

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate August 2, 2024

KELLY: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the seventh day of the One Hundred Eighth Legislature, First Special Session. Our chaplain for today is Senator Murman. Please rise.

MURMAN: Thank you. Let us pray. Dear Lord, thank you for another beautiful day. Thank you for the way we have been blessed in this country and especially this great state. We pray that this country may once again honor, acknowledge, and follow you and your word. We pray that you may guide this Legislature in the days to come, that we may craft tax and education policy that is fair and beneficial to all. We pray that you will keep all of us and our families in your hands and protection this weekend and beyond. I pray this in the name of my Lord and Savior, Jesus Christ. Amen.

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

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

KELLY: I call to order the seventh day of the One Hundred Eighth Legislature, First Special Session. Senators, please record your presence. Roll call. Mr. Clerk, please record.

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

KELLY: Thank you. Are there any corrections for the Journal?

CLERK: I have no corrections this morning, sir.

KELLY: Are there any messages, reports, or announcements?

CLERK: That are, Mr. President. Reference report from the Referencing Committee concerning four gubernatorial appointments. Additionally, notice of committee hearing from the Health and Human Services Committee. Committee report concerning gubernatorial appointments from the Agriculture Committee. Committee report from the Business and Labor Committee. Committee report from the General Affairs Committee, the Natural Resources Committee, and the Transportation and Telecommunications Committee all concerning gubernatorial appointments to those committees. Amendments to be printed from Senator Linehan to LB9. Amendments to be printed from Senator Bostelman to LB2 and LB3. Amendments to be printed from Senator DeKay to LB3 as well as LB2.

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Amendments to be printed from Senator Conrad to LB42 and LB43, as well as a series of motions from Senator Conrad to LB42 and LB43. Report of registered lobbyists is-- for July 29, 2024 will be found in the Journal. Additionally, agency reports electronically filed with the Legislature can be found on the Nebraska Legislature's website. Notice that the Government Committee will hold a hearing-- excuse me-- will have an Exec Session after their hearing today at 9:30 in room 1525. Exec Session immediately following the Government hearing. That's all I have at this time, Mr. President.

KELLY: Speaker Arch, you're recognized for a message.

ARCH: Thank you, Mr. President. Well, here we are. We're at the end of our first full week of our special session, and I just want to talk to you a little bit about what's, what's going through my mind right now next week and how, how I'm attempting to schedule this. We're-- I mean, truly, we're in some really uncharted waters here. Special sessions typically don't, don't deal with this kind of a complex issue. Certainly don't deal with the number of hearings that we're experiencing right now. And, and so we're navigating our, our, our way through it as we go. But I want to-- I want to talk about-- I want to talk about two issues here. First of all, I want to talk about how I, how I see scheduling of bills and so forth going forward, but I also want to talk to you about some of the feedback I received regarding next week's schedule as well. So when we, when we started, I handed out a memo. And I-- and, and my-- and I expressed my intention, and I said it this way: to facilitate the best use of our time during the special session to allow the body to fully consider the issues of the call, which are property tax reductions for Nebraskans and the identification of funds to achieve that policy. One of the challenges that we have in a special session is there are no priority bills. So what's-- so how do you identify what's going to come to the floor? What's-- what is the priority? Well, the priority is, is largely shaped by the call of the Governor. The Governor says this is, this is why I'm calling you into session, and so that is the priority. So in my mind, that said, with the Revenue Committee being the primary subject matter expert in this-- 67 bills being referenced to the Revenue Committee-- that that Revenue Committee largely shapes the priority of, of what comes to the floor. Many other bills are being introduced. Many other bill-- man-- many other hearings are, are, are occurring, and I'm going to talk about those in just a second. But what do you do first? What bri-- what do you bring to the floor first? So I am assuming that the Revenue Committee will produce a bill. What's in the bill? I don't know that anybody knows at this point. The-- that discussion is still going on and hearings haven't even

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concluded. So they'll be going through tomorrow-- which, by the way, I, I had a question already this morning. No, tomorrow is not a-- is not a check-in day. It is only the committee hearings, so we're not in session tomorrow. It is not a-- it is not a check-in day. So you'll be disappointed if you come at 9:00 and nobody's he-- nobody's in the room. So anyway-- so I, I, I am assuming that the Revenue Committee will produce a bill, a plan. What's in that from all the hearings that have occurred in the Revenue Committee? Don't know. And-- but that will be-- that will be what we focus on, because that's the call. So that being said, for those of you that have had hearings in those committees and feel strongly that your concept needs to be part of the plan, that obviously is the work of the committee, and you can communicate that to the committee as they put this-- as they put this-- as they put this plan together. So there's two appropriations bills. So the plan is one thing and the funding is another thing. So the two appropriation bills that sit out there, how do you pay for what is in the plan? Well, what's the plan? Hasn't yet, hasn't yet come forward. So that process is occurring in committee. Then the appropriations bills will trail, and that will provide funding. So it is a-- it is a package, and that is what I intend to schedule next week, assuming that the bill is ready and, and all of that. So Monday, Tuesday, as I mentioned, we won't be in session. The committee will be doing their work. Wednesday, we start at 1:00. Wednesday, we will have-- there is a-- there is a f-- a, a funding bill for this session. That'll be on the floor on Wednesday. General File-- not all the way to Final-- General File will at least move the funding bill. And then there will be gubernatorial appointments. So we, we, we come together at 1:00 Wednesday afternoon, and we will pick up those items. Thursday morning, at this point, I've got penciled in that we begin discussion on the plan, assuming then that the plan is ready and, and we have it in front of us and we've had-- we, we, we, we understand what's in that plan. That'll be-- that will be Thursday morning. Thursday also, we will pick up appropriation bills. Friday, we will pick up appropriation bills. And this is-- this will all be General File. One of the concerns that I heard loud and clear was, like, Saturday, next Saturday. Quite frankly, we won't-- it, it, it will depend upon what happens Thursday, Friday. If we work-- if we work long and hard Thursday, Friday those three bills up, down, votes taken, we may not need to meet Saturday. We'll see. But I, I ask that you, you still keep that open and, and yourself available in the event that that is needed. But, but we'll see. Let me, let me just take a look at some of my notes here. There are 36 other pieces of legislation that are being heard in other committees and, and, and, and not, not in the Revenue Committee, so not, not in that subject matter directly. And what I

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intend at-- when we get done with the plan, the appropriation bills-- and I say done, up, down-- whatever the outcome of that is, it's really going to be up to the members of the body whether you want to continue in session to consider those other bills. Not my decision, but I'm not going to schedule them before we, we pursue the plan and those two appropriation bills, which I believe is the focus of the call. So-- but that's up-- that will be up to the body whether, whether those bills are, are something that you want to stay in session to, to consider. Let me just take a look here. One, one of the-- one of the things that I think is important to remember-- I mean-- again, uncharted territory. I mean, we have-- we've not had a session with over a hundred bills introduced-- a special session like this-- with over a hundred bills introduced. But none of those bills were ruled outside the call. And I, and I think that was very appropriate of the Referencing Committee to take that position because we want to understand all of the pieces, but we're doing that in a special session, which certainly adds its complexity to it. But we wanted to consider all those things. So that's been part of, of our frustration, perhaps, that-- well, what's the plan? What's the plan? What's the plan? Where is the plan? Well, I mean, I think it's fair to say we need to hear all those bills before we say, oh, here's the plan and, like, Saturday, Saturday hearings, Friday hearings don't count. We've already decided what the plan is. I think the Revenue Committee is considering all of that as, as they go through. I think we have some risks in an extended special session, and that is that I, I think that-- I mean, when I had made the announcement about Thursday, Friday, possibly Saturday next week, it-- the feedback was "But I've got kids. But I've got a job. But I have a life. But I have--" I mean, these things are conflicting. And, and, and I say the, the-- that I think will increase as time goes on; more of these conflicts will arise. And so I, I, I appreciate the hard work that everybody is doing in, in staying focused on the, on the matter, the subject that we're in session to, to address. And, and so we will, we will try to move this efficiently and still allow for full and fair debate, so. Again, no, no bills were ruled outside the call. We're going to do 8-4-2 on, on these, on these major bills. And so, and so we're going to allow for full and fair debate. And I think that that's appropriate. Let me see if there's anything else here that I want to make sure I cover. So I would say that the next few days here are extremely important because at the conclusion of the hearings, the Revenue Committee will have to-- will have to meet and have to make some decisions. And then we as the body will see that-- see those decisions, and we will have to weigh in in, in General File and Select and Final if it moves-- if it moves that far. Thank you again for your hard work. Thank you for

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your, your patience in this. I know it's frustrating, particularly in an absence of information. What's going on? What's the plan? I know there's a lot of discussions amongst all the members. Is this in it? Is that in it? What's happening next? And I think we'll have some of those answers at the beginning of next week. And certainly I'm hoping by Thursday of next week we will, we will have those answers that we can specifically respond to with either support or concerns. So if you have questions, please come see me. If you have concerns, please come see me. We're moving through this together-- as I say, uncharted. It's-- we're, we're, we're trying to get, get through this and make the best decisions we possibly can for the citizens who are watching our work. So thank you, Mr. President.

KELLY: Thank you, Speaker Arch. Mr. Clerk.

CLERK: Thank you, Mr. President. Sing-- single name add: Senator Erdman name added to LB35. Finally, a priority motion: Senator Dorn would move to adjourn the body until Wednesday, August 7, 2024 at 1:00 p.m.

KELLY: Members, you have heard the motion to adjourn. All those in favor say aye. Those opposed, nay. Legislature is adjourned.