

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate May 1, 2025

ARCH: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the seventy-second day of the One Hundred Ninth Legislature, First Session. Our chaplain for today is former state Senator Bruce Bostelman, retired Air Force-- our chaplain for today is Senator Moser. Please rise.

MOSER: Thank you, Mr. President. And good morning, colleagues. Matthew 18:20 says, wherever two or more are gathered in my name, there I am with them. All our days are blessings from you, Lord. We ask you to bless us all with good health, healing here in this building and in our districts. Give us wisdom and courage as we face the issues before us. Help us understand why you've put us here at this time and in this place. For this is the day you have made, let us be glad and rejoice in it. Amen.

ARCH: Our Pledge of Allegiance this morning will be led by former Senator Bruce Bostelman, retired Air Force, a guest of Senator Clements.

BRUCE BOSTELMAN: 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.

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

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

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

CLERK: I have no corrections this morning, sir.

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

CLERK: There are, Mr. President. A notice of committee hearing from the Natural Resources Committee. Agency reports electronically filed with the Nebraska Legislature can be found on the Nebraska Legislature's website. And additionally, a report of registered lobbyists for April 30, 2025 will be found in today's Journal. That's all I have at this time.

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ARCH: While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign LR138, LR139, and LR140. Mr. Clerk, let's proceed to the first item on the agenda.

CLERK: Mr. President: General File, LB380A introduced by Senator Fredrickson. It's a bill for an act relating to appropriations; it appropriates funds to aid in the carrying out the provisions of LB380. Bill was read for the first time on April 15 of this year and placed directly on General File.

ARCH: Senator Fredrickson, you are recognized to open on LB380A.

FREDRICKSON: Thank you, Mr. President. Good morning, colleagues, and good morning, Nebraskans. So LB380A represents the new A bill that is a result of the-- of amending Senator Bostar's LB610 onto LB380 on General File. LB380 on its own did not have any fiscal impact, and Senator Bostar's LB610 has no General Fund impact. Any initial im-- fiscal impact that comes from this A bill comes from the HHS Cash Fund, but this bill actually leads to a significant positive fiscal impact to the state and our local fire agencies through additional federal funding via a state plan amendment. So I would just ask for your green vote on LB380A.

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

DORN: Thank you, Mr. President. I, I wouldn't get up and talk on this bill, except we did have the briefing this morning on the budget. Last year, I got up and talked quite often. And it's not on Senator Fringdrikson's [SIC] bill, but it's the green sheet. We are getting the green sheet now every time. So everybody, when you get this, I call it, the agenda and stuff, right behind that every day is an updated green sheet, so. Especially for the new senators, this is very important. So it shows-- based on the previous days or the previous days what we've done on the floor and everything, it shows the different, I call it, makeup of our fiscal stuff. So this is important to look at. Make sure you flip it over and look at the back page too, because it does include, I call it-- the bills that are out here that are on General File and Select File and, and Final Reading, it shows the impact of those also. So if-- as we go through things-- and especially through the budget next week-- this is the updated one that you will get every day. So just wanted to bring that up. Thank you. I'll be voting for Senator Fredrickson's bill.

ARCH: Seeing no one in the queue. Senator Fredrickson-- waives close. Question before the body is the advancement of LB380A to E&R Initial.

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All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

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

ARCH: LB380A advances. Mr. Clerk, next item.

CLERK: Mr. President: Select File, LB613A. Senator, I have nothing on the bill.

ARCH: Senator Guereca for a motion.

GUERECA: Mr. President, I move that LB613A be advanced to A-- E&R for engrossing.

ARCH: All those in favor say aye. Opposed, nay. It is advanced. Mr. Clerk, we will move to Final Reading. Members should return to their seats in preparation for Final Reading. Mr. Clerk, the first bill is LB317e, and the first vote is to dispense with the at-large reading. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 37 ayes, 3 nays to dispense with the at-large reading, Mr. President.

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

CLERK: [Read title of LB317]

ARCH: All provisions of law relative to procedure having been complied with, the question is, shall LB317 pass with the emergency clause attached? All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Clements, Clouse, DeKay, Dorn, Dover, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Ibach, Jacobson, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Prokop, Raybould, Riepe, Sanders, Sorrentino, Storm, Strommen, von Gillern, Wordekemper. Voting no: Senators Cavanaugh, Cavanaugh, Conrad, Dungan, Fredrickson, Guereca, Juarez, McKinney, Murman, Quick, Spivey, Storer. Not voting: Senators DeBoer, Hunt, and Rountree. Vote is 34 ayes, 12 nays, 3 excused, not voting, Mr. President.

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ARCH: LB317 passes with the emergency clause. While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign LB317e. Mr. Clerk, next item on the agenda.

CLERK: Mr. President, consent calendar: General File, LB120 introduced by Senator Hardin. It's a bill for an act relating to the Motor Vehicle Operators License Act; it amends Section 60-484.02; provides an exemption for when a digital image may be released; harmonize provisions; repeals the original section. Bill was read for the first time on January 10 of this year and referred to the Transportation and Telecommunications Committee. That committee placed the bill on General File with committee amendments, Mr. President.

ARCH: Senator Hardin, you're recognized to open on LB120.

HARDIN: Thank you, Mr. President. LB120 was brought to me by the Nebraska State Patrol and is a simple, straightforward idea. LB120 allows the Department of Motor Vehicles to release digital images of individuals to the Nebraska State Patrol to be used on the Missing Persons Clearinghouse website. There've been times when there was not a high-quality photo available to be used in a missing persons case. Allowing the DMV to release photos to the Nebraska State Patrol for missing persons cases will increase the number of missing persons ultimately being found. The DMV had some concerns with LB120 dealing with the security of the images. Their concerns are addressed and relieved in the committee amendment, AM247, by adding requirements of the Nebraska State Patrol to have protection protocols against fraudulent use of the pictures, create security measures for access, storage, and retention of the photos, and to delete the photos from their website within three business days of the individual being found. LB120 was heard in the Transportation and Telecommunications Committee on February 25 and was advanced by the committee with an 8-0 vote. I'd appreciate your green light for LB120. Thank you, Mr. President.

ARCH: As the Clerk indicated, there is a committee amendment. Senator Moser, you're recognized to open.

MOSER: Thank you, Mr. President. Good morning, colleagues and Nebraskans. This committee amendment, AM247, ensures that proper safeguards are in place to protect against the illegal use of digital images shared between the Department of Motor Vehicles and the Nebraska State Patrol for use on the Missing Persons Clearinghouse website. It allows the State Patrol and the DMV to enter into an agreement regarding the release, use, protection, storage, and

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retention of such images. It also mandates that the State Patrol carry out protection protocols to prevent fraudulent use of the images and that it create and update security measures, and it must remove the images within three days after the individual has been located. With these safeguards, the State Patrol will have real-time access to these images to help determine the status of missing individuals. Thank you, colleagues, and I encourage your green vote on AM247.

ARCH: Seeing no one in the queue. You're recognized to close. Senator Moser waives close. Question before the body is the adoption of AM247 to LB120. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: 37 ayes, 0 nays on adoption of the committee amendment.

ARCH: The amendment is adopted. Senator Hardin, you're recognized to close on LB120. Senator Hardin waives close. Question before the body is the advancement of LB120 to E&R Initial. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

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

ARCH: LB120 advances. Mr. Clerk, next item.

CLERK: Mr. President: General File, LB614, introduced by Senator Andersen. It's a bill for an act relating to cities and villages; amends Section 16-901, 17-1001; restates exemptions from farm building structures within the extraterritorial zoning dist-- dist-- jurisdiction; repeals the original section. The bill was read for the first time on January 22 of this year and referred to the Urban Affairs Committee. There's currently nothing pending on the bill, Mr. President.

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

ANDERSEN: Thank you, Mr. President. Good morning, colleagues. I'd like to begin by thanking Speaker Arch for selecting LB614 to be included as one of the bills for consent calendar. I appreciate his recognition that this is a straightforward, consensus-driven bill. LB614 is a simple clarification statute regarding farm buildings located within a city's extraterritorial zoning jurisdiction, or ETG. Shortly after I was elected, a constituent in Sarpy County contacted me about a problem he encountered while building a machine shed on his farm. Although his property was in a rural area, it fell within the ETG of a nearby city. As a result, he was unexpectedly subject to the city's commercial building code, which led to confusion and costly delays.

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After working through the issue, it became clear that we need a better solution going forward. LB614 allows cities to exempt farm structures from city building and zoning ordinances within an ETG when doing so aligns with the comprehensive development plans. It gives cities flexibility and gives farmers clarity. I want to thank the United Cities of Sarpy County for working with us to craft this commonsense legislation. There was no opposition testimony at the hearing, and the bill advanced out of, out of Urban Affairs on a unanimous 7-0 vote. It also carries a zero-dollar fiscal note. Colleagues, this is a clean, collaborative bill that solves a real problem without creating any cost for the state. I'd respectfully ask for your green vote on LB614. Thank you, Mr. President.

ARCH: Seeing no one in the queue. You're recognized to close. Senator Andersen waives close. Question before the body is the advancement of LB614 to E&R Initial. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: 36 ayes, 0 nays on advancement of the bill, Mr. President.

ARCH: LB614 advances. Mr. Clerk, next item.

CLERK: Mr. President: General File, LB385, introduced by Senator Storer. It's a bill for an act relating to the Uniform Deceptive Trade Practices Act; amends Section 87-302; changes provisions relating to deceptive trade practices; and 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 on the bill, Mr. President.

ARCH: Senator Storer, you're recognized to open on LB385.

STORER: Thank you, Mr. President. And I too appreciate LB385 being considered and added to the consent calendar. This is indeed really a cleanup bill. Last year, portions of LB1096 were amended into LB934 by AM3050-- if you can all follow that-- which amended the Uniform Deceptive Trade Practices Act to add a new deceptive trade practice. Under the new provisions, a person engages in a deceptive trade practice if they make publicly available certain visual depictions of sexually-explicit conduct, obscene material, or any material that is harmful to minors. The statement of intent for the bill last year was clear that the legislation was introduced to hold internet content providers accountable and take power away from traffickers to help empower victims. The bill was not intended to target internet service providers who have no control over what their customers use their

internet services for. For this reason, the bill was drafted so that it explicitly did not apply to any telecommunications services. However, not all internet service providers are telecommunications companies. Telecommunications service providers are communication providers that have traditionally provided telephone service. This category can include incumbent total-- incumbent local exchange carriers, competitive local exchange carriers, and mobile wireless communication companies. It does not include cable video service providers, broadband-only providers, or those providers not registered as an eligible telecommunications carrier, or ETC, but to who-- but who do provide internet access service. LB385 simply closes this loophole by extending the exemption already under the original language from telecommunications service providers to telecommunications service providers and broadband internet access service providers. This bill simply cleans up the statutes and ensures that the letter of the law matches the intent. I ask for your green vote on LB385.

ARCH: Seeing no one in the queue. You're recognized to close. Senator Storer waives close. Question before the body is the advancement of LB385 to E&R Initial. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: 36 ayes, 0 nays on advancement of the bill, Mr. President.

ARCH: LB385 advances. Mr. Clerk, next item.

CLERK: Mr. President: LB69, introduced by Senator Spivey. It's a bill for an act relating to the Commission on African American Affairs; it amends Section 81-2606; changes requirements relating to meetings; requires a report; repeals the original section. The bill was read for the first time on January 9 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.

ARCH: Senator Spivey, you're recognized to open on LB69.

SPIVEY: Thank you, Mr. President. And good morning, colleagues and folks watching online and joining us in the Rotunda. I am here to talk about LB69. Appreciate the consideration for consent calendar. This is really a cleanup structural bill that I worked closely with the current leadership of the African American Commission on. What the bill does is really strengthens its operations and structure by providing some clarity. It provides clarity around meeting frequency,

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making sure that one of those meetings happens in the most populated area of the state that has African Americans living. It ensures that there is stronger representation across the African American committee-- community onto the committee to ensure those ideas and thoughts and perspectives are represented. And then it creates more enhanced transparency with reporting. It ensures that, given what the commission was created for and its intention, really aligns to how it reports out information not only to the Legislature but also to the Governor's Office. The committee is in startup mode, and they have really worked to try to right-size the work that they are doing. And this bill is just a cleanup to ensure that what they are going in small-p policy as a commission matches what's in the structure for the African American Commission. So I would appreciate your green vote on LB69. I appreciate the leadership of Senator Sanders with the committee amendment. And would be happy to answer any questions. But, again, would appreciate your green vote on LB69. Thank you, Mr. President.

ARCH: As the Clerk indicated, there is a committee amendment. Senator Sanders, you are recognized to open.

SANDERS: Thank you, Mr. President. The Government Committee held its public hearing on LB69 on March 14. We heard from two current members of the African American Affairs Commission and someone from the Midlands African Chamber. There was no opposition or neutral testimony. Seny-- Senator Spivey came to the hearing with some ideas for further changes to the bill. The Government Committee advanced LB69 with AM895. Seven of the members voted in support, and one member was present, not voting. The committee amendment makes some changes that Senator Spivey requested, and a couple more that were results of the discussion in executive session. First, the amendment defines qualifications for two of the commission members. Second, it revises the language describing the purpose of the commission. Third, it clarifies any annual meeting locations. Finally, it calls for a new annual report from the commission to be submitted to both the Legislature and to the governor. I would ask your green vote on AM895. Thank you, Mr. President.

ARCH: Seeing no one in the queue. You're recognized to close. Senator Sanders waives close. Question before the body is the adoption of the committee amendment, AM895, to LB69. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: 38 ayes, 0 nays on adoption of the committee amendment, Mr. President.

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ARCH: The committee amendment is adopted.

CLERK: Mr. President: Senator Spivey, I have AM162 with a note that you would withdraw.

SPIVEY: Yes, please withdraw.

ARCH: So ordered.

CLERK: In that case, Mr. President, I have nothing further on the bill.

ARCH: Senator Spivey, you're recognized to close on, on LB69.

SPIVEY: Thank you, Mr. President. Again, good morning, colleagues. I appreciate the work of Senator Sanders as the chair of the Government, Military and Veterans Affairs Committee on the amendment. I'm really excited to be able to provide better support to the commission to ensure their success. And ask for your green vote for LB69. Thank you, Mr. President.

ARCH: Question before the body is the advancement of LB69 to E&R Initial. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

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

ARCH: LB69 does advance. Mr. Clerk, next item.

CLERK: Mr. President, next item: LB470, introduced by Senator Bosn. It's a bill for an act relating to unsworn declarations; provides for attorneys to make unsworn declarations under penalty of perjury in lieu of sworn declarations; and prov-- provides declaration language. Bill was read for the first time on January 21 of this year and referred to the Judiciary Committee. That committee placed the bill on General File with committee-- excuse me-- placed the bill on General File. There's currently nothing pending on the bill, Mr. President.

ARCH: Senator Bosn, you're recognized to open on LB470.

BOSN: Thank you, Mr. President. LB470 is a straightforward bill meant to provide a statutory mechanism for attorneys to offer evidence and other items to the court under certain circumstances where a notary must traditionally witness the attorney's signature. LB470 would allow an attorney to avoid the need for that notarization in certain cases. The bill is modeled after the Uniform Unsworn Declarations Act and

provide-- but provides a more narrow application of that broader rule to address only those instances where an attorney is offering a document for consideration by the court when the attorney is signing that document by virtue of their representation of a party in the case. So this process mirrors how evidence can be offered in federal court under the federal rules of procedure as well as the process in other state courts, such as our neighboring state, Iowa. At the hearing, a representative of the Nebraska State Bar Association testified that this bill would provide lawyers flexibility in instances where they are serving as solo practitioners who may not have a notary readily available. It was also noted at the committee hearing that instances in which this would be helpful for attorneys would include appointed counsel that may be filing an affidavit with the court for reimbursement of court fees-- court appointment fees or in situations where a lawyer might be filing an affidavit in support of a discovery motion or a motion for summary judgment. Colleagues, this bill advanced from committee unanimously and had no opposition testimony at the hearing. Thank you for your consideration. And I ask for your green vote on LB470.

ARCH: Seeing no one in the queue. You're recognized to close. Senator Bosn waives close. Question before the body is the advancement of LB470 to E&R Initial. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

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

ARCH: LB470 does advance. Mr. Clerk, next item.

CLERK: Mr. President: Select File, LB90. Senator, I have nothing on the bill.

ARCH: Senator Guereca for a motion.

GUERECA: Mr. President, I move that LB90 advance to E&R for engrossing.

ARCH: All those in favor say aye. Opposed, nay. It does advance. Mr. Clerk, next item.

CLERK: Mr. President: Select File, LB183. Senator, I have nothing on the bill.

ARCH: Senator Guereca for a motion.

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GUERECA: Mr. President, I move that LB183 be advanced to E&R for engrossing.

ARCH: All those in favor say aye. Opposed, nay. It does advance. Mr. Clerk, next item.

CLERK: Mr. President: Select File, LB635. First of all, Senator, there are E&R amendments.

ARCH: Senator Guereca for a motion.

GUERECA: Mr. President, I move that the E&R amendments to LB635 be adopted.

ARCH: All those in favor say aye. Opposed, nay. The E&R amendments are adopted.

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

ARCH: Senator Guereca for a motion.

GUERECA: Mr. President, I move that LB635 be advanced to E&R for engrossing.

ARCH: All those in favor say aye. Opposed, nay. It does advance. Mr. Clerk, next item.

CLERK: Mr. President: LB519, Select File. Senator, I have nothing on the bill.

ARCH: Senator Guereca for a motion.

GUERECA: Mr. President, I move that LB519 be advanced to E&R for engrossing.

ARCH: All those in favor say aye. Opposed, nay. LB519 does advance. Mr. Clerk, next item.

CLERK: Mr. President: Select File, LB419. Senator, first of all, there are E&R amendments.

ARCH: Senator Guereca for a motion.

GUERECA: Mr. President, I move that the E&R amendments to LB419 be adopted.

ARCH: All those in favor say aye. Opposed, nay. They are adopted.

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

ARCH: Senator Guereca for a motion.

GUERECA: Mr. President, I move that LB419 be advanced to E&R for engrossing.

ARCH: All those in favor say aye. Opposed, nay. It does advance. Mr. Clerk, next item.

CLERK: Mr. President: LB561, Select File. First of all, Senator, there are E&R amendments.

ARCH: Senator Guereca for a motion.

GUERECA: Mr. President, I move that, that the E&R amendments to LB561 be adopted.

ARCH: All those in favor say aye. Opposed, nay. They are adopted.

CLERK: Mr. President, Senator Brandt would move to amend with AM1209.

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

BRANDT: Thank you, Mr. President. Bill Drafting caught that we need to update to a different code on milk truck. I will read it to you. This is the entirety: the opportunity and need for overweight raw milk vehicle permits to operate overweight raw vehic-- raw milk vehicles to carry only raw milk from a dairy farm to a milk processing facility for such raw milk is needed due to 23 U.S.C. 127(a)(13) as such section existed on January 1, 2025 concerning the carrying of fluid milk products. I would encourage you to vote for the AM. Thank you.

ARCH: Seeing no one in the queue. You're recognized to close. Senator Brandt waives close. Question before the body is the adoption of AM1209 to LB561. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: 35 ayes, 0 nays on adoption of the amendment, Mr. President.

ARCH: AM1209 is adopted.

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

ARCH: Senator Guereca for a motion.

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GUERECA: Mr. President, I move that LB561 be advanced to E&R for engrossing.

ARCH: All those in favor say aye. Opposed, nay. It does advance. Mr. Clerk, next item.

CLERK: Mr. President: Select File, LB399. Senator, I have nothing on the bill.

ARCH: Senator Guereca for a motion.

GUERECA: Mr. President, I move that LB399 be advanced to E&R for engrossing.

ARCH: All those in favor say aye. Opposed, nay. It does advance. Mr. Clerk, next item.

CLERK: Mr. President: Select File, LB696. Senator, I have nothing on the bill.

ARCH: Senator Guereca for a motion.

GUERECA: Mr. President, I move that LB696 be advanced to E&R for engrossing.

ARCH: All those in favor say aye. Opposed, nay. It does advance. Mr. Clerk, next item.

CLERK: Mr. President: Select File, LB364. Senator, I have nothing on the bill.

ARCH: Senator Guereca for a motion.

GUERECA: Mr. President, I move that LB364 be advanced to E&R for engrossing.

ARCH: All those in favor say aye. Opposed, nay. LB364 does advance. Mr. Clerk, next item.

CLERK: Mr. President: Select File, LB560. Senator, I have nothing on the bill.

ARCH: Senator Guereca for a motion.

GUERECA: Mr. President, I move that LB560 be advanced to E&R for engrossing.

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ARCH: All those in favor say aye. Opposed, nay. It does advance. Mr. Clerk, next item.

CLERK: Mr. President: Select File, LB288. First of all, Senator, there are E&R amendments.

ARCH: Senator Guereca for a motion.

GUERECA: Mr. President, I move that the E&R amendments to LB288 be adopted.

ARCH: All those in favor say aye. Opposed, nay. They are adopted.

CLERK: Mr. President, Senator Kauth would move to amend with AM1181.

ARCH: Senator Kauth, you're recognized to open on your amendment.

KAUTH: Thank you very much. This is a friendly amendment. I talked with Senator McKinney. This was my LB531 that was heard in Urban Affairs. Basically, what this does is it says any-- anyone building using money from the Affordable Trust Fund only has to have their plans reviewed once. If they have it reviewed in the city, it does not also have to be reviewed at the state level. What's been happening is a serious duplication of effort that leads to much more time to get projects done, which leads to much more money, and this will free up our state people from having to do duplicative, reductive efforts. So I ask for everyone's green vote on AM1181.

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

McKINNEY: Thank you. Thank you, Senator Kauth. This is a friendly amendment being added to the bill. So it came-- I believe it came out of committee 8-0, so just wanted to get up and say that if anybody had any questions. Thank you.

KELLY: Thank you, Senator McKinney. Seeing no one else in the queue. Senator Kauth, you're recognized to close. And waive. Members, the question is the adoption of AM1181. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 38 ayes, 0 nays on adoption of the amendment, Mr. President.

KELLY: AM288-- or-- excuse me-- AM1181 is adopted. Mr. Clerk.

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

KELLY: Senator Guereca for a motion.

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GUERECA: Mr. President, I move that LB288 be advanced to E&R for engrossing.

KELLY: Members, you've heard the motion. All those in favor say aye. Those opposed, nay. It is advanced. Mr. Clerk.

CLERK: Mr. President, a single item: bills presented to the governor-- excuse me. LB317 was presented to the governor on May 1, 2025 at 9:32 a.m. That's all I have at this time.

KELLY: Thank you, Mr. Clerk. Please proceed to the next item on the agenda.

CLERK: Thank you, Mr. President. General File, LB198, introduced by Senator Sorrentino. It's a bill for an act relating to the Pharmacy Benefit Manager Licensure and Regulation Act; it amends Sections 44-6-- 44-4601, 44-6-- 44-4603, 44-4608, and 44-4611; redefines-- defines and redefines terms; changes provisions relating to an appeal process; prohibits pharmacy benefit managers from taking certain actions; provides for pharmacy benefit manager duties; prohibits spread pricing as prescribed; changes enforcement provisions; harmonizes provisions; repeals the original section. The bill was read for the first time on January 14 of this year and referred to the Banking, Commerce and Insurance Committee. That committee placed the bill on General File with committee amendments, Mr. President.

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

SORRENTINO: Thank you, Mr. President. Good morning, colleagues. Today, I bring to you LB198, which was heard by the Banking and Insurance Committee on Monday, March 3, 2025, and since then has been worked on and improved by committee amendment AM1201-- which will appear on the board in, in just a few minutes-- before being execed out on the committee as one of their two priority bills. Committee amendment AM1201 is a white copy amendment that contains provisions from both LB198 and LB109, introduced by Senator Eliot Bostar, which addresses white-bagging practices by pharmacy benefit managers. Senator Jacobson, who chairs the Banking and Insurance Committee, will summarize the details of AM1201 momentarily. The committee amendment is the result of more than a dozen meetings between the Nebraska Pharmacists Association, the Nebraska Hospital Association, the Nebraska Insurance Federation, and Blue Cross Blue Shield of Nebraska, with significant input from the PBM trade association, the Pharmaceutical Care Management Association. From the original LB198,

we have come to a consensus on a number of key provisions, and all stakeholders are in full support of the, of the bill as amended. I would like to thank all of these stakeholders, as each of them were willing to negotiate to come to a final version that will benefit every Nebraskan, Nebraska employers who sponsor health plans, and the state of Nebraska. Of particular interest and importance, this bill will also apply to the Nebraska State Medicaid program and should allow substantial savings for that program as well. I'll begin my short explanation of LB198 as amended by AM1201 by giving a general explanation of the PBM industry as time allows on my opening, and then Senator Jacobson will dive deeper into the bill when AM1201 appears on the board. You will hear the term pharmacy benefit manager, or PBM. These are middlemen that were originally designed to reduce administrative costs for insurers, validate patient eligibility, administer plan benefits, as well as negotiate costs between pharmacies and health plans. Over time, a great deal of vertical integration has occurred in this industry, and more likely, each insurance carrier owns their own PBM, who in turn owns their own pharmacy network. PBMs have capitalized on their strategic position between the insurer and provider to assert control over these prices in most aspects of prescription drug transactions and have become extremely profitable. The three largest PBMs-- Caremart [SIC], Optum, and Express Scripts manage drug benefits for approximately 80% of Americans, including the Nebraska State Medicaid program, with prescription drug coverage. And each of these companies have annual revenues in excess of \$15 billion. Also of great importance is the legal backdrop that enables this legislation today via the Rutledge v. Supreme Court [SIC] decision. The authority of states to regulate PBMs has been challenged by PBMs in arguing that federal-- specifically, ERISA-- pre-- preemption restricts state PBM regulatory activities for most health care payers. However, in Rutledge v. PCMA, the United States Supreme Court ruled that an Arkansas law regulating PBMs was not subject to federal preemption. Pursuant to the Rutledge decision, state laws regulating PBMs will be interpreted to view PBM pricing regulations as presumptively beyond ERISA's preemption scope. It has been suggested that state PBM laws can avoid preemption if they do not mandate what benefits ERISA plans must cover or who qualifies for such services, but merely regulates the cost of the items and services covered or the manner in which benefits must be provided. Very importantly, LB198 as amended by AM1201 contains permissible regulatory provisions that satisfy the Rutledge standards. In the past, our Nebraska State Legislature does have a history of PBM regulation. The Legislature adopted the Pharmacy Benefit Manager Licensure and Regulation Act under LB767 in 2022-- many of my

colleagues were here then-- which authorized the Department of Insurance to exercise regulatory and supervisory authority over pharmacy benefit managers. Until January 1, 2023, with the passage of LB767, PBMs were virtually unregulated in our state and at the federal level even though they manage numerous prescription drug plans funded by Nebraska taxpayer dollars. LB767 also addressed other unfair business practices. Despite the passage of LB767 in 2022, there are other PBM business practices that need to be further addressed by the Nebraska Legislature, which is the intent of LB198. LB198 as originally introduced addressed the following areas that will be covered by AM1201 by Senator Jacobson: PBMs steering patients to their own pharmacies, PBMs paying community pharmacies less than they're pay their own affiliated pharmacies, PBMs requiring credentialing that is more stringent than the state requires for pharmacy licensure, PBM reimbursement of community pharmacies below the cost of acquisition for prescription drugs, esta-- and establishing a pharmacy benefit manager duty of care, good faith, and fair dealing. Finally, LB198 would prohibit a pharmacy benefit manager, health carrier, or health benefit plan, either directly or indirectly, from engaging or facilitating or "inning" into a contract with another person involving spread pricing. Senator Jacobson will get into the details of spread pricing-- and, of course, I will always be available for questions regarding that technical provision, as that is the key to this pre-- to this particular bill. Thank you, Mr. President. I yield the remainder of my time.

KELLY: Thank you, Senator Sorrentino. As the Clerk stated, there's committee amendments. Senator Jacobson, you're recognized to open.

JACOBSON: Thank you, Mr. President. Well, as mentioned by Senator Sorrentino, LB1201 is the committee amendment to LB198. And it is a white copy amendment. I, I truly want to thank Senator Sorrentino for bringing the bill. I want to thank Senator Bostar for-- who also had a bill that-- we took parts of his bill. And really want to think the committee for bringing this bill forward and, frankly, to all the stakeholders who agreed to negotiate in good faith and come up with a bill that I believe will be a good bill and satisfies many of the concerns that we've had. This is the beginning of a fairly long journey. We will have an interim study this summer, and you will see PBM information in the future, but this is something-- the first step, the low-hanging fruit, so to speak, and, and, and takes meaningful steps forward. As I said, this is a white copy amendment and it offers a significant and streamlined update to LB198, focusing on key areas to enhance fairness and transparency within our pharmacy benefit management system. This amendment replaces the original bill with a

targeted set of provisions designed to better serve Nebraskans and our local pharmacists. A crucial aspect of this amendment addresses specialty pharmacies, an increasingly vital part of health care. It also-- it aims to prevent PBMs from unfairly applying stricter terms to independent specialty pharmacies compared to their own affiliated entities. Furthermore, it also seeks to ease the burden of excessive data reporting, allowing these pharmacies to concentrate on patient care while ensuring necessary data for legal and contractual obligations can be-- can still be provided efficiently. This amendment also tackles the complexity surrounding clinician-administered drugs. It sets clear expectations for specialty pharmacies shipping these medications, prioritizing patient safety through reliable access to pharmacist support and adherence to federal shipping and tracking requirements. Importantly, it places responsibility on PBMs and the health care carriers to ensure timely delivery and protects patients from financial penalties when delivery issues arise. It also aims to empower patient choice by preventing mandatory direct-to-patient shipments and ensuring providers aren't penalized for dispensing medication sourced outside of PBM-preferred channels when quality and cost are comparable. Furthermore, the amendment increases patient access to their preferred pharmacies. It seeks to prevent health plans, carriers, and, and the PBMs from mandating the exclusive use of mail order or affiliated pharmacies, ensuring Nebraskans can choose the pharmacy that best suits their needs. While allowing for informed mail order options for maintenance medications when a clear opt-out, the core principle is to prevent the, the pharmacies-- protect the pharmacy-- patient's right to choose their local pharmacy. Recognizing the financial realities faced by our network pharmacies, this amendment grants pharmacists the right to decline dispensing of a drug if the reimbursement falls below their acquisition cost. This is a vital protection for those essential health care providers. And the amendment further ensures that they will not face retaliation for making such decisions. In today's health care landscape, medication delivery is increasingly important. This, this amendment supports patient convenience by preventing PBMs and plan sponsors from prohibiting retail pharmacies from offering delivery services to patients who request them, whether through mail or their own staff. Finally, a key component of this amendment addresses the issue of spread pricing. This amendment will prohibit the inclusion of spread pricing in new PBM contracts starting in 2026, with a contract ban on this practice in, in all contracts by January 1, 2029. This measure is critical for bringing transparency to drug pricing and encouraging that-- and ensuring that health care plans are paying the actual costs of medication. In essence, AM1201

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offers a focused and impactful update to our pharmacy benefit manager regulations. It promotes fairness, protects patient access and choice, supports our local pharmacies, and brings much-needed transparency to drug pricing. I urge my colleagues to carefully consider these provisions and join me in supporting this step towards a more equitable health care system for Nebraska. I appreciate your support for this amendment to LB198. Thank you, Mr. President.

KELLY: Thank you, Senator Jacobson. Mr. Clerk.

CLERK: Mr. President, Senator Jacobson would move to amend the committee amendment with AM1229.

KELLY: Senator Jacobson, you're recognized to open on AM1229.

JACOBSON: Thank you, Mr. President. No amendment, no white copy amendment would be complete without last-minute changes by those involved, so here it goes. It's a very short, small tweak to committee amendment AM1201 brought by AM1229. This amendment clarifies the language surrounding substantially similar costs. So it, it-- so by saying substantially similar costs, it-- ensuring that this principle applies comprehensively to both the sourcing and the administration of drugs. This is a technical adjustment, but it is also an added safeguard against potential misinterpretations and future attempts to circumvent the intent of the law. I appreciate your support for this amendment. And thank you, Mr. President and colleagues. Please vote green.

KELLY: Thank you, Senator Jacobson. Moving to the queue. Senator Dungan, you're recognized to speak.

DUNGAN: Thank you, Mr. President. Good morning, colleagues. I just wanted to rise in favor of Senator Sorrentino's bill, LB198, and speak just briefly about my experience on the Banking, Commerce and Insurance Committee both with this bill and with this issue. I guess I would echo the sentiments that Senator Jacobson said, which is appreciation and thanks to Senator Sorrentino as well as Senator Bostar and Senator Hallstrom, a, a whole host of people who I think have worked very hard on this issue over the last-- this year and then the years prior as well. I'm in my third year on the Banking, Commerce and Insurance Committee, and I will tell you, every year that I've been here, the PBM issue has been an-- has been an issue before us. I know it was worked on prior to my arrival on the BCI committee, and that's-- now-Congressman Flood put a lot of effort into that as well. So it's a really interesting concept or a thing to deal with, because

it's not really a partisan issue. What it comes down to, I think, is really just making sure that patients have access to affordable medication. And I think a lot of it really also boils down to making sure that we are supporting businesses and competition in a way that doesn't essentially have too much monopoly of one industry. And so I've really tried to learn as much about this issue as I can, but I do think that we as the committee have made huge strides in trying to address this while simultaneously balancing bills like Senator Sorrentino's with the desire and the need to take into considerations how the industry works. So I know there were a number of roundtable discussions that happened through this and a lot of efforts. I, I think that these happened over the interim as well as this year. So LB198, along with the committee amendment, I think represents a really good faith step forward. Is it everything that I would like to see? Probably not. Is it a really large step in the right direction? Absolutely. So Senator Jacobson I think has spoken at great length about this. I know Senator Hallstrom has punched in after me; and he has a lot of experience in this field, so I don't want to talk for too long. But I just wanted to lend my support to this as a member of the BCI Committee, point out to my colleagues this is a nonpartisan issue. It's really about what's doing best for Nebraskans. And I appreciate all of the negotiations and efforts that have gone into this. Thank you, Mr. President.

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

HALLSTROM: Mr. President, members, thank you. I rise in support of AM1229, AM1201, and the underlying advancement of LB198. I want to commend first Senator Jacobson for keeping everyone's feet to the fire and for his leadership in the Banking Committee to bring this matter to a resolution as far as it's going today. And having said that, I think there's more work that needs to be done. Hopefully we will have an interim study hearing and continue to work with interested parties in addressing some of the PBM-related issues that have a significant, in my opinion, adverse effect on health care plans and the cost thereof and the very viability of our community pharmacists across the state. I think we, we have made a, a significant first step in terms of looking at spread pricing, anti-steering, white-bagging. And again appreciate all the efforts of both the supporters and the original opponents of the introduced legislation in arriving at this point. I do want to note, in terms of looking forward, that there are a whole host of other issues that are at least still on my plate. This has been a multi-year undertaking-- a labor of love, if you will. But I've got an article-- and I haven't handed it out, given the time with

which this bill came up-- but there's an Ohio State Auditor's Report in which the Ohio PBMs were charged with obtaining spreads of more than 31% on generic Medicaid prescription drugs, more than four times the spread that was reported on all other types of drugs. That's significant. That affects the cost of our Medicaid programs in providing care. And if the same practice is happening on the private health care side, we've got a lot of savings that can occur there. If those types of spreads are being priced-- I don't begrudge anybody a normal, reasonable profit. But if those types of excess spreads are being charged, we're either overcharging Medicaid health care plans or underpaying pharmacists, and none of those are good for our health care environment in Nebraska. In looking at recommendations from Ohio real quickly in terms of maybe setting the stage for things or issues that need to be addressed in the future, they talk about engaging an independent third party to conduct a free-for-serv-- whether a free-for-serv-- fee-for-service model is better than the existing model that they have in place, determine whether pass-through contracting would be more effective than the current model that they have in place, ensure that there are periodic and regular independent audits conducted of PBM practices, examination of rebates and other fees paid to PBMs. So I think there's a whole host of, of issues on our plate, a lot of heavy lifting to be done, but I certainly commend Senator Sorrentino for introducing the original bill and everybody's collective efforts on both sides of this issue to come to where we are today. And I, I thank you.

KELLY: Thank you, Senator Hallstrom. Seeing no one else in the queue. Senator Jacobson, you're recognized to close on the amendment. And waive. Members, the question is the adoption of AM1229. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

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

KELLY: AM1229 is adopted. Seeing no one else in the queue. Senator Jacobson, you're recognized to close on the committee amendment. And waive. Members, the question is the adoption of AM1201. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 37 ayes, 0 nays on adoption of the committee amendment.

KELLY: AM1201 is adopted. Mr. Clerk.

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

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KELLY: Senator Sorrentino, you're recognized to close. And waive closing. Members, the question is the advancement of LB198 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: It is advanced. Mr. Clerk.

CLERK: Mr. President, next item: General File, LB521, introduced by Senator Sanders. It's a bill for an act relating to elections; amends several sections of Chapter 32; redefines terms; changes provisions relating to voter registration, special elections, petitions, political parties, write-in candidates, ballots, counting watchers and observers, and counting and recounting ballots; provides forms for petitions; eliminates provisions relating to voter registration, political party delegates; harmonizes provisions; provides operative dates; repeals the original section; outright repeals Section 32-309 and 32-705; and declares an emergency. Bill was read for the first time on January 21 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 Sanders, you're recognized to open.

SANDERS: Mist-- thank you, Mr. President. And good morning, colleagues. LB521 is one of the Government, Military and Veterans Affairs priority bills. It is a comprehensive bill that includes the annual update of our state elections act, incorporating key recommendations from the Secretary of State. This bill addresses a wide range of critical areas from clarifying definition of streamlining procedures, all with goal of modernizing and strengthening our electoral process. Specifically, the bill clarifies the definition of candidate with an exception for delegate positions at party conventions and expands acceptable voter identification to include photographic patient records from hospice and disability services. It also removes obsolete language concerning the Department of Motor Vehicles and mandates direct notification to voters upon cancelation of their registration. The bill adjusts the timing of special election near legal holidays to ensure voter access. This legislation standardizes petition forms and content, content for various elections, including presidential and other offices, and updates the procedures for write-in candidates and partisan ballot-access petitions. It also streamlines petition verification by

authorizing filing officer-- offices to increase verification signatures once 110% of the required number is reached. To maintain clarity, the bill establishes procedures for when qualified candidates decline ballot placement and for differentiating candidates with identical names. It also refines the process for handling objections to candidate filings, removing the Secretary of State's authority in some cases, and providing a specific procedure for special elections. To ensure petition integrity, the bill clarifies signer qualifications, mandates submissions of petitions as a one instrument authorizing the Secretary of State to acquire petition processing software, and sets the deadline for signature removal requests as the day of filing. It also clarifies the local election officials must verify signatures on identification envelopes using voter registration records. This bill also addresses logistical considerations by changing the meeting locations for the State Board of Canvassers and modern-- modifies procedures for vote-counting devices, including a zero report requirement. It directs local officials to implement process for verifying signatures, identifications, and provisional ballots, and to specify dates for counting and canvassing boards. Additionally, it revises recount triggers and clarifies recount observers' rules-- roles. The bill mandates most expeditious method available for petition-related notifications from the Secretary of State. Finally, the bill includes provisions aimed by maintaining the integrity of the ballot drop-- drop-off process and the vote-counting environment. It purposes prohibiting petition circulation within 200 feet of a secure ballot box-- drop box and establishes a minimum distance of 8 feet between counting watchers or observers and ballots, ballot boxes, sign-in registers, and counting devices in vote-counting locations. In conclusion, this bill represents a significant investment in the integrity and the efficiency of our electoral system. It addresses a wide range of issues to ensure Nebraska elections are conducted with the highest standard of accuracy, transparency, and accessibility. Colleagues, I would appreciate your support for this committee priority bill. Thank you, Mr. President.

KELLY: Thank you, Senator Sanders. As the Clerk stated, there's a committee amendment. Senator Sanders, you're recognized to open.

SANDERS: Thank you, Mr. President. AM1152 is the Christmas tree amendment to our committee priority bill, LB521. It adds in four other bills that will-- that were heard in our committee and also makes some small changes to LB521. It briefly describes the bills being added, but let, let me first state that all four of these bills had an 8-0 vote in committee. I will have the introducers of these bills-- amendments to the package speak a bit about that. Senator Cavanaugh?

KELLY: Senator John Cavanaugh, will you yield to some questions?

J. CAVANAUGH: Yes. Thank you. Thank you, Senator Sanders.

SANDERS: Would you like to just explain your bill, please?

J. CAVANAUGH: Yes. Thank you, Senator Sanders. AM1152 contains my bill, LB19, which will allow cities of the metropolitan class, like Omaha, the option of holding elections for mayor and city council in conjunction with the statewide presidential primary and general election. As introduced, LB19 would have mandated the change but has been amended to allow people of the city the option to make the change through a city charter amendment. At the hearing, we heard neutral testimony expressing a desire to include Lincoln as well as Omaha, so the amendment also allows cities of the primary class, like Lincoln, the option to amend its city charter to hold its city elections in conjunction with statewide primary and general elections every two years. All major party candidates in the April mayoral primary election in Omaha told the media they would support the idea of moving city elections to coincide with the presidential election. Placement of Omaha's election on the calendar six months after a grueling presidential election leads to voter fatigue, low turnout, and, because Omaha has to pay for the entire cost of the election, means it's-- costs the taxpayers money. Douglas County Election Commissioner Brian Kruse estimated that this year's election will cost the city \$1.5 million, while the city paid less than \$500,000 for the bond issues on the November ballot. Moving the city election to November could boost turnout while saving the city of Omaha as much as \$1 million. This bill gives the people of our two largest cities, if they choose, the option to move their elections to save money, boost voter turnout. Omaha has tried to amend its charter in the past to make this change, but the consensus has been that a change in state law is necessary to allow them to do so. AM1152 would give them and Lincoln this option. I want to thank the Government Committee and the chair, Senator Sanders, for including LB19 in the committee package. Thank you, Senator Sanders.

SANDERS: Thank you, Senator John Cavanaugh. The second bill being added to LB521 is Senator Machaela Cavanaugh's LB238. If she would like to speak and introduce her bill.

KELLY: Senator Machaela Cavanaugh, would you yield to a question?

M. CAVANAUGH: Yes. Thank you, Mr. President. Thank you, Senator Sanders. LB238 is an exemption for the Foster Care Review Advisory

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Committee from the Open Meetings Act. They deal with highly sensitive information, and they already have a partial exemption. This just clarifies that they are actually exempt from the Open Meetings Act. And since they do all of this work and deal with confidential cases, it makes it more clear that this is not to be available to the public. And I appreciate the Government Committee including this in their package. The Foster Care Review Office brought me this bill, and they are going to be very excited to have this as a part of the package moving forward. Thank you, Senator Sanders.

SANDERS: Thank you, Senator Machaela Cavanaugh. The third bill added to LB521 is LB243 as amended by AM1145. This is one of my own bills. The bill corrects sunset language from LB287 of the last session regarding notice requirements for the Open Meeting Act and addresses scenarios where notice is given to a newspaper but not properly or timely published. The bill adds the words "if available" to a certain section of the Act to prevent noncompliance when the statewide website for the public notices is inaccessible. LB659 is the fourth and final bill being added to LB521. And I would ask Senator Andersen if he'd like to introduce LB659.

KELLY: Senator Andersen, would you yield to that question?

ANDERSEN: Yes, Mr. President. And thank you, Senator Sanders. I'd like to begin by thanking Chairwoman Sanders for her leadership on LB521 and AM1152 and for including my legislation, LB650-- LB659, in this comprehensive committee amendment. I'd also like to express my appreciation to Secretary of State Bob Evnen and Deputy Secretary Wayne Bena for their guidance and support in developing this election security reform. The provisions of LB659 enhance transparency and public trust in our elections by refining procedures for testing vote count-- vote-counting devices prior to an election. The three tests currently performed must be performed by three different individuals: the election commissioner or county clerk, a deputy or alternate party representative, and either the technician responsible for the machine software or the machine operator. The bill also authorizes party-- political parties to appoint watchers and requires local officials to certify the completion of the testing to the Secretary of State, with that information made available on the Secretary's website. These reforms reflect a commitment to election integrity, ensuring Nebraskans have confidence in the accuracy and security of our vote count. I thank my colleagues in the Government, Military and Veteran Affairs Committee for their unanimous support. And I respectfully ask for your green vote on LB152 [SIC] and AM1152. Thank you, Mr. President.

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KELLY: Thank you, Senator Andersen.

SANDERS: Thank you, Senator Andersen. Colleagues, thank you for your time. And I would appreciate your support on the committee amendment. Thank you, Mr. President.

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

CONRAD: Thank you, Mr. President. Good morning, colleagues. I'm glad that my friend, Senator Machaela Cavanaugh, shared some information and context and background about her component in the committee legislation, which at first blush seems to chip away at our tools of open government, including application of our Open Meetings Act to activities of the Foster Care Review Board. I definitely want to put a pin in that conversation maybe on General File and learn more about that specifically, and work with the Government Committee, Senator Cavanaugh, and the Foster Care Review leadership to make sure that that's the right remedy for the issues that they are working through and sorting through. Of course, when dealing with specific, sensitive, litigation-related matters or otherwise, there's a, a host of well-established ex-- ex-- exemptions and exceptions that exist in the Open Meetings Act to protect sensitive information if appropriate and allow for a public body to go into executive session for those purposes. A blanket kind of exemption from open meetings from a public body, a public entity is something that I think we need to be very skeptical of. And so I'm glad Senator Cavanaugh flagged that, and, and I just-- I want to think more about that. The original reason why I rose was to also offer a point of concern in relation to the measure and the committee amendment, something that caught my eye when reviewing the committee statement. So there's a section herein where the bill will propose pro-- prohibiting petition circulation with 200 feet of a secure ballot box, and that also brings with it, for enforcement purposes, criminal sanctions-- a Class V misdemeanor. And this has considerable chilling effects on protected First Amendment activity. And a very similar provision came to the Government Committee in the last biennium-- and I was grateful to work with then-Chair Tom Brewer and Wayne Bena, a deputy, deputy for elections for the Secretary of State, and other committee members to kind of talk through how that perhaps well-intentioned provision could have serious and significant unintended consequences in relation to First Amendment-protected activity. So let me just provide a, a quick example. And if I run out of time, I can punch in a-- again. But I think we can get this done at one or two times on the mic. So there's a well-established prohibition against electioneering on Election Day

around polling places. This is to put the primary focus and protection on the voter's right to cast a ballot free from disruption or encumbrance or duress or undue pressure so that they're not being pestered when they're going in to cast their ballot by initiative campaigns or candidate campaigns or what have you, so that that, that right of the voter is sanc-- sacrosanct and, and protected. And that's why we have those electioneering provisions in place that are well-established, been there for many years. So now, as we start to see a rise in vote-by-mail or people voting and utilizing a ballot drop box and different counties having different levels of accessibility in terms of ballot drop boxes, there's some well-intentioned thinking that we should extend that electioneering provision to the perimeter in a, a kind of similar fashion as we do for polling places on election day. But it, it really doesn't work in practice for variety of different reasons, and I see I'm, I'm just, I'm just at my time here, so I will punch back in just to conclude on that point by way of example. I have had a chance to flag this for committee staff, the Secretary of State's Office, and Chair Sanders, and I think that we definitely have a meeting of the minds and can take it up from General File to Select File with a quick deletion. Thank you, Mr. President.

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

J. CAVANAUGH: Thank you, Mr. President. Well, I-- again, I appreciate Senator Sanders, Chair, Chair Sanders, and the committee for including my bill in this. And I just wanted to talk a little bit more about LB19. So there's some-- a little confusion about it and the-- explaining it to people. So LB19, in the bill as it's written, is permissive, meaning that the city of Omaha and the city of Lincoln get to decide whether they hold their elections like they are right now or they move them to the even years with the elections that are already going on to the federal and the state elections. And-- so right now, the Lincoln city elections are next Tuesday, I think, and the Omaha city elections are the Tuesday following. And-- so this is the funny thing and, and what the-- what my bill seeks to address, is that we have specifically stated in statute that a city of the metropolitan class has its city elections on the first Tuesday in April and the first Tuesday following the second Monday in May. And then the city of the primary class has its city election, city primary, on the fir-- the second Tuesday in April and the first Tuesday in May. So in state statute, we explicitly say when both of our two largest cities have their elections, and they're on different days. So Lincoln's city election between primary and general is two weeks shorter than Omaha's

city election primar-- between primary and general, which is interesting. But so state statute mandates that the cities run their elections this way, and as I said in my opening, that the city of Omaha is paying \$1.5 million to do this. And so this, for me, falls into the category of state mandates that cost local entities, subdivisions money, and that, if we take away the mandate, they can choose to do the more cost-effective thing, which, you know, they can then pass that savings onto the citizens in property tax relief or sales tax relief. So the city of Omaha can save at least \$1 million every four years by moving its election. I don't have the number for Lincoln, but it's probably a little bit less than that but probably still a pretty substantial amount. And, of course, voter turnout is much higher in on-year elections than off-year elections. The city primary had, you know, less than 100,000 people participate in a city of almost 500,000 people. And, you know, to choose the leader of the city, it'd be nice to have a higher participation than that. And, of course, we get more, more dir-- direct representation when people-- more people are engaged. So for me, making this permissive puts it-- is not-- it's not us mandating when they have their election, but it's giving them the option to choose to save money and increase participation. So I think it's a very good compromise consensus thing, and it's the type of thing we should-- when we can not mandate what the local subdivisions do, we should definitely stay out of their way and save money. So one of the questions people had is just-- how would this work functionally? So I'll use Omaha as the example because that's what I'm more familiar with. City of Omaha-- if we pass this, city of Omaha then would have to, to put it into effect-- would have to pass a city charter amendment. So city charters-- you know, city of Omaha has both ordinances and charters. Their ordinances are akin to our laws; their charter is akin to our constitution. And so they have a process-- you know, the city council can pass ordinances. But to pass a charter amendment, it has to be placed on the ballot by the city council. So the coun-- city council would have to approve a charter amendment, go on the ballot, and then it'd have to be voted on. So the next option would be voting on a city charter amendment in the 2026 elections. So the city could go and put it on the, the-- that election, and the-- in that-- at that time, if the city chooses to do that, they could move the election to 2028. And they would then, in that time, also determine whether the person elected mayor next-- in two weeks would serve into 2029 or if they're-- that, that term would be truncated or-- and the next term would be a little shorter. So by moving it, there's, of course, like, a six-month swing there in terms of when somebody takes over. That would be left up to the city to decide how they want to implement that going forward. So the time that

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people would take over, the length of the intervening term. So this puts the ball in their court, helps them save money, increases participation in the elections. So I ask for your green vote on AM1152 and LB521. Thank you, Mr. President.

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

JUAREZ: Hi. Good morning, colleagues. And good morning to everyone online. I'd like to know if Senator Andersen would yield to some questions, please.

KELLY: Senator Andersen, would you yield to questions?

ANDERSEN: Yes, Mr. President.

JUAREZ: Thank you. Senator Andersen, so I was trying to get clarification on your portion of this bill about the counters, if that's the right word that I'm using, that you talked about that there would be three people. Is that correct?

ANDERSEN: Yes, that's correct.

JUAREZ: OK. So could you elaborate for me, how are these three people going to be chosen?

ANDERSEN: They are designated by the election commissioner or county clerk, the deputy or alternate party representative, and either the technician responsible for the machine software or the machine operator.

JUAREZ: So are-- not everybody is an employee, then, of the election commission. Are they all outside?

ANDERSEN: Some are employees, like the election commissioner and county clerk. And party representatives are not-- may or may not be government officials. And certainly, the technician that's running the software or the machine operator are not government officials; they are presumably contractors.

JUAREZ: OK. So on the party representatives, do the parties already have this in place on how they would be selecting someone or are we passing this and then the parties are going to have to decide how they're going to go forward for this?

ANDERSEN: Yeah, the parties already do their own designation of representatives. So the parties already do that.

JUAREZ: OK. Thank you. Because I have no idea about that. That's why I was curious to ask those questions.

ANDERSEN: Sure.

JUAREZ: Thank you.

ANDERSEN: Appreciate your questions.

JUAREZ: Thank you. Senator Conrad, I did want to make a comment that I appreciated the issues you were raising up about the electioneering, because since I ran for this race this past year, it was very stressful when you were going to the different voting sites and trying to figure out something as simple as the correct place to put your signs. And I just wanted to express that it was a little frustrating to me, you know, going to all the different sites and trying to figure out where their little signs were, telling you how far you were supposed to stay away from the polling place. And I think it would be great if they would make their little signs bigger, maybe in a brighter color, like red or orange instead of white. I mean, something small like that is really helpful. And you don't want to get in trouble and-- and I was absolutely paranoid because I didn't want to get in trouble when I was trying to figure all that stuff out. And I yield the rest of my time. Thank you.

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

CONRAD: Thank you so much, Mr. President. Thank you to my friend, Senator Sanders-- and Senator Sanders and Senator Juarez-- must be Thursday after a couple of late nights-- for those kind words. But I-- So I just want to finish the, the example on the record here, so that there's clarity and illustration as to my concern. So we know that there is a well-established prohibition on electioneering around polling places on Election Day to protect the rights of voters to cast their ballot free from disruption or harassment or encumbrance, and that's important. The problem with extending the electioneering ban for petition purposes to ballot drop boxes goes something like this. So different communities set up ballot drop boxes in different locations for different reasons. Sometimes, those are set in stone in terms of where the location is. I'm thinking my home county of Seward, the ballot drop box is on the courthouse square, so everybody knows

where that is; that's the, that's the ballot drop box; it doesn't, it doesn't move around. I don't know if that's exactly the style of the case, but that, that was the case for many years. Sometimes, we have seen communities, particularly in, like, Lincoln or Omaha, have a variety of different drop boxes available at public libraries or DMVs, or sometimes even grocery stores or what have you. And So think about it just very practically: when you have petitioners out circulating for signatures on anything, right? These could be pro-life petitioners trying to ban abortion; these could pro-death penalty petitioners trying to reinstate the death penalty; these could LGBTQ activists trying to get something on the ballot for nondiscrimination, right? Every point in the political spectrum utilizes these tools of direct democracy. So they're out on public property, you know, say downtown Lincoln here, trying to gather signatures for their petition. And they're doing protected activity on a public space, they don't realize that they're too close to the drop box that may be at the Bennett Martin Library downtown. So what we have there is perhaps unintended consequences and a moving target which can have a chilling effect on protected First Amendment activity, and subject those petitioners-- sometimes, even unknowingly-- to criminal sanctions. Now, it's only a Class V misdemeanor, but nevertheless, criminal sanctions, of course, are serious and bring with them collateral consequences in terms of employment, education, housing, professional licensure-- the list goes on and on and on, even for misdemeanor penalties. So I, I do just want to lift up that we had a very collaborative conversation with election officials and the Government Committee in the last biennium about how that provision is indeed unworkable and would have too many unintended consequences for both the petitioners' rights and uneven enforcement for law enforcement officials and otherwise. And so I, I believe we don't need to take it up today in a floor amendment; I trust the word and good faith of my colleagues inside this body and outside who are working on this matter to strike that provision from General to Select File, to maintain the status quo in regards to the allowance of protected First Amendment activity for signature-gatherers on otherwise permissible public spaces, whether or not they would knowingly or unknowingly be by a ballot return drop box. So I just wanted to lift that up there, because I think it, it could be very problematic, even though I understand the intention it is drawn from, and I'm grateful that all the parties have agreed to revisit that and to strike that from General to Select. Thank you, Mr. President

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

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SANDERS: Thank you, Mr. President, and thank you to my colleagues for your time and investment in the integrity and the efficiency of our electoral system. I ask for your green vote on AM1152 and LB521. Thank you, Mr. President.

KELLY: Thank you, Senator Sanders. Members, the question is the adoption of AM1152. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 41 ayes, 0 nays on adoption of the committee amendment, Mr. President.

KELLY: AM1152 is adopted. Mr. Clerk.

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

KELLY: Senator Sanders, no one else in the queue, you're recognized to close, and waive closing. Members, the question is the advancement of LB521 to E&R Initial. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 42 ayes, 0 nays on advancement of the bill, Mr. President.

KELLY: LB521 is advanced to E&R Initial. Mr. Clerk.

CLERK: Mr. President: LB50, General File, introduced by Senator DeKay. It's a bill for an act relating to revenue and taxation; amends Section 77-6204; changes provisions relating to distribution nameplate capacity tax; and repeals the original section. The bill was read for first time on January 9 of this year and referred to the Revenue Committee. That committee placed the bill on General File. There's nothing currently pending on the bill, Mr. President.

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

DeKAY: Thank you, Mr. President. I would first like to begin by thanking Speaker Arch for designating LB50 as a Speaker priority. LB50 would change provisions relating to the distribution of the nameplate capacity tax. I brought this bill simply to correct an unintended consequence of the prior bill, LB243 in 2023, that resulted in funding being unintentionally taken away from community colleges. The purpose of this bill is to restore that lost funding and make them whole again. The nameplate tax is a tax imposed on private renewable energy companies that build renewable energy infrastructure in Nebraska. The amount of the tax the companies pay is based upon the number of kilowatt hours of electricity that the infrastructure produces.

Companies pay this tax in the counties where the infrastructure is physically located. As a result, nameplate tax revenue remains in the areas most directly impacted by renewable energy infrastructure. Nameplate tax is paid by the companies to the Department of Revenue; NDOR then distributes the nameplate capacity tax to every county with renewable energy infrastructure. The county treasurer then distributes the nameplate capacity tax they received on a quarterly basis to the political subdivision based on the percentage of property tax assessed by each political subdivision. Two years ago, in the 2023 legislative session, the governor, the Legislature, and the community colleges collaborated to craft a new funding model in LB243 that removed the vast majority of community colleges' General Fund property tax levy authority and replaced it with funding from the state. Under the previous system, community colleges could levy up to 11-and-a-quarter cents; under the current system, they may levy only up to 2 cents. This small portion had to be left in place for bond service. Nameplate tax revenue was not included in colleges' property tax replacement funds from the state; it was considered as a completely separate revenue streams, like tuition, motor vehicle prorate, federal receipts. When their new funding model took effect in 2024, the community colleges realized after the fact that they did not receive most of their nameplate tax revenue. They did not receive this revenue because they received a significantly smaller percentage of property taxes than before, which led to a correspondingly smaller percentage of nameplate tax revenue being distributed to them. This loss of nameplate tax revenue amounts to just over \$550,000 of lost revenue to community colleges in 2024, and this number will climb annually if we do not pass LB50. The LB243 funding model provided no mechanism to replace the nameplate tax funds. In 2024, the community colleges' lost year of nameplate tax, a portion of revenue that formerly had gone to community colleges, simply remained in the county's nameplate tax bucket and was distributed among the other political subdivisions. In other words, the other political subdivisions received the community colleges' share of the nameplate tax. So while they received more revenue than in previous years, the community colleges received significantly less. It is important to note that although community colleges did not receive this money in 2024, they do not seek to refund or claw back; they only want-- only seek to correct the distribution going forward. To reinstate the community colleges' portion of property taxes, we looked at the historical distribution of this tax among counties and their political subdivisions. The amounts each county receives vary wildly, with some counties having lots of renewable energy generations facilities within their borders, and others having none. In fact, only 38 counties in

Nebraska received nameplate tax revenue at all, based on the latest Department of Revenue data available. By looking at the 38 counties that received nameplate tax revenue and then looking at the portion of that revenue that community colleges received in those counties, we arrived at a formula that would right this past wrong. Taking 5% of the nameplate tax revenue off the top and distributing it to the local community college prior to distribution among the other political subdivisions would reinstate most of the community colleges' lost funding, though not obviously to the previous levels. For, for most other political subdivisions, such as counties and schools, there would be a reduction in nameplate capacity tax of less than 1% when compared to last year. For Lancaster County, for example, we're talking a total of \$155 a year. When you add up all the political subdivisions in the state that receive nameplate tax, though, you get about \$550,000 which community colleges just lose since the state is not making that up. LB50 was heard on February 19 and was advanced from the Revenue Committee on a unanimous 8-0 vote. Proponents of the bill, including testifiers representing the Governor's Policy Research Office, the Nebraska Chamber of Commerce and Industry, Nebraska Farmers Union, and the Nebraska Community College Association. Again, LB50 only seeks to try to fix the unintended consequence created due to the passage of LB243 two years ago. I would like to thank the Revenue Committee for their favorable consideration on LB50, and again express my gratitude to Speaker Arch for designating this bill as a Speaker priority. I would appreciate a green vote on LB50. With that, I yield back the balance of my time. Thank you, Mr. President.

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

VON GILLERN: Thank you, Mr. President. I rise in support of LB50, and just wanted to share this came before the Revenue Committee on Wednesday, February 19 for the hearing. There were a number of folks that testified, including the Nebraska Association of County Officials, NACO, and the League, League of Nebraska Municipalities, a couple of parties that generally would be very interested in this, and then also the community colleges, and then one city. The bill was voted out of committee 8-0. It has no fiscal impact. I would encourage you to support LB50 with your green vote when it comes up to vote. Thank you, Mr. President.

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

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CLEMENTS: Thank you, Mr. President. I've been asked a couple times about the nameplate capacity tax, which you heard in the-- my LB468 inheritance tax bill does propose to use some of that. But I support Senator DeKay's bill here, and agree that it's a fair way to allocate money to the community colleges who had been getting it before. And I'm working with Senator DeKay so that we won't conflict, and the nameplate capacity tax in my bill will allocate the amount that Senator DeKay needs, and I'll be working with a-- the difference. So I am in support of LB50, and thank you, Mr. President.

KELLY: Thank you, Senator Clements. Seeing no one else in the queue, Senator DeKay, you're recognized to close, and waive. Members, the question is the advancement of LB50 to E&R Initial. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

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

KELLY: LB50 is advanced to E&R Initial. Senator Hansen, you're recognized for an announcement.

HANSEN: Thank you, Mr. President. Pursuant to Rule 4, Section 3(b), interim study resolutions may be introduced up to and including the 80th legislative day. The 80th legislative day will be Thursday, May 15, so interim study resolutions must be introduced by noon on that day in order to allow the Clerk's Office time to process them prior to adjournment. A standing committee may also introduce one additional interim study resolution prior to adjournment sine die. Interim study resolutions or interim study requests submitted to the Bill Drafting staff by noon on Tuesday, May 13 will be guaranteed to be ready for introduction on the 80th legislative day. Again, that's noon, Tuesday, May 13. Requests received after that time will be drafted, if time permits. Should you have any questions, please contact my office. Thank you, Mr. President.

KELLY: Thank you, Senator Hansen. Mr. Clerk.

CLERK: Mr. President: General File, LB641 introduced by Senator Bostar. It's a bill for an act relating to the medical assistance program; amends Section 68-919; changes provisions relating to Medicaid estate recovery by the Department of Health and Human Services; and repeals the original section. The bill was read for the first time on January 22 of this year and referred to the Judiciary Committee. That committee placed the bill on General File with committee amendments, Mr. President.

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

BOSTAR: Thank you, Mr. President. Good morning, colleagues. I rise to introduce LB641, legislation designed to protect the financial interests of caregivers who share the residence of a family member in need of care while also considering the interests of Nebraska medic-- the Nebraska Medicaid program. Family caregivers are the backbone of the U.S. care system, helping parents, spouses, and loved ones remain in their homes, while providing approximately \$600 billion annually in unpaid care. According to the American Association of Retired Persons Public Policy Institute, in 2021, there were over 179,000 unpaid family caregivers in Nebraska providing over 168 million hours of care valued at \$2.8 billion. Our state's elderly population is growing rapidly, increasing by 27% from 2009 to 2019 to over 312,000 persons past the age of 65. Nationally, every day until 2030, 10,000 baby boomers will turn 65. An American Association of Retired Persons Survey found that more than 75% of adults 50 and older want to stay in their homes and communities as they age. Increasingly, family caregivers are contributing more time, more energy, and more money to support those in their care. The rising cost of health care, the limitations to Medicare and insurance coverage, and the increased number of years that caregivers are providing care due to improved longevity have all put pressure on caregivers to tap into their own personal finances to help pay for various elements of care. According to a report published by the American Association of Retired Persons, 78% of caregivers incur out-of-pocket costs due to caregiving. Caregivers often sacrifice their careers and financial futures by reducing work hours, taking on debt, and tapping into their own savings, ultimately jeopardizing their own retirement security. Caregivers spend, on average, \$7,242 annually on care-related expenses, an approximate average of 26% of their income. 47% of family caregivers report having experienced at least one financial setback, such as having to access their personal savings, cut back on their own health care spending, or reduce how much they save for their retirement. According to the Genworth Cost of Care Study, a comprehensive annual industry study composed of more than 67,000 long-term care providers, the monthly cost of nursing home care in Nebraska for a semi-private room is \$7,483-- \$246 per day, or \$89,796 annually. For those on Medicaid, the reimbursement for nursing home care is genuine-- gen-- generally 70% of the cost that a private resident might pay, or \$172 per day and \$62,853 annually. Genworth reports that the cost of in-home care is approximately \$28,020 less than nursing home care. It's-- and that's annually. It's clear that delaying entry into the nursing home facility level of care for a

Nebraska resident for even one year can result in significant savings for Nebraska Medicaid program. Family caregiving is, across our state, the best mechanism to keep an aging population in their home with the least disruption and most tailored care. Nebraska's family caregivers deserve protection for their sacrifices they make. Caregivers that move in with an elderly, disabled, or chronically-ill family member make significant personal, professional, and financial sacrifices, including, but not limited to personal time committed to the care of a family member, financial contributions to the household such as paying utility bills, upkeep of the home, rent or mortgage payments, and lost revenue due to time away from a paid position. The value provided by family caregiving is clear, however, under current law, family members serving as a caregiver in a loved one's home must take significant financial risks in order to do so because the home may be seized as an asset to repay the cost of care, if the loved one ultimately needs Medicaid assistance. In other words, a person who moves into a home to take care of a loved one can lose that home if that loved one ultimately needs help from Medicaid due to confusing gaps in the law. Nebraskans can currently transfer their assets to family members as long as they do so five years prior to accessing the Medicaid system. However, if there is no plan for an asset transfer, or if a loved one becomes unexpectedly sick or injured, the current law does not sufficiently protect the family members who sacrifice to take care of a loved one. In fact, the current risks and confusing language in the law actually discourage people from caring for a loved one. While exemptions exist in certain circumstances, they are limited and unclear. LB641 protects the interests of family caregivers while also maintaining fair rules to prevent individuals from avoiding payment of medical expenses. LB641 prevents fraud by certifying need through a physician. Currently, an individual can qualify for the caregiver exemption to gain ownership of assets if they can establish to the satisfaction of the department that he or she provided care that delayed the recipient's admission. This is unnecessarily vague, subject to interpretation, and may be lacking in sufficient documentation in situations where little planning was possible. Requiring a physician to certify based on their training and licensure is more concrete. The bill also empowers the Department of Health and Human Services to establish regulations and promulgate rules to fairly implement the act as another safeguard against bad actors. It should be noted, too, that the False Medicaid Claims Act already prohibits knowingly making false claims, providing false records, or unfairly withholding money, and prescribes penalties and requires the payment of damages. Caregiving is a labor of love, but it can come with great personal toll, and sometimes risk of family assets. LB641 will help

ensure Nebraskans in need of care can stay in their homes when their health is failing, eliminating the need for the much more costly option and the added emotional burden of being cared for in a taxpayer-funded nursing home. LB641 recognizes the hard work and sacrifices made by family caregivers and helps lessen the financial risks that family caregivers take upon themselves. I would-- I thank you. I know there's going to be a committee amendment and a, and a subsequent amendment following that. But for now, thank you, and I encourage your green vote on LB641.

KELLY: Thank you, Senator Bostar. Senator Clouse would like to recognize some guests in the north balcony: they're fourth graders from Gibbon Public School. Please stand and be recognized by the Nebraska Legislature. Senator Bosn, you're recognized open on the Judiciary Committee amendment, AM538.

BOSN: Thank you, Mr. President. Good morning, members of the Legislature. AM538 is the committee amendment amending the process for Medicaid estate recovery by the Department of Health and Human Services. I know Senator Bostar talked a little bit about how we took language out, and perhaps took too much language out, so now he has an amendment to fix that. I'm gonna still read this and-- so it articulates it, and then let both Senator Bostar and Senator Hallstrom, I believe, is in the mic to further explain it. One of the changes would have prohibited the department from foreclosing on a deceased recipient's home in a Medicaid estate recovery action if the home is the residence of a relative of the recipient and the relative meets certain conditions. Those conditions include that they provided care that delayed the recipient's admission into a medical institution. The expand-- this expanded the existing law which only applied to a sibling or an adult child of the recipient. AM538 limits the scope back to a sibling or adult child, and adds that a written attestation by a physician is a-- is sufficient documentation to prove that the sibling or adult child provided care that delayed that admission into a medical institution for purposes of avoiding the foreclosure. I ask for your support for AM538, and also I will be supporting the amendment from Senator Bostar. Thank you, Mr. President.

KELLY: Thank you, Senator Bosn. Mr. Clerk.

CLERK: Mr. President, Senator Bostar would move to amend the committee amendments with AM672.

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

BOSTAR: Thank you, Mr. President. As I believe was stated, some of the language in the bill exceeded what was permissive under federal law, and so I had brought a committee amendment to place-- to, to remove those elements from the bill. Unfortunately, we, we removed more than was necessary, and actually, I'm going to thank Senator Hallstrom for identifying this, really, and pushing for more clarity around what truly was required. So we, we dug into it and worked with the department, and found that there was a provision related to unpaid or paid compensation for caregiving that we had struck unnecessarily. So this amendment simply puts that back in, because it is, is not necessary to have been removed by the committee amendment. Thank you, Mr. President.

KELLY: Thank you, Senator Bostar. Moving to the queue. Senator Hallstrom, you're recognized to speak.

HALLSTROM: Thank you, Mr. President and colleagues. I rise in support of Senator Bostar's amendment to the committee amendment, and then the advancement of the bill. When this bill was heard at the committee level, one of the parts of the bill indicated that the care that's provided by an adult child or sibling could be reimbursed or unreimbursed. And I think that's important because we have a valuable benefit, as Senator Bostar suggested in his opening, that's provided by family members who provide care that allows, most importantly, loved ones to stay in the home as long as possible, but at the same time, provides a valuable benefit to the state in reducing the cost by delaying their institutionalization or their admission into the nursing home. And initially, Senator Bostar was of the belief that federal regulations were going to require us to take out that such care may be on a reimbursed or unreimbursed level. I had asked him to double-check and make sure that we could possibly keep that in because of the benefits it's provided. Many times, when an individual goes into a nursing home or even in advance of going into the nursing home, they are required by state and federal law to spend down their resources. And if we are obtaining a valuable service and a reduction in the cost incurred ultimately by the state through the efforts of adult children and siblings of the person that's going into the nursing home, we should at least give them the option to be reimbursed for that particular service. And so I'm pleased that Senator Bostar was able to find out that the regulations do not in fact require us to remove that language. And it kind of reminds me of an old song: since we were in, then we were out; first you say you will, then you won't; then say you do, and then you don't. But I'm glad that we've gotten this amendment, if adopted, put back into the bill. Thank you.

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KELLY: Thank you, Senator Hallstrom. Seeing no one else in the queue. Senator Bostar, you're recognized to close, and waive. Members, the question is the adoption of AM672. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 37 ayes, 0 nays on adoption of the amendment, Mr. President.

KELLY: The amendment is adopted. Seeing no one else in the queue. Senator Bosn, you're recognized to close, and waive closing. Members, the question is the adoption of AM538. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 37 ayes, 0 nays on adoption of the amendment, Mr. President.

KELLY: AM538 is adopted. Mr. Clerk.

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

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

BOSTAR: Thank you, Mr. President. I just wanted to take a second to thank the Speaker for identifying this as a Speaker priority, and thank Senator Hallstrom for improving the bill by identifying and pushing for some necessary changes that will, will help a lot of people. And, and thank you to the body for your support for LB641.

KELLY: Thank you, Senator Bostar. Members, the question is the advancement of LB641 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: LB641 is advanced to E&R Initial. Mr. Clerk.

CLERK: Mr. President, next bill: General File, LB32 introduced by Senator Hunt. It's a bill for an act relating to political accountability and disclosure; it amends Sections 49-1474.01; changes provisions relating to disclaimers; and repeals the original section. The bill was read for the first time on January 9 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 Hunt, you're recognized to open.

HUNT: Thank you, Mr. President. Good morning, colleagues. First, I want to thank Speaker Arch for kindly designating this bill as a Speaker priority bill this year. I'll just make it short. This bill's very simple, it's a short bill. When you send a political mailer or you have a palm card or whatever, something related to your campaign, you've got the "paid for by" on there. So paid for by the name of your campaign committee. And then, it has an address. And for most candidates who don't have a business office for their campaign or something like that, it's your home address. So what this bill does is it allows candidates, instead of putting their home address on all of their campaign pieces, they can use a P.O. Box, if they'd like to. Under this bill, a street address would still be on file with the NADC, so it wouldn't be, you know-- the NADC would still have your home address on file, but it just says that when you're sending your mail, when you're having your walk cards, whatever, you do not have to put your home address on all of those cards. I heard feedback from a lot of candidates over the years that they did not like the exposure of their home by putting that on every single piece of mail and every single walk card that they have related to their campaign, and so this bill addresses that, and I think it's pretty fair. We have a committee amendment, and what it does, basically, is it just says that this will only apply to candidates; it won't apply to ballot initiative committees. That was requested by the NADC in the hearing, and we have no problem with that. This bill advanced on an 8-0 vote by the Government Committee, it had no opposition, and I would encourage your support of this bill and the committee amendment. Thank you, Mr. President.

KELLY: Thank you, Senator Hunt. As the Clerk stated, there is an amendment from the Government and Military Affairs [SIC] Committee. Senator Sanders, you're recognized to open on the amendment.

SANDERS: Thank you, Mr. President. This bill-- this bill would amend a section of the Nebraska Political Accountability and Disclosure Act relating to the disclosure of printed campaign materials. It would authorize the use of post office boxes in addition to street addresses. The current statute requires disclosure of street address. This bill came out of committee 8-0. Thank you, Mr. President.

KELLY: Thank you, Senator Sanders. Seeing no one else in the queue. Senator Sanders, you're recognized to close on the amendment, and waive. Members, the question is the adoption of AM254. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

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CLERK: 38 ayes, 0 nays on adoption of the committee amendment, Mr. President.

KELLY: AM254 is adopted. Seeing no one else in the queue. Senator Hunt, you're recognized to close.

HUNT: Thank you, Mr. President. Thanks for that vote, colleagues. Once again, this bill just allows people-- candidates only, not ballot initiative committees-- to use a PO box on their "paid for by" disclosure on their printed materials instead of their home address. So I thank you for your support. I want to thank my staff for the work that they've done on this bill, thank the folks at the NADC for working with us on this. And also just thank all the candidates who are willing to put themselves out there, expose themselves and their families in the hope of running for office and doing something to make life better for Nebraskans. So thanks for your green vote. Thank you, Mr. President.

KELLY: Thank you, Senator Hunt. Members, the question is the advancement of LB32 to E&R Initial. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

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

KELLY: LB32 is advanced to E&R Initial. Mr. Clerk.

CLERK: Mr. President, pursuant to the Speaker's agenda, General File, LB530 introduced by Senator Kauth. It's a bill for an act relating to motor vehicles; amends several sections of Chapter 28 and 60; changes provisions relating to motor vehicle homicide and motor vehicle homicide of an unborn child, speed limit violations, and passing a stopped vehicle; defines a term; redefines reckless driving under the Nebraska Rules of the Road; provides a requirement for motor vehicle operators who are approaching or passing vulnerable road users; provides and changes fines and penalties; harmonizes provisions; repeals the original section. The bill was read for the first time on January 22 of this year and referred to the Judiciary Committee. That committee placed the bill on General File with committee amendments. When the Legislature left the bill, Mr. President, pending was the first division of a four-division-- four-way divided committee amendment. The Legislature had adopted Senator Bosn's AM1230. There are additional pending amendments to the first division, Mr. President.

KELLY: Senator Kauth, for a one-minute refresh on the bill.

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KAUTH: Good morning, everyone. Thank you all for working so quickly through our very, very long agenda today. This is the bill we were working on last night when we adjourned at 9:30. LB530 is about increasing penalties on speeding fines, making sure that we are addressing some of the excessive speeds that are going on around our state, and adding vulnerable road users to the definition. So I appreciate the bipartisan support we've had for this, and I know that because this is a committee priority bill, there are a few other bills on here that-- the negotiations are ongoing, so everyone's been working in good faith, and I really appreciate the collegiality. Thank you.

KELLY: Senator Bosn, you're recognized for a one-minute refresh on the committee amendment.

BOSN: Thank you, Mr. President. I probably have refreshed everyone to death, so I'm going to take this time to tell you sort of where the plan-- and everyone laughing just confirms the accuracy of that statement. So here's sort of where we're at. Senator Spivey and Senator McKinney and Senator Dungan and I have had continuing, ongoing conversations about how to best proceed forward in good faith, and I can't say enough how much I appreciate that. Here's where we're at. We've got a lot of work done, but a lot of work probably still to do. It's her desire to have votes separately on these bills today, and I'm in agreement with that. But as a good-faith showing of our intentions to proceed and continue those negotiations, I will be asking for everyone's green vote on one of her floor amendments that will be coming up shortly, that being FA165. That is a negotiation that she has requested and we've talked about from day one, and so the goal here would be to support that at this point and continue those negotiations between General and Select. For those reasons, I still support the entire bill. I will also be supporting that floor amendment. Thank you, Mr. President.

KELLY: Thank you, Senator Bosn. Senator Dover has some guests in the north balcony: they're 11th and 12th graders from Pierce High School. Please stand and be recognized by your Nebraska Legislature. Senator Andersen would like to recognize two people under the north balcony: they are his administrative assistant, Christina Campbell, and newborn Murphy [PHONETIC]. Please stand and be recognized. Mr. Clerk.

CLERK: Mr. President, Senator Bosn, I have AM1183.

BOSN: I would withdraw AM1183.

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KELLY: So ordered.

CLERK: In that case, Mr. President, Senator Spivey would move to amend with FA163.

KELLY: Senat-- Senator Spivey, you're recognized to open on the floor amendment.

SPIVEY: Thank you, Mr. President, and good morning, again, colleagues. Well, maybe this is my first time on the mic, so good morning for the first time, colleagues and folks that are watching us and joining us in the Rotunda. Before I get into FA163, I would be remiss if I did not say hi, grandma. She's been coming to work with me every day, and has had lots of questions about all of the things that we are doing here, questions about people's comments. And so thank you for coming to work and being an engaged constituent and citizen. And So I wanted to start-- kind of to piggyback off of Senator Bosn's comments that we have been working in good faith over the last half of day, full day, and off the floor and off the mic just around where we are with LB684. So while LB530 is the catalyst for some of the other committee priorities and bills, the concern and the conversation with the division of the question is really rooted in LB684 and those amendments, and that's what we are voting on today, and what the rest of my amendments that we-- I'm asking for your vote on address. It addresses the concerns that we have and that I brought up yesterday, and other colleagues on the floor. And so that larger negotiation will still continue to happen between now and Select; we were not able to get that done during General File, but I do appreciate the good-faith effort that Senator Bosn has offered as the chair of the Judiciary Committee to work with us in transparent communication, again, which doesn't always seem to happen. And so I really appreciate her demonstrating that, not just with her words but her actions thus far. And so with FA163, this strikes Section 17. This is some of the conversation that I brought up yesterday, really around creating this super-predator language. And so to kind of re-situate us in that, we have had success in what the probation and the courts have done around moving kids through this supervised space. So kids are on probation, a majority are graduating through their programming, they're figuring it out, they are working with community-based partners, there's some family integration there, and they're really getting kids through that. There is a small percentage of kids that have not been successful with what is currently in place. And so I do believe that that is an internal adjustment with that agency that needs to happen, and what section-- excuse me-- 17 does, it creates this super-predator category that we have seen come out of the late 90-- late '80s and

early '90s conversation around juvenile justice reform. And so when you create this super-predator category, that narrative that we saw take place, what came out of that is that, one, it disproportionately impacts black youth specifically; that it was used to scare and lead to harsher sentencing for juveniles in that, including life without parole, which is the Miller v. Alabama case that was debated at the Supreme Court and agreed that you cannot give juveniles life without parole. We have also had conversations here about de facto life sentences for youth; that is still a continuing conversation, and it really doesn't address the core root issue. It does not lead to addressing what is in front of us around ensuring that juveniles are not committing violent crimes, are not committing crimes with weapons, that they are being able to be productive young people, enjoying mentoring programs and going to school and sports and arts and everything else. And so that model has proven to not work. There are effective models-- if we want to address kids that are system-impacted, or even before they become system-impacted, there are models out there that really show that we should be centered in addressing trauma, mental health support, having after-school programs; that there are family integrations; that there are services that address social drivers of health like housing, transportation, food access. And so I am not in support of this specific section, and that's why I have the FA163 to strike that section because, again, we have seen in our nation and in this state the implications of creating a super-predator group by carving out groups of kids that need extra resources-- resources and services. By doing that and demonizing them, we are further perpetuating the harm that is caused by that, that narrative that was created. And So I ask for your green vote on FA163 that would strike Section 17 of the current amendment. As I mentioned, there are still negotiations around that. I'm hoping that we can get to a good place, and I would appreciate your green vote on FA163, and I yield the rest of my time to Senator Bosn, if she had any additional comments around the language that I mentioned.

KELLY: Thank you, Senator Spivey. Senator Bosn, 4 minutes, 35 seconds.

BOSN: That's a lot of time there. So-- OK, so this floor amendment is not part of the negotiated agreement. It is-- at this point, but it is something that she has proposed to me, so I will not be supporting FA163 at this time, and so we'll be asking for green votes on this. The floor amendment that is part of the agreement is FA165. I do understand her position as it relates to this one, and so we'll continue those negotiat-- negotiations between now and Select. Thank you, Mr. President.

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

SPIVEY: Thank you, Mr. President. Again, thank you, colleagues, for being on the floor, engaging and listening into this conversation. I know that we have started with LB530 and have spent a lot of time specifically on LB684, and I think that is intentional because of the gravity of the conversation in front of us. This is not a filibuster to take up time. I have been committed to working with Senator Bosn as the chair of Judiciary around this package, and specifically LB84 and other colleagues, because of the implication that it has on our young people, especially kids from my district. If-- I gave you some data yesterday, and I will talk about it again today, that the juveniles that are system-impacted, the juveniles that are on probation, a majority come from Douglas County and District 13 and 11, which is my district and Senator McKinney's district, and they are black boys. And so I brought my son up here-- Naasir, if y'all remember-- about two months ago, and what we are proposing and what this bill does are impacting kids like Naasir-- ten-year-olds, fifth graders-- that we are creating harsher penalties, detaining them longer. And so I do believe by creating this super-predator category, we are truly not allowing for rehabilitation, restorative justice, and support to happen to our most vulnerable people among us, our children, which has proven to be a true investment. It's a, a good use of our time and energy and our resources to ensure that young folks that have been alleged or charged with a crime have the resources that they need in order to turn the corner and become contributing, engaged, amazing adults. And we cannot do that if we create this super-predator category. That is the opposite of that. We are disinvesting in our young people, we are saying that we are OK with demonizing them and throwing them away, and that they are the worst mistake that they have ever made. And so while negotiations are still happening, I do encourage your green vote on FA163. Thank you, Mr. President.

KELLY: Thank you, Senator Spivey. I'm seeing no one else in the queue-- or, that was the closing. Senat-- members, the question is the adoption of FA163. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 14 ayes, 25 nays on adoption of the amendment, Mr. President.

KELLY: The amendment is not adopted. Senator Spivey would like to announce some guests in the north balcony: they are members of Delta Sigma Theta Sorority and Alpha Phi Alpha Fraternity from Omaha. Please stand and be recognized by the Nebraska Legislature. Mr. Clerk.

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CLERK: Mr. President, Senator Spivey would move to amend with FA164.

KELLY: Senator Spivey, you're recognized to open on the floor amendment.

SPIVEY: Thank you, Mr. President, and good morning again, colleagues. You'll, you'll hear me on the mic for the next couple of amendments. So I'm glad that y'all are sticking here with me; again, engaging in this important conversation. Each amendment that is on the board is tailored to address the specific issues and opposition that I have with LB684. And again, to frame and tailor the conversation, I thought it was important to make sure that we have space and time to be able to address each of those sections and get that on the record with a specific vote. And so FA164 strikes Section 22 of the current amendment. This is around specifically a list that-- of juveniles that are on probation that would be generated to law enforcement each month for each county. As I mentioned yesterday and talked on the floor, that there is an opportunity for law enforcement to get any information about juveniles that are on probation by making the request. LB50 that was passed last year with the leadership of Senator McKinney and Senator Wayne really looked to provide a lot of reform to our carceral system, and included this piece specifically around juveniles as a compromise within the bill, around access to that information. I do not think that we need to over-surveillance our young people, and that law enforcement automatically gets that list; we need to trust that probation are those case managers. The, the people that are the probation officers are the folks that are navigating where that young person is on probation, they are helping them work through the program, they are the point-of-contact for that family as they are accessing services, and so it is unnecessary and an over-surveillance to monitor and create this type of report. Again, it is already in legislation, that access that law enforcement has around being able to access that information and ask for it. And so I ask for your green vote on FA164 that would simply strike that section, and that law enforcement can continue to do what they have already been granted to do through the passage and affirmation of LB50 around law enforcement access to juveniles that are on probation or supervision. Thank you, Mr. President.

KELLY: Thank you, Senator Spivey, and Senator Spivey would like to recognize guests under the north balcony-- or, in the north balcony: that's Madeleine Beck of Chicago, an Elkhorn High School graduate. Please stand and be recognized by the Nebraska Legislature. Returning to the queue. Senator Spivey, you're recognized to speak.

SPIVEY: Thank you. So I did not want to confuse my time in the opening with recognizing my guests in the balcony, so I wanted to take a point of privilege to be able to welcome the members of Delta Sigma Theta and Alpha Phi Alpha to the Capitol. And so I am also a member of a Greek-letter organization also known as the Divine Nine for historically black organizations; I'm a member of Sigma Gamma Rho, and the work that we do in community is so important. I had the honor of also hosting Alpha Kappa Alpha earlier this year, and I was also able to talk on the mic to just give more context about the work that these organizations do, and want to take a pause to do that now. And so Delta Sigma Theta Sorority Incorporated was founded on January 13 in 1913 by 22 trailblazing collegiate women at Howard University to promote academic excellence and provide assistance to those in need. I would also just remind you that Howard University is a historically black college or university. Now, I myself, I attended Jackson State University, the premier HBCU, but I love my folks that attend Howard too and that go, and so we are all in that together. The founders of Delta Sigma Theta envisioned an organization committed to sisterhood, scholarship, service, and addressing the social issues of that time, wasting no time engaging in service and activism by being the only black sorority to participate in the Women's Suffrage March on March 3, 1913, which we also know, through that movement, black women were also cut out of that. And so the work that Delta Sigma Theta did at that time in the point of time for addressing racial inequities and movements around women's rights is so important. Since its founding, Delta Sigma Theta has become one of the preeminent service-based sororities, with more than 350,000 initiated members and over 1,000 chartered chapters worldwide. There are four phenomenal chapters of the state of Nebraska, which we are really excited to have them across Nebraska. As a sisterhood comprised primarily of black college-educated women, the sorority seriously considers the issues impacting the black community, and boldly confronts the challenges of African-Americans in all, hence all Americans. When you target and support those that are disproportionately impacted by systemic inequities, it actually benefits all community members, which is amazing, and I so appreciate the work that they are doing. Over the years, a wide range of programs addressing education, health, and international development and the strengthening of African-American families have evolved. And I also just want to acknowledge and say, again, thank you to the statewide leadership of Shawntal Mallory, Esquire; she is a Nebraska state coordinator, an attorney, has been an advocate for just civil rights and civil liberties across our state, and so thank you for your leadership in coordinating this day. So Alpha Phi Alpha Fraternity is the first intercollegiate Greek-letter

fraternity established for African-American men. It was founded on December 4, 1906, at Cornell University in Ithaca, New York. The founders were seven young men known as the Seven Jewels, and their purpose as a fraternity was established to provide a supportive group for black men at the time when racial discrimination was pervasive in American society. Its goals included promoting academic excellence, leadership, and community service. In the early years, the fraternity expanded to other universities, establishing chapters across the United States. The first chapter outside of Cornell was established at Howard University-- you see a theme here-- in 1907. The organization is rooted in social and political activism; they participated in the civil rights movement, and has a strong and rich history of involvement, including the NAACP and National Urban League. They have national programs focused on going to-- go to high school, go to college, they do mentorship, education, and community service. They also hold a national convention, and Alpha Phi Alpha was incorporated in 1914 in New York. Some of their modern work that they do in present day includes addressing educational access, addressing health disparities, and are really committed to scholarship leadership and service. So again, I am so glad that y'all are here today. I am so appreciative of the work that you do, not only for black community but for all communities, and really addressing systemic inequities. Thank you, Mr. President.

KELLY: Thank you, Senator Spivey. Seeing no one else in the queue. You're recognized to close on AM-- or, excuse me, FA164.

SPIVEY: Thank you, Mr. President. As I stated before, Section 22 is unnecessary in this legislation because of the work that was done in a previous session with this legislative body around providing access to law enforcement for juveniles that are navigating and on probation or supervision. It is unnecessary over-surveillance of those young people; we need to trust the agency that is responsible for their supervision to do that, and law enforcement has absolute access to receive that information based on statutes that this body has passed. So at this time, I ask for your green vote on FA164 to strike Section 22. Thank you, Mr. President.

KELLY: Thank you, Senator Spivey. Members, the question is the adoption of A-- FA164. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 12 ayes, 25 nays on adoption of the floor amendment, Mr. President.

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KELLY: The floor amendment is not adopted. Mr. Clerk.

CLERK: Mr. President, Senator Spivey would move to amend with FA165.

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

SPIVEY: Thank you, Mr. President. So FA165 would change the language that is currently being proposed for a young person that tampers with electronic device, removing it from a felony and taking it back down to a misdemeanor, which is the current policy in law. So in good faith, as we are negotiating the larger LB684 package, and as we weren't able to get a decision nailed down for General File, Senator Bosn, as the chair of Judiciary who has been engaged in this conversation, agreed that we can make this and move FA165 forward, which keeps the legislation the same. So instead of enhancing penalties to a young person who tampers with their electronic device, it will stay a misdemeanor versus being an enhanced penalty as a felony. I have said on this mic before, as many of my other colleagues, that enhanced felonies and penalties doesn't always result in what we are trying to achieve, and I think this is the case. Enhancing a penalty for a young person who is going to of course try to tamper and see what they can do as they are navigating this time period is not abnormal. It doesn't mean that they will not be successful on probation, it doesn't mean that there are an extreme risk; it means that they just need support and services, and they should not be charged as a felon-- charged with a felony. Rather, keep it a misdemeanor and provide that intentional intervention and support services to help them through their probationary period. And so again, this is a good-faith-- a friendly amendment to what we have discussed. Senator Bosn is in support of FA165. And then, I will yield any additional time to Senator Bosn to talk about our good-faith effort with FA165.

KELLY: Thank you, Senator Spivey. Senator Bosn, 8 minutes.

BOSN: Thank you, Mr. President. Thank you, Senator Spivey. So the agreement at this point is that FA165, that being the portion on page 1 of the amendment dealing with the tampering, damaging, or circumventing the operation of an electronic monitoring device, is currently listed as-- if your underlying charge, if the reason you're involved with the system is because of a felony and you tamper with your electronic monitor, it's a felony charge. If your underlying offense for which you are involved with the system is a misdemeanor and you cut your electronic monitoring device, the charge would be a misdemeanor. Part of the negotiations has been whether or not that

should stay, whether it should be a felony for everyone, whether it should be a misdemeanor for everyone, or what that looks like. And one of the-- and one of the concerns that Senator Spivey has brought to me is: there always seems to be talk of we're going to negotiate this between General and Select, and there's never any skin in the game. How do we-- how do we know that that's what I'm committing to do? And so her request was, can we agree to this as a good-faith showing? If we can't get there, and the deal is that this has to go back in, that's on Select. But it's, today, a good-faith showing on my behalf to her that I will be supporting FA165 and asking for your green vote on FA165 as well. We are going to continue those negotiations on the entire package, because if we're going to have something that we want to have better outcomes for youth, I want her input. I want everyone's input. I want something that works for everyone. And for those who are concerned that electronic monitoring devices are a way to not have kids detained, and then they're cutting these, and this is-- we're undermining the seriousness of that, I don't-- I, I understand those concerns, and I don't want to do that either. I think we can have it both ways. We can improve outcomes, reduce the cutting of an electronic monitor, and still have good policy. And so that's the commitment today from Senator Spivey and myself, and those who've worked on this, and the stakeholders involved. So I will be asking for your vote-- green vote on FA165. Thank you, Mr. President.

KELLY: Thank you, Senator Bosn. And Senator Bosn, you're next in the queue. And waive. Seeing no one else in the queue. Senator Spivey, and you waive. Members, the question is the adoption of FA165. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 37 ayes, 0 nays on adoption of the amendment, Mr. President.

KELLY: FA165 is adopted. Mr. Clerk.

CLERK: Mr. President, Senator Spivey would move to amend with FA166.

KELLY: Senator Spivey, you're recognized to open on the amendment.

SPIVEY: Thank you, Mr. President. And just for context, colleagues, this is my last floor amendment that we are getting through. And so as I mentioned earlier at the start of this conversation yesterday and today, as we revisited and got situated, that there are a number of issues within LB684 that I had concerns with, that community stakeholders and some of my other colleagues opposed and had concerns with. And so to be able to right-size our conversation and talk about each of those sections, we put in amendments. So we got through some

of Senator Dungan's yesterday, mine today, and again, we are continuing a larger dialogue. I, I will say, as we walk through this and, and continue to have this conversation, that I have grave concerns around where we are going as a state and what has been proposed in this body about how we support young people that may be system-impacted or may be at risk of becoming system-impacted. Senator Bosn and I talked, and, and we do have the same goal of ensuring that there is safety in community; we might disagree around what safety looks like and how we get there, and that our young people deserve an opportunity. Data has proven and shown that at the-- one, our brains are not developed before the age of 30 now, and I think Senator Dover got on the mic to talk about some of that research that has come out. And so as some person, this young person is navigating life and, and navigating the implications of poverty, we cannot throw them away. They deserve more, and they deserve better from us, and this bill, in its entirety, does not do that, and that's why I divided out the question; that's why we've been having intentional conversation, because I think it's our duty and our responsibility as state legislatures to ensure that we are providing opportunity, access to some of the most vulnerable among us, and that we take care and support our children. It's why Senator Storer said that she put in her social media bill, right? Like, we have had these conversations in other spaces, and I think we absolutely need to have it around juvenile justice and what that looks like. And so for this FA166, this starts for page 42, for folks that are following along, and strikes 15-- lines 15 through 21, the new language, and reinstates the stricken language. And so this is about returning to the old policy for what is currently available for, again, electronic monitoring for law enforcement, and, and, and the data of the law for those kids on probation. And so I tried to, again, make sure that what we put forward from an amendment standpoint in our opposition is rooted in what we should be doing as Legislature. I do not think that we should be legislating internal agency operations, but we should be providing a framework and guardrails that ensure their success. And if there are questions about access to data, around surveillance, monitoring, and, and communication, we already have in place in statutes those parameters. And if relationships need to be different, if internal practices need to be different, I think that is a different setting and a different approach to ensure that happens versus putting into this type of the policy to go forward. And so I ask for your green vote on FA166. All it does is take out the new proposed language and moves it back to what was before in statute, which are the guardrails that are necessary for law enforcement to continue to work with

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probation and our courts around supporting young people that are on supervision or probation. Thank you, Mr. President.

KELLY: Thank you, Senator Spivey. Seeing no one else in the queue. You're recognized to close on the floor amendment, and waive. Members, the question is the adoption of FA166. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 13 ayes, 27 nays on adoption of the amendment, Mr. President.

KELLY: The amendment is not adopted. Mr. Clerk.

CLERK: I have nothing further on the first division, Mr. President.

KELLY: Senator Bosn, you're recognized to close on the committee amendment.

BOSN: This is the first division close? Thank you, Mr. President. I rise again in support of AM1218. Would ask for your green vote on the first division. We'll then take up the second and third divisions, and lastly, the fourth division. I know this was probably one of, if not, the most controversial portion. I would ask your support, and you have my commitment that I will continue working with the opponents between now and Select. Thank you, Mr. President.

KELLY: Thank you, Senator Bosn. Members, the question is the adoption of AM1218. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 35 ayes, 0 nays on adoption of the amendment, Mr. President.

KELLY: The amendment is adopted. Mr. Clerk.

CLERK: Mr. President, the second portion of the divided committee amendment consists of AM1219, making up what was previously components of LB6.

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

BOSN: Thank you, Mr. President. AM1219 is the portion that is LB6; that is my bill dealing with fentanyl poisoning. I know we've talked about this a little bit yesterday during the debate. I would be asking for your support on this vote as well. I know there are some concerns from the opponents. Here's what I can tell you, colleagues. This is a real problem, and this is the solution. In my opinion, it is one of the many tools that we have in order to address a crisis in our

country. Multiple states have enacted legislation that allows for an enhanced penalty when drug dealing results in death or serious bodily injury. The federal laws requ-- allow for this type of prosecution, and it is time for the state of Nebraska to do the same. I will be asking for a green vote on AM1219. Thank you, Mr. President.

KELLY: Thank you, Senator Bosn. Senator Hallstrom would like to recognize some guests in the north balcony: they are fourth graders from Pawnee City Elementary. Please stand and be recognized by your Nebraska Legislature. Senator DeKay would like to recognize some guests in the north balcony: they are fourth graders from Randolph Public School. Please stand and be recognized by your Nebraska Legislature. Senator Spivey, you're recognized to speak.

SPIVEY: Thank you, Mr. President. Again, as it relates to the division of the question specifically, my concerns and some of community supporters and advocates were around the bodily injury portion of LB6. And so I can appreciate the impact that this type of harm takes on community members, and I've heard the stories from families. I understand completely. The concern that I have is around the enhanced penalty for bodily injury. So if I unknowingly sell someone some drugs that is laced with fentanyl and they go to the hospital for treatment, that is considered bodily injury and the impacts, and now I have enhanced penalties. And so I have been on the mic for the last couple of days and, and, and previously, just around-- we're enhancing and, and creating all these new felonies. And what that does is further incarcerate people which costs our taxpayers more money without a true investment of diversion programs of other resources that show to have a better impact around curbing crime and creating rehabilitative spaces that allow for long-term success, and that's my goal. How do we have long-term success? How do we root in restorative justice that still honors the person that received that harm, the family, and the community? It does not remove that accountability; it does it in a way that is not punitive and "patriarchial," which is currently what our carceral system enhanced penalties does. And so that is why I wanted to get a clean vote on this, and pulled out LB6. Again, I can appreciate Senator Bosn's approach to wanting to address and try to mitigate the fentanyl crisis that is happening, and I just think that there is a better way to do it than what is in front of us now. So I am a "no" for LB6, and would encourage your red vote as well. Thank you, Mr. President.

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

CONRAD: Thank you, Mr. President. Good morning, colleagues. I appreciate where my colleagues are in regards to negotiating on a host of different components in the committee package. I do just want to at least rise and put a note in the record in regards to this particular matter. We've seen this measure come forward in the last biennium and indeed in this biennium, and it has been unsuccessful. Because no matter the undeniable good intentions of my friend Senator Bosn, it is a criminal enhancement that we have to look at carefully and skeptically. We know from study after study after study by local and national experts that we have a mass incarceration problem in Nebraska. Every time we create a new crime, every time we enhance an existing crime, that exacerbates the problem. And particularly where we are in this session at this point with-- I've lost count of how many new felonies we've moved forward thus far. It would be unusual to create a few in a session, and now we're at the point where we've literally lost count of how many new felonies are moving through the legislative session, and that's out of alignment with our past practice and in recognition of our mass incarceration problem. So I just want to put a note in in that regard. The other piece being is that, of course, the underlying conduct which we're concerned about and everyone's concerned about is already subject to criminal penalties. It is not as if this behavior is somehow escaping accountability or responsibility or significant punitive action; it is not, in the state or in the federal court systems. The last piece that I want to lift up-- because I know my friend Senator Bosn speaks very passionately and sincerely and eloquently from the perspective of victims' rights, and that perspective cannot and should not be removed from any of these debates around criminal justice. It's real, and it's important, and its meaningful, and it's appropriate to center those that are impacted by these behaviors in our societies. But I also want to make clear on the record and in response to some other colleagues' comments in other matters to increase penalties and create new crimes, is that I do believe it is a disservice to victims' rights to only have a response from this body to victims that is new crimes or felony enhancements. In order to truly center and address the needs of victims, we also need to have an equally muscular and robust approach when it comes to victim services. Just increasing penalties shouldn't be the only solution that the Legislature looks at when it comes to addressing the needs of victims in our society. Whether that be counseling, whether that be legal support, whether that be restitution, there's a whole host of different remedies that can and should be strengthened to better meet the needs of victims within our system who need to have their voice and their perspective heard as well. But to simply look at new crimes and significant criminal

enhancements as our only response to victims' needs, I think, is incomplete. So I lift up the fact that it is really quite striking where we are in this body, in terms of ramping up mass incarceration, as the federal government and our sister states are moving in the other direction. And this component, no matter how well-intentioned-- and our hearts go out to every person impacted by these behaviors-- it can't be divorced from the broader context, and we should be working equally as hard to figure out ways that we can have a broader response to these societal issues that do not solely relate to longer sentences, which the experts have been--

KELLY: That's your time.

CONRAD: --clear about do not advance our shared public safety goals. Thank you, Mr. President.

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

BOSN: Thank you, Mr. President. I will ask again for your green vote on AM1219. This is my LB6, which deals with an enhanced penalty when the dealing of drugs results in the death of the user or serious bodily injury of the user. Thank you, Mr. President.

KELLY: Thank you, Senator Bosn. Members, the question is the adoption of AM1219. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 33 ayes, 5 nays on adoption of the amendment, Mr. President.

KELLY: AM1219 is adopted. Mr. Clerk.

CLERK: Mr. President, the third division of the original committee amendment is AM1220, what comprised prior components of LB44.

KELLY: Senator Bosn, you're recognized to open on AM1220.

BOSN: Thank you, Mr. President. This is the third of four divisions. This is a bill brought by Senator McKinney to change the limitations period of time for actions of post-conviction relief when the individual or the defendant in those cases was under 18 at the time of their conviction. I'm going to yield the rest of my time to Senator McKinney because I think he has a prepared opening. Thank you, Mr. President.

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

McKINNEY: Thank you, Mr. President. LB44 came to me after spending some time at the Nebraska State Penitentiary and talking to individuals who were sentenced when they were under 18 and expressing concerns that, when that happens, they are sent to NCYF and they are without adequate legal knowledge and legal help to file post-conviction relief. Especially for somebody, let's say, at the age of 16 that is sentenced to prison, where [INAUDIBLE] our current law is saying you have a year to file this. But in the situation that they're in, they don't have the knowledge or the tools to be able to adequately submit a post-conviction relief. So I brought this bill to give them some more time to file those post-conviction reliefs. And maybe they get one, maybe they don't, but I think if we're going to begin-- well, we are, we have, you know, incarcerated individuals under 18. And if that trend continues, I think we also should put things in place that-- with an understanding that these people are young and they need, whether you like it or not, an opportunity to file an adequate post-conviction relief because of, of, of that age and because we're sentencing, sentencing them so young. This addresses the, the unique circumstances faced by these juveniles in our system, because they may lack the knowledge, resources, and legal guidance needed to pursue post-conviction relief promptly after conviction. By extending this deadline, the-- it, it provides a fair opportunity for young individuals to challenge their convictions as they transition into adulthood. It also aligns with principles of justice and equity, recognizing that minors often require more time to understand and assert their legal rights. And we made an amendment to this to say an individual is under 18 to kind of clarify some questions. This was voted out of the-- out-- this was voted into this package, I believe, on a 7-0-1 vote. At the hearing, there were about three or four testifiers; no opponents to this bill at the hearing. And I just hope to get your green vote on this. Thank you.

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

SPIVEY: Thank you, Mr. President. I just wanted to provide some clarity and context of-- as I asked for the question to divide it, this bill was not a, a part of what I wanted to be divided. My angst in opposition really was situated in LB684, which we have talked about extensively, and that I also named briefly with LB6 around the enhanced penalties for a bodily injury and what does that look like as it adds to our incarceration issue. From my understanding with this

specific part of the committee packages was in the committee package. And so I would hope that the chair of the committee, committee members realize the importance of this bill and would provide their green vote because it does allow for a necessary change to happen to, again, our young people who we say we care so much about to be able to provide rehabilitation and services so that they could finish their sentence and be more successful as they transition back into community. Thank you, Mr. President.

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

STORM: Thank you, Mr. President. I rise today in opposition to post-conviction relief provisions included in LB530, now on division 3 of AM1220, which originated from LB44. On behalf of the Nebraska County Attorney Asso-- County Attorney Association, I want to highlight serious concerns with this. This language would allow individuals who committed crimes before turning 21 to seek post-conviction relief well beyond current time limits, inviting a wave of retroactive claims many years after convictions were finalized. Our courts are already managed-- managing heavy caseloads. This provision would strain limited judicial resources, create confusion in an already complex process, and divert attention from current public safety threats. More importantly, it undermines finality for victims who have already endured the trauma, trial, sentencing, and years of legal proceedings. Creating a new pathway for just one age-based class also raises equal protection concerns and invites litigation beyond the multiple opportunities already available under Nebraska law. We all want a fair system, but fairness must be balanced with stability. I urge a "no" vote on this amendment. Thank you.

KELLY: Thank you, Senator Storm. Senator Storer, you're recognized to speak.

STORER: Thank you, Mr. President. I also want to raise some, some concerns about LB44, now AM1220, that could end up with some very unintended consequences that would counter really what I know Senator McKinney is trying to achieve here. It could, it could indeed result in younger defendants failing to timely file a federal habeas relief because habeas cases have a one-year statute of limitations after finality. That is tolled, or paused, during the state post-conviction proceeding. But if they haven't filed a post-conviction proceeding within a year because they have until they turn 21 to do so, then those defendants could blow past their one-year deadline for filing

the federal habeas. Again, I think this is just-- could be an oversight that would ultimately have some unintended consequences to what I know Senator McKinney is really trying to achieve here. Most defendants do not have an attorney at this point to help them because they're not constitutionally entitled to an attorney after the direct appeal. Defendants need to comply with these filing deadlines without an attorney to help them, in other words. So if they misunderstand the deadlines, they're going to get extra time, or until they turn 21 under AM2-- AM1220 to file their state motion for post-conviction relief. However, they may find themselves entirely barred from filing a federal habeas claim as a result. So it, it could-- again, I just want to bring a few things that have been brought to my attention, to the attention of the body, and to Senator McKinney that this, this could have a ill-intended consequence-- unintended consequence that ultimately ends up harming these individuals. With that, I'll yield the rest of my time.

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

McKINNEY: Thank you, Mr. President. It's kind of interesting initial opposition to this. But this doesn't give them no extra opportunities. It doesn't create-- it, it won't create a logjam of people guilt-- applying or things like that. What this is trying to do is give these individuals opportunity to actually file a, a post-conviction relief with, with clear understanding. You know, we're talking about people who-- like, I had a cousin-- I think he got sentenced when he was 14. You telling me that a 14-year-old can write a adequate post-conviction relief in a year? A 14-year-old? That's what we're talking about here. That's why this is important, because we have people inside currently-- and this won't-- this, this won't be retroactive. The amendment make-- the amendment doesn't allow for it. It won't be retroactive. The amendment in which was voted into this in committee on a 7-0-1 vote would-- doesn't allowed for retroactivity. We addressed that. That's why we amended it. This is to make sure that these individuals have a chance to file a, a, a post-conviction relief. As I stated prior, we have people in NCYF right now and also people in our state institutions that have expressed to me this on multiple times: when I was sentenced when I was under 18, I was, I was inside. They gave-- they didn't give us adequate law library. And we didn't get help. So we filed these reliefs with a clear lack of understanding of the law, and they got denied based on that. This isn't to burden the courts or burden families or victims. I think when we think about justice, I, I, I, I think about it from all angles, as I've stated multiple times. And this would, would assist with just

making it better for individuals who our state is electing to convict under 18 to be able to have an opportunity to file some adequate post-conviction relief. Because currently, you cannot look at me straight in the face and tell me a 14-year-old sentenced as an adult can file an adequate post-conviction relief in a year when they don't have adequate law library currently and they don't get help. I think that is unfair. No matter how you feel about why they're in there, I think at the end of the day, the-- justice or the courts or the system is supposed to work for everybody no matter if we like it or not. And the current system isn't doing so. And that's why I brought this. So thank you.

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

BOSN: Thank you, Mr. President. I rise in support of AM1220, Senator McKinney's bill. I voted it out of committee. I listened carefully to the testimony that was presented. Colleagues, I just-- I think there's a lot of confusion, even among attorneys, on how post-conviction relief works. It is its own beast. If you have a criminal case and you are found guilty, you have what's called a direct appeal. You can appeal those-- the filing-- the rulings in that case when you have exhausted those appeals-- let's say that those final appeal orders come down January 1 of 2025, to make it simple. That is what starts your one-year period of time for post-conviction relief. So what we are talking about here isn't expanding that whole period of direct appeals. This is limited to the cases where, instead of having a one-year period of time for a post-conviction relief filing, that would be for individuals who are convicted in adult court who are under 18 years of age at the time of their conviction. In those limited cases, when they have exhausted their direct appeals, their post-conviction relief period of time would be extended until their 21st birthday. I, I understand the concerns. If there's tightening of this language that addresses those concerns, I'm confident Senator McKinney will work with me between now and Select to address those concerns. But I, I think that understanding that this is not direct-- that there's a difference between direct appeals and post-conviction relief and what that really means. One of the individuals-- I'll just give you the example that came into the hearing and testified. When a juvenile is convicted as an adult, they don't go to the penitentiary. They go to-- and I think Senator McKinney said it, but it's essentially the Youth Correctional Services Facility. It's in Omaha. That facility currently does not even have a library. So these are individuals who don't have a library and have access to the books that would even instruct them how to file a post-conviction relief. I don't

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know how to file a post-conviction relief as I stand here today. I won't tell you my age, but I'm not under 18. And I have access to a library. These are individuals who are less than 18 or nearing at this point their 18th birthday and they don't have access to a library. That was persuasive to me. They have to check the library books out from the penitentiary, have them delivered to the juvenile correctional facility. That's-- I think that's persuasive. I, I found that persuasive, at least, and hopefully you do as well. This provides them a little bit more time to actually access that, wrap their head around what's going on, adjust to the situation that they're now in-- agreed, due to their own fault-- but the reality is it's not giving them a better chance of success or there's-- we're not removing what the requirements are for post-conviction relief. It just gives a time extension. So for those reasons, I'm asking for your green vote on AM1220 and again committing to working with opponents between now and Select. Thank you, Mr. President.

KELLY: Thank you, Senator Bosn. Seeing no one else in the queue. You're recognized to close. And waive. Members, the question is the adoption of AM1220. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 28 ayes, 3 nays, Mr. President, on adoption of the amendment.

KELLY: AM1220 is adopted. Mr. Clerk.

CLERK: Mr. President, final division of the original committee amendment, AM1238, consisting of the remaining pieces of the committee amendment.

KELLY: Senator Bosn, you're recognized to open on AM1238.

BOSN: Thank you, Mr. President. Is everyone sick of hearing from me yet? OK. So the last division. This includes the final bills, which are Senator DeKay's changing provisions relating to the unlawful possession of a firearm by a prohibited juvenile offender and sealed records. In other words, if you have an adjudication as a juvenile and when you go to apply for a handgun permit, allowing law enforcement to access those sealed records. That was LB395. Next, we had LB124. This is Senator Holdcroft's beel-- bill to change penalties for motor vehicle homicide of an unborn child and to parallel those penalties for any other death of an unborn child. Then we have LB404. This was an amended version of Senator Cavanaugh and-- John Cavanaugh and Senator Hallstrom's bill to authorize the court to extend the term of probation on joint application of the probation officer and the

probationer. Let me give you another example. So if I'm on probation and my probation is set to end January 1, if I'm in treatment and my treatment graduation date isn't until February 1, I'm technically an unsuccessful completion on January 1 even if I'm in compliance with all my treatment programs. Because my treatment date is February 1-- or, graduation date is, February 1, my termination in January would be unsuccessful. What this bill does is allow the parties, by agreement, to extend that term of probation through no fault of-- this isn't a juvenile not complying or anything like that-- extending that term of probation for purposes of complying and finishing up treatment or programming to get a successful completion. I believe there was one more bill in there, and I'm not remembering it, so I will finish there-- oh. Senator, thank you. The final bill is Senator DeBoer's bill, LB600. Is that right? The portion of LB600-- not the portion that involves cameras, but the portion that involves the slow down, move over and the variable speeds when the weather is-- in Nebraska, it's changing. If the weather becomes snowy and then goes to foggy, they can adjust the speed accordingly. It's really designed from the Department of Transportation as a means to increase safety and decrease accidents on our interstates. For those reasons, I would ask for your green vote again on AM1238. And thank you, everyone, for your patience.

KELLY: Thank you, Senator Bosn. Moving to the queue. Senator Holdcroft, you're recognized to speak.

HOLDCROFT: Thank you, Mr. President. I've already done my opening for LB124, but just a quick refresh. So currently in statute, the punishment-- the, the maximum penalty for the death of an unborn child ver-- and-- versus a born individuals are exactly the same for first-degree murder, second-degree murder, manslaughter, for motor vehicle homicide, and for reck-- for reckless driving. The only two times in our statutes where the penalty is different between an unborn and a born person is for motor vehicle homicide with a DUI. There, the penalty for a born individual is, is a maximum of 20 years; for an unborn person, it is 3 years, maximum of three years. My bill would harmonize those. The only other occasion is the enhancement of that, which is-- has a second-- enhancement for a second offense with DUI. For a born individual, that maximum penalty goes to 50 years; but for an unborn, it remains at 20 years. So you know, the-- unfortunately, the motor vehicle homicide of an unborn child while driving under the influence is a crime that has occurred with some frequency in Nebraska. And given the loss of human life in the course of that crime, the current penalty limiting the incarceration to no more than three years is simply inadequate. It is unfair to the victim and the

victim's family. This bill would offer greater latitude for judges in determining the most appropriate sentence without imposing such restrictive sentencing limitations. Thank you, Mr. President.

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

J. CAVANAUGH: Thank you, Mr. President. Well, I punched in finally to talk about my bill that's in this package too. I appreciate all of the conversation everybody's had over the last two days on this bill and I really appreciate people working to get to a compromise on some of the more controversial parts or the parts that people are further apart on. But my part is a bill that I worked with Senator Hallstrom on and Chair Bosn and the county attorneys and defense attorneys, and so I appreciate those folks working on it. It is, as Senator Bosn described, a bill that basically helps us-- helps the courts in criminal cases on people in probation to be able to extend their probation without having to have a hearing. So the Supreme Court had a decision that basically said we-- the way courts were practicing was not appropriate or we weren't doing it right. And so this is a correction to that to allow for extensions of probation in those instances, instances that Senator Bosn talked about, which include, you know, maybe just needing to extend probation to finish some service they're already undertaking or maybe somebody got an evaluation and they need an additional service. So it's to allow for those instances, but it also allows for a waiver of fees for drug testing and, and electronic monitoring, which are things we want people to do on probation, and sometimes they can't afford them. And so to allow the courts in those times where we want somebody to get them but they can't pay for them, to, to waive those fees. So it helps us make sure people are more successful and then actually are having the time to complete probation when they, they do it, which is a, a good system. I also did want to say it's May Day, so happy May Day to all of the working people. It's International Workers' Day. So all of our friends in organized labor in, in the state and across the country, people who work for a living, happy May Day. So thank you, Mr. President.

KELLY: Thank you, Senator Cavanaugh. Seeing no one else in the queue. Senator Bosn, you're recognized to close. And waive closing. Members, the question is the adoption of AM1238. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 35 ayes, 0 nays on the adoption of the amendment.

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KELLY: AM1238 is adopted. Mr. Clerk.

CLERK: Mr. President: Senator Bosn, I have FA38.

KELLY: Senator Bosn, you're recognized to open on the amendment.

BOSN: Can I have just a moment, please? I apologize. I would withdraw.

KELLY: So ordered. Mr. Clerk.

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

KELLY: Senator Kauth, you're recognized to close on LB530.

KAUTH: Thank you, Mr. President. I would encourage everyone to vote green on LB530. And I thank everyone for their collaboration on this.

KELLY: Thank you, Senator Kauth. Members, the question is the advancement of LB530 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: LB530 is advanced to E&R Initial. Mr. Clerk.

CLERK: Mr. President, some items. Communication from the governor: engrossed LB9, LB245e, LB388, LB414, and LB428 were received in my office April 25, 2025 and signed on April 29, 2025. These bills were delivered to the Secretary of State on May 1, 2025. Signed, sincerely, Jim Pillen, Governor. Additional communication from the governor: engrossed LB295e was received in office on April 25, 2025 and signed on April 30, 2025. This bill was delivered to the Secretary of State on May 1, 2025. Signed, sincerely, Jim Pillen, Governor. Amendments to be printed from Senator Arch to LB376; Senator Raybould, LB647; Senator Spivey, LB530. Report from the Education Committee concerning two appointments to the Nebraska Educational Telecommunications Commission. Name adds: Senator Quick name added to LB50. Announcement: the Appropriations Committee will have an executive session in Room 1003 at 1:00 p.m. The General Affairs Committee will have an exec session in Room 2022 at 1:00. General Affairs, exec session at 1:00. That's all I have at this time.

KELLY: Speaker Arch, you're recognized for an announcement.

ARCH: Thank you, Mr. President. Colleagues, thanks for the good work today and, and for the, the hard work that has gone into this session.

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I want to give you a bit of a preview for the next and our remaining four weeks together in this session and how I see that playing out. Obviously, next week, we pick up the budget. I think we understand-- and Senator Clements and the Appropriations Committee, their hard work has produced a budget for us to consider, and we understand the challenge that is in front of us with the forecast. As of today, we have a \$262 million deficit that we need to address. Our one constitutional duty, as we know, is to produce a balanced budget before we adjourn, and so we, we do have some more work to do. The, the agenda for Tuesday is going to be the list of the budget bills. I can't imagine we will get through those in one day, and so we will just continue to work that agenda over the next few days. It will begin with LB261 and LB264, the major, the major budget bills. I requested from the Executive Committee Speaker Major Proposals be placed on those, and they agreed. And so LB261 and LB264 will indicate that they are Speaker Major Proposals. For those of you that are new to this process, what that means is it doesn't shorten the debate time. It's, it's not that. It is rather the structuring of the debate. So I have the ability as the Speaker to identify those amendments and those motions that come up first in the order in which they will be heard. Previous years, in 2023, we did that, we-- which is similar to 2024, but it-- regardless, we actually got through the amendments. And so it's just making sure with this budget deficit that we have right now that we can get to those amendments that are going to address that deficit and then we see what-- how much time we have remaining and, and allow for other amendments to come up as well. So those are the two-- those are the two large ones. There are other-- there are three, four, five, six-- excuse me-- five, five other bills that will be heard, some other Appropriation bills, judges salary bills, state claims bill-- they trail the budget bills. So that is, that is what we look to in the next two weeks. We have to move those through Select, General, Select, Final, and we have to do that by day 80 according to our rules. So approximately the next two weeks will be taken up. There could be some time in the middle of that to hear some other bills, but we'll just have to see how debate goes and, and whether there is time to do that. That being said, as I mentioned, we have four weeks remaining in our session. Two of those weeks will be, will be the budget, primarily the budget. And so it leaves us with two weeks remaining in the session. We obviously have some bills that are already on Select. We moved a lot to Select today. We'll continue to move Select bills. Some of those bills I would anticipate could, could require four hours on Select. We'll see. But, but regardless, that is not much time to move what we've already moved to Select and continue-- and to continue to work on those. We have quite a few that

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remain on General File that have not yet been scheduled. And I would say to those of you that are, are looking at those bills right now, what I would-- what I would say is this: work on your bills these next two weeks. Put as much work into them as possible. If you anticipate that those are going to go eight hours and there's a piece in there that is really drawing that attention, please try to negotiate that piece. Please try to address that piece. It is going to be virtually impossible for me to schedule eight-hour bills after eight-hour bills. There just isn't enough time to do that. There will be some eight-hour General File bills, I understand that. But I, I am not going to be able to just continue to file and to, to schedule eight-hour bills. So I do encourage you, if you, you are very concerned that there are certain things in those bills that have to move, then let's, let's concentrate on those things. So I would encourage you over the next couple of weeks to work hard to address those concerns of the opposition. So with that, we have a four-day weekend that we can prepare, four-day weekend that the Appropriations Committee has given us the budget to review and to prepare for some hard work next two weeks. Thank you, Mr. President.

KELLY: Thank you, Speaker Arch. Mr. Clerk.

CLERK: Mr. President, Senator Hunt would move to adjourn the body until Tuesday, May 6 at 9:00 a.m.

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