

Transcript Prepared by Clerk of the Legislature Transcribers Office

Floor Debate January 27, 2026

Rough Draft

KELLY: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the fourteenth day of the One Hundred Ninth Legislature, Second Session. Our chaplain for today is Senator Hardin. Please rise.

HARDIN: Let's pray together. Heavenly Father, we praise you because you're greater than the sum of all of our worries. We confess we're flawed and inconsistent, and we need your greatness to overcome our anxieties, our self-service, our sin. We thank you for the health robust enough to get each of us here today and the liberty to be able to choose so many things. Lord, I pray for my fellow senators that we would keep one eye on you and one eye on the work here. Grant us clarity as we mine the depths of ideas to help make Nebraska more whole. Grant that today we'll take our responsibilities for our state with focused seriousness and ourselves less so. And somehow we need your help to remember that our marriages and families matter more than what we do here, and you matter most of all. Grant us that balance, that dance empowered by your spirit and with joy we anticipate it. In Jesus' name we pray. Amen.

KELLY: I recognize Senator Hardin for the Pledge of Allegiance.

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

KELLY: I call to order the fourteenth day of the One Hundred Ninth Legislature, Second Session. Senators, please record your presence. Roll call. Mr. Clerk, please record.

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

KELLY: Are there any corrections for the Journal?

CLERK: I have no correction this morning, sir.

KELLY: Any messages, reports, or announcements?

CLERK: There are, Mr. President. Communication from the Governor concerning two appointments to the Nebraska Power Review Board. Additionally, communication of the reappointment of David Owens as a member of the Nebraska Stem Cell Research Advisory Committee. Additionally, committee reports on the gubernatorial appointments to the Nebraska Investment Council. And your Committee on Nebraska

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Retirement Systems, chaired by Senator Ballard, reports LB821 to General File. Also a notice, the Judiciary Committee will have an exec session at 9:30 in Room 2102. Judiciary 9:30, Room 2102. That's all I have at this time.

KELLY: Thank you, Mr. Clerk. Senator Bosn would like to recognize the physician of the day, Dr. Rachel Blake of Lincoln. Please stand and be recognized by the Nebraska Legislature. Mr. Clerk, please proceed to the agenda.

CLERK: Thank you, Mr. President. First item on the agenda, the Health and Human Services Committee would report favorably on the gubernatorial appointment of Ashley Newmyer as Director of the Division of Public Health, Department of Health and Human Services.

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

HARDIN: Thank you, Mr. President. Good morning, colleagues. The Health and Human Services Committee is reporting Ashley Newmyer for confirmation of the Legislature for the position of the Director of Division of Public Health within the Department of Health and Human Services. Director Newmyer began serving this position in May 2025. She holds a Bachelor of Science and a Bachelor of Arts in Psychology from the University of Nebraska-Lincoln, and a Master of Public Health in Biostatistics from the University of Nebraska Medical Center. Also, she has completed the Chief Data and Analytics Officer Program through George Mason University and leadership training through the Great Plains Public Health Leadership Institute. Director Newmyer has served the state of Nebraska in various public roles since 2010. She began her career in the Nebraska Trauma System in which she examined the complexities of rural hospitals and providers. She then moved on to the role of leading a team to improve patient safety and partnered with other divisions and state agencies to address the causes of injury death among Nebraska's children and older adults. Subsequently, she served as the Deputy Director for Health Data and, in 2019, became the Chief Data Strategist. In that role, she established infrastructure across the department, which led to an annual savings of \$1 million and helped lead Nebraska's pandemic response. We believe the department will benefit greatly from her years of expertise and education. On January 23, 2026, the Health and Human Services Committee voted for her confirmation unanimously. We would ask for your green vote to approve Director Newmyer on the floor today. Thank you, Mr. President.

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

FREDRICKSON: Thank you, Mr. President. Good morning, colleagues. Good morning, Nebraskans. I just thought I'd hop up really quickly and speak about this report. I supported Ms. Newmyer out of committee and I plan to support her on the floor again today. I just want to reiterate, you know, we-- one thing I really respected about her was that she took the opportunity to meet one-on-one with all the committee members before her actual confirmation hearing and answer any questions. And one of the things that her and I discussed during our one-on-one meeting was a similar dynamic that we have in here that I think she will face as the public health director, which is the challenges of navigating statewide policy or statewide directives versus sort of that local control aspect. And we talked a lot about kind of balancing that with the autonomy of local control when it comes to public health decisions. And she certainly seemed to appreciate and respect and understand that. We also discussed data collection and, and data transparency. She has a pretty strong background in this. She was doing this for the department for, for quite some time. We talked about the usefulness of things like public health dashboards and, and, and making that available to both public health experts as well as providers throughout the state. And she seemed committed to both increasing that data and, and working to make that more available as well. This is a serious job. Obviously, we are in the year 2026 and we're seeing things like, you know, measles outbreaks, whooping cough, etcetera. And so there's an opportunity here, I think, for her, it's going to be a challenge, you know, to-- there's an opportunity for both education, but also statewide directives to ensure that Nebraskans can stay healthy, can respond to what we're seeing as a state, and, you know, I hope that she will-- I wish her luck in that position, because that's also a, a big challenge. So I plan to support her on the floor, and thank you, Mr. President.

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

SPIVEY: Thank you, Mr. President, and good morning, colleagues and folks joining us online. I stand in support of this nomination, and I have worked specifically with Ashley in a number of spaces outside of the Legislature. Her predecessor was a really great public health advocate, really engaged in community, and I think really tried to build relationships with folks on the ground that are working in this

space. And while Ashley has been in the interim, has done the same thing, has been very communicative, I think has a strong vision for her role within HHS and the role that HHS can play and has been really committed to ensuring populations that are seeing disproportionate outcomes and the impacts are really-- have a strategic and intentional approach to what does that look like within her purview. So I will also be supporting this and, again, just-- this confirmation and just wanted to make sure that I gave that feedback as someone who has worked with her outside of this legislative body. Thank you, Mr. President.

KELLY: Thank you, Senator Spivey. Seeing no one else in the queue, Senator Hardin, you're recognized to close and waive. Members, the question is the adoption of the confirmation report from Health and Human Services. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 36 ayes, 0 nays on adoption of the committee report, Mr. President.

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

CLERK: Mr. President, some items for the record: Notice of committee hearings from the Health and Human Services Committee. Additionally, a committee report concerning the gubernatorial appointment to the Nebraska Commission on Problem Gambling. As it concerns the agenda, Mr. President, General File, LB397, introduced by Senator Moser. It's a bill for an act relating to labor; it eliminates provisions relating to safety committees and a safety program; terminates a fund, harmonizes provisions, repeals the original section, and outright repeals several sections of Chapter 48. The bill was read for the first time on January 17 of 2025 and referred to the Business and Labor Committee. That committee placed the bill on General File. Mr. President, when the Legislature left the bill, pending was the bill itself. That's all I have at this time.

KELLY: Thank you, Mr. Clerk. Senator Moser, you're recognized for a 1-minute refresh.

MOSER: Thank you, Mr. President. Good morning, colleagues. Good morning, Nebraskans. I would hope that the Legislature would support my LB397 which removes some obsolete language from the labor laws that require safety committees. We don't have funding to support the formation of these committees. They're still-- employees are still

permitted to have safety committees at their own discretion. If they-- and I would say most companies do have safety directors and then down from there they have other employees that manage their safety without this requirement. We haven't had funding for this requirement for over 20 years and if I was a compliance officer and I wanted to know about it, I call the Department of Labor and they say, oh, well, that's obsolete, you don't have to follow that law. Then I would wonder, well, what other laws don't I have to follow? This just harmonizes what's actually happening with the law. Last year, the Department of Labor did 219 visits to employers at the employer's request, and those employers hired 7,886 employees, 2 hazards, imminent hazards were identified, 1,421 serious, and 41 others. So the Department of Labor is doing their job. They have federal funding to do this voluntary OSHA program and we don't need a separate Nebraska requirement of a safety committee. Thank you, Mr. President.

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

CONRAD: Thank you, Mr. President. Good morning, colleagues. I was hoping that my friend, Senator Moser, would yield to some questions.

KELLY: Senator Moser, would you yield to questions?

MOSER: Absolutely.

CONRAD: Thank you, Senator. I'm sorry if you already stated this in your opening, but what is the origin of this measure? Who brought this, this bill to you?

MOSER: The Department of Labor.

CONRAD: OK. And in discussions with them in preparation for introduction and carrying this through, I see that there is an effort to sweep or remove any existing cash funds into the General Fund, which is an ongoing point of contention in regards to our budgetary deliberations. But there's no dollars and cents reflected on the fiscal note. Do you by chance have a sense, Senator, is there any money in this cash fund? And if there's not, why do we need a sweep?

MOSER: There is no money in this cash fund.

CONRAD: OK. So then why does the language indicate that we need a sweep from the cash fund if there's a zero balance?

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MOSER: I'm sorry, I didn't understand your question.

CONRAD: Yeah, it seems that there is a sweep from the cash fund as it stands today to the General Fund, but there's no dollars and cents to effectuate the sweep and there's money according to the fiscal note and to your analysis in the cash fund itself. So I'm just trying to, to understand why that component is necessary.

MOSER: So the sweep is in the budget language or in my bill?

CONRAD: I, I believe it's in your bill, Senator.

MOSER: Yeah. Well, sweeping accounts that are at zero balance, there's no effect to that.

CONRAD: Yes, that was kind of my point. The, the other question that I just wanted to ask, Senator, did you have a chance to discuss with the Department of Labor representatives or perhaps with members of the Business and Labor Committee kind of what the trend line looked like for workplace safety or workplace injuries in Nebraska? Are we-- have we solved the problem? Are we out of the woods? That's, that's one point of analysis that I'm trying to get my head around as I approach this measure.

MOSER: I wouldn't have specific evidence to that point. I-- their voluntary program for OSHA inspections found 1,421 serious hazards that they reported to the employers. And if OSHA were to come in and inspect them directly, they would get written up on those hazards. So the state is trying to help Nebraska employers to identify those and correct them before people get hurt. And the trend looks like the hazards that they discovered have gone up. In 2021, they found 698 serious hazards and this last year, 1,421.

CONRAD: Thank you, Senator. That's, that's actually very helpful, and I was looking at some recent reporting from the Bureau of Labor Statistics as well that shows pretty significant fluctuation in terms of workplace death or injury in Nebraska, rather than kind of a clear trend line. And I'm wondering, because I know every member of this body is committed to workplace safety, if the better remedy isn't to reinvigorate and utilize these programs more robustly, rather than to simply wipe them off the books, because that could-- the preventative approach could, of course, save the employer money, is critical to workers' rights, health and safety. I'm wondering if perhaps, rather than looking at this as a, a state-- a straight kind of deregulation,

because we haven't utilized the worker safety program robustly, if, in fact, we should reinvigorate it rather than repeal it. If you-- I only have a minute left, but if you'd like to respond. Thank you.

MOSER: Well, the OSHA inspection program that the DOL does do works, because it found violations to help Nebraska businesses so they didn't have employees get hurt as often. So I think that's a plus. The Department of Labor gets about a \$600,000 appropriation from the federal government to run this program. This is where the federal government wants to concentrate on trying to eliminate these risks. And I think only five or six states have requirements of having a safety committee. It's a technical requirement that is not necessarily functional, but yet it requires-- it, it is law, and so it's a drag on the process.

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

DUNGAN: Thank you, Mr. President. Good morning, colleagues. I do rise also opposed to LB397 for a few different reasons, and I touched on some of this yesterday, and I appreciate the opportunity to talk in a little bit more detail about it here today. As I kind of started discussing yesterday, LB397, I think, is being billed sort of as a, a very simple cleanup, but my perusal of the actual bill, it seems like this does quite a bit more than simply getting rid of a, a cash fund that doesn't have any money. The bill itself is obviously a number of pages long, and in reviewing this, one of the things that jumped out that I know we talked about yesterday, and we'll get more to the cash fund that was just being discussed by Senator Moser and Senator Conrad, but on page 3, line 21, the elimination of the requirement that an employer has to establish a safety committee, I think is very problematic. One of the things that we touched on yesterday in this discussion, and I think is worth talking about, is the necessity of workplace safety. Obviously, a lot of folks in this room have talked to their constituents and people in their district who work in things like industrial plants or factories or meat packing plants. And the reality of those situations is that they're still very unsafe. I think that we've made great strides as a country to ensure worker safety, but anybody who talks to anybody who's actually doing that work knows that even with the current regulations in place, it is an incredibly dangerous job to go in to these meat packing plants, to these various industrial plants and, and go stand on the line, even with current requirements. And so broadly speaking, when I look at a bill like this, my general North Star is what is going to protect and what is

going to help the worker. I understand that there are certain levels of bureaucracy that can sometimes be cut through, and certainly I think everybody in this body is in favor of cutting unnecessary red tape, but what I don't want us to do is to walk back particular provisions of bills that ultimately will be detrimental to worker safety in the name of cutting red tape when, in reality, some of these requirements do serve a purpose. There's been a lot of discussion, excuse me, about the federal level. There's been a lot of discussion about what OSHA does or what they don't do. And certainly there are certain federal requirements in place for work safety. What we need to make sure though, colleagues, is that we as Nebraskans are upholding our duty to our workers here in our state and making sure that in the event that those protections at the federal level are walked back or are changed or are modified, there are ample protections at our state level and that we are holding our businesses accountable for unsafe work practices if they're happening. Now, that doesn't mean there needs to be unnecessary burdens or unnecessary hoops, but in the event that, as we've seen over the last decade, changes in federal law happen, I think that it's necessary for us to maintain some semblance of control at a state level, out of a federalist perspective of making sure that we at the state level protect our employees. Getting rid of the requirement in the workers' comp section, that an employee is required to establish a safety committee, I think puts us in a situation where we are relying on the good faith of certain businesses to continue implementing worker safety, as opposed to requiring it as one of the many things they have to do in order to be in good faith-- considered in good faith entitled to workers' compensation under subparagraph (4) in this bill. So that is a problem. Certainly, I don't have all of the details about the way that these safety committees work. I think it's something that we could use some more answers on. I see Senator Quick is in the queue and I think he has a lot of really fantastic experience with regards to boots-on-the-ground work when it comes to working in a lot of these kind of industrial places. And so I hope that maybe he can speak a little bit more to some of the safety programs that have been in place. Scrolling down, and I'm going to punch back in because I want to make sure I can finish this thought. One of the other things that I noticed as being cut from this is a protection from anybody who has reasonable cause to believe that there is a workplace hazard for essentially a whistleblower standard. Line 11 says: No person with a reasonable cause to believe the truth of the information shall be subject to civil liability for libel, slander, any other relevant tort cause of action by virtue of providing information without malice on workplace

hazards. I have a concern that striking that is going to further demonize folks who are trying to make sure that we, the Legislature, or other people in our community know what workplace hazards exist. So I think that this bill is more complicated than it initially looks. I think there are a lot of concerns and I think we should continue to have a discussion for at least a little while about whether or not we are properly supporting our workers here in the state of Nebraska and ensuring that when they go to their job, they are safe and they are protected. Thank you, Mr. President.

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

QUICK: Thank you, Mr. President, and I, I have some real concerns about this bill myself. You know, working in both the public sector and the private sector over my work career, I've kind of seen both aspects of it. Really, I, I don't understand why any employer wouldn't want to make sure this is still in place for their own protection. Really, I think workmen's compensation, you know, insurance has been there not only to, to help the employee to recover from their injuries, but also to protect the employer from any lawsuits. And so I would think any employer would want to make sure that there were protections in place for them as well. Just going back to my work experience. Over the years, I worked at many different places. I, I built-- I worked at Spelts-Schultz building component houses in, in Grand Island. I worked at a grain elevator. I worked at-- I worked for a couple different farm/ranch operations. I also worked at a sand and gravel ready mix operation for about 15 years. On all those places that I worked in the private sector over that time, we didn't have any safety committee. We didn't really-- I will say when I worked at the sand and gravel operation, we had one safety meeting a year. And really it was a dinner and they would give out safety awards. Otherwise, really our only safety at that time was that if we knew MSHA was coming around and they were going to be inspecting our facility, they'd hand out hard hats, we'd have to run around and make sure we had all the pipeline rope up and all the-- everything was in proper order. So, you know, making sure that you're protecting your workers, making sure that you're protecting your business, you know, from maybe a lawsuit from an employee who, who was injured in, in the workplace. I think this-- we've got to be careful about what we're doing with this bill to make sure we're not removing any of those safety concerns for employees as well as what could happen with the employers. When I went to work for the city of Grand Island, we-- I don't remember when I first started there, because I worked there 28

years, if, if there were safety committees, but I know over the years we established many safety committees. I was on a citywide safety committee. I was also on the utility safety committee and we would have all that employee/employer input together to figure out how we could deal with workplace injuries. I know even after my injury that I talked about yesterday a little bit, I'd-- we looked at how actually we operated the plant. We looked at maybe we could change to make sure that-- because my injury resulted in-- we were trying to unplug a big silo that had about 20 ton of material in it, and it all came down when I was trying to push a rod up inside of a bin, and it tore my bicep ligaments along with my rotator cuff. And so we looked at how we could better operate that system. We put vibrators on the, on the silo. We put-- we looked at changing the operation of the plant to make the material dryer that went into that silo. And then I know we, we got a truck and backed it underneath there so we could gather all that material and haul it out to a, to a-- like a-- it wasn't really a landfill but we had a place where we put the, the, the ash from, from that silo. And so-- and I know that happened with many of the different injuries that happened in our workplace. We were always looking at how we could improve the safety in the workplace. And it wasn't always just to protect the employer, but to make sure that we had workplace safety that would prevent injuries in our work place. Like I said, no employer wants to see their employee hurt. And no employee wants to actually get hurt. You know, I know once in a while you might have something where someone would hurt their back and we've had that happen, too, where someone maybe-- oh, I shouldn't even go into that part. One thing I will say is that I do receive calls every once in a while from people who have been injured in the workplace and maybe through that workmen's compensation the employer didn't understand the rules that they needed to follow and the employee didn't know their rights. And sometimes the employer would say, I'll just pay for this. You know, you go to the doctor, I'll pay for it, but over that time that employee didn't get any better, and at some point that employee was-- he was terminated from his position. And I've received several calls on situations like that. So I just want to make sure this bill doesn't take away from anything that could happen to an employee where it would, you know, they could lose their jobs. They could be terminated from their position because of a workplace injury. They could--

KELLY: That's your time, Senator.

QUICK: Thank you, Mr. President.

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

M. CAVANAUGH: Thank you, Mr. President. Good morning, colleagues. I am unsure at this moment as to how I'm going to vote on LB397. I, I do have some questions and concerns about this bill and I apologize that I wasn't here earlier for the confirmation votes. I would have voted in support. I, I dropped my kids off at school this morning and I left my phone at home, which I was going to just get on the road and come here. And I thought 100% my car will break down on the interstate if I don't have my phone. So I had to drive back home and get my phone, so that's why I was late. Apologize to everyone. I did hear the comments about the new public health director and I appreciated Senator Spivey and Senator Fredrickson's comments. And I, I wish her well in her new role, her official role. As far as LB397 goes, so, I guess-- would Senator Moser yield to a question? I apologize, I didn't give you a heads up.

KELLY: Senator Moser, would you yield to a question?

MOSER: Yes, I would.

M. CAVANAUGH: Thank you, Senator Moser. So this safety committee sparked a memory for me that we had an email from the Exec Committee in December about our own safety committee and reappointing our own safety committee. We have staff and we have legislators and I see that this bill would actually strike our own safety committee from statute. Have you had conversations with the Exec Board? Will we continue to have a safety committee within the Legislature if your bill is enacted?

MOSER: The bill just removes the requirement to have a safety committee. The state can have safety committees if they feel they're useful. The Exec Board can continue to have a safety committee if they want, but it's not a requirement.

M. CAVANAUGH: OK. But I guess my-- more specifically my question is, have you had any conversations with the Exec Board as to whether or not we will continue to have a safety committee?

MOSER: No.

M. CAVANAUGH: OK. So that's probably a question then I'll have to follow up with Senator Hansen when he's available. So my other question is how does this play into-- I, I mean, I understand,

especially seeing in Appropriations we're eliminating a lot of lapsed or empty cash funds, taking them out of statute, but how does eliminating the requirement for a safety committee play into if a company doesn't have a safety committee and they don't have those policies if they choose not to, then when there's a workman comp-- workmen's comp claim, is that going to impact and erode workers' rights in those types of situations?

MOSER: No, I don't believe so. The safety committee generally would set up policies to promote safety. Individual violations are handled through the Workmen's Compensation Court. So safety committees really don't have any effect on that.

M. CAVANAUGH: Right, but the safety committee sets the policy, and if there's no safety committee to set the policy then there's no violation of the policy. So then isn't that eroding a workmen's comp claim?

MOSER: Every company has a safety officer. They may not have a committee, but everybody has a policy to handle safety. It's-- this is not doing anything to diminish work-- workplace safety.

M. CAVANAUGH: So, so every company will still be required to have a safety officer?

MOSER: I didn't say it's a requirement, but every company I know has a safety officer.

M. CAVANAUGH: Is it currently a requirement to have a safety officer?

MOSER: I can't answer that honestly, I'd have to ask.

M. CAVANAUGH: OK, but it is currently required to have a safety committee?

MOSER: Yes, but nobody's doing it, or, well, not very many people are using them.

M. CAVANAUGH: OK, thank you. Thank you for answering my questions.

MOSER: Yes, thank you.

M. CAVANAUGH: I, I am concerned about workers' rights and the erosion of, of workplace safety and also just avenues for workers to, to make sure that if their workplace isn't safe that they have appropriate

recourse and I, I am concerned that eliminating the requirement of a safety committee is going to do just that. It's going to erode workers' abilities to seek, I guess, compensation when necessary through the workers' comp claims. And I, I, I think if it were just eliminating the cash fund, which I actually don't think we should eliminate the cash fund, we should be evaluating funding it, if it's not, not been funded, but I don't think, I don't think that we should do away with the requirement of the safety committee itself.

KELLY: That's your time, Senator.

M. CAVANAUGH: Thank you, Mr. President.

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

GUERECA: Thank you, Mr. President. Good morning, colleagues. I believe I'm standing in opposition to LB397. I think the-- doing away with the safety committee is, to me, is definitely a red flag when I was reading through the bill. So for those who don't know what a safety committee is, again, it is a requirement for, for workplaces to have a safety committee to be compliant for workers' compensation. But a safety committee, basically, it's equal part employ-- equal part worker and equal part employer. By doing away with the safety committee, we're taking away the workers' rights to have input on rules and regulations that in their eyes keep them safe, right? Yes, every company will have a safety officer. And that safety officer will set place-- will set the workplace regulations that govern that business. But, again, that takes away the input of the actual person on the line, the actual person doing the work day in and day out. And that, to me, is a big concern. I represent one of the state's more working-class communities. A lot of my constituents work in manufacturing and construction and the meat packing industry. I just wanted to briefly share a story about an interaction I had while on the campaign trail. I knocked on this woman's door, and we had a conversation about, you know, what was important to her, what, what she struggled with, what, what aspirations she had. But she commented that she worked at one of the packing houses in the area. And the comment she made will always stand out to me. She said I don't want to say that the working conditions are inhumane because animals have feelings too and should not be subjected to the working conditions that me and my coworkers go through every single day. That is happening right here, right now, in the state of Nebraska. Personally, to me, that is absolutely unacceptable. So when we're doing away with

something that does not cost us anything, is a system that allows working Nebraskans to have input on to regulations that keep them safe on a day-to-day basis, well, that's something that I have to-- I have a problem with that. But I'll continue to listen to the conversation and see where I end up on LB397. Thank you, Mr. President.

KELLY: Thank you, Senator Guereca. While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign LR306, LR307, LR308, and LR309. Senator Raybould, you are recognized to speak.

RAYBOULD: Thank you, Mr. President. Good morning, colleagues. And good morning, fellow Nebraskans watching us on TV. I want to give you just a, a real-world perspective of a large business owner and also as a member of the Business and Labor Committee. I supported this measure. And to be honest, if you are a business owner and operator that involves customers coming into your premises, you do not need a safety committee requirement telling you what to do. A business of our size that has, now, 2,000 employees, you have safety meetings all the time and required safety meetings. Why? Because as a business owner/operator, you want to, number one, keep your employees safe and healthy; and, number two, protect the customers that come on your premises. So having a safety committee is a business best practice that a business owner/operator does not need a government telling them what are the best business practices to incorporate in their operations. I can tell you, I was assigned our safety committee for about 10 years. I-- my role at our company was operations and facility management, so it's in the best interest of our company to make sure the premises are safe, working conditions are safe, and there's another very prime reason why. You want to be able to defend yourself if there's a workers' compensation issue. You want to be able to document that you were aware of a safety hazard, but, most importantly, that you addressed and eliminated that safety hazard. Not only for your associates, but for your customers. And I can tell you that as a business owner, I don't, I don't need a government telling me how to run my business, what is the correct things to put in place to keep people safe. Even with or without this requirement, it wouldn't impact, impact us one way or another. I can just tell you that each of our grocery stores, 32 grocery stores, they have a safety committee assigned for members who work in that store. They meet twice a month. They identify hazards and conditions that should be addressed not only with the facility but that might create a trip and fall or other issue that could impact, say, the bakery operations or the, the meat department. And I can tell you that it is-- there is no, I guess,

intimidation or repercussions. We want everybody to be on alert. If there's something in an aisle that a customer can trip on, if there's water leaking or a spill, we take great pride in addressing these concerns immediately. I can tell you, we're not alone in that. Every business operator that cares about their employees and their customers is already doing this. So I was completely unaware until I was on Business and Labor Committee that this was an actual requirement. Best business practices hands down from all industries across the board, number one, we have a workforce shortage. We want to make sure that our workers can do their job in the safest environment possible. Number two, as an employer, you have to document your good faith efforts at addressing anything that might create a harmful situation for your associates. That's the workers' compensation side and customer side. So I can tell you, jumping back to how our company did it, so each store would have their twice monthly meeting, submitting reports to the corporate office, and then we, in turn, the corporate office, would have a quarterly review of all the safety reports and make sure that those items that were identified were addressed and mitigated. And those stores that were on the quarterly meetings of the safety committee were those that had a track record of not addressing these safety concerns. So I can assure you that, was it a punitive measure? No. I mean, people want to get these things addressed. And I think any responsible business owner addresses it in their, their normal course of business with or without this clause, it's not going to diminish our efforts, nor is it going to deter them from doing the right thing for all the right reasons: to protect their customers, to protect their employees, and to be able to document your good faith effort at addressing any of the concerns that were identified. Thank you, Mr. President.

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

DUNGAN: Thank you, Mr. President. Sorry, I was in the back talking with other staff. Can I have you guys step away real quick, sorry. Thank you. Just gets a little loud in here sometimes. Colleagues, I do rise again today opposed to LB397. I've been talking with some folks to try to better understand what all is in this bill. And I guess one of the conclusions that I've come to is, my suspicion earlier, was that there's multiple parts of this bill that I think are kind of being mushed into one thing. So on one hand, we have the elimination of the requirement for the workplace safety committees. That is a requirement that currently exists where businesses have to have that in order to be in compliance or in good faith compliance in order to

have the workers' comp protection. That seems, based on my conversations and my reading of this bill, separate and apart from Section 3 of LB397, which is what eliminates the Workplace Safety Consultation Program. It sounds like this program, in particular, is what permits or allows the Department of Labor to have their own authority to proactively go in and inspect certain businesses here in the state of Nebraska. Paragraph (3) says: All employers shall be subject to occupational safety and health inspections covering their Nebraska operations. Employers shall be selected by the Commission of Labor for inspection on the basis of factors intended to identify the likelihood of workplace injuries and to achieve the most efficient utilization of safety personnel. So this is the section of law that permits the Department of Labor to have their autonomy and exercise their authority to go in and inspect these businesses. Now it sounds like the rub here is that there has not been funding for this program for quite some time and I appreciate some of the history that the department was able to give me on that. It sounds like since 2003, the Legislature has not funded this program. Instead, there has been, I guess, workplace safety inspections that have been conducted pursuant to a provision of OSHA, which in my understanding, and I'm hoping I'm not butchering this too much, is an optional program that companies can opt into to have the Department of Labor come in and inspect, in which point, if they have an issue, they can either correct it or they can be referred to OSHA for further consequences or inspections. So I think if we're looking at those two methods of inspection, the former is the one that I think we should be ensuring has a little bit more teeth. My concern is that LB397 is going to be taking away authority from the Nebraska Department of Labor, and instead hoping or trusting that a federal program is going to remain in place, and that the federal funding is going to remain in place to allow that workplace inspection. I understand that money is a very serious issue right now in the Nebraska Legislature, and anybody who's been paying attention or watching understands that we are having some serious debates about the budget. So I understand that perhaps this year is not the best time to be discussing whether or not we should be adding additional funding to a program, but my concern is that if we gut or take away this provision in 48-446 and remove all of the statutory language that gives the Department of Labor this authority, it will prohibit us in the future from having any additional conversations about ensuring that the Department of Labor has the funding they need or has the support they need in order to have their own autonomy as a state to not rely on the feds and to hold Nebraska businesses accountable under the requirements in this statute. We have a lot of pieces of

legislation, colleagues, that are skeletal in nature. They don't have a lot of meat on the bones. That does not mean that those programs are not important and certainly having the, the skeleton of certain provisions allows future legislatures to go in and properly fund and/or rework those programs. I would be happy to continue having conversations about how we can rework the Workplace Safety Consultation Program, find ways to make it efficient, find ways to make it a good use of Nebraska taxpayer dollars, but certainly find a way to try to keep it in place to permit the Department of Labor to have the authority to hold these businesses accountable. If you vote yes for LB397, colleagues, my concern is that you are taking away that state authority under the Department of Labor and simply giving that authority to the feds and trusting and hoping that federal funds are going to continue to be utilized in order to permit workplace safety inspections, which if those funds don't come in, if we are not permitted to continue to search or inspect in the same way, we might see detriment to workplace safety. And I think that, again, our North Star on this should be ensuring that workers and people who are doing the hard work on the ground have protections. Thank you, Mr. President.

KELLY: Thank you, Senator Dungan. Senator Hardin would like to recognize some guests under the north balcony from Kimball High School. They are teacher Mrs. Jeri Ferguson and students Westen Hottell and Parker Frederick. Please stand and be recognized by the Nebraska Legislature. Senator Quick, you're recognized to speak.

QUICK: Thank you, Mr. President. I still have a lot of concerns about, you know, just blindly going ahead and passing this. One of the things in here that it strikes out, in the bill that it strikes out, it says: Safety and health inspectors employed by the Department of Labor shall have the right and power to enter any premises, building, or structure, public or private, for the purpose of inspecting any area of equipment. A refusal by the employer to enter a safety, health-- by a safety health inspector employed by the Department of Labor shall be in violation of this subsection. If the Commissioner of the-- Commissioner of Labor finds, after notice and hearing, that an employer has violated this subsection, or he, he or she may be order-- order payment of civil penalty of not more than \$1,000 of each violation. Each day continued violations shall constitute a separate violation. So this is more oversight, you know, that to make sure that employers are actually providing that safety in the workspace. And I, for the life of me, I don't know why an employer would even want to have this removed because it's, it's their protection as well on the

workmen's compensation side. So we're moving a lot of language-- removing-- really, we're-- I think we're getting away or doing away with the safety and health inspectors. So maybe this is a way to reduce the budget for the Department of Labor so that they, they can reduce, you know-- you know, I don't want to-- I hate to say it this way, but to provide more property tax relief, maybe we're, we're doing away with some money that goes to the Department of Labor for these things. So-- and I just have some real concerns that we're, we're going to pass a law that's going to remove protections for workers, and also remove that protection for our employers in our state because of, of, of, of liability and lawsuits. You know, I talked a lot about the private and public sector. I, I think this down here, when they remove that, because they could go into a public-- I don't know if that includes the public sector, but I would say it does. So right now, public sector employees aren't under OSHA. So we-- really, we govern ourselves and we have the-- I would think we would have that state oversight where they could come and inspect an injury or a death in the workplace on the state side, but there is no federal oversight for public sector employers. And we have a lot of dangerous jobs out there. I mean, you look at our line workers, you look at our firefighters, you at law enforcement, they all work in a lot of dangerous situations. You know, I worked in a power plant. You know, those are all public sector workers who, who face injury or death every day when they go to work. Also on the state employee side, we have the people who work in our Corrections. They work in a, a, a-- really a dangerous daily situation. So we want to make sure we're, we're not eliminating something that's going to protect those workers in the workplace and, and protect our state. So I'm going to keep asking or keep talking about this and trying to figure out if this is really what we need to do for our state or I'd also like to find out, you know, the money that's been collected over the years, where did that money go then? What was it used for? I'm sure it was supposed to be used for maybe creating more safety programs, putting out education for employers to help with that, maybe it-- I don't know if it funds the inspectors that go out and investigate these situations. So I think there's some questions that we need to find-- have answered and figure out where the money went, you know, what-- how that money was brought into the state, where it went, because there's zero dollars in there now, so where did it go? So with that, I'll yield the rest of my time. Thank you, Mr. President.

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

J. CAVANAUGH: Thank you, Mr. President. Good morning, colleagues. Well, I rise in opposition to LB397 and would echo some of those comments. And again, Senator Quick, I appreciate your, your questions. I think it is interesting, what was the funding mechanism? Where did the money go? I would just point out, when I'm looking at this bill, it, it does nothing but strike large sections of statute. And the only addition is that one about terminating the fund and then moving whatever funds are in there to the General Fund. And so I think that's-- it's probably boilerplate language, but it's certainly a red flag when the only addition is to this bill. The only thing that, that changes in statute is elimination of workplace protections and then moving of funds to general funds. And those of us who have been around here long enough have seen that this, this Legislature and this Governor have worked to take funds from all sorts of other places to balance the state's budget. And I assume we're going to see that again this year. We're going to take some money from the environmental trust again, which we've done the last couple times, and we're not supposed to be doing, take money from DMV cash fund that was meant to modernize the DMV to balance the budget, taking money from the Game and Parks Department and then increase fees on families just going to the parks to balance our budget. I don't know if that's what's happening here because everybody keeps saying there's no money in this fund. But that's what it looks like when you look at this, right, is that we're eliminating workplace protections and then taking that money in the interest of balancing the budget. But my fundamental opposition to this is that there's a lot of conversation here about how this is unnecessary, but nobody seems to really know what this bill does. There's a lot of questions. This bill maybe was rushed out of committee, rushed to the floor, put out here, and maybe everybody thought it wasn't going to go anywhere so they didn't really need to think about it because it doesn't have a priority. It was on worksheet order, and we're just maybe being a little bit more productive than people expected us to be. But we should take a step back, find out what the actual implications of this are, who are the people who are affected, what were the intentions of this, this program when it was started in 1994? I would like to know what happened after this program started. It was in effect-- what we've been told, is it was not funded since 2003. So that means between 1994 and 2003, this program was in effect. Did we see an appreciable decrease in on-the-job injuries? Did we see an improvement in the conditions for workers in the state as a result of this program being in effect? Were there things that needed to be changed in it rather than us eliminating it? And so if we actually have people's interests at heart here, we would probably have

some change, additions into a program that would function in the way that it should. We have heard that the intention is to use OSHA, the federal program, as the workplace safety requirements. And there are workplaces that are not covered by OSHA. And there's a great deal of them. And there are folks who are only voluntarily covered by OSHA. And so we should understand what is the scope of the elimination of protections for working people when we are eliminating them. And it does feel like people are just trying to rush this through and get it done without too many questions being answered. So I'm opposed to this bill because I think we should be providing protections for workers in the workplace. I'm opposed to this bill because it does-- the only thing it affirmatively accomplishes is a cash grab and taking it away from workplace protections. And I oppose this bill, because I think one of the fundamental things that government does positively is protecting workers. And if we are going to take a step back from that, I think this Legislature has demonstrated that it is very unwilling to provide any further protections. So I hope that folks will vote against this bill, or perhaps we could just take it off the agenda until some of these questions are answered. It is still early in the session. It would still have its day on the floor if we take a step back. But if it does advance, I would hope that it doesn't get rescheduled on Select File until some of these questions are answered. So thank you, Mr. President.

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

HANSEN: Thank you, Mr. President. I just want to address something. I think Senator Machaela Cavanaugh brought up about her concern about the safety committee being dissolved in the State Legislature and there's really, from my understanding, no intention of getting rid of the safety community here that we currently have. And I want to ask Senator Moser a question, if I could, please.

KELLY: Senator Moser, would you yield to a question?

MOSER: Yes, I would.

HANSEN: Thank you, Senator Moser. It seems like for many people who are speaking in opposition to this bill, it seems like they're making this bill much more complicated than from my understanding of what-- how you're explaining it. In essence, basically this bill is just giving now employers the opportunity to decide whether they want to

have a safety committee as opposed to mandating it from the state. Correct?

MOSER: That's correct. They can still have a safety committee if they so choose. Current law requires every employer covered by workmen's compensation to have a safety committee. So even my little retail store, I have to have a safety committee according to the law.

HANSEN: OK. And you're not changing that, correct?

MOSER: Our safety committee meetings are usually over lunch at our desks, and we talk about extension cords left where they shouldn't be or something like that, but we don't have a committee, I mean, it's-- I think it's redundant. It just doesn't affect reality. It's just a requirement the state is realizing that this is archaic to require it. Only five states require safety committees.

HANSEN: Yeah, thank you, Senator Moser. And I, I think, I think he's exactly correct. Any reasonable employer who (a) is concerned about their employees, and, again, I'm going to put the onus and the trust of the protection of their employees on the employer, because (a) they actually care about their employees, (b) they don't want to be sued, and (c) a lot of times their malpractice insurance requires that they have this. And so it seems like a lot of the conversation that we're hearing from people in opposition to this bill is saying we're going to get rid of safety committees entirely, and employees in the state of Nebraska aren't going to be safe at all. And that is fundamentally not true. We still have OSHA, we still have federal requirements, we still have requirements per our workmen's comp insurance, and (b) I can't think of any employer in here who wants to get sued. So in order for them to protect their business and their self-interest, they want to look out for the safety and welfare of their employees. Now unless somebody can sit here and cite a specific business that doesn't care about their employees and their safety, I'd be curious. I don't know of any, and I know a lot of business owners in the state of Nebraska. And so, really, Senator Moser just hit the heart of what this bill does. It gets rid of redundancies, over-burdensome rules and regulations by our employers. And makes what they're able to do more efficient and still protects the employees. We're not getting rid of requirements for employees. It's still up to the employer. I don't know any employer who's going to get rid of the safety of their, of their employees. So whenever you hear people come up here in opposition saying, we're now not making it safe for employees in the state of Nebraska, that's untrue. And heaven forbid if we trust the

employers in Nebraska. It's OK. I know a lot of times we have a big heart here and we want to take care of everybody. But, fundamentally, ask yourselves, is it the government's right to tell employers what to do when it comes to workplace safety to this extent? I'm not saying there are a purpose for some rules and regulations for safety and welfare of employees. I think there might be. But when does it come to a point where it's over-burdensome and now it starts to cost the employers? It starts to cost the consumers? And, actually, if we don't-- if we think about it, decreases the pay of employees because now employers are having to pay for all these regulations that we put on them. They might actually be able to pay their employees more. So if you're in opposition to this bill, you might also be in opposition to pay raises for the employees of the state of Nebraska. See how I can twist that? So I think this is a good bill that Senator Moser is putting forward. I don't think it's been rushed at all. I don't think it is over complicated. And we do need to trust the people of Nebraska and the employers. Thank you, Mr. President.

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

GUERECA: Thank you, Mr. President. Oh, God, where to start? So I, I really do commend my colleagues in this body that are business owners that have, you know, a great relationship with their employees and with their workers. But we set regulations to prevent bad actors from abusing the citizens and the residents of the great state of Nebraska. It's not about the good actors. It never has been. And If everyone, if every single employer was always perfect and always acted in good faith, we wouldn't have labor regulations. But the reality is, is that bad actors do exist. Now let's talk about these burdensome safety committees. So I pulled up the statute, 48-443, Section (1)(a): No later than January 1, 1994, every public and private employer subject to the Nebraska Workers' Compensation Act shall establish a safety committee. Such committee shall adopt and maintain an effective written injury prevention program. That's it. That is what statute mandates that these safety committees do. Not impose burdensome safety regulations and, and drive down the wages of our, of our workers. "Such committee shall adopt and maintain an effective written injury prevention program." And, actually, to address the issue of driving down wages and driving up costs for our employers here in the great state of Nebraska, sub-- Section (2)(c) actually says, "The cost of maintaining and operating the safety committee shall be minimal to the employer." So my question is, why are we doing away with the bare minimum? I think that's a fair question to ask. Again, an effective

written injury prevention program that has minimal cost to our employers. Not too much to ask. Thank you, Mr. President.

KELLY: Thank you, Senator Guereca. Senator Dungan, you're recognized to speak, and this is your third time on this bill.

DUNGAN: Thank you, Mr. President. Senator Hughes was trying to steal my time there, it looked like. Colleagues, I do rise again opposed to LB397. I do appreciate, again, colleagues engaging in this conversation. This is, I think, a legitimate back and forth on the issues in the bill. This-- the genesis of this, this argument, I think, comes from just trying to understand what the bill does. In response to Senator Hansen, I understand that the elimination of the requirement that an employee or that employer have a workplace safety committee is what he's talking about. We can have that debate about whether or not that's important or helpful or good. I would like a little more information about whether or not those safety committees meet on a regular basis, what their role is? I think every employer is probably different. I think we'd also have to have a conversation about the nature of that requirement for workplace safety committees having an influence on the collective bargaining that happens in some of these other industries and areas. And so, you know, eliminating that requirement could potentially also be putting its thumb on the scale of a lot of these negotiations and conversations that are happening. That's a conversation, an argument that was made on a prior bill this year. So I think it's important to at least try to be logically consistent with some of that as well. I do happen to agree that we need to as a government ensure safety, I think that we can do that while also walking the tightrope of not being overly burdensome. My objection to LB397, the more that I dig into it and the more I understand what all's in this, comes from a different section, then that elimination of the requirement for the workplace safety committee that each individual employer must have. As I said last time on the bill what we are doing with LB397, my concern is that we, under Section 3, are gutting the entirety of Section 48-446. We are taking away the language for the Workplace Safety Consultation Program. And if the intention of this bill is to simply be a cleanup, then I would suggest we have an amendment at some point to remove that portion of the bill, and we can have a discussion moving forward about whether or not we can revamp or rework the Workplace Safety Consultation Program if there's a way that we could find funding for it, whether that's from federal funding. But what I want to make sure that we don't do, colleagues, is remove the Department of Labor's autonomous authority as a state actor to inspect businesses. That's what we're doing with

this bill. You are making it so the only authority that the Department of Labor, it sounds like, would have in order to inspect these businesses is through that optional program that companies can opt into that is compliant with OSHA, which as Senator John Cavanaugh indicated does not cover all businesses. But if we, if we pass or advance LB397, we're removing the Department of Labor's authority to go into these places and do these inspections on their own volition. Now I understand, currently, I'm listening to the debate, currently that program is not funded. To me that is a problem that can be addressed moving forward, or we can find ways to rework the program with existing funds. But if we get rid of the entirety of 48-446, we are doing away with an entire section of statute that was passed back in the 1990s in an effort to give the Department of Labor the authority to go and make these inspections happen. The likelihood of us as a Legislature passing any kind of additional legislation in the future, granting the authority to the Department of Labor to hold businesses accountable, I have concerns that that's ever going to happen again, because we've heard from a number of our colleagues the willingness to trust that things are going to be OK. Now, I want to be very clear, there are a vast number of employers in this state that are good actors, the exact same way that the vast number of employees are good actors. It's the minute few on both sides of that coin that cause a problem. And if LB397 is passed in its current form, with the entirety of Section 3 striking the Workplace Safety Consultation Program, we are kneecapping ourselves as a state, and we are taking away the Department of Labor's ability to act independent of federal authority and federal dollars. And we hear a lot of times in this body, colleagues, that we want to make sure that the state of Nebraska can act on its own volition, and that we are not required to always cooperate with what the feds say is or isn't the standard. And so my concern is that we are taking away that state autonomy and we're taking away the ability of the Department of Labor to do its job. I understand there's not currently funding for it. I think we should strike that section and continue to work on finding ways to make sure the Department of Labor has that authority moving forward. So with that, I would encourage your red vote on LB397 or we could potentially work on an amendment to try to get some of that language changed. Thank you, Mr. President.

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

HUGHES: Aw, sorry. I just got a little shock, it's all good. I stand in support of LB397 brought by Senator Moser. I honestly cannot

believe we're having a lengthy discussion about making government smaller when we've identified some statute that has not been, we've not acted upon, we have no money toward it. It does nothing. We're cleaning up the books. We're getting rid of regulation, which we all talk about making businesses, it's easier to come here, and we're, we're discussing this. Yes, this bill gets rid of the employer is required to establish a safety committee. So that's in the statute. Guess what? I own a-- if I own a business, I can establish a safety committee. Doesn't mean they have to do anything. They could meet once a year, sit around, talk, and move on. Here's the reality. If you own a company and you're paying for workers' comp and you have an industry that is maybe manufacturing or a little bit more of a dangerous area to work, you are going to have an extremely active safety committee. You might even have a safety director, full-time person, because you need to keep that-- your labor-- you need to keep your people safe. And by doing so, your workers' comp costs go down, you don't have people out because of accidents. I mean, it's a win-win-win for the business. Oh, and we also have OSHA and things like that that come in randomly to check on these things and to make sure. So I just-- I am dumbfounded that we're even having a conversation about removing regulation that is not enacted upon anyway, and businesses are doing this, and honestly have to do it. It's the cost of business, and you need-- you have to have workers' comp, and to bring that down to a reasonable price, you do. You keep your environment safe, because if you are an unsafe environment, have accidents, the costs go up, and this ultimately does affect workers, because if your costs of workers' comp go up, your pay to them decreases because there's only so much money to go around. So I fully support this bill going forward, LB397, and I thank Senator Moser for bringing it. Thank you.

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

M. CAVANAUGH: Thank you, Mr. President. When we started this debate this morning, I still had some outstanding questions and I appreciate that some, some of them have been answered. I know that there's been a good faith effort this morning to try and suss out what this actually does and make sure that all of the guardrails are in place and there's no unintended consequences if this bill were to move forward. I appreciate the comments about business owners, but we do have to take into consideration that we sometimes have bad actors and that's why we have rules like this and legislation like this, is to make sure that those bad actors aren't hurting the people of Nebraska. I, I also understand, you know, when we're talking about fiscal notes this time

in the Legislature, and that this doesn't, this doesn't really have a fiscal impact, and so that's why we're trying to move this forward quickly. I will note, though, that Senator Hughes did just make a comment about OSHA and coming in and doing an investigation. And while that is all, all good and fine, they have to-- it's, it's good and find until they don't, until somebody dies in the workplace and then OSHA doesn't come in and investigate because the people, the businesses have such influence and power that they can bully even OSHA into not investigating a death in the workplace. So, you know, again, unintended consequences and bad actors, and that's why we're here, is to protect against those, so. I just wanted to, to reiterate those points. I know some people don't think that this bill is ready for prime time, and some people do think it's ready for prime time, and I just-- I think I might agree that we should probably pass over this and move forward with the rest of the agenda because I'm not sure that while a good faith effort has been made in this legislation that it is in fact ready for prime time. And I don't think that we've taken full consideration of bad actors that might use this to circumvent workplace safety. So thank you, Mr. President.

KELLY: Thank you, Senator Cavanaugh. Senator Quick, you're recognized to speak. This is your third time on the bill.

QUICK: Thank you, Mr. President. You know, one of my biggest concerns really in the whole bill is the oversight from the state, especially when you look at for public sector employees, what recourse is there to make sure that, that they're all doing a good job. And I know really they-- we do have safety committees, you know, like for our utilities we did. I know every one of the power districts, they would have a-- they-- I, I know they have their safety meetings and actually they would have a safety meeting before they started when they get out to the job site to go over what type of safety concerns there were, what they needed to do to make sure they were prepared to go up and work on whatever piece of equipment they were working on or whatever line they were working on. So I know those things happen, but there's also that oversight from the state in case something bad happens. You know, we've had linemen killed on the job who've, who've lost their lives on the job and-- or have had serious injuries from an arc flash or crossing the neutral to the positive, you know, and getting, getting electrocuted. So-- but there needs to be some type of, of state oversight for the public sector, I think, to make sure that those things are, are being looked at, because we're not under OSHA. And that's, that's probably one of the biggest concerns from the public sector side, is to make sure that, that there is some type of,

of, of oversight to, to-- and look into a workplace injury or, or, or death at the workplace and make sure that everything was done correctly. You know, I talk a lot about my experience working both in the private sector and the public sector and I will tell you we, we had a lot more committees, safety committees and those type of things in the public sector, and I can tell you in the private sector-- I'll be honest, in every job I had except for the one, we only had one meeting a year for safety. And all the other employers that I worked for, there were no safety committees. I mean, we didn't even talk about safety. So-- and I know some of the concerns I also have is from, I get calls from people who work for an employer. I know that employer cared for that employee. They tried to help them, but they told them not to file a work comp claim. You know, they would tell them that, I'll just pay for your doctor's visits. But then what happened was there was no paper trail. There was nothing to prove that that employee had been injured in the workplace. And after a certain amount of time, if that employee's health didn't improve-- I know the two people that I worked with directly, they lost their jobs. And it really affected their, you know, their livelihood because they had, they had a good job, and they were actually working with the-- the employer was working with them, but I think because he just-- he said it would cost more to go through workmen's compensation, I'll just pay under the table. And-- but then what happened was, there was no paper trail. So I think those things happen too. That's the bad actors. The one of the things I, I don't want to see because of-- you know, we, we take out whole sections of language that we have an unintended consequence. I think Senator Machaela Cavanaugh talked about that. And we can have that happen. We've had it happen in other bills where we pass something thinking we're doing a good thing and the next thing we know we've either put up a barrier or we've eliminated something that's going to have protections for people. So I just want to make sure that we're, we're doing our due diligence and making sure that we're, we're not removing language that could actually affect both employers and employees and making sure we have safe, safe workplaces for people. So thank you, Mr. President.

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

RAYBOULD: Thank you, Mr. President. I do stand in support of LB397, and I do appreciate the concerns that have been articulated by my colleagues. But I, I just want to say that business owner/operator, we have annual inspections. The Lincoln-Lancaster County Health Department comes in on an annual basis to, to renew our licensing on

food safety, food handlers permits, etcetera. And they're not punitive, they come in, they walk the store with the store director, they point out things, and they give them a timeline, like, they notice things, like, you need to get this corrected or that corrected, but it's never punitive, it's a more collaborative effort, pointing out things that do need to get addressed. So it's never punitive, and I just also want to say that OSHA is over all of us, all the businesses. So we work with local health departments, but then OSHA is also engaged. And it depends on your industry as well and, and your location in the state of Nebraska. I know we have a great department that does the annual inspections on food safety. And I think businesses recognize that. And it's those bad actors that don't have adequate documentation. It's those bad actors that have bad policies that hopefully they get caught and they get fined for their failure to maintain safe working conditions for everyone. So I can tell you, most businesses are the good actors. They care about their employees. They care about their customer safety and they do the right thing. They do document that they have safety measures, safety committees in place already. We don't need the state of Nebraska telling us to do that. For those businesses that are, are not bad actors, eventually they will get caught or they will be fined on the inspections that they also have to go through depending upon their own industry standards. So I stand in support of LB397 and I ask my colleagues to vote in favor. Thank you.

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

HUNT: Thank you, Mr. President. I've been listening to the debate. Today, Omaha Public Schools had a 2-hour late start. So that means mom had a 2-hour late start getting to work, too. But I've been listening to debate, and after hearing what I've heard, although I still have questions, and even the, the purpose or the effect of the bill still isn't really clear to me because I think-- I don't know if all of the proponents of the bill, if it's clear to them, either, but I'm-- you know, this isn't, this isn't my wheelhouse or area of expertise anyway, so I really want to be sure that I understand what this is before I vote to advance it, but from what I've heard so far, it's a firm no for me. If the concern is that all these businesses have to have a safety commission, none of them do. So let's remove that requirement so that it's not mandatory. And if they want to, they still can. So this is good for business, etcetera. Maybe the reform needs to be to which businesses are required to have a safety commission. I mean, my business doesn't have a safety commission. I

have, you know, three part-time employees that work regularly and maybe five other employees that work semi-regular. you know, it's-- we don't have a safety committee. If I'm required to have a safety committee, that's something I guess I need to look at, but if the concern is that small, small businesses or certain types of businesses or businesses that don't work with certain types of equipment or have safety hazards for employees shouldn't be wrapped up in this regulation, then maybe that's something else to reform on its own in a different way with language that doesn't cover all businesses. It doesn't cover businesses that operate in the cases like Senator Quick was saying when people are getting these serious, life-threatening injuries or sometimes even death, deadly injuries on the job, which we know does happen in Nebraska. Another big concern I have is page 12, 9 [SIC], 11, which Senator Dungan brought up on his first time on the mic when I was listening, which seems to be removing kind of like a whistleblower protection, where it says: No person with a reasonable cause to believe the truth of the information-- meaning like a report-- shall be liable to civil liability for libel, slander, any other relevant tort, etcetera, etcetera. So it worries me if we're having, you know, employees who are then discouraged from reporting violations. And also the insistence that we don't need any of this because OSHA, because OSHA provides regulations, because people are already under these regulations from the federal government and OSHA and other requirements. OSHA is being decimated right now by the Trump administration. Regulations are being slashed. Leaders, people are not being appointed to key roles to give oversight. People are being appointed to roles to give oversight who are political appointees who don't have any experience in OSHA or workplace safety or anything. And I don't see a reason that that trend won't continue in federal government for the foreseeable future. And as Donald Trump always says, we're going to kick it to the states, you know, we're going to leave it up to the states. And I think that in Nebraska, you know, state lawmakers in Nebraska are some of the most powerful state lawmakers in the country for sure, just because of the nature of our, of our Legislature here. And so we have such a responsibility as a state to keep those protections in place for employees because they're being decimated everywhere else. And so I think that we need to look at these cutbacks to worker safety in the bigger context of what's happening federally as well, and see how they're getting decimated at the federal level and maybe decide that it wouldn't be a good thing if we were a part of that too, because then what, what safety measures are going to remain? I also-- I just want to share, I don't come in here to stand up for business. I think that all the rest of you do a

fine job of that. I think the federal government does a fine of that, slashing regulations at the cost of workers. I think the Department of Labor, in the last, you know, 3 or 4 years, has done a fine job of, of putting business owners before workers. I think that our tax policy does a fine job of putting business owners before workers. And every-- you know, the whole lobby is full of people standing up for business interests, but when it comes time to stand up for the people who actually make the money for those businesses, they make it possible for people like Senator Moser, Senator Raybould, me, to buy a home, put food on the table, have childcare, all the things that I need to live my life, that's because of my workers. Thank you, Mr. President.

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

HUNT: Thank you. And so, you know, I, I think it's important that we have people in the Legislature putting those workers first above business interests, because there needs to be a balance of experience in lawmaking, but also in the interests that we're serving. I'm really concerned by a pattern of rhetoric that I hear in this Legislature from Senator Raybould, from Senator Hansen, of people saying things like, you know, whatever bill it is for-- that affects business. Like, I'm a business owner and we give our employees time off, we give our employees paid leave, therefore, government should not mandate any paid leave or time off for employees because I do it and I'm a good business owner and I trust business owners. Don't you trust business owners? Don't you trust them to do the right thing? I do the right thing, so everybody must do the right thing, therefore, we don't need a law. Or I'm a business owner and I pay my employees a fair wage, therefore, we don't need to mandate a fair wage for all business owners. Or I care about safety, it's not in my interest for a customer to slip and fall or for a worker to have an injury, therefore, we don't need any protections. And I know you're not saying we don't need protections. But do you hear yourselves? Like, do you hear how tone deaf that is? Yes, congratulations on being the best business owner. I wish I could mail you a trophy if you let me know your address, but that's not how it works for every business. And Senator Hansen said, well, if there's bad businesses that aren't standing up for the safety of their workers, I'd like to know who they are. Yeah, I could tell you many. We could stand under the balcony, I could you many, many. Why? Because I'm friends with workers. Because after I leave here, I go get drinks, I go out to dinner, I have them come by my shop and we chat. And I hear all kinds of stories about bad business practices. They ask me for advice since I came in here in 2019. What can I do? How can I, you know, make a claim against my

employer? How can I make a complaint to the Department of Labor? I've brought several bills over my time trying to increase protections for those workers who do not feel safe reporting workplace safety violations, or wage theft, or time theft, or anything else like that, because those protections have been eroded for them little by little by people like us, both in state government and federal government. So to say, well, why don't you just say who they are? Well, because then I'm opening myself up for, you know, a slander accusation or something. You know what I mean, like, that's not realistic. That's not realistic. Just as it's not realistic to say I pay my workers a fair wage, I give them time off, and my workplace is safe, therefore, we don't need regulations. So that's my rant. But my concern about the bill is that, if the concern is that Megan's little pencil shop and Senator Moser's instrument shop doesn't need to have a safety committee, maybe that's something to carve out a little bit more specifically with different language and not this kind of catch-all language that then takes away whistleblower protections, then takes the way funding, things like that. Oh, and one other thing. Senator Hansen doing a rhetorical game of saying, oh, well, we could say that if you're against this bill, then you're again raising the wages because maybe some of the money saved by these business owners, now that they don't have to have a committee, could have been applied, could have gone to raising the wages. I would give-- I'll give \$1,000 to any business owner that would come up and tell me, oh my God, we eliminated our safety committee and now everybody's getting a raise. That's not happening. Like, that's-- I would like to see at the Barnwood company or the chiropractor company if anybody's getting a wage raise because we don't have to have a 20-minute meeting every year about where the extension court is or whatever, so. You know, I'm trying to be a serious person, and I just ask that you do the same. And I do think this bill has some remaining problems and questions. Thank you, Mr. President.

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

MOSER: Thank you, Mr. President, and thank you, colleagues, for a thorough discussion of LB397. Basically, the bill eliminates some obsolete language in the law that requires safety committees. Safety committees are still-- they're not, they're not-- well, you can still have a safety committee but it's not required, because in the, in the current law any employer who's covered by workmen's compensation has to have a safety committee and the safety committee itself doesn't really dictate safety, most companies have safety officers or

compliance departments to take care of these things and they don't need the state to tell them what to do. And then for the state to go out and do inspections based on our own rules we would have to duplicate some of the OSHA regulations, or maybe all of them, to come up with a comprehensive plan to promote safety when OSHA's already got all those considerations pretty well worked out. They've seen millions of injuries, and they know how to determine what things are not safe and what things are. So I think rather than compete with OSHA, we should continue the current program and help employers who request help to make sure that their businesses are compliant with the OSHA regulations so that their employees are safe and so that they are not going to be fined by OSHA. So I, I understand that workplace safety is a bit of a lightning rod issue and that has caused some to have concerns, but this is not doing anything to diminish safety. Safety committees will still continue where the employers want to use them. And I would appreciate your yes vote on LB397. And also I'd like a call of the house, please.

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

CLERK: 32 ayes, 2 nays to place the house under call.

KELLY: The house is under call. Senators, please record your presence. Those unexcused senators outside the Chamber, please return and record your presence. All unauthorized personnel, please leave the floor. The house is under call. Senators Andersen and Bostar, please return to the Chamber and record your presence. The house is under call. All unexcused members are present. Senators, the question is the advancement of LB397 to E&R Initial. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 31 ayes, 11 nays to advance the bill, Mr. President.

KELLY: LB397 advances to E&R Initial. I raise the call. Mr. Clerk.

CLERK: Mr. President, some items. Communication from Senator Lonowski designating LB669 as his personal priority for the session. Additionally, amendment to be printed from Senator Conrad to LB918. New bill, LB1261, introduced by Senator Dekay at the request of the Governor. It's a bill for an act relating to electrical energy; it amends Section 70-670, Reissue Revised Statute of Nebraska; to

prohibit the use of eminent domain to acquire certain privately owned electric generation facilities; and repeal the original section. New LRs, LR328 from Senator Clements, LR329 from Senator DeKay, LR330 from Senator Storm, LR331 from Senator Storm. Those will all be laid over. As it pertains to the agenda, Mr. President, General File, LB441, introduced by Senator Spivey. It's a bill for an act relating to the Building Construction Act; it amends Section 71-6401; allows virtual inspection for certain building permits as prescribed; requires certain inspection records to be made available to the public; harmonize provisions; and repeals the original section. The bill was read for the first time on January 21, 2025 and referred to the Urban Affairs Committee. That committee placed the bill on General File with committee amendments, Mr. President.

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

SPIVEY: Thank you, Mr. President. Again, good morning, colleagues and Nebraskans. And I would be "remiss" if I did not this time say good morning, Grandma. She is coming to work with me. She is watching. So if I do not say hi to her, I would have some problems on my drive home. So don't go anywhere, friends. We're-- hopefully, there's not a ton of discussion on this. I have worked with some of my colleagues around LB441, and so I think this would be a little bit lighter debate and discussion this morning. So a little bit of context about LB441. This was first introduced in 2024 as LB947. It advanced out of committee unanimously through Urban Affairs. However, due to time constraints, at that time in the Legislature, there was no final action taken before adjournment. And so I am bringing bill LB441. It has also been heard in committee, has been, has been moved out. But has the white copy amendment, AM1738, which addresses the hearing and the concerns that I will talk through a little bit now. So from the offset of LB441, I really tried to understand what were the concerns during the hearing around moving to and having the option of virtual inspections. In particular, because of that feedback of LB441, LB-- the amendment, excuse me, AM1738 has particular changes to strengthen privacy protections. It clarifies who may conduct inspections. And it reduces potential administrative burdens on local government and permit holders. So again, AM1738 is the product of those continued conversations and I appreciate Senator von Gillern and Sorrentino working with my office and some of my partners on this. AM1738, that version reflects direct feedback from the hearing, as well as working with my colleagues. It has a more strictly refined approach that it clearly states that this is voluntary to move to virtual inspections.

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The bill does not have a fiscal note and avoids any unfunded mandates for local permitting authorities. So at its core, the legislation is really around modernizing how we conduct building inspections while preserving safety, accountability, and local control. Again, this is not a mandate. It does not lower standards and it does not replace the judgment of inspectors or permitting authorities. What this bill does in AM1738 is provide clear statutory guidance for when and how virtual inspections may be used in narrow, well-defined circumstances as technology continues to advance, and our cities and agencies look for responsible ways to improve efficiencies. From the beginning of LB441, members raised thoughtful concerns. And I want to be clear, those concerns have been heard and addressed in the AM. The first concern was about the list of personnel being made public, specifically who would have access to it and how it could be used. This amendment makes that explicit under Section 2, subsection (3). That list is not subject to public disclosure. It is provided only to the authorized inspector for one purpose, to verify the individuals performing the work are properly licensed or registered. Nothing more. There's no publication, no open-ended access. That issue has been resolved. Second, stakeholders expressed concerns around potentially opening the books of architects and engineers. That was originally part LB441, particularly inspection-related records that go beyond what is necessary for a permit review. That language has been removed entirely. The bill no longer requires the information to, to be disclosed. The amendment narrows the scope to fully-- solely focus, excuse me, on inspection themselves, not professional records or proprietary documentation. So there are key issues or opportunities left before us. First, this bill ensures that the contractors are not expecting their own work. Virtual inspections are allowed only when conducted by an authorized inspector under the same licensing and oversight standards that apply to an in-person inspection. The technology may change, but the chain of accountability does not. An inspection is still an inspection, independent, professional, and enforceable. Second, this bill provides guidance so municipalities and agencies can responsibly incorporate virtual inspections into their processes where appropriate. We saw this expand a little bit during the pandemic. And so this is where this type of inspection gained more traction. This bill and amendment applies only to single-family and two-family residential buildings under three stories and 10,000 square feet. It requires live inspections in most cases and allows photo or video documentation only for nonstructural reinspections as determined by the permitting authority. This bill specifically is narrow by design. Local governments retain full discretion if a city or county

does not wish to use virtual inspections. Nothing in this bill requires them to do so, but for those that do, this legislation gives them clear, consistent framework, one that protects safety, respects privacy, and reflects modern reality. Members, this amendment reflects good faith collaboration. It tightens the bill, it removes provisions that raise legitimate concerns, and it keeps the focus where it belongs, on ensuring inspections are done properly by qualified professionals using tools that meet today's needs without compromising public trust. I believe the amendments before us strikes that balance, and I ask for your consideration and green vote on LB441 and the two amendments that follow. Thank you, Mr. President.

KELLY: Thank you, Senator Spivey. Senator Clouse, there is a, as mentioned, a committee amendment. You're recognized to open.

CLOUSE: Yes, thank you, Mr. President. Colleagues, AM427 is an amendment that-- Chairman McKinney is not here, so as Vice Chair I'll, I'll be presenting this. It broadens the definition of inspection records relating to requirements for inspection. And it allows virtual inspections by an authorized inspector for single-family or dual-family residential buildings as opposed to all residential buildings under the other condition provided in subdivision (2)(a)(i) of Section 2 of the bill. The amendment also clarifies the scope of inspections by stating that the recorded list of the personnel applies only to those licensed and registered with the state who are involved in work that is to be visually inspected and is not applied to everyone on site. So, finally, AM427 provides a public record disclosure exception for the list of personnel required pursuant to subdivision (2)(a)(ii) of Section 2 of the bill. So I'd ask for your green vote on this.

KELLY: Thank you, Senator Clouse. Returning to the queue, Senator von Gillern, you're recognized to speak.

von GILLERN: Thank you, Mr. President. Thank you to Senator Spivey for working with me on some of the questions and concerns I had about this. Many of you know this is the industry that I-- this is the way I made a living before I came here to the Legislature in the construction world. So lived a few of these things. Couple of the changes, and I'm jumping the gun a little bit on the floor amendment that's coming up, but I do want to emphasize that Senator Spivey was willing to work on, on these issues. The, the item that I was concerned about was the privacy issue and the requirement originally in the bill and in the, the, the white copy amendment. It still says

that a personnel listing will be-- would be required, but there's a floor amendment that's coming. So I jumped the gun a little bit, but I will speak in support of FA924, which is coming, and then the white copy amendment. That FA924 will change the personnel list to the word contractor, which is a singular individual or singular firm, not multiple listings of people that are on a job site. So again we worked, we worked that out. Another clarification I think that's important that Senator Spivey already noted, these video inspections would only be allowed for nonstructural issues and for reinspection issues so this is not, you can't come in and have your footings inspected or your welds on your steel inspected via video, those would still require a physical inspection. I know that the contracting organizations, you know, raised a couple of questions that probably still need to be vetted out maybe during General and Select, you know, as far as what are, you know, what are the counties or the inspecting jurisdiction's going to do to retain the video records on this? Is it going to cause them some cost for data storage? What are they going to do to ensure that they're, that they're accurate? How are they going to hold those records, those kinds of things? I, I don't see any of these as insurmountable questions, and, again, the fact that this is voluntary will allow them to, I believe, formulate those rules and regulations as they go forward. So if there's any other further questions about that, I'd be happy to get on the mic later and address those. But for now, I do support the AM1738 white copy amendment and the pending FA924 floor amendment. Thank you, Mr. President.

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

CONRAD: Thank you, Mr. President. Good morning, colleagues. I rise in support of the measures that are posted on-- before us today in regards to the agenda and on this measure. And I just wanted to take a note because I was reflecting on it, listening to the debate in the last measure and on this measure. At the heart of so many of our employment measures really is a goal to advance safety for workers, for employers, to reduce costs, to improve quality of life, to make systems work better, to remove red tape where we can, to open up economic liberty and prosperity whenever possible, and reduce government burden while not shirking our responsibility to ensure consumer protection and general welfare for our citizenry. And I just wanted to thank Senator Spivey and Senator von Gillern for how hard they worked to come together and find a meeting of the minds, both representing perhaps different stakeholders in this discussion and finding a path forward that is harmonious, that seeks consensus, that

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helps to advance important public policy goals, and that is exactly how the people's house, this Legislature should work, where we take good ideas from different stakeholder groups. We come together, we try and negotiate what each side can live with. We try and understand with good faith what is behind the measure before us. And I, I just think that Senator Spivey and Senator von Gillern really demonstrated an incredible amount of leadership in this process and the result is clear looking at the queue and hopefully at the board in a few moments to come and it just heartened me in this time of fractious politics to see the good hard work of negotiation and consensus building happening and alive and well in the Nebraska Legislature today. So thanks to each of my friends for their hard work and leadership. Thank you.

KELLY: Thank you, Senator Conrad. Senators Clouse and DeKay would like to recognize some guests in the north balcony from the northeast Nebraska rural electric managers. Please stand and be recognized by the Nebraska Legislature. Seeing no one else in the queue, Senator von Gillern, you're rec-- Senator Clouse to close on the committee amendment and waives. Senators, the question is the adoption of AM427. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 43 ayes, 0 nays on adoption of the committee amendment, Mr. President.

KELLY: AM427 is adopted. Mr. Clerk.

CLERK: Mr. President, Senator Spivey would move to amend with AM1738.

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

SPIVEY: Thank you, Mr. President. As mentioned, the AM1738 addresses the issues from the committee in working with stakeholders, as well as Senator von Gillern and Sorrentino. So I ask for your green vote on AM1738, the white copy amendment. Thank you, Mr. President.

KELLY: Thank you, Senator Spivey. Senator von-- there's an amendment to the amendment. Mr. Clerk.

CLERK: Mr. President, Senator Spivey would move to amend with FA924.

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

SPIVEY: Thank you, Mr. President. Senator von Gillern tried to steal a little bit of my thunder about this floor amendment. But there was a

specific word, personnel, that had a little bit of heartburn that we wanted to address. And so this floor amendment strikes personnel and inserts contractor, which is amenable to my colleagues, again, to ensure that we've addressed all concerns. So I would ask for your green vote on FA924, as well as AM1738, the white copy amendment. Thank you, Mr. President.

KELLY: Thank you, Senator Spivey. Senator von Gillern, you're recognized to speak.

von GILLERN: I would say ditto, but I will-- I would ask if Senator Spivey would yield to a question.

KELLY: Senator Spivey, would you yield to a question?

SPIVEY: Yes, absolutely.

von GILLERN: Good, thank you. And, again, thank for, for working with me on this, because I think this was an important change. Just, just to affirm, because I'm getting some questions on this, the term contractor, the way that that is stated, obviously, is in the singular form. The contractor-- and, again, this was, this was the world that I lived in for a long time-- the contractor is the firm or the individual that pulled the building permit for the project, not a, a list of personnel, as, as was previously noted. So I just wanted to make sure we-- you and I have had this conversation. We're on the same wavelength.

SPIVEY: That's it's on the record.

von GILLERN: I want to provide that comfort to others that are, that are asking that question, so.

SPIVEY: Yes, absolutely. So it is in singular form into the permit holder, as you mentioned. It's not opened up to the personnel list. And that was originally in LB441, and we narrowed that scope based on the feedback.

von GILLERN: Great. Again, thank you for working with me on this. And, again, I stand in favor of FA924 and with its adoption LB-- the AM1738 and LB441. Thank you, Mr. President.

KELLY: Thank you, Senator von Gillern. Seeing no one else in the queue, Senator Spivey, you're recognized and waive closing on FA924.

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Senators, the question is the adoption of FA924. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 40 ayes, 0 nays on adoption of the floor amendment, Mr. President.

KELLY: FA924 is adopted. Seeing no one else in the queue, Senator Spivey, you're recognized and waive closing on AM1738. Senators, the question is the adoption of AM1738. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 45 ayes, 0 nays on adoption of the amendment, Mr. President.

KELLY: AM1738 is adopted.

CLERK: Mr. President, Senator Sorrentino, I have F-- or excuse me, AM291 with a note that he would withdraw.

KELLY: So ordered.

CLERK: In that case, Mr. President, I have nothing further.

KELLY: Senator Spivey, you're recognized to close on the bill.

SPIVEY: Thank you, Mr. President. Again, thank you, colleagues. Thank you, Senator von Gillern, and Senator Sorrentino is not on the floor, but appreciate his feedback as well, as working with the Urban Affairs Committee on this. I think it recognizes the compromises from all entities. And I did make note, Senator von Gillern, around the records retention for us just to follow up one. So with that, I ask for your green vote on LB441. Thank you, Mr. President.

KELLY: Thank you, Senator Spivey. Senators, the question is the advancement of LB441 to E&R Initial. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 45 ayes, 0 nays on advancement of the bill, Mr. President.

KELLY: LB441 is advanced to E&R Initial. Mr. Clerk.

CLERK: Mr. President, next item on the agenda, General File, LB353, introduced by Senator Lonowski. It's a bill for an act relating to labor; it allows public school employees to join or terminate membership in a labor organization as prescribed; harmonize provisions; and repeals the original section; declares an emergency.

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The bill was read for the first time on January 16 of 2025 and referred to the Business and Labor Committee. That committee placed the bill on General File, Mr. President.

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

LONOWSKI: Thank you, Mr. President. LB353 allows public school employees to join or terminate membership in a labor organization at any time. It prohibits any labor organizations who represent school employees from placing any restrictions on the term or length of contract. It had been brought to my attention that some local union presidents may have indicated to members that the contract was a 1-year contract in length. In fact, any member can exit that contract at any time. After communicating and collaborating with state union members, we have come to an agreement, employees may enter or exit at almost any time. On the membership agreement, the teachers' union has added a box to check. And I'll read that directly off of what the union pres-- union representatives brought to me. It's a check the box. I understand that I can request to end my membership at any time and that this agreement is voluntary and is not a condition of employment. And that I have the legal right to refuse to sign this agreement without suffering any reprisal. The union representatives have given me the word that this statement would remain on their agreement. If in fact the statement is removed from this agreement, I will bring back LB353. It is acknowledged that there are several teachers' unions available for Nebraska educators, employees for contract. Current law in the state of Nebraska requires that all union-- all unions allow members to end membership at any time. At this time, I would like to pass over LB353 as we have accomplished our intent with this bill. Thank you, Mr. President.

KELLY: Thank you, Senator Lonowski. So ordered. Mr. Clerk.

CLERK: Mr. President, next item on the agenda, General File, LB794, introduced by Senator DeKay. It's a bill for an act relating to soil; it changes provisions relating to the powers of and to provide duties for the Department of Agriculture; eliminates provisions relating to the Healthy Soils Task Force and fund transfers under the Fertilizers and Soil Conditioners Administrative Fund; harmonize provisions; repeals the original section; outright repeals several sections within Chapter 2. The bill was read for the first time on January 7 of this year and referred to the Agriculture Committee. That committee placed the bill on General File.

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

DeKAY: Thank you, Mr. President. LB794 is a bill I brought this year to repeal the statutes relating to the Healthy Soils Task Force. The Healthy Soils Task Force was created by my predecessor, Senator Gragert, in 2019. This group was composed of individuals representing the Department of Agriculture, NRDs, academia, production agriculture, agribusiness, and environmental organizations. One senator each from both the Ag Committee and the Natural Resources Committee also served as nonvoting members. The purpose of Healthy Soils Task Force was to develop both a comprehensive healthy soils initiative and an action plan to coordinate efforts to carry out such an initiative to achieve improved soil health in Nebraska. The group was required to submit its action plan as well as its findings and recommendations to the Agriculture Committee and the Governor on or before the termination date of January 1, 2021. The task force ultimately completed its work in December of 2020. The work of the Healthy Soils Task Force ensured that there was a study in place to lay the groundwork for the passage of the Resilient Soils and Water Quality Act in 2022. The Resilience Soils and Water Quality Act tasks what is now the Department of Water, Energy, and Environment to support and assist in the formation of an agricultural producer-led nonprofit voluntary organization known as the producer learning center-- community. This producer learning community would help DWEE carry out purposes of Resilient Soils and Water Quality Act, such as accelerating the use of best management practices for healthy soil and protecting and improve soil and water quality. LB794 functionally serves as a statutory cleanup bill since the Healthy Soils Task Force completed its work and has been terminated by law since January of 2021. This bill does not change or amend any statutes relating to the existing Resilient Soils and Water Quality Act. Rather, this bill merely deletes expired language and obsolete statutes that are no longer needed now and-- that the Resilient Soil and Water Quality Act is in place. I also want to add that this bill includes a one-time reporting requirement to the Department of Agriculture to electronically transmit copies of documentation submitted by the Healthy Soils Task Force, such as the final report to the Clerk of the Legislature, so that it can be published on the Legislature's website. The department already has these documents publicly available on its own agency website. This reporting requirement is meant to ensure that there is additional place online for public to access the work of the task force at a later date. LB794 was heard by the Agriculture Committee on January 20 and was advanced to General File by an 8-0 vote. There were no

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testifiers at the hearing. There was only one written comment in support and one neutral comment submitted by the Department of Agriculture. The Department of Agriculture indicated in their comment there would be no technical or fiscal impacts by passing this bill. I would appreciate your green vote on LB794. Thank you, Mr. President.

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

M. CAVANAUGH: Thank you, Mr. President. I, I rise in support of LB794. I remember when Senator Gragert brought this bill and I just wanted to, to note for, because it's one of my favorite things to say about former Senator Tim Gragert, is that there has only been one person in the entire time I have served here, including persons that I may or may not be related to, one person who I would vote for their bill without ever even reading it, and that was Tim Gragert, because I always knew that everything he told me was going to be taken at face value, and everything that he cared about in this Legislature was making sure that we had healthy soil for Nebraskans. And I know that that was really, really, really important to him. I appreciate the legacy that he has left with this. I appreciate that this report will be made public for the Legislature. I look forward to reading it. It's probably a bit of a dry read, but I'll do it anyways for my friend, Senator Tim Gragert. Thank you, Senator DeKay.

KELLY: Thank you, Senator Cavanaugh. Seeing no one else in the queue, Senator, you're recognized and waive closing. Members, the question is the advancement of LB794 to E&R Initial. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 43 ayes, 0 nays on advancement of the bill, Mr. President.

KELLY: LB794 is advanced to E&R Initial. Mr. Clerk.

CLERK: Mr. President, next bill, next bill, General File, LB717, introduced by Senator Jacobson. It's a bill for an act relating to banking and finance; it adopts updates to federal law; defines and redefines terms; changes provisions relating to notice and control of certain banks and trust companies, capital and surplus requirements for digital asset depository institutions, maximum general interest rate on certain loans, installment loans, mortgage loan originators, and mortgage bankers; changes references to the Nebraska Money Transmitters Act in the Controllable Electronic Record Fraud Prevention Act; harmonize provisions; provide an operative date;

repeals the original section; declares an emergency. The bill was read for the first time on January 7 of this year and referred to the Banking, Commerce and Insurance Committee. That committee placed the bill on General File. I have an additional amendment, Mr. President.

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

JACOBSON: Thank you, Mr. President, and good morning, colleagues. Today, I'm asking for your green vote on LB717. LB717 is a bill that was brought to me by the Nebraska Department of Banking and Finance. It is the department's annual omnibus bill designated to update and clarify various statutes under its jurisdiction. These changes ensure that our state-chartered institutions remain competitive, secure, and aligned with federal regulatory standards. LB717 will make several substantive changes to financial laws. It amends the Nebraska Banking Act to allow the director to authorize a temporary emergency closure of a financial institution in the event of a cybersecurity event. This provides the department with necessary agility to protect consumer data and, and institutional integrity in an increasingly digital world. The bill amends the Nebraska Financial Innovation Act to include credit unions in addition-- in the definition of financial institution and allows digital asset depositories to hold customer funds in an FDIC-insured bank. In the areas of installment loans and residential mortgages, the bill introduces a requirement for licensees to provide a networth-- a net tangible benefits analysis to borrowers seeking to refinance. This ensures that a refinance actually serves the customer's best interest rather than simply generating fees for the lender. It updates the Securities Act of Nebraska to exempt certain merger and acquisition brokers from registration, aligning our state laws with federal exemptions, and reducing the regulatory burden on these specific business transactions. The bill raises the principal balance cap for certain usury exemptions from \$25,000 to \$100,000, reflecting modern lending realities and the inflationary environment since these caps were last set. LB717 also performs the critical task of the annual wild card update. Due to state constitutional requirement, we must annually reenact these statutes to ensure that our state-chartered banks, savings associations, and credit unions remain-- maintain the same rights, powers, and, and immunities as their federal-chartered counterparts. Finally, the bill updates dozens of cross-references to federal laws and regulations, including the Electronic Funds Transfer Act, the Bank Secrecy Act, and the Commodity Exchange Act to reflect their statutes as of January 1, 2026. This clean up ensures that our state chartered institutions are not

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operating under obsolete federal regulations or rules that have changed over the past year. Again, I appreciate your support for this important bill. Thank you, Mr. President.

KELLY: Thank you, Senator Jacobson. Mr. Clerk.

CLERK: Mr. President, Senator Jacobson would move to amend the bill with AM1746.

KELLY: Senator Jacobson, you're recognized to open on the amendment.

JACOBSON: Again, thank you, Mr. President, and good morning again, colleagues. AM1746 is a compromise amendment between the Department of Banking and Finance and small payroll processors. It offers a technical amendment to LB717 that provides a narrow safe harbor for small local payroll processors. Currently, these small businesses can be unintentionally burdened by regulatory requirements designed for large global money transmitters. This amendment simply right-sizes the act for our smallest providers, those with fewer than 20 employees or fewer than 50 Nebraska clients. To ensure consumer protection, this exemption is strictly limited to providers with a completely clean criminal and professional record. If they have any felony convictions or have had a license revoked, they, they don't qualify. It is a simple pro-small business adjustment that maintains high standards while maintaining the main street service providers for-- from unnecessary red tape. I appreciate your support for this amendment to LB717. Thank you, Mr. President.

KELLY: Thank you, Senator Jacobson. Returning to the queue, Senator Hallstrom, you're recognized to speak.

HALLSTROM: Thank you, Mr. Speaker, members. I would just rise to echo Senator Jacobson's comments and to support both LB717 and AM1746. Just a couple of extra issues that I'd like to highlight from the bill. Last session, Senator Bostar had a bill to address the issue of fraud associated with ATM crypto kiosks. There are some cleanup measures in this that further enhance that particular issue. AARP has been very active in promoting the issues to their membership, and the Department of Banking reported at the committee hearing that fraud at ATM crypto kiosks had reduced significantly as a result. The other major component to, to address has to do with the Department of Banking's interest in continuing to have regulatory authority over issuers of stable coins. The Federal Genius Act allowed the state, if they have substantially similar regulations to those established under the

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Genius Act under federal law, to retain sole and exclusive jurisdiction of stable coin issuers who are issuing less than \$10 billion worth of stable coin. I think those are both really positive highlights of the legislation and would encourage your support for AM1746 and LB717.

KELLY: Thank you, Senator Hallstrom. Seeing no one else in the queue, Senator Jacobson, you're recognized to close on AM1746 and waive. Members, the question is the adoption of AM1746. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 38 ayes, 0 nays on adoption of the amendment, Mr. President.

KELLY: AM1746 is adopted. Seeing no one else in the queue, Senator Jacobson, you're recognized to close on the bill and waive closing. Senators, the question is the advancement of LB717 to E&R Initial. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 41 ayes, 0 nays on advancement of the bill, Mr. President.

KELLY: LB717 is advanced to E&R Initial. Mr. Clerk.

CLERK: Mr. President, next item on the agenda, General File, LB719, introduced by Senator Jacobson. It's a bill for an act relating to the Nebraska Rural Projects Act; it redefines a term; repeals the original section; declares an emergency. The bill was read for the first time on January 7 of this year and referred to the Banking, Commerce and Insurance Committee. That committee placed the bill on General File with committee amendments, Mr. President.

KELLY: Thank you, Mr. Clerk. Senator Jacobson, you're recognized to open on the bill.

JACOBSON: Thank you again, Mr. President, and again good morning, colleagues. LB719 was advanced by-- from the Banking, Commerce and Insurance Committee on an 8-0 vote. LB719 is a narrow clarification to the Nebraska Rural Projects Act. It does not expand the program, increase funding levels, or change eligibility requirements. Its purpose is to ensure the act functions as the Legislature originally intended. Under current interpretation, matching funds are generally limited to improvements made on property owned or controlled by the applicant. In practice, that has unintentionally created barriers for rural industrial rail access business park, business park projects that depend on infrastructure that must be often-- that must often be

built off site. For example, rail spurs, run-around tracks, and transload facilities are often required to be built on a railroad's right-of-way. Highway access and safety improvements may be needed to, to adjust state highways. Utility extensions such as electricity, water, wastewater, and gas are frequently located on utility-owned land or easements. Even shared access roads can be excluded, despite clearly benefiting the business park simply because the land is not owned by the applicant. LB719 addresses this by clarifying that matching funds may be used for off-site infrastructure when it directly benefits a business park and is critical to its development. The bill maintains all existing guardrails, oversight and funding limits and does not authorize new spending. This clarification helps ensure rural communities can complete the infrastructure necessary to attract employers and fully utilize the tools the Legislature already created. With that, I would appreciate your support and I'm happy to answer any questions.

KELLY: Thank you, Senator Jacobson. Senator Jacobson, you're recognized to open on the committee amendment.

JACOBSON: Thank you again, Mr. President, and good morning again, colleagues. AM1752 makes a technical clarification by adding natural gas to the list of eligible utility infrastructure and stormwater change is organizationally only and does not alter eligibility. Natural gas is often a critical utility for industrial rail park projects and can involve significant upfront study and infrastructure costs. Explicitly listed, it avoids ambiguity and ensures it is treated consistently with other utilities already allowed under the act. This does not expand the program or change oversight. Again, I appreciate your support for this amendment to LB719. Thank you, Mr. President.

KELLY: Thank you, Senator Jacobson. Moving to the queue, Senator Wordekemper, you're recognized to speak.

WORDEKEMPER: Thank you, Mr. President. I rise in support of AM1752 and LB719. This was an issue in my jurisdiction. We have an inland port authority and I believe the original bill and how things were passed was an oversight on potentially not being able to get utilities into one of these structures or having the, the funding there. And this legislation closes that gap, which should allow these inland port authorities to attract customers and move forward for economic development, so I'm in support of this measure. Thank you.

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KELLY: Thank you, Senator Wordekemper. Seeing no one else in the queue, Senator Jacobson, you're recognized to close on the amendment and waive. Senators, the question is the adoption of AM1752. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 39 ayes, 0 nays on adoption of the committee member, Mr. President.

KELLY: AM1752 is adopted. Seeing no one else in the queue, Senator Jacobson, you're recognized to close on the bill.

JACOBSON: Thank you, Mr. President. Just a brief close. I would say, first of all, I appreciate Senator Wordekemper for chiming in. Fremont does have a rail park, and they do have some of the same challenges that we have in North Platte in terms of getting the infrastructure completed. I would tell you with all the rail parks that this is something that will benefit all of them, and, again, no additional funding, no changes. We're just simply allowing them to do this on-- add this infrastructure through either easements, permanent easements or leases to work with land that is adjacent to them, but, but not land that they own. So, again, I would encourage your green vote. Thank you very much.

KELLY: Thank you, Senator Jacobson. Senators, the question is the advancement of LB719 to E&R Initial. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 41 ayes, 0 nays on advancement of the bill, Mr. President.

KELLY: LB719 is advanced to E&R Initial. Mr. Clerk.

CLERK: Mr. President, General File, LB718, introduced by Senator Jacobson. It's a bill for an act relating to certified public accountants; it eliminates obsolete provisions; changes examination requirements; changes requirements for the practice of certified public accounts credentialed outside of Nebraska; changes and eliminates permitting requirements; changes provisions relating to disciplinary actions; harmonize provisions; repeals the original section; and outright repeals Section 1-136.04. The bill was read for the first time on January 7 of this year and referred to the Banking, Commerce and Insurance Committee. That committee placed the bill on General File.

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

JACOBSON: Thank you, Mr. President, and good morning again, colleagues. Today, I'm asking for your green vote on LB717. LB717 seeks to modernize the Public Accountancy Act to address a critical challenge, the shrinking pipeline of accounting talent in Nebraska. Currently, our state requires 150 credit hours, essentially a fifth year of college, just to sit for the CPA exam. For many qualified students, the cost and time associated with that extra year act-- of the act as to keep up-- keep out sign is what we're telling those here in the state. This bill is about removing these unnecessary educational hurdles and ensuring Nebraska remains competitive with more than 30 other states currently moving towards these flexible pathways. We want our students to stay in Nebraska, test in Nebraska, and start their careers in Nebraska. LB718 creates a new, high-standard framework by establishing 3 distinct pathways to licensure. Pathway 1 is a master's degree with one year of experience. Pathway 2, a bachelor's degree plus 30 additional credit hours and 1 year of experience. Pathway 3, a bachelor's degree with 2 years of professional experience. By providing these options, we ensure that a student can, can-- who cannot afford an expensive fifth-year of school can instead earn while they learn through additional supervised work experience. To implement this, LB718 will make the following substantive changes. It will amend Section 1-116 to allow candidates to sit for the uniform CPA exam after they have a standard 4-year degree. This allows us with the, with the national trend-- aligns us with a national trend and allows our graduates to enter the workforce and testing cycle simultaneously. And it amends Section 1-117 to clarify that passing the exam is not the same as being a CPA. Regardless of which pathway a candidate chooses, no, no one will be granted the title or a permit to practice until they have met the full experience and educational requirements. We are keeping the gold standard of the profession intact while widening the on-ramps. It amends the mobility and reciprocity rules, Sections 1-124 and 1-125.01 to align Nebraska with the Uniform Accountancy Act. This ensures that Nebraska CPAs can practice across state lines and that firms can recruit talent into our state without unnecessary red tape. It amends Section 1-137 to create a fair distinction between administrative lapses and ethical violations. This protects the professional reputation of our accountants by ensuring that a simple failure to renew a permit isn't categorized alongside serious misconduct like fraud. And, finally, it amends Section 1-148 to update the board's ability to levy civil penalties of up to \$5,000 for violations of professional misconduct, ensuring our regulatory body has the tools it needs to protect the public. This legislation is about aligning--

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about alignment and access. It mirrors the model legislation supported by the American Institute of CPAs and the National Association of State Boards of Accountancy. By passing LB718, we are ensuring a sustainable workforce that supports Nebraska's small businesses, local governments, and our broader economy. We are making it clear that we don't need to move to another state to find a flexible path to a successful accounting career. Again, I appreciate your green vote. Thank you, Mr. President.

KELLY: Thank you, Senator Jacobson. Moving to the queue, Senator Sorrentino, you're recognized to speak.

SORRENTINO: Thank you, Mr. President. Good morning, colleagues. I rise in support of LB718 and thank Senator Jacobson for bringing this bill. As a practitioner in the state of Nebraska for over 40 years, our industry is having a difficult time in hiring and certifying new entrants into our industry. This bill creates new avenues to certification without compromising the integrity of the profession. I urge you to support LB718. Thank you.

KELLY: Thank you, Senator Sorrentino. Seeing no one else in the queue, Senator Jacobson, you're recognized to close on the bill and waive. Senators, the question is the advancement of LB718 to E&R Initial. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 39 ayes, 0 nays on advancement of the bill, Mr. President.

KELLY: LB718 advances to E&R Initial. Mr. Clerk.

CLERK: Mr. President, Select File, LB60. I have nothing on the bill, Senator.

KELLY: Senator Guereca, you're recognized for a motion.

GUERECA: Mr. President, I move that LB60 be advanced to E&R for engrossing.

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

CLERK: Mr. President, LB212, Select File. Senator, first of all, I have E&R amendments.

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KELLY: Senator Guereca, you're recognized for a motion.

GUERECA: Mr. President, I move that the E&R amendments to LB212 be adopted.

KELLY: Senators, you've heard the motion. All those in favor say aye. Those opposed say nay. They are adopted. Mr. Clerk.

CLERK: Senator, I have nothing further on the bill.

KELLY: Senator Guereca, you're recognized for a motion.

GUERECA: Mr. President, I move that LB212 be advanced to E&R for engrossing.

KELLY: Members, you've heard the motion. All those in favor say aye. All those opposed say nay. LB212 is advanced for E&R Engrossing. Mr. Clerk.

CLERK: Mr. President, Select File, LB207. Senator, I have nothing on the bill.

KELLY: Senator Guereca, you're recognized for a motion.

GUERECA: Mr. President, I move that LB207 be advanced to E&R for engrossing.

KELLY: Senators, you've heard the motion. All those in favor say aye. All those opposed say nay. LB207 is advanced for E&R Engrossing. Mr. Clerk.

CLERK: Mr. President, Select File, LB384. Senator, first of all, I have E&R amendments.

KELLY: Senator Guereca, you're recognized for a motion.

GUERECA: Mr. President, I move that the E&R amendments to LB384 be adopted.

KELLY: Senators, you've heard the motion. All those in favor say aye. Those opposed say nay. The E&R amendments are adopted. Senator Hallstrom, you're recognized to speak.

HALLSTROM: Mr. Speaker, members, thank you. I just rise to take a moment to pause. I've received a number of emails, as I assume many of us have, after the General File amendment that added county assessors

to this bill. I think that if you look at this realistically, when we're looking at the joint public hearing and the timing of the joint public hearing late in the process, after virtually all budgeting decisions have been made, that to include the county assessor at that point, which is designed to be looking at the budget decisions, the levy decisions, and so forth, to bring back in any angst that people may have over the valuations or the valuation process seems to be at cross purposes. So I have some real concerns. I would indicate for the body, I've been working with some of the interested parties on my bill, LB575, to attempt to move the joint public hearing up to an earlier date when it will be more meaningful and impactful for the taxpayers to participate in the budget process. And if that happens, then this issue will presumably be rendered moot. So stay tuned for more on that issue. I hope that we can make some positive strides in making that joint public hearing more meaningful to the taxpayers and beneficial. Thank you.

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

STORER: Thank you, Mr. President, and good morning. I, I have been certainly in conversations with Senator Hallstrom and am, am supportive of, generally, of his idea. That being said, I feel strongly that we also need to move this bill forward with the uncertainty of what may or may not happen there. There is no reason to not move this forward in, in the meantime. We've had a lot of conversations about the pink postcard and I think just to reiterate what my bill does here. It simply sort of strengthens the accountability and the truth in taxation laws. We're spending counties and, and cities and NRDs, we're spending a lot of money sending out those pink postcards, and I thank the fact that not even one elected official that's voting on the budget is technically required to be there is a complete insult to the process. And so I know Senator Hansen spoke in favor of making this, this sort of addition to the truth and taxation laws. He was the champion for that process initially. And so I ask for your support to advance LB384 forward and then we will certainly see what comes with Senator Hallstrom's proposition as well. Thank you.

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

ARCH: Thank you, Mr. President. I also received input from Sarpy County. It is an issue because there is a process for public input,

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and it's, and it's called challenging your assessed value. And so the assessor is already involved in that. And so to, to bring them back to the public hearing to have another process, I'm, I'm not sure. So I, I only, I only rise to say I look forward to what Senator Hallstrom's working on here, and maybe we can, maybe we can clarify that. So that the assessor-- certainly the public has input to the assessor process, but then where is the-- where is that input best? And so I appreciate Senator Hallstrom and what he's trying to do here. Thank you, Mr. President.

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

HANSEN: Thank you, Mr. President. From my understanding, the addition of the assessor to these meetings really doesn't have anything to do with the question and answer part of it or even that they have to be up there in the front like the elected official does. I believe they just need to be present in the room. And so when we're talking about having the three main components of property taxes inside of a room having proper communication, I, I am not opposed to having an assessor in the room. That doesn't mean they have to get up and answer any questions. That doesn't mean they don't have to say anything. They just need to sit there and listen to their constituents. Now if they so choose to get up there and speak and then maybe give their opinion on assessed value in that area, I think they can, or they can even answer some of the questions that constituents have up there. I think what Senator Storer is trying to do here is, is worthwhile, and I think the amendment that they had on there, having an assessor on there is also worthwhile. If we start to see it go the wrong direction in these pink postcard hearings, and we start to see that they are kind of-- the, the communication is not going in, in the proper direction, we can always come back here and revisit and take them off later. But I don't think it's unreasonable to ask that they, that they be there and listen. I think that only helps the assessor with communication, but it also makes the people feel better that they're being listened to. That's one of the, one of the more bigger complaints that I've heard from people there is they don't feel like people are listening to them, which is what I think Senator Storer is trying to do with her bill and what the amendment is trying to do with the assessor. So I think those three main components is, is-- I wouldn't say crucial, but it's pretty important to make sure that everyone is listening and everyone feels heard in the same aspect. So thank you, Mr. President.

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

STORER: Thank you again, Mr. President. I guess I just wanted to add a couple other thoughts on the amendment that Senator Bostar put on. And, and certainly we probably all got some emails from some assessors in our district expressing some concern about that. But, but to Senator Hansen's point and, and to the general overall-- the overall purpose of the pink postcard, which was transparency, really helping educate taxpayers, as well as giving them the opportunity to express their concerns with any tax increase. You know, I think we would all agree in this body that there's a ton of confusion amongst taxpayers when they get their assessed valuations, they automatically assume that their taxes are going up and we understand that that's not the case. However, you know, I, I see this as an educational opportunity for those assessors to be there. Again, certainly there's no requirement that they speak. There's just-- Senator Bostar's amendment simply ask that they-- requires that they be at those meetings, but what a, what a great opportunity to sort of answer some of those questions and help taxpayers understand the, the formula by which their property tax bill ultimately is calculated. Information is power, and sometimes communication and-- is, is all we need with people to sort of de-escalate situations. So I view this as, as an educational opportunity to have assessors there, as an opportunity to help our taxpayers and really utilize that time at these hearings effectively. So, again, I ask for your green vote on LB384.

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

RAYBOULD: Thank you, Mr. President. I do support LB384, and I think these measures are all good. We want accountability. We want transparency. We want folks to feel that we are hearing their concerns and that we can take action on their concerns. I know Speaker Arch mentioned that Senator Hallstrom has a bill. Also concerning the pink postcards, I have a bill, LB683. I want to put in another plug for LB683. It's a very, very modest change. You know, the postcards go out, right, in September. Well, you know, that's after all of the budget hearings, depending on your political subdivision, if it's with your county or if it's with your municipality. LB683 alters when those postcards go out. The pink postcards go out because people need that added direction on how they can contribute to the dialogue and the conversation on the budgets. And so the pink postcard for my LB683 goes out in before June. And in addition to going out in before June,

it'll list all the dates, time, and place for the budget hearing in their county and city and public school. That's what's really important. People want acknowledgement that their voice matters and they've been heard. Because why? Because during that but budget process things get-- can, can get changed, they can get amended. You know, if there's been a tremendous valuation increase and they don't need to increase their property tax levy, which is all fine and good, but the result is with the increase in valuation you have an additional revenue to direct and that's a discussion that our constituents are very eager to participate in. Right now, when the postcards go out in September, I think Senator Hansen mentioned that, you know, people are frustrated when they, they express their concerns and that municipality or the county says, I'm sorry, you know, we've already established our budgets. They've been sent to the counties to verify and validate that the property tax rate matches the budgets that they've sent in. The counties have already sent them on to the state. And so there is that tremendous frustration, maybe a little bit of hostility because, wait, I've given you my input and you're telling me you're not going to do a thing about it. I know that is incredibly frustrating. If we could eliminate that frustration and increase participation at the right time where their voice can be heard and changes can be made, I think that, that benefits everyone. It benefits the whole budgeting process and making the change that I think our constituents want us to do. So I support this and I hope you'll keep an open mind on Senator Hallstrom's bill and my bill as well. Thank you.

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

HALLSTROM: Mr. Speaker, members, Senator Raybould has described my bill to a tee, so I thank her for that and, in fact, as I think she's aware, we've incorporated many of the provisions from LB683 into an amended version of LB575 that, again, we hope to get before the body in one form or fashion. I could speak again and take up the time till noon, but that is obviously not my intention. I would prefer clearly to go forward with a, a vote. I've made my point on the record. I would note that if LB575, in its amended form, comes up, I certainly am open to requiring, and, in fact, for the reasons set forth both in the discussion on Senator Bostar's amendment on General File and today, I want the assessors to be there when they have an opportunity to explain what their role in the process is. So with that, thank you.

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

F. MEYER: Thank you, Mr. President. I'm going to just speak briefly about the process as I see it. Senator Arch mentioned the county assessor's appearance at the, at the-- when a taxpayer protests their valuation. To me, that's a different purpose than, than he would serve when he's at the budget hearing. When he's at the protest of a single tax ID number, that's very-- they're talking about one individual property. When they're appearing at the budget hearing, he has to justify in front of the people who come to that hearing, in general, what has been happening in assessments in his county. And as I view this whole situation, there's much more awareness and conversation around the valuations of a person's taxes than there is the levy. So I think it, it is really important that he be at those meetings, and in part of that conversation that I've gotten some of the same emails as you have, but I kindly disagree with them. They have been virtually really invisible to public meetings other than the protests in-- historically. And I think maybe it's time that they take a little bit more active role in the budget process other than the tax protest meeting. So with that, thank you, Mr. President.

KELLY: Thank you, Senator Meyer. Seeing no one else in the queue, Senator Guereca, you're recognized for a motion.

GUERECA: Mr. President, I move that LB384 be advanced to E&R for engrossing.

KELLY: Members, you heard the motion. All those in favor say aye. Those opposed, nay. LB384 is advanced for E&R Engrossing. Mr. Clerk.

CLERK: Mr. President, Select File, LB518, First of all, Senator, there are E&R amendments.

KELLY: Senator Guereca, you're recognized for a motion.

GUERECA: Mr. President, I move that the E&R amendments to LB518 be adopted.

KELLY: Members, you heard the motion. All those in favor say aye. Those opposed say nay. The amendments are adopted.

CLERK: Senator, I have nothing further on the bill.

KELLY: Senator Guereca, you're recognized for a motion.

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GUERECA: Mr. President, I move that LB518 be advanced to E&R for engrossing.

KELLY: Members, you heard the motion to advance for E&R Engrossing. All those in favor say aye. Those opposed, nay. LB518 is advanced for E&R Engrossing. Mr. Clerk.

CLERK: Mr. President, items for the record. Notice of committee hearings from the Urban Affairs Committee as well as the Business and Labor Committee. A committee report from the Judiciary Committee concerning gubernatorial appointment to the Crime Victim's Reparations Committee and the Nebraska Board of Parole. Additionally, new LR, LR332 from Senator von Gillern, and that'll be laid over. Name add: Senator Andersen, name added to LB730. And a priority motion, Senator Prokop would move to adjourn the body until Wednesday, January 28 at 9:00 a.m.

KELLY: The question is the motion to adjourn. All those in favor say aye. Those opposed say nay. The Legislature is adjourned.