple things. Please pay very close attention to the deadlines, the dates that are, that are in this memo: March 13 for any Speaker priority request letters; and March 14 for the designation of senator and committee priority bill. And please pay very close attention to that, as well as the procedures. There's some requirements for hand-delivering some letters. Please don't, don't, don't miss that. And, and, and please follow those procedures. The last thing that I would mention on here is, is the second to the last paragraph, and that has to do with the, the identification of priority bills does not mean that's the order that I'll schedule them on the floor. I have discretion with that and I will use that discretion. So again, just, just highlighting. Please pay attention to the memo that I'm handing around. Thank you, Mr. President.

DORN: Thank you, Speaker Arch. Colleagues, you've heard the motion to adjourn. All those in favor, say aye. Opposed, aye-- nay. We are adjourned.