

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate March 9, 2023

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

**HALLORAN:** Good morning, colleagues. Please join with me in a prayer. I'd like to create my own prayer sometimes, but there's a beautiful verse from Philippians, Chapter 4, verse 8: Finally, brethren, whatever is true, whatever is honorable, whatever is right, whatever is pure, whatever is lovely, whatever is of good repute, if there is any excellence and if anything is worthy of praise, dwell on these things. Amen.

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

**MCDONNELL:** Everyone please join me in the Pledge of Allegiance. I pledge allegiance [RECORDER MALFUNCTION]

**KELLY:** Thank you. I call the order the forty-second 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. Are there any corrections for the Journal?

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

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

**CLERK:** There are, Mr. President. Report of registered lobbyists has been filed in the Journal for March 8, 2023. Additionally, agency reports electronically filed with the Legislature can be found on the Nebraska Legislature's website. Notice that Senator Dover, communication, wishes to make LR22CA his personal priority bill for the session; Senator Dover, LR22CA, personal priority. Additionally, amendment to be printed: Senator Brewer to LB511. That's all I have this time, Mr. President.

**KELLY:** Mr. Clerk, for items.

**CLERK:** Mr. President, first bill on the agenda, LB376, it's a bill for an act relating to the Nebraska Liquor Control Act; amends Section 53-103 and Section 53-101; defines a term; requires a licensed manufacturer, licensed wholesaler, or a holder of a shipping license

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to submit a report and any applicable fees to Nebraska Liquor Control Commission prior to the sale or shipment of any alcoholic liquor into the state; repeals the original section. Bill was read for the first time on January 12, 2023, and referred to the General Affairs Committee. That committee placed the bill on General File. There are no committee amend-- excuse me, Mr. President. There's a divided committee amendment with no amendment currently pending, as well as an additional pending motion.

**KELLY:** Mr. Clerk, for an amendment.

**CLERK:** Mr. President, Senator Lowe would offer AM612, consisting of LB5-- LB259.

**KELLY:** Senator Lowe, you're recognized to open on AM612.

**LOWE:** All right, I had to understand what AM612 was there for a minute. Thank you, Lieutenant Governor. Welcome to Groundhog Day, day three. LB376 is a vehicle for the General Affairs liquor committee package this year. For the last several years, the General Affairs Committee has made one of its priority bills a liquor package and other gambling-- and the other one was a gambling package. LB376 has other bills in it: LB259, LB377, LB596, and LB667. Yesterday we went through LB376 as the question was called to separate the bill. Today we'll be talking about LB259, which is AM612 now. The basics of this: This allows farm wineries to sell beer and liquor that they do not produce. As you know, farm wineries are now destination places, places for wedding receptions, corporate meetings, get-togethers, and other things. This allows farm wineries the same rights as craft breweries and micro still-- distilleries, which we passed in the last couple years. This would be an add-on to their current license. Wineries would have to apply for it and be granted the right by the Liquor Commission. In the past, I have previ-- previously opposed doing this because of the balance of the three-tier system and we must adhere to that. I've had a change of heart since we passed the craft breweries that were given the right of self-distri-- distribution. In the hearing, the opponents were concerned with the expansion of liquor licenses, but it was impossible to address their concerns without killing the whole bill. So this is a good bill. This should not take any time at all, but I think we're going to take some time today. I hear giggling in the background. So with that, Mr. Lieutenant Governor, I close my opening.

**KELLY:** Thank you, Senator Lowe. Mr. Clerk, for motions.

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**CLERK:** Mr. President, Senator Machaela Cavanaugh would move to bracket LB376 until June 1.

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

**M. CAVANAUGH:** Thank you, Mr. President. Thank you, Senator Lowe, for that wonderful introduction of this amendment. I do have a question for Senator Lowe. Maybe I'll get that off my plate right away. Would Senator Lowe yield to a question?

**KELLY:** Senator Lowe, will you yield?

**LOWE:** Yes.

**M. CAVANAUGH:** Thank you, Senator Lowe. So this allows for craft brew-- craft beer and wine that doesn't-- isn't produced at the-- at the vineyards. Correct?

**LOWE:** This allows microd-- wineries to be able to sell beer and liquor at their wineries that they do not produce at this time.

**M. CAVANAUGH:** So it doesn't have to be just craft beer?

**LOWE:** No.

**M. CAVANAUGH:** So it can be--

**LOWE:** It could be one of the big name brands.

**M. CAVANAUGH:** --like Coors and Budweiser and things like that.

**LOWE:** Yes.

**M. CAVANAUGH:** That was my burning question for you, Senator Lowe. All right, thank you. I appreciate you answering it. And I appreciate this bill because I-- I enjoy going to our local wineries, but oftentimes the-- the offerings there aren't quite to my-- my particular tastes of-- of what I like to have to drink, so having a wider variety is appreciated. So I appreciate Senator Lowe for bringing this bill. Though I have that appreciation, I'm still going to talk for a while this morning. So LB376 is Senator Lowe's bill and it is the priority bill for General Affairs Committee, and then when this bill first came to the floor, I requested that we divide the question because there is what we call oftentimes a Christmas tree of bills within this bill. And as a result, you can divide the question and each individual bill

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can be taken up as an individual amendment. I don't have a problem with this bill. Actually, this particular amendment, I am very much in favor of. I am doing this because I had made a commitment two weeks ago today, so it's been two weeks, that I was going to take time on everything and slow everything down, so I am continuing to do that. So then I have a motion up there to bracket until June 1. Again, that takes time. And-- and the intention here is to, again, push this Legislature into a direction of deciding what it is we want to do and what it is we want to accomplish with our finite number of hours and days in the session. We are on Day 42. We're not quite halfway done. Next week we'll get to the halfway point of the session, Day 45, and there's a pretty great likeliness that by we-- halfway point we won't have passed any bills, so just gonna keep on keeping on here, and also get in the queue. Sorry. So I think that there's a bill on the-- in this amendment, one of these amendments, that is what my brother, Senator John Cavanaugh, called the "fish fry" bill. I'm not sure which bill number that is, but I'm sure when we get to it, we can relive the fun of the fish fries, which, by the way, tomorrow is Friday during Lent, so check out fish fries in Omaha. They're a lot of fun. Or if fish isn't your thing, we also have spaghetti feeds. It's a great sense of community and a great way to raise money for our local churches. So there's an article-- I think it was today-- that the Missouri State Senate has adjourned early. They apparently go on a spring break, and so they have adjourned early, a day or two early, because negotiations around gender-affirming care had failed and they are at a standstill. So this is not unique to Nebraska. This is becoming an issue across the country that these types of bills, this type of toxic, hateful legislation, is grinding the legislative process to a halt across the country. And I don't know enough about what's going on in Missouri, but I assume that they, too, are-- are grappling with how to not legislate hate. But I've been having some interesting conversations with several of you of late about LB574 because, yes, it is legislating hate, absolutely, no question about it. But also it is taking away parental rights in medical decision-making, and that is something that should be very concerning to members of this body. Personal freedoms, liberties, restricting parental rights, even if you don't agree with the medical treatment, you're still getting in the way of parent-- parental rights and medical decision-making. And I just can't imagine how the same people who are cosponsors of that bill would feel about a bill that requires all children to get mandated vaccines regardless of parental decision-making. I don't think that people would be too pleased about that. I wouldn't be pleased about that. I wouldn't be pleased with this legislative body telling me what vaccines my children should or

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shouldn't have. I think that that is a choice between my husband, my doctor, and myself. We decide what vaccines our children get. We look at what's recommended, we have conversations about it, and then we make our decisions. We don't consult the government on it. And that's what this bill will do. It will take away parental decision-making in medical choices for children. Just because you disagree with what those choices are, that's what you're doing. You wouldn't want it for vaccines. I don't know why you would want it for this, except for that you just don't like the medical treatment. So I would challenge my colleagues to think about that as we're moving forward. You don't have to care about legislating hate or hurting children. You should but you don't have to. But I challenge you to be ideologically consistent. Do you believe in big government or do you believe in small government? LB574 is big government nanny state. LB626 is also big government nanny state. Ideological consistency would be a great thing. You don't want a helmet law because you don't want to be told what to do with your body, but you want to tell women what to do with their bodies, and you want to tell parents what to do with their children's bodies. It's very inconsistent. But then you don't want to tell parents what to do with their children's bodies because you don't want to mandate vaccines. And then you want parents to have parental rights because you want them to be able to vet every book, every lesson plan that comes into a public education setting. It's very hard thread to follow. It's a very hard thread to follow, and the mental gymnastics around the inconsistency of it all, very challenging. Mr. President, how much time do I have left?

**KELLY:** 1:08.

**M. CAVANAUGH:** Thank you. AM612 is LB259. And LB259 adds new language to the Liquor Control Act to allow holder of a farm winery license to obtain a retail license to sell beer or other liquor that is not produced by the farm winery for consumption on their premises. It did have opponents. It had several proponents. It came out of committee unanimous. I appreciate that LB259 was brought forward. I think it is a needed change to help our family wineries as they become more of a destination and event venue. And I will just take my next time in the queue. Thank you, Mr. President.

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

**BLOOD:** Thank you, Mr. President. Fellow senators, friends all, I stand against the bracket but in favor of the General Affairs Committee amendment. With that, I would ask that Senator Lowe please yield to a

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quick question. Senator Lowe, you're always across the room when I ask you to yield. What is that about?

**KELLY:** Senator Lowe, will you yield?

**LOWE:** Yes.

**BLOOD:** Thank you, Senator Lowe. Senator Lowe, I am going back and forth just real quick. I just want to make sure I have good clarification, and you did answer one of my questions earlier. As Senator Cavanaugh just pointed out, this was previously LB259 and LB259 said specifically to obtain retail licenses instead of utilizing the SDL provisions. And in your opening, you said that the language was changed a little bit. Can you walk me through how the language was changed? Because in the small window of time, I'm going back and forth and I'm not finding it. How has the language change that made you support it?

**LOWE:** Well, in-- in-- in the past-- Nebraska has a three-tier system, whether it's--

**BLOOD:** Right. I used to sit on General Affairs. I remember.

**LOWE:** --whether it's manufacturers, distributors--

**BLOOD:** Yeah.

**LOWE:** --and end users. And in the past, I was not in favor of this because it may destroy the-- the three-tier system because in the beginning, long before both you and I were here, the farm-- Nebraska farm winery bill was passed, which allowed them self-distri-- distribution up to a certain point.

**BLOOD:** Right, and we gave them a lot of money to do that too.

**LOWE:** We-- we gave them a lot of leniency to help develop the industry. And now, by adding this portion on where they're also becoming basically a-- a full end user, I was always skeptical about that, but as we stair-stepped our way into this, and-- and several farm wineries were also skeptical about adding the-- this portion on, so but as we stepped our-- step-staired our way through microdistillery and microbrewery, we-- we have come to this point now where we're-- we're allowing it. We haven't been challenged in court over it. And so it just seems natural to add this portion on to-- to farm wineries.

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**BLOOD:** So for clarification, going back to my original question, there really isn't much language change, is there?

**LOWE:** No, they--

**BLOOD:** OK.

**LOWE:** --they still have to get a license to be able to do this besides their farm winery license.

**BLOOD:** Right, and-- and that I did see. I just-- I listened to your opening. I looked at the bills. I couldn't see any language change. So I appreciate the clarification and that is all I was looking for. So thank you very much and thank you for sharing a little history for those that didn't know the history. All right. And with that, I would be happy to yield any time I have left to Senator Cavanaugh.

**KELLY:** Senator Cavanaugh, you have two minutes.

**M. CAVANAUGH:** Thank you, Mr. President. Thank you, Senator Blood. Thank you, Senator Lowe, for yielding to those questions. I do recall in the past that we've had this similar bill and it didn't move forward, so the history lesson is very much appreciated. So LB259 also amends a new subsection by-- or it amends Section 53-123.11 by adding a new subsection which allows the holder of a family-- a farm winery license to obtain a retail license to sell beer or other alcoholic liquor not produced by the farm winery for consumption on their premises. So what I am reading is the committee statement, and I'd like to just give a little love to committee clerks or committee counsel. I always read the committee statements.

**KELLY:** One minute.

**M. CAVANAUGH:** When they're on the floor-- when a bill is on the floor, I always read the committee statement, and so I appreciate the General Affairs Committee counsel for putting together this committee statement. It is very helpful and informative and you can find them online and they tell you what's in the bill, how people voted, if there's multiple bills within the bill, how people voted on each of the pieces of the amending into the bill, the overall bill, who testified, so it's a helpful record for those of us that aren't on the committee to see sort of the nuts and bolts of what happened with a specific committee hearing. So thank you to the committee counsel of General Affairs for putting together the committee statement that I have been referencing this morning. Thank you, Mr. President.

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

**RIEPE:** Thank you, Mr. President. I want to use this opportunity to congratulate the Millard South High School Girls State Basketball Class A Champions. The championship was last won by the Millard South ladies in 1996, so congratulations to all of you. Thank you, sir.

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

**J. CAVANAUGH:** Thank you, Mr. President. Well, so I rise in opposition to the bracket motion and in favor of AM612. And I guess I assume that Senator Lowe covered all of the reasons, but never hurts around here to sort of revisit things, so folks, because you never know who's listening and when. And, yeah, so this is kind of-- I-- I view this as kind of a clarifying, you know, putting farm wineries on equal footing to some of these other facilities. We got, you know, all these different types of licenses. But the thing that I appreciate about this is it doesn't just expand the farm winery license. It'll-- just allows them to apply for that other license. So it still retains that, you know, local control option, allows, you know, the local entity to deny that additional license. It allows the folks who have agreed to allow that farm winery license before to still have their opportunity to object to that expansion. So it does-- it fits into those sort of things, issues that I've raised about some of the liquor license changes we've made in the past, and so I appreciate that. And then-- and I heard Senator Machaela Cavanaugh mention some of these other bills. But my understanding is, what they currently do now, if they need to do the-- sell certain, I guess, Miller Lite or some other more-- not-- not produced on site, they have to get a special designated license for a wedding or an event, and my guess is that they don't really have a problem getting those, and so this is like a paperwork issue. This is a logistical thing. It's-- I-- I assume Senator Lowe pointed out we had at the hearing talking about the number of these licenses that are being processed, the SDL licenses. And so this is basically a way to make it a little bit more efficient for these entities that-- well, for the Liquor Control Commission and the local entities to not have to continue to do that paperwork over and over again for the multiple events that these facilities might have and they can just apply for the one license that would allow them to do that off-sale. But it would still go through all of the same processes for-- or not off-sale-- sorry-- for that sale of other alcohols that are not produced on their site. So I'm in favor of AM612 and opposed to the bracket motion on this and, again, in favor of LB376 as a whole. Thank you, Mr. President.



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

**M. CAVANAUGH:** Thank you, Mr. President. Thank you, Senator John Cavanaugh. I'll try not to be offended that you oppose my bracket motion, but then again, I oppose it, too, so. Oh, now I see the committee counsel. Thank you for your fiscal-- or your report. It is extremely helpful. I knew you were here somewhere. I just-- I think Senator John Cavanaugh was blocking you from my view, so. So I'm going to share some of the opposition to LB574. This is opposition that was submitted online. We are the Richey [PHONETIC] family and we are from Bellevue, Nebraska. We believe in Nebraska, a Nebraska that is equal and welcoming to all. This is why we are urging you to oppose LB574. Healthcare is a vital part of life and the psychological effects alone that this would have on our trans youth and my child would be devastating. When we found out that we were pregnant with our second child, we were excited to hear we were having a girl. We painted the baby room pink and lavender with butterfly decals on the walls. Little did we know that our life was going to be completely different than what we expected. From the moment our child could express himself, he knew who he was. He would adamantly urge-- argue with you if you were to call him anything other than a boy. You could see the pain and confusion in his eyes as everyone around him would call him a girl. We would bribe him with toys for him just to wear a dress or a girly outfit to a special event. We quickly began to realize that this was not a phase, nor him just being a tomboy. We went to our pediatrician, who referred us to a child psychologist. These doctors told us, trust your kid, let them guide you. At age six, our child asked us to-- if we would start saying "he" instead of "she." We do not hide the fact that our ch-- of-- of who our child is. Everyone involved in his life knew who he was and accepted him for him. This is not to say it was easy or that there is not grief. No one knows when obstacles are going to come before you as a parent or plans for this to occur, yet here we are sitting in front of you, real kids, real family. You've never met us, talked with us, with the kids, attempted to get an understanding of their story. You've not been there through the nights of tears or the many years of doctor's appointments. These laws are taking our kids' rights, our parental rights, and the necessary, and many times lifesaving healthcare away from the very thing you claim to protect. Our trained healthcare professionals, whom we have entrusted with guide-- with guiding us through these very hard and real decisions, have said that gender-affirming care is essential to our child's livelihood. Listen to them. Listen to us. We are just trying to do what is best for our children. Enacting these laws does not change the

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fact that our son is transgender. It does, however, make him feel unwanted in a state where he was born and lived for all 13 years of his life. No one wants their child to have a harder road regardless of the situation. These bills that are being introduced are putting unnecessary roadblocks in place that will not allow our kids to be their true selves. Thank you, Holly and Daniel [PHONETIC], for submitting your letter. How much time do I have?

**KELLY:** 1:15.

**M. CAVANAUGH:** OK. This is from the Reverend Debra McKnight. I will start, and I think I'm next in the queue, so I will finish. Dear Committee: As a United Methodist pastor serving in the Omaha area since 2007, I have deep relationships with many families whom would be heartbroken by this bill. This care has not only established-- has not only been established by research and affirmed by leaders in the American Academy of Pediatrics, but saves lives. It has been established that children have a sense of gender identity as early as four. I find this not only in medical and psychological research, but in research done by and for the field of education. I have journeyed with families who work hard to listen to their child, take great care and personal expense to understand and support their child. I know parents that are fierce and loving advocates for children who do not fit into the tiny boxes we have so long made regarding their gender in our culture. I know parents who read all the research they can, talk with every therapist, work with teachers, and somehow make safe space for their beloved child to find--

**KELLY:** That's your time, Senator, and this is-- you're next in the queue, and that's your third time.

**M. CAVANAUGH:** --thank you-- for their child to find the path that fits them best. Supportive families are scared, and to remove-- or sacred, sorry, and to remove their options for care is what I as a pastor might call a sin. I grieve at the very notion that this bill exists, but to enact it in Nebraska is violence. As a pastor, I have encountered many people protesting my work for safe space, inclusive space, and welcoming space. I think when you look into the eyes of the families I serve, you will see deep love, courage, and care. You will see how much they give of their whole hearts. If you come to one of our inclusive family events, you may not see-- not only see families feeling safe and at home reading books about diversity, but you will also see many protesters. The protesters say it all, the look in their eyes, and you will feel-- you will see fear and hostility. People have used the Christian tradition to maintain these gendered boxes, but

this does not represent the biblical narrative as much as it represents fear. Joseph's coat of many colors is a princess dress. We just don't like to translate it the same way we do for King David's daughter, Tamar. Our creation stories are filled with spectrums. There is light and dark, but there is also sunrise, dusk, noon, and the magic hour. There is water and land, but there are marshes, beaches, bogs, and wetlands between the height of the mountains and the depths of the ocean. The earliest Christians welcomed-- welcome a sexual minority of their day when they open the circle of relationship to the Ethiopian eunuch. Our faith can inspire us to do the work of love in a diverse world. Christian faith does not stand in the way of gender-affirming care. Quite the opposite: Christian faith supports access to healthcare that all may have life and have it abundantly. Thank you, Reverend McKnight. Here is another letter of opposition. I've lived my entire life in Nebraska. It is my home. I have always believed Nebraska to be the best place to raise my kids and never imagined raising my family anywhere else until now. My son first showed signs of being transgendered in first grade while Halloween shopping. He was adamant that the girl section of the store was not the correct section. When playing dress-up at home, he always gravitated towards male roles. He socially transitioned around fourth grade with a new haircut, clothes, how he carried himself, etcetera. He has now been on hormone therapy for two years. Before beginning hormone therapy, he had to follow specific procedures. He was in counseling for a year before beginning therapy. There was a lot of discussion between us, our child, the doctors, and our therapists. Before starting hormone therapy, we discussed the risks, the rewards, side effects, and the changes that would occur. It was an informed decision made with the guidance of medical experts. It was not something we entered into lightly, and it worked. After he started hormone therapy, we could see a difference in our child. It seemed like a huge weight lifted off his shoulders. He smiled more. Last year, he had top surgery. That required two years of therapy and two letters of recommendation before he could have it. Before he had top surgery, he always wore hoodies to try and hide his chest, no matter the temperature. He was uncomfortable with his body that he was always trying to hide it. Now we have to tell him to put a shirt on it-- on. It is indescribable, the effect top surgery had on his emotional health. Nebraska is--

**KELLY:** One minute.

**M. CAVANAUGH:** --my home. Nebraska is my son's home. But LB57-- should LB574 pass, we will have to move to a new state. We will have to uproot our entire lives and leave our home because the government

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thinks they know what is better for my child than I do, than what his therapist knows is best, what his doctor thinks is best, and what he knows is best for himself. This bill is a threat to the mental health of my son. It threatens to undo years of work to help him live his authentic self. We shouldn't have to move out of the only state we've ever known because of what my chi-- because of what is in my child's pants. This bill does not accurately reflect best medical practice and it does not represent the Nebraska that I know. I think I'm about out of time. I yield the remainder of my time.

**KELLY:** Senator, you're recognized to close on the bracket motion.

**M. CAVANAUGH:** Thank you, Mr. President. Well, colleagues, I'm going to talk on this for another minute or two, and then I'm actually going to pull the bracket motion, because if anybody is paying attention and trying to learn the rules of this place, you can only vote on the bracket motion once. So I'm putting up a totally different motion so that we can vote on that motion so that I can save the bracket motion for later in the morning, and so just trying-- trying to educate. You can get out your big yellow book-- think it's yellow-- and follow. There's motions. And actually, I'm gonna grab mine. My yellow book is always at hand, and sticky notes. So that's committee appointments, IPP, postpone, reconsider. Well, I don't have motions marked, so I gotta go back. OK, so motions, Rule 7, I think, is most of the motions. Rule 7-9 is motions to adjourn. Postpone to a certain time-- ah, OK, so if you're looking at the rules, page 48-49, Rule 7, motions is Rule 7(c), Section 3, and then there's a list of the motions on page 49: you have to recess, which is a priority motion; to adjourn; cloture; motion to reconsider, that's what you use when you're reconsidering your vote; for the previous question-- I always forget what this one is. That is "e." Any member may call for the division of a question which shall be divided if it comprehends-- oh, that's what we're doing right now. I divided the question. One-- OK. Any member may call for the division of a question which shall be divided if it comprehends propositions in substance so distinct that, one being taken away, a substantive proposal shall remain for the decision of the Legislature. Once a division is ordered by the presiding officer, each component shall be treated as a separate and distinct proposition. For purposes of germaneness, even if a question is germane prior to a request for division, each and every other component or proposition of the divided question will be subject to germaneness rulings. Once a vote or change has occurred on any of the divisible questions, the remaining divided sections may not be withdrawn without the majority of those voting or without unanimous consent. Interesting. I'm going to have to follow up with the Clerk on

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this question of germaneness when you're dividing the question, because I don't quite understand what it's saying. Looking right at the Clerk so you know that you've got questions coming. I-- this-- this-- is a moment in time where I wish that I could ask the Clerks to yield to a question, then we could have a real lesson on the Legislature, but I guess I'll just project my questions. This is kind of like in committee when you ask the person in front of you a question that they probably have no idea so that the next person is ready to answer that question, because you want to get-- you want to get at it; oftentimes, in committee, ask questions of testifiers that you're hoping that the state agency will be able to answer if they come and testify--

**KELLY:** One minute.

**M. CAVANAUGH:** --which is kind of a gamut, if they're going to testify or not. Thank you, Mr. President. One minute. OK. Well, then I will withdraw this bracket motion. Thank you.

**KELLY:** Mo-- motion is withdrawn. Mr. Clerk, for-- for items.

**CLERK:** Mr. President, a priority motion. Senator Cavanaugh would move to recommit LB376 to committee.

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

**M. CAVANAUGH:** Thanks. Thank you, Mr. President. So this is a motion to recommit to committee, and we will go to a vote on this motion, so. And I think you can only vote on this once as well. I assume Senator John Cavanaugh opposes my motion to recommit to committee, but we'll get to a vote on it anyways. So Rule 7, the motions, page 49 of your-- guess it's not yellow, it's goldenrod, the state flower-- so a motion to reconsider; a motion for the previous question, which is dividing the question; to postpone to a certain time, which is what we call bracket motion, bracketing it until a certain time. That's the motion that I just withdrew. Now we're at motion to recommit to a committee, and that is what we're on currently. That is "g.," which, if you want to read about it, is-- there's-- there's no description of "g." in here, I suppose because it's very self-evident. When you make a motion to recommit to committee, what you are doing is, if we vote on this and it passes, then the bill goes back to committee and the committee would then have to take additional action for it to come back to the floor. So I do recommend that you not vote for this because this is a-- this is a decent bill. This is an economic stimulus bill. It's going to help our family vineyards in Nebraska to increase the

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business and interest, especially when we're thinking about if people want to have a wedding or something at a vineyard or some sort of celebration at a vineyard that they might want to have more choices in the beverages that are served there and have less-- less limitation than just what is grown at the vineyard. So this is-- this is a good bill. It's an economic development bill. OK, so after the motions-- well, tho-- those are motions in writing and withdraw, and then there's the-- that's section (c)-- 7-- Rule 7(c), Section 3, and then Rule 7(c), Section 4, is "Shall the Debate Cease." Section 5 is "Call of the House." Section 6 is "Postpone to a Certain Time" [SIC--Time Certain]. Section 7 is to reconsider. Striking the enacting clause is another great tool in the toolkit if you're-- now you should, whenever possible, if you have an amendment, you should try and have it drafted through Bill Drafters. Sometimes that is not possible and you have to go through, just do a floor amendment on your pad. So your-- your-- your pad doesn't have to be just used for motions. It can also be used for floor amendments. And it's better to go through Bill Drafters. It's easier for the Clerk's Office to get those things into the record, but sometimes you can't. I think it was a couple of days ago Senator John Cavanaugh withdrew his actual amendment and then did a floor amendment because he just-- there wasn't time to put together a formal amendment. So when you see, I think it's, "FA" on the board, that's a floor amendment, as opposed to "AM," which is just an amendment. So when I divided the question, did the courteous thing, which is to give a heads up, don't have to, but dividing the question requires work of the Clerk's Office. And so if you can, it's-- it's-- it's nice to give staff a heads up so that they can have the question-- the-- the amendments ready to go so that they can go up on the board and be done quickly and appropriately. OK. So how much time do I have left, Mr. President?

**KELLY:** 5:10.

**M. CAVANAUGH:** OK. Thank you. I am going to get back to reading some of the opposition to LB574. I'm just going through some of these. There's a lot of them, but some of them are a little bit shorter. And I-- I want to share more of the ones that have more of a narrative with everyone. So let's see here. I am writing to oppose the Let Them Grow Act. To begin, as the senators are no doubt aware, genital and nongenital altering-- altering surgeries are rarely performed on youth; none are offered until puberty; and any puberty-blocking medications are reversible. Rather, doctors work with patients and families to support their mental and physical health as youth move from childhood through adolescence into adulthood, and yet the government thinks it has the right to intervene in these vulnerable

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moments and make decisions for doctors, families, and young people. More importantly, such legislation removes control from a doctor, a patient, and their family, those people who meet in the private space of a medical or counseling facility. Our society holds the privacy of this space in high regard for most other medical decisions, yet there-- yet here the government wants to step in between doctors and their patients to egregiously violate that privacy. Does the bill provide for support for families in crisis? Does it provide for mental healthcare for young people struggling to find their place in the world? The answer is no. This bill provides only for government intrusion into the private-- into the private space of doctors, patients and families, making lifesaving, making life-altering and sometimes lifesaving decisions. A state that demands the ability to micromanage people's lives and invade their privacy while limiting the resources available to them to have healthy, productive lives is only-- is the only-- only in the business of control and has no regard nor respect for the dig-- dignity of its citizens. Moreover, as a scholar whose work focuses on the well-being of adolescents and young adults, I can tell you that youth dealing with gender dysphoria and with questions about their gender and sexual identity are at terrible risk for mental health challenges and self-harm. Reports indicate that nearly half of the LGBTQ+ youth seriously consider suicide. They cited a story. Fifteen to 25 percent actively attempted suicide, yet the state seeks to pile on harm by denying youth and families medical care provided by trained professionals. As a parent and an active volunteer in student ministries for my entire adult life, it grieves me mightily when youth themselves and parents tell me their child is depressed to the point of self-harm. These two are God's beloved. You state senators need to recognize your words hurt, and your proposed actions harm. This bill, based in-- in demonstrable falsehoods and ginned-up controversy at the real expense of families and youth, does harm. You need to know that the LGBTQ+ youth-- people-- young people in the state are watching and hurting. You need to know they and their families are afraid. You need to know that these precious youth could turn those feelings against themselves because they see a world too cruel and too cowardly to embrace and celebrate them for who they are. A state that would actively do harm to its most vulnerable citizens is morally and ethically bankrupt. We can-- must-- do better. Thank you. Thank you for-- Lisa, for sending in your comments online.

**KELLY:** One minute.

**M. CAVANAUGH:** Thank you, Mr. President. The-- I have-- there's-- there's so many comments. I think I could fill every minute reading the comments, which I might do today. I do-- I do think it's

unfortunate that-- that we just kind of rubber stamp these sorts of issues through. There isn't really a nuanced conversation about it, and there doesn't seem to be an acknowledgment that this fundamentally goes against the tenets of the Republican Party and smaller government, but we are where we are, I suppose.

**KELLY:** That's your time, Senator. Senator Slama announces some guests in the north balcony, members of the Nemaha County Leadership and Leadership Nebraska City. Please stand and be recognized by your Nebraska Legislature. Senator Machaela Cavanaugh, you're recognized to speak.

**M. CAVANAUGH:** Thank you, Mr. President. So yesterday was International Women's Day. And out in the lobby, we saw citizen advocates who came here with Planned Parenthood. And just like-- I think we also had-- the Alzheimer's Association had citizen advocates yesterday as well. We sometimes have citizen advocates from AARP and from Nebraska Right to Life, various organizations. And when these citizen advocates come, they put in-- on those white slips of paper, they put in a note to their state senator. And every one in this Chamber has a choice. You can go out and talk to whoever's put a note in, whether it's a lobbyist or a citizen advocate, or you can not. I very rarely go out and talk to people because, well, I'm usually talking on the microphone. But even when I'm not talking on the microphone, I like to stay in here. I like to hear what's going on. Every time I don't hear what's going on, I feel like I've missed some part of the debate and I-- I don't like missing part of the debate. But when my constituents put a note in, no matter what organization they're with, I always try to go out and talk to them. Sometimes I have to steady myself because I'm pretty sure that they're going to be mad at me about what-- what they want to talk to me about. But I am their representative and it is my job to go and listen to their concerns with kindness and compassion. Well, maybe the kindness and compassion part isn't my job. I view it as part of my job. I bring this up because I heard from many of your constituents that were here yesterday that several people were extraordinarily cruel, rude, and dismissive to their constituents. Colleagues, you don't have to go out there. You do not have to go out and talk to the people in the Rotunda. However, if you choose to go out and talk to the citizens of Nebraska, I would implore you to exercise kindness and compassion. These are individuals who have taken time to drive to Lincoln-- most of them aren't from Lincoln-- to drive here, to come to the Capitol, to talk face to face with their representative. And I don't think it is unreasonable for them to expect that, even if you disagree with them, that you treat them with kindness and compassion. Just because they came with Planned



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Parenthood does not mean that they deserve cruelty. You do not have to like the organization that they came with. They are still human beings, first and foremost, but they are also your constituents. And you represent all of your constituents, not just the ones that voted for you. I represent all of my constituents, not just the ones that voted for me. And the ones that didn't vote for me are very vocal when they disagree with me. The ones that didn't vote for me are also very vocal when they surprisingly do agree with me. And I would be very disappointed in myself if I heard that a constituent was hurt by their interaction with me. And I heard from your constituents yesterday that they were hurt by their interactions, by several of you. And these were, for the most part, women--

**KELLY:** One minute.

**M. CAVANAUGH:** --advocating for their own healthcare, and they were being hurt by men in positions of power. It really does hurt my heart when I hear things like that, because I think, I know that person, like surely you have the wrong person, they would not conduct themselves in such a manner. They're like, no, no, no, no, they did. And then they have a-- they had a picture of all of the senators and they flipped to the page and they would point to the senator that it was and they'd say, this is the person that I was talking to. Please, please treat the people of the state with more dignity, and definitely treat your constituents with more dignity. You don't have to, of course. You don't have to listen to me. You don't have to legislate with kindness. You don't have to be gracious. But it would be really--

**KELLY:** That's your time, Senator. You're next in the queue.

**M. CAVANAUGH:** Thank you, Mr. President. When people come here to advocate for whatever issue, it is usually motivated by something personal. It's almost always motivated by something personal. And, listen, I sat through LB574 and, I'll be honest, when people who were-- who are paid lobbyists or, you know, coming in as part of their job, I don't tend to listen to them very much on a lot of sides. But any time an individual came to share a personal story, they had 100 percent of my focus, 100 percent of the time. The people that came in support of LB574, there were parents that came in support and I gave them 100 percent of my focus because that is what they deserved. As citizens of the state coming to testify on something personal to them, that's what they deserved. If you're not willing to give that, why do you want to leave them with a bad experience? Why would you want to leave your own constituents feeling like the process is against them, that their own senator is against them, that nothing that they do,

nothing that they advocate for matters because you won't even approach the conversation with an open heart? That makes no sense. It makes no sense. OK. How much time do I have?

**KELLY:** 2:50.

**M. CAVANAUGH:** Do I have one more time in the queue?

**KELLY:** You'll have your close after this.

**M. CAVANAUGH:** Oh, OK. OK. I'm trying to skim some of these before I start reading them because, you know, I'm reading it, and while I'm-- these are not my words, they're somebody else's words, I'm trying not to find things that are a personal attack on any of my colleagues, so I skip over those. I'm trying to find things that are-- are-- are personal stories or from medical professionals, because I think that those are important lenses to have. But as much as I irritate all of you, I actually try to be considerate of all of you. I know that I am irritating, but I do-- I do try-- I do try to be considerate. If there's some-- some maligning or attacking of any of my colleagues in something, I skip over it. That doesn't help anything and frankly, you don't deserve it. You don't. You're here doing a job. You're trying to act in the best faith possible, to honor your values, to honor the values of your constituents, to legislate through that lens. I just would challenge you to try a little harder when you are faced with adversity, especially if that adversity is in the form of your own constituent. OK, this is a Ph.D. candidate at the university.

**KELLY:** One minute.

**M. CAVANAUGH:** Thank you. Upon graduation this spring, I plan to work in anatomy and health education. I'm writing to express my opposition to LB574, as it seeks to prohibit healthcare practitioners from providing gender-affirming care in Nebraska on Nebraskans under 19. Currently, providing gender-affirming medical care requires extensive assessment of gender-diverse children/adolescents by a team of healthcare professionals, as well as required informed consent from their parents or guardians before care is provided. Health professionals who are trained in providing gender-affirming medical care do so with a knowledge of the available evidence, as well as careful assessment involving interdisciplinary professionals, such as mental health providers, pediatric subspecialists, endocrinology, urology, gynecology, genetics, social work, nursing, and medical ethics.

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**KELLY:** That's your time, Senator. You're recognized to close, Senator.

**M. CAVANAUGH:** Thank you. This is from a Ph.D. candidate. This is their letter. One moment. Thank you. Gender-- I just-- thank-- thankful we have the pages here because I need a glass of water. Gender-affirming medical care for adolescents and children can be categorized into fully reversible puberty-delaying blockers, partially reversible hormone therapy, and irreversible surgical treatments, all of which are part of the standards of care delineated by the World Professional Association for Transgender Health, or WPATH. Younger adolescents who utilize gender-affirming care are started on the reversible treatments, and irreversible treatments are generally reserved until the patient reaches the age of majority. Given that the medical administration-- thank you. Thank you. The-- given that the medical care administered to minors is either fully or partially reversible, this bill is not necessary to protect children and will, in fact, lead to negative outcomes. Emerging evidence has shown that this medical care, when used as part of a broader treatment approach, improves the health and well-being of gender-diverse children and adolescents. There are dire consequences of banding-- banning gender-affirming medical care for Nebraskan youth and adolescents. In 2022, more than 50 percent of transgender and nonbinary youth considered suicide. Transgender youth are 6.7 times more likely to attempt suicide than other teens. While some proponents of this bill argue that gender-affirming treatment is detrimental, I would argue that the impact of consistent and persistent mental illness and suicide are more harmful to thousands of Nebraska youth and adolescents. This bill would be harmful to healthcare providers as well. LB574 contradicts the professional tenet to follow evidence-based medical guidance as the legal exception-- expectation by actively discouraging providers from following standard medical practice. As the future health educator-- as a future health educator, member of the LGBTQ+ community, and a community member, I am convinced that bills like this are the reason many young people are leaving Nebraska and considering not raising families or starting careers in the place they once called home. Nebraska should not restrict access to healthcare that children and adolescents of the state may need in order to protect the health and safety of transgender youth and adolescents in the state of Nebraska. I urge you to oppose LB574. How much time do I have?

**KELLY:** 2:09.

**M. CAVANAUGH:** Thank you, Mr. President. So, colleagues, we're going to go to a vote on the motion to recommit to committee. Definitely encourage you to vote against it. I am going-- when I'm done talking,

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I am going to do a call of the house. You, of course, can vote against it. Here's the case for why I would say not to, couple of things. I am going to ask for a roll call vote, so when we do-- don't have a call of the house and we don't have anybody in here and there's a roll call vote, a lot of people are not voting, so it's not very collegial to those that are not in the Chamber at the moment but are checked in. The second thing is, is that it takes a little bit of time and that means I won't be talking, so if you're sick of hearing me talk, vote for a call of the house, because I am going to take this bill to the end of the day. And so anything we can do to have me talk less is probably a win for the Legislature, but I am happy to talk the maximum amount necessary, so I just wanted that stated, that, like, do what you will with that, support--

**KELLY:** One minute.

**M. CAVANAUGH:** --thank you-- support it or-- or deny it, either way. OK, so one minute. This is a motion to recommit to committee. I'm not voting for it. I suggest you not vote for it unless you got some problem with LB376 or AM612. AM612 is the amendment that allows for vineyards-- state-- vineyards in the state to have outside alcohol that they don't create themselves. So I think it's a good amendment, but I will continue talking. So thank you so much, Mr. President, and I would like a call of the house.

**KELLY:** There's been a request for call of the house, request to place the house under call. The question is, shall the house go under call? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 13-- 13 ayes, 8 nays to place the house under call.

**KELLY:** The house is under call. Senators please record your present. Those unexcused senators outside the Chamber please return to the Chamber and record your presence. All unauthorized personnel please leave the floor. The house is under call. Senator Dover has some guests in the north balcony, fourth graders from Bel El-- Bel Air Elementary in Norfolk, Nebraska. Please stand and be recognized by your Nebraska Legislature. Senator Wishart, Fredrickson, Walz, DeBoer, Brewer, Dungan, Brandt, please return to the Chamber. The house is under call. Senators DeBoer and Dungan, please return to the Chamber. The house is under call. Senators, the question is the-- request for a roll call on the recommit to committee on LB376. Mr. Clerk.

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**CLERK:** Senator Aguilar. Senator Albrecht voting no. Senator Arch voting no. Senator Armendariz voting no. Senator Ballard voting no. Senator Blood voting no. Senator Bostar voting no. Senator Bostelman voting no. Senator Brandt voting no. Senator Brewer voting no. Senator Briese. Senator John Cavanaugh voting no. Senator Machaela Cavanaugh not voting. Senator Clements voting no. Senator Conrad voting no. Senator Day. Senator DeBoer voting no. Senator DeKay voting no. Senator Dorn voting no. Senator Dover. Senator Dungan voting no. Senator Erdman voting no. Senator Fredrickson voting no. Senator Geist voting no. Senator Halloran. Senator Hansen voting no. Senator Hardin voting no. Senator Holdcroft voting no. Senator Hughes voting no. Senator Hunt. Senator Ibach. Senator Jacobson voting no. Senator Kauth voting no. Senator Linehan voting no. Senator Lippincott voting no. Senator Lowe voting no. Senator McDonnell voting no. Senator McKinney voting no. Senator Moser voting no. Senator Murman. Senator Raybould voting no. Senator Riepe voting no. Senator Sanders voting no. Senator Slama voting no. Senator Vargas. Senator von Gillern voting no. Senator Walz voting no. Senator Wayne. Senator Wishart voting no. The vote is 0 ayes, 38 nays to recommit, Mr. President.

**KELLY:** The motion to recommit fails. I raise the call and we return to debate on AM612 with LB376. Senator Machaela Cavanaugh, you're recognized to speak.

**M. CAVANAUGH:** Thank you, Mr. President. Well, Senator John Cavanaugh, it's going to be a awkward ride home. You just voted against my motion to recommit, so have some things to say about that in private. Well, colleagues, actually, I appreciate that everybody voted against it because, again, I think AM612 is a great amendment, great underlying bill, great economic development. I look forward to going to one of our local vineyards and having some Nebraska microbrew, so, which I'm a big fan of. OK, so we'll definitely get to a vote on AM612 this morning. I did want to talk about continuing the conversation about our visitors yesterday. When we just had the call of the house, we paused for a moment to acknowledge those that are visiting up in the balcony. Yesterday, right before we adjourned, literally right before we adjourned, the citizen advocates that came with Planned Parenthood were acknowledged when the balconies were completely empty, and they had submitted their acknowledgment form about 40 minutes earlier. We had finished debate on Senator Linehan's priority bill after their form had been submitted. We had started debate on this bill. There were numerous opportunities for them to be acknowledged, and it was only until they were gone and almost nobody was left in this Chamber that they were acknowledged, and that is so disrespectful and rude. And I'm saying it publicly because I don't want to see that ever

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happen again. And if there is any group that ever comes here and submits a form like that and is not acknowledged with some level of just regular course of business, I would like that group to tell me. And I don't care if you are a group that I do not agree with. Please tell me. That should not happen. When our citizens come to be acknowledged, it should be done in a timely manner, always. We cannot pick and choose if we agree with our citizens or don't agree with our citizens. I don't care what school group comes up there, how I feel about anything about them. If they are acknowledged, I stand up and I applaud. I do not care who it is, and no one in this Chamber should care who it is. If you are a citizen of Nebraska and somebody has put in a form for you to be acknowledged, you should be acknowledged in a timely manner, period. I also heard-- I think it was last week-- from individuals who came, who filled out the form and wanted to be acknowledged by me as-- as representing-- well, you know, Senator Cavanaugh would like to acknowledge, da, da, da, and they were told that I had maxed out on the number of people that could be acknowledged for the day. That's not a thing. That is not a thing. So, again, citizens of Nebraska, if you come and you would like to be acknowledged by your Nebraska Legislature and you are denied for whatever reason, put in a little white sheet to me and I will come out. Even if I am filibustering, I will come out to help resolve the situation. Gun lovers of America, if you are denied, put a note in to me and I will come out and help resolve the situation; Atheists of America, same thing. It doesn't matter who you are. We are your Nebraska Legislature, we are here to serve you, and we have a policy of recognizing individuals in the balconies. What a precedent we are starting to set of disrespect for the people of this state.

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

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

**ARCH:** Don't do five. Do a minute. Do a minute.

**ERDMAN:** How much time do I have left, Mr. President?

**KELLY:** 3:37.

**ERDMAN:** Thank you.

**ARCH:** So how about two minutes?

**ERDMAN:** OK. Thank you.

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

**M. CAVANAUGH:** Thank you, Mr. President. Oh, was I supposed to talk? Yes, I was. I forgot that's what you do when you're recognized to speak. You're supposed to talk. If you want to stand silently, probably you shouldn't get in the queue, but that was a fun exercise, Senator Erdman. Thank you. Thank you also for building the case for never introducing a dilatory motion against me, because if you're going to do things like stand silent for five minutes during floor debate on the clock, I now feel very secure in no dilatory motions being made against me. OK, so we are on AM612. We have not voted on the underlying AM. And I have another motion pending, and I have asked that it be put on the board after we vote on AM612. So I am-- Senator Lowe, just so you know, I am going to sit down, so we vote, so you might be asked to close on the AM. So AM612, I fully support it, think it's a great amendment. I appreciate Senator Lowe for bringing it and I also appreciate Senator Lowe's collegiality in this exercise which I'm going through. I know it is irritating, but he has been very gracious in his attitude towards me. So thank you, Senator Lowe, for that.

**KELLY:** Senator Lowe, you're recognized to close. Senator Lowe waives closing. The question is the adoption of AM612. All those in favor vote aye; all those opposed vote nay. Request for a roll call vote. Request for call of the house. There's been a request to place the house under call. The question is, shall the house go under call? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 12 ayes, 7 nays to place the house under call.

**KELLY:** The house is under call. Senators, please record your presence Those unexcused senators outside the Chamber, please return to the Chamber and record your presence. All unauthorized personnel, please leave the floor. The house is under call. Senators Blood, Wishart, Lippincott, Bostar, please return to the Chamber. The house is under call. All members are present. The question is the adoption of AM612. All those in favor vote aye-- request for a roll call vote. Mr. Clerk.

**CLERK:** Senator Aguilar. Senator Albrecht voting yes. Senator Arch voting yes. Senator Armendariz voting yes. Senator Ballard not voting. Senator Blood voting yes. Senator Bostar voting yes. Senator Bostelman voting yes. Senator Brandt voting yes. Senator Brewer voting yes. Senator Briese. Senator John Cavanaugh voting yes. Senator Machaela

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Cavanaugh voting yes. Senator Clements voting yes. Senator Conrad voting yes. Senator Day voting yes. Senator DeBoer voting yes. Senator DeKay voting yes. Senator Dorn voting yes. Senator Dover. Senator Dungan voting yes. Senator Erdman voting yes. Senator Fredrickson voting yes. Senator Geist voting yes. Senator Halloran. Senator Hansen voting yes. Senator Hardin voting yes. Senator Holdcroft voting yes. Senator Hughes voting yes. Senator Jacobson voting yes. Senator Kauth voting yes. Senator Linehan voting yes. Senator Lippincott voting yes. Senator Lowe voting yes. Senator McDonnell voting yes. Senator McKinney voting yes. Senator Moser voting yes. Senator Murman. Senator Raybould voting yes. Senator Riepe voting yes. Senator Sanders voting yes. Senator Slama voting yes. Senator Vargas. Senator von Gillern voting yes. Senator Walz voting yes. Senator Wayne voting yes. Senator Wishart voting yes. Vote is 40 ayes, 0 nays, Mr. President.

**KELLY:** AM612 is adopted. I raised the call. Items, Mr. Clerk.

**CLERK:** Thank you, Mr. President. Your Committee on Urban Affairs, chaired by Senator McKinney, refers LB390-- excuse me, LB691 and LB693 as indefinitely postponed. Additionally, your Committee on Nebraska Retirement Systems, chaired by Senator McDonnell, reports LB103 to General File with committee amendments. Amendments to be printed: Senator Armendariz to LB345; Senator Erdman, amendments to LR2CA. Notice from Senator Holdcroft that his personal priority bill will be LB769; Senator Holdcroft, personal priority, LB769. Additionally, a new LR from Senator Raybould, LR59, that will be laid over. Additionally, your Committee on Business and Labor, chaired by Senator Riepe, reports LB460, LB15, LB249, LB327, and LB335 to General File; LB15, LB249, LB327, and LB335 with committee amendments. Mr. President, next item, Senator Lowe would offer AM613.

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

**LOWE:** Thank you, Lieutenant Governor. We are now moving at a blazing pace, as we are still discussing LB376, the vehicle for the General Affairs liquor package this year. The question was called to separate the five separate bills, and so now we are on bill number three, LB377. This bill was requested by the Craft Brewers Guild, and they will benefit all nonprofit organizations that get an FD-- SDL. SDLs are single-day licenses, special licenses, and SDLs are used by churches, political organizations, museums, nonprofits that are charitable, fraternal or public service focused. All liquor licenses also-- also get six DLs-- six SDLs, but can get a catering permit that allows them unlimited SDLs. LB377 is part of a five-year effort to update and fix issues around SDLs. In the past, thousands were issued



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every year and we're whittling them down. SDL issues were identified by the Liquor Control Commission, specifically that they were being overwhelmed with applications. Fees were supposed to cover the cost to the commission, but this was no longer happening. SDLs were being used in ways not really envisioned when the law was passed. With that, I would like your green vote on AM613 to LB376. Thank you, Lieutenant Governor.

**KELLY:** Thank you, Senator. Senator McKinney announces some guests in the north balcony, members from the I Be Black Girl lobby day at the Capitol, in Omaha. Please stand and be recognized by your Nebraska Legislature. Senator Machaela Cavanaugh, you're recognized to speak.

**M. CAVANAUGH:** I believe I have a motion.

**CLERK:** Mr. President, Senator Machaela Cavanaugh would move to bracket LB376 until May 31.

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

**M. CAVANAUGH:** Thank you, Mr. President. Colleagues, I-- I'm pretty sure that AM613 is what I would call the "fish fry" amendment, helps our-- our local fish fries. So, again, I support AM376. So I've made some comments this morning about the lobby day yesterday for Planned Parenthood citizen advocates and-- and how things went, how some of the people that were here yesterday, the citizens of Nebraska that were here yesterday, how they communicated to me how things went. Since I started talking about this, I have received numerous text messages, emails, and direct messages on social media. Apparently, this is a bigger problem than I was aware of. Gentlemen, gentlemen of the Nebraska Legislature, it is completely and utterly despicable to talk to victims of sexual violence the way that you did yesterday, unbelievable, unconscionable. How dare you. How dare you. These individuals are your constituents and you did not have to go out and talk to them. You chose to go out and talk to them and then you revictimized them. You are men in positions of power. Do better and be better. When a victim of sexual violence comes to talk to their representative and their representative tells them to get a better husband, to get a better husband, I am disgusted. I am disgusted. I am disgusted. You are failing the people of this state, gentlemen. You're failing the people of this state, and you are tarnishing the reputation of the good men in this body, the good men in this body that would never in a million years speak to a victim of sexual violence like that. It is despicable. It is disgusting. It is unconscionable, unconscionable. To the gentlemen in this body who do

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know to do better, who do know to be better, please hold our other male colleagues accountable. You serve with the largest class of elected women in the history of the Nebraska Legislature. We should be able to rely on you as our colleagues. And not just women who are victims of sexual violence. I want to be clear about that. But we all know that it is more predominant amongst women. To the pages, to the staff-- how dare you. You work with all of us, day in, day out. They sit in front of you. They sit next to you. You don't know our lives. You don't know our stories, unless-- unless some of us have been brave enough, and some of us have, not me, but some of us have been brave enough to stand up and share their lives and share their stories and it is disrespectful. It is disrespectful to those individuals for you to go out there and talk to your own constituents like that. It is disgusting. And if there were a way to censure you, I would figure it out, but there isn't, unfortunately. You can just be that terrible. So I ask the rest of you to hold our colleagues accountable. I don't ever want to hear from anyone, and I don't care who they are, I don't ever want to hear from another citizen in this state that a person in this Chamber talked to them like that. And not just one person-- I have been given the names of at least five, five of my male colleagues who treated their own constituents like that, and I'm not going to name any of them. So if any reporter comes up to me to ask, the answer is, no, I'm not going to name them because it's not for me to name them, and I don't need to name them for them to know exactly who they are. How much time do I have left?

**KELLY:** 4:15.

**M. CAVANAUGH:** I'm the only one in the queue. OK. Well, great. Honestly, I need-- I-- I need a minute. I need a minute to cool down. I'm upset. I'm angry. I'm hurt. I'm frustrated. I'm the only one in the queue, so I'm just going to sit down and we're going to vote on this. Call of the house, roll call vote, regular order.

**KELLY:** There's been a request for a call of the house. Right? The question is, shall the house go under call? All those in favor vote aye; all those opposed vote nay. And had she request-- record, Mr. Clerk.

**CLERK:** 13 ayes, 3 nays, Mr. President, on the motion to go under call.

**KELLY:** The house is under call. Senators, please record your presence. Those unexcused senators outside the Chamber, please return to the Chamber and record your presence. All unauthorized personnel, please leave the floor. The house is under call. Senator Erdman has some

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guests in the north balcony, members of the Sidney High-- High School, Sidney Dance and Cheer. Please stand and be recognized by your Nebraska Legislature. Senator Blood has some guests in the north balcony, Matrix-- Matriarchs for Change, from Omaha and rural Hastings. Please stand and be recognized. Senators Kauth and Moser, please return to the Chamber. The house is under call. All unexcused members are now present. Senator John Cavanaugh, you're recognized to speak. I raise the call.

**J. CAVANAUGH:** Thank you, Mr. President. Well, I was just rising-- I thought, you know, we did need a cooldown. So that was a nice cooldown. It was nice and quiet in here for a while. It was almost as quiet as when Senator Erdman speaks. But this is AM613. I-- I oppose the bracket motion, but I'm in favor of AM613, and this is the one that I believe I was quoted as calling the "fish fry" amendment, or something like that, or "fish fry" bill. So what it does is-- right now these sort of charitable organizations, fraternal organizations can only get six SDLs, special designated license or daily license-- is that what it's called-- S-- SDL, I guess-- a year. And what they do is if they need-- say a church or somebody needs more than six, they'll just have a different organization or somebody else file for these licenses. So I think this is-- I-- I like this bill because it ups it to 12, which means you can have 12 separate SDLs under one organization. So Knights of Columbus at a particular church can apply for 12, which would be their six fish fries plus their summer festival plus something else. And I think that allows us to, one, know-- it's clearer that we just have one organization planning for these licenses, so it's a clearer kind of capture of that information and-- and we don't have people who are essentially going around the law through some mechanism. And so whenever we can make sure that people can comply with the law and achieve their objectives, that's a good thing. So that's why I'm in favor of AM613. I do know there-- I would just tell you that some folks came and testified against it and, you know, I-- I think they made some valid points, and I just disagree with the particular point that this will actually increase the number of SLDs these organizations get. I think that the church organizations or whoever, charitable organizations, that apply for these SDLs are just going to do it the way that they've been doing it. They're going to get the number they need. This just allows them to do it in a more straightforward, clear way. So that's why I encourage your yes vote on AM613 and I guess your no vote on the bracket motion and I continue to support LB376. Thank you, Mr. President.

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

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**CONRAD:** Thank you, Mr. President, and good morning, colleagues. I rise in opposition of-- to the bracket motion and in support of the committee amendment and the underlying bill. But I wanted just to take a moment to provide a note on kind of where I'm seeing things from this vantage point at this moment in the session. So to start off with, I know that members continue to be frustrated by the lengthy deliberation on some of these technical bills or less substantive or hot-button bills. But I do want to note again that there are benefits that derive to the institution for extended debate and deliberation. For example, I know that many members were very frustrated about the length of time spent on some gubernatorial nominations. But I do want to note, and you've seen, I think, in your inboxes from the Clerk's Office that one byproduct of that extended debate was an effort that Senator Machaela Cavanaugh [RECORDER MALFUNCTION] make sure that all members had better access to information about gubernatorial nominees that will be coming through the body for approval, as, of course, they always do in regards to our separation of powers and checks and balances and providing confirmation to gubernatorial appointees. So that's never going to grab a headline, but is important work that fortifies the institution and improves our role that is one byproduct of what a longer debate on gubernatorial nominees earlier in the session has already borne fruit and brought forward. The other thing that I want to just note is that I-- I do think that it is important that Senator Cavanaugh has an opportunity to, again, utilize the rules and the time as she sees fit to represent her constituents. And I can tell you that she is definitely giving voice to many Nebraskans who are very concerned, deeply concerned, deeply hurt by a lot of the issues that the Legislature is taking up and prioritized. During her time on the mic, I've had an opportunity to visit with many constituents in my district, in my home community of Lincoln, and across the state who've come to their Legislature, parents who are-- are in a lot of pain trying to assess exactly what some of these legislative priorities mean for them and their families and-- and their vulnerable children. And so I-- I don't want to divorce that from the record because it's real and it's happening daily and it's important and needs to be noted, and I'm sure many of you are having these conversations as well. I also want to note that, yes, we have hit a few roadblocks in regards to where we are with taking up some more routine legislation. But again, we had an opportunity a week or two ago where we were trying to reorder the agenda to ask for a temporary moment to move past some challenging issues that presented themselves in our agenda, and the body rejected that and chose to continue down this path. So I would just reaffirm that decision and, of course, we can revisit it as a collective at any time.

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Additionally, even though some of those routine measures are not moving forward in perhaps regular order or according to tradition and custom, there is a host of important measures that are moving forward in this Legislature, as evidenced by a queue that has been busting at the seams for almost the last two weeks.

**KELLY:** One minute.

**CONRAD:** Thank you, Mr. President. Going back and looking at the debate in regard to Senator Brewer's priority bill on important Second Amendment issues, of course, this week, the time and attention devoted to Senator Linehan's priority bill related to support for private and parochial schools. There has been a significant amount of substantive debate for two weeks on top issues that I know a lot of members feel very passionately about and who have worked for years to try and advance those proposals. So that work is happening and we shouldn't divorce that from the record as we're refocused in debate today according to some of the concerns that Senator Cavanaugh has consistently presented to the body. So I give voice to the families that continue to reach out to my office. I acknowledge her right and perspective to pursue this course of action, and to remind the body that there is a lot of work happening and will continue to happen-- happen as we enter into the last half of the session--

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

**CONRAD:** --over the next couple of months. Thank you, Mr. President.

**KELLY:** Thank you, Senator. Senator Armendariz has some guests in the south balcony, fourth graders from Heritage Elementary in Bennington. Please stand and be recognized by the Nebraska Legislature. Senator Machaela Cavanaugh, you're recognized to speak.

**M. CAVANAUGH:** Thank you, Mr. President. Colleagues, I was obviously flustered. I thought that we were going to vote on the bracket motion, and I just needed to sit down for a minute because I was upset by the information that I had that I shared with the body. So I just wanted to reset. I appreciate-- I appreciate everybody giving the call of the house, though I-- I guess it was not the time that I intended it to be, so I apologize for that mistake. I have now received people asking who I'm talking about, and I have already said I'm not going to say. These individuals know who they are and-- and hopefully acknowledging their actions publicly will give them pause, make them rethink their behavior and do better in the future. There aren't-- there isn't any recourse in the Legislature for this type of behavior to begin with

and that's that. So-- just waiting for this to load. I haven't-- this is domestic violence in Nebraska. This is from the National Coalition Against Domestic Violence. What is domestic violence? Feels like maybe some of us in the body need-- need a little bit of an education here. Domestic violence is the willful intimidation, physical assault, battery, sexual assault, and/or other abusive behavior as part of a systemic pattern of power and control perpe-- perpetuated by one intimate partner against another. It includes physical violence, sexual violence, threats and emotional abuse. The frequency and severity of domestic violence can vary dramatically. Domestic violence in Nebraska: 38.5 percent of Nebraska women and 26 percent-- 26.1 percent of Nebraska men experience intimate partner physical violence, intimate partner sexual violence, and/or intimate partner stalking in their lifetimes. The Nebraska Crime Commission annual report documents 1,119 domestic violence aggravated assault calls to law enforcement, resulting in 1,048 arrests, and 8,804 domestic violence simple assault calls to law enforcement, resulting in 5,064 arrests. A significant number of law enforcement agencies did not submit data for this report, including law enforcement in Omaha, Nebraska's largest metropolitan area. Many domestic violence incidents went underreport-- unreported to law enforcement. On a single day in 2015, 21 Nebraska domestic violence programs served 472 victims, survivors and their children. Another 105 were turned away due to lack of resources. As of December 31, 2015, Nebraska had submitted 22 domestic violence misdemeanors and zero active protective order-- order records to the NICS index. Did you know one in three women and one in four men have experienced some form of physical violence by an intimate partner. On a typical day, domestic violence hotlines receive approximately 21,000 calls, approximately 15 calls every minute. Intimate partner violence accounts for 15 percent of all violent crime. Abusers' access to firearms increases the risk of intimate partner femicide at least fivefold. When firearms have been used--

**KELLY:** One minute.

**M. CAVANAUGH:** --in the most severe abuse incidences, the risk increases 41-fold. Seventy-two percent of all murder-suicides involved an intimate partner; 94 percent of victims of these crimes are female. Domestic violence rated [SIC] firearms laws in Nebraska: Nebraska law prohibits domestic violence/dating violence misdemeanors from possessing firearms for seven years after their conviction. Courts may, but are not required to, prohibit respondents to tempo-- temporary or permanent protective orders from possessing-- possessing firearms, including dating partners. Although Nebraska judges are not explicitly authorized to require respondents to temporary and

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permanent protective orders to surrender firearms in their possession, they are authorized to order whatever relief they deem necessary to protect victims/survivors, which can include requiring surrender. When responding to domestic violence incidents, law enforcement must confiscate firearms.

**KELLY:** That's your time, Senator. You're recognized for your close, Senator Machaela Cavanaugh.

**M. CAVANAUGH:** Thank you. They authorize, but not require, to confiscate any firearms that are in plain view if they believe it is necessary to protect themselves or others. Domestic-related vi-- well, there's-- oh, they're just ads. Anyone experiencing domestic violence, intimate violence, intimate partner violence, there's local organizations, but I just happen to have a national hotline number in front of me. It's 1-800-799-722-- 7233, so Domestic Violence Hotline, 1-800-799-7233. OK, well, I guess I would say that this morning's conversation, one-sided because it's mostly just me talking, has been a journey, for sure, talking about liquor laws, talking about etiquette of this body, talking about wildly inappropriate behavior of members of this body, domestic violence, protecting trans youth, covering the gamut. Five minutes of silence. So the bill itself, the motion-- or the AM itself, AM613, is about allowing for a 12-day liquor license, I believe, for, like, religious organizations, fundraising activities, etcetera. I have talked previously about, in Omaha at least, the Omaha church community during Lent has fish fries. It's a big fundraising activity for a lot of our churches. They also have spaghetti feeds, and so having these liquor licenses are-- are helpful for them and helpful in the fundraising aspect of things. And I've always enjoyed the community aspect of these events. I think church is great community, probably for a lot of people. It's a great place to get resources if you're a victim of domestic violence, and so I appreciate that Senator Lowe is bringing this, this bill forward and this amendment. Again, I'm taking time until adjournment on this, so even though I support the bill, I'm taking time on it. OK. Well, I think that's about it. We're probably going to go to a vote now, so I would-- I hate doing another call of the house, but I see-- I'll just do a roll call vote. Thank you.

**KELLY:** Thank you, Senator. The question is the bracket motion to bracket AM376 until May 31, 2023. A roll call vote has been requested. Mr. Clerk.

**CLERK:** Senator Aguilar. Senator Albrecht voting no. Senator Arch. Senator Armendariz voting no. Senator Ballard. Senator Blood voting

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no. Senator Bostar voting no. Senator Bostelman. Senator Brandt. Senator Brewer voting no. Senator Briese. Senator John Cavanaugh voting no. Senator Machaela Cavanaugh not voting. Senator Clements voting no. Senator Conrad voting no. Senator Day voting no. Senator DeBoer. Senator DeKay voting no. Senator Dorn voting no. Senator Dover. Senator Dungan voting no. Senator Erdman voting no. Senator Fredrickson. Senator Geist. Senator Halloran. Senator Hansen voting no. Senator Hardin voting no. Senator Holdcroft voting no. Senator Hughes-- Senator Hughes voting no. Senator Hunt. Senator Ibach. Senator Jacobson voting no. Senator Kauth voting no. Senator Linehan voting no. Senator Lippincott voting no. Senator Lowe voting no. Senator McDonnell voting no. Senator McKinney voting no. Senator Moser. Senator Murman. Senator Raybould voting no. Senator Riepe voting no. Senator Sanders voting no. Senator Slama voting no. Senator Vargas voting no. Senator von Gillern voting no. Senator Walz voting no. Senator Wayne voting no. Senator Wishart voting no. Vote is 0 ayes, 33 nays, Mr. President, to bracket.

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

**CLERK:** Mr. President, Senator Machaela Cavanaugh would move to reconsider the vote just taken on MO64.

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

**M. CAVANAUGH:** I know it's not February anymore, but I'm sure I'm not the only one feeling Groundhog Day right now. So this is a motion to reconsider the vote that we just took. You can only put in this motion if you are present, not voting. So if you're ever doing a filibuster, that's another tool in the toolkit. For me, there's like two ways to learn this stuff. One is to sit and watch and follow along in the rule book, and the other is to just do. So I guess, you know, always trying to think through like, OK, what's the-- what's the next thing I can do; what's the next motion I can do; how do I move this forward; how do I extend this? So here's a great document that was just sent to me: Senator's Guide to Interacting with Victims/Survivors of Violence. And this is put together by the Women's Fund and Survivors Rising. I believe Survivors Rising is maybe a Lincoln organization. So supporting survivors of domestic and sexual violence in the legislative process: Instead of "Why don't you just leave? Why don't you ask for help?" consider "What was done to make you feel you couldn't leave?" because the rephrased question does not assign fault or blame to the victim and acknowledges that it may have been impossible to leave or ask for help. "Will you provide me details about your experience?" Instead of saying that, consider "Is there



anything you'd like to share that would help shed light on sex trafficking, domestic violence, sexual assault?" because asking a survivor additional details about the violence may increase the trauma they experience in retelling their story. Instead, connect the survivors' experiences back to the larger issue of violence against women in an effort to learn more about how their experience relates to the policy issue being discussed. Instead of unsolicited touching or hugging-- just gonna repeat that one-- instead of unsolicited touching or hugging, use nonphysical forms of comfort and asking the individual first if it's OK to touch them because, after experiencing violence, specifically sexual violence or violence between intimate partners, physical touch may evoke memories of the violence rather than feel comforting, even if well-intended. So I am a hugging person. I give out hugs. And sometimes I'm not-- I'm not 100 percent great at this. I try to always remember, if I feel like somebody needs a hug, asking them, but sometimes, you know, I just-- I forget. And I apologize when I do, and I feel terrible when I forget, but it is really important, even the best of intentions. As my kids would say to me, body boundaries, Mom, body boundaries, which they normally say when I'm trying to brush their hair and they don't want me to. But it is important to have body boundaries. It is important to respect other people's body boundaries, and it's really important to approach pretty much every situation in this professional setting as though you do not know the person's experience, therefore, you should ask for permission. I have hugged numerous strangers out in the Rotunda over the last couple of weeks, parents who have come and-- to talk to members of this body who are their state senators about the issues facing their families, and they kind of catch me and want to talk to me and oftentimes start crying. And it is my instinct to hug them, but I always try to be mindful that that might not be what they want, that that might not be helpful. So I say, would you like a hug? And then if they do, then I give them a hug. And if they don't, then I say, OK, and I'll just let them cry. It's hard for me. It's hard for me to not hug somebody who's crying. That's my instinct. But it is not about you. It's not about me. It's about the person who is needing the comforting. Instead of speaking for a survivor, stating what-- what they should/shouldn't do, assuming what they feel, claiming to understand their experience or directing them to do things a certain way, try asking questions or posing suggestions that promote a survivor's ability to make decisions for themselves and use their voice, because when someone has experienced violence, another person has exerted control and power over them. Restoring a survivor's sense of control will aid their healing process and may increase comfort, engaging further in the legislative process. I-- I really like that

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message. Victims of violence, domestic violence, sexual violence, someone has taken control away from them and it is not our jobs to perpetuate that. It is not our role, our responsibility to take-- continue to make them feel like they have no control. When someone comes into this building advocating for themselves, we should not diminish their experience by dismissing it or taking control, taking control of the narrative. We should not center ourselves in it. Instead of appearing disengaged through body language, consider being mindful of body language and engagement, because body language that appears disengaged, even unintentionally, may cause a survivor to shut down or feel not listened to, potentially increasing the pain of retelling their story or prevent them from engaging in the legislative process. This is another thing. Body language is really important and probably we should do a course on body language for the Legislature because it is-- it can say a lot. It can communicate a lot, intentionally or unintentionally, and it can be very harmful. OK. How much time do I have?

**KELLY:** Two minutes.

**M. CAVANAUGH:** OK. Thank you. OK, so-- sorry, trying to navigate this computer. Sorry, just-- ice cube. Instead of rushing a survivor on their story, consider giving the person the time and space to share their story, as well as time and space to process your questions. Terrifying-- sorry, terrifying-- testifying at hearings takes courage and emotional energy. It is important that survivors feel heard and listened to. Feeling rushed, even if the committee is in agreement with their position, may cause someone to feel dismissed or insignificant to the committee. And this is a-- that's a-- that's a challenging one because we do have time limits on what we are doing.

**KELLY:** One minute.

**M. CAVANAUGH:** Thank you. And it is hard to give someone-- honor the space, give them the space that they need for the story that they're sharing while also being mindful of the time of everyone else who wants to participate in the process. It is a balancing act, but, to the best of our ability, I think this is a really important piece, to give the person time and space to share their story. So sometimes, you know, when we have a time limit on-- well, we always have a time limit. Five minutes is generally the time limit. Sometimes it's shorter if it's a long hearing, but-- if there's a lot of testifiers, but it is important to make sure that if somebody is struggling to get through their story-- and I know many of my colleagues--

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**KELLY:** That's your time, Senator. Senator McDonnell announces some guests under the south balcony, Crista and Colton Eggers, please stand and be recognized by your Nebraska Legislature. Senator Machaela Cavanaugh, you're recognized to speak.

**M. CAVANAUGH:** Thank you, Mr. President. Nice to see guests under the balcony. So I was saying that many of you, my colleagues, I know are really good about being compassionate when we have testifiers that are sharing very deeply personal and oftentimes tragic stories of asking them, when their time is up, to-- to continue. We don't always have the time to do that and when we have, you know, 20 testifiers sharing their stories, we can't do that with everybody because then we would not get to everybody. But we try. We do try, everyone here-- not everyone, almost everyone here tries. Instead of assuming a survivor doesn't want any questions, consider recognizing survivors are experts on their own experience and may welcome respectful questions because asking them respectful questions may help them to feel heard and acknowledged. This may also reveal new information about the impacts of a bill. Instead of, quote, rescue, consider healing, recovery, restoration, process of relief from sex trafficking, because perpetuating the idea that domestic sexual violence and trafficking victims need someone to save them simplify-- simplifies a complex crime and ignores the fact that leaving the situation is only the first step of a very significant recovery effort. Use terms that describe a long-term process of recovery and healing. Instead of "ex-boyfriend," "ex girlfriend," "estranged peer," consider "abuser," "assaulter," "attacker," "perpetrator," because calling an abuser or an assaulter "peers estranged" or "ex-boyfriends/girlfriends" minimizes the violence and makes it seem as though the victim and abuser were on equal footing, instead of one person who has or had power and control over the other. Instead of "sex scandal," "domestic dispute quarrel," "temper tantrum," consider "trafficking," "intimate partner violence," "domestic violence," "abuse," "sexual assault," because words like "scandal" minimize the severity of domestic and sexual violence and imply equal power between the parties involved. Be clear about what the situation actually is to not minimize the violence experienced by survivors. Support survivors when asking for testifiers on a bill. When asking-- when asking for testimony, it is important to always prioritize the sur-- survivor's safety and well-being. It is helpful to present them with all potential options for becoming involved, not only in-person testimony. Consider reminding the survivor that if they choose to testify, their testimony becomes public record, the hearing will be televised, senators may ask questions, and the media may be present, and try to speak to them--

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speak with them afterward. These factors may have detrimental impacts on a survivor's safety or well-being, so it's important that a survivor has all the information. You may consider informing a survivor that they may bring a support person with them to a hearing or meeting. You may also--

**KELLY:** One minute.

**M. CAVANAUGH:** --contact the survivor, connect the survivor to Survivors Rising. And here's a number, for the public, for Survivors Rising: (402) 999-2725, who can explain the legislative process and provide support. Resources for survivors: OK, the Nebraska Coalition-- it's [nebraskacoalition.org](http://nebraskacoalition.org), it's the Nebraska Coalition to End Domestic Violence; National Violence-- Domestic Violence Hotline, which I previously read, it's 1-800-799-7233. If you are experiencing domestic violence, sexual violence, intimate partner violence, please reach out to 1-800-799-7233. Thank you, Mr. President.

**KELLY:** Senator Cavanaugh, you're recognized to close.

**M. CAVANAUGH:** Fantastic. Thank you, Mr. President. OK, so I've been talking about intimate partner violence, sexual violence, because we had individuals who came to the Capitol yesterday, who came to share their personal stories with their state senators, and they were revictimized by some individuals in this body. So as a result, I am seeking to provide some guidance to illuminate more appropriate behavior. I believe that together we can all do better and should do better. We have numerous bills every year, really. We have numerous bills that address sexual assault, domestic violence, and-- and I appreciate the thoughtfulness of my colleagues that bring these bills to try and improve outcomes for victims of-- of violence, provide greater support, wraparound services, a better chance at a brighter future. I'm not-- I don't recall whose bill it is this year that includes accommodations for pets, but pets are really important and they can be, just like children are oftentimes, used as a way to keep someone in an abusive situation. Pets can also be used that way, and so the expansion of including pets in the protection process for victims is-- is important and thoughtful, something that hadn't occurred to me, but I appreciate. I'm not sure who brought that bill. I'm thinking it is maybe one of the attorneys that has dealt with victims outside of this place, but it's a complex issue. We continue to have issues with, you know, funding and resources around testing, sexual assault kit testing, and-- and timeliness on that, something that our crime labs are working on. I'm grateful to them for the work that they continue to do on that. So how much time do I have left?

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**KELLY:** 1:55.

**M. CAVANAUGH:** OK. Thank you. My first year, I worked with a group of students from UNL and they formed this group called Dear UNL. It was formed, I think, that year, in 2019, and they were working to try to get the university to address sexual violence on campus and off campus. And that was really kind of my first, like, learning experience about process. And very grateful to those students. It was four years ago, so many of them have graduated. We ended up passing a bill--

**KELLY:** One minute.

**M. CAVANAUGH:** --thank you-- based on the work that they did, so to the students that are here today, university students, just know that you can help inform policy. You can come and you can bring ideas that make campus life better, safer. I'm not sure that it makes it safer, necessarily, but it sure-- certainly has provided sunshine and transparency in how we are handling domestic or sexual violence on campus, and that is an important thing for us to be doing. So I think people are about to Exec, but we're about to go to a vote on this, so just a heads up, everybody. I would like a call of the house and a roll call vote. Thank you.

**KELLY:** Thank you, Senator. The question is the motion to reconsider. There's been a request for a call of the house. The question is, shall the house go under call? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 8 ayes, 6 nays to place the house under call.

**KELLY:** The house is under call. Senators, please record your presence. Those unexcused senators outside the Chamber, please return to the Chamber and record your presence. All unauthorized personnel on the-- on the floor please leave and the house is under call. Senators Day, Slama, Bostar, Hughes, Riepe, and Geist, please return to the Chamber. The house is under call. All unexcused members are present. There's been a request for a roll call vote on the motion to reconsider. Mr. Clerk.

**CLERK:** Senator Aguilar. Senator Albrecht voting no. Senator Arch voting no. Senator Armendariz voting no. Senator Ballard voting no. Senator Blood not voting. Senator Bostar voting no. Senator Bostelman voting no. Senator Brandt voting no. Senator Brewer voting no. Senator Briese. Senator John Cavanaugh voting no. Senator Machaela Cavanaugh

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not voting. Senator Clements voting no. Senator Conrad voting no. Senator Day voting no. Senator DeBoer voting no. Senator DeKay voting no. Senator Dorn voting no. Senator Dover. Senator Dungan voting no. Senator Erdman voting no. Senator Fredrickson voting no. Senator Geist voting no. Senator Halloran. Senator Hansen voting no. Senator Hardin voting no. Senator Holdcroft voting no. Senator Hughes voting no. Senator Hunt. Senator Ibach. Senator Jacobson voting no. Senator Kauth voting no. Senator Linehan voting no. Senator Lippincott voting no. Senator Lowe voting no. Senator McDonnell voting no. Senator McKinney voting no. Senator Moser voting no. Senator Murman. Senator Raybould voting no. Senator Riepe voting no. Senator Sanders voting no. Senator Slama voting no. Senator Vargas voting no. Senator von Gillern voting no. Senator Walz voting no. Senator Wayne voting no. Senator Wishart voting no. Vote is 0 ayes, 40 nays, Mr. President, on the motion to reconsider.

**KELLY:** Motion fails. Mr.-- Mr.-- raise the call. And, Mr. Clerk, for an announcement.

**CLERK:** Mr. President, the Judiciary Committee will meet in Executive Session now under the north balcony; Judiciary Committee, now, under the north balcony.

**KELLY:** Returning to debate on AM613. Senator Cavanaugh, you're recognized to speak.

**M. CAVANAUGH:** Thank you, Mr. President, colleagues. Want to be mindful of everybody doing their committee work off to the sides, so I'll try to not get to a vote for, I guess, 15 minutes because I only have three times on the mic on this one. So we all have 15 minutes of me talking before we have to vote on AM613, I guess. OK, so let me see here. Sorry. So-- and I believe we also have like 15 minutes to get in our Speaker priorities-- what?-- get those letters in, yes, get those letters in, crank them out like the ditto machine, although the ditto machine is a-- a term that I used growing up. But I spoke with a reporter who knew the technical name of it, and I'm looking around to see if they're on the floor and they're not. I don't remember what the technical name is of the ditto machine, but crank out those-- those letters and get them going. So we-- now, quick update, so we had a bracket motion and it failed. I was present, not voting, so then I put up a motion to reconsider my vote. That failed. I think-- I don't-- can't remember if that needs 30 or 33 votes to pass, but if that were to have passed, then we would, like, go back to the bracket motion and reconsider the bracket motion that had failed. So that's what-- like if that motion had passed, that's what would have happened, so thank

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you for voting against it. And so now we're back to the underlying amendment, AM613, the "fish fry" amendment. In my mind, it's also like the Girl Scout cookie amendment, because when you go the fish fry, those Girl Scouts are resourceful and they-- they get in-- they make sure to sell-- sell you cookies while you're waiting in line. And so it's like the-- the "fish fry" amendment that comes with a side of Girl Scout cookies. And I have a lot of Girl Scout cookies at my house right now, which I'm very excited about, because I think last year I somehow missed the boat on ordering Girl Scout cookies, and I love Girl Scout cookies, and so I am grateful. I did-- I did purchase some from my niece, daughter to Senator John Cavanaugh, and then my daughters wanted to purchase more from her, so we did, so lots of Girl Scout cookies. I don't know what everybody's favorite is. I personally, of course, like the classic, the Thin Mint. The Peanut Butter Pattie is pretty-- pretty delicious. When I was having strep throat and really couldn't swallow much other than hot tea, the shortbread ones, excellent because you can dip them in your hot tea, and then last weekend my son and my husband were really sick, and so they were having the-- the shortbread cookies as their treat. It was the only thing their stomachs could handle, so that was good. But, yeah, just curious. We should do, like, a survey. Oh, speaking of surveys, Senator DeBoer, Planning Committee, don't forget to do her survey. Yes, I already-- I did it right away.

**KELLY:** One minute.

**M. CAVANAUGH:** Thank you. But, Senator DeBoer, if you're taking feedback, could you send out a second survey? I'd love to know the favorite Girl Scout cookie of the Legislature. Then maybe we could have, like, a cookie day, do taste testing. Next we could do maybe donuts. I do have an excellent donut shop in my district. It's called Hurts Donut. I also-- Pettit's used to be in my district, but the shop that was in my district had a fire and I'm trying to think if they're still in my district or not, because I know they moved locations. There's a downtown location that I believe is in Senator Vargas' district, and then there is a west Omaha, west central Omaha location. So I'll have to look them up, but, you know, I should probably bring donuts someday for the Legislature, since I have-- since I've got great donuts. Hurts Donuts are amazing.

**KELLY:** That's your time. You're next in the queue, Senator Machaela Cavanaugh. You're recognized to speak.

**M. CAVANAUGH:** I feel like I should-- feel almost like I should, like Hurts Donuts are amazing, and scene. They are amazing and they are,

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like, enormous and they're a meal. Some of them have, like, bacon on them; Cookie Monster is my son's favorite, so-- try to go get donuts, not every weekend, but my kids love donuts, and so we try to do like a little donut-- donut Saturday or donut Sunday at the house every once in a while. We also always do Friday night movie night. We have pizza and a movie every Friday. If you're wondering what my exciting life is, it's Friday night I can be found watching-- if there is a latest children's movie released, then hopefully that; if not, we fight over which movie we wanna watch for the bazillionth time. Over the weekend we watched twice-- I don't know why we watched it twice, but we watched the Penguins of Madagascar, which is really cute and funny. I like the-- the movie about the animals from the zoo, the Madagascar animals, the most-- the world tour one. If you haven't seen that, it's very funny. It's very funny. They end up-- these animals have, like, somehow left the-- the Bronx Zoo, I think, end up in Africa-- this is a journey over several movies-- and then they eventually, in the final movie, somehow join up with a circus troupe and then they go on a world tour. And the one character who's new, a new character, he flies through a-- a ring of fire and it gets smaller and smaller and smaller. And, again, it's movie magic. It's actually cartoon, so anything is possible. But I really would love to know what the mechanical thinking is behind this-- I think he's a tiger or a bobcat. He gets through a ring that's like the size of, like, a-- a wedding ring. He somehow, like, puts oil on himself and just, like, slides right through it, so it's a really cute, sweet, funny movie. Colleagues, you have a few minutes left before you gotta get those letters in. I got one more turn in the queue, I think, before-- if you're Execing on things, you're going to be disrupted again, so just keeping everyone mindful of that. OK. So also next week is your priority bill selection. I have not decided what I am prioritizing yet. I don't have any bills out of any committees, so I am open to suggestions because I don't particularly want to prioritize something that is not out of committee. So if anyone in the body has a bill that is out of committee on General File that you are hoping to get a priority on, come talk to me, because I-- I honestly am not sure what I'm going to do with my priority yet. I thought I was going to prioritize one thing and I decided, after some philosophical conversations with some of my colleagues on HHS, that it is not a-- it-- it was giving money to a nongovernmental entity, and just philosophically, if we're not going to give money to programs like SNAP--

**KELLY:** One minute.



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**M. CAVANAUGH:** --childcare subsidies, you know, the basic functions of government, that I didn't think that it's appropriate for us to be giving money to outside entities to do functions that are important, probably should be the function of government, but they are outside entities. And so now I'm back to the drawing board trying to think about what I am going to prioritize, so just putting that out there for the whole body. I mean, all requests are welcome, but I do favor policies that help-- directly help people. So if you got something like that and it's on the floor, I would love to talk to you about it. OK, so we've got one minute left. And you know what? I think--

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

**M. CAVANAUGH:** Thank you.

**KELLY:** Senator Dover has some guests in the north balcony, fourth graders from Westside Elementary, Norfolk, Nebraska. Please stand and be recognized by your Nebraska Legislature. Senator Machaela Cavanaugh, you're recognized to speak.

**M. CAVANAUGH:** Ooh, thank you. I'm just going to kind of glance off to my left and see if I could catch the Speaker's eye. I'm not going to ask him to yield to a question. I'm just wondering if we're adjourning at 12:00 or if I'm going to keep going. So, Mr. Speaker, if you wouldn't mind looking in my general direction? Speaker Arch, 12:00, yea or nay? Do I need to keep talking, is what I'm asking. You're like, no, you can stop talking, for sure. Well, then I think I will just yield the remainder of my time and hope, for everyone's sake, that I'm done talking for the day. But we'll go to a vote on AM613. If we're not done for the day, I'll keep talking on the next one. Thank you. I yield the remainder of my time.

**KELLY:** Thank you, Senator. The question is the adoption of AM613-- AM613. Request for a roll call vote on the adoption of AM613.

**ASSISTANT CLERK:** Senator Albrecht voting yes. Senator Arch voting yes. Senator Armendariz voting yes. Senator Ballard. Senator Blood voting yes. Senator Bostar voting yes. Senator Bostelman voting yes. Senator Brandt. Senator Brewer voting yes. Senator Briese. Senator John Cavanaugh voting yes. Senator Machaela Cavanaugh voting yes. Senator Clements voting yes. Senator Conrad voting yes. Senator Day voting yes. Senator DeBoer-- Senator DeBoer voting yes. Senator DeKay voting yes. Senator Dorn voting yes. Senator Dover. Senator Dungan voting yes. Senator Erdman voting yes. Senator Fredrickson. Senator Geist. Senator Halloran. Senator Hansen-- Senator Hansen voting yes. Senator

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Hardin voting yes. Senator Holdcroft voting yes. Senator Hughes voting yes. Senator Hunt. Senator Ibach. Senator Jacobson voting yes. Senator Kauth voting yes. Senator Linehan voting yes. Senator Lippincott voting yes. Senator Lowe voting yes. Senator McDonnell. Senator McKinney voting yes. Senator Moser voting yes. Senator Murman. Senator Raybould voting yes. Senator Riepe voting yes. Senator Sanders voting yes. Senator Slama voting yes. Senator Vargas-- Senator Vargas voting yes. Senator von Gillern voting yes. Senator Walz voting yes. Senator Wayne voting yes. Senator Wishart voting yes. Vote is 37 ayes, 0 nays, Mr. President.

**KELLY:** Thank you, Mr. Clerk. AM613 is adopted. Mr. Clerk, for items.

**CLERK:** Mr. President, your Committee on Banking, Commerce and Insurance, chaired-- chaired by Senator Slama, reports LB67, LB587, LB617, and LB644 to General File. Additionally, your Committee on Education, chaired by Senator Murman, reports LB585, LB805, and LB414 to General File, LB414 having committee amendments. Communication from Senator DeKay designating LB768 as his personal priority for the session. Notice of committee hearings from the Judiciary Committee. Series of name adds: Senator Holdcroft to LB76; Senator Blood to LB513; Senator Holdcroft to LB720; and Senator Bostelman to LB766. Notice the Transportation Committee will hold an Executive Session Monday, March 11-- March 13, in Room 1113 at 1:30; Trans-- Transportation, Exec, Monday, March 13, Room 1113, 1:30. Health and Human Services will hold an Executive Session immediately following the committee hearing today in Room 1510; Health and Human Services, Exec Session, today, 1510. Mr. President, finally, priority motion, Senator Arch would move to adjourn the body until Monday, March 13, 2023, at 9:00 a.m.

**KELLY:** Speaker Ar-- Speaker Arch, you're recognized to speak.

**ARCH:** Thank you. A quick announcement regarding next week. On Monday we will convene at 9:00 a.m., and that will be the start time every morning, including the first day of the work week, unless otherwise announced. Daily adjournment times next week will continue to be somewhere in the 12:15 to 12:30 time range. Please be prepared for 12:30. We will continue debate of LB376 through its conclusion on Monday. Following that debate, we will take up the second General Affairs Committee priority bill, LB775, a bill that redefines a term under the Nebraska Racetrack Gaming Act, and changes and provides powers and duties for the State Racing and Gaming Commission. The committee amendment incorporates three additional bills heard by the committee. Once the body concludes the General File debate of LB775,

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we will move on to additional committee and senator priority bills.  
Thank you.

**KELLY:** Thank you, Mr. Speaker. The question is the motion to adjourn for the day. All those in favor say aye. All those opposed, nay. We are adjourned.