

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate March 14, 2025

ARCH: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the forty-fourth day of the One Hundred Ninth Legislature, First Session. Our chaplain for today is Pastor Gary Eller from First Presbyterian Church in Omaha, in Senator John Cavanaugh's district. Please rise.

GARY ELLER: Let us pray. Almighty God, you have given us this land as a heritage. Make us always remember your generosity and constantly do your will. Bless our land with honesty, sound learning, and honorable way of life. Save us from violence, discord and confusion, from pride and arrogance. Bless those here who hold office in the government of the state of Nebraska, that they do their work in a spirit of wisdom, kindness, and justice. Help them to use their authority to serve faithfully all the people of our state and promote the general welfare. I pray to you in the name of Jesus Christ, others pray to you in other names, but we all pray in the confidence that you are a good and compassionate God who hears and responds in grace to all who call upon you, for you have created all of us, and we are all your beloved children. Let all the people of God say. Amen.

ARCH: I recognize Senator Dover for the Pledge of Allegiance.

DOVER: 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.

ARCH: Thank you. I call to order the forty-fourth day of the One Hundred Ninth Legislature, First Session. Senators, please record your presence. Roll call.

DeKAY: Mr. Clerk, please record.

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

DeKAY: Thank you, Mr. Clerk. Are there any corrections for the Journal?

CLERK: I have no corrections this morning, sir.

DeKAY: Thank you. Are there any messages, reports, or announcements?

CLERK: There are, Mr. President. Communication from Senator McKeon designating LB693 as his personal priority for the session. Senator Storer would designate LB383 as her personal priority for the session. Senator Ibach would prioritize LB646 as her personal priority for the

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session. Senator Hallstrom would prioritize LB455 as his personal priority for the session. Senator Murman would designate LB306 as his personal prior-- excuse me, as an Education Committee priority bill. LB306, Education Committee priority bill. Senator Murman also designates LB653 as an Education Committee priority bill. Senator Jacobson has designated LB526 as his personal priority bill for the session. Senator Dover has designated LR19CA as his personal priority bill for the session. Senator Ballard would designate LB645 as a Retirement Committee priority bill. Senator Dorn would designate LB712 as his personal priority bill for the session. Judiciary Committee has chosen LB150 as a committee priority bill for this session. Additionally, a communication from the governor concerning an appointment to the-- as the Commissioner of the Department of Labor. Agency reports electronically filed with the Nebraska Legislature can be found on the Nebraska Legislature's website and report of registered lobbyists for March 13, 2025 is available in today's Journal. Finally, Mr. President, a notification that the Revenue Committee will have a, an executive session in Room 2102 at 10:30 this morning. Revenue, 2102, at 10:30. And notice that the General Affairs Committee will meet in Room 1023 on Monday, March 17 rather than Room 1510. General Affairs in 1023 instead of Room 1510. Additional: amendments to be printed from Senator Bosn to LB530 and LB150. That's all I have at this time, Mr. President.

DeKAY: Thank you, Mr. Clerk. I recognize Speaker Arch for an announcement.

ARCH: Thank you, Mr. President. A lot of activity going on today. We still have 22 designations from senators to be made today. So I know there's a lot of people making decisions here at the last. But just a final reminder, today prior to adjournment is the deadline to designate committee and senator priority bills. The original designation letter needs to be delivered to my office, and a copy to the Clerk's desk in the front of the Chamber. Both letters will need to be delivered prior to the adjournment today. So that's, that's the deadline. I, I say it's kind of like, you know, I didn't know that term paper was due, but it's due today before adjournment. As for Speaker priority designations, I'll be looking over the requests and making my decisions this weekend. As you know, I have 25 to select. We've had approximately 75 request letters so far. So just to give you an idea as to the odds of being selected, I wanted to, I wanted to let you know that. So I'll announce my 25 Speaker priority bills on Monday. Thank you, Mr. President.

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DeKAY: Thank you, Speaker Arch. We will now proceed to the first item on the agenda. Mr. Clerk.

CLERK: Mr. President, LB22A, introduced by Senator Dungan, General File. It's a bill for an act relating to appropriations; appropriates funds to aid in carrying out the provisions of LB22. The bill was read for the first time on March 12 of this year and placed directly on General File.

DeKAY: Senator Dungan, you're recognized to open.

DUNGAN: Thank you, Mr. President. Good morning, colleagues. This is the A bill that associates LB22. Sorry, I just ran up the steps. I'm a little bit out of breath. I would ask you all to vote green on this. It simply makes the appropriations necessary for the at-home nurse visiting. Thank you, Mr. President.

DeKAY: See-- seeing no one in the queue, you are recognized to close. We waive closing. Question before the body is the advancement of the bill. All those in favor vote aye; all those opposed vote nay.

ARCH: Mr. Clerk.

CLERK: 41 ayes, 0 nays on advancement of the bill, Mr. President.

ARCH: LB22A does advance. Mr. Clerk, next item.

CLERK: Mr. President, quickly, a notice that the Business and Labor Committee will have an executive session now in Room 2022. Business and Labor Committee now, exec session, Room 2022. As it concerns the agenda, Mr. President, next bill is General File, LB148A, introduced by Senator Hansen. It's a bill for an act relating to appropriations; appropriates funds to aid in carrying out the provisions of LB148. The bill was read for the first time on March 12 of this year and placed directly on General File.

ARCH: Senator Hansen, you're recognized to open.

HANSEN: Thank you, Mr. Speaker. Good morning, colleagues. The A bill for LB148 provides funding to the Nebraska State Patrol, allowing them to access criminal background checks on applicants who take advantage of the dentist and dental hygienist compact. The underlying bill updates standards for obtaining licenses in Nebraska to practice dentistry, and establishes a licensing pathway for reciprocity among participating states. It did come out of HHS Committee 7-0. According to the fiscal note, additional work would be required by DHHS within

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Program 178 for professional licensure, but the cost would be absorbed within current agency appropriations. With an increase in applicants under the compact though, dentists and dental hygienists from other states would be subject to criminal background checks by the Nebraska State Patrol. This is where funding is requested, NSP estimates needing an additional staff person to process additional applicants. LB148 works to address the dental shortages Nebraska is facing and ensures we are on a level playing field when it comes to recruiting dentists to our state. On a side note, this appropriation really makes no sense to me because we're talking about 10 dentists coming into the state and they need to hire a whole nother Nebraska State Patrolman to do background checks on 10 people a year. So with that, colleagues, vote however you want. Thank you, Mr. President.

ARCH: Seeing no one in the queue, you're welcome to close. Senator Hansen waives close. Question before the body is the advancement of LB148A to E&R Initial. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: 38 ayes, 0 nays on advancement of the bill, Mr. President.

ARCH: LB148A does advance. We have some special guests today. Senator Dorn would like to recognize Artie Verner, and it's a very special day, Artie is located under the south balcony and it's his third birthday. Senator Storer also has special guests, Baker Caulkins from Kearney and Eric Scott from Valentine, and Eric Scott is the Cherry County Attorney. They are located under the north balcony. Welcome. Mr. Clerk, for items.

CLERK: Thank you, Mr. President. Communication from the Judiciary Committee, they've chosen LB530 as a committee priority bill. Additionally, Senator McKinney designates LB48 as his personal priority bill for the session. Also, Mr. President, new LR, LR71 from Senator Meyer celebrating victorious season for the Pender Lady Pendragons girls basketball team. LR71, that will be laid over. Finally, Mr. President, next item on the agenda, General File, LB245, introduced by Senator DeKay. It's a bill for an act relating to the Nebraska Pure Food Act; amends several sections of Chapter 81; changes provisions relating to priority items, the federal Current Good Manufacturing Practice, design and fabrication requirements, fees, establishments that are permanently closed, service of notices and orders; eliminates provisions relating to time/temperature control for food safety, handwashing requirements and food contact restrictions for food employees, requirements relating to date marking, sale, consumption, or discard of time/temperature control for food safety,

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and fingernail requirements relating to food employees; harmonize provisions; repeals the original section; outright repeals several sections of Chapter 81; and declares an emergency. The bill was read for the first time on January 14 of this year and referred to the Agriculture Committee. That committee placed the bill and General File with committee amendments. When the Legislature left the bill, Mr. President, pending was the bill itself as well as committee amendments and a motion from Senator Machaela Cavanaugh to bracket the bill.

ARCH: Senator DeKay, you're recognized for a refresher on LB245 and the committee amendment.

DeKAY: Thank you. LB245 updates to Nebraska Pure Food Act by incorporating a more recent version of the Food Code. The bill, as introduced, would al-- have also adjusted the license and inspection fees to schedule to fully cash fund the program. The pending committee amendments would adopt a fee schedule that would continue the current policy of funding a pure food inspection program, approximately half cash funds, and half general funds. The amendment also adds the provisions of LB394, which also adopts current publications and uses standards in the weights and measures program and updates the schedule of fees under that program. Thank you, Mr. President.

ARCH: We will turn now to the queue. Regarding the motion, Senator Cavanaugh, you are recognized to speak.

M. CAVANAUGH: Thank you, Mr. President. Good morning, colleagues. Would Senator DeKay yield to a question?

ARCH: Senator DeKay, could-- will you yield?

DeKAY: Yes.

M. CAVANAUGH: Thank you, Senator DeKay. So this bill, it, it's changing from a partial cash fund 50/50 to 100% cash fund. Correct?

DeKAY: That was what the original bill-- the white copy, the AM501 will keep it at the current level, basically 50% cash fund and 50% general funds.

M. CAVANAUGH: OK. And can you talk a little bit about what this fund does or what this inspection is?

DeKAY: Well, the inspections, they go around to the different entities, they inspect for the health.

M. CAVANAUGH: Entities being grocery stores and restaurants or--

DeKAY: It, it will apply to restaurants, they go in and check, make sure equipment is up to code and make sure the sanitation is up to code. They inspect refrigeration or the cooling systems to make sure that the, the storage is at the level they want, which currently is at 45 degrees. And with that coming in with new equipment, they would drop that to 41 degrees. But restaurants that are open and venues like that, it would stay at 45 degrees unless they change that equipment out and then they would have to adopt to the new standard of having that cooling down to 41.

M. CAVANAUGH: OK. And then it also includes something with EV charging or is that--

DeKAY: That was a recommendation on EV charging, but there's only one other state that's doing that right now. So we're going to put that on pause and see how we are able to staff and how we're able to implement that in the future and we might have an interim study on that this summer.

M. CAVANAUGH: OK. So the amendment takes out the EV charging?

DeKAY: Yes, as of-- for right now.

M. CAVANAUGH: OK. So-- because I was a little confused, it says it incorporate-- AM501 incorporates provisions of LB394. What provisions does it incorporate?

DeKAY: Well, as I said in the amendment, there's a lot to go into to determine the cost, the department to implement the order, and to set the appropriate fees. So the department has asked for some additional time to get a better understanding of the equipment that they would require and the staff to perform the inspections to be ready to implement. So it's probably taking EVs completely out of the process right now.

M. CAVANAUGH: I'm sorry. It does take the EVs completely out? Could I get a gavel? Thank you. I'm sorry. Could you repeat that?

DeKAY: Yes, it would take EVs out of the process right now, and we would probably come back with more legislation next session to amend the fees on EV chargers.

M. CAVANAUGH: OK. So EVs are out entirely. So with AM501, because I'm looking at the fiscal note and the committee statement, and I'm not

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quite clear. Because the fiscal note has fee increases, what, what are the actual fee increases that are in AM501?

DeKAY: The actual fee increases, I don't have them right in front of me right now, Senator Cavanaugh, it's just appropriately going up to keep it at 50% funded, which it currently is now. So the fees will go up financially, but the percentage that those fees are being charged will stay the same at 50%.

M. CAVANAUGH: OK.

DeKAY: They're just-- basically, this is just keeping up with the rate of inflation right now.

M. CAVANAUGH: OK. Because I did read that the fees have been-- they've been using the max fee allowable for the last several years, but I wasn't really clear on what the fees were going to be, so.

DeKAY: Could I interject?

M. CAVANAUGH: Yes.

DeKAY: And Lancaster, Douglas, and Hall Counties will also have their own fee structure, different from the rest of the state because of different standards through the state and federal government.

M. CAVANAUGH: Lancaster, Douglas, and Hall?

DeKAY: Yes.

M. CAVANAUGH: They'll have different--

DeKAY: Yes.

M. CAVANAUGH: --but different being higher or lower?

DeKAY: That's a good question. I can look through my notes and see where they're going to be right-- real quick.

M. CAVANAUGH: OK. Yeah, I think it would be helpful to know.

ARCH: Time, Senator.

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

ARCH: And you're next in the queue.

M. CAVANAUGH: Thank you. I appreciate Senator DeKay answering my questions. That, that does help a lot because I was trying to catch up on this and it, it does a lot, but then I think the amendment changes a lot and so. It says committee amendment is a white copy amendment which strikes the original provisions and becomes the bill, retains provisions of LB245, except for two provisions described below. The amendment also incorporates revised provisions of LB394, which similarly to LB245 incorporates current editions of model publications utilized as standards for purposes of Weights and Measures Act. Actually, I need to ask a clarifying question. Do I have one more time and a close or just a close?

ARCH: Just a close.

M. CAVANAUGH: OK. Thank you. I was going to get back in the queue if I had one more time. OK. So LB245 revisions, Section 1 to 11 of AM501 contains the substantive provisions of LB245, as introduced with the following revisions. Replaces the new statutory maximum food establishment fees in Section 81-2,270 in the bill, introduced with revised fees schedule, Section 8 of AM501. So it looks like that's probably where we will find what the fees are in Section 8 of this amendment because I would like to know what they are before voting on the amendment. Section 8-- OK, here we go. So-- ooh-- OK, Section 8 of the amendment strikes the food establishment fee, area annual fee per area or units annual. OK. So there's initial permit fee, base annual fee, food preparation area annual fee, secondary unit or units annual fee. So it's on page 6 of AM501 for anyone who wants to look for what the fees are. So they're going from \$86 to \$122 for a food establishment. Same for itinerant food vendor and then limited food service establishment same, \$122. Mobile food unit for each unit, \$122. Pushcart for each unit, \$122. Vending machine operations, \$122. 1 to 10 units going from \$17 to \$24. 11 to 20 units going from \$34 to \$49. 34 [SIC] to 40 units going from \$68 to \$98. Over 40 units, \$86 to \$122. Food processing plant, \$86 to \$122. Salvage operation, same. Commissary, same. All other food establishment, same. A base annual fee includes one food preparation area and one food handling activity based upon the primary food handling activity conducted within the food establishment. So one question I have, and I'm not going to put Senator DeKay on the spot, but this does strike inspection from inspection fee. And now it just says annual fee. And I am curious why that change is made. And maybe it's just a, a Drafter's preference, but without having it in statute that this is an inspection fee, it, in my mind, opens it up to be swept for other purposes. So I see I'm almost out of time, but I might ask you to yield to that question in my closing, if that's all right? So, OK, so, I mean, it doesn't look

like the fees are-- and I did see that the fees haven't been raised since 2003. So it doesn't look like they're going up like an exorbitant amount for not having been raised for over 20 years. But any time we are raising fees, I get concerned. I am happy to see this--

ARCH: Time, Senator.

M. CAVANAUGH: Thank you.

ARCH: Seeing no one in the queue, you are recognized to close on your bracket motion.

M. CAVANAUGH: Thank you. And I'd like to ask Senator DeKay to yield to a question.

ARCH: Senator DeKay, will you yield?

DeKAY: Yes.

M. CAVANAUGH: Senator DeKay, do you, do you happen to know why it struck inspection from the fees?

DeKAY: Yes, that was struck because it gives the outlook that it's going to-- those inspections would take place every year. And this takes away the need to make that happen every year so it limits it to the high priority ones so that those inspections do not have to take place every year as previously indicated.

M. CAVANAUGH: So if-- so not every person-- not every entity needs to pay the inspection fee annually?

DeKAY: The fees will be paid because you don't know basically when, when you are going to be-- need to be inspected. But that doesn't, doesn't mean you're going to have that inspection to take place every year, so.

M. CAVANAUGH: OK. But aren't the fees still to pay for inspections? Aren't the-- the fees are still for-- the purpose of the fees is to pay for the inspections. Correct?

DeKAY: Yeah, but that covers the whole, whole horizon on why the fees are put in place. So it, it covers the costs throughout the state somewhat, but it does cover the inspections when they do need to take place, but it does give them the variance to not be-- have to be inspected every year unless--

M. CAVANAUGH: I'm sorry, it gives them various what?

DeKAY: It gives-- it doesn't make it have to happen that they have to be inspected every year. They still will be paying the fees, but it gives them opportunity not to have to be inspected if they're not a high priority.

M. CAVANAUGH: And the way it is currently, are they supposed to be inspected every year?

DeKAY: I don't think so. I, I will check and get you that information.

M. CAVANAUGH: OK. My, my concern was with striking inspection from inspection fee is that, then, it opens up the utilization of that cash fund beyond the scope of what is intended, which is to cover the costs of operating these inspections. So I understand what you're saying, that they don't-- it's an annual fee.

DeKAY: Right.

M. CAVANAUGH: I guess I would prefer to see it as an annual inspection fee, even if they aren't being inspected annually. That that is, the fee is paying for inspections writ large and not then going to be utilized for other things, because we are seeing a pattern of our cash funds that are funded by fees being raided and taken into the general funds for General Fund operations. And I would like to not see that happen with this particular fund.

DeKAY: OK. Duly noted.

M. CAVANAUGH: OK. Thank you for answering my questions, Senator DeKay. So I think I probably have, like, just about a minute left and continuing to go through the committee statement, which for those that are, are new this year, the committee statements are online and are a great resource, especially if you're not on the committee itself, and the fiscal notes, because if you miss the committee hearings, then you're kind of running from behind on everything. And so you can see on the committee statement who came in support, who came in opposition. In this particular instance, who came in neutral. We had Department of Agriculture came in support and in neutral on this bill, which is interesting. And then the Grocers came and Hospitality Association came in neutral as well. The Farmers Union came in opposition. I'd be curious what their opposition was. That is one of the drawbacks is that we don't necessarily know what the support or the opposition is from the committee statements, but at least it gives you a snapshot of where the hearing was at and whether there was a

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million people or, or just a handful of people. And then the fiscal note is also a great resource. So we have our committee staff, which is the committee clerk and the committee counsel. And the committee counsel predominantly informs the committee statement. But there are certain pieces, the first pieces come from the committee clerk, and then our fiscal notes come from our fiscal analysts. And also they reach out to the fiscal analysts of other agencies and the right, you know, people of the purview of the bill. So that's how I get my information on these bills in addition to reading the bills. But sometimes when I read bills--

ARCH: Time, Senator.

M. CAVANAUGH: Oh, thank you.

ARCH: Colleagues, the question before the body is the motion to bracket until 3/19/25. All those in favor vote aye; all those opposed vote nay. There's been a request for a roll call. Mr. Clerk, please call the roll.

CLERK: Senator Andersen. Senator Arch voting no. Senator Armendariz voting no. Senator Ballard voting no. Senator Bosn voting no. Senator Bostar. Senator Brandt. Senator John Cavanaugh voting yes. Senator Machaela Cavanaugh not voting. Senator Clements voting no. Senator Clouse voting no. Senator Conrad voting no. Senator DeBoer voting no. Senator DeKay voting no. Senator Dorn voting no. Senator Dover voting no. Senator Dungan voting no. Senator Fredrickson voting no. Senator Guereca. Senator Hallstrom voting no. Senator Hansen. Senator Hardin voting no. Senator Holdcroft voting no. Senator Hughes voting no. Senator Hunt voting no. Senator Ibach. Senator Jacobson voting no. Senator Juarez. Senator Kauth. Senator Lippincott voting no. Senator Lonowski voting no. Senator McKeon. Senator McKinney. Senator Meyer voting no. Senator Moser voting no. Senator Murman voting no. Senator Prokop voting no. Senator Quick voting no. Senator Raybould. Senator Riepe voting no. Senator Rountree not voting. Senator Sanders. Senator Sorrentino. Senator Spivey. Senator Storer-- Senator Storer voting no. Senator Storm voting no. Senator Strommen voting no. Senator von Gillern voting no. Senator Wordekemper voting no. Vote is 1 aye, 32 nays, Mr. President, on the motion to bracket.

ARCH: The bracket motion is not successful. Mr. Clerk, next item.

CLERK: Mr. President, Senator Machaela Cavanaugh would move to recommit LB245 to committee.

ARCH: Senator Cavanaugh, you are recognized to open on your, on your motion.

M. CAVANAUGH: Thank you, Mr. President. So I was trying to walk through how to follow a bill. OK. So we've got the fiscal note and we have the committee statement. And then, of course, there's just the underlying bill. You can also-- well, we can-- I guess the general public maybe can't-- but we can go and look at the bill on, on our system and on the public facing system there is an online comment list which this one had two opponents and-- but we don't actually get what the opposition was or the support, but on our UniNet we can actually look at the online comments, which is a nice feature. LB245, so let's see here-- oh, now it's got six, that these must have come in after. So we've got two opponents, I oppose-- OK, one is-- oh, I oppose LB245. There's-- those are the two opponents and that was their statements. There's an Association of Local Health Directors is a proponent and-- oh, this is interesting. On behalf of the Nebraska Association of Local Health Directors, I am writing to express strong support for LB245, which adopts the 2022 FDA Model Food Code and enhances food safety standards in Nebraska. This bill is crucial for protecting public health and aligns with practices already established in neighboring states. Thank you to Senator DeKay for introducing this bill. Key points we support: adoption of the 2022 FDA Model Food Code. Updating to, updating to the latest Food Code is a standard practice that ensures Nebraska's regulations reflect current scientific research and best practices in food safety. Certified Food Protection Manager, or CFPM, requirement mandating that the person in charge at food establishments be a CFPM, enhances public health by ensuring that food managers are knowledgeable in safe food handling practices. This certification is recognized nationally and is already in place in many states. Third, is prohibition of bare hand contact. This important measure reduces the risk of foodborne illnesses, particular-- particularly norovirus, which is transmitted-- primarily transmitted through contaminated hands. Implementing this prohibit-- prohibition will significantly enhance food safety. Oh, boy, norovirus, that is not fun. Four, lowering cold holding temperature. Lowering the acceptable cold holding temperature from 45 degrees fahrenheit to 41 degrees for time/temperature cold safety, TCS, foods is based on sound science and will help limit pathogen growth, thereby preventing foodborne illness. And, five, overall public health benefits LB245 represents a comprehensive approach to food safety by providing a higher level of protection for Nebraska residents and reducing the likelihood of foodborne illnesses. The Local Health Departments [SIC] urge you to support LB245 to ensure that Nebraska maintains robust

science-based food safety regulations. Thank you for your attention to this important matter. Please reach out to us if you can-- if we can answer any questions or provide any assistance. Sincerely, the Executive Director of the Nebraska Association of Local Health Departments [SIC]. OK, here is an opposition that is more than just I oppose. And this one is from some-- just an individual. LB245 opponent. With the emergency to remove laws to protect the public-- why the emergency to remove laws to protect the public? On page 2, line 22, "delivers" should not be struck. Who knows what could happen en route as the food is being delivered. Why the removal of inspection? We are no longer going to inspect the food establishments? Are inspections going to be done remotely by totalitarianism? The state law that is being repealed is layered with the FDA Food Code 2022 items that are also getting struck. So this legislation is removing safety standards on temperature standards, handwashing, contacting food with bare hands, fingernail cleanliness, washing linens, etcetera. On page 8, line 29, those exemptions need references in law where they will have protection. Health care facilities, government entities, etcetera, I, I would match the state statute with the FDA Code. For example, 81-2,272.32 is about fingernail cleanliness. The reference to the FDA Code does not need repetition in any other state statute. It could just reference the statute. Well, OK, I think maybe just a different interpretation of, of what the bill does, because I think that it sounds like the bill actually does what this person wants it to do, just not necessarily in the way that they want it to be written. So there, I think that's a neutral testimony. We also have another letter of support from Lancaster County Department of Health and the Lancaster County-- Lincoln-Lancaster County Health Department supports LB245. This bill provides a higher level of protection to the public by adopting the 2022 FDA Model Food Code and adopting several sections of the FD-- of the 2022 FDA Model Food Code that were previously not included in the Pure Food Act, including the following: requiring the person in charge to be a Certified Food Protection Manager. The CPFM is a nationally recognized certification that ensures that food managers have knowledge in safe food handling, the preparation practice-- and preparation practices. Food protection managers have an important role in formulating policies, verifying food employees carrying out these policies, and communicating with employees about recommended practices to reduce the risk of foodborne illness. Prohibiting bare hand contact with ready-to-eat foods. The CDC estimates that norovirus is the leading cause of foodborne illness in the United States. Contaminated hands are a significant factor in the transmission of enteric viruses including norovirus and hepatitis A virus 1. Prohibiting bare hand

contact with ready-to-eat foods reduces the likelihood of contamination, thus reducing the risk of foodborne illness. Adopting cold holding at 41 degrees fahrenheit temperature control safety of foods. Maintaining TCS foods under the cold temperature control requirement prescribed in 2022 Model will limit the growth of pathogens that may be present in or on the food and may help prevent foodborne illness. In summary, LB245 provides a higher level of food safety to the residents of Nebraska, which in turn better protects public health and reduce the likelihood of foodborne illness. So these two public health letters, I really appreciate-- especially-- and I appreciate Senator DeKay bringing this bill, because we are cutting our public health department's funding. So the state-- can I get a gavel? Thank you. I appreciate that colleagues are having conversations and that's fine. But you might want to take them, like, not to the center of the floor or at the end of my desk. Or do, I guess, that's cool too. So, so the, the budget is cutting our public health department's funding across the state. And bills like this are going to be even more important than before, because in those cuts, we have no cushion for emergency public health outbreaks. So let's say the norovirus breaks out in a community, with the cuts that we are currently planning to make, we will not have the resources to immediately address that, that situation. So having regular food inspection and having these changes made that will hopefully reduce the spread of things like the norovirus are, are great. They're great public policy. I would say it would be great to have this public policy and a well-funded public health department. If we're not going to have a well-funded public health department, then I think the least we can do is have our health safety standards raised a little bit. So I'm grateful to Senator DeKay for introducing this bill and carrying it forward. And, Madam President, I would like to withdraw this motion, withdraw this motion.

DeBOER: Without objection, so ordered.

CLERK: Madam President, Senator Machaela Cavanaugh would move to indefinitely postpone LB245 with MO66.

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

M. CAVANAUGH: Well, thank you, Madam President. So I actually have talked myself into liking this bill. Also, Senator DeKay has contributed to that. So here's where I was, and this is kind of a fun thing. I didn't really know how I felt about this bill because I'm a bit of a stickler for cash funds and fees for operations for government and so I was kind of, like, leaning no. Honestly, I was

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leaning no, I wasn't a no, but I was leaning no, because I really don't like government services being funded by fees. It's just another tax. But in having my discourse with Senator DeKay this morning and reading the fiscal note and the, the committee statement and the letters of support, I have a greater understanding of what LB245 does. And I think what it does is actually a public service. And I think it's good, strong public policy. And so I want to see this bill move forward. So with that, I am going to withdraw my motion. Thank you, Madam President.

DeBOER: Without objection, so ordered.

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

DeBOER: Thank you, Mr. Clerk. Senator Arch would like to recognize 12 high school-- 12 high schoolers from the Nebraska Army National Guard in Lincoln. Please stand and be welcomed by your Nebraska Legislature. Mr. Clerk. Senator DeKay, there's nothing further on the bill, you're welcome to close.

DeKAY: Thank you, Madam President. Thank you to Senator Cavanaugh for helping explain the bill, the necessary reasons for it for the updates and for the different funding mechanism, I appreciate that. With that, I would ask for your green vote.

DeBOER: Thank you, Senator DeKay. The question before the body is moving LB245-- is the adoption of the committee amendment AM501 from the Agriculture Committee. All those in favor vote aye; all those opposed vote nay. Have you all voted who care to? Record, Mr. Clerk.

CLERK: 39 ayes, 0 nays, Madam President, on adoption of the committee amendment.

DeBOER: The committee amendment is adopted. Seeing no one else in the queue, Senator DeKay, you are welcome to close. Senator DeKay waives closing. The question before the body is the advancement to E&R Initial of LB245. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 43 ayes, 0 nays on advancement of the bill, Madam President.

DeBOER: It is advanced. Mr. Clerk, for the next item.

CLERK: Madam President, some items if I could? Communication from Senator Hansen that the Executive Board has selected LB634 as a committee priority bill. Additionally, Senator Hunt has selected LB275

as her personal priority bill. Senator Conrad has selected LB156 as her personal priority bill. Senator Fredrickson has selected LB380 as his personal priority bill. Senator Brandt has selected LB170 as his personal priority bill for the session. Senator Murman selected LB169 as his personal priority bill for the session. Senator Machaela Cavanaugh has designated LB13 as her personal priority bill for the session. Senator Hansen has designated LB676 as his personal priority bill for the session. Senator Andersen has selected LR12CA as his priority bill for the session. Senator Sorrentino selected LB79 as his personal priority bill for the session. Additionally, new LR from Senator McKinney, LR70, that will be laid over. Madam President, next item on the agenda, LB295, introduced by the Nebraska Retirement Systems Committee. It's a bill for an act relating to retirement; amends Sections 23-2320, 42-1102, several sections in Chapter 79 and Chapter 81, and Chapter 84, as well as additional sections in Chapter 23 and 24; redefines terms and changes provisions relating to termination, documents used to demonstrate United States citizenship or lawful presence in United States, repayment of gross distributions or benefits, cost-of-living adjustments, deadlines for filing forms relating to survivorship annuities, and employee leave for preretirement planning programs under the County Employees Retirement Act, the Judges Retirement Act, School Employees Retirement Act, Class V School Employees Retirement Act, the Nebraska State Patrol Retirement Act, the State Employees Retirement Act; changes the definition of Spousal Pension Rights Act; restates legislative intent under the Nebraska State Patrol Retirement Act; changes provisions relating to calling meetings of the Public Employees Retirement Board and paying per diems and expenses for members of the Public Employees Retirement Board; changes provisions relating to demonstrating United States citizenship or lawful presence in the United States for participation in a deferred compensation plan; harmonizes provisions; and repeals the original section. The bill was read for the first time on January 15 of this year and referred to the Nebraska Retirement Systems Committee. That committee placed the bill on General File. There are committee amendments as well as additional amendments, Madam President.

DeBOER: Thank you, Mr. Clerk. Senator Ballard, as chair of the Nebraska Retirement Systems Committee, you are welcome to open on the committee bill.

BALLARD: Thank you, Madam President. LB295 is the annual cleanup bill from NPERS. Given, given the bill's length, I will briefly discuss the major provisions within the bill. First, LB295 provides a process for the PERB Board to waive repayment of benefits. And those benefits were

the result of an inadvertent overpayment. Generally, when retirement benefits are paid out in error, the plan members are required to repay the benefits, but NPERS has experienced some situations where members received the overpayment due to no fault of their own and based on receiving incorrect information from their employer. The bill would not waive repayments in all cases, but simply provide the process by which the PERB Board could waive repayment in certain cases. Second, the bill updates the list of eligible identification documents under the retirement statutes. Under current law, only those individuals who are United States citizens and who are lawfully present are eligible to participate in state retirement systems. LB295 adds that issue of learner's permits to the list of eligible identification documents, and clarifies that the validity of these federal identification systems are issued by the United States Department of Homeland Security or the Immigration Services. Third, the bill adds that Class V School Employee Retirement Systems, commonly referred to as OSERS, to the definition of statewide public retirement systems and Spousal Pension Rights Act. This corrects an oversight when management of the OSERS plan when transferred to NPERS in 2021. Fourth, the bill makes a series of technical changes to the Employee Retirement Act. These technical changes include inclusions at leave of absence pay and definition of compensations codifying the formula used by NPERS to determine when a school employee is considered a full-time or part-time employee. Providing a lump sum employment to multiple beneficiaries can be made independently of one another. Clarifying the definition of early retirement, providing employees demand full time under the OSERS plan remain full time once they are deemed so and eliminating the 60-day deadline for beneficiaries under the OSERS plan to a lump sum distribution. Fifth, the bill makes a small change regarding retirement planning programs sponsored by NPERS. The bill adds language authorizing the PERB Board to offer online preretirement planning programs, and also ensures that members of the OSERS plan receive a leave of pay and attend a preretirement planning program similar to participants in other plans. Six, the bill clarifies several provisions regarding the PERB Board, including the vice chair of the board can call meetings and allowing the mileage reimbursement to PERB Board. Finally, LB295 would prohibit the use of name, logo, symbol or similar to be-- of the state's retirement plan to be written solicitation to plan members without the board-- the PERB Board's approval. LB295 saw no opposition in the Retirement Systems Committee, and came out with the unanimous 6-0 vote. I ask for your green light-- your green vote on to advance LB295.

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DeBOER: Thank you, Senator Ballard. As the Clerk said, there are committee amendments. You are welcome to open on the committee amendments.

BALLARD: Thank you, Madam President. The committee amendment, AM404, makes several changes to the underlying bill and also incorporates provisions of LB420, amended by the Nebraska Retirement System. Changes of the underlying bill contains amendments included amending the definition of retirement date under the School Employees Retirement Act to allow teachers to file for retirement up to 270 days prior to the effective date of their initial benefits, rather than the 120-day limit; striking changes in the bill regarding actuarial required contributions to Nebraska State Patrol Retirement Act; clarifying language regarding inadvertent overpayment, inadvertent payment to provide such overpayments may not be waived by the PERB Board if the repayment would cause significant hardship; changes the 60-day deadline for beneficiaries to elect a lump sum distribution under the Class V School Employee Retirement Act to a 90-day deadline, rather than eliminate the deadline; correcting a drafting error. Finally, the committee amendment contains provisions of LB420 amended by the committee. LB420 strikes language required that contributions of Nebraska Retirement Fund for judges occurred by the way of administration transferred to the State Treasurer. I ask for your green light in a-- in adopting AM404. Thank you, Madam President.

DeBOER: Thank you, Senator Ballard. Turning to the queue. Seeing no one in the queue, Senator Ballard, you're recognized to close on the committee amendment. Senator Ballard waives closing. The question before the body is the adoption of AM404, the committee amendment to LB295. All those in favor vote aye; all those opposed vote nay. Have you all voted who care to? Record, Mr. Clerk.

CLERK: 36 ayes, 0 nays, Madam President, on adoption of the committee amendment.

DeBOER: It is adopted. Mr. Clerk, for the next item on the bill.

CLERK: Madam President, I have AM18. Senator Ballard, I have a note you would withdraw AM18.

DeBOER: Without objection, so ordered.

CLERK: I have nothing further on the bill.

DeBOER: Senator Ballard, you are welcome to close on the bill. Senator Ballard waives closing. The question before the body is the

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advancement to E&R Initial of LB295. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

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

DeBOER: The bill is advanced. Mr. Clerk, for the next item.

CLERK: Madam President, announcement. The Health and Human Services Committee will have an exec session at 10:00 under the north balcony. Health and Human Services Committee now under the north balcony. Additionally, your Committee on Enrollment and Review reports LB293A to Select File. As it concerns the agenda, Madam President, General File, LR25CA, introduced by Senator Hansen. Senator Machaela Cavanaugh would move to indefinitely postpone pursuant to Rule 6, Section 3(f).

DeBOER: Senator Hansen, you are recognized to open on your constitutional amendment.

HANSEN: All right, we'll make it work. Thank you, Madam President. Good morning, colleagues. LR25CA, with its committee amendment, creates a constitutional change that would be placed on the ballot for a vote of the people in November of 2027. Currently, a senator's salary cannot exceed \$12,000 a year. While some travel miles are reimbursed, the salary is less than 20% of Nebraska's median income. The motive behind limiting a senator's pay is out of respect to taxpayers. Prevention of corruption, ensuring fiscal responsibility, and maintaining the thought that being a senator is more about service than personal financial advancement are all reasonings that can be applied to keeping our salary at a minimum. On the flip side, though, requiring someone to dedicate half of their year to preparing for and attending the legislative session while committing the rest of the year to meetings and community engagements for only \$12,000 could be seen as counterproductive. The national average for the annual salary for legislatures is \$39,216 in 2021. Nebraska makes it very difficult for people working normal jobs to be able to represent their communities as a state senator. The demands of the position with such a low salary isn't sustainable for a small business owner, a mother with children, or someone with a normal job that would never let them leave for half the year. This has led to a majority of senators who represent the state being either from organizations, retired, or people who have had time to establish a successful business of their own or work for one and retire. I'm not undermining any of us who are serving as senators and the noble work that is done by the Legislature. Each senator brings their unique experience to better this body. And I believe as a whole, we represent Nebraska well. Our

constituents sometimes might think differently, but I think we do a pretty good job most of the time. However, I'd like to attract even more groups of qualified candidates who can bring their own set of skills and expertise. I'd like to see senators from diverse walks of life be able to devote their time to represent people like them. I originally wrote LR25CA to remove the dollar amount and leave salaries more flexible as time changes with the minimum wage rate. After further discussion, we passed it out of committee 9-0 with AM256 [SIC]. And I'm sure Senator Dorn will, you know, explain this even further, but this is something him and I both agreed upon. He also brought another bill that had to do with senators' salary. But him and I both thought, as I'm sure many here hopefully will, that this was the most fair and appropriate manner that we could address this, but make sure we keep the citizens at the heart of the discussion and the decision-making process. This amendment would require a nonpartisan, independent legislative salary commission to be established. The members of the commission would not include any current or former member of the Legislature, their spouse, legislative employees, lobbyists, judges, elected officials, or any current or former employee of the state. The commission members would not benefit from personal gain. Instead, they would be nonpartisan and nonbiased. 22 other states set senator salaries through commissions so this isn't something new. Nebraska has been paying our senators the same since 1988. Cost of living has dramatically increased since then, and it is time we do something. There have been attempts to increase the salary over the years, but the ballot language looks like senators are trying to make more money. This approach leaves it up to the commission of citizens, not the senators. AM256 [SIC] also removes a concern about the single-subject ballot requirement by allowing the commission to oversee all compensation. I believe LR25CA, as passed out of committee, is something that the senators can get on board with, and the language would gain the support of Nebraska voters. With that, I would ask for your green vote on the Executive Board Committee priority in LR25CA. Thank you, Madam President.

DeBOER: Thank you, Senator Hansen. Senator Machaela Cavanaugh, you're welcome to open on your motion.

M. CAVANAUGH: Thank you, Madam President, colleagues. So this is fun, this bill, this LR. I don't know if Senator Hansen is aware of this or not, but I actually brought this last biennium and it didn't get out of the committee. Isn't that fun? It's fun. Senator Hansen wasn't on the committee last, the last biennium. So it's not because he didn't support it. But no, no, no, it did not get out of the committee. There's kind of a, a theme with things that I bring that, you know,

are good enough policy for somebody else to bring, but not good enough policy for me to bring. It's fun, isn't it? It is. I think it's fun. Anyhow, why am I putting a motion up on this if I brought this bill previously or this constitutional amendment previously? Am I just taking time or am I actually opposing it? This one I am undecided right now. I am actually currently in opposition. I know, I know, I'm surprised too. But here's the thing, colleagues, we are nickel and diming the people of Nebraska on everything and so I don't feel that in good conscience I can support something to raise our own salary, as measly as our salary is, so long as we can't also raise, like, resources we give to people who are 50% of the poverty level, who make less than \$12,000 a year. That'd be TANF. So if we cannot give resources to those who make less than us, make less than us, then I don't think we deserve a raise because we are not doing our jobs. If we can't give resources to buy food to people who make less than us, we don't deserve a raise. If we can't give resources to people to have housing who make less than us, we do not deserve a raise. But if we can give massive tax cuts to the wealthiest citizens of this state, but we can't feed people who make less than us, we do not deserve a raise. We are not doing our job. We are sent here to make good, strong public policy that ensures the good life for everyone. And since I have been here, that has systematically been undone by this Legislature. So until we right that ship, we don't deserve a raise. And I agree with the things that Senator Hansen said about our salary is a barrier to entry for getting people to run for office. It was a barrier to entry for me, it's a barrier to entry for me pretty much every day. I had to leave my job. I had to resign from my job because I worked for the university when I was elected. I had to lose a full salary with a 401(k) and health insurance to take this job. And it is a labor of love for both me and my husband and my entire family. And we have made significant financial sacrifices and I would love to have a raise. Even though this wouldn't actually impact me, it would impact future legislatures, I would love to have a raise. But so long as we don't protect and lift up people who make less than us, we don't deserve a raise. If this got on the ballot, I would vote against it because we don't deserve it. Which is funny because I remember talking to Senator Clements way back when, and he voted against it when it was on the ballot twice. And now he said, you know, years later, after being here, that he would vote for it because now he understands how much this job is, how it is not a part-time job. And \$12,000 a year even for a part-time job even for 6 months is not enough. But we aren't doing our job and so we don't deserve a raise. I'm giving us an F. If we can't help people get access to high-quality childcare, we can't help people get access to safe and affordable housing, we can't

help people get access to transportation for jobs, we can't help people get access to food, we can't help kids get access to good schools, we have to defund them, divert resources, but we can give a tax cut to the highest-wage earners in the state, and we can give property tax relief to the highest property owners, the governor. We can do those things-- we can afford to do those things, but we cannot afford to help children in need, we get enough. Thank you, Madam President.

DeBOER: Thank you, Senator Cavanaugh. Turning to the queue. Senator Conrad, you're recognized.

CONRAD: Thank you, Mr. President-- Madam President, and good morning, colleagues. I am in opposition to this measure. And as the senior member of the Nebraska Legislature, I have tried to work very hard to strengthen the institution, having had the pleasure and opportunity to serve in this Legislature at a time when term limits were very new to the body and at a time when I had an opportunity to learn from incredible, seasoned veterans. And one of the first lessons bestowed upon me as a young senator from senior members, including some of the body's most conservative members, were to always protect the institution and to always protect the most vulnerable. I've worked very diligently to try and uplift, maintain and uphold our unique hallmarks of this proud institution that was gifted to us by the people of Nebraska almost 100 years ago, to facilitate nonpartisanship, to ensure transparency, to ensure that we were inoculated from the worst abuses in our partisan politics, as evidenced on the federal level and in our sister states. And recognizing the great pressure and stress that this institution has been under in not only the current political dynamic, but how it has been weakened due to term limits. And we see that continual evisceration of collegiality and nonpartisanship for partisan and personal gain. And I think this measure comes at a time by proponents who are completely out of touch with where everyday Nebraskans are. Initially, this measure sought to ensure that Nebraska legislators would make at least minimum wage. Yet, this body is preparing to undercut minimum wage for other workers in Nebraska. And they've prioritized that measure and it will be on our agenda soon. The proponents of this measure have put forward this, indicating the desire to have a raise for state senators, to have access to health insurance benefits, but they deny basic minimum wage protections to working Nebraskans. They eviscerate health care access to citizens, but they think that legislators deserve more than everyday working families, and I disagree. The folks pushing this measure say this is about institutional strength and integrity. The same folks who are

pushing this measure won't stand up to a radical, overreaching executive branch to protect the institution. When the governor thumbs his nose at our oversight, we do nothing. When the Attorney General attacks our oversight, bills that we have duly passed into law, we do nothing. When the governor attacked our budget to sweep our funds to keep this branch solvent and strong, you did nothing. But now, when it has an opportunity to benefit yourselves personally, financially, individually, you push forward. And I think that's telling. And I think that striking. Perhaps this is an opportunity for members of this body to rethink their support of efforts that will undercut the minimum wage for actual working Nebraska families and children. If not, it's striking that the proponents of this measure think that they're better than working Nebraskans who are toiling in our grocery stores and our childcare centers and our retail and restaurant establishments.

DeBOER: Time, Senator.

CONRAD: Thank you, Mr. Pres--

DeBOER: Senator Arch, you're recognized.

ARCH: Thank you, Madam President. I wanted to provide some observations of what I, what I have seen in my seventh year now here in the Legislature. I think, I think everybody recognizes that to be here in the Legislature and to be able to be here in the Legislature, you have to be in a fairly unique financial position. It is not possible to maintain a full-time job and do this, quote, part-time Legislature duty. It is almost impossible to maintain a part-time job and do this and fulfill your responsibilities here in the Legislature, because it is not like you are here as we're going to be here through approximately the first week of June in a 90-day session, and then you're free after that. You saw in 2024, we had a, we had a special session. And special sessions aren't just about being here on the floor, but it's the meetings ahead of time as you prepare bills and you are-- you're meeting so that a special session can be productive, and you have committee hearings in the fall. And if you are active in that process, it's not just attending the committee hearings. It is very difficult to maintain a part-time job that has certain set hours. So you, you have to be in a unique position. Hence, you will see in the Legislature a, what I would call, a bifurcation of demographics. You will see people such as myself that are at that retirement age. You will see people who are younger, who are building a career, who are, who are putting pieces together in order to be able to be here. But the 40- and 50-year-old, it, it is a very difficult time to be

here in the Legislature. You have children at home. You are paying for college. You are doing the things that are required of life and it's, it's very difficult to be here. We are a citizen Legislature. It's-- that is the intention of how our-- the Founding Fathers and, and the people that put this together, that was the intention that we would be a citizen Legislature and that's what we are. There is a place, however, having, having now have in constitution a \$12,000 salary, where that discussion needs to be had. Is this, is this sufficient even for a citizen Legislature? So I want to talk, though, about this particular bill and how, and how it solves. And I, I let Senator Hansen know that I was going to just make some observations about it, and then perhaps he can respond to it on, on his time. The process would be that there would be a committee that would be appointed, and that committee then would be the-- who is on that committee would be identified-- if this constitutional provision passes, that committee would be formed by a Legislature out in the future who is on that committee, a citizen committee would be formed to make recommendations to the Legislature for the salaries of state senators. Those recommendations would be submitted like any other recommendation that would require funding an appropriation to the Appropriations Committee who would hear those recommendations. That would get wrapped into the budget of that particular biennium. And that budget then would be forwarded to the floor where we will, we will be seeing our budget this year, that will be forwarded to the floor and then will be voted on by members of the Legislature. So the Legislature will still be voting for salaries based upon the recommendations of a committee, based upon the recommendations of the Appropriations Committee, and then in that, in that final budget. This, this amendment is definitely a better, a better way of looking at it than, than previously, which was the-- which was that minimum wage, very difficult to calculate. I'm not sure if time clocks would have been required, how we would have done that. So this is a better way to do it. But I just wanted to-- I just, I just wanted the Legislature to understand that the Legislature will still be in the position of voting on their salary as it comes through the Appropriations Committee, through the budget to the floor. Thank you, Madam President.

DeBOER: Thank you, Speaker Arch. Senator Dorn, you're recognized.

DORN: Thank you, Madam President. Thank you very much. LR25CA, Senator Hansen brought, did not know he was bringing that. This one-- LR25CA was originally tied to, I call it, an index of what-- it'd be a vote of the people, but tied to an index of how the increases would amount to or whatever, or if there would be an increase in salary. I brought LR7CA, which had a specific dollar amount of \$30,000 that would have

put the salary up to that amount. Senator Hansen and I had several groups, several people visit with us, had a lot of discussion on this, and instead we decided to, and it'll be up here in a little while, bring an amendment to set up the commission, as Senator Arch talked about. And it would still go through a process. A couple things I really want to point out. The last time we raised-- or the people in the state of Nebraska voted on to raise the salary for state senators was in 1988, went from \$4,800 to \$12,000. If this bill passes, if this bill, if we put it to a vote of the people and it passes in the general election next year, this will not take effect until at least 2029. So it will be more than 40 years since this body has had a salary increase, a wage increase. Many of you know that as we get our statements every month, it shows on there that it's, I think it's \$5.67. That's the amount we're paid per hour while we're in session, \$5.67 an hour. Some people have talked about the minimum wage and some of that, we are not even near that. Some people have talked about, well, we put in all this time during session and nothing the rest of the time. I will argue with that. It's 2 to 3 days full time the rest of the summer or the rest of the fall working on legislative things to do this. One other, one other thing I wanted to bring up. This commission will make a proposal. There is nothing in there to say that the commission will recommend that we raise that. We're all assuming that it will be a raise or it will be increased. It's going to be reevaluated, I think, in the, in the amendment. Every so many years, I believe it's 5 years, will be reevaluated and come back with a proposal. Does not necessarily mean that they will indicate any increase. It does not mean that they would, if the salary is at \$30,000, they would leave it there. Part of the reason I brought LR7CA was my district, as many districts, in 2 years are going to have new candidates, new people running for this position. So frustrating as I visited with what I considered to be some really good candidates, and I got the same answer several times. They could not afford it. I think Speaker Arch, Speaker Hansen or Senator Hansen talked about that. The pay that we have, the \$12,000, we are very much limiting the people who consider to even run for it by that amount of pay. If you have a full-time job and now you're going to be here and be a state senator and make \$12,000 a year, you are definitely taking a cut in pay or cut in hours with that full-time job. You cannot afford it. One of the things that we have gotten, because we had the LR7CA, we've gotten a lot of emails about this in raising the pay, and many of the emails that we are getting are leading the discussion, which you're not doing a good job. You're not worth the pay that you have now. And I have turned that around, and when I answer those emails, I have turned it around and saying, if you think you're complaining about the senators

and the job they're doing, I've always lived with this philosophy also in my life, my dad taught me this but lived with this philosophy: sometimes, quite often, you get what you pay for. So when we're answering those emails, I'm telling those people that if you're complaining about the senators and the low quality of people we have up here, just remember you get what you pay for. And that happens quite often in life. So I, I just think that as we look at some of these things, this-- remember, this will be a vote of the people. It's not the senators deciding this. It will be a vote of the people. And I think that it's critical here that we put this out to a vote of the people that they get to decide yes or no. Just because we pass it doesn't mean that the people in the state of Nebraska will pass it.

DeBOER: Time, Senator.

DORN: Thank you.

DeBOER: Senator Armendariz, you're recognized.

ARMENDARIZ: Thank you, Madam President. I wanted to join in the conversation just so my constituents get some words from me and where I'm at, and also echo Speaker Arch's words of how unique the person is that is made available to run for this position. When I was, when I was thinking about running and approached the previous senator that represented my district, I told him I needed to keep my full-time job and he hesitated, but thought I could probably pull it off-- it-- and I did. For the first two sessions, I committed to working 6:30 in the morning to 8:00 at night, every night, and going in on the weekends to my regular job. And then during the summers or off session, I would commit more time to my regular job to make up for any hours that I lacked during the, the session. And so then off session my constituents suffered a little bit. So I did realize after two sessions of juggling both, that it, it really wasn't-- I could do it, but I was not giving 100% to either one at that point. And it just isn't my nature to do anything partway. So I did make the decision to quit my very well-paying job to commit to providing access for my constituents to this body and vote for them. That put a lot of strain on my family, but the other way was also putting a lot of strain on my family because of my absence from them for 2 years straight. Now we have a financial strain, and in giving up my job, I also gave up health insurance for my husband and I. I gave up most of our contribution to our retirement. So we, we really are just in a wait and see pattern to see if this is even a possibility. It's unfortunate because the-- I signed up for it understanding this is a \$12,000 a year job and no benefits, and I was more than willing to do that.

Still am. I just want the people to understand that you do really limit the body, the pool of people that you can vote for and that make themselves available to be elected with the pay structure that is currently available. I would, I would still run again at current levels of pay. That isn't what I ran for. I completely understand it's a volunteer position, went into it that way. I will go out understanding this is a volunteer position. But I do think it is fair since the people are the ones that are the recipients of what is done on this floor. The people should be the ones to make a decision whether they want to expand that pool of people that can be elected, and you can do it with pay. I will say that we're really, really far away from getting super valuable people here on the floor, unless they are self-funded in some other way. And that's why I'm committed to still doing it for the \$12,000. But I think it's a fair question to ask the people if they would want to expand that pool of people, this is an awesome way to do it, send it to the people to vote on it, leave us out of the conversation. And that, that's how I wanted to contribute to the conversation. Thank you, Madam President.

DeBOER: Thank you, Senator Armendariz. Senator Hardin would like to recognize Kerry Ferguson and Jeri Ferguson, two guests, parents of his LA, who are located underneath the north balcony. Please rise and be welcomed by your Nebraska Legislature. Senator Fredrickson, you're next in the queue.

FREDRICKSON: Thank you, Madam President. Good morning, colleagues. Good morning, Nebraskans. I apologize, I haven't been here for this entire debate, but I did want to punch in here because I was in the hearing for this bill that was introduced. And I also want to just share some kudos to Senator Hansen. He, he worked actually really hard on this. He had the initial bill. And if you look in the-- there's, there's an entire amendment about this. And I think the thoughtful part of this, in particular, is the idea of setting up this commission that is separate from the Legislature, that doesn't have conflicts with the Legislature, because, you know, historically, a lot, a lot of the pushback that has been tied to compensation of elected officials, of course, revolves around conversations like conflicts of interest, etcetera, etcetera. So I think that that's a thoughtful approach to this. I will also say that I-- again, I need to dig into this a little bit more, but the, the way I read the amendment is that the commission shall set a specific amount for the Legislature to be reimbursed at. Now, that's something that I think we as a body need to consider-- I don't know if tightening is, is the right word for there, but, but kind of almost tying our obligation as a Legislature to compensate at the level set at the commission. And I say that just because, you

know, we, we want to make sure that there's not a world where the commission makes a recommendation. This goes to the Appropriations Committee and the Appropriations Committee, not saying this would happen, but maybe changes the reimbursement rate that was recommended by the commission. So we need to ensure that the recommended rate that the commission is, I think we-- there might be some language you can put in there to ensure that that is a bit tighter. But, in general, I think that this is a, a really thoughtful approach to, to this issue, which is frequently seen as delicate, for lack of a better word, but it's something that I supported out of committee in the exec board and I also plan to support here on the floor. So I'll continue to listen to the debate and that's my thoughts for now. So thank you, Madam President.

DeBOER: Thank you, Senator Fredrickson. Senator Holdcroft, you're recognized.

HOLDCROFT: Thank you, Madam President. It's been a couple of weeks, actually, since I had gotten up and talked about the Department of Corrections. And so I'd like to take a couple of opportunities this morning to try to catch up a little bit. I passed around a document that I got just recently posted to the Department of Corrections' website. I invite you to go out and take a look at that. There's a plethora of information that's out there on, on the facilities, on statistics. And as we come to vote later on in this session on, you know, funding and, and impacts to the Department of Corrections, I think it's best to know as much as we can about them. But I passed out this, this notice here, the Nebraska Department of Correctional Services facility replacement project. And I outlined the idea of replacement because this is a replacement for the Nebraska State Penitentiary, which was built back in 1869. We've talked about that a couple of weeks ago. And it is-- it's, it's well, well, well beyond it's useful-- it's usefulness. There's been some criticism and there's been some concern about that we will build this new prison and will keep the old prison. And, and as you can see here-- in fact, I'll just read this paragraph where it talks about the need for a replacement facility. It says the existing Nebraska State Penitentiary serves as the oldest facility in the Nebraska Department of Correctional Services system, with portions of the campus dating to 1869. Over the decades, the campus has been expanded and modified to maintain the facility's viability. However, the facility's age and configuration have made it difficult to operate as a modern correctional facility. Physical characteristics and design shortcomings now mean the facility faces a myriad of challenges in meeting NDCS's core mission to keep people safe. So it's got to go. Now, there's been, again, some concern

that we will keep it. I, I really don't think that's going to be an option and but there are some buildings recently built on that campus. The land still belongs to the state. And so-- and another reason we would not be able to keep it running, is that we just don't have the correctional officers and we don't have the funding to operate two of these facilities. So there'll be a transition process, we will be using the same correctional officers that will transfer from NSP over to the new facility. And, and so that's, that's kind of an update. Another coincidence is that today in, in, in the Appropriations Committee, Director Jeffreys will be briefing some design considerations to the Appropriations Committee. And then with my remaining time on this time, I'd just like to, to touch on one of our Corrections centers, and that's at Tecumseh. The Tecumseh Corrections Center was built, or actually, it started accepting inmates in December of 2001. So about 20 years ago, it's just 2 miles north of Tecumseh on Highway 50. If you drive up on Highway 50, you'll see it on the west side as you drive by. Its operational capacity is 1,200 incarcerated individuals. Senator Bosn and I toured the facility last fall in conjunction with attending a parole hearing. And, you know, if you get the opportunity during the interim, I think that's the best way to do it. We'll be, we'll be receiving the parole hearing schedule from, from our Inspector General's Office. And, and they, they always hold them at these Corrections centers. They're open to the public. You go, you listen to the, to the hearings. You get a feel for how the Board of Parole works and then the warden gives a tour of the facility afterwards. At Tecumseh, a couple of unique things. They do most of the laundry for the facilities centrally, and then they truck them out to the other maximum security facilities and they manage the canteen. So each inmate has an allowance for a canteen. He can order chips, he can order his favorite snacks. They all are centrally located there at, at Tecumseh and they're packaged up in these blue bins and then they're shipped out to the, to the other Corrections facilities. The last thing I'll just touch on and I'll probably come back on this is at Tecumseh is, is death row. We currently have 8-- 11-- I'm sorry, we have 11 individuals on death row. And on my next time up we'll talk more about that. Thank you, Madam President.

DeBOER: Thank you, Senator Holdcroft. Senator Hansen, you're recognized.

HANSEN: Thank you, Madam President. I appreciate the conversation we're having here. I think this is good. I think this is a discussion that, like other senators mentioned, that needs to be had. So I just want to clear a few things up here. The number one thing that maybe I've been hearing to some extent, not so much in here, but also out

there or emails, and I want everybody to remember this, this is not a pay increase. We are not voting to increase our salary or compensation. Not none whatsoever. We are not increasing our salary. So to all those people, maybe, getting antsy to write up those letters for people next time they run for election, this is not a pay increase. This is what many other states have done. This is not unheard of and, in my opinion, is a very fair process. And even, more importantly, keeps the citizens in Nebraska, the people at the heart of the decision-making process of what we get paid. I fundamentally believe in that. So how this works, the committee sets the ceiling. So they come in here, and this is how I see it playing out, and this, this will be up to the Legislature in 2027 to set some of the more minutia of this and the parameters. But there are organizations, legislative organizations that do multiple studies, very objective and say, OK, finding out how many hours we're here. You know, how many, you know, legislators there are, what, what we accomplish. And then these-- some of these organizations make recommendations on what we feel like we should be paid. The committee, I'm assuming, would take a very objective approach and then look at these studies and say, hey, this is what maybe we feel based on the, the science of what we've looked at of the recommendation of what we feel the legislators of Nebraska should be paid. Here's the great thing. If we do a crappy job, which in some years I feel like we have, if we do a crappy job, they can come right back here and say, you know what, we're going to pay you \$10,000. That's what we're recommending. Guess what we have to do? We have to listen to them. They could actually lower our pay. That's what I love about this. The onus is on us, as representatives of the people of Nebraska, to do a good job, to listen, to do the people's work. And if we don't, we could be s-o-l. I love it. The idea that we can actually-- the citizens in Nebraska can decide to lower our pay. I bet you a million bucks you're never going to see that on the ballot for us to sit there and put in a ballot initiative to say, hey, you know what, we want to pay ourselves \$10,000 a year. That's never going to happen. It could happen with this bill. So like I said, it's our responsibility to do a good job. It's our responsibility to listen to the people, which it should be anyway. But now there's a penalty that people decide. And there is no health insurance with this. The commission can decide to do that. They cannot decide to do that. I believe in a citizen Legislature, not a Legislature dominated by the select few financially affluent enough to be here. I want to make sure we keep it that way. And I believe in the philosophy that we are to be responsible to the people, not only by their vote, but also what they pay us. That's what this LR does. So even if we pass this through on the legislative floor today, it still has to go on the

ballot for the people to decide if they feel like this is a good approach. This is a win-win. I'm hoping also when we set up this committee or decide how we're going to set up this committee in 2 years, I won't be here, that they will take into consideration a geographic approach. So the people who are made up of this committee are throughout the state of Nebraska, varying backgrounds. You have a lawyer on there. You might have a CPA. You might have a farmer. Get a wide approach and wide breadth of people in Nebraska decide this. And I don't think that people in Nebraska are going to object if we are able to get more small business owners in here, more beginning farmers, more people in the trades who can actually run for this position and be here as opposed to, hope my colleagues don't take offense, more lawyers, more people who work for nonprofits, more independently wealthy people.

DeBOER: Time, Senator.

HANSEN: I like having them here, but I want a greater background of people on this legislative floor, and I think that's what this can do. Thank you, Madam President.

DeBOER: Thank you, Senator Hansen. Senator Conrad, you're recognized.

CONRAD: Thank you, Madam President. Like my friend Senator Hansen, I do believe in the fact that there's great value in having a citizen Legislature. And point of having a citizen Legislature and not a professional Legislature is to ensure that elected leaders do not lose touch with their constituents and the people that they represent. Yet, here we are in a citizen Legislature, working as hard as we can every day. My friends on the other side, joined by some of my friends who share my belief to literally make it harder for working Nebraskans to go throughout their day. That's out of touch. That's not acting as a citizen Legislature. And let me be clear about something. So when I first ran for the Legislature in 2006, I was out knocking a lot of doors, thousands and thousands of doors in north Lincoln. And that was the last time legislative pay raise was on the ballot. So I got to hear a lot of feedback about the issues that were before the Legislature and that were on the ballot. And my constituents in north Lincoln were very surprised and very skeptical that legislators were seeking a pay raise for themselves at that time in 2006. And I remember that experience. I also remember the fact that there was really, truly no coordinated campaign behind that effort. And that measure failed in 2006, 55-45. Contrast that to successful citizen initiatives on minimum wage in 2014, 60% win. In 2022, 58% win. And when I'm out and about in my community and across the state today, the

most frequent refrain I hear from citizens all across the political spectrum and primarily from Republican neighbors in Lincoln and beyond is what the heck is happening in the Legislature? We've been so proud of our Legislature. Why has it become such an unthinking, uncaring place? And now Senator Hansen and others want to give themselves the benefit that they deny to working families. And, also, I, I truly, I truly find a lot of this rhetoric very hollow. You will remember that Senator Vargas brought forward a modest pay increase for citizen legislators to get us from \$12,000 a year, up to about \$28,000 a year. And he was absolutely viciously attacked in his campaigns for seeking to benefit himself and other elected leaders. Did Speaker Arch rise up then and defend Senator Vargas? Did Senator Hansen? Did any member of the Executive Board? Did any member of this body rise up and support Senator Vargas when he was being viciously attacked for trying to strengthen the institution? Did you raise your voice? Did you speak out? And if you did not then, your actions are hypocritical now, and the record itself will be clear as to whether or not you did. Which also points to the fact that this is nothing more than another political trap at this point. It's not a good faith effort to strengthen the institution. It's an effort to force Nebraska legislators to continually vote on their own pay raise, and to use it against them at election time. And if it's important to have a greater pay raise, then just be honest about what you're seeking. Why are you having some sort of unlawful delegation to some unknown committee with unknown parameters? This measure is ill-timed. And perhaps later in the year or later in the biennium, we can revisit it once we have a clear understanding in contrast as to whether or not the citizen legislators in this body today will protect and defend actual citizens first and foremost, or if they only seek to benefit themselves. And those votes will become apparent as we take up efforts to undermine sick leave, minimum wage, health care, the safety net, fair and safe work environments. I'll be watching those votes closely. Thank you, Madam President.

DeBOER: Thank you, Senator Conrad. Senator Spivey, you're recognized.

SPIVEY: Thank you, Madam President. And good morning, colleagues and folks that are watching online. I really appreciate this conversation. And I think it's interesting all the different perspectives that have been presented. And I, I appreciate that because there's some things that I didn't think of and other things I was like, yeah, I, I can agree with that. So I do not know where I am on LR25CA yet. I just wanted to bring in my personal experience just around being a freshman senator that still works a full-time job. I am not from money. I have worked my entire life since I was 14. We are a working family, and in

the policies that are passed in this body affect me. And why I wanted to run and the hardships that I have seen is because I cannot afford to just hyper focus on this very important role that I sought out. So while I'm committed, I put in 18 hours a day. I barely get any sleep and I, and I still have other jobs outside of my pay jobs. I'm a mom and a wife. That having some sort of balance and income would make sense, because then I could really dedicate and show up in a way that makes sense and bring the perspective of a working person, someone that doesn't necessarily always represent special interests or kind of this dominant narrative that we have seen in the body. And so I can appreciate the intention of this bill. And really, again, putting it to the people to decide what does that look like? I do appreciate the remarks from Senator Conrad around that we're having this conversation about ballot initiatives and putting it to the people, yet have not honored and respected the-- our second house in any other circumstance which does impact working people. Right? So it seems like this weird dichotomy of we say one thing, but our actions and our, and our practice do not align. And so it's-- again, I appreciate this dialogue and I think this is an important conversation to wrestle with. I also really understand and appreciate Senator Armendariz's comments of being taken away from your family and making hard decisions about your career, the impacts that it has on you financially, and these are all things that we have to weigh when we are in the body. The, the other day, I was walking out of a hearing, rushing to my next hearing, and I was talking to one of the staff of the Legislature here and he was like, Senator Spivey, what did you do before you took this role? And I was like, you mean before, I still do it. I have to, like I, I work in between. If I'm on the floor, I, I step out for important meetings. I start my day at 7 a.m., and I'm taking calls on my drive down. On my way home, I'm taking calls. I work on the weekends. I don't have the luxury of not, and the work that I do, which is running the first and only reproductive justice organization in the state, is wildly important and has impacted my perspective, my policy approach, and how I show up because I was afforded the opportunity to work alongside with and in community. And so while I, I love what I do, I don't also want to cheat that role. I want to make sure that I'm giving my full self in that partnership and leadership. And so, again, I appreciate this conversation and where it takes us and, and the critical things that we have to grapple with and think through and the history of this body with this conversation as well. And so I will continue to participate. I will continue to listen as we make a decision and think about, again, LR25CA, and I have not decided where I am. But just know my own personal experience I'm also bringing into, that I would love to have more women in the body that are parents, more folks of color,

working people, that can really bring perspectives and advocate for Nebraskans in a way in which I think that doesn't always happen currently or in our history. Thank you, Madam President.

DeBOER: Thank you, Senator Spivey. Senator Riepe would like to recognize 36 fourth graders from Wildewood Elementary in Ralston. Please stand and be recognized by your Nebraska Legislature. Senator Raybould, you're recognized.

RAYBOULD: Good morning, Madam Chairperson. Madam President, excuse me. Good morning, colleagues. You know, I stand in support of this, and I think I bring a completely different perspective. I certainly agree with Senator Conrad and Senator Spivey. I would love to see a younger and more diverse body. And I would love to see people that we actually represent and serve. It would be great to get more actual citizens as expressed by Senator Conrad. So this is a perspective I bring. I served as a Lancaster County Commissioner, and I've served on the Lincoln City Council, and now as a state senator. When I was a county commissioner, I think the salary back then may have been like \$39,000. Now, a salary for a Lancaster County Commissioner is over \$60,000. They get full health, dental, and retirement benefits, which to me seems a little shocking. I'll go on. In the next tier of elected officials is the Lincoln City Council, they currently get \$24,000, no benefits. They might get reimbursements for a few items, miscellaneous items, but not really. And as a State Legislature, we get \$12,000 and plus travel per diem. And the reason why I bring up this disparity of the different pay scales, it's not because I-- I've never run for any single one of these offices thinking I can do it on the pay that we're getting. I have always loved public service, and I will continue with public service because I love it. No matter what sacrifices my family has to make and the time away from grandchildren, the money is irrelevant. But what is really particularly telling to me is, I can tell you as a county commissioner, it was not that challenging of a job. I've been able to work two jobs pretty much since I was 14 years old. But being a county commissioner did not have the same demands as a state senator. There are very few demands of a county commissioner. I don't want to detract from the weighty decisions and the good work they do serving our constituents, but to be honest, you're either dealing with when are you going to rock my road? When are you going to pave my road? And, you know, when are you going to plow my road? These are the critical decisions. And I, I don't mean to, to downplay it so much, but those are some of the discussions that take a lot of a county commissioner's time. There are very few activities or events in the evening that a county commissioner gets invited to. Certainly, you want to participate in your neighborhood association meetings as much

as possible. Moving on to a city council member, I can tell you the time I spent as a city council member was twice as demanding as being a county commissioner. I had way more obligations and additional committee assignments to take on. I should back up, Lancaster County Committee member-- Commissioners also had-- have committee assignments. But as a city council member, you are more obligated than ever before to tend all these committees in addition to all the neighborhood associations that happen to be in your district and outside your district, plus all of the other obligations that you should be attending on behalf of certain issues or your constituents. So I can honestly say that it took twice as much of your time away from your family being on the city council-- Lincoln City Council. And then comes the State Legislature. Holy cow. I thought I knew a lot about government having served in all these elected positions. Like, I got this. It's not a big deal. I'm completely wrong. The amount of time that us as legislators spend, not only learning the issues, reading the copious volumes of bills that come our way, getting up to speed, knowing the different agencies, the different departments, the stakeholders that you need to interact with, getting to know all the lobbyists and the issues that they want to bring up has been, like, four times that of a Lincoln City Council member. I do appreciate this. I, I don't care. Let's, let's, let's have an independent commission decide. Certainly, that's how the Lancaster County Commissioners have on an annual basis or every other year, I think it's important that there is a commission, independent commission set up. They can determine the pay. And I like Senator Hansen's comment like, OK, if we're doing a bad job, then we shouldn't get paid. And I certainly support that. Thank you, Madam President.

DeBOER: Time, Senator. Thank you, Senator Raybould. Announcements, Mr. Clerk.

CLERK: Thank you, Madam President. Notice that the Natural Resources Committee will hold an executive session at 11:00 in Room 2022. Natural Resources, 11:00, 2022. And the Transportation and Telecommunications Committee will have an executive session, 11:30 under the south balcony. TNT, south balcony, 11:30. That's all I have at this time.

DeBOER: Thank you, Mr. Clerk. Senator Arch, you're recognized.

ARCH: Thank you, Madam President. Senator Hansen and I have had a number of conversations with the Clerk as, as well as others on, on a, a question that perhaps needs some clarification. As the ballot language reads right now, it reads: a constitutional amendment to

provide for a nonpartisan, independent legislative compensation commission. And here's the key word to, quote, establish the compensation of members of the Legislature. And so the question that we have gone back and forth on is what's the intent there? We have talked about recommending, recommending something. And I-- when I stood up and my original comments, I made the comment that this is a recommendation that would come to the Appropriations Committee, to the floor, etcetera. I-- as upon further consideration, I guess I would, I would like to yield my time to Senator Hansen if he would like to respond to the intent of that question of what does it mean to establish the compensation? So I yield my time to Senator Hansen.

DeBOER: Senator Hansen, you are yielded 3 minutes and 51 seconds.

HANSEN: Thank you, Madam President. I appreciate Senator Arch-- Speaker Arch and his recommendations or his questions about the particulars about the, about the language of the LR. Because I think it's important we make sure we're on the up and up. And so the intent is to allow this commission or committee to establish a ceiling about what we can appropriate as a Legislature. And from my understanding and in discussion with the Clerk's Office as well, that is what this language is interpreted as. And so, however, because of the question, I want to make sure after this gets through General File, hopefully it does, I'm going to make sure, work with legal counsel, and even work with the AG's Office, if I have to. If we have to include any clarifying language on Select File, I'm willing to do that. Again, I want to make sure we do this the right way and make sure the intent is there, that we are not allowing this commission of citizens to mandate we appropriate money, because that's-- it goes outside our current constitution, where the citizens I don't believe they can appropriate money. And so that's kind of our job as the Legislature for the power of the purse. I want this committee, and I believe that's what this language already does, the committee sets the ceiling for what we then can appropriate. So if they say, you know what, we're setting the ceiling, we believe you should be paid \$20,000 a year or \$15,000 a year, we can go with the recommendation. And I think the Legislature would if it's based on facts and merit and objective thinking to make sure it's done the right way. And if we're still doing a good job, then the Legislature can decide to appropriate what that committee decides. If we as a Legislature decide otherwise, we can then go lower than that if we so choose. That would be up to the Legislature at the time. But they're setting the ceiling. The ceiling could be \$12,000. They can keep it exactly the same. They can go to \$10,000. They can go to zero if they really want to. But they can also go a little bit higher too if they want. So, again, with this language, I feel like--

I feel and the opinions of others that it is doing the right thing. But I think Speaker Arch makes some good points and make sure that we want to go through this with a fine tooth comb and make sure that the language and the intent is there. And so I'm, I'm going to do that between now and Select File just to make sure so we have some reassurances that we're doing what we intend to do here on the floor, so. Thank you, Madam President.

DeBOER: Thank you, Senators Arch and Hansen. Senator DeBoer, that's me, would like to welcome two special guests seated under the north balcony; Carissa Uhrmacher of Hastings, and Sophie Kostenko of Ukraine. Please stand and be recognized by your Nebraska Legislature. Senator Conrad, you're recognized, and this is your third opportunity.

CONRAD: Thank you, Madam President. Again, good morning, colleagues. I want to also continue to rise and add some additional components as to why I find this self-serving effort so hypocritical and frustrating. My friend Senator Hansen, my friend Speaker Arch, other members of the Executive Board, have talked glowingly about how we need to increase pay and extend term limits in order to protect the institution. Friends, it's interesting how you utilize that language so selectively. If you want to protect the institution, you honor its hallmarks, you honor its traditions, and you have not in many instances. For example, you don't have caucus meetings which deny and scuttle seniority and put lesser qualified members in leadership positions. My friend, Senator Hansen, you want a strong Legislature, you want a strong people's branch, then you don't bring forward measures to limit how many bills senators can bring forward. You want to have a strong institution, you want senators to be at their best, you don't try to undermine the institution by continually bringing measures to throw the press out, and the citizens' eyes and ears in our executive sessions. You don't bring measures year after year after year to the Rules Committee, to undermine secret ballot, to maintain some semblance of nonpartisanship. You don't vote for partisan buddies in chair races when you know there are more qualified senators who are running to steward the institution. You want to protect the institution, you want to keep it strong, then you embrace balanced committees to ensure thoughtful legislation. You don't dismantle them and crack them and pack them for partisan advantage. You want to protect the institution and its integrity, you don't let the Attorney General make referencing decisions. You want to protect and strengthen the institution, you don't bury colleagues' bills after priority deadlines when you know they're working on them legitimately and in good faith. You want a strong, independent, thoughtful Legislature, as do I. But it's interesting to me, the only time that you push forward

in that regard is when it has an opportunity to increase what lines your pockets. You want a strong institution, perhaps you should have experienced staff on the Executive Committee who can write a constitutional amendment that is advanced to the body that can pass constitutional amendment muster and recognizes the power of the purse and appropriation, which apparently is murky in this regard. You say that we need to have this measure because the scuttle on the floor is too many people who work in community organizations that have some semblance of flexibility are here, and you want more business people here. At what result? The only conceivable thread I can take from this legislative session thus far is your belief that the Legislature exists only to support corporate entities, not the people, not a strong separation, not thoughtful budgeting. You are saying quietly on the floor, we need this to get more business people here. There's plenty of business people here, and all they're doing is protecting their business. This is hypocritical, it is ill-timed, and it goes against all the flowery speeches we're hearing today, the actions and words and deeds of those proponents of this measure over many years. And thus, my friend, speaks for itself.

DeBOER: Time, Senator. Thank you, Senator Conrad. Senator Holdcroft, you're recognized.

HOLDCROFT: Thank you, Madam President. So let's talk a little bit about the death penalty and death row in Nebraska. The last time we had an execution was in 2018, Mr. Carey Dean Moore. It's kind of interesting this week and just a shout-out to John Knicely from WOWT who, who retired from, from his anchor position after 50 years of service there. They did a little expose last week on him and his most memorable interview was with a death row inmate in 1977, Robert E. Williams, who had just found out that his final appeal had been denied and that he was going to be executed the next day. And it was-- and they did the interview on the, on the, on the show. And it was really amazing to hear from this man who was going to be executed the next day, and his acceptance of his fate and his acceptance of Jesus Christ as his Savior. And it made him so calm as he, as he faced the end of his life. But it kind of, kind of brings together some, you know-- I visited death row in, in Tecumseh, it is kind of a unique set up. The cells actually have access to open air. They're larger than, than the typical cell in the, in the correctional facility. As I mentioned, there are 11 inmates there waiting to be executed. The current method of execution in Nebraska is lethal injection. We've only done that once, the last time. Before that, was execution-- I mean, it was electrocution. So-- and we have difficulty right now carrying out the lethal injection because we don't have the right chemicals and we

can't get the right chemicals, so. We also this past week, Nikko Jenkins requested a date. He's ready to have his execution carried out. He would like a date. And, and here we are with really not a way to carry out that execution. The-- I would like to just run through these, these inmates that are currently on death row and talk about their, their crime, when it was committed. Let me see here. The first one is John Lotter, who was, was born in 1971, was convicted of the rape and murder of Brandon Teena, a transgender man who died on December 31, 1993. And that was in Humboldt, Nebraska. The second, Raymond Mata, born in 1973, was convicted in the kidnapping and death of 3-year-old Adam Gomez in February of 1999. Next one, Jeffrey Hessler, born in 1978, was convicted of raping and killing 15-year-old Heather Guerrero, a newspaper carrier in Scotts Bluff County. Next one is Jose Sandoval, born in 1979, was convicted of killing 3 people and being the leader of a Norfolk bank robbery that left 5 dead in September of 2002. And then, actually, the two following individuals were part of that event. The next one being Erik Vela, born in 1980, was convicted along with Sandoval in the deadly 2002 bank robbery. And Jorge Galindo, born in 1981, was convicted along with Sandoval and Vela in the deadly bank robbery in Norfolk. Number 7, Marco Torres, born in 1975, killed two Grand Island men. He was convicted in the deaths of Edward Hall and Timothy Donohue. Number 8, Roy Ellis, born in 1954, was convicted of killing 12-year-old Amber Harris. Amber was last seen leaving her school bus in November of 2005. Number 9 is Nikko Jenkins, as I mentioned earlier, born in 1986, was convicted of the killings of Juan Uribe-Pena, Jorge Ruiz, Curtis Bradford, and Andrea Kruger. The 4 people were killed over a 10-day span in August of 2013. Number 10, Anthony Garcia, born in 1973, was convicted of killing 4 people, 2 each--

DeBOER: Time, Senator.

HOLDCROFT: Oh, thank you, Madam President.

DeBOER: Thank you, Senator Holdcroft. Senator Hunt, you're recognized.

HUNT: Thank you, Madam Chair. Good morning, colleagues. Good morning, Nebraskans. I was going to stay out of this debate, but as I was listening, as usual, you know, you just start thinking as you're listening to people and you think of some things to contribute. And I also agree with what Senator Armendariz said. It's important to stand up and sort of speak to your constituents, especially on issues like this that, you know, have to do with the, the system that their leaders occupy who they elect. So, yeah, I wanted to, to get up and speak to that. I heard proponents of this legislative resolution

talking about how we need stronger lawmakers. We need stronger state senators, we need more oversight. So we need to attract and retain legislators and LR25CA is going to help us do that. Colleagues, stronger legislative oversight, stronger lawmakers, that comes from courage, not from a paycheck, that comes from the integrity that you're willing to have to stand up for your constituents, for your branch of government, for your work in committee and for your colleagues instead of rolling over for the Attorney General, for the Governor. Pay raises are not going to magically make any lawmakers fight executive overreach. That takes leadership and courage. And right now, many of the people who are asking for a raise, asking for health care, asking for benefits that they came in here knowing they weren't going to get, have not shown that they're willing to fight for Nebraskans. If the Legislature wants to be treated like a professional body, if we want to further professionalize the work that we do in here as citizen legislators, it means we should start acting like one. It means standing up to the governor when he oversteps, not rolling over for him. It means actually prioritizing the needs of working Nebraskans, not just our own salaries. You can't say that our Legislature needs to be professionalized, when so many of us are focused more on culture wars than on actual governance. Because you know what? It's a lot easier to stand up here year after year and say trans kids are the problem because that's a lot easier than actually solving the, the problems people are sent here to do. Public trust is so low, the reason we don't get pay raises when it is on the ballot and public trust is so low, is because we prioritize partisan fights and special interests over Nebraskans, and a pay raise is not going to fix that. If legislators were also fighting for pay raises for all workers, this bill might make sense. But we're not doing that. The same lawmakers that are standing up saying we deserve a pay raise, we deserve benefits, are the ones who are turning their back on the will of the people who said that they wanted that at the ballot in November. Prioritizing a bill to undo the will of the people, as they stated in November. You can't demand a raise while failing to do the job Nebraskans sent you to do. This debate isn't just about whether senators get a raise or get health care, or if we form a commission where these supposedly independent, completely noninfluenced, independent nonpartisan people supposedly are going to decide what we should be paid. It's not about that. It's about who in this body is willing to fight for Nebraskans because they have the courage and who only fights when it benefits themselves. You can't say lawmakers deserve a raise and then vote against minimum wage increases, paid leave, and fair pay protections for actual working families. Legislators work really hard. All of it-- yeah, I'm not going to stand

up here and say that. How humiliating, how embarrassing to debase myself and stand up here and say to the working people of Nebraska how hard I work for them when they look at the debt that they have, they look at their access to health care, they look at our federal government being decimated, and then Nebraska's Legislature trying to play DOGE on their own and cutting the same services on a bill that we have coming up next in the queue. So how am I going to stand up and assure Nebraskans that I'm working so hard that I deserve a raise when they're working harder than any of us, and they're the ones who are seeing the most hit to their pocketbooks. Some of the loudest voices pushing for this raise have done nothing to protect those workers, or to protect this institution from executive overreach. Thank you, Mr. President.

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

McKINNEY: Thank you, Mr. President. I'm rising because I did vote this out of committee. And I voted this out for a number of reasons. Number one for me was the fact that I do believe that we need more individuals that actually care in the Legislature. And I, I believe that we don't have more because some people say, like, I would never run for the Legislature because I can't afford it. And that was one. Another was that-- I'm not going to get this pay raise either, because I won't be here. I'll be termed out once this goes into effect. So I'm not trying to give myself a pay raise, I'm actually try to help whoever's after me because this job is taxing. This job is hard, honestly speaking. And especially on not just a senator, but on, but on families. But I understand 1,000% what my colleagues are saying, I'm not even trying to diminish that at all. I support, you know, holding up the will of the voters, especially when it comes to paid, paid sick leave and the minimum wage. That's why I have opposed those bills that try to strip away what the voters voted for, because I don't believe that should happen. I supported this primarily because something has to change in this place. And it definitely, it's not going how I think it should go. And that's just Terrell's opinion. And others might agree or disagree. But I think going forward this place is changing and it has evolved, especially with term limits and those type of things. I think there, there has to be a change in this place and this, this might be an option, the voters may or may not vote for it. And I, and I do understand that it is definitely hard times and it's going to be hard times so the chances of this probably passing diminish by the day primarily because of what's happening in D.C. Tariffs, cutting the budgets, all those things probably will make this more difficult. But I do think the conversation about this job and this role do need to be discussed, because we need more people that

aren't, one, beyond the age of 50; two, who aren't-- who, who don't have to be well off to be in here. And other states do an independent commission. Other states do. We could look at how they do it, but other states do do this. So it's not a novel concept. My, my support for this is, honestly, because I think about the people in Nebraska and I feel like something has to change in this place because this job is rough and it's rough every day. And I get frustrated because it's rough and I feel like we need more-- I don't even know the word, but I think people get what I'm saying, like, we just need more people, regular people in this place. It's not nothing against my colleagues, but there's some people who have experiences that would opt to maybe seek to be here that don't because of the pay. And that's the reason I supported this. And I'm not going to give myself a pay raise because I'm going to be termed out and I'm not coming back to this place. So with that, thank you.

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

M. CAVANAUGH: Thank you, Mr. President. So glad that we are having this conversation. Senator Conrad had mentioned something about the number of bills and, and the restriction on the number of bills being introduced. And this year, actually, is the first year that we're seeing that. And not to get out in front of my skis, as they say, but that restriction on the number of bills directly correlates to why I am going to be very strongly opposing for the maximum amount of time the HHS Committee's priority package LB376. LB376 is a bill that could potentially have been 50-plus bills, and it had a very brief hearing because it was a cleanup bill, a cleanup bill that I believe Section 6 is a scope of practice change. Those are usually, like, 5-hour hearings, a cleanup bill that Section 4 changes regulations around ABLE funds. Those are the funds that we have for disabled individuals, that it allows them to have a savings account and not have that count against their benefits. So that seems like that should have been a hearing on its own. I haven't written down what the section is yet, but we, we strike the autism waiver, just strike it. Entire waiver, boop, gone. That should have been a hearing. There-- Section 1, just right out of the gate, Section 1 is what some might call cleanup language for the abortion ballot initiative. Seems like that might have been a hearing, maybe on its own a bill to address-- I mean, how many do we have in Business and Labor on sick leave and minimum wage? But here, is just a, a, a-- page 3 to-- yep, page 3 and page 4. And really the changes are just on page 3. And it didn't have a hearing at all, except for it did have a hearing technically, because this bill that was 50-plus bills was introduced and had a public hearing that nobody knew what this bill did because it just says cleanup. So maybe

the 20-bill limit isn't such a great idea, considering that this bill is a hot mess and it's a hot mess that should never have come out of committee, should never have been prioritized, but it is on the agenda. And you better believe when we get to that bill eventually, not today, but when we get to that bill, we're going to have some real conversations. I actually talked to the Clerk about it, and I was, like, I think I should divide the question. And then the next morning I came in and I said, I don't know how to divide the question beyond dividing it by every single section, which obviously you can't get through 58 sections in 8 hours. That's not going to happen. So I don't know how to divide the question. So now I'm going through and I'm, like, OK, which sections definitely should have been their own bill, own hearing. And I will put forward amendments to strike those sections. And then those can be introduced next year as a stand-alone bill. If we adopt the striking of the language, they can be a stand-alone bill, they can have a public hearing. And if it's good public policy, the body will move it forward. But this is, this is disrespectful to the people of Nebraska. This is disrespectful to our colleagues. This is just, this is just disrespectful to have a bill that has 58 sections that aren't pertaining to one another in one bill, not an amendment, the bill was 58 sections. And then have two testifiers, one of them being DHHS and the other being the county officials, because the one part of this bill that they liked was that they can charge us rent-- higher rent than they currently can charge us. So it strikes the statute of limiting the rent that counties can charge the state. So, obviously, they came in support. Nobody else came in support. One person came in, the Cancer Society came in opposition. I haven't even found out yet why they came in opposition. But, yeah, that's where we're at. And the committee amendment strikes the part that, that, that makes the county official support--

ARCH: Time, Senator.

M. CAVANAUGH: --active. Thank you.

ARCH: Senator Hansen, you are recognized to speak.

HANSEN: Thank you, Mr. Speaker. Sorry about that. I was having discussions with other colleagues about this. And so, again, I am listening to the conversation on, on the microphone. I appreciate everyone giving their opinions. I've been listening thoroughly to the opposition as well. Again, always appreciate from hearing from Senator Conrad. She's definitely passionate about this bill. And, and I think it sounds like, to me, her opposition and her passion is rooted more in the fact that other bills that have been either kicked out of

committee or been on the floor, what senators have introduced, she may have more of an objection with. I think it sounds like she has an objection to this bill as well for specific purposes. But I, I think some of this might be coming from the other ballot initiatives, such as minimum wage and paid family leave and her disagreements on maybe with some bills that senators have brought. And so which is I don't deny. So I'm hoping we can kind of keep the conversation specifically to the bill or any language or, you know, any questions they might have of me or the intent. Because, again, this does-- we move this through the, the Legislature, this does have to go still to the people to vote on. And, again, I trust the people to make good decisions. And, you know, and I expect them to read through this thoroughly and, you know, make the decision that they feel is right. And if they don't like this, then don't vote for it. And we'll keep our pay the same way. And if they decide this is a good idea for the Legislature and for the people in Nebraska, I mean, I'm all for it. Give the citizens an ability to either increase or decrease our pay. And so this puts a lot of the power in the people's hands to make a good recommendation on how they value us. And I agree with also with what Senator Hunt said. Pay does not determine courage. And she's exactly right. What I'm hoping is that if we get a chance to explore what the senators here are being compensated, that might open up the doors and allow other people in the state of Nebraska who do not have the financial capability of being here and wanting to represent their community to be able to be here. I think Senator McKinney touched on that point great. He knows of people who maybe in his community or elsewhere who want to be here, who want that shot but they can't afford it. I'm not saying we should be paid an exorbitant amount by any means, I just think if we do take a closer look at this, I think that, that gives people the avenue who are unable to be here because of financial means to be here. I mean, there's some people who have kids. They, you know, they have to pay for daycare or they-- and they can't afford, then they can't be here. You got small business owners, maybe, who, who because they have to be at their business all the time, they aren't able to be here because they'll lose money, and then they'll, they'll have to shut their business down. And some senators have to be here. But I think this opens the door for a lot of other people. I like the idea of the citizens (a) determining what we get paid and (b) opening of the doors for citizens to-- other citizens to be here. That doesn't determine the quality of them either. Again, I think Senator Hunt's right there. But I think the more we can open up to people, I think the more diversity of thought we can have around the floor is good. So with that, thank you, Mr. Speaker.

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

CLEMENTS: Thank you, Mr. President. I'm going to keep listening to the debate on this. I'm generally in favor of this proposal, but I do have some questions about the wording. But also I want to talk about the date today is March 14, which we write 3.14, which is a mathematical number called pi, π . And pi, if you, if you draw a circle and if you draw a diameter between the circle, if you take the circumference of the circle divided by the diameter, you will get 3.14159265 if you carry it out that far. And one of my favorite days is Pi Day. And my administrative assistant asked me what my favorite pie was a few days ago, and today Katherine brought in key lime pie to my office, and I really wanted to thank Katherine for doing that for me. It was very thoughtful, but I do have to admit I did get pie on my tie, but I did enjoy very much. Back to the question at hand. I did like the \$30,000 proposal for senator pay. I looked at-- since, since 1988, average inflation was around 2.5%. If you take 2.5% compounded from \$12,000 till 2025, you get \$30,000. So I thought \$30,000 was just keeping us back up with inflation. And a, and a set number is what my preference was. The last time there was a proposal that I voted on when I was not a senator, I voted no, but the main reason was because it had an increase in pay, but it also had an inflation index that automatically would raise the pay without another vote of the people. And I believe in the constitution that the people should decide what our pay is, that's what the constitution says. So I, I voted no at that time. And this proposal would create a commission that puts the compensation in the hands of a board of citizens who would be deciding what the compensation is. And that's close to what I was preferring and I'm wanting to continue to listen to the debate. I think that would be reasonable, in my opinion, to let the people decide if they're willing to go with that kind of a provision. And so I just wanted to wish everybody happy Pi Day as well as we continue the debate and I'll leave it with that. Thank you, Mr. President.

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

DOVER: Thank you. And I just want to thank Senator Clements for his comments. And I don't know if he's aware of it, but there is a big challenge to pi at 3.14, because there is a group out there that believes there should be 3.15. I won't go into the additional decimals, but I'll explain to those later why there is an advantage to looking at 3.15 versus 3.14, and I love your tie. Addressing the LR that's currently up for discussion. I mean, I think, I think it's a good idea to pay senators more. I, I think they're probably underpaid. I know that many people would disagree with that. But I'm on

Appropriations, and currently we have-- we started out with a \$432 million shortfall. And we are cutting public health. We're cutting health care. We're cutting-- I mean, across the board, everyone is experiencing a cut. And I don't know why at this point with our fiscal deficit that we're considering giving ourselves pay raises. It just-- it makes, it makes no, no sense to me whatsoever. And I'll go further to say, even if we didn't have the current disruption on federal funding, that everybody in Washington is waiting and wondering what's going to happen, I know that-- I mean, I feel pretty good to go out on a limb and say that's going to negatively affect our state budget and, and give us even more of a shortfall. So my question is chosen, chosen between putting a constitution amendment out there to potentially give us a pay raise, is this the right time? I personally don't believe that it's the right time. And, and I do understand the argument that, you know, if we paid more, more people could run and I, and I think that's-- I mean, I think the arguments are good. But I'll say this is-- for, for those senators that had campaigns this year, well-fought campaigns, and, and maybe those campaigns were just within a small percentage point, a win or lose, there-- I don't believe there was a shortfall of people running for office. And I would also caution those people who are not term limited that, trust me, if you vote for something like this, I'm not saying right or wrong and probably wrong, there will be a postcard. And postcards do not always give both sides of the equation. In most cases, that postcard is going to say Senator so-and-so voted for a pay increase when the-- when we had one of the larger deficits of our state and-- or along those lines, you can kind of-- you can read between the lines and figure it out. But, really, you will see a postcard that said Senator Dover-- I'm term limited, but Senator Dover voted for his pay raise when the state was cutting public health. Just, just go that route for a second because you will see that postcard. It's not a question of if you'll see that postcard at your next election. So I would caution and again ask you, is now the time to vote to give yourself a, a vehicle for a pay raise? I don't know that, that there is. I do find that interesting that Senator Conrad did bring up, that there's been opportunities to vote for pay raises for senators in the past, and I don't know if it's true or not that Senator Hansen supposedly did not support those or work with them, maybe, to get something out, I don't know. But I know that we haven't passed anything along those lines. I do know that's true. I do know that, that Senator Vargas did have something up before. And in ending, I would just say that we are looking at a huge budget deficit. We are making very, very difficult situations and I said we are-- I believe government probably does three things, and there's a myriad of other things that follow the first three. But we're here for public

safety, we're here for public health, and we're here for transportation, which actually goes back, I believe, to public safety, because if we have safe roads, we have-- it's a safety issue, and, and divided highways. But we're making all these cuts across the boards and, yet, we're discussing again giving ourselves a pay, pay raise. Why? I don't get it. I mean, if, if you're going to do a pay raise, do it at a time where we are not dealing with, you know, originally a \$432 million short deficit, budget deficit. Sorry. And then one interesting thing is I, I will say this is-- the bill is designed quite well because it does go to a committee. It does look at forming a committee and those kind of things. And it doesn't say a specific amount, which is very safe because I do believe if this bill did have a specific amount, we'd probably have a little bit different debate today on that because we would actually have a target we could actually talk about, actually, other whether it's public health or other very important things for our, for our state that are being cut the same amount that we're giving ourselves a raise. So isn't it better not to give ourselves a raise and perhaps save public health, save health care centers, fund those kind of things so we can take care of our-- of the people across the state? Again, I just-- I think this is probably just the right bill at a wrong time. Thank you.

ARCH: Senator John Cavanaugh, you're recognized.

J. CAVANAUGH: Thank you, Mr. President. I appreciate Senator Dover bringing up Pi Day. I was going to talk about Pi Day at some point today as well. And we're getting close to the end and I haven't talked so I appreciate Senator Dover and I love that bit of nuance, Senator Dover, that some people think it should be 3.15. Love it. So I actually pushed my light. I agree with a lot of the stuff folks have said today that certainly future senators should be paid more. Those of us that are in-- I'm in my second term. My understanding is that if this were to pass, I would not receive any pay raise. But-- and I agree with Senator Dover, although I would caveat he said that mailers don't usually present both sides, I would say I would love to see the mailer that presents both sides, Senator Dover, I think it only presents one side, and it's usually the attacking side. But, you know, obviously you should vote for what you think is right, regardless of what mailers you think are coming. But I do agree with the, the concerns that have been raised by folks that I don't think it's good to be talking about how much we're getting paid, though that may be a meritorious thing to do, before we've done the work of the people. We have another 45 days this year and 60 days next year to put something on the ballot in the 2026 election. And here we are talking about how much senators get paid before we have effectuated the will of the

people on the medical marijuana ballot initiative, before we've addressed all of these other concerns that are facing the people of the state of Nebraska. And so I think we should probably do the work of the people before we start talking about these other issues. But I actually did push my light because there's been some questions about how this mechanically works. So for those of you that are wondering, Article XVI, Section 1 addresses how proposed-- the Legislature may propose amendments to the constitution if the same, same be agreed to by 3/5 of the members elected to the Legislature, such proposed amendment shall be entered in the Journal with ayes and nays, and published once a week for 3 consecutive weeks, in and at least one newspaper in each county, and then goes on and basically has to be put on the ballot and then has to meet a threshold on the ballot. But for our purposes, we have to reach 3/5, which, you know, since we're talking about fractions and math, 3/5 is something like-- is 60%, .6? So which is 30 votes. So this would take 30 votes to put on the ballot. We'd have to pass this by a supermajority of 30 for it to be considered by the voters. So I think, again, I'm not sure we should be taking this up at this time. I think there's a lot of other things that should be-- take precedence before the Legislature starts addressing how much senators are being paid. And so I'm not sure where I'm at on the bill at the moment. Thank you, Mr. President.

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

M. CAVANAUGH: Thank you, Mr. President. Continuing, continuing to have a really interesting conversation. Listening to Senator Dover's comments, I echo most of what he said, if not all that-- and Senator John Cavanaugh. I, I mean, I brought this before myself and so I do think that it is worthy to put forward a constitutional amendment around senators' pay. But as I said in my opening on this motion that I am giving us an F grade for our service this session, and I don't think now is the time to be discussing increasing our pay when we are cutting essential government services. I will note a point of disagreement that I have with Senator Dover over the deficit. I do not believe that we have a deficit. I think we have a manufactured deficit. We have a choice to make here. And the choice that we have been making is to put all of our resources, even resources we don't currently have to property tax relief. And as a result, we are cutting public health. We are cutting the Commission on Blind-- the, the Blind Commission. We are stealing unconstitutional money from the Board of Educational Lands and Funds. So, I mean, we're making some really poor sketchy decisions. We're doing a lot of one-time cash sweeps to try and balance this year. Just this year's budget, not sustainable cash sweeps. Still have a massive deficit in the out years. And we still

are not talking about cutting the property tax fund, which is what we're going to have to do. We're going to have to cut the property tax fund. I know it's a wildly unpopular notion, but the reality is, if we actually care about this state and if we care about the people in this state, then we need to start funding essential government services, and we need to cut the property tax fund. And if we really want property tax relief, we need to fund essential government services so that our local counties and municipalities who actually levy property taxes can lower property taxes. Because when we have these people coming in, these agencies coming in that have cash funds, and they tell us you're taking this money, we can't afford for you to take this money. And I say, well, what are you going to do? If we take this money, what happens? Two things: we can cut our services, or we can use our levy authority, which is raising property taxes. So we're going to make people either cut essential services that they provide to the people of Nebraska or raise property taxes. Neither is a great option for the fact that we are stealing their money to fund property tax relief. So perhaps, just perhaps-- stick with me, people, perhaps we could instead take the money that we receive as revenues to this state and fund government. We could do that. And then as a result, the logical thing to happen is that the things, the unfunded mandates, that we keep pushing down on local communities, those no longer become unfunded mandates because we are funding them. And that property tax relief fund that we use to fund essential government services that are unfunded mandates actually turns into property tax relief at the local level, and nobody has to apply for it through their income taxes. It doesn't have to get confusing and murky and yada yada yada. All we have to do is our job. And once we do our job, then the, the dominoes will fall into place and we'll see property tax relief. But the problem is, is we won't get 100% credit for property tax relief if we do it the most sensible way. We should do it the most nonsensical way, that way we get credit. And that is why LB1107 was created. That's why that fund was created so that we as the Legislature got credit. I don't want credit. I want a functioning government and I want a functioning state. Thank you, Mr. President.

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

HUNT: Thank you, Mr. President. And thank you, Senator Fredrickson, for stopping by with some inspiration and a pep talk before. He was cracking me up. OK. Thank you, Mr. President. I'm not going to do what some of you were doing and embarrass myself by talking about how much I deserve to get paid and how hard I work as a state senator. And I, I feel like I kind of sound like a Republican here, but I don't really think that we should be judged by how hard we work. I think we should

be judged by what we do and what we actually accomplish in here, and what the quality of life is for the people of Nebraska, not by how hard we argue or how late we stay listening to constituents testify against our horrible bills. Those things in itself are not accomplishments, and they do not make us worthy of more compensation from the taxpayers of Nebraska. Legislators work hard, but so do grocery clerks, so do childcare workers, so do teachers, so do retail employees. And they deserve fair wages and benefits, too. And at the ballot last November, they said, we want paid leave and we want a higher minimum wage. And as stewards of the taxpayers, that's what we need to deliver to them. Instead, what do we have coming through this Legislature? We have bills to hamstring paid leave by putting restrictions on it that were not in the ballot initiative that passed. We have bills to say that people 19 and under from Senator Raybould are going to get paid less than other folks just because they're younger and because some people say that folks who voted for the minimum wage initiative didn't know what they were voting on, that the voters were too stupid to get it. I think, colleagues, that when it's time for us to get a raise in the Nebraska Legislature, we'll know it. I think it'll be a time when we have the funds in our state because we aren't running at a deficit. I think it will be a time when we have high approval ratings, because people's quality of life is increasing, because people are going through their days not thinking about how they're going to have to stay here till 10, 11, 12 p.m. testifying on a bill to take their rights away. But maybe because it's a time when they don't think about government at all, when they can go through their day and they know that the federal government's not coming for them in their paycheck. The Nebraska Legislature is not coming for them in their paycheck. And because of that, they're generally happy with the work we're doing. And when that day comes, colleagues, and we can have a serious conversation about what we deserve to be compensated for this work, I think we will know when that day is. If we're serious about this, we need to show the same energy in protecting the wages for all workers in Nebraska, not just our own. And I'm not saying legislators don't deserve fair compensation. And, frankly, as I've said on the record many times, I'm not saying that what we get right now is fair. I'm saying what we get right now is what we knew we were going to get. And a citizen Legislature-- legislators, it's what we came in here expecting and knowing we were going to be entitled to. I'm saying if you're willing to fight for better pay and compensation and benefits for yourself, colleagues, you better be willing to fight just as hard for the people who sent you here. I also take issue with the argument that raising legislative pay would necessarily result in a more representative government. I hope

it would. I support the concept of increasing pay because I understand the argument that it incentivizes and it makes it possible for more people to run. But who do we actually think will run if something like this passes? Raising salaries doesn't magically mean that more working-class people get elected. It just means that people in power get paid more. You only have to look at other local races like, well, like Congress too, but like city council races, working-class people run, grassroots candidates run. And in the end of the day, they do not win, no matter what the pay is. The real barriers to participation, colleagues, aren't just the salary, it's the lack of affordable childcare, the lack of paid leave, the lack of fair wages in Nebraska, and an economy where people can barely make ends meet. And when we fix those problems, we will see more people able to run for office and serve. And we will see also an electorate that has trust in their government and trust in their elected officials to the degree that they support a higher paycheck for us. The Legislature was designed to be a part-time citizen-led body. We don't take the paycheck-- we don't take the job for a paycheck, we take it to serve. And if pay is really the concern, why aren't we fighting to make sure that all Nebraskans get paid fairly first.

ARCH: Time, Senator.

HUNT: Thank you, Mr. President.

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

DOVER: [MALFUNCTION] President. I just want to reiterate that we are financially in trouble in the state of Nebraska with our fiscal budget, and we're making hundreds, and that's hundreds of millions of dollars of cuts. So why are we talking about giving senators a, a pay raise or a pay adjustment? It's whatever you want to call it, it's still going to be-- show up on the expense line. And I would, I would think that if you asked the average Nebraskan, who we all represent, what would you rather do, cut public health or give your senator a pay raise? Because we cut millions of dollars from public health in the preliminary budget, if you want to look, and then we're going to be dealing with dual credit program, which helps many of our children graduate early, saving the child and the family-- and/or the family a lot of money. They get into the, the job, they get in their job quicker, they get into our economy quicker and that benefits all of us, the child, the family, and all Nebraskans who tax dollars. So why are we-- we're looking-- trying-- we don't have the money to fund the dual credit program, but yet we're looking to give ourselves a raise. And what about affordable housing? It's multiple attempts to cut

affordable housing. If we don't have affordable housing in the state of Nebraska, we can't fill jobs. And if we don't get more people to come to Nebraska by creating jobs and finding them a house to live in, our taxes will continue to go up and up and up and up, and then we're cutting the university. And so that's going to raise tuition on all, all of our kids that are attending the university. Why are we giving ourselves a pay raise or finding a vehicle to give ourselves a pay raise when we're cutting the university and raising tuition on kids across Nebraska? And, also, another really good question is why are we cutting cancer research, millions of dollars, to give ourselves a pay raise? Can anyone answer that question? We are cutting cancer research in order to give ourselves a raise. I think that it's like so many bills-- I mean, everybody has a bill here that, you know, this is a great idea and everybody that's a great idea. But when it comes to the devil in the details, we're actually paying for it, right, that's usually a thing comes down to money. Now is not the time to put on, put on this amendment or allow LR to go through, which is going to result in an increased expense to the state. I think that money is better spent, sorry, for public health, cancer research, lowering tuition costs for all the kids, whether it's in state colleges, community colleges, or the state university system or doing cancer research. I, I don't understand-- I mean, I do understand the idea about pay, but right now, fiscally, if we had plenty of money, I would say go for it. I think, I think everybody here deserves a raise. But, again, not at the cost of cancer research, raising tuition, affordable-- getting rid of affordable housing, which we'll-- our taxes will just get worse if we don't have housing for people. They can't take a job, if they don't have a house to live in. Dual credit program is helping so many children across the state graduate early and get into the, the economy, helping us through then sales tax, income tax, property tax, etcetera, and we're cutting public health. Why are we cutting public health? So I would just end in saying there isn't any money to give everyone a raise. There isn't any money to give everyone here a raise. Now is not the time. Maybe-- I'm, I'm sure-- we know-- obviously, we're cutting our, we're cutting our income, our revenues by, by getting income tax down to 3.99% by 2027. So we're cutting income when we're spending more money. So, again, I just-- like I say, there is no money to give us a raise. We don't need to go down this. And we haven't even seen what-- give us 2 years and we'll see what the federal decisions at the federal level are being made. And we'll see what the impact on our budget is, because we-- I think we all know it's going to be big. I yield the rest of my time to Senator Conrad.

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ARCH: Senator Conrad, 40 seconds.

CONRAD: Thank you, Mr. President, and thank you-- thank you, Mr. President, and thank you to my friend, Senator Dover. I think that we should probably entertain a true bracket on this motion. Let's hold-- or this bill, let's hold this till the very last day of session to see how this body performs in the next 40-plus days. I think that would be very important time wise. I just wanted to also point out, and I'm definitely going to run out of time, you want to strengthen the institution, Senator Hansen and the Exec Board, maybe advance Senator Cavanaugh's bill to ensure the Legislature can get basic information from the executive branch because they're nonresponsive to public records law or our ability to get such through our oversight or specific constitutional authority.

ARCH: Time, Senator.

CONRAD: Thank you, Mr. President.

ARCH: Senator Clements would like to recognize some special guests. There are 14 students from the fourth grade from St. John the Baptist School in Plattsmouth, and they are in the north balcony. Please rise and be recognized. Mr. Clerk, for items.

CLERK: Mr. President, your Committee on Health Human Services, chaired by Senator Hardin, reports LB382, LB454, LB512, and LB632 and LB102 to General File, some having committee amendments. Sorry, LB632 to General File, some having committee amendments. Additionally, LB102, report from Senator Hardin to be indefinitely postponed. LB658, your Committee on Agriculture, chaired by Senator DeKay, reports LB658 to General File with committee amendments. Your Committee on Education, chaired by Senator Murman, reports LB462 [SIC--LB426] to General File with committee amendments. Series of motions to be printed from Senator Raybould to LB455. Series of motions to be printed from Senator McKinney to LB79 and LB556. Amendments to be printed from Senator McKeon to LB490, Senator von Gillern to LB707. Communication from Senator Dungan designating LB272 as his personal priority bill. Senator Moser, LB323 as his senator priority bill. Senator von Gillern, LB340 as his personal priority bill. LB392, Senator Clements, as the Appropriations Committee priority bill as well as LB393, Appropriations Committee priority bill. Senator DeKay, LB437 as his personal priority bill. Senator DeKay as chair of Agriculture Committee, LB246, Agriculture Committee priority bill. Business and Labor Committee has designated LB532 as a committee priority bill. Senator Bostar, LB644 as a personal priority bill. Senator Guereca,

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LB224 as a personal priority bill. Senator Armendariz, LB434 as her personal priority bill. Senator Strommen, LB538 as the personal priority bill for the senator. And LB80, Senator Ballard's personal priority bill. Finally, Mr. President-- excuse me. Name add: Senator Andersen, name added to LR12CA. And a priority motion, Senator Quick would move to adjourn the body until Monday, March 17 at 10:00 a.m.

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