

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate February 28, 2023

**KELLY:** Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the thirty-fifth day of the One Hundred Eighth Legislature, First Session. Our chaplain for today is Senator Gillern-- von Gillern. Please rise.

**von GILLERN:** Good morning. Join me in prayer, please, this morning. In the Apostle Paul's first letter to Timothy, he writes, I urge then, first of all, that petitions, prayers, intercession and thanksgiving be made for all people, for kings and all those in authority that we may live peaceful and quiet lives in all godliness and holiness. So today I lift up our President, our Governor, our federal representatives and the lawmakers in this room, all of whom have stepped into a calling to serve and to represent the citizens of our state and our nation. Father God, I pray that you give us favor as we imperfectly seek to serve you, that you make us wise as serpents and gentle as doves, that we live out your directive to care for the least of these in our cities, towns, villages and prairies. And that we are considerate in our words, professional in our actions, and always act with character and integrity that honors you. Lord, let us govern well and represent you well, today. These things we ask in the matchless name of Jesus. Amen.

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

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

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

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

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

**CLERK:** I have no corrections this morning.

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

**CLERK:** There are, Mr. President. Notice of committee hearings from the Education, as well as the Government, Military and Veterans Affairs Committee. Amendment to be printed, Senator Holdcroft to LB489. And a

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communication from the Secretary of State, informing the Legislature that he has selected Janet Chung to replace Ann Ashford on the Nebraska Accountability and Disclosure Commission. That's all I have this time, Mr. President.

**KELLY:** Thank you, Mr. Clerk. Senator Ibach would like to recognize the physician of the day, Dr. Brady Beecham of Lexington. Please stand and be recognized by your Nebraska Legislature. Senator Lowe announces a guest under the south balcony. Mr. Hobart Rupe, Executive Director of the Nebraska Liquor Commission. Please stand and be recognized by your Nebraska Legislature. While the Legislature is in session and capable of transacting business, I propose to sign and do, and do hereby sign LR39 and LR40. First item, Mr. Clerk.

**CLERK:** Mr. President, the first bill, LB376, introduced by Senator Lowe. It's a bill for an act relating to the Nebraska Liquor Control Act; amends Section 53-103 and Section 53-101; defines terms; requires a licensed manufacturer, a licensed wholesaler or a holder of shipping license to submit a report and any applicable fees to the Nebraska Liquor Control Commission prior to the sale or shipment of alcoholic liquor in the state; and the repeal of the original section. The bill was read for the first time on January 12 of this year, referred to the General Affairs Committee. That committee placed the bill on General File. There are committee amendments, as well as other amendments, Mr. President.

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

**LOWE:** Thank you, Mr. President. Well, it must be the holiday season because I'm bringing a tree. LB376 is the vehicle for the General Affairs liquor package this year. For the last several years, the General Affairs Committee has made one of its priority bills a liquor package and the other a gambling package. AM336, there's a white copy amendment that adds AM296 to LB376, and it includes four other bills. Those are LB259, LB377, LB596 and LB667. All five of these bills came out of committee, 8-0. I am going to explain the three bills that I brought and then I will turn things over to the senators who have brought the bills and the amendment. LB376 creates a brand registration for the Liquor Control Commission, which will allow the Commission to keep track of different alcoholic products that are being imported and produced in Nebraska and accurately identifying them for taxation purposes and distribution monitoring. AM296 was added to address some of the concerns raised during the hearing of LB376. First, the amendment caps the registration fee of \$30, making it the lowest in the country. This money will go to the Liquor Control

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Commission Cash Fund. It also includes new language to establish licensed wholesalers in Nebraska and they may import liquor from an affiliated wholesaler out of the state, if the report required in this section has been previously submitted for the product being imported. The report designates the Nebraska licensed wholesaler for the product, and the product was obtained by the affiliated wholesaler from the same primary source of supply identified in the report. This process already exists but was not written into statute, so this simply takes a commission procedure and codified it into law. LB259 is another one of my bills in AM336. LB259 allows farm wineries to sell beer and liquor on their premise that, that they do not produce, giving them the same benefits other Nebraska-based alcohol producers have already enjoyed. LB377 will allow non-profits in Nebraska to receive up to 12 special designated liquor licenses or SDLs, as they are currently only allowed six. LB596, introduced by Senator Hardin, clarifies the Nebraska Liquor Control Act to expressly-- expressly allow liquor manufacturers and wholesalers to enter into sponsorship and advertisement agreements with certain organizations, including nonprofit organizations. LB667, introduced by Senator Hughes, allows alcohol wholesalers to use channel pricing for figuring out wholesale pricing structures. This is a practice already performed by the Liquor Control Commission. LB667 just codifies this practice. As I mentioned previously, all of these bills were voted out of committee on an 8-0 vote. I urge you to vote yes on LB376 and the underlying amendment. Thank you, Mr. President.

**KELLY:** Senator Lowe, to open on the committee amendments. You're recognized to speak.

**LOWE:** Thank you. LB259 will allow farm wineries to sell alcoholic beverages that they do not produce on their licensed premises, premises. In other words, if LB259 becomes law, a farm winery could choose to sell beer or mixed drinks, along with their locally-produced wine. This is something that our farm wineries have been looking to do so, long before I was elected. Previous-- previously, I have led the opposition to this concept. But after this committee approved a bill last year to allow self-distribution for craft breweries, I believe the time for this bill to become law has come. Farm, farm wineries have long been allowed to have a foot on all three rungs of the three-tier system. Until last year, they were only local producer granted this right. Since they were allowed to produce, sell and self-distribute their own wine, I had serious concerns about allowing them to sell alcoholic items that they did not produce. But now farm wineries are not the only licensee who can produce, sell and self-distribute their products. Last year we gave the same abilities

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to craft breweries, but we also allow these breweries to sell products besides their own beer. And with that in mind, I want to see farm wineries to have these same abilities. It is important to note that many farm wineries in Nebraska also function as designation spots and event locations. It is very common for them to host bands, dances and weddings. Not all Nebraskans like wine. So when a winery is hosting one of these type events, they either have to tell the visitors they can only have a wine-based product or a winery-- or the winery has to request a special designated liquor license or SDL, from the local governing body and the Liquor Commission. SDLs are an important tool for these local businesses and for the Liquor Control Commission, but they have also become quite burdensome, burdensome. The SDL process is not all that time consuming for one or two SDLs, but some wine-- farm wineries have gotten to the point where they will request dozens, if not hundreds of SDLs. Until recently, there were thousands of SDLs being requested every year. And it has become quite a serious issue, not only for the small businesses but also, the Liquor Commission. I have induced-- introduced four pieces of legislation in the past that have helped alleviate some of the pressure. But the best way to fix the remaining SDL challenges is to allow local firm wineries to simply sell beer and liquor as part of their regular licensing process. LB37-- LB377 would not-- would grant not-for-profits the ability to request up to 12 special designated liquor licenses in a calendar year. Currently, not-for-profits are the-- only allowed six SDLs. If you look at the section of law being changed by this bill, you will see the language that states that the holders of different types of liquor licenses are also allowed-- only allowed six SDLs in a year. So why would we change that number for not-for-profits? Because we also allow holders of liquor license to get a catering permit. This catering permit allows for potentially unlimited SDLs. SDLs are an important tool for not-for-profits. This process allows groups to hold events in which non-profit is allowed to sell alcoholic beverages in order to raise funds. Churches during Lent are one of the great examples of this, but there are many other groups who benefit from SDLs. I have spent the last four years looking at ways to streamline, improve the way the state uses SDLs, but I believe that when it comes to not-for-profits, we should increase their ability to use this important tool. Thank you, Mr. President. Senators, I, I, I will now yield to Senator Hardin for--

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

**HARDIN:** Thank you, Mr. President. My bill, LB596, is included in the committee amendment, AM336. This will clarify Nebraska law to ensure that liquor manufacturers and wholesalers can engage in sponsorship of

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various organizations. There are many situations in which a nonprofit holding an SDL seeks sponsorships to support the costs of hosting an event. In the case of liquor wholesalers and manufacturers, such sponsorships are currently not allowed by current state and federal statute. While we cannot do anything here about the status of federal law, we will be joining other states, like South Dakota and Minnesota, in ensuring that Nebraska law permits the practice on the state level, for that time when federal law is brought up to snuff. Thank you, Mr. President.

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

**LOWE:** I will, I will now yield my time to Senator Hughes.

**KELLY:** Senator Hughes, you have 4:50.

**HUGHES:** OK. Thank you. Thank you, Mr. President, members of the legislator-- Legislature. I rise in support of LB376. LB376 contains LB667, which I introduced to address some new issues that have arisen, affecting the pricing of alcohol for certain retailers and the wholesalers who supply them. Our current law was adopted prior to the existence of the new hybrid retailers of alcohol, where you can have a bar inside of a liquor store, where a customer can have a cocktail in the store, while they shop for their favorite beverage. We have taprooms and tasting rooms in grocery stores that also sell alcohol that you can purchase and put in your cart to take home. LB667 updates the law to allow our wholesalers to adapt their pricing in response to these hybrid facilities, while ensuring they are in compliance with the Nebraska Liquor Control Act. This bill allows wholesalers to implement channel pricing, which allows them to charge for a product based on the type of license held by the retailer and the primary use of the premise on which the retailer operates. LB667 is supported by the Nebraska Liquor Control Commission as-- and is included in LB376. I urge my colleagues to support this bill and advance it. Mr. President, I yield the remaining of my time to Senator Lowe. Thank you.

**KELLY:** Senator Lowe, 3:28.

**LOWE:** Thank you, Mr. President. You've heard about LB376 and the amendments. I urge a green vote on all of the amendments and, and the underlying bill of LB376. Thank you.

**KELLY:** Thank you, Senator Lowe. Senator Cavanaugh, for what purpose do you rise?

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**M. CAVANAUGH:** I'd like to divide the question on LB376.

**KELLY:** Senator Cavanaugh, Machaela Cavanaugh and Senator Lowe, would you please approach? Mr. Clerk, to explain the division. And the ruling is that it is divisible. Mr. Clerk, to explain.

**CLERK:** Mr. President, the following divisions have been made: AM611, AM612, AM613, AM614 and AM615; AM611 being the contents of LB376, AM612 being the contents of LB259, AM613 being the contents of LB377, AM614 being the contents of LB596 and AM615 being the contents of LB667.

**KELLY:** Senator Lowe, you're recognized to open on AM611.

**LOWE:** Gosh, it seems like I've already done this. Let's talk about LB376. LB376 creates brand registration for the Liquor Control Commission, which will allow the commission to keep track of different alcoholic products that are being imported and produced in Nebraska, accurately identified them for tax-- taxation purposes and distribution monitoring. AM296 was added to address some of the concerns raised during LB376. First, the amendment caps the registration fee at \$30, making it the lowest in the country. This money will go into a Liquor Control Commission cash fund. It also includes new language to establish licensed wholesalers in Nebraska. And they may import alcoholic liquor from affiliated wholesaler out of state, if the report required in this section has been previously submitted for the product being imported. The report designates the Nebraska licensed wholesaler for the product and the product was obtained by affiliated wholesaler from the same primary source of supply identified in the report. This process already exists, but it was not written into statute, so, so this simply makes the commission procedure codified into law. Thank you, Mr. President.

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

**M. CAVANAUGH:** Thank you, Mr. President. Good morning, colleagues. So for those that are, are new, what has happened is we-- I divided the question. So because this is what we oftentimes call a Christmas tree bill, there were one, two, three, four, five bills amended into one. And that's not an uncommon thing to do, especially if they're on a similar topic. And so-- but because they are individual bills, they are easily divisible. And so I've requested that they be divided and taken up, essentially, individually, but they'll be their own amendments. I do see the amendments not yet up on the board, but it

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will be AM611 is what we're talking about right now, which is essentially the underlying bill of LB376. So there's a couple of reasons for doing this at different times. If there is a specific part of a bill that you want to have taken out or attempt to take out, but you want to, essentially, keep the bill intact, then you would take-- ask for the bill to be divided and then vote on each piece individually. And each amendment will require 25 votes to be put back into the entirety of the bill. And if an amendment fails to get 25 votes, then that amendment will be taken out of the bill. So I don't have a particular amendment within or-- one of the underlying bills within this package that I would want to take out. I just want to have a robust debate and discussion about LB376 and the bills with inside of it. So I know that this came out of committee unanimous. There were opponents to this first bill, the underlying bill. And I tried to look online to see if there was any letters submitted, proponents or opponents, because I'm not on the committee. And so I didn't really-- there weren't. And so I, I couldn't really get at what the opposition was and I'm just looking around to see if there's anyone on the committee that I could ask to yield, to explain, perhaps, what the opposition was to LB376. I do see-- not to, not to pick on the introducer, but since he's standing there at the ready, would Senator Lowe yield to a question?

**KELLY:** Senator Lowe, will you yield to a question?

**LOWE:** Yes.

**M. CAVANAUGH:** Thank you, Senator Lowe. I see on the committee statement that there was an individual from Paul's Brewing Company that was an opponent of LB376. Could you speak to why they-- what their opposition was and was that addressed in the amendment?

**LOWE:** Yes, he-- I'm trying to remember. He had, he had problems with identifying his products and--

**M. CAVANAUGH:** With identifying his products?

**LOWE:** --well, with going through the process of identifying all the products, I believe. He was, he was, he was, almost a neutral, but he just kind of came in opposition. And it was just one of those events where he just thought opposition was better.

**M. CAVANAUGH:** OK.

**LOWE:** And came in mostly neutral on the whole bill.

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**M. CAVANAUGH:** OK. And then I see there is neutral testimony. Did they have issues with the bill but mostly supported it or?

**LOWE:** No, they, they, they did not have issues with this bill at all. They just thought it may be a little time consuming for, for them to--

**KELLY:** One minute.

**LOWE:** --put out the, the information. They just wondered if the information was going to be there or if it could just be folded into the software or not.

**M. CAVANAUGH:** OK. I think I'm missing a step here, but we don't, maybe, have enough time to address that, that question. So I might come back to you. I see that there's somebody in the queue ahead of me, so I'm going to try and quickly read up on this, because, maybe, I'll come to understand what you're, you're talking about. But thank you for yielding to my questions. I appreciate it. So again, we are on AM611, which is actually the underlying bill of LB376, for anybody that is at home, that wants to take a look at what it is that we are discussing this morning. It is the underlying bill of LB376. There are additional bills within LB376, which are LB259, LB377, LB596 and LB667.

**KELLY:** That's your time, Senator.

**M. CAVANAUGH:** Thank you.

**KELLY:** Senator Machaela Cavanaugh announces a guest in the north balcony, Deborah Levitov, from Omaha, Nebraska, Please stand and be recognized by your Nebraska Legislature. Senator John Cavanaugh, you're recognized to speak.

**J. CAVANAUGH:** Thank you, Mr. President. Well, I rise in support of AM370-- or LB376 and the amendments and I appreciate Senator Lowe's diligence as he worked on these issues. The-- I was going to speak to the package as a whole, but I'll speak to this part, in particular. This is a bit of a technical one and it was a little confusing at the hearing and, and there was an amendment that clarifies it. But Senator Lowe did resolve the issues of, I believe, the testifiers in his amendment. I'm trying to find my notes. And I-- as I was saying my notes about the opposition, I had written down his name and didn't have, necessarily, what his opposition was, but I think his opposition was that the-- this is a process that would require-- there was some un-- un--unclear-- in-- what's the word? It was unclear whether every version of every package of everything was going to need to be



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registered and filed. And so, I think Senator Lowe has kind of cleared that up with the amendment. And so that's-- that was his-- I think his concern, additionally, the neutral concerns that were addressed in the AM, which is, I believe, AM296, but this is really a technical bill that will allow the commission to have a better idea of just all of the products that are out in the state. And when there's a change in, I think, in distribution, it-- it'll allow them to technically track them, it will allow them to more efficiently track them. And in the, the conversation about this bill, I would say the one thing that seemed to come up, aside from just the number of types of, I guess, alcoholic drinks that are regulated. So one of the-- that was one of the concerns, is just-- is it going to be every SKU, which I guess is SKU, is every, every type of-- I'm trying to think of multiple variations. I'm thinking of Busch Light in a 16-ounce can and a Busch Light in a 20-ounce can, if those would have to be listed separately. And that was one of the concerns. And the packaging sizes and then different flavors of different things in those sizes, and so that was-- that's been addressed in the amendment. I honestly don't know the answer to which way it was that it is addressed, but it was addressed in the way that was satisfactory to both the Commission and the industry, that that is a workable solution. And then, the other change is the dollar amount. And we had a conversation, making sure that this was-- we were only charging the amount it's going to cost us to actually implement this program. And so, it dropped it from \$40 to \$30. As Senator Lowe stated, that is the lowest in the country and that is just the bare minimum it's going to cost. We don't want to have a whole bunch of money sitting around to make sure that we're not overly charging this. This is merely a necessity of the regulation and that this dollar amount will cover the costs and we won't have excess money that then, we're going have to figure out what to do with, going forward. And so, on this one in particular, it's, I think, the amendment did resolve the issues that were raised by both the neutral and the opponent. I think everyone's concerns were assuaged by that amendment and-- which is, I think why this has ended up being the committee package and it came out 8-0 and then, adding these other bills. So with that. I would yield the remainder of my time, Mr. President. Thank you.

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

**M. CAVANAUGH:** Thank you, Mr. President. Thank you. Senator John Cavanaugh. I'm still trying to catch up on exactly what this first bill does. So a licensed Nebraska craft brewery, farm winery, microdistillery or manufacturer-- so it's a primary source of supply

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in the United States, to mean the manufacturer, producer or owner of any alcohol-- alcoholic liquor at the time it becomes a marketable product in the United States, bottler of any alcoholic liquor in the United States, exclusive agent within the United States or any of the states or of any manufacturer, producer, owner or bottler of any alcoholic liquor outside of the United States. So I'm-- I, I think, maybe, I haven't had enough coffee yet this morning. I'm not quite understanding what we are accomplishing here with this bill. It requires information above to be submitted to the commission upon a change in the primary source of supply of the alcohol liquor, at least 30 days prior to the shipment of the alcohol liquor into Nebraska. I'd ask if Senator John Cavanaugh would yield to a question.

**KELLY:** Senator John Cavanaugh, will you yield to a question?

**J. CAVANAUGH:** I will.

**M. CAVANAUGH:** Thank you. Senator John Cavanaugh. OK. So sorry. This seems like a-- kind of a technical bill and I'm, I'm grappling a little this morning as to understanding. So we have alcohol, it's the primary source. What does primary source mean?

**J. CAVANAUGH:** So-- well, there's a-- I think there was a distinction between manufacturer and importer. And so I think there's some people who will manufacture alcohol, we'll say a, say a, a distilled spirit in the state of Nebraska. Some people will import it that's distilled in, say, Kentucky. And some people will import it that's distilled outside of the country. And so I think that's trying to capture all of those different--

**M. CAVANAUGH:** Sources?

**J. CAVANAUGH:** --forms. And so-- but somebody who is-- imports it from outside of the country would have to register it and the person who imports it, registers it. If you manufacture it, the manufacturer has to register it. And so I think that's the distinction it's trying to catch up. So you wouldn't have somebody if you're importing Irish whiskey, the Irish distiller in Ireland wouldn't be the one reporting it. It would be the person who's importing it into the state of Nebraska.

**M. CAVANAUGH:** So are there not federal regulations around this?

**J. CAVANAUGH:** Oh, there's lots of federal regulations around this.

**M. CAVANAUGH:** Are these in addition to federal regulations?

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**J. CAVANAUGH:** So this is about how the state of Nebraska Liquor Control Commission is able to track the products that are, that are being sold in the state of Nebraska.

**M. CAVANAUGH:** And they're currently not able to?

**J. CAVANAUGH:** No. They are currently able. This is just, sort of, clarifying and, and making it easier for them to track it in a more modern way, digitally.

**M. CAVANAUGH:** OK. So-- and I think you said that, that, that they're already doing this, but not doing it this way.

**J. CAVANAUGH:** Right.

**M. CAVANAUGH:** So how are they doing it, not digitally?

**J. CAVANAUGH:** That-- I think they're doing it on paper.

**M. CAVANAUGH:** Oh, like a filing cabinet?

**J. CAVANAUGH:** I'm not 100 percent certain. That might be a question for Mr. Rupe, who's I, I assume is sitting outside. We-- somebody could pop out and ask him, I suppose. But I don't recall the answer to that question of how they were doing it. But--

**M. CAVANAUGH:** Mr. Rood [SIC] is the--

**J. CAVANAUGH:** Hobert Rupe is the Nebraska--

**M. CAVANAUGH:** --oh, I see.

**J. CAVANAUGH:** --the executive director of the Nebraska Control Commission-- Liquor Control Commission.

**M. CAVANAUGH:** I see him on this statement. OK. So then are we also-- I haven't looked at the fiscal note then. Are we giving money for a computer system?

**J. CAVANAUGH:** So there's a \$30 registration fee for each of these-- each item that gets registered. And so when you register every type of liquor or alco-- or beer or wine, the-- when they file that registration, they'll have to pay \$30. And so that covers the cost of the administration of the program.

**M. CAVANAUGH:** OK.

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**KELLY:** One minute.

**M. CAVANAUGH:** Thank you. Thank you, Senator Cavanaugh.

**J. CAVANAUGH:** My pleasure.

**M. CAVANAUGH:** I do have additional questions, but I think that they're probably better suited for Senator Lowe, since he's the introducer, but I appreciate you answering those questions. And I'm going to Senator Lowe, just giving you a heads up, on my next turn. I'm going to ask you about the fiscal note a little bit, because I do have some questions about that. So thank you. And I think that's about my time. Thank you, Mr. President.

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

**J. CAVANAUGH:** Thank you, Mr. President. So I, I appreciate the questions from Senator Machaela Cavanaugh and I just wanted to clarify. It, it is-- this is a-- is confusing and I think it is good to take a little bit more time on this. But-- so one of the reasons that we want to do this is we regulate-- I think if you were listening to the introduction of the package overall, we regulate alcohol in the state of Nebraska in a different way, based off of the type of alcohol, based off of whether it's wine, whether based off of its hard alcohol, distilled spirits, based off of whether it's beer. And we have definitions for those, we have different taxing structures for those, we have different liquor, liquor licenses. We have different sales licenses based off of how they are manufactured, where they're manufactured and then, whether you can sell them, you know, a different license based off what you can sell. And so there's a lot. It's very important that the Liquor Control Commission is able to accurately understand what each product is. And so, when somebody brings in a new product-- well, ideal-- and so we have all the products that are already here, but there are a lot of new products on the market. We're getting-- canned cocktails are coming into the state. You're getting, you know, seltzers that have alcohol in them, which I honestly don't know what type, if it-- whether that's regulated as a hard alcohol or a, a spirit or a, a cocktail. I would assume it's a cocktail, but, I guess, I don't know-- or if it's regulated as a beer, but-- so they're regulated differently in that regard, but they're also taxed differently. We have different taxes for-- beer is taxed at one level, hard alcohol is taxed at another level, wine is taxed at a, a, a third level. And then we have, now, canned cock-- ready, ready-to-drink cocktails are taxed at yet a

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fourth level. And so that is-- to be able to accurately tax all those things, we need to have an idea of what they are. And so when somebody brings a product into the state, they will have to, basically, declare what it is with the, the commission and the commission that tracks those. And so this will make it possible, more logistically possible, for the commission to affect all of those regulations that we've asked them to do. And so, that's-- I think that's, ultimately, the real important part of this. And like I said, they're already responsible to do all this tracking and checking, but I think this will just make it easier for them. And again, the cost is as small as it could possibly be to actually achieve the objective of that regulation. So that-- I hope that helps explain it. I think I understand it well enough to explain it that well. If I got it wrong, I hope somebody can correct me, but I will yield the remainder of my time to the Chair. Thank you, Mr. President.

**KELLY:** Thank you, Senator. Senator Machaela Cavanaugh, you're recognized. This is your third opportunity.

**M. CAVANAUGH:** Thank you, Mr. President. I'd start by asking if Senator Lowe would yield to a question.

**KELLY:** Senator Lowe, will you yield to a question?

**LOWE:** Yes.

**M. CAVANAUGH:** Thank you, Senator Lowe, for your prompt response. OK. So our colleague, Senator Riepe, has given me a little nickname in HHS committee as a fiscal hawk. And I like that. I like to think that I am a bit of a fiscal hawk. So I see that we're generating some revenue here on the fiscal note, but it doesn't say anything about the cost. And I'm assuming that if they're currently doing this on paper and now we're going to digital, which I'm all for technology and saving. I think you talked about saving trees in your opening. But are they going to have to create a new computer system and is that reflected somewhere in the fiscal note?

**LOWE:** A couple of years ago, we passed a bill which bought the software and new computer system.

**M. CAVANAUGH:** Do you recall what the bill number was?

**LOWE:** I don't recall what the bill number is--

**M. CAVANAUGH:** OK.

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**LOWE:** --now. It may come to me in a couple of minutes as soon as somebody comes up to me.

**M. CAVANAUGH:** OK.

**LOWE:** But it, it was to-- their, their last-- the computer system they have been and are still working on was redone in the 1980s.

**M. CAVANAUGH:** Very modern.

**LOWE:** So a couple of years ago or last year, whenever it was, we had a bill which allowed them to purchase new computer system and new software, so the price of this is included in on, on that.

**M. CAVANAUGH:** OK. And then the \$700,000 in revenue, that just goes to the general funds?

**LOWE:** It, it goes to a fund for the Liquor Commission.

**M. CAVANAUGH:** OK. Within the general-- it doesn't go to a cash fund?

**LOWE:** It goes, it goes to a cash fund.

**M. CAVANAUGH:** OK. The fiscal note says that it goes to the General Fund. So that, maybe, is something that needs to be addressed, but thank you. That's helpful. So as Senator John Cavanaugh said, this is a technical bill. And as I've previously stated, I am a learner and I love to learn new things. I'm not on the committee. So whenever something comes to the floor that I don't fully understand and it's from a committee I'm not on, I like to take a little bit of an opportunity to learn and maybe, help some people in the, in the body and at home learn, as well. So we have a fiscal note for this bill and it says that it's-- the revenue is \$700,000 in general funds. And this requires-- because LB376 requires each licensed manufacturer, wholesaler, holder of a shipping license, etcetera, to, to, do this report, prior to this-- prior to the sale or shipment of any alcoholic liquor into the state of Nebraska. So the Liquor Commission estimates utilization of a \$20 initial fee for each brand registration and a \$10 renewal fee after that. And there's 35,000 brand registrations are estimated for FY '24 and a thousand for FY '25, along with the initial 35 [SIC] brand registrations paying the \$10 renewal fee. So that looks like, in '24-- FY '24, we have \$700,000 in revenue. In FY '25, we have \$370,000 in revenue. So, currently, it says that it's going to the cash fund. The fiscal note does, but--

**KELLY:** One minute.

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**M. CAVANAUGH:** --thank you-- and so does the Liquor Commission's cash-- fiscal note. So we have our fiscal note from our fiscal department and then, we also have one from the Liquor Commission itself. And they both have it going to the cash fund. So that might be something that we should discuss further, as to if that was the intention or if it-- there is a cash fund that goes directly to the Liquor Commission for their operations. Because we don't want it to just get lost in the mix of our general funds and then not go to the appropriate entity. When we have fees for service, those fees generally are to cover the cost of whatever agency-- so like your DMV fees are to cover the costs of, of operating the DMV. And so that's why the fees are what they are. Although, I came to realize last year that we were charging \$10 extra for your--

**KELLY:** That's your time, Senator.

**M. CAVANAUGH:** --thank you.

**KELLY:** Mr. Clerk, for a motion.

**CLERK:** Mr. President, priority motion, Senator Machaela Cavanaugh would move to bracket LB376 until March 1, 2023.

**KELLY:** Senator Machaela Cavanaugh, you're recognized open on the motion to bracket.

**M. CAVANAUGH:** Thank you, Mr. President. So I almost put my February 29, realized it's not a leap year, so tomorrow is not February 29. Tomorrow is March-- March Madness for you basketball fans out there. So what I was saying was that we have, we have a driver's license fee and \$10 of it, I came to realize last year during a committee hearing in Transportation, was going just to our General Fund and it wasn't going to the cost of operating the DMV. So basically, we were charging a fee for service that there was no service. And at that time, it was a bill that Senator Geist had brought that we did pass, that took some of that-- a couple of dollars from that fee and reallocated it back to the DMV so that we were actually using instead of increasing a tax or anything like that, we were taking the fee for the DMV and putting it to the DMV, so that the DMV could operate some service-- essential services that they needed. I think Senator Moser has a bill this year that takes that remaining amount back to the DMV, again, for services that the DMV needs. And so I guess it's a good thing that we didn't eliminate that, that gap that went to the General Fund, because now we're not raising any fees, even though the cost of running the DMV has increased, we don't have to increase the fees because we had that

cushion. But I would caution this body and future legislators against having fees that are generated in excess of the need of the services that they are providing. And so that's just my own commentary on our fiscal notes and fees. So I, I put up the motion to bracket-- a couple of reasons. I think it is no secret that I am delaying here, as I have made it very clear that that is my intention. I guess I haven't made it clear today, but it is my intention to delay the process of, of the Legislature. And L3B76 is, is this bill of the day and so, I'm going to take this bill until we adjourn. And it doesn't-- we don't have 8 hours today for debate. We have committee hearings this afternoon. I don't know if we're going to adjourn at noon or one, but whatever the intention is of, of the Speaker and the body for adjournment, it certainly won't be 8 hours. So I'm just going to take this until we adjourn. I had run out of times to speak on AM 611. And so I thought, OK, well, here's an opportunity to use the bracket motion to take this off the agenda if we so chose. And honestly, in looking at the agenda today, I would-- I am going to let us go to a vote on my motion 45, because next on the agenda is the motions to re-refer the two bills or two constitutional--LRs, LR18CA and, and LR19CA, both for Senator Hunt. But I would welcome the opportunity for us to debate those re-referencing motions today. So I will definitely allow us to get to a vote on my motion to bracket until tomorrow, though not anticipating that to be successful. Another reason that I think that this is an appropriate motion at this time, besides my own desire to get to those re-referencing motions, is that I do have questions about this and I don't feel that I can quickly get answers on the General Fund issue and how to-- and, and if it is the way that it's supposed to be and if we need to change it, how we can make an amendment at this stage of debate to ensure that the funds are going to the correct cash fund or general fund. So I thought, well, we could just bracket it until tomorrow and figure that out and come back to it tomorrow or whenever it is scheduled again. So that is the intention behind the bracket motion. It's to-- it's threefold: to delay further, to give the body the opportunity to move forward on the agenda to the motions to rereference, motions that have been-- were put in weeks ago. And we are still doing committee hearings. And the fact that these, they're LR18 and LR19, so that means that they were submitted early on and they still haven't been scheduled with the committees. They've been referred to and they haven't-- we haven't had the opportunity to re-reference them, because we immediately went into all-day hearings and have only been back on half-day floor debate for a short time. So I think it would be excellent if we got to those. It was my understanding that they were supposed to be scheduled last Friday but were not. And so if the body sees fit to bracket this and move on to



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those, that would be, in my mind, an excellent use of our time. However, that aside, I also think that bracketing makes sense because we-- there are, there are a few questions. They're not like-- these are not, you know, insolvable problems or questions with LB376. But I do think, just like any bill, when you take a closer look-- oh, thank you. I didn't realize that, that worked. I have some issues, I have some technology problems. My printer, my computer works for me. We have a love/hate relationship, my computer and I. So I'm killing some trees that Senator Lowe's trying to save. But I do think that there are some, some, some fixes that we could still make on LB376, to make it a stronger piece of public policy. And so, I think it's worth a discussion. Unfortunately, I don't see too many other people getting in the mix on this. You know, if I'm going to talk, that's fine. I'm going to talk. But you are always welcome to, to talk about what you want to talk about, as well. Otherwise, you're just going to be stuck listening to me. I've seen that happen before. I've done that before where somebody is filibustering and I don't really-- I've got other things that I think we should be talking about or other things that I want to elevate. And so, I will get in the queue and talk about them, because if you're going to take the time that you're going to take, I may as well get some issues out there that I want to have discussed. So how much time do I have left?

**KELLY:** 2:45.

**M. CAVANAUGH:** Thank you, Mr. President. OK. So I have my opening on the motion and then, I have two times to talk and then, a closing. So after this 2 minutes, 40-some seconds, then I have an additional 15 minutes. It's 10:55. So if I talk for an additional 10, 15, 15 minutes, then it'll be 11:10. And then, we will go to a vote on the bracket motion. And then if the bracket motion passes, then we will move on the agenda to Senator Hunt's re-referencing motions. If it doesn't pass, then we will go back to the underlying AM611 and continue conversation on that. Once we get to a vote on that, then there is additional four amendments after that. So as you can see, there is no path forward, as far as-- as long as I'm standing up here, for us to get to a vote on the underlying bill, to move it off the agenda. So we will just continue on. In looking at this, so there weren't a lot-- there wasn't a lot of opposition. This bill did come out 8-0. There was one opposition to the underlying bill. It does appear that there's opposition to the next, the next bill, as well, LB259, which will be AM612-- had opposition from Chris Wagner with Project Extra Mile and Maggie Ballard with Heartland Family Services. And then we had opposition--

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**KELLY:** One minute.

**M. CAVANAUGH:** -- thank you-- opposition to LB377, which will be AM613, and that was Project Extra Mile and no one in neutral. And then, again, to LB596, which will be AM614, again, Project Extra Mile. And LB667, which is AM615, actually had no opposition. So there's one bill in this package that has no opposition and that is it LB667, which I-- the committee statement does not say who the primary introducer is of LB667, so that's something that I will have to look up.

**KELLY:** That's your time, Senator.

**M. CAVANAUGH:** Thank you.

**KELLY:** Speaker Arch announces 61 guests in the north balcony. They're fourth graders from St. Columbkille, Columbkille School in Papillion. Please stand and be recognized by your Nebraska Legislature. Senator Machaela Cavanaugh announces two guests in the north balcony: Shannon Coryell and Ann Fintel. Please stand and be recognized by your Nebraska Legislature. Mr. Clerk, for messages.

**CLERK:** Mr. President, your Committee on Health and Human Services, chaired by Senator Hansen, reports LB75, LB419, LB574 and LB626 to General File. Additionally, new A bills, LB298A, from Senator Linehan. It's a bill for an act relating to appropriations; appropriates funds to aid in the carrying out of provisions of LB298. LB442 introduced by-- LB442A, introduced by Senator Albrecht. It's a bill for an act relating to appropriations; appropriates funds to aid in the carrying out of provisions of LB442; and declares an emergency. Amendments to be printed: Senator Murman to LB373 and Senator Murman to LB811, LB703. Senator Brewer, amendments to be printed to LB138; Senator Lowe to LB542. Notice of committee hearings from the Health and Human Services Committee. Communication from the General Affairs Committee, selecting LB775 as the General Affairs Committee priority bill, LB775, committee priority bill, General Affairs. Additionally, Senator Linehan, LB753 as her personal priority, communication from Senator Linehan, LB753 as her personal priority. Leg-- new resolution, LR49, from Senator Day, that will be laid over. That's all I have at this time, Mr. President.

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

**M. CAVANAUGH:** Thank you, Mr. President. So I-- that gave me an opportunity to look up LB667, which is Senator Hughes's bill,

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authorize wholesalers to implement channel pricing under the Nebraska Liquor Control Act. So that's the one bill within the package that did not have opposition, only had proponents. Having the, the students here from, from Columbkille in Papillion-- and Senator Lowe had made this comment, I think, in his opening, about-- for one of the bills around nonprofits and churches and Lent. And Omaha is, is one of the, the best places-- I'm going to make a plug here, for Omaha Archdiocese. So if you're looking for something to do on Friday nights during Lent, I highly recommend coming to Omaha for one of our fish fries. We have them all over the city. I'm not going to divulge which ones are my favorites, but there's certainly some that are favorites. But I will say, a pro-tip to all you kids out there, sell Girl Scout cookies to the people waiting in line. It is-- first of all, I just love Girl Scout cookies and it is a great opportunity for a captive audience that is probably drinking beer and will spend more money on Girl Scout cookies than is reasonable. But it's a great business model, for all you entrepreneurial Girl Scouts out there, to get your-- meet your cookie goal. I also bought a lot of Girl Scout cookies this weekend, specifically, from Senator John Cavanaugh's daughter. So if you are looking for a Girl Scout cookie hookup, the other Senator Cavanaugh, I think, has boxes upon boxes at his house that he, probably, could spare a few. I had purchased, originally, a set number, put my order in for-- from my niece Evelyn and then, then my daughters got involved and the order, I think, doubled. So I also am lousy with Girl Scout cookies at my house. But that's like the best part of the, the spring season for me is fish fries and Girl Scout cookies and cheap beer. So I don't know which bill, within here, addressed the, the nonprofit ones, but I'm sure when we get to it, we can talk more about the business model of the Omaha fish fry. Some-- sorry. Still recovering a little bit. Some of the fish fries in Omaha, they actually-- like the churches actually own their own fish fry. And some of them have always done this, where you can do, like, a drive-thru pick up for your fish fry meal. You don't have to stay and go into the church basement and smell like fried fish. But during sort of the height of COVID, that drive-thru model really paid off for those, those churches because they, they already had that in, in part of their business model for the fish fry. It's, it's a great fundraiser, a great community event. It's a lot of fun. If you haven't done it, I really recommend it. My grade school, we never had the fish fry. We had the-- we had a spaghetti-- no. We didn't have-- sorry. We didn't have spaghetti, we had Sausage Fest. Yes, Sausage Fest, which is in like, September, in the parking lot of St. Joan of Arc, where I went to grade school. And it was the big fundraiser, where there was a polka band that would always play. And, and then, you know, all the,

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the church ladies would make, like, desserts to sell at the bake sale part of it. And there would be a big, like-- then the, the church dads would be--

**KELLY:** One minute.

**M. CAVANAUGH:** --serving up sausage and I think they probably had spaghetti, too. I just remember the sausage and brownies. I can't remember which church mom made the brownies, but they were amazing. It's no longer St. Joan of Arc now. I think it's, it's a dual language school and I can't remember the name of it. So I haven't been to Sausage Fest in a few years, but that is one of my cherished childhood memories. And I do know that there were always kegs of beer at the church parking lot, growing up. So that's how Catholics in Omaha do it. Usually our, our church events involve beer. I don't know. I've not heard that they do this in Lincoln, so I'd be interested to hear about the Lincoln Lenten special, if you do a spaghetti feed or a fish fry. But if not, you're really missing out on a great fundraising opportunity for your local church. I think I'm about out of time.

**KELLY:** That's your time, Senator. Senator John Cavanaugh, you're recognized to speak.

**J. CAVANAUGH:** Thank you, Mr. President. So I just took the opportunity to-- since we're continuing to discuss LB376 and AM 611, I went out and had a chance to talk with Mr. Rupe about anything that I maybe have gotten wrong and he was, at least, kind enough to tell me that I hadn't gotten a lot wrong. So that's good, but he did make some clarifying points and said in terms of the registration of the, the names and the brands and all the things-- so under federal regulation, as Senator Machaela Cavanaugh asked, there is, you know, these are-- it's a heavily regulated industry under the Department of Alcohol, Tobacco, Tax and Trade Bureau. There is what's called a COLA, which is a Certificate of Labeling-- a Certificate of Label Approved, which is-- so they file this COLA with the feds that states what the product is. And the reason I asked this is I said I didn't-- couldn't tell-- I don't know the difference or how we regulate these sort of sparkling, you know, drinks that have alcohol in them. And he said they could basically be regulated either as a beer or as a canned cocktail. And they will, basically, tell us what it is. But they file, with the feds, with this COLA and then, we can gain access to that and see how they file, to make sure we don't, we don't go and test and have some sort of oversight in term-- that regard and it's how they file it with the state. And then, I, I don't know if I missed the conversation about the fiscal note, but just to answer one of Machaela-- Senator

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Machaela Cavanaugh's other questions, that this is a cash fund. The money goes into a cash fund and goes out of the cash fund for the Liquor Control Commission. And to the other points, there are some great fish fries in Omaha. And in District 9, at least, there is Our Lady of Lourdes and the Greek Orthodox Church on Leavenworth and 29th. I'm trying to think of the name, actually. I just pulled it up here a second ago. So there are a couple in District 9 and fish fries are a fantastic way to, you know, spend a Friday during the spring season. Let's see if-- just trying to find it here. It is the St. John the Baptist Greek Orthodox Church, on 602 Park Avenue. So that's in District 9, as well as Our Lady of Lourdes, on 32nd and just south of Center. And actually, I think St. Cecilia's doesn't have a fish fry, they have a spaghetti feed. That's also in District 9. So if you feel compelled to go to a fish fry, come to District 9. We've got some, some great ones there. But I think I've answered all the questions that I have answers to, at this point, so I would yield the remainder of my time. Thank you, Mr. President.

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

**CONRAD:** Thank you, Mr. President. Good morning, colleagues. I was preparing for the debate this morning and I just wanted to add a thought into the record, in regards to the measure pending before us, LB376. Seeing how this measure emanated out of the General Affairs Committee, which typically has, of course, jurisdiction over things like alcohol regulation, gaming, I think libraries and cemeteries and I'm probably for-- forgetting another aspect of their jurisdictional, kind of, grant of authority there. It's always kind of a very unique and strange kind of mix of things, but it really got me thinking about some of the other issues that have emanated from the General Affairs Committee over the years and more recently, and in tandem with their work in the Revenue Committee. And I, I wanted to just draw a parallel to some issues that will later be before the body this session. So of course, Nebraskans will remember that the Via Citizen Initiative, there was an effort, many years long effort, many years unsuccessful effort, to legalize gaming in Nebraska. Finally, proponents of that measure were able to be successful in both court challenges and through campaign organizing and were able to put forward a pair of measures to legalize gaming in Nebraska, which had been thwarted for, for many, many years and to advance the will of the people in that regard. So I think it was very interesting and instructive how quickly this body moved to facilitate implementing the will of the people in regards to that vote. And of course it was due, in large part due to the attractive nature of that additional revenue that would be provided to the state and individual members. And the body as a whole

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definitely had, had their eye on those possibilities. So that being said, we're going to have a very similar proposition before us this year in regards to, I think, really two key areas to effectuate the will of the people. The first being the decisive vote, just a few months ago, by Nebraskans all across the state, wherein they decided to increase the minimum wage modestly over a period of years and to index that to inflation. And there's pending measures before our body and perhaps, going to be advanced from the Business and Labor Committee, that seek to undercut the will of the people, that seek to really undermine the expressed preference of our second house, as effectuated through those ballot initiatives. And then, of course, we have another parallel issue in regards to facilitating the will of the people, when it comes to some issues pending before the Government Committee, which I'm a member. So Senator Slama, Senator Day, I believe Senator Erdman and others have all brought forward a, a variety of different proposals and different options to facilitate implementation of the voter ID measure that was adopted by the people just a few, a few months ago. So that being said, I, I was thinking about how this body worked to facilitate the work-- the, the vote of the people, in regards to recent gaming issues. I'm thinking about that with these, these General Affairs measures up, and I'm thinking about that when it comes to--

**KELLY:** One minute.

**CONRAD:** --facilitation of voting rights and facilitating the will of the people when it comes to economic justice for working families. And I'm hopeful-- thank you, Mr. President-- that we will not undercut either of those efforts, but we will work in good faith to, to ensure that the will of the people is paramount. Thank you, Mr. President.

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

**M. CAVANAUGH:** Thank you, Mr. President. Well, now I feel remiss if I don't talk about the fish fry, specifically, in my district. They're not all fish fries, though. In my district, we also have spaghetti feeds. So I was trying to look up the information on them. My newly acquired part of my district, the most western part of my district that previously was in Senator Robert Hilkemann's district, is St. Vincent de Paul. St. Vincent de Paul has a fish fry. They have a, they have a pretty large fish fry. They, actually, are one of the people that have a fry machine and they serve amazing mac and cheese. And I haven't been there yet this year, but in previous years, they also have Girl Scout cookies while you are waiting in line. So if you like

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mac and cheese, you like fried fish, you like Girl Scout cookies, definitely check them out. It's the very west-- literally the very, very western edge of my district is St. Vincent de Paul. I remember knocking in that neighborhood and a priest answered the door. Apparently, it was the rectory and I didn't know it. And he actually went to school with one of my brothers. So that was a fun connection that we had. St. Robert's does not have a fish fry, I believe, but they do have a spaghetti feed. And I was trying to find information. I don't know that they have it every week. So I was just trying to find that. I can't, I can't find that information, but I will get back to you all. And then, I have, also, Christ the King is in my district and I believe they do a spaghetti feed, as well. I'm trying to think if I've seen any of the signs. There's normally, like, yard signs around the school-- the schools and the churches advertising their things. So I'll have to come back on that one, if they have a spaghetti feed or not and-- or a fish fry. Not in my district, but in my church, is St. Pius and they do spaghetti dinners. It's in Senator Hunt's district. It's just across 72nd and it's where my kids play soccer and that's our home parish. St. Leo's is also in my district. I kind of forget because St. Pius and St. Leo are one-- two parishes, one school. The school is not my district, but St. Leo's in my district. And I'm not sure if they have a fish fry or a spaghetti feed, but they probably do. Growing up, I feel like St. Joan of Arc was the only one that didn't do something during Lent. We just did the Sausage Fest. Maybe the rest, maybe the rest of us parishioners went to the other ones. I remember going to Holy Name a lot. That one's fun. That's a fun one. Mary our Queen. That's in Senator Fredrickson's district. That's a fun one. It's-- if you grew up going to Catholic school, drinking in a church basement is kind of a rite of passage, once you're an adult and of age. So, something that I just enjoy doing and smelling like fish in the process. So, OK. Back to the, the situation at hand is AM611, which is the underlying bill of LB376 and the bracket motion to bracket it until tomorrow. And then if we were to vote on that and move forward, then we would next go to the next item on the agenda, which is Senator Hunt's LR18CA. It's a motion to re-reference to Judiciary from the Health and Human Services Committee. So last week, I talked about some of the, I guess, we can say lack of repercussions for me, in filibustering everything and slowing everything down, so that we passed fewer bad things.

**KELLY:** One minute.

**M. CAVANAUGH:** Thank you. And part of that is things like, I've said, time and time again, that none of my bills are going to get out of

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committee. I actually don't think I can give this synopsis in one minute, so is this my last time before closing?

**KELLY:** It is, before closing, yes.

**M. CAVANAUGH:** OK. Then I will, I will give this synopsis on my closing, unless somebody yields me time. Thank you, Mr. President.

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

**WAYNE:** Thank you, Mr. President. Will Senator Hardin-- never mind-- Senator Lowe yield to a question?

**KELLY:** Senator Lowe, will you yield to a question?

**LOWE:** Yes.

**WAYNE:** Senator Lowe, when I was driving down here listening to this, Senator Hardin mentioned that there's a-- his bill or his amendment has a conflict with federal law. Can you flesh that out or do I need to have a conversation with him? It's OK if you can't, I mean--

**LOWE:** Yeah. I, I don't recall the comment.

**WAYNE:** OK. I will wait and punch back in at a later point. Thank you. I'll yield the rest of my time to Senator Cavanaugh.

**KELLY:** Senator Cavanaugh, you have 4:10.

**M. CAVANAUGH:** I'm assuming you meant this Senator Cavanaugh. Yes. He said yes. Thank you, Senator Wayne. So, OK. So I was talking about bills being kicked out and repercussions. So last week-- so when my bill LB99 was introduced, this is universal school meals, which, which means that free and reduced lunch, we would just have lunch for kids, in school, in Nebraska. It's kind of-- I guess I was ahead of the curve. I've introduced this a couple of times pre-pandemic. Then when the pandemic happened and kids went back to school, there was a state of emergency declared and all school meals were free. And I consider that a little bit of a pilot program for what I've been trying to achieve, which is to get rid of that economic disparity of, of school meals. It should be the cost of educating children is to feed them during the school day. While they are in our care, they are in our care and they are our responsibility. So I've introduced this bill a couple of times. Last time I introduced it, it got out of Education Committee unanimous and was kicked out to the floor and sat on worksheet order. I was going to use my priority bill-- my priority for



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it last year, but I had to reprioritize the family support waiver for children with developmental disabilities, because it had failed on cloture to a filibuster, two years ago. So that's why I didn't prioritize my universal school meals bill last year. So I brought it this year and I had the intention of using my priority for it. And when I introduced the bill in committee, I expressed that explicit intention to the committee, that this bill, which I had introduced previously, had come out of committee unanimous, previously, just didn't have a priority, didn't get to it on worksheet order, that I had reintroduced it with the intention that I would prioritize it. Last week, I asked my staff to ask the committee to Exec on it. So when I say, it is not just me hypothesizing, I have numerous bills that haven't gotten hearings. Numerous bills, that are not culture wars, that are economic bills that help working families in Nebraska. They haven't been scheduled. I have the bill that I would-- intended to have be my priority bill and it did get scheduled. But it's stuck in committee because the Chair refuses, in writing, refuses, to exec on it. So when you get frustrated with me, get frustrated with the Chair of Education, because I have no reason, none, to stop what I am doing. I can't even get a bill that the Chair previously voted for, out of committee, out of spite--

**KELLY:** One minute.

**M. CAVANAUGH:** --that feeds children. That's where we're at. That's where we're at. And that's cool. I mean, it's not really. It's kind of terrible. It's-- I mean, I would say borderline immoral, but that is where we're at. And so I'm going to do what I'm going to do. And what I'm going to do is slow it down to a screeching halt, because we can do better. We can do better. So now I'm looking for other bills to prioritize. Obviously, it won't be mine. So friends and colleagues, pitch me your ideas because I will use my priority for something. I don't care who the introducer of the bill is, I care what the content of the bill is. So feel free if you think--

**KELLY:** That's your time, Senator.

**M. CAVANAUGH:** --thank you.

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

**CONRAD:** Thank you, Mr. President. And I yield my time to Senator Machaela Cavanaugh.

**KELLY:** Senator Cavanaugh, you have 4:50.

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**M. CAVANAUGH:** Thank you, Senator Conrad. Yeah. So if you, if you have a bill that you, you know, if you've already decided what your priority bill is and you have another bill that you think is needing a priority-- well, everything needs a priority at this point, friends. Everything needs a priority. Because I figured out, back of the envelope math, that at this rate, we will have, at maximum, 42 bills pass. At maximum. That only happens if we go to 11:59 every night that we have all-day debate, which of course, we're probably not going to do. We're not going to go 9 a.m. to 11:59 every day, once we start all-day debate. So let's say 35 bills, we're going to pass 35 bills this year. What are they going to be? What are they going to be? We could pass more, if we decide that we want to do our jobs and do good governance or we can pass 35. They can be horrible 35, but we can pass 35. So, I hope that this body has some moments of self-reflection as to how we got to this point. We got to this point through committee assignments. We got to this point through trying to legislate hate. We got to this point through digging in and saying, we have the votes so we can do whatever we want. We got to this point by saying we don't have to be good. We don't have to be good stewards of the state. We don't have to be good leaders because we have the votes. We can punish people who are trying to do good things for the state out of spite. We can deny children school meals out of spite. We cannot schedule public policy that helps with economic recovery out of spite. So we're going to pass very few bills and notice that number, 35 to 42ish. There's 49 of us. And when I say that's the maximum we can pass, that's also how many we will debate and that includes the budget. So we're going to have the budget bills, which will put everything off. And the budget has to pass. For-- most of you think that it has to pass. It doesn't, actually. If we don't pass the budget, it goes to the Governor's budget. I don't want that. But I mean, potato, potato at this point. So we have the budget bill or however many bills that is. It's usually, I think, around three, are the primary budget. I haven't looked. So we have those bills and then, we have everything else and this is what's going to get floor debate time. So every single bill is going to go to cloture. This bill is going to go to cloture. So we have to decide, after the 2 hours, today, that we spend on this bill or two and a half or 3 hours that we spend on this bill, do we want this bill to come back? Does this bill matter enough to us to take precious hours? Because it'll come back and it'll have six more hours on General and then, it'll have four on Select and then, it'll have two on Final. Do we like this bill that much? That's a question we're going to have to answer. Do we like this bill that much?

**KELLY:** One minute.

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**M. CAVANAUGH:** I'm fine with this bill. I'm still going to take it 14 hours total. So that's where we're at. And I didn't get here by myself. Forty-eight people got here with me. Forth-eight other people are also responsible for where we are at today. You don't have to take responsibility for it, but that is the reality, is that this isn't just me. This is all of us. We're in this boat together. We're going to sink or swim together. So we, maybe, want to take this time. When Senator Machaela Cavanaugh is talking and talking and talking, we, maybe, want to take this time to look at what we have in front of us and what we want to see happen.

**KELLY:** That's your time, Senator. Senator Erdman, you're recognized to speak.

**ERDMAN:** Thank you, Mr. President. Good morning. I was just going to sit on the side and listen. But I don't think I can do that anymore. This is absolutely, totally ridiculous. We allow, because of our rules and the way this body is set up, to let one person and their personal vendetta against someone else or her wishes aren't met, so she's going to filibuster these bills. That's the way that bullies do things and the only way that you can deal with a bully is to hit them head on. So if we want to go to 11:59, I'm ready to go to 11:59 every night. We'll see how much stamina Senator Machaela Cavanaugh has. If we had a Unicameral, we wouldn't have this going on. Bicameral. Excuse me. So we're going to do 14 hours on this bill for what reason? We don't know what it is. So what she doesn't understand is somebody may have a different opinion than she has and her opinion is no more important than everyone else's. And so, maybe, what she should do is just stand there for 5 minutes of silence, like I did last year. That would make more sense than what she's been saying. There are many of you in the room that are feeling exactly the same way I am. And I have a adjourn sine die motion written up. And if that's what we need to do, perhaps we should do that. And then the Governor can call us back in a special session and we'll deal with the budget and with voter identification and we go home. So if the rest of you in the room that aren't doing filibuster have an idea on how to deal with being bullied like we have been, let me know. Thank you.

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

**BLOOD:** Thank you, Mr. President. Fellow Senators, friends all, I, too, was standing off to the side, quietly listening, actually talking to some of my peers about some important bills. But I was motivated to come to the mike when I hear Senator Machaela Cavanaugh identified as a bully. Senator Machaela, Machaela Cavanaugh is like the polar

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opposite of a bully. Is she determined? She absolutely is determined. Does she feel strong in her convictions? She absolutely feels strong in her conviction, but that does not make her a bully. And I think it's unfortunate that that is now on the record. I don't remember anybody standing up in opposition when, last session, we literally had a senator threaten every person in this body that didn't support his bill. I don't remember you having the guts to talk about that person being a bully at that time. Everybody just sat quietly with their heads down and pretended they didn't hear or see it. I don't see anybody talking about the videos and the photographs that have been taken on this floor by our-- certain members of our body to be used in negative ads, to be used in social media, in a way that is definitely bullyish. I don't see any policy being maken by our Exec Committee. I don't see anything in writing that censors these people. But Senator Machaela Cavanaugh standing up for our children and for those people who identify differently than us, is apparently a bully. My definition of bully is very different than your definition. Could you do a motion for sine die? You most certainly could, but that would also be hypocritical because when it was used prior, supposedly, that person was a horrible person. And I remember you, Senator, talking to Senator Conrad and telling her she was stupid for doing it. I was standing right here when you did it. You may not remember that, but I do. So if we're going to talk about bullies, let's talk about real bullies. Let's talk about some of the dynamics we hear on this floor. Let's talk about some of the behaviors we see on this floor. Let's talk about the lack of follow up when there are complaints about the real bullies on this floor and how we can't seem to get our body together in a nonpartisan way. And by the way, I do not support this issue in reference to having a bicameral, also, that was just spoken about because, you know, everybody, that's going to be twice the tax dollars that you pay, then, because they'll be two houses. So of course, they're not going to tell you that. There's going to be longer waits on getting bills done. There's going to be more partisanship. There's going to be more big money, more dark money in elections. Why do you think there's a push for two houses? There's a push for two houses because there is going to be more bad legislation that comes through and less control over that legislation. Right now, we had or have a Unicameral that can and has worked. But instead this year, there was something that-- weird that happened, same as what happened our freshman year with the committees. There was obviously bias in some of these committees and I'm not saying all committees, so no one has to act like the rooster in the, in the barnyard and then tell me that how dare I? But we know. We know, when we look at the agenda, what bills have gotten out and what bills haven't gotten out. We know there was a

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push to get certain bills out. We're not stupid. The public isn't stupid. And quite frankly, the people behind those big bills are highly organized and good for them. They've got lots of money that's going into their personal campaigns, that's going into their causes. And because they have that money, they also have the influence, the influence to get these bills out in a timely manner while everybody else's bills, no matter who they are for or what they're about, are still stuck in committee.

**KELLY:** One minute.

**BLOOD:** But the main reason that I rise is not in support of the bracket motion. I do not support the bracket motion, but to stand on behalf of my friend, Senator Machaela Cavanaugh, being called a bully. Because I guarantee that I have a long list of notes of people who are actually bullies on this-- these, these mikes, over the last six years. And if we need to kill time, I'm happy to pull out my book and start with the, the date from my first year, all the way up to this year. And we'll start talking about all the incidents where people purposely bullied other senators here on the floor of the Legislature or in their face while we were debating. Thank you, Mr. President.

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

**LOWE:** Thank you. We are still talking about LB376 and, and the underlying amendments. Today will be the day that we speak about this, because tomorrow, it goes away. It goes and we will start talking about other bills. So I'd like to get through LB376 today. In the rotunda, is the director, Hobert Rupe, and also businessmen and women who have come to testify on this. Let's get this done today and then, we can move on. Thank you, Mr. President.

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

**CONRAD:** Here, Mike. OK. Good morning, colleagues. Thank you for the opportunity to provide a, a few additional ideas in regards to, kind of, where we find ourselves and, and how we got here. Just to take a step back and not to spend too much time and energy on it, but I think that, perhaps, the, the focus has become a bit too myopic, in regards to Senator Cavanaugh's position or utilization of a strategy available to any one of us, that has been utilized by different senators over the years for a host of different reasons, which is to engage in extended debate. And there have, I think, been perhaps frustrations leveled against those senators when they were engaging in those tactics over the years. But I'm not sure I had an opportunity to,

perhaps, see the same level of consternation or even vitriol as has been leveled against Senator Cavanaugh. And so, I just want to put that in context, that what she's-- the, the chart-- the course that she's decided to chart here has been clear and is not new to the Nebraska Legislature. It's a, a course that's available to all of us, at any time, as, as we see fit. And it's one of the unique aspects of our Unicameral Legislature that gives each of us, as independent contractors, the ability to represent our constituents as we see fit. And let's be clear. Senator Cavanaugh does not hide who she is from her constituents. Her constituents know her and her heart and her head and her strategy and the substance, in terms of the issues that she champions or opposes very, very well. She's a very active and well-known public figure in her district. She recently won reelection in a landslide against a hard, hard fought campaign. And the voters of her district were clear. They chose her and trusted her abilities and strategy and the substantive position on the issues, to represent their interests here. What she is doing-- yes, she is a vessel. Yes, she has incredible talent, but she's representing the interests of her district. And they just reelected her in a landslide to do just that, being very clear eyed about her tenacity and about her position on the issues. So I, I just wanted to be clear about that. And I think part of the frustration and challenge that feels, perhaps, so different or so hard, at this moment that we find ourselves in, is some of it's a product of term limits. But the, the fact of the matter remains is that, really, nothing about this legislative session is perhaps, typical, in terms of our custom, tradition and practice in the Nebraska Unicameral Legislature. We saw, right out of the gate, committees were stacked. Taking away the ability to have a balanced, productive conversation on a lot of these very hot-button issues that actually could benefit from that kind of balanced approach to providing better policy results out of committee, into the floor. So we're at a point where the committees are out of balance on purpose, very deliberately, so we don't have as much of an ability to impact public policy in the committee structure that we once did. Even in the committee structure, we have--

**KELLY:** One minute.

**CONRAD:** --thank you, Mr. President-- we have members who seek to silence us. No, you can't ask questions, Senator Conrad. You can't even ask questions, as a member of your committee. You can't ask questions of other senators about the measures that they bring forward. Other senators throw up their hands and say, I refuse to answer questions on the measures that I brought forward. All right. There-- they don't have to answer questions if they don't want to. But

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I, I just want to take a step back and, and remember that. If you look at some of the information that's been put together by stakeholders following the Legislature closely, you can also see that senators who brought forward common sense, common ground legislation, to try and impact a variety of different public policy areas, bills aren't scheduled if you're a progressive. Bills are not advanced, if you are a progressive and they're languishing in committee. So we have less and less constructive opportunity.

**KELLY:** That's your time, Senator.

**CONRAD:** Thank you, Mr. President.

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

**HUNT:** Check the queue. I'm, I'm not next in the queue. Oh, I am? OK. Thank you, Mr. President. I think there's a lag between what goes up on the monitor that we can see and maybe what you guys have up there. I saw that Senator Conrad put her light on again to continue making her point, and I turned mine off and put it back on, so that she could continue her point uninterrupted, since she was on a roll, there, about the, the way so many norms in this Legislature have been challenged and rejected this session, in a way that is not unprecedented. What Senator Cavanaugh is doing is completely unprecedented. It's, it's within the rules that we all agreed to follow. And I think that she's making a really, really important stand and an important point. And it's-- she says that she's standing up for her district and what she thinks that her constituents care about, but it's really not just that. It's not that she has a progressive district. She-- you know, her district is actually very purple. It's very mixed between conservatives and progressives. My district is very progressive. And I think that some of the issues that I stand up here and fight for are definitely in the majority of what my constituents are asking me to come down and do. But for Senator Cavanaugh, it's the same way. But she's not just fighting for her district. It's about keeping the conversation around what is right and what-- you know, the history books are going to look back and see that the Nebraska Legislature, this session, cut down people's rights, cut down the rights of families to make the best decisions for themselves and their own bodies in accordance to, you know, what they know about each other and their family and, and the advice of their doctor and what we know is best practices in, in the medical field. And that's whether we're talking about abortion or whether we're talking about healthcare for trans youth, gender affirming care. And the problem around the bill that we're going to be debating, around gender affirming care for

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trans youth, is that, you know, I think that it's easy for ignorant people to say, well, we shouldn't be giving surgery to eight-year-olds. OK. Well, that's literally not happening. You, you think that that's what this bill is about? What this bill is going to do is chill any kind of affirming care, any kind of social transition, even if it is not medical, even if a kid is not taking puberty blockers or not taking hormones or not getting surgery, which we know never happens in Nebraska, anyway, what it's going to do is chill even the ability of a kid to transition. What we see in Texas, where they passed a similar law-- well, they passed another law that basically puts a bounty on the heads of parents of trans youth. And we have people calling Child Protective Services in other states saying, hey, you know, Mr. and Mrs. Smith, their kid is trans. And so then these parents go and get investigated by the state, Child Protective Services. Is that what we really want in Nebraska? It's deranged. So it's not even about, you know, what's the medical you know-- how should we as lawmakers be policing what the medical field is allowed to do in Nebraska? It's completely clamping down and cutting down any kind of affirmation for queer kids. And it's not just trans kids. It's, it's all nonheterosexual, nongender conforming, curious, exploring, questioning youth. And I, I think that that's too heavy-handed for this Legislature to do and everybody knows that's what this conversation is about--

**KELLY:** One minute.

**HUNT:** --at the end of the day. Thank you, Mr. President. That's at the heart of this conversation. We never, in this Legislature, have seen bills come out of committee that were so bigoted, so hateful. I mean, I, I wish we could go back to the days where my biggest headache was this anti-science, pseudoscientific abortion reversal bill. Remember when that was my biggest problem? Like, oh, my God, they're telling patients stuff that isn't true. We are so beyond that level, in Nebraska, of the disrespect to science, the disrespect to research and the disrespect to our neighbors, who are trying to do their best to get the best medical care. This bill, LB376, I also have some other thoughts on other parts of the bill that I would like to touch on once we get to those parts of the bill. But this bill will pass. This bill will pass and you are the ones who control the agenda. Any bill that you want to pass, will pass.

**KELLY:** That's your time, Senator.

**HUNT:** Thank you, Mr. President.



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

**BLOOD:** Thank you, Mr. President. Fellow Senators, friends all, I still stand against the bracket motion. But I would like to add to what Senator Hunt just said. Senator Hunt, I agree with you. Never would I have believed that we would be at this point, where we didn't embrace all Nebraskans and we decided it was our job to start discriminating against people who, maybe, identify differently than we identify or people who, maybe, lived different lives than what we, we lead or what, what they believe we believe differently. I, I don't know when we started thinking that we were the morality police or the genitalia police. I, I don't know where that came from, but I don't feel like it comes from a place of love. And yeah, I know politics isn't supposed to be about the feel-good things, although those are the things we always wave the flags on. Hey, we, we lowered your property taxes. Hooray. Which we've actually never really done by the way, but we promote that all the time and we have for decades. But when it comes to, to passing laws that are important to all Nebraskans, we can't discriminate while we're doing that. Because what does that make us as a body? Why aren't we more concerned about how Nebraska looks and feels, not just to the people that live in our state, but the people who look to our state when it comes to moving here or vacationing here or sending their children to college here? I, I really feel that we're making some really big mistakes this year that we'll never be able to pull out of. But with that, I would yield any time that I have left to Senator Conrad.

**KELLY:** Senator Conrad, you have 3:15.

**CONRAD:** Thank you, Mr. President. And thank you to my friend, Senator Blood. I'd hit my light to continue my thoughts, but I had already hit my, my three times speaking in the, the cue. So that's why I wasn't recognized and may have messed up the queue for Senator Hunt. But, just to continue down some of the thoughts, in, in regards to some other kind of discussions that are brought to bear today, is that so we've found ourselves in a place where the norms, customs and traditions of the institution have been really turned aside, and that is influencing the impasse that we find ourselves at, here today. And I know Senator Cavanaugh and Senator Hunt have been very clear about their focus, which I share, in regards to the anti-trans measures and in regards to the abortion ban pending before this body. But I also want to talk about and think about and look at some additional global issues that I'm equally concerned about. When you look at the preliminary budget, we see support for higher education at a level, perhaps, that rivals where we were in recessionary period. That's

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really going to hurt a lot of families if that carries forward. That's going to increase pressure on tuition and that's going to price out a quality education for a lot of working families across Nebraska, in each of our districts, that attend community colleges, state colleges and the university. We're looking at vastly different options and proposals to facilitate the voter ID constitutional amendment that Senator Slama led. In terms of what that means and how much voter suppression we will tolerate or mandate, in regards to the policy choices we make when deciding how to implement those measures. And we'll have additional measures heard in Government just this week. We're seeing, again, an undercutting of not only the will of the people, but economic justice issues--

**KELLY:** One minute.

**CONRAD:** --kitchen table issues, affecting-- thank you, Mr. President-- families all across Nebraska, who had a chance to, maybe, get a little breathing room against inflationary pressures and otherwise, as they're working hard. And we see the minimum wage efforts being undercut and eviscerated and probably come flying out of the Business and Labor Committee, sooner rather than later. We see a push to build a massive new prison, which would be one of the most expensive and complex earmarks in state history without an equal attention, if any, to smart criminal justice reform, to help us stop those patterns of mass incarceration and racial injustice, which got us to the place where we are, as one of the most, if not the most overcrowded prison systems in the country. We see a continual attack on public schools, as has been evidenced in national press very recently, really across the board, on a host of different--

**KELLY:** That's your time, Senator.

**CONRAD:** --thank you, Mr. President.

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

**HUNT:** Thank you, Mr. President. It shocked me this year and I'm not easy to, like, rattle, but it shocked me this year when I was watching that committee hearing and Senator Conrad was asking questions of the introducer, taking the bill seriously. They were not dilatory questions. They were real questions about how a bill was going to be, you know, promulgated, how, how the bill was actually going to be put into effect. And the committee chair in that committee asked Senator Conrad to stop asking questions. And then she wasn't recognized to ask any more questions. What on earth is going on? We really can't do

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anything right, can we? You won't be happy even with a supermajority in this Legislature. You won't be happy just winning, you have to crush opposing voices as well. You have to silence opposing voices, as well. Not only do you want to skip to the end, to the part where you have the vote and you win and you have the supermajority and you get whatever you want this year, you don't want to hear anybody else say anything against it, whether it's happening on the floor here or whether it's happening in committee to people like Senator Conrad, who-- she is a senior senator. She's here for her ninth year here in the Legislature, And many of you others who have returned, including Senator Lathrop, who returned in 2019, in my class, who is, is not here anymore because he couldn't stand it in here. I kind of have to respect that, although it was such a bummer. But it's, it's customary to give returning senators the respect of some deference to their committee preferences, some deference to even leadership positions like a chairmanship or something like that, because it's about good governance. And we ostensibly, with term limits and everything, we want people in leadership positions who know their way around, who know the rules of the road and have experience with these subject matter topics that, that come before us. And Senator Conrad was shut down at every turn, whether it was in her caucus or in Committee on Committees or now, in committee hearings, when she's not even allowed to ask questions. It is so disrespectful. I cannot imagine that ever happening to a conservative man in this body. And I again, I had forgotten about that, until Senator Cavanaugh brought it up again. Because every single day in here is some new, fresh hell that happens. And then you forget about what happened last week and the fight that we were going through then. I had forgotten how she was silenced and that had shocked me at the time. Now, like 8 minutes later, the thing I originally put my light on for, the thing I wanted to stand up and say, I was amused so much by Senator Erdman accusing Machaela Cavanaugh of bullying and saying that this type of tactic is bullying. The reason we are doing this, the reason that you can't pass your little bill-- which by the way, you will pass it. You just have to wait like, a little longer than you're comfortable waiting, which-- welcome to our life. The reason you're here is because of bullying. It's the bullying of far right conservatives. And I'm not talking about Republicans. I'm not talking about like, my mom and dad, who are Christian conservatives and want lower taxes. That's not what I'm talking about and you guys know that. I'm talking about freaks who run for office, get elected, come in here with the sole purpose of controlling women's bodies and harming gay kids. Any kind of policy agenda or talking point, straight--

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**KELLY:** One minute.

**HUNT:** --out of the far, far, far radical right and these are not views that represent Nebraskans, honestly. And you are the ones who control the agenda. To get us to stop, don't schedule those bills or schedule them and ensure they will fail and then, we can move on to next things. The danger for Nebraskans has never been higher. Again, we're not talking about silly pseudoscientific abortion reversal stuff. We're not talking even about method bans, like Senator Geist's method ban that she introduced and passed. We're talking about an abortion ban, a ban on care, without the backstop of Roe v. Wade. We're talking about targeting LGBTQ kids, queer youth and the harassment and bullying that they are going to experience because of what grown adults in here are doing to them. That's what bullying is. I could never bully you.

**KELLY:** That's your time, Senator.

**HUNT:** Thank you, Mr. President.

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

**McKINNEY:** Thank you, Mr. Speaker. I don't know if I'm supportive of the bracket motion or not, but I rise because I haven't really talked a lot. This session has been busy and a lot of things going on and a lot of moving parts. But I did want to say that, as Senator Conrad mentioned, two things that I think we should definitely pay attention to, as a body. One is the construction of a new prison in this state. And whether you're for it or against it, I think you really still have to look at the facts and understand that no matter if we decide-- well, I probably won't-- but no matter if this body decides to build a prison, we have to make some changes, as far as policy, to address the issues with-- inside of our criminal justice system, both adult and juvenile. Sometimes juvenile get-- gets left out the conversation, but if you did a survey of the individuals in our state pens and see who was also in the juvenile justice system, it would probably be a high number. So we also need to address our juvenile justice system because it is just as horrible as our system. Another thing is that the voters, last year, voted to raise the minimum wage, gradually, over a period of time. And this year, we have legislation to try to, you know, limit that, a cap and also one to say, you know, individuals under the age of I think 19 or 18 or teenagers can't make a certain amount. And I just don't understand what we're doing here. There's a lot of things, a lot of, a lot of things that have been said and discussed this, this year. But for me, the biggest-- not the biggest

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things, but some of the most important things are making sure that we do get some real criminal justice reform in the state of Nebraska. Whether you like it or not, we have to do something to address the system. You could be tough on crime, but don't stand up and say that, you know, we want to limit government spending and be fiscally conservative and save money in our state, but electing not to make some changes in our criminal justice system, because if we don't, we'll be spending almost \$1 billion over the next ten years to build prisons and still not solve the problem. Also, we, we have to make sure that, you know, the youth in our, in our state want to be here. But when you have measures to limit the amount of money they can make or cap it, I don't know how that's a good recruiting tool. Or, or we just need to stick to the motto that Nebraska isn't for everybody. And if it's not for everybody, our state is going to kick-- it's going to continue to age. Our youth are going to leave and eventually, it's just going to be a dying state. And that is what is on the agenda for the Legislature, this year. There are some other things as well, but I just wanted to highlight those that-- I know we've been busy and debate is going to come up on a lot of important topics, but make sure you're paying attention to criminal justice related issues, legislation that, you know, limit what the people voted for in November, as well. And I'll yield any amount of time I got left to-- oh, I don't see her, so never mind-- Senator Machaela Cavanaugh, if she wants it.

**KELLY:** Senator Machaela Cavanaugh, you have 1:10.

**M. CAVANAUGH:** Thank you, Senator McKinney. Well, we're getting-- it's noon. Oh, my gosh. It's noon, so I have no more time in the queue. And I think that--

**KELLY:** One minute.

**M. CAVANAUGH:** --there's one more person in the queue and then, I am going to close on my bracket motion. So I will just go ahead and yield the remainder of my time back from-- come back at my close. Thank you.

**KELLY:** Thank you, Senator. Mr. Clerk, for items.

**CLERK:** Mr. President, your Committee on Education, chaired by Senator Murman, reports LB201, LB285, LB630, LB647 and LB787 to General File. Additionally, your Committee on Judiciary, chaired by Senator Wayne, refers LB1125, LB265, LB307 to General File, all having committee amendments. Amendments to be printed: Senator Lowe to LB376, and Senator Hunt to LB637, and Senator Raybould to LB77. Name add: Senator

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Ibach to LB31, Senator Hardin to LB91, DeBoer to LB323, DeKay, LB563, Wayne, LB693, Moser, LB754, Halloran, LB805, Brewer, LR1CA and DeKay, LR74. An announcement: the Government, Military and Veterans Affairs Committee will conduct its hearing on Wednesday, March 1, 2023, in Room 1525, and the Natural Resources Committee will conduct its hearing in Room 1507, both occurring at 1:30 p.m. Additionally, an announcement: the Agriculture Committee will meet in executive session this afternoon, at 1:30, in Room 1307, Agriculture, exec session, this afternoon, at 1:30 in Room 1307. Finally, Mr. President, a priority motion. Senator Linehan would move to adjourn the body until March 1, 2023, at 9:00 a.m.

**KELLY:** The question is shall the Legislature adjourn for the day? All those in favor say aye; all those opposed say nay. We are adjourned.