

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate April 4, 2023

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

**HOLDCROFT:** Good morning. The prayer this morning is actually a hymn, sometimes referred to as the Navy hymn. I'm not going to sing it, but please join me in prayer. Eternal Father, strong to save, whose arm hath bound the restless wave, who bidd'st the mighty ocean deep its own appointed limits keep. O hear us when we raise our plea for those in peril on the sea. Amen.

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

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

**KELLY:** Thank you. I call to order the fifty-sixth 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 there any messages, reports or announcements?

**CLERK:** There are, Mr. President. New LR: LR84. It's an interim study resolution. That'll be referred to the Executive Board from Senator Lowe. That's all I have this time, Mr. President.

**KELLY:** Thank you. While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign LR72, LR73, LR74 and LR75. Senator Geist would like to recognize our physician of the day, Dr. George Voigtlander of Lincoln. Please stand and be recognized by your Nebraska Legislature. Mr. Clerk for first item.

**CLERK:** Mr. President, first bill on the agenda: LB583. Introduced by Senator Sanders at the request of the Governor. It's a bill for an act relating to education. Amends several sections within Chapter 79; provides for the foundation aid and special education supplemental aid under the Tax Equity and Educational Opportunity Support Act;

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harmonize provisions; repeals the original section; declares an emergency. Bill was read for the first time on January 17 of this year and referred to the Education Committee. That committee placed the bill on General File with committee amendments. There are other motions and amendments, Mr. President.

**KELLY:** Senator Sanders, you're recogni-- [MICROPHONE MALFUNCTION]. Mr. Clerk for a priority motion.

**CLERK:** Mr. President, Senator Hunt would move to bracket LB583 until June 1, 2023.

**KELLY:** Senator Hunt, you're recognized to open on that motion.

**HUNT:** Thank you, Mr. President. Good morning, colleagues. Good morning, Nebraskans. This is a motion to bracket LB583 and prevent it from moving forward, hopefully. I think that this bill taken on its own is deceptive in terms of what it's seeking to accomplish and how we're going to be able to come by that success because-- it seems like it's going to be a good thing with additional funding for all schools, but when considered in combination with the proposed revenue cap that we just advanced in LB243, the truth is that the schools wouldn't be able to use all of these funds because the majority of that increased aid will have been used to reduce property taxes instead of used as this bill intends, which is to fund schools. The increased aid wouldn't be new dollars for schools. It wouldn't be new dollars being injected into the budgets of our local schools. What it would be is replacement dollars for what they're losing in property tax levying authority under LB243 that this body is probably going to pass. One amendment that I have introduced to potentially make this better is AM1111, which we'll get to in a little while. But what that would do is increase the special ed funding commitment from the state from 80 percent to 100 percent. And I also think that this body should take to heart a lot of the comments that Senator Terrell McKinney made yesterday about this bill, about the, the kind of misguided idea that by funding special education, you're really helping schools get to a level that they need to be to help all of the students they serve. I think that that's actually kind of a-- it, it's, it's kind of a classist and probably racist belief that in order to help the schools that are struggling, you just need to give them money for special education. Because it's an assumption that the reason that they're struggling is because they need more special education funds. But there are lots of schools in these underserved areas that, you know-- it's not that they need a lot of special education funds. They need that too, but that's not going to be the Band-Aid that goes and solves

all the problems that these bills have. And I am all for, certainly, increasing the state's reimbursement for a district's special education costs. I don't intend to oppose anything-- any funds that would go to support that. And I don't intend to oppose that portion of the bill. If anything, I think we're walking the talk of making sure we can do everything we can to support our children, but the truth is that there's more and that special education kids are not the only ones who are being underserved by our state's funding mechanism for schools. I think that we, the state, need to make sure that special education needs are fully reimbursed. So I would use this amendment to increase the special ed funding commitment from the state from 80 percent to 100 percent. It's really great to see the Governor and this body have will for adequately supporting our schools with special needs, because that's something that our public schools do extremely well, especially if and when they have adequate resources to do it. But we're also looking at taking funding away from these schools with Senator Linehan's LB753, which I understand will be debated very soon. Let's see. Yeah. Next. Next. So, you know, the first thing we do one bill ago is we, we have this revenue cap that we advanced in LB243. And then the next thing we're going to do is defund public schools. And the thing that we're sandwiching in the middle is something that we think is going to smooth over the problem but really isn't going to do anything. And there are so many of these efforts to chip away at access to education in our state, public education specifically. And a lot of the arguments for that bill have been that some students have not had their needs adequately met by public schools. And I wholeheartedly believe that, 99 percent of the time, public schools and their employees do their absolute best to go above and beyond for our special needs kids with the resources that they have. But there are those that need a little bit more support. You know, of course, I serve public school students. I serve private school students. But the needs of those students are not adequately addressed by LB583. There are so many things that we are doing to chip away at the strength of our public schools. We would say that there's Senator Kathleen Kauth's Sports and Spaces bill, LB575, which is basically a bathroom bill and also seeks to remove transgender students from school sports, which Senator Rob Clements, who's Chair of the Appropriations Committee, prioritized. The Chair of our Appropriations Committee in the state of Nebraska, who has so much power and so much authority over the way we budget our taxpayer dollars in this state, over the priorities that we express through our budget, he thought the biggest priority for our state was making sure transgender kids don't go to the right bathroom. That's your Nebraska Legislature, folks. Well done. I don't-- I wonder if Senator Clements even knows a trans person. I would be shocked if

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that was the case. Since we've been following the Florida playbook so closely, I think the next thing we can assume is that we're going to be having bills like the "Don't Say Gay" bill to prevent discussion of gender identity in schools or criminalize parents of trans youth. Do what they're doing in, in Tennessee, which is basically creating an online registry for people to report parents who are supportive and affirming to gender-expansive kids. This is already taking a toll in these other states. Just last week, the results of a survey in Florida found that 1 in 8 graduating high school students won't stay in Florida for college because of the culture war agenda that Governor DeSantis is pushing in education. And that includes things like dismantling diversity, equity and inclusion programs on campuses, anti-LGBTQ legislation, the anticritical race theory that has them removing books about Rosa Parks and Harriet Tubman from school classrooms. Many students surveyed said that they would have targets on their backs if they go to college in Florida. And I think that's right. I think the quality of education that you can get in Florida is not complete. It's not adequate. And I don't want to see Nebraska going down that same path. We are already losing a huge percentage of our graduating seniors. We have two available jobs for every worker because we can't keep our talent here in this state. You know, it's, it's a shame, honestly. And one of the most troubling aspects of the normalization of these really extremist, radical views is that it leads to a lack of empathy and further marginalization for the groups that are targeted by these laws. And when politicians promote discriminatory policies, they're essentially sending a message that these marginalized groups and underrepresented groups aren't valued, that they don't matter, that they don't play a role in the economy of our state and that they don't deserve the same rights as everybody else. So what does this do? It creates a climate of fear and division and it makes it OK for other people to target these groups for violence. It also makes these groups more reticent to seek help or speak out. Moreover, it's often the case that politicians who focus on these culture war issues are not genuinely interested in addressing the real problems facing their communities because what they want to do is use these issues as a distraction from their lack of progress on other issues. Remember "repeal and replace?" Remember how much we hated Obamacare and the Affordable Care Act? And then, you know, Republicans had all the control in the world of the courts and Congress and the executive branch, and they couldn't fix it. They didn't have an answer because they don't come up with answers. They just come up with ways to divide. This lack of progress on real--

**KELLY:** One minute.

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**HUNT:** --issues-- thank you, Mr. President-- can have such a devastating impact on communities. Because when politicians are not focused on creating jobs or addressing healthcare issues or addressing workforce development, these problems become even worse. We get things like increased poverty, homelessness, lower achievement scores in schools, more unemployment, other social problems. And all of these are the trickle-down effect of these discriminatory policies that Florida supports, Tennessee supports, Texas supports. And now Nebraska is going that way. Why? That's not who we are. Let's get back to deregulation and lowering taxes and arguing about the marginal tax rate and property tax relief and leave this stuff that you guys have no idea about alone. Thank you, Mr. President.

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

**M. CAVANAUGH:** Thank you, Mr. President. Good morning, colleagues. I rise in support of the bracket motion. We have multiple competing interests happening here. And what I'm continuing to see in the scheduling and the bills that are moving forward is the oppression of the minority: the minority voices in this body, the minority in Nebraska. And this is crossing the stratosphere of minority. Racial minority, gender minority, income minority, political minority. We continually are pushing forward policies and agendas that financially benefit the most wealthy in our state on the backs of the most economically disadvantaged under the guise of an old and definitely disproved notion of trickle-down economics. Giving more and more and more and more to the most affluent members of our state is doing nothing for the most disadvantaged of our state. Yesterday, there was a considerable amount of conversation around how this bill gives funding to schools that don't need it and doesn't give funding to schools that do need it. And I think Senator Wayne was the one that said it-- at least first, if not the best. When you look at the zip code and you look at the income of the parents, we are seeing a clear and direct disproportionate funding of those most in need. We are cutting taxes for the most wealthy. We are putting more and more money into the property tax fund, a tax that we do not levy at the state level. And yes, there are low-income, economically disadvantaged property owners. But who predominantly owns property? Those that have the means. There was an amendment-- I believe it was Senator DeBoer's amendment. Or maybe it was Senator Blood's amendment. I don't know. It was definitely a Democrat's amendment because it failed. There was an amendment that gave a tax credit to low-income property owners to meet the needs of their property taxes that this body did not support. There have been amendments on the tax packages to give a bigger tax

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break to lower wage earners. This body did not support. Year after year, bill after bill, the song is the same. We need tax relief.

**KELLY:** One minute.

**M. CAVANAUGH:** We need tax relief. We need tax relief. Oh, no, no, no, no. But not for those that are most in need. They need to work harder. We need to cut government programs that support them and help lift them out of poverty. They need to work harder before they can get tax relief. They need to work their way out of full-time, intergenerational poverty before we will start to care about them. Same song, different year. Same song, different year. This package is just part of the package, the package of packages that oppress the most vulnerable in our state. So I'm going to vote for this bracket motion. I'm definitely not going to vote for cloture. I'm definitely not going to vote for the bill. Until I see a change in how we support the most economically disadvantaged--

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

**HUNT:** Thank you, Mr. President. The lack of progress on real issues has an effect and a huge impact on communities. And when politicians aren't focused on creating jobs or improving our workforce or affordable housing or any number of other issues that actually affects working Nebraskans, these problems become even worse. It's also true that the normalization of extremist views, like the ones prioritized by this Legislature, have a chilling effect on free speech and expression. Because when we promote discriminatory policies, we're essentially creating a climate of fear where people are afraid to speak out, afraid to express their opinions. And this has serious consequences for free speech and democracy because people become less and less willing to speak out and challenge the status quo. The normalization of these views also has a serious impact on the mental health of marginalized groups. When politicians promote discriminatory policies like we see in this body, we're essentially sending a message that these groups don't have the same rights as everyone else. And I think that what we have to do, one way to combat these extremist views that every Nebraskan can do is to support grassroots organizations that are working to move this state closer toward tolerance and inclusion. But most of all, we have to elect different people. We have to elect different politicians who are committed to promoting tolerance and inclusion. And that means supporting candidates who have a track record of equality and justice. We have a primary in Lincoln today where you're going to have a choice about something like that.

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People who are committed to real change in their communities and who are not trying to roll back society in Nebraska to a level in the '40s and '50s that we thought we were past. The targeting of trans youth by extremist, radical, far-right politicians is actually a really clear example of the insidious tactics that are on the rise that are just to secure the Conservative vote. It's just to get evangelicals and far-right radicals out to vote. You're using scare mongering tactics and demonization of a marginalized group that doesn't have a lot of people fighting for them to appeal to your base at the well-being-- at the expense of the well-being of these individuals. One of the primary tactics used to do this is to create a moral panic. I call it satanic panic-- the new satanic panic around the issue of transgender youth. And you frame your opposition to transgender rights as a defense of traditional values. But in doing so, you're creating a culture war that pits those who support transgender youth against everybody else. This is really useful for you because you can motivate a key segment of your voting base: Conservative evangelicals. And these voters are so deeply concerned about social issues like abortion, LGBTQ rights, religious freedom, what they call critical race theory. And by targeting transgender youth, you're stoking these concerns and motivating these evangelicals to get out to vote. The irony, of course, is that by attacking these kids, you're doing real harm to a vulnerable group of people.

**KELLY:** One minute.

**HUNT:** Thank you, Mr. President. Trans kids already face significant obstacles and discrimination in their daily lives, and they are the ones in the schools that we're ostensibly trying to fix. They can face bullying in school, difficulty to accessing healthcare. And by making them a target of your political attacks, you're only making things worse. Furthermore, these attacks are based in a complete misunderstanding of what it means to be trans. It's not being confused. It's not being delusional. They're just individuals who don't identify with the gender they were assigned at birth. That's it. And it doesn't hurt you. It's legitimate. It's valid. It's not something that needs to be fixed or cured or legislated away. And this is just part of a pattern of far-right politicians using discrimination to motivate their base. And I don't want to see those same kinds of policies embodied through our school funding policies.

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

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

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

**McKINNEY:** Thank you, Mr. President. I rise in support of the bracket motion. And I don't support LB583 until we figure out how to address poverty. Like Senator Hunt stated earlier, you know, the issues within the public school system of my district are not just pertaining to kids needing more funding for special education. We need better funding, period, especially to address the effects of poverty and how poverty affects how students learn. And that's not just in my district, because poverty is across the state. And this kind of-- is it-- today is going to be an interesting day because there's going to be some people that stand up and support this bill and say it's a good bill for their districts. And then later, we're going to have a conversation about the scholarship thing and people are going to say, no, this is going to destroy public schools. My issue in this is, be consistent. Because if we don't address poverty, that affects public schools too, especially in communities that are historically impoverished. So we can't care about them on one hand and not care about them on another hand. And that's what puts me in the middle in a lot of these conversations, is a lot of people aren't being consistent about how they feel about these things. And I do appreciate Senator Hunt and Senator Machaela Cavanaugh because they have been consistent, but a lot of people haven't, and that is my issue, is that, if you really care about the kids living in poverty, you really care about the, the affects that poverty has on education, be consistent. And that is something that's going to be very telling today, that the lack of consistency within this body as far as addressing issues that pertain to kids that live in poverty and why I take position-- why I've taken the positions I've taken this year, because I don't feel like the political will on both sides is there to actually care about kids that live in poverty. And that is my issue. It can't just be-- because to say we're going to set aside X amount of dollars to address special education, it-- it's, like, a red flag. It's just like the conversation that we've been having about the LSU Women's Basketball team winning the other day and what one player did versus another player doing something that was super similar and how the conversation is different. We-- if we really care about addressing issues within education, then we have to address the effects of poverty in an equitable way. And this bill doesn't do it. It doesn't do it for me. And, and, and unless we start addressing poverty and really talking about poverty, I'm not supporting this. And there's a lot of other things I'm probably not going to support. Because at the end of the day, the weight that is placed on my shoulders and Senator Wayne's

shoulders and other senator's shoulders that represent schools that have high poverty is, is a lot different. And I can't just disregard that. And I know a lot of people are like, oh, but you put your name on this bill. You know why I did it? Honestly? Because I don't think people care enough. And, consistently, it goes back to the conversation of, wait. Wait. It'll get better. And a lot of people I've, I've, I've spoken to in my community--

**KELLY:** One minute.

**McKINNEY:** --are tired of waiting and just want a chance. And let's figure out a way to address poverty in this bill. It can't just be special ed, and we just got to be honest about that. Special ed isn't the only need in public schools in our state. Thank you.

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

**M. CAVANAUGH:** Thank you, Mr. President, colleagues. I actually-- Senator McKinney's comments sparked a question for me, and I wonder if Senator Murman would yield to a question.

**KELLY:** Senator Murman, will you yield to some questions?

**MURMAN:** Yes.

**M. CAVANAUGH:** Thank you, Senator Murman. I'm sorry. I'm asking you since you're the Chair of Education. I'm hoping you can help provide some light on this. So this is a TEEOSA bill. If we don't pass this bill, what happens with TEEOSA for the next biennium?

**MURMAN:** If we don't pass the bill, I assume TEEOSA just stays the way it is going forward.

**M. CAVANAUGH:** The way it was for the last biennium?

**MURMAN:** Yes.

**M. CAVANAUGH:** OK. So this is the only bill that changes TEEOSA this year? It doesn't change through the budget?

**MURMAN:** Well, we've had other bills in committee also affecting TEEOSA, of course.

**M. CAVANAUGH:** OK. But this is the only one that has a priority, is being debated?

**MURMAN:** Yes.

**M. CAVANAUGH:** OK. And so if we don't pass this, there's no changes in the budget that would happen to TEEOSA?

**MURMAN:** Are you talking about if we, if we don't pass this bill--

**M. CAVANAUGH:** Yes. Or even if we do pass this bill. Will TEEOSA also be changed through the budget or is it only changed through specific TEEOSA legislation out of the Education Committee?

**MURMAN:** Well, there's other bills in committee-- in, in the total package, of course, and other committees that affect what happens with this bill, and vice versa. There's, there's a bill in the Revenue Committee. There's a bill in, in Appropriations.

**M. CAVANAUGH:** Can you explain how-- like, what do you mean other bills that are--

**MURMAN:** Well--

**M. CAVANAUGH:** --impacted by this bill?

**MURMAN:** Well, the bill in Appropriations, of course, would provide the funding for this bill. And then the bill in, in Revenue would provide for the tax asking for this bill.

**M. CAVANAUGH:** What is the tax asking in this bill?

**MURMAN:** Well, how, how the bill-- I, I should say how the bill operates tax, taxwise.

**M. CAVANAUGH:** OK. I, I didn't-- I guess I didn't understand that this changes how, how we operate our taxes. I thought this was the funding, how we're funding TEEOSA.

**MURMAN:** Well, the, the-- one of the purposes of this bill is to provide property tax relief. So it--

**M. CAVANAUGH:** How does this bill specifically provide property tax relief?

**MURMAN:** Well, by providing more state funding to schools, it allows local school boards to reduce their property tax asking.

**M. CAVANAUGH:** OK. But since we don't levy property taxes, we're funding-- we're providing more state aid to public schools.

**MURMAN:** Correct.

**M. CAVANAUGH:** And then with the idea that then public schools will need less in property taxes.

**MURMAN:** That's correct.

**M. CAVANAUGH:** OK. But we don't need to do anything taxwise for public schools to lower their property tax.

**MURMAN:** Well, if education is to be properly funded in the state for local school boards to reduce the amount of property taxes they ask for, we need to provide more funding from the state.

**M. CAVANAUGH:** Right. But we don't-- yes, I agree with that. And I love that because that's definitely what we should be doing. But we don't have-- because we don't levy property taxes, we are alleviating the tax burden of local municipalities and counties, and then they themselves can lower their taxes, correct?

**MURMAN:** Well, that's correct. It's the local governments, the school bo-- the counties and, and so forth, the local government entities--

**KELLY:** One minute.

**MURMAN:** --that do levy the property taxes. It's not state government.

**M. CAVANAUGH:** So this alleviates their tax burden and allows for them to lower their taxes?

**MURMAN:** That is correct.

**M. CAVANAUGH:** OK. I guess I'm still not understanding how that connects to any other tax package since we don't levy the tax.

**MURMAN:** Well, of course, Appropriations, they have to appropriate the funding for the aid that we provide from the state through this mechanism with this tax bill--

**M. CAVANAUGH:** But we're not increasing--

**MURMAN:** --not tax bill--

**M. CAVANAUGH:** We wouldn't be increasing taxes at the state level to use-- to fund this bill.

**MURMAN:** Did you say we'll be increasing--

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**M. CAVANAUGH:** I said-- I'm asking, we would not, would we?

**MURMAN:** No. Well, revenues at the state level-- for the state are coming in way above expectations, so that gives us the opportunity--

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

**M. CAVANAUGH:** Thank you.

**KELLY:** Thank you, Senators Cavanaugh and Murman. Senator Hunt, you are recognized to speak. And this is your last time before your close.

**HUNT:** Thank you, Mr. President. I have some analysis here from OpenSky that I had been looking over that's sort of doing an analysis of the Pillen plan, which is LB583, this bill, and the combined plan of LB583 and LB320, which we advanced yesterday. These comparisons that I'm looking at, they're based upon year three for both plans. Since this is after the increased SPED reimbursement, special education reimbursement starts to be counted as a resource in the TEEOSA formula. Year three is also when LB583 changes the \$1,500 foundation aid from it all being counted as a resource to only \$900 being counted as a resource and \$600 not being counted as a resource for foundation aid. This was done so that equalized schools would have an increase in state aid continue in year three. These comparisons are based upon the 2022-2023 school year numbers, for which we have complete data. So the data in the comparison may not fully match the Governor's numbers, but it's pretty close. The numbers are close enough to see the impact that each plan would have on General Fund levels for our state. So this bill generally brings levies down together, meaning that low levy districts get about as much potential levy reduction as high levy districts. This plan does not bring high levies down so that levies are closer together across the state. Property tax equity is a main intent of TEEOSA. LB583 does a really good job at bringing down the levies of the high levy districts so that levies are brought closer together across the state. The current disparity of levies is a major concern in rural Nebraska. There are 39 schools with more than 1,000 students. Their General Fund levies are fairly consistent and range from \$0.90 to \$1.05, with two schools above \$1.05 and six schools below \$0.90. The average potential levy reduction under LB583 is \$0.1162. And under the, the combined plan, it's \$0.1496. The major outlier here is Westside, a nonequalized school, which, under the Pillen plan, will have a levy reduction of \$0.229-- twice as high as the average. Under the combined plan, Westside would have a levy reduction of \$0.0868, which is about \$0.06 less than average. There are 205 schools that have under 1,000 students. 115 have a higher

potential levy reduction under the combined plan while 90 have a higher potential levy reduction under the Pillen plan. But there's a huge difference in how much the reduction is and the potential new levy under each plan. Foundation aid does not take into account the needs or the resources of the students or the schools. Under the Pillen plan, LB583, foundation aid will cause the loss of 17 more equalized schools and will drive levies farther apart, especially in rural Nebraska. Under the combined plan, by lowering valuations inside the TEEOSA formula, it will increase equalization aid and create 87 more equalized schools based upon the needs of the students and the resources of the local school. In general, schools with currently high levies will be brought down to more than the low levy schools so that the levies will be closer together.

**KELLY:** One minute.

**HUNT:** Thank you, Mr. President. When TEEOSA was created in 1990, the intent was to have most of the schools equalized. A school receives equalization aid when the school's needs are greater than its resources. As recently as 2008-2009, there were 208 equalized schools. Today, there are only 86. And if the Pillen plan passes, LB583, there will be only 69. The reason TEEOSA is important is that all schools have students in poverty, and many schools have students with limited English proficiency, among other needs. The only way to get needed funding to these schools with these needs is through the equalization aid formula. If a school isn't equalized, then they do not get the additional resources provided by these components on the needs side of the formula. The more equalized schools we have, the stronger our educational system will be. By increasing funding to schools with the corresponding lowering of property taxes, this will create an economic stimulus across the state.

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

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

**KELLY:** Thank you, Senator Hunt. Senator Machaela Cavanaugh, you're recognized to speak. And this is your last opportunity on the bracket motion.

**M. CAVANAUGH:** Thank you, Mr. President. So I understand that this bill is going to change the TEEOSA formula. I'm not sure that it is an appropriate change to the TEEOSA formula. If the intention is to relieve the property tax burden-- something that I have contended we should be doing at the state level through funding public education

for a long time-- that's excellent. But we shouldn't be doing it while also ignoring the needs of the most vulnerable children. And in the school system, most vulnerable children are those with special education needs, those from low-income households and those from minority populations. This bill does not seem to account for at least two of those three categories. I agree with Senator Hunt that we should be funding special education at 100 percent. If we're going to make this big change, then we could at least do that piece. We have an embarrassment of riches this year. And we have an opportunity with that to fully fund education at the state level. If truly the biggest issue facing Nebraskans today are property taxes, then why are we not fully funding education? It is the biggest expense for property taxes. My property taxes are over 50 percent public education, and I realize that that is-- I have higher property tax rate than I think everyone except for maybe Senator Fredrickson because we live in the same school district: Westside. And Westside has the highest property tax rate. So, very much appreciate-- on a personal level, as an elected official, as a public servant, I appreciate the desire to impact property taxes. The best way to do that is to fully fund education at the state level. And fully funding education at the state level does not mean giving the same amount of money per student per school. It means meeting the needs of the students and the school districts, and the needs are going to be different. They're going to be different. And I don't think that LB583 takes into account the needs of the different types of schools and the different types of students beyond funding of special education. So I think we should hit pause, bracket the bill, go back to the drawing board and see if we can find a solution. Now, barring that from happening, which is probably not super likely-- so far, I think the bracket motion has three votes: Senator McKinney, myself and Senator Hunt. Maybe it'll garner more as, as the conversation goes on. But barring that from happening, I, I challenge this body to work to find solutions to the very glaring issues--

**KELLY:** One minute.

**M. CAVANAUGH:** --that are being pointed out in the floor debate yesterday and today between General and Select. Because we can find solutions. We can continue to work on LB583 to find the right balance to ensure that we are getting the dollars to the students that need them in the way that they need them, getting resources to the schools that need them in the way that they need them. So I hope if you're not voting for LB-- or, for the bracket motion, that you are committed to taking forward the very legitimate feedback that we have heard from Senators McKinney and Senator Wayne. I, I think it's been very clear

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from everything I've said over the last day and a half. I do not understand TEEOSA. I am trying to understand TEEOSA. But I know that Senator Wayne sat on the school board and he's--

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

**M. CAVANAUGH:** OK. Thank you.

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

**CONRAD:** Thank you, Mr. President. And good morning, colleagues. I, as a new member of the Education Committee, have definitely been learning a lot about the nuances of education policy and appreciate that opportunity to continue as an enthusiastic, lifelong learner and as a strong proponent of public schools and teachers and faculty and staff. There's no doubt that Nebraska has, as a generational point of pride, an incredibly strong public school system. And our colleagues in past Legislatures have worked really hard to figure out a way to try and meet local needs and provide overall state resources to continue our commitment to providing educational excellence. As part of that long-running discussion, of course there has been considerable attention paid to property tax relief. And there has also been considerable attention paid to meeting unique needs of different schools, whether that's poverty factors, the challenges that come with a high population of English language learners, transportation challenges. And I really appreciate the words that Senator McKinney and Senator Wayne have brought forward to ensure that we are elevating and prioritizing the needs of districts that educate a significant amount of students in poverty. And of course, that's not just in our urban centers, but, but across Nebraska. And that brings additional pressures and challenges for all stakeholders in the education system. So I do want to hear a lot more about potential solutions to address aspects of the fact-- of the TEEOSA formula in regards to increasing resources for special ed, for poverty allowances and taking into account other creative solutions that perhaps are outside of the formula that can also help to address some of these challenges our states face, like providing state assistance to ensure that all kids can learn without hunger and taking forward the lessons where we saw what providing school breakfasts and school lunches can do to ease the burden on families and improve academic performance. So I know some of those amendments are filed on this bill, and I think they'll bring forward deliberate, thoughtful, robust and passionate debate. I'm looking forward to hearing more about those. I'm also looking forward to hearing more from some of our colleagues in greater Nebraska who've

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developed a very thoughtful plan in relation to the TEEOSA formula and property tax relief that I know they've been working very hard on. I, I think it is a close call as, as many of the votes that come before this body, where you have some aspects of policy that you are wholeheartedly supportive of and you have other areas where you're a bit hesitant or trepidatious about whether or not that is right for your district and the state as a whole. As a whole, I support LB583 and appreciate the work that the senators in the Education Committee and Governor Pillen have put forward to try and increase resources to education. As a whole, I think that's a good thing. I think that's the right move. It does address providing some additional foundational aid, which has been a long-running concern for our colleagues in greater Nebraska. And one thing that really tips the scales for me in terms of the underlying legislation on the board here today--

**KELLY:** One minute.

**CONRAD:** --is-- thank you, Mr. President-- is the increase in special education funding. This has been an issue that has been a top priority for our schools and for our state for years and years and years and because the federal government and the state government has failed to keep their promises in ensuring students with special needs have the resources that they need to learn and to achieve. I really feel like the effort is there to try and improve funding in relation to the needs special needs students have. So that kind of tips the balance for me while I have hesitations about other matters contained in the legislation. But I do think that the debate that we will have today will be thoughtful in bringing forward alternative solutions and points of view about how to address our shared commitment to public education in Nebraska. Thank you, Mr. President.

**KELLY:** Thank you, Senator Conrad. Senator Hunt, you are recognized to close on the bracket motion.

**HUNT:** Thank you, Mr. President. Levies are high because state aid to schools is low. Nebraska ranks 49th in the country in providing state aid to schools and not 50th because the 50th state provides none at all. 47 schools have less than \$1 million in valuation per student. And for some schools less than \$500,000, it's difficult for them to generate the resources needed to fund the needs of their students. They rely on equalization aid or other forms of state aid. 17 of these schools have less than 1,000 students, and 13 or more have under 3,000 students. On the other hand, about 90 schools have over \$2 million of valuation per student. Currently, only one of them receives equalization aid of \$1,550. But due to their small size, many of them

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still have a high cost per student and therefore have a higher levy at times. Lowering valuations will help many schools to become equalized and be able to lower their levies. The combined plan is the most equitable and fair way to distribute increased state funding to schools. Both plans are within a range of \$275 million to \$375 million, depending on which fiscal note you have or the projections on the levy distribution. The combined plan would use the unclaimed LB1107 Property Tax Incentive Act credits to help fund the plan. It's estimated that \$100 million will be unclaimed. The Pillen plan creates the Education Future Fund, which can be used to fund either plan. So these resources should be more than enough to cover the combined plan funding. I am eager to hear the rest of this debate. I, like Senator Conrad, am eager to be a lifelong learner on this issue because I did not come into the Legislature with a lot of experience in education or school funding, but just as a public school parent myself. I know that Omaha Public Schools has opposition to this bill, saying that equalization aid is the difference between needs and resources. For more than 30 years, our state's approach to school funding has been fairly straightforward. School districts that have higher needs than resources receive equalization aid through TEEOSA. School districts that have higher resources than needs receive no equalization aid. It's really that simple, and it makes complete sense. LB583 and the various other bills over the years that seek to add basic funding, which some call foundation aid and others call stabilization aid regardless of whether inside or outside of the TEEOSA formula, are simply efforts to reallocate state resources to school districts that, under the current law, don't require additional state resources. To be clear, they may want additional state resources, but they don't need additional state resources because they have sufficient local resources. We understand why this comes up every year. As local resources have increased due to significant increases in property values, many school districts no longer receive equalization aid that they used to. While LB583 includes foundation aid as a formula resource, that ultimately has no bearing on school districts who already have more needs than resources. It is simply an increase of state funds of \$1,500 per student, which further exacerbates the disparity in local resources between equalized and nonequalized districts. LB583 contains another concerning provision. It pays for foundation aid through the Education Future Fund. In essence, this has the effect of prioritizing foundation aid over equalization aid.

**KELLY:** One minute.

**HUNT:** Thank you, Mr. President. LB583 includes language that moves the TEEOSA certification date back from March 1 to May 1, 2023. This is

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something that the Legislature does every year. We all understand why this is necessary. TEEOSA is such a significant part of the state budget that TEEOSA cannot be certified until the state has completed the budget review process. Because of that, the Legislature has a long history of manipulating the formula to balance that budget. We're very concerned that the state will struggle in the long term to fund its existing TEEOSA commitments, especially if state General Fund receipts are significantly reduced by proposed tax reform legislation and new education funding is prioritized by the proposed Education Future Fund. I completely share these concerns. I would include-- I encourage a green vote on the motion to bracket. And I'd like a call of the house and a roll call vote. Thank you, Mr. President.

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

**CLERK:** 18 ayes, 3 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. Senator Bostelman is announcing some guests in the north balcony: fourth graders from Yutan Elementary in Yutan, Nebraska. Please stand to be recognized by your Nebraska Legislature. Senators Dorn, Dover and Clements, please return to the Chamber. The house is under call. All unexcused members are present. The question is the adoption of the bracket motion. There's been a request for a roll call vote. Mr. Clerk.

**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. Senator Bostelman voting no. Senator Brandt voting no. Senator Brewer voting no. Senator Briese voting no. Senator John Cavanaugh voting yes. Senator Machaela Cavanaugh voting yes. Senator Clements voting no. Senator Conrad voting no. Senator Day voting yes. Senator DeBoer voting yes. Senator DeKay voting no. Senator Dorn voting no. Senator Dover voting no. Senator Dungan voting no. Senator Erdman voting no. Senator Fredrickson voting no. Senator Geist voting no. Senator Halloran voting no. Senator Hansen voting no. Senator Hardin voting no. Senator Holdcroft voting no. Senator Hughes voting no. Senator Hunt voting yes. Senator Ibach voting no. Senator Jacobson voting no. Senator Kauth voting no. Senator Linehan voting no. Senator Lippincott voting

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no. Senator Lowe voting no. Senator McDonnell voting no. Senator McKinney voting yes. Senator Moser voting no. Senator Murman voting no. Senator Raybould voting yes. Senator Riepe voting no. Senator Sanders voting no. Senator Slama. Senator Vargas voting no. Senator von Gillern voting no. Senator Walz voting no. Senator Wayne. Senator Wishart voting no. Vote is 7 ayes, 38 nays, Mr. President, on the motion to bracket.

**KELLY:** Thank you, Mr. Clerk. The motion fails. I raise the call. Mr. Clerk for items.

**CLERK:** Mr. President, the next item would be the committee amendments from the Education Committee, chaired by Senator Murman.

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

**MURMAN:** Thank you, Mr. President. And good morning, colleagues. I rise today to introduce AM970, the Education Committee's amendment to LB583. First, I want to thank Senator Sanders as well as her team and Governor Pillen and his team for bringing this bill. AM970 was advanced by the committee on a 7-1 vote, and then the bill was advanced to the floor on a 6-1-1 vote. AM970 will provide supplemental special education funding at 80 percent minus funding already provided by the existing statute, 79-1142 as calculated by the Nebraska Department of Education. The money will be distributed from the Education Future Fund, which is established in tandem by LB583 and LB681 brought by Senator Clements. It is likely we will get to LB681 as part of the budget. I want to be clear that we all know that we're voting on. AM970 includes a special education reimbursement as a resource calculated inside the formula. AM970 also establishes a new calculation for establishing net option funding. Under AM970, net option funding will be the product, product of the net number of option students multiplied by the difference of the statewide average basic funding per formula student minus the amount of foundation aid paid by per formula student. Again, that's net option students multiplied by the difference of the statewide average basic funding minus formula aid paid per formula student. If my verbal recounting of this formula does not make sense, I have it printed out here on my desk for senators to see. AM970 maintains a foundation aid of \$1,500 per student, with 23 percent of such aid paid from the Education Future Fund and shall count as a formula resource. Finally, AM970 has reporting requirements for the school districts so that they may identify how much additional state aid they received as a result of this legislation. The school district also must report how much it has-- was able to reduce its property taxes during such time if any

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such reduction occurred. This last addition is a very, very important part of this pack-- package, especially for me as a rural senator. As we have well established for the last week of debate on the floor, the state has a very healthy balance in the Cash Reserve and in the state's General Fund. One of the purposes of increasing state aid to schools is so that it may result in a property tax decrease for our constituents. In other words, I would not vote for this legislation if I didn't believe it would result in property tax relief for all Nebraskans. This legislation's-- legislation will help schools with increased funding. With this aid comes the responsibility of all school districts to adequately relieve their taxpayers of burdensome property tax relief. Again, I thank Senator Sanders and the Governor-- and Governor Pillen for bringing this legislation. And if Senator Conrad wants any of my remaining time, I would be happy to yield to her.

**KELLY:** Senator Conrad, that would be 6:15.

**CONRAD:** Thank, thank you, Mr. President. And thank you to Senator Murman and to Senator Sanders for their work and their leadership in-- on this measure as well. We have taken up a lot of very contentious issues together in the Education Committee this session, and I really appreciate the diverse cross-section of Education Committee members from different communities, different points on the political spectrum, different levels of experience coalescing and coming together to try and find a path forward to improve education in Nebraska and to try and infuse more resources into our educational system. As the case with any legislation and any approach, of course there will be detractors. Of course the solutions-- particularly when grounded in consensus-- will not be perfect. But we shouldn't let perfect be the enemy of good. And I think it has been incredibly unfortunate that, in recent years, we haven't seen the same amount of energy or interest in infusing resources into public education in Nebraska. With a new administration, with a new Legislature, with an unprecedented amount of state resources available, it is right and it is appropriate to utilize that historic funding advantage that we have available to advance education, to infuse more resources in education, and to do that by addressing some of the concerns that our, our schools and our senators in greater Nebraska have brought forward about how equalization negatively impacts their districts and trying to address that by including a per pupil, \$1,500 investment to provide some additional, let's say, geographic equity to our shared goals of advancing education in Nebraska. There has been a consistent and appropriate, constant refrain across school districts for many, many years about the increased pressures that they have in meeting the

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needs of students with special needs. And I know that this is an issue very close to the heart of many members of the Education Committee. And we definitely want to ensure that we have thoughtful solutions in place when the federal government has failed to meet their funding promise in regards to the requirements for special education that we can and we must do more from a state perspective to infuse additional resources into special education, which is a key component of this legislation. I, I really do look forward to the increased dialogue from our colleagues like Senator Hughes and Senator Brandt that have put forward competing ideas that could complement this plan and talk about how that advances their vision for education and property tax relief as well. I'm also very eager to work with Senator Hunt and Senator Cavanaugh on addressing other solutions to be responsive to the advocacy that Senator Wayne, Senator McKinney and others have raised in addressing poverty in our schools, whether that's inside or outside the formula. But as a whole, colleagues, I would encourage you to listen carefully, to engage in these substantive policy debates that are before our Legislature. And I'm hopeful that we can always work to improve a package, as LB583 is a part of. But I do want to note that the Education Committee as a whole felt like this was an important step forward. Is it perfect? No. Does it help to bring additional resources to public schools in Nebraska? Yes. Does it address concerns from rural and greater Nebraska? Yes. Does it help to elevate the needs for special education funding? Yes. On a whole, those are good things and worthy of debate and advancement. I am hopeful that, as a collective, we'll continue to refine this educational package and proposal with perhaps other ideas inside or outside the formula. But I do want to just kind of center the heart of this proposal, which I believe, as a whole, offers many positive attributes for advancing a strong public education in Nebraska. Thank you, Mr. President.

**KELLY:** Thank you, Senator Conrad. Mr. Clerk for a motion.

**CLERK:** Mr. President, amendment. Senator Brandt would move to amend the committee amendments with AM1124.

**KELLY:** Senator Brandt, you're recognized to open on your amendment.

**BRANDT:** Thank you, Mr. Lieutenant Governor. Thank you, Senator Sanders, for bringing LB583. And we're bringing AM1124, which is a combination of a bill we introduced in the Education Committee, LB320, and combining it with LB583. We think they would complement each other. I'd like to give a special thank-you to Dave Welsch, who's out in the rotunda. He worked hard on this bill. I think a lot of you know

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Dave. And if you have specific questions, please ask him. On your desk, you will find a colored copy of every school district in the state. The senator's name is on the right side. The first column-- and this is the third year of the plan, not the first two, because it takes three years to go into the TEEOSA formula. But the first one is LB583, and the second set are LB583 and LB320 together. And then you're going to see how many students-- it's from the most populated schools to the least-- what legislative district and which senator has these so you can compare your districts. So what is this? So we have-- two major school funding property tax relief bills have been introduced this year: LB583 by Senator Sanders on behalf of Governor Pilleen and LB320 by myself. Both bills contain aspects of increasing school funding, which are very good, yet they both have weaknesses. But when the two bills are combined, they bring the strengths of both bills to the table while eliminating the weaknesses in each bill. LB583 and LB320 together make five basic changes within the TEEOSA formula. Number one, increase SPED, special education, reimbursement to 80 percent. Number two, it lowers ag land valuations from 72 to 42 percent inside the formula. Three, it lowers all other real property, residential, commercial, ag improvements, railroad and public utilities from 96 percent to 86 percent inside the formula. When I say inside the formula, what this means is if I own a farm, it doesn't specifically go to my property. What it does is-- and I'll use my school district, Tri County, which is about 75 percent ag valuation. So if there's a \$600 million valuation and \$450 million of that is ag land, in total, it takes \$450 million times 42 percent. And if there's \$150 million of houses and commercial, it takes that times 86 percent. And then the effect is inside the TEEOSA formula. You have less resources, thus increasing your chances for aid. Number four, it creates a minimum level of basic funding-- or, of basic funding of 10 percent. And number five, it creates a minimum level of state support for every student of \$1,500. What that means is this: a lot of our rural schools, as was discussed yesterday, have very high costs per student. We have schools out there that are \$20,000 per student. 10 percent of \$20,000 is \$2,000 a student. But our bigger schools, because they are big schools, have a lot lower cost per student. They may have a \$10,000 cost per student. 10 percent of that is only \$1,000. What the-- what this amendment says is they will receive up to \$1,500. So why are these changes being proposed? TEEOSA, the Tax Equalization and Educational Opportunities Support Act-- created in 1990 with the passage of LB1059 and is now under state statute under Chapter 79-- one of the original intents of the bill, which is still in statute today, is to assure a greater level of equity in property tax rates for the support of the public school system. This simply

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means that property tax levies should be closer together. Increasing SPED reimbursement to 80 percent. When TEEOSA began, SPED reimbursement was around 80 percent. Today, it is at 46.3 percent on average across the state. I commend Governor Pillen, Senator Sanders, along with many others who want to increase SPED reimbursement to 80 percent. SPED reimbursement has always been considered as a resource within the formula, and it should stay there. If it is reimbursed outside of the formula, then equalized schools will get reimbursed through equalization aid and also reimbursed outside the formula. This double-dipping would not be good use of state funds. Valuation changes within the TEEOSA. Today, there are only 86 equalized school districts out of 244. In 2007, there were 205 equalized school districts out of 254. There are two main reasons for this drastic change. The first is that ag land values rose by double-digit percentages through 2000-- from 2008 through 2015. This unprecedented change in valuations greatly reduced the amount of equalization aid going to schools. The second factor is that the local effort rate, the LER, was increased from \$0.95 to \$1.00 in 2008, which also reduced the amount of equalization aid going to the schools. By combining LB583 and LB320, equalization aid can be restored and the number of equalized schools will increase by 87, to a total of 173 out of 244. This will help to meet the intent of TEEOSA by bringing levies down and closer together. On the last page of the handout-- second to the last page of the handout you received, you'll see the effect on reducing those levies and how combining these really brings down the top end and makes it a really nice bell curve out of the combined plan. And then the very last page of the handout is the history of TEEOSA for the last 20 years. So, ag land to 42 percent. In 2007, ag land comprised 21 percent of statewide property valuations. In 2021, that rose to 33 percent. From 2007 to 2021, ag land values rose 312 percent. So the adjustment to 42 percent within TEEOSA brings ag land back closer to the 21 percent of statewide valuations that was in effect in 2007. Now, we take other real property to 86 percent rather than lower the local effort rate. The better approach is to also lower other real property values. From 2007 to 2021, residential and commercial property rose 169 percent and 173 percent, respectively. These increases are much lower than the 312 percent increase for ag land. So the adjustment is not as great. Other real property also includes new growth construction while there is no ag land being created. From 2007 to 2021, new growth accounted for 1.6 percent of valuation increases for residential property each year, out of a total growth of 4.18 percent. Commercial property new growth was 2.32 percent out of a total growth of 5.9 percent. The next aspect: basic funding at 10 percent. One of the big complaints about the TEEOSA formula is that a

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lot of students do not receive any equalization aid even when other sources of state aid are included: net option, allocated income tax and community achievement. There are currently 135 school districts, over 56,000 students, that receive less than 10 percent of their basic funding from state aid. All Nebraska students are worthy of at least 10 percent of their basic funding provided by the state. The reason to include 10 percent basic funding in the state aid calculations is because a lot of schools' general fund operating expense is greater than \$15,000 per student. So this calculation will provide more than the \$1,500 per student. This calculation also will float with inflation. Per student funding at \$1,500 per student. After all the calculations above are completed, there are still 24 schools who receive less than \$1,500 per student of total state aid. So additional state funding will be provided so that all schools receive a minimum of \$1,500 per student. What are the benefits from combining LB583 and LB320? The current intent of the TEEOSA will more closely be met to assure a greater level of equity in property tax rates for the--

**KELLY:** One minute.

**BRANDT:** --support of our public schools. Thank you. Property tax relief will be spread out equitably across the entire state. SPED reimbursements will increase to 80 percent. 87 schools, over 34,000 students, will have equalization aid restored. School levies will come down and closer together. An additional 60 schools will receive at least 10 percent of their basic funding, or a minimum of \$1,500 per student paid. And on average across the state, schools who currently have the highest levies will see the greatest potential levy reduction. All students will receive at least \$1,500 state aid in support of their education. Total cost is estimated to be \$373 million. This breaks down to \$357 million by lowering ag land to 42 percent and other property to 86 percent and for increasing SPED reimbursements to 80 percent. \$10.6 million for minimum basic funding at 10 percent--

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

**BRANDT:** Thank you.

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

**HUGHES:** Thank you, Mr. President. I rise in support of AM1124. And I want to thank Senator Brandt for bringing this amendment to LB583, as I think it improves upon the school funding bill brought forward by

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the Education Committee. I am also thankful that we have a Governor that is really interested in increasing state aid to our public schools. LB583 reimburses our public schools for special education at 80 percent, and this is huge. Special education expenses can have an enormous impact on the budget of our rural public schools. And I thank the Education Committee and Senator Sanders on this. Currently, 60 percent of property taxes in Nebraska goes to fund K-12 public education. Property taxes and public school funding are therefore linked. AM1124 takes the best of LB583 and combines it with LB320 and its valuation reduction for agricultural, residential and commercial land inside the TEEOSA formula to achieve a greater potential levy reduction for most districts. There are 39 school districts with more than 1,000 students. These districts would see an average potential levy reduction of \$0.12 under LB583. The combined plan under AM1124 would result in an average potential levy reduction of \$0.15 for these larger districts. There are 205 school districts with less than 1,000 students. And of these districts, 115 have higher than average property tax levies, averaging-- have a higher average property tax levy averaging around \$0.87. The remaining 90 districts currently have an average of \$0.67. This results in a \$0.20 average levy difference between the higher levy school districts and the lower levy school districts with students of less than 1,000 students-- or, with schools with less than 1,000 students. Under LB583, the average potential levy for both categories decreases. However, the gap between the potential levy reductions for the higher levy school districts and the lower levy school districts widens to \$0.23. Under the combined plan, the average potential levy for the districts with less than 1,000 students also drops, but the levy gap between these higher levy school districts and lower levy, levy school districts shrinks to under \$0.03. AM1124 provides for an increase in state aid to public schools on par with the underlying bill. This amendment, however, takes the next step beyond what the underlying bill does and bringing potential property tax levies closer together and more than doubling the number of equalized schools. The combined plan increases the number of equalized school districts, from 86 currently to 173, while LB583 by itself drops the number of equalized school districts by 17, to a total of 69. Looking at Seward Public Schools-- which is the district that I actually live in and was on the school board there-- it does better under LB583 than the combined plan in terms of total dollars provided. However, we need to look beyond sheer dollars each school district gets and understand how it matters-- that it matters how these different districts receive those dollars. When I was campaigning, the biggest thing that I heard about was that disparity between ground. If you live on the west edge of Seward Public School

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District and you have land just inside Centennial Public School District, you know what I'm talking about. Centennial District and Seward School District have essentially the same tax levy. Centennial has 434 students and Seward has 1,447 students. So when you're looking at two pieces of 80, 80 acres of irrigated ground, if your land is in Seward-- and then there's a gravel road in Centennial-- the land across the road in Seward is--

**KELLY:** One minute.

**HUGHES:** --taxed almost double. Thank you. AM1124 recognizes this issue and gets us closer to addressing it than the underlying bill. For all the reasons previously mentioned, the combined plan provides as much money as the underlying bill but does it in a matter-- manner to better affect property taxes while providing more equity in school funding across the state. I urge my colleagues to approve AM1124. Thank you.

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

**DeBOER:** Thank you, Mr. President. I rise today in interest in AM1124 by Senator Brandt and others. There's a number of reasons. One, I would like to figure out how my constituents are affected. I am all for helping everyone out, but I also want to see how my constituents are affected. So I wonder if someone could tell me how, under the underlying bill with AM970, the Education Committee amendment, my constituents will have their property taxes affected. Because the way I read it, they will not have their property taxes affected in the first two years because there is nothing that I can see that will be lowering the amount that they have to pay in that area because there's nothing that is new money for them in the first two years. So I would like to hear if someone could answer that question for me. And then under this bill, I wonder whether my constituents will actually have property tax relief. I think they will, if I'm figuring it out right, under the reduction in the residential valuation inside the formula, which would, as I understand it, make their resources less, which would allow them to get more state aid. So that might help them out. One thing that Senator Hughes said that I think we should really focus on is the discussion of the disparity of levies and that this will bring the disparity of levies closer together. That was, of course, the initial reasoning behind TEEOSA. When TEEOSA was first passed, there was-- there were some areas where your property tax levy for schools was, like, \$0.24. And in other places, it was \$3. And so that was a problem. We now find ourselves in a situation where there are

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some school districts where your property tax levy for schools is in the \$0.40 range, \$0.46, something like that. And in other places, it's a \$1.00, \$1.05 and up. So getting those things closer together, which potentially could happen under this amendment, is something which I would appreciate. I think that that is one of the things that we ought to be doing as policymakers. The question of fairness always gets thrown around it. And there's sort of two different ways to define fairness, and that's one of the big questions that I always have for any proposal on school funding. Because one idea of fairness is that we want the same amount of money coming from the state to everyone, or same proportion or some amount or something like that, of state funding. And the other is we want to charge the same amount of taxes to everyone. Now, I don't know about you, but I first and foremost care about what my tax cost is and not which entity is taxing me. So in the situation where the folks have a \$0.46 levy, I think I'd rather have \$0.46 charged per \$100 of wealth than I would have a \$1.05 per \$100 of wealth because my tax will be less in the \$0.46 levy. So I'd rather have less taxes than more. And it doesn't really matter to me where those taxes are coming from. I think it is less fair to say we're going to take someone with \$0.46 per \$100 of wealth and--

**KELLY:** One minute.

**DeBOER:** --move them down \$0.2-- \$0.26 or \$0.35 than it is to say we're going to move the people who are at the high levies and move them closer to the low levies. I'd much rather get to the folks who have, for example, ag land in \$1.05 areas than I would get to people who have ag land in \$0.46 areas. That's how I would prioritize it. The other question I have, which I'll just throw out here for Senator Brandt and others is, why is 2007 the magic year? Why is that the magic year we're trying to get back to? I've just never heard the answer to that, that that's the year where everything was right in the world and ag was paying the appropriate percentage of property taxes in the state because we're trying to get back to 2007 here. Why is that the magic number? Why not 2009? Why not this year? What is the magic sauce for the correct--

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

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

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

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**IBACH:** Thank you, Mr. President. I'm, I'm here today to echo much of what Senator Hughes has already visited about. And I appreciate Senator Brandt's work on this amendment as well. Dave Welsch came into my office early, early on and threw all these numbers in front of me, and I thought, wow. I'm, I'm new here. I'm trying to process all this. And I didn't have the benefit of sitting on a school board to learn all the ins and outs of how school finance works. So I really have used the expertise of my local superintendent, visited with her a couple different times, and, of course, the wishes of my district, which is largely ag property, as kind of a guiding, a guiding light for this whole process. I believe that if strong public schools is our goal, then this amendment, along with the Governor's amendment combined, presents a lot of what, what we hope to accomplish with education this session. And I think you all just resear-- received a, a bulleted handout of much of what I've been studying for the last couple weeks. And that-- this proposal increases those special ed funding, which we've all hoped to address. It lowers the ag land valuation from 72 percent to 42 percent, which is huge for my district. And that's what they sent me here to do. And as well as it, it lowers all the real property. But if, if you're like me and you just want-- you know, tell me in a capsule what this does. If you look at the back page of that, it assures a greater level of equity and property tax rates. Check. It addresses property tax relief that's spread out more equitably, and that's a check. The special education is a check. And then if you look at-- 87 schools will have their equalization aid restored of those 173. That's a big check mark, especially for my rural schools. School level-- levies will come down. An additional 60 schools will receive the \$1,500 per student because, if you look above, there are still 24 schools under the proposed plan that will receive less than that \$1,500 per student. And then the total costs, of course, are always relevant, which is on the lower part of this. But I just-- I've appreciated the dialogue. I've appreciated the conversation around building a, a good proposal that will be fair and equitable to all schools. With that, I would yield the remaining part of my time to Senator Briese, who has additional comments. Thank you.

**KELLY:** Senator Briese, you have 2:00.

**BRIESE:** Thank you, Mr. President. Thank you, Senator Ibach. I appreciate that. You know what we've been talking about here for two days and then last week as well? Is we have a package of bills here, a negotiated package, and we really need to respect the details of that package. A lot of time and effort went into it. And I would encourage everyone to stay with the package. And-- but, but with that said, I do

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applaud Senator Brandt for his persistence and his work on this and the work he's done. And these are ideas that, yes, do need to be discussed at some point. But, first of all, I, I want to address something we heard yesterday. We kept hearing suggestions yesterday complaining how this bill sends dollars to rural schools and that, that wasn't fair to do that, you know. But let's talk fairness. Again, OPS gets roughly 65 percent of its funding from the state. A school out in my area gets eight-tenths of 1 percent. Does that sound fair? OPS gets \$5,600 per kid--

**KELLY:** One minute.

**BRIESE:** Thank you, Mr. President. [INAUDIBLE] down the road from me gets \$136 per child. Is that fair? We can argue all day about fairness, but a lot of people where I come from don't think that's fair. And as I look at Senator Brandt's amendment here, I look at the discrepancy that we have-- you know, the, the district that's getting eight-tenths of 1 percent of its funding from the state. Pillen's plan would take that up maybe to 18.5 percent. Still, that compares to 72 percent for OPS. But Senator Brandt's amendment would pull that back to 11.7 percent, according to my numbers. So I'm not saying Senator Brandt or Mr. Welsch intended it this way, but it seems like there's folks out there thinking that the school that is getting eight-tenths of 1 percent of its funding derived from the state, they're thinking that the Pillen plan is too generous to them, we need to pare them back and give OPS a little more because that's what the-- AM1124 does. It takes away from the rurals, gives it back to urban schools. And I'm going to oppose it. Thank you.

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

**BLOOD:** Thank you, Mr. President. Fellow senators, friends all. As I stated yesterday, I stand in full support of AM1124, and I want to tell you why. Every question that I asked Senator Sanders on the mike yesterday that she wasn't able to answer or able to come up with, come up with an answer or one that showed me that the issues I had were corrected is corrected by Senator Brandt's bill: the, the rural decline when it comes to students leaving the area and that school losing the funding. It makes a huge difference when it's a small school. How it didn't lower the levies. How-- to me, it wasn't equal. And I hear the word "fairness," but there's a difference between fairness and equality. And you heard Senator McKinney and Senator Wayne talking about their concerns with the underlying bill, and I echo those concerns. I didn't write anything out to say. I'm just reinstating what I said yesterday, which is, I support this amendment

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and Senator Brandt's effort. I do also want to put a shout-out to Mr. Welsch. He spoke to me, gosh, like, eight months ago in Grand Island. He has been working very, very diligently on this. I am very impressed by this. I have said for a very long time, if you want to really, truly have sustainable, sustainable property tax relief, you got to fully fund the schools. And this is an opportunity for us to get off on the right foot. With that, I would yield any time I have left to Senator Brandt.

**KELLY:** Thank you, Senator Blood. Senator Brandt, that's 3:30.

**BRANDT:** Thank you, Senator Blood. So under-- underneath this bill, the crux of this is lowering those valuations inside the formula. Today, the TEEOSA formula uses 96 percent for homes, residential, commercial property, and it uses 72 percent for ag land. The TEEOSA formula basically comes down to needs and resources, and that's on the resource side. Every one of our 244 school districts in the state has a value. And on the smaller districts, it may be \$400 million, \$500 million, \$800 million in value on the bigger districts. You know, it's worth billions of dollars of value. That value is derived from those numbers. If you can lower the valuation of a district, you increase its chances of getting state aid and equalization aid. Let's be clear: state aid in education encompasses about 15 or 20 different things. We have about \$1.2 million that we spend on the total state aid package. The elephant in the room is currently \$900 million of equalization aid in that package. So about \$300 million gets divided in some way, shape or form between all 244 schools. The \$900 million today goes to 86 schools, but it predominantly goes to the big schools. I've got some schools that get equalization aid less than \$100,000. And you look at, like, OPS, LPS and Millard, they get over half of, of that equalization aid when you put it together, but rightfully so. They have--

**KELLY:** One minute.

**BRANDT:** --a lot of students. I mean, OPS has 50,000 students. The example I tell my constituents is this: there's roughly 112 schools in Class D in Nebraska. When you put those school districts together, you still have to use one-third of Class C to equal the number of students in OPS. Lincoln Public Schools I think is 40,000 or 42,000 students. That one school system is the same size as all the Class D school districts in the state put together. The, the needs are, are different between these districts. I believe AM1124 is a, a nice compromise that uses the best of all plans that are presented to us today to address the needs of all the districts out there. Thank you.

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

**LINEHAN:** Thank you, Mr. President. And good morning, colleagues. So this amendment-- I am not supporting this amendment. And I appreciate very much Dave Welsch-- and I've worked with him, been in meetings with him for the last four or five years. And I appreciate very much that rural Nebraska likes this. But if we want to go back three, four-- we'll go back to LB1107. And the way we got to LB1107 was a bill that did some of these same things. But even in that bill, which Senator Groene, Friesen, Briese and Linehan worked on, we only took ag down to 50 percent. We didn't take it down to 42 percent. And in-- residential and commercial we took down to 83 percent. So why are we looking at a bill that shaves residential and commercial by 10 percent but ag by 33 percent? Now, I'm an ag-friendly senator. I've worked very, very hard on property taxes for ag. But I live in Elkhorn and I pay my taxes in Elkhorn. And our levy, all in for the school, is somewhere between \$1.40 and \$1.45 because we have to build new schools all the time. And Bennington is close to where I live, and their levy is going up because they have to build yet a new high school. And their levy's somewhere in there. And also, I know Gretna has got a nice middle school, according to Senator Wayne. I haven't been there yet, but I don't represent Gretna. But I know they've got a lot of nice new schools. But they had the highest school levy in the state and they have high residential and commercial prices. So we're only going to drop them 10 percent? We're going to take ag down 33 percent? I don't see how that's fair. And again, when we were doing this four years ago, when we ended up with LB1107 and I had three ag people I was working with, we took, we took residential down to 83 percent and ag down to 50 percent, thinking that was fair. When the TEEOSA was written in the '80s, the farm economy was coming out of one of the worst crises, ag crises in my lifetime. We had banks close, farmers go broke. Ag land was depressed. Now, should it have been fixed sometime between then and where we are now? Yes. Have we been working on that for now seven years? Yes. But I think the urban people who are looking at this need to kind of pay close attention to the percentages here. Again, we're dropping commercial and residential inside the formula 10 percent, but ag 33 percent inside the formula. Another problem I have with it is when we tried to do this four years ago, five years ago, there was great pushback from the schools because we did it inside and outside the formula. This amendment just does it inside the formula. That means they can still tax 96 percent of your property. That'll-- it'll will still be taxed at 96 percent of the valuation. They still can tax. Now, will some of them drop their

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levies? Yes, but it'll be 100 percent up to them. There's nothing in this bill that says they have to drop their levies. So they can tax at 96 percent. But inside the formula, when we decide how much they're going to get in aid, we're only going to say it's 86 percent or 42 percent. Yes, I expect ag loves this bill. I, I-- if I represented farmers, I'd love this bill. And I have tried to be very good to ag, but this is a little overboard. I do think, and I have thought for a long time, that this is the real answer to our situation: decreasing the valuations both inside and outside. And we can do it constitutionally if we treat them all the same for schools only.

**KELLY:** One minute.

**LINEHAN:** I supported that for six years, doing something like this. The numbers are a little off, but it's got to be inside and outside. And I tell you, we didn't have a single school that supported that because the schools depend on the property taxes. It's wholly up to them. They don't have to ask anybody for permission. So if we did this inside and outside, you wouldn't have a single school supporting this. Thank you, Mr. President.

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

**JACOBSON:** Thank you, Mr. President. Call me Mr. Ag this morning. I agree with Senator Linehan that ag will benefit from that, and that's why I'm wholeheartedly supporting this amendment. I want to thank Senator Brandt for bringing the amendment to the floor. It's abundantly clear when I campaigned last summer that there's one issue that my constituents are concerned about, and it's property taxes. And this does a tremendous amount to provide additional state aid to public schools, which is intended, with some slippage, to be able to reduce property taxes. It's very clear that our local property taxes are assessed at the local level. The state does not assess property taxes. So our ability to impact property taxes is by providing additional state aid to public schools. I believe Senator Hunt made the point that Nebraska is ranked 49th in terms of state aid to public schools, but that doesn't mean that we spend at 49th. We're in the 20s when it comes to amount of spending. So the difference between what the state provides and the spending is coming from our property taxes. What we're doing today and what we're doing with this bill is we're providing more money to public schools so that they can rely less on property taxes and reduce everyone's property taxes. I can tell you that-- as I look in my district, of the 10 schools in District 42, nine of-- only one of them is equalized today. So they're sitting

there with virtually very limited funding. And now finally, they're going to see significant new funding. And all but one of the schools out of those 10, including the equalized school, North Platte, are going to see significantly more funding under this plan. So, absolutely I'm in favor of this plan because it finally provides some relief to the taxpayers in, in, in my district that have been, that have been long left behind. I would tell you that, yes, if you could move the reductions into ag land values to the 40s outside the formula, I'd be at the front of the line for that. Because let me explain to you that when you start looking at values of farmland, farmland values have, have grown exponentially because there's a number of outside investors that are driving those prices higher. But the price of farmland has very little to do with the revenues generated from farmland, unlike any other asset class. OK? As a banker, I understand that when you look at someone buying an apartment complex, they're going to go look at, what's it going to cost them to purchase the property, what's their principal interest payments, taxes, insurance, repairs, maintenance, and then what can they get for rents? And that's going to dictate what that property-- what that apartment complex is going to sell for. OK? And in many cases, it's going to somewhat be in line with new construction less than depreciation. Farmland's a whole different animal. Farmland and ranchland is-- it's coming up next to you. You've always, you've, you've always wanted it and it goes to auction and you pay what you have to to buy it, or you got outside investors that are coming in and buying it because it's a safe haven. It's an offset to gold. You don't have to pay anybody to store it. It's not going to get stolen. It's there. And so people buy farmland, they buy ranchland and they drive prices way up. And then, consequently, property taxes go up accordingly. I think what this bill does is it appropriately gets farmland down to a level that's more in line with the revenues that are being generated, makes it fairer for farmers, fairer for ranchers. And at the end of the day, all but one of my districts in District 42 will see an increase over the Pilleen plan-- which is a great plan, I might add. And it's only off by about \$100,000. So I do wholeheartedly support this, this amendment. I hope we'll move it forward. I think it does all the things that have been said before in terms of spreading it across more of the districts and, and makes--

**KELLY:** One minute.

**JACOBSON:** --more schools that are going to be getting a, a larger piece of the equalization process. So I appreciate Senator Brandt for bringing it and the work that's gone into it. And I would urge your green vote on the amendment. Thank you.

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

**FREDRICKSON:** Thank you, Mr. President. Good morning, colleagues. Good morning, Nebraskans. All right, we're starting to have some fun in here. We're starting to cook a bit. This is good. I am listening closely to this conversation. I'm thinking a lot about-- you know, it's so funny. I, I've, I've been trying to learn as much as I can about TEEOSA. I don't sit on the Education Committee, but obviously that's such a huge component of how we fund our schools. And this is all interrelated in so many ways. And I think the best way to describe TEEOSA from the therapy world, which is where I come from, is we, we would call this a "dialectic." And a dialectic is when we sort of have these conflicting truths, which are "both seem to be true." So on the one hand, I think TEEOSA can be extraordinarily complex. And on the other hand, I think it can be extraordinarily simple, and I think both can be, be very true. So I'm appreciative of the conversation about special education funding. I think that is crucial. Like all things, I think we need to have a bit of more of a holistic conversation about that. I think that, you know, putting money towards special education certainly, certainly is important and a huge component here. But we also need to think about, you know, the impact of early childhood education, early intervention. These are things that really can have an impact on a child's success. And, of course, workforce, you know. We need to ensure that we have the ability to provide these services, especially in the more rural parts of the state. There was some talk about the disparities in tax levies, and I think that's also another really important thing to talk about. I think that-- you know, in my district alone, LD 20, we have three different school districts, and there's some disparity there certainly with what levies we see there. I know in rural areas, we see even more. I know Senator Hughes has a really good story about how to-- like-- this kind of huge disparity just across the street from each other in her district. There's been talk about ag land valuation. I'm an urban senator, obviously, but I understand that this is a huge concern and something that I'm curious about. Senator Linehan I think made some really, I think, compelling points about that. We've been provided with a handout here that sort of differentiates between the Pillen plan after three years, as well as LB583 with AM1124. So I'm looking at these numbers and how they impact not only the schools in my district, but also just kind of what it looks like from a statewide perspective. And I've, I've also reached out to the schools in my district to sort of hear their perspective and opinions on this to sort of see where I'm going to land on the amendment myself. I'm also, you know-- this is shifting a

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little bit, but we, we've been having a lot of discussion about packages in here. And, you know, I'm-- really-- you know, I'm-- you know, we've been talking about, like, respecting the package and, you know, the needs for the packages to stay together. And, you know, nothing really happens in a vacuum. And so I'm kind of curious how this is going to maybe impact the package. So if, if, if-- Senator Brandt, if you could yield to a question, if you're-- I don't know if you'd be willing to do that.

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

**BRANDT:** Yes, I will.

**FREDRICKSON:** Thank you, Senator Brandt. So can you maybe, in 30 words or less-- I'll give you a little challenge there-- help me understand how that this might kind of interact with the, the package that-- like, overall, big picture and, and what we should be aware of with that?

**BRANDT:** Well, I, I think you have a choice today. This presents you to compare and contrast the two bills and, and see what works for your area. So you have 49 senators in here that have 49 unique districts. And a lot of us represent multiple schools. I know I have 14 districts of mine, and no two of those are exactly the same. And this, this lets you go back and talk to your superintendents and school boards and, and constituents and see what they like.

**FREDRICKSON:** Got it. So do you think that this would-- is there-- so what I'm hearing you say is there is, you know, you got to kind of obviously pay attention to what's happening in your own district. But you, you believe that, with this amendment, there's a path forward with a larger package at play as well?

**BRANDT:** Absolutely. I-- you know, I think the combined plan, the estimate that we have is, is \$370 million. The Governor's plan was--

**KELLY:** One minute.

**BRANDT:** --a little over \$300 million. So, yes, there would be some additional costs with this. But there's some higher guarantees with the combined plan too. It, it really does a nice job of moving the really high levy districts down. And if you look at that bell curve on that second to last page, it, it really does do what we've been trying to accomplish in the five years I've been here.

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**FREDRICKSON:** Perfect. Thank you, Senator Brandt. And I think I am almost out of time. So, thank you, Mr. President.

**KELLY:** Thank you, Senator Fredrickson. Senator Dungan announces some guests in the north balcony: fourth graders from St. John's Elementary in Lincoln, Nebraska. Please stand and be recognized by your Nebraska Legislature. Senator Sanders, you are recognized to speak.

**SANDERS:** Thank you. And good afternoon, Mr. President and colleagues. I rise today in support of LB583, of course, and I'm in favor of the committee amendment, AM970. I rise in opposition to AM1124. I do thank Senator Brandt for continuing our discussion today. The Education Committee had an opportunity to discuss Senator Brandt's bill, LB320, at a hearing on February 14. The committee then did, did discuss his proposal but ultimately decided to move forward with LB583 as amended by AM970. Ultimately, there are a couple reasons why I oppose AM1124. First of all, it raises the cost of the proposal by roughly \$1 million. Our proposal is already an impressive sum, at approximately \$300 million a year. The entire package of the school finance reform proposals, including, including Senator Clements' LB681, is calculated on a \$300 million price tag. Any addition on top of that change-- on top of that changes the financial picture. The current package cannot support the additional financial commitment from this amendment. Throughout this process, we have talked about how the bills in this package works together. The Education Future Fund is designed specifically in tandem with LB583, which only works properly with Senator Briese's-- which only works properly with Senator Briese's LB243. If we adopt this amendment, it drastically changes not just this bill, but the entire package. LB583 must be respected as part of the package, and any change to it will risk the health of the entire package. Without the caps in LB243 built in tandem with LB583, this amendment will not provide property tax reform as intended. These details are linked, and any changes to it drastically alters the rest of the package. Again, this bill substantially raises the cost of our proposal in a way that is not sustainable and in a way that does not-- has not been analyzed by the Appropriations Committee. For those reasons, I respectfully oppose AM1124 and I am-- to ask the body to vote no on this proposal and yes on AM970 and yes on the bill, LB583. Additionally, I wanted to quickly address some points about AM970 and LB583. Just to be clear, my colleagues, school districts will benefit financially from LB583 immediately. There are some questions how equalization could wipe out the additional funding in AM970. This gets us deeper into the weeds of the TEEOSA formula. In short, here is the point I would ask the body to understand: a resource is not calculated as a resource until it shows up on an annual financial report. The

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TEEOSA formula every year is calculated based on the school district's annual--

**KELLY:** One minute.

**SANDERS:** --financial report from two years ago. The TEEOSA formula would not count the additional SPED, or special needs, funding as a resource until a year in which that funding shows up on an annual financial report. By definition, that would be two years in the future. For that reason, the SPED reimbursement would not be an offset by equalization aid until the third year of the bill. This is why we change the foundation aid system in year three. I just want to clarify my point to the body. And I thank you, Mr. President.

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

**DUNGAN:** Thank you, Mr. President. And colleagues, I rise today in support of AM1124 and in general support of the idea of what we're talking about here today. So I, I think one of the things that we've heard from a number of our colleagues is that, during the last campaign-- and, frankly, for a number of years-- we've heard consistently that our constituents and the people at home want to see the state of Nebraska provide more state aid to our schools. I think that that's a universal opinion that's, that's held by a number of folks, whether it's rural or urban. It's something I heard from constituents all across the political spectrum. And when you talk about these numbers that are often sort of thrown around with regards to how little the state does to provide aid to schools, every single person I talked to about that was surprised. And given the amount of time we spend here in this body talking about the desire to reduce property taxes, it seems like a no-brainer to me that we should be increasing our state aid. What we're getting at here-- and I think this is actually an incredibly interesting debate. And I, I join Senator Fredrickson in, in saying I appreciate this conversation-- is I think we're having a debate about the way in which we should do it. And-- intelligent minds can disagree about what's best. But having looked over both of the plans and talked to folks on both sides, I genuinely believe, based on the information that's been provided to me and in my conversations with Dave Welsch and Senator Brandt and Senator Hughes and others, that AM1124 is actually going to put our state in a better situation. The main reason that I have for that is it seems like it does a better job of creating more equalized schools, and I think that's one of the highlights of the plan that we've heard about already. But the fact that we go, I think, to somewhere just

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north of 200 equalized school districts through this, this combined plan, I, I really think that puts us back into the spirit of where TEEOSA originally was intending to have us. I'm not a TEEOSA expert. We hear about that in the mike all the time. And there's a number of people who I think are, are doing our best to understand TEEOSA, but I, I have certainly dug into it as deep as I, I think you can in this short period of time in the Legislature. And my understanding is that the current iteration of TEEOSA is not necessarily broken. It's just not formulated correctly. And we're not adding the right weight on certain areas. We're not properly funding certain things. And I think that we are so out of whack that it's created this disproportionate benefit to some schools that others don't get. And when I talk to my colleagues in here who represent rural school districts, I understand the frustration that there are equalized schools that are, are getting aid whereas they're receiving essentially no equalization despite the fact that the original intention of the formula was to put them in that situation. And so looking at the comparison, the side-by-side comparison of a three-year estimate between the Pillen plan and this combined plan, it really does seem like, across the board, we're not only seeing a greater decrease in the, the General Fund levy-- which is beneficial to property taxpayers-- but we're also seeing an increase in state aid to schools, both in urban and rural districts. And so the combined plan seems to, in a much more equitable way, increase the state aid to schools across the entire spectrum without completely upending the way within which this entire formula is, is based. And so I do think that the decrease in commercial and residential land, that 10 percent decrease that's contemplated in the combined plan, benefits urban areas. I also think the decrease in the valuation within the formula as it pertains to ag land benefits those school districts. And to me, it really does seem like a win-win. As for the cost, my understanding is that it actually costs about the same. And I think that-- you know, \$1 million is never something to, to balk at. But at the end of the day, if we're talking about a \$1 million difference in a \$300 million plan in order to achieve a more equitable outcome for, for more rural areas--

**KELLY:** One minute.

**DUNGAN:** Thank you, Mr. President-- that doesn't strike me as a price tag that we should be unwilling to pay. I will say-- and I'll probably talk on the mike about this again because I've not spoken much about this issue-- I do have hesitations regarding foundation aid. I think that when the money follows a, a student versus analyzing the actual cost that it takes a school district to operate their operations, we can find ourselves in a tricky situation if there's ever movement of

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those students. And I might talk about that more later. But contemplating the combined plan with the modifications of valuation within the formula, still upholding our, our dedication to special education, which is vital and important, I do believe the combined plan puts us in a better situation overall. And I would urge my colleagues to look at this amendment and support AM1124. Thank you, Mr. President.

**ARCH:** Senator Briese, you are recognized to speak.

**BRIESE:** Thank you, Mr. President. Good morning, colleagues. And, and I rise once again in opposition to AM1124. We, we have a negotiated package here, and it's time to respect that package. And I do appreciate Senator Dungan's comment. I think the quote [INAUDIBLE] said intelligent minds can disagree about what's best, and I do certainly agree with that. And, and I don't disagree with every component of AM1124. There's some ideas in there that we do need to examine, but I don't think this is the place for those ideas to be inserted at this hour. As I look at the spreadsheets brought by Senator Brandt, it looks like his package would cost roughly \$100 million more per year than what the Governor's plan would. And so I ask myself, how, how would we make up that \$100 million? What are we going to pull out of the package? Tax relief for seniors? Childcare costs for young couples? Incentives to enhance access to childcare? Pare down the SPED, the SPED portion? I'm not sure. We'd have to make some hard choices there. And those are hard choices that, at the eleventh hour, I'm not that interested in trying to make. And so, again, it's a negotiated package. I think it's time to respect the package. And I do hear about-- complaints about foundation aid being part of what we're talking about here. We do need to remember that the majority of states do use foundation aid-- excuse me-- foundation aid in their education funding formulas. It's an accepted practice. And I think we do need-- it's high time we get some foundation aid out to our rural schools. Thank you, Mr. President. But with that, I would yield the balance of my time to Senator Albrecht. Thank you.

**ARCH:** Senator Albrecht, 3:10.

**ALBRECHT:** Thank you, President. Thank you, Senator Briese. I rise in support of LB583 and AM970. I am adamantly opposed at this time to AM1124. While I appreciate Senator Brandt and his enthusiasm for his bill that he has brought forth, I also brought forth a Governor's property tax bill that we had all agreed to do an LR and to take a step back and take a look at this. I appreciate the fact that the Governor has taken the time to sit down with Senator Briese, Senator

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Sanders between the time he was elected and the time we showed up here in January to, to get a consensus from many, many school board superintendents, STANCE, GNSA-- just, all of the different school groups came together to sit down and talk about LB583 and what it has become in AM970. So to throw something like this in-- to be talked about would be one thing. But to take a vote on something like this and allow something like this to completely come down and keep our children in every school in Nebraska getting \$1,500 to be spent in our rural school districts, you can bet we will be looking at something between now and next year. We have a farmer who's a Governor who brings a property tax bill that we couldn't get done because we all took a step back. I understand Farm Bureau is working with Senator Brandt. Mr. Welsch is working with Senator Brandt. I don't know if OpenSky's working with him. I don't know who the players are here, but you can put whatever you want forward. And yes, if you get your 25 votes, great. But where are we going to find this \$100 million to be able to support this? You know, you don't just get to-- I mean, everybody is looking based on what's happening with our floor right now. How can I get my bill on somewhere? How can I tag it on somewhere? Senator Briese, I don't know how many amendments--

**ARCH:** One minute.

**ALBRECHT:** --he had the la-- yesterday before we all came to an agreement. Again, this is a package deal. We're going step by step to get what we need. That amendment strengthens things when it comes to how these schools are going to manage to this \$1,500 that we're going to give them. Will they lower property tax values or not? Will they lower the-- what it takes to, to continue this? Or in three years when I'm not here, you're all going to have to decide what you want to do. But every year, it seems like it's never enough. Somebody else has a better idea. Right now, this is the bill that we're looking at, LB583 and AM7-- AM970. Let's take it step by step here. Again, Senator Brandt, I'm willing to work with you on this LR over the summer. We'll bring all the people to the table and we'll get the best bill that we can get. I just want to hope and pray that we remember all the people who are saying--

**ARCH:** Time, Senator.

**ALBRECHT:** --I think this is great. Thank you.

**ARCH:** Senator Murman, you are recognized to speak.

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**MURMAN:** Thank you, Mr. Speaker. And good morning again, colleagues. As of now, I am opposed-- or, I am, I am all in on LB583 and am AM970 and opposed to AM1124. I really appreciate the discussion. I, I just think we need more time, as Senator Albrecht has said, to study this. I know Dave Welsch has worked with Senator Brandt for a long time on this proposal, and I really appreciate all the work they've done. But I do think we need to respect the committee process and the discussions that went on in committee. And, and this-- as was mentioned by Senator Briese and others, this, this is a total package for education funding and, and property tax relief. And we need to respect the package and the proposal that has come forth from the Governor and Senator Sanders. I just think that that proposal has been more vetted than, than this one, and we need, we need to stick with that right now. It does have a lot of good things in it, as we talked about before. At least gets \$1,500 per student out to all students in the state. It funds special ed at 80 percent and has the transparency part of it with AM970. This, this proposal, the way I understand it, does not guarantee property tax relief. Valuations would, would go down with this formula, which is a good thing. But there's no guarantee that levies wouldn't go up, especially in just a couple of years. And, actually, property tax relief would not happen. Also, I do have some concerns about the cost of this formula. It's a little bit higher than, than the Governor's proposal, LB583. So we need to make sure it is funded and does not put the state more at risk with an overinvestment in, in education and not enough left for protection for a downturn in the economy. And then there is another concern that I have, and that is-- I think it's been mentioned before also in the third year of SPED reimbursement, it does-- it's not properly addressed with AM1124. So there could be a concern three years down the road that schools would lose funding because of the, the way that special ed is reimbursed. So I, I just think we need to-- that it's good we're having this discussion and there's, there's benefits-- probably would be benefits by, by combining some combination of the two formulas, but I think an LR is needed to, to see exactly what those benefits might be. And we've, we've got a proposal now that has been vetted in three different committees and it's a-- has a lot of good things in it and we need to move forward with what we are doing. So, thank you, Mr. Speaker.

**ARCH:** Senator Hughes, you are recognized to speak.

**HUGHES:** Thank you, Mr. President. I rise again in support of AM1124 to LB583. The legislator has struck-- Legislature has struggled for many decades to strike a balance between the property taxes and school funding. We've considered other legislation to provide relief to

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property owners in the form of a tax credit. Colleagues, if we truly want to do all that we can to provide property tax relief and as-- and I stress "and," as it is at least an equal, if not greater, priority-- move forward for more equalized state aid for our public schools, AM1124 achieves this at a greater degree than the underlying bill. As I stated earlier, 60 percent of Nebraska property taxes go to fund public schools. And it's important to remind my colleagues that property taxes are set locally and that local control is an important component of school funding. We've heard over and over that our property taxes in Nebraska are too high. Why are they so high? Most recently, there's been a tremendous growth in ag land valuation along with increased valuations of commercial and residential property. So the question is, knowing that 60 percent of the property taxes go to fund public schools, what is it that we can do to best support both property tax relief and funding the schools? We have our LB1107 tax credit, where we forego income tax revenue as an apology for the property taxes some of our citizens pay. However, this increased state aid from LB583 along with reducing the property tax valuations inside the TEEOSA formula, as amended by AM1124, actually provides for significant potential property tax relief while also providing state aid to not just mention but to increase funding for our public schools, both rural and urban. The funding and the tax relief can come next year, not three years from now. I want to comment on the percent evaluate-- valuation decreases for ag and commercial and residential land in AM1124. A 10 percent reduction in commercial and residential land valuation is equivalent to \$100 million. A 30 percent reduction in ag land valuation is equivalent to \$90 million. Considering this, agricultural land generates the largest share of our state's economy to the tune of \$26 billion annually. For my colleagues who have concerns that local school boards will not work to address property tax levies, we still have the property tax cap that Senator Briese has included in the bill that we just advanced to Select File. We can pass LB583 without AM1124 and guarantee that we can go out once again and campaign and fundraise so we can come back and address property tax relief and the growing disparity in the state aid to our public schools. Or we can try to better address the problems we're facing. Colleagues, join me in supporting AM1124. Mr. President, I yield the yest-- yield the rest of my time to Senator Brandt.

**KELLY:** Senator Brandt, that's 2:00.

**BRANDT:** Thank you, Mr. Lieutenant Governor. Yeah. I kind of forgot to mention one part of this. Originally in LB320, we had created the TEEOSA Trust Fund, and that is included in this bill. And what the TEEOSA Trust Fund does is it uses the unclaimed property tax credits

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from the refundable state income tax credits after four years. The Fiscal Office estimates this will be \$100 million. And we allocate that toward education funding. So for those of you that are concerned about financing this, no problem. We've got this. This fund is going to be created and it will use those unused, refundable state income tax credits. I see Senator Briese is, is looking at me. We think this is a good way to reinvest in public education in the state of Nebraska. And we have encouraged--

**KELLY:** One minute.

**BRANDT:** --a lot of people in the state to claim these credits. And we know a lot of people, for a variety of reasons, do not claim these credits. So when you couple that with the \$250 million that the Governor's Future, Future Fund has in it, we can more than adequately cover either one of these programs. Thank you, Mr. President.

**KELLY:** Thank you, Sen-- thank you, Senator Brandt. Senator DeBoer, you're recognized to-- you're recognized to speak. I'm sorry.

**DeBOER:** Thank you, Mr. President. I just wanted to take a second to say something about procedure and process for a second, which is that I've heard a lot of, like, respect the package. You know, we've been doing all of this work. We've got all this together. But I would like to take a moment to say this is many of our first kind of time at bat on the package. This is our first time to address it. This is our first time to look at some of these things because we're not on these committees. And I think it's very fair for Senator Brandt and others to bring a proposed amendment and say, my constituents didn't get to have a chance to weigh in on this until just now. I think it doesn't make sense to say we're going to have all these packages completely fixed before they come to the floor to have a discussion about them. What would you need the rest of the body for then? You'd just need the committees. I think that there's a lot to be said for committee process for getting things through, but I don't think it can be bulletproof where we say "no changes" once it comes to the floor. So as far as process is concerned, I would like to give this opportunity for Senator Brandt, Senator Hughes, others to get to bring their amendment to the floor, to get to talk about it, get to have an opportunity to affect it. And the good news is, folks, it is not the eleventh hour. I do not believe this is anywhere near the eleventh hour because we still have two more rounds of debate. I think General File is a very good place in which we would have discussions about how to fix things a little bit for people who didn't have the opportunity to talk about them. That does not mean that I do not respect to the

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committee process. I do. It means that there are times when something is such a large bill with such a lot of moving parts-- and now we have three of them, or, or more that are strung together, that I think that we, as an entire body, ought to be able to weigh in on them and ought to be able to have some effect on these large packages. Otherwise, the decisions are being made for everyone if all we have to do is just take it or leave it. That's called an adhesion contract within the law, right, if you just have to take it or leave it? I think we ought to be able to talk about what makes these packages a little better. Maybe somebody has a good idea. So that is, that is why I am open to this discussion today. We still have two rounds of debate. Maybe it is we put it in today. We work things out. We change it on Select File. We change it again. We bring it back. I mean, that's what I think we're talking about here, is working through the process. My constituents want me to work through the process. My constituents want me to be a part of the process. They don't want me to just sit back and let other people make decisions for me. So I will stand up for the rights of Senator Brandt and others to try to affect these bills and to try to make them better because, actually, the more brains we have on them, I think the better off they are. So I will continue to listen to this debate and support Senator Brandt and Senator Hughes and, and others as they're attempting to work their way through this process. Thank you, Mr. President.

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

**WAYNE:** Thank you, Mr. President. I will probably support this amendment primarily because it's part of a package and I think we need to disrupt the package and have a little more conversations. So I will be voting yes, not because I care for the amendment-- and I'll tell you why I don't care for it. But I think it's important that we step back and have a broader conversation about where all the dollars are going for in this budget, in these three package money bills and how it's being dispersed. As far as the amendment, the amendment does not actually provide any property tax relief. In fact, the taxpayer is still paid the same amount into their local school district. What this amendment does is says we're going to stretch out TEEOSA and arbitrarily change the valuations inside the formula to provide more equalization aid to western Nebraska. So for OPS, the \$1.05 or \$1.16 in Westside is still going to be paid. But at the end of the day, for the purposes of calculation only, it's going to be treated differently. So in my opinion, this is Nebraska's new version of the three-fifth compromise, where I pay a whole dollar, it's actually only worth three-fifths when it comes to TEEOSA inside the formula. So it

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doesn't change or provide property tax relief, necessarily. The authors of this amendment is hoping-- are hoping that, as dollars come in, they will-- school districts will lower their dollars. I don't believe that right now, particularly for OPS, when there are needs that are extremely high. But my biggest problem is this is just arbitrary. It doesn't actually change valuations for the taxpayer. It changes it only for inside the formula for the purposes of TEEOSA. That is absolutely, in my opinion, not what we should be doing, arbitrarily changing things to make us feel better and stretch dollars across the state to make people feel better. But nevertheless, I also have to look at the broader, broader implications of this amendment. So the reason I'm supporting this amendment is because I do think there has to be a disruption to this package. There has to be a disruption to this package because it isn't being equally distributed across each congressional district, nor is it being targeted to those who need it the most. So I do have a couple amendments that I will be putting on LB583 whether this passes or not. One, one amendment will be, if you are-- if a school district is headquartered in the city of a metropolitan area, they cannot receive net option funding. This is a simple amendment because it shouldn't matter in Omaha whether you drive 20 minutes to one school district or to another school district. From a state's perspective, we should treat all those kids the same as far as inside of TEEOSA. If there's poverty and those kind of things, yes, those should be added on. But for option enrollment, it shouldn't matter where that kid goes. We should look as a state at the Omaha, Omaha area as, as one city, one school district. The second amendment is to increase the levy limit on the poverty allowance. I'm going to stairstep it. We'll go to 40 percent this year and then we'll stairstep it all the way up to 60 percent over the next three years. So we're actually putting dollars where they are needed the most. So those are two amendments that I'm going to bring-- which I have drafted sitting at my desk. I'm, I'm trying to figure out when I'm going to drop them-- that I think will help improve this overall package. So I will tell you, for those who want to disrupt the package-- and if you're in that group right now-- and part of it is-- nothing against the negotiated package, but I wasn't at the table.

**KELLY:** One minute.

**WAYNE:** I don't believe OPS-- a representative from OPS was at the table, and that's the largest school district. And we're not having-- we're having negotiations in the Legislature without people from OPS being at the table. That, that's a, that's a fundamental problem that I have with, with this negotiation process. So I'm, I'm trying to

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figure that part out. I'm going to do my part to bring constructive amendments that make this bill better. I look forward to voting yes on AM1124 and having a broader conversation about poverty allowance and option-- and net option enrollment funding inside of the city of the metropolitan area, i.e. Omaha. Thank you, Mr. President.

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

**BLOOD:** Thank you, Mr. President. Fellow senators, friends all, I continue to stand in support of AM1124, and I look forward to Senator Wayne's potential amendments as well. I am going to build on what Senator DeBoer and Senator Fredrickson said because I think we've got a really good grasp of what this amendment does. We keep being told to respect the package. First, I would offer to cut down on all the giggling on social media that maybe we say respect the process. But the concern that I have about being told this continually is that this all-or-nothing thinking is really based on absolutes. It's either good or it's bad, and there doesn't seem to be anything in between that we're allowed to do. And that means that you don't want us to look at alternative outcomes. And as Senator DeBoer said, that's why we're here. That's why we are here actually debating for, really, the first time in a while on a bill that we think we can make better. So when we compromise, when we have compromising mindsets, we're able to adapt our principles and show respect to our peers. This gives us an opportunity to do better. And this is the time to discuss change. This is why we are here. And then some of the comments I think are kind of funny because it's like the old man, like, get off my lawn. You know, we've, we've got to have enough respect for each other to discuss why we like things, why we don't like things. And I think we've done a good job of that today. And with that, I would ask that Senator Sanders please yield to a question. Is the bill introducer not on the floor? Sanders, not Brandt. No? So the question that I would have to Senator Sanders, Senator Sanders if she were here is, can she be more specific on how this is not sustainable? She talked in generalities and I didn't hear specifics, and I'd really like to hear that from her. And then her concern was that it would raise it by at least \$1 million. I don't agree with that exact number. But here's, here's what I know. We talked about LB573, and every other person that stood up in support of it was like, it's for the kids. It's for the kids. Well, so's this. It's for the kids. And there is a difference between fairness and equality, which I said my last time on the mike. And as you heard from Senator Wayne, we're not quite there yet, but we're working towards it. And so how do we make it better? We make it better by full and fair debate and we make sure that good things get on

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record. This is not something that needs to be worked on over the summer, Senator Albrecht. This is something that was worked on over the summer this year. And it is-- and has-- it is not something that someone's just adding on that hasn't had a public hearing. It's had a public hearing. And we're respecting the process. And I'm not going to say "package." We're respecting the process by bringing an amendment-- this had a public hearing-- that many of us feel will make the bill better. And many of us will not support the underlying bill without the amendment. And so I am going to listen to Senator Linehan because I know she's next in the queue. In fact, I'm going to yield what time I have left to her to give her more time.

**KELLY:** Senator Linehan, that's 1:05.

**LINEHAN:** Thank you, Mr. President. And thank you, Senator Blood. I think what I heard-- you asked about the sustainability. Is that your question? OK. So I may not be exactly right on this, but my understanding is the \$300 million, \$305 million that Senator Sanders' bill represents will come out of the Education Future Fund. The amendment that's up there, AM1124, would be another \$100 million. So it is a 33 percent increase in the cost. We've been hearing concerns from many-- especially the GNSA schools, that they always were worried about sending any more money out to unequalized schools because it was not sustainable, they believed it was not sustainable. So what the Governor has done is put \$1 billion in the Education Future Fund, committed in his budget to put another \$250 million in it over the next three to four years.

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

**LINEHAN:** Thank you, Mr. President. So if we change the numbers here significantly, we're going to have to-- there will be questions about sustainability. Because it's not just a little increase. It's \$100 million more. Another thing with this bill-- and I think there's great confusion about this and I've said it and I-- I wish I had a whiteboard, but we can't do that on the floor anyway. But over the noon hour, I'm willing to discuss this with anybody that wants to. We're only lowering these valuations on the inside of the formula. There's no guarantee that any of your property tax taking is going down because there's-- unless I'm confused, there's nothing in this amendment that says they have to lower their tax taking. So when I-- let's just take-- I don't know. I'll say the ABC School. And I'll say that, right now, they are about a STANCE-sized school. So they get some equalization aid but not a lot. And they're-- have a lot of ag so they're 75 percent [INAUDIBLE] their property. Well, inside when we

look at how much they should get in equalization aid, we're going to drop that 75 to 42 percent. So they will get that much more state aid. But the farmer over here in ABC School District, he's still going to pay [INAUDIBLE] on the ag, he's still going to pay 75 percent of his valuation. So it will be whatever the levy is times his valuation. For the commercial and residential person, it's going to go-- inside the formula, they're going to drop 10 percent to 80-- I think 86 percent. But outside the formula, they're still going to be at 96 percent. So ABC School District can still levy a tax against the whole percent. So this is, this is-- I can understand why there are some in Education that think it's a good idea. But here, here-- and I don't remember who commented. I think it was Senator DeBoer. She commented about this-- everything doesn't have to come out of a committee. That's true. Everything doesn't. LB320, which the amendment is planted on, is in Revenue Committee. It did not come out of committee. Committee looked at it. And-- we didn't have the votes to kick it out. And I'm pretty certain-- though, not absolute-- that if we had the Education Committee get together, they wouldn't vote it out either. So you do have two committees that are looking at all these bills, and neither one of them voted this out. That should give everyone here pause because we-- at least I do-- and I tell new members, you've got to respect the committees. There's-- they're the experts on what's going on. So when you're going to have a bill that affects revenues and education get attached to a Governor's priority bill that didn't come out of either one of those committees, I think that's room for concern. The other thing that I'm concerned about: right now, the way the bill is drafted, is they take funding out of LB1107, the unclaimed funding, to help pay for this. Well, if we're going to take funding out of LB1107, we need to take it out of the original property tax credit fund too because those were all agreements we've made. As Senator Briese and I said time and time again, we try to make sure we're equal here-- we're equal on income taxes, we're equal on property taxes. So if you're going to count this as property tax relief-- which I really don't think it is-- but if you're going to count it as that, you're going to have to come up with another \$100 million for income tax relief. So I-- again, I appreciate Dave Welsch. I appreciate Senator Brandt, Senator Hughes. I understand they're very frustrated. I agree that lowering the valuations is the right answer. I just don't think we can do it now and I don't think we can just do it inside. It has to be, if we're going to lower valuations-- which I do think is the answer. That's what we-- that's how we ended up with LB1107. We had \$350 million over three years. We were going to bring down valuations a little bit each year--

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**KELLY:** One minute.

**LINEHAN:** --both inside and outside the formula. This is not foreign to me. I know how this works and how it will or won't work. But just taking it outside does not work, does not give anybody any property tax relief. There's no guarantee. And it is going to upset the balance of everything else that we're doing. Thank you, Mr. President.

**KELLY:** Thank you, Senator Linehan. Senator Albrecht, you're next to speak.

**ALBRECHT:** Again, I really think we do need to take a step back and think about what we're doing here. Because whether you put AM1124 in front of all of us-- this is a lot to absorb for anybody to get educated on in a 15-minute period of time or a two-hour period of time. If you're expecting us to hear from our schools on how they like this program, our schools would also have to take a look at this program and find out if it complements what Senator Sanders' bill will do. There's a lot going on here. And to think for one minute that we would just haphazardly say yes to something that is being introduced on this bill that we've been negotiating in all of our committees, how we can get to the end here with everyone getting something. And when your bill isn't brought out, there's a reason, that you need to do a little bit more educating and we need to make sure it's going to financially work for the state of Nebraska. \$100 million more is not something easily decided upon. What-- whose bills are going to go forward and whose bills would not? What are we willing to carve out? And believe me, we have nothing but time to figure this out. But I don't see where LB1124 [SIC-- AM1124] is ready for prime time. Just like the Governor's property tax bill that we brought, LB8-- it was-- LB820 was not ready for prime time because we had too many other people wanting to work other bills, whether it's senators who have left this building and, and still have an ax to grind, if you will, on what they would like to see passed. But I'm here to tell you, we have got to methodically go through this to make certain that we're doing the right thing for all of Nebraskans. And never before have any senators from the Omaha-Lincoln area decided it was a great deal to help the farmers. So even for them, I ask with caution. Take a look at the numbers here and tell me if you can really make this work for your area. I'm a farmer's wife. I'd love to see us get as much as we can. But you know what? You can't do it all in one fell swoop. And this is not going to make the cut for me in AM1124 until we get to study it. And Senator Blood, there are a lot of people that work on a lot of different bills, and I don't appreciate your comments on the floor stating something different. So let's all try to work through these

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things to make certain that we get the best product out on the floor for everybody that works. It's not going to work for everyone. We understand that. But we have to have the ability to go back and study what we're looking at here and not just amend bills because we think we need to find a way to get our bill passed. So with that, I'll yield my time back to the President.

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

**SLAMA:** Thank you, Mr. President. I rise in support of Senator Sanders' bill and the committee amendment. However, I am opposed to Senator Brandt's AM1124. And I say this from the perspective of a rural senator, and property taxes are absolutely at the forefront of my priorities in serving the people of District 1. And here's why I'm opposed to AM1124, is that in order to fund the additional \$100 million per year that we're going to be spending here without any strict spending increase controls, is that we're not guaranteeing any property tax relief. And in order to fund this, we're likely going to have to be pulling money out the Property Tax Credit-- Property Tax Credit Relief Fund. Now, that fund is something that we've fought for years to establish and we fought over the years to protect. Raiding those funds in order to throw more money at schools without any kind of spending controls to ensure property tax relief on the front end, it flies in the face of the entire relief fund to start with and for our property taxpayers. I understand that we need fair funding for our rural schools. I absolutely agree. And that's why I support Senator Sanders' bill and that it's a step in the right direction. I don't think that AM1124 is sustainable over the long term, and it actually compromises property tax relief over the long term. So for me, with my fifth year of being here, I think that one of the biggest fights that we've had to fight over the years is protecting the money in that fund. We're now seeing an amendment disguised as additional funding for rural schools that will take that money away. It's an extra \$100 million. And in order to be sustainable over the years, I, I cannot support an amendment that's going to be funded by raiding those funds. So that's why I'm opposed to AM1124. I am supportive of Senator Sanders' bill. And I am supportive of every other bill in this umbrella of bills for tax relief. Thank you, Mr. President.

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

**DUNGAN:** Thank you, Mr. President. Just briefly to, to I guess answer to that or comment on that. I guess I respectfully see it slightly different. So what this bill I think does is it contemplates the idea

of taking the unused money in that fund and then putting it towards something to make sure it's used. And so the idea that we are raiding a fund in order to fund something else and leaving the other thing underfunded, I, I just-- I don't necessarily-- I respectfully see that differently than Senator Slama does. If that fund were to be utilized in such a way that there was not a leftover amount in those funds, then we're certainly not going to take money out of it that isn't being used. So the only thing we're talking about here is money that is sitting there unused currently. Now, as a Legislature, we're currently looking at ways to ensure that folks claim their LB1107 money. In the Revenue Committee, we had many hearings on that. And I think it's something we're all dedicated to, is making sure that folks actually get the money they're entitled to. But if we have a giant pot of money just sitting there, I would rather see that being effectively used in an effort to actually fund these programs instead of just sitting there into perpetuity year after year. Now, I, I generally-- I, I don't think I see the, the issue that people have with this. And maybe I'm missing something-- and I apologize if I am, and I'm happy to talk to folks off the mike about it. But this plan, as far as I can understand from speaking with folks who have proposed this plan, does not inherently disrupt the entirety of the package. My understanding is that the Education Future Fund that's being created-- which, again, I am in support of the state aid to schools-- can then be utilized in order to fund this plan. The difference in cost that I've seen on projections I think is about \$70 million, which, sure. While we're rounding up big numbers, we can say is \$100 million. But I think if we're talking \$300 million versus \$373 million-- in, in my mind, that does not mean that we're sort of proposing an amendment here that is so beyond the pale that it just completely breaks the program in its entirety. And so instead, it's-- instead, it seems like it's supplementing that in an effort to have it operate within the package that's been proposed. And I think it does its best to achieve, as I stated earlier, a more equitable goal while still operating within the confines of the idea of increasing state aid to schools under the, the entirety of proposals that we've looked at here as a Legislature with regard to state funding. As I've also said, I think it's very important we continue to make sure that special ed is reimbursed. My understanding is this plan does that, and it adopts that component of the Pillen plan. We've talked with many individuals, constituents and other folks who work with advocacy groups. And obviously, one thing we're all dedicated to is making sure that special ed funding stays well-funded. So this seems to do that. I was wondering if briefly here-- I know I'm getting close on time and we're getting close to lunch-- if Senator Brandt would yield to a couple of questions.

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**KELLY:** Senator Brandt, will you yield to some questions?

**BRANDT:** Yes, I would.

**DUNGAN:** Senator Brandt, you've probably heard-- I know you've been paying attention here-- some of the, the concerns people have raised, which I think are valid concerns, about supplementing in a, a new plan here in sort of the big package we've been talking about. Do you believe that AM1124 can operate within the entirety of the package as proposed by the Governor?

**BRANDT:** Well, if we didn't believe that, we would have combined the Governor's plan with this.

**DUNGAN:** And so in what way do you think it actually would continue to operate and not sort of break the whole thing apart?

**BRANDT:** I guess I, I see them as complementary plans. Part of the reason we didn't ask to vote it out of the committee is because the committee had the Governor's plan and they had indicated to me that was the one that was going to go forward, that was the one they wanted in the package. So we didn't even ask for a vote out of the Education Committee. The other thing I'd like to correct is I don't know where \$100 million comes from. The cost of this is \$373 million, which is \$70 million or \$73 million more than what's up on the board. And this is most definitely property tax relief unless you're a local school board, of which there's 244 independent school boards out--

**KELLY:** One minute.

**BRANDT:** --there, chooses not to give that back to the taxpayers. And yeah, there could be a little slippage in this, but it's, it's the same with both plans.

**DUNGAN:** And to that point-- I know we're getting close to the very end here-- but is there anything in your reading of LB583 or AM970 that ensures property tax relief that's any different than yours in AM1124?

**BRANDT:** No. I would say it's identical.

**DUNGAN:** All right. Thank you. And thank you, Mr. President.

**KELLY:** Thank you, Senator. Senator Fredrickson has some guests in the north balcony: 92 fourth graders from St. Wenceslaus Catholic Church in Omaha, Nebraska. Please stand and be recognized by your Nebraska Legislature. Mr. Clerk for a motion.

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**ASSISTANT CLERK:** Mr. President, some items first. Your Committee on Enrollment and Rev-- Review reports LB754 and LB683 to Select File, both with E&R amendments. Committee on Urban Affairs reports LB531 to General File with amendments attached. Amendment to be printed to LB629 from Senator McKinney, to LB342 from Senator Hardin. New resolution: LR85, from Senator Holdcroft. That will be laid over. An announcement. The Appropriations Committee will hold an Executive Session at noon in room 1307.

**KELLY:** Speaker Arch for an announcement.

**ARCH:** Colleagues, I just wanted you to be aware. For this afternoon's agenda, at the request of the principle introducer, we are passing over LB753 and LB753A. And so we'll move on to Senator Lowe's bill following that. Thank you.

**KELLY:** Mr. Clerk.

**ASSISTANT CLERK:** Mr. President, Senator Day would move to recess until 1:00 p.m.

**KELLY:** There's been a motion to recess until 1:00. All those in favor say aye. All those opposed, nay. We are recessed.

[RECESS]

**KELLY:** Good afternoon, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber. The afternoon session is about to reconvene. Senators, please record your presence. Roll call. Mr. Clerk, please record.

**ASSISTANT CLERK:** There is a quorum present, Mr. President.

**KELLY:** Thank you. Do you have any items for the record?

**ASSISTANT CLERK:** Not at this time.

**KELLY:** Mr. Clerk.

**ASSISTANT CLERK:** Mr. President, when we recessed for lunch, under consideration was LB583. There had been an induction of the standing committee amendments and under consideration currently is an amendment from Senator Brandt, AM1124.

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

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**KAUTH:** Thank you, Mr. President. I rise in support of LB583 and AM970, but I am not in support of AM1124. I'm a suburban senator in the Millard area, and I've spoken with our superintendent's office, and we feel very confident with LB583 and AM970. We really feel like everyone worked very, very hard to come to this agreement. OPS and Lincoln Public Schools were both involved with the Governor's panel. Millard was able to meet with the Governor's Office separately to express some of their concerns. They feel very confident with where we're at. And so I support LB583 and AM970. Thank you.

**KELLY:** Thank you, Senator. Senator von Gillern, you're next to speak.

**von GILLERN:** Good afternoon, colleagues. Good afternoon, Nebraskans. I rise in support of LB584 [SIC-- LB583] and AM970 but opposed to AM1124. I'm a new guy. I've been here for 56 days now. I don't know everything, but I do know what it means to work out a package and to stick by it. I do know that the Governor unveiled his plan before he even took office, and he's been working on it for months ever since. He worked with small rural districts and with the larger school districts to arrive at a solution that benefits all districts. And I know that there are hours and hours and hours on his part and parts of-- part of his staff in that effort. He developed a plan that implements income tax deductions, property tax reductions, and dovetails all of that with additional state funding for every school district. Again, I don't know everything about how everything works around here, but I do know that the floor is not the place to learn about an alternative plan. I wish I'd been approached on this earlier. I could have had conversations with the PRO office to vet the numbers to better understand the entire plan. But again, trying to digest all this volume of information on the floor is a bit of a challenge. I respect what the Governor assembled and what the PRO office has vetted for the numbers and the entire package that ensures property tax relief. This is the first rural versus urban conversation that we've had on the floor so far. I heard about this, but this is the first time I've seen it. Ironically, the plan that's being fought against, the Governor's plan, is from a rural governor. Frankly, I feel a little bit blindsided. And I'm not saying that that was intentional or strategic, but it is true. I talk a great deal with several of the senators that, that are bringing this to the floor today and spent lots of time together. Love them both, but neither have shared their intentions for this plan. I'm a little disappointed by that. I don't know if that was a strategic decision or just an oversight. I'd like to believe it's an oversight. Other-- like others that are speaking, I represent one of the largest district, or largest districts in the state. And as Senator Kauth has shared, Millard Schools, for one, has

come forward and said that they want to stick with the Governor's plan because they know it's sustainable. They know it was put together with a great deal of foresight. It's had a lot of government-- or, budget vetting involved in the process, and they want to stand behind that. Senator Dungan said this morning, we have a giant pot of money sitting there, and that's been said before. That's me paraphrasing him, and him paraphrasing others that have spoken that, and it's true. And because of that, the Governor's agreed to set aside \$1 billion in the Education Future Forward Fund. And after doing that, that leaves \$1.6 billion in reserves and still leaves substantial money, over \$2 billion, in departmental budgets. So sustainability isn't an issue. The issue is, how do we fund schools and ensure that the property taxpayers get relief? Senator Brandt said, I see these as complementary plans, and that may be true, but frankly, I don't have the time to weigh in on that and make an accurate determination, again, here on the floor. As Senator Briese and others have stated, I too want to respect the fact that the income tax reduction package, the property tax reduction package and school funding are all integrally tied together. And frankly, I question where this additional \$72 million or \$100 million-- I guess we don't know actually the numbers-- are going to come from. And we don't know the actual cost because there's no fiscal note of the blend between AM1124 being adopted with LB584 [SIC-- LB583] because it didn't go through the hearing process. And by the way, the hearing process that so many of the advocates of this amendment have spoken so passionately about in past weeks was circumvented by this amendment. But yet I don't hear nearly the passion or concern over that today. This may be a better plan--

**KELLY:** One minute.

**von GILLERN:** Thank you, Mr. President. This may be a better plan, but I don't have the time to digest it and the impact, or completely understand the financial implications. Maybe I can support it one day, but not today. Thank you.

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

**SANDERS:** Thank you and good afternoon, Mr. President and colleagues. Again, I rise today in favor of the committee amendment and respectfully opposed LB24. I do thank Senator Brandt and Dave Welsh for encouraging a thorough discussion. And I thank my colleagues for the substance-- substan-- substantive discourse today. It is very necessary, because in front of us lies a new proposal. I want to

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refresh the body on how we got to this point. In December, Governor-elect Pillen brought together representati-- representatives from across lines in his school finance reform working group. We met three times, and the Governor's team spent hours discussing different approaches. They presented a proposal to the working group. The bill was then introduced, and an amendment was brought to the hearing. Then, the bill was amended again before passing the Education Committee. This is a necessary, because we are discussing a package that affects \$1.3 billion. Why do I mention this? Because this bill has gone through a four-month process. It has been reviewed by school districts and administrators at every step. Allow me to respectfully contrast that AM1124-- here, we have a proposal that does not have a fiscal note, so we can only estimate what it will cost. All we know is that it adds millions to a proposal that has been fine-tuned to the dollar. This proposal, AM1124, has not been vetted as LB583 has. It did not go through a working group. Many senators are only seeing it for the very first time today, as there was no briefing for the senators on this amendment. Even if AM1124 may have some merit, property tax reform is too important to rush through an amendment that changes the entire proposal. And I mean the entire proposal. I was able to identify some concerns nonetheless. I wholly disagree with drawing down the property tax fund, also known as LB1107 from 2020. I know Senator Dungan has mentioned that some of those funds remain unclaimed, and I do respect his effort to spend taxpayers' money wisely. However, this is a relatively young tax credit, and I do not feel it is appropriate to assume more credits won't be claimed as people hear about it. We do not know for a fact that if the demand on the fund will remain low. The funding mechanism from AM1124 could take away property tax relief from Nebraskans. I hope I'm wrong. But this is why we need time to understand this proposal. In summary, this amendment has not been vetted. We have no official fiscal note. And it is brought to the entire body just yesterday. We cannot rush on this. We need to do what's right. Thank you, Mr. President. I yield the rest of my time to Senator Briese.

**KELLY:** Thank you, Senator Sanders. Senator Briese, you have one minute.

**BRIESE:** Thank you, Mr. President. And thank you, Senator, for that. I appreciate it. And I think you brought up a good point there about the unused LB1107 credit dollars. I believe the amendment, AM1124, targets those dollars to fund this amendment. But I would maintain that that is a source of funding that is certainly not sustainable. The unused LB1107 credit dollars, they will shrink over time as more people become aware of that program. As that program becomes more valuable to

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everyday Nebraskans, more folks will access that program. I, I would predict that the amount of unused LB1107 credit dollars shrinks, or it's going to continue to go downward. Does it approach zero at some point? I don't know if it gets that low, but I would maintain that over time that is a source of funding that will shrink to a point it's not going to do much good in this respect. And we're going to have to-- we would have to find funding for this. And so I oppose AM1124. Even though I. I thank Senator Brandt for the conversation. I think it's been a great conversation--

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

**BRIESE:** Thank you.

**KELLY:** Thank you. Senator Briese has some guests in the north balcony. They're seventh graders from St. Michael's in Albion, Albion, Nebraska. Please stand up and be recognized by your Nebraska Legislature. Senator Lowe, you're recognized to speak.

**LOWE:** Thank you, Lieutenant Governor. AM1124 will sink LB583. And with that, the other education bill. Is that really what we want to do? We want to give up on our kids this year? We need to think about that. There's been a lot of time put into LB583 and AM970. And there's been an agreement that the first education bill moves, and then this bill moves. Do we really want to mess that up now? I don't think so. I think we want both education bills to move through, and come out to benefit our children of Nebraska. I think that when you look at the proponents of AM1124, they're not the proponents of LB583 and AM970 as a whole. We need to take AM1124 and do an interim study and see what more we can do for the children of Nebraska. We need to keep on working to make sure that our schools are, are funded to where they need to be for the education purposes, so that our kids will be the best in the country. That's what we need to concentrate on. Not hurrying a bill that didn't come out of committee to the floor. With that, I'd like to yield the rest of my time to Senator Briese if he would like it.

**KELLY:** Thank you, Senator Lowe. Senator Briese, 2:35.

**BRIESE:** Thank you, Mr. President. And thank you for that, Senator Lowe, I appreciate it. I heard Senator Linehan on the floor earlier suggest that this \$100 million shortfall that we're talking about should come from the property tax credit fund. If anything this morning or today should get your attention, that statement should. It certainly got my attention. And she correctly noted that we, we have

essentially agreed that-- to an even split of income tax relief and property tax relief. So if that's the case, you can double that number. That creates additional fiscal issues. And where are we going to get the dollars? Are we going to reduce childcare-- childcare help for young couples? Or are we going to reduce investment in childcare facilities? Are we going to cut short the income tax relief for our seniors? Are we going to reduce the SPED reimbursement? I don't know. Those are tough, tough decisions. But there would be decisions that would have to be made. And as you know, there's a lot of things in this package that we can pick away at here. If I had my druthers, I'd change some things, and I know you would also. But it really is time to respect the package. It's time to respect the work of the Education Committee, its time to respect the work of the Revenue Committee, respect the work of everyone involved in this process. Chipping away at this has a lot of repercussions, not the least of which is, where are we going to get the money and what are we going to cut from these packages to make it work? What else are we going to change? I know the package isn't perfect. Everybody has their own ideas about it, and I could start listing some of my concerns as well. But if this--

**KELLY:** One minute.

**BRIESE:** Thank you, Mr. President. But I am going to respect the package. I'm going to oppose AM1124, support the Education Committee amendment and ultimately LB583. I would encourage you-- encourage everyone to do the same. Thank you, Mr. President.

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

**MOSER:** Good afternoon, colleagues. Thank you, Mr. President. Well, in all of our-- my time here, TEEOSA was the two-headed monster that everybody loved to hate. And I think one of the selling points of LB583 was every kid got foundation aid. Every school, whether they were close to the threshold for TEEOSA funding or not. So now, with this amendment, it kind of puts its thumb on the scale. And if you're close to qualifying for TEEOSA or if you already get TEEOSA, you'll get more. I, I don't see what the benefit of that is. I think it flies in the face of what we're trying to do in the rest of the bill, where every kid gets \$1,500, every school district gets, you know, the same percentage of their special ed costs. So I think to just have this come from the floor and I think some people have had kind of a knee-jerk reaction to it that, you know, on the face of it, it looks good. I think it's a bad way to do legislation. I think we should be

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more considerate and spend more time looking into it before we change the plan in the midst of the stream, so. Thank you, Mr. President.

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

**SLAMA:** Thank you, Mr. President. I rise still in opposition to AM1124, with the understanding that it would compromise the package as a whole. And when we're talking about the package here-- I, I've seen it refer to a few different things. But to me, the package is LB583: income tax relief, property tax relief. Those are the bills that make up the package that we're talking about here. So if you're sitting at home wondering when we're saying-- when Senator Briese is saying respect the package, we need to not mess with it, that's what he's talking about, are all the major bills that we've been discussing over the last week and a half. Now, why I'm opposed to AM1124 is that it would sink the package because it's not feasible over the long haul. We're pulling \$100 million out of a-- out of our budget. We're pulling \$100 million, likely out of our property tax relief fund that we've fought to protect for years. And it's not what that money was intended to do. There's no promises in this amendment of dollar-for-dollar property tax relief. There is no promises that your property taxes will go down at all. It takes valuations down, but as property taxpayers know, that often leads to your valuations skyrocketing the next year. Like, that's just the reality of being a property taxpayer in Nebraska, is every time somebody says, well, your valuations are being lowered, or, well, we're not raising the levy this year, that almost always means, congratulations. Your valuations have gone up. So yeah, you're still paying more in property taxes. So unless there's a dollar-for-dollar guarantee that this is actually going to go to property tax relief, I'm not going to compromise the entire package of bills that we've been debating for over a week now on an amendment that doesn't provide any guarantees. And I'm wholeheartedly-- like, since day one, I've been a supporter of funding for our rural schools. This isn't the way to do it. It's not consistent. It's not protected in any way, shape or form. And it doesn't address the core issue. You have to have some form of spending controls in there. Otherwise, we're just putting a Band-Aid on a bullet wound. And I look at AM1124, and I do think it's a problematic precedent, in that it is LB320, which is still sitting in the Revenue Committee. It hasn't been exced out yet. And, procedurally, this is really important in that we're talking about adding a bill that has not been advanced to the floor for General File debate to another bill. And I spoke about this for those of you that were here in the last biennium. I was wholeheartedly against this practice towards the end of last year's biennium when

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people were trying to attach their bills to what amounted to be the last lifeboats off of the Titanic. I, I get that there's limited space, space in this session. I absolutely believe that Senator Brandt and his supporters are very genuine in their approach to this. But I'm not in a position where I can support AM1124 because we're putting property tax relief dollars at risk. Thank you, Mr. President.

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

**GEIST:** Thank you, Mr. President. I too stand in opposition to AM1124, but I do support AM970 and LB583. I do remember back in December and January when I started hearing of the Governor's move to change school funding. I thought it was one of the most bold moves that I had heard at the beginning of a Governor's term. And so I've been interested, and as this has gone through the process, to keep up with it and understand more about it. Because of that and because of the kind of late notice that AM1124 brings us to, that would be why I'm in opposition to it. I, I do know that the other two-- the amendment and the underlying bill itself-- have been in process, as you've already heard, a number of months, and painstakingly gone through the hearing and amendment process. And this one has, has just come up today-- for me, anyway. Not being on the Revenue Committee, I have not sat down and had the opportunity until today to read through this. And so I-- given that, I would stand in opposition to LB1124 [SIC-- AM1124] and ask the body to strongly consider supporting AM970 and LB583. Thank you, Mr. President.

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

**HARDIN:** Thank you, Mr. President. I stand in support of LB583 and AM970. I'm not fond of AM1124. What I'd like to do is share a property tax perspective of someone who lives 25 minutes east of a state with four-tenths of 1 percent for a property tax rate. It's not theoretical for us. We have actual conversations with people who live that way. Wyoming has that average rate. My county property tax rate is more than four times higher than that. That's an enormous difference in property taxes in a year. Take it over the course of a decade or during the entire mortgage and the difference is enormous. Take that difference in property tax over the next 10 or 20 years, and it too often results in decisions that friends and neighbors of mine are making right now. They're moving away from Nebraska, to Wyoming, because they cannot afford to continue to live in the home whose mortgage they paid off years ago. They point out that they still put

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aside as much monthly for their property taxes as they once put aside for the mortgage payments. It has a net effect of feeling like you never own it, and it has a net effect of moving away. I strongly recommend we stay with a carefully designed package in LB583 and AM970 and forego the rest. I yield the rest of my time.

**KELLY:** Thank you, Senator Hardin. Senator DeBoer, you are recognized to speak. This is your last opportunity on the amendment.

**DeBOER:** Thank you, Mr. President. So, today, we're, we're standing here and we're talking about the package. We're saying respect the package, obey the package, pay attention to the package, do the package, the package needs to be respected. And, you know, with all this discussion of packages, the question of what is the correct process for building packages comes up. The question is, is it appropriate to take a package that has been made in committee and say, can we address that package on the floor in General File? And I think we can address a package which has been made in a committee package and say, how do we on General File all get our own ability to address it? Just because it's a package doesn't mean it's sacrosanct. Just because it was-- it came out of a committee as a package doesn't mean we have to leave it exactly like that, or we wouldn't have the capacity to do amendments. I wasn't in the room when they discussed creating this package. I wasn't in the room at all. So this is my opportunity, this is my constituents' opportunity to be heard on this package. I'm not entirely sure how Senator Brandt's amendment will affect what I think about the whole package, but I'm willing to listen to it. I'm willing to say I'm willing to work on this package between General and Select File. I'm willing to respect the package by respecting it enough to say, let's look at whether or not we have all the right pieces in it. And so I'm going to vote for Senator Brandt's bill-- or, amendment, sorry-- even though it is not entirely worked out yet. And I'm going to say, let's look at how we get the correct package of property tax relief, school funding, all of these sorts of things together into one package that we've all had our say on. That's what General File is for. You remember last year, those of you who were here, there was a whole lot of, just get us to Select, let's-- just give us a cloture vote so we can get to Select and talk more about it on Select. Well, here we are. This is General File for this package. So let's talk about it some more and see what happens between General and Select. I'm willing to entertain this idea. There are some good things in this. Maybe we don't take all of it. Maybe we do. I don't think we have to just put something absolutely in solid writing at the beginning of General File. I mean, that's the whole point of our way of doing things, is that we are going to continue to work and

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change those things between General and Select, that there is an opportunity for many voices to be heard as we're shaping legislation. I absolutely respect the committee process. I do. And normally, I might say, oh, well, this is already been taken care of, but this is a very large package across two different committees, neither of which I serve on. And so I think that my constituents ought to have the opportunity to have their voice weighed in on with respect to the package. So I support what Senator Brandt and others are trying to do here. I think we've all heard that what they want to do is-- conceptually, at least-- got some merit. I do think there are some tweaks with respect to how to pay for it that we still need to think about. I just think we can't get so married to a package at the very beginning that we don't have the ability to look at how we might modify it as we get more people involved, as we get different parts of the state involved in the question. So--

**KELLY:** One minute.

**DeBOER:** So I'm going to be supporting Senator Brandt and others in their ability to, to sort of make this a little better yet. They have some good ideas in here. In fact, I had a bill that brought many of these ideas in the past. So, yes, I respect the package. I respect it enough to amend it. And that's what I'm going to do and continue to do between now and, and Select File as well. So, thank you, Mr. President.

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

**HALLORAN:** Good afternoon, Mr. President. Good afternoon, colleagues. Good afternoon, Nebraska. Well, it's the normal collegial thing to do to stand up in the midst of a debate and say, I respect all the players that have put a lot of hard work into this. I mean, Senator Briese, Senator Sanders, Senator Linehan, the Governor. And I do, I do respect them for that. But I'm not going to stand up here in support or in opposition to LB583. I'm going to give a little bit of dissertation on the TEEOSA formula, OK? The TEEOSA formula. We've talked about it for-- indefinitely here. And this-- what we're talking about here on the floor right now is going to be put-- it's not going to simplify the TEEOSA formula. It's going to complicate it. Now, if I looked around the room and I, and I say to anybody, senator here, any senator that wants to explain the formula to me, make eye contact with me now. Be careful. I see two senators. I'm not going to call on you. I'm not going to play for a gotcha question. I'm not going to play a gotcha question. That happens too often here. But I'm going to explain

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the TEEOSA formula. I got to thank Senator Sanders for passing this around. Up until now, I did not understand this formula. It's a very simple formula. Let me read it off to you. It's needs minus resources equals equalization aid, right? Well, that's like EMC equals-- is, is the-- EMC squared is, is the law of relativity. That doesn't explain anything to me. So let's talk about the needs. There's 18 boxes on this little flowchart. 18 boxes. I'm going to read them off to you. Package number 1, plus package number 2, plus package number 3, plus package number 4, plus package number 5, plus package number 6, plus package number 7, plus package number 8, plus package number 9, plus package number 10, plus package number 11, plus 12, 13, 14, 15, 16, 17, 18. All of those packages have been put together over time into the TEEOSA formula. It's a great, simple formula. Those are the needs. Now we're going to minus the resources. OK. The minus the resources is package number 1 of resources, package number 2, package number 3, package number 4 and the package number 5. It's a very simple process here. I just wish the public had this simple, simple chart in front of them to understand this. And then that equals equalization aid. And those are package number 1, package number 2, package number 3, package number 4, package number 5. The point of all this is, this has happened over a period of, what, 30-plus years, putting this formula together. And here we are trying to make it more complicated, while we should be tearing-- burning it up. We should be starting over. This shouldn't be that complicated. Whatever happened to the KISS method? Keep it simple, stupid, right? Or to be more politically correct, nicer, keep it straight and simple. We don't do that here. Why? Because we don't want the public to understand what the hell we're doing. We don't want them to understand what we're doing. We just sit around and talk about the TEEOSA formula, right? Needs minus resources equals equalization aid. Well, it's not that simple. And we've made a complicated. We need to simplify it, and this is not doing it. Thank you, Mr. Pracket-- President. That's the last package I'm going to talk about today.

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

**WAYNE:** Question.

**KELLY:** Question's been called. Do I see five hands? I do. The question is, shall debate cease? All those in favor, vote aye-- there's been a request for a call of the house. There-- the question is, shall the house go under call? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

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**CLERK:** 20 ayes, 4 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. All unexcused senators are present. The question is, shall debate cease? Request for a roll call, regular order. All those in favor vote-- excuse me. Mr. Clerk.

**CLERK:** Senator Aguilar voting yes. Senator Albrecht voting yes. Senator Arch voting yes. Senator Armendariz voting yes. Senator Ballard voting yes. Senator Blood voting no. Senator Bostar voting yes. Senator Bostelman voting yes. Senator Brandt voting yes. Senator Brewer voting yes. Senator Briese voting yes. Senator John Cavanaugh voting yes. Senator Machaela Cavanaugh voting yes. Senator Clements voting yes. Senator Conrad voting no. Senator Day voting yes. Senator DeBoer voting yes. Senator DeKay voting yes. Senator Dorn voting yes. Senator Dover voting yes. Senator Dungan voting yes. Senator Erdman voting yes. Senator Fredrickson voting yes. Senator Geist voting yes. Senator Halloran voting yes. Senator Hansen voting yes. Senator Hardin voting yes. Senator Holdcroft voting yes. Senator Hughes voting yes. Senator Hunt voting no. Senator Ibach 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 voting yes. Senator Raybould voting yes. Senator Riepe voting yes. Senator Sanders voting yes. Senator Slama voting yes. Senator Vargas voting no. Senator von Gillern voting yes. Senator Walz voting yes. Senator Wayne voting yes. Senator Wishart voting yes. Vote is 45 ayes, 4 nays, Mr. President, to cease debate.

**KELLY:** Debate does cease on AM1124. Senator Brandt, you're recognized to close on the amendment.

**BRANDT:** Thank you, Mr. Lieutenant Governor. And, well, we accomplished what we wanted to accomplish. We had a very enlightened debate. People were engaged. I think we saw all sides of the argument. Some of it was maybe a little more skewed than others. But I guess that was the purpose of bringing this, to show that there are alternatives, that a package decided by a few-- maybe there's a few other ideas out there that could be included in the package. I haven't worked this bill at all. I haven't asked one person in here for their vote, so I'm kind of excited to see how, how this is going to turn out. I mean, we've had a great discussion. I'd like to bring up a few comparisons. And I'm kind of surprised nobody did this. Omaha Public Schools under LB583, \$29.7

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million. Under AM1124, \$35.817 million. This is in year three. OK? The money is there for years one and two, whether it's LB583 or AM1124. Lincoln Public Schools, \$24 million, LB583. \$37 million, AM1124. Millard, \$13.7 million, LB583. \$17.2 million, AM1124. Papillion-La Vista, \$7 million, LB583. \$9.5 million, AM1124. Elkhorn, \$6.4 million, LB583. \$10.9 million, AM1124. The one everybody's concerned about: Westside, \$10 million, LB583. \$3.8 million under AM1124. And you've all got the list in front of you. You can check these numbers out. And there was some concern about not having a fiscal note, same as LB583. You don't get one until the bill passes on the first round. So, you know, that argument is kind of moot. I'm, I'm pleased, Senator von Gillern, this is your first rural versus urban discussion, but there will be many more to come, I'm, I'm sure of that. OK. And for, for those that are concerned about this not having a hearing is a little disingenuous because this is LB320 that did have a hearing. And we didn't ask to bring the bill out of committee. So I just want to say that up front. This is why we have floor debate in the Legislature, so that everybody can bring their ideas to the floor and everybody can weigh those ideas by what everybody said. And with that, I'll close. Thank you.

**KELLY:** Thank you, Senator Brandt. The question is the adoption of AM1124. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 17 ayes, 29, 29 nays on the adoption of the amendment.

**KELLY:** The amendment is not adopted. Raise the call. Mr. Clerk for an amendment.

**CLERK:** Mr. President, Senator Cavanaugh would move to offer AM1129.

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

**M. CAVANAUGH:** Thank you, Mr. President. Colleagues, this is another bill amendment that had a hearing. It is not on General File because the Chairman of the Education Committee refused to have an Executive Session on it. This is LB99, universal school meals, what I had intended to be my priority bill this year. So, just want to be very transparent. Had a hearing, not on the floor. I did, unlike the previous amendment bill, I did ask for it to be executed on. I don't know if it had the votes to get out of committee because the Chairman refused to hold a vote on it. So-- studies show that when a child is hungry, it hinders their ability to focus and learn in the classroom. AM1129 would ensure that every public school student in Nebraska has a

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meal during the school day free of charge. Child hunger and food insecurity are directly linked to poor academic performance, poor health and higher rates of depression, suicide and incarceration. Nebraska taxpayer dollars are better spent on programs that keep kids healthy and learning. This amendment maximizes Nebraska's participation in the Community Eligibility Provision, or CEP, a federally funded program that fully pays for meals to all students of eligible schools. Approximately 46 percent of all schools in Nebraska would qualify. For schools that do not qualify for CEP, the Department of Education will reimburse public schools for fully paid meals at the same rate as the free program, making up the difference if a student qualifies for a reduced meal price. An eligible school is one where at least 40 percent of students are considered part of the identified student population, or ISP. This includes students whose families participate in SNAP, TANF or FDRIP [SIC-- FDPIR], Food Distribution Program on Indian Reservations. It can also include children who are homeless, refugees or in foster care. Using the Community Eligibility Provision cuts down on red tape for schools and eliminates the cost of trying to collect school meal debt from families. I want to destigmatize the lunchroom for students who get bullied because they have to take the free meal that identifies their family as low income. Nebraska is the breadbasket of America, and yet Feeding America estimates 1 in 6 children in Nebraska are food-insecure. That is over 100,000 Nebraska children that have to face hunger on a regular basis. That's why I urged the committee to move this to General File, so that we can all work together to end child hunger in Nebraska. How much time do I have left?

**KELLY:** 6:35.

**M. CAVANAUGH:** Thank you. So-- this is expensive. It's certainly not more expensive than all the other things that we have been debating of late. It is estimated to cost \$55 million of general funds. This is going to ensure that all children have access to meals during the school day. We could have been a leader in this. I think this is the third time I've introduced this bill. It previously had gotten out of the Education Committee unanimously, which is again why I was extremely disappointed that the Chairman refused to even have an Executive Session on it, considering he had previously voted for it when it came out of committee unanimously. Obviously, that seemed like inappropriate partisan politics. But we are where we are. I don't believe that the children of Nebraska should pay a political price, so I wanted to give this body the opportunity to decide what our priorities are again, yet again, when it comes to the children of this state. So here it is, your opportunity to no longer be a leader in

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providing universal school meals. Other states across the country have already made the step to do this. We would have been one of the first if we had done it when it was first introduced. But it has been proven to be important to help with readiness, help with academic learning and helping students thrive. So colleagues, I encourage you to consider voting for AM1129 to give all schoolchildren access to meals at school no matter their income. How much time do I have?

**KELLY:** 4:08.

**M. CAVANAUGH:** Thank you. There's a lot of money flowing this year. And I've heard a lot of you colleagues stand on the mike talking about how much you want to help children, but I'm not seeing that put into action. I'm seeing it more as a fight over the crumbs that you can get for property tax relief in every single bill and every single crumb is more important than every single student that we serve. This is not part of the package. I don't know if this respects the package or disrespects the package or how this fits into the package. All I know is that this package is a package of food for students so that they can eat at school. My kids get their meals-- theirs-- their lunch at school. Sometimes we pack them their lunch, but not very often. Really, not very often, because they're provided a meal at school and I have it set up that we automatically pay for it, it automatically-- when their account runs out, it automatically withdraws from my bank account. And it withdraws \$40 at a time. So I have two kids in grade school, so it's \$80, I don't know, every couple of weeks. That's a lot of money for me. It is. I make \$12,000 a year. It's a lot of money for me. This would be helpful for me. That's not why I am doing it. But it would, it would be helpful for me. I'm also not telling you that because I think you care. Sorry, I almost cursed. I don't think you give a flying leap if anything that we do is helpful or not helpful to your Democratic colleagues personally. We've made that very clear in our votes this year. But it is helpful to me. And so I figure, conflict of interest, transparency, that I would benefit from this financially because I make \$12,000 a year and this is about \$80 a month for my family. So that's a significant amount. Almost--

**KELLY:** One minute.

**M. CAVANAUGH:** Almost 10 percent of my monthly income goes to school meals, so. AM1129, universal school meals. Let's feed the kids. Or not. Thank you.

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

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**WAYNE:** Thank you, Mr. President. Some people are wondering why I called the question, maybe. And it's really simple. The more people kept talking and having conversations, the more I saw people peeling off the bill. And I didn't want that number to drop any lower than where we were at, primarily because we got 17 votes. So I hope to understand what 17 green means for me when I read that. 17 green means that there are at least 17 people who are possibly not willing to vote for cloture next round. And if you don't believe I can work this floor, trust me. Try me. If there are 17 people who are willing to try something different in a positive "affirmation" vote, I guarantee you I can get 17 to sit down on a cloture vote on, on Select File. That's my promise to you on this bill. I have been straight up from day one on when we started talking about education funding. I understand that I may never get OPS to, to get on board with what the education funding is, and I am perfectly OK with that because I represent the students, not the system. We have to figure this out. I have amendments that I could drop, but I see on General File we only have about probably an hour, hour and a half left. We won't have time. I have two amendments. I'll let the package introducers come together and figure out which one they want. One of them is that there's no option enrollment funding inside the city of Omaha. The other one is everybody gets option enrollment funding inside the city of Omaha. I don't care which one we pick, but we're going to treat every student on option rolling-- enrollment the same in the city of Omaha. It makes no sense that you can drive 10 minutes inside the city and that student is worth \$10,000, versus \$5,000 from the state's perspective. Makes no sense. And there is nobody on this floor who can justify that. Nobody. In fact, those school districts same-- share the same services for everything except for school. We have the same community colleges, which we're-- I understand we're changing that formula. We have the same police, the same fire, the same city taxes, the same county taxes. But yet, for some reason, the state treats them differently. And I know why, because they're an unequalized school district. But from a state's perspective, we either are going to decide we're going to fund all children who option enroll in the city of Omaha the same or I'm going to work my hardest to take this bill down. That's where I'm at on this. I have another amendment that I'm proposing about raising the poverty allowance and stair stepping it over the next five years. Either we're going to get serious about providing resources in a targeted fashion to those who need it the most, or we're not. I'm calling balls and strikes here. I've been saying this for years. It's the first year that I'm on the Education Committee where I've seen the behind-the-scenes discussions. I've said

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it in Exec multiple times and I kept being told to wait, or this bill has to be clean. Well, now it's on the floor, and it's not going to be clean. We can make some changes, and we should respect all kids everywhere and fund them accordingly. Thank you, Mr. President.

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

**LINEHAN:** Thank you, Mr. President. Good afternoon, colleagues. So, I haven't had a chance to talk to Senator Wayne off the mike on this, but I agree with him, and I'm probably one of the guilty ones that said wait. But I agree that we need to adjust the poverty allowance, and it should go, I think he said, from 30, up to 40, up to 50. I actually think it should probably go up to 80. And we should talk about that. And we've got time between now and Select. We can talk about that. But when I hit my light was before Senator Wayne stood up and I was actually going to stand up and compliment Senator Cavanaugh's efforts on AM1129, whichever, I think that's what it says. And also, Senator Bostar, would you yield to a question?

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

**BOSTAR:** Yes.

**LINEHAN:** Senator Bostar, you have a, a bill in committee that addresses this same issue, right? In Education?

**BOSTAR:** For-- yes. For free student meals. I do.

**LINEHAN:** But it's not free for all students. This is-- narrows it-- doesn't it narrow it down to-- maybe I'm getting confused here-- but there's one, maybe it's your bill or Senator Cavanaugh's bill, one of them that said if the school is at 50 percent poverty.

**BOSTAR:** So my understanding is there were three bills that worked to address costs of student meals. I think Senator Cavanaugh, and myself, and then I believe Senator Walz. My bill, LB627, if I remember correctly, would be-- it would create a grant fund for free meals for all schools. They could opt into the program, essentially.

**LINEHAN:** Thank you, Senator Bostar. Thank you for reminding me of Senator Walz's bill, who-- she's standing right behind me and is getting ready to yield to a question.

**WALZ:** No, I'm not.

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**LINEHAN:** No?

**WALZ:** Not yet. Not yet.

**LINEHAN:** So anyway, the idea here is there was a while when I was first here that the schools wouldn't-- didn't want to opt into the federal program that basically said if you're above, I can't remember, 70 percent poverty or whatever, we'll feed all the children in that school, breakfast and lunch. And that took two or three years, which I never did understand. It was federal money. Why wouldn't we not do this? And now we have had Senator Walz-- I guess we passed it out of committee. That's good. Where we are going to address more-- it's tailored to low-income schools so we can hit some of those kids. And I think it's a program the schools can opt into. So before I admit that I don't know all about this, I just-- I think we've already taken care of this in the Education Committee, or at least partially taken care of it. But I do agree that we ought to take advantage of any federal programs, even if it costs some dollars in the state, if we can feed children in high-poverty schools. Thank you, Mr. President.

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

**DAY:** Thank you, Mr. President. I rise in support for Senator Cavanaugh's AM1129. I think we have many, many conversations in here, as we have had today, about making sure that we are providing students with the best opportunity possible to get a quality education. And I think sometimes we can offer-- often gloss over sort of the fundamental things that we should be doing to make sure that kids have the best opportunity to get a good education as possible. And I think one of those things is making sure that children are fed. And I understand the desire to maybe only put that funding into particular schools based on the percentage of poverty level. But I would say to that, there are a lot of schools, even in my district, in Millard Public Schools, in Gretna Public Schools and Papillion-La Vista, who would not be 50 percent poverty or more, who have many students that go hungry during the day. And I remember when we were doing the program during COVID to-- the federal program to feed students, all students, through the federal government. How many meals were then passed out in addition to those lunches, at the end of the day, to families who needed it because they were struggling? So I think that we should be feeding every kid in every school every day, regardless of where they live, because often the kids who go to schools in districts, like Gretna and Millard, it's assumed that, that, that when they go home, they're getting, you know, regular meals like the other

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kids in the schools. And there's-- even, even schools where there's less than 50 percent poverty, a lot of those kids go home at the end of the day and then are not fed until they come back in the morning to school for a free breakfast. So I am in full support of AM1129 because I think it addresses one of the critical pieces of getting a quality education, which is making sure that all children have full tummies during the day. Thank you, Mr. President.

**KELLY:** Thank you, Senator Day. Senator Vargas announces some guests in the north balcony: fourth graders from Bancroft Elementary in Omaha. Please stand and be recognized by your Nebraska Legislature. Senator Conrad, you're recognized to speak.

**CONRAD:** Thank you, Mr. President. And good afternoon, colleagues. I rise in support of AM1129 and in continuing support of the committee amendment, AM970, and the underlying measure, LB583. I was definitely disappointed that the body decided to call the question in terms of cutting short the last debate, which I thought was incredibly invigorating and thoughtful, and it was-- actually, I thought, one of the, the best debates that we've had in the Legislature so far this year. So, I am encouraged that debate is being normalized again in the body, and I think that that's a very, very good thing, especially on something as important as our educational policy. I mentioned at the outset that I am supportive of the measure overall and, and for the reasons increasing some funds for each individual student finally coming closer to meeting our promises when it comes to providing resources for students with special needs and as it's tied overall to an educational trust fund or future fund, which has long been something sought by a variety of different stakeholders to help to stabilize education funding when our state will inevitably hit a, a rockier period in terms of our overall economic prosperity. One thing that I think is exciting and important about Senator Cavanaugh's amendment that she put forward and whether the solution comes with changing the poverty factor in the, in the TEEOSA formula itself or finding ways to address and enhance poverty issues outside of the formula through other substantive ideas, like helping to pick up the tab for school breakfasts and school lunch. I think that this is a really important and exciting idea. Senator Cavanaugh, Senator Bostar, Senator Walz all brought forward very thoughtful pieces of legislation that try to mirror the approach taken by some of our sister states. I think at last check, I saw Connecticut, Massachusetts, Nevada, and Vermont had decided to provide for universal school lunch and breakfast programs. And I believe our neighbors right over in Colorado just voted to, to do so-- perhaps, I think, through a, a vote of the people, actually, which is very exciting. I need to double-check the

mechanics underlying that. But I think what we're seeing are-- we're taking forward-- we're learning some of these lessons from the pandemic where we saw what increased access to school breakfast and school lunch did for economic self-sufficiency, for educational and academic success. And we have such a wonderful opportunity here in Nebraska, being such an incredible seat for a strong ag industry. Our farmers and ranchers feed the world, colleagues, but yet we still have people in our state, in our district who struggle to put food on the table and to have access to healthy food to help them work and learn. And this is one thing that we could do that we could come together on, particularly at a time of incredible economic prosperity, to try and figure out how to do more to improve nutrition services through our existing school programs for more families. Senator Linehan has been very open-minded about these different ideas in the committee, as have many committee members who are committed to trying to figure out the right mechanics to help Nebraska move forward in this regard. And I think it's important that we do--

**KELLY:** One minute.

**CONRAD:** Thank you, Mr. President-- recognize that there is, I think, a meeting of the minds here in terms of how important these programs are and, and the dividends that they pay not only to families, but to our economy and, and to our, our academic progress and prowess as well. There's so much to like about school feeding programs in terms of health, in terms of nutrition, in terms of academic performance, in terms of impact to the ag economy, in terms of economic and racial justice. There's just so much to like here, and I think this would be very exciting if we had an opportunity to continue this dialogue this year or make it a priority for next, to get the job done for Nebraska kids and families with our incredible agricultural sector helping to lead the way as well. We can feed the world. We can feed our kids. We can have better outcomes for families in schools. Thank you, Mr. President.

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

**M. CAVANAUGH:** Thank you, Mr. President. Thank you to Senators Linehan and Conrad for their comments. Senator Walz does have an excellent school meals bill that I am very supportive of and has a significantly less cost to the state. This bill requires the state to pick up the tab for the money-- for the part of school meals that are not covered by federal dollars. So that's why AM1129, if the fiscal note were to hold with LB99, would be around \$55 million. So at the hearing for

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LB99, STANCE, State-- Schools Taking Action Nebraska Children's Education-- for Nebraska's Children's Education. Their testimony came from Mr. John Skretta, the administrator of Educational Services Unit 6. Schools Taking Action for Children-- Nebraska Children's Education, or STANCE, is comprised of 18 mid-sized school districts, free of lobbyists, representing nearly 25,000 schoolchildren. STANCE is unique in the fact we have districts representing the entire state, from Chadron to Plattsmouth, levies that range from \$1.05 to \$0.60 and enrollments ranging from less than 900 to 4,000. We are representing-- representative of Nebraska's education, and we do not take that lightly in our position with the Legislature. We submit this testimony in support of LB99 with AM48 proposed by Senator Cavanaugh. That's what this amendment is. The premise of this bill is based on sound, educational and scientific research, which supports the nutritional and educational benefits of full participation in school breakfast and lunch programming by students. As the bill states, in order to have an education-- educated and productive workforce, it must prepare its children to learn. And in order to do so, the children must be well-nourished. The specific provision of this bill would leverage all available federal reimbursement funds through ensuring eligible schools access the Community Eligibility Provision, and establishes criteria for the department to administer and ensure full reimbursement for all school meals beyond federal reimbursement dollars through the Legislature's appropriation of money from the General Fund. This is a prudent investment, given the overwhelming evidence supporting childhood nutrition and its correlated improvements in academic performance. Childhood hunger is a barrier to learning. Conversely, as the Food Research and Action Center has noted, children who participate in school breakfast programming have demonstrated increased attention, memory and alertness, translating to improved achievement test scores. Thus, the aptly named Nebraska School Breakfast campaign, Score Big with School Breakfast. LB99 addresses a pressing need and the legislation-- and the legislative solution suggested by this bill is based on the fundamentally sound premise that ensuring universal eligibility criteria for school meals will logically increase meal participation. There can be little doubt that the-- that by attacking childhood hunger, children's academic achievement and life chances will be improved. STANCE dis-- districts commend Senator Cavanaugh for supporting student learning and demonstrating the leadership to combat child hunger and food insecurity through LB99. This bill will-- would provide instrumental support to K-12 students in our state, and reflects a sound commitment to prioritizing the needs of children. How much time do I have?

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**KELLY:** One minute.

**M. CAVANAUGH:** Thank you. Another issue with the eligibility criteria of school meals is that some families don't apply for those programs. And so while they may be eligible, they are not getting that eligibility because they haven't applied for the programs, like SNAP and TANF, that make them eligible. So by eliminating the criteria and just offering school meals, we are eliminating that barrier, especially since it is very challenging for families to fill out that eligibility paperwork for SNAP and TANF because we have made poverty a full-time job through bureaucracy. So I will get in the queue to talk some more. Do I have just one more time?

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

**M. CAVANAUGH:** And one more time on the mike?

**KELLY:** One more time and your close.

**M. CAVANAUGH:** Thank you.

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

**DAY:** Thank you, Mr. President. I rise again in support of AM1129. I'm trying to understand a little bit more about the difference between Senator Walz's bill and Senator Cavanaugh's amendment here. It sounds like the Education Committee did move Senator Walz's bill out. But my question would be, is-- where is that bill in the process? Does it have a vehicle? It-- does it have any realistic chance of getting passed this session? Because if it does not, then the opportunity in front of us should be the solution, because otherwise nothing will happen this session when we're talking about addressing hunger in school. So I would wonder if Senator Walz would yield to a couple of questions.

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

**WALZ:** Yes. Thank you.

**DAY:** Thank you, Senator Walz. So it's my understanding that the Education Committee did vote out LB285, which is your school hunger bill, correct?

**WALZ:** Correct.

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**DAY:** Do you know-- is that-- does that bill have a vehicle or a priority this session?

**WALZ:** No, not right now. It does not.

**DAY:** OK. OK. Thank you, Senator Walz.

**WALZ:** Sure.

**DAY:** So that's-- essentially answers my question. I think we know the very small amount of time that we have this session to get anything done. And we are having a relevant conversation here about students and making sure that we're providing basic funding to provide fundamental things that are necessary for quality education. Hunger is absolutely a basic necessity to address when we're talking about quality education. So I still support AM1129. Thank you, Mr. President.

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

**BLOOD:** Thank you, Mr. President. Fellow senators, friends all. I too stand in support of AM1129, although based on what I'm seeing on the floor, I don't see a lot of people listening to the debate, so I don't have high hopes for it. But I can't blame a senator for trying. With that said, I want to point out that Nebraska would not be the first state to do this. We know that Cala-- Cala-- California, Colorado, Maine have all done it. I know that there are three other states that did it during the pandemic, and it worked so well they extended it. Those states were Massachusetts, Nevada, Vermont. And then so far, I've been able to track 21 other states that are currently planning on either drafting, discussing or negotiating universal free school meals. So this isn't some radical plan that Senator Cavanaugh came up with. This is something that is nationwide, because the federal government managed to drop legislation. But as usual, they can't get anything done at that level. So it's just basically been sitting there for a couple years in D.C. And by the way, why do you guys keep electing the same people when nothing ever happens there? But that's a different bill. What I know, based on working with people that have had food insecurity, based on people that I've seen that have struggled-- and I understand that this is universal, this is for all kids-- is that when you have antihunger programs, that it also improves their health and it also reduces healthcare costs. And you're like, why should I care about that? I'm healthy. Well, I know you guys pay-- I assume all of you are paying for health insurance. And the

reason, or one of the many reasons that your rates go up with health insurance, is because other people that may be on that health insurance with you may not be as healthy as you are. And so they have to go to the doctors more often. They have to have more tests. And they are more prone to things like diabetes and obesity. And because of that, your costs are going to go up as well. So we're also doing something that's really, if you think about it, very forward-thinking. We're going to make sure that people have a really good start, not only educationally-- because we know that you can't learn when you're hungry-- but we're looking out for their longevity. If we're giving these children a good start in life, not just in their brains, but physically as well, we're giving them a strong foundation. And we're also letting them know that we care about their well-being. Because I guarantee you, when you have a child that maybe is, is, is hungry, or a middle-class family that happens to be struggling because they've got a lot of medical bills going on right now and they're not really sure how they're going to take care of lunch for their kids. Because we talk a lot about impoverished kids, but we know there's a lot of middle-class people that struggle frequently throughout their lives. Why would we not want to do it? Every bill that we have that we may or may not like that pertains to schools, that pertains to scholarships, we always talk about, it's about the kids. It's about the kids. Well, this is about the kids. If you tell me over and over again in all of these bills-- and a lot of them I don't support-- that you want me to use tax dollars or tax credits for whatever to help the kids, here's a way we know, through science, facts and datas, we can actually help all of the children in Nebraska. We know that for some of them, that may be the only meal that they have, be it breakfast and lunch, or just lunch.

**KELLY:** One minute.

**BLOOD:** And it can't be the assumption that it's not our problem. And if you ever look at the ACEs score, where we can tell a lot about childhood trauma and how it's going to affect them as adults, if we want to give kids a good foundation, we have to use that science, and this is one way we can do it. And it sounds like Senator Cavanaugh is up for discussion. If you don't like the fiscal note on it, maybe there's some wiggle room. Maybe there's some middle ground. But let's at least have this discussion. We just had a robust debate. Clearly, that day is over, but it would be nice to have maybe a little bit more discussion on Senator Cavanaugh's amendment. Thank you, Mr. President.

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

**FREDRICKSON:** Thank you, Mr. President. Good afternoon, colleagues and Nebraskans. I, I'm really happy that we're having this conversation. I think it's a really important one to have. I, I, I was listening to Senator Day's questions a little bit ago about Senator Machaela Cavanaugh's bill versus Senator Walz's bill. And I'm still learning more about the difference between the two. And I've been starting to have conversations about those. But I'm grateful to both Senator Machaela Cavanaugh and Senator Walz for bringing these bills and this amendment. You know, I think, I think this is truly an opportunity for us to have a statewide win here. I think that this, you know, the, the idea of ensuring that our kids are fed in their schools is a way for us to all have-- you know, we have an underlying goal in this entire body to ensure educational excellence for our kids, and this is, I think, one way to actually do that. A few weeks back, I, I toured the Food Bank of the Heartland. I've got a food-- a food bank-related bill up, a tax credit bill for groceries and restaurants who provide donations to food banks. And so I had the opportunity to go and sort of see the, the behind-the-scenes of how food insecurity impacts our state and also just the infrastructure behind that, which was a really fascinating thing to learn. The Food Bank of the Heartland, it's, it's headquartered in Omaha, but they actually distribute food throughout the entire state. And there's-- obviously there's a Food Bank of Lincoln as well, which has some of the areas kind of local to where we are currently. But the food bank that's stationed in Omaha goes all the way out to the panhandle. So kind of learning the behind-the-scenes, behind-the-curtain of how they actually do that was really, really impressive. But one thing that they do there that I think is, you know, germane to what we're talking about here is, they have a Backpack Program. And the Backpack Program is they can send kids home with food for the weekends or for long holidays, such as a spring break, so folks who are maybe food-insecure have the opportunity to eat when they are not in the school. And the thing that really kind of struck me with that is when I was looking at what is sent home with the Backpack Program, the folks at the food bank were telling me that this actually is what enables the parents to eat. And I-- that kind of confused me a little bit, because I was like, oh, like this is like SpaghettiOs or whatever. It seemed, like, pretty, you know, pediatric type of food. Pediatric is maybe not the appropriate word, but it's something that a smaller child would read-- would eat. But, you know, they were talking about how usually parents will sacrifice their own food if there's limited food in the house so their kids can eat. So with the kids being sent home with these backpacks and food for the spring break or the weekends, it enables the parents to also be able to eat as well. So that was really

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touching. And, you know, as a, as a parent myself, I could certainly appreciate and understand, you know, obviously, if-- you know, we're very fortunate, but if we had limited resources, my, my child would have the priority without a doubt with the, with the food. So other things that I thought were just interesting to put out there. And again, I think that we sometimes think about food insecurity, sometimes we think about specific areas of the state. I mean, this is a statewide issue. This is not an urban or a rural issue. This is-- and, you know, counties throughout the state are impacted by this. So every single one of us in here has, I think, a vested interest in ensuring that we are tackling food insecurity in our state. In Nebraska, we actually have 188,080 people who are facing hunger, and, of them, 64,190 are children. So what that basically, if you scale that to our population and the population of kids in our state, that's 1 in 10 people face hunger in our state and 1 in 7 children face hunger. So that-- those are significant numbers. And I think that this is a way that we can begin to address that issue. So I rise in support of finding some type of vehicle for, whether it's Senator Machaela Cavanaugh's bill or Senator Walz's bill--

**KELLY:** One minute.

**FREDRICKSON:** --I think it's-- thank you, Mr. President. I will certainly be voting green on ensuring that we can, you know, begin to tackle the food insecurity issue in our state. And I think this is a really-- one effective way to do that. And I look forward to kind of hearing more of this discussion. So, that's where I'll leave it here. Thank you, Mr. President.

**KELLY:** Thank you, Senator Fredrickson. Senator Dorn has guests in the north balcony: fourth graders from St. Paul's Lutheran in Beatrice. Please stand and be recognized by your Nebraska Legislature. Senator Walz, you are recognized to speak.

**WALZ:** Thank you, Mr. President. First of all, I want to say that I understand that there are some things that come up that we all have not learned about when it comes to the floor. We have over 800 bills, so it's kind of tough to learn about every single bill before it's introduced and before it comes on the floor, so. You know, to me, that's just welcome to the Legislature. I did want to talk a little bit about the bill that I have, LB285, which does allow for students to receive lunches. It automatically opts in schools to the Community Eligibility Provision that have an identified student percentage greater or equal to 50 percent. It also-- it does not have a fiscal note. However, there may be some expenditures to the school, so it

also does give the schools an opt-out provision. Before the question was called, I had just had a conversation with my school district, my superintendent-- actually, a finance director-- and we talked a little bit about Senator Brandt's bill. I was asking them how they felt about it. And overall, with both bills, they, they felt that-- they definitely agree that something needs to change. Something has to be done to reduce the reliance on property tax and bring more state in-- aid into school. Of course, they are, like all schools, are a little concerned about the sustainability, because we want to make sure that we're able to provide a quality education to our kids, not only today, not only in five years' berth, but forever. But with that, they do appreciate creating a trust fund that will help alleviate some of those concerns. The number-one thing that they were concerned about out of everything was that they do not believe that we value poverty like we should. And colleagues, I think that that is really a conversation that we have to have. We have to have a conversation about poverty and we have to have a conversation about how we make sure that kids are fed. Fremont has over 60 percent poverty and, as Senator Linehan I think talked about a little bit yesterday, the cap for poverty allowance is 30 percent. There is a bill that I have, I think it's LB522, that also looks at increasing the poverty allowance from one-- so a child is counted currently one, but it would increase that to 1.33. I, I do think it's a conversation that, that we could have. I think it's an important conversation. I don't think that we should even-- I'm not going to say move forward. Of course we're going to move forward. But I, I want to make sure that whatever type of school funding bill we pass, that it includes some type of poverty allowance and that it's intentional and good for kids. Thank you, Mr. President.

**KELLY:** Thank you, Senator Walz. Senator Machaela Cavanaugh, you're recognized to speak. This is your last time before you close.

**M. CAVANAUGH:** Thank you, Mr. President. So, I'm not sure what the difference is between Senator Bostar's bill and my bill. I think they're very similar, and I haven't had a chance to look at the differences. The difference between Senator Walz's bill and my bill is that Senator Walz's bill does the first half of this, which is really important, extremely important. And that is why it doesn't have a fiscal note, because it requires all of the schools that are eligible for the CEP to apply for it. Now, the first time I introduced this was either 2019 or 2020. I think it was 2020. It was. It was the start of 2020. And then everything shut down and we had a state of emergency, and schools in that state of emergency, from the federal government, everybody had universal meals in the entire country. And OPS, when the

state of emergency was over, continued that program. They applied for the CEP and continued the program. Now, all-- not all of schools and school districts that qualify for the CEP have applied. To my knowledge, only OPS has applied, I think. And Senator Walz's bill would require everyone who is eligible to apply. My bill is what costs the state money. It does that piece. But then it goes further and says that the state will pay for the rest so that all meals are paid for either at the federal or the state level. So it kind of takes us back to how schools were operating during the pandemic of meals for everyone. And it's just that the federal government isn't paying for all of it this time. We would be paying for some of it. So that is the big difference. I realize it is an ambitious difference. And if this body is only going to do one thing, please do Senator Walz's bill. But if you're willing, if the will is there to do even more, I welcome that as well. I think that if we don't have the votes for AM1129, that we still have the opportunity to have the conversation on Senator Walz's bill as an amendment, either to this or to another education bill. I think that there's a great deal of interest in this body in moving forward with feeding kids. The intention again here is to feed all children in the same way, to do away with inequities and how we approach this and-- going to take a step back and do a little history lesson. I've talked before about my love of the reports. If you go on our legislative website, there's reports you can read. One of the reports was an interim study. I think it was a task force. It was the Intergenerational Poverty Task Force. Yes. And it was Senator Kathy Campbell, who was Chair of HHS, and Senator Heath Mello, who was Chair of Appropriations. And they did this big report. And I've read it. I've read it several times.

**KELLY:** One minute.

**M. CAVANAUGH:** Thank you. And I probably should just go ahead and download it and give everybody a copy, because it's very helpful to look at how we can really be comprehensively and strategically addressing poverty in our state. But it also shows you how ensconced and systemic poverty is in our state. And one of the things is that we make it really hard to get access to everything: services, programs. It's a full-time job. And so we know that families are under utilizing the free and reduced lunch program because it is another administrative hoop that they have to go through. There could be a language barrier. They don't understand that they need to fill it out, possibly. There's all sorts of extraneous circumstances--

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

**M. CAVANAUGH:** --impacting that. Thank you.

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

**CONRAD:** Good afternoon, colleagues. I rise in continued support of this amendment and really appreciate the dialogue happening on the mike and off the mike to figure out how we can continue to elevate these issues, whether it's the poverty component of the TEEOSA formula and/or the universal school feeding programs that have been put forward under Senator Cavanaugh, or Senator Bostar, or Senator Walz's smart measures, or some combination thereof in between General and Select File. And I think that's actually a breakthrough conversation that I'm really, really excited about at, at this stage and in our legislative session, which could be, I think, very meaningful to moving forward this historic opportunity to improve education funding in our state and to make sure that our approach is not only sustainable but equitable as well. So I wanted to talk just a little bit about how some of these issues have really impacted our community and, and our district. I remember-- again, some of you might not know because I've always represented one of the most urban districts during my course of service in the Legislature, but I'm originally from rural Seward County and attended country school, and my mom taught at a country school in Seward County. And I remember her taking little boxes of cereal and fruit to school for kids that were, were hungry and struggling to learn. And so I had those very, very early memories of how our teachers and our educators are really on the front lines of these issues and always have been, either through formal programs or through informal charitable acts, altruistic acts as, as part of their commitment to education and learning. I also have had a chance to work on food justice issues and economic justice issues over the course of my career, both as a public interest attorney and in the Nebraska Legislature. And some really meaningful experiences have come to fruition as part of a consensus approach to addressing these issues, which are great for our economy, for families' self-sufficiency and for the ag sector as well. It was really exciting during my past term of service to be able to work with folks like the Farm Bureau and poverty advocates to figure out a way to ensure that SNAP benefits could be utilized at farmers' markets, which was just a win-win-win kind of a bill to work on, and really exciting to kind of take that experience and carry it forward. Of course, we see these same synergies and collaborations come forward when we're talking about the reauthorization of the farm bill on the federal level. And they always come into play when we're talking about either farm-to-table kind of opportunities in our school, or just overall our approach to our

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school feeding programs. It was incredibly helpful and insightful to hear, as a member of the Education Committee, how many benefits there are to our student population just kind of writ large with expanding these programs and very clear, well-established studies which show that the more children that have access to school feeding programs, it actually improves their access to fresh fruits and vegetables, to dairy products, to high-quality grains and proteins. And what they see is kids are wasting less, kids are having better health outcomes and they're having better economic--

**KELLY:** One minute.

**CONRAD:** --or, academic performance outcomes as well. Thank you, Mr. President. And I know from our experience volunteering at our school where my children attend elementary in North Lincoln, I have heard firsthand, volunteering shoulder to shoulder with other parents, about what a lifeline the Backpack Program or the Food Market Program is for their families when they get to the end of the month. And these are folks that are working really hard-- many times two, maybe three jobs just to try and meet their family's basic needs, but have that little extra push, that little extra help, that little extra access to healthy food, whether through the Backpack Program or the Food Market Program or the school's meal program, really helps them to keep their head above water, and, and what a critical lifeline that can be. So I'm very excited about these conversations that are happening on the mike and on the floor today, and just wanted to raise my, my voice in continued support and commit to collaboration with all stakeholders. Thank you, Mr. President.

**KELLY:** Thank you, Senator Conrad. Senator Day, you're recognized. This is your third time.

**DAY:** Thank you, Mr. President. I rise once again in strong support of AM1129. Before I move on, I did want to mention in reference to Senator Fredrickson remarks about pediatric food and SpaghettiOs. I craved SpaghettiOs so bad with my now 10-year-old son when I was pregnant with him, that I would eat SpaghettiOs for at least one, maybe two meals a day. We were also very poor at the time, to the point that, you know, we would have maybe \$40 to spread out over two weeks worth of groceries. So SpaghettiOs served a couple of different purposes. They're not just for kids, I will say. They were delicious. And now my 10-year-old son, who I was pregnant with at the time, literally cannot go a day without eating a can of SpaghettiOs. So, SpaghettiOs are not just for kids. I am thrilled that we are having this conversation, a good-faith conversation, about genuinely helping

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kids who live in poverty and making sure that kids have fundamental things taken care of when it comes to getting a good education, like making sure that they have adequate food and access to it during the day. I appreciated Senator Fredrickson's other comments about the Backpack Program and about how sometimes the Backpack program isn't just feeding the students, it's also feeding the parents. And I think we've been doing a lot of research related to-- I have to put in a plug for my own bill, LB84, the extension on the gross income eligibility cap for the-- for SNAP eligibility. And right now, food banks are operating at 40-year highs. They're operating at levels higher than they were operating at during the pandemic. There was a recent article that came out from Fox 42. And in it, Brian Barks, the president of Food for the Heartland, said, we've never experienced such a sustained hunger crisis in the 40 years of our organization. The Food Bank of the Nebra-- of-- the Food Bank of the Heartland serves 73 Nebraska counties. So not only is this a very serious, ongoing issue with making sure that we're getting kids food so that they can get educated during the day when they're at school, but we are experiencing a very serious food insecurity crisis right now here in the state of Nebraska that we have to address, and I think this is a really fantastic opportunity to do that here. And additionally, I think we, we-- I appreciate the conversations that we're having around food insecurity, but I think we also need to make sure that we are considering the larger conversation about the connection between poverty and education and how some of Senator Walz's proposals can play into that. In addition to her food insecurity bill, the other bill that she has that would increase the cap on the poverty allowance, which is currently sitting at 30 percent, being able to increase that and then also being able to address food insecurity in schools would help us more holistically address the issues that face so many of the students that we have here in Nebraska whose families struggle with poverty. So I hope that we can keep that in mind going forward. And I would yield the rest of my time. Thank you, Mr. President.

**KELLY:** Thank you, Senator Day. Senator Hansen has some guests in the north balcony: fourth graders from Wisner-Pilger Public Schools. Please stand and be recognized by your Nebraska Legislature. Senator Hunt, you're recognized to speak.

**HUNT:** Thank you, Mr. President. Colleagues, first, I would like to highlight that food is indeed egalitarian, and it's environmental and cultural influences that create narratives around pediatric or geriatric gastronomy. So it's not that one type of food is just for children, but it certainly should be recognized that there are types

of food that children prefer and that these are the types of foods that we should be including in school lunches. What I believe is that universal free lunch programs, or anything that reduces the cost of lunch as proposed in AM1129 by Senator Machaela Cavanaugh, these policies actually support the economic success and well-being of parents. It's not just the kids who reap the benefits of that, but it's their parents as well and-- maybe more so. Providing free lunches to all students regardless of a family's income level, can help alleviate the financial burden on parents who struggle to provide nutritious meals for their children. We know that in Nebraska, just like many other states, families are facing rising costs of food that strain their budgets. And according to Feeding America, 1 in 9 Nebraskans struggle with hunger, including 1 in 7 children. That means that many families in Nebraska are forced to make tough choices between paying for food, housing, healthcare and other basic needs. But when parents don't have to worry about the cost of school lunches, they can allocate their limited financial resources to other basic needs, like housing, food, utilities, bills, fixed costs that are still going up month to month. We know that there's been an average of over \$200 rent per month increase in Nebraska over the last three years. And these are serious strains on Nebraska families. And when they don't have to worry about what their kid is going to eat at lunch, this can help reduce stress and financial strain on families. And it allows them to focus on other aspects of their lives, like work and education and just being able to have quality time with their families. When children have access to free, nutritious meals during the school day, they're less likely to experience hunger or malnutrition, which can have negative impacts on their health and academic performance. This can also reduce stress and financial strain on parents who might have to choose between buying food, paying for medical bills, and paying for other essentials. When parents know that their kids don't have to worry about what they're eating for lunch at school, it also increases their productivity and workforce participation. When kids have access to free lunches at school, parents don't have to take time off of work to prepare or provide meals for their children. This can help parents stay in the workforce and increase their earnings potential, which can improve their overall economic well-being. Free lunch programs can also help reduce absenteeism among low-income students and working-class Nebraskans, which can have positive impacts on parental employment and earnings. In Nebraska, as in many other states, low-income students are more likely to miss school due to illness or hunger. When children are healthy and well-fed, they are less likely to miss school. And then this can reduce the need for parents to take time off work to care for

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their children or attend to their medical needs. Another benefit of lunch programs is that they can help reduce the stigma associated with receiving government assistance. Many low-income parents might feel ashamed or embarrassed about receiving assistance for their child's meals.

**KELLY:** One minute.

**HUNT:** Thank you, Mr. President. And many children may experience bullying or being targeted by their peers because they know they receive food assistance. But by providing lunches to all students, regardless of a family's income level, free lunch programs can help reduce this stigma and promote social inclusion. Free lunch programs also help promote healthy eating habits and prevent chronic illnesses among children and their parents. When children have access to nutritious meals during the school day, they're more likely to develop healthy eating habits and consume a balanced diet. This can reduce the risk of chronic illnesses like heart disease and diabetes, which can have negative impacts on parental health and economic well-being. Finally, free lunch programs can also help reduce the burden of childcare for low-income families. Many low-income parents in Nebraska struggle to afford childcare while they work or attend school. When they know their kids have access to lunch at school--

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

**HUNT:** --they may be able to save money on childcare costs. Thank you, Mr. President.

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

**J. CAVANAUGH:** Thank you, Mr. President. Well, I rise in support of AM1129. And I would yield my time to Senator Day if she would like it.

**KELLY:** Senator Day, that's 4:50.

**DAY:** Thank you, Mr. President. And thank you, Senator John Cavanaugh. I just had a few more things that I wanted to mention about the current state of food insecurity here in Nebraska. I think it's important to note, as I mentioned earlier, the 40-year highs that food banks are operating at right now and the, the issues that families are having right now in just being able to get basic necessities like food and buy groceries for-- to feed their children, and why that, that context is really important when we're discussing issues like school lunches and school breakfasts. Additionally, there were ARPA funds

that were set aside for food banks, but these have not been distributed because of the Department of Health and Human Services. It's also important to know. I think Senator Machaela Cavanaugh had mentioned earlier about OPS being the only district that had applied for the Community Eligibility Provision, but there are many, many schools in the state that qualify, but have not applied. And so Senator Walz's bill would essentially require those districts to apply so that, that they could be feeding their students through the CEP. And one of the other things to mention is that food banks have also had to cut off smaller pantries in outstate Nebraska. So we're not just talking about OPS and LPS, urban schools. We're also talking about many of the rural schools where, again, families are struggling to buy groceries and the food banks have essentially been shut down at that point in those areas. So even a more dire need in, in rural Nebraska for something like this to come and be funded by the state. Let's see here. I'm just going to go ahead and find this article from Fox 42 about food banks here in Nebraska. I apologize. Give me just one second. So in the, in the article, it just talks about Food Bank of the Heartland CEO Brian Barks said partnerships like the one with Google are critical in efforts to meet the demands of the communities it serves throughout most of Nebraska and western Iowa. And they discuss the gift of \$150,000 grant to the Food Bank of the Heartland from Google. Again, relying more heavily on [INAUDIBLE] to fund the needs that we should be taking care of here as a state, basic necessities like feeding our own constituents. The Food Bank said that the grant from Google helps, but that it needs even more assistance because, at this time, it's dealing with major food insecurity. Barks said inflation since the pandemic has greatly hurt low-income families, so many of them have turned to food banks to make ends meet. He said his organization is now serving 40 percent more people than when the pandemic began. 40 percent more people today they are serving at a food bank than when the pandemic began. Combine that with the amount of product and funds it's received dropping below what it got before the pandemic, said Barks-- and Barks said it's gotten tough. Food insecurity levels are at an all-time high, and the Food Bank is not immune to all of those challenges, he said. We've never experienced such a sustained hunger crisis in the 40 years of our organization.

**KELLY:** One minute.

**DAY:** Thank you. He said it took 10 years for the estimated number of food-insecure people to drop to levels they were at before the Great Recession. He expects that will happen again now so they'll be facing this uphill battle for a long time. Aside from food and cash

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donations, he said Food Bank of the Heartland is in desperate need of volunteers. So again, we are experiencing a food insecurity crisis across the country and here in Nebraska like we haven't seen in decades, and there is no more important time to be making sure that we are putting mouths in the foods of children than right now. Hopefully, again, going forward, we can continue to holistically address the issues related to the connection between education and poverty, including the increase in the poverty allowance cap and also school lunches. I appreciate the conversations that we are having. Thank you, Mr. President.

**KELLY:** Thank you, Senator Day. Senator Conrad, you're recognized to speak. This is your last time.

**CONRAD:** Thank you, Mr. President. Again, good afternoon, colleagues. I just wanted to continue to share a little bit of information, some anecdotal experiences and some additional data in regards to these critical issues that we're talking about when it comes to addressing poverty in our schools and in our state and how we can work together to try and figure out a better path to support families, support kids and get a great bang for the buck in terms of economic outcomes as well. So one thing that I think is really important about, to think about in regards to these programs is that it-- the state has generally taken a fairly thoughtful approach to leveraging local dollars, state dollars whenever we can to get the most out of federal funds and federal programs. That just makes good sense. When we can partner our state dollars with federal programs and draw down more of our taxpayer dollars to help more of our citizens, that, that's just a, a smart way to, to stretch those, those dollars further. So I think that's inherent in these school feeding programs that we've been talking about as well. The other thing that I wanted to make sure to talk about was, so at our school district at Lincoln Public Schools-- and you may have seen Senator Murman did pass out a really informative handout during the start of the school funding debate where it listed the state's highest poverty schools by district and locale. So you'll see Omaha, Lincoln, Grand Island, South Sioux City, Lexington, Schuyler, Hastings, Ralston, Norfolk, Fremont, North Platte, Kearney and then the, the list goes on. But this is an issue that impacts really every corner of the state in, in different ways and touches upon each of our districts, so I, I wanted to lift that out. I know for our district at Lincoln Public Schools, roughly about 43 percent of families qualify for free and reduced lunch. And free and reduced lunch is generally about 130 percent to 185 percent of the federal poverty level. So I know that all of those statistics can be a little bit, a little bit hard to sift through, so I wanted to just put a fine

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point on it what that means. So for a, a family of four at 130 percent of the federal poverty level-- friends, that's, that's making \$39,000 a year for a family of four at 130 percent of the, of the federal poverty level. So imagine having to cover your basic expenses, basic life expenses for a family of four: childcare, transportation, housing, clothing, food, et cetera, for a family of four at about \$39,000 a year. That sliding scale for the reduced factor up to about 185 percent of the federal poverty level for a family of four, that's \$55,000 a year. So that's what we're talking about when it comes to eligibility for the free and reduced lunch. And Senator-- my friend, Senator Fredrickson, did a great job of detailing kind of overall what the picture looks like in terms of families and kids that are food-insecure in Nebraska based on some statistics from Feeding America. I also have-- had a chance to review the statistics from the Kids Count report, which I think maybe have a slightly different methodology but that show that that number could grow anywhere from even, you know, beyond 64,000 kids to maybe even 92,000 kids.

**KELLY:** One minute.

**CONRAD:** And I want to-- thank you, Mr. President-- just take a moment to think about that number. Think about if we have over 90,000 kids in Nebraska who are food-insecure-- you know, that's roughly the amount to fill Memorial Stadium, that iconic space in our state's, in our state's history and present and future and, of course, located in the Fightin' 46th Legislative District of north Lincoln. But, but think about that for a minute. To really just put a fine point on how many of our Nebraska neighbors, how many kids in need are really out there wondering where that next meal comes from and what that means for their ability to be successful at school. When we have healthy kids, we have healthy families. When we have healthy families, we have healthy schools. When we have healthy schools, we have healthy communities. And all of those things are good for our economy and good for our future. So I'm really excited about these conversations. Thank you, Mr. President.

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

**HUNT:** Thank you, Mr. President. Poverty is a significant problem in Nebraska as Senator Conrad and others have spoken about regarding AM1129 introduced by Senator Machaela Cavanaugh. And we know that poverty in Nebraska especially affects children disproportionately. According to the U.S. Census Bureau, the poverty rate for children under 18 in Nebraska is 15.8 percent, which is two points higher than

the national average. Poverty can have far-reaching consequences on the physical, emotional and intellectual development of children. And one of the most significant effects of poverty is food insecurity, which AM1129 seeks to address. When families cannot afford to provide adequate nutrition for their kids, it leads to all kinds of problems: malnutrition, obesity, other health problems and it also leads to problems for the family. On my last turn, I talked about how important it is for parents that they know that their kids are supported in schools, not just intellectually, not just emotionally, not just socially, but in a literal way by knowing that when they send their kids to school, the kid is not going to come home hungry, that sometimes, for many kids, parents know that the meal at school is the only square meal that kid's going to get that day. I have friends who are teachers, you know, friends my age who work in schools around Omaha, and a lot of them have told me that they know they have students where lunch at school is the only meal that student gets that day. And that's why we have things like Senator Fredrickson was talking about with Backpack programs and things that allow students to take resources and food home so that they can have a meal later at night as well. But we also know that these things can lead to stigma and teasing and bullying. And as we work to address that kind of thing, we want to make sure that all the kids who need these resources are able to access, access them when they go to school. Free school lunch programs in Nebraska can reduce poverty by providing a safety net for low-income families. These programs ensure that children from low-income families have access to nutritious meals during the school day, which can ease, ease burden on their families and help the entire family by making it so the parents save money on food. This can improve the economic well-being of families because then they can allocate their resources toward other basic necessities like housing, healthcare, education, different bills they might have around the house and just anything they want to do to improve the quality of life of their family. I mean, I think sometimes we are-- sometimes-- we're always really, really too hard on people in poverty. You know, I've heard so many people in this body say things like, well, if they're impoverished, why do they have a TV? Why do they have a big screen TV? Why do they have an iPhone? Why do they have a car? As if these types of things aren't just basic expenses that people, honestly-- you know, you need a phone to do your work in many cases. You need a car to get to your job. And some of you it seems like you won't be happy until every person in poverty is, like, driven down into the ground into the dirt, the lowest of the low getting no help from anybody except perhaps a church that you donate to and then you can feel like you're doing something and, and, you know, some kind of Christian spirit.

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But, really, we all pay taxes. Plenty of those taxes go to support incentives for corporations, tax cuts for businesses, tax credits for people who donate to private schools that discriminate, all of these--

**KELLY:** One minute.

**HUNT:** --things that we're considering in the Nebraska Legislature. But the simplest things that we need to do to just (a) put money back in the hands of Nebraskans because they know best what to do with it without making them fill out a form, without making them apply for a credit, without making them wait at a line at an office, just giving them their money back and giving them services and benefits that we know is targeted to the people who need it most. And school lunch programs, nutrition education, resources that kids can bring home after school so that their families don't have to worry about their health and safety, these are good uses of taxpayer funds and that's why I support and urge your support of AM1129. Thank you, Mr. President.

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

**J. CAVANAUGH:** Thank you, Mr. President. I would yield my time to Senator Machaela Cavanaugh if she would have it.

**KELLY:** Senator Machaela Cavanaugh, 4:52.

**M. CAVANAUGH:** Thank you, Mr. President. Thank you, Senator John Cavanaugh. I really appreciate the engagement on this issue and for the senators that have been coming up off the mike and asking questions, so thank you for that. It is something that I have felt very strongly about, is giving every child the opportunity to start their education on the right foot from the start of the day. So, again, AM1129, it allows for all schools to have universal meals. I have now found out that-- the difference between my universal meals bill and Senator Bostar's. Senator Bostar's is a grant, or has a grant in it, which I believe is to account for private schools to get funding to make up the difference in that CEP funding. But I'll let Senator Bostar explain that better than me. So mine does not have a grant program in it, but it does have the state funds to make up the difference between CEP, which is Community Eligibility Program [SIC-- Provision], a federal fund program. So it makes up the difference between the Community Eligibility Program and what, what dollars are not covered. So it is a \$55 million fiscal note. It removes eligibility requirements for school meals. Part of the intention

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behind that is to really eliminate barriers for families that struggle with filling out the forms and the paperworks and doing the administrative work. Some families don't want to apply for SNAP for whatever reasons they have. Even if they are eligible, they still don't want to apply for it or they don't know that they're eligible. They don't understand the paperwork. Sometimes the eligibility requirements are too stringent for what they as a family need. So there's a lot of reasons that go into that, and those programs help determine the eligibility around the free and reduced lunch program and help schools identify who qualifies. And so there's a lot that we are putting on the schools. There's a lot that we are putting on the families when it comes to the eligibility requirement. And in 2020, we began as a state and as a country to have universal meals for everyone and it worked. We've already done the pilot program for this and it worked. It was so much better for the administrations. It was so much better for the students to provide meals as part of the academic process. We know full bellies help kids learn. And when kids are hungry, we will see more disruptive classrooms, more discipline issues and less focus, so this is really an essential piece of education. So I appreciate the conversation today on AM1129. I hope that it has the support of the body.

**KELLY:** One minute.

**M. CAVANAUGH:** Thank you. It did have the support of a lot of different entities. I read the letter from STANCE, which was from the Schools Taking Action for Nebraska Children's Education. I also have a letter from Ralston School-- Public Schools. In Ralston, our district's demographics have changed tremendously over the course of the last 20 years. We have moved from being a traditionally semiaffluent suburban school district to a district with greater than 55 percent free and reduced lunch. This dramatic shift in our demographics has brought some significant challenges to how we have been able to provide the best educational experience for our students. One area that has changed dramatically is the area of food service. Our reality now is that many students and families in our district suffer from food insecurity. I think I'm just about out of time, so I think I will leave us with that. Thank you, everyone, for your consideration.

**KELLY:** Thank you, Senator Cavanaugh. Senator Hunt, you're recognized to speak. This is your last time on this amendment.

**HUNT:** Thank you, Mr. President. Getting into sort of three things that are really key about providing nutrition assistance and food stability to students is we know that they improve educational outcomes, that it

promotes health and wellness and that it also supports families. Access to nutritious food is essential for academic success. When children are hungry, they're less likely to be engaged in the classroom, have lower academic achievement and experience more behavioral problems. Free school lunch programs in Nebraska can help address these issues by ensuring that all children have access to nutritious food during the school day. By reducing hunger and providing the necessary nutrients for cognitive development, children are better equipped to learn, concentrate and perform academically. Research has shown that free school lunch programs can help improve educational outcomes. In a study conducted by the National Bureau of Economic Research, researchers found that free school lunch programs has a-- had a positive impact on test scores, attendance rates and overall academic achievement. The study also found that the benefits of free school lunch programs were most significant for children from low-income families. Access to nutritious food is vital for the physical and emotional health of children. Free school lunch programs in Nebraska can help promote health and wellness by providing children with balanced meals to meet their nutritional needs. These programs can also help instill healthily-- healthy eating habits in children, which can have lifelong benefits for their physical and emotional well-being. Mr. President, do I have one more time to speak on this matter?

**KELLY:** No, Senator.

**HUNT:** OK. Thank you. In addition to promoting health and wellness, free school lunch programs can also address issues related to food insecurity. When children have access to healthy and nutritious food during the school day, it can help alleviate anxiety and stress related to food insecurity. It can also reduce the stigma associated with receiving free meals, as all children receive them regardless of their family's income. If any colleagues would like to yield me time, I would happily take it speaking about food insecurity and the importance of supporting access to school lunches for students as outlined in AM1129. Free school lunch programs in, in Nebraska, whether we're talking about Lincoln or Omaha or Scottsbluff or Gering, anywhere in the state, these programs have emerged as effective solutions to address issues related to poverty, educational outcomes and health and wellness. By providing children with access to nutritious food during the school day, these programs can reduce hunger, promote academic achievement and instill healthy eating habits in children. Additionally, these programs ease the financial burden on low-income families and help address issues related to food insecurity. These are a crucial investment in our children in Nebraska

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and in our state as a whole. As we're seeking ways to, to support our workforce, to attract and retain talent in Nebraska, which I believe is the number-one issue affecting our state, this is one of those policies that I would like to see tried. I would like to see, you know, the longitudinal effects of making sure that children facing poverty are not going hungry at school, are not leaving school hungry and going home--

**KELLY:** One minute.

**HUNT:** --knowing they're not going to have a meal. Thank you, Mr. President. Because we can track over years in partnership with the university, in partnership with different research organizations, what kinds of effects that actually has on Nebraska children. There have been several studies done on things like this, whether it's access to food or, you know, different trials, trying things like universal basic income for low-income Nebraskans. And all of these studies prove that, over time, making sure that kids have the resources they need and allowing the families to get those resources in a way that's culturally appropriate for them in a way that's, you know, works for what they know their child needs rather than government just giving them a handout that's a one-size-fits-all thing, this is what makes families most successful. Thank you, Mr. President.

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

**WALZ:** Thank you, Mr. President. I just want to, again, go back to LB285. And if we were to pass LB285 or attach it to a bill, it would require a significant number of schools to use the federal program to serve breakfast and lunch, and it would help over 12,500 kids across Nebraska. I don't know if you guys have seen this book, School Districts at a Glance. But if you don't have a copy of it, please find a copy and, and look up your school district. The majority of low-income families in Nebraska live in mid-Nebraska and western Nebraska. So it's not just Senator McKinney and Senator Wayne's kids that we're talking about. It is a lot of kids across Nebraska. I'm going to yield the rest of my time to Senator Conrad. Thank you.

**KELLY:** Senator Conrad, that's 4:02.

**CONRAD:** Thank you, Mr. President. And thank you to my friend, Senator Walz, for the time. I had run out of, of my own turns to speak on this measure and I just wanted to add a few, a few final thoughts. I think overall the-- my colleagues have done a great job of extolling the

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benefits of investing in school feeding programs, school breakfast, school lunch programs for kids, for economic success, for the ag sector, for our shared economic prosperity. But I wanted to also just kind of lift up a few of the additional-- additional cautions if we don't make these kinds of investments. We've heard a little bit about some of the stigma that attaches to families who utilize free or reduced lunches. And we know that by removing those stigmas, by offering a more universal approach to these programs, that more people will take advantage of these healthy, nutritious options in our school, and that's overall a very, very good thing. We also know by picking up some of these costs that we can save our schools a significant amount in terms of red tape and administrative costs in administering these programs, so that's another benefit for the schools and lessens, of course, the cost, ultimately, for property taxpayers. The other piece that I wanted to lift for people as we continue this conversation from General to Select File: reach out to your schools, ask them to share their student handbook or their parents' handbook to really take a hard look at how each individual school handles school lunch debt. I know that this is an area of concern that I've continued to express concerns to my local district at LPS about because I don't think it probably happens that often from what I understand, and, of course, the, the school has come to the conclusion that this is the best way for them to deal with it. But there are provisions in our student handbook which I find very troubling in Nebraska in Lincoln Public Schools where, in fact, uncompensated meal debt can be turned over to collections. Let me repeat that: The school can turn over uncollected meal debt to collections. And family-- and friends, think about a family that's already struggling. Think about a family that's already under a ton of economic pressure and stress. To then have your school district turn that debt over to collections just throws that family into another tailspin. It's just another system of oppression that they have to then try to unwind and work through. And we should do everything in our power to prevent that from happening, and I encourage you to open a dialogue with your schools to see how that is treated as well. The last piece that I want to leave you with, my last point at the mike on this topic, is we've heard continually from senators across the political spectrum in regards to the--

**KELLY:** One minute.

**CONRAD:** --tax measures-- thank you, Mr. President-- and in regards to the education measures, that this overall is a package. We have-- I have been consistent in my concerns about sustainability and equity. If we're able to continue the dialogue on this measure from General to

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Select File to improve the equity for this aspect of the overall approach on taxes and education policy, I think that that would be meaningful and go a very, very long way to making what I think are good bills even better. I appreciate my colleagues' openness to continuing those conversations, and I'm excited to be a constructive partner in that, that dialogue. Thank you, Mr. President.

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

**WAYNE:** I yield my time of Senator Hunt if she would like it.

**KELLY:** Senator Hunt, that's 4:52 seconds.

**HUNT:** Thank you, Mr. President. I'd like to thank my friend, Senator Wayne, dearly for the time. We know that free school lunch programs in the United States are a controversial topic. It used to be perhaps one of the most controval thing-- controversial things that we could talk about but we've, you know, moved the, the goalpost to the right, off the field, out of the stadium, past the parking lot in terms of the scope of controversial things that we take up in this Legislature. And something like AM1129 should actually be the type of thing that would appeal to a lot of you and that you could see as a really good use of government resources and something worth your green vote, honestly. I know that some people think that these programs provide crucial support to low-income families and some think that they create dependence on government programs and increase spending for government, which a lot of folks don't like. Specifically, conservative Republicans often oppose these programs because of-- you know, they think it decreases individual responsibility. They think it increases government intervention and these are things that they're philosophically opposed to. But there are several reasons why conservative Republicans should support free school lunch programs in Nebraska. You know, I know that all of us in Nebraska often prioritize individual responsibility and self-sufficiency over government intervention, but supporting free school lunch programs does not contradict with those values. These programs can be seen as temporary legs up, as temporary measures to support families in need, allowing them to take steps towards self-sufficiency, allowing them to finally get ahead of, you know, a hole that they've been in often. You know, for example, free school lunch programs can help alleviate the financial burden of food costs for low-income families, allowing them to not have to worry about one expense for a short period of time so they can use the resources they have to pay off debt or pay off needs that they have, like healthcare or education or housing. And by

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reducing the stress of food insecurity, families can then focus on their financial situation and improving that and becoming self-sufficient. And then eventually they, they don't need this assistance anymore. This is a really common thing that happens with programs like this. Conservatives have also typically prioritized economic growth and reducing government spending and deregulation and things like that. And while free school lunch programs do require government spending, they can also have really positive economic impacts that we see are worth it in the end in terms of what we're able to accomplish for our communities. By ensuring that children have access to healthy meals during the school day, free school lunch programs can improve educational outcomes, and that can lead to higher earning potential in the future-- to say nothing of how this helps parents who are currently in the workforce who are facing poverty or just facing, you know, temporary difficulty supporting their families. Free school lunch programs can also reduce healthcare costs by promoting healthy eating habits and reducing the risk of obesity and other health problems. This can lead to lower healthcare costs and increased productivity in the workforce. Free school lunch programs also play a crucial role in improving--

**KELLY:** One minute.

**HUNT:** --educational outcomes. Thank you, Mr. President. Children who are hungry or who are malnourished are less likely to perform well academically, and that can have long-term consequences for their future earning potential and their future ability to contribute to their communities. By providing nutritious meals during the school day, free school lunch programs can help ensure that all children have the opportunity to succeed academically regardless of their family's income level. This can lead to improved test scores, attendance rates and overall academic achievement, which can benefit all children in the long run. Poverty reduction is another area where free school lunch programs can align with conservative principles. While some may argue that free school lunch programs create dependence on government programs, they can also provide crucial support for families in need. By reducing the financial burden of food costs, free school lunch programs can help families allocate resources for other basic needs.

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

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

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

**VARGAS:** Thank you very, very much. I stand in support of AM1129 for many of the same reasons that others have been standing up in support of this. I think a few of us on-- in this Legislature are actually former teachers, Senator Walz and myself. Maybe I might have missed somebody else, but as somebody that has been teaching in the school systems across this country, I think it's important that we recognize that there are barriers that continue to stand in front of students, and food insecurity is one of them. And it's not-- and it's for all different ranges of families. I was a free and reduced lunch kid. I took advantage of many of these programs pretty much my entire life, and I think it's important that we consider what are these additional avenues that can make it easier for working parents and working families to be able to send their kids and not worry about one other additional cost. And these school lunches can cost between, what, like, a couple bucks, \$1 to \$3? But that cost added up-- \$3. OK. So that's-- that cost adds up when you're talking about an additional burden on behalf of working families. This is a commonsense measure that should be investing in our workforce of kids who are being required to, to attend schools in some fashion-- and this instance, it's within a public school-- we need to make sure that we are doing everything we can to make it easier for them to actually focus on their educational achievement. Every single aspect of data shows that when you address food insecurity, as Senator Hunt just mentioned, means that kids don't have to worry about a whole slew of other instances of either healthcare access improves and their health outcomes improves, academic achievement improve, the decreasing of the achievement gap, especially along lines of race and ethnicity and socioeconomic status. All those numbers are going to, to close those gaps and are going to be improved when we look at the measurements of whether or not we're actually funding and addressing food insecurity through this mechanism. And for those of us that have seen just within, even in the Omaha area if you're thinking about urban cities, if we've seen what food pantries that have been dealing with these last several years during the pandemic or even postpandemic. People are still trying to make ends meet. It's difficult for them to be able to provide the food for themselves and their family. We take this one thing off parents' plates, working parents, two or more jobs. It's just making it easier for the working families across Nebraska. And amidst the other things that we are doing which I-- again, we're doing property tax relief and income tax relief and so many other things. We should be able to do something like this. For every family that's listening, this is about taking one burden off of your plate and making it easier for people to not have to make difficult decisions. And as somebody that also is a father that has young kids thinking

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about not only the cost but at least making food on behalf of your kids, this is another thing that we're taking off their plate. We should be looking at what other states have been doing, which they have been going in this, this direction. But at the end of the day, we need to continue looking at the data. Urban and rural's poverty has been increasing across our state. Working families are still trying to make ends meet and something like this that is common sense-- I know it was introduced-- or, a version by two different senators, including Senator Cavanaugh and Senator Bostar-- provide us with a pathway to reduce food insecurity and child hunger. So we should be doing everything we absolutely can if we're thinking about rounding out packages that are going to do better for our state. That's what this is about. I stand in support of L-- AM1129--

**KELLY:** One minute.

**VARGAS:** --because I think it's going to do just that. And as somebody that has worked in our school system as a former school board member, I worked on some of the legislation or some of the actual amendment language that we worked in in terms of regulation to make sure more students within OPS were eligible with CEP. What we found is, for those that didn't qualify, there's still working parents and young children that even if they didn't qualify because they didn't meet our measure of what was considered need, we can still consider these individuals the working poor, working parents that are working to make ends meet, and this is just adding to the list of things that are very, very expensive for them and their families. So colleagues, I hope we can support AM1129. And I appreciate Senator Cavanaugh for bringing this bill-- the bill in the, in the committee and then bringing the amendment. And I appreciate the time. Thank you.

**KELLY:** Thank you, Senator Vargas. Mr. Clerk for a motion.

**CLERK:** Mr. President, pursuant-- excuse me. Senator Sanders would move to invoke cloture on LB583 pursuant to Rule 7, Section 10.

**KELLY:** Senator Sanders, for what reason do you rise?

**SANDERS:** Request call of the house.

**KELLY:** 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:** 30 ayes, 3 nays to place the house under call.

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**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 Armendariz, McKinney, Dover, Clements, Wayne, Hunt and Hansen, please return to the Chamber and record your presence. The house is under call. All unexcused members are present. Members, the first vote is to invoke cloture. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 43 ayes, 3 nays to invoke cloture.

**KELLY:** Cloture is invoked. The first vote is on AM1129. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 16 ayes, 30 nays on the amendment.

**KELLY:** AM1129 is not adopted. The next vote is on AM970. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 41 ayes, 3 nays on the committee amendments, Mr. President.

**KELLY:** AM970 is adopted. The final vote is on the advancement of LB583 to E&R Initial. All those in favor vote aye; all those opposed vote nay. Record.

**CLERK:** 39 ayes, 3 nays to advance the bill, Mr. President.

**KELLY:** LB583 advances to E&R Initial. Raise the call. Raise the call. Mr. Clerk with items.

**CLERK:** Mr. President, amendments to be printed: Senator Fredrickson to LB123; additionally, Senator Geist to LB683. That's all I have at this time, Mr. President.

**KELLY:** Thank you, Mr. Clerk. Mr. Clerk.

**CLERK:** Mr.-- Mr. President, pursuant to the Speaker's announcement, the next item: LB775 on Select File. First of all, Senator, I have E&R amendments.

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

**BALLARD:** Mr. President, I move that E&R amendments to LB775 be adopted.

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

**M. CAVANAUGH:** Thank you, Mr. President. E&R amendments are a debatable motion, so here I am. I will note that the, the queue screen over in the corner is blank. It's just white. All right. I feel like we've heard this song before. LB775, Senator Lowe's bill. I don't remember which one it is. Let's see here. This is, change revisions to-- of the Nebraska County and City Lottery Act, the Nebraska Racetrack Gaming Act, and the Nebraska Visitors Development Act. Cool. Well, colleagues, we have moved over on the agenda. And I don't know about any of you, but color me intrigued. It was all the hubbub on the floor yesterday that LB753 was being scheduled, that we were going to have the debate on the Opportunity Scholarship Act. And lo and behold, here we are just skipping it over. Neither here nor there to me, but I do find it interesting and curious, and I do wonder if it has anything to do with the city elections happening in Lincoln today or why we would be skipping over something that was clearly put on the agenda and we were told that we needed to be here until midnight tonight. Do we still need to be here until midnight tonight if we are skipping over a four-hour chunk in the agenda or do we get to go home four hours earlier? That would mean we don't get to the animal-- the animal-- the pet bill. And I'm very much looking forward to it because I have some excellent amendments on that one. Excellent. It's going-- I'm just-- what I'm sad about on LB296 is that it will be happening too late for my children to watch because, Senator Ballard, I think they're, they're really who the, the audience I'm targeting for the amendments on your bill. So yeah, here we are, LB775. And I'm really just here to take time. We have been moving a lot and I am really looking forward to-- I know we won't get this until the budget comes out of committee and we start having that conversation, but I'm really looking forward to when we get that budget sheet attached with our daily agenda and worksheet order because that really helps to inform how much money we are moving. And when we move something from General to Select, like we just did, after it is on Select File-- because it has to go through E&R, Enrollment and Review-- so before it is actually officially on Select File with an updated fiscal note and, and all of that. It goes through Enrollment and Review. And so when we have that and we move these items, then we have a better picture of what we are doing financially with our packages. So we've moved all these packages, but I-- it's hard to keep track of how many hundreds of millions of dollars we are moving around, so I, for one, welcome the sheet that has the budget and it has the bill-- it'll have the budget that is coming out of the Appropriations Committee, and then it will have the different bill numbers that have fiscal notes that are on General File, Select File and Final. And so it'll kind of show us where we're

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at on all of the different monies. So another reason that I actually appreciate that we're not moving LB753--

**ARCH:** One minute.

**M. CAVANAUGH:** --today is that we would be moving something with a fiscal note to Final, and that essentially is taking that money off the table. So if there's other things that you want to see happen as we are negotiating the budget and the tax packages, taking something that has a fiscal note to Final is taking money off the table for the whole conversation, which, God bless if you can make that happen. You should go for it. And-- but we're not doing that today, so I guess we'll do it another day. Did you say I had one minute? I probably have less than one minute now.

**ARCH:** 0:18.

**M. CAVANAUGH:** 0:18. OK. Well, thank you, Mr. President. I yield the remainder seconds to the Chair.

**ARCH:** Mr. Clerk for a motion.

**CLERK:** Mr. President, Senator Hunt would move to bracket the bill until June 1, 2023.

**ARCH:** Senator Hunt, you're recognized to open on your motion.

**HUNT:** Thank you, Mr. President. Good afternoon, colleagues. I too rise in opposition of passing over LB753. I'm ready to take it up. I think it's frustrating that the Speaker and many members of leadership in the Legislature keep talking about how we don't have a lot of time to pass priority bills. We're not going to have a lot of time to debate all of the different things we need to do, particularly with the amount of time remaining in session with the number of priority bills that we still have. We were told to hold our availability to go until 11:59 tonight, so I hope that we actually do that. I know that we were all preparing for a debate on LB753 today, so. If we're passing over it, I hope that it's not because supporters of the measure weren't sure that they would have 33 votes for this round of debate or weren't sure that we would have 33 people present for cloture when at least one of those members tonight might want to be speaking to a roomful of supporters on election night. I wonder if this bill came off the schedule because Senator Geist has a campaign event today. You have to ask these things. What is the reason? What's the good reason? Several other members of the Legislature might like to be present for that speech. They'd like to go support their friend in her campaign rally

instead of being here doing their job. So if we're burning up another evening on nonconsequential measures or not working at our full capacity, the person that's making the decisions about that is Speaker Arch. And maybe it's also Senator Linehan, the sponsor of LB753. We knew today that Lincoln voters would be getting the results of the mayoral primary election. And the Speaker who has been critical of people, quote unquote, wasting time, is doing the same thing here. But maybe it's OK because it's one of his friends or it's, it's the way things are just going to be in this body. But I would support a motion to reorder the agenda to have us take up LB753, and that's something that we can discuss maybe at a different time as well. Another thing I wanted to say on the last bill before we moved on that I was getting to is, you know, when we're talking about food insecurity and we're talking about providing meals and we know that we're in for a long day and we might be staying here until midnight-- and on these days, the Speaker has arranged to provide for meals for senators on these days that we go late. We've had a couple already together at some of the late nights that we've had to be here. We go down to the cafeteria, wait in line. It's usually catered by a local restaurant, which is great. But who's not allowed to take part in those meals? Staff. Staff. The people who support the work that we do on the floor, who, in my case, certainly are working many times harder than I am to prepare what I need for different bills, to help me understand the issues that are coming before us, going to meetings, making sure that our constituents are heard, making sure that everybody who calls and emails and writes-- which, in my office, it's been a lot lately, it's-- the number is up, I'll say that. My staff is making sure that all of these people get acknowledged and also get their real problems handled while making sure that I'm ready for debate, while making sure that I understand the issues that are coming before us, while managing calls and requests for meetings and information from lobbyists and all of the different entities that contact our office and stay in contact with us. And they have to be here too. They're here just as late as we are. And these aren't the people who can typically, you know, go to Billy's or go to any of these restaurants any day and find a lobbyist in there willing to pick up their check. These are also people who are not actually paid very well, who don't get amazing benefits, and the state suffers for that. The people of Nebraska suffer when we don't support our staff to the degree that they need to be supported. In my office, I sometimes-- I frequently use campaign funds to get lunch for my staff to make sure that they've got enough food to do their job and get by because I want them to know that I appreciate their contributions to our office and to our district. And I don't want to lose them. I have magnificent people working in my office who are

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overqualified for this work, who could easily find jobs where they make more money, get better benefits, perhaps have a little more quality of life and happiness, honestly, because this job can be very stressful for people who are in the ideological minority. But they're here and they're as invested as I am in serving our state. And at 6:00 or 7:00 or whatever time, we're all going to get a break to go have food paid for by, I frankly don't know. And our staff doesn't get that same privilege. I'm not sure if-- I don't want to even look because I, you know, I agree with neutrality and objectivity, but I don't even know if the Clerk's Office gets that same privilege or if the pages do or who's providing food for them when we have to stay these long days? And it could be that someone is, and I certainly hope so because it's really a lot to ask especially because of the antics of all of you. You know, we keep hearing every single day we don't have a lot of time left in the session. I guess we only have time to potentially pass 21 bills this session. We haven't even-- let's see here. Fifty-sixth day-- we haven't even passed a single bill yet. This is the longest the Legislature has ever gone, as far as I know, without passing a bill. And the reason for that is all of you and the choices that you have consciously made that you would rather take away healthcare from children than move on in the normal course of business and be able to focus on the things that matter to Nebraskans. That's the reason we're staying here till midnight. That's the reason our staff is hungry and not getting to have any of the meals that we get to go down to the cafeteria and enjoy. So the cruelty coming out of this Legislature really abounds, whether that's to staff that serve us here in the Legislature or to our constituents who put us here, not to take their rights away, but to make their lives easier, to support them in their pursuit of living the good life. And these aren't priorities that we've made clear in the Legislature. What you've said your priorities are is taking healthcare away from kids, discriminating, supporting hateful bills, passing bigotry into law out of nowhere, by the way. And that really just seems to be how the wheel turns in politics. There are more than 17 of you, there are probably more than 25 of you who don't support Senator Kathleen Kauth's bigoted ban on healthcare for children. For that matter, there's more than 17 of you that don't support Senator Joni Albrecht's ban on abortion. But because you serve a, a different master, you know, than your own conscience, this is where we are. I wish the whole session had been an abortion fight. That's what I had spent the whole year preparing for. But we're here taking time because one of you out of, like, eight who could have possibly taken the vote because you don't like the bill, one of you didn't have the courage to say, I'm not going to support Senator Kathleen Kauth's half-baked, immature, bigoted, discriminatory bill

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that targets trans youth in our state. Instead, I'm going to trust medical professionals. I'm going to trust Nebraskans and our neighbors who know what's best for their kids, and I'm going to trust the kids themselves who have the knowledge they need and the--

**ARCH:** One minute.

**HUNT:** --maturity they need to know what's best for them. Besides all that, you're completely ignorant about how the healthcare actually works. You believe the worst of what you've seen in terms of urban legends on the internet or something like that, but none of that actually reflects how this healthcare works. And we should stick to things that we understand, not things that are just politically popular for your party. That's what Nebraskans are asking us to do. Thank you, Mr. President.

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

**M. CAVANAUGH:** Thank you, Mr. President. Guess this is my first time on the bracket motion. I rise in maybe support of the bracket motion. Why not? Spice things up a bit. Let's bracket a bill. I rise in support of what Senator Hunt was talking about. We are continuing to talk on legislation with no intention other than to talk on legislation because it has been-- I think this is the sixth week that this has been going on, six weeks. And I think after this week, there's maybe seven weeks of session left. Because I put a challenge to this body to decide what the priorities of this body are. And this body answered a couple of weeks ago when we had a vote on LB574. Answered that. LB574 was a priority over doing the business of the state. I made it very clear and Senator Hunt made it very clear that if that was the priority, then our priority was to slow things down. I've come to realize, however, that this is kind of a gift for many members of the body. As much as people have complained about all the time, the, quote unquote, wasting time, the more time we take, the less we do and the less we do, the less we do. And for those that think that the government is too bloated, doing less is appealing. I view doing less as doing less harm, so I guess we're all winning in that scenario. I do think that it is concerning that we are starting to see major pieces or, as we've heard over the last couple of days, packages of legislation coming to the floor and only having eight hours of debate when there are a multitude of bills in the pieces of legislation. So far, I think the largest package has been six bills. And that is, that is substantial. That is substantial. There have been times where I've been in committee meetings talking-- this year, but also other years-- talking about what Christmas tree or package of bills we're going to

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put together for committee priorities, and there's always this caution that the Speaker doesn't want so many-- more than so many bills. The Speaker wants to make sure that the packages aren't too big. I've heard that this year and I've heard that in previous years. Right now, I'm seeing upwards of six bills. As this goes on and people are unwilling to have a conversation about how the rest of the session should go, it appears that bill-- packages are getting bigger.

**ARCH:** One minute.

**M. CAVANAUGH:** But the time to debate the packages is not getting longer, and that is very concerning. And as we go on, if the packages are going to be bigger than six bills-- which, six bills is substantial-- if the packages are going to be bigger than six bills, I think we as a body should ask if eight hours is enough time for General File debate. Because I don't believe that it is because there's going to be times where it's not just Senator Hunt and I talking for the sake of talking. There's going to be times where people on this-- in this body are going to want to actually engage. I recognize that about 85 percent of the time, that's not the case. You all would like to see government move faster.

**ARCH:** Time, Senator. Senator Hunt, you're recognized.

**HUNT:** Thank you, Mr. President. I wonder-- I mean, I wonder if the reason the packages are getting bigger is because we don't have as much time to debate bills and so we have to put more, more pack-- bills together in a package and that's the only hope a lot of you have to get your bills passed because you would rather discriminate against children than move on and, and take up the course of business in a normal way. But in the case of LB583, which we just finished debating eight hours, the package was respected. The package was supported. We all got behind the package and, and came together because the package wasn't too big. And we were able to get it done in the end. I sound like one of Senator Joni Albrecht's hearings. That's how all of you sound when you talk about it. What concerns me about the turn this Legislature has taken is the way we are normalizing extremism, radical, far-right, violent policies that actually do result in violence against marginalized people in Nebraska. There's been an alarming rate in violence against transgender individuals, particularly transgender women of color, and many of those attacks are carried out by extremist groups who use anti-trans rhetoric as a call to action. And unfortunately, this rhetoric is not just limited to fringe groups, but it's actually encouraged and emboldened and it's throwing gasoline on the fire when people like Senator Kathleen Kauth

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or Senator Lowe who introduced this bill or von Gillern or Brandt or different people in the Legislature say that they would rather discriminate against kids than move on and debate other things in the Legislature. This type of thing gives sanction to that kind of hate speech, to that kind of targeting of marginalized individuals, and this is the type of rhetoric that's been adopted by state legislatures who are actively targeting trans people with discriminatory laws. There's a direct relationship between the anti-trans rhetoric in state houses and the rise in anti-trans violence from extremist groups. Yesterday, Senator Slama did a false equivalency and stood up and said that she hopes that nothing I've said has incited violence against the Catholic Church that she attends, which was defaced over the weekend. It is a shame what happened in her church, and I hope that whoever is responsible for that vandalism is held accountable for that. I would never support vandalism or desecration of any place of worship. I agree that these are sacred spaces that, you know, mean a lot to the people who attend them, and any kind of desecration of these spaces is wrong. But it's not right either to create a fictional victimization for yourself and equate all the violence that trans people face and create this false equivalence. And what bothers me is the willingness to be so loose making these connections. It really is dangerous. It really is dangerous to say, look at the provable, statistically correct link between anti-trans legislation and violence perpetrated against transgender people, particularly trans women of color, which is provable, which we know. And then to say something that I said incited violence and, you know, vandalism or desecration of a building or property, it's not the same thing. But that's the whole--

**ARCH:** One minute.

**HUNT:** --thank you, Mr. President-- that's the whole project of the far right right now which is, yes, religious people are being persecuted and, therefore, we need to reinstate the church in our schools and in our nation's highest governmental bodies. It's the most atrocious logic that makes no sense. The transphobic rhetoric of conservative politicians has emboldened extremist groups to carry out violent attacks against trans people because these groups see the rhetoric of state legislatures as a green light to carry out violent attacks against trans people. By making discriminatory laws that target the trans community, our Legislature is sending a message that it's OK to discriminate, it's OK to commit acts of violence against trans people and, furthermore, that it's normal and right. Thank you, Mr. President.

**ARCH:** Senator Raybould, you are recognized.

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**RAYBOULD:** Thank you, Mr. President. And thank you, Senator Hunt and Senator Cavanaugh. I wanted to share this transcript of a mother in Texas, a Christian mother in Texas, and it, it's sort of all over the internet and on YouTube and-- I'll just read it to you right now. Molly Carnes is an LGBTQ+ advocate and mother of an adult transgender daughter. She has testified before the Texas legislature many times to support equality for LGBTQ+ Texans. Molly has appeared on NPR, CBS and spoken at various rallies and protests in Texas. She is also happy to represent PFLAG Houston today. Here's her testimony. She says: I'm Molly Carnes and I'm the Christian parent of a precious transgender daughter. I oppose this certain legislation. So here we are in a public health committee meeting in Texas where we set the record for having the highest number and the highest rate of uninsured people in the country. But what are we talking about today, trying to ban medical care that every major medical association endorses, trying to take away treatment from poor kids and adolescents in the foster system by barring the use of public funds for this care instead of fixing that child welfare system that has lost the lives of 100 children, 100 children since 2020? These are the Texas stats. She goes on to say: You're taking actions that could cause real harm to these youth, but you don't care because you're convinced that you know better than parents and specialists and transgender people themselves, and it appears you even think you know better than our creator himself. My daughter was created in God's image for a good purpose, and her being transgender gives her a unique perspective to serve the world in the body she travels in but a temporary home for the beautiful soul that she carries. As a small child, my daughter told us she needed 10 hugs a day to be happy. By adolescence, she was so uncomfortable in her own skin we had to ask permission to touch her. The young woman who now says that her love language is touch, couldn't bear to be touched for years. As a parent, I have witnessed what lifesaving medical care did for her. She is now joyfully into who God created her to be and hugs back in abundance. We have had the right to obtain appropriate medical care for her, and we did because we were smart enough, informed enough and diligent enough to do so. I don't need you to protect my kid. I'm trying to protect my kid from you. HB1686 just riles me up. Still carves out rights, however, of parents to consent to genital surgeries on babies who are intersex at birth-- intersex at birth. Your bill literally endorses gender treatment for babies who cannot consent and denies such treatment to youth who want it. If you want to dig in about medical treatments on children that have nearly ruined their lives, go talk to intersex adults. Transgender people are not broken. They do not need to be cured. They need to be allowed to thrive. They are God's beloved, and the way they

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understand the soul is a gift and nothing you can say or do can change that. And you want to know what St. Paul said? He said in Galatians 3:28: Neither Jew or Greek, nor slave, nor free, nor male or female, because we are all one in Christ. Thank you.

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

**M. CAVANAUGH:** Thank you, Mr. President. OK. So I've got annual report here from RISE. Break the cycle. RISE is a great organization for those of you that aren't familiar with it. Authentic [INAUDIBLE]: The biggest things I learned through taking RISE are what my strengths are, what career paths will be a good fit for me, how to overcome my fears and how to write a resume and cover letter. I've learned that I can do anything I set my mind to by showing up, doing the, the next right thing and keep moving forward. No excuses even if I'm scared. The outcome will be better than if I never tried at all. That even if I fail in what I try to do, I didn't fail myself because I gave my all and tried. Taking RISE has helped me to grow into an overcomer. Along with all the job business skills I learned, I know I'll succeed at life now and not return to prison. Thank you, all of you. It's a great, a great letter. And it's inspiring. It's inspiring to keep trying, to treat-- keep moving forward, to not give up. It's a-- it can be exhausting not giving up. Physically exhausting, sure, but it can be mentally exhausting as well. Over the last couple of days, I tried to focus more of my comments on the topics at hand, thinking, well, if we're going to talk about taxes and have a substantive debate, let's do that. But then I realized that it didn't matter, so I'll, I'll just go back to talking about whatever I want to talk about. And, you know, I yesterday talked about my kids' soccer schedule. And, today, I would love to talk about something with my kids, but I'm not really getting to see them. I did get to put them to bed last night, so that was nice. I got home just in time last night to put them to bed. And my husband was reading this book to all three kids called "Stuck." And if you haven't read it, it's very cute. It's funny. It's this young kid who is-- whose kite gets stuck in the tree. And this kid is a problem solver, wants to get the, the kite unstuck from the tree, so they throw something up to try-- you know, like you do when a kite gets stuck in the tree. You throw up, like a, a ball to try and knock it out of the tree. And that didn't work; the ball got stuck. So then they go to the next thing. They go and get a ladder. I think that was it. And it's, like, oh, OK. They're going to climb the ladder to get the kite out of the tree. No, the kid throws the ladder up in the tree and the ladder gets stuck. And then the next thing-- well, I don't remember what the next thing is-- but at one point there is a ship, a long-haul truck-- this kid is real strong, by the way,

throwing all these things up into a tree, a long-haul truck, little kid--

**ARCH:** One minute.

**M. CAVANAUGH:** --a paint can, a fire truck, the firemen that were in the truck, and then the kid comes out with-- oh, a house-- then the kid comes out with a saw-- like, a handsaw-- and it's, like, finally. The kid has figured it out. The kid's going to cut down the tree. No. The kid throws the saw. Eventually, the next day, the kite comes out of the tree because there's so much stuff stuck in the tree that the kite finally comes out. I'm not sure if that's a parable for something, but it was a really cute book and it was really sweet to watch my husband read it to my three kids while they sat in my lap. And then I got to snuggle them and put them to bed. So that was the treat of the day for me yesterday. Not that spending all day with all of you isn't a treat, but getting to spend a little bit of time with my kids and my husband was definitely the treat of yesterday, so. Thank you, Mr. President.

**ARCH:** Senator Hunt, you're recognized. This is your last opportunity before close.

**HUNT:** Thank you, Mr. President. Colleagues, spending all day with you is not a treat for me. I don't like it. And I understand more and more why Senator Lathrop didn't run for reelection. He told me last year when it was starting-- the rumors were starting to come out that Senator Lathrop didn't want to run for reelection and that his seat would be open in District 12. Some of us were trying to kind of convince him to hang in there. You know, you don't have to work so hard. You don't have to be a Chairman of anything. All you have to do is push the right button, you know? And I know many conservatives, that's exactly why you're here. That's exactly why you were recruited and that's your role here, is just to push the right button at the right time. And we don't have a lot of people on the progressive side who are here for that reason because every single one of us is vital to honestly protecting the civil rights of Nebraskans. If one of us is out, if one of us isn't on a bill, then it's lost because we really just don't have the numbers. And frankly, this year in 2023, in this session, we don't have 17 for anything. We don't have 17 for anything. And so the difference of having one person here just to push the right button can mean the difference for Nebraskans between if a miscarrying mother is able to get the healthcare she needs to preserve her fertility for her family or if she goes into sepsis and has an emergency and possibly has to be flown in to another state for

healthcare. One vote ends up being the difference between life and death for a trans teenager. Those are the stakes, literally. I'm not-- that's not hyperbole. I don't do that. Those are the stakes that we have in this body. So, Senator Lathrop said to me last year, Megan, if I only had two years left, I would quit. For him, it wasn't even, like, I don't want to run for office again. It was, like, I am done. I am "dunzo." I don't want to come back even if I-- even if the term wasn't up. And, boy, I hated to hear that, but I get it. I get it. This job used to be fun. It used to be fun when we could socialize and talk to each other and understand where each other is coming from. And that's the unique thing about this Unicameral Legislature, is that because we don't have any official party affiliation and we don't have any party leadership, for sure, there's no retaliation for fraternizing. And I have friends in other legislatures around the country who don't have that same kind of freedom. I'm not fraternizing with any of you because I see you all as a danger to my family. And after all the beers we've had, after all the laughs we've had-- and I've made y'all laugh because I'm funny. So you've had fun thanks to me. You know, you're not able to look past any of that and see my humanity. And frankly, I'm dumb for thinking you ever would. I'm dumb for falling for that. I'm dumb for thinking that I was reaching any of you at any time over the last five years, that you ever cared about me, that you ever saw me as equal to you. Every time Senator Murman says things on the mike-- like, he-- I mean, he's done it several times so far this year and many times over our five years in service together-- Senator Murman saying things like he doesn't support subsidies for childcare because he thinks it's important that one parent stay home and that the ideal thing is that families don't use childcare but that they have one parent staying at home to raise the child. OK, Senator Murman, what parent would that be? What are you literally talking about?

**ARCH:** One minute.

**HUNT:** You're talking about a wife, a mother in a heterosexual marriage, till death do they part, with no sex before marriage, with pure, you know, fidelity until death. And that's not the way things work anymore. And when I hear colleagues say stuff like that-- Senator Halloran has said things like this, Senator Murman, several others of you-- I take that personally. And I don't mean I take that personally like I'm offended. I don't mean that I take it personally like I go write about it in my diary and cry. I mean, you're saying something that affects me as a human being that you know you're saying, you know you're talking about me when you say things like that. And you're

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talking about the thousands, tens of thousands of Nebraskans just like me, where when we adjourn here at midnight and I go home and tuck my--

**ARCH:** Time, Senator.

**HUNT:** --kid in. He's already been asleep for--

**ARCH:** Time, Senator.

**HUNT:** --hours. Thank you.

**ARCH:** Senator Machaela Cavanaugh, you're recognized. This is your last opportunity to speak.

**M. CAVANAUGH:** Thank you, Mr. President. Senator Hunt, would you like my time? Oh, you seemed like you were on a roll so I didn't want to-- I'll yield my time to Senator Hunt.

**ARCH:** Senator Hunt, 4:45.

**HUNT:** Thank you, Mr. President. Thank you, Senator Cavanaugh. Yeah, I relate to what Senator Cavanaugh was saying and what Senator Jen Day has said in the past. And we have many senators here who have young kids. Only senators who live in the Lincoln and Omaha area who have young kids are really able to serve because of, you know, the difficulty of, of service in this body and the cost it would take and the transportation time and all of those things, but this Legislature has really benefited from people with young kids being elected so that when we hear people like Senator Murman say stuff like, I don't support childcare subsidies because I only support family structures where one person is staying home to raise the kids, we have more people in this body now than ever who know that that's just not realistic. It's not realistic for us to ask Nebraskans to live that way. Even if that is great. I'm not saying it's not the best. I'm not saying that, you know, kids aren't obviously having great lives being raised that way. But you're-- you know-- what, you're going to legislate that? You're going to put that into law? You're going to say my preferred way to raise a family and have a family is going to be the way everyone has to do it and I'm going to deny resources to anybody who has to live differently? What's wrong with you? That's, that's not an attitude that's rooted in a spirit of public service. That's not an attitude that's rooted in an understanding of the way Nebraskans actually live. So one of the questions I get often, you know, when we talk to school groups or kids or business groups or whatever different thing that we get asked to talk to in the course of our service to state senators, I get often asked, you know, what's the

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hardest part about being a state senator? And the list is mounting. The list goes on and on. It's really not fun anymore. It's not fun anymore. And it's not such an honor anymore because the dignity of the work that we're doing has been debased so deeply by Senator Ben Hansen who wouldn't even allow every person who showed up here, waited seven-plus hours to speak to their State Legislature to have a turn to get their voice heard. It's been debased by people like Senator Rob Clements who's the Chair of the Appropriations Committee and used his one senator priority on a bathroom bill. The indignity of this place. It's been debased by at least six, seven, eight state senators who went against their conscience and voted for a bill that they don't even like or support to legalize bigotry and discrimination against trans kids who need healthcare, introduced by Senator Kathleen Kauth who belongs on the back bench. Not very nice of me, but I do not believe in reciprocating civility to people who would take your rights away. I do not think it's any vice-- there's nothing wrong with refusing to reciprocate empty gestures of civility to people who are seeking actively to harm me. And people don't think it's nice for me to say exactly what people are doing. Then don't do it. Don't act like I did something mean by saying you did what you did.

**ARCH:** One minute.

**HUNT:** Thank you, Mr. President. So whether we're talking about single parents, which I am one, whatever, or we're talking about trans kids, which I have one, which, whatever, it's not a problem to anybody in the world. It's not a problem to my family, my parents, my friends, my loved ones, my coworkers-- well, in my real job. You coworkers have an insane problem with it. But anybody normal and real in my life doesn't bat an eye, doesn't think a single thing about it. And it's that way for almost every Nebraskan, basically. It's only the hate and bigotry that comes out of the halls where laws are made that perpetuates this violence and bigotry that then festers in society where it wasn't there before. You are doing that. You are building and creating that and you should be accountable for that. Thank you, Mr. President.

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

**CONRAD:** Thank you, Mr. President. I'm happy to yield time to Senator Hunt if she so desires.

**ARCH:** Senator Hunt, 4:50.

**HUNT:** Thank you, Mr. President. Every time someone like Senator Murman says that he's not going to support childcare because he doesn't think

parents should stay home or he doesn't think parents should work, he doesn't think parents should ever have the need for childcare because if the mom is staying home and not working, then why would she need daycare? I take that personally. Not that I'm offended. Speech doesn't offend me. But that I know when he says these things, when I have colleagues that agree with these kinds of things, that they're talking about me and they're talking about the tens of thousands of other Nebraskans who are in the same situation. And what the connotation is, what they mean to say and are not saying is that they think single parents have made bad choices in their lives or they wouldn't be in the position that they're in. They can't imagine a world where people make different choices than they made: to get married at 23, to be married to the same person forever, to have two kids with that person and for that person to stay home and raise the kids. I'm not even going to say who right now, but there's people in this body who weren't even present at the birth of their children. Were they, you know, sowing the fields? Were they busy on the tractor? No, they didn't care. And I know that because I've talked to your ob-gyns. I know that because I found out who delivered your kids and they told me you weren't there. So bad, so bad, so bad. Could not be me. And then you come out here and say that you're the normal one, that you're representing morality and values and integrity and Nebraska values? "Real Christianity," as Senator Jacobson put it. You know, the values of rural Nebraskans who are actual Christians, as Senator Jacobson said. And you weren't at the birth of your own kid. You know, that's one thing in a list. But the people who say these things, the implication, the thing that they're not saying out loud is that we've made bad choices, that we're in this position because we made bad choices, that I'm a single parent because I married the wrong man or I should have waited to have kids or people who say things like, well, if you don't want to get pregnant, you shouldn't have sex-- you know, completely ignoring the fact that assault exists and rape exists. Oh, but we're making an exception for rape in the abortion ban. OK. It's a six-week ban. Tell me anyone who ever got a rape conviction in six weeks. Tell me the statistics for successful prosecutions of rape in Nebraska. Tell me how many rape kits are sitting on a shelf in Nebraska untested because we don't provide the funds to test them. It's completely empty. And I'm not saying anything weird. I'm not saying anything extra. I'm not being over the top here. I'm saying what most people think. I'm saying what most Nebraskans think. And if we actually lived by what we believe in our hearts, what I know most of you believe in your heart, which is not supporting an abortion ban, it is not hating trans kids.

**ARCH:** One minute.

**HUNT:** Thank you, Mr. President. You don't actually believe in doing that stuff. Oh, Senator Jacobson's in the queue. He's easy to provoke and get on the microphone. Say one thing he puts the button on. I'm saying what most Nebraskans agree with, and that is that we'd like to move on with the course of business in this Legislature. We'd like to talk about different issues. We'd like to make it so we don't need a big, huge, giant package that we all have to get behind and support just to get some bills passed because we're running out of time. But that's on you. One of you has to come off that bill. One of you has to come off the bill. And more than six of you want to, so draw straws or decide to hang together as a group. Make some deal with the Nebraska GOP on how you're going to message it and figure it out. Thank you, Mr. President.

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

**JACOBSON:** Thank you, Mr. President. I think every now and then those that are watching like to get a dose of truth rather than the fantasyland that we continue to hear from Senator Hunt. She obviously lives in an entirely different fantasy world than the rest of us do in this body and, and, and across Nebraska. And that's great. I, I appreciate, I respect her for her wild views that she has. And she can, she can make herself think that that's normal, but it's not. Come to my district, drive around, talk to people in my district. That's not normal. That's not normal. We tend to twist all of these issues. Senator Kauth brought a bill that she is willing to amend that the Democrats would have and Senator Hunt would have gladly accepted three weeks ago, but wanted to run the vote thinking that the votes weren't there. Well, guess what? They were. And now she's upset. Still has the opportunity to accept the amendment but won't do it. So don't tell me who won't negotiate. Don't tell me who's not willing to compromise, because everyone has been. Calling out Senator Kauth every name in the book is hateful. That's hate speech. Senator Kauth is a good person. She's a conservative. I respect her for her views and I'll back her. It gets very frustrating when you have the name-calling that goes on and then say, oh, I'm the good guy. We're the good guys. No, you're not, not when you start doing the name-calling, the hate speech that occurs on this floor. That's out of line. That's inappropriate. And some point, somebody's got to stand up and, and point that out. When it comes to abortion, isn't it amazing that the people are so concerned about the kids have no problem brutally murdering children in the womb? That's perfectly fine. I can't wait till we get to the debate on LB626. Yes, I'm a staunch pro-life conservative. I believe

that every life matters, including the lives of trans kids. And that's why Senator Kauth brought the bill that she did to protect trans kids, not to, not to expose them to surgeries when they're still minors. That's what that bill's all about. But the same people that want to protect trans kids could care less about every child in the womb, are perfectly fine with having them brutally murdered. If she read the bill, LB626, it's very clear that there are carve outs. There's a gaping hole in LB626 to allow for the doctors to make choices in terms of health of the mother-- not life, health of the mother. Read the bill before you mischaracterize it. So I would just encourage everyone who's listening to this filibuster-- and that's what it is. Understand. You'll notice most of the conservatives are standing down because we're going to let everybody just run their mouth about the same things over and over and over again. And we're going to wait for them to just finish it out. We'll run the clock. And then we'll vote and we'll move the bills forward. That's what's happening. So I hope Nebraskans all understand that we are moving forward. We are passing bills. We are moving along. We're making progress. We're going to run late nights to get there. And we're going to get there. But if you're wondering why no one's getting in the queue and, and correcting all of this crap that's out there, it's because that's what it is and it's not worth us taking a lot of time. So I'm on the mike this time-- I'm going to take a break here. I'm even going leave the Chamber and walk around the door-- walk around the building--

**ARCH:** One minute.

**JACOBSON:** --and enjoy the, the nice weather outside and I'm going to let the babble continue. But I thought it's time for somebody to stand up and say where truth is. And you be-- be your own judge. Who are the hate speech people here? It's not the conservatives. Thank you, Mr. President.

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

**BLOOD:** Thank you, Mr. President. Fellow senators, friends all. Frankly, I was done talking for the day, but Senator Jacobson always inspires me to come back up and say a few words. I stand against the bracket and I do support the underlying bill. But I, I do take issue when another senator says that-- and now-- and I'm so angry now, I can't even remember how he said it, but basically saying that you're spewing words out of your mouth. And it was very insulting to whoever talks at the mike. I don't-- and, and you hear me say this all the time. I'm so sick of this us versus them language. It's not the conservatives doing anything. Well, OK. Let's see. Let's start-- all

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the conservatives stand up in the room here because I want to make sure everybody knows who you are. Oh, there isn't anybody in here. When we continue to label each other, be us conservative, be us liberal, be us whatever the heck you guys are saying [INAUDIBLE] language, in the nonpartisan body of the Nebraska Unicameral, you are only making the divide bigger. And that has been the thing that has turned my stomach from the very first time I came into this body. When people stand up and go, I'm a proud conservative. I'm a proud Republican woman. I am definitely a flaming liberal, which-- it's kind of funny because I never hear those words, by the way. It's, it's usually people that want you to know that they're a certain way. And I don't know if it's because they want you to like them or they don't want you to question why they believe what they believe. But knock it off. We get it. You're proud to be whatever you are, be it a Republican or what-- I don't know, uber conservative, whatever language you want to use. I get it. But is it necessary to call someone down for what you believe was name-calling and then do exactly the same? Two wrongs do not make a right. The conservatives are standing down. Well, good for the conservatives, whoever the heck that is. Pretty much everybody's standing down right now. It's been a long day. It's going to be longer. It's beautiful outside. A lot of people are catching rays. Other people are having little tea parties under the balcony. It's all good. But just-- if all the conservatives are standing down, why didn't you stand down on that one? Quit the name-calling. Quit identifying in a way that continues to separate us. I've had enough. Seven years of this is plenty. We're all Nebraska senators. We're all here because we represent a district that voted us to do our jobs here. Some of us had it easier than others on our elections and got their ways kind of paid into office, but a lot of us did it through the school of hard knocks. We want to get stuff done. Is there a big, long filibuster going on? There is. Are we desperately trying to find rides for our bills? We are. But we're all in the same boat. And it's not necessary to be nasty like that on the mike. And don't come to me and go, oh, she was mean to me too. I'm not your mother. I raised my kids and I got paid better than I get paid here because I got lots of love and hugs and kisses, and that's invaluable. But just-- I cannot stomach this anymore. Knock it off. You don't like what's being said, go and talk to that senator. You want to make sure that--

**ARCH:** One minute.

**BLOOD:** --everybody labels you as being a specific thing? That's what you do on the campaign trail. You don't got to prove it by constantly announcing it on the mike. It's a nonpartisan body. We are here for

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the people. I don't like everything that goes on either, but good grief. Quit mansplaining to me. Please. And quit identifying people as being in a certain demographic. We're all here to do the people's work. We're all here for the same reason, some of us just have different approaches. Thank you, Mr. President.

**ARCH:** Senator Hunt, you're welcome to close on your bracket.

**HUNT:** Thank you, Mr. President. Colleagues, Senator Jacobson is doing the right thing. He should go take a walk. He should get out of here and go take a walk and enjoy the nice day and think about his vote on LB574. As far as I'm concerned, the more Senator Jacobson talks, the better, because every time he talks he sounds more and more and more radical to me in a body where he would like to be seen as a moderate. During the property tax debate, every time he got on the microphone, I learned about four more things that he owns, I feel like. These are not people who are relatable to Nebraskans. So Senator Jacobson, Jacobson gets up and says that he's going to be the great bearer of truth and finally say some true things on the microphone that the good people of Nebraska would like to hear. But then the first thing he says is a lie. Not a misunderstanding, a lie. An l-i-e, lie. A deliberate misrepresentation. There was never any kind of amendment that I would ever agree to to make me support LB574. There would never be an amendment under this sun that would make me do that. And I would never say anything to Senator Jacobson to that end. Never did, never will because I don't. I can tell you about a conversation we had, though, that we did have that does exist. Everyone in this body knew that the deal was LB574 goes down and we move on with the session as normal. We also did not think the votes were there, partly because Senator Jacobson who doesn't support it and doesn't want to vote for it, was going to be out of town. On Thursday and Friday, he had to go out of town for a meeting. Everybody knew this. The scheduling of that bill on a Thursday felt like a gift to Senator Jacobson so that he wouldn't have to be here to vote for that bill. At the last minute, he comes out with this amendment that he gets Senator Kauth to introduce that just bans the surgery. I would never agree to that amendment. I would never support it. But for some reason, Senator Jacobson canceled his planned meeting, canceled his trip, tried to guilt-trip me about it. Told me that, well, I'm missing this meeting. I'm actually missing out on a deal that's worth about two times what we make here per year. So what, \$24,000? I should bill him \$24,000 for telling me that. Girl, if there was something you could go do in one day that would make you \$24,000, you should go do that. Go do it. But he's not. He's taking a walk around the Capitol to cool down. For the best. We're also doing manipulative things like packaging a bill that we know does not stand

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to pass on its own merits, like the crisis pregnancy center tax credit bill. We're putting bills on that, that progressives want, to basically twist our arms into voting for it. I'm talking about John Fredrickson's tax credit for food donations, for food bank donations bill, putting that on a tax credit for crisis pregnancy centers saying, OK, progressives. What now? Do you support giving stigma and misinformation and, and--

**ARCH:** One minute.

**HUNT:** --bad medical advice to women or do you want kids to go hungry? Great choice. This tells us that people like Senator Jacobson are only interested in passing measures that will actually help Nebraskans if they get to use it as a vehicle to pass their other culture war, unnecessary, helping-no-one bills for political points. And if you want to say come to my district, you'll see that you're not normal, based on the messages and calls and emails that I get from people in your district, I would kindly disagree. Thank you, Mr. President. Call of the house, roll call vote.

**ARCH:** 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. Mr. Clerk.

**CLERK:** 10 ayes, 3 nays to place the house under call.

**ARCH:** The house is under call. Senators, please record your presence. Those unexcused senators outside the Chamber, please return to the Chamber and record your presence. All unauthorized personnel, please leave the floor. The house is under call. Senators Wishart, Lippincott, Vargas, Dover, Clements, McDonnell, Erdman, please return to the Chamber. The house is under call. All unexcused members are now present. Mr. Clerk, call the roll.

**CLERK:** Senator Aguilar voting no. 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 voting no. Senator John Cavanaugh voting no. Senator Machaela Cavanaugh 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 voting no. Senator Dungan voting no. Senator Erdman voting no. Senator Fredrickson voting no. Senator Geist voting no. Senator Halloran voting no. Senator Hansen voting no. Senator Hardin voting no. Senator

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Holdcroft voting no. Senator Hughes voting no. Senator Hunt not voting. Senator Ibach voting no. 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 voting no. 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, 47 nays, Mr. President.

**ARCH:** The motion fails. Mr. Clerk.

**CLERK:** Mr. President, Senator Machaela Cavanaugh would move to reconsider the vote just taken on MO50 [SIC-- MO850].

**ARCH:** Senator Cavanaugh, you're welcome to open on your motion.

**M. CAVANAUGH:** Thank you, Mr. President. Colleagues--

**ARCH:** Raise the call.

**M. CAVANAUGH:** --oh, there you go. Now you can all get up and move and leave. I'm trying not to react to hyperbolic things that are being said, but I am upset by the words used by Senator Jacobson in speaking about Senator Hunt. Saying that your colleague lives in a fantasy world, accusing all of us for being murderers because of our view on reproductive healthcare, maligning Senator Hunt and others who oppose LB574 because we didn't take your hostile amendment. I think Senator Moser has used this phrase a few times to describe me: sour grapes. Sour grapes, Senator Jacobson. That's what you are saying. You've got sour grapes. If we don't do what you want the way that you want, you're going to get on the microphone and insult us. Senator Moser has said many a time that I have sour grapes. I know Senator Hunt is stronger than-- definitely stronger than me-- stronger than most in this body. But just because someone is strong doesn't mean that it is appropriate to personally attack and malign them. And I know the Chamber was mostly empty during that time, but that was upsetting. That was legitimately upsetting, inappropriately-- inappropriate and "unstatesmanly," "uncollegial" and beneath Senator Jacobson. Taking words exception to would be that speech. But that does not have to define Senator Jacobson, nor does it have to define this body. I'm sure when cooler heads prevail, he will come to realize that how he spoke was un-Christian, first and foremost, extremely un-Christian, during the holiest season, but also inappropriate and beneath him. So, LB574. I'm going to talk about it. Why? Not because it's on here, but

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it's because why I'm here. It's why I am here, so I am going to talk about it. And if you don't like what I'm talking about, maybe, just maybe, you should engage in a conversation with me about changing the tide of this legislative session or you can get in the queue and talk about this bill or whatever you feel like talking about. Otherwise, I'm going to talk about LB574. LB574 is a violation of parents' rights. LB574 is a violation of human rights. LB574 is transphobic. LB574 is the first step-- well, not the first step. It is a step. There are other steps that have already been taken. It is a step in seeking to eradicate the trans population in America, and specifically in Nebraska. The amendment that Senator Jacobson did? Nothing, nothing to change any of those things that I just said about LB574. Not a single thing changes about LB574 with Senator Jacobson's amendment. It is still a human rights violation. It is still a parental rights violation. It is still transphobic. It's just the transphobic part that you all feel most comfortable with carrying forward. That amendment did not change the opposition. Not a single person in opposition had contacted me or any of you, as far as I know, and I'm pretty sure there would have been a ticker tape parade through here if somebody changed their opposition because of that amendment. It didn't change anybody's opposition to LB574 because the amendment is still the problem. The problem is that we want to take away parents' rights and making medical decisions for their children because we don't like who they are, because we want to stop them from being who they are. Sounds ridiculous, doesn't it? Because it is. I started a little while ago talking about my kids and my husband. So my husband was reading this book "Stuck" last night to my kids. It's a delightful book. I highly recommend it. I don't like it as much as I like Dragons Love Tacos. That is, like, one of my all-time favorites. And if Dwayne [PHONETIC]-- my friend Dwayne-- is watching, we used to do dramatic readings of Dragons Love Tacos and we were always trying to top each other in our dramatic reading of Dragons Love Tacos. Our kids are the same age, so this was a big thing for us. But I started talking about my kids and my husband, people who are very important to me, and I just think about the multitude of decisions that we make as parents that are none of your business. None of you. None of your business. None of you. I don't need to consult with you as to whether or not I give my child antibiotics when they have an ear infection or which antibiotics I give them. None of you. None of your business. I don't have to consult with you if I give my kids vaccinations or don't give them vaccinations because it's none of you-- none of your business. None of the choices that my husband and I make for our three children are any of your business. But somehow you all have decided that the choices that Senator Hunt and Ash's dad make for Ash are your

business. So I'm going to talk. I'm going to talk and I'm going to talk and I'm going to talk some more because that is all I can do. You all can do a lot of things. You all can make choices about how to change the course of this session, and you all continually refuse to do that. Someone today out in the hallway asked me kind of, like, the lay of the land and what's going on here because it seems like everyone's just accepted that Senator Machaela Cavanaugh and Senator Hunt are going to filibuster everything. And I said, yeah, pretty much. No one's talked to me. No one's talked to me. No one's engaged with me. No one's asked me what it would take at this point, which I'm kind of grateful for because I do feel like I've said it a million times so maybe you've actually listened to me and you know what it will take and you just are not willing. But I will start directing people to you all. If you all outside of the Chamber want to know--

**ARCH:** One minute.

**M. CAVANAUGH:** --how to change the course inside the Chamber, your colleagues have the power and they are refusing to use it. They are refusing to use it, so I'm going to just keep on talking. And when I'm not talking, I decided to do some mental health for myself and I brought my embroidery today. So if you see me off camera and I'm embroidering, that's what I'm doing. It actually helps me listen better. I can listen when I'm doing something with my hands and so today I brought my embroidery, and that helps me be a much more active listener. So there you go, I guess I decided to respond. I wasn't going to but, you know what? Fudgesicle. It warranted it. Thank you.

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

**HUNT:** Thank you, Mr. President. I'd also like to know what the fantasy world is that I live in according to Senator Jacobson. What part of it is fantastic? Is it that we trust the guidance of the American Medical Association and the American Psychological Association and the Academy of Pediatrics and the social worker, the psychologists, the counselor, the obstetrician, the surgeon, every-- I almost swore too-- every mainstream, serious, highly regarded medical agency? Is the fantasy world that we believe what they say? That's the world I live in. We're talking about a full abortion ban. We're talking about a ban on healthcare for trans kids. And he says I'm not the normal one. Man, I'm just saying what the doctors are saying. I'm just saying what the experts say. Am I an expert? No. And I wasn't born knowing anything. I wasn't born knowing anything about this stuff. But at least I'm open to learning it. But I would like to know what the fantasy world is. I have several emails from Senator Jacobson's constituents who have

reached out to me throughout this session, as I have emails from all of your constituents saying things like, well, my senator won't respond to me; or, keep up the good work my senator hasn't replied to me; or, I came to the rotunda to talk to my senator and they wouldn't come out and talk to me; or, they were rude to me, worst of all. One of Senator Jacobson's constituents says to me: Thank you for your efforts to break the culture war legislation that seems to be particularly prevalent this session. It's daunting, but please keep it up. This morning, I'm prompted to send this email by the Speaker's suggestion that the role of a representative is to stick her finger in the air of the constituency's often uninformed opinion-- it's kind of a rough phrasing, but that's what we have here-- when adopting positions on matters of public policy. I'm forwarding the insight of Irish statesman Edmund Burke, whose thinking and writing were significant influences on the founders of our country-- and then this great quote that we know: Your representative owes you, not his industry only, but his judgment; and he betrays instead of serving you if he sacrifices it to your opinion. Among the many who have referenced this quote, which George H.W. Bush when, as a Texas Congressman, he voted in favor of the Fair Housing Act of 1968 despite his constituents' strong opposition to that fundamental piece of civil rights legislation aimed at eliminating racial discrimination in housing. A representative has an obligation to do the right thing regardless of popular opinion. Regards. This guy is a, is a professional, he's probably somebody that Senator Jacobson knows and I would be interested if he thinks that this guy is not normal. If you saw him at the coffee klatch, would he say, hey, buddy, you're not normal if you agree with Senator Hunt about something, if you want us to come off of the culture war stuff? No. I'm reflecting what, what most Nebraskans are asking us to do. And I'm not saying that Senator Jacobson doesn't reflect his district well or that he doesn't represent his district well. I think he's a great representative. I think he's more than qualified to, to serve his district well and that he does. But for him to say that I'm not normal or that his constituents wouldn't think I'm normal or that his constituents aren't normal if they agree with me, is not accurate. It's not accurate.

**ARCH:** One minute.

**HUNT:** Thank you, Mr. President. I have many emails from his constituents that I'll continue to read on my next times on the mike. But regarding calling Senator Kathleen Kauth names because she introduced a bigoted bill that is hateful, that perpetuates discrimination, that is beneath the dignity of her and this office, I'm really speaking to the bill. I'm speaking to the bill more than

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her person. Bullying is telling an entire class of people that they shouldn't exist and that they're not welcome in our state, and that is not what I'm doing to Senator Kauth. I'm giving her an opportunity to learn and be better. Thank you, Mr. President.

**ARCH:** Senator Day, you're recognized to speak.

**DAY:** Thank you, Mr. President. And good evening, colleagues. I sometimes struggle on the floor to find a jumping off point of what I want to talk about relative to the debate at hand, but Senator Jacobson gave me a jumping off point, so I appreciate him doing that. And obviously encouraged by my colleagues not to respond to what he said, but sometimes I just cannot help myself because some of the things that are said on this floor are so offensive and unkind that it's impossible not to respond. And what he said to Senator Hunt about livi-- living in a fantasyland is-- and, and then trying to portray that as the truth is so beyond reality right now that I-- I don't even-- I can't even come up with the words to articulate my thoughts. The difference between Senator Hunt standing up on the mike and sharing her thoughts and opinions about particular senators and their legislation and what other senators are doing is that bills like LB574 and LB626 are intended to insert the government into people's lives and legislate their behaviors. Standing up on the floor and sharing your life story and your thoughts about how that legislation will directly impact you and your family in a very negative way is not even close to creating, drafting, introducing, whipping votes on a bill that literally seeks to legislate people's lives. That's the difference. Senator Hunt and Senator Machaela Cavanaugh or myself or any of the senators who oppose LB574 have not introduced bills coming to you to say you don't get to parent your children this way. That's the difference. You all are using the power of your office and the strength of the law to legislate your belief system into other people's lives. That's the difference. You're telling parents that they do not and should not have the right to parent their children the best way they see fit. That's the difference. No one is coming into your life and saying here's a bill that's going to force you to have an abortion. Here's a bill that's going to force you to have a transgender child. No one is doing that. That's the difference. Having an opinion about something that directly affects your life as strongly as a piece of legislation that's going to outlaw healthcare for your child is not the same as introducing a bill to outlaw healthcare for your child. They're not even in the same category. And it's completely ridiculous to stand up on the floor and say that the people whose lives are going to be affected directly by this legislation--

**ARCH:** One minute.

**DAY:** --thank you-- and the fact that they're upset about it and are calling senators out for literally trying to legislate their parenting decisions are the extremists. They're not even in the same category. The fantasy world that Senator Hunt lives in and apparently the rest of us that oppose LB574 live in is supported by every major medical organization in the country and in the state. LB574 and LB626 are opposed by every major medical organization in the state. Opposed by research. Opposed by science. Opposed by academia. Opposed by medicine. This is reality. So if you want to talk about what is the truth and what's fantasy, I suggest you talk to some doctors. Thank you, Mr. President.

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

**M. CAVANAUGH:** Thank you, Mr. President. OK. So I'm just going to take a little mental break and go back to reading some testimony from LB574. Let's see here. I am a pediatrician who practices adolescent and young adult medicine and has been working in Nebraska since 1994. I grew up here. My children did as well. I have been providing care for children, adolescents and young adults during the past 29 years and providing education to the future physicians, PAs and nurses of Nebraska as well during that time. I have cared for many, many young persons over the years with many health and mental health problems. No matter what their age, gender, race or ethnicity, the people who are most important to their well-being are their family. For the state, for the state to take away a parental right to decision-making when it comes to the medical care of their own minor child is nothing short of criminal. Actually, currently is criminal. We're trying to make it not criminal. This is usually only done in a court of law when a child's life and safety are threatened. Providing support to children and young adults who have gender identity issues should be taken care of carefully by their family and with the support of a caring medical team. There is nothing astonishing or frightening about the medications or counseling used at times to treat gender-nonconforming youth. They have been used for children for years and children with precarious puberty and other medical conditions. Their risks have been well-studied and are always carefully considered, as are all medication, medication risks when dealing with children. Is it suddenly OK to alter an adult's sexual function with medications or counseling but not allow treatment for sexual, gender-related health concerns to a child or adolescent? Usually, ageism discriminates against the old, but I see it reversed here, and it makes me brokenhearted. Keep the safety and health of children in the care of

their parents who know them and have their best interests at heart. Lack of understanding should not be a reason to prohibit what may be lifesaving care for some persons. Let's see here. This is Dr. Walburn, a retired professor of pediatrics: I would like to start by pointing out that many of the sponsors of LB574, a bill to cancel appropriate, compassionate, life-affirming medical care for adolescents and young adults are also sponsors of LB374, a bill that deintegrates and cancels teachers' and administrators' ability to use their expertise free of government interference. Section 3 of LB374 begins with the words "every parent of a child in this state shall have a fundamental right to direct the upbringing, education, care and mental health of the parent's child." I don't know how I didn't-- I mean, I-- mentally, I was there on the irony of LB574 and LB374, but I hadn't actually looked at that sentence in the bill. So, that is a doozy. The mental gymnastics to sponsor both bills, one to give parental rights and one to take away parental rights. The right to healthcare and medical decisions for such child-- oh, further, Section 3(7)--

**HANSEN:** One minute.

**M. CAVANAUGH:** --unequivocally states "the right to make healthcare and medical decisions for such child." And yet, these same legislators are sponsoring LB574 that denies parents' rights to provide consent with the ascent of their adolescent and young children to access that care. That is-- I need to read LB374. I don't know how that got away from me. Probably because it's been a hectic session. I wonder how many sponsors of LB574 have actually talked with the adolescents and young adults as well as their family members. Well, to Senator Hunt's point earlier about your constituents, you all have constituents that oppose LB574. You all have constituents who are impacted adversely by LB574, and there is an unfortunate number of you who refuse to talk to your constituents who are impacted directly by LB574.

**HANSEN:** That's time, Senator.

**M. CAVANAUGH:** Thank you.

**HANSEN:** Thank you, Senator Machaela Cavanaugh. Senator Hunt, you're next in the queue.

**HUNT:** Thank you, Mr. President. I have a few more emails I'd like to read from some of Senator Jacobson's constituents. And I also want to say I'm sure all of you have emails from my constituents saying that they don't agree with me or may be saying something like I feel like I can only reach out to you because my senator doesn't agree with me on

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this issue. I'm sure we all have emails like that from people in all kinds of districts, and that's fine. But the difference between me and Senator Jacobson is that I would never say that my constituents who agree with him on issues aren't normal, and I would much less say that they don't exist. I mean, I've heard people like you say, well, there's no-- I don't really have any constituents who care about this issue. Well, yes, you do because they email me. And I would never say that about your constituents. So this email begins: Good afternoon, Senator. I am a constituent out of Lincoln County, Nebraska. I'm forwarding this email below that I sent to my senator, Mike Jacobson, after I expressed a concern to him about his behavior in the State Capitol this week. Rural Nebraska who is suffering the most at the hands of the Nebraska GOP-- their opinion-- and this is an example of the type of person-- type of people who are in charge of our futures. We just don't know what else to do. Just informational. I don't need a response unless you have additional recommendations for what we should do. And this person says: Good morning, Senator Jacobson. The last time I emailed you, it was because you asked me three separate times in person to send you an email with my concerns. I hesitated. Maybe it originally didn't go through to you the first time, but I persisted. This time I'm emailing you to share another concern. When my sister drove to the State Capitol this week to meet you and shake your hand, you turned her away and said she and her group should be ashamed of themselves. You said you didn't want to hear her story and the stories of the individuals with her. You said there's nothing they could say to you that you would care to listen to. That was my sister, Senator Jacobson. Do you remember me writing to you about her? You turned away my sister. Since she did not get a chance to introduce herself or speak to you or shake your hand after you stormed away like an emotionally unregulated child, I will tell you here what she probably would have told you then. My sister has been through a lot. She has Asperger's and she experienced a lot of abuse and dysfunction in her childhood years. You see, our parents weren't equipped to provide her with an appropriate level of care, so she suffered and is still dealing with the consequences of her unprepared and abusive parents today. She has always been a very quiet, soft-spoken individual. She never speaks out of turn. She never interrupts. And she never speaks harsh words. She's very shy and struggles with severe social anxiety. The public is generally not a welcoming place for an individual with Asperger's, but she managed to find a group that said they would escort her to you so that she could speak to you on my behalf. That was my sister, Mike, and you belittled and berated and besmudged her. Thank you for showing me how little you truly think of me, your constituents and thousands of Nebraska women who are begging you to

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listen. Regardless of personal tragedies that happen in your life, the behavior you displayed in our State Capitol was abhorrent and unbecoming of a state senator. I'm ashamed that you represent me. I'm ashamed that you weren't able to contain your emotions as my sister and her group approached you. I'm ashamed that you didn't even care to shake her hand, Senator Jacobson. It is you who should be ashamed of yourself, not my sister. My sister is planning on starting a family of her own with her husband and is currently deciding if she should stay in Nebraska. She's quite concerned about an abortion ban, as she's facing a very high-risk pregnancy if she chooses to become pregnant.

**HANSEN:** One minute.

**HUNT:** Thank you, Mr. President. She wanted to ask you why you don't trust her to plan her own family, plan her own health and plan her own life. She called me that evening crying over the phone. I had to apologize to her for your behavior, Mike. You owe them all an apology. Kind regards. That's a, that's a doozy, isn't it? That's a heavy one. And that's heavy to read about a colleague. But the point I'm making isn't that I agree with that constituent. I don't. I don't agree with everything she said. The point isn't to embarrass Senator Jacobson. The point is when we're talking about policies that are opposed by every major medical association, odds are you probably have some constituents that feel the same way. So don't say that you don't. Thank you, Mr. President.

**HUNT:** Thank you, Senator Hunt. Senator Conrad, you're recognized to speak. Is Senator Conrad here?

**CONRAD:** Thank you, Mr. President. And good evening. Good evening, colleagues. I wanted to just kind of-- well, maybe say a word or two about kind of where we find ourselves this evening after such an invigorating day of very substantive debate and just offer a few comments there. And then I want to perhaps draw the body's attention back to the underlying legislation with LB775 and talk about some of the component parts therein. And then also kind of tee up an opportunity that I've identified in moving a, a piece of legislation on my personal legislative agenda that I brought forward on behalf of a constituent in the district, so. You know, we started off about 50, 50-- what is it-- three days ago, 56 days ago, with some pretty robust and passionate debate on a host of different issues, including, you know, the selection of committee Chairs and leadership and then quickly thereafter jumping into the rules debate and talking about committee assignments. And I think I've tried to be consistent throughout the course of my service and noting that my perspective, my

personal lens, is that I'm not offended by your speech. I think that the proper remedy for speech that you disagree with is more speech-- not punitive natures, not censure motions, not anything in that regard. Now, whether or not you have the ability to engage in very passionate speech, whether or not you think that achieves your objectives as a senator, that remains to be seen. And we all have different personal styles at different times for different reasons. But I, I will tell you that it's no surprise to me that we have found ourselves back in a very acrimonious tone this evening after spending time and energy on very substantive debate regarding our education policy in the state and multiple days of, of debate regarding tax relief for our citizens because we continue to see how the promised filibuster has continued and come to fruition because we haven't been able to find a way to move some of the significant threats to human rights off of our agenda. That being what it is, it's no surprise to me that when a colleague like Senator Hunt shares her heart, is really vulnerable, shares lived experiences about her family and that, that effort to be vulnerable and to share that personal experience isn't embraced by each of us as colleagues with empathy, with a recognition for our experiences as parents. It's no doubt when the reception is not with an open heart and an open mind, that that's going to put up a lot more defenses and that's going to provoke a lot more acrimonious language. So I just wanted to, to kind of recenter that. Also, I think that there-- you know, sometimes there's a lot of confusion about what, quote unquote, hate speech is and is not. And, you know, from a very general perspective--

**ARCH:** One minute.

**CONRAD:** --thank you, Mr. President-- hate speech is typically defined as an offensive discourse that, you know, seeks to escalate an incitement to discrimination or violence on the basis of sex or religion or race. And where we lose the First Amendment protection for robust free speech is, you know, when we move into that area of a direct incitement to imminent criminal activity or, or violence, and, and that's a, a pretty high bar, as it should be, balancing against our right to engage in, in free speech even when it might be hard to hear or even when it might be offensive to hear. That doesn't mean that we can't call out tone or push back when we find something distasteful or discordant with the issues before us or the interpersonal relationships that we have to navigate here as well. So I'm going to hit my light again because--

**ARCH:** Time, Senator.

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**CONRAD:** Thank you.

**ARCH:** Senators, we will now stand at ease. And we will reconvene at 6:00 p.m.

[EASE]

**HANSEN:** The Legislature will now reconvene. Next in the queue is Senator Murman. You're recognized to speak.

**MURMAN:** Well, thank you, Mr. President. I did take the bait. I'm not participating in the obstruction that's going on, the filibusters. But I did feel compelled to answer some of the misquotes and mischaracterizations that were made of me earlier in the afternoon. It had to do with childcare. I did say that I am all for providing an infrastructure of childcare in the state. I know it is needed by employers because of the workforce shortage, so I'm OK with giving tax credits to childcare providers and even tax credits for those that work in childcare because, like I said, I know there is a workforce shortage. But I am opposed to giving childcare credits for families that have a joint income of \$250,000. I-- and I did say I do realize that single parents, families that are under a certain income level that-- but \$250,000 is too high. And I did say it's ideal that a-- one of the parents stay home with their family, with their children when they're zero to five years old. I did say I do realize that's not possible for everybody, but that is the ideal. And if we are going to provide credits for a, a family to have childcare up to \$250,000, I do think that we should give child tax credits also for families that are able to and choose to stay home with their children when they're zero to five years old. As a government, I don't think we should be in the business of incentivizing parents to not stay home with their children. But again, let me reiterate: if they're a single parent-- and I didn't say it'd have to be a mother to stay home either. I said one of the parents ideally should stay home with the children when they're zero to five years old if they're able. And, and let me repeat myself. It's not possible for all families, but I don't think we should be subsidizing childcare up to \$250,000 unless we do it for parents up to that income level that do choose to stay home with their, their family. And I'm not going to go back and forth to help out with the filibuster, but I just feel that I have to answer those accusations and misquotes that were made against me, so. Thank you very much, Mr. President.

**HANSEN:** Thank you, Senator Murman. Senator Machaela Cavanaugh, you're recognized to speak. And this is your third opportunity.

**M. CAVANAUGH:** I'm just pondering. I'm pondering with the introducer, pondering how to proceed. Well, we just got back from dinner. Some-- well, we're trickling in back from dinner. Is this my last time? OK. All right. So-- and I mentioned this before a couple of times, so I have really-- I'll call it lazy gallbladder these days. It's lazy. It doesn't really like when I eat anything fun. And there was Valentino's in the building for dinner, and I ate some, so-- because, I mean, it's Valentino's. Obviously not going to pass that up. So I'm just waiting for my gallbladder to start just, like, shooting pain and being really angry about that. But it'll be worth it because it was Valentino's. And this is not a infomercial for Valentino's, but I do really like Valentino's pizza. But so I'm sure others are still enjoying the delicious "pizzaness" with the breadsticks and all the salad, the iceberg lettuce salad. Something just-- I'm not a big fan. I like a good salad. Like, I like a good, like, spinach, mixed green salad. But there's just something about when you get pizza and having an iceberg lettuce salad with cherry tomatoes, black olives and then those banana peppers. Are banana peppers really that popular? I don't like them myself. And so I always, like, move the banana peppers, but they're always there. Ah. Senator Hughes likes the banana peppers. Good to know. If I'm ever in a situation where I have an abundance of banana peppers, I now know who to, who to pass them over to. But yeah, there's just something about an iceberg lettuce salad when you're having pizza. I don't know why. Because otherwise, I don't think I would go for an iceberg lettuce salad. I think I would really prefer, like, arugula or spring mix. I have a kale salad that I made this weekend up in my-- up-- I say up because my office is in the tower of the Capitol. But I have a kale salad that I made this weekend, and I had part of it for lunch. So when I was offered pizza for dinner, I was like, definitely not going to have the rest of that kale salad. Going to have some iceberg lettuce salad and some pizza. And it was worth it. Yeah. So, I am a salad connoisseur, actually. I really do like salads, generally speaking. So I made this kale salad, and it has mandarin oranges and shallots. And I made a vinaigrette for it out of lemon juice and a little bit of olive oil and salt. And I-- if you go to Trader Joe's, you can get-- if you've heard of the Green Goddess salad dressing, you can get, like, the, the herbs that go into it. You can get that from Trader Joe's. And I have found it to be a little bit addictive. And I put it on, like, everything. Instead of salt, I will just use the Green Goddess herb mix. But-- so I put that in my kale salad and cashews because I had cashews. I would prefer slivered almonds, but I had cashews. I also would want to put, like, goat cheese on it, but I'm avoiding dairy--

**HANSEN:** One minute.

**M. CAVANAUGH:** Thank you-- because of said gallbladder. So I didn't put goat cheese on it when I made it. But that seems kind of silly now that I had, like, two slices of cheese pizza, so. Guess I could have put the goat cheese on the kale salad and it all would have been OK. Yeah. So, that's my feelings on salad. I actually have more to say about salad, but I'm out of times to talk, so maybe you'll hear about them in my closing. Thank you.

**HANSEN:** Thank you, Senator Cavanaugh. Senator Hunt, you are recognized to speak. And this is your third opportunity.

**HUNT:** Thank you, Mr. President. Colleagues, Nebraskans, I don't eat salad, but I have some thoughts to share about the civility dialogue that we've been having in this body and sort of what I see as the problem with that, especially as legislatures around the country continue to chip away at the civil rights of Americans. We see that happening here in Nebraska, whether that's taking the form of attacks on elections, on attacks on the press, which is a cornerstone of our democratic process, or attacks on the very civil rights of our friends and neighbors in this country, whether that's migrants and immigrants, whether it's people of color, as we see in Florida, where they're removing all kinds of books from classrooms for allegedly teaching critical race theory, when they're literally just books about black history, which is a shame, or attacks on LGBTQ people like we're seeing in our state here. When it feels like politicians and people in power are attacking your very existence, don't think you should exist-- and don't nuance this. A lot of you want to get on the mike and say, I know a gay. I know a trans. My, my son's friend is gay, this and that. Nobody who is impacted by these bills cares who you know or what proximity you have to any person or what relationship you have to anybody. All they care is about what the law is. In 20 years, when there are people who can't get healthcare because of a vote that you took in this legislative session, they're not going to go, oh, well, Senator Lippincott, he does-- he does have a gay friend and he did know a trans person once. So, really, it's no problem. It's not actually that big of a deal. That's what you sound like when you stand up and defend your actions like that, and that's what you literally do. They're not going to think that. All they're going to do is see that they don't have the same rights that they had before. And that's our responsibility and we take the blame for that. That's on us. So it can be so difficult to navigate the political landscape, especially when politicians and lawmakers seem to be attacking your very existence. And again, they don't care what your intent is. The law

doesn't care who you know or who you have proximity to. It's just the effects of the votes you take and how that actually ends up impacting people, which has nothing to do with your intention behind any of that. With the recent surge of discriminatory legislation targeting trans individuals, particularly trans youth, in our statehouses all across the United States-- you know, we see that politicians are trying to be civil. They're trying to be reasonable. We've got people up on the mike calling me a bully, saying that I'm bullying people, this and that. But their actions tell a different story. Your actions are what bullying actually is because your actions are going to end up having, you know, possibly lifelong repercussions for these people who you're affecting. It's understandable for Nebraskans to feel angry and frustrated and disheartened. And it's important to recognize that politics is not a game to these people, that your reelection doesn't matter as much as their rights do to these people and that your actions have real-life consequences. And it's trans people that are feeling the brunt of these consequences, whether it be denying healthcare or limiting access to public spaces, as Senator Kathleen Kauth seeks to do with LB575--

**HANSEN:** One minute.

**HUNT:** Thank you, Mr. President-- or stripping away legal protections. These policies are harmful and dangerous to trans people and they result in violence. And when you vote to take away people's rights, you are not engaging in civil discourse. You are not being civil. You are not being polite. You are being a bully and you are perpetuating discrimination and violence. And it's perfectly valid for people to refuse to engage with you or refuse to reciprocate gestures of civility because it's nothing more than an empty platitude. Thank you, Mr. President.

**HANSEN:** Thank you, Senator Hunt. Senator Conrad, you're recognized to speak. Senator Cavanaugh, you're recognized to close.

**M. CAVANAUGH:** Thank you, Mr. President, colleagues. Five minutes? Well, less than five now. Yeah. OK. OK. So, I like salad so much that I grow salad. I grow lettuce. And a couple weekends ago, Senator John Cavanaugh and I-- we don't spend enough time together during the week, so sometimes we like to get together on the weekends just because we miss each other. He's not here, so I'm going to say all of this while he's not on the floor, by the way. So-- oh. Well, sometimes we just miss each other so much when we're not here that we, we get together on the weekends. And I don't know if it was two or three weeks ago, and we went to-- well, that's when we went to the drag show story hour

at Urban Abbey. And then afterwards, we went and got cereal. There's a cereal bar in Omaha, and it's fantastic. They just serve cereal. And then we went-- oh, you-- it's called CTRL? It's across the street from the Durham, and it's owned by the same people who own Muchachos here in Lincoln. So we went there afterwards and had cereal. And then this is with our-- well, we didn't have-- yeah, we did have all four-- we had all seven kids between us. I have three and John has-- Senator Cavanaugh has four. And so the seven kids and Senator John Cavanaugh and I doing this tour of Omaha. So then we were going to go to the downtown-- the temporary downtown library. Hijinks ensued where we couldn't find it. Then we found it, but it wasn't open yet. So then we met them at the Willa Cather Library and we found-- my, my kids found dollar bills in the parking lot. Fortunately, they found three \$1 bills because I have three kids. So they each picked up a dollar bill and took it into the library to donate to the library because we're not going to track down the owner of \$3. But they were very excited about that. And there was a scavenger hunt in the library that the kids were doing. And Senator John Cavanaugh's youngest and my youngest were really into it and maybe not being as quiet as they should have been in the library. And then Senator John Cavanaugh and I went over to the seed library-- and it's like an old card catalog. So it just pulls out and the seeds are in there. And you can-- you, you check out. You do not have to return the seeds that you check out. You plant them. So we got, was it 17 different varieties of seeds? And I instantly-- I am great at project management. I get this skill from my mother. So I instantly handed Senator John Cavanaugh all of my seeds because I am going to let him do the starters for the whole family. And then Senator John Cavanaugh will probably, I don't know, around Mother's Day show up at my parents' house with all the seeds. And I know we got an assortment of different lettuces and kale and broccoli. Broccoli leaves-- kind of like kale. They're really, like, hard. But you can saute them. And they're delicious. They're like a mild broccoli flavor. And yeah. So I like salad. I like it so much I grow it. I don't have a real green thumb, but I do have a few raised beds in my backyard. Big fan of tomatoes. If you ask Senator John Cavanaugh, he will tell you the best tomato and the only tomato worth growing is the Cherokee-- the purple Cherokee. Yes. Don't even start talking to him about the beefsteak tomato. Conversation will be over before it even starts. Purple Cherokee is where it's at for Senator John Cavanaugh.

**HANSEN:** One minute.

**M. CAVANAUGH:** He cannot be persuaded any other way. I like lots of different varieties of tomatoes. The green zebra is one that I'm a fan

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of. It's, it's got a pretty mild flavor. There's a yellow tomato that I like as well. And then I like all the different varieties of, like, cherry tomatoes. But there's just, like, nothing better than a fresh tomato. One year, I got hand, foot and mouth from one of my kids. And so I had open sores inside my mouth and I thought I had developed an allergy to tomatoes, and I was seriously devastated. And then I realized that it was hand, foot and mouth. And I was grossed out, but less devastated. I think I'm about out of time, so I'm going to say call of the house, roll call vote regular order. Thank you.

**HANSEN:** Thank you, Senator Cavanaugh. The motion before the body is to reconsider the vote on the bracket until 6-1-23. There has been a 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:** 13 ayes, 6 nays to place the house under call.

**HANSEN:** 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 unauthor-- unauthorized personnel, please leave the floor. The house is under call. Senator Machaela Cavanaugh, will you please come to the front, please? Senator Cavanaugh has said we can proceed. The motion is to-- there's been a call of the house. The motion is reconsider the vote on the bracket. Mr. Clerk.

**CLERK:** Senator Aguilar voting no. Senator Albrecht voting no. Senator Arch voting no. Senator Armendariz voting no. Senator Ballard voting no. Senator Blood. Senator Bostar voting no. Senator Bostelman voting no. Senator Brandt voting no. Senator Brewer voting no. Senator Briesse voting no. Senator John Cavanaugh voting no. Senator Machaela Cavanaugh voting yes. 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 voting no. Senator Dungan. Senator Erdman voting no. Senator Fredrickson voting no. Senator Geist. Senator Halloran voting no. Senator Hansen voting no. Senator Hardin voting no. Senator Holdcroft voting no. Senator Hughes voting no. Senator Hunt voting yes. Senator Ibach voting no. 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 voting no. 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.

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Senator Walz voting no. Senator Wayne voting no. Senator Wishart voting no. The vote is 2 ayes, 44 nays, Mr. President.

**HANSEN:** The motion fails. I raise the call. Mr. Clerk, next item.

**CLERK:** Mr. President, Senator Hunt would move to recommit LB775.

**HANSEN:** Senator Hunt, you're recognized to open.

**HUNT:** Thank you, Mr. President. Senator Geist has not checked out for her campaign event tonight. Today is election day. It's primary election day in Lincoln. As we all know and as viewers know, she's running for local office. And she is not here today because she's at her campaign rally party. She did not check out and she is still not checked out. So if we call the house again, depending on who calls the house, we may have to wait here for her to return from the party. Senator Machaela Cavanaugh agreed to move on to debate and not wait for Senator Geist, who's at her campaign rally instead of being here tonight. And that's fine. But she didn't check out. And so, unfortunately, if we do have a call of the house-- if I call the house, we may have to wait for her going forward. It's important to recognize that politics is not a game. Politics have real-life consequences for the people who you are discriminating against with your laws. Senator Geist, who's at her campaign party tonight, she supports all those same exact things, whether it's cutting back access to abortion care, a complete ban on abortion, no LGBTQ workplace protections, which she won't support unless it has a religious exemption, a ban on healthcare for trans kids. And she's not here. But if we call the house in the future, she might have to come. Whether it's denying healthcare or limiting access to public spaces, as Senator Kathleen Kauth seeks to do with LB575, her bathroom bill, or stripping away legal protections, these policies are harmful and dangerous to trans people and they result in violence against those people. When politicians like you vote to take away our rights, you're not being civil. You're not being polite. Even if you dress it up in a polite way, you're not engaging in civil discourse, but you're perpetuating discrimination and violence. And in these circumstances, it is completely valid for people to refuse to engage with you and refuse to engage with your empty gestures of civility that are nothing more than platitudes. It's also worth considering the power dynamics that are in play with these things. Politicians who support discriminatory legislation like Senator Kathleen Kauth's LB5-- LB574, her ban on healthcare, politicians who support this legislation hold a position of power while trans individuals are out here just fighting for basic rights, just fighting for the right to exist. And engaging

with civility to these politicians, going through the respectability politics and the niceties and the, the greetings and the salutations, this can also be seen as legitimizing their harmful policies and giving them a platform to keep pushing their agenda. And I've had it. Refusing to engage in civility can be a way to take back some of that power and draw attention to the injustices that are being perpetuated against trans individuals, against people of color, against the LGBTQ community in Nebraska, which Senator Geist is a willing part of, which all of you are a willing part of. Moreover, you're using this civility and this sheen of performative niceness as a shield to deflect from your harmful actions, from your actions that cause harm. You use language that sounds reasonable and fair. You sound nice. You say, enough of Senator Hunt's crap. She's being too mean. And while you do that, you're advocating for policies and voting for policies that actively harm people, that make Nebraskans less safe, make pregnant Nebraskans less safe, make gay Nebraskans less safe, make trans Nebraskans less safe and make this a place where kids are growing up and saying, that's not a safe place for me to live. You're making it a place where there are families who are leaders in our communities and they're looking for places to move. They know that Nebraska does not hold any right to their future. And that's a position I completely understand. That's a position I understand, just like I understand how Senator Lathrop didn't want to come back here. Do you remember when he pounded on his lectern and everyone-- I shouldn't exaggerate-- many, many people put their light on and they dressed Senator Lathrop down for pounding his lectern because they said he was unhinged. He was out of control. He couldn't control his emotions because he was angry at the degradation of the dignity of this body. And this is a perfect example of exactly what I'm talking about. You're giving the false impression that you're reasonable and open to dialogue and you're the nice one and you're the sweet one and you don't want to hurt anybody. And in reality, you're actively working to harm people. You're not minding your business. You're not staying in your lane. You're not drinking enough water. You're not moisturized. And by refusing to engage in your fake civility, we're bringing attention to the harmful impact of your actions and holding you accountable for those actions. It's also important to just acknowledge and name and say out loud the emotional toll that this takes on trans individuals in Nebraska: the discriminatory policies, the rhetoric, the hate and then the smoothing it all over with the, the veneer of nicety that all of you hide behind. The constant barrage of attacks is exhausting, traumatic and deeply hurtful. And so in these circumstances, it's totally understandable why trans individuals, why LGBTQ Nebraskans and why the people in the community who love them would want to distance

themselves from you, because you are actively working to harm them. Prioritizing your own well-being and mental health over the empty gestures of politicians who are actively working to strip away your rights is not only valid and OK, it's necessary. It's healthy. It's also worth noting that refusing to entertain your BS civility that doesn't exist is not the same as refusing to engage in a political dialogue. There are many ways to have meaningful conversations and work toward progress without compromising your values or your safety. And that's not something I'm going to do. I will not compromise my values or my safety to talk to people who are trying to actively harm me. There are productive and meaningful ways to enact change, to get people to change their minds about things. But today, what we need to do before midnight is come together to find a way to make sure LB574 is done. That it's just done. I'm willing to take any punishment. I'm willing to take any consequence for that. You could not schedule any of my bills. I don't know. You, you bring an idea to me. What could you do to me that would make you feel better? If there's something, tell me. I'll do it. But these bans on healthcare that are supported by every major medical association, that are understood by everyone on frickin' Earth to be necessary for the well-being and health of trans people in the state are not something I'm willing to compromise on. The surge of discriminatory legislation against trans individuals is a serious threat to our safety, to our well-being and to the health of this body, clearly.

**HANSEN:** One minute.

**HUNT:** Thank you, Mr. President. And while as a politician, you're trying to appear civil and reasonable and respectable, your actions tell a different story. Your actions tell a different story. And if someone wants to prioritize their own health and well-being over your empty gestures as you work to strip away the rights from your neighbors in this state, it's totally valid. Thank you, Mr. President.

**HANSEN:** Thank you, Senator Hunt. Senator Machaela Cavanaugh, you are recognized to speak.

**M. CAVANAUGH:** Thank you, Mr. President. Colleagues, I made a mistake. I made a mistake on that call of the house. I was asked, summoned to come to the front of the room. And I shouldn't have done that. I should have known that I was walking into a trap. I should have known better. Because whenever we have a colleague who's not in the room yet when we do a call of the house, the person presiding in the chair says on the microphone, Senator X, we are waiting for Senator Y. Do you want to wait or do you want to continue? And I should have known we

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weren't going to say, Senator Cavanaugh, Senator Geist is not here. Do you want to wait or do you want to continue? I should have known that that should have been said on the microphone. But Senator Geist has an election today. Don't begrudge her that. She forgot to check out. That happens to the best of us. I should have known that that wasn't the protocol and I should have-- and from this moment forward, I will not go to the front when summoned without another colleague that I feel comfortable with coming with me because I do not appreciate how the Speaker engaged with me in that conversation. I do not appreciate it. It was inappropriate. I did what was asked. I moved this forward. I did not do it for the Speaker. I did not do it for the President. I did not even do it for this body. I did it for Senator Geist because it is an election day for her and she forgot to check out. And the polls are closing in a few minutes. And frankly-- and I'm sorry, Mom. I'm going to say it. I'm not that big of an asshole. So I did it for her. But I didn't need to be treated that way by the Speaker. And he didn't even have the kindness or decency to thank me for doing something that I did not have to do after he was extremely rude to me. Extremely rude. So colleagues, from now on, when I am asked to go to the front of the Chamber, I will be asking someone to come with me. And I don't care if when I get up there, there's too many people and you want fewer people up there. If you want me up there, there's going to be somebody else with me. Because if you're going to treat me like that, you're going to do it in front of other people. Thank you, Mr. President.

**HANSEN:** Thank you, Senator Cavanaugh. Senator Day, you're recognized to speak.

**DAY:** Thank you, Mr. President. So for anyone watching at home-- which I'm not sure there's a lot of you at 6:42 p.m. on a Tuesday night watching-- but to clarify, what just happened is when we have a call of the house, every senator that is checked in is required to return to the Chamber and check in before we can proceed. And so the typical procedure is the President who is sitting in the chair, as Senator Cavanaugh just mentioned, will say to the entire body over the speaker on the mike, Senator Cavanaugh, we are waiting for Senator Geist. How do you wish to proceed? And Senator Cavanaugh can make the decision to proceed with the vote or she can say, I would like to wait. And there-- as far as I know, and I'll have to look at the rules and find out the exact details on this-- but there is no time frame for how long we can wait for a senator who is currently checked in to return to the Chamber for a vote. I know that during session, we even get-- let's say if I drove myself back to Omaha and did not check myself out and someone needed me back here for a vote, I can even get a police

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escort on my way back from Omaha to get to Lincoln as quickly as possible. So that's just the procedure that we're looking at when we have a call of the house and we're waiting for a senator who is not checked out to come back to the Chamber. No shade to Senator Geist, but she's been around here long enough to know that it's going to reflect very poorly upon her. On a really-- one of the really late nights that we have, she leaves early to go to an election party and does not check herself out. I am a third-year senator in my first term and thankful for my sort of mentorship from Senator Blood. I-- it became very clear to me that I needed to check out if I was ever going to be unavailable to come back into the Chamber for a vote. If I was leaving the building for any reason, you should check out. Just make sure that when you leave, if there is a call of the house, they will sit in their seats and wait for you. When we have a call of the house, you are sitting-- every senator that is checked in is sitting in their seat until the missing senators come back. So we could sit here for hours under a call of the house waiting for a senator. So what just happened was, instead of discussing it over the speaker, which everyone is going to see at home sitting and watching, they called Senator Cavanaugh up to the front to discuss it with her in private and were not very kind to her in that process. And I think the things that people don't see at home is-- I think what I would like to illuminate sometimes when I get up on the mike is a lot of times, people in this body-- and I'll say in particular, Senator Machaela Cavanaugh-- become the scapegoats for other people's poor behavior. And I've seen it multiple times this session. We're continuing to see it with the ongoing filibuster on LB574. Senator Cavanaugh has been blamed multiple times for the ongoing filibuster or for, for not getting to other bills. She tonight was not only not thanked for saying we can proceed with the vote--

**HANSEN:** One minute.

**DAY:** Thank you, Mr. President-- not only not thanked for saying we can proceed with the vote on the motion, but made to feel bad about even having to have the discussion about whether or not we were going to proceed or whether we were going to wait for Senator Geist. I just think it's an unfortunate circumstance that certain people in the body continue to be blamed for other senators not being responsible for their own behaviors, responsible for their own votes, responsible for their own ability to check out when they're not going to be here, especially when you're going to an election night event. We're all adults in the room. We're all responsible for our own behaviors here. And I just hope that we can do a little bit better going forward. Thank you, Mr. President.

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**HANSEN:** Thank you, Senator Day. Senator Erdman, you're recognized to speak.

**ERDMAN:** Question.

**HANSEN:** The question has been called. Do I see five hands? I do. The question is, shall debate cease? All those in favor vote aye; all those opposed vote nay. A call of the house has been-- there's, 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, vote nay. Record, Mr. Clerk.

**CLERK:** 14 ayes, 6 nays to place the house under call.

**HANSEN:** 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 un-- unauthorized personnel, please leave the floor. The house is under call. All unexcused members are now present. The question before the body is, shall debate cease? All those in favor vote aye; all those opposed vote nay. A roll call vote has been requested. Mr. Clerk, call the roll.

**CLERK:** Senator Aguilar. Senator Albrecht voting yes. Senator Arch voting yes. Senator Armendariz voting yes. Senator Ballard voting yes. Senator Blood. Senator Bostar voting yes. Senator Bostelman voting yes. Senator Brandt voting yes. Senator Brewer voting yes. Senator Briese voting yes. Senator John Cavanaugh voting no. Senator Machaela Cavanaugh not voting. Senator Clements. Senator Conrad voting no. Senator Day voting no. Senator DeBoer voting yes. Senator DeKay voting yes. Senator Dorn voting yes. Senator Dover voting yes. Senator Dungan voting no. Senator Erdman voting yes. Senator Fredrickson not voting. Senator Geist. Senator Halloran voting yes. Senator Hansen voting yes. Senator Hardin voting yes. Senator Holdcroft voting yes. Senator Hughes voting yes. Senator Hunt not voting. Senator Ibach 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 not voting. Senator Moser. Senator Murman voting yes. Senator Raybould not voting. Senator Riepe voting yes. Senator Sanders voting yes. Senator Slama voting yes. Senator Vargas voting no. Senator von Gillern voting yes. Senator Walz voting yes. Senator Wayne not voting. Senator Wishart. Senator Wishart voting yes. The vote is 33 ayes, 5 nays, Mr. President, to cease debate.

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**HANSEN:** Debate does cease. Senator Hunt, you are recognized to close.

**HUNT:** Thank you, Mr. President. On this vote to recommit to committee, I will file a motion to reconsider the vote to recommit. And that will add the same amount of time that we just waited to the debate that we're having tonight. After this, we have one more motion pending on the bill.

**KELLY:** Senator Hunt, could I interrupt? I-- proceed. I'm sorry.

**HUNT:** Thank you, Mr. President. After this-- after this, there's another motion on the bill that, that we can take up and then we can move to recommit-- or, then we can move to reconsider the vote taken on that motion as well. And all of this is good practice for figuring out how long we can take with people calling the question, honestly. Throughout this entire session from when we started putting our committees together, cracking and packing the committees to make sure that the gatekeepers that had typically been there to make sure that bad bills don't come out would no longer be there to electing all of our committee Chairs by absolute party line votes, getting people in positions where they, they don't know anything that they're talking about and they don't even support the work done by the committees that they're leading. We've had staff and committee counsel that were unprepared, who weren't writing adequate memos for bills. We've had committee Chairs like Senator Ben Hansen, who has stifled debate, stifled the opportunity for the second house to come in and make their voices heard on things that matter to them, people who prepared probably for days, who wrote what they were going to say, who got their courage up, who came to their Nebraska Legislature with their courage, with their adrenaline, with their anxiety and nervousness to address the lawmakers who are about to make a decision that will permanently affect their lives in Nebraska. Many of them waited outside the hearing room for over seven hours to be heard when Senator Ben Hansen, the Chairman of the committee, made the decision that they weren't going to get heard that day. Today, we're likely to be here till midnight. But that day, Senator Ben Hansen couldn't be there till midnight to hear the voices of the second house. And honestly, if you had just stayed there and waited-- for one thing, you wouldn't have been there till midnight. You probably would have gotten done with it. And for another thing, we wouldn't be talking about it now. Every time you guys abuse the norms or abuse procedure or spit in the faces of the second house as you've done, it adds more fuel to the fire of this filibuster. And all you have to do is find one person from the group of six or seven people who don't support the ban on trans healthcare, who don't want to discuss it, who don't want to debate it, who don't

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want to have to keep putting these packages together of 749 million bills so that we can get these things passed because it's the only way, since we only have time in this body to pass 21 bills this session when we take the full amount of time on each bill for the remainder of the, of the legislative session. But there's a path out. My pride's not getting in my way. I told you day one. I told you day one what my stakes were and what my terms were. And the promise being made must be kept. I've done nothing that I haven't said I wasn't going to do. You guys came in here with no stakes around this issue. Whether LB574 passes or fails, your lives are all going to be exactly the same. You'll never think about it again. And you might think to yourself, wow, we did something really good this session. We, we helped a lot of people because the harm that you yourself have created and perpetuated--

**KELLY:** One minute.

**HUNT:** --didn't come down upon your home, did it? It wasn't brought upon your home and your family. So I say, lucky you. I don't engage in civil discourse with people who vote to take away my rights. Doesn't mean I'm not nice. Doesn't mean I'm, you know, actively trying to harm you like you are trying to harm me. But to me, good people don't support bills like this. I'll put it that way. So just know that that's how I feel about it. Those who argue for civility might point out that engaging in civil discourse is a func-- fundamental part to a functioning democracy and a functioning society, but the respect that is necessary for society to function is something that you are actively cutting down.

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

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

**KELLY:** Thank you, Senator Hunt. The question is the motion to recommit to committee. There's been a request for roll call vote. Mr. Clerk.

**CLERK:** Senator Aguilar. Senator Albrecht voting no. Senator Arch voting no. Senator Armendariz voting no. Senator Ballard voting no. Senator Blood. Senator Bostar voting no. Senator Bostelman voting no. Senator Brandt voting no. Senator Brewer voting no. Senator Briese voting no. Senator John Cavanaugh voting no. Senator Machaela Cavanaugh not voting. Senator Clements. Senator Conrad voting no. Senator Day voting no. Senator DeBoer voting no. Senator DeKay voting no. Senator Dorn voting no. Senator Dover voting no. Senator Dungan voting no. Senator Erdman voting no. Senator Fredrickson voting no.

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Senator Geist. Senator Halloran voting no. Senator Hansen voting no. Senator Hardin voting no. Senator Holdcroft voting no. Senator Hughes voting no. Senator Hunt not voting. Senator Ibach voting no. 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 voting no. 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. The vote is 0 ayes, 42 nays, Mr. President, on the motion to recommit.

**KELLY:** The motion to recommit fails. I raise the call. Mr. Clerk for items.

**CLERK:** Mr. President, some items quickly. Motions to be printed-- motions and amendments to be printed: Senator Murman to LB705; Senator McDonnell to LB103. And a notice of committee hearing from the Nebraska Retirement Systems Committee. That's all I have at this time. Mr. President, returning to LB775 and the vote just taken, Senator Hunt would move to reconsider the vote on M0849.

**KELLY:** Senator Hunt, you're recognized to open on your motion.

**HUNT:** Thank you, Mr. President. And colleagues and Nebraskans, Lincolnites who are watching, I want to remind you that you have until 8:00 p.m. tonight to vote. If you haven't been able to get out to vote yet, you might want to do that. If you are in this Chamber and you haven't voted yet, I would encourage you to check out before you go and do that so that you aren't hauled in here by the State Troopers for a call of the house like could have happened to Senator Geist, of course, because she left here without checking out to go to her campaign rally. I rise in support of my motion to reconsider, in support of my motion to recommit to committee. I will support ER16 and I'm not sure what I think yet about LB775 because I'd like us to get some-- to some debate around that so I can consider more what I think about the underlying bill. But to continue a thought that we were on before this motion to reconsider and just kind of wrap that up. One of the most egregious and offensive things that has been said on this floor is that the reason we need bills like LB574 is because trans people are in pain, because Senator Kathleen Kauth has seen trans kids and seen what pain they are in. And she knows how confused they are and this and that. And colleagues, that is such a lie. And that could only be said by somebody who has no understanding of what trans people go through. She said that she doesn't know anybody who would want to

go back to high school or want to go back to junior high. But colleagues, a big reason that I would never want to go back to high school and junior high is because of the way people like you treated people like me then. The bullying, the hatred. Oh, and you think that's what I'm dishing out right now? You think it's the same thing I'm doing? It's exactly the same? No, because I would never vote to take away your civil rights. I would never vote to take away your healthcare. I would never vote to say that you can't raise your family the way you want to. Oh, but Megan, you support vaccines. Well, guess what? Being trans isn't contagious. Being gay isn't contagious, even though I think some of you probably think that too. Voting to take away people's rights are not-- people voting to take away people's rights are not engaging in civil discourse themselves. You're using your power-- and it is power. And that's why people were crying, Senator Ben Hansen, after your hearing where you turned people away after making them wait for seven-plus hours, because of the power that we're able to wield over these people. And then we use it to harm them actively for political gain. And by engaging in these empty gestures of civility with these politicians, marginalized communities risk legitimizing their actions and enabling them to continue to harm communities. It's enabling the continuation of harm. Oh, but Megan, you're enabling the continuation of harm because you keep pushing your light to speak. No, I'm not doing anything different than what I said I was going to do from day one. Oh, but Megan, why didn't you join Senator Cavanaugh's filibuster sooner? Because I still had hope in you. Because I still had hope that we could come to a resolution around this bigotry introduced by Senator Kathleen Kauth. And I thought that we could come to a place where we could agree as a body that that wasn't going to be what we stood for as a Nebraska Legislature. And I was dumb for thinking that. We all got to learn this lesson at some point. The system is never going to love you back. And none of you are independent thinkers. None of you are here in service to the people you represent. You're here in service to a system. The system was built for you. The system works for you. And everything is working this way because it's working for you. And something has to be done to gum up these gears and throw something in the gearshift and say no more-- no more empty gestures of civility, no more going along to get along. Probably should have made Senator Geist come back here. That was really nice of Senator Cavanaugh to do. She did not need to do that, even though it sounds like she was intimidated by the Speaker into doing it. Consider a politician who wants to pass a law to restrict the rights of a transgender person to use a public restroom that corresponds with their gender identity or to seek counseling to affirm their gender identity or to play on a

sports team that reflects their gender identity. This politician is not engaging in civil discourse. This politician is not working to find common ground. Instead, they're using their power to restrict the rights of a marginalized community for pure political gain. Instead of engaging with these empty gestures, people in marginalized communities should focus on building their own power and advocating for their rights in organizing and protesting and using their voices to hold politicians accountable for their actions. And Nebraskans, Lincolnites, tonight before 8:00 p.m., you have an opportunity to do that because it's primary election day in your city. Tonight is one opportunity to hold politicians accountable for that. Advocating for yourself also means prioritizing your own self-care and emotional well-being in a world where you are told all the time that your rights don't matter-- not by people you love, not by people that actually matter to you, just by the people who make laws that control your body. How about that? Part of emotional health and mental health and self-care is recognizing that engaging with politicians and systems that actively work to harm you can be traumatizing. While civil discourse and engaging in dialogue is an important part of a functioning democracy, it's just not possible sometimes. It's not possible when we're not starting from the same place. When I'm trying to start from "let's recognize each other's humanity" and we can't even start there, what are you supposed to do? I think the responsible thing to do would be to shelf it. Shelf it for this legislative session. Say, boy, are we going to agree to disagree? Megan, I still think you're a groomer and a pedophile but, you know, I'd rather talk about marginal tax rates or whatever. But we aren't even to that place. We aren't even to that place. And everywhere that Senator Kathleen Kauth goes that you guys interact with her, where you talk about the future of the party and the pipeline that you're building for leadership in the conservative movement-- if you make her a part of that, you're legitimizing the violence that trans people are experiencing in Nebraska. None of this ever darkened our doorway until this bill was introduced. Not like this. Violence that we know disproportionately affects trans women of color. It's affecting women in the penitentiary right now. And this is the basic building block, the foundational level one of human rights in Nebraska, and we can't even agree on that. I'm proud to be a Nebraskan. One of the things that makes me most proud to be here is our nonpartisan Unicameral. It's the fact that we have these libertarian values. We have these conservative values of loving our neighbor and leaving people alone and minding our business and staying in our lane.

**KELLY:** One minute.

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**HUNT:** Thank you, Mr. President. Those are the things that Nebraskans stand for, not coming between a patient and a doctor and telling them what's best for them, especially when that message is coming from somebody so unqualified and so inexperienced as the people in this Chamber myself, certainly included. Oh, but you think you know best. OK, well, let's listen to the experts. What do they say? American Medical Association, totally against this bill. American Pediatric Association, totally against this bill. Social workers, counselors, psychiatrists, surgeons, pediatricians, all completely against this bill. Schools are against this bill because schools are having no problem teaching trans youth and gender-expansive youth. It's only you that have the problem. Thank you, Mr. President.

**KELLY:** Thank you, Senator Hunt. Senator Machaela Cavanaugh, you are recognized to speak.

**M. CAVANAUGH:** Thank you, Mr. President. I rise in support of MO898 and of MO849 and of ER16 and of LB775. I am an enigma. I support it all. There's even some amendments pending that I probably support. But I also support sending it back to committee. Why? Why not? Why not? We apparently are going to be here until we can't be here anymore, which means 11:59. I think this bill goes until 8:15. Then we'll start the next bill at, I don't know, 8:20 you'll say, which means we would have to go to 12:20 to go to cloture on the next bill. But we can't do that or we burn an entire day. so we won't go to 12:20. We'll go to 11:59. And then the next bill will have 20-some minutes, I guess, tomorrow. I'm already tired. I don't know about the rest of you. And I was mostly talking to the pages earlier about the salad, so I'll just continue talking to the pages. They're kind of a captive audience up there. Starting to regret the pizza, for sure. My gallbladder is like a shooting pain right here, so. Should have gone with the kale salad. Lessons learned, pages. Lessons learned. That's also why I got a cookie delivery. Was that today? That feels like a million years ago. I got a cookie delivery today. Thank you to the people that sent me the cookies that just, like, smelled amazing. And I put them in the back area for staff and pages to enjoy and just wave in my face that you were eating these delicious cookies that I can't have. I mean, I can have, but, you know, gallbladder. So, I misspoke. The Cherokee purple tomato is a beefsteak tomato. It's just the beefsteak tomato, according to Senator John Cavanaugh. So I just wanted to correct that for the record. Also, apparently, the \$3 that were floating around in the parking lot had fallen out of his pocket. He got to the library before myself and my children. I just found that out, so. Willa Cather Library, that \$3 donation is from Senator John Cavanaugh, not my kids, whether he was a willing donor of the \$3 or not. So, just want those

things clarified for the record. I don't want him to withhold my starter seeds next month when they're ready, so. A couple years ago, he-- Senator John Cavanaugh did starter seeds and he brought them over-- and I think it was for Mother's Day-- for everybody. And it was-- I mean, it was a bounty. It was really lovely, all the different things that he had started. And then we all planted them and there was a huge hailstorm, so everything got destroyed. That was unfortunate. But my friends that live on the same block as me up the street are also avid gardeners. And one of them, he works for a composting company, so they always have very rich soil in their backyard because, obviously--

**KELLY:** One minute.

**M. CAVANAUGH:** --when you work for a composting company, you have a line on compost. So I was able to get some fresh veggies and stuff from them that year. Well, I could get them from them every year. They're very generous, kind people. But it was particular that year because everything got destroyed by the hailstorm, so. Yeah. I mean, we could be doing something different, for sure. There doesn't seem to be an appetite in, in doing anything different than this. As long as there's no appetite to do anything different than what we're doing, then I guess I'll do what we're doing until somebody talks to me about doing something different. So we are where we are. I am where I am. I can talk about salad all night. I have some great salad dressing recipes that I make from scratch. I don't like store-bought salad dressing because of all the additives. It just doesn't taste as good, doesn't taste as fresh.

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

**M. CAVANAUGH:** Thank you.

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

**CONRAD:** Thank you, Mr. President. And good evening, colleagues. I didn't have an opportunity to finish my, my comments the last time on the mike, but I did want to kind of join in in terms of some observations on where our discourse finds us this evening and in this session, and then also to flag that I have filed an amendment on LB775. It is a part of a bill that-- or, well, it's a full bill-- that I introduced as part of my personal legislative agenda on behalf of a constituent business owner in my district who runs a series of-- who runs a host of bingo parlors that people utilize for recreation. And

he had worked very diligently with the Department of Revenue and other stakeholders to help catch the law up to some of the technical changes to how bingo is played in our state. And we had a great hearing at the General Affairs Committee this session. And as we embarked on debate with this kind of cleanup bill related to various and sundry aspects of our regulatory framework around gaming, I thought, oh, well, this might be a good vehicle to move what is a very noncontroversial bill. And that's an impressive feat when it comes to putting your toes into the gaming world to find something that, in fact, is not controversial that might be good to help to recenter the debate a bit and to find a, a vehicle to move that measure forward. So I gave Senator Lowe a heads-up that I was thinking about doing that, and I appreciate his consideration of that potential amendment that we'll, we'll get to later this evening. So just wanted to flag that for folks. I know Senator Lowe also has a substantive amendment that he's interested in getting to and I think that we'll probably take up as the priority motions are, are kind of winding down in, in terms of priority order. So if you have any questions about the technical cleanup bill and the bingo games and technology around how people play bingo that I filed, just please let me know off the mike. And of course, I'll, I'll take time to further explain that and open on that during the amendment when it comes up in the queue. So here we find ourselves on April 4 together. And as all of you know who've had an opportunity to serve before, that late nights are a part of our legislative session, typically, depending upon the tenor and tone of the session and how many bills are at various stages of debate. We may engage in late nights to help to, to squeeze a little bit more legislative debate and deliberation into our limited time together, whether that's 90- or 60-day sessions. So it seems because of where we find ourselves in the circum-- extraordinary circumstances this session, that we're having more late nights. So, that's where we find ourselves together as a collective. Also, I know that we all are painfully aware, very aware that different senators for different reasons all across the political spectrum and at various times in our history have utilized the tools of the minority, the filibuster, to make their point or to try and stop or delay legislation that they had concerns about or objections to. And that is happening here, perhaps in a--

**KELLY:** One minute.

**CONRAD:** --more-- thank you, Mr. President-- in a more extended version than perhaps we have seen on specific individual bills in, in past sessions. But I think it has always been a tool that could be utilized in this fashion. And, in fact, it is being utilized in that fashion. So that is, of course, not news to anybody in terms of where we are

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at, at this point in the, the legislative session. The anger, the passion, the acrimony that waxes and wanes through our rhetoric, of course, is not new to these hallowed halls, but can feel and sound harsh, especially in light of the formality of debate and the civility that we try to bring forward. So all of those things are, are not new to our politics. But I think one thing that is striking to me is turning our back on a colleague and their family who has shared something very vulnerable about their life to help to educate and advance our understanding--

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

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

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

**DAY:** Thank you, Mr. President. I rise in support of LB775 and opposed to the motion to recommit to committee. I just wanted to mention, I, I do find some of the discussions that we're having tonight about civility and discourse frustrating because it often feels like the civility is one-sided frequently in this body. I, I mentioned this on the mike last session during the debate on abortion, and I'm going to mention it again tonight because I know we have some new senators in the body: we can hear you when you're talking about us. We can hear you when you're giggling about us and you're laughing at us when we're on the mike. If you're not careful about your laptops and your phones and your screens, we can see the text messages that you're sending that make fun of us or some of our colleagues. We can hear you and we can see it. When I was on the mike on LB574 and was literally sobbing, which I don't do on the mike, talking about kids committing suicide, there was a group of senators under the balcony giggling and laughing. Is that civil behavior in here? When we were on the mike tonight, I've seen several senators leaning over to other senators, looking over at someone who's on the mike and laughing and giggling. I, I don't understand why we-- there's these continuous calls for civility when the majority group in this body does not reciprocate that by any stretch of the imagination. And the other thing that I wanted to mention was senators are-- like myself or Senator Cavanaugh, Senator Hunt are outright made fun of under the balcony via text message, via message on your laptops to your staff or whatever for simply standing up for the rights of their children and for the rights of their constituents. And my question is, what would you do if you were in the minority in the body and there was a piece of legislation that literally was threatening your ability to parent your children and no

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one was doing anything about it, and the only option that you had to stop and slow down the legislation was to filibuster everything to make a point and to try to get somebody to come to the table to have a discussion with you? Because we just need one senator. One. We need one senator. We need the Speaker to agree to not put it back on the schedule. That's it. What would you do? What would you do if there was a bill that said, Senator Lippincott, you can't take your kids to church more than once a month? What would you do? What would you do?

**KELLY:** One minute.

**DAY:** Would you just be like, well, OK. I mean, that's fine. Let's just move on. When you crack and pack committees and shove bills through with no consideration for anyone's belief systems but your own, then you're going to be met with resistance. And that's what we're doing, because we have literally no other options. And we're going to have it again. I know Senator Erdman I think is in the queue right after me. He's going to call the question and we're going to have to move on from this. But my question is, what would you do? What would you do if this was you and it was your family and it was your kids? Would you be standing up asking people for civility? What would you do?

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

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

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

**ERDMAN:** Question.

**KELLY:** The question has been called. Do I see five hands? I do. The question is, shall-- 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.

**ASSISTANT CLERK:** 9, 9 ayes, 3 nays to go under call, Mr. President.

**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 Raybould, Albrecht, Wishart, McKinney, Slama, Bostar, Holdcroft, Halloran, McDonnell, Ibach, Hughes, Wayne, Brewer, Hunt, Arch and Brandt, please return to the Chamber. The house is under call. All unexcused senators are

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present. The question is, shall debate-- shall debate cease? A request for a roll call vote. Mr. Clerk.

**ASSISTANT CLERK:** Senator Aguilar. Senator Albrecht voting yes. Senator Arch voting yes. Senator Armendariz voting yes. Senator Ballard voting yes. Senator Blood. Senator Bostar voting yes. Senator Bostelman voting yes. Senator Brandt voting yes. Senator Brewer voting yes. Senator Briese voting yes. Senator John Cavanaugh voting no. Senator Machaela Cavanaugh voting no. Senator Clements. Senator Conrad voting no. Senator Day voting no. Senator DeBoer voting no. Senator DeKay voting yes. Senator Dorn voting yes. Senator Dover voting yes. Senator Dungan voting no. Senator Erdman voting yes. Senator Fredrickson-- voting, voting yes, Senator? Voting no. Sorry. Senator Geist. Senator Halloran voting yes. Senator Hansen voting yes. Senator Hardin voting yes. Senator Holdcroft voting yes. Senator Hughes voting yes. Senator Hunt voting no. Senator Ibach 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 not voting. Senator Moser. Senator Murman voting yes. Senator Raybould voting no. Senator Riepe voting yes. Senator Sanders voting yes. Senator Slama voting yes. Senator Vargas voting no. Senator von Gillern voting yes. Senator Walz voting no. Senator Wayne voting no. Senator Wishart not voting. Vote is 30 ayes, 12 nays to cease debate, Mr. Question-- Mr. President.

**KELLY:** Debate does cease. Senator Hunt, you're recognized to close on the motion.

**HUNT:** Thank you, Mr. President. I move to reconsider the vote to recommit this bill because the question was called just as it was here. I think that it's a bad habit to get into calling the question, and it's better to just let debate continue. Just my opinion. And with that, I'm going to gather some thoughts for my next time on the mike and ask for a roll call vote. Thank you, Mr. President.

**KELLY:** The question is the motion to reconsider. All those in favor-- roll call vote requested. Mr. Clerk.

**ASSISTANT CLERK:** Senator Aguilar. Senator Albrecht voting no. Senator Arch voting no. Senator Armendariz voting no. Senator Ballard voting no. Senator Blood. Senator Bostar voting no. Senator Bostelman voting no. Senator Brandt voting no. Senator Brewer voting no. Senator Briese voting no. Senator John Cavanaugh voting no. Senator Machaela Cavanaugh not voting. Senator Clements. Senator Conrad voting no. Senator Day voting no. Senator DeBoer voting no. Senator DeKay voting

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no. Senator Dorn voting no. Senator Dover voting no. Senator Dungan voting no. Senator Erdman voting no. Senator Fredrickson voting no. Senator Geist. Senator Halloran voting no. Senator Hansen voting no. Senator Hardin voting no. Senator Holdcroft voting no. Senator Hughes voting no. Senator Hunt voting no. Senator Ibach voting no. 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 voting no. 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. Senator Machaela Cavanaugh voting no. Vote is 0 ayes, 44 nays, Mr. President.

**KELLY:** The motion to reconsider fails. Mr. Clerk for the next motion. Raise the call.

**ASSISTANT CLERK:** Mr. President, we are now returning to debate on the E&R amendments.

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

**M. CAVANAUGH:** Thank you, Mr. President. No more motions? OK. Well, this is where we started before dinner, E&R, Enrollment and Review. OK. I actually am curious what-- these are actual Enrollment and Review-- it's an actual, like, amendment that we approve, basically. So-- and I haven't looked at what they are. It's such a ingrained thing in the past that we just voice vote on E&R. OK. So what we would be voting on here is: On page 1, strike beginning with "the" in line 1 through line 4 and insert "gambling: to amend Sections 9-601, 9-603, 9-606, 9-607, 9-646.01, 9-651, 9-1103, 9-1106, 81-3717, and 81-3720, Reissue Revised Statutes of Nebraska; to change provisions of the Nebraska County and City Lottery Act, The Nebraska Race-- comma, the Nebraska Racetrack Gaming Act, and the Nebraska Visitors Development Act; and to repeal the original sections." and I will just note for the record the use of the Oxford comma. So apparently, Drafters or the Enrollment and Review office believes in the Oxford comma, and I just want them to feel seen tonight. I'm looking at your work and I see that you are interested in using the Oxford comma. So thank you to Enrollment and Review. I'm not sure that that settles the longstanding question about pro- or anti-Oxford comma, but it certainly goes to show you that when it comes to state statute, the Oxford comma is the way to go. Now I say that and probably the very next thing I read that's, like, Drafting will not have the Oxford comma and then we'll blow up this whole Oxford comma conversation all over again. Will they

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or won't they use the Oxford comma? The drama. So I heard from some of our media that were sitting over on that side of the Chamber when we were last discussing the Oxford comma, that they don't use it in print journalism oftentimes because it saves space. So, I get that when we're tweeting. Like, when you're using Twitter, you're not going to use the Oxford comma if you're, like, only have so many characters. I guess it applies to print journalism as well. There's always, you know-- ink is ink, I guess. I haven't seen the use of the ampersand yet in statute. I'm a big proponent of writing out the word "and." I think the ampersand is really for when you are doing mailings--

**KELLY:** One minute.

**M. CAVANAUGH:** --like, Mrs. and Mr., you can use the ampersand. I think that's appropriate. Or again, if you're using Twitter and you're trying to save space, that saves you two whole characters. So, ditch the Oxford comma. Use the ampersand. You've got three characters back to use in your Twitter. This is a pro tip from I don't know what I am, if I'm a "zennial, denniel, millennial." I, I think I'm-- I'm whatever that age group is that I'm old enough to remember lack of technology but young enough to use technology. And I don't say "the Twitters." I say "Twitter." Or "the Facebooks." I say "Facebook." So I guess I'm young enough to know those things, barely, by a hair. So, I will get in the queue. Thank you.

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

**HUNT:** Excuse me, we're still on my time. Hello.

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

**HUNT:** Thank you, Mr. President. I was just enjoying the sweet serenade coming from Senator Dover's phone or device for a moment when I was passed over. I rise in support of ER16 and still waiting to learn more about LB775. But to continue the point I was making earlier-- and I see Senator Erdman is in the queue, probably to stifle debate. But the conservative argument that trans youth should not be able to access puberty blockers or hormone therapy because they're not old enough to make their own decisions is not only misguided, but it also ignores the medical and mental health needs of trans youth. While it's true that these treatments require many appointments, approvals from mental health professionals and parental support, denying access to these treatments can have serious and even life-threatening consequences. First, it's important for senators who are voting on matters that they

don't understand to try to wrap your head around what puberty blockers and hormone therapy is and how it's used in the treatment of gender dysphoria. Puberty blockers are medications that can be used to pause the physical changes that occur during puberty, such as the growth of breasts or the deepening of the voice. These are typically used in early adolescence, around the age of 12 or 13, to give the individual time to explore their gender identity and decide what they want to do. You know, a lot of times in families that are still trying to decide what course of treatment they want to take for their child, for children who are still deciding, you know, what it is they want to do, and a lot of them really in crisis at this moment that they're making these decisions. Getting on puberty blockers is the bridge they need to make a decision that's going to end up affirming them either way. And we know that because this is supported by medical professionals, it's supported by parents and it's supported by the outcomes that these patients get and have gotten for decades and decades that these medications have been in use, that they're safe, that they're reliable, that they work and that there's no reason for politicians to pass any kind of laws banning them when there's no reason for that to happen. Hormone therapy involves the use of testosterone for trans masculine individuals or estrogen for trans feminine individuals to induce the physical changes of puberty that match their gender identity. Conservatives argue that trans teens should not have access to these treatments because they're not old enough to make their own decisions. However, this argument ignores the fact that these treatments are not chosen lightly, that often years of decision-making goes into getting these treatments. And there's a really lengthy process of evaluation and approval that's true as the standard of care across the entire country. So in Nebraska, what that means is that in order to get hormone therapy, they need to have letters of, you know, recommendation and approval from numerous physicians. Something like surgery, which would, would typically be done on someone who's an older teenager, you can't even do that unless you've been on hormone therapy for at least a year, you've been seeing a mental health professional for at least a year, you've been living as your, as your affirmed gender for at least a year. And something like surgery is something you might want to get before you go to college, when you're still on your parent's insurance, when you still have the comfort and support of your family at home before you embark on your journey as a full adult. Of course, in Nebraska, you're not a full adult until you're 19 because we're the only state that still has the-- medical age of majority is 19. So that also includes--

**KELLY:** One minute.

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**HUNT:** --it introduces unique problems for Nebraskans who are mature enough and are smart enough and know themselves well enough to make their own medical decisions for their own body. So these treatments are not made lightly. They require a lengthy process of evaluation and approval. Before receiving any treatment, trans youth must first undergo extensive psychological evaluation by a qualified mental health professional who will assess whether the individual meets the criteria for gender dysphoria and evaluate their readiness for medical treatment. This process can take months, if not years, and it's designed to ensure that the individual is fully informed about their options and that the decision is made with the full support of their family and medical professionals. Thank you, Mr. President.

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

**DAY:** Thank you, Mr. President. I think this is going to be my last time on the mike. Senator Lowe came over and politely told me that we need to get some amendments. And I know that some of my colleagues and I disagree on this, but I am fine getting to those amendments, so this will be my last time on the mike because I know we are coming up on cloture for this somewhere around 8:15. So I just wanted to-- since we're all talking about our kids tonight, I want to take a few minutes to talk about my kids on the mike. Because if there is anywhere else in the world that I would rather be right now, it would be with my kids and my husband at home. But I'm not. I think they're sitting and watching, so I'm going to talk about them. I have two boys, Canyon and Noah. My oldest son is Canyon. He's 14. His birthday is August 30. And I became a single mom shortly after Canyon was born, and he and I became best buddies. It was my goal after I had him and became a single mom that he and I would just travel the world somehow with the money that we didn't have at the time. But that was the plan, was I was going to be a single mom forever and he and I were just going to be best friends and travel the world and see all of the different things and different people and different cultures and eat all the different foods. That did not happen, at least not quite yet. I met my husband, John, in 2009. And he and I got married in 2011. And then in 2012, I had my youngest son, Noah, who is now 10 years old. And it's really funny to see the two of them together because they couldn't be more polar opposites in terms of sort of their innate personalities. Canyon is very much like I am, in that he is fairly introverted. He likes to spend a lot of time hanging out in his room. He likes to read. He likes to watch movies. He plays every sport under the sun; he has since he was very young. I think the first sport we may have gotten him into is basketball because his papa, my dad, is a big

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basketball player. And I think we got him into basketball when he was, like, four years old. So Canyon now plays basketball. He plays football. He runs-- he's currently running track. He also is currently playing baseball. He's extremely busy. He is also in the Bridge to Early College Program at Millard Central Middle School, which is a program for high-ability learners so that they can sort of bridge the connection between elementary school and the early college program at Millard South, which allows graduates at Millard South to graduate with not just a high school diploma, but also an associate's degree. And Noah, on the other hand, is my wild, extroverted child that has not stopped moving since the day he was born. He loves to play video games. He recently got a new PlayStation, PS5. He spends a lot of time on his PS5 or his Xbox talking to his friends. He has a friend that he plays Fortnite with whose name is Toaster. That's very important. Noah also is very athletic. He loves soccer, or, as he calls it, football. I'm not supposed to call it soccer because that's the-- obviously American term for the sport. And it's embarrassing--

**KELLY:** One minute.

**DAY:** --when I say that. Thank you, Mr. President. He's a big soccer fan. We spent the summer watching the World Cup in Qatar on TV, which is really fun for me because I've never really watched a whole lot of soccer. And so we got to sit around and watch that together. And he told me all about Messi and Ronaldo and all of his favorite players that he loves. Those are my two boys. I love them more than anything. They couldn't be more polar opposites, but they get along extremely, extremely well. I'm very proud to be their mother. And I hope they're watching right now to see me talking about them and how much I love them. And I will yield the rest of my time.

**KELLY:** Thank you, Senator. The question before the body is the adoption of the E&R amendments. All those in favor say aye. All those opposed, nay-- all those opposed, aye-- in favor. Thank you. All those opposed, nay. They are adopted. Mr. Clerk for the next item.

**ASSISTANT CLERK:** The next amendment to LB775 offered by Senator Lowe, AM813.

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

**LOWE:** Thank you, Lieutenant Governor. I would like to interrupt this discussion to annoy you and make things generally more intriguing with the bill before us tonight and the amendment, AM813. We've been discussing LB775 this evening, and AM813 was brought to us by the

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Nebraska Horsemen. This bill adds new language to the racing statutes and to the gaming statutes to clarify that an employee hired under either license can be employed to accept both pari-mutuel wagers and sports wagers within the designated sports wagering area within the casino. The casinos and horse tracks exist together within a licensed horse track enclosure, but each entity is licensed separately. Currently, the racetrack employs people to take pari-mutuel wagers on horse races. When sports wagering becomes operational, individuals will be employed under the casino operator's license to take sports wagers. This bill is intended to make it clear that in statute that an employee hired by either licensed entity can take either form of wager, as both sports wagers and pari-mutuel wagers can be made in the sports wagering area within the casino. If we don't do this, they're going to need two people at the windows where you place your bets: one to take your pari-mutuel wager and one to take your sports bet wager. If we don't do this, then you'll have to go from one window to another and stand in the next line to make your next bet. I'd like to remind everybody what LB775 is. So LB775 is a General Affairs Committee priority package that makes updates for the Racing and Gaming Commission. We have updated definition of licensed racetrack enclosure and created a subcommittee for the Racing and Gaming Commission to be able to respond quickly to violations of the Gaming Act and not to have to wait until the next commission meeting to begin with the investigation. Senator Aguilar wanted to be here tonight for his two bills, but he was having some difficulty, so he has left us for the evening. And we hope he's watching on the internet. Hi, Senator Aguilar. LB72 and LB73 are included in the package. LB72 allows any locations offering the game of keno to be exempted from the gross proceeds of the game that are governed by the City and County Lottery Act. LB73 proposes to allow funds from the County Visitors Promotion Fund to be used to improve a facility in which pari-mutuel wagering if that facility also serves as a site of a state fair or county fair. The last bill included in this package is Senator John Cavanaugh's LB232, which is to allow keno to be played in a digital format but only within the walls of the keno [INAUDIBLE]. There is also a \$200 limit on the amount a player is able to wager in a single day, either with cash or with a debit card or a combination of both. Thank you, Lieutenant Governor.

**KELLY:** Thank you, Senator Lowe. Senator Lowe, you're recognized to close on the amendment. Senator Lowe waives closing on AM813. The question is the adoption of AM813. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**ASSISTANT CLERK:** 32 ayes, 1 nay on the adoption of the amendment.

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**KELLY:** AM813 is adopted. Mr. Clerk.

**ASSISTANT CLERK:** Mr. President, the next amendment, from Senator Conrad, AM1178.

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

**CONRAD:** Thank you, Mr. President. This is the amendment that I flagged for y'all earlier. This is an amendment, from LB775, that I introduced early in the session. We had a great hearing before the General Affairs Committee. It was brought to me by a constituent business owner, who runs some bingo parlors in Nebraska. And he had done the hard work to work with the Department of Revenue and other stakeholders to basically bring forward a technical update to kind of catch the law up to the technology in terms of how bingo is played. There's no fiscal note. There was no opposition. I flagged it for Senator Lowe. I'm happy to answer any questions but would appreciate your affirmative vote in support of this measure. Thank you, Mr. President.

**KELLY:** Thank you, Senator. Senator Conrad, you're recognized to close on AM1178. Senator Conrad waives closing. The question is the adoption of AM1178. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**ASSISTANT CLERK:** 30 ayes, 1 nay on the adoption of the amendment.

**KELLY:** AM1178 is adopted. Senator Machaela, Machaela--

**CLERK:** Mr. Clerk for a motion.

**KELLY:** Excuse me.

**ASSISTANT CLERK:** Mr. President, Senator Hunt would move to indefinitely postpone LB775.

**KELLY:** Senator Halloran, you're recognized to open-- Hunt. I'm sorry.

**HUNT:** Senator Halloran says he's ready. I could yield my time to Senator Halloran. No, just kidding. This is another one of those protective motions that, after we changed the rule that Senator Erdman introduced, that made it so we can only introduce three motions, one of each kind, on each bill per day. And seeing that that rules change probably had the votes, Senator Conrad, Senator Machaela Cavanaugh and I spent the weekend drafting these, these motions for every bill, making sure that they were in order because we knew that this was a

lot of chores for the Clerk's Office to do, honestly. And we really appreciate their help in just making sure that those were filed, because we know that's not easy work. And this is one of those, one of those motions. I know that a couple senators, Senator Lowe and Senator Slama, realized-- I don't know when-- of course, I don't know when they realized. But sometime in the middle of that rules debate, they started drafting and filing motions on bills that were scheduled for that day. And-- so, we knew that we had to drop those motions ASAP before more people started drafting motions, so that we would have the opportunity to have a little bit more control over the course of debate for the rest of the session. It's annoying. I'm annoying myself, to be sure, but in the fight for equality and justice in Nebraska, the fight for the types of values that we all hold dear and stand by in Nebraska and the types of values and beliefs that I think all of us espoused in our campaigns, which is respecting our neighbors, the love that we have for each other in our state and trusting Nebraskans to know what's best for them and that we leave them alone and we, we mind our own business about things. All of these types of values went totally out the window this session when this body decided to prioritize a ban on trans healthcare. And I say the body decided to prioritize it because there has been a path out of this for the entire session. All that has to happen is we have to, you know, get some kind of reassurance that LB574 is going to die, by not having the votes to continue. For me, I don't think that I would be happy unless the bill was actually dead. It would be a Pyrrhic victory for me if the bill just wasn't scheduled again or if it didn't come back on the agenda. It needs to not get cloture. It needs to not get 33 votes. And there are many freshmen in this body who have said things like, well, I don't support the bill and I'm not going to vote for it in the end, but I am going to give Senator Kathleen Kauth cloture. And to those senators, I would say you really don't get how it works around here. When you're voting for cloture, you're voting for the bill. That's the bill passing because of you. So just because you're one of the 33 votes for cloture but then you're a "no" vote on the bill or a not voting-- thank you very much. Too little, too late, right? Because the kids who are affected by that bill, the kids and families that experience the negative effects of that policy, they don't know that you voted no on the bill. They don't care. Doesn't matter to them. Doesn't have anything to do with the outcome they're experiencing. So what that tells me, Senators, when you vote yes for cloture and "no" on the bill, it's you doing something so that you can sleep at night, essentially, and you don't think that you're one of the bad guys. But when the bill passes because you voted for cloture, it doesn't make any difference to the people it affects, if you are a

"yes" vote or a "no" vote on the bill. That's not what history remembers. History doesn't actually remember any of us. When we're out of here, no one's going to think about us ever again. But we are going to leave the legacy of the votes that we took. And for you, that's a vote for cloture on LB574, that's going to have a lasting effect on this state. Denying trans youth access to puberty blockers and hormone therapies can have serious consequences for their mental health and well-being. Gender dysphoria is a serious and often debilitating condition. And according to a 2021 study by the Trevor Project, a national LGBTQ+ youth crisis intervention and suicide prevention organization, more than half of transgender and nonbinary youth reported having seriously considered suicide in the past year, and nearly 30 percent had attempted suicide. This is a clear indication that denying trans youth access to lifesaving medical treatments can have serious and even fatal consequences. And colleagues, I would also add: it's not just the passage of these bills. It's even the introduction and debate of these bills. Senator Ben Hansen, how do you think that trans and gender-expansive kids and the families that love them felt when they waited seven-plus hours to testify in your committee and then you kicked them out and said you weren't going to hear them? How do you think that affected their anxiety or depression? Didn't help, probably. And you had the power to do something about that, and you didn't. To me, that's taking advantage of power. And that's the powerful using their station to keep people down. And that's what happened in Senator Ben Hansen's committee that day, which is his fault. And the responsibility for that really only rests on him. We know from LGBTQ+ organizations around our state that work with youth in crisis, who work on suicide prevention, that the day of the hearing, where Senator Ben Hansen didn't hear everybody who came to speak, didn't give them a platform at all, and on the day that we discussed the bill here on the floor a couple Thursdays ago, the calls to these crisis centers from LGBTQ youth in Nebraska spiked. Skyrocketed. And if that bill had been kept in committee where it belongs-- I mean, someone can have a harebrained idea. Someone can certainly have a bigoted, discriminatory, hateful idea and put it in a bill and get it drafted. But for it to come out of committee, get a priority, get eight hours of debate-- and by the way, now it's getting eight hours of debate on every other bill that we have before us in the Legislature. It's getting a very extensive debate because that's your favorite thing. To have that happen is unprecedented. And it's beneath the work that we're doing here. You are the ones who have said that this is your priority. You are the ones who said that you would rather sacrifice this whole session than not be discriminatory and hateful against children. That's the deal that you made. Parental

support always plays a super crucial role in the treatment of gender dysphoria in trans youth. The American Academy of Pediatrics has stated that parental support is one of the most important factors in the health and well-being of transgender and gender-diverse youth. By denying trans youth access to medical treatment, politicians are effectively denying them the support and care of their own families, which can be devastating to their emotional health and well-being. Conservative arguments against trans youth accessing puberty blockers and hormone therapy are based on a lack of understanding of what gender dysphoria is. It's based on prejudice, it's based on fear and it's based on ignorance. It's important to remember that these treatments aren't experimental. They're not untested. They're safe and they're widely accepted as the standard of care for trans youth by every major medical organization. Denying trans youth access to these treatments is not only unethical, but it also goes against medical best practices--

**KELLY:** One minute.

**HUNT:** --and can have serious and life-threatening consequences. Thank you, Mr. President. It's also worth noting that many of you who oppose trans youth accessing lifesaving mealth-- mealthcare-- medical healthcare-- healthcare-- you do so under the guise of protecting children's rights, saying that you're protecting the rights of these kids. But denying them access to lifesaving treatments and care isn't protecting their rights. It's infringing upon their rights. It's doubling down on the hate and discrimination and bigotry that they experience in their own lives. And they're seeing it come from the very top of the halls of power in this state. Thank you, Mr. President.

**KELLY:** Thank you, Senator Hunt. Pursuant to Rule 6, Section 5(d), Senator Lowe, you're recognized to respond.

**LOWE:** Thank you, Lieutenant Governor. I'd like to just give a little refresher here on what this bill, LB775, is. So LB775 is a combination of bills. It is LB775, LB72, LB73, LB232 and now Senator Conrad's bill for bingo. I don't have that LB in front of me, but I'm sure it will come to me soon. LB775 has some tweaks that were expected last year when we passed the Horse Racing and Gaming Commission bill. First, we are updating the statutory definition of licensed horse track enclosure to include the racetrack and any grandstand, concession stand, office, barn, barn area, employee housing facility, parking lot and additional area designed by the commission. Oh, just like magic. It is LB44. Senator Conrad brought it up. Or, LB544. Excuse me.

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Second, we are adding new language to allow Racing and Gaming Commission to make recommendations on changes allowed to the statutes, in the same way the Liquor Control Commission makes recommendations to us. Third, we're creating an adjudication subcommittee of the commission and giving them the authority to investigate and respond to violations of the Racetrack Gaming Act. LB72 is a Senator Aguilar bill. And this bill would amend the County City Lottery Act. This is an act that governs the game of keno. This bill proposes to allow admission costs into any location offering the game of keno to be exempt from the proceeds of the game if another location is offered for free. LB73 is another Senator Aguilar bill. This bill proposes to allow funds from the County Visitors Promotion Fund to be used to improve a facility in which the pari-mutuel wagering is conducted if such a facility also serves as a site of a state fair or a district or county agricultural society fair. LB232 was brought by the committee-- by Senator John Cavanaugh. This bill will allow keno to be played in a digital format on the premises of a keener-- keno operator only. It also restrains the amount that can be bet of up to \$200 on a debit card or with cash on a single calendar day. And LB544-- I would like to ask Senator Conrad a question, if I could.

**KELLY:** Senator Conrad, would you yield to a question?

**CONRAD:** Yes. Yes, of course.

**LOWE:** Senator Conrad, could you quickly tell us about LB544?

**CONRAD:** Yes. Sorry. And I, I think I, I gave the wrong number when I was on the mike before. Sorry. The original bill is LB544, and I added it as an amendment to LB775. So LB554 [SIC-- LB544] was brought to me by a constituent bingo owner. It's a one-page bill. It has no fiscal notes. There was no opposition at the hearing. It updates the law to match how the technology plays out with when you're playing bingo and just has just a few teeny-tiny tweaks in the language for how a player marks their bingo card.

**KELLY:** One minute.

**CONRAD:** Is that helpful, Senator Lowe?

**LOWE:** Thank you, Senator Conrad. I appreciate that. And with that, I close my comments.

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

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**ASSISTANT CLERK:** Mr. President, Senator Lowe would move, would move to invoke cloture on LB775 pursuant to Rule 7, Section 10.

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

**LOWE:** Please vote green on LB775 and "no" on LB851. Call of the house, please.

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

**ASSISTANT CLERK:** 20 ayes, 5 nays to go under call.

**KELLY:** 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 Wishart, McKinney, Bostar, Wayne, please return to the Chamber and record your presence. The house is under call. All unexcused members are present. Members, the first vote is on the motion to invoke cloture. There's been a request for roll call, reverse order. Mr. Clerk.

**ASSISTANT CLERK:** Senator Wishart voting yes. Senator Wayne voting yes. Senator Walz voting yes. Senator von Gillern voting yes. Senator Vargas voting yes. Senator Slama voting yes. Senator Sanders. Senator Sanders. Senator Sanders? Voting yes. Senator Riepe voting yes. Senator Raybould voting yes. Senator Murman voting yes. Senator Moser. Senator McKinney voting yes. Senator McDonnell voting yes. Senator Lowe voting yes. Senator Lippincott voting yes. Senator Linehan voting yes. Senator Kauth voting yes. Senator Jacobson voting yes. Senator Ibach voting yes. Senator Hunt voting yes. Senator Hughes voting yes. Senator Holdcroft voting yes. Senator Hardin voting yes. Senator Hansen voting yes. Senator Halloran voting yes. Senator Geist. Senator Fredrickson voting yes. Senator Erdman voting yes. Senator Dungan voting yes. Senator Dover voting yes. Senator Dorn voting yes. Senator DeKay voting yes. Senator DeBoer voting yes. Senator Day voting yes. Senator Conrad voting yes. Senator Clements voting yes. Senator Machaela Cavanaugh voting yes. Senator John Cavanaugh voting yes. Senator Briese voting yes. Senator Brewer voting yes. Senator Brandt voting yes. Senator Bostelman voting yes. Senator Bostar voting yes. Senator Blood. Senator Ballard voting yes. Senator Armendariz voting yes. Senator Arch voting yes. Senator Albrecht voting no. Senator Aguilar. Vote is 44 ayes, 1 nay, Mr. President, to invoke cloture.

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**KELLY:** Cloture is invoked. The next question is the motion to indefinitely postpone. All those in favor vote aye; all those opposed vote nay. Request for a roll call vote. Mr. Clerk.

**ASSISTANT CLERK:** Senator Albrecht voting no. Senator Arch voting no. Senator Armendariz voting no. Senator Ballard voting no. Senator Blood. Senator Bostar voting no. Senator Bostelman voting no. Senator Brandt voting no. Senator Brewer voting no. Senator Briese voting no. Senator John Cavanaugh voting no. Senator Machaela Cavanaugh 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 voting no. Senator Dungan voting no. Senator Erdman voting no. Senator Fredrickson voting no. Senator Geist. Senator Halloran voting no. Senator Hansen voting no. Senator Hardin voting no. Senator Holdcroft voting no. Senator Hughes voting no. Senator Hunt voting no. Senator Ibach voting no. 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 voting no. 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, 44 nays, Mr. President.

**KELLY:** The motion fails. And the next vote is to advance LB775 to E&R for engrossing. There's been a request for a roll call vote. Mr. Clerk.

**ASSISTANT CLERK:** Senator Albrecht voting no. Senator Arch voting yes. Senator Armendariz voting no. Senator Ballard voting yes. Senator Blood. Senator Bostar voting yes. Senator Bostelman not voting. Senator Brandt voting yes. Senator Brewer voting yes. Senator Briese voting yes. Senator John Cavanaugh voting yes. Senator Machaela Cavanaugh voting yes. Senator Clements voting no. Senator Conrad voting yes. Senator Day voting yes. Senator DeBoer voting yes. Senator DeKay voting yes. Senator Dorn voting yes. Senator Dover voting yes. Senator Dungan voting yes. Senator Erdman voting no. Senator Fredrickson voting yes. Senator Geist. Senator Halloran voting no. Senator Hansen voting yes. Senator Hardin voting no. Senator Holdcroft voting no. Senator Hughes voting yes. Senator Hunt not voting. Senator Ibach voting yes. Senator Jacobson voting yes. Senator Kauth voting yes. Senator Linehan voting yes. Senator Lippincott voting no. Senator Lowe voting yes. Senator McDonnell voting yes. Senator McKinney voting yes. Senator Moser. Senator Murman voting yes. Senator Raybould voting

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yes. Senator Riepe voting yes. Senator Sanders voting yes. Senator Slama voting yes. Senator Vargas voting yes. Senator von Gillern voting no. Senator Walz voting yes. Senator Wayne voting yes. Senator Wishart voting yes. Vote is 35 ayes, 8 nays, Mr. President.

**KELLY:** LB775 advances for E&R Engrossing. The, the call is raised. Mr. Clerk.

**CLERK:** Mr. President, next bill, LB296. First of all, Senator, I have E&R amendments.

**KELLY:** Senator Ballard for a motion.

**BALLARD:** Mr. President, I move the E&R amendments to LB296 be adopted.

**KELLY:** For the motion, all those in favor say aye. Those opposed, nay. The E&R, the E&R amendments are adopted.

**CLERK:** Mr. President, Senator Fredrickson would move to amend with AM1179.

**KELLY:** Senator Fredrickson, you're recognized to open on your amendment.

**FREDRICKSON:** Thank you, Mr. President. So, it is 8:29. And the rumor is, after 8:00 p.m., magical things happen in this Chamber. And I think this is one such magical thing because this is the pet insurance bill that we have all been waiting for and have been excited to talk about. And I am really excited to introduce AM1179 to this bill, which adds LB256 to LB296. So I chose to designate LB256 as my personal priority bill this session, and I'm grateful to find this avenue to move the bill forward. And I first want to say-- thank Senator Ballard for agreeing to this friendly amendment. I also want to thank speech-- Speaker Arch for allowing this to be amended into one of his priorities this session. And I want to thank Chair Slama and the Banking Committee for advancing this bill. In addition, I want to give a special thanks to Senator Brewer for being the original introducer to LB256 this session. And as you can see, moving forward, this bill has truly been a team effort. So what is AM1179-- or, as it was originally written, LB256-- do? So AM1179 requires that the reimbursement rate for telehealth services shall, at a minimum, be the same as a comparable in-person healthcare service. So providing this parity in reimbursement rates is really important in order to ensure access to healthcare services across our state. We know we need more healthcare workers. Too often, patients have lengthy delays in healthcare services that could be offset by telehealth access, but

providers have less incentive to expand telehealth services due to uncertainty in reimbursement rates. Parity will help ensure access to telehealth services for Nebraskans. So I learned firsthand the benefits of telehealth during the pandemic when I was providing telehealth services for the first time myself. First of all, I was shocked by the number of folks who reached out for telehealthcare, particularly folks from more rural parts of the state, who would not have access to mental health or counseling services or would have to drive quite a, quite a distance to access that care. So it was an access perspective as well. There was also a recent news story-- and this was probably, like, maybe two or three weeks ago-- that really stood out to me. I don't know if folks remember this, but there was an older couple who was going for a medical service. I, I forgot where it was. But on their way back, their-- they must have had car trouble or they got stuck somewhere and they were reported missing for a period of time. And they were unfortunately found weeks later and had deceased in their car. And, you know, the thought went through my mind, you know, if this was a, a potentially have a telehealth visit, you know, could that have been a tragedy that could have potentially been averted? So I know a lot of folks in rural parts of the state, for example, travel extensively for routine medical maintenance. And, you know, I think enabling telehealth parity is another way to ensure access to care for folks who might not have the same ability to access care as regularly as folks in more urban areas in the state. So I'm really excited about this amendment. It's a friendly amendment. And I am also going to yield the rest of my time to Senator Brewer, as he is the original introducer of this bill and he can talk a little bit more about the mechanisms of the bill and some of the unique healthcare challenges in rural Nebraska.

**ARCH:** Senator Brewer, 6:20.

**BREWER:** Thank you, Mr. President. And thank you, Senator Fredrickson. All right. We're going to go back over some of that just so everybody's on the same sheet of music. So LB256 was my original telehealth bill, as Senator Ballard has been good enough to allow it to become an amendment on his Speaker priority bill, so that's how we get AM1179. AM1179 is-- I know everybody says this, but legitimately, it's a simple bill. It states that if a healthcare provider provides healthcare services, it should not cost more than in-person healthcare. Doesn't seem unreasonable. I introduced LB256, the original bill, because it was a way to solve some of the problems that I was having in the district with telehealth. And this would provide a avenue to be able to have a fair way to have telehealth. And what folks need to understand, what Senator Fredrickson says is very

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accurate, in that telehealth took off during COVID and-- and it was really kind of how telehealth flourished. The problem was insurance figured out that this was a way to make money. How you can charge more for telehealth than in-person visit is kind of reflecting some of the, the reasons why this bill is absolutely necessary. I would ask that you understand that, for very remote regions of Nebraska, telehealth has become not a needed part of medical care, but an essential part. In some cases, it's the only way to get healthcare in the remote areas of, of central and western Nebraska. So the bill simply says that you cannot charge more for your in, in-house visits than your telehealth. With that, I would ask for your support on AM1179. And thank both Senator Ballard and Senator Fredrickson for their support and help on this. Thank you, Mr. President.

**ARCH:** Senator Slama, you are recognized to speak.

**SLAMA:** Good evening, colleagues. I rise in support of Senator Ballard's LB296 and Senator Fredrickson's AM1179, hopefully. Possibly. Again, my eyesight's going. I should probably get contacts. This amendment represents not only a compromise from the Banking, Commerce and Insurance Committee; it represents a mix of Senator Brewer's telehealth bill, Senator Kauth's LB640, which deals with coding for offsite care. But it also represents a strong amount of very quick work achieved by our wonderful staff that work behind the scenes who helped make this happen. My wonderful legal counsel, counsel Joshua Christolear, Bill Drafters-- Loguen really took this by the horns when we realized that Senator Ballard's bill would be up and that there was interest in attaching LB256 and LB640 to this bill. They moved very quickly, and I'm very grateful for their efforts. This was really a team effort by all. And I think this is-- this represents a solid compromise and a great step forward to ensure access to healthcare, whether you're seeking it in a very rural and remote part of the state or in an urban area where you just can't take off of work during the day. So with that, I'd like to yield the remainder of my time to Senator Ballard.

**ARCH:** Senator Ballard, 3:30.

**BALLARD:** Thank you, Senator Slama. I'd like to thank Speaker, Speaker Arch, for his willingness to allow this amendment, AM1179 on LB296. And I'd like to thank Senator Fredrickson for his, for his work in getting this accomplished. It's always a unicorn of a feat when you can get the insurance industry, the hospitals and a couple of senators to agree on an issue. So I'd like to thank, thank Senator Fredrickson. And I'd yield the remainder of my time to the Chair.

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

**DUNGAN:** Thank you, Mr. President. And colleagues, I also rise in favor of AM1179 and in favor of LB296. We do joke, I think, occasionally, or at least it's been, as Senator Fredrickson talked about, the, the pet insurance coming up being the, the magic of the evening. But I want to make sure that people understand: AM1179 is a very serious and important issue that we're seeking to address here. And I would like to, to join in Senator Slama's comments, that I think this amendment reflects a very quick work by both the committee and the individuals involved. It also reflects, I think, a lot of compromise, where we've reached some very reasonable conclusions based on the combination of a couple of different bills to put them into this amendment. And I think that it's actually very impressive when something can happen so, so quickly and you get so many different people to agree. And so I just want to speak to any of my colleagues that are listening. This is a very, very impressive work by the people who worked on this amendment. I want to also thank the insurance companies for coming together with the other folks on this, for finding some compromise on how AM1179 could be written. I know there were some tweaks and modifications to both of the underlying bills that were ultimately folded into that, but it sounds like everybody who was a part of this, Senator Brewer, Senator Fredrickson, Senator Ballard, Senator Kauth, were all parts of the conversation throughout the entirety of the, the modifications of this. And ultimately, I think the AM we reached here, with AM1179, is, is a good amendment. And so-- I, I would also just echo, as somebody who was on that committee, we heard in these hearings, with regards to telehealth, the need for it. I think we all-- as everybody pointed out, during the pandemic, we all know that that, that escalated in terms of its need. But we heard stories about folks in rural communities who absolutely need to utilize these telehealth services, and we want to make sure that providers are getting reimbursed appropriately for that. And we want to make sure that there is a continued effort to provide telehealth services across the state. Currently, people are benefiting that, both for physical health as well as mental health-- behavioral health services, which have already been provided for parity. And so we're just trying to make sure the statute is clean across the way, so. Colleagues, I would urge you to support AM1179. I think it represents the best of a lot of different bills. And I would urge your green vote.

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

**M. CAVANAUGH:** Thank you, Mr. President. I rise in support of AM1179 to LB296. And I appreciate that Senator Ballard has agreed to a compromise for the unicorns coming-- forthcoming. I did want to comment on the last bill and sort of how the debate was going. The question was called numerous times after only a couple of people spoke each time on a motion. And that's fine. It's kind of strange and not a great practice. Don't really understand why, because if there's only a couple of people talking, it peters out on its own, without any effort whatsoever. But I want to talk about it because I am doing something very specific, for a very specific reason, in a very specific way. But it's not my intention to make sure that we don't pass the best possible version of whatever is in front of us. When we debated LB775 on General File, I spent eight hours on it, but I communicated with Senator Lowe the entire time about what amendments were on there, what he had hoped to see and what we would get to. On, on Select File, Senator Lowe came up to me and, and let me know that there was an amendment on there that he wanted to get to. And, and so I kept that in the back of my mind, that, OK, there is an amendment that the introducer would like to get to that is important to the integrity of the bill. But then, like we have seen in other bills, people who had no idea what was going on got involved in trying to negotiate or end what I was doing. So we almost actually didn't get to Senator Lowe's amendment as a result. I got flustered by the call of the house after dinner, when Senator Geist wasn't here and I was asked-- told to move forward. I was flustered by that, but I hadn't lost sight of Senator Lowe's ask. I just needed a minute. I actually went outside to take a walk, but I was freezing. So I came back inside and walked around inside the building for a little bit because I needed a minute. I needed to take a step back. And I knew that about myself. But, colleagues, stop getting involved if you don't know what's going on. Because that did not help Senator Lowe. Constantly calling the question did not help Senator Lowe. And I didn't even know that Senator Conrad had an amendment on there, so I wasn't doing it for Senator Conrad. Sorry, Senator Conrad, but I wasn't. I didn't know about that. I, I wanted to get to the amendment because Senator Lowe asked about getting to the amendment. And the same thing is happening with LB296. I had 12 amendments and Senator Hunt has motions and Senator Fredrickson and Senator Ballard made this agreement. And so, I refiled my amendments. She's holding off on her motions. Like, we are reasonable people.

**KELLY:** One minute.

**M. CAVANAUGH:** When Senator Linehan had a revenue package and I had an IPP motion that would have blocked the committee amendment from even

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getting on the board, I had to withdraw it to get to the committee amendment or we wouldn't have gotten to it until we went through all of my motions. So when you're all being cutesy-cute, filing motions after the motions that I filed, you're actually doing a disservice, because then I have to choose. Do I want to be collegial and pull my motions until we get to whatever we need to get to on the board? But if I do that and you filed motions, then I lose my placeholder. So then I'm not going to do that. So if you keep filing motions on top of the motions that I filed, I'm going to stop pulling them and we're not going to get to the things that the introducers want to get to because you're being cutesy-cutesy. That's fine. I just wanted you all to understand that, when people come and talk to me about what's important to them and what's in their bills--

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

**M. CAVANAUGH:** --I work with them.

**KELLY:** Thank you, Senator Cavanaugh. Senator Cavanaugh, you're next in the queue.

**M. CAVANAUGH:** I work with them. I make sure that we get to what we need to get to, to the best of my ability, whatever is within my power, my purview. I do the best that I can to work with the people in this body even though most of you are not very nice or kindhearted or even pleasant. So, keep calling the question. It's just going to muck things up for your colleagues. Thank you.

**KELLY:** Thank you, Senator Cavanaugh. There's no one in the queue. Senator Fredrickson, you are rec-- Senator Fredrickson waives closing on AM1179. The question is the adoption of AM1179. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 28 ayes, 0 nays on adoption of Senator Fredrickson's amendment.

**KELLY:** AM1179 is adopted. Mr. Clerk for motions.

**CLERK:** Mr. President, Senator Hunt would move to bracket LB296.

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

**HUNT:** Thank you, Mr. President. Would Senator Machaela Cavanaugh yield to a question?

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

**M. CAVANAUGH:** I'd be delighted.

**HUNT:** Thank you. Senator Cavanaugh, you were raised Catholic, correct?

**M. CAVANAUGH:** I was.

**HUNT:** Tell me about the values that you were raised with in terms of acceptance of LGBTQ people in your family.

**M. CAVANAUGH:** Well, you know, it wasn't explicit, I guess. Probably because growing up in the '80s, it wasn't talked about the way it is now. But I certainly was raised with the values that you should love one another, you should care for one another, you should respect one another and you should try to do good by one another. So, that carries through no matter what. And judgment, it is not for me. It's between you and your Lord.

**HUNT:** I was raised Catholic too. And I went through first communion and confirmation. And my dad was Lutheran, so he didn't take communion. But we went to Catholic church as a family. And for me, it was exactly the same way. In 12 years of going to CCD every Wednesday, in 12 years of going to Sunday school, in 12 years of going to church and being a part of the community there, hatred of LGBTQ people was never preached from the pulpit. It was never made a central part-- I shouldn't even say central part-- any part. Didn't hear a word about it. And really, the message that we were given was always just basically, love one another. It's not for you to judge. And in the end times, when it's your time to meet your maker, let him sort it out, basically.

**M. CAVANAUGH:** Yeah.

**HUNT:** And those are the kinds of values that I really think we are missing in this Nebraska Legislature. Thank you, Senator Cavanaugh. I rise in support of LB296. I'm-- you know, it's-- it has flavors of horse massage, but I'm, I'm intrigued and interested by this pet insurance bill. And I know that we have some interesting amendments coming up on this bill too. It's becoming increasingly common for conservative politicians to oppose access to medical treatment for transgender youth, often arguing that they are protecting children's rights. However, denying trans youth access to necessary medical treatments is not protecting their rights. It's infringing upon their rights. Transgender kids and gender-expansive kids have the right to live free from discrimination and they have the right to receive medical care that is appropriate and necessary for their health and

well-being. This includes access to puberty blockers and hormone therapy, which has been shown to improve the mental health outcomes and the quality of life for transgender kids. These treatments require many appointments, approvals from mental health professionals and parental support, ensuring that the decision to begin treatment is not made lightly and it's not made without adequate consideration. I-- it stresses me out thinking about us giving more rights to dogs than you would give to my son, through this bill allowing pet insurance-- you know, whatever pet insurance does-- I really couldn't care less. Could not care. I support it. It sounds fine to me. It's not in the realm of things that I'm worried about. It's not in the realm of the big questions that really matter to me. We could pass 100 pet insurance bills if we could block LB574. That would make me feel good. My son came out to his father and I in the beginning of the pandemic. And it wasn't easy. It was shocking. It wasn't, you know, welcome news, necessarily. It was-- you know, I think we handled it in an affirming way but also in a, in a realistic way. I mean, in, in a way that, that any loving parent would-- any loving, accepting parent who wants the best for their child would. And-- so it's been a couple years, you know, living this way that he socially transitioned, that, you know, he started a new school, went into middle school and has been going through school as a regular boy, has lots of friends, plays sports, which stresses me out since maybe that will soon be illegal too because of Senator Kathleen Kauth and because of all of you, that he'll be denied that opportunity. How does it make sense for a kid who's a boy, who everybody knows is a boy, who dresses like a boy, who plays boys' sports, who hangs out with boys, who hangs out with girls, who everyone knows is a regular kid and thinks nothing about it otherwise, how does it make sense for us to pass a law now saying, oh, and you have to play on the girls basketball team and you have to use the girls bathroom, when everyone in that school knows that's a boy? I could pass around pictures to all of you of transgender women, who all of you would trip over yourselves to go on a date with. You can't tell who these people are by looking at them. Not always. And if you can, so what? File that under "let your God sort it out when we all meet our makers." It's not for you to judge. It's not for you to worry about. Pet insurance is not for me to worry about, not today. I don't really have a strong feeling about it. But does it make me sick that this body wants to give more rights to animals than they want to give to my human child? Yeah. It's part of the reason I'm not talking to any of you. Efforts were made, bridges were built and then you burned those bridges. And you can backchannel to me through Senator Machaela Cavanaugh or Senator Danielle Conrad or any number of ways. But your access to me and my family is cut off because of the bigotry that you

have brought into this body. Denying access to necessary medical care perpetuates discrimination against people. And when trans youth are denied access to puberty blockers or hormone therapy, they're basically being told that their parents aren't able to take care of them, their identity isn't valid and they have to conform to what you want, someone that they don't even know, in a way that doesn't align with who they really are. Do you think that's good for their mental health and well-being? How would you like that? You would never know what that's like. You can't even imagine what that would be like. And you know what? Frankly, neither can I. I can't imagine what it would be like to look in the mirror and think, I'm in the wrong body. I've never experienced that. I've certainly looked in the mirror and thought, we can make improvements here. I thought, I don't look the way I'd like to look today. We all have those thoughts. But I don't know what it's like to be transgender. I will never understand it. I don't get it, and I don't have to get it. And I don't have to get it to fight for these people's rights. And you don't have to know a single transgender person to fight for these people's rights. You don't have to have any experience with this community at all to know that what you're doing is wrong, to know that it's against your Christian faith and values, to know that there's nothing about your position that actually aligns with the values that you say you have. Trans kids are more than capable of making informed decisions about their own medical care. Denying them access to treatment only prolongs the distress and the discomfort that's experienced by them and can lead to serious--

**KELLY:** One minute.

**HUNT:** --mental health issues. Thank you, Mr. President. Between 12 and 25, your argument is that the brain isn't developed and their judgment isn't sound. But we let people that age do all kinds of things that you think they're mature enough to do. And if that didn't have an evolutionary value and contribute to the emergence of adaptive behavior, our brains wouldn't work that way. It's the rebellion of youth. It's the way our brains work when we are young, that hatched and, and made all of these successful, new ideas, that makes us respond to changing landscapes. And when this brain development phenomena emerged, you know, 10,000-plus years ago, the life expectancy was 30 years old. People change and evolve. I would like all of you to try to evolve as well. Thank you, Mr. President.

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

**M. CAVANAUGH:** Thank you, Mr. President. Thank you, Senator Hunt. Though I would like to correct Senator Hunt. No one is backchanneling with me. That would be quite a turn of events if that was what was happening. No. The only time people talk-- come talk to me is if they need something from me. So, nobody is backchanneling with me. LB296, the pet insurance bill. I-- I'm really mostly indifferent about this bill, but the amendment that we just attached makes me much more interested. I've said before that the main reason I wanted to be on Transportation and Telecommunications is because I wanted to see the expansion of telehealth a reality in Nebraska. And part of that is through broadband and part of that is through policies. And so, Senator Brewer's bill that Senator Fredrickson prioritized, that Senator Ballard agreed would be a good fit to add on to LB296, is one of the things that does that. It also is quite the collaboration of several colleagues to make something like that happen so quickly. And it's kind of a fun thing to see, when we have something like this just kind of fall together real quick. Just makes sense. All of a sudden, everything snaps into place and everybody gets on board and just quickly does the maneuvers that need to happen to make it happen so. So I'm sorry, Senator Ballard, that I wasn't that interested in your bill to begin with, but I am much more interested in it now because of the telehealth element and the parity. Since the pandemic, we've had a broader interest and investment in telehealth and telehealth parity across the state, and specifically in this body, I think because we saw how well it worked. And what a great resource it was for people who are-- don't have access as readily to healthcare. So to have that telehealth-- but also people who have lower mobility or medically fragile and it doesn't make sense for them to actually go into a doctor's office for some of the visits that can be over telehealth so that they aren't risking their health to get healthcare. So it really is a great opportunity and option. And I appreciate the bod-- the body's interest and willingness to move something like that forward. I think we still have a ways to go on telehealth, but at least the parity on the insurance piece is, is, is big. Of course, broadband and access is going to be another big thing. And I should be clear that telehealth is actually multiple things. It can be an, an actual telephone. That's kind of how telehealth started, over the telephone. But it has expanded into more of a digital medium, where you can have, I don't know, the different platforms, WebEx, Zoom, Skype. Maybe there's some medical portal that's totally different that I don't know about. But you can have that version of telehealth as well. And it is helpful for--

**KELLY:** One minute.

**M. CAVANAUGH:** --thank you-- for health insure-- for health companies, for healthcare businesses to be able to bill for those things with parity because it is-- it allows them to see more patients. It allows them to cut down on office visits for people who are medically fragile. It creates access and eliminates barriers. But it's not-- diminished the quality of the healthcare, and so the healthcare shouldn't be treated differently. So, all that's to say that I really appreciate it. And I might actually not vote for this bracket motion now because I'm so in love with what this bill has become. Thank you.

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

**J. CAVANAUGH:** Thank you, Mr. President. So I've been listening to the debate. And, of course, I supported Senator Fredrickson and Senator Brewer's bill that was amended into this bill. And, you know, I'm-- sort of been thinking about the underlying bill itself and not, you know-- really don't know what it's about, I guess. Pet insurance is what I, I know we're on. Reading the committee statement and there's the part about-- let's see. Section 6: places restrictions on pet insurance ability to issues, policies and addresses such issues as preexisting conditions, waiting periods, veterinary examinations, covered pets, prescriptions, wellness and noninsurance benefits. So I was listening to the debate and looking at that part and thinking about pet insurance just as a concept. And it reminded me of a story that we read about in law school. And anybody who, I think, took wills, trusts and estates-- whatever you call it at your law school-- probably remembers this story from a recently-- about Leona Helmsley, who was a real estate mogul. And she famously left her entire estate to her cat and wanted to provide for her cat. So I was trying to remember the story. And I was telling a few other senators under the balcony about it and just googled it because I couldn't remember all the details. And it brought up this interesting story about a recent story of a woman in Italy from 2011 who adopted a cat. And this woman was-- left a \$13 million fortune to her cat. And the part that I thought was kind of relevant to this is, you know, she was older and lonely and the-- take-- you know, had the pet insurance. Her health started to fail. She looked for a way to make sure the cat was provided for because her cat was her source of comfort. And-- so, she couldn't find a, a suitable way, and so she left all the money for the cat's care and then had her nurse take care of the cat. And the nurse didn't even know she was wealthy until she inherited. And then, of course, all these people came out of the woodwork offering to adopt the cat at that point. So I thought that was interesting. And then the story goes on to tell the examples of the-- it says, it puts the cat--

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the \$13 million puts the cat as the number three on the list of wealthiest pets, behind Kalu, the chimp, whose owners left him \$80 million; and Gunther IV, a German shepherd who had inherited \$372 million from his father, Gunther III, the beloved companion of an eccentric German countess. So Gunther IV is a dog who inherited \$372 million from another dog, who inherited it from a German countess. And then real estate magnate, Leona Helmsley, left \$12 million to her dog, Trouble, although her human descendants contested and Trouble's pot was cut to \$2 million. So I was thinking-- the reason I kind of brought this up in the context of pet insurance is, why do people get pet insurance? And it's because people-- you know, pets are an important part of people's lives. People go to great lengths to take care of their pets. Sometimes they put themselves in financial hardship. Some people even leave \$372 million to a dog that then can leave it to another dog. But just thought it was an interesting point about how important animals-- pets become part of our families and part of our lives and people seek to take care of them. I don't currently have any pets, but I grew up with a cat and a dog and, you know, had great affection for them. So I understand why people are interested in making sure they provide for their pets and have every opportunity to care for them. So that's why I brought up that story. I just think it's an interesting, extreme example of the lengths people go to to take care of their pets.

**KELLY:** One minute.

**J. CAVANAUGH:** Thank you, Mr. President. So I'm still thinking about the underlying bill because, I guess, I understand the concept of why people want to take-- provide for their pets. I'm not-- I'm still reading the committee statement. And maybe I'll ask some questions later to try and fill in the parts of the bill, what the bill actually does, so I can understand that. But if you have any questions, I'd be happy to talk more about Leona Helmsley or Gunther III or IV. Thank you, Mr. President.

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

**M. CAVANAUGH:** Thank you. Would Senator John Cavanaugh yield to a question?

**KELLY:** Senator John Cavanaugh, will you yield?

**J. CAVANAUGH:** Yes.

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**M. CAVANAUGH:** Well, you said you'd be happy to talk about it, but you didn't mention Auggie [PHONETIC] and Maggie [PHONETIC] by name and that you'd be happy to talk about them.

**J. CAVANAUGH:** I, I did not mention that I'd be happy to talk about them.

**M. CAVANAUGH:** OK.

**J. CAVANAUGH:** Correct.

**M. CAVANAUGH:** So, Auggie. You remember Auggie?

**J. CAVANAUGH:** Yes, I'm familiar.

**M. CAVANAUGH:** Do you think he had pet insurance?

**J. CAVANAUGH:** He was, I think, a costly animal.

**M. CAVANAUGH:** He didn't have that many health problems until the end. Well, actually, even at the end, he just kind of quietly, just went under a tree.

**J. CAVANAUGH:** I remember.

**M. CAVANAUGH:** Yes. You don't know if he had health-- pet insurance or not?

**J. CAVANAUGH:** I don't think that he had pet insurance.

**M. CAVANAUGH:** What about Maggie?

**J. CAVANAUGH:** I don't think she had pet insurance.

**M. CAVANAUGH:** Do you think that our parents were irresponsible pet owners?

**J. CAVANAUGH:** Well, I don't-- I mean, this would be a question for somebody else. I don't know if that was a thing at the time. I was still fairly young when we had those animals.

**M. CAVANAUGH:** You were in college--

**J. CAVANAUGH:** I do remember--

**M. CAVANAUGH:** --when they were gone.

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**J. CAVANAUGH:** --well, I wasn't quite paying attention to the financial situation of the pets.

**M. CAVANAUGH:** OK. And for the record, the hair color of the pets matches Senator John Cavanaugh. Auggie was a cat and Maggie was a dog. Maggie was a rescue.

**J. CAVANAUGH:** True.

**M. CAVANAUGH:** Yeah. And Auggie-- we got Auggie from family friends who had a litter of cats. And they were also a family of redheads.

**J. CAVANAUGH:** Yes.

**M. CAVANAUGH:** And Irish and Catholic.

**J. CAVANAUGH:** Yes.

**M. CAVANAUGH:** But we are not related to them.

**J. CAVANAUGH:** No.

**M. CAVANAUGH:** Only by coexistence in this world.

**J. CAVANAUGH:** Yes.

**M. CAVANAUGH:** OK. You also said that you don't currently have a pet.

**J. CAVANAUGH:** Correct.

**M. CAVANAUGH:** Was that you leaving the door open to the possibility of a pet in your household?

**J. CAVANAUGH:** In, like, the grand scheme of things in the future, sure. Maybe. Not a cat.

**M. CAVANAUGH:** Does your spouse know about this?

**J. CAVANAUGH:** I'm-- maybe.

**M. CAVANAUGH:** That in the grand scheme of things in the future there's a potential for a pet in your household?

**J. CAVANAUGH:** I mean, I'm sure we've talked about it.

**M. CAVANAUGH:** I know I've talked about it with her. I don't think that there is a pet in the future in your household. Unless you're talking about a fish. Are you talking about a fish?

**J. CAVANAUGH:** I'm, I'm not too interested in getting a fish, no.

**M. CAVANAUGH:** Why not?

**J. CAVANAUGH:** You have to clean the bowl.

**M. CAVANAUGH:** You discriminate against fish?

**J. CAVANAUGH:** They're just-- I mean, they're not very cuddly. And you have to clean the bowl.

**M. CAVANAUGH:** I mean, you have to clean the litter box.

**J. CAVANAUGH:** I don't want a cat.

**M. CAVANAUGH:** OK. So what pet would you have if you had a pet?

**J. CAVANAUGH:** A dog.

**M. CAVANAUGH:** What kind of dog?

**J. CAVANAUGH:** Oh, I don't know.

**M. CAVANAUGH:** Well, you're going to have to get pet insurance for the dog. You don't know what kind of dog you want?

**J. CAVANAUGH:** It's going to be a while before I can get a dog.

**M. CAVANAUGH:** A big dog or a small dog?

**J. CAVANAUGH:** If I, if I ever get a dog, it, it's going to be in a while-- a very long time.

**M. CAVANAUGH:** OK. But, like, do you have a size of dog that you-- like, are you a big dog person? Are you small dog-- are you Crash [PHONETIC] the dog or are you Forest [PHONETIC] the dog? Sorry. These are family-- other family members' dogs.

**J. CAVANAUGH:** I-- you know, I don't have a particular dog in mind.

**M. CAVANAUGH:** But if you had to go between-- OK, you've got Crash, Penzie [PHONETIC] and Forest. Those are the three-- oh, and Paris

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[PHONETIC]. But rest in peace, Paris. If those are the four different sizes of dogs, which one would you be leaning towards?

**J. CAVANAUGH:** I think it's dog specific. You got to meet the dog, I guess.

**M. CAVANAUGH:** OK. Well, I'm, I'm partial to Crash. As far as dog-specific personality goes, I think Crash is, like, the gentle giant.

**KELLY:** One minute.

**M. CAVANAUGH:** But I think I probably would personally go for a smaller dog. Not that you asked. Not that you asked. Just pointing out that you did not ask.

**J. CAVANAUGH:** It's not, it's not my time.

**M. CAVANAUGH:** What about turtles?

**J. CAVANAUGH:** You know, I don't-- I think I could see the kids asking for a turtle at some point.

**M. CAVANAUGH:** You'd have to clean up after them.

**J. CAVANAUGH:** You'd have to clean their tank, yeah.

**M. CAVANAUGH:** You have had a turtle.

**J. CAVANAUGH:** I have.

**M. CAVANAUGH:** You've actually-- you've had a lot of pets.

**J. CAVANAUGH:** A few, yeah.

**M. CAVANAUGH:** You've had a turtle-- you've had multiple turtles. You've had a cat, a dog, a couple of goldfish. One goldfish, actually-- I don't know if you remember this, but it jumped out of the fish tank and we found it on Easter morning.

**J. CAVANAUGH:** I remember that, yeah.

**M. CAVANAUGH:** That was not the best Easter morning. OK. So is there any other pet you would entertain?

**J. CAVANAUGH:** I, I guess I don't know. I haven't really thought about it that much.

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

**M. CAVANAUGH:** All right. Thank you.

**KELLY:** Senator Day, you are recognized.

**DAY:** Thank you, Mr. President. Since we're all getting on the mike talking about our pets today on the pet insurance bill, I did want to get on here and read-- I was trying to understand the bill a little bit. LB296, Statement of Intent: Pet insurance is one of the fastest growing areas of insurance. Over the past year, pet insurance has grown by 30 percent. LB296 would adopt the Pet Insurance Act to add needed consumer protections to this growing market. The Pet Insurance Act is based upon a model act adopted by the National Association of Insurance Commissioners and would create a comprehensive legal framework for the sale of pet insurance in Nebraska. So essentially, we're creating a legal framework for pet insurance based on a model act adopted. Lovely idea. I think it's fantastic. I don't think people realize the costs in owning an animal in terms of the medical care that they need sometimes. I myself have a cat. She is five years old. Her name is Shiva [PHONETIC]m and she is a tabby with green eyes. I never considered myself a cat person either, Senator John Cavanaugh, until a friend of mine, who fostered lots of kittens in her home and was working really closely with Felius Cat Cafe in Omaha, suggested, when we were thinking about getting a pet for our house and I said I considered myself a, quote unquote, dog person, but I did not feel like I had the time and energy that is required to properly take care of a dog. Because they require all sorts of extra care: going on walks, cleaning up stuff out of the yard. And I just-- I can't-- I couldn't do it at the time. This was 2018. We still owned our gym and, obviously, had two kids. My husband, I think, at the time was finishing his master's program at UNO and was also teaching at the time as a TA at UNO. And so we just didn't have the time and energy to take care of a dog. So she suggested looking at getting a cat, because my kids really wanted a pet. And I had always thought of cats as very, sort of, not snuggly, mean, kind of combative pets. And I wasn't really interested. But I quickly learned, in visiting the Humane Society and also visiting Felius in Omaha that I was very wrong about cats. And now we have owned her for five years. We adopted her from the Humane Society in Omaha. I think we went on one of those weekends where kittens were a reduced price and adult cats were free. We went in. My kids-- I think she was in the little cage thing with the glass. And my son, Canyon, was standing there and she kind of, like, leaned up against the glass and kind of, like, tried to, like, snuggle--

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**KELLY:** One minute.

**DAY:** --him through the glass. Thank you, Mr. President. And so we immediately asked to take her into the little "get to know each other" room. And she was deathly afraid of us, but at some point did come and sit on our laps. And now we've had her for five years, and she is amazing and awesome and super easy to take care of. Cats are a million times easier than dogs, and she-- the kids love her. She plays with the kids all the time. She hasn't ruined any of my furniture, like you hear about cats. But she is a fantastic addition to our family, and I greatly appreciate the companionship that we have gotten from our cat, Shiva. So I would tell Senator John Cavanaugh to reconsider the idea that he does not want to have a cat, because I think they're super fun. Thank you, Mr. President.

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

**CONRAD:** Thank you, thank you, Mr. President. And I rise in support of LB296-- LB298? Boy, we're all having an eye exam here on the floor together. I'm glad I'm not the only one. I heard-- LB296. There we have it. I heard Senator Slama kind of squinting for, for the numbers earlier, so that made me feel a little bit better considering how much younger she is than I. But the other thing that I wanted to raise was just kind of a, a point in regards to some other matters working their way through the Banking and Insurance Committee. I know that my office has received a fair amount of emails when it was, I think, first advanced and first appeared on our agenda. But there was, I think, a very interesting and important insurance-related measure that I believe maybe Senator Bostar had brought forward that was included in a banking package or, or cleanup bill that dealt with equity and parity in terms of how we cover improved technologies when it comes to identifying and treating breast cancer. And I know that that was something that was very meaningful to many constituents across Nebraska. And it opened up a lot of really, I think, heartfelt dialogues between senators and constituents and how important that measure-- which, you know, sometimes you think like, oh, the Banking and Insurance Committee might be kind of, kind of dry subject matter, but rather, when you take a look at some of these issues, these pet insurance issues that Senator Ballard has brought forward, of course, it, it may seem kind of frivolous on its face, but we all know from our own experiences how beloved our pets are. And, and I know that that's important to a lot of our, a lot of our constituents as well. And being able to plan for emergencies or the increased cost of care for, for those furry members of our family can provide a lot of peace

of mind to people. So whether it's the pet insurance piece that Senator Ballard's working on or the breast cancer insurance coverage piece that Senator Bostar and Senator Slama were working on or the telehealth parity pieces that Senator Fredrickson and Senator Brewer were working on, I think that it's a, a great example of how each jurisdictional committee has very meaningful measures before it that impact real people's lives. And that, even this year, in one of perhaps the most acrimonious sessions that we've had in the Nebraska Legislature, we have still found a way to identify areas of consensus, to identify areas that are important to individual senators and, and different committees. And I think we'll continue to see that play out. Maybe the pace looks a little bit different, maybe the process looks a little bit different because we have compressed time and compressed vehicles to move through the remain-- the remainder of the session together. But I do know that there is a lot of thoughtful conversation happening within the jurisdictional committees to try and put together some package proposals and that individual senators are finding ways to attach their individual bills, when appropriate, as these different pieces move through our, our legislative process now on the agenda. So, really appreciate Senator Ballard's work on this. Really appreciate Senator Fredrickson, Senator Brewer's work on the telehealth parity measure, which I think is really important to advancing healthcare in Nebraska. And hopefully, we'll have a chance to see that breast cancer insurance parity bill back on the agenda soon--

**KELLY:** One minute.

**CONRAD:** --because I think that would change a lot of lives as well. Thank you, Mr. President.

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

**HUNT:** Thank you, Mr. President. There are many opportunities for putting together packages that will come before us, and so we really won't end up passing, of course, just 21 bills. We will move through the session and move through the filibuster of each bill and the motions on each bill while people draft amendments and find ways to make sure that they're-- they are able to find bills that are germane to the bills that they are amending. And we'll find a way to get those things done. And those are things that I completely support. I do support the idea of LB296. I know that pet insurance is important to many of my constituents and many of our neighbors around Nebraska who have beloved furry friends that matter so much to them. I have some

questions about how LB296 would work, whether you have to have a card and present it at the vet and how it works in situations of emergency. And what happens if someone has pet insurance but they are in a car accident and they are injured and their pet is injured? Then does the pet insurance reimburse and cover the cost or is that considered some sort of component of the insurance policy from the at-fault driver? I also wonder about premiums. Are premiums going to be so high for something like a professional hunting lodge that has 8 or 10 dogs that they have on rotation for hunting, dogs that are doing extreme, hardcore physical work? These are some questions I have about the way this bill would work. But all of this bears in mind and relates to my main point that I would pivot back to, which is that we are working so hard on the healthcare for our pets and for animals and ensuring pets than we are in just providing basic, minimal healthcare for kids. So, you know, I've got no problem with LB296. I won't be able to support it. I'll be not voting on this bill because Senator Ballard is supporting the abortion ban. And I'm not able this session to support any bills that are supported by proponents of healthcare bans in our Legislature. I have always been afraid of dogs-- well, I had always been afraid of dogs. And when I started knocking doors the first time I ran for office, you know, knocking a door and then being met by a big, you know, Great Dane or German Shepherd or any dog just jumping up on the door at me, it really gave me a lot of jump scares in the beginning. And it was knocking doors and walking my streets in my district that kind of helped me get more comfortable with dogs, honestly. And I eventually, after several months of knocking doors, got to a place where I felt comfortable petting the dogs and, you know, hugging the dogs. And I started taking pictures with some of the dogs of my supporters. And I used the hashtag on social media, #DogsOfDistrict8, and a lot of people ended up really sort of catching on to that and liking it. And I would be knocking doors of people and they would recognize me and they would say, oh, can we do a #DogsOfDistrict8 picture? And they'd go get their pet and we would take a picture for me to post on Twitter or Instagram or whatever. But it was sort of-- actually the process of running for office in the first place that desensitized the fear of dogs that I had.

**KELLY:** One minute.

**HUNT:** Thank you, Mr. President. Somebody asked me recently if I had gotten bitten by a dog or something. And it's not that. Nothing like that ever happened to me. But they just make me anxious because you don't know what they're going to do. They're unpredictable. Are they going to jump on you or lick you or smell bad or bite? I mean, it's just too chaotic for me and it's not good for me to be around that so

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much. But running for office desensitized me to a lot of that, and now I love dogs. And all of my staff has dogs and pets, and I've really loved getting to know those animals that matter so much to the people who are close to me. Thank you, Mr. President.

**KELLY:** Thank you, Senator. Senator Machaela Cavanaugh, you are recognized to speak. And this is your last opportunity.

**M. CAVANAUGH:** Thank you, Mr. President. So we're talking about a bill about pet, pet insurance, LB296. And I am not a cat person. I know. I'm not a cat person. I thought that I was because we had a cat growing up, Auggie, and so I genuinely thought that I was a cat person. And Auggie, like many cats, he had a lot of attitude. A lot of attitude. And would torture us in the middle of the night to go outside. But I was little. Grew up with Auggie, thought that I loved cats. And when I was an adult and I lived in an apartment in Washington, D.C., and I moved in with my friend Julie-- and she had two cats. And she asked me before we agreed to move in together if I liked cats. And I said yes because I thought that I did. It was a rough two years living with those two cats. Turns out I really didn't like cats. And one of them I was supposed to share a room with because they didn't get along. And they were both rescue cats that she had gotten, like, from when she was waitressing to-- you know, everybody had to have another job. Just like most jobs you have out of college, you have to have two of them. And so she'd been waitressing, and somehow somebody brought her one of the cats that-- I think that one was Abby [PHONETIC]. And she had, I think, diabetes. She definitely could have used this pet insurance. And then there was Oscar [PHONETIC], who was the cat that sort of-- I cohabitated with in my room. And he just shed a lot. He was a white cat. There was just cat hair everywhere all of the time. It drove me crazy. And he wasn't very nice. And he did not like gentlemen in the apartment. So-- got jealous on that front. Fortunately, I didn't have much of a social life, so it didn't matter. But-- yeah, not a cat person. Now, I like cats. I don't dislike them. So, like, if, if there were a cat here that wanted, like, you know, its belly scratched or something, I would definitely do that because I'm not a monster, you know. If a cat was like, just-- I just imagine, like, a cat just kind of walking around here, like, demanding my attention, scratching its back on the podium here. And I probably would give it the attention that it was begging for because I'm a sucker that way. But I really am a dog person. And a friend of mine, they just lost their dog last-- I think it was last week. Oh my gosh. And-- very beloved member of the family. And he had a lot of medical problems. And so I think that this kind of pet insurance would definitely have been beneficial for that family. One of the dogs I

mentioned earlier with my sen-- my-- Senator John Cavanaugh-- my Senator John Cavanaugh-- with my brother, Senator John Cavanaugh-- was our, our cousin's dog. And he is on antianxiety medication, so that's fun. Our other cousin just-- they just lost their dog, Calico [PHONETIC]. Another gentle giant. Very beloved and missed. And I just received a text from that cousin that her son is interested in a hamster, I believe, is what she said. That's the next pet he wants. And that's probably a much more--

**KELLY:** One minute.

**M. CAVANAUGH:** --manageable-sized pet to have. I don't think I would like a hamster. I'm not a, like-- the-- I don't know why the little fur balls kind of just-- kind of make me feel like it's a mouse or something. I don't know. So, not for me. I like, I like the gentle giant, calm dog-- big dogs, but I would take a small dog. I would take any size dog. But I need to get a backyard fence first. And that is the thing my husband is hanging his hat on, that we can't have a dog because we don't have a fence. So we can't have a dog. And I'm like, but we can get a fence. That is a fixable problem. Fortunately, he's not going to get us a fence and I am too busy to get us a fence, so this long con of avoiding getting a dog in my household is really paying off for him. I'm not sure that he views the trade-off of me being gone all the time and not having a dog because we don't have a fence, but we are where we are, so.

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

**M. CAVANAUGH:** Thank you.

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

**J. CAVANAUGH:** Thank you, Mr. President. Well, I wanted to rise and talk about the bill a little bit more. I've been sitting here reading it, but I did want to first address: one, the Felius Cat Cafe is in District 9. I haven't been there, but I hear it's very cool. I'd like to go check it out. But two, I'm allergic to cats, so that's why I don't want to get a cat. And-- so that, that's my situation around animals. Generally don't discriminate. I like all animals. I just can't have certain ones living in my house. So, to the underlying bill, I was sitting here reading it, and I think I've come around to liking it, Senator Ballard, after reading it and getting a little bit better idea of what it does. And the parts I kind of wanted to highlight is-- there's a specific part on-- let's see. I think it's on

page 2. And it talks about disclosures. Nothing in the pet insurance shall prohibit or limit the types of exclusions. But it-- so it kind of lists through-- defines a lot of things and then it goes through and talks about what can be excluded and included and how it to be-- to be disclosed. Let's see. I'm trying to find the part I particularly thought was interesting though, about renewals. Let's see. Real wellness program-- shoot. I wish I had this prompted up here. And-- here we go. On page 4, down at the bottom-- and it would be Section 5(1)(d)-- and it specifically says, whether the pet insurance reduces coverage or increases premiums based on insurance, insured's claim history, the age of the covered pet or a change in the geographic location of the insured. So these are things that need to be-- pet insurance transaction, pet insurance shall disclose to the consumer. So before you get a policy, you have to disclose a bunch of things, what it covers, whether-- how it covers preexisting conditions, hereditary conditions, congenital anomalies. Those are all defined earlier in the statute. But then it goes through and says it has to explicitly say whether it will change based on claim history. And admittedly, not on Business [SIC-- Banking], Commerce and Insurance. I don't know a whole lot about how the insurance industry works. I would hope there's some kind of clearly-stated disclosures for regular insurance. But if anybody has read any disclosures in general, there's-- you know, the font's really small and there's a lot of stuff. There is a specification in here that says it has to be in 12-point font, so I appreciate that as well. So there's a lot of clear guidelines it set out. But specifically, the reason I like this is that it is using the power of the government in a narrow way to create a structure under which we can regulate an industry to make sure that people are treated fairly. So we all-- you know, we, we want to stay out of the way. We want to-- obviously, we want to keep government out of people's lives. I'm very much in favor of keeping it out of people's lives in a number of ways and make sure it doesn't need to be involved where it doesn't need to be involved. But there are certain instances where the government is suited to just create a, a even playing field when there is a disproportionate relationship. And one of them is these giant companies-- insurance companies, who have lots of lawyers creating small language, creating things that are hard to understand and read. It is a disproportionate relationship. And so people give money, but they don't get anything back. They think they're insuring their dog, their, their cat or their gerbil or their fish or whatever, and they aren't because it's not a fair system. Somebody told me that, you know, some current systems of pet insurance, you, you don't get covered. And so I appreciate trying to solve this problem, create a, a framework. And all it does-- I don't

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think this bill-- and he-- Senator Ballard can correct me if I'm wrong-- it doesn't require anybody to get pet insurance. It doesn't require anybody to do anything.

**KELLY:** One minute.

**J. CAVANAUGH:** It just-- if you're engaging in this industry, you have to do it in a fair way. And so I think this is a great example of a way in which government can set out guidelines to make sure that the, the level playing field for-- is fair for everybody who participates in it and choosing to participate in that field. So I think that's one of the reasons that this is a good bill. And I'm coming around to it. I'm going to keep reading it because there's a lot of words in here I don't know, so I'll read them, take a look-- another read. I see there's some other folks in the queue, but if I read it and something else jumps out at me, I'll let you know. Thank you, Mr. President.

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

**DAY:** Thank you, Mr. President. I rise once again in support of LB296 and against the motion to bracket. Before I move on to what I did want to talk about, I promised my son that I would mention a couple more things about him on the mike tonight because I didn't really get to talk much about my son, Noah, who is 10. In addition to being an avid soccer fan and soccer player and being extremely extroverted and loving video games, he is also very, very bright. He participates in every club under the sun. Any opportunity that he gets to participate in anything, he signs up for it. He participates in art club. He is on the fourth grade student council at his school. He was, I believe, in math club for a while. He is also in the Golden Sewer Club, for kids who are at a higher level of reading. And they meet before and after school sometimes. And they're reading a special book together. And a very bright young man. His favorite subject is math. But when I asked him what he wanted me to tell everyone is he wanted me to talk about how funny he is. He is 10 years old, and that kid, since he was a baby, has made me laugh more than any other human being on the planet. And when he was younger, he would get the belly laughs so hard that he would regularly, like, choke on his food and his drinks. He's a hilarious young man. He says the funniest things out of the blue and he always has. So Noah wants everyone watching to know that he's extremely funny. So, again, I support the bill. Pet insurance is extremely important. I think that this will make it more accessible for people to have pets because sometimes the veterinary care that is needed to take care of our pets can be extremely expensive straight

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out of the pocket. But I did want to mention one thing since we are here tonight at 9:30. There's a really critical election happening that was just decided in Wisconsin for the Wisconsin Supreme Court. Milwaukee County Judge Janet Protasiewicz won the hotly contested race for the Wisconsin Supreme Court, according to a race called by the Associated Press, defeating former State Supreme Court Justice Dan Kelly. Spending in the campaign shattered the previous national record for a state Supreme Court election. I've been following this for a little while. And I think anybody who follows politics in general has likely understood that this election in Wisconsin is extremely important. The win by Protasiewicz comes at a pivotal time for the court and for the Democratic voters who carried her to office. Justices are all but certain to hear a challenge to Wisconsin's pre-Civil War abortion ban. And with a liberal majority, they're likely to consider a lawsuit that could overturn Wisconsin's Republican-drawn legislative maps. So for anybody watching at home, make sure you're paying attention to what's going on in Wisconsin with the Supreme Court election that happened tonight, because that is going to be an important battleground in the presidential race, but it's also going to be really important in some extremely pivotal cases that will be heard in Wisconsin relative to states' rights and to gerrymandering. So that is all I wanted to talk about this time on the mike, so I will yield the rest of my time.

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

**ERDMAN:** Question.

**KELLY:** The question has been called. Do I see five hands? I do. The question is, shall debate cease? All those in favor vote aye; all those opposed vote nay. Request for a call of the house. And-- there has been a-- yeah. 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:** 16 ayes, 5 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 return-- or, please leave the floor. The house is under call. All unexcused senators are present. The question is, shall debate cease? All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

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**CLERK:** Voting aye: Senators Albrecht, Arch, Armendariz, Ballard, Bostar, Brandt, Brewer, Briese, Clements, DeKay, Dorn, Dover, Erdman, Hansen, Hardin, Holdcroft, Hughes, Ibach, Jacobson, Kauth, Linehan, Lippincott, McDonnell, Murman, Raybould, Sanders, Slama, von Gillern, Wayne, Wishart. Voting No: Senators John Cavanaugh, Machaela Cavanaugh, Conrad, Day, Fredrickson, Hunt, McKinney, Vargas. The vote is 30 ayes, 8 nays, Mr. President, to cease debate.

**KELLY:** Debate does cease. The question is the bracket motion. Request for a roll call vote. Mr. Clerk.

**CLERK:** Senator Aguilar. Senator Albrecht voting no. Senator Arch voting no. Senator Armendariz voting no. Senator Ballard voting no. Senator Blood. Senator Bostar voting no. Senator Bostelman. Senator Brandt voting no. Senator Brewer voting no. Senator Briese voting no. Senator John Cavanaugh voting no. Senator Machaela Cavanaugh voting no. 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 voting no. Senator Dungan voting no. Senator Erdman voting no. Senator Fredrickson voting no. Senator Geist. Senator Halloran. Senator Hansen voting no. Senator Hardin voting no. Senator Holdcroft voting no. Senator Hughes voting no. Senator Hunt not voting. Senator Ibach voting no. Senator Jacobson voting no. Senator Kauth voting no. Senator Linehan voting no. Senator Lippincott voting no. Senator Lowe. Senator McDonnell voting no. Senator McKinney voting no. Senator Moser. Senator Murman. Senator Murman, I'm sorry? Voting no. 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, 41 nays, Mr. President, on the motion to bracket.

**KELLY:** The motion fails. Mr. Clerk for items.

**CLERK:** Mr. President, single item: Senator Brandt, amendments to be printed to LB683.

**KELLY:** Raise the call.

**CLERK:** Mr. President, Senator Hunt would move to recommit LB296.

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

**HUNT:** Thank you, Mr. President. I rise with a recommit motion on LB296. This is one of the protective amendments that was put on all of the bills for the remainder of the session. And we'll take this motion

to a vote. On LB296, I support the concept. I will be not voting on this bill for two reasons. One, because Senator Ballard is supporting the abortion ban and I'm not able, this session-- I keep wanting to say semester. That's why I'm uh, uh, uh-ing about it. It's driving myself crazy. But, this semester, this session, this seminar, today, for the rest of the session, I won't be able to support bills introduced by supporters of the abortion ban. That's a commitment that I made early in this session, and it's one that I'm certainly going to stand by. And what I would also urge and say to people in the lobby is you have to stop giving easy bills to radicals. You have to stop lifting up far-right radicals in this body by giving them wins. And I think, I think it would be good to normalize more of that kind of thing from advocates, from the lobby and from our colleagues here between each other. On the issue of pet insurance, I was talking about how I had a fear of dogs-- not because one bit me, but because they can be kind of chaotic and kind of unpredictable. And they gave me a lot of anxiety, honestly, not knowing if it was going to jump on me or lick me or, you know, if it was well-trained or-- I don't know why, but it really set something off in my mind that made me really, really anxious to be around dogs. It's strange because I grew up with dogs. I had a dog named Murray [PHONETIC] that my dad got for my mother as a wedding gift. So when they got married, my mom unwrapped this gift and it was a dog bowl. And she was so excited. And then she and my dad went to the Humane Society and they found a puppy. And they had that dog until I was 14, when Murray passed away. Murray is also my mom's dad's name. Murray is my maternal grandfather. And so they kind of named the dog Murray as a joke because, in my family, they thought maybe that name wouldn't be passed down, so they passed it down to the dog. It's a good Irish name. After Murray passed away, we got another little dog named Scout [PHONETIC]. And we named her Scout because both of my parents are really, really involved in Boy Scouts and Girl Scouts. My brother and I were raised in scouting. My brother's an Eagle Scout. I was a Girl Scout all throughout school. And so we named our dog Scout, which was kind of cute. And-- so I grew up with these dogs, but it was just other people's dogs that made me anxious. And a lot of that started to go away when I started knocking doors. And this was-- you know, anyone who's ever knocked a lot of doors, if you haven't done this-- and I know a lot of you haven't, frankly. You haven't had to or maybe that's just not the way you do it in your district. Maybe you run more of a mail campaign. But knocking doors does something so interesting to you, psychologically. I mean, I've knocked doors where people pulled guns on me. Doesn't that sound insane? Well, it happened. I've knocked doors where dogs jumped on me. I've knocked doors where people gave me lemonade and baked goods and

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gifts. And I've knocked doors where people were mean and told me never to come back there. One guy told me that he's heard that I don't have any male employees at my store, so he wouldn't vote for me because none of my employees at the shop are men. Anything under the sun-- you can think of it, I've heard it at the doors. And-- but the dogs was really the thing, door after door, that sort of was really good for me because it desensitized me to the anxiety and fear that I had about dogs. And I think there's something about knocking a door of a constituent, of a voter, and not knowing what's going to be behind that door. Because this is a nonpartisan race, you know, I knocked every door. I didn't just knock progressives. I knocked conservatives and nonpartisan people. And so behind every door, you never knew what you were going to get. Even if you think it's going to be a friendly door, you think you've got an easy list for that day, sometimes you get somebody else who lives at that residence and they're not so friendly or, you know, any number of unpredictable things can happen. So the anxiety I had around the unpredictability of dogs was treated not just by seeing dogs at the doors, but by the unpredictability of the whole job itself, of not knowing what's going to be behind every door, of the adrenaline rush that, honestly, comes with every door. It, it reminds me a lot of the work we do in this session, in the normal course of business, actually. And it's too bad that freshmen in this body haven't been able to have that experience, where we get through maybe 8 or 15 or 20 bills in a day. And it's a really interesting thing when, at 9:00 a.m., you're fighting for a bill. At 10:30 a.m., the same person who was your ally in the fight for a bill, you're now against each other on the next bill. At 2:00 p.m., you come to another bill where you're together again, working on the same team. And then at 4:00 p.m., you're against each other again. And it's really this roller coaster up and down that is held together by the health of relationships. And that's something that the Speaker, Speaker Arch, has failed to engender in this Legislature by allowing bills like LB574 to take up all of the oxygen and all of the energy for a session and not being able to come to a solution to keep that bill off the agenda and kill it when it needed to be killed. Speaker Arch, of course, could have been not voting on that bill and then we'd be in a very different place right now. And all of the freshmen in this body would be having, what I would call, a more normal experience as a state senator, where we do have that roller coaster experience that reminds me so much of knocking doors, not knowing what's going to be behind the door. Gives me anxiety just thinking about it. Sometimes I feel like I have PTSD symptoms from it-- like, just the anxiety of the feeling of walking up to a door. You knock. That person is not expecting you. They probably honestly don't want to talk to you. And

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you have to convince them to give you their trust to be a represented-- representative for them in government. And why would people have trust in government when they see us in the Legislature here? They tune in tonight. It's 10:00 p.m. We're talking about dog insurance. Very nice. This all comes right after we denied healthcare to human children, but OK. That's how we look to people. It's not great. So how do we blame people for not having trust in government, for not having excitement about what we're doing for them? Because I would feel exactly the same way. So if someone came up to my door and said, I'm running for the Nebraska Legislature, I would treat them with massive skepticism, before I ran for office and after. And, of course, I'd received that too. And probably a lot of us received that at the doors when we knocked. So the feeling of the, the adrenaline bubbling up in you as you go to knock a door and then, honestly, one of the most heart-attack feelings is when no one answers because the adrenaline and the anxiety is bubbled up in you so high, and then no one answers the door and it's gone. And it's a relief in some ways almost. And you move on to the next door and it's the same feeling again. And, like, it cannot be good for your blood pressure. It cannot be good for your health and your heart health. But when the Legislature is at its best, it's the same way-- bill to bill, issue to issue. Parts are moving, things are changing and you don't know what's going to happen day to day. We have a little bit of that. I suppose we always have a little bit of that. But this Speaker has really failed in leadership by not giving us the opportunity to have that in this session. After I was knocking doors for a long time, I--

**KELLY:** One minute.

**HUNT:** --thank you, Mr. President-- I started to not feel so anxious around dogs. And early in the pandemic, when we were home all the time-- you know, my, my son had wanted a dog for a really long time. And I always said no because we lived in a really-- like, like a 600-square-foot apartment. And they didn't allow dogs for that matter, but there just wasn't room in that apartment even if we could get one. So I was always very, very set on no pets, no dogs, especially because we travel so much and because I'm in the Legislature. You know, what am I going to do when I'm driving down here every day? Who's taking care of the dog? So we didn't think it was going to be a realistic thing for our family. Thank you, Mr. President.

**KELLY:** Thank you, Senator Hunt. Mr. Clerk for a motion.

**CLERK:** Mr. President, Senator Machaela would move to reconsider the vote on MO461, the motion to bracket.

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

**M. CAVANAUGH:** Thank you, Mr. President. OK. I'm going to start out by saying, Dad, stop watching. It's late and we're talking about pet insurance. You're not going to miss anything. But thank you also for letting me know that Auggie died on Good Friday. It's how I knew that he was watching because he let me know that our cat died on Good Friday. So, it is always entertaining. He's not the only one that's texted me tonight. Various comments. There are so many people that are still watching that are apparently riveted by the pet conversation. And, I appreciate that. But I don't have any more pets to talk about, so I'm going to withdraw my motion. Thank you.

**KELLY:** Thank you, Senator Cavanaugh. The motion is withdrawn.

**CLERK:** Senator Machaela Cavanaugh would offer AM984 to LB296.

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

**M. CAVANAUGH:** I would like to withdraw all of my amendments. Thank you.

**CLERK:** Senator Cavanaugh offers AM983 with a note she wishes to withdraw. Senator Cavanaugh offers AM985 with a note she wishes to withdraw. Senator Machaela Cavanaugh offers AM986 with a note she wishes to withdraw. Senator Cavanaugh offers AM987 with a note she wishes to withdraw. Senator Cavanaugh offers AM988 with a note she wishes to withdraw. Senator Cavanaugh would offer AM989 with a note she wishes to withdraw. Senator Machaela Cavanaugh would offer AM990 with a note she wishes to withdraw. Senator Machaela Cavanaugh would move to offer AM991 with a note she wishes to withdraw. Senator Machaela Cavanaugh would move to offer AM993 with a note she wishes to withdraw. Senator Machaela Cavanaugh would move to offer AM994 with a note she wishes to withdraw. Senator Hunt would move to offer AM1020.

**KELLY:** Senator Hunt, you're recognized to open on your amendment.

**HUNT:** Thank you, Mr. President. Mr. Clerk, I'd like to withdraw that amendment as well as my other one. Thank you.

**CLERK:** Withdrawn.

**KELLY:** That's withdrawn.

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**CLERK:** Mr. President, next amendment. Senator Hunt would move to amend with AM1021 with a note she wishes to withdraw. Mr. President, next motion. Senator Hunt would move to indefinitely postpone LB296.

**KELLY:** Senator Hunt, you're recognized to open on the motion.

**HUNT:** Thank you, Mr. President. Mr. Clerk, I wish to withdraw this motion as well as my subsequent motions. Thank you.

**KELLY:** The motions are withdrawn.

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

**KELLY:** Senator Ballard for a motion.

**BALLARD:** Mr. President, I, I move to, I move to-- the E&R amendments to LB296 be advanced to E&R-- be adopted-- for engrossing.

**KELLY:** The, the motion is to advance LB296 for-- to E&R for engrossing. All those in favor say aye. Opposed, nay. It is advanced. Mr. Clerk.

**CLERK:** Mr. President, the next bill, LB298. First of all, Senator, there are no E&R amendments. I do have additional amendments pending. Senator Linehan would move to amend with AM560-- excuse me-- AM657.

**KELLY:** Senator Linehan, you're recognized on your amendment-- to open.

**LINEHAN:** So after we passed this on General File, Millard Public Schools came to me and they had just some language changes. It doesn't really change the bill-- or, I don't think it'll change the effectiveness of it. They just made it a little broader. And I like the language changes, and that's all this amendment is. It's just what Millard brought me for language changes in the bill. So I would appreciate your green amendment on this amendment.

**KELLY:** Senator, Senator Linehan, you're recognized to close on the amendment. And waive. The question is the adoption of AM657. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 33 ayes, 0 nays, Mr. President, on adoption of the amendment.

**KELLY:** AM657 is adopted.

**CLERK:** Mr. President, next amendment from Senator McKinney, would move to adopt with AM1188.

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**KELLY:** Senator McKinney, you're recognized to open on AM1188.

**McKINNEY:** Thank you, Mr. President. AM1188 amends LB630 into LB298. And LB630 directs the Department of Education to develop a model dress code and grooming policy. The model policy will facilitate and encourage school districts to provide an inclusive and positive learning environment for our ever-growing, diverse student populations. The policy will allow for certain exceptions and the related processes, like that of LB451, where it needed to comply with health and safety laws of the state rules and regulations. And in a recent report authored by the ACLU of Nebraska, *I Be Black Girl, Free the Hair*, Nebraska Indian Education Association and the UNL Muslim Law Student Association, the coalition highlighted the need to update school dress code and grooming policies to ensure that students can show up to school as their true selves. After the hearing and their findings, I hope you agree. The report found that 90 percent of school districts they surveyed, there was at least one school with a dress code that contained direct racial or religious implications. Some examples of those items prohibited: wearing hair scarves, bandanas, do-rags-- all directly impacting students of color. It also-- and in 85 percent of the school districts they surveyed, there was at least one school which allowed for punishment of dress code violations, including missed class time. Lastly, all school districts had at least one school with a vague or subjective dress code relating to grooming, hairdresses and hair. Similar concerns have caught the attention of the U.S. Government Accountability Office studying school dress codes. In that study, the GAO found that schools that report enforcing strict dress codes predominantly enroll black and Hispanic students and are more likely to remove students from class. LB630 tracks with the local coalition and U.S. government recommendations. We would join 15 other states, including neighboring Colorado, which have already passed legislation prohibiting hair, hair discrimination in schools. Testifiers behind-- the-- so the legal landscape on this issue and also include the Native-- it-- also, there was a situation with a Native American family, where a student had her hair cut, which was in violation of a lot of things, and it, it brought a lot of attention to this issue. And LB630, was voted out of the Education Committee with no opposition. It was designated with a Speaker priority. Also, just for clarity, in Section 2, it instructs the Department of Education to develop and distribute a model dress code and address certain prohibitions in the model dress code. The model policy must include a statement specifying consistency for schools' overall discipline plan. The, the Department of Education may, as a part of the dress code and grooming policy, adopt health and safety standards. And that's just to

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let everybody know that if a student is taking a class with industrial tech or those type of things, the schools can adopt policies to make sure that students are being safe. And if they're in, if they're in those type of courses, that the school can direct the students to cover their hair in a way that protects the school and protects the student from any harm. Just for clarity. And I, I guess I'll leave with that. Thank you.

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

**CONRAD:** Thank you, Mr. President. And good evening, colleagues. I rise in support of AM1188 and LB298. Senator McKinney has done a absolutely fantastic job leading this effort, and just wanted to commend his leadership. I know that the Education Committee had one of the most compelling hearings of the session when we heard this matter. And I have been committed in working in good faith and partnership with Senator McKinney and others interested in this bill, including the diverse set of community partners who helped to bring this measure to fruition, to find a path forward, even under difficult circumstances in this current legislative session. So whether that was through another education bill or through the fortuitous appearance of Senator Linehan's education bill, which is on our agenda tonight, I think it is long overdue that this body has had an opportunity to take this up and move this important bill forward. And just wanted to thank Senator McKinney for his incredible leadership and thank Senator Linehan for her graciousness in coordinating this this evening as well. Thank you, Mr. President.

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

**LINEHAN:** Thank you, Mr. S-- President. I want everybody to know that I voted LB88-- I don't remember the bill number, but I voted, as all the rest of the members on the Education Committee, voted Senator McKinney's bill out 8-0. We all felt it was very important that we do this. The hearing was very disturbing, in that-- you know, we've talked a lot about rules here. Imagine being a child in a school and they can change the rules and they're not clear. It's not fair, and this needs to be done. I'm also-- have asked the pages-- and I'm sure they're working on this hard-- there was a story in the Omaha World-Herald-- I think it was last week-- front-page picture of a woman I've worked with some and her daughter-- her daughter's dyslexic-- who-- I told their story about struggles and getting help. There's also a story about a woman who was in the public school

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system, could see this was a problem and has started her own, her own business trying to help kids with dyslexia. And I got an email this week, after that story was in the paper, of another family who had a child who struggled for three years. And then finally, they went and found a school that they're now paying \$10,000 a year for her to learn how to read. But they're very happy because he sent-- his father sent me a picture of his daughter writing the teacher a thank-you note, where she managed to spell "dear" right. Thank you very much for teaching me. I'm learning a lot, with all the words spelled right. So this is really, really something. And we talked a lot about children this session-- and they're all important and they're all-- but this has been going on for decades. And it needs to stop. And these kids can be helped. And we need to teach them how to read-- how they learn to read, not how some adults think they should learn, but how they are going to learn to read, which is different than other children might be able to read. So I'd appreciate your green vote on the amendment and on the underlying bill. Thank you, Mr. President.

**KELLY:** Thank you, Senator Linehan. No one in the queue, Senator McKinney-- waives closing on AM1188. The question for the body is the adoption of AM1188. All those in favor vote aye; all those opposed, nay. Record, Mr. Clerk.

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

**KELLY:** AM1188 is adopted. Mr. Clerk for motions.

**CLERK:** Mr. President, Senator Hunt would offer MO473, MO474, MO475, MO476, MO477 and MO478, all with a note she wishes to withdraw. Additionally, Senator Machaela Cavanaugh would move to offer AM1009, AM1006, AM1007, AM1004, AM1005 and AM1008, all with notes that she wishes to withdraw those as well. Mr. President, I have nothing further on the bill.

**KELLY:** Senator Ballard for a motion.

**BALLARD:** Mr. President, I move that LB298 be advanced to E&R for engrossing.

**KELLY:** The question is the advancement of LB298 for E&R Engrossing. All those in favor say aye. All those opposed say nay. It is advanced. Next item, Mr. Clerk.

**CLERK:** Mr. President, LB9-- excuse me-- LB298A. Senator, I have no E&Rs and nothing on the bill.

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**KELLY:** Senator Linehan, you're recog-- or, Senator Ballard, for-- you're recognized for a motion.

**BALLARD:** Mr. President, I move that LB298A be advanced to E&R for engrossing.

**KELLY:** You've heard the motion. All those in favor say aye. Those opposed, nay. It is advanced. Mr. Clerk for items.

**CLERK:** Mr. President, name adds: Senator Fredrickson, name added to LB181. Additionally, priority motion. Senator Briese would move to adjourn the body until Wednesday, April 5, 2023 at 9:00 a.m.

**KELLY:** The question is the motion to adjourn. All those in favor state aye. All those opposed, nay. We are adjourned.