

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate March 20, 2025

ARCH: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the forty-eighth day of the One Hundred Ninth Legislature, First Session. Our chaplain for today is Pastor Lynette Janssen from Ralston United Church of Christ, Senator Merv Riepe's district. Please rise.

LYNETTE JANSSEN: Almighty God, author of law and justice, we pray your blessing on those who hold office in the government of this great state of Nebraska. May they do their work in a spirit of wisdom, kindness, and justice, that they may be faithful ambassadors and stewards of yours. Keep our lawmakers from enacting laws that are marred by prejudice, favoritism, or inequity. Remind each lawmaker of his or her responsibility to each and every citizen. May these elected and appointed officials of this state be faithful servants to you and be self-dedicated. Inspire them with the wisdom to write and enact laws that will guarantee safety, protection, and integrity so that we may pur-- put our full trust in them. Help them use their authority to serve faithfully and to promote the general welfare. Enable them to foster legislation that provides government with strength and power that produces justice. Use the efforts of those who write the laws and those who interpret them for the accomplishment of what is pleasing to you. Bless this state and all the cititens-- citizens and Legislatures-- legislators that reside here. Amen.

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

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

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

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

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

CLERK: I have no corrections this morning, sir.

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

CLERK: There are, Mr. President. Your Committee on Health and Human Services, chaired by Senator Hardin, reports LB332 to General File with committee amendments. Additionally, some amendments to be printed from

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Senator Juarez to LB299. And notice of committee hearings from the Judiciary Committee. Finally, Mr. President, agency reports electronically filed with the Legislature can be found on the Nebraska Legislature's website. And a report of registered lobbyists for March 19, 2025 will be found in today's Journal. That's all I have at this time.

ARCH: Thank you, Mr. Clerk. We have a couple of announcements from the floor this morning. I'd like to call on Senator Dungan to begin with.

DUNGAN: Thank you, Mr. President. Can I get a gavel before I start talking here, if I could? Thank you, Mr. President. Colleagues, I just want to take a minute here today or a few moments to make a couple comments about somebody that's had an amazing impact on the Legislature, on the city of Lincoln, and the state of Nebraska, and that's Don Wesely. Many of you in this body I think have worked with him. Many of you have talked to him and seen the impact he's had, and I just think it's important that we take a few moments this morning to honor him, as he passed away just a couple of days ago here this week. I wanted to start by reading a little bit of history about Don Wesely so people understand the immense impact that he had on our Legislature. Don was a diligent and persistent policymaker with a loud, infectious laugh. Wesely continued to be a presence at the State Capitol recently in his role as a lobbyist after nearly five decades after he was first elected to serve Legislative District 26, which I now have the honor of serving as well. Don was born in David City on March 30, 1954. He moved to Lincoln and graduated from Lincoln Northeast High School before enrolling in the University of Nebraska-Lincoln, where he graduated in 1977. The next year, as he was enrolling in graduate classes at UNL, Wesely ran and won for the seat for District 26, representing northeast Lincoln, succeeding Senator Louis Emry. At the age of 24, Wesely was the third-youngest person to serve in Nebraska's unique Unicameral legislative system but was no political novice. As a young man, he was part of a coalition opposing a proposed four-lane roadway that was set to cut through communities in northeast Lincoln. Wesely would go on to serve Legislative District 26 for 20 years and was elected as chairman of several committees, including the Rules Committee, the Retirement Committee, and the Economic Development Committee. His greatest impact, however, was where he was the head of the Health and Human Services Committee, where he served as chair from 1985 until he left the Legislature in 1999, one of its longest-tenured members. Wesely authored the state's credentialing review process, also known as the 407 program, which is still used today. He also passed legislation expanding the Children's Health Insurance Program, which ensured thousands of Nebraska children had coverage, and helped manage

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investments in health care facilities. A registered Democrat in Nebraska in the officially nonpartisan Legislature, he was the sponsor and co-sponsor of roughly 330 bills signed into law before he sought political life outside the Capitol. After two decades in the Legislature, Don turned his attention away from the Capitol and ran for and was elected as Lincoln's 49th mayor in 1999 with 56% of the vote. As mayor, he had a huge impact on the city of Lincoln and was often referred to as the-- his administration was referred to as the "bridge to the 21st century," serving for four years starting in 1999. He opened the new Haymarket Park baseball and softball stadiums, parking garage and pedestrian bridge, bringing back minor league baseball to the capital city for the first time in four decades. He won approval and began construction on a \$200 million Antelope Valley project to revitalize the city's center with new roads, flood control systems, parks and trails, and public-private redevelopment. As mayor, he opened two libraries, two public pools, two parks, acquired 300 additional acres of parks for the city, built 12 new miles of trails, and opened the incredibly impactful F Street Community Center. His time in office also coincided with the construction of a \$15 million downtown movie megaplex, as well as a, a move from privatized ambulance services to public ambulance services-- all before he left city hall in 2003. He expected his staff to work hard, but led by example, said the people who worked for him. Staff specifically said that he was always working for the marginalized, always working for those in need, and he was always the loyal opposition, and he was absolutely fearless. Don Wesely was the first person that I had an opportunity to talk to in sort of an official capacity when I decided to run for office. And he had been a fixture of my life growing up here in Lincoln, both as a legislator and as the mayor. And to sit next to him and to tell him that I was thinking about running for office and for him to encourage me meant the world to me. I know that everybody in this body has very personal relationships with him, and I think all of us felt close with Don, but I just wanted to take one moment here today and make sure we could all say thank you for the incredible work that he's done for Lincoln, for the Legislature, and for the state of Nebraska. So colleagues, if you would please join me in a round of applause for Don Wesely one last time. [MALFUNCTION] Mr. President. Thank you.

ARCH: Senator Andersen for an announcement.

ANDERSEN: Thank you, Mr. President. Colleagues, I'd like to recognize a fellow Air Force veteran and distinguished senator on his birthday today, Senator Loren Lippincott.

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ARCH: While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign LR67, LR68, and LR69. We will now proceed to the first item on the agenda, which is Final Reading. In preparation, senators, please take your seats. Mr. Clerk, we will now proceed to the first item on the agenda, which is LB116. And the first vote is to dispense with the at-large reading. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 41 ayes, 1 nay to dispense the at-large reading, Mr. President.

ARCH: The at-large reading is dispensed with. Mr. Clerk, please read the title.

CLERK: [Read title of LB116]

ARCH: All provisions of law relative to procedure having been complied with, the question is, shall LB116 pass? All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, John Cavanaugh, Clements, Clouse, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hardin, Holdcroft, Hughes, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, McKinney, Meyer, Mo-- Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: Senators Hansen and Spivey. Not voting: Senators Machaela Cavanaugh, Conrad, Hunt, and Moser. Vote is 43 ayes, 2 nays, 4 excused, not voting, Mr. President.

ARCH: LB116 passes. We will now proceed to LB123. Mr. Clerk.

CLERK: [Read LB123 on Final Reading]

ARCH: All provisions of law relative to procedure having been complied with, the question is, shall LB123 pass? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 45 ayes, 0 nays on-- excuse me. Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, John Cavanaugh, Clements, Clouse, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, McKinney, Meyer, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: none. Not voting: Senators Machaela Cavanaugh, Conrad, Hunt and Moser. Vote is 45 ayes, 0 nays, 4 excused, not voting, Mr. President.

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ARCH: LB123 does pass. We will now proceed to the next item, LB297e.

CLERK: [Read LB297 on Final Reading]

ARCH: All provisions of law relative to procedure having been complied with, the question is, shall LB297 pass with the emergency clause attached? All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, John Cavanaugh, Clements, Clouse, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, McKinney, Meyer, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: none. Not voting: Machaela Cavanaugh, Conrad, Hunt, and Moser. Vote is 45 ayes, 0 nays, 4 excused, not voting, Mr. President.

ARCH: LB297 passes with the emergency clause attached. Mr. Clerk, we'll proceed to LB373.

CLERK: [Read LB373 on Final Reading]

ARCH: All provisions of law relative to procedure have been complied with, the question is, shall LB373 pass? All those in favor vote aye; all those opposed vote nay. Has everyone voted who wishes to vote? Mr. Clerk, please record.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, John Cavanaugh, Clements, Clouse, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKe-- McKeon, McKinney, Meyer, Murman, Prokop, Quick, Raybould, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: Senator Riepe. Not voting: Senators Machaela Cavanaugh, Conrad, Hunt, and Moser. Vote is 44 ayes, 1 nay, 4 excused, not voting, Mr. President.

ARCH: LB373 does pass. Mr. Clerk, please proceed to LB41.

CLERK: Mr. President: Select File, engrossed LB41. Senator Riepe would move to return the bill to Select File for a specific amendment, that being AM637.

ARCH: Senator Riepe, you are welcome to open on your motion.

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RIEPE: Thank you, Mr. President and colleagues. I rise today to introduce AM637, an amendment that adjusts the funding source for LB41 to ensure fiscal responsibility while maintaining our commitment to improving maternal and infant health in Nebraska. LB41 expands syphilis screening during pregnancy to align with best medical practices, helping to detect and treat infectious syphilis before they-- before it can develop into congenital syphilis. This amendment shifts the funding source for these additional tests from the General Fund to the Medicaid Managed Care Excess Profit Fund specifically for the new test generated as a result of LB41, which are covered by Nebraska Medicaid. The Department of Health and Human Services has revised its cost estimate for these additional screenings, now projecting a state share of approximately \$78,000, down from the initial \$90,000 estimated before Select File. Colleagues, I firmly believe that the expenditures from the Medicaid Excess Profit Fund should be used to drive down overall Medicaid costs. That is precisely what this amendment does. By identifying and treating syphilis early, we prevent cases from progressing into congenital syphilis, which has devastated health costs-- devastating health consequences and significantly higher long-term treatment cost. The cost of penicillin to treat syphilis during pregnancy is minimal compared to the medical and developmental interventions required for infants born with congenital syphilis. Again, AM637 ensures the additional testing under LB41 is funded through the Medicaid Managed Care Excess Profit Fund rather than general funds. I have coordinated this with chairman of the Appropriations Committee. And I urge your support for this amendment. Thank you.

ARCH: Seeing no one in the queue. Senator Riepe, you're welcome to close on your motion to return to Select File. And Senator Riepe waives close. Colleagues, the question before the body is the motion to return to Select File. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: 44 ayes, 0 nays on the motion to return, Mr. President.

ARCH: The motion is successful. Senator Riepe, you are recognized to open on AM637.

RIEPE: Thank you, Mr. President. I must apologize, I am not prepared to open on that. I'm told, I'm told that I already have opened on that, sir.

ARCH: Thank you, Senator Riepe. Seeing no one in the queue, you're welcome to close on AM637.

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RIEPE: I will waive.

ARCH: Senator Riepe waives close. Colleagues, the question before the body is the adoption of AM637 to LB41. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: 44 ayes, 0 nays on adoption of the amendment, Mr. President.

ARCH: The amendment is adopted.

CLERK: I have nothing further on the bill, Senator.

ARCH: Senator Guereca for a motion.

GUERECA: Mr. President, I move that LB41 be advanced to E&R for engrossing.

ARCH: Colleagues, you have heard the motion. All those in favor say aye. Opposed, nay. LB41 does advance. While the Legislature is, is in session and capable of transacting business, I propose to sign and do hereby sign LB116, LB123, LB297e, and LB373. Mr. Clerk for items.

CLERK: Thank you, Mr. President. Your Committee on Revenue, chaired by Senator von Gillern, reports LB384 to General File with committee amendments. Additionally, your Committee on Transportation, chaired by Senator Moser, reports LB323 to General File with committee amendments. That's all I have at this time.

ARCH: Mr. Clerk, please proceed to the next item on the agenda.

CLERK: Mr. President: General File, LB287, introduced by the Urban Affairs Committee. It's a bill for an act relating to the Nebraska Housing Agency Act; amends Section 71-1572; provides duties for certain housing agencies related to bedbugs; harmonizes provisions; and repeals the original section. Bill was read for the first time on January 15 of this year and referred to the Urban Affairs Committee. That committee placed the bill on General File with committee amendments, Mr. President.

ARCH: Senator McKinney, you're recognized to open on LB287.

McKINNEY: Thank you, Mr. President. LB287 is a bill that was brought by the Urban Affairs Committee. And the purpose of LB287 and the aim of it is to address concerns of constituents about bedbugs in residential buildings owned by the Omaha Housing Authority. And this issue has been prevalent for a, a, a time now. And as you can see by the documents

that I shared yesterday, the Omaha Housing Authority is under a class action lawsuit because of these issues dealing with bedbugs. And LB-- and what LB287 would do, it would say that the housing agency has to conduct inspections, inform prospective tenants of any infestations, and quickly address reported bedbug issues using professional services. Additionally, the housing agency must maintain records of all complaints and, and control measures and, and cost of-- and, and cost of investigations and remediation. This is important because we have people in, in, in our communities that are living in conditions that are being poorly managed by the housing agency. And when you listen to these stories from these individuals, it is, it is very heartbreaking that people, Nebraskans, have to live in such conditions, and that's why I thought and I feel as though this bill is very important, because we cannot continue to allow Nebraskans to live in such conditions. And that's why it was important to prioritize this bill to address this very important issue. And that's why LB287 was brought. We do have a committee amendment, and can we move on to that? Thank you.

ARCH: Senator McKinney, you're recognized to open on the committee amendment.

McKINNEY: OK. So the committee amendment also has LB514, which provides powers for the city of the metropolitan class to regulate the housing agency-- authorities by ordinance. These regulations may include code enforcement, pest control, regular inspections, property registration for housing authorities, and penalties for code violations, and monthly reports to the city council. And I understand that the city might have sent out a letter, but let's get this clear: the city does not have to take on these powers. This is a "may." It says the city "may." It's not a "shall." This is not a unfunded mandate. They-- this bill could pass, and they could say, forget what the Legislature said. But I thought it was important to give the city some additional powers to hold the housing agency accountable for a, a-- an important reason. The, the mayor appoints the CEO or the director, and the city council approves it. Also the city and the city council are closer to this issue than the Legislature. I have people calling my office frequently, and other senators' offices are called more-- are called frequently about these issues of bedbugs and code violations. And I feel as though the cities-- the city should be empowered to look into these issues. That's why LB514 was brought, to give the city some additional powers that they may, if they want to-- let's be clear. We're not forcing. It does not say in the bill "shall." It says, it says "may," "may include." So I just want to clarify that. And that's why the bill was brought, because this is a very important issue. And there's another bill in

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this, LB321, that Senator Sanders will speak to if she would like. And I could yield my time to her if she would like to speak to it.

ARCH: I'm sorry, Senator McKinney. Could you please repeat that?

McKINNEY: Trying to yield the time to Senator Sanders to speak to LB321.

ARCH: Senator Sanders, 7 minutes, 30 seconds.

SANDERS: Thank you, Senator McKinney. Thank you, Mr. President. Section 2 and 3 of the committee amendment contain the provisions of my LB321 with changes that I proposed-- that bill in AM29. My proposal includes two elements: first, it would lengthen the time that developers have to get things done, up and running before turning over control of sanitary and improvement district boards to resident owners. This currently happens after six years. With the change proposed by my bill, that would go to eight years. This important-- this is important because developers often occur in phases. The extra time will allow developers to work more closely with an SID before the conclusion of the project. Second, this bill would make clear that adjoining property owners who benefit from an improvement could be responsible for helping to pay for it. Most often, these contributions would be negotiated by the parties. In instances where an agreement is not reached, this bill provides for a process to determine whether or not the adjoining property owners should contribute. This second change reflects how we have done things for years until a court decision last year inter-- interpreted the statute differently. I believe these changes will help us continue to grow Nebraska. Please vote green on the amendment and on the underlining bill. Thank you, Mr. President.

ARCH: Turning to the queue. Senator John Cavanaugh, you're recognized to speak.

J. CAVANAUGH: Thank you, Mr. President. I rise in support of AM608 and LB287. Just want to reiterate some of the things Senator McKinney said that-- so this bill is pretty simple. It just gives the city of a metropolitan class an option to have more oversight of their housing authority agency. And so we've had some issues in Omaha with our housing authority, and, as Senator McKinney pointed out, there's currently a class action lawsuit against them about the habitability of their facilities. And so the two parts of this bill-- one, it requires quicker cleanup of infestations of bedbugs, it requires notice to the other tenants, it requires not leasing a place that hasn't been-- I guess had pest control done. So these are just really basic, simple

things that you would think wouldn't need to require someone to do, but it does require housing agencies to do that. And then the other part is it allows a city to take more control, insp-- inspection authority over the housing agency. And the reason that that is important is we've gotten to this point in Omaha where we have this problem and there's been a lot of sort of kicking back and forth of who's responsible. So we've had a few bills in the last couple years come through the Urban Affairs Committee and come through the floor here attempting to address the problems at the Omaha Housing Authority, and the city of Omaha has often said, well, we don't have oversight authority over them. And that's what they're saying right now, is that they don't have oversight authority, they're not the appropriate place. But they are the closest entity to the agency. They appoint the board of the agency, and so they do have some interaction with it on a regular basis. If you watch city council meetings, the housing authority does come and testify at the Omaha City Council hearings quite often. So the reason that the city of Omaha has not engaged in more oversight of the housing authority is because they claim that they don't have the authority that this bill would grant them. So it doesn't force them to take that authority. It doesn't force them to pass an ordinance, doesn't force them to do anything. It just takes away their opportunity to say "we can't do that." So the next time there's a problem and somebody-- the solution might be greater enforcement from the city, the city will now have that as an option if we pass LB287. And we won't have to come back to the Legislature continually to pass more and more bills to address problems that maybe would be better addressed at the local level. So that's what AM608 and LB287 do, is just give the local entity the option to exercise more oversight and not have it always be statutory change. And then Senator Sanders' bill is a good cleanup bill that helps the law effectuate what we had originally intended. And the courts, in their infinite wisdom, screwed up. So-- appreciate Senator Sanders bringing that bill. So I'd encourage your green vote on AM608 and LB287. Thank you, Mr. President.

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

SPIVEY: Good morning, Mr. President. And good morning, colleagues and folks watching online. I hope everyone is safe from the terrible weather that we were experiencing. I know it was wild for me and my family. So hope everyone is recouping and able to have electricity and the things that they need. And so I rise in support of LB287 and AM608. And appreciate the work that the Urban Affairs Committee has done, and Senator McKinney specifically, around helping to address our housing authority in Omaha. In my district, District 13, we actually have four housing authority towers or apartments, and each of those towers has an

infestation of bedbugs. The entire complex. Those towers are a part of the class action suit-- but again, we are talking about hundreds and hundreds of people, those that are most vulnerable among us that are impacted in terrible living conditions. I did receive the letter from the city this morning, and I just wanted to uplift some of the things that they had named, because they talked about that the Legislature, this body, is responsible for the oversight of the housing authority. And this made me think of the kind of standard of living that there is set for property owners. And so I actually brought a bill this session because we have, at the body, a standard of living around, if you are a property owner, if you are a landlord, this is what you have to provide to a tenant. There has to be running water, heat and air, certain things that you have to meet. And while that is a guideline of regulation at the body, the day-to-day management of that, if there is a violation, happens within the court system in that county. It happens locally. It does not happen and come back to this body to regulate in the same way. And so with the Nebraska Housing Agency Act that the city named, some of the things in this statute that was originally passed in 1999 talks about-- excuse me-- some key components that I just wanted to read. And so it says in here that, that there has to be suitable affordable housing and that-- that there cannot be a lack of these conditions in specific economic distressed areas, there cannot be physically-- physical deterioration of public facilities in commercial and resident infrastructure. It also says in here that the Legislature declares that, within our state, there is a shortage of residential housing that is decent, safe, and sanitary, situated in safe, livable neighborhoods, and affordable to persons of low and moderate income, which I think in general we are still navigating as a state to figure that out. But I lift up some of those components in this 33-page document because it really just sets guardrails. It sets guardrails around funding. It sets guardrails around what's sanitary, what's safe and livable. And so I appreciate that-- again, we talk about local control. And Omaha Housing Authority is situated in Omaha. The towers and the, the places where people are living are in Omaha. So while the state set the guardrails and parameters around what does it look like for any housing authority, the Omaha Housing Authority should and would want to be able to better manage inside of their city limits the, the housing opportunities, again, for some of the most vulnerable neighbors among us. There are folks that are on fixed incomes, different abilities, statuses, that are trying to get back on their feet, that are seniors. And so we would want to make sure that they are well taken care of and that they have safe, affordable living conditions. And so I appreciate that this bill gives permission for their leadership at the city to step up. It does not mandate it. And I would hope that our

elected officials in the city see this as an opportunity to really address the decades of disinvestment and safe housing, again, for those that are most impacted and that are navigating experiences where basic, safe housing is, like, a necessity to their health and well-being. And so it's disappointing that the city does not see the potential with this, but I appreciate the legislator [SIC]-- this body and, and Urban Affairs creating the opportunity for the city to step up and engage without creating an unfunded mandate. So again, I rise in support of LB287 and AM608. And appreciate the work of that committee. Thank you, Mr. President.

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

CLOUSE: Yes. Thank you, Mr. President. Colleagues, I was one of the "no" votes in committee on this, and there was a couple reasons, and one of them was-- as I visited with Senator Sanders on her bill, I'm, I'm OK with that going through, through as part of this carrier bill. And then on AM608, as I looked at that, it places a lot of responsibility on the city if they accept that responsibility. It's very clear in there that they would be responsible for those costs. But it does give them the option, as was stated earlier, that they can choose to do this or choose not to. But what this does is give them the ability to take this on. So when people present-- or, when citizens present these issues to them, they can't just pass the buck, so to speak. So with that, I will change my vote and support this for Senator McKinney. Thank you.

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

HANSEN: Thank you, Mr. Speaker. Got a couple questions, I think, of a couple of different senators here. I [INAUDIBLE] Senator McKinney would yield to a question first, please.

ARCH: Senator McKinney, will you yield?

McKINNEY: Yes.

HANSEN: So just to get this straight, what, what kind of a, a, a burden are we putting on landown-- people who own these properties to mitigate bedbugs? So like, if, if they don't have any, what, what-- what's the process, I think, the owner of the property has to go through, with or without mitigation of bedbugs at all? I'm just kind of curious what we're kind of putting on the, the property owner, or the, the lessor.

McKINNEY: The housing, housing-- we're just saying to the housing authority that-- don't rent or lease a unit that has bedbugs. And if it

does, cling, cling-- clean up the bedbu-- the bedbug infestation and just notify the other tenants of the bedbug presence in, in, in the, in the building. That's all. That's--

HANSEN: So this, this shouldn't put a, a cost-- an extra cost on the person renting the property?

McKINNEY: I don't-- they're currently saying that they already are cleaning up. All, all we doing-- all we're doing is saying just don't rent a space that has bedbugs in them.

HANSEN: OK. All right. And then I was wondering if Senator Sanders would yield to a question, please.

ARCH: Senator Sanders, will you yield?

SANDERS: Yes.

HANSEN: Senator Sanders, I, I think your bill is a part of the amendment, right?

SANDERS: Yes.

HANSEN: OK. I, I just think I want a little bit more clarification about what this will do to those in the city limits who would normally not-- so your amendment, basically, would that increase property taxes amo-- along those in the city who are not a part of the SID but now this amendment then would include them in the SID so they'd have to pay-- they would have-- the SID would have levying authority now among these people in the city limits?

SANDERS: Actually, Senator Hansen, the way that it has-- the way that it has operated and the way that tax assessments have worked is already in place. This is just clearing up a decision the court interpreted. And we're just saying we're going to keep the rules that we have and the policies we have and the way it's assessed. And the only ones that are affected by it for this improvement district would be the hom-- if it's developing homes. And the homes that will help and, and, and-- provide businesses directly. So if I'm building a subdivision and there is a large box store right outside, then they would-- depends on the regulations and the distance, but the direct impact of having all of those new customers, there are some equations that they use, and there will be a small assessment on that. But that-- we've been doing that. That's, that's how Nebraska has operated.

HANSEN: OK.

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SANDERS: Nothing new.

HANSEN: All right. Thank you. I have-- [INAUDIBLE] some questions from constituents and others, kind of maybe a little more clarifying-- more of an idea of what the amendment actually does. And so I appreciate that. Thank you. Thank you, Mr. Speaker.

ARCH: Seeing no one in the queue. Senator McKinney, you're welcome to close on AM608.

McKINNEY: Thank you, everyone, for the questions. Please, could I get your green vote on AM608, and then LB287? Thank you.

ARCH: Colleagues, the question before the body is the adoption of AM608 to LB287. All those in favor vote aye; all those opposed vote nay. There's been a request to place the house under call. The question is, shall the house go under call? All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: 23 ayes, 0 nays to place the house under call.

ARCH: The house is under call. Senators, please record your presence. Those unexcused senators outside the Chamber, please return to the Chamber and record your presence. All unauthorized personnel, please leave the floor. The house is under call. Senators Hardin and Bostar, please return to the Chamber. The house is under call. Senator Bostar, please return to the Chamber. The house is under call. All unexcused members are now present. Senator McKinney, we were in process with the vote. Will you accept call-ins?

CLERK: Senator Fredrickson voting yes. Senator Conrad voting yes. Senator Quick voting yes. Senator Spivey voting yes. Senator Raybould voting yes. Senator Dungan voting yes. Senator Jacobson voting yes.

ARCH: There's been a request for a roll call vote. Mr. Clerk, please call the roll.

CLERK: Senator Andersen voting yes. Senator Arch not voting. Senator Armendariz voting yes. Senator Ballard not voting. Senator Bosn not voting. Senator Bostar voting yes. Senator Brandt voting yes. Senator John Cavanaugh voting yes. Senator Machaela Cavanaugh. Senator Clements not voting. Senator Clouse voting yes. Senator Conrad voting yes. Senator DeBoer voting yes. Senator DeKay voting yes. Senator Dorn not voting. Senator Dover not voting. Senator Dungan voting yes. Senator Fredrickson voting yes. Senator Guereca voting yes. Senator Hallstrom not voting. Senator Hansen voting no. Senator Hardin not voting.

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Senator Holdcroft not voting. Senator Hughes voting yes. Senator Hunt. Senator Ibach not voting. Senator Jacobson not voting. Senator Juarez voting yes. Senator Kauth. Senator Lippincott voting yes. Senator Lonowski voting yes. Senator McKeon not voting. Senator McKinney voting yes. Senator Meyer voting yes. Senator Moser. Senator Murman voting yes. Senator Prokop voting yes. Senator Quick voting yes. Senator Raybould voting yes. Senator Riepe not voting. Senator Rountree voting yes. Senator Sanders voting yes. Senator Sorrentino voting yes. Senator Spivey voting yes. Senator Storer voting no. Senator Storm. Senator Strommen not voting. Senator von Gillern not voting. Senator Wordekemper not voting. Vote is 26 ayes, 2 nays, Mr. President, on adoption of the committee amendment.

ARCH: AM608 is adopted. Senator McKinney, you're welcome to close. I raise the call. Senator McKinney, you're welcome to close on LB287.

McKINNEY: Thank you, Mr. President. Again, LB287 is a bill to address a bedbug issue that has been prevalent within the Omaha Housing Authority. It also gives the city of Omaha some pow-- additional powers that they can or cannot take. It's not a unfunded mandate. It's not forcing them to take it. It's just giving them additional powers that they currently don't have that they can choose to take by ordinance. And it also has Senator Sanders' LB321 inside. And I would hope to get your green vote. Thank you.

ARCH: Colleagues, the question before the body is the advancement of LB287 to E&R Initial. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: 29 ayes, 1 nay on advancement of the bill, Mr. President.

ARCH: LB287 does advance to E&R Initial. Senator Hallstrom would like to recognize some special guests today. There are 60 fourth grade students from Syracuse Middle School for Syracuse, Nebraska, and they are located in the north balcony. Students, if we could ask you to rise. Please be welcomed by your Nebraska Legislature. Mr. Clerk for items.

CLERK: Mr. President, communication. Bills read this morning on Final Reading were presented to the governor on March 20, 2025 at 10:02 a.m. Additionally, your Committee on Judiciary, chaired by Senator Bosn, reports LB159 to General File. Your Committee on the Executive Board, chaired by Senator Hansen, reports LB228 to General File. Amendments to be printed from Senator Riepe to LB41A. That's all I have at this time.

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ARCH: Mr. Clerk, please proceed to the next item.

CLERK: Mr. President, next item on the agenda: General File, LB415, introduced by Senator Ballard. Excuse me, Mr. President. A motion: Senator McKinney would move to indefinitely postpone the bill pursuant to Rule 6, Section 3(f).

ARCH: Senator Ballard, you are recognized to open on LB415.

BALLARD: Thank you, Mis-- thank you, Mr. President. I'm introducing LB415, a bill which provides some cleanup language for Initiative 460-- 436, the Nebraska Healthy Families and Workplace Act. After the initiative passed, questions began to rise about this implementation. Conversations took place between the business community, employment law experts, and Department of Labor to figure out the clarifications that need to be made. LB415 is a result of those conversations. L4-- LB415 clarifies that the initiative is not-- does not apply to independent contractors, owners/operators, and any employees that work less than 80 hours in a year. The main clarification of LB415 has to do with the definition of paid time off and payment of, of paid time off after separation of employment. The initiative requires employers to provide a certain amount of paid sick leave, potentially putting in jeopardy the common combined paid time off programs that many employees now offer. Since they do not mention-- since, since these do not specifically mention sick leave, employers may have to go back and separate sick and vacation time pools. LB415 clarifies that PTO plans that provide the required number of hours specified in the Initiative are allowed to stay in, in place. LB415 specifies the accrual caps on PTO plans are allowed. Employer needs the ability to institute these caps to keep plans from becoming overwhelming. Also the, the bill clarifies a situation where employers-- where employment of an individual ends but the employee resumes employment with the same employer. The initiative requires that accrued sick, sick leave must be reinstated in that case. However, there are some cases in whether or not the sick leave must be paid out as well. LB415 clarifies that sick leave requires-- under the initiative does not need to be paid out upon ending the employment in this scenario. After the bill was introduced, we met with several representatives of local trucking companies who had concerns about how this would work with their compensation structure. As you know, most trucking companies pay per mile, not per hour. For these and other companies that use rate-of-pay systems, we introduced an amendment that is included in LB415. Again, I would like to reinstate that LB415 is a cleanup bill meant to clarify some of the concerns of the members-- of members and the business community, and it was not opposed by any of the sponsors of the initiative. I know there

will be a lot of conversation around other language in the, in the committee amendment, but I ask for your green vote on LB415. Thank you, Mr. President.

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

McKINNEY: Thank you, Mr. President. I put up this motion for multiple reasons, and I think it's important that we have a clarifying conversation that in November of-- in November's election, nearly 75% of Nebraskans voted to support the initiative to approve paid sick leave for workers. This included approval in 89 of the 93 counties, and a majority support in almost every legislative district. And I think that's important to point out. hardworking Nebraskan parents without paid sick days often face impossible choices: either sending their child sick-- their sick child to school or daycare, or lose a day's pay. Skipping work can mean missing out on a paycheck needed for prescriptions or to put food on the table. No Nebraskan should have to choose between their paycheck and their health-- or their health for their families. But thousands of Nebraskans who work full-time do not get any sick days, especially workers who need them the most. Right now, 250,000 Nebraskans who work full-time do not get any paid sick days, especially workers who need them the most. A 2021 Nebraska benefits survey estimated that nearly 36% of full-time and 78% of part-time workers don't have paid sick leave. Working families are the engine of our economy. Supporting family values means supporting families, and that starts with letting people take care of sick kids or elderly parents without losing their income, or taking care of themselves in time of sickness. This in-- that initiative meant hardworking Nebraskans wouldn't have to choose between paychecks and the need to take care of their family's work. Sick time can be used for short-term illness as well. The voter-approved-- not government-approved-- initiative requires all businesses to offer paid sick leave to employees without employees earning paid sick leave for time worked. Businesses with less than 20 employees will offer five paid sick days, or a total of 40 hours a year. Businesses with 20, 20 or more employees will offer seven paid sick days per year, or 56 total hours per year. The ballot initiative also put in the law the ability for employees to earn and use paid sick days without retaliation. And there were small businesses across the state that supported it because they understood that the-- it's better for their bottom line to have these type of benefits and it's better to be able to recruit people to our state and retain talent. Healthy workers are essential to a successful business and a strong economy. Letting employees earn paid sick days mean less turnover during a time when finding workers is a huge challenge and ensures employees can have a chance to fully recover

when they get sick, keeping them more productive at work and, and, and spreading illness to other workers. On average, employees just take two additional sick days per year after the implementation-- after the implementation of a sick leave law. Employers spend just 2.7 cents per worker per hour in additional compensation costs. The voter-approved-- not government-approved-- initiative allows workers to earn paid sick leave and rewards them for their hard work, providing a valuable tool to both recruit and retain workers. Offering paid sick days stop workers from spreading illnesses, lowers emergency room visits, and protects the public from getting sick after interacting with sick workers. Preventative care enables employees to get health care they need, including health screenings and early doctor visits and other medical care. Right now, 250,000 Nebraskans, again, do not have access to paid sick days. Even more workers have paid sick days but can't use them without getting penalized. Without access to paid sick leaves, Nebraskan workers lose \$173 million in wages-- lost \$173 million in wages in 2023. And just looking at the numbers-- like, looking at my district, 92% of my district supported the initiative. So it's hard for me to go against 92% of my district who sent me back here and also approved this. And I think it's important that we have this conversation today, and I just wanted to lead with that to ensure that we have the important conversation to make sure that doesn't get lost, that the voters approved this, that the voters wanted this overwhelmingly in most districts-- almost all districts, looking at the numbers. And we can't let that get lost in the conversation. I'm sure it'll be a interesting conversation today on this bill, but I think we should always-- and we should make sure we put Nebraskans first when we talk about this conversation and talk about how they, not us-- we didn't pass a bill. They went to the ballot and, and put this in place. Yes, we're-- this is being proposed to address some of-- concerns with the ballot, but, again, 75% of Nebraskan voters supported the ballot initiative to approve this. That is a lot of people. I think Omaha just got up to a million people, so that's a lot of people. In 89 of 93 counties, that's-- I would say that's, that's nothing to snuff at, that's nothing to look over. And that's why when we have this conversation we have to think about the people. And I've been saying this a bunch this year because a lot of the things that have went forward this year, in my opinion, kind of went against some of the things the people I think would, would agree with. And that's just me. And some things were some things I think the people would agree with. But that initiative was something the people wanted, and, and that can't be lost. Like, 92% of people in my community, my district wanted it. And I can't just dismiss that. I don't think anybody should. And I think anybody whose district supported this cannot look over that and

should not ignore that. And that's why we were sent here: these people, these individuals wanted that. And we just have to keep that front of mind. And with that, I'll close. Thank you.

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

DUNGAN: Thank you, Mr. President. Good morning, colleagues. I do rise today in favor, I believe, of Senator McKinney's motion, MO110. That's the motion to IPP. And actually, I'm in favor of LB415 in its original iteration. I just had a conversation with Senator Strommen here off the mic, and I think that-- what I appreciate about Senator McKinney putting up this motion is it helps us, as we've said in other debates, frame the debate today over what we are or are not talking about. So clearly, we all acknowledge that the voters of Nebraska overwhelmingly supported a ballot initiative this last election cycle to support paid sick leave. And it's one of the few measures that I've ever seen pass in Nebraska with, with such overwhelming support. I anticipate that as we have this conversation here today there's going to be a little bit more shared about the specifics as it pertains to each district and what statewide folks voted for, but in my district, I think it was about 82% of the voters voted for paid sick leave in LD 26. And when anything gets 82% in a district that is not 82% one party or the other, you know this is a bipartisan issue, it's a nonpartisan issue. What this is is it's an issue about working families and working people being able to make ends meet. That's what this is about. And when a ballot initiative passed-- passes, there are some times that it invites the Legislature, perhaps, to create clarifications. A good example of that is the ballot initiative that also passed this last cycle with regards to medical marijuana. There were multiple components of that and a lot of moving pieces, but that ballot initiative invited the Legislature to create a framework within which the, the sale and regulation, essentially, of medical marijuana can be conducted in Nebraska. And we the Legislature have taken up that, that request, and I-- I'm confident we're going to get something done this year on that. But there are other ballot initiatives that do not do that. There are a number of ballot initiatives that don't go before the people and say, you know, we're going to pass this general concept, and then we're going to expect the Legislature to change it completely or, or, you know, legislate based on how they feel on the issue. As it pertains to paid sick leave, I trust the voters. And I trust that the voters knew what they were voting for when they voted for that with overwhelming support across the entire state. I think the lowest amount of support that it got in any district was 59%. So the voters overwhelmingly supported this measure. And I believe in doing so, they understood that they were supporting what has now been effectuated by that ballot

initiative. I understand the necessity from time to time to come back in the Legislature after a ballot initiative passes and clarify things, change certain words, maybe make sure that definitions are clear, or explain the processes through which things must happen. But what I think we have with some of the amendments that are attempting to be put onto LB415 is not a clarification but is rather a walking back of what was passed by the voters. And to me, those are two different things. And colleagues, I think that is the fundamental debate that we have on this issue. First, it's, do we respect the voters or not? And I think there has been an ongoing theme throughout this legislative session of assuming that the people of Nebraska didn't know what they voted for. And I don't make that assumption. I trust that the voters knew what they were voting for when they voted for these ballot initiatives. And then second is, what is a clarification versus what is a change in what those voters supported? My understanding from speaking with stakeholders in this arena is that LB415 represents a good faith effort on behalf of Senator Ballard and a number of other individuals in both the business community and the community work supporting to-- trying to support working people. It, it represents sort of a compromise of clarifications. And it provides definitions-- and I think Senator Ballard did a really good job explaining what that bill does. But what you see in the amendments that are trying to be tacked on is not simply definitions and clarifications but a whittling away at what the voters have passed. And so that's why I think Senator McKinney's motion to indefinitely postpone here matters. It is helping us frame the debate with regards to conversations of, what does the bill do and what do the amendments do? And so I really encourage my colleagues to pay attention as we talk about this today to understand the dynamics of what LB415 does and what other amendments do and why there may be legitimate and valid disagreements about that. So I really do encourage everybody to pay attention to the conversation here today. I thank Senator Ballard for his work on this. I know that this has been a, a long time coming with regards to the various compromises that happened. And I look forward to--

ARCH: Time, Senator.

DUNGAN: --continuing the conversation. Thank you, Mr. President.

ARCH: Senator John Cavanaugh, you're recognized.

J. CAVANAUGH: Thank you, Mr. President. Good morning, colleagues. Well, I rise in support of LB415 as written and, similar to my colleagues who have spoken before, hesitant about, I guess, the-- any other-- the other amendments. But before I go too far, I did-- this will probably

be the only time I get to talk before the Creighton Blue Jays start playing at 11:15 today, so I want to wish them luck in the NCAA tournament. And UNO-- or-- which is going by Omaha now. I'm-- it's hard for me to remember to brand-- the branding-- plays tonight in their first NCAA tournament game, so I wish them luck as well. So good luck to both of those teams. And the Creighton women and the Nebraska women play tomorrow, so. Anyway. Again, my district voted 86.9% for the paid sick leave ballot initiative, and-- so overwhelmingly. And I, like my colleagues, believe that my constituents knew what they were doing when they did that. And I respect that. I-- when I was campaigning, going door-to-door, people were talking about the ballot initiatives that were on the ballot the-- this last year. And they were reading them. They were reading the descriptions in-- on the ballot. They were reading the information in the newspaper. Or the League of Women Voters guide is always a good place people go for that information. But people were doing their homework. And they knew what they were doing when they voted 86.9% in my district for the paid sick leave. And so we should be very careful when we are making changes to the will of the voters, because the reason they did it was because the Legislature had not acted. So we had already ceded our ability to act in this space of paid sick leave, and the voters took action, and they did it unanimously. So I appreciate the work Senator Ballard has done. He worked with all of the interested parties, the folks who are regulated by the paid sick leave and the folks who advocated for the ballot initiative to ensure that LB415 does not undermine the will of the voters and that it does help those businesses not be adversely affected, clarifies some definitions, clarifies how it's going to work. So LB415 is a good compromise as it is written. We do not need to go farther. We should not go farther than that to effectuate the will of the voters, and we should be very careful when we are trying to insert ourselves and think that the voters argue-- I suppose what some people would argue is the voters didn't know what they were doing. That is not a fair thing to do. It is not right. We should only do what it takes to effectuate the will of the voters. So I'm going to support the IPP at this time, but I do support the work Senator Ballard has done on LB415 and will continue to do that. So I could talk a little bit about what's in this bill. I know there may be, you know, some confusion about what it does or what the ballot initiative does. So the one thing I wanted to talk about was that sick leave is something, you know, a lot of people-- all-- I assume most of us have had a job where you got some sick leave at some point in time. And you accrue it over time, and then you, you know, you use it. And unlike vacation, when you leave a job, they don't pay you out your sick leave. So this, this law that passed by the voters, just like regular sick leave has always been, does not require that the

employers buy people out or pay people out of their sick leave when they leave a job. So it does not become that-- a, a new and additional burden in that respect going forward. So it functions just like every other sick leave that you have experienced. And-- so I don't know if, if people are mistaken when they, they think that or what. But-- I'm going to run out of time, so I'm not going to start a new thought. So I will punch my light to continue, continue talking about this. But again, good luck to the Blue Jays here at 11:15. They're playing Louisville, I believe, so. Thank you, Mr. President.

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

CONRAD: Thank you, Mr. President. Good morning, colleagues. I rise in support of Senator McKinney's motion that is filed on LB415 and before us today. I'm keeping an open mind in regards to the underlying bill, LB415, but I am vehemently opposed to the pending committee amendment, which reflects a measure Senator Strommen brought forward this year and I've had a chance to talk about many times in relation to other issues, but it's appropriate that now we can focus on this measure specifically. Senator Strommen's measure is at odds, in sharp contrast to the will of Nebraska voters. Nebraska voters, as effectuated through their precious right of initiative, a pillar of direct democracy in our state's constitution, passed a paid sick leave proposal by overwhelming majorities. Almost 70% of the vote. Well over a significant majority in every legislative district. Far in-- in far greater numbers than we saw even for most senators who sit in this body. Look no farther than Governor Pillen, who achieved 59% support from Nebraska voters; President Trump, who received about 59% of support for Nebraska voters. And paid sick leave completely surpasses those results. Almost 75% of Nebraska voters statewide supported a ballot initiative to approve paid sick leave for workers. This is a significant mandate from the people of Nebraska. The people of Nebraska have reserved the right for themselves to take action when they are dismayed or in disagreement with the actions that emanate from the people's branch in the Legislature if they seek to undo that through referendum or if they seek to legislate in a co-equal manner through initiative. Typically, we see citizens take up their rights under the initiative process when they have fought and tried to move forward thoughtful legislation on key issues impacting Nebraskans to no avail in this Legislature, like paid leave. Nebraska citizens worked for years and years and years to try and move forward with paid leave measures in the Nebraska Legislature that were thwarted primarily by business interests. So Nebraska voters took measures into their own hand under the power of the initiative. They circulated petitions, they organized communities, they received the requisite number to qualify for the ballot, and they

waged a campaign, and Nebraska voters resoundingly voted in support of their proposal. They did not do so with their fingers crossed behind their backs. The election results were not notched with an asterisk saying, oh, yes, it received 70% support, but we in leadership think Nebraska voters were not smart enough to understand what they were voting for. That is offensive and ridiculous. And opponents that-- of paid sick leave who are seeking to undermine not only the will of the people through the initiative but also working families had every opportunity to wage a campaign, and they didn't. They didn't organize. They didn't raise money. They didn't hold town halls. They didn't write op-eds. And the very people who are proposing to undermine the will of the people and working families have deep pockets and are no strangers to campaign spending. EPIC wasn't on the ballot. They didn't have to fight that. They've launched hundred-- tens of thousands of dollars in paid ads against sales tax proposals they didn't like, including just this summer. They are deep-pocketed with plenty of money to fight, and they chose not to because they knew that they have leverage here, where senators would do their bidding. They didn't wage a campaign because they knew they couldn't win, and they waited it out until they could find enough senators who lacked the discernment to have that battle in the public dialogue and to sneak into the Legislature and undermine the will of the voters. And it's wrong. It's absolutely wrong.

ARCH: Time, Senator.

CONRAD: Thank you, Mr. President.

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

McKINNEY: Thank you, Mr. President. And just looking at the numbers, I don't even think under 64%, 65% of everybody's district, I think, voted for the initiative, which is-- I think that's good. And research has shown that paid sick leave and paid medical leave do not lead to unemployment, nor do they have negative economic effects. In fact, there is evidence that these workers and family-friendly policies support businesses and local economies by decreasing costly turnover, saving on health care costs, and boosting productivity. Businesses in states and cities that have paid sick days and paid family medical leaves laws largely report that they have not seen negative costs nor had to change their hiring or hours practices as a result of these policies. The cost of not having these policies in place is enormous. Previous Center of American Progress research shows that workers lose out on \$20.6 billion in wages every year because of a lack of paid family and medical leave. An additional \$1.1 billion per year could be saved through reduced emergency room visits and spending on public

health insurance programs if all workers had access to paid sick days. The cost of not having these policies in place is enormous, and putting this money back into the workers', the Nebraskan people's pockets, would also have positive macroeconomic effects, as workers are more likely than businesses to reinvest their money into the economy through increased spending, which would be good for our state right now, you know? Especially because we need more revenue. We're in a budget deficit. So if we could increase spending by supporting policies like this and making sure that policies like this don't get eroded, I think that's a good thing. And it's-- those are the type of things we should be looking at and we should be supporting and advocating for. And we have to trust the people. They trusted us-- well, I mean, I guess we should-- they sent us here, so I guess inherently we trust them-- or we should trust them. So if we trust them to send us here and for us to be able to take these votes on these bills every day and introduce bills and have hearings and take votes in committee, I think we should trust them to cast their votes and support things. Because if we can't trust them to make the right decisions on things like this, then is, is that also saying we can't trust them when they voted for us? I don't think the two could be mutually exclusive. So if we could trust them to vote for us, I think we should also trust them to make the right decision to vote for things like paid sick leave. Because if we can't, then are we here for-- like, are we supposed to be here? Should we question why, why are we senators? Should we have that conversation with ourselves? Should we look in the mirror and say, why am I senator? Should I be here? Can we trust that the voters made the right decision? We should think about that if we can't trust that they made the right decision to support paid sick leave. And when I look at my district and I see that 92% of the people in my community voted for something like this, I cannot look over that. I don't even think 92% of people voted for me. So it's, it's clear they want paid sick leave more than they want me in the Legislature. And that's fine, and I'm cool with that, but I think that's important. And I think most people-- probably not all, because I, I can't remember the elections-- but most people probably got outvoted with this than their, their actual elections as well. So I think we shouldn't overlook that and we shouldn't erode what the people wanted. And we should support the people. And this is actually good for the economy of the state. It helps us retain workers and attract workers. It helps us bring in revenue and keep revenue for the state. Because we cannot keep having budget shortfalls. We can't keep cutting budgets of, of essential programs and those type of things. And things like this help us. It's good for the state, it's good for business, and, most importantly, it is good for the people of Nebraska. Thank you.

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

JUAREZ: Thank you, Speaker Arch. Good morning, everyone. And I am really pleased to have the opportunity to speak before you today. And first of all, I wanted to thank Senator Cavanaugh for mentioning our proud Omaha, Nebraska teams that are going to be playing this week in basketball. And in case any of you didn't know, I am a proud Maverick graduate from UNO, obtaining both my bachelor and master's degree. And I am also a Goodrich alum, which was the scholarship that provided me the opportunity to go to school. And today, I wanted to voice my opinion in regards to LB415 that the voters did approve. And I did inquire about the statistics in my district. And again, like everyone else, they really were supportive of having this measure in place. I have roughly 86 to 14 who approved wanting this benefit. Now, I have to tell you, I am also a federal retiree, and that was how I started my career upon graduation with my bachelor's degree. And I must say that I guess I took my benefits for granted when I was employed because, all of my career, I had paid sick leave. And initially, when you're a college graduate, you're just so excited to just have a job, period, right? And now I reflect back on that, on my career, which-- I retired from everyone's favorite, which was the Internal Revenue Service. And when I think about that career, I really realized how important it was to have sick leave. And-- I just have two children. And I definitely used sick leave when I needed it to take care of, of them. Obviously, when they were born, that-- it came in quite handy, there's no doubt about it. And I know that a basic like that is important to all families to have a benefit of that nature. I, I must say that I do get extremely frustrated-- and it's one of the reasons why I ran-- when I felt that this body ignored the voters' wishes. It's actually one of the reasons-- one of the drivers for me running besides a driver of wanting to support public schools. I think it is so important that this body listen to what the voters say. You know, why do you think that they don't know what they're doing when they go to the ballot box? They absolutely do know what they're, what they're doing when they get there. They know what they want, they know what's important to them, and they cast their ballots. And that's why I feel it is so very important that we respect their desires. And that's why, you know, I feel that I've been elected to this position, so that I can continue to support what my district wants. And I think that we should really uphold their, their voice because it is important. I want you to know that the population in my District 5-- and this is based on some 2023 statistics-- almost 59% are 18 to 64 years old. And if you recall, you know, to get Medicare, that takes-- can take place at 65, I think is what the rule is. So a lot of people could use having a sick leave

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benefit when you don't have health insurance until that age. And I-- again, that's why it's important for us to allow these benefits to be in place. That's why it's important to the voters. 71.7% of parents with kids under six years of age are in the labor force in my district. Almost 70.5%--

ARCH: Time, Senator.

JUAREZ: Thank you.

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

M. CAVANAUGH: Thank you, Mr. President. Good morning, colleagues. I stand in support of MO110. In my time here, I, I think I've lost count of the number of times a bill has been brought to address paid sick leave, paid family medical leave in this state, and the body did-- decided time and time and time and time again to not take it up, to not do it, to not legislate it. So the people of Nebraska, much like other things, like medical marijuana, they took it up. And they voted on it, and it was a resounding voice that this is what the people of Nebraska want. I think it was around 70-- oh, well, here we go. 79.21% of my district voted for this. And that is not a number that I can ignore, nor should it be. And overwhelmingly-- I'm looking at a district-by-district breakdown-- no one's district was under 60%. Not a single of the 49 legislative districts was under 60%. I think the lowest is actually 63%. 63% is the lowest support this got. As Senator John Cavanaugh mentioned, that's more than the President-- or maybe it was Senator Conrad. That's more than the President of the United States got in this, in this state. A resounding minimum of 63%. So the fact that we now are all concerned about paid sick leave is extremely disingenuous because the people of Nebraska did what we refused to do, which is take action and share their voice with us. I have brought myself paid family leave, family medical leave numerous times. It's actually one of the foundational reasons that I ran for the Legislature, was to see paid family medical leave become a reality in our state, because I, I truly believe that if we are a state that, that values families and children and caregivers, that this is something that we require of ourselves. I had a hearing on it just this week. I wouldn't describe it as a pleasant hearing. The committee members were a bit hostile in their questions and I think actually disrespectful to me and to the people who would like to see paid family medical leave in this state. But that's the reality of where we're at this year, is that we feel like it's appropriate to be rude and hostile to our colleagues in committee. So there we are. I, I do think it's sending a terrible message to the people of Nebraska that public servants don't deserve

respect when we as colleagues are disrespectful to each other, but all right. I'm almost out of time, and there's a lot of talking points on this paid sick leave and how it's good for the economy, but I think really what it boils down to is that this is what the people want. This is what the people of Nebraska want. And it's time for us to respect the people that sent us here, and that's what I'm going to do. So I'm going to fight for the ballot initiative and I'm going to stand opposed to anything that tries to dilute what the people of Nebraska have said that they very clearly would like to see enacted in this state. And I guess I'll just get back in the queue to talk about some of the reasons that I don't support overturning the will of the people.

ARCH: Time, Senator.

M. CAVANAUGH: Oh. Thank you, Mr. President.

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

HUNT: Thank you, Mister-- thank you, Mr. President. I'm not trying to take a bunch of time on this bill. I guess after we get past this IPP motion, there will be more time, so I can make more points at that time too, but one thing I wanted to say to my constituents and say to my colleagues here is that-- let's notice the pattern of how Nebraska voters keep making their voices heard at the ballot box, and every time-- most of the time-- usually-- lawmakers here in the Legislature find a way to either walk it back or reverse it or do the bare minimum to implement it, and that's not how democracy is supposed to work. When the voters say we want paid sick leave, we want a higher minimum wage, we want to legalize medical cannabis, we want fair policies for working families, whatever it is, it's the Legislature's job to implement the will of those voters in good faith, not gut it, delay it, rewrite it, or change it to benefit big corporations. If lawmakers put half as much effort into helping working families as they do undermining ballot initiatives, Nebraska would be a better place for everyone. And it's not just about paid sick leave. It's a pattern. Voters pass something, and then the Legislature scrambles to weaken it, delay it, or override it altogether, in some cases. And if you respect democracy, you need to respect the will of the people. When voters pass a measure, that should be the final word. It shouldn't be an invitation then for lawmakers-- and really the lobbyists who are behind the work that we do here as term-limited senators, many of us chosen from a small group of mentally ill individuals who are most willing to do the bidding unquestioningly of the people who fund us, becoming increasingly, increasingly so. Boy, I got a hundred examples of that we can talk about. But when we do that, we're not representing the will of the voters that sent us here.

And it's insulting to their intelligence. We are not sending our best, I'll say that. Some problems I have with the amendment that we're not yet on but we're, we're going to eventually get to-- the amendment that we're going to be speaking about that replaces the bill, it's a step backward for Nebraska workers. It exempts way too many employees, including independent contractors, seasonal workers, young workers, leaving some of the most vulnerable Nebraskans without access to paid sick leave, which is what the voters voted for. Paid sick leave should apply to everybody, not just the select few. And I know, as a business owner-- I support paid sick leave because it's good for families. It's good for Nebraska. And at the end of the day, it's good for business. We don't need government interference rolling back what voters already approved. We need stability. We need clear rules. And we need policies that actually help small businesses compete. When people say they want paid sick leave, it's because they know it makes our workforce and our economy stronger. And what we're going to be doing with LB415 and the subsequent amendments with it-- it doesn't clarify the law, it doesn't clarify what voters asked us to come in here and do; it weakens it. And Nebraskans deserve better. Paid sick leave isn't just about fairness. It's about keeping businesses running smoothly. Because workers who come in, who have to come in sick, they spread illness to coworkers and customers. That leads to lost productivity. It leads to higher turnover. It leads to lost wages and revenue. Just think about what it's like here in the Legislature. You know, there's a joke when you send your kids to school at the beginning of the school year, everybody in the household gets a cold for, like, a month. Everyone's sick because you're just reacclimating to all the germs. Colleagues, Nebraskans, it's the same thing in here. When we start our session in January, immediately we're dropping like flies because we're getting each other sick. And especially even in this-- not even post-COVID, but still in this era of some kind of questionable hygiene practices that we have in here. People are not looking out for each other. And that's why things like paid sick leave are so important. We see that in practice, and we see that more than ever after this COVID era. This bill undermines voters, expands government interference, and it gives big businesses an unfair advantage. It weakens the workforce. And Nebraskans spoke loud and clear in November. It's not our job to override them. It's our job to implement their decision in a responsible way. Thank you, Mr. President.

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

FREDRICKSON: Thank you, Mr. President. Good morning, colleagues. Good morning, Nebraskans. You know, Senator Hunt's exactly right. You know, when we always start session, I-- we, we often talk about it. Kind of--

sometimes, it literally feels like a daycare because it, it-- like, it-- people are, people are-- do get, get quite sick here. I want to talk a little bit about this bill. I-- first of all, I'm going to speak about the underlying bill, which is LB415 brought by Senator Ballard. And I fullheartedly support LB415. I think Senator Ballard has-- he has been very thoughtful in this, this whole process. He's met with stakeholders from across-- whether it was the chambers, whether it was advocacy groups. And I think LB415 is a responsible measure that we certainly should be, be taking seriously. I have deep, deep concerns about the upcoming committee amendment that are-- that we'll be seeing shortly. And I've, I've had many conversations with Senator Strommen about, about this, and his perspective, and I do think he comes at this at a, at a fairly genuine place in wanting to respect the, the small businesses. But I want to have a few things very clear for the record here, because I think that sometimes we hear pai-- paid sick leave, and I think there's some anxiety or concern about what that means. But there, there are a number of safeguards in place with the paid sick leaves that were-- was, was passed by, by voters. And I know this has been spoken about a little bit, but this is not unlimited, first and foremost. So just because voters passed this, it doesn't mean that there is unlimited paid sick leave. So this notion that all of a sudden we're going to have workers that are taking off weeks and weeks and months of work is, is simply inaccurate. The reality is with the, with the ballot initiative that passed, if you are age 20 or under, the maximum amount of paid sick leave you can accrue in a year is five days. That is the maximum amount. If you are age 20 or over, the maximum amount of paid sick leave you can accrue is seven days. So again, this is a very modest amount of days. It's not as though folks are going to be out of work for extended period of time. This is also accrued over time. So you accrue one hour of paid sick leave for every 30 hours you work. So it's not as though you'd clock in to work on your first day of work and you, you immediately have five days or seven days of, of sick leave. You get one hour accrued for every 30 hours you work. So again, that is an additional safeguard that's in place. And LB415 emphasizes this, but employers are not obligated to pay out accrued time to an employee with this. So if an employee leaves a, a job and they have maybe three or four or maybe five days of paid sick leave left, an employer could choose to pay them out for that accrued time, but they are not obligated to pay them out for that time. And you cannot bank over five or seven days respectively, depending on your age. You cannot bank over that amount of time of paid sick leave. So let's say you accrued your five days of paid sick leave, you worked more hours, you can't accrue more than that. So this is capped. So there are a number, a number of safeguards that are in place here.

And-- you know, I've spoken about this on different bills on the mic, and I think it certainly applies here. One of the biggest challenges that we have in this legislative body is that we are required to pass policy and law that applies to the entire state of Nebraska. And this is certainly not exempt from the, the, the challenges that come with this, because you think about an urban environment like an Omaha or a Lincoln-- or even a Grand Island, for that matter-- there might be more of an ability to absorb some of the costs associated with this. In more rural areas of the state, frankly, there are different challenges that, that, that come to play here. So I, I, I think that there-- that might be sort of some of what we're kind of running into here, is this idea of the, the environment that we're in and how we're having to pass policy that is going to, to affect the entire state. But I think the crux of this issue, ultimately, is we all have to really ask ourselves the question that-- should the type of employee you are, whether that be seasonal or part-time, or the type of business you work for-- so if you happen to work for a small business-- should that prohibit you from participating in something that Nebraskans voted for? Should you be prohibited to participate in a program that Nebraskans supported and voted for just because you work for a small business? I don't think that's fair. And I think we also need to ask ourselves the question of, if we exempt smaller businesses, is that going to make it less attractive to work for a small business? Knowing that you are no longer entitled to something that you would be entitled to if you worked for a business that had, maybe, 11 employees. If you have a choice in the working environment to go to apply to two different companies--

ARCH: Time, Senator.

FREDRICKSON: I'm out of time. Thank you.

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

HOLDCROFT: Question.

ARCH: The question has been called. Do I see five hands? I do. The question is, shall debate cease? All those in favor vote aye; all those opposed vote nay. There has been a request to place the house under call. The question is, shall the house go under call? All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: 23 ayes, 0 nays on the call of the house, Mr. President.

ARCH: The house is under call. Senators, please record your presence. Those unexcused senators outside the Chamber, please return to the

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Chamber and record your presence. All unauthorized personnel, please leave the floor. The house is under call. Senators Armendariz and Senator Machaela Cavanaugh, please return to the Chamber. The house is under call. Senator Machaela Cavanaugh, please return to the Chamber. The house is under call. All unexcused members are now present. Mr. Clerk, please call the roll. Excuse me. The question before the body is, shall debate cease? All those in favor vote aye-- excuse me. Roll call vote, Mr. Clerk.

CLERK: Senator Andersen voting yes. Senator Arch not voting. Senator Armendariz voting yes. Senator Ballard voting yes. Senator Bosn voting yes. Senator Bostar not voting. Senator Brandt voting yes. Senator John Cavanaugh voting no. Senator Machaela Cavanaugh voting no. Senator Clements voting yes. Senator Clouse voting yes. Senator Conrad voting no. Senator DeBoer not voting. Senator DeKay voting yes. Senator Dorn voting yes. Senator Dover voting yes. Senator Dungan not voting. Senator Fredrickson not voting. Sen-- Senator Guereca voting no. Senator Hallstrom voting yes. Senator Hansen voting yes. Senator Hardin voting yes. Senator Holdcroft voting yes. Senator Hughes voting yes. Senator Hunt voting no. Senator Ibach voting yes. Senator Jacobson voting yes. Senator Juarez voting no. Senator Kauth voting yes. Senator Lippincott voting yes. Senator Lonowski voting yes. Senator McKeon voting yes. Senator McKinney voting no. Senator Meyer voting yes. Senator Moser. Senator Murman voting yes. Senator Prokop not voting. Senator Quick voting no. Senator Raybould voting no. Senator Riepe voting yes. Senator Rountree voting no. Senator Sanders voting yes. Senator Sorrentino voting yes. Senator Spivey voting no. Senator Storer voting yes. Senator Storm voting yes. Senator Strommen voting yes. Senator von Gillern voting yes. Senator Wordekemper voting yes. Vote is 31 ayes, 11 nays, Mr. President, to cease debate.

ARCH: Debate does cease. Senator McKinney, you're recognized to close on your motion to indefinitely postpone.

McKINNEY: Thank you, Mr. President. Again, I will say that 75% of Nebraskans voted for paid sick leave and, in majority of the districts, about 60-plus percent of individuals voted yes for that. And I think that is something we should all pay attention to. And this is something that we shouldn't carve away or strip away. You know, there have been attempts in the Legislature that were unsuccessful, so the people took advantage of an opportunity to take it to the ballot. And they voted overwhelmingly to pass it. And we should listen to the will of the people. We should make sure we uphold the voice of the people. I think about my district, and 92% of people voted for the ballot initiative. That-- I think-- I believe-- I'll have to double-check-- that's more

people than that voted for me. So that means they wanted that than they wanted me here in the Legislature, and I think that's important, and I think that's true for a lot of people sitting here today. And I don't think you should or could ignore that, that most people in your community wanted paid sick leave more than they wanted you in the Legislature. Just think about that. Most people in your community, in, in a lot of districts, wanted paid sick leave more than they wanted you in the Legislature. You should not ignore that and you should not try to strip that away. And we have to-- and I know I bring it up a lot about the people, the people of Nebraska. We represent our, our districts, but we represent the people. And I've, I've been frustrated a lot this session because it seems like there's been a clear erosion of caring about the will of the people, in my opinion. Senator McKinney's opinion. You might not have-- you might not agree with me, but that's my opinion. And I think we're going to pay for that over time. I think the impact of that, it's going to just not be great for the state, especially because things like paid sick leave retains people. It also attracts people. It's good for business, big and small, which is clear in the data. And you might not agree with the data depending on who did the data, but the data shows that it's good for the state. But I think you should, you know, make sure you think about the people who sent you here, because they clearly wanted paid sick leave more than they wanted-- most people-- I'm not going to say all, because I don't know the numbers in everybody's district. I don't. But a lot of people, they wanted this more than they wanted you here. So you should honestly think about that when you think about these votes on this type of bill. Thank you.

ARCH: Colleagues, the question before the body is the motion to indefinitely postpone. All those in favor vote aye; all those-- there's been a request for roll call. Mr. Clerk, please call the roll in reverse order.

CLERK: Senator Wordekemper voting no. Senator von Gillern voting no. Senator Strommen voting no. Senator Storm voting no. Senator Storer voting no. Senator Spivey voting yes. Senator Sorrentino voting no. Senator Sanders voting no. Senator Rountree voting yes. Senator Riepe voting no. Senator Raybould not voting. Senator Quick voting yes. Senator Prokop voting yes. Senator Murman voting no. Senator Moser. Senator Meyer voting no. Senator McKinney voting yes. Senator McKeon voting no. Senator Lonowski voting no. Senator Lippincott voting no. Senator Kauth voting no. Senator Juarez voting yes. Senator Jacobson voting no. Senator Ibach voting no. Senator Hunt voting yes. Senator Hughes voting no. Senator Holdcroft voting no. Senator Hardin voting no. Senator Hansen voting no. Senator Hallstrom voting no. Senator

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Guereca voting yes. Senator Fredrickson not voting. Senator Dungan not voting. Senator Dover voting no. Senator Dorn voting no. Senator DeKay voting no. Senator DeBoer voting yes. Senator Conrad voting yes. Senator Clouse voting no. Senator Clements voting no. Senator Machaela Cavanaugh not voting. Senator John Cavanaugh voting yes. Senator Brandt voting no. Senator Bostar not voting. Senator Bosn voting no. Senator Ballard voting no. Senator Armendariz voting no. Senator Arch voting no. Senator Andersen voting no. Vote is 11 ayes, 32 nays, Mr. President, on the motion to indefinitely postpone.

ARCH: The motion fails. I raise the call. Mr. Clerk for a motion.

CLERK: Mr. President, Senator Dungan would move to reconsider the vote just taking on MO110.

ARCH: Senator Dungan, you're welcome to open on your motion to reconsider.

DUNGAN: Thank you, Mr. President. Good morning, colleagues. Again, I would encourage you to vote green on MO113, which is my motion to reconsider the vote on the IPP. Part of that is because I want to make sure people actually understand what it is they're voting for. Obviously, when we go down the board and we get a bunch of different motions on there, it can get confusing with regards to what we're actually supporting or not supporting. So Senator McKinney's bill-- or, I'm sorry, his motion for the IPP is what we were just talking about, which would have indefinitely postponed LB415. The motion to reconsider, if you vote green on that, allows us to once again take a vote on the IPP motion, which, colleagues, I think is something we should seriously consider doing. There's been a lot said thus far about the underlying bill for LB415, and I want to sort of focus some of my conversation here about the bigger picture, which I think Senator McKinney did a very good job of talking about just now. This is a bill-- LB415 is a bill that seeks to clarify definitions and seeks to outline certain parameters regarding the Initiative 436, which was the paid sick leave initiative that the voters passed. Senator McKinney, your point I think is well-taken that more people wanted this initiative to pass than they did for many of us to get voted into the Legislature. I think that is a, a very accurate statement, and I think what you mean by that, if I could extrapolate, is you look at these percentages that the public supported that ballot initiative, and they're overwhelming. I have a list in front of me, the votes by legislative district, and I want to read these for the record because I want us to be very clear when we go back to see just how many members of the public voted for this initiative in each of our districts when

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we take a vote to potentially walk back the people's will. District 1, Senator Hallstrom, 71.58% of the voters. District 2, Senator Clements, 72.46% of your voters supported-- supported this. District 3, Senator Rountree, 81.11%. District 4, Senator von Gillern, 73.69%. District 5, Senator Juarez, 85.46%. District 6, Senator Cavanaugh-- Machaela Cavanaugh, 79.21%. District 7, Senator Guereca, 87.55%-- almost 90% from Senator Guereca, there. District 8, Senator Hunt, 85.03%. District 9, John Cavanaugh, 86.9%. Senator Wendy DeBoer, 81.64%. Senator McKinney with 92.02% of his district saying that this initiative for paid six-- sick leave matters. Senator Merv Riepe, 81.72%. Senator Spivey, 82.9%. Speaker Arch, 79.52%. District 15, Senator Wordekemper, 73.55% of the voters supported this. Senator Ben Hansen, 68.51%. Senator Glen Meyer from District 17, 75.08%. District 18, Senator Armendariz, 79.32%. District 19, Senator Dover, 68.66%. Senator Fredrickson, 78.11%. Senator Ballard in 21, 76.43%. District 22, Senator Moser, 69.5%. District 23, Senator Storm, 69.33%. District 24, Senator Hughes, 63.58%. District 25, with Senator Bosn, 71.91%. Myself, District 26, 83.2%-- 83.02%. District 27, Senator Prokop, 9-- 79.46%. District 28, Senator Raybould, 83.78%. District 29, for Senator Bostar, 81.28%. Senator Dorn in District 30 with 73.14%. Senator Kauth in District 31, 75.52%. Senator Brandt in District 32, 67.86%. District 33, Senator Lonowski, 69.44%. District 34, Senator Lippincott, 67.63%. District 35, Senator Dan Quick, 80.80%. District 36, Senator Holdcroft, 75.19%. District 37, from Stan Clouse, 68.43%. District 38, from Senator Murman, 65.01%. District 39, from Senator Sorrentino, 71.33%. District 40, with Senator DeKay, 63.67%. District 41, Senator McKeon, 63.24%. District 42, Mike Jacobson, with 70.64%. District 43, Senator Storer, with 59.7%. So again, the lowest number in the entire state district-wise was almost 60% of support for this ballot initiative. District 44, Senator Ibach, 66.14%. District 45, Senator Sanders at 82.5%. District 46, for Senator Conrad, 84.92%. District 47, Senator Strommen at 66.66%. 48-- District 48, for Senator Hardin at 74.47%. And then finally, District 49, Senator Andersen at 78.54%. I know it sounds monotonous when I read those all in a row, but I think it's important for us to understand that this is not just some flippant decision that we should make. And the numbers that I just read are indicative of an overwhelming groundswell of support for paid sick leave in the state of Nebraska. What I find also interesting about this, as I, you know, was around obviously during that election cycle, there were not a massive amount of television ads trying to push this. There were not page-large advertisements in the newspaper telling me to vote for this. This was something that I would speak with people about at the farmers market, this is something that I would hear people ask me about when they would stop me in the grocery store in my district and talk about the various

ballot initiatives-- because we had a lot. But what I thought was interesting about this ballot initiative, 436, is that it was the one that, when I talked about the various ballot initiatives with all of the different folks in my community, this was the one that everyone sort of just brushed off as, oh, yeah. Of course we're gonna vote for that. That's a great idea. And I would talk with them about what it does, and I would talk to them about whether or not they understand the impacts of it. And people do their homework. The voters understand what they're voting for. And, and frankly, I'm kind of sick of this idea that we, the 49 people in this Legislature, who have an immense amount of power compared to other state houses or state senates by virtue of our incredible Unicameral system-- but the 49 of us in here are independent people with an immense amount of power, with districts that have 40,000 people in them, thereabouts. And for us to have the idea that we get to come in and say the voters didn't understand, the voters didn't get what it was they were voting on, so we're going to fix this because we want to make sure that we're helping those people-- and again, there are certainly times where clarifications and definitions are necessary. And that is why, colleagues, the LB415, in its original form, to the best of my understanding, is a bill that most people can support. LB415 was a ongoing, I think good faith effort to address some of these concerns and to address some of these problems that cropped up with questions that, that were being raised about definitions and who it does or doesn't apply to. But where we run into problems are bills that seek to walk back the will of the people and seek to essentially make the vote of those people toothless. And if you, if you create avenues where businesses or other entities don't have to follow the law and there are no real ramifications or penalties when it comes to being able to hold them accountable with a lawsuit, for example, then the, the will of the people cannot be effectuated appropriately. So colleagues, I, I, I read into the record the number of your voters that voted for the ballot initiative, 436, not to berate you with data but to make you take pause before you move forward in walking back the will of those people. And I would encourage you to think about those voters and think about those people when you take a vote on this motion to reconsider, on the indefinitely postpone motion, and-- if we do get to an amendment that does in fact walk back the will of the people, please consider the massive amount of your voters, the mandate that you were sent here with, in an effort to make sure that we give paid sick leave and that we protect working families, parents, and their children when they're dealing with the kind of issues that everyone in here has had to deal with. And so--

ARCH: Time, Senator.

DUNGAN: Thank you, Mr. President.

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

SORRENTINO: Thank you, Mr. President. I rise in support of LB14 [SIC] as amended. However, I would like to address Senator Dungan's contention and also Senator McKinney's. There's a contention that this body should not address items that were the subject of voter initiatives, and Senator Dungan just read off the, the voter count by district. I, I won't do that, but I will remind the other members of this body that there were other initiatives on that ballot and there were initiatives that-- there was a lot of money spent by both sides. I'm specifically talking about Initiative 434 and Initiative 439. 434 was a measure to keep abortion rights the same as they are in the state of Nebraska today, while Initiative 439 was a vote to expand, exponentially, abortion rights. The people have spoken, and they spoke in favor of 434 to keep abortion rights the same as they are today and not expand them. So if we follow the logic of my colleagues, I would expect everyone in this body who is pro-choice to never again bring a legislative bill that would expand abortion rights in the state of Nebraska. I'm just following up on your ideas. I have a feeling that probably won't happen, but I think you have to hear both sides of the logic. So I think we can put expansion of abortion to rest permanently. Now, when we get to initiatives, we all know there's a 100-word limit, and those limitations are severe when you're talking about a very technical area of the law, for paid time leave or medical leave. So it's the body's obligation, in my opinion, to expand on that and take the skeleton and put some real statutory language to it. So when we're talking about testimony on LB415, as amended-- including by LB698-- all that has been done here is to add the language that I think needs to be added to make it administratively a, a, a solution for employers. Simply adding a, a limitation of "it would not apply to employers of ten lives or less" is an extremely friendly amendment. Let me remind everybody what the federal regulations are on leave. There's FMLA, which applies to employers of over 50 lives in a 75-mile radius. Now, all we're doing is helping small businesses in the state of Nebraska by saying, you, who are employees of 10 to 50, this law doesn't apply to you. We're only going to exempt those with ten employees or less. Why did the federal government exempt small employers? Very easy. It was administratively and financially a huge burden on them. There's no reason to burden ten lives or less with this law. I think LB415 was a good law. I think, as amended, it's a better law, and I rise in support of that. Thank you, Mr. President.

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

GUERECA: Thank you, Mr. President. Good afternoon, colleagues. Good afternoon, Nebraskans. I, like several other senators, want to congratulate both Creighton University and the University of Nebraska at Omaha for making it to the NCAA tournament. And extra big shout-out to UNO. This is the first time going dancing, so we look forward to cheering for you and hopefully have something to celebrate at the end of the night. You know, Senator McKinney's line of-- it, it, it made me chuckle that more people wanted paid sick leave than they wanted us here in the body. That, that stood out to me. And that, that-- I had to look up the numbers in my district. 87.55% of the voters in Legislative District 7 voted in favor of a base-level paid sick leave compared to only 57.71% of voters who saw fit to send me to this esteemed body. So that, that definitely was humbling. So I wanted to look at sort of the-- look at some research around what we've seen in other states that have implemented similar measures or what the economic impact has been, a sort of a baseline measure of what we could expect here in Nebraska. And when, when you look at other states that have implemented sever-- several measures, on average they saw only an uptake of two more paid sick days taken per employee, which really only added up to an additional 27-- sorry-- 2.7 cents per worker per hour of additional burden on our great employers. Not that big of a burden. For most of the session, I have used a litmus test of, does this expand the good life? When I look at a piece of legislation, that's the litmus test that I apply. If adopted, will this measure expand the good life? So let's apply that lit-- same litmus test to the paid family sick leave act that, that was approved by the voters. That's a baseline. I don't think that expands the good life. That kind of helps preserve the good life that we have. When looking at the research, one of the biggest things that stood out is that folks who have this paid sick leave actually go out and use that time to seek out preventative medicine, to go to doctor's visits, have those checkups, have those health screenings, those vaccinations that allow them to be healthy on the job. What we've actually seen in states that have implemented similar measures, there's actually an almost 6% reduction in total emergency room visits. [MALFUNCTION]-- time to actually better their health, to seek out these preventative health measures, don't get catastrophically sick-- [MALFUNCTION]-- or more worse-- a large amount of the time, it's the state that has to absorb that burden. It's our hospitals that have to absorb that burden. So I'll be back up on the mic. I'm sure I will. But I think the important thing is, is looking at what is the benefit of paid sick leave. Does that have a quantifiable, economic impact on our companies and on our state? And the answer is yes, but it's a, it's a positive impact. It's a net positive. A healthy worker is a, is a productive worker. Healthy families lead to healthier workers, more

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productive workers, which leads to more productive companies, more profits for our shareholders. It's a beautiful cycle.

ARCH: Time, Senator.

GUERECA: Thank you, Mr. President.

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

SPIVEY: Thank you, Mr. President. Good morning again, colleagues and folks that are watching at home. I do have some comments specifically about LB415 that I wanted to get to before the question was called, and so I appreciate the motion to reconsider given the topic and issue that's in front of us. But before I get to those questions and my thoughts, I wanted to address Senator Sorrentino's thought process and ideology because I think he brings up some really good points. And so folded into a major piece of legislation for HHS restructuring of policy and practices was the ballot initiative that was passed to keep an abortion banned at 12 weeks. There was not a separate space that was brought for that. It was folded into this section-- this piece of legislation that had 59 sections-- and no reproductive rights advocate brought legislation that would actually restore reproductive rights access to what we had before, which was the Ballot Initiative 439. That was not an expansion. That was restoration of what we had under Roe v. Wade before it failed, which was at 20 weeks. And so I just want to be clear in the delineation of the language because I know everyone is not an expert in reproductive rights in the same way that I am. But what the ballot initiative did was restore. 434 kept a ban. In this body right now, there is no piece of legislation that restores reproductive rights access. The advocates in this body that worked on the ballot initiative that supports reproductive rights listened to the voters despite having three major political families pour millions of dollars into the campaign, with actual reports to the AG around misinformation and people's names being taken off of the signature collection for 434. So I just want to be clear that we're not comparing apples to oranges. But if we're going to use that ideology, that's not what's happening in the body currently. However, in the body, there are bills currently that continue to chip away at reproductive rights around medical abortions and some other things that will be in front of us to discuss again. And so the thought that not only on workers' rights are there bills to continue to undermine our second house, you are un-- undermining people that ideally align with your ideology around the abortion ban to continue to erode rights. We see it again for the voucher programs and around education, which has gone through many iterations of the second house saying, stop putting these bills in, but

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that did not stop this body from "undermining" and still having multiple bills in this session alone around ensuring that public dollars stay with public schools. And so I just wanted to be clear and provide that additional context on the ground because, again, I know everyone has not worked in this space in this same way. So going back to LB415, for Senator Ballard-- I was hoping that he would yield to a question just around some of the, the language that is proposed. Senator-- I-- Senator Ballard.

ARCH: Senator Ballard, would you yield to a question?

BALLARD: Of course.

SPIVEY: Thank you, Senator. In the-- I'm looking at the committee statement. And on page 2, it says that LB415 provides that an employee shall work 80 consecutive hours before paid sick time begins to accrue. And so that is specific to-- did you-- and I guess my question is, like, how did you come up with the accrual process? Did you work with small businesses to say, like, this is the time that we want folks to work is at least a, a month? Or, like, what did that look like?

BALLARD: So 80 consecutive hour-- I believe that was in the initiative language, the 80 hours.

SPIVEY: OK. So then that was provided by the advocates then.

BALLARD: Yes.

SPIVEY: OK. Thank you. That was my only question. So the last thing that I would say just around this initiative is I am a small business owner. We usually have anywhere between three to seven employees at our take-out restaurant, and we cannot provide benefits. And one of the things that we know to be true is that people get sick, they need time off, and it becomes, again, this question of, do I take time off and leave this job or, or do I take time off and be able to come back to this job or, or does this job not offer the benefits and then I have to leave? And so this is a workforce issue. This is about retention and just, like, the human dignity of people. People need time to be able to be sick and recover. People need time to go get their oil changed, and they can only do it between the hours of 8 and 5. So I, I just think that we need to really continue to sit in the space of our second house--

ARCH: Time, Senator.

SPIVEY: Thank you--

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

DUNGAN: Thank you, Mr. President. Good morning, colleagues. I don't know if I'm going to get to speak on the mic again here today. So again, I would ask you to vote green on my motion to reconsider and then green again on the indefinitely postpone motion for all the reasons that have been stated thus far. And I'd like to put a finer point on a couple of the things we've talked about. I think as we discuss the paid sick leave there's oftentimes this binary that's created of the worker versus the employer and who are you in favor of. And I guess I want to push back on that respectfully because I do think, in this effort to ensure that workers and employees are protected, there's actually a number of businesses out there that are doing the right thing. As part of this entire process to look towards this ballot initiative, there were over 200 local Nebraska businesses-- retail, small vendors, direct services, agriculture, contractors, and restaurant and food service-- that agreed to sign on and support the initiative. This includes some of the larger companies, obviously, that are located in Nebraska, who probably have a lot of the rules and parameters in place already that were contemplated through the ballot initiative, but it also includes a number of smaller businesses. So the very small businesses that I think some folks are worried about and the very small businesses that some people are purporting to try to protect actually have signed on-- or similar businesses have signed on to this notion of what people were going to pass. And so when you look through this list-- I'm not going to read that into the record because it would take way too long. But in my district, you start to see things like Cooper and Wax Company [SIC] in Lincoln-- there's a number of small businesses here in Lincoln that I've seen-- Indigo Bridge Books, which provides a fantastic community for a number of individuals. These are small businesses who understand the importance and the necessity of ensuring that there is paid sick leave available to their workers. And again, in my conversations with Senator Ballard and Senator Strommen on some of his efforts, we all agree that there is a number of businesses or industry out there that already provide for a lot of these protections. And what we're trying to do is we're really trying to make sure that we put in place this protection for those who don't have it. My understanding is that there are a vast majority of people out there in Nebraska who don't have this kind of protection currently. It might have been stated already-- I was in a Revenue exec session for a little while-- but as of right now or as of the time that this bill was being considered, there's 250,000 Nebraskans who work full-time that are not afforded any paid sick leave. The vast majority of those workers are the ones who need it the most. And so I absolutely understand some of

the hesitation that folks have about small mom-and-pop shops here or there, but the reality of the situation is we have a quarter of a million Nebraskans who are working full-time, which means they're providing for their families, providing for themselves, not going to school. These aren't after-school jobs. These aren't temporary workers. These are a quarter of a million full-time workers in the state of Nebraska who don't have the opportunity when they get sick to go home that day and get paid for that sick leave in order to make sure that they can continue to make ends meet. And to me, that's a problem. To me, it's an issue that there's people out there who still have to think about whether or not, when they're running a fever of 103 degrees, they're going to go in to their job because they're worried that, if they don't do it, they may not get a paycheck for that day or they may actually lose their job in the event that their business uses some sort of point system and maybe that puts them over the edge. There's people who have to wake up in the morning when they've been throwing up all night and think to themselves, well, I can't take work off today, because if I do, I'm not going to get any pay for that day. And I got to make sure I can afford groceries at the end of the week for me and my kids. That sounds dramatic, and I understand that that may be a, a niche circumstance, but it's a real situation for a number of people out there. And for those of you with kids, you know those kids can be a germ factory. And the amount of times that your kids can get you sick and then you have to try to go to work to continue to keep your job and to make ends meet, it's a problem. So colleagues, what we're seeking to do with LB415-- and again, I want to thank Senator Ballard for his work on this-- is to create some clarifications, make sure that we effectuate the intent of the ballot initiative without walking back the overall goal. And my concern is that, as we work our way down the agenda onto other amendments, we no longer are clarifying but we slowly step into walking back the will of the people. And I don't think that's the intention-- or, at least I hope that's not the intention of anybody in this body. And so we will continue to have this conversation. And I will continue to stand up and say that I stand up on behalf of working--

ARCH: Time, Senator.

DUNGAN: --families and working people. Thank you, Mr. President.

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

J. CAVANAUGH: Thank you, Mr. President. Well, colleagues, again, I rise in support of the motion to reconsider. And I do appreciate Senator Ballard's work on LB415 as it's written. But I don't support going

further in constraining or re-- undoing what the voters have approved on the ballot. And I guess I should, before I go too far-- I don't think I talked about that today is Chadron State Day. I'm wearing the Chadron pins that were given to us by the state colleges. It's the last day of the week. Monday was green tie day, Tuesday was Peru State, Wednesday was Wayne State, and today is Chadron State, so I appreciate all of our higher educational institutions in the state of Nebraska. Our state colleges provide a wonderful service, provide education in our communities. And then, of course, our higher ed institutions that are in my district, Creighton University is playing right now against University of Louisville and is winning, according to what I could look up on my phone. It's broadcast on CBS. So if you have broadcast television, you can watch that. And Omaha is playing in its first NCAA tournament game tonight. They will play against St. Johns in Providence, Rhode Island on-- I believe it's also on CBS. So we're very excited. Proud of our higher ed institutions, both state colleges, private universities, state universities, and they represent us on that national stage. So high profi-- profile. Excited about that. So-- anyway. So go, go Blue Jays. Go Mavs. So I, I did-- also I wanted-- Senator, Senator McKinney really struck a nerve, I think, with what he said, which is that the-- your constituents voted in every district probably more for this than they did for any of us. I would be curious to hear if anybody knows whether their district actually voted more for them than, than they voted for this. My district, I-- honestly, I don't remember what percentage vote I got, but it was overwhelmingly-- for this, 86.9% I think is what it was. And I can tell you I didn't get 86% of the vote. They love me in District 9, but there's a-- at least 40% of the people who don't, I guess. Or 30%, whatever the math is. Anyway. So yes, what was it, Senator McKinney? It was-- they wanted this more than they wanted you here, which I think is really interesting. And I think that's the interesting thing about when we are presuming to know better than them or acting to change their, their will in some way. And folks said-- I did watch part of the hearing on either LB415 or, I think, Senator Strommen's bill, which was LB698, and there was a number of people who came from businesses who will be required under this ballot initiative to provide paid sick leave who came and said the, the voters didn't know what they were doing and-- or didn't know it would do this, didn't know what this consequence would be. And, you know, a lot of folks asked why did these industries not run a ballot campaign telling the voters that if they really thought the voters should have thought differently about this? And-- so I think they had an opportunity to tell the voters to express their will in a different way, and they chose not to do that. And I think the argu-- the excuse was they were working to stop EPIC, which didn't get on the ballot. So,

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you know, I don't know why-- couldn't spend time telling voters. But if you don't think the voters were adequately informed, that's on them, I suppose. But I talked to my voters when I was out knocking doors, and I did hear from them that they knew what they were doing and they wanted this. They wanted folks to be able to have paid sick leave. They wanted people to be able to work, support their families, survive, and be able to have time to recover from an illness or take care of their family member when they are sick and not come into work and get other people sick out of fear that they would lose their job or couldn't afford to live, stay in their house because they lost a day's wages, and then, you know, had to go and get sicker and sicker. So people knew what they were doing. And so I think Senator Ballard's bill strikes the right balance and does provide some cleanup, some compromise on what the voters wanted--

ARCH: Time, Senator.

J. CAVANAUGH: Oh. Thank you, Mr. President.

ARCH: We have some special guests to introduce. Senator McKinney would like to recognize 16 middle and high school students from Omaha with Voices for Children in Nebraska. And they are located in the north balcony. Please rise and be recognized by your Legislature. Senator Hardin would also like to recognize a special guest: Anna Meier from Gering, Nebraska, who is Miss Scottsbluff County Teen. She is also located in the north balcony. Mr. Clerk for items.

CLERK: Mr. President, motions to be printed from Senator Machaela Cavanaugh to LB1-- LB170 and LB169, as well as motions to be printed from Senator McKinney to LB415. New LR: LR79 from Senator Bosn. That'll be laid over. Notice that the Government Committee will have an executive session today in Room 1507 immediately following the hearing.

ARCH: Mr. Clerk.

CLERK: Mr. President, Senator Conrad would move to adjourn the body until Tuesday, March 25, 2025 at 10:00 a.m.

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