

KELLY: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the fifty-sixth day of the One Hundred Ninth Legislature, First Session. Our chaplain for today is Johnny Walker of the West First Baptist Church, Trenton, Nebraska in Senator Ibach-- Ibach's district. Please rise.

JOHNNY WALKER: Thank you for standing. And let me just pray for this day in this building. Father in heaven, we stand before you and recognize that we do need you. Father, I pray for all these elected officials that debate today's issues, and look for answers for our state of Nebraska. Father, I would pray that they would be discerning people, looking into the future, projecting what would be best for our state. Father, I know that the constituents of these people count on them for their leadership. I pray that you would let all of us be humble servants; people willing to listen, people willing to adjust and adapt to the time. But at the same time, Father, I would ask that you help us retain the conservative philosophy of the Midwest. Let us be strong people. Let us be people who are faithful and dependable. Lord, I pray that as debates are encountered today, there might be a spirit of cooperation across the aisle; that there might be an understanding of things that we don't yet know or have experienced; that you might project into our brains the thoughts of tomorrow, and we might prepare to meet the challenges. Now, Father, as a nation, this state plays a great part, and I thank you for the impact that Nebraska has on the rest of the states. And as things are passed in law, debated and figured out, I pray that you would protect our, our history, you would protect our future. Lord, these elected officials have a great responsibility that I pray you would let them be humble servants of our state. Now, Father, the, the culture of this very building signifies the importance of decisions that are made. But perhaps this prayer time is one of the greatest decisions of all; to yield ourself under your authority; to exert our energy and influence in a productive way for our state. Bless these folks as they do their work today; give them integrity, give them honesty, and give them a renewed spirit. Father, encourage them that they have great responsibility, and are capable of handling it. I thank you for the opportunity to lift things to you in prayer. And Father, I know that your Holy Spirit dwells where people request it. So, we ask for your presence this day as business is resumed. In the name of Jesus, God's Son, amen.

KELLY: I recognize Senator Moser for the Pledge of Allegiance.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 3, 2025

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

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

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

KELLY: Are there any corrections for the Journal?

CLERK: I have no corrections this morning, sir.

KELLY: Are there messages, reports or announcements?

CLERK: There are, Mr. President. A report of registered lobbyists for April 2, 2025 will be found in today's Journal. Additionally, agency reports electronically filed with the Legislature can be found on the Nebraska Legislature's website. That's all I have this morning.

KELLY: While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign LR89, LR90, LR91, LR92, LR93, and LR94. Speaker Arch, you're recognized for an announcement.

ARCH: Thank you, Mr. President. Before we get started today, I wanted to provide a little picture-- a little bit of a picture of what next week will look like. On Tuesday morning, in addition to catching up on some confirmation reports, I intend to schedule the last of the worksheet order Select File bills that are ready to go, and priority bills on Select File that are ready will also be scheduled for Monday morning debate. In the afternoon, I'll be scheduling LB3, winner-take-all. I intend to follow the 4-2-1 cloture threshold. As a reminder, I communicated in my January 28 memo that I would observe a 4-2-1 threshold for a few select bills which are controversial and emotionally-charged, and I have identified LB3 as one of those bills. I believe most members have determined how they will vote on this bill, and the measure does not lend itself to amendment, so a General File debate of four hours provides time for the arguments for and against to be made for the record. I do not believe to draw-- a drawn-out eight-hour debate benefits this body, or anyone on either side of the issue. Also, please know it is my intention we'll remain in session past 5 p.m. to allow the cloture vote to occur before adjournment on Tuesday. So, what you'll see on the agenda is, is this bill will begin no later than 1:30, and then we'll take it four hours.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 3, 2025

The rest of the week, we will continue the-- to debate priority bills on General File, with a little Final Reading on Friday. Yesterday, the Revenue Committee advanced several bills out of committee; once those bills have been reported to General File, it's my intention to schedule them, hopefully by midweek. As I mentioned in my announcement at the beginning of this week, revenue-generating bills and bills positively impacting the General Fund will be a prioritized priority, along with the actual budget bills from the Appropriations Committee, so I hope to get started on those revenue bills at least midweek next week, so. Thank you, Mr. President.

KELLY: Thank you, Speaker Arch. Senator Storer would like to recognize some guests in the north balcony: they're ninth to tenth-- to twelfth graders from Keya Paha County, Springview, Nebraska. Please stand and be recognized by your Nebraska Legislature. Mr. Clerk, please proceed to the first item on the agenda.

CLERK: Mr. President, General File, LB78A introduced by Senator Bostar. It's a bill for an act relating to appropriations; to appropriate funds to aid in the carrying out of the provisions of LB78. The bill was read for the first time on March 27 of this year, and placed directly on General File.

KELLY: Senator Bostar, you're recognized to open.

BOSTAR: Thank you, Mr. President. This is the A bill for LB78, which, if you'll recall, increases the documentary stamp tax by 7 cents to provide funding for trafficking and domestic violence victims for housing purposes. So, the A bill simply creates a fund, and, and creates a cash transfer to the newly-created Domestic Violence and Sex Trafficking Survivor Assistance Fund through the documentary stamp expected funding. And so, with that, I'd appreciate your green vote on LB78A

KELLY: Thank you, Senator Bostar. Seeing no one else in the queue, you're recognized and waive closing. Members, the question is the advancement of LB78A to E&R Initial. All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

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

KELLY: LB78A advances to E&R Initial. Mr. Clerk.

CLERK: Mr. President, General File, LB177A introduced by Senator Clouse. It's a bill for an act relating to appropriations; to appropriate funds to aid in the carrying out of the provisions of

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 3, 2025

LB177. The bill was read for the first time on March 28 of this year, and placed directly on General File.

KELLY: Senator Clouse, you're recognized to open.

CLOUSE: Yes, thank you, Mr. President. LB70-- LB177, just as a reminder, was a-- is a bill that is a clarifying bill, a clean-up bill regarding these games that are in a lot of these convenience stores, and it really cleaned up some of the definitions of an owner and operator and so forth. But then, it also had a requirement in there for fingerprinting according to the FBI standards. Last week, I was presented from Fiscal the note for some funding, and I think this bill, or this appropriation bill, is \$233,000 from the General Fund and \$135,000 from the Nebraska State Patrol Cash Fund. And the reason for this funding is simply for the State Patrol to evaluate the increase that they feel is-- it may, may or may not happen, but if it does, they want this funding appropriated to cover the costs, the additional costs for the fingerprinting to meet the FBI standards. This-- in my opinion, this may or may not happen, and-- so, I-- we ask, or I ask that you go ahead and approve this, a green light. I really don't think it's going to amount to this amount, but we need to make sure that we have that appropriated in the unlikely event that it does. So, I'd appreciate your green vote on this. Thank you.

KELLY: Thank you, Senator Clouse. Seeing no one else in the queue, you're recognized to close, and waive closing. Members, the question is the advancement of LB177A to E&R Initial. All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

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

KELLY: LB177A advances to E&R Initial. Mr. Clerk.

CLERK: Mr. President, General File, LB230A, introduced by Senator Hallstrom. It's a bill for an act relating to appropriations; to appropriate funds to aid in the carrying out of the provisions of LB230; and declare an emergency. The bill was read for the first time on April 1 of this year, and placed directly on General File.

KELLY: Senator Hallstrom, you're recognized to open.

HALLSTROM: Thank you, Mr. President, members. LB230A funds the provisions of LB230, which creates the Kratom Consumer Protection Act. In addition to other provisions, LB230 authorizes the Department of Revenue to collect fees for annual kratom product registration to cover the administrative costs of the program. Since there will be

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 3, 2025

costs to create the product registration applications and set up the website, there is an initial one-time startup cost in addition to ongoing expenses of administration. I have worked with the governor's office and the Department of Revenue to address this expense, and thank them for their assistance. LB230A appropriates funds from the Department of Revenue Enforcement Fund, which will be reimbursed through the product registration fees pursuant to LB230. Although LB230A is needed to stand up the Kratom Consumer Protection Act, the act itself is self-sufficient, has a revenue-- net revenue-- neutral revenue impact, and has no General Fund impact. And I'd ask for your green vote on LB230A. Thank you.

KELLY: Thank you, Senator Hallstrom. Seeing no one else in the queue, you're recognized to close, and waive closing. Members, the question is the advancement of LB230A to E&R Initial. All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

CLERK: 39 ayes, 0 nays on advancement of the bill, Mr. President.

KELLY: LB230A advances to E&R Initial. Mr. Clerk.

CLERK: Mr. President, next on the agenda is Final Reading.

KELLY: Members should return to their seats in preparation for Final Reading. The first bill on Final Reading is LB7. 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: 44 ayes, 1 nay to dispense with the at-large reading, Mr. President.

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

CLERK: [Read title of LB7]

KELLY: All provisions of law relative to procedure having been, been complied with, the question is, shall LB7 pass? All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm,

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 3, 2025

Strommen, von Gillern, and Wordekemper. Voting no: none. Not voting: Senators Guereca and McKinney. Vote is 47 ayes, 0 nays, 2 excused, not voting, Mr. President.

KELLY: LB7 passes. The next bill is LB22. Members, the first vote is to dispense with the reading-- at-large reading. All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

CLERK: 44 ayes, 1 nay to dispense with the at-large reading, Mr. President.

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

CLERK: [Read title of LB22]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB22 pass? All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: none. Not voting: Senators Guereca and McKinney. Vote is 47 ayes, 0 nays, 2 excused, not voting, Mr. President.

KELLY: LB22 passes. The next bill is LB22A.

CLERK: [Read LB22A on Final Reading]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB22A pass? All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: none. Not voting:

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 3, 2025

Senators Guereca and McKinney. Vote is 47 ayes, 0 nays, 2 excused, not voting, Mr. President.

KELLY: LB22A passes. The next bill is LB41.

CLERK: [Read LB41 on Final Reading]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB41 pass? All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: none. Not voting: Senators Guereca and McKinney. Vote is 47 ayes, 0 nays, 2 excused, not voting, Mr. President.

KELLY: LB41 passes. The next bill is LB41A.

CLERK: [Read LB41A on Final Reading]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB41A pass? All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

CLERK: Voting, voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: none. Not voting: Senators Guereca and McKinney. Vote is 47 ayes, 0 nays, 2 excused, not voting, Mr. President.

KELLY: LB41A passes. The next bill is LB105, with the emergency clause.

CLERK: [Read LB105 on Final Reading]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB105 pass with the emergency

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 3, 2025

clause? All those in favor, vote aye; all those opposed, vote nay.
Record, Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: Senator Kauth. Not voting: Senators Guereca and McKinney. Vote is 46 ayes, 1 nay, 2 excused, not voting, Mr. President.

KELLY: LB105 passes with the emergency clause. The next bill is LB143. Members, the first vote is to dispense with the at-large reading. All of those fav-- in favor, vote aye; all those opposed, vote nay.
Record, Mr. Clerk.

CLERK: 44 ayes, 0 nays to dispense with the at-large reading, Mr. President.

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

CLERK: [Read title of LB143]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB143 pass? All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, and Wordekemper. Voting no: none. Not voting: Senators Guereca and McKinney. Vote is 47 ayes, 0 nays, 2 excused, not voting, Mr. President.

KELLY: LB143 passes. The next bill is LB144. Members, 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: 44 ayes, 1 nay to dispense with the at-large reading, Mr. President.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 3, 2025

KELLY: The at-large reading is dispensed with. Please read the title.

CLERK: [Read title of LB144]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB144 pass? All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: none. Not voting: Senators Guereca and McKinney. Vote is 47 ayes, 0 nays, 2 excused, not voting, Mr. President.

KELLY: LB144 passes. Speaker Arch would like to recognize some guests under the south balcony: his wife Brenda Arch, as well as friends Mia Agner, Renee Black, and Miriam Harder. Please stand and be recognized by your Nebraska Legislature. The next bill is LB168 with the emergency clause.

CLERK: [Read LB168 on Final Reading]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB168 pass with the emergency clause? All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bostar, Brandt, John Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Ibach, Jacobson, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybould, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, and Wordekemper. Voting no: Senator Bosn, Machaela Cavanaugh, Hunt, Juarez, Riepe. Not voting: Senators Guereca and McKinney. Vote is 42 ayes, 5 nays, 2 excused, not voting, Mr. President.

KELLY: LB168 passes with the emergency clause. Mr. Clerk.

CLERK: Mr. President, Final Reading, LB179. Senator Ballard would move to return the bill to Select File for a specific amendment, that would be to strike the enacting clause.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 3, 2025

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

BALLARD: Thank you, Mr. President. I filed FA81 just to put some information on record before Final Reading, and did talk to Senator Clouse before doing this, and will later withdraw the floor amendment. During General and Select File, LB179, there were some discussions on whether the bill needed an actuarial study according to Rule 5, Section 15. The relevant provisions of the rule provide that no bill proposing a structural change which impacts the benefits of the funding status of the public retirement plan shall be enacted until an actuarial study is conducted to determine the costs of the plan. My office did reach out to the, to the-- our actuarial group last month, and in, in their opinion, they said the proposed changes to the first class city police retirement plan of LB179 would not impact the benefit or funding status to such plans, and would not need an actuarial study. I look forward to your green light on LB179, and I would like to withdraw FA81. Thank you, Mr. President.

KELLY: So ordered. 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: 45 ayes, 0 nays to dispense with the at-large reading, Mr. President.

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

CLERK: [Read title of LB179]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB179 pass? All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: none. Not voting: Senators Guereca and McKinney. Vote is 47 ayes, 0 nays, 2 excused, not voting, Mr. President.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 3, 2025

KELLY: LB179 passes. The next bill is LB185. Members, 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: 44 ayes, 0 nays to dispense with the at-large reading.

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

CLERK: [Read title of LB185]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB185 pass? All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: none. Not voting: Senators Guereca and McKinney. Vote is 47 ayes, 0 nays, 2 excused, not voting, Mr. President.

KELLY: LB185 passes. The next bill on Final Reading is LB195.

CLERK: [Read LB195 on Final Reading]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB195 pass? All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: none. Not voting: Senators Guereca and McKinney. Vote is 47 ayes, 0 nays, 2 excused, not voting, Mr. President.

KELLY: LB195 passes. The next bill is LB248.

CLERK: [Read LB248 on Final Reading]

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 3, 2025

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB248 pass? All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: none. Not voting: Senators Guereca and McKinney. Vote is 47 ayes, 0 nays, 2 excused, not voting, Mr. President.

KELLY: LB248 passes. The next bill is LB266.

CLERK: [Read LB266 on Final Reading]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB266 pass? All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Clements, Clouse, DeKay, Dorn, Dover, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Ibach, Jacobson, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Raybould, Riepe, Rountree, Sanders, Sorrentino, Storm, Strommen, von Gillern, Wordekemper. Voting no: Senators Cavanaugh, Cavanaugh, Conrad, DeBoer, Dungan, Fredrickson, Hunt, Juarez, Quick, Spivey. Vote is-- not voting: Senators Guereca and McKinney. Vote is 37 ayes, 10 nays, 2 excused, not voting, Mr. President.

KELLY: LB266 passes. The next bill is LB294 with the emergency clause.

CLERK: [Read LB294 on Final Reading]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB294 pass with the emergency clause? All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick,

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 3, 2025

Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: none. Not voting: Senators Guereca and McKinney. Vote is 47 ayes, 0 nays, 2 excused, not voting, Mr. President.

KELLY: LB294 passes with the emergency clause. The next bill is LB312. Members, the first vote is to dispense with the at-large reading. All of those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

CLERK: 44 ayes, 1 nay to dispense with the at-large reading, Mr. President.

KELLY: The at-large reading is dispensed with. Please read the title.

CLERK: [Read title of LB312]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB312 pass? All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybould, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: Senator Riepe. Not voting: Senators Guereca and McKinney. Vote is 46 ayes, 1 nay, 2 excused, not voting, Mr. President.

KELLY: LB312 passes. The next bill is LB325.

CLERK: [Read LB325 on Final Reading]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB325 pass? All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: Senator Sanders. Not

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 3, 2025

voting, not voting: Senators Guereca and McKinney. Senator Sanders voting yes. Vote is 47 ayes, 0 nays, 2 excused, not voting, Mr. President.

KELLY: LB325 passes. Senator Jacobson would like to recognize some guests in the north balcony: first, a group from Nebraska FFA Ag Issues Academy from across the state. Please stand and be recognized by your Nebraska Legislature. Senator Jacobson would also like to recognize guests in the north balcony: they are twelfth graders from North Platte Catholic Schools American government class. Please stand and be recognized by your Nebraska Legislature. The next bill on Final Reading is LB341.

CLERK: [Read LB341 on Final Reading]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB341 pass? All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: none. Not voting: Senators Guereca and McKinney. Vote is 47 ayes, 0 nays, 2 excused, not voting, Mr. President.

KELLY: LB341 passes. The next bill is LB372.

CLERK: [Read LB372 on Final Reading]

KELLY: All procedures-- provisions of law relative to procedure having been complied with, the question is, shall LB372 pass? All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Storm-- Strommen, von Gillern, Wordekemper. Voting no: Senator Kauth. Not voting: Senators Guereca and McKinney. Senator Kauth voting yes. Vote is 47 ayes, 0 nays, 2 excused, not voting, Mr. President.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 3, 2025

KELLY: LB372 passes. The next bill is LB478. Members, 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: 43 ayes, 1 nay to dispense with the at-large reading, Mr. President.

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

CLERK: [Read title of LB478]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB478 pass? All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: none. Not voting: Senators Guereca and McKinney. Vote is 47 ayes, 0 nays, 2 excused, not voting, Mr. President.

KELLY: LB478 passes. The next bill is LB501 with the emergency clause. Members, 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: 43 ayes, 0 nays to dispense with the at-large reading, Mr. President.

KELLY: The at-large reading is dispensed with. Please read the title.

CLERK: [Read title of LB501]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB501 pass with the emergency clause? All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Hallstrom, Hansen,

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 3, 2025

Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: none. Not voting: Senators Guereca and McKinney. Vote is 47 ayes, 0 nays, 2 excused, not voting, Mr. President.

KELLY: LB501 passes with the emergency clause. The next bill is LB527 with the emergency clause. Members, 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: 46 ayes, 0 nays to dispense with the at-large reading, Mr. President.

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

CLERK: [Read title of LB527]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB527 pass with the emergency clause? All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: none. Not voting: Senators Guereca and McKinney. Vote is 47 ayes, 0 nays, 2 excused, not voting, Mr. President.

KELLY: LB527 passes with the emergency clause. The next bill is LB527A with the emergency clause. Mr. Clerk.

CLERK: [Read LB527A on Final Reading]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB527A pass with the emergency clause? All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 3, 2025

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Hallstrom, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: Senator Hansen. Not voting: Senators Guereca and McKinney. Vote is 46 ayes, 1 nay, 2 excused, not voting, Mr. President.

KELLY: LB527A passes with the emergency clause. The next bill is LB529 with the emergency clause.

CLERK: [Read LB529 on Final Reading]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB529 pass with the emergency clause? All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: none. Not voting: Senators Guereca and McKinney. Vote is 47 ayes, 0 nays, 2 excused, not voting, Mr. President.

KELLY: LB529 passes with the emergency clause. The next bill is LB592.

CLERK: [Read LB592 on Final Reading]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB592 pass? All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: none. Not voting:

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 3, 2025

Senators Guereca and McKinney. Vote is 47 ayes, 0 nays, 2 excused, not voting, Mr. President.

KELLY: LB592 passes. While the Legislature is in-- while the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign LB7, LB22, LB22A, LB41, LB41A, LB105 with the emergency clause, LB143, LB144, LB168 with the emergency clause, LB179, LB185, LB195, LB248, LB266, LB294 with the emergency clause, LB312, LB325, LB341, LB372, LB478, LB501 with the emergency clause, LB527 with the emergency clause, LB527A with the emergency clause, LB529 with the emergency clause, and LB592. Mr. Clerk, next item on the agenda.

CLERK: Mr. President, next item on the agenda: General File, LB388 introduced by Senator DeBoer. It's a bill for an act relating to judicial nominating commissions; amends Sections 24-802, 24-805, 24-806, 24-808, 24-809, 24-810, and 24-810.01, Reissue Revised Statutes of Nebraska, and Section 24-803 Revised Statutes Cumulative Supplement, 2024; changes provisions relating to commission member residency requirements, terms and-- of office, powers, and duties of commissioners, and the clerk of the Supreme Court, appointments, vacancies, elections, and automatic removals; harmonizes provisions; repeals the original section. The bill was read for the first time on January 17 of this year and referred to the Judiciary Committee; that committee placed the bill on General File. There's currently nothing pending on the bill, Mr. President.

KELLY: Senator DeBoer, you're recognized to open.

DeBOER: Thank you, Mr.-- thank you, Mr. President. Good morning, colleagues. Today, I'm happy to open on LB388. LB388 makes changes to our judicial nominating commissions. For those who are unaware, judicial nominating commissions are a state commission designed to ensure judicial vacancies are filled with quality individuals. They are created under our constitution and further laid out in our statutes. Each nominating commission is comprised of nine persons, with eight voting members being appointed by the governor. Those commissions include one Supreme Court justice who serves as chair of the commission and is a non-voting member, four lawyer members, and four lay members. The commission meets when judicial vacancies arise, vets judicial nominees, and forward names onto the governor for consideration. Nominating commissions exist for all levels of courts in Nebraska. There is a commission for the Chief Justice of the Supreme Court, each district of the Supreme Court and Court of Appeals, each District Court and our separate courts, the Workers'

Compensation Court, and the separate juvenile courts. Today's bill, LB388, was brought to me by representatives of the Nebraska State Bar Association in conjunction with the Supreme Court. It makes changes to the operations of the nominating commissions to ensure these critical commissions function effectively and efficiently for our judicial selection process. As to the changes, first, the bill adjusts the process by which the executive council of the Nebraska State Bar association nominates attorneys to serve on nominating commissions in the instance of vacancy on the commission. LB388 extends the time limits from such nominations from the existing ten days after filling the deadline to allow for a deadline of November 1 of each year; this provides the State Bar Association a longer time period to search for eligible candidates to nominate. Second, the bill adjusts the existing term limits for a person serving on the nominating commissions to allow for a period of twelve consecutive years, and increases the number of years in which one is not eligible for reelection or reappointment from six to ten years. This change is to ensure a broader pool of eligible candidates, particularly in light of challenges that can arise in more rural parts of the state where there are fewer attorneys eligible to serve in certain judicial districts. Third, the bill allows members to serve on more than one judicial nominating commission; both lay and lawyer members must reside in the judicial district which the commission covers, but allowing them to serve more than one will provide a deeper pool of eligible candidates. Finally, the bill adjusts, adjusts the language for how elections may be conducted by providing permissive authority to the Clerk of the Supreme Court to use electronic voting for lawyer members if appropriate in the future. This update to our judicial nominating commission statutes is necessary, and frankly, overdue. I believe the changes in LB388 will help the operations of these commissions for years to come. Thank you to the Judiciary Committee for advancing this bill on an 8-0 vote, and to Speaker Arch for recognizing the need for this bill by selecting it as a Speaker priority bill. I would also like to thank the lawyer members of this body for having signed onto the bill. Thank you for your attention to this bill, colleagues, and I'm happy to answer any questions you may have.

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

SPIVEY: Thank you, Mr. President, and good morning, colleagues. I wanted to take a point of privilege this morning to wish my now-11-year-old Naasir happy birthday. He came to visit the Legislature a few weeks ago so a few of you all have met him. But he is brilliant, the best part of me, and is just super amazing, and I'm

really excited that he turns 11 today. He actually asked could he skip school and spend his day at the Legislature celebrating with you all, and I told him no. He has testing, but he, from his visit, is working a bill around putting Chipotles in every home. But from his experience here, he realized that there is a fiscal note and a cost, and so now he is instead working his bill around putting Chipotles in every elementary school. And so, again, I just wanted to take a point of privilege-- because my grandma's watching, and he will watch the recording-- that I wish him a happy, happy birthday, and I'm so lucky to be your mom, and thank you. Thank you, Mr. President. I yield the rest of my time.

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

J. CAVANAUGH: Thank you, Mr. President. I also like Chipotle, so I'd sign on to that bill. So, I, I-- thank you, Mr. President. I am one of the lawyers of the body, and have had good amount of experience with the judicial nominating commissions in the state of Nebraska. And one of ways, you know-- Senator DeBoer talked about that there's these-- the list of all the different courts and you vote for them, and it's based off of judicial district, so in Douglas County, we have the county court, the district court, the Workers' Compensation Court, our Court of Appeals member, our Supreme Court members, and then the, the Supreme Court-- or, Chief Justice. And so, each of those commissions has members, and then the bar gets to elect half of those members. And those have a partisan breakdown, so you get a paper ballot, kind of like an election, any, any regular election, and members of the bar get a ballot where you get to circle in or put an X next to, you know, say, up to three Democrats and three Republicans, or something along those lines, depending on the, the position. And then, whoever gets the most votes-- and a lot of people will list themselves for two or even three, depending on, you know, how many elections there are. But they might list themselves the county court nominating commission and the district court, and then those folks will get elected to both, and then they'd have to choose one to serve on. And, you know, in Douglas County, we have-- for three spots, you'll have 40 people put in. And so, there's a, an ample number of lawyers willing to serve on the judicial nominating commissions. But then some folks get on judicial nominating commissions, like the Supreme Court one, the Chief Justice, the-- that's always a commission that's always existing, and people sit on that and are barred from sitting on another appointment commission. And the Chief Justice has come up just recently, but before that, I don't-- I think it was 10 or 20-- well, 20 years or so before there was another appointment to the Chief Justice, and whoever

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 3, 2025

was on that couldn't serve on anything else. So, you had all these vacancies. So, I, I-- updating on this, see what Senator DeBoer is trying to do here, and what the bar association is trying to do. I am concerned about people serving on two boards at the same time, especially those boards that meet pretty regularly. The-- Douglas County, we've had two judges appointed this legislative session that have gone through the district court, and I think at least one county court. So, those, those boards meet a lot in Douglas County; they're constantly appointing people. And so, I think it is good to get a diversity of folks on there, but I, I get what Senator DeBoer is doing here. Thank you, Mr. President.

KELLY: Thank you, Senator Cavanaugh. Seeing no one else in the queue, Senator DeBoer, you're recognized to close, and waive. Members, the question is the advancement of LB388 to E&R Initial. All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

CLERK: 39 ayes, 0 nays on advancement of the bill, Mr. President.

KELLY: LB388 advances to E&R Initial. Senator Clements has some guests in the north balcony he'd like to introduce: they are fourth graders from Louisville Elementary in Louisville, Nebraska. Please stand and be recognized by the Nebraska Legislature. Mr. Clerk, next item.

CLERK: Mr. President, General File, LB613 introduced by Senator Andersen.

KELLY: Senator Andersen, you're recognized-- oh, excuse me.

CLERK: It's a bill for an act relating to revenue and taxation; to amend Section 77-2711, 77-27,144, and 77-5725; changes to provisions relating to disclosure of tax information to municipalities; harmonizes provisions; repeals the original section. The bill was read for the first time on January 22 of this year and referred to the Revenue Committee; that committee placed the bill on General File. There's nothing on the bill, Mr. President.

KELLY: Thank you, Mr. Clerk. Senator Andersen, you're recognized to open.

ANDERSEN: Thank you, Mr. President, and fellow members of the Legislature. I rise before you today asking you to join me in supporting LB613. This is a common-sense bill to increase transparency and modernize the process by providing municipalities with reasonable access to their tax credit-- tax receipt data. The bill contains three components: an auditing piece, communication piece, and a planning

piece. First is the auditing piece. The current state law gives the tax commissioner the discretion to determine whether the lev-- the department gives any tax-- sales tax information to the municipality or not. LB613 permits the municipalities to request information three times per year from the Department of Revenue, and the department must respond. The second is the communication piece. Currently, the municipalities must designate one person to review the information in person at the department in Lincoln. In practice, this rarely happened for those communities not in the greater Omaha-Lincoln area. The statute also prescribes a Class I misdemeanor if one certified person shares the information with anybody, including the mayor and the other government officials. In other words, one person can go down to the Department of Revenue, review the tax revenue, but cannot tell anyone within the municipality what they saw by way of tax-- sales tax data. LB613 allows the tax information to be transferred electronically to municipalities in a manner approved by the tax commissioner, commissioner. This will no longer require a person to travel to Lincoln to review the data. This will increase transparency and create efficiencies in government, saving funds for the municipalities. Lastly, LB613 allows the tax receipt data to be shared within the municipality, but only for explicit tax-related purposes. Third component is the planning piece. Currently, when the state of Nebraska negotiates a tax incentive agreement with a private business, typically, the municipality is not consulted. LB613 provides a transparency for the municipalities to have an awareness and expectation for the voter-approved sales taxes. LB613 would give the municipalities the ability to request a list from the state once per year of businesses enrolled in the program. With that data, the municipality can develop their projections and plan for the future. There were numerous testifiers in support of LB613, none in opposition, and only one in a neutral position. One of the proponents was Mayor Black of Papillion, representing the United Cities of Sarpy County, composed of Bellevue, La Vista, Papillion, Gretna, and Springfield. He stated it is, quote, "a very critical component" to them in modernizing the sales tax process, which is an important part of the property tax reduction conversation. It enhances the process, giving municipalities more time, more opportunities to request, and more information to work with. Thank you, colleagues, for your time and attention. I would appreciate your green vote on LB613 to advance it to Select File, and I'm happy to respond to any questions you have at this time.

KELLY: Thank you, Senator Andersen. Senator von Gillern, you're recognized to speak.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 3, 2025

VON GILLERN: Thank you Mr. President. LB613 was heard in the Revenue Committee on February 20. Senator Andersen presented; it came out of committee with eight affirmative votes, no negative votes. There were-- one, two-- it looks like six proponents, one neutral testifiers, and no opposition. And I would encourage the body to advance LB613. Thank you, Mr. President.

KELLY: Thank you, Senator von Gillern. Seeing no one else in the queue, Senator Andersen, you're recognized to close, and waive closing. Members, the question is the advancement of LB613 to E&R Initial. All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

CLERK: 33 ayes, 0 nays on advancement of the bill, Mr. President.

KELLY: LB613 advances to E&R Initial. Mr. Clerk, next item.

CLERK: Mr. President, General File, LB471 introduced by Senator Dungan. It's a bill for an act relating to public health and welfare; establishes the suicide mortality-- excuse me, LB414 introduced by Senator Dungan. It's a bill for an act relating to public health and welfare; establishes the suicide mortality review team; defines terms; provides for powers and duties; and requires a report as prescribed. The bill was read for the first time on January 17 of this year and referred to the Government, Military and Veterans Affairs Committee; that committee placed the bill on General File with committee amendments, Mr. President.

KELLY: Thank you, Mr. Clerk. Senator Dungan, you're recognized to open.

DUNGAN: Thank you, Mr. President. Good morning, colleagues. Here I am today to introduce LB414, which is a Speaker priority bill which establishes the suicide mortality review committee. This bill represents almost two years of work between the Department of Veterans Affairs here in Nebraska, the governor's office, and now myself helping to establish this team. Back in 2022, Governor Pillen signed onto the governor's challenge to reduce veteran suicide. I believe that that represented a very important step forward in acknowledging the issues that we deal with here in the state of Nebraska with suicide in general, but also specifically within our veteran community. The Nebraska Department of Veterans Affairs began working to create a team of people called the suicide mortality review committee, which would essentially, for all intents and purposes, act as a group of folks that is a clearinghouse to gather and collect

information as it pertains to suicidality here in the state of Nebraska, specifically within our veteran population but also other populations as well, and then put that data together in a way that is effective and helpful for us as a legislature to then review so we can take steps moving forward in an effort to reduce that suicidality in the state of Nebraska. For the past year and a half, I've had the privilege of attending the suicide mortality review meetings. Through this experience, I've met with representatives from the Department of Veterans Affairs, and we began having conversations about how this team should be put together. One of the things that I've found encouraging and helpful about creating this team was the VA currently already has grant funding that they've been given for this exact thing, so one of the many things I'm excited about LB414 is that it does not have any impact on general funds. As you can see in this bill, specifically Section 2, the suicide mortality review team consists of the following members: the director or the designee from the Department of Veterans Affairs, a representative of the Nebraska Violent Death Reporting System, a representative of Nebraska Local Outreach to Suicide Loss Survivors, a representative of Division of Behavioral Health of the Department of Health and of [SIC] Human Services. In addition to that, the director shall appoint the following individuals to be additional members of the suicide mortality review team: an education administrator, a hospital representative, an emergency medical services representative, a member of law enforcement, a mental health professional or a licensed clinical social worker, and additional members as needed. To summarize, the review team will do the following: they will develop a suicide mortality data collection system; conduct an annual analysis of the incidences and causes of suicides in the state during the preceding fiscal year; develop protocols for suicide investigations, including protocols for law enforcement agencies, prosecutors, medical examiners, health care facilities, and social service agencies; study the adequacy of statutes, ordinances, rules, training, and services to determine the changes required to decrease the incidence of preventable suicides, and take steps to implement these changes; educate the public regarding the incidences and causes of suicide and the public's role in preventing these deaths; designate a member of the suicide mortality routine-- team-- review team to serve as the chairperson. All of this is to say that they will review suicides in the state of Nebraska to understand better how individuals came to take those actions, what warning signs were exhibited in the days, weeks, and months leading up to that suicide, and then ultimately, collecting and aggregating that data to implement social changes that can reduce the number of suicides, not just for our veteran

population, but for Nebraska as a whole. Having this established review team with the Department of Veterans Affairs will be a game-changer for our veterans dealing with mental health issues, and for Nebraskans struggling with mental illness across the entire state. Colleagues, this bill is very, very near and dear to my heart. Working with the individuals who have poured their hearts out into creating this team, I've seen how important this is both to them and to the veterans community as a whole. We do have an amendment which we're gonna open on here in a minute which addresses a couple of the concerns, I think, that were brought up during the committee hearing. You'll hear a little bit more about that in a moment, but, long story short, what that does is ensure the fiscal note is zero. It clarifies a couple things with regards to the subpoena powers of the team, and then ultimately ensures that there actually is representation on that committee from members of the veterans population. With that, I would encourage your green vote on LB414. It did come out of committee unanimously, and I'm looking forward to this team being formed and start having an impact in Nebraska. Thank you, Mr. President.

KELLY: Thank you, Senator Dungan. As the Clerk stated, there is a committee amendment. As vice chair, Senator Andersen, you're recognized to open.

ANDERSEN: Thank you, Mr. President. The Government Committee held it-- its-- this hearing on LB414 on March 6. It was a short hearing, with the Nebraska Department of Veterans Affairs testifying in support of this bill. The department did offer a few recommended changes; those changes became AM565, which our committee sent to the floor with LB414 on an 8-0 vote. This amendment clarifies that the word "director" in the bill refers to the director of the Department of Veterans Affairs or his designee. The amendment also makes clear that a veterans representative must be included on the team. Our committee advanced this bill with AM565 because we believe that the issue of veteran suicide deserves our attention. It is our hope that this bill will help us help veterans more effectively before tragedy strikes more Nebraska families. Our, our veterans deserve no less. Thank you to Senator Dungan for his introducing LB414. I would encourage you to vote green on AM565 and green on LB414. Thank you, Mr. President.

KELLY: Thank you, Senator Andersen. Seeing no one else in the queue, you're recognized to close on the committee amendment, and waive. Members, the question is the adoption of AM565. All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 3, 2025

CLERK: 36 ayes, 0 nays on adoption of the committee amendments, Mr. President.

KELLY: AM565 is adopted. Seeing no one else in the queue, Senator Dungan, you're recognized to close.

DUNGAN: Thank you, Mr. President. Just briefly, I want to say thank you to-- again, to the Nebraska Department of Veterans Affairs. Their tireless work on this over the last couple years has really had a huge impact. This bill really did come out of a number of meetings; there was a lot of teamwork between the Department of Veterans Affairs, local county attorneys' offices, law enforcement, and mental health professionals. And so, I just-- I know some of them might be watching here today, and I want them to know that this has a huge impact on the state of Nebraska, and I'm looking forward to this being established. I want to thank Senator Andersen as well for talking about the committee amendment; he was very helpful in asking a number of really good questions during this. As a veteran, I know that he has a lot of insight into this, and the impact that a suicide mortality review team is going to happen on the veterans community, so. Just want to say thank you to everybody who was involved in this, and I would appreciate your green vote on LB414. Thank you, Mr. President.

KELLY: Thank you, Senator Dungan. Members, the question is the advancement of LB414 to E&R Initial. All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

CLERK: 37 ayes, 0 nays, Mr. President, on advancement of the bill.

KELLY: LB414 advances to E&R Initial. Mr. Clerk, next item.

CLERK: Mr. President, some items for the record. Bills read this morning on Final Reading were presented to the governor on April-- this morning at 10:47 a.m. Additionally, your Committee on Enrollment and Review reports LB84 as correctly engross-- LB84 and LB355 as correctly engrossed and placed on Final Reading. New LR: LR106 from Senator Hansen and LR107 from Senator Hansen; those will both be laid over. Next item on the agenda, Mr. President: General File, LB526 introduced by Senator Jacobson. It's a bill is for an act relating to cryptocurrency mining; amends Section 70-655, Reissue Revised Statutes of Nebraska; defines terms; provides powers and duties to public power districts; allows public power districts to require payments or letters of credit from cryptocurrency mining operations for certain infrastructure upgrades; provides an "exive"-- excise tax on cryptocurrency mining; harmonizes provisions; provides an operative

date; and repeals the original section. The bill was read for the first time on January 22 of this year and referred to the Revenue Committee; that committee placed the bill on General File with committee amendments, Mr. President.

KELLY: Senator Jacobson, you're recognized to open.

JACOBSON: Thank you, Mr. President. As mentioned by the clerk, AM691 is a white copy amendment that really completely scraps LB526 with AM691. Completely changes the bill. Senator von Gillern has asked me to go ahead and, and-- I'll speak on the AM, and I'm guessing he'll just bounce that back once he-- once I'm done. So, I, I would mention that I rise today really with the, with the white copy amendment AM691 to LB526. It's a bill that, that addresses the growing strain on Nebraska's electrical grid caused by high-energy users, specifically cryptocurrency mining operations. But let me be clear, this is not shutting out innovation; it's about managing growth responsibly and protecting the long-term integrity of our public power system. Work-- working with our public power districts and utilities, we've adopted a thoughtful solution that balances industry flexibility with safeguards for ratepayers. LB526, as amended by AM691, does three key things. First, it allows public power suppliers, including public power districts and municipal electric systems, to have the ability to require crypto mining operations to recover the cost of major infrastructure regard-- upgrades, either through direct payment or financial assistance. This protects "rightpayer"-- ratepayers, and ensures no one is subsidizing high-consumption entities. Number two, it requires that all cryptocurrency mining operations consuming at least one megawatt of op-- operate under interruptible rate schedules, ensuring their usage can be curtailed during peak demand; this protects grid reliability for homes, farms, hospitals, and critical industries. Third, it requires transparency. Public power suppliers must public-- publicly disclose the number of mining operations in their jurisdictions, and report each operation's annual energy usage. Ratepayers deserve the transparency regarding the utilization of the electrical grid and the identity of the high industry-- high-energy users. We've already seen the impacts in Kearney; one cryptocurrency facility alone consumes 100 megawatts that the city-- it's-- that's the same amount that the city itself consumes. Across the NPPD's footprint, cryptocurrency currently uses-- utilizes over 250 megawatts, enough to power more than 200 homes. That-- these aren't minor additions to the grid; these are massive loads which-- with the potential to displace other opportunities. Communities across the state have faced delays or lost out on industrial projects because utilities cannot guarantee available power. These projects would have

been long-term jobs, revenue-- tax revenue, and permanent infrastructure to Nebraska. For example, in North Platte, we've been able to look at 12 projects that would have-- would, would have had a need-- would have produced \$10.8 billion in investment and over 2,073 jobs on those projects alone, but we're not able to bid on them because they needed more than five megawatts of power. We manage scarce source-- resources like water from the Ogallala Aquifer, and we should also be planning the responsible use of electricity. It should be no different. We will fall behind if we cannot prioritize the highest and best use of these essential services. LB526 is a proactive measure that ensures that large-scale crypto users are fair-- treated fairly but not given a free pass. Today, power supply can make these users responsible for the requirement-- the required infrastructure subject to curtailment when needed and viable-- and visible to the public. This is about preserving our capacity for long-term economic growth for industries that create jobs, grow our tax base, and build our, our communities. This is not about cryptocurrency; this is about energy consumption and energy use. And yes, data centers are another problem out there that we may have to address in future years, and AI, because both use massive amounts of power and we need to be asking ourselves, are we going to allow this power to be used for non-productive uses in terms of-- and when I say "non-productive," I mean are they giving back to the state of Nebraska? Are they creating a tax base? Are they creating jobs? Are they pray-- presenting a-- creating a product that others can use in the state? That should be part of that litmus, litmus test. So, with that, I would also say that there are-- we have completely removed any taxation, so there is no tax being pushed on; we're simply monitoring what's out there and having a registration requirement. So, with that, I would urge you to pass LB526 as amended by AM691.

KELLY: Thank you, Senator Jacobson. As previously stated, there's a committee amendment. Senator von Gillern, you're recognized to open.

VON GILLERN: Thank you, Mr. President. Commenting again on AM691 to LB526. Thank you, Senator Jacobson, for, for giving a detailed explanation of that. We did have the hearing on February 12. There were a number of opponents that, that showed up and talked about that, and I know Senator Jacobson has worked with the opponents to assuage their concerns. As he mentioned, the tax has been completely removed from the white copy amendment. One of the most important things that this will achieve is to curtail the load demand in it, and the users-- the crypto mining users will capture the demand at non-peak times, and part of the amendment clarifies that they have to curtail their usage in other peak load times. So, at-- in, in rural areas where irrigation

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 3, 2025

is going on in the summertime and peak air conditioning loads are occurring, they will not pull out of the grid at those times. So, I think it's a good amendment; it's a good solution, and it's, it's the result of a lot of collaboration with concerned parties. So, I-- with that, I will yield the remainder of my time to Senator Jacobson, if he wants to add anything further about AM691.

KELLY: Thank you, Senator von Gillern. Senator Jacobson, 8 minutes, 48 seconds.

JACOBSON: Thank you, Mr. President, and thank you, Senator von Gillern, for the explanation and the continued dialogue on the bill. Yes, I did work with everyone who was at-- who, who showed up and brought opposition. That meant all the public power districts, a couple of lobbyists that were lobbying for individual crypto users, and, and really worked hard to get rid of all the concerns. I would like to stand here and say they're all gone; as far as I know, they are, but about the time I say all of them are gone, some will say I've got an issue. But I think we've removed the opponents. I've gotten letters back from NEDA, for example, who now support the bill. So, I think, like any bill that has opposition in the hearing, to make it a successful bill, you work to, to adjust the bill so that you can satisfy the opponents and still come up with a bill that has meaning, and I think that's what we've done with this AM. I would encourage you to vote yes on AM691, and, and also on LB526. With that, I yield the remainder of my time, Mr. President.

KELLY: Thank you, Senator Jacobson. Returning to the queue, Senator Clouse, you're recognized to speak.

CLOUSE: Thank you, Mr. President. Yeah, with this bill, I think everyone in the body knows that it's been-- when it first started out, it was very contentious with Senator Jacobson and myself. And I think that as he worked through it-- and I appreciate that-- a lot of the folks that stepped up in opposition to this, I, I do appreciate the fact that they listened, that he listened, and they worked through a lot of these issues. So, with this amendment, I do support this amendment. There's only one small item in it that Senator "Jakesman" [SIC] and I talked about, and that item, we'll, we'll just watch and, and see how this plays out in the long term. With regard to the impact of Kearney, that keeps getting brought up. I personally was involved in the recruitment of this crypto mining to our city, and that was a huge benefit to our city with that type of load, and it helps Kearney to remain with the low property tax levy because of the investment and the partnership with that particular operation, so I, I will always

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 3, 2025

stand behind that decision. I think it was the right decision for our community, and-- does it apply to every community? Probably not, but it's a-- it worked for us, and I'm very proud of that. So, with this amendment, I will provide my support for this bill. And again, I appreciate Senator Jacobson for making the modifications. So, with that, I yield my time. Thank you.

KELLY: Thank you, Senator Clouse. Senator Murman, you're recognized to speak.

MURMAN: Thank you, Mr. Lieutenant Governor. I support the committee amendment, AM691, and with the amendment, the underlying bill. I'm on the Revenue Committee, and wanted to share a bit about the hearing on this bill. We heard from the industry during the hearing, and one of the things we heard about was jobs. Not a lot of jobs, but in rural Nebraska, businesses that create some jobs are better than not having those businesses. At the hearing, we also heard from public power. I want to read from the written testimony submitted by Craig Cox, the general manager of South Central Public Power District. And I quote: from an electrical standpoint, cryptocurrency miners are ideal. They run when the demand for power is low and shut down as needed when the demand for the power is high. The 25 megawatts of load we serve have never run on an NPPD peak because we can successfully curtail them. Therefore, they are not one of the primary industries contributing to the need for more generation in the state. In fact, they're making better use of the generation we have by providing a more consistent base load. Plus, our miners don't need water. They cool with air. Because of cryptocurrency mining, South Central Public Power District has doubled energy sales without having to add a single substation or foot of transmission line to the system, and all facilities added to serve mining customers were paid for up front. We're seeing millions of dollars in additional revenue with no additional investment, which benefits every customer with lower rates. The local economy is also benefiting from the cryptocurrency industry. Wildcat Blockchain, based out of Superior, Nebraska, now employs 10 people on a full-time or part-time basis. They opened a new computer store in Superior, pays personal property taxes to the local county and around \$400,000 in state sales tax every year. They spent over \$1.7 million locally in 2024, and over \$7 million locally over the last three years. Again, that was Craig Cox, general manager of South Central Public Power District. I would encourage your green vote on AM691 and the underlying bill. Thank you, Mr. Lieutenant Governor. I yield back my time.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 3, 2025

KELLY: Thank you, Senator Murman. Senator Spivey, you're recognized to speak.

SPIVEY: Thank you, Mr. President, and good morning again, colleagues. I think this is such an interesting conversation and I appreciate the opening remarks from Senator Jacobson, and hope he would just yield to a few questions as I'm trying to learn more and better understand.

KELLY: Senator Jacobson, would you yield to questions?

JACOBSON: Yes, I would.

SPIVEY: Thank you and good morning, Senator Jacobson. I appreciate the comments about the power and the impacts that it has. My sister is an electrician apprentice, and she's been working on some of, like, the data centers, and I've been learning more just about the impacts it has on our grid and the amount of power available just for, like, our day-to-day usage. And in this process, are you finding that, like, this bill would address the power issues that this crypto mining does, and it then allows for more, I guess, usage, or for us to have the balance of power that we need for day-to-day? I'm just wondering, like, how those all work together, and has there been conversation around it?

JACOBSON: Well, there has. I, I-- it's-- needless to say, there's a lot of moving parts here. So, the state of Nebraska is part of the Southwest Power Pool, which includes other states. And so, we are called upon to provide power, and, and sometimes we're-- we call upon them to bring power. So, we're talking about a much bigger sphere for use of power. The-- Lincoln and Omaha, for the most part, have a fairly level usage. I'm not saying they don't go up and down, but they don't have the big swings. But rural Nebraska-- and again, when Senator Murman was talking about with Craig Cox-- rural Nebraska has a big peak load during the summertime when the irrigation wells are running, and then it goes down the rest of the year. That's why rural public power districts want to-- are, are not opposed; in fact, would like to see some crypto miners come out there. That's the main driver for changing this bill, was to get them to come out. And I think Senator Clouse has mentioned very few are going into cities now because they don't want to pay the local option sales tax, but they do pay the state sales tax. Senator Clouse pulled off a coup by being able to get someone to come in and locate in the town itself. So really, this is about knowing how much is being pulled from crypto, and, and likely, I'm-- I-- and they-- their biggest complaint was why not data centers, why not AI? Well, at some point, we may need to

include them, but we've got to get a handle on the massive electricity consumption so that everyday businesses that are operating today-- they're employing employees and, and creating jobs-- are going to be able to stay open. And we also don't want to build so much new power generation that our power rates go up as well. So, that's really what this is about.

SPIVEY: Yeah, that is super helpful, and I appreciate you mentioning AI and just those in the data centers, because there's just been lots of conversation about the resources they use outside of electricity but, like, water to cool those centers and these massive devices. And so, again, this is new territory for me, and so I just wanted to make sure I understood, and I appreciated your feedback and clarity. So, thank you, Senator.

JACOBSON: Thank you.

SPIVEY: Thank you, Mr. President. I yield back the rest of my time.

KELLY: Thank you, Senators Spivey and Jacobson. Senator Clements, you're recognized to speak.

CLEMENTS: Thank you, Mr. President. I stand in favor of AM691. I do have a constituent who's a cryptocurrency bitcoin miner, and I did not support adding an excise tax, but do support the interruptible power requirement so that the bitcoin people can operate but not put a stress on our power grid and our, our generation, and I think that was a good compromise. I appreciate Senator Jacobson for bringing the amendment and working with the industry. They do pay-- when they use a lot of electricity, they pay a lot of sales tax on the electricity. And if they make money, they're paying income tax, so they are contributing to state revenues. And so, I urge your support for AM691. Thank you, Mr. President.

KELLY: Thank you, Senator Clements. Senator Conrad would like to recognize some guests in the north balcony: they are a group of ninth graders from North Star High School in Lincoln. Please stand and be recognized by your Nebraska Legislature. Returning to the queue, Senator Andersen, you're recognized to speak.

ANDERSEN: Thank you, Mr. President. I rise in support of LB526 as amended by AM691, and I'd like to thank Senator Jacobson for bringing this bill and the amendment. I think it's very thoughtful. I think it looks at a modern approach, and shows that Nebraska is on the leading edge, and, and I believe that he's taking-- this takes Nebraska into

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 3, 2025

the future. So, I appreciate the forward-looking bill, and especially with the amendment. So, my thanks to Senator Jacobson. I yield back my time.

KELLY: Thank you, Senator Andersen. Seeing no one else in the queue, Senator von Gillern, you're recognized to close on the committee amendment. Senator von Gillern, you're recognized, and waive closing on the committee amendment, so the, the question is the adoption of AM691. All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

CLERK: 32 ayes, 0 nays on adoption of the committee amendment, Mr. President.

KELLY: AM691 is adopted. Seeing no one else in the queue, Senator Jacobson, you're recognized to close on the bill.

JACOBSON: Thank you, Mr. President. I just want to say thank you to all those who spoke on the bill, and I know Senator Clouse and I spent some time talking about this. I would tell you that Kearney is an example I get used a lot, but Senator Clouse did a, a great job of really recruiting them to Kearney themselves to begin with. They are interruptible, they do produce a tremendous amount of local option sales tax for Kearney. I might add that very few crypto miners in the future likely will locate in the city limits because they don't want to pay local option sales tax. It's really about cheap power and low overhead cost, and I get that. They don't hire a lot of employees, so what they do produce is they produce some personal property taxes with the mining units themselves, and they do produce some property tax, but these are largely storage containers that they use to house the particular units. At the end of the day, they pay the five-and-a-half percent state sales tax, so it is a revenue source to the state. And if they're in a rural area in particular and they're picking up non-peak load that's being produced regardless, they're offering them a much discounted rate. But nonetheless, the rural public power districts are able to get additional revenue to cover overhead and so on. So, I think once we got all the pieces together, got the people in the, in the same room to "diguss"-- discuss the differences, we were able to reach this amendment, which I think is a good amendment, and now a good bill. So, I would encourage your green vote on LB526. Thank you, Mr. President.

KELLY: Thank you, Senator Jacobson. Members, the question is the advancement of LB526 to E&R Initial. All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 3, 2025

CLERK: 35 ayes, 0 nays on advancement of the bill, Mr. President.

KELLY: LB526 advances to E&R Initial. Mr. Clerk.

CLERK: Mr. President, next item: General File, LB48 introduced by Senator McKinney. It's a bill for an act relating to public health and welfare; it establishes a family resource and juvenile assessment pilot program as prescribed; provides an operative date; and declares an emergency. The bill was read for the first time on January 9 of this year and referred to the Health and Human Services Committee; that committee placed the bill on General File with committee amendments, Mr. President.

KELLY: Thank you, Mr. Clerk. Senator McKinney, you're recognized to open on LB48.

McKINNEY: Thank you, Mr. President. I'm here to discuss LB48. It's a bill that helps families, and prevents young people from getting caught up in the juvenile justice system. This bill creates a family resource and juvenile assessment center pilot program, which would provide immediate 24/7 support to youth and families before their challenges turn into bigger problems. The centers will offer services like counseling, mentoring, job training, mental health support, and other resources to keep kids from entering the system unnecessarily. We all know that when families struggle, kids are the first to feel the impact. If there's no help available, small issues like school absences, family conflicts, or mental health struggles can quickly turn into bigger ones. Without intervention, many young, many young, young people end up in the juvenile system not because they are criminals, but because they lack the right support at the right time. LB48 aims to change that by providing a safe place for families to turn to before their situation worsens. This bill also focuses on culturally-relevant, community-driven solutions. Families in crisis are more likely to seek help from places they trust. By partnering with local grassroots organizations and leaders with lived experiences, these centers will be built around the needs of the people they serve. They will, they will increase trust, improve access to services, and ensure families get real, practical help that makes a difference. The amendment to this bill makes some important adjustments. Originally, the plan was to try to do four pilot programs, but the amendment scales this down to two centers to allow-- allowing us to test and refine the program before expanding it. Additionally, the funding structure has changed; instead of drawing from general-- the General Fund, the program will be funded through the Medicaid Excess Profit Fund, ensuring the funds come from existing

resources and do not require new taxes or additional spending. The amendment also limits administrative costs, making sure most of the funds go directly to the services for the families. This bill isn't just good for families; it's also a smart financial decision for state. The cost of jailing a child is far higher than providing support services. Every dollar spent on prevention saves taxpayers money by reducing future court, incarceration, and social service costs. With clear goals and built accountability measures such as data tracking and program evaluations, we can make sure the centers are delivering real results and adjust them as needed. Other states like Nevada have already seen success with similar programs, and Nebraska has a chance to lead the way in creating a more effective and compassionate approach to, to the juvenile justice system. This bill is about giving kids and family a fair shot at success rather than letting them slip through the cracks. Supporting this bill means choosing prevention over punishment, community support over crisis intervention, and opportunity over adversity. This bill was supported by the courts, and surprisingly, it was also supported by the Nebraska County Attorney(s) Association. They rarely support a lot of my bills, but they came in and supported this bill because even they understand that if we focus on prevention, we would keep our kids out of the system, and that's why I think you all should support the bill as well. And there is an amendment that addresses what I discussed in my opening. Thank you.

KELLY: Thank you, Senator McKinney. As the Clerk stated, there is an amendment from the committee, Health and Human Services. Senator Hardin, you're recognized to open.

HARDIN: Thank you, Mr. President. Committee amendment AM680 reduces the four centers for the pilot program to two centers. In addition, AM680 removes the \$1 million funding from the Health and Human Services Cash Fund for the four centers. The new language provides, subject to available funds, each designated center shall receive up to \$500,000 annually from the Medicaid Managed Care Excess Profit Fund. If such funds are not available, no general funds shall be used. No more than 10% of funds appropriated for the Family Resource and Juvenile Assessment Center Pilot Program, up to \$100,000 per year, shall be used to administer the pilot program. Finally, AM680 adds the Family Resource and Juvenile Assessment Center Pilot Program to the list of services under the Medicaid Managed Care Excess Profit Fund. The Health and Human Services Committee advanced LB48 with an AM680 by a vote of 6-1. I would appreciate your green vote on AM680 to LB48. Thank you.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 3, 2025

KELLY: Thank you, Senator Hardin. Returning to the queue, Senator Juarez, you're recognized to speak.

JUAREZ: Thank you very much. I'd like to ask Senator McKinney to yield to some questions. I don't know where he went. Oh, there he is.

KELLY: Senator McKinney, would you yield to questions?

JUAREZ: Sorry, I saw you go that way.

McKINNEY: Yes.

JUAREZ: OK. Thank you. So, I just have a couple questions. First of all, you know, obviously, you felt that there were some gaps that exist in our communities that aren't addressing the needs that you feel you had to bring forth this bill. And I guess like one question that I have is in regards to the evaluation, the annual evaluation, who actually will be involved with that? Because I would like to know how we'll find out annually about the outcome and how it's going, and who can participate on the evaluation.

McKINNEY: The department would be, would be doing the evaluations. The centers would be required to submit a report and do their evaluations, and the department would be conducting those.

JUAREZ: So, would it be the Department of Medicaid? Is that who you mean when you say that?

McKINNEY: Health and Human Services.

JUAREZ: OK. And do you think that it would be a good idea, I guess, to have members of the community play a part of that evaluation? Or maybe we could see how this first year goes and how we want to proceed. I guess I'm a little concerned about not having the opportunity for community members to feed-- to provide feedback if they think improvements are needed, besides just HHS.

McKINNEY: I think the community can provide feedback as far as-- they will have to do evaluations with the community, and the community can provide feedback. So, based on that report, they-- it, it would also be community giving feedback to the centers as well.

JUAREZ: OK. Thank you for that clarification. I was just-- I just think that it's really important to keep the community input into a, a program like this.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 3, 2025

McKINNEY: And it would also have advisory councils that would involve the community. The community would be involved in the centers through advisory councils as well.

JUAREZ: OK. And do you, do you have an idea of how many members will be a, a part of those councils?

McKINNEY: It would--

JUAREZ: Do we have that kind of detail?

McKINNEY: It would be up to the centers.

JUAREZ: OK.

McKINNEY: Yeah.

JUAREZ: And as far as-- if there was a huge variety of issues that you felt the community need to be addressed, what would you say is, like, one of the most critical ones on where you saw failures that you felt there was the need to go this route?

McKINNEY: When I've talked to families and youth in the community, they honestly just don't know where to go for help. That's the biggest issue, and that's why I brought this. They don't even know where to go for help.

JUAREZ: OK, so it's a very basic need then, unfortunately,--

McKINNEY: Yes.

JUAREZ: --I would say. OK. Thank you. Those are all my questions. I yield the rest of my time.

KELLY: Thank you, Senators Juarez and McKinney. Senator Riepe, you're recognized to speak.

RIEPE: Thank you, Mr. President. I felt compelled to make some remarks because I was the "no" vote on the committee, and my fellow colleagues in here need to understand my position on that. First of all, I think that I always get nervous when you have a pilot program which accumulates over five years, and that fundamentally would be a \$5 million program. Now granted, it doesn't come out of the general funds, and it would come out of DHHS, but it's still money. I think-- and with all due respect to Senator McKinney; he has a real heart for it, and he has a real community that has this piece. But I also

understand the Omaha market, and we have a lot of boys' clubs and girls' clubs and YMCAs and agencies and everything else that are addressing this. I don't believe there's a sufficient enough plan behind it, I don't believe that the funding is well-spent, and that's why I voted no, and that's why I will vote no on both the amendment and on the underlying bill. But thank you, Mr. President. I yield the balance of my time.

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

KAUTH: Thank you, Mr. President. Reading through this, it, it sounds very nice, but again, to echo Senator Riepe, there are already a lot of programs out there that are-- work to help kids and work to help them through the juvenile justice system. I would prefer to see a comprehensive assessment of everything that is out there, everything that is available, so that when we make these decisions, we're not playing on emotion, we're playing on facts. It seems to be a, a very unnecessary creation of more bureaucracy that will only grow, and not actually-- a pilot program usually keeps going. With the money coming from DHHS Medicaid fund-- I know it shows no fiscal note because it's not coming from general funds, but the Medicaid fund is tight. We need those money-- I talk to people-- developmentally disabled, I talk to people who are dealing with autism, I talk to people all the time who need that money. And I think to create a pilot program on something that, again, is redundant would be irresponsible. So, I will be voting no on this. Thank you, Mr. President. I yield my time.

KAUTH: Thank you, Senator Kauth. Senator Andersen, you're recognized to speak.

ANDERSEN: Thank you, Mr. President. I rise in opposition to LB48, and would ask if Senator McKinney will yield to some questions.

KELLY: Senator McKinney, would you yield to some questions?

McKINNEY: Yes.

ANDERSEN: Thank you, Senator McKinney. I see the fiscal note was actually produced before the amendment. Have you gotten an updated fiscal note?

McKINNEY: It gets updated once it gets a-- once we move forward.

ANDERSEN: OK, so we don't know how much this is going to cost at this point?

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 3, 2025

McKINNEY: I mean, yes and no.

ANDERSEN: What does that mean?

McKINNEY: I mean yes and no.

ANDERSEN: It's less than \$4 million, right?

McKINNEY: Yes.

ANDERSEN: OK. Well, there's a lot of trade space in less than \$4 million. I noticed it's only the cities of the metropolitan class. That means that this pilot is only for Omaha, right? That's the only metropolitan class size city.

McKINNEY: Yes.

ANDERSEN: OK. But do you have the same concerns with-- you know, in Lincoln and other counties and all that as well, correct? Is this just the proving ground for that? Is that what my assumption is?

McKINNEY: Yes.

ANDERSEN: OK. As a pilot program, I see there's five years on the bill, but I don't see any kind of sunset clause. Is there, is there going to be a sunset clause to make sure that it ends after five years unless it's, you know, reapproved by the Legislature?

McKINNEY: It would have to get reapproved. It's a five-year pilot; it don't need a sunset. It would have to-- some-- somebody would have to come back in and reapprove it.

ANDERSEN: OK. I saw you have in there the grass-- grassroots organizations. Are those-- I assume those are 501(c)(3)s, non-profits that are going to be part of the solution?

McKINNEY: Some of them, yeah.

ANDERSEN: OK. And what do you see their, their specific role? If you could elaborate.

McKINNEY: As getting-- one, making sure-- building connections with the kids. Because what you see is a lot of the traditional organizations can't get to the kids, especially the kids we're discussing as far as the ones that are entering the juvenile justice system. A lot of the grassroots organizations have those

relationships, and you need the grassroots organizations to be able to get the kids connected to the resources.

ANDERSEN: OK. That's great. As the conduit to the, the kids, that's fantastic. What do you see the division of funding-- if we just assume this could be a million dollars a year, how do you that split between the different components within the bill? I mean, the 501(c)(3)s, do you them as a third partner so they would be \$330,000 a year? Have you, have you thought that far through it? Or--

McKINNEY: It would be up to them when they apply for the designation about how they break it down and how they decide to utilize the funds, but it would be geared towards getting them connected to mental health supports, counseling, job supports, those type of things. Financial literacy supports, jobs, all that.

ANDERSEN: OK. I noticed in the, the amendment it also talks about facility, but it doesn't say anything more about facility. Do you envision this being a building that's purchased or rented?

McKINNEY: No. Whoever-- this came up in the hearing. Whoever applies would already have a, have a facility. Most, most people would already have a facility; they would just apply for the designation to be designated as a Family Resource and Juvenile Assessment Center.

ANDERSEN: OK, so that's maybe where the 501(c)(3) comes in, you give them X number,--

McKINNEY: Yeah.

ANDERSEN: --a couple hundred thousand dollars, they put a sign out that says that's what they're there for. That's what you're envisioning?

McKINNEY: Yes.

ANDERSEN: OK. And then, with the funding being now DHHS and Medicare [SIC], I would, I would submit that to a certain extent that's kind of irrelevant, because all the money that we spend comes from our friends, family, and neighbors. So, whether it's DHHS, Medicare, General Fund, we're still spending somebody else's money. And with that, I'll yield back the rest of my time. Thank you, Mr. President.

KELLY: Thank you, Senators Andersen and McKinney. Senator Hardin, you're recognized to speak.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 3, 2025

HARDIN: Thank you, Mr. President. Just check the notes again on the amendment; page 4 of the amendment articulates that the total for this pilot program would be \$1 million, if available. And so, that is a big "if," and Senator McKinney and I talked about this during the process: just that it's coming from a cash fund, a cash fund that has, frankly, much more demand than supply that's in it. And so, that is a reality of it, and so, he understands the challenge that, since this does not fall back to general funds, that it could end up being a bill that's passed that does not have an actual funding source. But it's an idea that he would like to bring forth for the community, and it's been cut in half. And so, it could be up to \$500,000 per location, two locations. And so, those are the, the, the good side, the challenging side of LB48. So, I just wanted to make those clarifications. Thank you, Mr. President.

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

BALLARD: Thank you, Mr. President. I'd just like to take a moment. I was one of the six votes that voted this out of the committee. I just want to thank Senator McKinney for working with the committee. He did reduce his fiscal note significantly in using, as the chairman said, excess profit fund. But the committee looked favorably upon this because it is focused on prevention. The, the courts came in in support; as Senator McKinney said, the county attorneys came in support. And it's looking at areas that are impacted and trying to find, find resources to those committees. So, I just want to thank Senator McKinney, and I will be voting green on this, LB48. Thank you, Mr. President.

KELLY: Thank you, Senator Ballard. Seeing no one else in the queue, Senator Hardin, you're recognized to close on the committee amendment, and waive. Members, the question is the adoption of AM6-- AM680. All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

CLERK: 29 ayes, 8 nays on adoption of the committee amendment, Mr. President.

KELLY: AM680 is adopted. Seeing no one else in the queue, Senator McKinney, you're recognized to close.

McKINNEY: Thank you. And in my close, I'll read an email from a youth from the community that makes, makes this bill hit home. Dear Senator McKinney, I wholeheartedly support LB48. Our youth and their families

need this more than ever. I just ask that you continuously fight for this bill, giving the circumstances of our city right now. This bill in itself and the things it promised to do is an enormous step towards the improvements of our city of-- as a whole. When the bill is passed and a program is established, please fight to ensure it's being used for its intended purposes and the money that's being granted is being used rightfully. There has been constant murmurs about what's being done for youth and how we're being helped, but none of that work is evident. I truly feel as if the pilot program would be a breakthrough, if used correctly, if those working in it genuinely care for the cause. So, when picking staff, please ensure that their hearts and minds are in the right place. It is essential when running a successful establishment, specifically when that establishment is full of youth. Thank you. Jada [PHONETIC].

KELLY: Thank you, Senator McKinney. Members, the question is the advancement of LB48 to E&R Initial. 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. Record, Mr. Clerk.

CLERK: 24 ayes, 5 nays to place the house under call.

KELLY: The house is under call. Senators, please record your presence. Those unexcused senators outside the Chamber, please return and record your presence. All unexcused members, please leave the floor. The house under call. Senators Hallstrom, Storer, Quick, Jacobson, and Bostar, please return to the Chamber and record your presence. The house is under call. Senator Machaela Cavanaugh would like to recognize some guests in the north balcony: they're fourth graders from Christ the King in Omaha. Please stand and be recognized by the Nebraska Legislature. Senator Sanders, Hallstrom, and Jacobson, please return to the Chamber and record your presence. The house is under call. Senators Jacobson and Sanders, please return to the Chamber and record your presence. The house is under call. All unexcused members are present. The vote was open. Request for a roll-call vote. Mr. Clerk.

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

voting yes. Senator Fredrickson voting yes. Senator Guereca. Senator Hallstrom voting yes. Senator Hansen voting yes. Senator Hardin voting yes. Senator Holdcroft not voting. Senator Hughes not voting. Senator Hunt voting yes. Senator Ibach not voting. Senator Jacobson not voting. Senator Juarez voting yes. Senator Kauth voting no. Senator Lippincott voting no. Senator Lonowski voting no. Senator McKeon voting no. Senator McKinney voting yes. Senator Meyer voting no. Senator Moser voting no. Senator Murman not voting. Senator Prokop voting yes. Senator Quick voting yes. Senator Raybould voting yes. Senator Riepe voting no. Senator Rountree voting yes. Senator Sanders voting no. Senator Sorrentino. Senator Spivey voting yes. Senator Storer not voting. Senator Storm voting no. Senator Strommen voting no. Senator von Gillern voting no. Senator Wordekemper voting no. Senator Conrad-- vote is 22-- 22 ayes, 14 nays on advancement of the bill, Mr. President.

KELLY: The bill does not advance. I raise the call. Mr. Clerk, next item on the agenda.

CLERK: Mr. President, LB382 introduced by Senator Meyer. It's a bill for an act relating to aging services; amends Section 81-2224 and Section 68-996; provides for appropriation of funds from the Medicaid Managed Care Excess Profit Fund to reimburse designated area agencies on aging; and repeals the original section. The bill was read for the first time on January 16 of this year and placed-- and referred to the Health and Human Services Committee; that committee placed the bill on General File. There's currently nothing on the bill, Mr. President.

KELLY: Senator Meyer, you're recognized to open.

MEYER: Thank you, Mr. President. I come before you today to introduce LB382. This deals with our area agency on aging. It provides a wide range of services to seniors to promote health, safety, and long-term independence. In 2024, area agencies on aging serviced 36,123 clients in programs, different kinds of programs, to promote health, safety, and the long-term independence of our seniors. We served 1,360,546 meals. 1,360,000-plus meals. Many Nebraska seniors depend on these kinds of programs in order to remain living independently and self-sufficiently in their own homes. The Nebraska agency on aging is currently running about a \$4 million deficit. LB382 will keep our area agency on aging afloat for the next two years. LB382 directs the Legislature to appropriate \$2 million in fiscal year 2025-- 2025-2026, and another \$2 million in fiscal year 2026-2027 from the Medicaid Managed Care Excess Profit Fund, of which we're all very familiar, and that should go to the area agency on aging for the express purpose of

providing activities and services associated with the Nebraska Community Aging Services Act. Because the bill specifies the two fiscal years of 2025-2026 and 2026-2027, this should be considered a one-time expenditure from the cash fund. The Medicaid cash fund that we've referenced has sufficient revenue to cover these costs. My staff and my office had reached out to Mikayla Findlay in the Fiscal Office to check out the numbers and just where we were at initially at the beginning of the year. At the end of the fiscal year 2024, cash fund-- the cash fund had a balance of \$45,645,160. Once obligations for this year are met, the fund will have an approximately \$10 million balance. An additional \$20 million are projected to be deposited in that fund this year, so there are sufficient funds, and we are not requiring anything out of the General Fund. Since-- in, in the last-- one of the issues we deal with-- I'm probably better ad-libbing here than, than actually reading copy. As of 2020, 15.7% of our state's residents were 65 and older, a 17% increase over 2010. Every five years, we are increasing our aged population 65 and older by about 30 percent. So, this is going to be a continuing problem for us. Once again, I, I think this is a, a, a situation that we can remedy. And going forward, we're going to have to be very conscious of supporting our seniors and those most vulnerable in our communities. With that, I would urge you to pass LB382 to keep these programs going through 2025 and 2026. Thank you.

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

M. CAVANAUGH: Thank you, Mr. President. I yield my time to Senator McKinney.

KELLY: Senator McKinney, 4 minutes, 55 seconds.

McKINNEY: Thank you, Senator Cavanaugh. And thank you, colleagues, for not advancing my priority bill, a priority bill focused on prevention and making sure juveniles don't end up in the juvenile justice system; a bill to make sure that youth and families get resources and help. Thank you for not supporting that. It shows where we're at. It keeps with the theme of this session that we're not focused on helping people. Thank you for not voting for that. It's not unnecessary, Senator Kauth. It's not unnecessary because there's no program like that. It's not unnecessary, it's not redundant. Go find a program like that in the city of Omaha. I'd-- I'll, I'll bet you a-- I'll bet, I'll bet you. Go find it. You won't. So, don't stand up and say it's unnecessary. It's, it's really showing when people stand up and say that they care about youth and they care about kids and they vote

against something like that. It's hypocritical. Time after time, people show who they are, truthfully: hypocrites. Because you don't care about kids, you don't care about keeping kids out the system. You care about keeping up with the status quo, and that's what you're showing, Senator Andersen. That's what you care about, the status quo. Keeping black kids in the system, that's what you care about. That's the problem with this place. It is, it is showing and it's frustrating. And I-- you know, like, people ask me, like, what do you want to do? And I was really, like, honestly trying to be optimistic about this session. I really was. But my optimism was, was predicated on that bill. Whether I was going to stay optimistic, or-- I don't got the words for it, because I'm not going to say the words on the mic. But y'all get what I'm saying. Because we got bills trying to lock up kids at 12 years old, and the, and the introducer of that bill votes against the bill, but he don't want to talk about the cost it's gonna take to lock up those kids. It costs more to lock up those kids than it would be to pay for my bill. But y'all don't care about that cost, Senator Kauth. That's the problem. You don't care about prevention; you care about the status quo, and the status quo just don't work for me. It don't work for my community. And you care about kids and families. That is hypocritical. Don't stand up and say it, because it's a lie. The system is working how it's supposed to be because people in places like this don't have the political will to make the changes that it needs to make. A redundant program. It's not redundant. Because if it was redundant, it would be in place already. Are we serious? But, you know, other people have priority bills. So, I hope-- well, we don't have a lot of time, according to the Speaker, but other people have priority bills, and my priority bill just went down the drain, so I have time. So, just think about that. It's very showing that the status quo is going to keep with the status quo, and people just voted against a bill because they thought it was unnecessary. But it's not unnecessary because we're talking about lives; we're talking about helping people. But you don't care about that. You care about the status quo and just not doing something, not doing the right thing. It's not going to be OK, and don't ask me-- or tell me it's going to be OK. Don't smile in my face because I'm not happy, and I'm not going to be happy for the rest of this session. Thank you.

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

RAYBOULD: Thank you, Mr. President. Senator McKinney, I want to say I'm, I'm sorry that your bill did not pass. It's, it's a bill that I supported, and it has a lot of merit, and maybe our body will have an

opportunity to reconsider it. But I did want to stand and speak in support of LB382, and there's a number of reasons why. I've been a county commissioner and on the Lincoln City Council, and have been actively involved in the area agencies on aging for all those, all those years. And I can tell you that these programs serve a wide swath of seniors, not only throughout my community but throughout our entire state. And I think sometimes it's, it's important to remember all the services they offer. I mean, they offer vital senior programs, they offer our senior centers that-- I felt like I was on the senior center circuit, going from one senior center to the other, and they are a very fulfilling place. They offer nourishment to our seniors, they offer community to our seniors, they offer activity, but they also offer an opportunity to check in on the well-being of one another. It combats isolationism, and it creates the support and awareness that all of us will need as we age. But more importantly, they provide so many other services. They have the home-delivered Meals on Wheels, senior senators [SIC], their meal programs, caregiver services, transportation, and personal care. And sadly, 22 of Nebraska's 199 aging centers have had to close-- 22-- despite a senior population in our state that is increasing. These type of services allow our seniors to stay in their homes. I want to, to read a wonderful response from someone who gave their comments online. She said: I wish to express my sincere support for LB382. It is hard to grow old. The body withers, but the spirit stays strong. At some point, it is certain that I will spend some time in a nursing home, but that time is not now. I am 87 years old; I enjoy an independent lifestyle in my own home. I have dignity and self-respect. I have joy. However, without the services provided by agencies, my life would be different. I would not have friends coming in daily to visit me and help with meals, medications, bathing, and transportation. I would not have a lovely apartment to live in. It was an agency that helped me apply for housing. I have limited immediate family, and need to rely on the resources the agency provides so willingly and with care and consideration. I know that young voters and those with finances will not see the importance of these agencies, but they should know that everyone will age. Financial stability shifts as the economic winds blow. Everyone will need help, and it is the aging agencies that will reach out and provide the safety net of services everyone needs. Please keep these agencies. And so, I ask my colleagues to consider approving LB382 because it, it permits the area agencies on aging to use the Medicaid Managed Care Excess Profit Funds to reimburse some of the tremendous expenses that continue to grow as our senior population continues to grow. Thank you, Mr. President.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 3, 2025

KELLY: Thank you, Senator Raybould. Mr. Clerk, for a priority motion.

CLERK: Mr. President, Senator Machaela Cavanaugh would move to indefinitely postpone LB382 with MO152.

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

M. CAVANAUGH: Thank you, Mr. President. Colleagues, I think I told you this at the-- very early on in session; it might have even been the first day, when we decided on committees. This Legislature has consistently shown me-- and I appreciate it, because you've done it from the beginning-- but you have consistently shown me that you will give the people of Nebraska nothing unless it's something you want. And you will stand up when truth to power is spoken to you, and you will silence it. The vote that was taken on the last bill was egregious. It was egregious to not move a senator's priority bill from General to Select because you think it's, quote, unnecessary. It is complete and utter baloney skittles, 100%. It's not OK. And the good thing is that, since the beginning of this session, no matter how hard I tried, you all kept showing me that I would get nothing; nothing that I care about would go anywhere. You would destroy everything just because you can. You will spite-- cut off your nose to spite your face, because Senator McKinney's program is a cost-savings program. It's a reduction in systems-involved children. It's a good program. It's a good idea. But it's Senator McKenney's idea, and I don't know if it's because he's black or because he is a Democrat, but there's some reason in there that you all can't vote for his things. And I don't know if it's because I'm a woman or because I am a Democrat that you all have to torture me constantly by slapping down vulnerable populations of people. The whole reason I'm here is to serve those people, to serve those who can't stand up and advocate for themselves. That is my job. That is my responsibility. And you keep showing me that I need to keep standing here speaking truth to power. So, I'm going to, until this is resolved. You can not continually push down the people of Nebraska and expect me not to stand up. You can't keep pushing people down and expect me to sit down. I have tried to play it your way. I have tried and tried and tried. I have tried to talk to you, I've tried to build relationships with you, I have tried to explain to you basic human dignity, and it doesn't matter. You've already decided. You're going to kill these bills, and you're going to ramrod through the bills that hurt Nebraskans. That's who this Legislature is. Freshmen Republicans in this body, have a freaking backbone. You were sent here to do a job, and it wasn't just to push the red button against Democrats, Senator Meyers [SIC]. It was to improve the lives of your constituents and to improve lives of the

state of Nebraska, Senator "Woodenkemper" [SIC]. That's what you were sent here to do, Senator Strommen, Senator Storer. So far, only one of you has a backbone that I can see. No, no. I'm not playing. This-- I'm, I'm done. And this bill doesn't even matter because your president is cutting funding to Meals on Wheels. And I look forward to the questions on debate on LB382. What are we gonna do? Because actually, the president already "cutted" funding to Meals on Wheels. So, I hope you all get on the microphone, and you get Senator Meyers [SIC] on the microphone, and you ask him if we should be doing this with that happening. It's not a maybe; it happened yesterday, it was in the news yesterday. How much time do I have?

KELLY: 5 minutes, 1 second.

M. CAVANAUGH: Thank you, Mr. President. We can adjourn whenever we want. I'll take this until we adjourn. We're not getting to a vote on this today. We're going to fix what you all just did over the weekend, that's what we're going to do. Or, we can fix it now. But I am not going to sit down until it's fixed. I am not. So, Monday, Moody's AAA rating came out, and Nebraska has a AAA rating, and I talked to a financial reporter about it. They were telling me about all the criteria; one of the criteria is that we have had a robust and increasing cash reserve that's been building up since 2019. And I laughed, and I said, well, that's going to end because we have to-- we have to spend \$1.2 billion on property tax relief, which-- we do not levy that tax, so we're taking the hard-working dollars of working Nebraskans' income taxes to pay for property tax relief for property owners who-- not all of them are working Nebraskans. Some of them are retired. If they're military and retired, they don't pay any income taxes in Nebraska. So, we're taking that money. And so, when we have to, we'll take-- we're taking cash transfers out of the cash reserve, so our cash reserve is going to start to decline. So, that AAA rating's going to go away. I look forward to that. When you make people beg for scraps, you get-- you reap what you sow. And I just-- I'd say I've never been more disappointed, but as my brother mentioned in 2023 that I said this all the time, and it was, like, well, it's an exponential thing, so it's-- there's always more room to be more disappointed or lose more respect. But being mindless soldiers for whoever you're being a mindless soldier for instead of an independent legislator, you've got in the wrong job. If you want to actually make a change, if you want to improve the lives of the people of this state, you're going to have to stand up, and you're going to have to fight for things that you believe in, if you believe in anything at all. I'm so ready to not be here anymore. And I love this job, but you all are crushing my soul minute by minute, and day by day. So, I'm going to stand until you fix

this, and I'm going to talk about whatever I want to talk about and in whatever way I want to. So fix it, colleagues, so that we can move forward Senator Meyer's bill that is going to be cut at the federal level. But he's a Republican and he's white man, so we can do that. Thank you, Mr. President.

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

DUNGAN: Thank you, Mr. President. Good morning, colleagues. Again, I know we're getting-- well, actually, it's afternoon. My apologies. These last day of the weeks where we kind of talk through or debate through the afternoon breaks sometimes confuse me. I wanted to get up and say just a couple of things briefly. First of all, I'm in support of LB382, and I want to thank Senator Meyer for this bill being his priority. I think it's really indicative of the fact that we do have a lot of folks in this body who are trying to, you know, come up with these common-sense bills that really do, you know, cut through all the vitriol and cut through some of the social issues that are wedge issues between all of us, but instead, then, seek to find these common-sense solutions to actually helping people. I'll be honest, LB382 wasn't necessarily on my radar before a couple of days ago, and we were, you know, trying to get caught up on the agenda to make sure we understood what was going on. And I, too, similar to Senator Raybould, got some emails for some-- from some people about LB382, and was moved, I guess, by some of the concerns that they had expressed. And I do think, generally speaking, that our job here at the Legislature is to help all Nebraskans, which includes, oftentimes, people from all across a broad swath, but specifically the people who need to help the most, the most disadvantaged. And when we're talking about things like Meals on Wheels and helping people who can't otherwise maybe get assistance, I think it's our job as Legislature-- legislators in the Legislature to find a way to help those people as best we can. So, I'm really thankful that Senator Meyer brought this bill, and I think that he's been very thoughtful in putting together a funding mechanism. The funding mechanism, it sounds like, in this is maybe a one-time expense, I, I believe. I'm not entirely sure I read the fiscal note accurately, but it seemed like it was maybe a one-time expense coming out of the Medicaid Excess Profit Fund. And the Medicaid Excess Profit Fund is one that we've talked a little bit about this year already, and then also last year with a number of bills. My understanding is that that fund, as was mentioned in the opening, currently has a fairly healthy amount of money in it. We're talking upwards of \$30-plus million, I believe, and I think it's my understanding that that fund is also likely to get another influx of,

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 3, 2025

I think, \$40 million or something, maybe to the next year. So, the point being when we're talking about a relatively small amount coming out of the Medicaid Excess Profit Fund, it is really just a drop in the larger bucket of a fund that is specifically designed to do this thing. So, the Medicaid Excess Profit Fund was essentially created with an effort to make sure that excess profit earned by the MCOs was able to then be utilized for folks on-- or, to serve the same purpose of Medicaid. And I think it's been a-- it's a really, I think, helpful program. I was wondering, Speaker Arch, would you be willing to answer just a brief question? It's not a gotcha question.

ARCH: Yes.

DUNGAN: Speaker Arch, I think that you were maybe, at least in part, working on the creation of that Medicaid Excess Profit Fund a few years back. Can you just explain a little bit more of what exactly that was intended to do, with regards to why it exists and what the money is supposed to go to?

KELLY: Speaker Arch, would you yield to some questions?

ARCH: Yes, I will. Yes, absolutely. So, it was with Senator Stinner and I at that time, because what was happening was the Medicaid Act-- the-- those-- the, the MCOs are-- have a, have a limit on the amount of profit they can make, and they have to turn back whatever is above that. And so, whether it be low-- lower utilization or perhaps some things that they do within their-- within the MCOs, whatever that is, it may produce excess profit, and that has to come back. Without-- before we created the excess profit fund, the-- those dollars were actually at the disposal of, of the, of the MCOs, where they could use them for community benefit, but it would be their decision. Senator Stinner and I decided, like, those are dollars that we had actually appropriated to begin with; those are, those are state-appropriated dollars, so if we appropriated those and they're not being used, we ought to be the ones to decide how they should be used in the future, so we created that fund.

DUNGAN: And it's my understanding that that fund does have kind of a specific definitions portion of what it's supposed to be used for.

ARCH: It is to be used for Medicaid. It is to-- it is to use to strengthen the Medicaid program. That is what they're to be used for.

DUNGAN: Thank you, Speaker Arch. And, and so, colleagues, the reason I highlight that is this fund is specifically for a population of

people. And when we seek to utilize that funding for those people, I don't think that we need to be as hesitant about it as maybe sometimes we are. Obviously, we have to be fiscally responsible; we're all for that here in this Legislature. But I think the most important thing we can do is utilize those funds for exactly what they're supposed to do, which is to help people. So, rather than letting them sit unutilized, this bill is a really good way to make sure those funds are ultimately used. And I think that there's other bills we've seen, such as Senator McKinney's before,--

KELLY: That's your time, Senator.

DUNGAN: --that do the exact same thing. Thank you, Mr. President.

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

J. CAVANAUGH: Thank you, Mr. President. Well, I rise in support of LB382 and opposed to the IPP. And I supported Senator McKinney's bill before that. And I have something to say, but I did-- I was just discussing with Senator, Senator Fredrickson under the balcony here, and it occurred to me today is my mother-in-law's birthday, and she watches the Legislature often. And so, I wanted to wish my mother-in-law Ann a happy birthday. I think she's 29 this year. So, you know, happy 29th birthday, Ann McGill. Hope you're enjoying watching the Legislature on this lovely April 3. So, I-- yeah, so I supported Senator McKinney's bill on the last one; I support this one, and I appreciate the-- what Senator Meyer is trying to accomplish here by making sure folks continue to get food, which I-- always supportive if we can make it so people get food. I think that's a great objective. But Senator McKinney's bill, I didn't talk on it because, you know, there wasn't a lot of articulated opposition. And-- but I do think it's a really important bill. We, we have issues-- I brought a bill that would have changed the jurisdiction of juvenile court. In tandem, I think Senator Riepe brought another bill to change the jurisdiction of adult court and juvenile court. And the reason both of us brought that is that what we're currently doing is not working, right? We are getting to a point where we are seeing younger kids committing serious offenses. And so, to say that something is unnecessary is patently untrue, because we have-- the governor has prioritized trying to do something about it, I have brought a bill to try to do some about it, Senator McKinney brought a bill to do something about it. That's what that bill is; it's an attempt to address the clear issue we have. Senator McKinney is addressing it in a preventative fashion, which is to spend some money up front to save

money in the long run. Because if you don't invest in getting these kids the help that they need, they're going to end up in the juvenile justice system, and then they're going to end up the adult justice system, and then they're going to end up in the carceral system, and we have to pay for every one of those steps along the way. So, to say that there's not a problem that this isn't addressing and that it costs too much is foolish. We need to invest at the front end because we save money in the long run when we do that. So, Senator McKinney's bill is an incredibly thoughtful approach to solving these system-wide problems that we have, and we cannot continue to only solve our problems by increasing penalties, increasing length of, of incarceration, decreasing opportunities for people. We have to take a different tack and find ways to try to help these kids before they get too far into the system. People who are in the juvenile justice system, in the, in the courts are way more likely-- the data is clear. Once you're in the system, you're way more likely to be in the system longer and for more things, and then ultimately in the adult system. So, if we can find ways to head it off at the pass and stop 100 kids from going into the system, we will cut from having 75 kids down the stream, and we'll cut from 74 after that in the adult system, because almost every single one of them that are in juvenile court will end up in adult court. So, I support Senator McKinney's bill, and I think that many people maybe didn't vote for it because they weren't really paying attention to what we're talking about. There's no General Fund impact; Senator McKinney is taking money from a cash fund. There is a real reason to do it. It's supported by prosecutors, the county attorneys; it's supported by ACLU; it's supported by defense attorneys; it's supported by people who work in the system; it's supported by the courts. Supported by everybody who is involved in what we're talking about here and that can see that we have a real problem that needs addressing, and this is an attempt to solve that problem without putting more people in custody and having, by the way, more crimes committed. So, when people re-offend, they committing a crime, meaning somebody else is a victim. If we can invest early and decrease crime, we're decreasing people who are victims. So, I support Senator McKinney's bill, I support LB382, and I'm opposed to the IPP. I'm hopeful we can get to a resolution here before the end of today, and we can all go into our four-day weekend and rest up for what I'm sure will be a thrilling week next week. So, again, happy birthday, Ann McGill. Thanks.

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

CLOUSE: Thank you, Mr. President. I rise in support of LB382 with Senator Meyers [SIC]. In a previous life, I had done a lot of work with the senior centers and the Meals on Wheels. When I lived in North Platte, I saw how challenging it is to support Meals on Wheels, and just the work that they go through in these senior centers is very challenging. They do things with-- they used to do things with pickle cards and garage sales and bake sales and bingo, anything to keep the doors open on these senior centers. And we, we do a lot of work, and I've supported SNAP and the-- some of the school funding for the free and reduced lunches and, and breakfasts, all those types of things to feed our kids. But I've always maintained we also need to take care of our elderly. And not, not totally elderly, but those-- some of us of the age in this room that we can go to these senior centers and, and have a great meal and, and get some nourishment. A lot of these folks, this is the only meal they get during the day. And so, for to support them, you know, we need, we need to provide the support we can, and the Medicaid Managed Care Excess Fund-- I was glad to hear Senator Arch, or Speaker Arch describe what that was because there are a lot of funds that we deal with every day, and so getting an explanation of what those are and how they are arrived at, I think that's important, and I appreciate that. We have eight area agencies across the state, and I've worked with several of them over the years, not only just in my community but also, as I mentioned, in previous communities. So, I support this. You know, the, the funding mechanism, if it's there, it's always a challenge on, on funding. And again, this might-- something that we just need to do to support those that are in need on the other end of the spectrum. And so, I will support this bill; oppose the, the amendment-- or, the motion. And I will yield the rest of my time. So, thank you, Mr. President.

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

M. CAVANAUGH: Thank you, Mr. President. I was reading the article, this one, because it doesn't have a paywall-- thank you, NPR-- it was on NPR-- about HHS layoffs hit Meals on Wheels and other services for series-- seniors and disabled-- and the disabled. The layoffs at the Department of Health and Human Services slash the staffs or-- of major federal aging, disability, and anti-poverty programs, leaving the future of those programs uncertain. At least 40% of staff got laid off-- layoff notices, and were turned away at the front door when they showed up to work at the Administration for Community Living, or ACL, which coordinates federal policy on aging and disability. That's according to the agency's former director under the Biden administration, Alison Barkoff, who says she talked to multiple

members of her former staff. The agency funds programs that run senior centers and distribute 216 million meals a year to older and disabled people through the Meals on Wheels program. "The programs that ACL implements improve the lives of literally tens of millions of older adults, people with disabilities and their families," caregivers, says Barkoff, now director of a health law program at George Washington. There's no way to have these RIFs and not impact the program and people who rely on them. Last week, the announcement of coming layoffs at HHS said that ACL's responsibilities would go to different parts of HHS. But Project 2025, the Heritage Foundation's guide for reshaping government, has suggested that ACL take on the work of special education services once the Department of Education is dismantled. It's not clear where that "wilk"-- work will be done. In addition, every staffer was laid off from the Division of Energy Assistance according to two employees who lost their jobs on Tuesday. This is the LIHEAP program, the Low-Income Home Energy Assistance Program, which somebody was talking about earlier this week, and I think was mispronouncing it. It-- the acronym is LIHEAP. Anyways, it's 5.9 million low-income households pay heat and cooling bills and, and pay for home repairs to boost energy efficiency. So, that sucks. Great. Cuts to LIHEAP and Meals on Wheels. So, I asked Senator McKinney about his bill and if any of the people who voted against it shared actual concerns or asked any questions, and I know that Senator Riepe opposed it in committee and then he also opposed it on the floor, so this doesn't include him. But what about the rest of you? You heard Senator John Cavanaugh say that it was completely worked out with all interested parties; there was no opposition to it except for Senator Riepe, which-- he's entitled to oppose. But there was no opposition, nobody from any state agency opposed it, so I don't know why you voted against it. I don't know what the reason was to vote against it. No one opposed it. It's not general funds. I-- one of you told me "it needs work." What work does it need that the courts don't require of it? I mean, courts, county attorneys, county prosecutors, they all-- all interested parties are, like, yes, let's do this. So, what, what work does it need that they didn't know it needed? I'd love to know that answer. Was the work that, that a text message went out and told you all to vote against it, freshmen? You don't have to do that, you know. You don't have to vote for things you don't believe in, and you don't have to go against things that you do believe in. You can be a decent human being and a good legislator and vote what you think is right, or you can do what you did on Senator McKinney's bill. Super disappointing. Thank you, Mr. President.

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

DUNGAN: Thank you, Mr. President. Sorry for the long wait there. It's difficult sometimes to navigate through the floor and walk through all the different chairs. Colleagues, I just wanted to rise again opposed to the indefinitely postpone motion that's on the board, and speak in favor of LB382. The conversation that we started last time on the mic I think was an interesting one, only insofar as we talk a lot about the Medicaid Excess Profit Fund, and I appreciated Speaker Arch's explanation of what exactly that is, what it does, and why it exists. And I understand that in the current climate that we're in fiscally, we all need to make sure that we are cinching up our belts and not spending too much money. Certainly, there are bills that I've brought this year that have fiscal notes that are relatively high. I bring a bill because I think it's a good idea and I think it's obtainable. And sometimes, the Fiscal Office gives you a fiscal note that you were not necessarily expecting; sometimes you do expect it, sometimes you don't, but I do appreciate the work they do. But ultimately, sometimes you get a bill back and it just has an incredibly high fiscal note, and it's not always responsible to try to proceed with that at the time, based on the climate. What you have to do, then, is you have to find a way to pay for a lot of these programs that are important and that actually help people. And a lot of folks at home may not know that, you know, when we're talking about the budget deficit and those kind of things, we're talking about the General Fund impact. But there are cash funds that are available for very limited, specific purposes, meaning you have these cash that are funds sitting out there that are not intended to be used just to make up deficits or to, to sweep and utilize them for general funds, but they exist in the budget or in the appropriations for very itemized reasons. You want to make sure that they're being used for those reasons, and one of those is the Medicaid Care Excess Profit Fund. And, as Speaker Arch indicated, the point of the money that's sitting in there is that that is money that we appropriated that ultimately was excess profit not utilized by the MCOs, which are the managed care organizations. In Nebraska, that's essentially how we do Medicaid, is we utilize this go-between with these MCOs that help negotiate prices and whatnot. And anything over that 3% profit then goes back into this fund, and that fund is specifically to be utilized for the purposes of Medicaid because that's money that we appropriated, that we said should go to Medicaid and help people who need that Medicaid, and there's a whole federal component of that as well. And we want to make sure that that excess profit is going back to the people that it's supposed to help. And so,

when this fund was established, as Speaker Arch said, between him and Stinner-- and I think Sara Howard was involved in that as well, the chair of HHS a few years back-- it was done as a bipartisan, nonpartisan effort to say those-- that, that fund, that, that money should go back to the people who need it most. Senator Meyer, with this bill, has been very smart in trying to find a funding mechanism that isn't going to have a General Fund impact but is still able to effectively help folks with LB382. And when you're here for a little while, you start to find different avenues to fund some of these things that aren't going to have a General Fund impact, and I applaud Senator Meyer for, in his first term here, being able to navigate the intricacies of the funding mechanisms of DHHS and the MCOs in order to find not just a fund that can help this program, but to do so in a way that is fiscally responsible and limited. In looking at the bill and looking a little bit more through the committee statement, you can tell that there's been some efforts that have been made in order to curtail excess spending in efforts to make sure that this is not going to people who don't need it. So, I'm very appreciative of the fact that we're able to-- hopefully today, colleagues-- vote green on LB382 and advance a program that ensures individuals have access to essential services via funding mechanisms that are appropriate. As I started to say the last time I was on the mic, there are other bills that actually do utilize that funding mechanism, and one that I just wanted to highlight because I've had some conversations with some of my colleagues off the mic who were curious about the last bill is Senator McKinney's LB48 that we just took up this last time. I don't know if people necessarily realized this, but the committee amendment ensured that there was no General Fund impact, and the only impact to any fund for Nebraska was going to be from that Medicaid Excess Profit Fund. So, if you are in favor of LB382 because you understand that it's a fiscally responsible way to fund a program that actually benefits Nebraskans, I would encourage you to think the same way about the underlying bill that we addressed with Senator McKinney, which is that it is a fiscally responsible way to help those who need it most with upstream investments in youth. Specifically, a pilot program, narrowly tailored, want to make sure it works, and they want to make it doesn't have a General Fund impact. So, I want to applaud Senator McKinney for his hard work on that, and Senator Meyer for his work on LB382, and I would encourage your green vote--

KELLY: That's your time.

DUNGAN: --on LB382. Thank you, Mr. President.

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

SPIVEY: Thank you, Mr. President. And I guess-- are we in afternoon yet? I'm not sure what time, now that we're working through lunch. I feel like I don't know if I'm coming or going. But wanted to rise in support of LB382, and appreciate Senator Meyer bringing this bill. As I was door-knocking every day during my campaign, I heard a lot from our aging population just around what is facing them, and some of the things that are important. And, and sometimes they get lost; they get lost in the shuffle in terms of support. And so, I appreciate what he is trying to do with LB382, and then ensuring that it is fiscally responsive using a cash fund. I have been spending every day deep into our budget and our deficit, and I want to reiterate, as we will talk about the budget and start to debate it, that we have choices as a body; that we have choices around what is our priority, where we put money, and what are we saying we are prioritizing as it relates to the taxes that our constituents and our neighbors and our family pay, and how we spend those through the general budget. And then, how do we effectively use our cash funds for the things that create, again, the good life that Nebraska has to offer. And so, I appreciate the choice that Senator Meyer is making around uplifting our aging population and how we can provide some stability and funding for it, knowing that that program is actively receiving cuts from the federal level. I wanted to circle back to Senator McKinney's bill, LB48, and just talk about that a little bit as we are talking about social safety nets and how do we uplift some of the most vulnerable among us, which, for me, is definitely our youth. And not just youth that are system-impacted, but youth in, in general we need to support. And so, I am disappointed by the vote that took place, but am hopeful through the conversations that have been happening on the floor that there is more clarity and understanding. I represent District 13, which has some of highest juvenile arrest rates, so kids that are now going to be inside of the system and become system-impacted-- whether it's probation, charges, detention-- and it's an issue. It's an issue that my district and my community, Senator McKinney's, have been trying to grapple with for a long time now. And there has been lots of conversations before me coming into this body that folks have had here, and then, outside of this body, that community is having around "how do we solve this and what does it look like?" And so, a lot of times policy is reactionary. It's this happened, and so now let's legislate around it. And we have the opportunity here, with Senator McKinney's bill, to be proactive, which I think is really how you effectively can legislate, when you think about what are the core root issues and how do you go upstream

to address some of those things. And so, thinking about juvenile justice and making sure that our kids have the resources that they need so they are not system-impacted is complex, it's comprehensive, but it is not unattainable. And we know that when you invest in preventative measures like mentoring programs, family resource centers; when you take a full-community approach, you not only save the taxpayers money, but you ensure that that young person is now a sustainable and thriving member of their community, contributing to the tax base into whatever it is that they set out to do. And so, just a few numbers, just to kind of ground us in that, there are not programs like the family resource center that are holistic. But in Douglas County alone, there were 2,900 youth arrested; 62% were from misdemeanors, 14 felonies. It costs, for the most severe charges for a young person to be charged in the state of Nebraska, upwards of \$268,000. So, I'm going to say that again. For a young person that is detained for the most charges that they could have, the most extreme charges, it's \$268,000. And it only costs \$13,000 through public education to educate them. So, when we talk about the cost savings, potentially, and we look at it-- Nebraska Center for Justice Research said that if we invest in probation, due to youth being diverted and the savings of court costs, we can save our state \$117,000 per year. I see my light is on, but I just wanted to uplift some of those numbers that, as we invest in preventative measures like Senator McKinney's bill, we are not only saving taxpayers money, but we're creating an environment where that young person can get the resources that they need to be a thriving person as they navigate adolescence and then into adulthood. And so, again, I appreciate this conversation, and I hope that we can right-size this and make some adjustments as we think about Senator Meyer's bill, and then what will come now with Senator McKinney's, as conversations I see are wrapping up around that. Thank you, Mr. President.

KELLY: Thank you, Senator Spivey. Senator Machaela Cavanaugh, you're recognized to speak, and this will be your final time on the motion before your close.

M. CAVANAUGH: Thank you, Mr. President. I actually will just use this as my close. I believe that we are going to have an opportunity to fix what happened on the last bill, so I still would like just a machine vote on this. I'm sure it's going to fail, but let's just do it. OK, thanks.

KELLY: Thank you, Senator Cavanaugh, and you have waived closing. Members, the question is the motion to indefinitely postpone, and

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 3, 2025

there's been a request for a machine vote. All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

CLERK: 0 ayes, 28 nays to indefinitely postpone the bill, Mr. President.

KELLY: The motion fails. Mr. Clerk.

CLERK: Mr. President, Senator Conrad would move to amend the bill with FA83.

KELLY: Senator Conrad, you're recognized to open on FA83.

CONRAD: Thank you, Mr. President. Good morning, colleagues. I have refiled the committee amendment to LB48, which is, in essence, Senator McKinney's priority bill. It seems that we have a prime opportunity to "reconsiderate"-- reconsider our treatment of that measure, as Senator Meyer's bill, which was next on the agenda today, LB382, touches upon the same areas. So, I know there have been a lot of productive conversations this morning, and really appreciate that dialogue and thoughtful reconsideration of this measure. So, just to note for the record, as is part and parcel with past practice, even though this is refiled as a floor amendment and essentially is utilizing that committee amendment, it-- the committee amendment had the standard language in it regarding strike-and-replace. So, I've been asked by the Clerk to ensure sending a note to Bill Drafters in essence, putting something on the record, in essence, that can be cleaned up on ER-- E&R or into the future that even though the committee amendment, which had a strike-and-replace, has been refiled as a committee amendment that does not reflect the intent. So, in order to be clear, this will not touch upon or change a word in Senator Meyer's LB382, if successful. Thank you, Mr. President.

KELLY: Thank you, Senator Conrad. Seeing no one else in the queue, you're recognized to close on FA83.

CONRAD: Thank you, Mr. President. I appreciate your favorable consideration of this measure, which, in essence, is a reconsideration of Senator McKinney's priority bill as amended by the Health and Human Services Committee. Thank you.

KELLY: Thank you, Senator Conrad. Members, the question is the adoption of FA83. 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. Record, Mr. Clerk.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate April 3, 2025

CLERK: 30 ayes, 0 nays on the motion to place the house under call, Mr. President.

KELLY: The house is under call. Senators, please record your presence. Those unexcused senators outside the Chamber, please record-- return and record your presence. All unauthorized personnel, please leave the floor. The house under call. Senators McKeon, Hardin, Strommen, Murman, Sanders, Hansen, and Dover, please return to the Chamber and record your presence. The house is under call. Senators Hardin, Sanders, Hansen, and Dover, please return to the Chamber and record your presence. The house is under call. All unexcused members are present. Members, the vote was continuing on FA83. Senator Conrad, would you accept call-ins? The answer is yes.

CLERK: Senator Hansen voting yes. Senator Dorn voting yes. Senator Moser voting yes. Senator Hardin voting yes. Senator Sanders voting no. Senator Jacobson voting yes.

KELLY: Record, Mr. Clerk.

CLERK: 27 ayes, 7 nays, Mr. President, on adoption of the amendment.

KELLY: FA83 is adopted. Mr. Clerk. I raise the call.

CLERK: Nothing further on the bill at this time, Mr. President.

KELLY: Members, the question is to advance-- oh, excuse me. Senator Meyer to close, and waives. Members, the question is the advancement of LB382 to E&R Initial. All those in favor, vote aye; all those opposed, vote nay. Record, Mr. Clerk.

CLERK: 37 ayes, 2 nays on advancement of the bill, Mr. President.

KELLY: LB382 advances to E&R Initial. Mr. Clerk, for items.

CLERK: Mr. President, amendments to be printed from Senator Conrad to LB246; Senator Bostar, LB78; Senator Fredrickson, LB676. New LR: LR108 from Senator Bosn; that will be referred to the Executive Board. Name adds: Senator DeKay name added to LB382 and LB561. Notice that the Appropriations Committee will have an executive session in Room 1003 upon adjournment. Appropriations, 1003, upon adjournment. Finally, Mr. President, a priority motion. Senator DeKay would move to adjourn the body until Tuesday, April 8 at 9:00 a.m.

KELLY: Members, you have heard the motion to adjourn. All those in favor, say aye. All those opposed, say nay. The Legislature is adjourned.