

KELLY: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the fifty-second day of the One Hundred Eighth Legislature, Second Session. Our chaplain today is Father Robert Barnhill, Saint Wenceslaus Church, Wilber, Senator Brandt's district. Please rise.

FATHER BARNHILL: Let us pray. Heavenly Father, I have knowledge. So will you show me now how to use it wisely and find a way somehow to place-- to make the world I live in a better place and make life with its problems a little bit easier to face. Grant me faith and courage and put purpose in my days, and show me how to serve you in effective ways. So my education, my knowledge, my skill may find their true fulfillment as I learn to do your will. And may I never-- may I ever be aware in everything I do that knowledge comes from learning and wisdom comes from you. Amen.

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

MURMAN: Will you join me in the pledge? I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

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

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

KELLY: Are there any corrections for the Journal?

ASSISTANT CLERK: I have no corrections for the Journal.

KELLY: Are there any messages, reports or announcements?

ASSISTANT CLERK: Yes. The Revenue Committee would report LB1305 to General File with committee amendments. The agency reports that have been filed with the Legislature can be found on the Legislature's website. And the list of all lobbyists who have registered as of March 27, 2024, will be placed in the Journal.

KELLY: Thank you, Mr. Clerk.

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ASSISTANT CLERK: Mr. President, I also have amendments to LB388 by Senator Blood. That's all I have at this time.

KELLY: Thank you, Mr. Clerk. Please proceed to the first item on the agenda.

ASSISTANT CLERK: Mr. President, Select File, LB484A. I have nothing on the bill.

KELLY: Senator Ballard, for a motion.

BALLARD: Mr. President, I move that LB484 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. It is advanced. Mr. Clerk. Members, we'll go to Final Reading now. Please find your seat. Mr. Clerk, the first bill is LB1188.

CLERK: [Read LB1188 on Final Reading.]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB1188 pass with the emergency clause? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Aguilar, Albrecht, Arch, Armendariz, Ballard, Blood, Bosn, Bostar, Bostelman, Brandt, Brewer, John Cavanaugh, Clements, Conrad, Day, DeBoer, Dorn, Dover, Dungan, Erdman, Fredrickson, Halloran, Hansen, Hardin, Holdcroft, Hughes, Ibach, Jacobson, Kauth, Linehan, Lippincott, Lowe, McDonnell, McKinney, Meyer, Moser, Murman, Raybould, Riepe, Sanders, Slama, Vargas, von Gillern, Walz, Wishart. Voting no: None. Not voting: Senators Machaela Cavanaugh, DeKay, Hunt and Wayne. Vote is 45 ayes, 0 nays, 4 excused and not voting, Mr. President.

KELLY: LB1188 passes with the emergency clause. The next bill is LB857.

CLERK: [Read LB857 on Final Reading.]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB857 pass? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

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CLERK: Voting aye: Senators Aguilar, Albrecht, Arch, Armendariz, Ballard, Blood, Bosn, Bostar, Bostelman, Brandt, Brewer, John Cavanaugh, Clements, Conrad, Day, DeBoer, Dorn, Dover, Dungan, Erdman, Fredrickson, Halloran, Hansen, Hardin, Holdcroft, Hughes, Ibach, Jacobson, Kauth, Linehan, Lippincott, Lowe, McDonnell, McKinney, Meyer, Moser, Murman, Raybould, Riepe, Sanders, Slama, Vargas, von Gillern, Walz, Wishart. Voting no: None. Not voting: Senators Machaela Cavanaugh, DeKay, Hunt and Wayne. Vote is 45 ayes, 0 nays, 4 excused and not voting, Mr. President.

KELLY: LB857 passes. The next bill is LB857A.

CLERK: [Read LB857A on Final Reading]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB857A pass? All those in favor vote aye. All those opposed vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Aguilar, Albrecht, Arch, Armendariz, Ballard, Blood, Bosn, Bostar, Bostelman, Brandt, Brewer, John Cavanaugh, Clements, Conrad, Day, DeBoer, Dorn, Dover, Dungan, Fredrickson, Halloran, Hansen, Hardin, Holdcroft, Hughes, Ibach, Jacobson, Linehan, Lippincott, Lowe, McDonnell, McKinney, Meyer, Moser, Murman, Raybould, Riepe, Sanders, Slama, Vargas, von Gillern, Walz, Wishart. Voting no: Senator Erdman. Not voting: Senators Kauth, Machaela Cavanaugh, DeKay, Hunt, Wayne. Vote is 43 ayes, 1 nay, 1 present not voting, 4 excused not voting, Mr. President.

KELLY: LB857A passes. The next bill is LB607.

CLERK: [Read LB607 on Final Reading.]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB607 pass? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Aguilar, Arch, Armendariz, Ballard, Blood, Bosn, Bostar, Brandt, Brewer, John Cavanaugh, Conrad, Day, DeBoer, Dorn, Dover, Dungan, Erdman, Fredrickson, Halloran, Hansen, Holdcroft, Hughes, Linehan, McDonnell, McKinney, Meyer, Murman, Raybould, Riepe, Sanders, Slama, Vargas, von Gillern, Walz, Wishart. Voting no: None. Not voting: Senators Albrecht, Bostelman, Clements, Hardin, Ibach, Jacobson, Kauth, Lippincott, Lowe, Moser, Machaela Cavanaugh, DeKay, Hunt, and Wayne. Vote is 35 ayes, 0 nays, 10 present not voting, 4 excused not voting, Mr. President.

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KELLY: LB607 passes. The next bill is LB644.

CLERK: [Read LB644 on Final Reading.]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB644 pass with the emergency clause? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Aguilar, Arch, Armendariz, Ballard, Blood, Bosn, Bostar, Bostelman, Brandt, Brewer, John Cavanaugh, Clements, Conrad, Day, DeBoer, Dorn, Dover, Dungan, Erdman, Fredrickson, Halloran, Hansen, Hardin, Holdcroft, Hughes, Ibach, Jacobson, Kauth, Linehan, Lippincott, McDonnell, Meyer, Moser, Murman, Raybould, Riepe, Sanders, Slama, Vargas, von Gillern, Walz, Wishart. Voting no: Senator Wayne. Not voting: Senators Albrecht, Lowe, McKinney, Machaela Cavanaugh, DeKay, and Hunt. Vote is 42 ayes, 1 nay, 3 present not voting, 3 excused not voting, Mr. President.

KELLY: LB644 passes with the emergency clause. The next bill is LB644A.

CLERK: [Read LB644A on Final Reading.]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB644A pass with the emergency clause? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Aguilar, Arch, Armendariz, Ballard, Blood, Bosn, Bostar, Bostelman, Brandt, Brewer, John Cavanaugh, Clements, Conrad, Day, DeBoer, Dorn, Dover, Dungan, Erdman, Fredrickson, Halloran, Hansen, Hardin, Holdcroft, Hughes, Jacobson, Kauth, Linehan, Lippincott, McDonnell, Meyer, Moser, Murman, Raybould, Riepe, Sanders, Slama, Vargas, von Gillern, Walz, Wishart. Voting no: Senator. Wayne. Not voting: Senators Albrecht, Ibach, Lowe, McKinney, Machaela Cavanaugh, DeKay and Hunt. The vote is 41 ayes, 1 nay, 4 present not voting, 3 excused not voting, Mr. President.

KELLY: LB644A passes with the emergency clause. The next bill is LB834.

CLERK: {Read LB834 on Final Reading.]

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KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB834 pass? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Aguilar, Albrecht, Arch, Armendariz, Ballard, Blood, Bosn, Bostar, Bostelman, Brandt, Brewer, John Cavanaugh, Clements, Conrad, Day, DeBoer, Dorn, Dover, Dungan, Erdman, Fredrickson, Halloran, Hansen, Hardin, Holdcroft, Hughes, Ibach, Jacobson, Kauth, Linehan, Lippincott, Lowe, McDonnell, McKinney, Meyer, Moser, Murman, Raybould, Riepe, Sanders, Slama, Vargas, von Gillern, Walz, Wayne, Wishart. Voting no: None. Not voting: Senators Machaela Cavanaugh, DeKay, Hunt. Vote is 46 ayes, 0 nays, 3 excused not voting, Mr. President.

KELLY: LB834 passes. The next bill is LB839.

CLERK: [Read LB839 on Final Reading.]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB839 pass with the emergency clause? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Aguilar, Albrecht, Arch, Armendariz, Ballard, Blood, Bosn, Bostar, Bostelman, Brandt, Brewer, John Cavanaugh, Clements, Conrad, Day, DeBoer, Dorn, Dover, Dungan, Erdman, Fredrickson, Halloran, Hansen, Hardin, Holdcroft, Hughes, Ibach, Jacobson, Kauth, Linehan, Lippincott, Lowe, McDonnell, McKinney, Meyer, Moser, Murman, Raybould, Riepe, Sanders, Slama, Vargas, von Gillern, Walz, Wayne. Voting no: . None. Not voting: Senator Machaela Cavanaugh, DeKay, Hunt and Wishart. Vote is 45 ayes, 0 nays, 4 excused and not voting, Mr. President.

KELLY: LB839 passes with the emergency clause. The next bill is LB894.

CLERK: [Read LB894 on Final Reading.]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB894 pass? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Aguilar, Albrecht, Arch, Armendariz, Ballard, Blood, Bosn, Bostar, Bostelman, Brandt, Brewer, John Cavanaugh, Clements, Conrad, Day, DeBoer, Dorn, Dover, Dungan, Erdman, Fredrickson, Halloran, Hansen, Hardin, Holdcroft, Hughes, Ibach,

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Jacobson, Kauth, Linehan, Lippincott, McDonnell, McKinney, Meyer, Moser, Murman, Raybould, Riepe, Slama, Vargas, von Gillern, Walz, Wayne. Not voting-- voting no: None. Not voting: Senators Sanders, Machaela Cavanaugh, DeKay, Hunt and Wishart. The vote is 44 ayes, 0 nays, 1 present not voting, 4 excused not voting, Mr. President.

KELLY: LB894 passes. The next bill is LB906.

CLERK: [Read LB906 on Final Reading.]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB906 pass? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Aguilar, Albrecht, Arch, Armendariz, Ballard, Blood, Bosn, Bostar, Bostelman, Brandt, Brewer, John Cavanaugh, Clements, Conrad, Day, DeBoer, Dorn, Dover, Dungan, Erdman, Fredrickson, Halloran, Hansen, Hardin, Holdcroft, Hughes, Ibach, Jacobson, Kauth, Linehan, Lippincott, Lowe, McDonnell, McKinney, Meyer, Moser, Murman, Raybould, Riepe, Sanders, Slama, Vargas, von Gillern, Walz, Wayne. Voting no: None. Not voting: Senators Machaela Cavanaugh, DeKay, Hunt, and Wishart. The vote is 45 ayes, 0 nays, 4 excused not voting, Mr. President.

KELLY: LB906 passes. The next bill is LB1004.

CLERK: [Read LB1004 on Final Reading.]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB1004 pass with the emergency clause? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Aguilar, Albrecht, Arch, Armendariz, Ballard, Blood, Bosn, Bostar, Brandt, Brewer, Clements, Conrad, Day, DeBoer, DeKay, Dorn, Dover, Dungan, Erdman, Halloran, Hansen, Hardin, Holdcroft, Hughes, Ibach, Jacobson, Kauth, Linehan, Lippincott, Lowe, McDonnell, Meyer, Murman, Sanders, Slama, Vargas, von Gillern, Walz, Wayne. Voting no: Senators Bostelman, John Cavanaugh, Fredrickson, Raybould. Not voting: Senators McKinney, Moser, Riepe, Machaela Cavanaugh, Hunt, and Wishart. Vote is 39 ayes, 4 nays, 3 present not voting, 3 excused not voting, Mr. President.

KELLY: LB1004 passes with the emergency clause. Next bill is LB1102.

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CLERK: [Read LB1102 on Final Reading.]

KELLY: All provisions of law relative to procedure have been complied with, the question is, shall LB1102 pass? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Aguilar, Arch, Armendariz, Ballard, Blood, Bosn, Bostar, Bostelman, Brandt, Brewer, John Cavanaugh, Clements, Conrad, Day, DeBoer, DeKay, Dorn, Dover, Dungan, Erdman, Fredrickson, Halloran, Hansen, Hardin, Holdcroft, Hughes, Jacobson, Kauth, Linehan, Lowe, McDonnell, McKinney, Meyer, Moser, Murman, Raybould, Riepe, Sanders, Slama, Vargas, von Gillern, Walz. Voting no: None. Not voting: Senators Albrecht, Lippincott, Wayne, Machaela Cavanaugh, Hunt, Ibach, and Jac-- excuse me, Ibach and Wishart. Vote is 42 ayes, 0 nays, 3 present not voting, 4 excused not voting.

KELLY: LB1102 passes. The next bill is LB1204. The first vote is to dispense with the at-large reading. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 37 ayes, 5 nays to dispense with the at-large reading, Mr. President.

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

CLERK: [Read title of LB1204.]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB1204 pass? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Aguilar, Albrecht, Arch, Armendariz, Ballard, Blood, Bosn, Bostar, Bostelman, Brandt, Brewer, John Cavanaugh, Clements, Conrad, Day, DeBoer, DeKay, Dorn, Dover, Dungan, Erdman, Fredrickson, Halloran, Hansen, Hardin, Holdcroft, Hughes, Jacobson, Kauth, Linehan, Lippincott, Lowe, McDonnell, McKinney, Meyer, Moser, Murman, Raybould, Riepe, Sanders, Slama, Vargas, von Gillern, Walz, Wayne. Voting no: None. Not voting: Senators Machaela Cavanaugh, Hunt, Ibach, Wishart. Vote is 45 ayes, 0 nays, 4 excused not voting, Mr. President.

KELLY: LB1204 passes. The next bill is LB1204A.

CLERK: [Read LB1204A on Final Reading.]

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KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB1204A pass? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Aguilar, Albrecht, Arch, Armendariz, Ballard, Blood, Bosn, Bostar, Bostelman, Brandt, Brewer, John Cavanaugh, Clements, Conrad, Day, DeBoer, DeKay, Dorn, Dover, Erdman, Fredrickson, Halloran, Hansen, Hardin, Holdcroft, Hughes, Jacobson, Kauth, Linehan, Lippincott, Lowe, McDonnell, McKinney, Meyer, Moser, Murman, Raybould, Riepe, Sanders, Slama, Vargas, von Gillern, Walz. Voting no: None. Not voting: Senators Dungan, Wayne, Machaela Cavanaugh, Hunt, Ibach, and Wishart. Senator Wayne voting yes. Senator Dungan voting yes. Vote is 45 ayes, 0 nays, 4 excused not voting, Mr. President.

KELLY: LB1204A passes. The next bill is LB1215. The first vote is to dispense with the at-large reading. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 34 ayes, 6 nays to dispense with the at-large reading, Mr. President.

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

CLERK: [Read title of LB1215.]

KELLY: All procedures [SIC] of law relative to procedure having been complied with, the question is, shall LB1215 pass with the emergency clause? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Aguilar, Albrecht, Arch, Armendariz, Ballard, Blood, Bostar, Bostelman, Brandt, Brewer, John Cavanaugh, Clements, Conrad, Day, DeKay, Dorn, Dover, Dungan, Erdman, Fredrickson, Halloran, Hansen, Hardin, Holdcroft, Hughes, Jacobson, Kauth, Linehan, Lippincott, Lowe, McDonnell, McKinney, Meyer, Murman, Raybould, Riepe, Sanders, Slama, Vargas, von Gillern, Walz, Wayne. Not voting: Senators Bosn, DeBoer, Moser, Machaela Cavanaugh, Hunt, Ibach, and Wishart. Senator Bosn voting yes. Senator DeBoer voting yes. Senator Moser voting yes. Vote is 45 ayes, 0 nays, 4 excused not voting, Mr. President.

KELLY: LB1215 passes with the emergency clause. Senator Dorn would like to announce and recognize some guests in the north balcony,

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fourth graders from Freeman Elementary in Adams. Please stand and be recognized by your Nebraska Legislature. The next bill is LB1313.

CLERK: [Read LB1313 on Final Reading.]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB1313 pass? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Aguilar, Albrecht, Arch, Armendariz, Ballard, Blood, Bosn, Bostar, Bostelman, Brandt, Brewer, John. Cavanaugh, Clements, Conrad, Day, DeBoer, DeKay, Dorn, Dover, Dungan, Erdman, Fredrickson, Halloran, Hansen, Hardin, Holdcroft, Hughes, Jacobson, Kauth, Linehan, Lippincott, Lowe, McDonnell, McKinney, Moser, Murman, Raybould, Riepe, Sanders, Slama, Vargas, von Gillern, Walz. Not voting: Senators Meyer, Wayne, Machaela Cavanaugh, Hunt, Ibach, Wishart. Senator Wayne voting yes. Vote is-- Senator Meyer voting yes. Vote is 45 ayes, 0 nays, 4 excused not voting, Mr. President.

KELLY: LB1313 passes. The next bill is LB851.

CLERK: [Read LB851 on Final Reading.]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB851 pass with the emergency clause? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Aguilar, Albrecht, Arch, Armendariz, Ballard, Blood, Bosn, Bostar, Bostelman, Brandt, Brewer, John Cavanaugh, Clements, Conrad, Day, DeBoer, DeKay, Dorn, Dover, Dungan, Erdman, Fredrickson, Halloran, Hansen, Hardin, Holdcroft, Hughes, Jacobson, Kauth, Linehan, Lippincott, Lowe, McDonnell, McKinney, Meyer, Moser, Murman, Raybould, Riepe, Sanders, Slama, Vargas, von Gillern, Walz, Wayne. Voting no: None. Not voting: Senators Machaela Cavanaugh, Hunt, Ibach, and Wishart. Vote is 45 ayes, 0 nays, 4 excused not voting, Mr. President.

KELLY: LB851 passes with the emergency clause. The next bill is LB877.

CLERK: [Read LB877 on Final Reading.]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB877 pass with the emergency

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clause? All those in favor vote aye; all those opposed vote nay.
Record, Mr. Clerk.

CLERK: Voting aye: Senators Aguilar, Albrecht, Arch, Armendariz, Ballard, Blood, Bosn, Bostar, Bostelman, Brandt, Brewer, John Cavanaugh, Clements, Conrad, Day, DeBoer, DeKay, Dorn, Dover, Dungan, Erdman, Fredrickson, Halloran, Hansen, Hardin, Holdcroft, Hughes, Jacobson, Kauth, Linehan, Lippincott, Lowe, McDonnell, McKinney, Meyer, Moser, Murman, Raybould, Riepe, Sanders, Slama, Vargas, von Gillern, Walz. Voting no: None. Not voting: Senators Wayne, Machaela Cavanaugh, Hunt, Ibach, and Wishart. Senator Wayne voting yes. Vote is 45 ayes, 0 nays, 4 excused not voting, Mr. President.

KELLY: LB877 passes with the emergency clause. The next bill is LB998.

CLERK: [Read LB998 on Final Reading.]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB998 pass? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Aguilar, Albrecht, Arch, Armendariz, Ballard, Blood, Bosn, Bostar, Bostelman, Brandt, Brewer, Cavanaugh, Cavanaugh, Clements, Conrad, Day, DeBoer, DeKay, Dover, Dungan, Erdman, Fredrickson, Halloran, Hansen, Hardin, Holdcroft, Hughes, Hunt, Jacobson, Kauth, Linehan, Lippincott, McDonnell, McKinney, Meyer, Moser, Murman, Raybould, Riepe, Sanders, Slama, Vargas, von Gillern, Wayne. Voting no: None. Not voting: Senators Walz, Dorn, Ibach, and Wishart. Senator Walz voting yes. Vote is 46 ayes, 0 nays, 3 excused not voting, Mr. President.

KELLY: LB998 passes. Senator McDonnell has some guests in the north balcony, Jag Middle School students -- Omaha Public School, Bellevue Public School, Louisville and Blair. Please stand and be recognized by your Nebraska Legislature. The next bill is LB1118.

CLERK: [Read LB1118 on Final Reading.]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB1118 pass? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Aguilar, Albrecht, Arch, Armendariz, Ballard, Blood, Bosn, Bostar, Bostelman, Brandt, Brewer, Cavanaugh, Cavanaugh, Clements, Conrad, Day, DeBoer, DeKay, Dorn, Dover, Dugan,

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Erdman, Fredrickson, Halloran, Hansen, Hardin, Holdcroft, Hughes, Hunt, Jacobson, Kauth, Linehan, Lippincott, Lowe, McDonnell, McKinney, Meyer, Moser, Murman, Raybould, Riepe, Sanders, Slama, Vargas, von Gillern, Walz, Wayne. Voting no: None. Not voting: Senators Ibach and Wishart. Vote is 47 ayes, 0 nays, 2 excused not voting, Mr. President.

KELLY: LB1118 passes. Members, from that previous group recognized, there's also members seated under the south balcony to recognize. And Senator Dover announces guests in the south balcony, high schoolers from Madison High School. Please stand and be recognized by your Nebraska Legislature. The next bill is LB1143.

CLERK: [Read LB1143 on Final Reading.]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB1143 pass? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Aguilar, Albrecht, Arch, Armendariz, Ballard, Blood, Bosn, Bostar, Bostelman, Brandt, Brewer, Cavanaugh, Cavanaugh, Clements, Conrad, Day, DeKay, Dover, Dungan, Erdman, Fredrickson, . Halloran, Hansen, Hardin, Holdcroft, Hughes, Hunt, Jacobson, Kauth, Linehan, Lippincott, Lowe, McDonnell, McKinney, Meyer, Moser, Murman, Raybould, Riepe, Sanders, Slama, Vargas, von Gillern, Walz. Voting no: None. Not voting: Senators DeBoer, Wayne, Dorn, Ibach and Wishart. Vote is 44 ayes, 0 nays, 2 present not voting, 3 excused not voting, Mr. President.

KELLY: LB1143 passes. The next bill is LB1162.

CLERK: [Read LB1162 on Final Reading.]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB1162 pass? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Aguilar, Albrecht, Arch, Armendariz, Ballard, Blood, Bosn, Bostar, Bostelman, Brandt, Brewer, Cavanaugh, Cavanaugh, Clements, Conrad, Day, DeBoer, DeKay, Dover, Dungan, Erdman, Fredrickson, Halloran, Hansen, Hardin, Holdcroft, Hughes, Hunt, Jacobson, Kauth, Linehan, Lippincott, Lowe, McDonnell, Meyer, Moser, Murman, Raybould, Riepe, Sanders, Slama, Vargas, von Gillern, Walz. Voting no: None. Not voting: Senators McKinney, Wayne, Dorn, Ibach, and Wishart. Vote is 44 ayes, 0 nays, 2 present not voting, 3 excused not voting, Mr. President.

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KELLY: LB1162 passes. While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign LB1188 with the emergency clause, LB857, LB857A, LB607, LB644 with the emergency clause, LB644A with the emergency clause, LB834, LB839 with the emergency clause, LB894, LB906, LB1004, LB1102, LB1204, LB1204A, LB1215 with the emergency clause, LB1313, LB851 with the emergency clause, LB877 with the emergency clause, LB998, LB1118, LB1143 and LB1162. Speaker Arch, you're recognized for a message.

ARCH: Thank you, Mr. President. If I could have colleagues' attention here for just a little bit, I want to provide some perspective on our remaining days here in our 60-day session. So we have 8 days. I think some of us are counting, right? Yeah. We have 8 days remaining after today. But actually the more important number is we have 4 days remaining for General File bills. So all General File must be passed by end of day next Friday, Day 56, to have any chance of getting through Final the next week. So next week we're going to be focusing pretty heavily on, on General File bills. So here's where we are as far as remaining priority bills that are on General File, but you don't see them yet on, on the agenda. There are 5 personal and there are 3 committee. The remaining priority bills that are still in committee that I do anticipate, from what I'm hearing, are going to come out at some point: 3 personal, 2 committee and 1 Speaker. So there are 14 General File-- there are 14 priority bills that will be on General File that I will attempt to schedule. So my commitment has always been to get the priority bills scheduled, those that the introducer wants scheduled and that still is. That, that is our system. In addition to these General File bills, we still have some gubernatorial appointments that we must take care of. Obviously if there's any veto overrides, we'll have to do that as well and then any other miscellaneous items. For those of you that are experiencing your first 60-day session, this is a 60-day session. This is the reality of 103 priority bills like you have in a 90-day session, 108-- we have 103 this year, 103 priority bills that you have in a 90-day session. You just have 60 days to do it. And so it becomes very compressed, particularly at the end of the session. So I do see the need to actually be in session on that 60th day. So I wanted you to be aware of that as well. So how can we do this? What do we have to do? Well, the short answer is we all have to do our part in order for this to happen. So I would say please expect late nights for the remainder of the session. In, in particular next week, please arrange to be here and stay until adjournment. I expect some very late nights next week. Pick and choose what you oppose and how long you choose to oppose a

bill. Please prioritize your opposition and don't slow walk bills. We, we, we all want to treat each other fairly on these priorities. And we would ask that you do that. I'm going to be asking to see vote cards if your bill has significant opposition. If you don't have the votes, I'm going to talk to you about parking the bill, rather than letting it take up 8 hours and, and going to cloture. So bringing a bill back the following year, very typical on big issue bills, part of the process. From this point forward, I guess the big message is that time really matters. So choices each of you make during the next 7 days are going to determine how many priority bills we're going to be able to address in the remaining days of the session. This, this, this message as well, how long each debate lasts and whether extra time is spent on adding nonpriority bills to priority bills will determine how many of the remaining priority bills we get to. So I know it's the end of the session. I know everybody's trying to find a vehicle to, to attach a bill to, a nonpriority bill to attach to. But again that takes-- that takes time. So if you come and ask me, what do you think, I'm going to say no. Let's keep moving the priority bills and not slow this down. So our system is based upon a priority designation that allows each member to have input in determining what our body decides is important to consider each session. In deference to your colleagues, we need to spend the remaining time productively. If you know you have amendments, please, please don't delay in getting them drafted. Delays on your part may result in not getting your bill passed and getting it scheduled. Please do this on Select. We want to avoid trying to pull a bill back from Final for a specific amendment at this point. You may know now that your priority bill does not need to be scheduled. Things change. And, and please let Laurie in my office know so we-- you know, we're maintaining a list of those things we anticipate do need to be scheduled. If you're telling us don't, don't worry about it, we'll draw a line through it. But please let us know. And now I want to turn-- I want to turn my last comments to our fiscal situation. So Chair Clements has stated very clearly that we have about \$20 million for the floor after passing our budget. That is the total that we have available for the floor. I, I describe it, I think we're kind of experiencing a 2023 hangover. There was so much money in 2023 that a 20-- you know, we were kind of from previous sessions, but it's like a \$20 million fiscal note was nothing in 2023. I mean, we had the dollars and we had good cause for spending those dollars. And so why we, we got used to that. And I'm afraid now that we have spilled over into 2024, but what we did in 2023 committed that revenue for expenditures as well as for tax cuts. And so now we're in 2024, we have a very different fiscal situation where we have \$20 million.

Well, we've significantly exceeded the \$20 million with A bills that we've already passed to Select or Final. Plus there's A bills on priority, of, of priority bills not yet passed through General File not, not included. So here's the number. If the body were to pass all of the priority bills sitting on Final Reading and Select File right now, we're projected to have a \$370 million shortfall at the end of the next biennium. So we have significantly exceeded it. This includes appropriation bills and revenue reduction bills on Select and Final. This is why we park those A bills, why we park the bill with the A bills. Now, this doesn't even include what's on General File by the way. This is just-- this is just Select and Final. The Final bills we passed today had no fiscal-- had no General Fund fiscal impact. So for those of you that are wondering what we just did, those bills scheduled had no fiscal impact. Needless to say, we're going to all have to adjust the bills to reduce the fiscal impact if there is any chance of passing. So some packages that are sitting there, some of the-- some of the committee priority bills and, and that, some of them have bills in there that have no fiscal impact. And, and we've kind of looked through those and some of them have 1 or 2 that have real significant. And it's those 1 or 2 that you're going to have to take a look at as, as-- if you want the rest of those bills, to move in that package. I mentioned that we also have bills that further reduce our revenue. We'll be-- we'll have to be taking a look at those. So in the next few days here, chairs and principal producers are going to be working-- are going to need to be working those bills. And I, I think there will be those-- you'll be contacted to, to let you know [RECORDER MALFUNCTION] bill is one of those that are going to have to be-- are going to have to be worked. So I would encourage you to start taking a look at those over the weekend and seeing what can be done to eliminate or dramatically reduce the, the fiscal note. So in summary, we have a significant challenge ahead of us for the next 8 days. It's going to require each of us pulling together and getting this done. And I just wanted to provide you with my perspective of, of what's coming here in the next 8 days. And thank you, Mr. President.

KELLY: Thank you, Speaker Arch. Senator Moser has some guests in the north balcony, fourth graders from North Park Elementary in Columbus. Please stand and be recognized by your Nebraska Legislature. Mr. Clerk, for items.

CLERK: Thank you, Mr. President. Just a single announcement. The Judiciary Committee is meeting now under the south balcony for an Executive Session; Judiciary now under the south balcony. That's all I have at this time, Mr. President.

KELLY: Thank you, Mr. Clerk. Please proceed with the next item on the agenda.

CLERK: Mr. President, General File, LB937, introduced by Senator Bostar. When the Legislature left the bill, pending was a motion from Senator McKayla Cavanaugh to indefinitely postpone the bill pursuant to Rule 6, Section 3(f).

KELLY: Senator Bo-- Senator Bostar, you're recognized for a 2-minute refresh.

BOSTAR: Thank you, Mr. President, and good morning, colleagues. LB937 creates a nonrefundable tax credit to any family for-- to any family caregiver who incurs eligible expenditures for the care and support of an eligible family member. The amount of the credit shall be equal to 50% of the eligible expenditures incurred during the taxable year by a family caregiver for the care and support of an eligible family member. The maximum allowable credit in any single tax year for a family caregiver shall be \$2,000, unless the eligible family member is a veteran or has a diagnosis of dementia. In which case the maximum allowable credit shall be \$3,000. The committee amendment places a total cap of \$2,500,000 on the tax credit. Thank you, Mr. President.

KELLY: Thank you, Senator Bostar. Senator Cavanaugh, Machaela Cavanaugh, you're recognized for a refresh on your motion.

M. CAVANAUGH: Thank you, Mr. President. This is a motion to indefinitely postpone LB937. I support LB937 and much of what is contained within it, but there is a poison pill in the committee amendment that I disagree with. And I'm hopeful that we can have a conversation about how to move this bill forward and not have to take it to cloture. So thank you, Mr. President, and I look forward to the conversation today.

KELLY: Thank you, Senator Cavanaugh. Returning to the queue, Senator John Cavanaugh, you're recognized to speak.

J. CAVANAUGH: Thank you, Mr. President. Well, colleagues, well, first off, I want to say I support the underlying bill, LB937, and many of the parts of it. I do appreciate Senator Bostar's work on this bill. I think it's really important. And at the moment, I support the IP P, though, because of some other parts in this bill that I would like to see reconsidered. So-- but the first thing I did want to talk about is I'm wearing my Easter tie today you might notice. Last week it was my

spring tie. It's the same tie as my spring tie, but spring and Easter seem to be there. Easter is a holiday that is based off of, I think, the lunar calendar, which means that it is generally the same time of year, but not always the same date. But anyway, so it's my Easter tie because it's the last day of the week before Easter. But today is Holy Thursday, which is also called Maun-- Maundy Thursday, which is some sort of-- believe it or not, I took Latin and did not do well. So I'm not great at Latin, but it's a Latin word that means commandment. And so Holy Thursday, if you're a, I guess, a fan of the gospel and the Bible and the story of Jesus, which I think many people here are, I would say Holy Thursday is like, it's like the A-side, you know, it's like the hits. Like if you really think about what Holy Thursday is, it has a lot of the great things in the, like, story arc of the story of Jesus. It has the Last Supper. Everyone knows about the Last Supper, right? It's a great story. It is-- it's the formative of at least of the, the Catholic Mass. I'm not sure about the Protestant services. If you integrate the, the Last Supper into it, but it, it is the cornerstone of the Catholic Mass. Transubstantiation, which I talked about yesterday, is kind of part of that. But then there's also the prophesying that Peter will deny Jesus 3 times. The denial of Jesus 3 times is a pretty, I'd say, quintessential part of just human lore, I guess. But then there's the Jesus goes and prays, Mount Olives at the garden at Gethsemane, which was a-- is a pretty important event. And it's, it's one of my favorites, I guess. So-- and then you have Judas Iscariot, who betrays Jesus with a kiss, another pretty formative portion of just human lore. But the part that I think is relevant to this conversation and the reason it's called Maundy Thursday is the washing of feet. So Jesus is the Son of God, the Messiah, the teacher, the master, the leader, and he comes on his, what he knows is his last day on earth and he says to his followers, let me wash your feet. Let me be a servant to you. And they say, no, you are the leader. You're the master. We should wash your feet. And he says, no, that if you are to consider yourself so exalted and so important that you should be willing to lower yourself to service of others. And that is something that I think is really important. It's important in the formation of the Christian faith and the doctrines, and it should be guiding principle for all of us when we think about these things. It it can be confusing to be in this room--

KELLY: One minute.

J. CAVANAUGH: --to have people look down on us and to have you think you are exalted and above others, but you should always remember service above all other things. We are meant to be servants to each

other. And I could talk about this some more if you want, but the commandment portion of Maundy Thursday is the commandment is love your neighbor as I have loved you. Love each other as I have loved you. That's the commandment. And so this bill, LB937, is a personification or a, a legislative version of service to others and love for each other. So that's why I like LB937. I wasn't meaning to get emotional about this, but it is. People gloss over these things too quickly, too easily. And Holy Thursday is a day that gets forgotten in the pantheon of Catholic and Christian traditions. So ruminate on it as we talk about these things, and remember to love each other as Jesus loved you, and to be servants to each other and to the state of Nebraska. And be willing to raise yourself up by lowering yourself down in service to others and put your ego aside.

KELLY: That's your time.

J. CAVANAUGH: Thank you, Mr. President.

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

RAYBOULD: Thank you, Mr. President. And thank you, Senator John Cavanaugh, for those very uplifting comments on Holy Thursday. I know you are an inspiration to a lot of us here in this Chamber. I stand in support of LB937, but there are passages in that that I am adamantly opposed to, and that is in reference to LB606, the Nebraska Pregnancy Help Act that got tacked on that would give a dollar-for-dollar tax credit for those that donate to the eligible charitable organization. You know, crisis pregnancy centers are not trained and credentialed medical providers, yet they mislead Nebraskans into believing that they provide medical care. Reputable medical organizations like the American College of Obstetrics and Gynecologists and the AMA, American Medical Association, have stated that crisis pregnancy centers are unethical because they violate principles of informed consent and impede access to comprehensive medical care. In a review of 16 Nebraska crisis pregnancy centers, the ACLU of Nebraska found that only 1 center website clearly disclosed that it is not a medical facility. Here's a definition of clinic that is listed in this legislative bill. Clinic, an establishment or hospital department where outpatients are given medical treatment or advice, especially of a specialized nature. Many CPC staff and volunteers wear white coats to reinforce the appearance of a medical facility, despite the fact that they are not licensed medical providers. And I would very much like to see this removed from LB937 that I support. And I'd like to

give the rest of my time to Senator John Cavanaugh, if he could, if he could just do a refresher of how to divide the question on this bill, because I think that is one of the next steps. And I believe that is in one of the amendments coming forward.

KELLY: Thank you, Senator Raybould. Senator John Cavanaugh, you have 2 minutes, 45 seconds.

J. CAVANAUGH: Thank you, Mr. President. Thank you, Senator Raybould. Well, so I was telling folks, you know, I like-- I like to think about stuff, I guess is probably the answer. And I, you know, I enjoy tying things together, which is kind of why I tied-- I was-- I was thinking about the, the washing of the feet is why I was ruminating on Holy Thursday. And so-- and I'm happy to talk about that some more. But to, to Senator Raybould's point, she wants to hear about division of the question, which is another thing that I love to talk about. I know a lot of people, you know, there's lots of minutia of the rules, and people have their thing that they use. Senator Machaela Cavanaugh loves the motions. She puts them up there like they're going out of style. And you know, others, motion reconsider, things like that. But yes, I like the division of the question, and I do it a lot when we have committee amendments. And part of the reason is sometimes we engage in logrolling, which is we put a bunch of stuff together because some things aren't popular and they are, you know, other things more popular. And so they go together to, like, move forward. So division of the question. So we have-- you can divide a committee amendment into its component parts. So this bill has, I think, 10 bills in it, if I remember right. And so in theory, this is not an absolute. There's a lot of-- there's some nuance to this. But in theory, 10 bills, each one should be divisible from the others because they don't depend on each other to, to give effect. And so you could say you go to the Clerk or you go to the, the Chair, technically say I would like to divide the question. I'm not saying that right now, but I would like to divide the question. And then you have a meeting with the introducer and the proponents, and you say, I would like to divide out this section to take a standalone vote on it because I think it's being logrolled or whatever. And so then they say the rule, yes, it is divisible. And then you have-- it goes up to Drafting and they actually come down. You have 2 versions. So when you would look on your computer and say we're on AM233A or something, however they number them. I can't remember. And that would be just one, one bill. And then you have B, C, D or however they're numbering them. And you would take an individual vote on each one of the, the bills that are in the committee amendment as though they were presented as standalone

amendments. So, you know, if you bring your bill and you want to add it to this, after we do this, it would be taken up as a vote, as a standalone amendment. But if we divide the question, all of the bills [INAUDIBLE]

KELLY: That's your time.

J. CAVANAUGH: Oh, thank you, Mr. President. Thank you, Senator Raybould.

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

HUGHES: Thank you, Mr. President. I rise today to speak on LB937, the Caretaker Tax Credit Act, which provides tax credits to persons caring for family members with medical issues. And, frankly, with the baby boomer-- boomer generation retiring and getting older and all our nursing homes seemingly closing right and left, we will have to address and more creatively how we take care of these folks. And I think encouraging them, of course, staying at home, is a very, very good thing and would possibly even make this more necessary. With the committee amendment, AM3001 as corrected by AM3132, there are 10 other tax bills included in it, including a half a dozen new tax credit bills totaling at least \$6.5 million. The \$6.5 million is only the amount of those tax credits that have a cap. Some do not so you-- we do not really know the full impact of these tax credits. I looked into how many tax credits we already have on the books and how much revenue, tax revenue we are forgoing with these tax credits. By my count, per publications from the Department of Revenue, we already have 28 tax credits on the books. We created 4 new ones last year, 1 of these being the Opportunity Scholarship tax credit. Totaling all of these up results in a total of 1,029,605,000 a year. This does not include the millions of tax credits given out through the Nebraska Advantage Act and the Employment and Investment Growth Act. Excluding the Nebraska Personal Exemption Tax Credit, which provides taxpayers with 146 per personal exemption, which itself was 200 and-- \$217,204,000 last year, that leaves \$812 million in tax credits on the table. Again, this is revenue that we're forgoing to collect-- forgoing collecting an income tax. A significant portion of that is the LB1107 property tax credit. But that still leaves another \$264 million in outstanding tax credits. Some of these are refundable tax credits, which means if your tax credit exceeds your tax liability, you get a refund or more correctly, a payment funded by taxes paid by another taxpayer. This is crazy. We want to reduce the disparity

between sales, income and property tax, but we aren't collecting sales tax for every economic sale, and we are continually creating tax credits to favor one sector of one economy over the other, while reducing the total amount we collect. We seem to be caught up in an escalating competition with other states about who can give out the most tax credits to attract industry. Nebraska actually has a lot going on for it outside of these tax credits. We have the most reliable electricity in the nation. We are the fourth lowest cost producer of energy, and we have the Ogallala Aquifer, as sometimes Governor Pillen calls it, liquid gold, underneath our state. How about cutting taxes for the people who have been here for generations, or for the businesses that have been around nearly as long as we've been a state? I'm not seeing any plan here that makes sense. Senator Erdman has repeatedly stated that we use our tax system to pick winners and losers, and he is not wrong about that. I yield the rest of my time to the Chair.

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

DUNGAN: Thank you, Mr. President. Good morning, colleagues. Again, I do rise I think opposed to the IPP motion and generally in favor of LB937, and in favor of the vast majority of the things that are contained in the committee amendment that I think would be forthcoming after this. As those who paid attention yesterday or tuned in at home know, I have a bill that was in the committee amendment that deals with sustainable aviation fuel, that I will not try to talk about ad nauseam here today, given the fact that I did that a number of times yesterday. But I wanted just to get up again and highlight a couple of different portions of this bill to ensure that people kind of understand what the general concept was when we approached putting this together and what some of the individual different components of the potential package ultimately have. As has been, I think, earlier highlighted, LB937 in and of itself is a very, very good bill. And I want to laud Senator Bostar for prioritizing that caregiver tax credit. I think that it does a really good job of having targeted relief for individuals who are doing really difficult work. Obviously it's a labor of love. People care about what they're doing when they're caring for others. But certainly, it's something that can be costly, both financially and emotionally. And so the, the caregiver tax credit is something that I think provides just a little bit of relief for those individuals to make things a little bit easier. It's not obviously a windfall. And I think that the committee did a good job of trying to pare down a number of the fiscal notes that we saw

for the underlying bills that are contained in the potential package here. Obviously, you can go pull all of the fiscal notes and look at how much they originally were. And you'll see that a lot of the caps that have essentially been put in place on these tax credits by virtue of the committee amendments really do limit that. So I think this is kind of a carryover conversation from what we had yesterday into today with regards to being fiscally responsible while still trying to provide targeted relief. Obviously, the Speaker just got up, for those who just tuned in, and we had a really good conversation or an announcement, rather with regards to sort of our next few days of the Legislature and what we do or do not have money for. I think that that is an important conversation to have when we're thinking about passing bills with big fiscal impacts. But I also think that we always, always, always have to weigh the benefit of a bill with the cost. Certainly there are things that are costly that are worth it, and certainly there are things that are, I think, worth investing in as a state. And you'll see this in a number of bills that have been passed already this year or moving forward where the fiscal note does not take into consideration what we call dynamic forecasting. Right? The fiscal note, because it's very difficult to, does not take into account what the ultimate return on investment is. Senator von Gillern I think yesterday did a very good job of pointing out that oftentimes with these tax credits you do see a return of investments. And when you look at things like the ImagiNE Act and other things that we've done to encourage growth and encourage businesses to, to thrive here in Nebraska, anybody who works in those fields or the experts that you talk to will say to you, you're going to see a massive return on investment. And so when we have these conversations about tax credits, obviously we look at the cost. And I think that's important. But we also have to weigh what the ultimate benefit to Nebraska is. Contained in a number of the bills that ultimately would be wrapped up into LB937 are I think a number of ideas that ultimately are going to benefit Nebraska with regards to creating industry, bringing folks into Nebraska and then also retaining our best and our brightest. A good example of that is Senator Sanders' cast and crew tax credit. I'm sure I'll have an opportunity to talk about that a little bit more because I really want to dive into that one. I think it's very, very cool, actually. But we had a--

KELLY: One minute.

DUNGAN: Thank you, Mr. President. We had an interim study and a hearing on that bill, and we heard from a big number of Nebraskans who are in the film and arts industry who love Nebraska and love what they

do, but have left and gone to other states because they simply don't have a place here in Nebraska for their career. And I think that's a really good example of a targeted tax credit that is trying to really encourage the growth of that particular industry in the state of Nebraska to ensure that people who are in that field get to not just stay home when they go into that field, but actually come back home. And if we can attract those people from the states they've moved to like California, Illinois, Georgia, I think we're going to see a huge return on investment there. And we're going to finally see a lot of the people that are in that industry come back to Nebraska and make this their home again. So with that, I'll probably talk more about that moving forward. Thank you, Mr. President.

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

M. CAVANAUGH: Thank you, Mr. President. So because I have the motion, I believe I get 2 times to speak this morning, still morning, and then a close. So I am happy to take time if anybody is willing to yield me time. There are 10 bills within LB937. And there are a lot of really great things in LB937. The Nebraska Biodiesel Tax Credit Act and that came out 8-0. See here, to increase the yearly tax credits under the act to \$5 million per year starting in 2025. The amendment adjusts the amount increase under the act to \$1.5 million for FY '24-25 and \$2 million for FY '25-26 and beyond. So a little bit different than the original. I would note that this committee statement is much easier to follow than the committee statement last night because it has who testified, what the votes were, a little description about the, the bill itself and, and so-- and, and the bill number, like LB1025 creates the Individuals with Intellectual and Developmental Disabilities Support Act. The bill creates income tax credits for employers and support professionals that provide employment and support for individuals with intellectual and developmental disabilities, as defined under the act, LB1025, to change a definition and harmonize provisions with the change. I'm not sure whose bill this is. It, it doesn't say, but I do know that there was a concern about this bill that I wanted to share. Just a technical concern is that the workforce that they hire it, it doesn't have a great track record of retention. And so it was suggested that there be a, a minimum for how long an employee is employed before they qualify for the tax credit. So I think that's something that we should probably think about amending between General and Select because I do think that that is an important thing to take into consideration when the churn of the workforce is so quick that we want to be incentivizing income tax

credits for retaining such employees, not just hiring. I mean, then they could just hire people and they don't stick around, and they get a tax credit. So, you know, the idea behind it is good, but we might need to tweak that a little bit. Actually, I'm trying to find-- I have these all tabbed-- ten-- LB1025. It doesn't say who's-- OK. The first tax credit would be nonrefundable tax credit and would be for any employer that employs one or more direct support professionals during the taxable year. The credit would be in the amount of 500 multiplied by the number of direct support professionals who are employed for at least 6 months during the taxable year, and work at least 500 hours for the employer during the taxable year. Well, I guess it does have 6 months.

KELLY: One minute.

M. CAVANAUGH: There was a, a suggestion to extend it to a year. But I can see how if you hire somebody in June, there's no way that they can work for you for a year before you can claim that credit on your taxes. So I, I get that. So the second tax credit would be a refundable tax credit and would be for direct support professional if employed as a direct support professional for at least 6 months during the taxable year and would work at least 500 hours as a direct support professional. The tax credit would be in the amount of \$500. So interestingly, that this is a credit for both the employee and the employer, which is great. And I believe the Governor is making an announcement today about my priority bill from previous Legislature, LB376, the family support waiver for developmental disabilities--

KELLY: That's your time, Senator.

M. CAVANAUGH: Thank you, Mr. President.

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

HUNT: Thank you, Mr. President. Colleagues, the floor is a little bit thin, but we're having good conversations, I know. But first, before I get into my feelings on LB937, I want to wish a very, very happy birthday to my partner in mischief here in the Legislature, Senator John Fredrickson. I just know 26 is going to be the best year yet. So happy birthday to him. Thanks for making a lot of these days more bearable for me and many of the rest of us I know. Today I stand before you to express some concerns about this bill. LB937 I totally support, and I think everybody knows that the problem that we're going

to be facing with the debate on LB937 is in the committee amendment, which contains LB606, a bill that proposes to offer tax credits for donations made to crisis pregnancy centers. While the intention behind the bill is-- it might seem commendable at first glance, its implementation carries the potential for significant harm, not only to individuals in Nebraska who are seeking reproductive healthcare, but also to the fabric of our entire healthcare system in Nebraska. Crisis pregnancy centers are known for presenting themselves as legitimate health clinics offering pregnancy-related services. However, research in many, many investigations, there's some really great videos from, like, different news shows that are, you know, mainstream, that are real and serious. There's some great videos that you can watch about investigations that they've done into these clinics. And these investigations have shown that many of these centers provide misleading information. They use tactics that are designed to dissuade individuals from accessing abortion services, which is obviously the point and I know something that a lot of you really like about these, these clinics. But the problem is that these clinics do not offer or refer for comprehensive reproductive healthcare services, including prenatal care, contraception or abortion, if that's what's needed for the patient. By providing tax incentives for donations to crisis pregnancy centers, LB606 indirectly endorses and funds entities that engage in practices contrary to evidence-based medical guidance. They endorse practices that are contrary to ethical standards in medicine. And this endorsement not only misallocates public resources, but also legitimizes the dissemination of medically inaccurate information, colleagues. It's imperative to recognize that promoting scientifically unfounded practices under the guise of healthcare can have dire consequences on our public health, especially for women and families who are most in need of accurate reproductive health information and services. Allocating tax incentives for contributions to crisis pregnancy centers raises significant concerns about the use of taxpayer dollars to support organizations that often operate without the medical oversight or licensing requirements required for healthcare providers. This lack of oversight can result in substandard care, potentially putting the health of individuals at risk. It's very essential that if the state is sanctioning contributions to certain kinds of organizations, that we know that these state-supported initiatives adhere to the highest standards of medical integrity and evidence-based practice. The proposed bill that's contained within the committee amendment also poses a threat to the principle--

KELLY: One minute.

HUNT: --of informed consent-- thank you, Mr. President-- informed consent, which is a cornerstone of ethical medical practice. Informed consent is when the patient knows what's going to happen to them. They know what the care that they're being provided is and they are also informed of their options. Informed consent means you know what you're choosing for your own healthcare, but you also know what you're not choosing because your doctor or your healthcare provider has told you the range of options that you have for the, the services and care that you need. This is a cornerstone of ethical medical practices. And by funding organizations that have been proven to provide misleading information to patients, the state of Nebraska would be complicit in undermining patients' ability to make fully informed decisions about their healthcare. And for that reason, we have to come to a place of negotiation and agreement about how to move this bill forward. Thank you, Mr. President.

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

J. CAVANAUGH: Thank you, Mr. President. Well, I would also say happy birthday to Senator Fredrickson. And I would say happy birthday to my son William, who's 5 today. And to my niece Callie, [PHONETIC] who's 21. So a lot of great folks born on March 28. So happy birthday to all of them. So I again rise in support of LB937. Have my reservations with the portion that is LB606. But I did want to finish my original conversation. For those of you, you know, folks who want to go and do their own-- people like to do their own research. The Holy Thursday is referenced in the Gospel of John, Chapter 13; the Gospel of Matthew, Chapter 26; Gospel of Mark, Chapter 14; and the Gospel of Luke, Chapter 22. And I point that out because, again, maybe people don't know this, but the stories are not all exactly the same. Like the Gospels, there's lots of different versions and variations within even the 4 gospels. And the Gospel of John is the one that has the long explanation. It's the one that has the washing of the feet. That's why that's the one I was talking about that I really appreciate. But that one does not have-- Gospel of John does not have the betrayal with a kiss. I think that when Judas betrays Jesus with a kiss, I think is in Mark and Luke, but not in John. I don't remember if it's in Matthew. I apologize. I'm not a-- I'm not a biblical scholar, just someone who's spent a lot of time in church and Catholic school. So, yeah, so the Gospel of John has, you know, the, the betrayal or has the, the washing the feet, has the Last Supper, has the denial by Peter 3 times. And then Mark and Luke have the betrayal with the kiss, which I think is pretty interesting consequence. And then the part that I

didn't necessarily remember was about-- I do remember the part about Jesus saying whoever, you know, eats the bread at the same time I do is the one who will betray me and Judas does that, which I always found it curious that nobody else was-- looked around the room and said, oh, who's eating right now? But the one thing when I went and reread this was that it, it says specifically when Judas dipped his bread in the oil and then ate it, that was when the devil entered him, which I thought was an interesting fact that I had missed before. Anyway, I digress, but if you want to do your own research and read those sections of the gospel, I would suggest John 13, because that's my favorite, then Mark 14, Luke 22, Matthew 26. Anyway, but I go back, I go-- to return to my original intention and original point that this bill LB937, underlying bill and other parts of this bill that have some really important parts. Obviously, I'm not talking about Senator Dungan's sustainable aviation fuel part, which I think is interesting and has merits on its own for making us a leader in innovation in a-- in the country where we're going to be able to bring in a new industry and be at the forefront of that. So that's important. But there are other parts of this about-- that are about this principle of being of service to one another. And I think that that is-- it's a great thing to think about when we're trying to decide, you know, what policies to put forward. But I think it's a great thing to think about as we decide how to interact with each other around here. And that we should focus on what is of service, and we should focus on that, that commandment. So, you know, the-- it's called Maundy Thursday. I guess I can go back in the digression--

KELLY: One minute.

J. CAVANAUGH: Thank you, Mr. President. Maundy Thursday means commandment. And it's said that because Jesus says I give you a new commandment. We all know about the Ten Commandments from Exodus. But this is the new commandment, which is love one another as I have loved you. So that is the new commandment. And so that giving form and substance to that commandment is something that we could do a lot more of around here. And if you just approach with that attitude, doesn't mean you don't have conflict, doesn't mean we don't have opposition to each other, doesn't mean we don't disagree. It just means that you approach each other as though you are viewing each other in the light that Jesus would view you with that same deference and respect, and that we can have those conversations in a more constructive way if it's just about the substance of the disagreements. So that's my thoughts on that.

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KELLY: That's your time.

J. CAVANAUGH: Thank you, Mr. President.

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

DUNGAN: Thank you, Mr. President. Again, colleagues, I rise opposed to the IPP motion and generally supportive of LB937. I started to talk a little bit earlier about some of the other components that are wrapped up into the potential committee package. And one of those was that Cast and Crew Act. And I hope we can hear more about that from Senator Sanders. She did a lot of really great work on putting that together. And, you know, sometimes we have interim study hearings that are, I don't want to say boring, but, yeah, they're not the most interesting of subjects. But that was actually a really fun one. We had a really good time. There was a number of people who came in, like I said, from out of state, from Hollywood, from Georgia, who do movies, TV, TV shows. And they came in and they talked to us about how they want to come back home and where Nebraska could fit into the broader picture of the film and television industry. So as a lot of people may or may not know, there's been a lot of TV shows and movies, prestige TV shows like Yellowstone and things like that, that have started filming more outside of your traditional film locations like Hollywood or places like that. And because of that, a number of states have started to do what they can to really get into the mix of trying to bring those people in, to have those-- to have those crews and those sets set up in their state. I don't want to speak out of turn. So if somebody can correct me if I'm wrong, but I think Arkansas and a number of other states in that region have really started to invest in this, and they've seen a huge return on investments. There was a number of TV shows and movies, which I can't remember off the top of my head, that they said had been shot now in these places like Arkansas and Missouri and those kind of places. And so it seems like a really burgeoning industry, and we really need to make sure that we can do what we possibly can as a Legislature to encourage that to continue to grow. We had folks come in who have talked about wanting to film westerns or prairie-based TV shows or movies, and that Nebraska is the perfect place to do that, especially when you get out into the gorgeous parts of Nebraska in the Sandhills and out in the Panhandle. And they really want to set up shop there. But right now, it's such a expensive endeavor that it really is not fiscally possible for them to do so. And so the original bill, I think, had a, a pretty large fiscal note attached to it, which obviously we wanted to be as fiscally

responsible as possible. So we ultimately started to pare down how much that was going to be. And I cannot remember, again, off the top of my head-- I should probably open up my computer here-- what we ultimately had that bill capped at. Another Revenue member, Committee member can maybe correct me if I'm wrong, but I think it was \$1 million, maybe \$2 million. And so it is a start. But if we do see a benefit come from that, I think it's something that we can really continue to, to encourage and to incentivize. It was also really interesting during the hearings. We had a couple of students who are currently, I think, in middle school one of them was and in high school, come and say to us, you know, we are in these programs. We are learning the film industry, and it really was their passion. And they want to make it their career. And they came to us and said, I want to stay at home. I don't want to have to leave to do this job. But as it currently exists, there's almost no opportunities outside of a couple of small local places that you can do this kind of work for people to actually exist in the industry and make a living out of it. For those who know my background, I did a bit of theater back in high school and college. I was actually a theater major for a couple of years. And so a number of my friends who stayed in the theater and film industry, they moved, they left. And the vast majority of my friends who were in sort of acting programs in high school here in Lincoln ended up going to college in Nebraska, you know, the amazing theater programs, both at Wesleyan in my district and also at University of Nebraska and other colleges and universities across the state. But once they graduated, they had to leave because they couldn't--

KELLY: One minute.

DUNGAN: Thank you, Mr. President. --they couldn't find that work here. There was actually a person I went to high school with who has since moved out of Nebraska who testified at the hearing. So I say all of that to say, we really want to prevent the brain drain. We really want to stop people from leaving the state. And I think this is one opportunity for us to do so. So I appreciate the opportunity to talk more about that. I hope Senator Sanders gets a chance to open on that a little bit later today and we can hear more about what that bill actually does. Thank you, Mr. President.

KELLY: Thank you, Senator Dungan. Senator Conrad would like to announce some guests in the north balcony, ninth graders from North Star High School. Please stand and be recognized by your Nebraska Legislature. Returning to the queue, Senator Day, you're recognized to speak. Senator Machaela Cavanaugh, you're recognized to speak.

M. CAVANAUGH: Thank you, Mr. President. Colleagues, as I have stated numerous times, that I am open to withdrawing my IPP motion if there is an agreement. And nobody has told me that there's any agreement on amending this. All I have heard is that people are noncommittal. And so I don't agree with the dollar-for-dollar tax credit to the crisis pregnancy centers. And there is no agreement to change it, adapt it, expand it. There's no agreement. So I'm going to take time. It's that simple. And I am clearly being sabotaged by other Democrats who are OK with it as is, I guess. I don't know. I don't understand. These past 2 weeks have been a living hell. And it's mostly because of Democrats, just treating me like I'm garbage and can be thrown away. I don't want to be here. I don't want to be standing here talking. I don't want to be fighting this. I like this bill. I like the things that are in this bill. I've asked people to help me. And instead of helping me, they're going behind my back and telling people to pull out, to abandon me. It's so fascinating to me when people over the years have said that I'm just a puppet for the party or things like that. And like I am-- I am nothing to this party. I am less than nothing to this party. I am less than nothing to my Democratic colleagues. As people noticed on social media last night, they said are the only people that work there Senator Cavanaugh, Senator Cavanaugh and Senator Dungan? Sometimes it feels like that. I am so hurt and disappointed. The dollar-for-dollar tax credit should be amended, period. And if you-- you're not trying to do that, if you don't have the votes, work the room and get the votes. Don't stab me in the back. You're not trying to do that. If you were, you would come to me and you would say, we have 25 votes for this. Let's move on. But instead, you go around and you tell people to get out of the queue, to leave her alone, flapping in the wind again by herself. If you have the votes, then tell me you have the votes. You have 25 people. Who's run a card? Show me the card that we have 25 people to do an amendment, and then I will just withdraw this and we can move forward with our day. I've got a bill on the agenda that's been on the agenda for days. Be great to get to it. It's good for victims of sexual assault. I'd love to get to it. Show me a vote card. Don't stab me in the back. Show me a vote card. Do things the right way. Don't be deceptive. Don't be cruel. Just show me a vote card and I will pull out of the queue.

KELLY: One minute.

M. CAVANAUGH: Thank you, Mr. President. I have been very transparent. I don't agree with the dollar-for-dollar tax credit of the crisis pregnancy centers. I know that the advocates offered a proposal that would expand it to more than just the crisis pregnancy centers. I

don't actually care for that either, but I think it's at least a better solution to address the means that Senator Albrecht wanted to address, but also giving other organizations the opportunity to take advantage of this and not limiting it to just one organization. And I've been very transparent about that. So I don't know why people have to go behind my back and tell people to get out of the queue instead of just showing me a vote card. It's much easier, it's much quicker, it's much more efficient, and it's collegial. Thank you, Mr. President.

KELLY: Thank you, Senator Cavanaugh. And that was your final time before your close on the motion. Senator John Cavanaugh, you're recognized to speak.

J. CAVANAUGH: Thank you, Mr. President. I don't know for the folks watching at home, obviously there's more that goes on than meets the eye in the Legislature. There's a lot that happens. You know, people sometimes you think-- if you watched this morning, you watched the final vote. Everybody just sits here quietly and the Clerk mumbles and everybody push their button and people say, well, how are you? What's going on? Well, and the folks up here if you're paying attention. So a lot of the work things happen under the balconies in the committee work and then the bills come out on the floor, and then we have a floor. And some of the conversation is people's first impression we haven't heard about. You know, you don't know about something. And some of it is just needed to suss out the details. That's what the debate is for, right? And then you point out changes which I pointed out 1 typo I would call it in Senator Murman's bill yesterday, which I assume he's going to work on a fix. He said he would between now and Select. And it's getting a little loud in here, but I'll keep going. I'll soldier on. Thank you, Mr. President. So, yeah. So you have the floor debate is partly the conversation about what of the technical aspects of it. Some of it's to make sure we're clear on the record. Some of it is just an actual people don't like a bill and you can-- there's ways to stop bills, which is voting against it and having the, the being victorious on the, the vote being that have been it doesn't get 25 votes or it does get 25 votes to get on or to get off. And then you have-- you have the filibuster, which is the thing that a lot of people talk about where it raises the threshold for a bill to pass. So it means that something that maybe is controversial and requires more support to move forward. That's-- and that's what we're talking about here. This one is an odd one. This is why people are having a lot of consternation, heartburn about this. This bill is broadly popular and people want a lot of parts in it, but it has, has been logrolled

together, as I talked about earlier, where part is-- some other parts that people don't like are in it. And so people are having-- we're having a conversation about balancing those interests. From the looks of it, maybe we are at a point where people are ready to move on in this conversation. So sometimes things take a while for a conversation to develop and evolve and get to a place where we get to a resolution. And that's kind of the point of this conflict. And that's where we're at right now. And people have a disagreement about exactly how to get to where we are and what is the values of continuing in a conversation about this. So that's-- if you're watching at home and you're wondering what's going on, so that's kind of what's happening. I think this is my third time talking. So I can talk about, you know, I could tell you again about the stuff I like. I forgot about the movie part. And Senator Sanders' portion of this bill that I think is great. Senator Dungan mentioned it. It has hopefully helped build up the film industry in Nebraska, which is-- would be really exciting. Filming movies here is fun. It's a great thing to have. It brings in economic development. And then when you film a movie, it creates tourism. People want to go see places that movies that they enjoy have. A great example of that is Field of Dreams baseball stadium, baseball field I guess in Iowa. People still go there to this day, which that movie came out in like 1989, I think. But the idea is you create this economic development driving of creating movies in an industry, and then you might have this follow-on effect of tourism as a result of the films themselves. But then it creates a opportunity for more culture as well of people who can work in an industry that would-- didn't previously--

KELLY: One minute.

J. CAVANAUGH: --couldn't make a living in, in the state of Nebraska. So that's exciting. So all those reasons, I really do appreciate Senator Sanders' bill on that. And I know she's worked on it. She actually-- we were at a conference together and she did a tour of I-- there was a film set, and I was-- I was supposed to go, but I missed it for some other reason. I don't remember, but I-- it was a film set for I think it was the show Hawaii Five-0, but I'm not 100% certain. But anyway, so Senator Sanders has been working on that for a while. And so I think it's great to see that work of tour, interim study to bill to hopefully implementation. So that's kind of a good way to do things. Do your homework, do your work, work a bill, get it in the package, get it moving. So that's another good part of this bill. But again, I like most of LB937. Thank you, Mr. President.

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KELLY: Thank you, Senator Cavanaugh. Senator Albrecht would like to recognize some guests in the south balcony, fourth graders from Wayne Elementary in Wayne, Nebraska. Please stand and be recognized by your Nebraska Legislature. Senator Hunt, you're recognized to speak.

HUNT: Thank you, Mr. President. We have so many kids in the building today, and I just want to welcome all of you. And I hope that whatever it is you guys decide to do in life, I hope that you take some inspiration from this place, from this building, from the processes that you're able to bear witness to here in your state Legislature. And whenever I get the opportunity to talk to kids, what I want you to remember the most is that there is no elected official, there is no person in power who is above you that whether you are of voting age or not, whether, you know, whatever your background is, wherever it is you came from or where you're going, the people who are here in this body are here to serve you, to improve your quality of life, to make Nebraska a place where you're proud to call home. And as you grow up and learn and grow, I hope that you continue to take pride in that and also hold us accountable and don't let us get away with anything. So I'm happy you're here today and had a great time talking to the Jag students out in the Rotunda this morning from my district. And also got to say hi to some of the kids from Blair, Nebraska, which is where I grew up. So some days we don't have a lot of kids in the building and some days we do. And I really love it when we do. So please enjoy the building. And if you see people in the hallway, say hi and make yourself at home, please, because this is your house. I want to share a few other concerns about the proposed LB606 as it's amended into the committee amendment for LB937 about directing public funds toward crisis pregnancy centers through tax incentives, which can divert critical resources away from comprehensive reproductive services that are already underfunded. This redirection of funds not only exacerbates existing disparities in access to healthcare, but also prioritizes ideological agendas over the medical needs and autonomy of individuals. It's our duty to ensure that all members of our community have access to accurate, unbiased and comprehensive healthcare services, and that includes informed consent. It's not just knowing what treatment you're getting, but knowing what treatments you're not getting, what you're not choosing so that you know all the options available to you. And that's not what crisis pregnancy centers offer to their patients. Support of pregnant individuals and families is a noble cause. I completely support it. My, you know, a huge cornerstone of my ethos is that I believe and I fight for everybody to have the kind of family that they want when they're ready for it, with who they

want to have it with. And it's crucial that we provide the support to families through accurate, evidence-based, medically accurate, ethical means. LB606 as it stands risks doing more harm than good by supporting organizations that fail to meet this criteria. I urge you to consider the broader implications of this amendment on public health, on medical ethics, on the equitable distribution of resources. And I would also return to a point of profound concern which merits deeper exploration, which is the potential for this bill to not only misallocate public resources, but also to legitimize and fund the dissemination of medically inaccurate information through the endorsement of crisis pregnancy centers. By offering tax credits, the state is signaling an endorsement of these centers, many of which has been documented to provide information that is not only unscientific, but in some cases blatantly false. This misinformation ranges--

KELLY: One minute.

HUNT: --from exaggerated risks-- thank you, Mr. President. The misinformation ranges from exaggerated risks associated with abortion to unproven claims about the effectiveness of contraception. And these practices not only mislead people who are seeking guidance during a really vulnerable time, but it also undermines public trust that we have in our entire healthcare system in Nebraska. It undermines public trust in our medical institutions and our expert healthcare providers that we are so proud of in our state. And these are the long-ranging implications of putting something like this into statute. All of these organizations can still receive contributions. They can still receive donations. Nothing is preventing that. But we cannot, as a state, endorse organizations that do not provide the standard of care to their patients. Thank you, Mr. President.

KELLY: Thank you, Senator Hunt. Senator Dungan, you're recognized to speak, and this is your final time on this motion.

DUNGAN: Thank you, Mr. President. I appreciate the time that people have taken on this. Just for those who are wondering and watching at home, we are, in fact, doing some things behind the scenes that you don't always see from the TV. And I know when I used to watch the Legislature, you see people talking and a lot of movement around in the background, and you don't know exactly what's going on. But rest assured, there are many conversations happening about this bill. Given the fact that I think individuals are trying to figure out a way to move forward, based on opposition they have, including the opposition that I've expressed, and find ways that we could try to proceed on

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this, this potential package. So I do appreciate those who have hopped in the queue to provide that time and talk about the bill. There certainly is enough in this potential package under LB937 that we can talk about it naturally, I think, for a very long period of time. One of the parts of it that I wanted a little bit more information about, if my, my friend, Senator Tom Brandt, would yield to a couple of questions.

KELLY: Senator Brandt, would you yield to some questions?

BRANDT: Yes, I would.

DUNGAN: Thank you, Senator Brandt. You and I had a conversation a little bit earlier where I said I might ask you a few questions about this. Would you mind going into a little bit more detail and explaining how your biodiesel tax credit works?

BRANDT: I would. For a little background, I want to read a paragraph out of my opening. Biodiesel is a cleaner burning, high-performing biofuel made for diesel engines. Biodiesel is primarily made from soybean oil or corn oil, but can also be made from animal fats or other fats and oils, and blended with petroleum diesel. Biodiesel is a renewable diesel replacement that can be used in existing diesel engines without modification. What this bill does is it creates a 14 cent refundable state income tax credit for retailers of biodiesel. But what you have to understand is that one gallon of biodiesel can be spread out over 20 gallons or more of regular diesel fuel.

DUNGAN: And so you've heard me, I think probably talk ad nauseam now about SAF. Is that correct?

BRANDT: Well, not ad nauseam, because I'm a big supporter of SAF. I think it's a great program.

DUNGAN: So that was my next question. What is-- what is your understanding of kind of the interplay of our sustainable aviation fuel potential industry that we could have here in Nebraska and our current biofuels that exist both in your district and elsewhere?

BRANDT: It's huge. I know that if you converted every ethanol plant in the United States to sustainable aviation fuel today, that would not be enough to supply the sustainable aviation fuel market, let alone there would be nothing left on the ethanol market. And I'm also aware that now we have renewable potential in the marine fuels. So the, the

CO₂, byproduct coming off of these plants now can be made into green methanol, which can be burned in marine engines.

DUNGAN: Thank you, Senator Brandt. I appreciate that information. Colleagues, that's exactly the kind of thing that I'm excited about. We have so many different parts of this industry that exist where I think we, as Nebraskans, already have the, the ag inputs to go into this. We already have the infrastructure in a lot of areas set up. And beyond that, we also have the ability to actually bring these places in and have this SAF develop. I think Senator Brandt's biodiesel tax credit is a great idea. Senator Brandt and I have generally agreed on I think the, the way to move forward on a lot of these renewable energies. And I think it's really, really great that we're seeing sort of a connection between both the rural and the urban areas with regards to what the future looks like in that. That capturing of the gas that ultimately is being put out right now by ethanol plants and things like that, the carbon, and being able to scientifically take that actual gas and then turn that into a liquid jet fuel is really incredible technology. And there are companies who are working on doing exactly that right now who have contacted me directly and said, we want to be in Nebraska doing that. So it's, it's very exciting that this is an industry that I think is starting to evolve. And I appreciate the efforts of Senator Brandt. I think Senator Ibach as well, Senator Dorn, have already--

KELLY: One minute.

DUNGAN: Thank you, Mr. President. --have been champions for a lot of those renewable fuels. And it's an opportunity for us to come together and really, I think, find a way to evolve our economy. So again, LB937 as an underlying priority bill is a, a great bill. I appreciate both Senator Bostar and a number of other partners, including the AARP, on coming to the table and making that workable. I like the vast majority of what is potentially contained in the committee package, and I would encourage my colleagues to continue listening to the conversation. And understand that we're, we're talking about a large benefit and a return on investment to Nebraska. So with that, thank you, Mr. President.

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

M. CAVANAUGH: Thank you, Mr. President. So what's going to happen now? I had filed a motion to reconsider the vote on the IPP motion, and we go to a vote on this, and then that comes up, and then I open on it and talk and blah, blah, blah. But I am not going to do that because this place has broken me. So what I'm going to do is withdraw my motion, sit down and work on my remarks for, you know, the fact that I was sexually harassed on the floor of the Legislature, which people are attacking me over and working behind my back on that as well. So I'm just going to go along my merry way of being torpedoed at every turn by my colleagues and just, I guess, deal with that trauma. How fun. So if somebody wants to object to me withdrawing the motion, they can do that. Otherwise, we're just going to go forward. Mr. President, I withdraw my motion.

KELLY: Without objection, it is withdrawn. Mr. Clerk.

ASSISTANT CLERK: Thank you, Mr. President. LB937, introduced by Senator Bostar; an act for relating to revenue and taxation; to amend Section 77-2715.07 Revised Statutes Supplement; to adopt the Caregiver Tax Credit Act; to provide for tax credits; to harmonize provisions; and to repeal the original section. The bill was referred to the Revenue Committee. That committee has placed the bill on General File. There are committee amendments.

KELLY: Having already opened on the bill, Senator Linehan, you're recognized to open on the committee amendment.

LINEHAN: Good morning, Mr. President. So the committee amendment includes-- I think Senator Bostar has spoken to most of this. There's Senator Albert-- Senator Albrecht's LB606, which is a tax credit for donations made to pregnancy help centers. It's capped at \$2 million. There's this one is mine. It's LB901. It allows nonprofits that purchase property and develop the property or contract for development of the property, then transfer the property or contract is complete to have sales and use tax exemption. So what that means is Children's Hospital in Omaha. This is very much like what we did last year with the Omaha Library, because a nonprofit is building it, even though it's a nonprofit organization if they were building it. Children's was building the hospital, they wouldn't have to pay sales tax on any of the things to build the hospital. Because the nonprofit is building it, even though they're going to turn around and give it to Children's and it's an expansion of children's mental health, the nonprofit would have to pay the sales taxes, which we all agreed is not a good idea. So that's that part of the bill. Oops. Senator Brandt, I think,

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already discussed his part of the bill, but if he would-- I would like to ask Senator Brandt a question.

ARCH: Senator Brandt, 8 minutes.

LINEHAN: Senator Brandt, would you please--

ARCH: Excuse me, question.

BRANDT: Yes.

LINEHAN: Would you please explain to the Legislature your part of the bill?

BRANDT: Yeah. We talked about this in an exchange with Senator Dungan here about 15 minutes ago. So this bill was passed last year, and it originally asked for \$5 million in funding for refundable tax credits. And the Revenue Committee graciously gave us \$1 million. And so really what we're doing this year is just coming back for the other \$1 million. And this is a 14 cent refundable tax credit to retailers in the state per pure gallon of biodiesel.

LINEHAN: Yes.

BRANDT: A pure gallon of biodiesel will cover like 25 gallons of regular diesel.

LINEHAN: Thank you. Senator Sanders.

ARCH: Senator Sanders, will you yield?

SANDERS: Yes, I will. Thank you [INAUDIBLE].

LINEHAN: Senator Sanders, would you please explain what LB1022 is?

SANDERS: Yes. LB1022 with now AM3132 into LB937 qualifying film projects completed in Nebraska. AM3132 creates a refundable income tax credit for production companies producing new films, video or digital projects and was amended by the committee to a-- was amended by the committee to a \$1.5 million cap. To be clear, this is not a dollar-for-dollar tax credit. What AM3132 does is provide a 5% up to 20% tax credit on films produced in Nebraska. However, as outlined in the bill, there are opportunities for an uplift in the tax credit totaling a 15%. This bill carefully and thoroughly details what qualifies as eligible spending for different types of projects. After

working with the Department of Economic Development, smaller local films produced in Nebraska will be funded through a grant program. AM3132 seeks to retain and recruit new talent within the film industry to stay here in Nebraska. Unfortunately, Nebraska often loses much of their recent college graduates as they seek better opportunities elsewhere in the country. Incentivizing our filmmakers and producers to create films and build studios here in the state of Nebraska not only generates a sustainable amount of revenue, but also provides jobs for our young filmmakers while providing them with a path forward to them to stay here in beautiful Nebraska.

LINEHAN: Thank you. Thank you, Senator Sanders. Could I ask Senator Fredrickson if he'd yield to a question?

ARCH: Senator Fredrickson, will you yield?

FREDRICKSON: I will.

LINEHAN: Senator Fredrickson, could you explain LB1040?

FREDRICKSON: I'd be happy to. So LB1040 is a bill that came-- it was actually-- this is almost a 2-year project of mine. Last year, the Legislature passed the structure of this bill. This year, LB1040 is the actual funding of the bill itself. So LB1040 came about through the knowledge that we are seeing a high need for donations to food banks throughout our state to address some of the food scarcity throughout our state. And what I learned at a conference was that the grocery industry is oftentimes throwing away food that is eligible for donation because of the cost of doing so. So LB1040 provides a tax credit for food donations to food banks when done by grocers and restaurants, among other things. So I'm very much happy to be included and grateful to the committee for including this in the amendment.

LINEHAN: Thank you, Senator Fredrickson. Senator Albrecht.

ARCH: Senator Albrecht, will you yield?

ALBRECHT: Yes.

LINEHAN: Senator Albrecht, would you please-- I'm having trouble seeing people and seeing their-- would you please explain your part of the bill?

ALBRECHT: Certainly. LB606 was heard last year in the Revenue Committee. It's the Nebraska Pregnancy Help Act that would establish a

new tax credit to incentivize private donations to pregnancy help organizations across Nebraska who are providing undersupported pregnant women and families with services free of charge that are crucial for the physical and emotional and familial well-being of the patients. These free services include pregnancy testing, pregnancy and prenatal care education, counseling, food, clothing, housing, transportation, parenting and life skill classes, childcare, licensed medical care, and referrals to additional community services and material help. Pregnancy help organizations also provide personal relationships with a strong local support network for women and their families in ways that no government program can. LB606 will help support and expand this work by providing up to \$2 million tax credit to be allocated per year for private donations to eligible charitable organizations. One of several pregnancy help organizations in Omaha last year raised a little over \$2.5 million to serve 1,991 clients that they've helped. Doing the work with these pregnancy help organizations requires resources because the sheer need out of Nebraska communities since Roe v. Wade was overturned, and we're asking these women to have the children, it's important that we support these organizations. This bill defines an eligible charitable organization as a 501(c)(3) that regularly answers a dedicated telephone number for clients; maintains its physical office, clinic or maternity home in Nebraska; and offers services at no cost to the client for the express purpose of providing assistance to women in order to carry their pregnancies to term, encourage and enable parenting or adoption, prevent abortion, and promote healthy child births. An eligible charitable organization must use licensed medical professionals for, for any medical services offered, and cannot receive more than 75% of its annual revenue from government grants or sources. The organization seeking to become an eligible charitable organization, shall provide the Department of Revenue with a written certification that it meets all criteria under LB606 to be considered an eligible charitable organization. The department shall review each certification to determine whether the organization meets criter-- the criteria, and shall comply and make available to the public a list of eligible charitable organizations that have been approved. No more than 50% of the amount of the tax credit allocated per year can be allocated for contributions to any one signal, signal-- single organization and no individual taxpayer may receive a tax credit greater than half of the income. I ask that you approve AM3132 and look forward to working with everyone.

LINEHAN: Thank you, Senator Albrecht. How much time do we have left?

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ARCH: One minute.

LINEHAN: Senator, I think Senator Bostar has covered all his parts. Or do you want the time, Senator Kauth has-- Senator Kauth, do you want to speak to Senator Ibach's part? Oh, you're up next. Senator Bostar, you can have 50 seconds left.

ARCH: Senator Bostar, 45 seconds.

BOSTAR: Thank you, Mr. President. Thank you, Chair Linehan. I think I'll just briefly talk again about the Individuals with Intellectual and Developmental Disabilities Support Act, which would create a tax credit that would support employers of direct, direct support professionals. An employee working as a direct support professional and an employer who employs an individual receiving services under the day or comprehensive developmental disability waiver and an employer who provides for defined supported employment or preemployment services to an individual receiving services under the day or comprehensive disability waiver. All those [INAUDIBLE]

ARCH: Time, Senator.

BOSTAR: Thank you.

ARCH: Senator John Cavanaugh, For what purpose do you rise?

J. CAVANAUGH: I would ask to divide the bill, the amendment.

ARCH: Could Senator John Cavanaugh, Senator Bostar, Senator Linehan, please come forward. Mr. Clerk, next item.

CLERK: Mr. President, as it pertains to the committee amendment to LB937, Senator Cavanaugh-- first of all, Mr. President, it's my understanding that the division-- the amendment is divisible.

ARCH: Yes, the amendment is divisible.

CLERK: In that case, Mr. President, the divisions are as such. AM3205 containing the majority of the contents, excuse me, containing the contents of LB606. The second division will be AM3206, containing the remainder of the contents of the committee amendment.

ARCH: Senator Linehan, you are welcome to open on AM3205.

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LINEHAN: Thank you, Mr. President, and thank you, colleagues, for all being here. I don't have a prepared opening up on this. And this particular part of the bill was a bill brought by Senator Albrecht. So I haven't had a chance to give her a heads up, but I would like to ask her some questions.

ARCH: Senator Albrecht, will you yield?

ALBRECHT: Yes. Thank you.

LINEHAN: Senator Albrecht, this bill you brought last session, too, right? Not just last year, but 2 sessions ago or a session ago?

ALBRECHT: Actually, last year.

LINEHAN: Last year. OK. And last year, we didn't kick it out of committee, did we?

ALBRECHT: Yes, we did. We had 5 yeses. We had 1 no and 1 present not voting.

LINEHAN: No, this year we did that. What about last year?

ALBRECHT: It was kicked out last year.

LINEHAN: OK. OK. And then it wasn't prioritized. So that's why we didn't get it to the floor.

ALBRECHT: Correct.

LINEHAN: So I-- thank you, Senator Albrecht. I may yield some time, just a little bit. I'm going to take a couple of minutes. I'm very, very proud of our Revenue Committee. We work together fairly well. Senator Bostar, we-- so what happened to us this year is we discovered, I don't know, whenever you start really getting-- after you get through all the hearings, you're on the floor and then you get through all the hearings and then you look at your workload. We had 6 or 7 priority bills in our committee: one Senator Bostar's, one Senator McDonnell's, Senator von Gillern's, 2 committee bills, Senator Day. I might be forgetting one. And every one of those senators realized that the whole Legislature has to work together. And sometimes we don't vote or vote no on a package. But we know it's-- we're all going together and we're all going to get something done. And it's not about one person. It's about making sure that we're collegial and we understand that we have to share the workload, and we

could share what we accomplished while we're here. So that's what we did on all our bills, all our priority bills. And Senator Day was very gracious. And now we got a fiscal note back that I can't understand. And I told her this morning, I will work over the weekend to see what we can do about her priority bill. We've got the other one that we were on yesterday that LB-- the whole idea that we've only got 8 days left. You got more than 8 days left, guys. If you want to get anything done, you're going to have to work some of these weekends. And you have to make calls. You're going to have to compromise and you're going to have to work. So when the lobby out there goes home and sleeps, well, unfortunately they'll all be working too. But this is like, you know, the end. You don't slow down. This is when you pick up and make sure you're doing all you can to get your stuff across. And to get your stuff across, you may actually have to help somebody else get their stuff across. So, Senator Albrecht, I would yield, if you're ready, Senator Albrecht.

ARCH: Senator Albrecht.

LINEHAN: I would yield the rest of my time to Senator Albrecht.

ARCH: 6 minutes, 30.

ALBRECHT: Well, I just asked my staff to print whatever it is that we're talking about right here. I don't know why they divided the question. I'd like to, to see what's in this division. It's my understanding that it is LB606. But what I just opened with and what these pregnancy help organizations are all about is truly helping women. And they've been doing this for years on public dollars, like people just donate to them. But since Roe was overturned, that was Senator Conrad just, just didn't quite understand why we needed to do this. But we need to do it now more than ever, because they are saving more mothers and unborn children because of the counseling that they give them, because of the ability to allow them to have a second choice at a decision that they may make that they might regret the rest of their life. But if this LB606 is what it's all about, and they want to refer these patients or recommend abortion to them, that is not part of LB606. And I will implore you to, to deny any ability to do that, if that, in fact, is what they're wanting to do. So I think we just need to find out what's in these amendments. I'm surprised that I'm up here talking about it when I don't even really know what the division is and what they're asking for. So I have punched in the queue. I will be on to answer any questions about these pregnancy help organizations, be happy to do so. But it's a tax credit. So if you owe

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the state of Nebraska \$5,000 and you want half of that credit, half of that to go to a particular entity, which that would be the pregnancy help organizations, you send the money off and the, the Health and Human Services or the Revenue Department, somebody is going to decide where that money goes based on the qualified people who are pregnancy-- in those pregnancy help organizations that are helping the, the mothers with all the needs that they have during their pregnancy. So hopefully, everyone will focus in. I know we have several people off the floor. They're in committee execs trying to still decide in the next 8 days what they need to get out on the floor. So, you know, again, once we find out what the division is, I'm sure that somebody will be on the mic to tell me exactly what it's all about, and we will certainly discuss that until we are able to vote. But I do rise in support of LB937 and the Revenue amendments in AM3205. So we'll find out what this division is all about, and then we'll continue to discuss it so everybody knows before we take a vote on those 2. Thank you, Mr. President.

ARCH: Mr. Clerk, for an amendment.

CLERK: Thank you, Mr. President. Senator Bostar would move to amend the first division with AM3187.

ARCH: Senator Bostar, you're recognized.

BOSTAR: Thank you, Mr. President. Thank you, colleagues. This amendment broadens the definition of pregnancy help organization to include any organization that supports pregnant women and new parents, and it changes the narrow definition language and replaces it with assistance to women in order to support their pregnancies. The amendment continues to exclude organizations that provide, pay for, or cover abortions. And the amendment provides an exception to the 75% cap in government funding limit, specifically for domestic violence and trafficking programs and shelters due to the fact that they receive a large majority of their funding from government sources for their operations. So simply put, this amendment expands the eligibility for organizations for-- to be recipients of the tax credits. And with that, I am sure we will have a robust conversation about all of this going forward. Thank you, Mr. President.

ARCH: Senator Kauth, you are recognized to speak.

KAUTH: Thank you, Mr. President, I rise in, let me get this straight, opposition to AM3187, support of AM3205 and support of LB937. And I'm

going to put my, my Arc cup up here so people can see it. I want to go through a lot of the parts of this bill. And Senator Linehan was exactly correct. We worked these long and hard. There were a lot of compromises. We made adjustments to what we expected to get, what we wanted to get. There were people who said, yeah, I don't like it, so I'm going to vote no, but I will support the overall package. It was-- we do have a great committee and I very much enjoy working on it. The caregiver tax credit provides support for those people who are providing care for family members who are still living at home. As anyone can tell you who is in the senior care industry, it is getting more and more expensive to get into assisted living or skilled nursing. Family members are trying to do their best and caregiving is exhausting and it is expensive and it makes it so that people have a difficult time holding down regular jobs or they're doing their regular job plus caregiving. It's important to support those people. The Cast and Crew Nebraska Act, I love this one, Senator Sanders. This is a really exciting opportunity to develop a film industry in Nebraska. We need to have a wide variety of industries. When we use these tax credits to build our industries and build businesses here, we need to make it a very wide variety, partly so we can survive ups and downs in markets, but also so that we attract and keep a wide variety of people. This one is really, really exciting. I know that they've done it in Georgia. Georgia has seen incredible success with their cast and crew tax credits. I believe on average the states that do this see about a \$6.5 to a \$7 to 1 return on investment. The Nebraska shortline radio and this is Senator Ibach was not able to be here, so I'm going to present some of her stuff. The Shortline Modernization Act provides tax credits for the shortline railroad. Those are the ones that are usually internal to the state. They've taken on the challenge of upgrading their rail infrastructure for the benefit of the rural communities and Nebraska farmers. So we're talking about grain elevators to the ethanol plants. The effect of deferred maintenance are clearly being seen in some of these rail systems where tracks that are over a century old are having trouble. Sometimes they have to drop down to about 5 miles per hour on these tracks so that they don't derail. That hampers efficiency for Nebraska businesses, but it also pose a serious operational risk. Helping these out is going to help our rural communities. The Nebraska Pregnancy Help Act, so Senator Dungan just passed LB857, which we all supported, passed on Final Reading giving prenatal access, increasing the prenatal access to those women who are using Medicaid. LB606 does virtually the same thing, but it's for those who don't have access to Medicaid. And it's a tax credit. The individuals with intellectual and

developmental disabilities, as I said, I carry my cup around frequently. This provides tax credits to not just the employers who are trying to hold on to good employees, but it provides it directly to those direct support professionals. That is an incredibly difficult job along with, you know, the caregiver taking care of a human's body and treating them with respect and dignity. It's a tough, tough job. Not many people are willing to do it. It's something that we need to give them support because we have an aging population. We're seeing more and more. Helping people who are serving those individuals with developmental disabilities--

ARCH: One minute.

KAUTH: --is an incredible benefit. Thank you, Mr. President. The medical debt relief sets up a mechanism for the state, through the Treasurer, to help Nebraskans with devastating medical debt negotiate the discharge of the debt. The SAF, the, the air-- airline petroleum, I love this one. This is another opportunity for us to broaden what it is that we do here. And I will tell you and Senator Dungan can verify this, the state of Iowa is also looking at doing this, but they're a little bit further behind. If we're looking at ways to grow our economy, getting some of these things ahead of other states that are close to us will be significant help. And there's a portion in the bill for reverse osmosis, especially for those people out in the rural areas where they do have high nitrates. This will help put reverse osmosis filtration systems in individual homes. Thank you, Mr. President.

ARCH: Senator DeBoer, you're recognized.

DeBOER: Colleagues, good morning. Thank you, Mr. President. Colleagues, we spent yesterday talking about getting rid of tax credits. Now we're putting a bunch more tax credits in. I would like to make a general, like, discussion, and I'm sorry I'm doing this on Senator Albrecht's division. I just want to make a general comment to us regarding tax credits, and that is that we are spending a lot of money on tax credits. And tax credits, once we put them in place, don't ever go through the appropriations process again. We just have them there. And once we put them there, they don't-- we don't ever have an opportunity to look at them writ large and balance them against other things. We don't have an opportunity writ large to look at them and their return on investment and balance them against other things. I'm a little concerned about all these tax credits we do all the time. If you look at the list of all the tax credits we have, I am

most against dollar-for-dollar tax credits, which I will say is the case for Senator Albrecht's. And I-- I'm just-- I'm not going to vote for any dollar-for-dollar tax credits. That is literally saying we give the money to someone else that you give-- you get to direct it 100%. You get to direct your taxes. I have concerns about these kinds of tax credits. I have concerns about tax credits in general. We have so many tax credits now that all these special groups of people get tax credits, what does the regular guy get? How do we decide to give all these people's wins and give them tax credits? What about the guy that doesn't make renewable jet fuel? I, I think it's wonderful to have whatever SAF or whatever the jet fuel that, that Dungan is doing. But if we do all of these things in tax credits, it's no wonder we end up having to tax everybody else more. Senator Linehan has been a really good champion for trying to look at tax credits. I remember my second year here, I think-- it must have been my third year because it was LB289 was the number. I think she had LB974 another year. They call them lobbyist employment bills, these bills to get rid of tax credits, because you have all these special groups that can hire lobbyists to come and say they should keep their tax credit. I happen to think Senator Bostar's tax credit is a pretty good tax credit as tax credits go. But if we keep doing all of these tax credits, what's even the point of the appropriation process because we're not going to have any money left to appropriate? We're just going to have given all of the money away in tax credits. That's an exaggeration, but not much of one.

ARCH: One minute.

DeBOER: I think we need to be very, very careful thinking about-- because some poor slob, 49 of them, are going to be here in 12 years, in 16 years talking about these tax credits and trying to figure out what to do with them and which ones to take off because they don't go through the appropriations process. If we had a let's look at our-- all of our tax credits and vote up or down on them every year process, maybe we would balance them. Maybe we would get rid of the ones that no longer have return on investment, but have really good lobbyists. Senator Sanders, I love your idea of a tax credit as tax credits go. But we have got to be careful. We've got so many tax credits. I just-- dollar-for-dollar is a no go for me. The rest of them, I think we have got to be responsible about these tax credits. And I'm not saying we're not being responsible--

ARCH: Time, Senator.

DeBOER: --for the bill-- thank you, Mr. President.

ARCH: Senator John Cavanaugh, you're recognized.

J. CAVANAUGH: Thank you, Mr. President. Well, after all of the foreshadowing of getting to the division of the question, we're finally here. And I think there's a lot of folks who are a little confused about what's going on, because this is our first division this year. I'm sure we did one in the last biennium, but I don't-- none specifically-- oh, no, we did do one last biennium. That was by Senator Erdman, divided out portion of the General Affairs Committee bill that was my bill. That was a keno bill, anyway. So, so this is our first one of this, this year, not our first of the biennium. So here's where we are. LB937 is on the board with the committee amendment. And then the committee amendment is divided. And I requested the division. It was ruled divisible. And I asked for separation out of the portion of the committee amendment that was originally LB606, which is Senator Albrecht's bill. So that's what we are on right now. AM3205 is the portion of the overall committee amendment that is LB606 so that's what's up there at this point. And then there's AM3187, which is Senator Bostar's proposed compromise language to make some changes to LB606. And then after this part is disposed of, we will go on to the other portion, which is all of the other parts of LB937 committee amendment, together. So that's where we're at. And so procedurally or how the votes would have to go at this point, it would require an affirmative 25 votes to adopt Senator Bostar's amendment into AM3205. And depend-- whether if that gets adopted, it would take an affirmative 25 votes to put AM3205 into the, the bill or the committee package that then would move forward. If Senator Bostar's bill does-- AM3187 does not get 25 votes, then it would just be a vote on AM3205 as it currently stands. But again, that would take an affirmative 25 votes. So that's-- I think that's reasonably clear. If people have any other questions, I know people had a lot of questions about this. And then after that, we would move on and take an affirmative 25 votes to put the rest of the package in. And then if there are any amendments to that, rest of the package as well. And then we would move to move-- advance the whole bill, taking it again, an affirmative 25 votes, just like anything else. So if you have any other questions, I'm happy to answer them about that. But I think now that people are seeing it in action, we'll have a little bit better understanding. To the policy matter, I would say-- I want to say I support AM3187. I really appreciate Senator Bostar's work on this and others who are working with him because this is-- this is a good bill that is a demonstration of necessity for compromise, and

giving a little on things that maybe you don't agree with. So there's a number of us who have issues with LB606 as it's currently written. And Senator Bostar is working with some folks to find language that maybe would alleviate some of those concerns. And that's-- currently takes the form of AM3187. And so that's why I support AM3187. And again, I still support LB937 as a whole. And I appreciate the work of the committee on this, this package. And I think there's some really great valuable things. In LB937. I would like to see LB937 as amended include the language of AM3187. Or if there's other compromise language that Senator Bostar's working on, I would like to see that adopted. So that's where we are. That's, that's my position on this amendment.

ARCH: One minute.

J. CAVANAUGH: Thank you, Mr. President. And so I would encourage your green vote on AM3187. And if AM3187 is not adopted, I would encourage your red vote on AM3205. However, if AM3187 is adopted, I think a green vote on AM3205 would be more in order. I guess I'm still on the fence about where I am overall on that particular portion with the adoption, but I do think it makes it much stronger with AM3187. Thank you, Mr. President. Thank you, colleagues.

ARCH: Senator Hunt, you are recognized to speak.

HUNT: Thank you, Mr. Speaker. As usual, when Senator DeBoer stood up, I listened and I went huh, well said. Good point. The point she made about the cost of this tax credit, you know, it gets you thinking, can we even afford this? We had the whole speech. We got all the information this money-- this morning about the money on the floor, how few days we have left, how much money we have in these bills. Is it really smart, prudent, wise for us to put this bill from last year that's clearly controversial, that costs quite a bit of money into Senator Bostar's bill, which without this poison pill would be sailing through right now, and we'd be onto something else? I think that this is the time when supporters of LB606 take the L. They, they take the loss and they say, OK, fine, fine, we'll remove it so that we can move on so that we don't put more burden on our already strained, you know, fiscal burden for the next biennium and give it a crack next year. All of us have bills that we're going to be trying again next year. Whether we're going to be here or not, we all know that senators that come up next behind us, they pick up the torch, they pick up the, the work. And just because you're not here doesn't mean the work doesn't continue on these types of things. So I, you know, that, that point

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was where that led my mind. My opposition, I mean, when you come at something as a progressive, you know that in the Nebraska Legislature, it's smart to make a fiscal argument. It's smart to make a money argument because there's a group of people for whom that's the only thing that will reach them. It can't be, quote unquote, feelings. It can't be, quote unquote, emotional. It can't be a social bill, whatever, has to be about dollars and cents and money. And, you know, that's the only thing that reaches some people. So there's certainly a money argument to be made. But, I think that just as important and I don't think that this is feelings or emotions or social issue anything, just the consequences of promoting scientifically unfounded principles, medical practices that are not the standard of care with the rubber stamp of approval of the state by funding these crisis pregnancy centers, the consequences of that are not abstract. They're not ideological or philosophical. They have real, tangible effects on public health, particularly for women and families who need credible health information to make the best decisions for themselves and their families. We all know we don't have widespread, age appropriate, medically accurate, research-based, comprehensive sex education in this state. We know the rates of pregnancy, unintended pregnancies that we see across all of your districts in the state so we have data on that. We also have data on the rates of STDs and STIs in this state. And these high rates reflect the fact that there is a lot of ignorance around reproductive health in this state. And bills like LB606 just make that worse, because it gives funding to systems that perpetuate that. When individuals are misled, the potential for harm increases, not just in terms of the immediate health risks, but also in the broader context of public health outcomes. If people aren't getting accurate information from these healthcare centers, which we know they are not, we know that they don't. That's been proven. They can get delayed healthcare. They can delay healthcare that they really need.

ARCH: One minute.

HUNT: Thank you, Mr. President. They can put it off until it's too late, which I have a story about that personally from back in my day when I was under the shroud of this kind of misinformation and ignorance myself, that I could speak about next time. We get increased rates of unintended pregnancies. But most importantly to me, you know, no matter how you feel about the legality of abortion or the morality or whatever, it undermines trust in our healthcare system. It undermines trust in the medical experts, the expertly trained, totally capable doctors, nurses, physicians assistants, medical support staff

that we have in this state that we are so proud of. We should be using funds, if we use funds at all, which I don't think that we should at this juncture to support those organizations, not these sham crisis pregnancy centers. Thank you, Mr. President.

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

DUNGAN: Thank you, Mr. President. And yes, as we've sort of forecasted for the majority of today, this is, I think, the big question that was kind of coming down the pipeline was whether or not people support all of LB937 or different portions of it. I do appreciate the division of the question here, and I want to help clarify, if possible, what we're currently talking about, because I get that this is very confusing. And I myself have been very confused through the many division processes because it's hard to follow. So LB937 has a committee amendment. That committee amendment has in it various tax credits that all serve sort of a singular purpose of trying to help Nebraskans. Within that committee amendment, there was one portion that was Senator Albrecht's original LB606, which was modified slightly, that I think was drawing objection and which I personally have objection to respectfully. So the question has been divided. The committee amendment has been divided out wherein we are debating now AM3205, which is whether or not the crisis pregnancy center tax credit should be included. And then the second part of the question is the remainder of the committee amendment, which will be voted on as a block. So what we have on the board here with AM3205 is whether or not, yes or no, the LB606 should be included in LB937. AM3187 from Senator Bostar changes the definitions and broadens the definitions that are contained in that AM3205 to remove some of the objections that people had had. So I just want to make that clear. And I think I probably muddied the waters even more, but I think it's been a little bit confusing as to what we're voting for. I also want to be very clear about this. LB937, LB937 is Senator Bostar's priority bill. It is a personal priority. It is not a committee priority. And he has been on the record having opposed the inclusion of AM3205 into his bill. So in a world where I know we try generally to be respectful of the introducers of bills, and in a world where we try generally to respect the wishes of the introducer of a bill, I think that it's good practice to not have what some consider a poison pill contained in a package that is a personal priority of a senator. Moreover, the fact that Senator Bostar has introduced AM3187 to amend a piece of his own personal priority bill, colleagues, strikes me as somewhat, I don't want to go so far as to say disrespectful to Senator Bostar, but it certainly is problematic when we have senators introducing amendments

to their own personal priority to try to work and negotiate and fix parts of things that they don't necessarily have the most support for and then to keep that out. So what we're talking about here with the crisis pregnancy center tax credit is the reason there remains at least this kind of opposition to LB937. I know Senator DeBoer outlined some of her objections in general to tax credits. I know that there are some objections people have to the fiscal note. Colleagues, we can still tweak this on Select File in order to figure out what the actual fiscal impact is going to be. We won't know the actual fiscal note on this until this passes on to Select, because so many modifications and limitations were put into place on these tax credits. So the committee did a lot of work to ensure that LB937 had a reasonable fiscal note. And getting it to Select File ensures that we can see what that actually looks like. And so I've talked to Senator Bostar. I know that he's open to further modifications happening between now and Select, at least conversations happening. But the, the gist of what we're dealing with here today is whether or not we should include AM3205 into the--

ARCH: One minute.

DUNGAN: --rest of that package. Thank you, Mr. President. I do object to its inclusion. I certainly think that the, the-- these crisis pregnancy centers provide a lot of really positive things such as, materials, diapers, care, things like that. But I also think they provide a political perspective. And I think that they provide people with sometimes misleading information or certainly biased information about what options are. And I think if we're going to be providing tax credits to entities, we need to ensure that they are ones that are providing the full story and they're providing the kind of care and benefit that has oversight and licensing and things such as that. I just respectfully disagree with my colleagues about whether or not that should be included. I did vote against the inclusion of LB606 in committee. And so I stand opposed to AM3205 being included as LB937. Thank you, Mr. President.

ARCH: Senator Vargas, you are recognized to speak.

VARGAS: Hello. Appreciate you, President, Speaker. I stand in support of the amendment language. I'll be pretty matter of fact here. Two things, one, I support AM3187 that Senator Bostar has for a couple of reasons. One, I think we should be supporting pregnant women and new parents. And this is broadening the definition to make sure we're doing that. I hope everybody supports that. If the underlying reason,

both from Senator Albrecht and what I've heard from others, is to make sure that we are helping more pregnant women and new parents, this is a broadening the definition to make sure that we are continuing to support assistance to women in order to support their pregnancies is a good thing, and I support that. Second, you know, I generally support the, the underlying bill itself, LB937, not necessarily LB606 on its own because it is narrow, narrowly tailored to just a specific definition. And I think it should be expanded. So I stand in support of AM3187. I'm in opposition to the underlying division-- divisional amendment, AM3205. I do support tax credits in general, but I do think I want to echo Senator DeBoer's notes, because I think it's important. I think there's a tendency overall for us to support a lot more tax credits, because it's a way for us to support a specific group of people, a subsection of people. And it is-- it, it is commendable that we do that. At the same time, and I look at Senator Clements over here, it is a significant amount of overall funds that we obligate without planning our budget in the future. And it's, it's a growing concern. People do not like eliminating tax credits in the body. It's not a typical thing that we do. Because if people are using the credits and, and they-- and the funds are going out, it is not typical for us to do so. We may eliminate in terms of reducing the amount, but in the end we tend to continue to support it. The people that-- entities or individuals that receive those tax credits are either relying on them or using them. And the concern is going to be when you're looking at the green sheet in our budget that we've been talking about, the \$62 million that will be at the end of fiscal year '26-27, at the end of the next biennium, means that if there are more credits on the books, again, that is going to be more money off the, the top of our budget. So it's just something to be very mindful of. This is going to be for the future Appropriations Committee. It is on you to monitor this. I also think it's both on, on the Revenue Committee, the Appropriations Committee, and everybody at large to consider, are we-- how much are we obligating ourselves in future years? How much are we obligating ourselves in terms of tax credits for future years, rather than looking at potentially reducing some of these credits and then looking at more structural reform that we've been talking about. I think that's more beneficial. But in general, I want to stand in support of AM3187, this amendment, because I think that we shouldn't just limit it to child pregnancy centers. There are other organizations that will be able to provide-- help address our maternal health crisis in the state. And it is a crisis. It is not just in the wake of [INAUDIBLE]. It has existed. The inequities have

existed. And so we want to make sure that there's other organizations that can do this work that can be eligible to receive these credits.

ARCH: One minute.

VARGAS: And I do thank the committee for the work overall on all of the other tax credit programs and hope we are mindful on how we are spending, how much our budget is overall relying on tax credits, and whether or not it's something that we should look at differently to help us solve some of the, the tax issues and tax reform issues that we need to solve. Thank you very much.

ARCH: Senator Albrecht, you're recognized.

ALBRECHT: Thank you, Mr. President. Again, I rise in support of LB937, AM3205 and am adamantly opposed to L-- the AM3187. Colleagues, I started out asking for \$10 million of a tax credit for this-- for the pregnancy help organizations. It's been reduced to \$2 million. I hope after I'm gone that you add \$2 million every single year thereafter until we do get to \$10 million, because this is some-- this is an organization-- these organizations across the state of Nebraska, there's like 26, maybe 28 of them that have done this all on just private donations. And they are helping the state of Nebraska in ways that I can't even begin to tell you by helping these people get jobs, by helping them further their education, by helping them get a car or a place to live. You know, this-- these organizations, I implore you over the weekend, over the 4-day weekend to go take a look at the testimony last year from every one of those organizations that came to talk about the lives they've saved, the mothers that they've helped bring through this, the families that didn't think it would be-- they would be capable of having one more child. You need to go out and read the testimony on this because, you know, we went through this the right way. You know, it had a hearing, we had testifiers. But when you come to this point on the floor and people want to put things in your bill that completely changes the, the trajectory of what would-- what this will do, I'm not going to allow somebody to put in LB606 that they are able to refer or recommend abortion. That is not what they do. That is not what they do. And there's no way that, that I would see it fit that that money go toward that. And people know how I feel. I've felt this way my whole life. I will not change. You know, the idea of fighting for the unborn or for the mothers or for the children of our state or the families. You know, we all stand here for a reason to get done what we need to get done. But to think that this bill should not be a part of this package, this package is over about \$15

million and we have \$20 million coming to the floor. Hey, we-- it might even be scratched in the end, but I'm supporting the bills that are in this. I kicked them out of committee. There's one person on the floor that didn't kick any of it out. We need to wake up and understand that this is a great organization. You know, the credits that are going to go toward it, whether you're pro-life or pro-choice, you have to agree that every woman needs help. Every woman needs to be counseled when they're at that stage of the game, needing to know whether she should go one way or the other. I've seen the impact of the women in the families, in the communities. These, these organizations are well respected wherever they're at by their communities. That's why they've been able to stay open helping these women. You know, there's a lot of organizations out there that get tax credits. And I'm telling you this, this one should be at the top of the list. And for people to get to decide where their money is spent because they're still supporting Nebraskans, they're still supporting our budget, but they have a say in where their money goes. Again, I just implore--

ARCH: One minute.

ALBRECHT: --my fellow colleagues to know what, what LB606 will do for the communities, for the women, for the mothers, for the families, and most important, for the unborn, that they will have a chance at life because we're, we're going to support them as much as we can. Thank you, Mr. President.

ARCH: Senator Moser would like to recognize a guest, Mark Stock, from Columbus, Nebraska, who's located under the south balcony. Please rise and be welcomed by your Legislature. Senator Dorn, you are recognized to speak.

DORN: Thank you, Mr. Speaker. And, colleagues, I haven't gotten up and talked in quite a while since, I call it, our tax package yesterday or whatever. But I wanted to make a few comments on number one is, appreciate you guys all talking about this bill. We're, we're using time up. I wish Senator Machaela Cavanaugh didn't always do this. I wish she would have left her motion up there. Unless you guys find some funding and unless you guys really paid attention to what Speaker Arch said this morning about our funding, and I'm going to go over that, this bill doesn't matter. This bill won't go nowhere unless you come back and bring us some funding sources back. I agree with many of the programs, many of the bills in there. In Appropriations, we look at the net revenue coming in. We get to know what the net revenues

are, and then we start lining up what can be appropriated or whatnot. And on the green sheet, it's page-- it's number-- line item 31. And you need to go down there and look at our minimum reserve. We're required to maintain that minimum General Funds. So in Appropriations, we know what the net receipts are. We have the Governor's proposals in there. And then we start appropriating. When we came to the floor, we got, I call it, raked over the coals by bringing back some of those funds, some of those accounts or whatever. We don't bring back those accounts, there would have been 200, \$240 million less in funding for the floor, just so you understand that a little bit. That minimum reserve, we came to the floor was \$62 million in 2 years out. And I've told you before that those second 2 years, those are plugged-in numbers. But we have to use those plugged-in numbers. You turn to the next 2 pages or 2 pages later and Speaker Arch talked about it this morning. We have bills on Final Reading and we have bills on Select File. And you go way over to the right on the top of the page, that third page, you go way over to the right and that number says a \$-369 million. What that means is we have bills that are using that \$62 million, what we came to the floor with, and another \$369 million, over \$400 million. If we pass everything that has an A bill in its present form, we are \$400 million below our minimum reserve, or we're a negative number when you look on the front page. So, people, I agree with you very, very much. There's a lot of programs out there that we would love to fund. They have a very good purpose. Long term we need to fund some of those. But I don't think people in the body here are really getting the concept that there is no money, because we do not get to go under that minimum reserve. We have to come back up to that number yet somewhere along the line. So there are going to be many bills that maybe we pass them here, maybe we pass them on the floor. I'm not going to speak for the Governor. I don't know what he's going to veto or anything like that, any bills. But if you guys want to come back the 60th day, there will be some bills most likely vetoed and we'll get to take them up on the 60th day. Many people have worked hard. They have found revenue. They have done what the Appropriations Committee and the Governor has done by bringing back some funding, finding funding somewhere else. Many of these bills are going to have to have that or they're not getting passed. The realization is we are--

ARCH: One minute.

DORN: \$369 million negative, negative below our minimum reserve. You guys can talk about this bill all you want to. You can argue whether or not there's 9 good bills and 1 bad bill or whatever is in there.

Without some other funding, without some other way to pay for those other 9 bills, even if we pass this with those 9 bills, when we come back here and start voting on Select and Final, if you pass those, we are not doing our duty as a Nebraska state Legislature. We are not being responsible for our funding. And the one thing the Governor is very adamant about is we need to decrease spending. And then we stand here and we pass these bills that include all of this spending. Thank you, Mr. Speaker.

ARCH: Senator Blood, you are recognized to speak.

BLOOD: Thank you, Mr. President. Sorry, I was in the hallway. Fellow senators, friends all, I think the discussion we have had today is a legitimate discussion. I don't think it's about wasting time. I think it's about negotiating and getting what's going on right. I'm glad that we decided to divide the question, because I think the thing that irritates people the most are clearly the emergency pregnancy centers. We want to make sure that when we are utilizing tax dollars and we are still utilizing tax dollars when we're doing this, when we give breaks to people for donations, that we are working with organizations that are in the forefront with honesty and integrity and accurate marketing. And as you heard on the mic yesterday, that has not been the case, that there was a statewide study done. Again, the F-word, facts. There has been facts and data and research that show us that this is not a good investment with our tax dollars. And we can say, well, this is one more resource for moms. But, you know, there is a reason consumer protection laws were put into place. You know, snake oil salesmen like, hey, if you drink this cocaine that we have in Coca-Cola, you are going to feel energized and you are going to feel like you can get lots more work done and we guarantee it's not going to hurt you and it's not addictive. And you need to drink that Coca-Cola. That was a long, long time ago, by the way. We put consumer protection laws in place for a reason. We ask that people not promote things that can be dangerous. And that's exactly what we're doing right now. We know that out of all of the different clinics that we talked about yesterday through the report, that only 2 or 3 actually said that they were not medical facilities, not medical facilities. And a lot of the young women that are in crisis don't know that. We also know that some of them were documented, as you heard Senator Hunt say earlier, as being asked to put off needed care. Some were told that they might just spontaneously have a miscarriage and all will be right with the world. It is not fair to risk somebody's life through false marketing because you have a specific cause. We've talked about this on other bills this year. Women are more than vessels that carry

your babies. They are human beings. They are people. And they deserve to have good choices that are backed by the medical community and the ability to make decisions about their own reproductive healthcare. But you cannot make sound decisions unless you are given accurate information. And that's why these clinics concern me. This is not an abortion issue. This is a healthcare issue. And this is about having the right information to make the right choices. Just imagine all the surgeries that go on in Nebraska in a day. Heart surgeries. Right? Amputations, kidney surgeries. How many hundreds, if not thousands of surgeries--

ARCH: One minute.

BLOOD: --are happening as we speak? Now imagine allowing a doctor to do that surgery without ever knowing why, the how and the risks that are involved. That's what we're talking about. If we have compassion for these mamas, they need to have the right information and they need a medical environment. Thank you, Mr. President.

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

JACOBSON: Thank you, Mr. President. Well, I just want to rise and, and express my opposition to LB3187 [SIC]. And frankly, I'm at a point right now where, as Senator Dorn had accurately pointed out, we're running out of money, folks. We really have \$20 million to the floor. We got a lot of bills out there. There's a lot of bills on Select. There's a lot of bills on Final. And many of those have a fiscal note of some kind. I appreciate the fact that Senator Albrecht has reduced the fiscal note on LB606 from \$10 million to \$2 million. But let's also keep in mind, I know we, we talk a lot about tax credits, and we talk about tax credits versus appropriations. Well, if it's 100% tax credit, it is an appropriation, OK, because it's 100% expense, OK, to the state. And, and so if you have a negative revenue on the fiscal note line, that is an expenditure. That's money that the state's got to pay for. I fully support LB606. I think LB606 is necessary. I think it's something we should do. But if we're going to go amend this out to open it wide open, I'm adamantly opposed. And frankly, I'm at a point right now if we're going to filibuster this bill and then kick it to Select and filibuster it again, I'm a no on the whole thing. OK? Because we're at a point right now where we don't have the money to spend on these issues. Senator Dorn is exactly right. The Speaker was exactly right in what he said earlier today. And go talk to Senator Clements and ask him, as you look at the bills that we've already moved to Select and, and Final and what those fiscal notes are. We

have a lot of bills that come up every year, and it's, oh, we've got to pass it today. We cannot let one more year go by. But then how did we get by last year and how did we get by the year before and the year before and the year before? So at the end of the day, there will be next year and there will be opportunities to bring important bills back. This is the time in the session when things get squirrely. This is the time in the session when we start passing things that we don't know exactly what's in it, and we pass things to get it, keep it moving. And there's a point when you've got a bill that has opposition, which this one does, that it's time to jettison it. Come back next year with a bill that we can get our arms around and can support and have more time to work with and have a better opportunity of being able to properly fund it. But I am concerned right now, at this stage in the session we are, we're running out of time and we're running out of money. And I would hate to continue to spend time on bills that aren't going to pass by just simply kicking them to Select. So I'm a hard no on AM3107 [SIC]. I would support AM3205 and the underlying bill, but I don't think we're going to get there. And with that, I'm just concerned that the dollars aren't going to be there. Moving it forward isn't going to accomplish anything. It's probably time to move on. Thank you, Mr. President.

ARCH: Senator Linehan, you are recognized to speak.

LINEHAN: Question.

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

CLERK: 32 ayes, 1 nay to place the house under call, Mr. President.

ARCH: The house is under call. Senators, please record your presence. Those unexcused senators outside the Chamber, please return to the Chamber and record your presence. All unauthorized personnel, please leave the floor. The house is under call. Senator Armendariz, Senator McDonnell, please return to the floor. The house is under call. Senator Armendariz, please return to the floor. The house is under call. All unexcused members are now present. The question is-- Senator Linehan, the vote was open. Would you accept call-ins? Mr. Clerk. We are accepting call-ins on the motion to call the question.

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CLERK: Senator Moser voting yes. Senator McDonnell voting yes. Senator Bosn voting yes. Senator Hardin voting yes. Senator Meyer voting yes. Senator Bostar voting yes. Senator Dover voting yes. Senator Machaela Cavanaugh voting yes. Senator DeKay voting yes. Senator Vargas voting yes. Senator Murman voting yes. Senator Wayne voting yes. Senator Raybould voting yes. Senator DeBoer voting yes. Senator Wishart voting yes. Senator Walz voting yes. Senator Conrad voting yes.

ARCH: Mr. Clerk, please record.

CLERK: 37 ayes, 0 nays to cease debate, Mr. President.

ARCH: The motion is successful. Senator Bostar, you're recognized to close on AM3187.

BOSTAR: Thank you, Mr. President. AM3187 broadens the definitions within what is currently on the board is AM3205. It's the division from the Revenue Committee amendment. And it would include-- that would apply to any organization that supports pregnant women and new parents. It would continue to exclude organizations that provide, pay for, or cover abortions. And the amendment would also provide an exception to the 75% cap in government funding limit, specifically for domestic violence and trafficking programs in organizations and shelters, because they receive almost all of their money from government sources. So in order for them to be eligible, that would need to be the case. With that, I will just add that, you know, I've appreciated the debate on this. I appreciate working with Senator Albrecht. I, I enjoy serving on the committee with her. And sometimes we disagree on things, and that's how it goes. And that's, that's all right. But with that, I will ask for a roll call vote in reverse order. Thank you.

ARCH: The question is the adoption of AM3187. There's been a request for a roll call vote in reverse order. Mr. Clerk.

CLERK: Senator Wishart voting yes. Senator Wayne voting yes. Senator Walz voting yes. Senator von Gillern voting no. Senator Vargas voting yes. Senator Slama voting yes. Senator Sanders voting no. Senator Riepe. Senator Raybould voting yes. Senator Murman voting no. Senator Moser voting no. Senator Meyer voting no. Senator McKinney not voting. Senator McDonnell voting no. Senator Lowe voting no. Senator Lippincott voting no. Senator Linehan voting no. Senator Kauth voting no. Senator Jacobson voting no. Senator Ibach. Senator Hunt voting yes. Senator Hughes. Senator Holdcroft voting no. Senator Hardin

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voting no. Senator Hansen voting no. Senator Halloran. Senator Fredrickson voting yes. Senator Erdman. Senator Dungan voting yes. Senator Dover voting no. Senator Dorn voting no. Senator DeKay voting no. Senator DeBoer voting yes. Senator Day voting yes. Senator Conrad voting yes. Senator Clements voting no. Senator Machaela Cavanaugh voting yes. Senator John Cavanaugh voting yes. Senator Brewer voting no. Senator Brandt voting no. Senator Bostelman voting no. Senator Bostar voting yes. Senator Bosn voting no. Senator Blood voting yes. Senator Ballard not voting. Senator Armendariz not voting. Senator Arch not voting. Senator Albrecht voting no. Senator Aguilar voting no. Senator McKinney voting yes. Vote is 17 ayes, 24 nays, Mr. president, on adoption of the amendment.

ARCH: The amendment is not adopted. Mr. Clerk. I raise the call.

CLERK: I have nothing further at this time, Mr. President.

ARCH: The question is the adoption of AM32-- I'm sorry, I didn't see her. Senator Hunt, you're recognized to speak. Senator Hunt waives, waives the opportunity. Senator Linehan, you are recognized to close on AM3205.

LINEHAN: Thank you. I just want to say one thing quick. I know when you look at all the fiscal notes in this, that it's too much money. And we see every bill in here doesn't match its original fiscal note. At least that's my recollection. So that will-- we will have a different fiscal note once we get this amendment attached, get it past General. Thank you very much.

ARCH: Question before the body is the adoption of AM3205. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: 28 ayes, 15 nays, Mr. President, on adoption of AM3205.

ARCH: AM32-- 3205 is adopted. Mr. Clerk, next item.

CLERK: Mr. President, the second division, AM3206, containing the remainder of the contents of the original committee amendment.

ARCH: Senator Linehan, you are recognized to open.

LINEHAN: I would ask for your green vote. This is the rest of the bill. Thank you.

ARCH: Mr. Clerk, for an amendment.

CLERK: Mr. President, Senator Brandt would move to amend with AM3260.

ARCH: Senator Brandt, you are recognized to open.

BRANDT: Thank you, Mr. President. Yeah, it's the rest of the bills plus this one I hope. This is a very simple, small bill that we had hoped to put on consent or a Speaker priority. And what this bill does, it's about Ethanol Board funding and they have their own cash fund. And what happened at the last minute was there was a fiscal note popped up for computer programming, but the-- we generate \$60,000 a year. So I'm going to read this because my LA did this, should take about a minute and a half. The Agricultural Alcohol Fuel Tax Fund was established in 1971, and it's a funding source used by the Nebraska Ethanol Board to carry out a statutory mission and duties. The Nebraska Ethanol Board is an independent cash-funded state agency working to develop the renewable fuels industry in Nebraska. Today, the AAFTF was funded through an excise tax of 1.25 cents per gallon of denaturant purchased by an ethanol producer. For now, I will provide a little context for those not familiar with the process of denaturing alcohol. Since the very beginning of the United States ethanol industry, producers have been federally required to ensure that their ethanol is unfit for human consumption. This practice is called denaturing and is typically accomplished by mixing the ethanol product with natural gasoline, a substandard, low-cost gasoline. As a result of this practice, the original statute for the AAFTF was origin-- was narrowly encompasses natural gasoline. Over time, the requirements surrounding the practice of denaturing ethanol have changed by way of the amount, method, location, and type of denaturant that is allowed to be used. In summary, ethanol producers are utilizing new denaturants that aren't specified in existing statute and in certain markets, and may now denature ethanol at destination ports and terminals as opposed to on site. These 2 changes have created a regulatory environment where select ethanol producers no longer remit to the AAFTF, whereas the vast majority of them still do. This amendment updates existing statute to reflect these new practices, first, by expanding the list of denaturants, including those produced from renewable sources, and assessing the same 1.25 cent per gallon rate across 2% of sales of undenatured ethanol sold that is unfit for human consumption. And this bill also includes some cleanup by realphabetizing definitions and repealing old provisions of the ethanol producer incentive cash epic fund which sunsetted in 2012. The bill was voted out of committee 8-0 and I thank Senator Bostar for allowing me to attach this to AM3208. And I just received a note about what the cost is on this. The only cost on this bill is to reprogram

the computer, and it's internal to the ethanol industry. And what they're doing right now is they are taxing themselves on denaturant at 1.25 cents. And when they wrote the original bill, like 20 years ago, they had very limited denaturants. And today there's a denaturant called Namf [PHONETIC], that wasn't included. And by including that, they can get their funding back up to where it used to be. So they are self-funding themselves. So I hope that clears it up for everybody. Thank you.

ARCH: Mr. Clerk, for a motion.

CLERK: Mr. President, Senator Machaela Cavanaugh would move to bracket the bill until April 11.

ARCH: Senator Cavanaugh, you're welcome to open.

M. CAVANAUGH: Thank you, Mr. President. So clearly, we don't want to help pregnant women that are at domestic violence shelters because that's what the amendment that Senator Bostar brought would have done is allow them to also benefit from the tax credit that only crisis pregnancy centers can now benefit from. So that's great. It didn't take away from crisis pregnancy centers. It just expanded it to include domestic violence shelters that also serve pregnant women. And being pregnant and in a domestic violence situation is really at a very, very dangerous time for women. So that's unfortunate. But I guess we thought there was 25 people that would support it. There were only 17. It's also unfortunate that 28 or so people would vote to put an amendment into somebody's priority bill that they opposed. But I guess as long as the person whose bill it is, is a Democrat, it's fine to do that. I think if we try to put something into somebody else's bill that they opposed, there would be just an uproar and outcry about it and it would get pulled. The amendment would get pulled. But we are becoming a very partisan body so. I have some information on domestic violence, so local and national facts on violence. This is from the domestic sexual violence and the workplace employee toolkit from the Women's Fund. So experience some form of sexual violence during their lifetimes: 1 in 2 nonbinary individuals, 1 in 3 women, 1 in 6 men, more than 20%, 7% of women and 11% of men experience sexual violence, physical violence, and/or stalking by an intimate partner in their lifetimes. The impact of violence on victims and survivors, mental, emotional. That's depression, anxiety, PTSD, fatigue, nightmares, extreme emotional stress including anger, fear, sadness, embarrassment, distrust of themselves and others, memory loss. Then there's the physical: chronic pain, digestive problems, brain

injuries, injuries, STDs, unintended pregnancy. Then there's the behavioral: tardiness, self-harm, substance abuse, inability to concentrate, changes in eating or sleeping, easily startled. 16,240 is the number of people who received direct services from domestic violence and sexual assault programs in 2016. Well, we wouldn't want to help out 16,000 people, would we? 43,979 calls were made to local 24-hour crisis line. 1 in 6 women and 1 in 19 men have experienced stalking at some point during their lifetime. 19% of American adults and 27% of women experienced workplace sexual harassment in their lifetimes. Every month, 900, 900 individuals are sold for sex, often multiple times in Nebraska. Special populations: Sexual assault, stalking, sexual harassment, domestic violence, and sex trafficking affect all populations. However, certain people are at higher risk for experiencing victimization. Women, immigrants, people of color, indigenous people, people with disabilities, youth, youth missing from care, people in poverty, LGBTQ people, and trans people are all most likely to experience victimization and face greater barriers to seek care and support. Sexual violence: This is a quote from a survivor. I lived in a world where I thought that rape would never happen to me. The guilt, isolation, lack of family support, raised eyebrows, sleeping with the lights on, years of counseling, and feelings of not knowing if this guy was around the next corner. I tell survivors, don't try and go it alone. Don't ignore the feelings inside. They will come back to haunt you. What is sexual violence? The term sexual violence refers to sexual contact, contact or behavior that occurs without the explicit consent of the victim. Whether attempted or completed, any of these examples constitute sexual assault. Examples of behavior: nonconsensual oral, anal, vaginal, or digital penetration of the victim's body, also known as rape; forcing a victim to perform sex acts such as oral sex, touching the perpetrator or penetrating the perpetrator's body; unwanted sexual conduct, including intentional touching of the victim or making the victim touch the perpetrator either directly or through the clothing on the genitalia. It goes on: noncontact, unwanted sexual experiences, including unwanted sexual incidences that are not physical, that occur without the person's consent. Examples include unwanted exposure to sexual situations, threats of sexual violence to accomplish some other end, and unwanted filming or disseminating of sexual photographs of another person. Anyone can commit sexual assault, but most perpetrators are someone known to the victim. Approximately 7 out of 10 assaults are committed by someone known to the victim, like intimate partner sexual violence or acquaintance rape. What is consent? Consent is when someone freely gives permission, agrees to, or says yes to sexual activity with

another person or persons. For an activity to be consensual, all people involved must be able to freely consent to the sexual activity. Consent is an ongoing conversation, and partners should continually check in with each other throughout sex to make sure that their partner is still consenting. Consenting to one another to one activity does not mean you consent to all activities. Consenting to an activity at an earlier time does not automatically indicate that you consent again. At times, sexual conduct may be sexual violence, but the criminal justice system might not recognize it as sexual violence based on criminal statutes. Consent looks different depending on the individual's relationship, previously established boundaries, etcetera. Because of this complexity, it is impossible to concretely define what consent looks like across all interactions. The chart below includes examples of consent and nonconsent. However, this chart is not all-inclusive list of indicators. Some of these examples might not apply to specific situations. Possible indicators of consent: yes, let's try it, that feels awesome, I'm enjoying this, I want to keep doing this, head nod or other body language. Possible indicators of nonconsent: no, maybe later, I don't want to do this, silence, pushing away, turning head or body away, physically nonresponsive. Possible indicators that someone is not able to consent: either they are intoxicated, under the influence of drugs or alcohol, they are incapacitated, there is a power dynamic, teacher/student, employer/employee; their partner threatens them; their partner coerces them, i.e. threatens to tell lies about or break up with them, use language like don't you want to make me happy, etcetera. Stalking. How much time do I have left, Mr. President?

ARCH: One minute, 30.

M. CAVANAUGH: OK. Stalking. This is a quote from a survivor. I was completely mortified by the rumors my stalker had spread about me flying at work and felt really helpless. I felt like the more I denied them, the guiltier I looked. I didn't know how to stand up for myself, and I didn't understand that I was being stalked and harassed because a lot of behavior looked like things that our culture depicts as romantic: the flowers, the incessant attention, the refusal to heed my request to stop. I still believe that these were all--

ARCH: One minute.

M. CAVANAUGH: Thank you. I still believed that these were all normal things that men did when they really wanted to win someone over. I, well, since I have less than a minute, I will stop there and I see

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that Senator Bostar's in the queue to speak. So we can do that and then move on. Thank you.

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

BOSTAR: Thank you, Mr. President. I rise just to mention briefly on AM3260 that that is a friendly amendment. Senator Brandt and I talked a little bit about his bill. It's, it's a pretty simple piece of legislation. Really just an update. And I think in the end, it has a net positive result on our General Fund or our state revenues, I'll say. So with that, that amendment is friendly. And I would encourage your support of AM3260. Thank you, Mr. President.

ARCH: Seeing no one in the queue, Senator Cavanaugh, you're recognized to close.

M. CAVANAUGH: Thank you, Mr. President. I have been informed that there are some amendments pending that people would like to get to. And I hope that people paid attention to Senator Bostar in his support of the pending amendment right now. So I am going to withdraw my motion. Thank you.

ARCH: Without objection, so ordered. Seeing no one in the queue, Senator Brandt, you are recognized to close. And he waives close. Question before the body is the adoption of AM3260. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: 34 ayes, 0 nays, Mr. President, on adoption of AM3260.

ARCH: AM3260 is adopted. Mr. Clerk, next amendment.

CLERK: Mr. President, Senator John Cavanaugh would move to amend with AM3116.

ARCH: Senator Cavanaugh, you're welcome to open.

J. CAVANAUGH: Thank you, Mr. President. I apologize. I didn't let anybody know I was going to put this up here. But I just had it sitting on my desk, and I thought this would be a really great contribution to this conversation. So, like I've said, I support a lot of things in this bill, and there's a lot of really good stuff in here. And I get it. There's expensive, some stuff that people think is too expensive and some stuff that other people don't like. And we've taken our votes on those parts. But this is your opportunity to support something that is universally loved and that is eliminating

sales tax on diapers. So I brought this bill, it was LB58, went to the Revenue Committee. It has a fiscal net of \$1.6 million. So there's that, but diapers we're talking about, you know, the Senator Albrecht's portion about helping folks, helping pregnant people, and helping people raise children and take care of babies. And there's nothing more quintessential to the raising of a baby than changing diapers. Anybody who's had kids-- today is my baby's 5th birthday. This is my youngest, my baby. And so he's out of diapers. We're into Pull-ups. But it is over the past decade of my life, purchasing diapers, paying sales tax on those diapers. And it's expensive, folks. Diapers are expensive. And sales tax adds to that burden for families raising kids. It's an additional hurdle for people being able to go to work because you need to have diapers at daycare. And so we have an opportunity to make it easier for families to take care of their kids. We have an opportunity to make it easier for people to go to work. We have an opportunity to improve the health of children and babies, and to help our most marginalized Nebraskans, our families who have kids who have low income, be able to more easily afford those essential necessities. We had a conversation yesterday about how people don't pay sales tax on things that are essential. Diapers are essential. You can't go to work if you don't have diapers for your kids. It's bad for kids' health to sit in dirty diapers. We have diaper drives all the time in the state for families, and they will tell you that if you don't have an adequate enough diapers, kids sit in dirty diapers longer, which causes health issues. So this is a simple bill. Eliminates the sales tax on diapers. So if you want to support new mothers and fathers, new parents, if you want to support babies, you want to help Nebraska families raise those babies, this bill does it. So I'm asking for your green light, your support on AM3116. And then ultimately, I guess we'll decide where we're at on the rest of the package. Thank you, Mr. President.

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

DORN: Thank you, Mr. Speaker. Would Senator John Cavanaugh yield to a question?

ARCH: Senato Cavanaugh, would you yield?

J. CAVANAUGH: Yes.

DORN: Could you go back over the fiscal note? I did not catch that. I thought you said \$1.6 million, but I'm not sure.

J. CAVANAUGH: So this would be-- it was originally LB58. The fiscal note is \$1,671,000 the first year, and \$2,578,000 the next biennium. I'm sorry. Next year. I'm sorry. Fiscal year '24-25.

DORN: '24-25.

J. CAVANAUGH: So actually-- so it'd probably be shifted back at this point with an updated amendment because this is a-- bill is a year old. So realistically, it'd probably be about, I'd say \$2.5 million in for-- as forgone sales tax every year if we adopt this year.

DORN: Every year. OK. Thank you. Thank you very much for answering questions. I, I got up earlier and spoke and I told myself I'm not going to sit there and do this anymore and let people-- I don't know if people heard me or not or understood where we're at on, on all these things. The-- this bill, LB937, has a fiscal note. I am supporting the bill. I, I will support AM3206 to get it to the point where and I don't know if I'll vote for this or not yet-- to get it to the point where we have a fiscal note on it, a legitimate fiscal note. Because when we come out with all these bills, it's very hard to work through them and try and figure out, yes, this is part of the fiscal note or not-- or not. What I want to go over, though, is a little bit here, and I don't know who, who has a green sheet in front of them, but we have what we call net receipts. And Senator Wendy DeBoer talked about our tax credits, what we give out or that we've allocated the last few years. That tax credit, it shows up in the biennium year of '24-25. If we do it right now, it will show up in that year and it will be decrease in revenue. So this, this bill here will be another \$1.6 million in appropriations though. This will be an appropriation instead of a decrease in revenue. But I don't know if everybody understands this. The part that you need to understand is we have 5 years listed here. We're doing that in '24-25. That is an ongoing expense. So we have \$1.6 million, easy math. We'll do \$1.5 million for this year. Next year it's another \$1.5 million and the third year over there, that way last line, that's also \$1.5. This is a \$4.5 million expenditure. Senator Albrecht, when she talked about hers and brought her bill from \$10 million down to \$2 million, yes, it's just \$2 million. But it's just \$2 million this year. It's also \$2 million next year and \$2 million the year after. So that's a \$6 million bill. So when you go over here and I talked about on the top of page 3 and when you look way in that right column and it is estimates for the following biennium, it includes that \$4.5 million and it includes the \$6 million. It doesn't include the \$1.5 or the \$2 million. So as this bill is moving forward and not only this one, but other bills, this

body has to come to the realization sometime that those funds are not available. I'm OK with this. I'm OK with funding for diapers. I'm way past that stage, but I'm OK with it. But you tell me where the revenue is coming. Yeah, I did get to do with my grandkids I did, but I'm-- not no more here for me and stuff. I'm past that stage. Thank you. But you tell me where the revenue-- you tell me where the receipts, where are monies coming from to pay for those? 'Cause when we approve something here, we don't approve just a \$1.5 million or a \$2 million expenditure. We now have 2 more years added on to that--

ARCH: One minute.

DORN: --or that third column out there, which will be very important next year, which we have to live by will also show that. And that is also the same things with these tax credits. It decreases our revenue this year. So in essence it is an appropriation. It's not. It's a decrease in revenue. We're taking that many dollars less in revenue. We know we're going to allocate that. But what that does is that's an ongoing one. So it is not just year 1. It's also year 2 and year 3. And when we do projections out there in the budget, you also have to project out for those next 2 years. Or when we do it next year, it'll be out for the next 3 years because it's a 4 year, 2 years plus 2 years. Those numbers add up. So this is very important. And I-- I'm going to try and get up and talk every time so that when we get to these bills, some of them on Select--

ARCH: Time, Senator.

DORN: --and some of them on Final, and if there's not revenue coming forward with these bills--

ARCH: Time, Senator.

DORN: Thank you.

ARCH: Senator Meyer would like to welcome 36 fourth grade students from Centura Elementary in, in-- from Cairo. They are located in the north balcony. Please rise and be welcomed by your Legislature. Senator Albrecht, you're recognized to speak.

ALBRECHT: Thank you, Mr. President. Would Senator John Cavanaugh yield to a couple quick questions?

ARCH: Senator John Cavanaugh, will you yield?

J. CAVANAUGH: Yes.

ALBRECHT: First of all, I'd like to ask, are any other states doing this?

J. CAVANAUGH: Other states do have their elimination of sales tax on diapers. Yeah. I don't have-- I don't know them off the top of my head. I, I wasn't necessarily prepared for-- to put this on here.

ALBRECHT: And I supported you--

J. CAVANAUGH: I appreciate that.

ALBRECHT: --when you brought it up last time. And I support you now. I also need to know, would adult diapers be included in this?

J. CAVANAUGH: This does include adult diapers as written. I've had a few-- I've had a few folks talking to me about that, and.

ALBRECHT: That's just as important as others are. So with that, I do rise in support of LB or AM3116 and AM 3206 and LB937. Thank you, Mr. President.

ARCH: Senator Blood, you are recognized.

BLOOD: Thank you, Mr. President. Fellow senators, friends all, I stand in support of Senator Cavanaugh's amendment. But I would ask that he yield to a question for some clarification.

ARCH: Senator John Cavanaugh, will you yield?

J. CAVANAUGH: Yes.

BLOOD: First of all, Senator Cavanaugh, I believe there's 24 states that don't tax diapers just for your FYI.

J. CAVANAUGH: Thank you.

BLOOD: Did you mean for this to also be adult diapers?

J. CAVANAUGH: I would tell you, when I wrote it originally, I did not. But when I did bring it and file it, I heard from the adult diaper folks and they were very excited about it. And I said, oh, great.

BLOOD: Yeah. Because it says diapers means absorbent garments worn by humans, not puppies or anything, who are incapable of or have

difficulty controlling their bladder or bowel movements. And so does the fiscal note reflect that it is both adults and children?

J. CAVANAUGH: It does.

BLOOD: OK. I had heard some people mumbling around about it, so I thought we better clarify that. And I didn't see any amendments that said otherwise. My only regret-- well, there's several regrets-- of my last 8 years is that I was never able to get breast pumps, the tax included. That was one of my first bills in the Legislature. And that was when the first 2 years where it was death by fiscal note. And so Senator Linehan was actually nice enough to allow me to amend the parts of the bill that pertain to breastfeeding out of it. And we never did get back around to revisiting the breast pumps. But I'm glad you're doing the diapers. The more we can do for the mamas, the better. So thank you for that, Senator Cavanaugh.

J. CAVANAUGH: Sure.

BLOOD: And with that, I would yield back any time to the Speaker.

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

BOSTAR: Thank you, Mr. President. So after talking to some folks on the Revenue Committee, I want to say that AM3116, Senator John Cavanaugh's amendment, is a friendly amendment. But there's obviously caveat on that. And I appreciate Senator Dorn getting up every 5 minutes to talk about the green sheet and that is that, here's how it works, especially for the Revenue packages. And I understand that this looks like it's just, you know, a Bostar bill. But as Senator Linehan spoke about earlier, this is just one of the Revenue packages that exists. It was turned into that. We take our bills, we make modifications as they go out with the committee amendment. We advance them to Select File. We get updated fiscal notes for the bills within the package. And from that point, once everything is moved there and we have updated information, we look and see what's possible, what needs to get removed, what needs to get cut, what needs to get trimmed down, what needs-- where we need to source additional funds. We make all those decisions on Select. That's how we've been doing it year over year. So far, we haven't driven the state into the red. So I hope everyone has the confidence that we can do that again. Additionally, the Revenue Committee has additional packages, one of which will come to the floor, and it will add money. It'll bring money to the floor. So of course, we need to be mindful of our spending. Of course we have

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to have a balanced budget. Of course the numbers will have to line up. It's not that-- I can-- I can only speak for the committee that is, is up here. On the Revenue Committee, we're all aware of that. We know we have to do that and that will be done. So I appreciate the anxiety. But I want to offer some reassurance that we're not-- that we know how to do the math on this too. Thank you, Mr. President.

ARCH: Seeing no one in the queue, Senator John Cavanaugh, you are welcome to close.

J. CAVANAUGH: Thank you, Mr. President. Thank you, colleagues, for the conversation. And I would point out, I really appreciate Senator Albrecht speaking on this. And I did know that she was supportive of this idea. And I think it's a great example of, you know, Senator Albrecht and I have been on different sides of many issues. But we share a passion for taking care of our youngest, most vulnerable folks. But she also raised a good point about adult diapers being important as well. And I would say I brought this bill originally because I discovered we were taxing diapers, and I thought that was wrong. And I didn't-- it didn't even occur to me in my own, you know, I guess, perspective to think about adult diapers. And when I found out about it, that was raised to me as a really important issue as well. And so I appreciate the conversation. I would ask for your green vote on AM3116. Thank you, Mr. President.

ARCH: Question before the body is the adoption of AM3116. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: 31 ayes, 4 nays on adoption of the amendment, Mr. President.

ARCH: The amendment is adopted. Mr. Clerk.

CLERK: Mr. President, I have nothing further at this time.

ARCH: Senator Linehan, you are welcome to close on AM3206. Senator Linehan waives close. Question before the body is the adoption of AM3206. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

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

ARCH: The amendment is adopted.

CLERK: I have nothing further, Mr. President, on the bill.

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ARCH: Senator Bostar, you're welcome to close on LB937.

BOSTAR: Thank you, Mr. President. I'll be brief. I appreciate all of the contributions that have gone into this dialogue, and I would encourage everyone to please support LB 937. Again, when it gets to Select, decisions will be made on this. But I appreciate the opportunity to get there. Thank you very much.

ARCH: Question before the body is the advancement of LB937. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: 40 ayes, 0 nays on advancement of the bill, Mr. President.

ARCH: LB937 advances to E&R Initial. Mr. Clerk, next item on the agenda.

CLERK: Mr. President, LB937A introduced by Senator Bostar. It's a bill for an act relating to appropriations; appropriates funds to aid in the carrying out of the provisions of LB937. The bill was read for the first time on March 25 of this year, placed directly on General File.

ARCH: Senator Bostar, you're welcome to open.

BOSTAR: Thank you, Mr. President. So as I mentioned previously on the bill, the underlying bill, LB937 was cut down in the committee amendment to 2.5. So this isn't representative of that. Also the committee amendment itself added a bunch of things that were also amended. So once we get to Select, we'll have a better idea of what this is. But this is the A bill for the previous legislation. Thank you very much.

ARCH: Seeing no one in the queue, you're welcome to close. Senator Bostar waives close. Question before the body as the advancement of LB937A to E&R Initial. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: 38 ayes, 1 nay on advancement of the bill, Mr. President.

ARCH: LB937A does advance, Mr. Clerk, for items.

CLERK: Mr. President, your Committee on Enrollment and Review reports LB130A as correctly engrossed, excuse me, LB130A and LB204A as correctly engrossed, placed on Final Reading. Your Committee on Enrollment and Review also reports LB126, LB 1027, LB1051, LB874,

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LB1335, LB20, LB71, LB71A, LB1306A, LB1329A, LB1344A to Select File, some having E&R amendments. Your Committee on Health and Human Services, chaired by Senator Hansen, reports LB982 to General File with committee amendments. Amendments to be printed: Senator Walz to LB1329; LB1370 from Senator Blood; Senator Clements amendment to be printed to LB1067; Senator Murman, LB1331. Additionally, bills read this morning on Final Reading were presented to the Governor on March 28, 2024 (Re LB1188, LB857, LB857A, LB607, LB644, LB644A, LB834, LB839, LB894, LB906, LB1004, LB1102, LB1204, LB1204A, LB1215, LB1313, LB851, LB877, LB998, LB1118, LB1143, LB1162). Additionally, Mr. President, noticed that the General Affairs Committee will meet in Executive Session under the south balcony at 2:00; General Affairs under the south balcony for an Exec Session at 2:00. As it pertains to the agenda, Mr. President, General File, LB1073 introduced by Senator Slama. It's a bill for an act relating to the Third-Party Administrator Act; changes provisions relating to onsite audits of the operations of third-party administrators, and repeals the original section. The bill was read for the first time on January 9 of this year and referred to the Banking, Commerce and Insurance Committee. That committee placed the bill on General File with committee amendments. There are additional amendments, Mr. President.

ARCH: Senator Slama, you're welcome to open on LB1073.

SLAMA: Thank you, Mr. President, and good afternoon, colleagues. LB1073 contains the provisions of LB1073 and also the provisions of other bills that were heard by the Banking, Commerce and Insurance Committee. All remain a part of this committee package on an 8-0 vote. First up, the baseline bill, LB1073. It's my bill. It's the Banking, Commerce and Insurance Committee priority bill. It was brought to me by the Nebraska Insurance Federation. It removes a requirement for an insurance company to perform an onsite audit of a third-party administrator, commonly referred to as a TPA, that administers benefits for the insurer. Under current law, an insurer is required to perform semiannual audits of the operations of TPAs, one of which must be on site. The onsite requirement is replaced with a safeguard that the Director of the Department of Insurance may require the insurer to perform an onsite audit, presumably if issues arrive with the TPA's administration of the insurer's benefits. The semiannual audit requirement will remain. Some TPAs have shifted to work-at-home status, hybrid or virtual work, making statutory compliance with an onsite audit impossible in some situations. Nebraska is one of the final 10 states to have this antiquated in-person statutory requirement. In addition to LB1073 will also be having a committee

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amendment and an amendment to the committee amendment. But for right now, I will be keeping the long and storied tradition of the Banking, Commerce and Insurance industry-- Committee and doing a round robin of the different bills that are included in this package. I see Senator Ballard is on the floor. Senator Ballard, would you yield to a question?

ARCH: Senator Ballard, will you yield?

BALLARD: Yes.

SLAMA: Senator Ballard, would you mind telling me a little bit about LB1227?

BALLARD: Yes. LB1227 seeks to remove unnecessary limits on how professional employee organizations and their health plans-- and their health plans. PEO provides human resources development and service for employers. These services include a payroll benefit and tax administration and regulatory compliance assistance. These organizations also allow businesses to access benefits as retirement plans, health, dental, and other benefits that the business may have difficulty providing on their own. Under the current State Professional Organization Registration Act, a PEO is not allowed to offer and cover employees any health benefits which are not fully insured by the authorized insurer. This bill amends the statute to allow the PEOs to sponsor self-insurance plans and the compliance of registration requirements under current state and federal statutes. This change will add flexibility the PEOs need while maintaining protection in abuse and fraud in context in the self-insurance plan. LB1227 was amended-- was voted out of the Banking Insurance on an 8-0 vote.

SLAMA: OK. Thank you very much, Senator Ballard. You have another bill in this Christmas tree, do you not?

BALLARD: I do.

SLAMA: Fantastic. Would you mind telling us about LB873?

BALLARD: Yes. My second bill is a-- is LB873. It is a simple change to, to modernize real estate payments. The bill would make 2 changes. The first change will allow the change the definition of good funds relating to real estate payment, and include real-time and instant payment through the FedNow Service in Federal Reserve or through the RTP network or the Clearing House Payments Company, L.L.C. The 2

payment options, much like the current bank wire, operate on 24/7/365, offering real-time payments instead of the day and time limits of a current wire operations. The second change would increase the amount of good funds at closing agents and available pay at the time of closing from \$500 to \$5,000. Finally, the committee did add an amendment stating that the title insurance agents and make payments out of escrow settlements and closing accounts and funds receiving from the 2 instant payments and added by this bill.

SLAMA: Thank you very much, Senator Bost-- Senator Ballard. You've come a long way from pet insurance. So we have another senator with one step therapy bill in the BCI, insurance Christmas tree. Senator Hansen, would you be willing to yield to a question?

ARCH: Will Senator Hansen yield?

HANSEN: Yes.

SLAMA: Thank you, Senator Hansen. Would you mind telling us a little bit about LB1148?

HANSEN: Yes. This is probably the best bill in this package. So if everyone will pay attention, it would be good. I would like to thank Senator Slama for allowing the Banking, Commerce and Insurance priority bill, LB1073, to become the path forward for a piece of legislation I introduced earlier this year. People are often familiar with the term "biologic medicines." These types of drugs are often used to treat autoimmune conditions, diabetes, cancers and other diseases. They are grown with biological materials from plants, animals, various microorganisms, and humans. Stem cell treatments and drugs like insulin are considered to be biologic medicine. The FDA has very specific criteria that are met, and oftentimes they are heavily regulated and patented. This makes the price tag very costly. There is an alternative to biologics called biosimilars, synthesized medicines that are similar but less expensive. The FDA states that biosimilars are effective and safe. But Nebraska has inadvertently limited access to these affordable options because of the interpretation of federal laws. My bill, LB1148, which is a part of this LB1073, would expand the list of available options for healthcare providers to prescribe by including certain biosimilars that were previously restricted. This could save Nebraskans as much as \$112 million annually. LB1148 was amended into, into the committee amendment with an 8-0 vote, and there was no opposition at the hearing. I appreciate your green vote to committee amendment AM2568. Thank you.

SLAMA: Thank you very much, Senator Hansen. Senator Dover, would you be willing to yield to a question?

ARCH: Senator Dover, will you yield?

DOVER: Yes.

SLAMA: Fantastic. Thank you, Senator Dover. You've got a couple of bills in this Christmas tree, don't you?

DOVER: Yes.

SLAMA: Would you be willing to tell us about them?

DOVER: Sure.

SLAMA: Thank you.

DOVER: Yeah. LB1135, excuse me, prohibits the right-- the use of right to list home sale agreements. What's happening in other states is basically home sellers are being talked into signing purchase agreements, which then file a lien on the title, which can only be released upon payment of, of funds. And it's actually because it's made, recorded on the title and filed a lien at the courthouse, it just doesn't go away. So it's, it's just unfair trade practices. And speaking of unfair trade practices, that's exactly what the bill does. And also makes engaging in such activities a violation of Nebraska Deceptive Trade Practice Act. Another bill that I have up is LB1136. This is a very simple one for the Real Estate Commission. And basically it gives them the ability to raise their fines from \$2,500 to \$5,000. And also then we align the air and emissions insurance. These are now renewable every 2 years, which realigns that with the real estate license renewal, which also is every 2 years. So that way, realtors only have to renew their real estate license and their, you know, at the same time, once every 2 years. Thank you.

SLAMA: Fantastic. Thank you very much, Senator Dover. Senator Bostar, would you be willing to yield to a question?

ARCH: Senator Bostar, will you yield?

BOSTAR: Yes.

SLAMA: Thank you, Senator Bostar. You've got a few bills in this Christmas tree, correct?

BOSTAR: Yes, I do.

SLAMA: Fantastic. Well, last but certainly not least, would you be willing to tell us about them?

BOSTAR: I would, and thank you, Chair Slama. I'm going to start with LB1147, provisions of which were included in AM2568, which I guess isn't quite on the board yet. Legislation relates to a newer type of annuity entering the insurance marketplace that is defined in legislation as an index-linked variable annuity, but is commonly referred to as a registered index-linked annuity or RILA. RILAs are a type of variable annuity contract that is linked to the performance of a market index, such as the S&P 500, but it also includes a level of protection if the index performance goes negative, called buffers. RILAs are good options for individuals whose risk appetite falls between the traditional guaranteed fixed payment of the deferred fixed annuity and the deferred variable annuity, whose performance and value is directly tied to performance of investments. Nebraska's current annuity law does not contemplate the existence of RILAs, and LB1147 provides necessary guidance to domestic insurance companies on how to treat the assets held by the company for RI-- for RILAs. These statutory rules will allow companies to establish separate investment accounts for RILAs, while stating how these separate investment accounts will interact with investments, accounts and assets otherwise held by the insurance company. These rules ensure that the promises made by the company who will sell RILAs will be fulfilled in the future and provide direction to the financial examiners of the Nebraska Department of Insurance when--

ARCH: One minute.

BOSTAR: --reviewing the RILA separate investment accounts. The provisions of LB1147 will allow Nebraska domestic insurers to sell RILAs competitively to consumers all over the nation, including 2 Nebraskans. Legislation was amended the Banking, Commerce and Insurance Committee priority on an 8-0 vote. No opposition testimony. Legislation was supported by the Department of Insurance at the hearing, and I'll probably stop there and punch in.

SLAMA: Fantastic. Thank you very much, Senator Bostar. I appreciate that. I'll now kick it to the open on the committee amendment, if I may.

ARCH: You may open on the committee amendment.

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SLAMA: Fantastic. So we've had a summary of all the different bills that are contained in this committee amendment. All of them came out 8-0, were attached 8-0. This is your 8-0 insurance Christmas tree. My gift to the Legislature is a bit of a palate cleanser after what's been a really tough week. We also have an upcoming amendment to the committee amendment that contains cleanup language. Senator Bostsr, would you be willing to yield to a question?

ARCH: Senator Bostar, will you yield?

BOSTAR: Yes.

SLAMA: So on this upcoming amendment to the committee amendment, as I understand it, we've got 2, 2 language changes, LB446 and LB990 in there. Those are both yours. Would you be willing to tell us a little bit more about them?

BOSTAR: Yes, I would. So the provisions of LB990 in AM3085 addresses the definition clarification of health benefit plan. The revised definition ensures that the act applies to employer-sponsored plans and to self-funded employee benefit plans, to the extent not preempted by federal law. In addition, the amendment provides that any contract under the Medicaid Prescription Drug Act with a pharmacy benefit manager or managed care organization using a pharmacy benefit manager shall require any pharmacy benefit manager that is a party or otherwise subject to a-- subject to the contract to comply with the Pharmacy Benefit Manager Licensure and Regulation Act. This is just clarifying language within the PBM bills that we passed last year.

SLAMA: Fantastic. Thank you very much, Senator Bostar. I appreciate that. Before I wrap up my introduction of this Christmas tree, I would like to take a moment to thank my outstanding staff for helping put this together, for putting together outstanding summaries, coordinating different amendments. As you can imagine, when it comes to Christmas trees, it's sometimes a fun task to keep track of neutralizing different opposition, making sure the amendments are clean and ready to go. And I'm just really grateful to Sue Ellen, my AA; Tori, my LA; Joshua, committee legal counsel; and Natalie, committee clerk. Without their work, we would absolutely not be here today. So I'm just very grateful for them. And with that, I would encourage your green light vote on LB1073, the committee amendment and the amendment to the committee amendment. Thank you, Mr. President.

ARCH: Mr. Clerk, for an amendment.

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CLERK: Mr. President, Senator Slama would move to amend with AM3085.

ARCH: Senator Slama, you are recognized to open.

SLAMA: Thank you, Mr. President. I've already given my rundown of what's contained in this. There's a committee amendment, correct? Fantastic. All right. Thank you very much, Mr. President. I'm glad we were able to get that worked out. Like I said before, AM3085 are the minor language changes that Senator Bostar has outlined. We have the committee amendment that contains the bills we've already discussed. Everything's 8-0 and ready to go. So I'd encourage your green vote on LB1073. Thank you, Mr. President.

ARCH: Senator John Cavanaugh, for what purpose do you rise?

J. CAVANAUGH: I would request a division of AM3085.

ARCH: Senator John Cavanaugh, Senator Slama, please come forward. It is the ruling of the Chair that the-- it is divisible. And if the Clerk would please explain the division.

CLERK: Mr. President, the 2 divisions of AM3085, the first being Sections 1 to 15, a peer-to-peer vehicle sharing program. The remainder, the second division being the remainder of LB3085. The first amendment, first division up will be AM3285.

ARCH: Senator Slama, you are recognized to open.

SLAMA: Thank you, Mr. President. As we've reviewed, as Brandon very succinctly summarized, right now, we have a division between Senator Bostar's peer-to-peer bill language and then the rest of the committee package. So I will see if-- I'll yield my time to Senator Bostar if he wants to give us a quick refresh on what that language is.

ARCH: Senator Bostar, you're recognized.

BOSTAR: Thank you, Mr. President and Senator Slama. So the peer-to-peer part of this amendment is LB446, which closely follows the National Council of Insurance Legislators or NCOIL car sharing program, program model act developed at the national level. LB446 provides the initial regulatory framework for this industry in order to provide clarity and consumer protection for those participating in peer-to-peer vehicle sharing. The most important provisions include insurance requirements during a sharing period, and who has primary liability to ensure that a vehicle is always covered. This ensures

that the vehicle owner, the lien holder, and anyone that may be involved in an accident during a sharing period will be protected. In addition, the bill provides for recordkeeping requirements by the program, disclosure requirements by the program to vehicle owners and authorized drivers, responsibility for program-installed equipment, the treatment of vehicles subject to a safety recall, and licensing requirements for program drivers. LB446 ensures that we allow this industry to operate in a safe and effective manner, while making certain all participants are protected. Legislation was advanced by the Banking, Commerce and Insurance Committee on an 8-0 vote, and I would encourage your support for it. I'm going to listen to what some of the potential concerns are with these provisions, and I will respond accordingly. Thank you, Mr. President.

ARCH: Senator Cavanaugh, for what purpose do you rise?

J. CAVANAUGH: I object to-- well, it's AM3285 is not germane to AM2568.

ARCH: Senator Cavanaugh, please explain why you believe it's not germane.

J. CAVANAUGH: Oh, thank you, Mr. President. So how much time do I have for that explanation?

ARCH: Senator Slama. I'm sorry.

J. CAVANAUGH: I won't take a lot of time. I just want to make sure I-- if it's a minute or if it's 5 minutes. So OK, the germaneness rule, folks, this is-- I know it's late on the last day of a long week, and we got other stuff to do, but germaneness rule is Rule 7, Section 3(d). No motion, proposition, or subject different from that under consideration shall be admitted under color of amendment-- so we're talking about an amendment here-- any amendment that is not germane is out of order. Germane amendments relate only to the details of the specific subject of the bill, and must be in a natural, logical consequence to the subject matter of the original proposal. A nongermane amendment includes one that is related to a substantially different subject. So I appreciate the work of the committee. I really-- this is there's a lot of bills in here. And this is not any opposition to this bill in, in substance. It's an opposition to the fact that we have a lot of bills in here. But when-- oh, the board just went out-- but when there's so many bills in the underlying amendment and then we have an amendment to it that I couldn't find any

connection, any logical connection to it other than it comes out of the same committee. The underlying amendment, which is the committee package AM2568, deals with health insurance, smoking, therapy for prescription drugs, let's see, health coverage issues, payment methods for real estate, escrow, annuities, onsite audits for third-party administrators, employer welfare plans, professional employee organizations, and real estate sales. So there's about 10 bills in here. And this amendment that we're on, AM3285, deals with-- creates a new section to be called the Peer-to-Peer Vehicle Act. And it deals with allowing people to rent cars to each other, which I'm not opposed to. Again, that's not my problem, but I can't find any connection between that and this underlying bill. And so we-- obviously we're talking about Senator-- Speaker Arch talked about this earlier today. So that's my argument. I can-- I can pontificate about the argument later. But that's my general argument. There's nothing connected to this bill. In the underlying bill, there's nothing that is a nexus between these-- the proposal as divided out and the underlying bill. Thank you, Mr. President. I'll talk more later.

ARCH: Senator Slama, you're recognized to explain the germaneness.

SLAMA: Thank you, Mr. President. Good afternoon again, colleagues. I appreciate the discussion that Senator Cavanaugh has raised here. I would disagree with his assessment of the germaneness. This bill came out of the exact same committee as the rest of the ones in this Christmas tree. It also touches on the same chapters of law that other parts of this Christmas tree touch on. Therefore, I think it's a pretty clear, clearly germane amendment. And I would encourage, if there is a ruling in favor of the germaneness of this amendment, that we uphold that. Thank you, Mr. President.

ARCH: Members, I would rule that the amendment is germane to the bill. Senator Cavanaugh, for what purpose do you rise?

J. CAVANAUGH: To overrule the Chair.

ARCH: The ruling of the Chair has been challenged. Each member is allowed to speak once to the issue. Members may not yield time to one another. Senator Cavanaugh, you are recognized to speak.

J. CAVANAUGH: Thank you, Mr. President. Oh, there we go. Thank you, Mr. President. I apologize for yelling at the microphone there. Like I said, this is late into the day. I'm sure everybody is ready. But I again, this is not a specific attack on this amendment or this, this

idea itself. It's this problem is we are getting a little too fast and loose with our attempt to move things. Everybody, we're in the end here, and we want to get things passed. And we're all really excited, and I, I appreciate that and I appreciate Senator Bostar's work on this bill. I know he's done-- worked on this for years now. And the committee put together this large raving-- roaming package. But the reason my antenna went up on this was that this underlying bill has so much substance in it, and I could not find something that this particular section was germane to. Because I understand it came out of the same committee. That in and of itself is not enough to make something germane. So-- and I understand that it has other sections that it touches on that are touching on the same sections as parts of the underlying bill, but that doesn't make it germane. Again, germaneness, the definition is it has to be related only to the details of the specific subject of the bill and must be in the natural and logical sequence of the subject matter of the original proposal. The original proposal, which is not on the board anymore, is the underlying committee amendment, which has about 10 bills in it. And those 10 bills, none of them deal with car rentals, car insurance, or peer-to-peer car transactions. There's nothing that you would not read this underlying bill and say, oh, I think a car rental bill would go in here. So it's, it's pretty straightforward on that. This bill has a lot of stuff in it. None of them are in-- is a peer-to-peer car rental in the logical natural sequence derived from that. So I would ask for your green vote to overrule the Chair. And then we can all move on to our Easter weekend. Thank you, Mr. President.

ARCH: Senator Slama, you are recognized to speak.

SLAMA: Thank you, Mr. President. I pretty succinctly stated my case. This bill came out of the exact same committee, touches on Chapter 44, which is touched on by several other bills in this package. As Senator Bostar is going to very eloquently repeat, this bill also touches on insurance. This is the insurance Christmas tree bill. So it's a pretty clear-cut case for me. I understand there are people in the Rotunda that have heartburn over the bill. Again, this came out 8-0. Senator Bostar has done a wonderful job to neutralize opposition. I do not support using procedural shenanigans-- I hate myself for saying shenanigans-- to try to prevent this amendment from being attached. If Senator Cavanaugh opposes the bill being attached, he should argue that the amendment not be adopted. But in this case, I think there's a very clear-cut germaneness argument in favor of keeping Senator Bostar's bill on the package. And with that, I will yield my time to

Senator Bostar. Oh, I can't yield my time. I'm sorry. Senator Bostar will have his chance to make his case. Thank you, Mr. President.

ARCH: Senator Bostar, you are recognized.

BOSTAR: Thank you, Mr. President. So I don't think that there's any current debate regarding whether or not the underlying bill, the underlying committee amendment, represent an insurance package of legislation. I think that it seems to even be established by Senator Cavanaugh that what we're talking about here is insurance legislation. And so the question is, is the provisions of LB446 represented here being challenged, is that insurance legislation? And I think that there's a couple of ways we can try to figure out whether it is or not. One is certainly whether or not it addresses the same sections as the other insurance bills and it does. And then the question is, is it a car rental bill or is it insurance? And I would posit that it's insurance. What we're doing here is we are not creating the peer-to-peer car sharing industry that exists. It's currently operating in an unregulated manner. The biggest issue with that is insurance. So what this bill does is it rings in and offers protections for what is already happening. We're not creating the thing. The thing exists. We're establishing insurance regulations and provisions around that. It's an insurance bill. The other reason I think it's an insurance bill is that this is model legislation. The reason why we want to go with model legislation in this case is because we want consistency in the statutes and regulations around what is a national industry of vehicle sharing. So it's model legislation, but from where? It is model legislation from the National Council of Insurance Legislators called NCOIL. This, this legislation was developed in consultation with folks who write insurance laws. That's where this comes from. Mr. President, this is an insurance bill and primarily the challenge that it has, not from within the committee certainly, but the things that people would like to tweak about it are all insurance related because fundamentally, on its face, this is an insurance bill. And, colleagues, I would encourage you to hold that this is germane to the package, the insurance package from the Banking, Commerce and Insurance Committee. Thank you all.

ARCH: Senator Cavanaugh, you are recognized to close.

J. CAVANAUGH: Oh. All right. Thank you, Mr. President. Well, I appreciate Senator Bostar and Senator Slama on this and especially their, their good-natured approach to it after what we've all been through together this week and especially Senator Bostar during the

last 2 days. I, I told him I was going to do this and he did not get violent with me. So I appreciate that. But that said, again, this is a good example of where we can disagree about something. We can have a constructive conversation. I appreciate Senator Slama said she didn't wholeheartedly disagree with me, which she often does. But again, I go to Senator Bostar says this is a bill about insurance. I don't think insurance overall captures it. I don't think you can put up a bill that just happens to have car insurance in it into a health insurance bill. I don't think that you could put homeowner's insurance into a car insurance bill. So this is-- this bill has a lot of stuff in it. And I think if we start relaxing our germaneness standard to such a degree, we're going to have problems. We had a conversation about how many bills are in bills the other day. And this one's got 10. And I think this will, well, this one, this division only has one, but there's I think 4 or 5 in the other part of the division. But this is just about how we want to handle ourselves, whether we want to hold ourselves to the standards of our rules when moving bills forward, and whether we want to make sure, even if we might like something, or we might like the introducer, that we hold ourselves to a higher standard of making sure that bills follow the rules and we don't just jam something in because it is from the same committee. Same committee is not the standard. It has to be in the specific-- it relates only to the details of the specific subject of the bill and must be in the natural logical consequence. Peer-to-peer cars not specific subject of this bill. Car insurance not specific subject. There's many specific subjects of this bill. Neither of those are in it. And so that's why I raised this issue and submit to you to overrule the Chair. A green vote would hold us to that standard of germaneness that we have in our rules. And that's why I ask for your green vote. Thank you, Mr. President.

ARCH: It was the ruling of the Chair that the amendment was germane. The question before the body is the motion to overrule the Chair. This motion will require 22 votes to be adopted. Question is the adoption of the motion to overrule the Chair. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 9 ayes, 29 nays on the motion to overrule the Chair, Mr. President.

ARCH: The motion to overrule the Chair fails. Mr. Clerk, for items.

CLERK: Thank you, Mr. President. Amendments to be printed from Senator-- from Senator John Cavanaugh to LB1073. Committee reports

Transcript Prepared by Clerk of the Legislature Transcribers Office

Floor Debate March 28, 2024

Rough Draft

concerning gubernatorial appointments from the General Affairs Committee, 2 appointments to the State Electrical Board and 1 to the Nebraska Arts Council. Communication from the Governor: Dear Mr. President, Speaker Arch, and members of the Legislature: I hereby respectfully request you withdraw Carleen Barger from consideration for confirmation to the State Board of Health. The appointee has indicated she is no longer able to serve. Sincerely, Jim Pillen, Governor. New LR: LR447 from Senator Kauth. That will be laid over; LR449 from Senator Kauth; LR450 from Senator Kauth; LR448 from Senator Kauth, all to be laid over; Senator Hansen, LR451 also to be laid over. Amendment to be-- new LR from Senator Wayne, LR452. That will be that the Legislature extends its heartfelt sympathy to the family of Senator Scott Lautenbaugh. That will be laid over. Amendment to be printed to LB1393 from Senator Hansen. Finally, Mr. President, priority motion. Senator Ballard would move to adjourn the body until Tuesday, April 2, 2024, at 10:00 a.m.

ARCH: You've heard the motion to adjourn. All those in favor say aye. All those opposed, nay. We are adjourned.