

KELLY: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the seventy-ninth day of the One Hundred Ninth Legislature, First Session. Our chaplain for today is Senator Clouse. Please rise.

CLOUSE: I have a devotional book that I try to read every morning with the devotionals and so today I want to read a little bit of it before I give an invocation. Humility provides a correct view of who you are and the impressive power of God. Pride offends God, but humility brings unexpected benefits. There's wisdom in refusing pride, but humility doesn't seem logical when society promotes self-marketing. We often believe that if people don't know who we are, then we'll never get noticed, and our talent will be wasted. Humility promotes hard work with no demand for recognition, an advanced work ethic when no one's watching, and restful sleep because we've done our best. Humility doesn't refuse acknowledgement, it just doesn't chase it. So please join me in attitude of prayer. Heavenly Father, we come before you today to just ask for wisdom and discernment as we go through these numerous bills. We always need your guidance in challenging times and in good times. And so we just ask that you be with us. Ask a special prayer for colleague Jacobson as he goes through some medical issues. And we just ask that you'd be with others in this building and, and around our great state that are hurting and need your support. As always, Father, forgive us of our shortcomings and we ask forgiveness of our sins. All things we ask that your will be done. And we ask all things in the name of your son, Christ Jesus. Amen.

KELLY: Senator Holdcroft is recognized for the Pledge of Allegiance.

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

KELLY: I call to order the seventy-ninth 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.

KELLY: Are there any corrections for the Journal?

CLERK: I have no corrections this morning, sir.

KELLY: Any messages, reports, or announcements?

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CLERK: There are, Mr. President. Amendments to be printed from Senator Holdcroft to LB215, Senator Brandt to LB170, and a new LR, LR187 from Senator Rountree. That will be referred to the Executive Board. That's all I have at this time.

KELLY: Thank you, Mr. Clerk. Senator Clouse would like to recognize the physician of the day, Dr. John Jacobsen of Kearney. Please stand and be recognized by the Nebraska Legislature. Mr. Clerk, please proceed to the first item on the agenda.

CLERK: Mr. President, General File, LB48A, introduced by Senator McKinney. It's a bill for an act relating to appropriations; appropriates funds to aid in the carrying out of the provisions of LB48; provides an operative date; and declares an emergency. The bill was read for the first time on May 12 of this year and placed directly on General File.

KELLY: Senator McKinney, you are recognized to open.

McKINNEY: Thank you, Mr. President. Colleagues, this is the A bill to my priority bill, LB48. I would hope to get your green vote. It is on Select File. Thank you.

KELLY: Thank you, Senator McKinney. Seeing no one else in the queue, you are recognized to close, Senator McKinney, and waive. Members, the question is the advancement of LB48A to E&R Initial. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 28 ayes, 7 nays on advancement of the bill, Mr President.

KELLY: LB48A is advanced E&R Initial. Mr. Clerk.

CLERK: Mr. President, General File, Legislative Bill 215A, introduced by Senator Holdcroft. It's a bill for an act relating to appropriations; to appropriate funds to aid in the carrying out of the provisions of LB215. The bill was read for the first time on May 12 of this year and placed directly on General File.

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

HOLDCROFT: Thank you, Mr. President. This is the A bill for my priority bill, LB215, which is the second look. We have been able to reduce the financial note from about \$3 million down to about \$200K to employ one to two FTEs to support the Board of Parole with their advice on, on a second look. So I appreciate your green vote on LB215A. Thank you.

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KELLY: Thank you, Senator Holdcroft. Seeing no one else in the queue, you're recognized to close and waive closing. Members, the question is the advancement of LB215A to E&R Initial. All those in favor vote aye; those opposed vote nay. Record, Mr. Clerk.

CLERK: 27 ayes, 0 nays on advancement of the bill, Mr. President.

KELLY: LB215A is advanced to E&R Initial. Mr. Clerk.

CLERK: Mr. President, next bill, General File, LB316A, introduced by Senator Kauth. It's a bill for an act relating to appropriations; it appropriates funds to aid in the carrying out the provisions of LB316. The bill was read for the first time on May 9 of this year and placed directly on General File.

KELLY: Thank you, Mr. Clerk. Senator Kauth, you are recognized to open.

KAUTH: Thank you, Mr. President. This is my LB316. It is Senator Storm's priority bill, and I'd ask for your green vote.

KELLY: Thank you, Senator Kauth. Seeing no one else in the queue, you're recognized to close and waive closing. Members, the question is the advancement of LB316A to E&R Initial. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

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

KELLY: LB316A is advanced E&R Initial. Mr. Clerk.

CLERK: Mr. President, General File, LB513A, introduced by Senator Bosn. It's a bill for an act relating to appropriations; to appropriate funds to aid in the carrying out of the provisions of LB513; declare an emergency. The bill was read for the first time on May 12 of this year and, and placed directly on General File.

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

BOSN: Thank you, Mr. President. Colleagues, this is the A bill to appropriate the necessary funds for the biennial budget's allocation for judicial salaries and reflects a 1.5% increase in each year of the budget. I ask for your green vote on LB513A. Thank you.

KELLY: Thank you, Senator Bosn. Seeing no one else in the queue, you're recognized to close and waive closing. Members, the question is

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the advancement of LB513A 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: LB513A is advanced to E&R Initial. Mr. Clerk.

CLERK: Mr. President, General File, LB530A, introduced by Senator Bosn. It's a bill for an act relating to appropriations; to appropriate funds to aid in the carrying out of the provisions of LB530. The bill was read for the first time on May 12 of this year and placed directly on General File.

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

BOSN: Thank you. Thank you again, colleagues. This is the A bill for the money required in LB530, which is the Judiciary Committee priority package. I ask for your green vote. Thank you, Mr. President.

KELLY: Thank you, Senator Bosn. Seeing no one else in the queue, you're recognized to close and waive closing. Members, the question is the advancement of LB530A 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: LB530A is advanced E&R Initial. Mr. Clerk.

CLERK: Mr. President, General File, LB608A, introduced by Senator Bostar. It's a bill for an act relating to appropriations; to appropriate funds to aid in the carrying out of the provisions of LB608. The bill was read for the first time on May 9 of this year and placed directly on General File. There is a motion as well, Mr. President.

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

BOSTAR: Thank you, Mr. President. This is the A bill, which was filed for LB608. However, due to amendments that this body adopted on Select File for LB608, the A bill is no longer necessary. So it was recommended that this bill get IPPed. So you will see that motion here shortly.

KELLY: Mr. Clerk, for a motion.

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CLERK: Mr. President, Senator Bostar would move to indefinitely postpone LB608A.

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

BOSTAR: Thank you, Mr. President. Again, this is the IPP motion for LB608A. It is an A bill that is no longer necessary. And talking to the Fiscal Office this was the recommended course of action, so I would encourage your green vote on LB608A's IPP motion. Thank you.

KELLY: Thank you, Senator Bostar. Seeing no one else in the queue, you're recognized to close and waive closing. Members, the question is the motion to indefinitely postpone LB608A. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 41 ayes, 0 nays on the motion to indefinitely postpone, Mr. President.

KELLY: The motion is successful and the bill is indefinitely postponed. Mr. Clerk.

CLERK: Mr. President, Select File, LB382A. There are no E&R amendments. Senator Meyer would move to amend with AM1361.

KELLY: Senator Meyer, you're recognized to open on the amendment. Senator Meyer-- Senator Machaela Cavanaugh, you're recognized to speak.

M. CAVANAUGH: Thank you, Mr. President. Would Senator Meyer yield to a question?

KELLY: Senator Meyer, would you yield to a question?

MEYER: Yes, I would.

M. CAVANAUGH: Senator Meyer, what is your amendment?

MEYER: Pardon?

M. CAVANAUGH: What is your amendment?

MEYER: LB382A is the Meals on Wheels.

M. CAVANAUGH: Right, AM1361, what is your--

MEYER: I did not file that amendment.

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M. CAVANAUGH: OK. OK. Thank you. All right. I yield the remainder of my time to the chair.

KELLY: Thank you, Senator Cavanaugh. Seeing no one else in the queue, Senator Meyer, you're recognized to close on the amendment and waive. Members, the question is the adoption of AM1361. All those in favor vote aye; all those opposed vote nay. Senator Moser, please state your point of order.

MOSER: Voting on an amendment that the member says he did not make, so should the Clerk figure this out before we vote on it?

KELLY: Mr. Clerk.

CLERK: Senator, the amendment is signed by Senator Meyer. It was printed in the Journal on May 9. It's on page 1404.

KELLY: Senator Meyer, for what purpose do you rise?

MEYER: Thank you, Mr. President. I, I rise as a point of personal privilege.

KELLY: Please proceed.

MEYER: I rise as a point of personal privilege. We had previously adopted LB382A, which provided funding for the combination of LB382 and LB48. My white paper amendment essentially separated LB48 from that particular bill. My understanding was that, that would separate in entirety. I did file AM1361. This is an amendment to strip the funding out of the initial LB382A, strip the funding for LB48, which is on its own right now and has been passed, strip that funding from the original LB382A. So the misunderstanding was on my part and I thought we'd already covered that ground. So I would encourage a, a green vote on AM1360-- AM1361.

KELLY: Members, the vote is open on the motion to-- on the amendment, AM1361. You may still vote. Record, Mr. Clerk.

CLERK: 40 ayes, 0 nays on adoption of the amendment, Mr. President.

KELLY: AM1361 is adopted.

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

KELLY: Senator Guereca, you're recognized for a motion.

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GUERECA: Mr. President, I move that LB382A be advanced to E&R for engrossing.

KELLY: Members, you have heard the motion. All those in favor say aye. Those opposed, nay. LB382A is advanced for E&R Engrossing. Mr. Clerk.

CLERK: Mr. President, Select File, LB380A. Senator, I have nothing on the bill.

KELLY: Senator Guereca, you're recognized for a motion.

GUERECA: Mr. President, I move that LB380A be advanced to E&R for engrossing.

KELLY: Members, you have heard the motion. All those in favor say aye. Those opposed, nay. LB380A is advanced to E&R Engrossing. Mr. Clerk.

CLERK: Mr. President, Select File, LB275A. Senator, I have nothing on the bill.

KELLY: Senator Guereca, you're recognized for a motion.

GUERECA: Mr. President, I move that LB275A be advanced to E&R for engrossing.

KELLY: Members, you have heard the motion. All those in favor say aye. Those opposed, nay. LB275A is advanced for E&R Engrossing. Mr. Clerk.

CLERK: Mr. President, Select File, LB288A. Senator, I have nothing on the bill.

KELLY: Senator Guereca, you're recognized for a motion.

GUERECA: Mr. President, I move that LB288A be advanced to E&R for engrossing.

KELLY: Members, you've heard the motion. All those in favor say aye. Those opposed, nay. LB288A is advanced for E&R Engrossing. Mr. Clerk.

CLERK: Mr. President, Select File, LB647A. Senator, there is nothing on the bill.

KELLY: Senator Guereca, you're recognized for a motion.

GUERECA: Mr. President, I move that LB647A be advanced to E&R for engrossing.

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KELLY: Members, you have heard the motion. All those in favor say aye. Those opposed, nay. LB647A is advanced to E&R Engrossing. Mr. Clerk.

CLERK: Mr. President, items for the record, if I could, a pair of LRs, LR188 and LR189, both from Senator Dorn. Those will both be referred to the Executive Board. As it concerns the agenda, Mr. President, confirmation reports. The Natural Resources Committee would report favorably on the gubernatorial appointment of Dennis Grennan to the Nebraska Power Review Board.

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

BRANDT: Thank you, Mr. President. The Natural Resources Committee advances the appointment of Mr. Dennis Grennan to the Nebraska Power Review Board for the body's consideration. The purpose of the Board is to oversee Nebraska's electrical industry to ensure that Nebraska residents receive adequate, reliable electrical service at the lowest overall cost possible. Mr. Grennan has over 50 years of experience in the power industry and is very familiar with the Nebraska Power Review Board and the Southwest Power Pool. Although he is a new appointment today, he previously served on the Power Review Board from 2014 to 2023. Mr. Grennan will fill the lay member position on the Board. His term on the Board will be for 4 years, March 2025 to January 2029. He is a resident of Columbus, served in a manager's position for Nebraska Public Power District from 1971 to 2004. He is a mechanical engineer by trade and works as an engineering consultant for HDR Engineering. Mr. Grennan appeared in person before the Natural Resources Committee at a hearing on Thursday, April 24, 2025. The committee voted unanimously to forward his name to be confirmed by the Legislature. Colleagues, I ask for your green vote to confirm Mr. Dennis Grennan to the Nebraska Power Review Board.

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

MOSER: Thank you, Mr. President. Good morning, colleagues. I've known Mr. Grennan for 30, 40 years, and he's a great choice. He's from Columbus, he's a friend of mine. I may lose him a vote or two. But, anyway, we-- I do believe that he's qualified and a, a great applicant for this job. Thank you.

KELLY: Thank you, Senator Moser. Senator Clouse, you are recognized to speak.

CLOUSE: Yes, thank you, Mr. President. I support the appointment of Dennis Grennan. I've known Dennis for a number of years as a colleague at Nebraska Public Power District. He is well versed on the Power Review Board and he will serve the state well so I encourage his support. Thank you.

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

J. CAVANAUGH: Thank you, Mr. President. Well, any friend of Mike Moser is a friend of mine, so I don't think they lost him in my vote, at least. I actually punched in because I have a bill about the appointments to the Power Review Board that didn't make it out of committee, but I thought this would be a good opportunity to talk about it. So last session, we amended the duties of the Power Review Board to include a report on decommissioning of facilities. It was Senator Bostelman's bill, and I worked with Senator Bostelman on it. And, basically, the bill-- the idea is that if somebody wants to close a baseload power, so like a coal or a natural gas plant or even a nuclear plant, that that power entity, so NPPD or OPPD or Central or somebody like that, Norris, all have great logos, by the way, but they would have to submit to the Power Review Board a report on what they're going to-- how they're going to replace that power and then what they're going to do for the workers, so the folks who work at those facilities. So Power Review Board has a number of specific requirements, like an accountant, like somebody who I think worked in power, which maybe is what Mr.-- is it Grennan? The name? Mr. Grennan, yeah. So I think that, you know, folks who have some sort of expertise. So I brought-- and, and then there's, I think, two laypeople. So I brought a bill that would require that one of those laypeople be someone who has worked in a facility. So somebody who has either worked as an electrician or a machinist or a mechanic or something like that because those are the folks that we're talking about when we're saying if you close down a coal plant, those are people who are going to need maybe different skill of training to go work at a different facility or to work in a different industry. And so if we submit the report to the Power Review Board, it would be nice to have somebody who has that sort of expertise to critique those reports and say, well, this is legitimately some sort of actual help or it's not. So I brought that bill, didn't get out of committee. I did work with a few folks in committee to see if we could make some changes to it. We'll keep working on it going forward, but the Power Review Board, you know, has an important job for a lot of different reasons, but this is one we've added to them, which is to write a report about whether producers, generators, I guess, are actually in

compliance or treating their workers right when they do shut down a plant. So I do think it's important that we take into consideration workers when we're shutting down a facility, and we should make sure that they have an opportunity to either be transferred to an equal job somewhere else, or they have the opportunity to get skills that will help them get a good job somewhere else, but I think it's important that we have the input of somebody who understands that when we are generating that report. So, anyway, I'm going to vote for the committee report, but I just thought I'd give you the opportunity. You know, can't resist talking about my great bills that don't make it out of committee. Thank you, Mr. President.

KELLY: Thank you, Senator Cavanaugh. Seeing no one else in the queue, Senator Brandt, you're recognized to close and waive closing. Members, the question is the adoption of the report from the Natural Resources Committee. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 33 ayes, 0 nays, on adoption of the committee report, Mr. President.

KELLY: The committee report is adopted. Mr. Clerk.

CLERK: Mr. President, the Natural Resources Committee would report favorably on the appointment of Jeff Kanger to the Nebraska Environmental Trust Board.

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

BRANDT: Thank you, Mr. President. The Natural Resources Committee advances Jeff Kanger for reappointment to the Nebraska Environmental Trust Board, representing congregation-- Congressional District 1 for the 6-year term from March 2025 to March 2031. The Environmental Trust Board was created in 1992 and is composed of three appointees from each congressional district to represent the general public. The mission of the Environmental Trust is to conserve, enhance, and restore the natural environment while complementing existing activities, stimulating private investment, and emphasizing long-term gain. Each appointed member shall have demonstrated competence, experience, and interest in the environment of the state. Two of the citizen appointees shall also have experience with private financing of public purpose projects. The Board hires an executive director who hires and supervises other staff members as may be authorized. The Game and Parks Commission provides administrative support for the board. Mr., Mr. Kanger appeared in person at the Natural Resources

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Committee hearing on May 8, 2025, and was advanced by the committee the same date. He was knowledgeable about the workings of the Board and the role of the Environmental Trust, having been first appointed to the Environmental Trust Board by former Governor Ricketts in November 2019 and most recently served as chair of the grants committee. Mr. Kanger resides in Lincoln, holds a law degree from the University of Nebraska-Lincoln, and is president of First State Bank Nebraska. Colleagues, I ask for your green vote to confirm Mr. Kanger's reappointment to the Nebraska Environmental Trust Board. Thank you.

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

J. CAVANAUGH: Thank you, Mr. President. Well, I appreciate the work of the Natural Resources Committee. When I was on the Natural Resources Committee my first year I probably took every one of the appointees to the Environmental Trust, their questioning for their appointment hearing took hours. And that was in part because at that point in time, it was when they had just gotten-- well, I don't even think it had been resolved yet, where they had rejiggered the grant application rankings. And they took the, the ethanol blender pump grant and that did not qualify, and they moved it above grants that had a higher score. And so there was-- and that was the one I talked about, I think it was yesterday, the Examiner article that if you get the Examiner's emails in their email blast today about the Environmental Trust had been sued or the state had been sued about taking that money out of the Environmental Trust. And, of course, that lawsuit was successful and that money ended up not being taken for those ethanol blender pumps, for the-- I think it was for the Department of Energy and Environment at that point in time, which was I think a new department, which is now the Department of Water, Energy, and Environment. But, anyway, so I opposed most of the reappointments to the Board because there, there was, at that time, and probably persists to this day, a, a lack of fidelity to the integrity of the, the grant scoring process. And we see it now that there has been money not being spent. Historically, the Environmental Trust would spend-- basically, they, they would score grants and then they would give out the money until they ran out going down the, the scores of the grants. They have since just started cutting it off and keeping money. And then this Legislature has started taking that money and applying it to the holes in our budget. And so I have a real issue with that because the Environmental Trust is again passed by the people by ballot initiative. When we legalized the lottery, that fund was specifically created for the purposes of the Environmental Trust. And if we are not

giving out those grants for that purpose and we are using it to fill holes in our budget, I think that is a violation of the intention of the voters and I think it's a violation of the obligation of the Environmental Trust. And so we have, in our budget right now, \$15 million that we are scraping over the next 2 years from the Environmental Trust to fill our budgetary holes, and there's already a threatened lawsuit by the same person who previously sued and prevailed on that. So I think that's a real problem, too. I think we need the-- we need, in the Legislature, to stop taking the money from the Environmental Trust, and we need to stop encouraging or asking or whatever it is happening behind the scenes to the Environmental Trust to get them to, to not give out their grants. The Environmental Trust needs to do its job the way it's intended to do its job, which is to give out grants for the preservation, restoration of the environment, the natural environment of the state of Nebraska. That's what it's supposed to do and that is what it had done for 30 years until I think then Governor Ricketts started putting his thumb on the scale and pushing to use the money for different projects that he wanted it used for. And now Governor Pillen seems to be getting the Environmental Trust to not spend the money at all so that we can put it into the cash-- to the holes in our budget. So the Environmental Trust is a wonderful organization. It has such a tremendously important charge and we need them to do what they're supposed to be doing and we need to stop stealing their money. So I'll probably just-- I'm not going to vote on this one because I don't know enough about this individual, but I do think we need to be conscious of the work of the Environmental Trust. And we need to stop taking that money, we should take that \$15 million out of the budget and we should find another source to fill that hole because when we get sued on this and we lose, we're going to have \$15 million more in-- out of whack in our budget. Thank you, Mr. President.

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

STORER: Thank you, Mr. President, and good morning. I won't take but a moment on the mic. I just want to stand in support of the reappointment and the confirmation of Mr. Kanger. He has served on the Environmental Trust fund [SIC] Board and has really provided some good, strong leadership. Mr., Mr. Kanger has worked well with the other Board members, and I support his confirmation. Thank you, Mr. President.

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

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HALLSTROM: Mr. President, members, since Senator Cavanaugh indicated that he did not know Mr. Kanger, I just wanted to stand up on his behalf. I've known him for many years. He's a good friend, an honorable man, very involved in the community, and a fine Board member of the Environmental Trust fund, and I would recommend his support. Thank you.

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

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

KELLY: The committee report is adopted. Mr. Clerk.

CLERK: Mr. President, the Government, Military and Veterans Affairs Committee would report favorably on the gubernatorial appointment of Debra L. Kelly to the Nebraska Tourism Commission.

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

SANDERS: Thank you, Mr. President, and good morning, colleagues and Nebraska. I present to the Legislature for its consideration the appointment by the governor of Ms. Debra L. Kelly as the District 6 Commissioner of the-- of our Nebraska Tourism Commission. The Government, Military and Veterans Affairs Committee conducted a public hearing on this appointment on Thursday, April 24, 2025. Ms. Kelly appeared at the hearing and I believe she impressed the committee with her answers to all of the questions. The committee voted unanimously to recommend Ms. Kelly's confirmation by this Legislature. Notably, Ms. Kelly has demonstrated exceptional leadership through her involvement in numerous successful community benefits and fundraisers showcasing her ability, ability to mobilize people and resources for important causes. Furthermore, her dedication to community service is evident in her commitment to various boards, including Catholic Charities in Omaha and her local hospital board. These roles highlight her understanding of diverse community needs and her capacity to contribute meaningfully to the well-being of others. Ms. Kelly's deep roots in Nebraska, coupled with her impressive history of impactful leadership and compassionate service, make her exceptionally well-suited for this position. So on behalf of the Government,

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Military and Veterans Affairs Committee, I urge a favorable vote by the Legislature to confirm the governor's appointment of Ms. Debra Kelly as District 6 Commissioner of our Nebraska Tourism Commission. Thank you, Mr. President.

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

CLERK: 33 ayes, 0 nays on adoption of the committee report, Mr. President.

KELLY: The committee report is adopted. Mr. Clerk.

CLERK: Mr. President, the Health and Human Services Committee would report favorably on the gubernatorial appointment of Alysson Muotri and Rui Yi to the Stem Cell Research Advisory Committee.

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

HARDIN: Thank you, Mr. President. The Health and Human Services Committee is reporting Dr. Alysson Muotri for confirmation by the Legislature to the Nebraska Stem Cell Research Advisory Committee. Dr. Muotri currently works for the Department of Pediatrics Cellular and Molecular Medicine at UC San Diego School of Medicine. He has extensive experience in stem cell research and regenerative medicine. His expertise lies primarily in the use of stem cells for understanding neurological diseases, including autism and neurodegenerative disorders. Over the years, he has established himself as a leader in the field relating to neural stem cell biology, disease modeling, and therapeutic strategies using stem cells and gene therapy. In addition to his research, he has served as a peer reviewer for the National Institutes of Health, the European Commission, and the Michael J. Fox Foundation for Parkinson's research. I would ask for your green vote to approve the reappointment of Dr. Alysson Muotri to the Nebraska Stem Cell Research Advisory Committee. Thank you.

KELLY: Thank you, Senator Hardin. Seeing no one else in the queue, you're recognized to close and waive closing. Members, the question is the adoption of the report from Health and Human Services Committee. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

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CLERK: 31 ayes, 0 nays on adoption of the committee report, Mr. President.

KELLY: Committee report is adopted. Mr. Clerk.

CLERK: Mr. President, the Education Committee would report favorably on the gubernatorial appointment of Clay Smith and Paul Turman to the Nebraska Educational Telecommunications Commission.

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

MURMAN: Thank you, Mr. President. Today, we have two appointees to the Educational Telecommunications Committee, Clay Smith and Paul Turman, both of whom are reappointments. Clay Smith is on the Board of the Raikes School of Computer Science, and Paul Turman serves as the Chancellor of the Nebraska State College System. Both appointees spoke about their passion for education, leading to the committee to unanimously support their confirmation to continue to serve on the Board. Thank you and I ask for your green vote.

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

CLERK: 34 ayes, 0 nays on adoption of the committee report.

KELLY: The report is adopted. Mr. Clerk.

CLERK: Mr. President, the General Affairs Committee would report favorably on the gubernatorial appointment of John Barrett and J. Chris Stinson to the State Racing and Gaming Commission.

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

HOLDCROFT: Thank you, Mr. President. Good morning, colleagues. I rise today to present for your approval two gubernatorial appointments to the Nebraska Racing and Gaming Commission. The Nebraska Racing and Gaming Commission's core principles are protecting, preserving, and promoting both agriculture and horse racing in Nebraska. Additionally, the Commission is responsible for overseeing casino gambling at state licensed horse tracks, ensuring operational integrity, transparency, and fairness within the gaming industry. The General Affairs Committee held confirmation hearings on May 6, and both appointees were voted out of committee unanimously. The first appointee, John Barrett, is seeking his first term on the Commission. Mr. Barrett is a lifelong

Nebraskan who attended the University of Nebraska at Lincoln. He currently resides in Omaha and serves as Vice President of Government and Regulatory Affairs at Great Plains Communications. A long supporter of Nebraska's horse racing industry, Mr. Barrett believes that a vibrant horse racing industry is vital to the state and the expansion of gaming presents an opportunity for further strengthen-- to further strengthen it. The second appointee, Chris Stinson, seeking a reappointment to the Commission, Mr. Stinson, now, now retired, was involved in an investment business for the last 40 years. Mr. Stinson has been a fan, owner, and advocate of horse racing. Mr. Stinson has been a member of the Commission since 2023, and his testimony drew attention to the renewed interest for horse racing in Nebraska due to the recent openings of casinos in Omaha, Lincoln, Columbus, and Grand Island. The partnerships between the casinos and horse tracks are important for revitalizing the horse racing industry in the state, which has faced challenges in recent years. I encourage the body to support the appointment of John Barrett and the reappointment of Chris Stinson to the Racing and Gaming Commission. Thank you, Mr. President.

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

HARDIN: Thank you, Mr. President. Just wanted to, on a Health and Human Services note, I wanted to read in Rui Yi's testimonial and background a little bit. He was also a person that came through our committee regarding the Nebraska Stem Cell Research Advisory Committee. Currently, Rui Yi is a Paul E. Steiner Research Professor at Northwestern University Feinberg School of Medicine. Since his initial appointment in 2017, he has contributed to this committee's grant review and funding recommendations. His primary area of scientific focus is hair follicle stem cell research relating to the molecular mechanisms that regulate stem cell maintenance, activation, differentiation, and niche interactions. In addition to his laboratory research, he's been engaged in the peer review process for scientific literature such as nature, science, and cell. I'd ask for your green vote, which you already provided, believe it or not, for the reappointment of Rui Yi, PhD to the Nebraska Stem Cell Research Advisory Committee. I would also just say, both for Dr. Yi, that's Y-i, as well as Dr. Alysson Muotri, if you're ever looking for something meaningful to do with your moments, go to YouTube. And Dr. Alysson Muotri, in particular, has some amazing videos on YouTube. His last name again, M-u-o-t-r-i. Very fascinating people that we have serving us here in Nebraska. So thank you, Mr. President.

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

CONRAD: Thank you, Mr. President, and good morning, colleagues. I rise in support of the nominees, but just wanted to add a particular word of congratulations to John Barrett on his nomination and to offer a note of gratitude for his continued commitment to service. So some people might be asking themselves why is Senator Conrad, one of the leading progressives in Nebraska, standing up to thank a former director of the Nebraska Republican Party, and here's why. Because I appreciate the work that John does, and I have known him for most of my time in public life. And no doubt we do not always see eye to eye on every issue, but I have always been impressed with John's commitment to handling his work with thoughtfulness, with professionalism, and a, a kind personal approach as well. He has demonstrated great leadership in legislative and governmental affairs, business leadership, and community engagement. And one thing that I think remains very special about our political culture in Nebraska, even when it is tested and perhaps frayed at times, is that those of us who are honored enough to serve in public life do form deep relationships with people across the state and across the political spectrum. And one thing I love about being in public life is that you meet people you wouldn't have met otherwise. You learn things you wouldn't have learned otherwise. And those relationships and that knowledge not only enhances your life personally, but it helps us to find more trust when we're trying to solve challenging problems. And it helps get better solutions when we have smart, talented people on every side of an issue, kind of fighting it out and duking it out and kicking the tires on things and then figuring out where consensus lies and figuring out how to move forward. So with that, those are some of the, the thoughts that come to mind when I learned of John's nomination to this role. And I think he will serve admirably and urge your favorable consideration. Thank you.

KELLY: Thank you, Senator Conrad. Seeing no one else in the queue, Senator Holdcroft is recognized to close and waives. Members, the question is the adoption of the report from General Affairs. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

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

KELLY: The committee report is adopted. Mr. Clerk.

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CLERK: Mr. President, the General Affairs Committee would report favorably on the appointment of Tyler C. Ritz to the State Electrical Board.

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

HOLDCROFT: Thank you, Mr. President, and good morning, colleagues. I present for your approval today the appointment of Tyler Ritz, who came before the General Affairs Committee on May the 6th. The State Electric Act was created in 1975. The act provides all laws regarding electrical licensing and inspection in the state. The State Electrical Board sets the policy and directs the efforts of the executive director of the State Electrical Division. The Board adopts rules and regulations necessary to enable and carry into effect the State Electrical Act. The committee was impressed by Mr. Ritz's 18 years of experience in the electrical field. His background includes serving as an apprentice, a foreman, and his current role as an inspector for the city of Kearney. Based on his qualifications, the committee unanimously approved the appointment of Mr. Ritz to the Electric Board. I encourage the body to support the appointment of Tyler Ritz to the State Electrical Board. Thank you, Mr. President.

KELLY: Thank you, Senator Holdcroft. Senator Clouse, you are recognized to speak.

CLOUSE: Yes, thank you, Mr. President. Obviously, I show my support for Mr. Ritz because he is the electrical inspector for the city of Kearney. He served our community well. He understands national electric code, the impact of inspections and what it means to the cost of, of building homes and really understands what bad regulations are and the, the good regulations that enhance the personal safety of our homeowners, so I, I do support this appointment. Thank you.

KELLY: Thank you, Senator Clouse. Seeing no one else in the queue, Senator Holdcroft, you're recognized to close and waive. Members, the question is the adoption of the committee report from General Affairs. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 40 ayes, 0 nays on adoption of the committee report, Mr. President.

KELLY: The committee report is adopted. Mr. Clerk, for items for the record.

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CLERK: Thank you, Mr President. Amendment to be printed from Senator John Cavanaugh to LB415 and a new A bill, LB707A, introduced by Senator von Gillern. It's a bill for an act relating to appropriations; to appropriate the funds to aid in carrying out the provisions of LB707; and to declare an emergency. That's all I have at this time.

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

CLERK: Mr. President, Select File, LB346. First of all, Senator Guereca, there are E&R amendments.

KELLY: Senator Guereca, you're recognized for a motion.

GUERECA: Mr. President, I move the E&R amendments to LB346 be adopted.

KELLY: Members, you've heard the motion. All those in favor say aye. Those opposed, nay. The E&R amendments are adopted. Mr. Clerk.

CLERK: Mr. President, Senator Arch, I have AM1297 with a note that you'd withdraw.

KELLY: So ordered.

CLERK: In that case, Mr. President, Senator Arch, would move to amend with AM1397.

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

ARCH: Thank you, Mr. President. Good morning, colleagues. AM1397 is largely a technical amendment to this bill. As you may recall, LB346 is a bill I brought on behalf of Governor Pillen. It calls for the termination or reassignment of 40 different boards, commissions, committees, councils. During the General File debate, we decided to maintain the racial profiling advisory committee with the adoption of amendment offered by Senator McKinney. As the bill stands today, it now impacts 39 boards and commissions. After the bill advanced, the Revisor found a few areas where LB346 conflicted with bills we have already passed, and this amendment addresses those issues. Additionally, after LB346 advanced from General File, I was contacted by members of the Advanced Practice Registered Nurses Board with concerns. One of the provisions of LB346, the original bill, would completely eliminate the APRN Board and assign those duties to the Board of Nursing and add two APRN representatives to that Board. There's currently only one representative now on that Board. That

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means that there would be a total of three APRN representatives to that Board. However, there are four nationally recognized APRN roles, certified nurse practitioners, certified registered nurse anesthetists, certified nurse midwives, and clinical nurse specialists. So after some conversations, it was agreed that all four specialized professions should have representation on the Board of Nursing, and this amendment increases the membership of APRNs on the Board of Nursing to four instead of three. So the Board of Nursing is currently required to have two nursing service administrators as members. This amendment reduces that to one, so that the total number of positions on the Board of Nursing as proposed in LB346 remains the same, and it's my understanding at least one of those positions has been vacant for some time. So in conclusion, this amendment, AM1397, addresses some conflicts with other bills and increases the number of APRNs on the Board of Nursing from three to four. And I ask for your green vote. Thank you, Mr. President.

KELLY: Thank you, Speaker Arch. Seeing no one else in the queue, Speaker Arch, you're recognized and waive closing on AM1397. Members, the question is the adoption of AM1397. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

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

KELLY: AM1397 is adopted. Mr. Clerk.

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

KELLY: Seeing no one else in the queue, Speaker Arch-- oh, Senator Guereca, you're recognized for a motion.

GUERECA: Mr. President, I move that LB346 be advanced to E&R for engrossing.

KELLY: Members, you've heard the motion. All those in favor say aye. Those opposed, nay. LB346 is advanced to E&R Engrossing. Mr. Clerk.

CLERK: Mr. President, Select File, LB48, Senator Guereca, there are E&R amendments.

KELLY: Senator Guereca, you're recognized for a motion.

GUERECA: Mr. President, I move that the E&R amendments to LB48 be adopted.

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KELLY: Members, you've heard the motion. All those in favor say aye. Those opposed, nay. The E&R amendments are adopted.

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

KELLY: Senator Guereca, you're recognized for a motion.

GUERECA: Mr. President, I move that LB48 be advanced to E&R for engrossing.

KELLY: It's a debatable motion. Senator von Gillern, you're in the queue and recognized to speak.

VON GILLERN: Thank you, Mr. President. When the-- when LB48 came up before, I raised a couple of concerns with Senator McKinney, and I still have those same concerns because they have not been addressed between General and Select. My, my first concern was that this is labeled to be a pilot program for 5 years, but nowhere in the bill is there a sunset date. The, the revenue bills, which I am, of course, most familiar with, typically have a start date that funding or collections would begin and an end date. And there are no start dates or end dates in here. The start date would be immediately because there's an emergency clause, but, but there is no end date. Secondly, if I look at Section 10, which talks about funding, Senator McKinney reduced the size of the program down to \$500,000 annually. Now that is a little bit vague because the fiscal note addresses it as \$500,000 per center. And there are two centers slated in the bill. So the fiscal note says \$1 million and \$1 million for \$2 million, not what I believed it to be when I originally read the bill as \$500,000 and \$500,000 to be \$1 million in cost over the, over the 2-year biennium. So, so it goes from what I believe to be, and maybe this is my flawed misunder-- flawed understanding, but it goes from \$1 million in cost to \$2 million in cost and has no sunset date, so-- for a pilot program. Lastly, a concern that I raised on the mic when, when I spoke on General File was that, in that same Section 10, it says: administrative costs can be no more than 10% of the funds, but it goes on to say up to \$100,000 per year. 10% of the appropriated \$500,000 funds would be \$50,000 per year, not \$100,000 a year, so there's, there's some, there's some technical flaws in the bill that I asked to be-- that I raised on General File. I asked to be addressed. They were not addressed. I was a PNV on the last vote, and I will be a no vote on this, on this, and I would ask others to consider these flaws in the bill as they vote. And I would also ask for a record vote regarding E&R Engrossing. Thank you, Mr. President.

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

ANDERSEN: Yeah, thank you, Mr. President. I rise in opposition to LB48, many of the same reasons as Senator von Gillern. One, we don't have the money for it. Two, there's too many things that are unspecified, the grassroots organizations, who's getting that money, how much of that money is going to grassroots? You know, in the current fiscal environment we have right now, pilot programs probably just, probably just isn't the right, the right time for it, and I believe there's also other redundant programs that do the same kind of outreach and, and the community activism as what this pilot program would do. So I-- I'd ask everybody to scrutinize it and look at it. And I think there's other alternatives that currently exist in the communities today. Thank you, Mr. President.

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

McKINNEY: Thank you. Just to clear some things up, pilot programs don't need sunsets because after the, the year is up, somebody would have to bring a bill for the program to continue. Secondly, organizations would have to apply to the Department of Health and Human Services for a designation. They would have to showcase how they would do it with the designation. So it's-- if you read to bill, everything is clear. I don't understand when people say it's not clear, because read the bill, it is all clear how it would operate. And I just wanted to say, pilot programs don't need sunsets, because the program cannot continue unless there is a bill to continue the pilot. I've seen it multiple times since I've been in the Legislature. Somebody has to bring a bill to continue a pilot, which is why there is no sunset. Thank you.

KELLY: Thank you, Senator McKinney. There's been a-- Senator von Gillern, you're recognized to speak.

von GILLERN: Thank you, Mr. President. And I don't want to get this turned into a-- to a back and forth. I failed to mention that if Senator McKinney were to clean up the items that I have concern about, maybe consider pulling this back and cleaning that up and then carrying it forward, I could consider supporting the bill. And I left that off of my initial statements, which I intended to state. Thank you, Mr. President.

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KELLY: Thank you, Senator von Gillern. The previous motion was to advance-- there was a request for a record vote. All in favor vote aye; all in favor vote nay-- all opposed vote nay. There's been a request to place the house under call. The question is, shall the house go under call? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 27 ayes, 3 nays to place the house under call.

KELLY: The house is under call. Senators, please record your presence. All unexcused members outside the Chamber, please return and record your presence. All unauthorized personnel, please leave the floor. The house is under call. Senators Ibach, Riepe, and Dover, please return to the Chamber and record your presence. The house is under call. Senator Armendariz, please return to the Chamber and record your presence. The house is under call. Senator McKinney, we're waiting on Senator Armendariz. How do you wish to proceed? Thank you, Senator McKinney. Mr. Clerk.

CLERK: Senator Andersen voting no. Senator Arch voting yes. Senator Armendariz. Senator Ballard voting yes. Senator Bosn voting yes. Senator Bostar voting yes. Senator Brandt voting yes. Senator John Cavanaugh voting yes. Senator Machaela Cavanaugh voting yes. Senator Clements voting no. Senator Clouse voting yes. Senator Conrad voting yes. Senator DeBoer voting yes. Senator DeKay voting yes. Senator Dorn voting yes. Senator Dover voting yes. Senator Dungan voting yes. Senator Fredrickson voting yes. Senator Guereca voting yes. Senator Hallstrom voting yes. Senator Hansen voting yes. Senator Hardin not voting. Senator Holdcroft voting yes. Senator Hughes voting yes. Senator Hunt voting yes. Senator Ibach voting yes. Senator Jacobson. Senator Juarez voting yes. Senator Kauth voting no. Senator Lippincott voting no. Senator Lonowski voting no. Senator McKeon voting no. Senator McKinney voting yes. Senator Meyer voting no. Senator Moser voting yes. Senator Murman voting no. Senator Prokop voting yes. Senator Quick voting yes. Senator Raybould voting yes. Senator Riepe voting no. Senator Rountree voting yes. Senator Sanders not voting. Senator Sorrentino voting no. Senator Spivey voting yes. Senator Storer not voting. Senator Storm voting no. Senator Strommen not voting. Senator von Gillern voting no. Senator Wordekemper voting yes. Vote is-- Senator Ibach voting no. Vote is 30 ayes, 13 nays to advance the bill, Mr. President.

KELLY: LB48 is advanced to E&R Engrossing. I raise the call. Mr. Clerk.

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CLERK: Mr. President, single item, Senator Holdcroft, amendment to be printed to LB150. As it concerns the agenda, Mr. President, Select File, LB644. First of all, Senator Guereca, there are E&R amendments.

KELLY: Senator Guereca, you're recognized for a motion.

GUERECA: Mr. President, I move that the E&R amendments to LB644 be adopted.

KELLY: Members, you have heard the motion. All those in favor say aye. Those opposed, nay. The amendments are adopted. Mr. Clerk.

CLERK: Mr. President, Senator McKinney would move to bracket the bill until June 9 with MO201.

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

McKINNEY: Thank you. I filed this motion because I think we need to have a conversation about this bill. You know, it's, it's so much conversation about a lack of understanding, a lack of clarity, those type of things on anything that comes up as it relates to Senator McKinney. But I don't feel as though people are reading bills. A lot of people that are standing up saying those questions couldn't have read the bill and it is what it is. Just in my opinion, just say you dislike the bill, don't try to mental gymnastics it. As far as this bill, I think many people still have some concerns about how this bill is going to work as far as, like, in reality, you know? How is it going to affect different entities and not the ones this bill is saying that it's targeting? And that's why the conversation is needed because there's potential unintended consequences of this bill. But it's not my bill, so, so nobody feels the need to ask those questions. But I guarantee if this said LB644 McKinney, people will be standing up and asking questions. And that's a reality of this session and I have no problem answering questions because I don't feel like I need to hide anything, but there are legitimate questions for this bill and I think that we should have that conversation and see where we could get. And if he wants it, I'll yield my time to Senator Dungan.

KELLY: Senator Dungan, 8 minutes, 11 seconds.

DUNGAN: Thank you, Senator McKinney, and thank you, Mr. President. Colleagues, I appreciate the ability to have the conversation on this again. For those who remember, we had a, a debate about this on General File. It was kind of a late night. I think we were here until maybe 9 or a little after 9:00. And the room was not very full during some of the conversation that we were having. And I understand that's

just how these things work. But I want to be clear that the conversation that Senator McKinney has started on General File with his motions, as well as some of the amendments that were brought up, is not simply a filibuster to take time. The-- I guess, multitude of changes that are contemplated in LB644, I think are very large modifications to our current law, and they impose not slight, but rather very significant impositions on local businesses and on entities here in the state of Nebraska, and go even further to do things like enhance criminal penalties and in addition to that, obviously, they seek to dictate what universities and postsecondary educations can and can't do. And because of that, I, I really do hope that we have a conversation here today about a number of those facets. I do think there are some substantive amendments that have been filed on the bill. I think Senator Andersen has an amendment that is up there. I think that Senator John Cavanaugh has an amendment. I know myself and Senator Conrad had offered amendments on General File. And if you remember the conversation that was started on General File, specifically with Senator Bostar, was that we are willing to continue working on some of the modifications that can change here, but we just need to figure out what those actually look like. So before we get into those specifics, I, I do want to just put on the record some of my overarching concerns with LB644. Obviously, everybody in this room cares about national security, obviously everybody in this room care about keeping Nebraskans safe. Those things go without saying. The issue that I think myself and others take with LB644 is the broad-stroke approach rather than having a precise specific sort of fix for different things that may or may not come up over time. We live in an era right now, colleagues, of, let's call it what it is, just rampant xenophobia that happens when there's fear of other countries and people who come from different countries and backgrounds that are not like us. The problem is there are legitimate national security concerns that sometimes get wrapped up in this broader sort of fear that we have of people who come from different countries and people who don't look like us. And when you start to see state leg-- Mr. President, could I get a gavel? Thank you. Colleagues, I understand that when you see a bracket motion go up, it can be a time where we get up and do other things sometimes, but if we could just try to keep the roar to a dull roar, that would be appreciated. The problem is, colleagues, that we see pieces of legislation like this come up, not just now, but over decades, and legislation like this oftentimes is utilized or weaponized in a political fashion. We talked a lot on General File, and I anticipate that we're going to talk a lot here today about, for example, the 1940s and 1950s and the 1960s and what is commonly referred to as the Red Scare, McCarthyism, you know,

whatever you want to call it. And if you go back and look at the history books and read about how we got to where we are today with some of those issues, there were-- it was not one bill or one change that happened. It was a slow and steady march over a period of decades that got to a place where we found ourselves not just focusing on national security, but rather interrogating and pulling people in who simply disagree with us or come from other places in a way that is, frankly, un-American. And I think that was the big takeaway from that era, was that the things that the American government were doing were the very things that they were seeking to at least say they were opposing or eradicate. Challenging somebody based on their political views and saying they're not a patriot, that feels un-American, telling somebody because they come from somewhere else they are somebody we should be afraid of, that's un-American, not allowing dissent, that is un-American. And so it's always a difficult balance to walk when you try to ensure national security and make sure that we are holding accountable actual threats. But try to balance that with the opportunity for free speech and for freedom of association and freedom to assemble and the freedom to come to America and see us as a welcoming place instead of a place that if you come, even spend a little bit of time here, you're going to be, I guess, held out as a foreign agent in a problematic manner. So there are the broad overtones that LB644 harkens back to of that sort of "McCarthyist" Red Scare era. And I do really think that we need to be diligent, colleagues, when we look at legislation to make sure that we're not overstepping and to make that we are doing everything we can to strike the proper balance between the freedom of speech and the freedom to do who-- do what you, do what you like and be who you are with national security. LB644 specifically concerns me for a number of reasons, and one that I talked about at great length on General File and I was anticipating talking on it again here today, which is why I'm in the queue, is the impact that it has on our educational institutions. So for those who remember, there is a Supreme Court case in the state of Nebraska, Board of Regents v. Exon. And it's a case that we talk about a lot at the legislature-- at the legislative level with regards to what we are allowed to do or are not allowed to do when it comes to dictating postsecondary education with regards to how they, how they govern. And without going into all the details about the, the facts behind Exon, what it essentially stands for is the premise that we, the Legislature, are constitutionally, under our Nebraska State Constitution, not allowed to dictate how a-- how the, the Board of Regents or the university or postsecondary education governs their day-to-day activity. Right? So we-- it sounds like we are generally allowed to provide certain powers and authority to the Board of

Regents, but by virtue of the fact that they are a separate and a part governing body. The University of Nebraska, for example, has the authority to essentially do the day-to-day governance in a way that they deem fit. So any law or any bill that we enact that dictates that a postsecondary education doesn't just have to come up with a plan, but rather tells them how that plan should be implemented and specifically tells them what the outcome of that plan should be is inherently problematic, because that is the Legislature stepping in and usurping the authority of the Board of Regents in a way that is literally unconstitutional under the Nebraska Constitution. And, and this is not a sky-is-falling sort of harebrained argument. This is actually one of the few things that is well established in Supreme Court case law, and there's an entire line of cases after Board of Regents v. Exon that goes into details about what is and what isn't a violation of that holding. And so, colleagues, you might remember on General File, I brought an amendment, which was actually very simple. I think it cut out lines 17 through 25 in Section 10, I want to say, and what it did was it specifically eliminated the provisions in LB644 that did two things. One, there was a provision that anybody found to be in violation of the underlying act in LB644 would be dismissed.

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

DUNGAN: Thank you, Mr. President. They would be dismissed and then banned from a postsecondary education. So that is saying anybody who is found to be in violation of the underlying act that is being put together by LB644 and if they have an association with, they are employed by, or they are a researcher for, any connection at all to a postsecondary education, that they must-- it is, it is not permissive language, they must be fired or terminated with regards to their association and then banned from the premises of the postsecondary education. And then the second portion that my amendment cut out was a, a dictated sort of thing that said the Board of Regents or the, the governing body has to come up with a plan how to effectuate the violations and the subsequent dismissal and the permanent ban of the person who's found to be in violation of the act. So, yet again, even that provision, I think, runs afoul of Exon by virtue of the fact that it essentially is saying not just Board of Regents do you have to come up with a plan of how to handle this, but you have come up with a plan that bans them permanently from the property and dismisses them. That is problematic, colleagues. That is us literally stepping in and going into the day-to-day governance of the university. So regardless of how you feel about LB644, regardless of how you feel, whether you agree or disagree with some of the opponents of this bill that it goes too far, that it is perhaps a specter of some of the past McCarthyism we've

seen, we can have that debate. But in my mind, and in talking to people who do this area of law much more regularly than I do, this is a clear violation of what we as a Legislature can or cannot do with regards to the day-to-day governance of the university. You might remember there were some other colleagues of ours that got up and talked about other bills they've brought that did things like demand the university give us a report. And the sort of process to get to a place where that bill was acceptable to the university took years. And so I-- I'm curious, maybe Senator Bostar can get into the, the queue and explain this or somebody can ask him this question, whether the university had any issues with this particular provision, and if they didn't, I would just be curious as to whether or not they had concerns about Exon as well, and whether or this would be a violation. Now, I do-- I will say, I appreciated Senator Bostar's responses to some of the questions that myself and others asked him on, on General File with regards to this. I think that he is willing to work in good faith and to try to come up with some solutions here. You know, he made very clear on, on the first round of debate that educational institutions are of particular importance to him and the others who have, who have wanted him to bring this bill because that is a specific area they're concerned about. So if there's other language that can be sort of crafted or we can come up with that addresses those concerns but doesn't run afoul of Exon, I'd be open to, to having those conversations. But I think a simple solution would be to remove this portion of the bill, we could bring another amendment, and if we are going to have anything, perhaps a, a line that says the universities or postsecondary education shall come up with a, a way to handle anybody who is found to be in violation of this, but not dictate what the outcome must be. So simply leaving in a provision saying the postsecondary education or the university must come up with a plan, I think that that's maybe-- you know, it's still borderline for me, and I'd have to go back and see what exactly the, the progeny of Exon case says about us telling the, the Regents to, to do those kind of things, but to say thou shalt come up with a plan is different than thou shalt come up a plan that does X and Y. And it certainly is better than saying you, the university, the postsecondary education, has to dismiss somebody, has to fire somebody, has to terminate the relationship with somebody if they're found to be in violation of this act, and ban them permanently from the property of the postsecondary education. That is getting into telling the university what to do, and that is getting into what is frankly I think an overstep of legislative authority. So, colleagues, I do stand in respectful opposition to LB644. I think Senator Bostar is seeking to achieve goals that are laudable. I think that national security is always at

the forefront of a, a government's mind. But we need to make sure that in doing so, we do not overstep either our ethical and moral lines, but certainly not our constitutional ones as it pertains to Exxon and the universities. So I might work on getting an amendment crafted again so we can take one more vote on that. Perhaps people have had more time to analyze whether that's a problem or not. And I know we have a couple of other amendments to get to here today, but I do appreciate Senator McKinney's time here on the open to be able to talk about a few of these things,--

KELLY: That's your time, Senator.

DUNGAN: --and I think we'll keep talking a little bit. Thank you, Mr. President.

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

CONRAD: Thank you, Mr. President. Good morning, colleagues. I rise in continued concern about the nuances and mechanics in regards to LB644 and rise in support of the bracket motion, as I think this measure is complex and it is indeed important. And I appreciate and understand Senator Bostar's policy goals, many of which I'm aligned with. But I, I-- there's a lot to unpack here from a technical, legal, practical, and policy perspective. And to be clear, Senator Bostar has been very collegial and collaborative in terms of making the bill work better and being responsive to concerns from the first iteration we saw upon introduction to what is before the body today, I think primarily through an E&R amendment. But let me just talk a little bit about that procedural progression. So what started out as a measure including secret courts and loyalty oaths and expansive new powers has now been more narrowly tailored to attestations, criminal penalties, and descriptions of activities that are of concern to Senator Bostar and others who are working on this measure. Again, federal law is clear and robust in regards to the regulation of national security interest addressing foreign adversaries and espionage activities and I fear that the measure, even as more narrowly tailored, still raises concerns for legitimate business activities and could have a chilling effect upon expression and association as well. This really puts on its head, I think in many ways, core American values, the presumption of innocence, you're innocent until proven guilty. It casts suspicion on all Americans and all Nebraskans without cause. And it is not in alignment with our values to ask American citizens to prove to our government that we are not spies for foreign adversaries when we are not. And that's what's at the heart of this measure. There's also a

host of technical concerns about what this means, for example, for bankers who are working with certain covered entities or on certain covered activities, what this means for lawyers who are providing professional legal advice to clients. And to be clear, the State Legislature and the Attorney General do not regulate the practice of law in Nebraska, the Supreme Court does. It's also unclear as to whether or not this would have implications for those providing professional services like CPAs, for example. There's, there's, there's just so much to unpack here. And I am concerned about not only historical efforts throughout the Red Scare and otherwise, which cast suspicion and skepticism upon our citizenry under the guise of national security. I'm also concerned about the present political climate wherein, I think within the last 24 hours, an effort has been revived in Congress led by the Trump administration to target tax-exempt nonprofits that he claims are supporting terrorism with little to any evidence, and chilling the rights of Americans to associate, or to petition or to engage in free expression or to face punishment if they don't adhere or conform or stop those activities that they find objectionable even if they are otherwise legal. So we cannot remove this effort from what is happening on the federal level as well, which has caused great concern and consternation.

KELLY: That's your time, Senator.

CONRAD: 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 think I'm probably in support of the bracket motion at the moment. I do have a few amendments filed and I would describe them as one is serious, one of them is more of a placeholder amendment, and I'll talk a little bit about that. So I have two amendments that I would like to get to as we are taking up this bill and I know other folks, maybe, have amendments as well. And I would echo a lot of the comments that I think there's a totally legitimate intent of protecting Nebraskans from foreign adversaries and in the increasing complexity of the world and the, the conduct of adversary nations, we see, you know, Russia paying, I remember during the last election cycle, the 2024 election cycle, Russia was paying blog influencers or whatever you call it, or TikTok influencers to, you know, muddy up the American election and the, and the Chinese doing the same sort of thing. And so they're, they're finding new and innovative ways for sure to try to influence American policy as it pertains to them. So I think there's, there's a real

thing happening that needs to be addressed. The concern is, as drafted, the bill takes too broad of an approach. And so I raised a couple of concerns on General File and I talked to Senator Bostar about my suggestions on it. And, you know, unfortunately, with all of the other things going on here, I haven't given him a concrete proposal, which is what I would call my placeholder amendment that just strikes out Attorney General everywhere and replaces it with the Nebraska Accountability and Disclosure Commission. I do think there are some spots of the 44 mentions of the Attorney General that are better suited for the Accountability and Disclosure Commission to be the agency where people register. So if somebody is a foreign agent, they're required to register as a foreign agent. I think the, the Accountability and Disclosure Commission is already set up to receive those types of registrations, to maintain them, and I think they can pursue a lot of the intense-- intentions of the 44 times where the Attorney General appears in here. I do think the prosecutorial and oversight aspects of this are best suited for the Attorney General. And so that's the problem of trying to, to parse out which ones are the right place to put under the purview of the Attorney General and which ones have the right place to put under the purview of the Accountability and Disclosure Commission. So I've just been taking this opportunity while we're on the bill here to go through the 44 different places and highlight and mark up the ones that I think. So I have an amendment that is currently a placeholder. As we're progressing through this, I'll keep working on it and see if I can get just a more concrete proposal on that. But I can talk a little bit about some of those. So there is just-- on page 2 of the E&R amendment requires that folks-- any documentation filed to be furnished to the Attorney General under the Foreign Advisory [SIC] Registration Act. I think that people should have to file with the Accountability and Disclosure Commission. That does seem like the right place. So that's the very first mention that I think probably should be clarified. So here's-- it's on page 6: registration statement means the registration statement required to be filed with the Attorney General under Section 4 of this. So I think that that registration statement should probably be filed with Accountability and Disclosure. So then you get on to page 7, which is Section 4: No person shall act as an agent of foreign principal from an adversary nation or foreign terrorist organization unless such person has filed with the Attorney General. So this is the spot, I think this is the really important spot, where the filing requirement should be housed under the Accountability and Disclosure Commission. The Attorney General is, is going to be empowered to prosecute people for violations of this, and that, I think, is probably appropriate. But the fact to receive the applications, to

maintain it, there's an online requirement of publication and things like that, Accountability and Disclosure already does all those things. They're set up to do it, that's exactly what they're for, accountability and disclosure. This is an accountability question. I'm going to run out of time, so I'll talk some more. But I, I do think-- I know there's a bracket up right now, but there are some-- I have serious amendments I'd like to-- that I think could make this bill more faithful to its intention, that could actually serve the purpose that it's, it's supposed to and have less of an offense against our fundamental principles of innocent till proven guilty and fair play and, and general democracy and good government. So I will push my light to continue talking about my parts and I'll keep working on this to get a clean amendment for you all to take a look at about which-- where we bifurcate Attorney General and Accountability and Disclosure. I have a second amendment that is ready to go whatever we get to it. And I'll talk about that on my next time on the mic. So thank you, Mr. President.

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

M. CAVANAUGH: Thank you, Mr. President. Would Senator Bostar yield to a question?

KELLY: Senator Bostar, would you yield to questions?

BOSTAR: Yes.

M. CAVANAUGH: Thank you, Senator Bostar. I'm just looking through the amendment that's pending, and it talks about filing to attest that you're in compliance-- filing in Nebraska to attest that you are in compliance with the Foreign Adversary and Terrorist Agent Registration Act. So that implies, do these people already have to register at the federal level?

BOSTAR: Not necessarily.

M. CAVANAUGH: So what would make it different from the federal level to, to Nebraska?

BOSTAR: What would be different between the, the Foreign Agent Registration Act, which is federal, versus what's proposed here?

M. CAVANAUGH: Yes.

BOSTAR: There's, there's a number of differences, probably the largest difference is there are carve outs for lobbyists in federal FARA, which is, you know, I think frankly absurd. The other difference is in order to file for FARA you have-- you, you essentially have to be trying to influence things at the federal level. So if you were here trying to impact policy, for example, in Nebraska, you, you wouldn't, you wouldn't be required to file under FARA.

M. CAVANAUGH: OK, so if-- are there companies and nonprofits currently in Nebraska that would fall under this that aren't filed at the federal level?

BOSTAR: Yes.

M. CAVANAUGH: Like Smithfield is not filing at the federal level?

BOSTAR: It's really for those who are engaged directly in the influence operations. So--

M. CAVANAUGH: Do you have an example of who would be required to file here that isn't required to file at the federal level?

BOSTAR: So lobbyists who work-- Smithfield is an example, there are others, though, too. So if someone was trying to influence or impact or advance policy in Nebraska here in the Legislature, but it could be local government too, they would have to file if they were doing it on behalf of a foreign adversarially based company.

M. CAVANAUGH: So if a nonprofit, which I see here also has to file, so if they receive donations from a company that has business interests elsewhere in other countries, including maybe China, then would that nonprofit have to file because they receive philanthropic contributions?

BOSTAR: Or would they be lobbying on behalf of those foreign interests?

M. CAVANAUGH: Well, they're nonprofit, so they legally can't lobby.

BOSTAR: Well, that's not exactly true.

M. CAVANAUGH: They can advocate. They can educate.

BOSTAR: Sure, but there are nonprofits here who have registered lobbyists. I mean, it's--

M. CAVANAUGH: They have registered lobbyists, yes, but they-- there's a very, there's a very specific delineation in our statutes for (c)(3)s and how they can lobby or advocate and educate versus companies. So they lobby on issues. And what if those issues align with China, so they have to register, then?

BOSTAR: So-- well, just to take one step back. So if-- for a 501(c)(3), if they take, I believe it's the age designation,--

M. CAVANAUGH: Yes.

BOSTAR: --right, they get a static amount of their resources that they can put to direct lobbying activities. A 501(c)(4) would be unlimited. In either of those cases, if they were lobbying on behalf of the foreign interest, then they would have to register accordingly. If they're just lobbying for their own interests and they're not doing it per the direction of a foreign adversarial entity, then, then no.

M. CAVANAUGH: Are there nonprofits currently lobbying on behalf of foreign interests in Nebraska?

KELLY: That's your time, Senators.

M. CAVANAUGH: Oh, OK. Thank you.

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

DUNGAN: Thank you. Thank you, Mr. President. So just to pick up where I left off, the educational aspect, I think, is one of the more concerning aspects of this bill. I spoke briefly with Senator Bostar about this just a couple minutes ago off the mic. And, you know, I understand again that his major concern is ensuring that universities and that our postsecondary education is safe and that they're not in any way, shape, or form being influenced by or unduly, I guess, affected by foreign adversaries or agents. And, again, let's be very clear, that is a good goal. We all absolutely agree, as Senator John Cavanaugh pointed out earlier, that there is, there is evidence that there has been absolutely foreign adversaries that have utilized various technologies, like TikTok or other things like that, to try to influence elections. You know, we know for a fact that this sounds ridiculous to kind of say, but espionage is a real thing. And, of course, it is, I'm not trying to belittle that. But, again, we need to make sure, colleagues, that our laws are written in a way that adhere to the constitution and there's been a through line through this entire session that I have found a little bit alarming where when

issues are raised about potential constitutionality or issues with various bills, it has been met with what seems to be exasperation or dismissiveness. And I understand that it's because some people think that, you know, attorneys or folks who are worried about this are saying the sky is falling or are overly concerned. But the reality of the situation is I think we should be doing our job in such a way that does not result in legislation that needs to go before the courts. Now, granted, there are certain pieces of legislation that are always going to be challenged, right? We know, for example, some of the other bills that have come before us this session with regards to social media and age verification, that's going to be challenged. We know when you're talking about some form of discrimination or, or acting differently from one class to another, that's going to be challenged. But that doesn't mean that the finished product that comes out of the Legislature shouldn't be at least in whatever form it could be in to be the most adherent to our constitution the most legal. And the sense that I've gotten from some of my colleagues in here is, I don't care, let's let it go before the courts and see if that's how it works out. I can tell you, colleagues, that's a bad idea for a number of reasons. Not the least of which is those are taxpayer dollars that you're going to be wasting with the process. Right? If somebody brings a lawsuit against a, a bill or a law that we pass, the Attorney General generally speaking is going to be defending that or the state is going to be defending that and insofar as they have to then do all of the work that goes into it, that is a lot of money. I've seen the Attorney General line item in our budget. There are additional appropriations every year for different litigation aspects which we can debate the merit of that, but the reality is it costs a lot of money to defend these cases. And I don't think people truly understand severability, right? People put these severability clauses into the bills and they think they're good. Our Supreme Court has said a severability clause in legislation is not dispositive, colleagues, meaning it is not the only thing we look at with regards to whether or not a bill is in fact severable. So placing something that is unconstitutional into your legislation, absolutely can result in the entire bill being struck down. And there's a whole analysis as to whether or not something is severable or not, and I'm not going to get into that right now, but the reality is that we as legislators were sent here to do our job, and I think we should do our job well. And doing our job well entails trying to adhere to the constitution. Now people can disagree about certain aspects of things, but one of the long-standing holdings about Exxon is our inability to dictate how a postsecondary education conducts itself with regards to its day-to-day governance. The case itself is about appropriations, but the whole-- one of the lines that

is often quoted in there that comes up time and time again is where that line is drawn between what the universities get to do and what the Legislature gets to do. So, you know, based on my reading of that and my conversations with people, the, the amend-- or the portions of this bill that get into postsecondary educations are problematic. I have introduced an amendment. I talked with Senator Bostar about it earlier that I think might address some of those concerns. It is similar to, but slightly different than, the amendment that I dropped on General File. So it is different. And I hope that when we get to that amendment, we can have an actual debate about it and a conversation and colleagues will pay attention to that. But for the time being, I just want to be very clear, we should not be flippant about whether or not our legislation is well drafted. And I think that we've gotten into a habit of doing that this session.

KELLY: That's your time, Senator.

DUNGAN: Thank you, Mr. President.

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

CONRAD: Thank you, Mr. President. Good morning, colleagues. So one issue that I wanted to raise, because I know a lot of the focus, thus far, has been in regards to national security interests and the state's role in, I guess, complementing the advancement of those national security interests, particularly as related to China, but there is a list of foreign adversaries here as exists through definition in reference to a federal law. And I know that one of the countries listed for concern includes Cuba. And I want to lift a real-life Nebraska example about how this measure may impact activities of great importance and interest to Nebraskans, and specifically to Nebraska ag producers. So it's well established, maybe some folks might remember, many years ago, my friend Governor Heineman, made a very bold, and in some instances, controversial, but ultimately very successful effort to lead several trade missions to Cuba, primarily focusing on exporting Nebraska agricultural products, primarily beans and I think also perhaps wheat and corn. And it was a great economic benefit for Nebraska and for Nebraska ag producers. And I remember thinking that that was a very bold move and really appreciated Governor Heineman's leadership in that regard. So my question is-- if Senator Bostar-- I see he's in conversation with Senator Cavanaugh. Senator Bostar, would you by chance be able to yield? I know you're in conversation with Senator Cavanaugh, but you're the expert on the bill, so. As you're making your way over to

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the mic-- Mr. President, if Senator Bostar would be able to yield, please.

KELLY: Senator Bostar, would you yield?

BOSTAR: Yes.

CONRAD: Thank you, Senator Bostar. So I don't know, this may have happened before you relocated to Nebraska, but then Governor Heineman led very-- a series of very successful trade missions to Cuba to promote Nebraska ag products and secured a host of successful contracts in that regard that benefited Nebraska ag producers. So for a variety of reasons, I understand why Cuba is on this list, but have you had a chance to think through whether or not a measure like this would hinder the ability of a Nebraska leader or a Nebraska ag producer to continue those kinds of trade trips or trade deals?

BOSTAR: Yeah, so my-- no, I don't believe it would.

CONRAD: OK.

BOSTAR: I think truly, at its core, this comes down to functionally working for a foreign adversarial entity and on their behalf trying to engage in some level of influence operations. I think, you know, economic trips, trying to engender additional trade and, and development that's, that's outside of this.

CONRAD: OK. And then I was looking at the E&R amendments, and this was an issue that we didn't have a chance to talk about a lot on General File, but there's very specific definitions in regards to restrictions on certain aspects of the free press and the media. And I'm trying to kind of think through here, I, I think that the measure attempts to exclude from restriction those news outlets and members of the free press that are primarily based in the United States. But how, how did you come up with the contours of some of this in terms of, like, the, the percentage of ownership and the membership on said news organizations' board of directors?

KELLY: That's time, Senators.

CONRAD: Thank you.

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

J. CAVANAUGH: Thank you, Mr. President. Well, I spent my time continuing to go through line by line on the number of mentions of the Attorney General in the bill and I think I've come to a conclusion on ones that I would honestly suggest out of the 44. And so I went through one of my amendments and crossed out the spots where I thought Attorney General should stay. And those are the ones on page 18, lines 20 and 30, page 19, lines 4, 7, 9, 13, and 10. So, basically, out of 44 mentions to the Attorney General, I think 1, 2, 3, 4, 5, 6, 7 of them should stay. Because as I was saying earlier, I, I think that a lot of this work is best done by the Accountability and Disclosure Commission. And, and I did ask them at the hearing if they could do it, and they said that they could. So I think that that's the right way to go. So I'll maybe try and get that amendment cleaned up and get filed. So when we get to it, we'll have an actual one to have that conversation about. My other amendment is the one about when we levy fines just to be in compliance with the constitution, that those fines have to go to the Common School Fund. So I've got that amendment on file to be taken up when we get there, but that's just a commonsense clean up. We've done it on three bills now this year, just to be clear that the Legislature understands when we pass any kind of punitive fine or fee that it is in compliance with the constitution. It's going to be apportioned in compliance with the constitution and go to the Common School Fund. And that, of course, is it's not only in compliance with the constitution, but it is just to expedite what is going to happen because if somebody is, you know, overstepping in their position as either NADC or the Attorney General or somebody in the office, and they try not to do that, then it could be litigated and cause a problem in that respect. And so it's just better to put it-- make it clear in the statute that we are intending this law to be in compliance with our own constitution. So that's-- those are my two big amendments I have. There's obviously other questions that folks are talking about, the issues they have. But one of the other ones, and I'll probably bring a separate amendment for this because my current amendment would take too long to amend it. But one example is on page 11 where it says Attorney General-- so we'll say page 11, line 9. So-- well, it starts on line 7: Such statements shall set forth with respect to such preceding 6-month period, such facts as the Attorney General, having due regard for national security and the public interest, deems necessary to make the information required under this section accurate, complete, and current with respect to such 6-month period. I don't know why that's there, having due respect for the national security and the public interest. I don't, I don't know what that means. I don't know why it's there. I don't know why we would be putting that kind of surplus language in the statute. I mean,

I read that as just saying the Attorney General is a good guy and, therefore, he should be able to deem the necessary information to make sure this is in compliance. That is one of the sections where I would advocate for striking Attorney General and inserting the Accountability and Disclosure Commission. And so I guess if you read it that way, that the Accountability and Disclosure Commission having due regard for the national security and the public interest deems necessary to make information required under this section accurate. I, I don't know what that means either. So my amendment doesn't strike that section, that language, I will bring a separate amendment to strike that. But that does-- the same language appears on page 10 as well, so that was page 11. Page 10, there's a section that says: Such other statements, information, or documents pertinent to the purpose of this section as the Attorney General, having due regard for national security and public interest, may from time to time require. I don't-- why is that there? Is that meant to bolster the justification for a blanket grant of authority to the Attorney General? It's just weird. I mean in this broad conversation, dare I say Orwellian, that we have language about someone's-- how great a person they are when we're granting them authority. So, again, that's another section where I would say we need to take out Attorney General and put this authority in the Accountability and Disclosure Commission. I think they're a better suited place to handle this. I think that they have a structure in place for making rules and regs that would be in line with this. They can do-- accomplish all of the objectives and it doesn't require that sort of weird double-speak language to justify placing it there. So I've got an amendment that would strike out the Attorney General portion. I'll bring a separate one once I get a, a total list of the number of places having due regard for the national security and public interest appears in this bill. And I will bring an amendment to strike--

KELLY: That's your time.

J. CAVANAUGH: --those individually. Thank you, Mr. President.

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

M. CAVANAUGH: Sorry. Thank you, Mr. President. So I'm just-- I was just listening to Senator John Cavanaugh talking about changing some of the AG's notations in the amendments and bills to Accountability and Disclosure. And I'd be interested in entertaining such an amendment if, if that is his intention. Actually, would Senator John Cavanaugh yield to a question?

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

J. CAVANAUGH: Yes.

M. CAVANAUGH: Thank you. Was I hearing correctly that you are working on an amendment to make some of the changes that you were just discussing?

J. CAVANAUGH: I am. I have an amendment filed that I believe is AM1456 that, if you look on the computer, has the strike of the Attorney General every place, that was a placeholder amendment because this bill came up faster than I was expecting. And so I went through to find the places to strike the strikes. And so I was actually just sitting down to email Drafting to see if they could get that cleanup sent to me.

M. CAVANAUGH: OK, then I will let you get to it. Thank you. Ooh, it's 11:11. Everybody make a wish. Sorry, just noticed that. I-- well, great, then that probably will take a little bit of time to get that amendment. That-- I, I appreciate Senator Bostar taking my questions today and on the last round of debate. I-- I'm not-- I think it's very obvious, I'm not thrilled by this bill, but I also appreciate the work that's being done on it to, to sort of tighten the language and, and make it a little bit more workable. My, my biggest concerns are not about, you know, making sure that we have safety in our, our country and in our state. I think that those things are really important. But there's always a balance between our civil liberties and rights and, and governance. And so that's where I want to make sure that we are handling an issue like LB644 very carefully and proceeding very purposely and thoughtfully. And I, I know that this bill has been worked on for a while now. And I, I know that there's been a lot of back and forth on things to be changed and, and tweaks to be made and so I appreciate that work that's going on off the floor. It's been happening a lot off the floor and I appreciate that very much. I just, at this point, am, am wanting to see more changes coming and I don't know exactly what the plan is going to be as far as today's debate. We'll take a break at lunch and I assume that we will come back with some substantive amendments that perhaps bring down the opposition to the bill so that we can move it forward without too much more delay. But right now, I am, I'm not supportive of the current version. I do, I do share the concerns about giving too much authority to the AG's Office over Accountability and Disclosure. I, in conversations with Senator Bostar, I understand why there are some, some mention of the AG's Office in the bill that are probably appropriate, but I am more broadly comfortable with this going to Accountability and Disclosure

for most of those things, because that information then would also be publicly available to the Attorney General, just as it would to the rest of the public. And I think making sure that that transparency exists, even for the public, to know who is registering is important. And so that's kind of where I'm wanting to make sure that while we are doing this effort, LB644, to create transparency in security of our, our state and our nation, I want to make that we are actually making it transparent and accessible to the public as well, and, and to not hide where these people are, are working. So that's kind of where I am at at the moment. So I guess basically what I'm saying is, I guess I'm going to try and take time till noon so that we can come back with substantive amendments to make some changes that are compromises and make it stronger public policy. Yep. So thank you, Mr. President.

KELLY: Thank you, Senator Cavanaugh. Senator Dungan, you're recognized to speak. This is your third opportunity on the bracket motion.

DUNGAN: Thank you, Mr. President. And, colleagues, I rise again, I suppose, in favor of the bracket motion and opposed to LB644. So if you've been paying attention you know I've been talking quite a bit about the university and the implications that LB644 is going to have on postsecondary education. Now, granted, the bill just says postsecondary education. It doesn't specify the university system, but it applies to all postsecondary education across the state. So if you are an individual who works for, you know, Creighton or Wesleyan in my district or any of these private entities, please know this applies to you too. But obviously the one that we think about the most when we think of postsecondary education in Nebraska, I think by virtue of its size and its reach, is the university. So I went ahead and pulled up the testimony, because I was curious what the university had to say about this bill. I was not in the hearing, and so I wanted to see what that testimony looked like. And they actually did submit neutral testimony to this, so they are not supportive and they technically are not opposed, but they submitted some neutral testimony, and I just wanted to read in relevant portions some of the things they brought up in here, which I think highlights and underscores both some of my concerns. Specifically they say: the University of Nebraska has long adhered to rigorous state and federal guidelines regarding transparency, research integrity, and national security risks. However, LB644 introduces overlapping and duplicative requirements that could create unnecessary administrative and legal burdens without significantly enhancing security. Specifically, Section 10 mandates the termination of an employee or the expulsion of a student who violates the Foreign Adversary and Terrorist Agent Registration Act. This removes authority from the university's internal judicial

process, bypassing due process protections for students and employees. The university already has clear policies and legal framework to investigate violations of law. This legislation supersedes these processes, stripping the Board of Regents, the university's constitutionally established governing body of its decision-making authority. The university has 16,000 employees and nearly 50,000 students. Like any large institution, we must ensure disciplinary actions are conducted fairly and in compliance with existing laws. Automatic termination or expulsion removes case-by-case evaluation, increasing the risk of legal challenges and potential litigation. In addition to that, Section 11, they say, would require university employees to sign an affidavit annually attesting they are not agents of a foreign adversary or a terrorist organization. The university already follows strict federal regulations, including employment background checks, visa screenings, and required disclosures under the Higher Education Act and the CHIPS and Science Act. Federal law already prohibits misrepresentation of foreign affiliations, making this requirement redundant. So, colleagues, the reason that I read that is the university is very clear that not only is this duplicative and redundant with regards to currently existing federal law, which Senator Conrad I think had already pointed out earlier, but it really does increase the concerns that I think we should all have about running afoul of the current legal framework that exists for dismissal or expulsion. I don't know if many people in here have actually worked within the, the legal system as it pertains to schools, but whether you're talking about dismissal or expulsion or even sort of punitive measures that are taken by the university, there is a well-established and sort of time-tested due process that has to be adhered to in order for these things to be implemented. And what the university is essentially saying in here is that automatic termination and expulsion removes that case-by-case basis where they can actually analyze the nuances of a case and, in addition to that, it violates a lot of the due process that is currently allowed. So, yes, it is a constitutional problem, and that's highlighted in here by talking about taking away the established governing body's decision-making authority, but in addition to that, it is a logistical and legal quagmire that it puts us into with regards to the issues here. So, colleagues, this is not a small issue, this is not something that I'm bringing up just to waste time, this is a real problem. And the university that this is going to affect or that this implicates is not in favor of this legislation. They came in in a neutral capacity. Neutral capacity, I would say, that sounds fairly negative. So I may reach out to some other folks to learn a little bit more about this, but I would just encourage my colleagues who are paying attention to take into consideration these

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issues as it pertains to the constitutionality and the legal framework.

KELLY: That's your time.

DUNGAN: Thank you, Mr. President.

KELLY: Thank you, Senator Dungan. Senator Conrad, you're recognized to speak. This is your third opportunity on the bracket motion.

CONRAD: OK. Very good. Thank you, Mr. President. I was wondering if Senator Bostar would yield to additional questions, please?

KELLY: Senator Bostar, would you yield to questions?

BOSTAR: Yes.

CONRAD: Thank you, Senator. Just to continue our dialogue. So I wanted to learn more about your attempted regulation of the free press in regards to pages, I guess, 1 and 2. There's a variety of different definitions impacting different media entities and outlets and providing some exclusions and some restrictions dependent upon ownership and membership of their board of directors, I guess. So how, how did you come up with the threshold in regards to the 80% ownership?

BOSTAR: Yeah, thank you for that question. The short answer is I didn't. It is language consistent with FARA, federal.

CONRAD: OK. And then-- so if, say for example, a media entity had somebody on their board of directors who, I guess, had legal status in terms of being within the United States but was not a natural born citizen or somebody who had gone through the citizenship process. Can you talk about your thinking in that regard? So if it might be a green cardholder or somebody with DACA or something like that.

BOSTAR: I don't-- I mean, look, I'll absolutely go and kind of dig into it, but instinctively I don't think that that would be what that is referring to.

CONRAD: OK.

BOSTAR: And, again, I-- you know, this is that sort of section that you're looking at is just we didn't want to reinvent the wheel on this. It is the-- that is the standards that are congressionally

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established. And so we thought it made sense to be in line with that. But I'm, I'm happy to dig into it more.

CONRAD: I'm guessing the goal is to have a different approach for American news organizations and a different approach for media organizations like TikTok or Al Jazeera. Is that maybe the thinking behind the definitions and the applications or exclusions?

BOSTAR: I mean, is TikTok a news organization?

CONRAD: Well, I don't know if we have enough time on the mic, but, yeah, fair point. But that's a, a great segue, actually, then, continuing down on page 2 of the E&R amendment, there's a, a section on covered activities. And so this could include acting as a public relations council agent, information service employee consultant, and then it, it kind of lists through different, different types of activities that would be concerning. So, say for example, if an everyday citizen or an employee of a nonprofit or a business subject to registration, like repost things from a foreign adversary on social media or forwards an email that may have originated with a foreign adversary, then are they subject thereto or running a foul thereof? I-- since media has such an expansive understanding and definition today, I just want to make sure that, and I know it's very law school hypothetical, but I just want to make sure that we're thinking through any potential unintended consequences for how everyday Americans use social media and what, what implications that might have.

BOSTAR: So, you know, the, the legislation has provisions for, you know, the dissemination, distribution of, of information for-- received by more than one person, but those provisions are specific to those who are-- that must register as working on behalf of advancing initiatives for a foreign adversary. So--

KELLY: That's time, Senators.

CONRAD: OK, thank you. Thank you, Senator Bostar.

KELLY: Seeing no one else, Senator Conrad, Senator Conrad, that was your third time. Senator Bostar, you're recognized to speak.

BOSTAR: Thank you, Mr. President. Would Senator Conrad yield to a question?

KELLY: Senator Conrad, would you yield?

CONRAD: Yes.

BOSTAR: Did you have any other questions?

CONRAD: I did. Thank you so much. And I know we're trying to get off the motion so we can get to the substantive amendment, but another piece, Senator, that I'm trying to think through as it's a bit different than our typical enforcement provisions, is there's a bounty component to this legislation that seeks to provide a financial reward for citizens assisting in enforcement of the act. Could you talk a little bit more about that?

BOSTAR: Yeah, so it's, it's in line with essentially basically a whistleblower kind of idea, which is the folks who would have the best information related to whether or not an organization is evading this act would most likely be internal. And so it's, it's the same reason why, you know, we have incentives in place for those who identify bad actors and can, you know-- in other parts of law, right, they can receive, you know, percentages of settlements, things like that. But the idea here is functionally in order to ensure that we're able to identify those who are acting maliciously, that there's an incentive for folks who would, who would readily have that information to want to come forward.

CONRAD: OK, I appreciate your comparison to kind of a whistleblower component, but I'm just trying to think through other examples perhaps in criminal law that would, would utilize that kind of enforcement.

BOSTAR: None of this is criminal, right? So, so these sections are all civil.

CONRAD: OK. And then one of the other things that I was trying to generally sort through here was there's a requirement that any of the communications that are subject to this act be, I guess, reported or recorded to the Attorney General's Office. Are all of those communications then subject to public review by filing an open records request? Are they for AG's eyes only? You know, I'm, I'm thinking through, say for example, we keep using the Smithfield example. So if this company is developing a lobbying strategy because they're concerned about a taxation issue in Nebraska that impacts their business interests. Do those communications between them and their lobbyists and their lawyers get published at the Attorney General's Office?

BOSTAR: No, and they don't even need to be reported.

CONRAD: They don't need to be?

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BOSTAR: No, in that example, they don't. But if--

CONRAD: OK, when would they need to be reported?

BOSTAR: So, one, if it's not protected, obviously, and it is intended to be received by more than one person. So if they're, if they're sending, you know, correspondence to someone or they're-- if they're doing one-on-one communications, none of that's reported. But if they're doing something broader than that, so if they want to, you know-- well, send a, a mailer out to Nebraskans, or if they want to communicate to all of the Legislature. Then within a, within a time frame that would be-- a, a copy of that would be transmitted to the Attorney General's Office.

CONRAD: OK, and then would any citizen or news entity or otherwise be able to review those files?

BOSTAR: Yes, there's nothing in there that protects that, that information.

CONRAD: OK. So the other section I'm looking at has a description and a definition for foreign political parties. So I definitely don't subscribe to this political philosophy, but political diversity has always been a part of our democracy. And would this impact, for example, the work of Americans who belong to a communist party and who want to advocate for a different economic format?

KELLY: That's time, Senators.

CONRAD: Thank you, Mr. President.

KELLY: Thank you, Senators. Senator Bostar, you're recognized to speak.

BOSTAR: Thank you, Mr. President. Would Senator Conrad yield to a question?

KELLY: Senator Conrad, would you yield?

CONRAD: Yes, yes, yes.

CONRAD: Well, so I, I, I heard your question. So no.

CONRAD: OK.

BOSTAR: It, it wouldn't. It's-- and, and it certainly wouldn't do anything in that case. But even, you know, foreign political parties

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attempting influence, this doesn't actually prohibit any of those activities. It, it, it provides a, a transparency structure around that. And now I, I understand that there's debate around, is it too much, not enough, and, and there are varying views in this room on that. But short answer is no to your, to your question.

CONRAD: OK, all right, I mean, that's-- even minority parties deserve the protection of the First Amendment and unpopular viewpoints deserve the protection of the First Amendment. So I just wanted to make sure that there was not a, a specific chilling effect in, in regards to, in regards to that issue. OK, I, I think we'll get on to the substantive amendment. Senator Bostar, I really appreciate the extra time and the dialogue. Thank you, Mr. President.

BOSTAR: Thank you.

KELLY: Thank you, Senators. Seeing no one else in the queue, Senator McKinney, you're recognized to close on the bracket motion.

McKINNEY: I want to pull this motion, Mr. President. Thank you.

KELLY: It is withdrawn. Senator Bosn would like to recognize some guests in the north balcony. They're ninth graders from Standing Bear High School in Lincoln. Please stand and be recognized by your Nebraska Legislature. Without objection, so ordered, the bracket motion is withdrawn.

CLERK: Mr. President, Senator McKinney would move to recommit the bill to the Government, Military and Veterans Affairs Committee with MO202.

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

McKINNEY: You can pull this one, too.

KELLY: Without objection, so ordered.

CLERK: In that case, Mr. President, Senator Conrad would move to amend with FA142.

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

CONRAD: Thank you, Mr. President. I'd like to withdraw that amendment at this point.

KELLY: It is withdrawn. Mr. Clerk.

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CLERK: Mr. President, Senator Bostar would move to amend with AM1208.

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

BOSTAR: Thank you, Mr. President. I'd like to withdraw AM1208.

KELLY: It is withdrawn.

CLERK: Mr. President, Senator Andersen would move to amend with AM1205.

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

ANDERSEN: Thank you, Mr. President. Colleagues, I rise to amend Senator Bostar's LB644 with my friendly amendment, AM1205. AM1205 is a clean-up amendment designed to provide clarity on LB644 and LB660. Senator Bostar's LB644 and my LB660 both have provisions relating to drone operations and procurement. AM1205 simply removes the two paragraphs and references to drones in LB644. Again, this is a friendly amendment and is offered to provide clarity and ensure there is no confusion between LB644 and LB660. I ask for your green vote on AM1205. Thank you, Mr. President.

KELLY: Thank you, Senator Andersen. Seeing no one else in the queue, Senator Andersen, you're recognized to close and waive. Members, the question is the adoption of AM1205. All those in favor vote aye; all those opposed vote nay. There's been a request to place the house under call. The question is, shall the house go under call? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 28 ayes, 0 nays to place the house under call.

KELLY: The house is under call. Senators, please record your presence. Those unexcused senators outside the Chamber, please return and record your presence. All unauthorized personnel, please leave the floor. The house is under call. Senators Hansen, von Gillern, please return and record your presence. Senator Spivey, please return to the Chamber and record your presence. The house is under call. All unexcused members are present. Senator Andersen, the vote was underway, would you accept call-ins?

CLERK: Senator Hallstrom voting yes.

KELLY: Record, Mr. Clerk.

CLERK: 25 ayes, 0 nays on adoption of the amendment.

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KELLY: The amendment is adopted. Mr. Clerk. I raise the call.

CLERK: Mr. President, Senator John Cavanaugh would move to amend with AM1351.

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

J. CAVANAUGH: Thank you, Mr. President. I actually think this is one of my placeholder amendments, and I do have a, a real amendment after it, so I think I'll pull AM1351.

KELLY: So ordered.

CLERK: Mr. President, Senator John Cavanaugh would move to amend with AM1455.

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

J. CAVANAUGH: OK, finally, onto a, a real amendment. OK, so AM1455 is the amendment I was talking about earlier. This is the one that clarifies that any fine assessed against, you know, a, a violator goes into the Common School Fund. So it's-- if you all recall, we talked about this, I think it was Senator Bosn's bill, we talked about it on, I think it was a Senator Hallstrom bill, but on two bills at least this year, that the constitution, the Nebraska Constitution, is clear that, I think it's Section 7-- Article VII, Section 5, says that any fine or fee levied as, as a penalty is to go to the Common School Fund in the jurisdiction where the offense occurs. So that's what the constitution says, and so like a parking ticket, a speeding ticket, any kind of criminal, fine for-- you know, if somebody gets fined for shoplifting, those go to this Common School Fund in the city or county or jurisdiction where the offense occurred. So the constitution is clear on this. And there's-- sometimes in statute, we have put this there and sometimes we have not. And so it's my opinion that we should always put it there in the interest of clarity. I've called it a belt-and-suspenders approach. So that we should be making sure that there's no confusion and that when whoever it is is given this authority that we should make sure that they know that this is what, you know, they're supposed to do with any fine or fee that's levied by them. So that's what this amendment does. It's just clarification of that this bill is going to be-- operate in compliance with the constitution. So I ask for your green vote on AM1455. Thank you, Mr. President.

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

BOSTAR: Thank you, Mr. President. Unfortunately, I haven't had a lot of time with this particular amendment yet. So as with any amendment, I'm, I'm just taking a little bit of time to look at it. So, yes, I see now someone-- thank you, Senator Cavanaugh, for getting in the queue, which will allow that to happen. Thank you, colleagues.

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

J. CAVANAUGH: Thank you, Mr. President. Yeah, this is one of those ones where we ended up becoming more efficient than we thought we were going to be. So people, people haven't had a chance to talk about this. So I can talk about it a little bit more and I, I can get out my constitution and just read you-- read folks the section of this. And, admittedly, I didn't have a chance to talk with Senator Bostar about this because there's been a lot going on. And, you know, I was spending most of my time trying to get that part that I did tell him I was working on together. And I did send that up to Drafting. So that amendment is not filed yet, but Drafting does have it. So I'm hopeful that they'll get it back and we can talk about that. So it is Article VII, Section 5: Fines, penalties, license money, allocation, use of forfeit conveyance. And that's: Except as provided in subsection (2) and (3) of the section, all fines, penalties, and license money arising under the general laws of the state except fines, penalties, violations, prohibiting the overloading of vehicles, which, you know, we just addressed with I think it was Senator Brandt's-- was it Senator Brandt's bill about raw milk? Milk trucks. We can overload raw milk trucks, which means, I guess, processed milk, like cheese or something like that. Yeah, I know. I'm saying we can't be. I got the peanut gallery over here correcting me. Raw milk is nonprocessed milk. So an example of processed milk would be cheese. Chocolate milk would be a processed milk, I think. And, of course, coconut milk in its raw form would be a coconut. And I think almond milk, in its raw form, would probably be an almond, which would-- I don't know if it would go into these type of tanks. So, anyway, so-- if you were to, say, overload a milk truck before Senator Brandt's bill, then that fine or fee would go to the public roads and highways fund. So there's an explicit carve out for that violation. But, anyway, then it goes on: so any arising under the general laws of the state shall belong and be paid over to the counties, respectively, where the same may be levied or imposed. So wherever the fine or fee is incurred, essentially, by, by the offense. All fines, penalties, and license money arising under the rules, bylaws, or ordinances of cities, villages, precincts, or other municipal subdivisions less than a county shall belong and be paid over to the same, respectively. All such fines, penalties, and

license money shall be appropriated exclusively to the use and support of the common schools and the respective subdivisions where the same may accrue, except that all fines and penalties for violations of law prohibiting the overloading of vehicles, again going back to that, shall be placed as follows: 75% in the fund for the state highways, 25% to the county general fund where the fine or penalty is paid. So, again, if you overload your milk truck more than we've allowed, then it goes to the county fund-- the highway fund and the county fund. But all other penalties-- fines, penalties, and licenses shall be paid to the Common School Fund in the jurisdiction where it is. It's clearly in the constitution, and so we have sometimes put it into statute and other times we haven't. And I think that we should be clear because there have been times where it was litigated, where somebody, local entities were trying to capture a parking meter-- parking violation fines and a, I believe it was a state senator, sued over that and went to the Supreme Court and the Supreme Court said, yes, you can't-- that is a fine and it needs to be levied against-- it needs to go to the Common School Fund. And so when there is lack of clarity, it leads to litigation. And so my point is we should, at the very least, we know this is what the constitution says. We know this is the intention, and so we should ensure that this bill is clear, that any of the fines that are levied against these actors who violate the, the Registration Act or violate the conduct under it, if they are going to be fined, that fine shall be-- shall go to the Common School Fund. So that's my-- what my intention here is, is just to clarify that, that any fine levied under this would go to the Common School Fund as intended. My under-- my guess or understanding of the bill would be that the fine is-- act as a deterrent or encouraging to these entities because as we heard conversation about Smithfield as an actor here if they were to fail to register they could be fined to get them to comply with registration. And so it's, it's meant as an incentive for compliance. I don't think it's meant to be a funding source for something else. And, of course, fines and fees are a funding source for local educational funds. So that's what it does. I think Senator Bostar is in the queue, so maybe he has something he wants to say. Thank you, Mr. President.

KELLY: Thank you, Senator Cavanaugh. Senator McKeon would like to recognize some guests in the north balcony. Students and third grade-- third graders and parents from St. Paul Public School, please stand and be recognized by your Nebraska Legislature. Senator Bostar, you're recognized to speak.

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BOSTAR: Thank you, Mr. President. While I think that there's a fair debate about the necessity of AM1455, I don't personally have a problem with it, so I'll be voting green. Thank you.

KELLY: Thank you, Senator Bostar. Seeing no one else in the queue, Senator John Cavanaugh, you're recognized to close.

J. CAVANAUGH: Thank you, Mr. President. See, Senator Bostar agrees that there's maybe a debate about whether it's necessary. I take the belt-and-suspenders approach, which is that if we know for clarity purposes that we can put it in there, I think we should. So I would encourage your green vote on AM1455, just to make sure that there's no unnecessary confusion on this. And I, and I don't think it undermines the intention of the bill, and I don't think it fundamentally changes anything. I think it's just clarifying where any fine or fee that is ultimately assessed under this goes. So I encourage your green vote. Thank you, Mr. President.

KELLY: Thank you, Senator Cavanaugh. Members, the question is the adoption of AM1455. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 32 ayes, 1 nay on adoption of the amendment, Mr. President.

KELLY: AM1455 is adopted. Mr. Clerk.

CLERK: Mr. President, Senator John Cavanaugh would move to amend with AM1456.

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

J. CAVANAUGH: Thank you, Mr. President. I think AM1456 is the most recent iteration of my strikes of Attorney General and replace with NADC. I'm still waiting on the final draft of that. I do think that others might have amendments that would be-- we could actually take up at this point in time. So I think I'll withdraw this one while we wait for my other amendment. Thank you, Mr. President.

KELLY: Thank you, Senator Cavanaugh. So ordered.

CLERK: Mr. President, Senator Dungan would move to amend with FA230.

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

DUNGAN: Thank you, Mr. President. Colleagues, this is the amendment that I spoke about earlier that would, I think, fix some of the

university's problems. I've actually reached out to representatives from the university to get an official position on this. I'm waiting to hear back. It's been very short notice. Things are coming very fast this morning. But what this does is two things. One, it removes the provision that says the university must ban and dismiss anybody found in violation of the act because that particular provision, lines 17 through 22 on page 10, sorry, page 18, I think that that is where we start to get in the way of actually conflicting with their day-to-day authority. So this removes that. Unlike my last amendment though, it leaves the provision about the university needing to come up with a plan. So this does say the university still has to come up with a plan for how to handle people who are in violation of the act that's being enacted here. But it removes from that portion that the plan must include the permanent expulsion and dismissal of. It simply says they have to come up with a plan regarding individuals found to be in violation of this. This is in direct response to the university's testimony at the hearing that this provision, in particular, not only runs afoul of the constitutional provisions with Exon, but it also could be potentially problematic when it comes to due process and when it comes to the laws that are already in place with regarding-- with regards to, rather, the dismissal or expulsion of a person. So this is intended to address some of the university's issues. Certainly, I think they continue to talk in their testimony about some of the other problems they have with regards to the attestation or the pledge that the employees have to take regarding their loyalty. But this, I think, addresses the concern that I raised on General File about issues with regards to Exon and constitutionality. But it does leave a requirement that postsecondary education has to come up with a plan of how to handle folks in violation of this act. It just leaves it up to their governing bodies to determine what that looks like. And I frankly think, colleagues, that that's the better approach. We are leaving the Board of Regents to have their authority. It's not saying that these, you know, folks who are in violation of this aren't a problem. It's saying postsecondary education, you get to determine how to handle this process internally as I think they have the authority to do under the constitution. So if I hear back more from the university, I will make sure I can share that on the mic, but this is an amendment that I do think addresses the very specific problems from the university as well as other postsecondary education in Nebraska, because this bill does, I believe, include private educational institutions as well. It does not say university system. It does not say community colleges. It says postsecondary education. So, colleagues, I would encourage you to vote green for this. It's not intended to be a hostile amendment. I don't believe it guts the core of the bill, certainly the act that

this bill seeks to put in place is still there. We can, again, get into a philosophical discussion about whether or not that's right or wrong. We can talk about whether I agree with, you know, the, the underlying purpose of this bill. But this amendment simply takes out the provisions forcing postsecondary education to dismiss and ban somebody and instead allows them to internally create their own structure for how they're going to handle that. So I'd encourage your green vote on FA230. Thank you, Mr. President.

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

CONRAD: Thank you, Mr. President. Good morning, colleagues. So, of course, the Exon decision, which is well established, is grounded in and clarifying the structure and restrictions in the Nebraska Constitution itself, wherein the Nebraska people have declared through their constitution that our university system is a separate independent entity not subject to the control of this Legislature. We do, of course, have a symbiotic relationship in terms of advancing our shared state interest. We do, of course, provide appropriations for that entity and other entities in state government regardless if they're classified as code agencies, noncode agencies, or independent agencies, but this long-standing provision and judicial decision has provided clarity to legislate-- to legislators across the political spectrum over many years for many good reasons. It has also frustrated legislators across the political spectrum for many different reasons when they wanted to meddle in the internal affairs and control of the university. And this applies equally. So think of my friends on the right, my friend Senator Lippincott, my friend Senator Murman, they have brought forward measures to dictate details in regards to curriculum at the university, whether that's so-called DEI bans or CRT bans. They have sought to prevent the teaching of truth at our university, and part of that has been stymied by the Exon decision. Think about my friend Senator Lippincott's idea to try and restrict or eliminate tenure at the university. That has been impractical for a variety of reasons, but also due to the Exon restriction. Think of the discussion that Senator Machaela Cavanaugh, my friend, brought forward in terms of her desire to provide more education, engagement, training, protection in regards to sex assault on campuses and how that frustrated her efforts to take a more direct role. So if you want to dictate policy to the University of Nebraska, you should run for regent. You shouldn't be trying to do so from this body. And if you don't want to run for regent and you want to stay in this body, you can petition the regents. You can call them up. You can go to their meetings. You could ask them to introduce a similar policy measure and

then work to build support on it through their processes. That is all easily ascertainable and available to any political leader in this body or in the state or citizen for that matter. So there's a variety of different ways to go about achieving the same objectives without running afoul of this prohibition. Let me ask Senator Bostar if he'd be willing to yield to a question on this matter?

KELLY: Senator Bostar, would you yield?

BOSTAR: Yes.

CONRAD: Thank you, Senator. Did you have a chance to think about just having a conversation with the Board of Regents about whether or not they would take up a policy addressing these issues so that we wouldn't have legislative entanglement around this matter?

BOSTAR: So I-- I'm-- I haven't had that conversation with the Board of Regents, but I am certainly not in, in opposition to.

CONRAD: Right, because I'm saying you could achieve the same objectives while respecting the state constitution and judicial decision in Nebraska by just working through the policy promulgation process with the Board of Regents as a citizen, as a lawmaker, in consultation with our fellow elected leaders or even you're a representative that would probably be a better way to achieve the same objective. So if we were to strike these components, that would still be available. Would that be acceptable to you?

BOSTAR: I mean, I think the-- you know, the hesitation involves ensuring that we would achieve the same objectives, you know, because I, I believe that these objectives are valuable. And so it's-- the, the question comes down to should we get rid of, get rid of the provisions that accomplish those objectives and, instead, go to a system that may or may not?

KELLY: That's time, Senators. Thank you,--

CONRAD: Thank you.

KELLY: --Senators. Senator Conrad, you're recognized to speak.

CONRAD: Thank you, Mr. President. Again, Senator Bostar, I, I know you were in conversation with other members as you're trying to work on your bill, so I don't know if you heard some of the examples that I talked about how the state constitution and the Exon decision have been protective of the university over the years and frustrating to

legislators across the political spectrum as they were trying to dictate policy at the university level. And so my question to you is if you won't agree to strike this and work through a process at the Board of Regents, is your goal to spark a challenge to the Exon decision? Oh, sorry, I thought he had yielded.

KELLY: Senator Bostar, will you yield?

CONRAD: Sorry. Sorry.

BOSTAR: Yes, I will.

CONRAD: I thought you were giving me time. Sorry, sorry.

BOSTAR: No, the, the, the objective is not to spark a challenge. The objective is sort of, you know, the plain, the plain reading of the legislation. I'm not-- that-- sorry, that's the objective.

CONRAD: OK, because-- and, and I'm glad to hear that, because I, I know that you would care deeply about academic freedom and ensuring our institutions of higher education can retain and recruit top talent amongst our faculty and staff, and we have to think about unintended consequences. And if we challenge the Exon application in your measure, no matter what the laudable objectives might be, it opens the door to a tenure ban. It opens the door to a DEI ban. It opens the door to a CRT ban. Can you see--

BOSTAR: Those are not my objectives.

CONRAD: I understand that. But you can understand that once we do challenge that restriction, it, it, it could have unintended consequences for things that I know that you would be concerned about.

BOSTAR: Yeah, I, I, I don't disagree.

CONRAD: OK. So the cleanest way would just be to take the university piece up with the university.

BOSTAR: I'm willing to--

CONRAD: You could think about it over the lunch hour, maybe.

BOSTAR: Sounds great.

CONRAD: OK, very good. Thank you, Senator. Thank you, Mr. President. Sorry about the miscommunication. Thank You.

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KELLY: Thank you, Senators. Senator Dungan, you're recognized to close on FA230.

DUNGAN: Thank you, Mr. President. Colleagues, I did receive some communication from the university. My understanding is they would be supportive of this amendment. Obviously, I did not have a lot of time, but in texting with some folks from the university, specifically they said, yes, they would supportive of the amendment which would alleviate some of those overreach of the university-- or I'm sorry, of the Legislature onto the university and try to make sure it is in line with the Exon opinion. You know, obviously, this amendment is not intended to gut the bill. I don't think it has that effect. This is simply saying instead of telling the university how to handle these things, each postsecondary education institution in Nebraska must come up with a plan for how to handle this, but it doesn't dictate what that plan is. And so I think this puts us slightly more in line with what we should be doing constitutionally. You know, obviously there's other provisions that pertain to the university in this bill, and I've not had a chance to talk with them much about that. This is a simple amendment that is seeking to remove some problematic language that I think puts us in line with what we should be in, and I would encourage your green vote on FA230. Thank you, Mr. President.

KELLY: Thank you, Senator Dungan. Members, the question is the adoption of FA230. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 12 ayes, 19 nays on the adoption of the amendment, Mr President.

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

CLERK: Mr. President, items for the record: Senator Brandt, amendment to be printed to LB170, Senator Clements, LB150; new LR, LR190 from Senator Bosn, that will be referred to the Executive Board; LR191 from Senator Hardin, that will also be referred to the Executive Board; LR192 from Senator Sanders, LR193 from Senator, from Senator Sanders, and LR194 from Senator Sanders, those will all be referred to the Executive Board. Finally, Mr. President, a priority motion, Senator DeKay would move to recess the body until 1:00 p.m.

KELLY: Members, you've heard the motion to recess. All those in favor say aye. Those opposed, nay. The Legislature is in recess.

[RECESS]

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

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

ARCH: Thank you, Mr. Clerk. Do you have any items for the record?

CLERK: I do, Mr President. Your Committee on Enrollment and Review reports LB454 to Select File, as well as LB217, LB77, LB391, LB391A, some having E&R amendments. New LR, LR195 from Senator Holdcroft; that will be referred to the Executive Board. That's all I have at this time.

ARCH: 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 LB258. Mr. Clerk.

CLERK: Mr. President, Senator Raybould, I have AM15 and AM14, as well as FA25 and FA26, all four with notes that you'd withdraw.

ARCH: So ordered.

CLERK: Mr. President, Senator Conrad would move to recommit the bill with MO149.

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

CONRAD: Thank you, Mr. President. Good afternoon, colleagues. I rise in continued opposition to LB258, and ask for your serious consideration of this motion, MO149, to recommit to committee. We've had a robust debate about this measure at each round of debate; this was a very controversial measure when brought in the past biennium as well. And the reason it provokes such, I think, strong feelings all around is because it's an issue that all Nebraskans understand and can relate to. Not only did Nebraskans have an option and opportunity before them in 2014 to decide whether or not to increase the citizen minimum wage, the citizen initiative, which they did so by about 60% of the vote with modest but meaningful increases over a period of years after attempting to petition their Legislature for change to ensure that minimum wage could help to keep better pace with inflation, this Legislature said no time after time after time. So, again, a diverse group of citizens, including small business owners, faith groups, poverty advocates, labor activists, everyday citizens petitioned their government, petitioned their neighbors using the

precious right of initiative in Nebraska to follow an evolution of minimum wage policy, as many of our sister states have adopted modest but meaningful increases in the state minimum wage, and then also tied future increases to inflationary standards so that we wouldn't have to continually bring forward citizen initiatives, and so that we could have a thoughtful approach to small increases to help families that rely upon minimum wage earnings to meet their family's basic needs better keep pace with inflation, which drives up the costs of basic things like childcare, gas, food, clothing, medical items, and other basic family needs. So after thousands of citizens signed petitions to place this measure on the ballot-- again, over-- about 60% of Nebraska voters in 2022 supported this measure, with significant support demonstrated across the political spectrum and across the state. The measure put forward through the successful citizen initiative has been the law of the land since it was adopted and began to be implemented post the 2022 general election. We can look at the experience of Nebraska post-2014 and post-2022 to know firsthand that proponents of this measure's claims about negative impacts to the economy or business are unfounded. When you go back, proponents claim that we need this measure that artificially caps modest but meaningful minimum wage increases and carves out application to certain young workers. Proponents claim we need this in place to protect business and to protect small businesses. When you go back and you check the record against those claims, you can see that they are unfounded. When Nebraskans voted via citizen initiative to increase the minimum wage in 2014, our unemployment rate was low, and remained low as those increases were implemented. When citizens voted to increase the minimum wage in 2022, unemployment in Nebraska was low and remains low through today. Proponents will claim that we must pass this measure in order to ensure that we have jobs available for low-income working Nebraskans. Today in Nebraska, there's approximately 50,000 jobs open in Nebraska under the current measure, which has afforded an opportunity to help more working families make ends meet. It is also ensured, as we provide modest but meaningful raises to ensure dignity for working families, we can lessen reliance on state taxpayers and on the state budget. When we make work pay, it saves the state money, because then working families are not forced to turn to safety net programs like food assistance or medical assistance or otherwise. We know that working families in Nebraska rely upon minimum wage work for a host of different reasons. We know many young workers are working to save for college, to contribute to their own families' bottom lines, or to take care of their own young families. Artificial constraints on the successful citizen initiative will hurt working families, will further burden the state taxpayer and the state budget with additional

costs now, at a time when we're in a structural budget deficit. Proponents of LB258 have made claims about negative impacts to the economy or for business in relation to why we need to institute these artificial caps and carve outs on our strong minimum wage policy. These same arguments have been made since minimum wage policy was adopted in our country over 80 years ago. We have study after study, we have common sense before us to demonstrate clearly that making sure we pay fair wages for fair work to Nebraskans who are some of the hardest-working people in the country, and who have continually exhibited one of the strongest work ethics out of all of our sister states. By artificially restraining working families' ability to earn a decent wage, it hurts them and their family; it makes it harder when they're trying to budget the balance at their-- balance the budget at their kitchen table. It makes it more challenging for them to be engaged with family and community when they have to take on subsequent jobs. Let me leave you with an example from what this might look like for a family who is living on minimum wage. And, again, it's not just teenagers in Nebraska that are relying upon minimum wage in order to make ends meet; the majority of those who make minimum wage in Nebraska are adults, are women, and are people that are indeed working full time. So making a 20-- sorry. So if you're making minimum wage full time in Lincoln and bringing home about \$2,300 a month, you have to compare that to the average cost-- monthly cost for basic needs like housing. And estimates show in Nebraska-- in Lincoln, Nebraska, average costs of housing are over \$1,000 per month; average cost of food is over \$1,000 per month; average cost of childcare is over \$1,800 per month; transportation costs, over \$1,400 a month; health care, over \$1,600 a month. And that doesn't even account for taxes and other necessities. So you can see that people who are working full time will, under the present system, have a challenge in meeting basic needs to keep them and their families healthy. Make-- further restraining the wages that are available to workers will only make these decisions harder. And when we keep minimum wage strong, not only does it benefit working families, it also benefits the local economy. Minimum wage workers return those dollars to small businesses right here in Nebraska. They're buying shoes for their kids, they're buying groceries, they're buying gas, they're buying basic necessities that help to fuel the economy. With that, Mr. President, I'd like to withdraw my motion. Thank you.

ARCH: So ordered, without objection.

CLERK: Mr. President, Senator Conrad would move to return to Select File for a specific amendment, that being FA75. I'm sorry. Yeah, FA76. Senator Conrad's FA76.

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ARCH: Senator Conrad, you're recognized to open on FA76.

CONRAD: Thank you, Mr. President. I'd like to withdraw that.

ARCH: So ordered.

CLERK: Senator Conrad, I also have FA77.

ARCH: Senator Conrad.

CONRAD: Thank you, Mr. President. I'd like to withdraw.

ARCH: So ordered.

CLERK: In that case, Mr. President, I have a series of floor amendments from Senator Conrad from Select File: FA74, FA73, MO180-- MO148.

ARCH: Senator Conrad.

CONRAD: Thank you, Mr. President. I'd like to withdraw.

ARCH: So ordered.

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

ARCH: Senators, as a reminder, amending a law enacted by the people of-- by initiative-- Mr. Clerk, please read the bill. Excuse me.

CLERK: [Read LB258 on Final Reading]

ARCH: Colleagues, as a reminder, amending a law enacted by the people by initiative requires a two-thirds vote for final passage, as provided in Article III, Section 2 of the Constitution of Nebraska. All provisions of law relative to procedure having been complied with, the question is, shall LB258 pass? All those in-- there's been a request for a roll call in reverse order. Mr. Clerk.

CLERK: Senator Wordekemper voting no. Senator von Gillern voting yes. Senator Strommen voting yes. Senator Storm voting yes. Senator Storer voting yes. Senator Spivey voting no. Senator Sorrentino. Senator Sanders voting yes. Senator Rountree voting no. Senator Riepe voting yes. Senator Raybould voting yes. Senator Quick voting no. Senator Prokop voting no. Senator Murman voting yes. Senator Moser voting yes. Senator Meyer voting yes. Senator McKinney voting no. Senator McKeon voting yes. Senator Lonowski voting yes. Senator Lippincott voting

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yes. Senator Kauth-- Senator Kauth voting yes. Senator Juarez voting no. Senator Jacobson voting yes. Senator Ibach voting yes. Senator Hunt voting no. Senator Hughes voting yes. Senator Holdcroft voting yes. Senator Hardin voting yes. Senator Hansen voting yes. Senator Hallstrom voting yes. Senator Guereca voting no. Senator Fredrickson voting no. Senator Dungan voting no. Senator Dover voting yes. Senator Dorn voting yes. Senator DeKay voting yes. Senator DeBoer voting no. Senator Conrad voting no. Senator Clouse voting yes. Senator Clements voting yes. Senator Machaela Cavanaugh voting no. Senator John Cavanaugh voting no. Senator Brandt voting yes. Senator Bostar voting no. Senator Bosn voting yes. Senator Ballard-- Senator Ballard not voting. Senator Armendariz voting yes. Senator Arch voting yes. Senator Andersen voting yes. Vote is 31 ayes, 16 nays, Mr. President.

ARCH: LB258 does not pass. Mr. Clerk, please continue with the next item on the agenda.

CLERK: Mr. President, Select File, LB66 [SIC-- LB644] from Senator Bostar. When the Legislature left the bill, pending was the amendment itself-- or, excuse me, the-- there had been several amendments adopted. The next amendment: Senator John Cavanaugh would move to amend with FA233. Oh, excuse me. I'm sorry, Mr. President. Priority motion: Senator Machaela Cavanaugh would move to reconsider the vote taken on FA230 with MO254.

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

M. CAVANAUGH: Thank you, Mr. President. I'm going to yield my time to Senator Dungan, and then my next time on the mic, I'm going to explain what just happened on the last bill procedurally. I yield my time to Senator Dungan.

ARCH: Senator Dungan, you're yielded 9 minute, 45.

DUNGAN: Thank you, Mr. President. Good afternoon, colleagues. This is a motion to reconsider on the amendment that I introduced that had to do with the universities falling under LB644 with regards to Senator Bostar's bill, as it pertains to the foreign nationals. So we took a vote on this. The reason we had to reconsider, I think, is-- it was right before lunch, multiple people came up to me afterwards and said, is this the university amendment, and were asking questions about it. My understanding is that perhaps there's been some more discussion over the lunch hour, but I'm not entirely sure. Would Senator Bostar yield to some questions, if he's here?

ARCH: Senator Bostar, will you yield?

BOSTAR: Yes.

DUNGAN: Thank you. Sorry, Senator Bostar. I know that there's a lot going on right now and I apologize for, for getting you on the mic without talking to you ahead of time. So has there been any further discussion to the best of your knowledge about the universities over lunch, and whether or not they would be OK with this amendment? Because I know you and I, I think, had both reached out to the universities, and I, I think unintentionally some wires got crossed, so I'm trying to figure out where we fall on this, and if you would be supportive of removing the universities from this part of the amendment or this part of the bill?

BOSTAR: We are working on some potential language that isn't exactly yours. Essentially, if, if folks want to try to give us 10 minutes, that would be helpful.

DUNGAN: OK. Well, I-- if I have a reputation in the community for anything, it certainly is talking. So thank you, Senator Bostar, I appreciate that. I'm happy to take a little bit more time to see what that amendment might look like. If any of my colleagues would like to hop in and maybe have some conversations on the mic as well about this, that would be helpful. At the heart of this, colleagues, is a question of whether or not this portion of LB644 actually runs afoul of Exon. And I think, I think there's the process questions, and then there's the, the legal questions. The legal question, obviously, is whether or not we, as a Legislature, are allowed to tell the university what they can and can't do with regards to their day-to-day governance. You know, obviously, we appropriate money to the university, we can give the Board of Regents, I believe, certain authority to then work within their sort of confines to figure out how to administer certain policies, but we are-- what we're not allowed to do is step in and tell them, you know, you have to do X, you to do Y, as it pertains to that day-to-day existence on the university campus. And so the problem with this provision in LB644 is it doesn't just give an edict to the university of what the Regents has to do, it also talks about what the outcome has to be. So this specific provision that this amendment cuts is that it strikes a portion that says, essentially, if you're in violation of this law, you need to be expelled and banned permanently. And the fact that it is telling the university what their process needs to be in order to get to that point, I think, steps into a situation or a position where it is probably overstepping what the legislative authority is with regards

to our ability to tell universities how to operate. In addition to that, the submitted testimony-- and I want to make sure my phraseology is clear here, because I don't want to conflate things on the mic-- the submitted testimony from the university systems, which is neutral to the underlying bill, laid out a number of concerns they had with regards to the process and the procedure with which a dismissal happens, or with which a suspension or expulsion happens. And so there's due process that hap-- they have to go through, there's an entire, I'm sure, rule book, essentially, that dictates when somebody is expelled or suspended, what that process is. And I think the concern the university expressed in their submitted comments-- pardon me-- is that if this bill is adopted, it usurps that, and it essentially tells the university that absent any kind of due process or procedure that you may or may not have, it ultimately means that you have to dismiss or expel those individuals. And so not only is it us telling the university what they have to do, but I think it goes counter to and certainly does not work in conjunction with the current process and procedures that are already in place. So my hope is that we can get some maybe agreement on the involvement of the universities here between myself and Senator Bostar, and certainly any of the other individuals that are interested in this. But, colleagues, if you do care about whether or not the universities are included in this and whether this is going to be a problem for them, please pay attention to this amendment. The reconsider-- I appreciate Senator Machaela Cavanaugh doing that. The vote happened very quickly right before lunch, and so this is what I would consider a legitimate request for reconsideration. But if we come up with additional language that is suitable to all parties, perhaps that just gets filed as an additional amendment, in which case we could move on from this amendment and then maybe take that up down the line. I think Senator John Cavanaugh has some other amendments up as well. So with that, I encourage your green vote for right now on the motion to reconsider, and we are going to take some time, it sounds like, to try to work something out, potentially, about the university, so. Thank you, Mr. President.

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

M. CAVANAUGH: Thank you, Mr. President. I was just going to briefly explain what happened on Final Reading. First of all, when we're on Final Reading, we are under a call of the house. I heard somebody yell call of the house. We're actually already under a call, so all people who are checked in must be seated, so that's why whoever made that call, there wasn't a call of the house then initiated. I just wanted people to understand why that didn't happen. When something passes on Final or fails on Final, that's it. We-- that's it. Those are our

rules. That's it. I know because, as I tried to tell Senator Ballard, I, I tried to make a motion to reconsider a vote on LB574, and I was told with no uncertainty that that was impossible. So just wanted to make that clarification, and I can get back in the queue if we need more time for other amendments to come down. But when a bill fails on Final, a bill fails on Final. So we should really learn to work within our rules and not suspend the rules so that we can undo what we've already done. Thank you, Mr. President.

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

CONRAD: Thank you, Mr. President. I know I'm happy to help fill time at the request of my friend, Senator Bostar. He's working really, really quickly in a lot of complex issues in absolute good faith to try and address the constitutional and jurisprudential issue that comes with dictating policy to the university system. So I had a few notes as I was marking up the E&R amendment that, since we're not, I think, going to have any sort of prolonged debate on this measure, I think the votes are clear where they are. I just wanted to quickly insert into the record. So the breadth of the bill grants, of course, specific and significant authority to the Attorney General. It also casts a very wide net in terms of peoples-- people or entities that perform, quote unquote, covered activities on behalf of said foreign principals or adversary nations requiring registration with the Attorney General. So if you look at some of the definitions in covered activities, it is indeed-- starting at page, page 2, going through lines 12 to 23-- much broader than our existing definition and understanding of lobbying. So covered entities includes engaging in political activities; acting as public relations counsel; soliciting, collecting, disbursing contributions; representing interests. All of these terms, public relations counsel, political activity, etcetera, are either not defined or broadly defined. There's also a component in Section 6 which requires all persons to register as an agent, and then to share all communications on behalf of foreign principals. So I'm glad that we had a chance, in dialogue with Senator Bostar, to talk about what might or may not be included in that sharing of communications. It's a bit unclear to me how that is shared, where that is stored. It seems, according to his understanding, that those communications would be subject to public records requests, and then it also has a, a component in Section 7 that requires people who must register to keep all records and books open to inspection by the Attorney General. So it would be interesting to perhaps have a clear delineation as to what that means and for what purpose, to ensure that there's just not a broad grant of authority to the Attorney General into legitimate business activities that, that could otherwise be

chilling for nonprofits or business entities in Nebraska. And, again, I also listed concerns about what happens for people who are providing professional services, such as CPAs or consultants or attorneys, who, who may be subject to this act as well. The-- Sections 10, 11, 12, and 13 of this bill give the Attorney General, again, expansive powers to both promulgate rules to carry out the act, issue civil investigative demands who he suspects may be agents, to also prosecute offenses, and to exchange data compiled with other state and federal agencies. The AG will also develop the attestation required for every business, including nonprofits in Nebraska, and various provisions of the bill make it a separate offense to falsify information to the Attorney General. So this is an issue, I think, that came up in Senator Bosn's bill earlier where there was a delegation of authority to the Attorney General to promulgate rules and regulations that then he would be subject to enforcing, and I think we did have a robust debate on that, on that bill, and sought to change some of that. So there just may be, I think, perhaps too broad of a delegation there, and then it does perhaps cause some conflicts in terms of delegation and enforcement in the same breath. I have a few more notes, but I will leave it there, Mr. President. Thank you.

ARCH: Seeing no one left in the queue, Senator Machaela Cavanaugh, you're recognized to close on your motion to reconsider.

M. CAVANAUGH: Thank you, Mr. President. I think we've got something fixed, so I'm going to withdraw my motion. I'm withdrawing my motion. Say that--

ARCH: So ordered, without objection.

CLERK: Mr. President, still on Select File, LB644. Senator John Cavanaugh would move to amend with FA233.

ARCH: Senator John Cavanaugh, you're recognized to open on FA233.

J. CAVANAUGH: Thank you, Mr. President. Good afternoon, colleagues. Man, this went from, you know, mundane to exciting. Everybody's a flurry of activity here. So FA233 is a real amendment; I was just having a chance to chat with my friend Senator Bostar about it. So what FA233 does is it-- on page 10, 11, and 16, it strikes the phrase: having due regard for the national security and public interest. So we'll look at page 10 as an example. From lines 25 to 28, it reads right now: Such other statements, information, or documents pertinent to the purpose of this section as the Attorney General, having due regard for national security and the public interest, may from time to

time require. So that's what it says right now. So, as amended, it would say: such other statements, information, or documents pertinent to the purpose of this subsection as the Attorney General may from time to time require. It takes out that qualifying language which doesn't do anything. I don't-- it's more of just a declaratory statement that the Attorney General has due regard for national security and public interest, or I guess it may be-- the best scenario here, if it was doing any work, it would say only when he has due regard for national security and public interest may he require these things. I, I-- I'm of the opinion that the Attorney General should always have due regard for national security and public interest. I don't think we need to put it in a statute that that's what he's doing or going to do. And so I think if we take it out, the-- it's still the same grant of authority, although I have a separate amendment about that who-- to whom we should grant that authority. But in this particular instance, I think that is extra language. I think that sort of flowery language is just going to gum up the, the statute, but it also has this sort of risk of, of, like, papering over what we're doing in, in this bill. So I think it doesn't, it doesn't add anything to the bill, it only can cause problems, and I do think it's a bad policy to put in this sort of flowery language into statute. So that's page 10. Page 11, it would be on lines 15 through 16, and that is a grant where it says: if the Attorney General, having due regard for national security and public interest, determines it is necessary to carry out the purpose of the Foreign Adversary and Terrorist Agent Registration Act, the Attorney General may, in any particular case, require supplemental registrations. So, as amended, it would say: if the Attorney General determines that it's necessary-- so, again, still has this grant of authority, he just wouldn't be described as having due regard for national security and public interest, which, again, I think at all times the pub-- the Attorney General does have that due regard for national security and public interests, and I think that language is extra there, and has just that possibility of causing problems. And then, page 16, lines 6 through 7, so then it's: in accordance with such business and accounting practices, as the Attorney General, having due regards for national security and public interest, may by rule and regulation require. So, as amended, it would say: in accordance with such business and accounting practices, as the Attorney General may by rule or regulation require. So still the grant of authority; just drops the flowery language. Makes this 37-page bill three lines shorter, I guess. Maybe it pushes it down onto page 36, which would be great. But, ultimately, it just keeps this sort of language out of the statute. Because, as we all should know here, every word we put in a statute should have a meaning, it should be

deliberate, it should be there on purpose, and when somebody reads the statute, they're going to go through and say why is this here? And so if it's not accomplishing a goal other than to sort of bolster the Attorney General-- can I get a gavel, Mr. President? I know everybody's excited, but-- Mr. President? Could I get a gavel? Thank you. I know everybody's interested and excited, there's a lot of flurry of interesting activity, but talking about an actual amendment to, to clean up this bill. So, again, this-- if, if we put it into statute, people will think that it has meaning. And I don't see what meaning this could have, and so I think it, it is unnecessary, confusing, and, when we get down the road and if somebody litigates this, they may very well say, well, in that instance, did he have due regard for public interest when he promulgated that rule? So that's an extra standard, potentially, we're putting on the Attorney General. But my biggest problem with it is, it's just flowery language saying the Attorney General's a nice guy. And though, as I've said-- I know I've fought with, with Attorney General Hilgers, though he won't always be Attorney General, I do like him. He's a nice-- he is a nice guy; we just disagree on a number of issues. But I just don't think that we need to put in statute that the Attorney General has due regard for national security and public interest. He should always have that. So I would encourage your green vote on FA233. Thank you, Mr. President.

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

BOSTAR: Thank you, Mr. President. I rise in support of FA233, although be remiss to not point out that we had a, a, a floor amendment-- it might not have been actually a floor amendment. We had an amendment from Senator John Cavanaugh that, where the, the necessity of the language was questionable, and now-- to, to insert into the bill. And now we have an amendment to remove language from the bill because the necessity of the language is questionable. And so I think that's, that's entertaining. Otherwise, I will be voting yes. Thank you.

ARCH: Seeing no one left in the queue, Senator John Cavanaugh, you're recognized to close, and he waives close on FA233. The question before the body is the adoption of FA233 to LB644. All those in favor vote aye; all those opposed vote nay. Has everyone voted who wishes to vote? Mr. Clerk, please record.

ASSISTANT CLERK: 18 ayes, 23 nays on the adoption of the amendment, Mr. President.

ARCH: FA233 is not adopted. Mr. Clerk.

ASSISTANT CLERK: Mr. President, Senator Cavanaugh would move to amend with AM1460.

ARCH: Senator Cavanaugh, AM1460, you're recognized to open.

J. CAVANAUGH: Thank you, Mr. President. OK, colleagues, this is the one I've been working on all day. This is my proposal to-- I'm going to introduce this, and then I'll pull it, because I've been working with Senator Bostar. This is my proposal of where I think we should divide the line between Attorney General's Office and Accountability and Disclosure. And so I've talked a lot; there's 44 specific mentions of the Attorney General's Office in this bill, and I think that a, a number of those would be better served by the Accountability and Disclosure Commission. I think they are already set up to do it, they're equipped to do it, they are just the right place to receive these filings, these notices. But I do think that the Attorney General's Office is the right place to enforce and prosecute these things, which is exactly what the Attorney General's Office is for. So rather than creating a whole new registration duty under the Attorney General, I think that it'd be better-- we'd be better served to create it under the Accountability and Disclosure Commission. But admittedly, this is-- you know, things are moving fast today. I've had a few conversations with Senator Bostar on-- and I'm-- you know, this is his bill, and I'm-- and this is genuinely not an intention to undermine this bill. I do think that there are places where this should be under the Accountability and Disclosure Commission. So I've talked with him about working on it, and if we can get something done, we would do it as an amendment on Final, pulling back to Select, but that's only if we could get some kind of agreement about which ones we think would be the right place to do that. But, again, I just-- this is not-- I'm not intending to undermine this. I'm just-- there are 44 grants of authority, and a number of them are things like taking a form and posting it on the Internet. That's exactly what the Accountability and Disclosure Commission does for all of our NADC filings, all of our C-1 filings for all these entities; they are set up to do this. And so the Attorney General's Office would have to create this new process within there, and there's not really a reason for them to have it or to take it like that, because all we really need in terms of the enforcement mechanism is the Attorney General to have that ability to sue and to prosecute. So that's what this amendment does. So folks can take a look at it; it's, it's sort of my first, you know, offer on this, but I know-- I, I drew it up, basically a hand-drawn amendment while we've been on this bill today. So I, I totally recognize that it's-- maybe I've made a judgment call that it's not the right one on this, so I'm going to pull this amendment, and then we'll talk some more when we

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have a little bit more time to con-- confer about where that it is the appropriate place to draw the line. So with that, Mr. President, I would withdraw AM1460. Thank you.

ARCH: So ordered. Mr. Clerk.

ASSISTANT CLERK: Mr. President, Senator Bostar would move to amend with FA234.

ARCH: Senator Bostar, you're recognized to open on your floor amendment, FA234.

BOSTAR: Thank you, Mr. President. And thank you for the discussion, colleagues. FA234 adds permissibility to the section related to the consequences that postsecondary educational institutions under the-- without this amendment would be required to undertake; with this amendment, it would make it permissive. And so I, I think that the language that's in here improves the bill in a way that it demonstrates the seriousness of the risks that I think a lot of our higher education institutions currently face when it comes to foreign adversarial entities looking to use those academic institutions as vectors for malicious actions, while also ensuring that we are not raising concerns over violating constitutional provisions. With that, I would ask for your green vote on FA234. Thank you, Mr. President.

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

DUNGAN: Thank you, Mr. President. Colleagues, I rise in favor of FA234. This is Senator Bostar and I coming together, talking about what we can do to maybe help alleviate some of the concerns with the university. I want to be clear, I'm not entirely positive what the ultimate impact this is on any Exon decisions, but I certainly think that making this permissive language and saying that it is the purview of the universities or the postsecondary education to come up with what these rules look like is a better situation to find ourselves in than to dictate what happens, so. I really appreciate Senator Bostar and his staff's hard work, I think, getting that drafted up. I do think it puts us in a better position. I still have some overall concerns with the bill, but as I stated before, I would be supportive of an amendment that alleviated some of these concerns. So I am supportive of FA234. I know that a lot's going on right now. I see a lot of pink books out on the floor, the Rule Books. It's kind of nice to see everybody reading the rules all at once. This is fun. But as it pertains to this amendment, colleagues, I hope that we can all listen

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to Senator Bostar, the introducer of the bill, and vote yes on FA234.
Thank you, Mr. President

ARCH: Seeing no one left in the queue, Senator Bostar, you're
recognized to close on FA234.

BOSTAR: Thank you, Mr. President. Just, just to make sure everyone
followed along, I'm asking for a green vote on FA234. Thank you.

ARCH: Colleagues, the question before the body is the adoption of
FA234 to LB644. All those in favor vote aye; all those opposed vote
nay. Mr. Clerk, please record.

ASSISTANT CLERK: 29 ayes, 4 nays on the adoption of the amendment, Mr.
President.

ARCH: FA234 is adopted.

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

ARCH: Senator Guereca, for a motion.

GUERECA: Mr. President, I move that LB644 be advanced to E&R for
engrossing.

ARCH: You've heard the motion. All those in favor say aye. Opposed,
nay. It-- Mr. Clerk, next item on the agenda. We will be returning to
Final Reading. Members, please take your seat in preparation. Members,
I would ask that you please check-in in preparation for Final Reading.
Mr. Clerk, the first bill is LB133. 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: 42 ayes, 1 nay to dispense with the at-large reading.

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

CLERK: [Read title of LB133]

ARCH: All provisions of law relative to procedure having been complied
with, the question is, shall LB133 pass with the emergency clause? All
those in favor vote aye; all those opposed vote nay. Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn,
Bostar, Brandt, John Cavanaugh, Clements, Clouse, DeBoer, DeKay, Dorn,
Dover, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft,

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Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: Senators Machaela Cavanaugh, Conrad, Dungan, Hughes, Hunt, McKinney, and Raybould. Vote is 42 ayes, 7 nays, Mr. President.

ARCH: LB133 passes with the emergency clause attached. Mr. Clerk, next item.

CLERK: [Read LB140 on Final Reading]

ARCH: All provisions of law relative to procedure having been complied with, the question is, shall LB140 pass with the emergency clause attached? All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, John Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, McKinney, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: Senator Machaela Cavanaugh. Vote is 48 ayes, 1 nay, Mr. President.

ARCH: LB140 passes with the emergency clause attached. We will proceed to LB230, and the first vote is to dispense with the at-large reading. All those in favor vote-- Mr. Clerk, for some items.

CLERK: Mr. President, Senator Machaela Cavanaugh, I have MO102, FA49, and FA50, all with notes that you'd withdraw.

ARCH: So ordered.

CLERK: I have nothing further at this time, Mr. President.

ARCH: The first vote is to dispense with the at-large reading. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: Engrossed LB230-- excuse me. 47 ayes, 0 nays to dispense with the at-large reading, Mr. President.

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

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CLERK: [Read title of LB230]

ARCH: All provisions of law relative to procedure having been complied with, the question is, shall LB230 pass with the emergency clause attached? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, McKinney, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: none. Vote is 49 ayes, 0 nays, Mr. President.

ARCH: LB230 passes with the emergency clause attached. Next item, Mr. Clerk.

CLERK: Mr. President, Final Reading. [Read LB230A on Final Reading]

ARCH: All provisions of law relative to procedure have been complied with, the question is, shall LB230A pass with the emergency clause attached? All those in favor vote aye; all those opposed vote nay. Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, McKinney, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: none. Vote is 49 ayes, 0 nays, Mr. President.

ARCH: LB230A passes with the emergency clause attached. Mr. Clerk, LB2-- LB287. The first vote is to dispense with the at-large reading. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: 44 ayes, 3 nays to dispense with the at-large reading.

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

CLERK: [Read title of LB287]

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ARCH: All provisions of law relative to procedure having been complied with, the question is, shall LB287 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 Arch, Armendariz, Bostar, Brandt, Cavanaugh, Cavanaugh, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Holdcroft, Hughes, Hunt, Ibach, Juarez, McKinney, Meyer, Moser, Prokop, Quick, Raybould, Rountree, Sanders, Spivey, Storm, Strommen, von Gillern, Wordekemper. Voting no: Senators Andersen, Ballard, Bosn, Clements, Hansen, Hardin, Jacobson, Kauth, Lippincott, Lonowski, McKeon, Murman, Riepe, Sorrentino, and Storer. Vote is 34 ayes, 15 nays, Mr. President.

ARCH: LB287 passes with the emergency clause attached. Mr. Clerk, LB332. The first vote is to dispense with the at-large reading. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: 46 ayes, 1 nay to dispense with the at-large reading.

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

CLERK: [Read title of LB332]

ARCH: All provisions of law relative to procedure having been complied with, the question is, shall LB332 pass with the emergency clause attached? All those in favor vote aye; all those opposed vote nay. Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, McKinney, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: none. Vote is 49 ayes, 0 nays, Mr. President.

ARCH: LB332 passes with the emergency clause attached. Mr. Clerk, we will proceed to LB561. The first vote is to dispense with the at-large reading. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

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CLERK: 45 ayes, 1 nay 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 LB561]

ARCH: All provisions of law relative to procedure have been complied with, the question is, shall LB561 pass with the emergency clause attached? All those in favor vote aye; all those opposed vote nay. Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, McKinney, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: none. Not, not, not voting: none. Vote is 49 ayes, 0 nays, Mr. President.

ARCH: LB561 passes with the emergency clause attached. We will proceed to LB78, and the first vote is to dispense with the at-large reading. All those in favor vote aye; all those opposed vote nay. Mr. Clerk.

CLERK: 45 ayes, 0 nays to dispense with the at-large reading.

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

CLERK: [Read title of LB78]

ARCH: All provisions of law relative to procedure having been complied with, the question is, shall LB78 pass? All those in favor vote aye; all those opposed vote nay. Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, McKinney, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: none. The vote is 49 ayes, 0 nays, Mr. President.

ARCH: LB78 does pass. We'll proceed to LB78A.

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CLERK: [Read LB78A on Final Reading]

ARCH: All provisions of law relative to procedure having been complied with, the question is, shall LB78A pass? All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, McKinney, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: none. The vote is 49 ayes, 0 nays, Mr. President.

ARCH: LB78A does pass. We will proceed to LB257. First vote is to dispense with the at-large reading. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: Voting aye: Senators-- excuse me. 42 ayes, 1 nay to dispense with the at-large reading.

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

CLERK: [Read title of LB257]

ARCH: All provisions of law relative to procedure having been complied with, the question is, shall LB257 pass? All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lonowski, McKinney, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: Senators Clements, Lippincott, and McKeon. Vote is 46 ayes, 3 nays, Mr. President.

ARCH: LB257 passes. We will proceed to LB323.

CLERK: [Read LB323 on Final Reading]

ARCH: All provisions of law relative to procedure having been complied with, the question is, shall LB323 pass? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

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CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, McKinney, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Vote is 49 ayes, 0 nays, Mr. President.

ARCH: LB323 does pass. We will proceed to LB453, and the first vote is to dispense with the at-large reading. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: 45 ayes, 1 nay to dispense with the at-large reading.

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

CLERK: [Read title of LB453]

ARCH: All provisions of law relative to procedure having been complied with, the question is, shall LB453 pass? All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, McKinney, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: none. The vote is 49 ayes, 0 nays, Mr. President.

ARCH: LB453 does pass. We will proceed to LB474. The first vote is to dispense with the at-large reading. All those in favor vote aye; all those opposed vote nay. Mr. Clerk.

CLERK: 46 ayes, 0 nays to dispense with the at-large reading.

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

CLERK: [Read title of LB474]

ARCH: All provisions of law relative to procedure having been complied with, the question is, shall LB474 pass? All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

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CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, McKinney, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: none. The vote is 49 ayes, 0 nays, Mr. President.

ARCH: LB474 does pass. We will proceed to LB256 [SIC-- LB526].

CLERK: [Read LB526 on Final Reading]

ARCH: All provisions of law relative to procedure having been complied with, the question is, shall LB526 pass? All those in favor vote aye; all those opposed vote nay. Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, McKinney, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: none. Vote is 49 ayes, 0 nays, Mr. President.

ARCH: LB526 does pass. We will proceed to LB559, and the first vote is to dispense with the at-large reading. All those in favor vote aye; all those opposed vote nay. Mr. Clerk.

CLERK: 42 ayes, 2 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 LB559]

ARCH: All provisions of law relative to procedure having been complied with, the question is, shall LB559 pass? All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, John Cavanaugh, Clements, Clouse, DeBoer, DeKay, Dorn, Dover, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon,

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Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: Senators Machaela Cavanaugh, Conrad, Dungan, Hunt, McKinney, and Spivey. The vote is 43 ayes, 6 nays, Mr. President.

ARCH: LB559 does pass. We will proceed to LB667, and the first vote is to dispense with the at-large reading. All those in favor vote aye; all those opposed vote nay. Mr. Clerk.

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

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

CLERK: [Read title of LB667]

ARCH: All provisions of law relative to procedure having been complied with, the question is, shall LB667 pass? All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, McKinney, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: none. The vote is 49 ayes, 0 nays, Mr. President.

ARCH: LB667 does pass. We will now proceed to LB246. The first vote is to dispense with the at-large reading. All those in favor vote aye; all those opposed vote nay. Mr. Clerk.

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

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

CLERK: [Read title of LB246]

ARCH: All provisions of law relative to procedure having been complied with, the question is, shall LB246 pass? All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Clements, Clouse, DeBoer, DeKay, Dorn, Dover, Guereca,

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Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Ibach, Jacobson, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: Senators Cavanaugh, Cavanaugh, Conrad, Dungan, Fredrickson, Hunt, Juarez, McKinney, Raybould, Riepe, Rountree. Vote is 38 ayes, 11 nays, Mr. President.

ARCH: LB246 does pass. Senator Raybould would like to recognize some special guests: there are 42 fourth grade students from McPhee Elementary in Lincoln; they are located in the north balcony. Students, if you would rise and be recognized by your Nebraska Legislature. Members, please return to your seat for Final Reading. We will proceed to LB319, and the first vote is to dispense with the at-large reading. All those in favor vote aye; all those opposed vote nay. Mr. Clerk.

CLERK: 43 ayes, 1 nay to dispense with the at-large reading.

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

CLERK: [Read title of LB319]

ARCH: All provisions of law relative to procedure having been complied with, the question is, shall LB319 pass? All those in favor vote aye; all those opposed vote nay. Mr. Clerk.

CLERK: Voting aye: Senators Armendariz, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clouse, Conrad, DeBoer, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Hughes, Hunt, Jacobson, Juarez, McKinney, Meyer, Moser, Prokop, Quick, Raybould, Rountree, Sanders, Spivey, von Gillern, Wordekemper. Voting no: Senators Andersen, Arch, Ballard, Clements, DeKay, Holdcroft, Ibach, Kauth, Lippincott, Lonowski, McKeon, Murman, Riepe, Sorrentino, Storer, Storm, Strommen. Vote is 32 ayes, 17 nays, Mr. President.

ARCH: LB319 passes. We will proceed to LB383, and the first vote is to dispense with the at-large reading. All those in favor vote-- excuse me, we'll proceed to LB364. Mr. Clerk.

CLERK: [Read LB364 on Final Reading]

ARCH: All provisions of law relative to procedure having been complied with, the question is, shall LB364 pass? All those in favor vote aye; all those opposed vote nay. Mr. Clerk.

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CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKinney, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storm, Strommen, von Gillern, Wordekemper. Voting no: Senators McKeon, Meyer, Storer. Vote is 46 ayes, 3 nays, Mr. President.

ARCH: LB364 does pass. We'll proceed to LB383. The first vote is to dispense with the at-large reading. All those in favor vote aye; all those opposed vote nay. Mr. Clerk.

CLERK: 46 aye, 1 nay to dispense with the at-large reading.

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

CLERK: [Read title of LB383]

ARCH: All provisions of law relative to procedure having been complied with, the question is, shall LB383 pass? All those in favor vote aye; all those opposed vote nay. Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: Senators Hunt, McKinney, and Spivey. Vote is 46 ayes, 3 nays, Mr. President.

ARCH: LB383 passes. We will proceed to LB399.

CLERK: [Read LB399 on Final Reading]

ARCH: All provisions of law relative to procedure having been complied with, the question is, shall LB399 pass? All those in favor vote aye; all those opposed vote nay. Mr. Clerk.

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

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Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: none. The vote is 49 ayes, 0 nays, Mr. President.

ARCH: LB399 does pass. We will proceed to LB696. The first vote is to dispense with the at-large reading. All those in favor vote aye; all those opposed vote nay. Mr. Clerk.

CLERK: 45 ayes, 0 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 LB696]

ARCH: All provisions of law relative to procedure having been complied with, the question is, shall LB696 pass? All those in favor vote aye; all those opposed vote nay. Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, McKinney, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: Senators Armendariz and DeKay. Vote is 47 ayes, 2 nays, Mr. President.

ARCH: LB696 does pass. Mr. Clerk, LB32.

CLERK: [Read LB32 on Final Reading]

ARCH: All provisions of law relative to procedure having been complied with, the question is, shall LB32 pass? All those in favor vote aye; all those opposed vote nay. Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKinney, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: Senators DeKay and McKeon. Vote is 47 ayes, 2 nays, Mr. President.

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ARCH: LB32 passes. We will proceed to LB36, and the first vote is to dispense with the at-large reading. All those in favor vote aye; all those opposed vote nay. Mr. Clerk.

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

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

CLERK: [Read title of LB36]

ARCH: All provisions of law relative to procedure having been complied with, the question is, shall LB36 pass? All those in favor vote aye; all those opposed vote nay. Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Bosn, Bostar, Brandt, Clements, Clouse, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: Senators Ballard, Cavanaugh, Cavanaugh, Conrad, DeBoer, and McKinney. Vote is 43 ayes, 6 nays, Mr. President.

ARCH: LB36 does pass. We will proceed to LB36A.

CLERK: [Read LB36A on Final Reading]

ARCH: All provisions of law relative to procedure having been complied with, the question is, shall LB36A pass? All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, McKinney, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: Senator Spivey. Vote is 48 ayes, 1 nay, Mr. President.

ARCH: LB36A does pass. Next is LB80; first vote is to dispense with the at-large reading. All those in favor vote aye; all those opposed vote nay. Mr. Clerk.

CLERK: 45 ayes, 1 nay to dispense with the at-large reading, Mr. President.

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

CLERK: [Read title of LB80]

ARCH: All provisions of law relative to procedure having been complied with, the question is, shall LB80 pass? All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: Senators Hunt, McKinney, and Spivey. Vote is 46 ayes, 3 nays, Mr. President.

ARCH: LB80 passes. Proceed to LB80A.

CLERK: [Read LB80A on Final Reading]

ARCH: All provisions of law relative to procedure having been complied with, the question is, shall LB80A pass? All those in favor vote aye; all those opposed vote nay. Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: Senator McKinney. Vote is 48 ayes, 1 nay, Mr. President.

ARCH: LB80A does pass. Please proceed to LB166.

CLERK: [Read LB166 on Final Reading]

ARCH: All provisions of law relative to procedure having been complied with, the question is, shall LB166 pass? All those in favor vote aye; all those opposed vote nay. Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott,

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Lonowski, McKeon, McKinney, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: Senator Conrad. The vote is 48 ayes, 1 nay, Mr. President.

ARCH: LB166 passes. We will proceed to LB198, and the first vote is to dispense with the at-large reading. All those in favor vote aye; all those opposed vote nay. Mr. Clerk.

CLERK: 45 ayes, 1 nay to dispense with the at-large reading, Mr. President.

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

CLERK: [Read title of LB198]

ARCH: All provisions of law relative to procedure having been complied with, the question is, shall LB198 pass? All those in favor vote aye; all those opposed vote nay. Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, McKinney, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: none. The vote is 49 ayes, 0 nays, Mr. President.

ARCH: LB198 passes. We will proceed to LB311e, and the first vote is to dispense with the at-large reading. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

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

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

CLERK: [Read title of LB311]

ARCH: All provisions of law relative to procedure having been complied with, the question is, shall LB311 pass with the emergency clause attached? All those in favor vote aye; all those opposed vote nay. Mr. Clerk.

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CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, McKinney, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Vote is 49 ayes, 0 nays, Mr. President.

ARCH: LB311 passes with the emergency clause attached. We will proceed to LB560.

CLERK: Mr. President, Senator Dungan, I have AM1314 with a note that you would withdraw.

ARCH: So ordered.

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

ARCH: Mr., Mr. Clerk, please read the bill.

CLERK: [Read LB560 on Final Reading]

ARCH: All provisions of law relative to procedure having been complied with, the question is, shall LB560 pass? All those in favor vote aye; all those opposed vote nay. Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, McKinney, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Vote is 49 ayes, 0 nays, Mr. President.

ARCH: LB560 does pass. Please proceed to LB640.

CLERK: [Read LB640 on Final Reading]

ARCH: All provisions of law relative to procedure have been complied with, the question is, shall LB640 pass? All those in favor vote aye; all those opposed vote nay. Mr. Clerk.

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CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, McKeon, McKinney, Meyer, Moser, Murman, Prokop, Quick, Raybould, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: Senators Lonowski and Riepe. Vote is 47 ayes, 2 nays, Mr. President.

ARCH: LB640 does pass. We will proceed to LB641. The first vote is to dispense with the at-large reading. All those in favor vote aye; all those opposed vote nay. Mr. Clerk.

CLERK: 46 ayes, 1 nay to dispense with the at-large reading.

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

CLERK: [Read title of LB641]

ARCH: All provisions of law relative to procedure having been complied with, the question is, shall LB641 pass? All those in favor vote aye; all those opposed vote nay. Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, McKinney, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: none. The vote is 49 ayes, 0 nays, Mr. President.

ARCH: LB641 does pass. We will proceed to LB660 with the emergency clause. The first vote is to dispense with the at-large reading. All those in favor vote aye; all those opposed vote nay. Mr. Clerk.

CLERK: 45 ayes, 1 nay to dispense with the at-large reading.

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

CLERK: [Read title of LB660]

ARCH: All provisions of law relative to procedure having been complied with, the question is, shall LB660 pass with the emergency clause attached? All those in favor vote aye; all those opposed vote nay. Mr. Clerk.

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CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon, McKinney, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: none. Vote is 49 ayes, 0 nays, Mr. President.

ARCH: LB660 passes with the emergency clause attached. We will proceed to LB704. The first vote is to dispense with the at-large reading. All those in favor vote aye; all those opposed vote nay. Mr. Clerk.

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

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

CLERK: [Read title of LB704]

ARCH: All provisions of raw-- law relative to procedure having been complied with, the question is, shall LB704 pass? All those in favor vote aye; all those opposed vote nay. Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeBoer, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Juarez, Kauth, Lippincott, Lonowski, McKeon-- excuse me. Lonowski, McKinney, Meyer, Moser, Murman, Prokop, Quick, Raybould, Rountree, Sanders, Sorrentino, Spivey, Storm, Strommen, von Gillern, Wordekemper. Voting no: Senators McKeon, Riepe, and Storer. Vote is 46 ayes, 3 nays, Mr. President.

ARCH: LB704 does pass. Mr. Kirk-- Mr. Clerk, please proceed to LB398e.

CLERK: Mr. President, Senator Ballard would move, move to return LB398 to Select File for specific amendment, that being AM1464.

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

BALLARD: Do I have another member after this amendment, Mr. Clerk? Do I have another amendment after this amendment?

CLERK: No, Senator, no other amendment.

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CLERK: This is-- OK. So-- OK. Thank you. Thank you, Mr. President. Today, I'm asking the body to vote on favor of returning LB389 for a specific amendment, AM1464. The purpose of AM1464 is very simple: it is to sunset the driver's license recording fee increase to January 1-- July 1-- or January 1 of 2030. This should provide the DMV a needed-- the needed cash to fund its driver's license modern-- modernization efforts. When the fee increase in LB398 was originally purpose of the Transportation and Telecommunication Committee in LB114, the, the significant amount was directed to the General Fund. When the committee amendment to LB389 included the fee increase, the committee made sure that the fee was to go into the DMV to pay for the new computer system and remove the part of the fee that increased going to the General Fund. Some of us on the committee were uncomfortable with the size of the indefinite nature of the fee increase, and so on Select File, I was going to propose a sunset to the, to the fee increase, but some intervening procedural factors, I was unable to attach the amendment. In the meantime, we all know the Forecasting Board lowered the forecast, and the Appropriations Committee and Legislature took a number of agencies to help balance the budget instead of going to help to-- instead of going to help to use this purpose for the fee increase instead of the DMV computer system. I understand and support the DMV's wanting to replenish the cash fund, but after the transfers, we're in danger of letting the DMV keep this fee to increase the-- for longer than needed. And to understand the fee increase impact will bring around \$7.5 million annually, and will be paid primarily to-- by auto insurance premium payers. Insurance utilizes driver licensing records to underwrite auto policies, and will pass along the cost to everyday Nebraskans who use auto insurance. Very simple, colleagues; just providing the sunset to 2030 on this fee increase. With that, I would ask for your support in returning this to Select File.

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

DeBOER: Thank you, Mr. President. I just wanted to stand up in support of this amendment and the motion to return to Select File. This will put an end-- what we're doing now, and there's no way to mince words about it, is this fee that we are increasing is going to be used to support the General Fund. So what we're doing is saying, OK, you can do that, but not forever. Obviously, we should probably not raise-- well, I don't think we should raise fees to support the General Fund ever, but this was the compromise, and so I would ask you to support this. Thank you, Mr. President.

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

MOSER: Thank you, Mr. President. Good afternoon, colleagues. I stand opposed to the return to Select File for the amendment. There are some who are disappointed in the \$12 million that was removed from the DMV Cash Fund to support the budget, and that's a separate argument from this. Those funds were already in the DMV Cash Fund when they were targeted to be swept to improve the budget. This fee increase is going into effect and will be collected going forward, and so these fees are not going to the General Fund. The improvement of the computer system is \$32.7 million, and the ongoing cost of maintaining the system is \$5 million per year going forward. The cost to the DMV to generate a record between '25 and '26 fiscal years will be \$18.84. The '26 to '27 projected cost to establish, maintain, and produce a driver record will be \$17.72. The projected ongoing cost to establish, maintain, and produce drivers' records on into the future is estimated to be \$13.04. So with the current bill, the DMV will receive \$13.25 per record going forward. According to the amendment, in 2030, that would go back to \$4.50. That's not enough to support the DMV and to keep their cash funds flowing sufficient to, to support their efforts. If we're going to fuss about using DMV funds for the General Fund, then that argument should be made with the budget bill, not against the DMV bill. We're-- if we stick with the increase, we'll be about 21st out of the 50 states, so we'll be at the 40th percentile or something in that order. So we're not the highest by any means, we're not the lowest, we're somewhere in the middle. So I would appreciate your support to reject the return to Select File, and to, to continue on to Final Reading. Thank you, Mr. President.

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

HALLSTROM: Mr. Speaker, members, I just rise in support of the amendment, AM1464, and also just to give some advance warning and a heads-up. You may recall on Select File, I had an amendment that was designed to address the significant increase in fees to allow for the agents or producers to pass that through, and Senator Cavanaugh put the kibosh to that at that point. I understand from visiting with her that she will not be objecting for her own reasons at this point in time, and I am not going to bring the amendment forward today. I, I withdrew the amendment, but the fee increase goes into effect in July of this year. I was hopeful that we would push that off until next year sometime, but I understand the need for the funds to be raised more quickly than that to get started on the modern-- modernization project. I've worked with Director Lahm for many, many years, and trust that she will get started on that, and that she will not raise

any more funds than needed. I think in putting a sunset on this, it's a very prudent measure. If we do find out, as Senator Moser suggests, that we need increased fees for operational or for the continuation and completion of the modernization project, we can certainly take care of that at that time. My amendment, if this is successful, will probably be scaled back to only allow the producers to pass through those expenses or those increased costs during the time that the sun shines on the fee increase. So, for that, I think it's 4-year period in which the doubling of the fee would in place; the agents would be given some relief. I, I am concerned, as, you know, many might be in terms of passing that through, but if you look at it in the global sense, we're looking at a, a relatively modest individualized fee that, when aggregated at the producer or the agent level, causes quite a hardship or a burden on those agents, and so we may look at that amendment when this bill comes back, if this is adopted today after re-engrossing. Thank you.

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

M. CAVANAUGH: Thank you, Mr. President. Yes, I think Senator Hallstrom painted a pretty clear picture of why these amendments didn't happen on Select File. I don't, I don't support this amendment, but I also don't think that at this juncture it's worth taking up too much time on. I share the concerns that Senator DeBoer has about cash fund trans-- transfers, but also agree with Senator Moser that we can't legislate that in fear of choices that the Appropriations Committee is going to make for future budgets, so. I won't be supporting this AM, but I hope we get through this quickly and move on to the next. Thank you, Mr. President.

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

DeBOER: I just wanted to add one more piece of color to the discussion today, which is that originally, this amendment had the fee increase starting in January, and we were told that if we did that, then they wouldn't be able to sweep enough money, and there would be a \$6 million hole in the budget. So if you're wondering whether or not this fee increase is going to support the General Fund budget, that seems like evidence of that fact to me. So the fact that we are sunseting it is saying we recognize that you want to do the modernization project, you're getting this one-time sweep, but after that, we think that you should put the fees where they should be in order to accomplish the tasks which the users who pay the fees are using them for. Thank you, Mr. President.

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

STORER: Thank you, Mr. President. I also stand in support of AM1464. I serve on Transportation and Telecommunications Committee as well. I do support the need for the modernization of the software program. If you've ever stepped behind the desk of a treasurer's office at the county level, you'll see how outdated that probably is. So I certainly understand that those things cost money, and I appreciate that they are not-- that is not something that we've been just sort of budgeting for without the need, so raising these fees for the period of time that is needed to pay for that upgrade, I support, but I also support having the sunset fee and returning this back. And at that point, the body can take a look at where the actual cost is, and certainly revisit what, what the financial need is. Really, this is, this is just supporting the concept of, you know, re-- revisiting all of our regulations, quite frankly, so-- which is an entirely, entirely different discussion. But this would be an example of that, and I support that, and I appreciate Senator Ballard bringing this amendment. I ask for your green vote on AM1464. Thank you.

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

MOSER: Thank you, Mr. President. The increase in the fees would-- again, would put us about 21st out of the 50 states, so it's not-- we're not an outlier; we're somewhere in the middle of the pack. Some of the people who use these fees are complaining because they went up, but they weren't high enough to support the new system. Now, you can semantically argue that these fees are going to help make the DMV cash fund solvent, but these fees are not going to be collected-- the \$32 million is not going to be collected all at once; it's going to be collected over time. The ongoing cost, even after the system is paid for, is \$5 million a year. The cost of producing records going forward from now till they probably go up will be \$13.25, so we can't go back to \$4.50 in 2030. That just doesn't make sense. It makes a pinch point; it's a problem manufactured by our own hurt feelings over the discussion of the fee amounts. The Legislature can address these fees at any time; they can address them again in the next, next year, and the second part of our biennium; any future Legislature can look at them. But I think that rather than put a sunset in here now, I think we should leave it set the way that the bill was negotiated to be, and if there are further cash transfer funds suggested, we should argue that point at that time. Again, I don't think that we should buckle to the special interests that are complaining about the cost of the driver's records. It's number-- we're in the-- about the 40th percentile-- no, let's see, 20th percentile, and so we're not an

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outlier, I don't think we should change it. I think we should leave it where it was. The fight about the \$12 million is a fight that we should talk about when we're talking about the budget, and, and not in LB398. Thank you.

ARCH: Seeing no one in the queue, Senator Ballard, you're recognized to close on your motion.

BALLARD: Thank you, Mr. President. I'll-- I appreciate Senator Moser, Chairman Moser and his, his thoughts. But I just want to reiterate that this is-- everything is staying the same as-is. This is just sunseting the fee increase until-- I misspoke in my opening-- 2029. And so everything is staying in the same, every-- all the work we did last week on the budget is going to be held harmless. This is just saying that as it was billed in LB114, this fee increase was helped to modernization of the computer system. Once that is done, I fully support that effort, and so I support the fee to be used to that. But once that task is complete, then the fees will go away. I think it's important that we are not funding government on the back of, of premium payers. So, with that, I'd ask for your green vote on this return to Select File. Thank you, Mr. President.

ARCH: Colleagues, the question before the body is the motion to return to Select File for a specific amendment. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: 31 ayes, 10 nays to return to Select File, Mr. President.

ARCH: The motion to return is successful.

CLERK: Mr. President, Senator Ballard would move to amend with AM1464.

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

BALLARD: Thank you, Mr. President. I'll be brief. The-- again, colleagues, this is just a sunset until 2029 on the fee increase for the DMVs. I'd appreciate your, your support, and thank you, Mr. President.

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

MOSER: I'll also be brief. Going forward, the cost of producing a record is \$13.04. Taking it back to \$4.50 in 2030 is not responsible to do. If you wanted to put a sunset in there, put a date that it sunsets for reconsideration, not to put it back to an amount that is not enough to sustain the expenses in the department. Thank you.

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ARCH: Seeing no one left in the queue, Senator Ballard, you're recognized to close on your amendment.

BALLARD: Thank you, Mr. President. I'll, I'll just add one correction to Chairman Moser. It, it is in the amendment going back to, to \$4.50, but the total fee increase is \$7.50. I think it's important that there is nothing stopping this agency from coming back to the Legislature and, and work on maintenance for this-- for the computer modernization system. This is just saying that this is when billed to the committee, the Transportation and Telecommunications Committee, they said the fee was for this purpose. And so when they come back, they say we need additional resources, additional resources in our cash fund for this computer system. So with that, I'd ask for your green, green light on this amendment. Thank you, Mr. President.

ARCH: Colleagues, the question before the body is the adoption of AM1464. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

CLERK: 29 ayes, 12 nays, Mr. President, on adoption of the amendment.

ARCH: AM1464 is adopted.

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

ARCH: Senator Guereca, for a motion.

GUERECA: Mr. President, I move that we advance LB398e to E&R for engrossing.

ARCH: You've heard the motion. All those in favor say aye. Opposed, nay. It is advanced. Mr. Clerk, please proceed to LB192.

CLERK: Mr. President, LB192. Senator Andersen would move to return the bill to Select File with a specific amendment, that being AM1225.

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

ANDERSEN: Thank you, Mr. President. Colleagues, I rise to recommit Senator Quick's LB192 to Select File. Returning to Select File will allow for consideration of amending LB192 with my amendment, AM1225. AM1225 is an updated document based on my LB656. It is meant to strengthen Sen-- Senator Quick's SNAP bill by reinforcing our dedication to promoting dignity and work, and enabling DHHS to maximize access to employment and training program. Some would say a commit motion is poor form and use that as an excuse not to vote for

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this motion, but I'll defer them to any one of the 29 times hostile amendments were filed this legislative session. I made the motion to recommit LB192 to Select File so we can strengthen Senator Quick's legislation by amending it with AM1225. I request your green vote on a motion to recommit LB192. Thank you, Mr. President.

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

QUICK: Thank you, Mr. Pre-- thank you, Mr. President. I'm going to start off with, this is an unfriendly amendment. If Senator Andersen-- he did come to me early this-- well, it wasn't early, about maybe 10:00 or 10:30, somewhere in there, to talk to me about his amendment and that he was going to put it on there. I think if this was done appropriately, it would have been-- we could have worked on it between-- if he wanted to help strengthen my bill, we could have done that between Select and Final Reading, or maybe we should have done it between General and Select, because the-- this is the same amendment that was placed on Select File. I think with this amendment, what it actually does is it puts barriers in place for people who are already receiving SNAP benefits that are under the federal work requirements. So with that, I would ask for your red vote to return this to Select File. And thank you, Mr. President.

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

HANSEN: Thank you, Mr. Speaker. I am in favor of AM-- a return to Select File for AM1225. Like I mentioned before, when it comes to my concern with what is, I believe, currently in the House budget bill or where the direction the federal government is going when it pertains to federal assistance to the states, SNAP benefits, Medicaid, and their willingness to cover 90% of our benefits, and we pay 10% of them, and there's been some inclination that they may end up going back to pre-Obamacare standards, which is based on how, quote unquote, wealthy the state is, determines how much the federal government is ending up covering our benefits. And there's some guesstimation that if that is-- occurs, like they currently do with non-Obamacare states, we would end up going down to somewhere around 77% to 78%, which would decrease-- which would increase our cost dramatically, not just for SNAP benefits, but also for our Medicaid contribution. And so I believe this is a good compromise with Senator Quick's bill, LB192, which I'm not in favor of for specifically those reasons, but also for other reasons. So I think if there's a way that we can at least help those individuals who are able-bodied and able to work to get them the resources they need, the training they need to get back to work sooner; I think this is a great opportunity for us to do that. So

these two bills go tandem and go hand-in-hand with helping those individuals who are getting SNAP benefits, and then also expanding the eligibility for SNAP benefits as well, so. These two bill-- these two bills go well together, and so I appreciate Senator Andersen trying to bring this back so we can at least try to attach it one more time. So thank you, Mr. President.

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

DUNGAN: Thank you, Mr. President. And, colleagues, I do rise opposed to this amendment, but I just wanted to point something out. I'll be quick. This is, I believe, a version of LB656, which was Senator Andersen's bill. The change between his bill and the amendment was it makes the implementation of the work training optional, because if you don't make it optional, it costs \$3 million a year. So in order for this amendment to do anything, it's going to cost the state \$3 million a year. So either this goes into effect and you have these requirements-- which is what it sounds like you're seeking to achieve, those who support this-- and cost an additional \$3 million to the state, or this amendment gets passed and at least in that portion, doesn't actually achieve what you want it to do. So I just want to be very clear, in order to actually implement these requirements, according to the fiscal note, in '25-26, it's \$2.3 million annually, going up to \$3.1 million in '26-27. When this amendment was tried to be attached on Select File, I was trying to figure out what changes were made to make it not have a fiscal note, and the change was implementing the work requirements became optional at the department's discretion. So in order for these work requirements to be implemented, it would cost \$3 million a year to the state. So in a world where we don't have that money right now, I would just encourage my colleagues to vote against the AM. Thank you, Mr. President.

ANDERSEN: Seeing no one in the queue, Senator Andersen, you're recognized to close on your motion to return.

ANDERSEN: Thank you, Mr. President. This is very simple. It's really trying to make the bill better from what Senator Quick does. This is bringing in the additional work options and asking-- encouraging people to, to do the work when they're on SNAP, but it also is enhancing the employment and the training. In regards to Senator Dungan's comments on the, the fiscal note, we'll be-- I'll be sending out a letter from the CEO of DHHS saying that the fiscal note of the amendment as written is zero. So I would encourage your, your green vote on recommitting this back so we can get the amendment and put forth a better bill. Thank you, Mr. President.

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ARCH: Question before the body is the adoption of the motion to return to Select File for a specific amendment. All those in favor vote aye; all those opposed vote nay. Mr. Clerk.

CLERK: 26 ayes, 16 nays to return to Select File, Mr. President.

ARCH: The motion is successful. Senator Andersen, you're recognized to open on AM1225.

ANDERSEN: Thank you, Mr. President. Colleagues, I rise to amend Senator Quick's LB192 with my amendment, AM1225. AM1225 is an updated document based on LB656. It's meant to strengthen Senator Quick's bill by reinforcing our dedication promoting dignity and work, and enabling DHHS to maximize access to the employment and training program. It'll preclude the state from pursuing a blanket waiver to the federal mandate requiring for the person to qualify for-- work mandate for them to qualify for SNAP. It does sort of leave in place the six individual exemptions for those specific life situations as listed in the factual and federal statute. Per DHHS, there are presently 19,800 able-bodied Nebraskans exempt from work requirements. Meanwhile, the generous taxpayers are spending over \$1 million a year on an employment and training program that reaches only 1,084 people, less, less than 5% of those who could be benefiting. E&T is a federal SNAP program required by law to help able-bodied adults get skills, find jobs, and move their lives forward through gainful employment. It's not an optional-- it's not optional for states to offer; it's built in to boost self-sufficiency of the individual. There's a catch: states can waive it for areas of high unemployment or lean voluntary participation; a loophole, not a feature. It lets some evade the work requirement. In Nebraska, that's 23,000 or 8-- sorry, 19,000 people sitting out. With record low unemployment in the state, we need all the workers we can find. Workforce development leads to economic development, which fuels Nebraska's economy. There's a direct corollary between an expanding workforce and the future of Nebraska. Additionally, there is dignity in work. When a person learns a skill and gets a job, it has a powerful influence on their well-being and those around them. Research backs this. Work boosts physical and mental health, while dependency drags it down. Studies tie unemployment to high mortality, worse diets, and addiction; work offers purpose and structure. Now to address some of the specific issues with this action, during the Select File, Senator Dungan mentioned my amendment characterizing it as hostile, stating, quote, its generally something that I think would be frowned upon and should not be considered. I remind Senator Dungan and the body, there have been over 29 hostile amendments brought by Democratic colleagues

against predominantly conservative bills this session alone. This practice is actually quite common [INAUDIBLE] an outlier, and is intended to make Senator Quick's bill better. During the Select File, Senator Conrad asked me about the implications on the tribes regarding SNAP execution. Per Nebraska's DHHS, the tribes submit their waiver requests through their agency, so there will be no negative impact to them. In response to several comments by Senator Dungan, we met with the members of the DHHS, the Health Department, and the Labor Department by modifying the labor-- or the language in the handout that you'll be receiving, we received a letter from the CEO of DHHS saying that the fiscal note in essence will actually be zero. In conclusion, AM1225 is a commitment to the people of Nebraska. It's about transforming our safety net into a launch pad for opportunity by prioritizing the education and training program and eliminating a blanket-- potential blanket waiver to the work requirement, we're not merely cutting costs, we're investing the potential of every able-bodied Nebraskan. The amendment stands as a testament to the belief that work, work dignifies, empowers, and heals. Rather than subsidizing dependency, AM1225 paves the way for self-sufficiency, healthier lives, and more robust economy. I encourage you to recommit LB192 with-- for-- to Select File, and vote your green on-- vote green on AM1225 to LB192. I would add some late news coming in from the House Committee on Agriculture; they're discussing reductions in SNAP funding. The sooner that we can get people-- get them on a job and get them off SNAP, the better; we have some reliance. Forcing the states to pay more than-- a greater percentage than what they do now for the SNAP execution administration. With that, I'd ask for your green vote on AM1225. Thank you, Mr. President.

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

J. CAVANAUGH: Thank you, Mr. President. Well, I rise in opposition of AM1225 and support of LB192, and I, I appreciate the letter that Senator Andersen handed out. And I'll just note you to the second paragraph: the amendment contains permissive language that will result in there being no fiscal impact on the Department of Health and Human Services. The department will implement program-- the program as resources are available. What that means is that the-- if they don't do anything, it doesn't cost any money. So we are presented with two options here. We could not adopt Senator Andersen's amendment and the department won't do anything, and it won't cost us any money, or we could adopt Senator Andersen's amendment, and if the department doesn't do anything, then it won't cost us any money. But if they do choose to do something, then it will cost us money that we have not accounted for. So this bill, if it does what Senator Andersen is

asking that it does, will cost money. So this is another sleight-of-hand to put off the books, to unbalance our budget behind people's backs. So that's what this does; it will cost money if it does anything. And if it does nothing, why are we adopting it? It's just to make somebody feel good, to stroke the ego of a few people who want to stand up here and say we're going to put people back to work. So AM125 [SIC] at best does nothing; at worst, costs us \$3 million. So I'm opposed to AM1225. And if the Trump administration wants to cut benefits and force all these budget cuts down onto the states, we will have to deal with that. But that has not happened yet today. Thank you, Mr. President.

DeBOER: Thank you, Senator Cavanaugh. Senator Quick, you're recognized.

QUICK: Thank you, Madam President. And, again, this is a little frustrating for me, because LB192 is such an important bill for, for Nebraskans across the state who are receiving SNAP benefits. And, you know, we talk a lot about barriers that go in place that actually-- you know, we think we're helping people, but we're putting more barriers in front of them. I think of people who actually have, you know, maybe they've lost their job just recently and they're still trying to find work, but in that meantime, being able to, to receive those SNAP benefits or apply for those SNAP benefits. And with these waivers, it's just going to delay more time, delay that time frame for them to receive those benefits. And all the while, they're still trying to find employment, they're still trying to-- you know, they don't want to be on SNAP benefits, they don't-- they're, they're just trying to provide for their families. We have a lot of people who, who maybe are, you know-- because of maybe part-time work or because of low pay, they're not making-- they're, they're trying to better themselves, but they're just trying to find that next job where they can get, get to that point. And so LB192 is so important for the people across the state. I guess I would ask Senator Andersen if he would yield to a question.

DeBOER: Senator Andersen, will you yield?

ANDERSEN: Yes.

QUICK: Yes, Senator Andersen, if, if-- my question is, so if we do add your amendment and it goes through, and this bill goes on forward, are you going to support the bill as a whole, then? Would you support it going forward?

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ANDERSEN: Actually, I think the, the two components, both the, the underlying bill of LB192 and the complementary sides of AM1225, I think really is a win-win. They're not competing priorities, they're not competing interests; I think they just make a stronger bill, and I think there's a lot more support for those all, all-- those two components together. Does that answer your question?

QUICK: Yes. And then another question I, I would have is, is that-- so I know Senator Hansen talked about the federal side, where maybe they would make the state pay for it because that's still-- are you still OK with us going forward with this bill the way it is? I know the state's not liable for that, but if they put-- you know, maybe they would put some res-- you know, requirements that the state pay a certain portion of the SNAP benefits. Are-- you're still OK with this bill though, right?

ANDERSEN: [INAUDIBLE] for the admin cost?

QUICK: OK. All right. All right, thank you.

ANDERSEN: Is that--

QUICK: I, I don't know if you-- maybe you didn't answer.

ANDERSEN: Are you referring to the admin cost of the program? Is that what you're talking about?

QUICK: Well, I know Senator Hansen had talked about the federal government and some of their requirements with this bill that they have there. They're-- they haven't passed anything, they're just talking about it, but I know with that bill, there has been some questions about what would happen to the states across the country. And I know, you know, maybe with more state requirements to pay more of the, more of the cost of SNAP. We don't have any idea if that's even going to happen, but it's been some speculation. But I think with this bill, and possibly with your amendment, just getting those SNAP-- keeping those income levels where they are right now is really important for a lot of these families, along with the food banks that we have across the state, and I don't know if you agree with that statement.

ANDERSEN: As far as the, the income levels for qualification?

QUICK: Yes.

ANDERSEN: Right. That's your part of the bill that, I think, that brings one component to it, and the other side is the amendment that brings the, the training and the, the work encouragement, and a-- prohibits a, a blanket waiver across the state, which is possible, which I don't believe we want.

QUICK: OK. Thank you, Senator Andersen. I do wish maybe Senator Andersen would come and talk to me beforehand, maybe between Select and Final Reading, or like I said, before General and, and Select, so we could have actually maybe sat down and talked about, maybe worked out some compromises. You know, always-- sometimes, you feel like when things are, are forced upon you, it, it, it creates a little bit of, of, I would say, hard feelings. You know, when we went to leg council, we, we talked-- we did an exercise, you know, working on-- and sitting down and working on some practices where we sat down and we all worked together to reach some type of compromises. And so I think that's the same thing that-- that's same the way it should work in here, right? We should all be working together, we should all be-- we may not agree on every single issue, but I think we need to be able to sit down and talk about things instead of things being pushed upon us sometimes. And I know that can happen from either side of what we-- I, I still believe this is the Unicameral--

DeBOER: Time, Senator.

QUICK: OK, thank you.

DeBOER: Thank you, Senator Quick. Senator Brandt, you're recognized.

BRANDT: Thank you, Madam Chair. Would Senator Andersen answer a question?

DeBOER: Senator Andersen, will you yield?

ANDERSEN: Sure.

BRANDT: Senator Andersen, are all SNAP beneficiaries unemployed?

ANDERSEN: Are all unemployed? No.

BRANDT: Do you have any idea what percent are unemployed and what percent are underemployed?

ANDERSEN: Do I? No. I can put you in contact with DHHS, and they certainly have those-- that data.

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BRANDT: Well-- I'm not opposed to a work for SNAP bill, except here it is the last minute. We have no statistics about how many people in Nebraska are getting SNAP benefits that do not have a job. Do you have any numbers at all on that?

ANDERSEN: The numbers I have are mostly on the people that are not using the employment and training program that's mandated by the federal government.

BRANDT: OK, what is that number?

ANDERSEN: I had it in my open. [INAUDIBLE] less than 5%

BRANDT: OK. And those people are getting SNAP benefits today?

ANDERSEN: I, I, I believe so. I'm not a case officer for them, so. Yeah, I believe that's correct.

BRANDT: OK. So this bill would just affect 5% of the people getting SNAP benefits today?

ANDERSEN: No, this would affect 95% of the people. Only 5%, 1,084 I think the number was, are actually participating in the employment and the training program at this point. That's according to DHHS, as of today.

BRANDT: So on that 95%, we don't know if these people already have a job. Is that correct? The 95%, they could be working and receiving SNAP benefits. I-- yeah.

ANDERSEN: Sure, anything is possible. There, there are provisions, there are exclusions that are, that are allowed in both state legislature and in the federal legislature for-- or the federal regulations for exceptions to the work requirement. If you-- for example, if you have an incapacitated child at home you-- that you are caring for, you don't have to go get the job. If you are in a drug rehabilitation program,--

BRANDT: Right. I saw--

ANDERSEN: --you don't have to leave that to go and get a job, so. No-- none of that changes. All those provisions are still in, in statute.

BRANDT: So the-- how the HHS system works is it's a one-stop shop. You call over there and you need help, and they're going to say you qualify for rent assistance, LIHEAP, SNAP, because of your income. Is

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your caseworker then going to be the person that also has to follow up to make sure that you're complying with the work requirements that you're asking for?

ANDERSEN: I don't know their process; I'm not a DHHS guy. But I can certainly try and find out, or I can get you a point of contact to DHHS to speak with.

BRANDT: Well, I've got a little history with DHHS going back 7 years, when they closed the center in Geneva. I still don't have a high degree of trust, particularly if there was a \$3 million fiscal note, and magically, they've got the money. So thank you Senator Andersen. I'm not opposed to the premise of this; I'm opposed to the premise of this on Final Reading. I'm going to be opposed to this. Would Senator Clements be available for a question?

DeBOER: Senator Clements, will you yield?

CLEMENTS: Yes.

BRANDT: Senator Clements, when your committee did all the work on the budget, did you find that HHS had \$3 million dollars too much?

CLEMENTS: No, we didn't, no, we didn't get-- yeah. Anyway, they-- I, I can't say whether they do or not, but I'm-- I was just reading-- doesn't-- we didn't allocate \$3 million too much on purpose.

BRANDT: OK. Well, I guess I'm just a little concerned now that we have our biggest agency saying, well, if you want to pass this, we don't need to charge \$3 million anymore. So I was, I was just concerned that maybe they were trying to hoodwink the Legislature and the Appropriations Committee, and it doesn't sound like they did. So I am going to oppose the AM. I'm for the LB on Final, and I would encourage everybody else to vote the same way. Thank you.

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

HANSEN: Thank you, Madam President. I'm actually going to touch on a little bit of what Senator Brandt said, and actually others, about the budget. And so if you, if you look at the letter that, that Dr. Corsi wrote, CEO Corsi, if you look at that second paragraph, the permissive language that results in there being no fiscal impact, a lot of times, they can actually absorb some of these costs, these administrative costs. And, also, if you look at that last sentence, they have-- they, they have to work within the, the current resources that we have appropriated to them through the budgetary process. It's not like they

can print more money; they have to work within whatever resources that they have, and it says the department will implement the program as resources are available. So if the resources aren't there, they're not going to do it. Now, if we're starting to find out it's maybe more successful or maybe we want to appropriate more money to help them accomplish some of these goals with work requirements even more on our next budg-- next budget or next year, then the-- then we can appropriate them more funds to cover some of this stuff. So, currently, they might be able to absorb some of those costs with their current budget or what we have appropriated to them, and if they can't, then that last sentence, they will do it as the resources are available, so. If we're leaving it up to them at the department to work within their means, and if they can do it, they can do it; if not, then they'll just have to wait if resources are not available, so. Thank you, Madam President.

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

QUICK: Thank you, Madam President. You know, I, I appreciate what Senator Andersen's trying to do here, maybe not the way that he's going about it with this process. I do know that from looking at some of the information that we had, 20 states have tried this before, and they're looking at, at going and reversing what they did, and so they found out that this isn't working for them. I guess the other thing that really concerns me is, is about the people who are already on SNAP benefits who are working; do they automatically lose their waiver and have to start all over again, and maybe lose their benefits for that time while they have to reapply for the waiver? So I'm still opposed to the amendment. I would ask you to vote red, red for that-- vote red on that, and vote for LB9-- LB192. Thank you, Madam President.

DeBOER: Thank you, Senator Quick. Seeing no one else in the queue, Senator Andersen, you're recognized to close on your motion.

ANDERSEN: Thank you, Madam President. First, I'd like to make a couple of different comments. Talking about the DHHS and the fiscal note, the compromise was made because, as everybody in his body knows, we're in a fiscally re-- constrained environment. So when you talk about where there-- with it was more restrictive language, it was a \$2-\$3 million fiscal note. Well, guess what? They modified the language so we could live within the budget, live within the amount of money that we have, and still execute the program. That's why you see a difference, and that's how we get the letter from, from Dr. Corsi. I mean, I think he put it very well in there. With Senator Quick, yeah, would love to

work together with you. We have been talking, maybe Select and Final Reading, there's a better time to do that, but here we are. So at this point in time, what AM1225 does is it takes LB192, which has one singular focus, it adds in another emphasis to make the bill stronger, make the bill better, and help with the getting our workforce back in the-- our workers back in the workforce. It also helps to get them, get them trained and employed. So, colleagues, AM1225 is a practical and purposeful amendment that strengthens LB192 by restoring accountability to Nebraska's administration of the SNAP program. It ensures that able-bodied adults with-- without dependents engage in the federally-required employment and training program unless they qualify under one of the six specific exempt-- exemptions outlined [INAUDIBLE] regulations, and those are all exemptions that people have a tough time in life sometimes, and they just-- they aren't able to do it. And that's OK. That's what those exemptions are for. With over 19,000 able-bodied Nebraskans currently exempt from any work requirement, we have a responsibility to make this, this system more effective, not only for program integrity but for the long-term well-being of our people. This amendment keeps all six of the federal exemptions, as I said, and ensures that tribal programs, which operate under their own waiver process, remain unaffected, and I checked into that with-- for Senator Conrad. We've listened to the concerns raised in this body, and we're close with DHHS and the labor department to refine the policy and eliminate any projected fiscal impact. AM1225 now carries a zero fiscal note while still maintaining and delivering meaningful reform, proof that good policy and fiscal responsibility can go hand-in-hand. At its core, AM1225 is about affirming the dignity of work by replacing the optional blanket waiver with a system that encourages skill-building and workforce engagement. If we help individuals rise, not remain stuck, we invest in their potential rather than subsidize their stagnation. I urge your green vote on AM1225 so that we can move LB192 forward with a stronger foundation and clearer focus on self-sufficiency, health, and economic opportunity. On this, I urge your green vote for LB-- or AM1225 and LB192 going forward. Thank you, Madam President.

DeBOER: Thank you, Senator Andersen. The question before the body is the adoption of AM1225. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 28 ayes, 14 nays, Madam President, on adoption of the amendment.

DeBOER: The amendment is adopted. Senator Guereca, for a motion.

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GUERECA: Madam President, I move that LB192 be advanced to E&R for engrossing.

DeBOER: Colleagues, you've heard the motion. All those in favor say aye. All those opposed say nay. It is advanced. Speaker Arch, for an announcement.

ARCH: Thank you, Madam President. So we-- as, as you have seen in-- on the agenda, I had indicated that we would pick up LB89 at 6:00 p.m. We obviously have finished early in, in this list of Final Reading, and so I'm going to alter the agenda since we're done with the other business, and we will proceed to our 6:00 agenda, LB89, at this, at this, at this time. As a result of that, we, we won't take a break in the middle for dinner. We-- however, the, the, the cafeteria has notified us that the food will be available at 5:30, so you have a couple of options. One, you can send your staff to, to pick up something for-- to go; you can step out, but it, it will be able at 5:30. A meal has been prepared, and so I'm sure there will be a lot of food there available to you, Senators. And with that, we will move on to LB89. Thank you, Madam President.

DeBOER: Thank you, Senator Arch. Mr. Clerk, items for the record.

CLERK: Thank you, Madam President. Your Committee on Enrollment and Review reports LB707 to Select File with E&R amendments. Your Committee on Enrollment and Review also reports LB19CA [SIC-- LR19CA], LB434 as correctly engrossed and placed on Final Reading. Your Committee on Education, chaired by Senator Murman, reports LB306 to General File with committee amendments. New A bill, LB77A introduced by Senator Bosn [SIC]. It's a bill for an act relating to appropriations; to appropriate funds to aid in the carrying out of provisions of LB77. LB644A introduced by Senator Bostar. It's a bill for an act relating to appropriations; to appropriate funds to aid in the carrying out of the provisions of LB644. Amendments to be printed from Senator Hughes to LB415; Senator Machaela Cavanaugh, LB261; Senator Bosn to LB504A; Dungan to LB415; Senator John Cavanaugh to LB415; Senator Ballard to LB258. Senator Kauth, new LR, LR196 and LR197, LR198, and those will all be referred to the Executive Board. LR199 from Senator Jacobson, as well as LR200; those will both be referred to the Executive Board as well. LR201 from Senator Hallstrom, and Senator Sorrentino, LR202; those will both be referred to the Executive Board.

ARCH: Senator Hansen, for an announcement.

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HANSEN: Thank you, Mr. President. Sorry, colleagues, to keep you all in suspense there, but I just have a really quick announcement here. By now, you should have all-- colleagues, by now, you should have all of your interim study requests up to the Bill Drafters, and should be receiving the final product shortly. A reminder that pursuant to Rule 4, Section 3(b), interim study resolutions may be introduced up to the-- up to and including the 80th legislative day. The 80th legislative day will be tomorrow, May 15, and in order to ensure the resolutions are processed prior to adjournment, they must be introduced by noon tomorrow. Note that a standing committee may also introduce one additional interim study resolution prior to the-- to adjournment sine die. And should you have any questions, again, just please contact me or my office. Thank you, Mr. President.

ARCH: While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign LB133e, LB140e, LB230e, LB23Ae-- LB230Ae, LB287e, LB332e, LB561e, LB78, LB78A, LB257, LB323, LB453, LB474, LB526, LB559, LB667, LB246, LB319, LB364, LB383, LB399, LB696, LB32, LB36, LB36A, LB80, LB80A, LB166, LB198, LB311e, LB560, LB640, LB641, LB660e, and LB704. Mr. Clerk, next item on the agenda.

CLERK: Mr. President, Select File, LB89. There are no E&R amendments. Senator Kauth would move to amend with AM1024.

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

KAUTH: I'd like to withdraw and replace with a-- with FA1138 [SIC].

ARCH: Without objection, so ordered.

CLERK: In that case, Mr. President, Senator Riepe would move to amend with AM1138.

ARCH: Senator Riepe, you are recognized to open on your amendment.

RIEPE: Thank you, Mr. President, and colleagues. I rise today in support of LB89 with the amendment that removes the language concerning bathrooms and locker room policies. That change was critical to gain my support, and I appreciate Senator Kauth's willingness to build on the bill. With the amendment, LB89 becomes a bill focused narrowly on preserving fairness in athletic competition, particularly in women's and youth sports. That's a goal I support, and I believe many Nebraskans do as well. Sorry, my pages got messed up here. But let me be clear: I would not support this bill if it continued down the path of micromanaging bathroom access or policing locker rooms. I didn't run for office to become part of the "Nebraska

State Potty Patrol". Let's be honest with ourselves: this isn't the first time we've seen a moral panic used to justify government overreach. We've been told video games make for violence, that rock music leads to devil worship, and that comic books would corrupt our youth. Each time, reason eventually won out-- reasonableness won out, cooler heads prevailed, and we stopped ourselves from being-- and using the heavy hand of government to solve a problem that didn't exist in the way it was being portrayed. This latest panic aimed at transgender individuals, particularly transgender youth, is no-- with no difference. We've been shown cherry-picking news stories fed outrage by taking-- and talking heads, and told we must act swiftly or lose control of our schools. But when I spoke with families, I heard sometimes differently. I heard that far more individuals and young people were concerned about guns in schools than they were about transgender students. That's the reality on the ground, not the noise coming from national commentators looking for their second and next sound bite. Local school districts are already handling issues with-- like bathrooms, locker rooms on a case-by-case basis, working with students, families, and within the constraints of their facilities; they don't need a one-size-fits-all from mandating from Lincoln. These are deeply personal and often sensitive situations, and they deserve better than to be turned into a political litmus test. I support protecting the integrity of women's sports, but I will not support turning this body into a vehicle for fear, overreach, and cultural war crusades. LB60-- or LB89, as amended, respects that line; it focuses on competition, not surveillance; it protects sports, not panic. And that's why I am voting yes on the amendment and on LB9 [SIC].
Question, Mr. President.

KELLY: Thank you, Senator Riepe. Moving-- Senator Ballard, you're recognized to speak.

BALLARD: Thank you, Mr. President. I do rise in support of LB89. I'd like to yield my time to Senator Kauth.

KELLY: Senator Kauth, 4 minutes, 48 seconds.

KAUTH: Thank you, Mr. President, and thank you, Senator Ballard. LB89, the Stand with Women Act, is a crucial piece of legislation that is aiming to protect the integrity of athletic competitions and ensure the safety and privacy of women and girls in schools and agencies. This should not be a political issue. This is an issue of commonsense adherence to biology, and the established protections for women and girls. It is clearly a bipartisan issue. If you look at the New York Times poll that was put out just a few months ago, 80% of the entire

country believes that we should not have males participating in female athletics, and they should stay out of their locker rooms and bathrooms. This is something that crosses all political divides, it crosses every race; this is just something that is common sense. And the fact that, again, we have to legislate this still astounds me. So I am grateful to Senator Riepe for working with me on his concerns. I do wish we were able to keep the bathrooms and locker rooms in the bill, however, I respect his decision, and we've made that modification. And I think a lot of times, on this floor, we find out that sometimes making incremental steps is the best way to go. So I'm very, very pleased that we will be able to get this bill passed and we will be able to protect women's athletics here in the state of Nebraska. This is something that we've talked about for the last 3 years. It is, again, shocking that it's still something that we have to discuss. I do want to say that I get calls almost every week from parents whose daughters are dealing with this at school, from concerned dads who are saying, hey, my daughter has somebody in their bathroom, and he has a penis. That is upsetting, and it is stressful for these girls. It's stressful for the schools to understand what to do with it. Putting these guidelines in is important, and we need to make sure that we keep following up. Our athletics, as we look around the country, there are males taking women's sports; they're taking their places, their medals, their opportunities. Women are getting injured because they are participating against men in, in sports that they assume are all women. So as we go through the debate today, I expect we'll get slightly contentious, and I hope people remember that we are colleagues and we need to treat each other well, because at some point, we're going to need each other for another bill. I am grateful to all of my colleagues for being here, and being on the floor so that we can take our votes and making sure that this happens. This is just Select File, so we're going to go through to Final Reading as well. I encourage everyone to get up and tell us why this is important to you. Because this bill was labeled divisive at the outset, our time has been cut in half, so we had 4 hours on General File, 2 hours today on Select. So this will be a quick, quick bill, and I see from the queue we have a lot of people who want to speak. Again, please, everyone, temper your words, understand that everyone here wants what's best for the citizens of this state, and we are all working in our very best way to make that happen. I yield my time.

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

ANDERSEN: Thank you, Mr. President. I rise in support of LB89. I'm a proud cosponsor of the bill. I appreciate everything Senator Kauth has

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done moving this forward, protecting women and, and women's sports. And with that, Mr. President, I'll yield the rest of my time to Senator Kauth.

KELLY: Senator Kauth, 4 minutes, 42 seconds.

KAUTH: Thank you, Mr. President, and thank you, Senator Andersen. Let's see here. I'm not sure what I want to talk about more, because, you know, the, the bathrooms and locker rooms are an important component of this, but with this amendment, we will not have those involved, so this is about the athletics; this is about defining male and female in our state statute. And that is very, very important so that we all have a clear understanding of what we're talking about. When we get our definitions and they are incorrect or inaccurate, or we're talking past each other, I think that, that leads to a lot of misperceptions and a lot of inaccuracies. So this amendment will give us clear definitions of male and female, it will give a clear guidance for all the schools on how to handle their athletics, and I'm just-- I'm excited to get to this point, so. I yield my time back.

KELLY: Thank you, Senator Kauth. Senator von Gillern, you are recognized to speak.

von GILLERN: Thank you, Mr. President. I rise in support of LB89 and Senator Riepe's AM1138, which is a reasonable compromise on a very complicated topic. While my personal preference would have been that the bill would have moved forward without the amendment, I am in full support of moving forward with what Senator Riepe proposed in order to protect young women in sports. My youngest daughter was a high school and college athlete, and we enjoyed our time in the bleachers, and she greatly enjoyed the camaraderie and the lifelong friendships that were created from that experience. In fact, she's 31 years old now, and gets together several times a year with old teammates that, that she played college with, and they're, they're all enjoying this new phase of life that they're in, so it greatly impacted her going forward. I would venture to say that her experience would not have been the same had she had to compete with or compete against male athletes. It would have changed the camaraderie, it would have changed the dynamics, it would have changed the safety of the game, and would've been a-- certainly a negative to what actually she had, it was a very positive experience. I'm grateful for her experience and the way that it impacted her character and her work ethic, and we still see that show up in the way that she lives her life today. I'm very proud of her and, and the, the young ladies that we got to know through her on her

team, so. I stand-- again, I stand in support of the bill and the amendment, and I yield the remainder of my time to Senator Kauth.

KELLY: Thank you, Senator von Gillern. Senator Kauth, 3 minutes, 25 seconds.

KAUTH: Thank you, Mr. President, and thank you, Senator von Gillern. And congratulations to your daughter; she does sound like a terrific athlete. I want to-- as, as I've done the research on this topic over the last few years, one of the things that kept coming to my mind was, where are the feminists? Where are women who are standing up for other women and saying, hey, look, we want to be compassionate, but we also want to protect ourselves? We want to project our rights to individual autonomy, to opportunity, to be able to play a sport without having to worry about a guy in the room. One of the groups that I ran into is called WoLF, the Women's Liberation Front, and I want to read you the, the letter that they wrote in support of LB89. And that's really important for everyone to understand, this is a group that is actually from California. They started out there because they are so concerned about what's happening, and these groups have spread all over the country. So everyone is kind of paying attention to what's going on in Nebraska. So for the WoLF Liberation Front from-- it says Women's Liberation Front is a national radical feminist, nonpartisan, nonprofit dedicated to restoring, defending, and advancing the rights of women and girls. And first off, we agreed when I first spoke with them that we will not agree on quite a few numbers of issues, but this one, we are able to come together. And I think that's very important when we're talking to people in our state, and we're talking to people about difficult, difficult issues: we don't have to agree on everything to work together on some things. We support the state legislation by Nebraska to protect sex in the following circumstances: public restrooms in schools, and sports-- keeping female sports female. The Women's Liberation Front has long supported safe spaces for women, such as bathrooms, changing rooms, locker rooms, and any other space reserved for women's use exclusively. The practice of making public restrooms and locker rooms in schools all-gender has led to voyeurism, assaults, and rape. This violates the human rights of women and girls by capriciously placing them in dangerous situations to accommodate the feelings of men and boys seeking to enter women-only spaces. Girls and women use women's restrooms to attend a personal, intimate care exclusive to the female sex. Having men and boys be able to drop in at will means no girl has any privacy, and fears restroom and locker rooms. Female-only sports are incredibly important because they ensure that women and girls will continue to have opportunities related not just to winning sporting events, but

opportunities to advance their educational opportunities and careers. On average, females are smaller, weaker, and slower than males. This statement is not meant to diminish the amazing capabilities of the female sex; it is merely a fact based on biological reality. In competitive athletics, women and girls on average are at a serious disadvantage when they're forced to compete against men and boys. It is incredibly unfair to force women and girls to compete against males. When female athletes are forced to compete against males who try to present themselves as females on teams, girls are deprived of titles, records, medals, scholarships, opportunities to win or to participate fairly and safely. All across our country--

KELLY: That's your time, Senator.

KAUTH: Thank you, Mr. President.

KELLY: Thank you, Senator Kauth. And you're next in the queue, Senator.

KAUTH: Excellent. Thank you, Mr. President. I will continue reading this wonderful letter. All across the country and globally, men and boys have taken advantage of being allowed to identify as female in order to enter and win athletic competitions against women and girls. When these boys and men win, they not only win accolades and prizes, but they also take away scholarship opportunities and career advancement opportunities for women and girls. The website shewon.org tracks losses by female athletes to males pretending to be women. Over 1,000 medals have been lost to more than 700 females, awarded to men who identified as women in order to compete against them. In no world is this fair to women and girls. LB89 seeks to protect girls in Nebraska public schools and those on teams in nonpublic schools who play against public school teams by ensuring they don't have to compete with boys on their teams. It protects women from having to compete against men in the women's category of sports. I urge Nebraska leaders to support LB89 to protect the private spaces in schools for women and girls, and keep women's sports for females. All women and girls deserve the chance to play sports and win games and competitions on a level playing field, which is to compete against other girls. And then, Sharon Byrne, who's the executive director, makes the offer to speak with anyone. She is more than happy to talk with any of the Democrats, any of the, the feminists, any of the men who are interested in protecting their daughters, or anyone who just has questions about how a radical feminist organization is supporting this and why. And so I would encourage you to reach out. I can provide you the contact information, and I'll go through some of the other

organizations that I've been in contact with that are highlighting this issue and that are working across the country to make sure that while compassion is engendered for people who are dealing with gender dysphoria, that compassion is also extended to the women and girls who just want to play. Thank you.

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

STORM: Thank you, Mr. President. Good morning, colleagues. Good afternoon, colleagues. I stand in support of LB89, and I will support AM1138 and, and advancement to Final Reading. I fundamentally believe men should not be participating in women's competitive sports; it's not safe or fair for women participating in those sports. We know there are significant biological differences between men and women. Men tend to have larger heart size, more hemoglobin, leaner body mass, larger and more dense bones, larger lung capacity. Even with hormone replacement therapy, these differences don't disappear entirely. Ignoring these realities did not-- does not change the facts. Separating sports between men and women is done to create a space for women to achieve athletic success in their own light. LB89 is not an exclusion; it is maintaining integrity in the sports, and provides both men and women with an equal opportunity to strive for excellence. And I, I want to repeat that: LB89 is not about exclusion. I can imagine nothing more frustrating as a female athlete than working and training for years to become the best you can be, only to lose. Not because they trained less or have bad technique or because their bodies work differently, something that is entirely out of their control. God created men and women equal in dignity, but different, and I think that's important for people to understand. This isn't about-- this isn't just about to-- who wins; it's about that a girl who might have had the highlight of their athletic career by qualifying state-- for state only to lose that opportunity because they lost that spot to a boy. It's not-- it's about protecting opportunities that women fought for over decades before the implementation of Title IX. By letting these individuals compete in women's sports undermines the entire spirit of Title IX. Female athletes across the country have been bravely standing up and speaking out on this issue not because they want to exclude people, but because they want fairness. We as the Legislature should work to uplift and preserve the spirit of Title IX, and ensure that women and girls continue to have a level playing field. I ask for a green vote on LB89. And on a personal note-- and I've said this before in the, in the General-- when we voted on General-- I have three daughters. One's a seventh grader, one's a freshman, one is out of college, married,

had our first grandbaby; they all compete in sports, and, you know, we've talked about this, and this is a concern. So when I hear people say this isn't a concern for young people, my daughters talk about this. They talk about the fear of having to compete against biological boys. They go to a private school, so we don't have to worry about boys in the locker rooms; it's not a concern, thank God. But it is, it is an issue. So when I hear people say this is not an issue, we don't need to deal with it-- this very much is an issue. It's an issue on the national level, and it's an issue on the state level. I've received emails from people across Nebraska, one specifically in Bellevue, who said that his daughter every day goes into a locker room where a biological boy sits in there while they use the restroom. Huge concern. And so we need to pass this as a state. That's why we were elected to come here and serve in this body, is to, to, to pass laws like this. And with that, I'm going to yield my time to Senator Kauth.

KELLY: Thank you, Senator Storm. Senator Kauth, 1 minute, 25 seconds.

KAUTH: Thank you, Mr. President, and thank you, Senator Storm. I, I sense a theme here, a recurring theme. So one of the things that we are going to talk about are the definitions. How much time do I have?

KELLY: 1 minute, 5 seconds.

KAUTH: OK. I'll get to the definitions later. The supporting women's right-- the Stand with Women Act is a testament to the ongoing fight for women's rights and equality. By recognizing and addressing the unique challenges faced by female athletes, LB89 reaffirms our commitment to supporting and empowering women. It ensures that the progress made in women's sports over the years is not undermined, and that female athletes continue to have equal opportunities to thrive. Women's rights to privacy, safety, and opportunity should never be considered secondary to the wants of men. When we initially introduced this in 2023, Carol Frost, who is the mom of Scott Frost, came and testified. She was one of the people who was-- the athletes who was first affected by this in the 1970s, and she vividly remembers what a dramatic change there was. I was in high school in the early mid-80s, and I can remember the schools having these discussions about what teams we had, and we had to have a corresponding team for the girls because of Title IX, and when I was 14, Title IX--

KELLY: That's your time, Senator.

KAUTH: Thank you, Mr. President.

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

BOSN: Thank you, Mr. President. I rise in support of AM1138 and LB89. Colleagues, I think the focus of this bill is on protecting women's sports, not discouraging anyone from participating in sports. I think at the heart of this, we all want kids to participate in athletics, and sports to be safe, to be fair, and to be inclusive. And I think in order to do that, the rules that are being implemented in this piece of legislation are appropriate and necessary. It'd be the same thing-- and I know I touched on this the last round of debate-- if you had a 12-year-old who wanted to participate on an 8-year old's team; it would be unfair, but also would be unsafe. And so I see this from that perspective, and I certainly recognize some may disagree with me. But I think when you have a league that's designed for an age bracket or a certain gender, you want-- you would not only be concerned about the safety and the fairness, but also about what that's teaching those children as far as how the rules are played-- how the game is played. I know I also talk routinely about the privilege of being a mother, and I have four small children, three of whom are daughters, and part of the reason I support this legislation is to protect them and the countless other little girls who want to participate in sports and be treated fairly. Thank you, Mr. President. I yield the rest of my time to Senator Lonowski.

KELLY: Thank you, Senator Bosn. Senator Lonowski, you have 3 minutes, 22 seconds.

LONOWSKI: Thank you, Mr. President. Thank you, Senator Bosn. I stand in support of LB89. I feel for young people who suffer from gender dysphoria, I truly do. I think that allowing young men who are now trans women to participate in women's sport is an obvious mistake. Just 2 days ago, a young trans athlete in California won the high jump and the triple jump and the long jump, all three. That means the gold medalist in the female division is now silver medalist; the silver medalist now bronze, on down the line, and the person who is in sixth place doesn't receive a medal. If that's a state tournament, that's a big deal. If that's districts qualifying for state, that is a big deal to someone. I have a lot of evidence here, but let me tell you, if you're in a locker room and you're a young ladies basketball team, track team, whatever the team might be, but there's the fear that a young man might be in there, whether he's suffering from gender dysphoria or not, it changes the way everyone in that locker room behaves, reacts, and moves on. Normally, many schools require or encourage their athletes to take showers. I believe this will inhibit

a lot of people, even if just the fear of someone who is not their biological sex could possibly be there. I want to read an email response I gave to a transgender parent, because I truly feel sorry for, for their children: Thank you for your email. I do not feel that LB89 is discriminatory, but rather protective. I do not believe transgender students are pedophiles, nor do I believe they would harm anyone. However, I do believe that some trans women could be 6 feet tall and 210 pounds. Now remember, many of our schools in this state, they're a 7-12 high school. That means in the same bathroom, a little 7th grade girl could be going in and be-- and encounter an 11th or 12th grade gender of-- someone suffering from gender dysphoria. Does that affect that little person? You're dang right it does. Does that mean she's probably going to deny going to the bathroom again? For sure it does. On to the email: Is it possible for female athletes who may wish to shower after practice and are confronted by trans women passing through also decide to use the shower room? That could have traumatic effects on young people. We must be concerned about--

KELLY: That's time, Senator.

LONOWSKI: --protecting all people-- thank you, Mr. President.

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

J. CAVANAUGH: Question.

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

CLERK: 23 ayes, 11 nays to place the house under call.

KELLY: The house is under call. Senators, please record your presence. All unexcused senators outside the Chamber, please return to the Chamber and record your presence. All unauthorized personnel, please leave the floor. The house is under call. Senators DeKay and von Gillern, please return to the Chamber and record your presence. The house is under call. Senator John Cavanaugh, how do you wish to proceed? Very well. Mr. Clerk.

CLERK: Senator McKinney voting yes. Senator Raybould voting yes. Senator Holdcroft voting yes. Senator Arch voting yes.

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KELLY: Record, Mr. Clerk.

CLERK: 27 ayes, 3 nays to cease debate, Mr. President.

KELLY: Debate does cease. Senator Riepe, you're recognized to close on AM1138.

RIEPE: Thank you, Mr. President, and members of this Chamber. I, I want to first of all say how much I appreciate the support. I also want to say how much I respect and appreciate women's sports, and how it is important to protect them. I'd like to also say that I know Governor Pillen is very supportive of this effort, and it's also important for women to have not lost scholarships, that they would not lose awards, they would not lose their self-esteem and everything that goes along with being a, a, a spectacular or even an average athlete, if you will. When boys are not in-- participating in sports, boys are not going to be in girls locker rooms. It's just-- they're not there, it's not going to happen. I, I appreciate everything, and I would ask for your green light-- or your green vote. And thank you very much, Mr. President.

KELLY: Thank you, Senator Riepe. Members, the question is the adoption of AM1138. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 34 ayes, 8 nays on adoption of the amendment, Mr. President.

KELLY: AM1138 is adopted. I raise the call. Mr. Clerk.

CLERK: Mr. President, Senator Dungan would move to amend with FA118.

KELLY: Senator Dungan, you're rec--

CLERK: Sorry, Mr. President. My apologies. It sounds-- Senator Dungan, it's my understanding that you'd withdraw FA118 and FA119.

KELLY: So ordered.

CLERK: In that case, Mr. President, Senator Conrad would move to amend with FA120.

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

CONRAD: Thank you, Mr. President, and thank you, colleagues. This amendment came up a bit more quickly than I had anticipated. Before I plan to withdraw the amendment at the conclusion of my remarks, but

since the queue is very, very full this evening and there are a lot of members who want to share their perspective, I thought that I would briefly utilize this opportunity to express gratitude to Nebraskans who took time away from their jobs and their family and community to be here. I know debate was not supposed to start until 6:00, so the early birds definitely had to make extra care and attention in their daily lives to be a part of the debate earlier than expected. I also want to expe-- express my sincere apologies to trans Nebraskans and their families. I'll-- having served in public life, this is my 11th year in the Legislature and decades in public life in Nebraska. As a mom, as a civil rights attorney, and as a public official, I'm not sure if I've ever seen a phenomenon such as this where one day a group of Nebraskans and their families woke up and were literally under attack by their government. After paying their taxes, working hard in their fam-- working hard in their jobs, serving their community, raising their families, serving in the military, voting, being good citizens, being good neighbors, and a manufactured political attack swept across this country and disrupted their well-being, and their lives, and their health and their mental health, and their family harmony and community harmony. And not only has it been hateful and harmful for trans Nebraskans, who are Nebraskans and who are our neighbors and who are a part of the Nebraska family-- no matter what anybody in this body says otherwise, we see you, we hear you, and we love you. And even if we don't have enough power in this body to star-- stop state-sanctioned discrimination against you and your families, we'll never stop fighting for civil rights, we'll never stop fighting for fairness, we'll never quell the love in our heart in the face of hate and harm and discrimination. Because when our politics are the most acrimonious and the most toxic-- which is part of the cynical manufactured strategy to divide us instead of bring us together, to inject divisiveness into our relationships and our problem-solving. And when we succumb to the temptation to meet divisiveness with divisiveness, which is an understandable temptation, we diminish ourselves to the point where people who are pushing these measures want us to diminish ourselves to, and we will not. We will use our voice and our vote to stand witness against hate and harm. But rather than throwing up our hands, rather than furrowing our brows, we're going to choose love, and we're going to lean in with more love and light when faced with darkness because we're unafraid of each Nebraskan having the opportunity to be their best, to be who they are. No matter who they are or who they love, they remain a part of the Nebraska family. I'm grateful for all of the families who've contacted my office, my colleagues' office, who've shared their hearts, who've shared their stories, who've provided credible research, who've

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engaged their government, who showed up year after year after year over the last couple of years when this manufactured political attack began, when it came to Nebraska. It's been an arduous journey, and I know it's worn on your hearts and is heavy in your mind. But you sharing your personal stories has made a difference. You being proud of you, who you are, and your family, and your contributions as Nebraska makes a difference. And no matter how the votes might shake out today on this matter or otherwise, we're not going to stop fighting for fairness and equality and dignity for all. Those are American values. Freedom to be who you want to be. Nondiscrimination at the hands of your government. Love and dignity for each in the human family. And here is the thing that proponents of this measure don't seem to grasp: you can't beat people who don't quit. And those of us who stand on the right side of history and in support of human rights will not stop until each member of the human family is afforded equal rights and human rights. I look forward to continuing that fight with each of you, and I thank you for your love and compassion in the face of hate and harm. Thank you, Mr. President. I'd like to withdraw the amendment.

KELLY: It is withdrawn, so ordered. There has been an objection. It is the right of a member to withdraw their member-- their amendment. Senator-- Mr. Clerk.

CLERK: Senator, Senator Conrad would move to amend with FA121.

KELLY: Senator Conrad, you're recognized to open on FA121.

CONRAD: I'll withdraw that amendment at this time, Mr. President. Thank you.

KELLY: It is, it is withdrawn. So ordered. Mr. Clerk.

CLERK: Mr. President, Senator Conrad would move to amend with FA122.

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

CONRAD: Thank you, Mr. President. At this time, I'd like to withdraw the amendment.

KELLY: It is withdrawn. So ordered. Mr. Clerk.

CLERK: Mr. President, I have nothing further.

KELLY: Senator Guereca, you're-- Senator Guereca, do you have a motion?

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GUERECA: Mr. President, I move that LB89 be advanced to E&R for engrossing.

KELLY: That is a debatable motion. Returning to the queue, Senator Jacobson.

JACOBSON: Thank you, Mr. President. I don't have a lot to say on this issue other than we're probably going to hear a lot of floor debate about things that are not in this bill. OK? This bill was essentially divided with the amendment, and all we're talking about here is protecting women in athletics from having biological men compete against them. That's what's in this bill. End of story. It's not making a political statement, it's not saying someone's less than somebody else; what it's saying, it's a matter of fairness, which I would like to think that we all regard as something we should admire. Fairness. Senator Lonowski made it clear just this last week the number of biological men competing in women's sports winning. I remember the day when the Olympics used to test everybody for doping. Why bother today? I mean, why bother? Why do we have women-- women's and men's sports? Why don't we just have sports if we're going to have biological men competing in women's athletics? I, I, I-- this is mind-boggling for me. This is such a simple answer on the question before us today. We're not talking about locker rooms, we're not talking about bathrooms; we're talking about competition in sports. End of story. This isn't virtue signaling, this isn't saying that whoever brought this bill hates trans people. No, they actually love fairness in sports, and don't want to see women who have worked since they were little children in their sport seeing their crowns taken away from them because a biological man is competing with them in that same sport. I don't care where you go, but if we took a vote across the state, overwhelmingly, Nebraskans believe that that's the right thing to do. So I'm going to be interested to hear what those who oppose this bill are going to say to defend themselves, and what they would say to a, a woman or a girl who lost to a biological man because we aren't preventing that from happening. If you want to be transgender, be transgender. If you want to play sports, play, play the sport in a-- in the, in the-- within the sex that you were born. Nobody's stopping that. This is a commonsense bill. This is the minimum that our citizenry would expect from us. With that, I'd turn over any remaining time-- how much time do I have left?

KELLY: 1 minute, 55 seconds.

JACOBSON: I'll give it to Senator Kauth, just because it's not 3 seconds. Thank you, Mr. President.

KELLY: Thank you. Senator Kauth, 1 minute, 46 seconds.

KAUTH: Thank you, Mr. President, and thank you, Senator Jacobson, and thank you for your passionate defense of this bill. LB89 is going to provide very clear and consistent guidelines for the schools. This is going to help prevent a lot of misunderstandings. Getting this bill in place will make sure that everyone understands if you see someone playing sports and you think, gosh, that looks like it could be a boy, or it could be a girl, and, and you're not sure, you can now have the trust that it is of that sex; that person is of that sex. We have to be able to live in a high-trust society for ours-- our, our community to actually work. We have to be able to trust that everyone else is following the rules, following the laws. This, actually, is going to prevent people from being questioned and attacked because they look different, because everyone will know that they're paying attention to the laws. One of the aspects of this bill is to make sure that the definite-- I mean, when they sign up for athletics, a doctor signs off on the fact that they are either male or female. And that's very important, because birth certificates can be changed. Nebraska is one of 44 states where birth certificates can be changed, so when the NCAA came out and said, well, we'll just go based on birth certificate, that actually doesn't do much. All that does is say, hey, if you present a piece of paper that says something, even though we know it not to be true, we have to go based on that piece of paper. So now we are saying a doctor has to put their name on a piece of paper saying "I attest"-- not attest, because that is a legal definition-- I am standing by the fact that this person is either--

KELLY: That's your time, Senator.

KAUTH: --male or female. Thank you, Mr. President.

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

HOLDCROFT: Thank you, Mr. President. Well, since we're bragging about our daughters, I had three outstanding daughters who competed at the varsity level in high school, and they got their athletic skills from me because my wife is a terrible athlete. The oldest, she competed in soccer, the middle one competed in softball, and the youngest, she completed in track, and I believe that their-- the competition that they faced and the leadership that they demonstrated was key to the success, the success of their careers in the rest of their life. The oldest, a graduate of Villanova in engineering, went on to a, a, a career in the Navy. She was on board a destroyer in the Red Sea that

launched Tomahawks against Iraq in Iraqi Freedom; she went on the Pacific Fleet Propulsion Examining Board, certifying ships' engineering plants. She got out of the Navy, she came back to Nebraska, she got married, she has three kids in Springfield. The middle child, she went to UNK, got a degree in computer science; she is currently a, a software engineer, making a lot of money in Vermont. Again, very successful. And then the youngest for-- the one I'm most proud of, she competed in, in track; she still holds, I think, one of the top 10 times at Gross High School for the 100-meter dash. She is a graduate of UNL. She got a very high score on her ACT, she attended under a Regents Scholarship and a Navy ROTC scholarship. I never paid a dime for her education at the university; that's why she's my favorite. So then she went into the Navy. She is-- she was a nuclear-- a certified nuclear engineer. She served on two ships: she was on the Harry S. Truman in the Persian Gulf when we were launching strikes against the Islamic-- what was it-- the ISIS group, out of Syria. So then she got out of the Navy, she now works for Northrop Grumman. She's married, she has one child. But it all goes back, really, to those high school days when they competed. They competed against other girls. They didn't-- and they were successful, and that built confidence, and I'm sure that was key to the follow-on experience that they had and success that they had in their following, following life. So to take that away from them today is, I think, criminal. So with my remaining time, I did do a ChatIPT [SIC] query, and I'd just like to tell you what AI says about this. Under biological differences and fairness, physical advantages even after hormone therapy, transgender women may retain physical attributes developed during male puberty, such as bone density, muscle mass, lung capacity, and height, which can confer on, on competitive advantage in many sports. Long-lasting effects of test-- testosterone. Research suggests that the effects of testosterone during male puberty are not fully reversible, even with years of hormone suppression. Equity in women's sports. Opponents argue that according-- allowing transgender women to compete may undermine decades of effort to create equal opportunities to cisgender women in sports. And then safety concerns. In contact sports like rugby or MMA, physical disparities could increase the risk of injury for cisgender female athletes. Critics contend that psychological advantages could compromise not just competition, but also the physical safety of other athletes. The integrity of women's categories. Many argue that women's sports exist to provide a level playing field for those without the psychological advantages of male puberty, and that mixing categories could erode the rationale behind sex separation competitions. Public support and perception. Some claim that public opinion often favors policies--

KELLY: That's your time, Senator.

HOLDCROFT: Thank you, Mr. President.

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

GUERECA: Thank you, Mr. President. One of my colleagues just said this isn't a political statement. Absolutely. Folks, it's a political stunt. Let's be honest. This is a solution in search of a problem that just does not exist. 500,000 athletes currently compete, compete in the NCAA; less than tens have been trans. Their-- the NSAA put together a certification process if a K-12 athlete that was trans wanted to compete; I believe it was less than five went through the process. So let's just be real clear what this is, folks. But let's, let's, let's talk this through practically. So in the bill, in Section, Section 4, subsection (a): prospective athletes shall provide each school or pro-secondary education institution confirmation of such student's sex on a document signed by a doctor or signed under the authority of a doctor. Cool. Now, how is this going to work? It's a middle school basketball game, and a dad says, wait a minute, I think that's a boy. What's the process? Does the coach have to then carry around all of these certifications with them everywhere they go in case a dad decides to say, hey, what about them? Who do they show that documentation to? Now, we're running into student privacy issues. Here's a medical document with the student's name, potentially their address, other medical information. Who gets to see that? Who certifies that? Is it the, is it the dad? Does the parent get to say-- whoever the-- makes that objection, do they get to see what the documentation is? Is it the teacher? Is it a coach, referee? And, again, there's medical information on that document. How, how is this going to be done? They probably have the votes to pass this, but let's think this through, folks. How is this going to be done? You have to carry around-- I-- it's, again, a solution in search of a problem that doesn't exist. Sure, we can get up, and it'll make for great sound bytes for my, for my colleagues' reelection campaigns, and, you know, great. We're all-- they're all going to feel good about it, but this is just creating a bureaucratic nightmare for our schools and for our coaches. Thank you.

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

CLERK: Mr. President, Senator Dungan would move to amend the bill with FA239.

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

DUNGAN: Thank you, Mr. President, and good evening, I guess, colleagues. It's 5:30 now. So this is an amendment to strike Section 1. There's been a lot of questions and a lot of people kind of flitting about, wondering what's going on, and, you know, dropped this amendment because I wanted to make sure we had an opportunity to talk. We've heard a lot of people get up so far and talk about how this is about fairness, and how this about equity, and how this is about protecting people. In my opinion, colleagues, this bill is about the exact opposite. We heard earlier on the mic somebody say this bill is not about discrimination. Well, whether you like it or not, this bill literally discriminates. It picks one group of people and it treats them differently than another. And if I have the time later, you'll get to hear me talk a little bit more about what discrimination is allowed and what's not allowed under different levels of scrutiny. But at the end of the day, you don't get to put your head in the sand and pretend like this isn't discrimination; it is, and you have to be comfortable with that. If you're voting for this, you just have to be comfortable that you are deciding to treat one class of people differently than another. And the question that you have to ask yourself is, do I think the reason we're doing it is good enough? And that is ultimately where the courts will get involved. But before we even get into any of that, we also heard earlier that this is not political, that nobody's trying to make a political statement. Well, there's a phrase that second-wave feminism made popular back in the late 1960s, which is that the personal is political. You may have heard that. The personal is political. And what that means is that people's everyday lives are inherently political. The social decisions they make, the political decisions that we make, they're all intertwined. And if you want to pretend like the decisions that we're making here today are not personal, it's incorrect. They're absolutely personal decisions, and they are political decisions that we are making. You are picking a side. So I just want to make that incredibly clear. The people that are opposed to LB89-- many of which are here today; they're in the Rotunda, they're up in the balcony. I can't see them, but they're up in the balcony above me over here. They will tell you, if you ask each and every one of them, what the actual ramification of this bill is to them. It's not academic, it's not just on a piece of paper, it's not about an article you read in the New York Post about a competition that happened somewhere in California that doesn't even affect you. It's about people's lives. I've had the opportunity-- the honor, I'll say-- to sit down with family members of people and individuals who are trans, and I've asked about these

bills, and I've, I've said to them, listen, I'm genuinely curious, how has your life changed since LB574 was passed? How do you anticipate your life to change with LB89? And each and every one of them has given me the honor of them sharing their personal stories with me, and it's incredibly heart-wrenching, colleagues. I've talked to young teenagers who have talked about wanting to leave Nebraska because they don't feel welcome, and I've, I've talked to young teenagers who have said to me, I love Nebraska, I love Lincoln, I want to stay here, but I don't think I can because I don't feel like I'm welcome in the state. And so whether or not that's your intention, whether that's how you feel-- you can sit up here and you can say, ah, I don't want anybody to feel like this is-- you know, I'm not trying to be mean, but it has that impact. And in politics, it's a dialogue, right? We make decisions that have an impact on other people, and regardless of your intent, the impact is what matters when we talk to people. And so there are any number of reasons that LB89 is problematic, but I, I want to be very clear, the very conversation that we're having is part of the issue because people have to listen to us debate their humanity, and people have to listen to us bicker back and forth about whether or not we think they deserve protections. And so, colleagues, it is very clear to me that this is a political stand, this is a political issue. And for those who are arguing that it's common sense, I would tell you that the people on the other side think it's common sense to just let people live. What's more Nebraskan than staying out of other people's businesses, right? We hear that all the time. Instead of occupying our time with trying to come up with new ideas to make home ownership easier, instead of occupying our time with trying to come up with ways to make property taxes lower, or instead of occupying our time with trying to make it a little bit easier to get access to health care, we spend our time on this. It's Day 79, colleagues. We are very short on time, and yet, we continue to debate these issues. And I will tell you, it's very disappointing. And to those who are watching at home, to those who are here today, I will say yet again: we love you, we care about you, we hear you, we see your stories, we, we understand your backgrounds, and I'm sorry that you have to keep having these conversations amongst your community, and I'm sorry that people have to keep hearing us talk about these things and be dismissive and be harmful, because that's what it is. So, colleagues, I, I start with that because I do think it's important to situate where we are. And I understand there's not been a lot of pushback today yet on LB89 for various reasons, and I think people were kind of getting in a rhythm there and getting in the flow of talking about how fun this bill is, and how easy it is, and we're just doing this little thing, and it's super simple, when in reality, no,

colleagues; this is a huge deal. So I dropped this amendment because I maybe wanted to get up and remind people that this is a little bit of a big deal and it is something that's important and heavy, and it should be hard. I've heard a lot about sports, and I understand with the amendment, we're talking more about sports than other things. I would segue, I guess, from that conversation into what the intent of this bill actually is. I have questions about implementation, I have questions about enforcement, but above all else, I have the same question that a court is going to have when they analyze whether or not we have the right as a state to discriminate based on gender, which is what this is. This is discrimination based on gender. You're saying that a person is not adhering to their gender norms, and, therefore, this is a discriminate-- discrimination based on gender, which means it has to survive intermediate scrutiny in the Supreme Court. In order for it to survive intermediate scrutiny, it needs to have an important governmental interest and a substantial relationship between that important governmental interest and the discrimination that we've enacted. Colleagues, I would posit to you that this government-- that we, the state Legislature, do not have an important governmental interest in making sure that somebody gets a certain place in a sporting event. Women's sports are great; women's sports are an essential part of the fabric of Nebraska; and women's sports exist, even if trans women are participating in them. Nobody is being deprived access to sports. Nobody is being deprived access to participating on a women's team. It is not an important governmental interest in the eyes of this Legislature or the court in order to say somebody should be fifth instead of sixth. Take, for example, the hypothetical that was posited-- and I think it was an Ohio case recently about a very similar law that was enjoined. They talk in that hypothetical about how, if there's a young woman, seventh grader, let's say, who's participating in track the entire year, and her scores or her times throughout the entire year estimate that she would end the season ranked 15th. And then a new person moves to town, a young woman, seventh grade; she then starts participating in track. Towards the end of the season, she starts doing a little bit better than our first friend, and now, the first girl's scores make it so she's projected to finish 16th. Would that give you the reason to utilize otherwise unconstitutional discrimination? No. That is not a good enough reason to discriminate based on who somebody is or where they are. Would you be able to discriminate based on any of the other unconstitutional categories simply because you wanted to make sure girl A got 15th instead of 16th? Of course not. That's preposterous. So if in fact your goal is to ensure the placement of individuals in women's sports, I would argue to you, as I believe any court would,

that that is not a good enough reason to literally legislate discrimination. If, however, your goal is to simply discriminate based on the fact that somebody is trans and that you are afraid of them, or you think that they're going to cause problems, that is not a valid form of discrimination, and I cannot think of any important governmental interest that would rise to the level of validating otherwise unconstitutional discrimination in that context. Women's sports are not in threat; women's sports are thriving in the state of Nebraska, and LB89 does nothing to protect the entirety of women's sports. What it does is it seeks to tell people in our community that they are different, that they are worse, and that they are scary when we know for a fact, if you take even 10 seconds to meet with these kids, to meet their families, that they're none of those things. They are just like you. And all they're asking, frankly, colleagues, is to be left alone. We don't have to legislate based on them; we just got to shut up. Thank you, Mr. President.

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

DORN: Thank, thank you, Mr. President. I stand in support of LB89 and against FA239. One of the comments I'll make is enjoyed listening to the comments today, all the discussion. What-- part of what I remember coming up here 6 years ago or 7 years ago, this probably wasn't, I call it, a, a topic that was front-and-center. 2 years ago, it was. We had LB574, kind of had a lot of issues in that session. Remember all that signing ceremony we had with that, and some discussions I had. Listening to, I call it, Senator Dungan and some of the other senators, Senator Jacobson, I agree 100% with him on what this bill does. All I have to say is that this bill, the last three, four issues, this type of topic has been front-and-center up here; it's been very important part of this legislative body. Just because we pass this bill, LB89, tonight, today, this week, doesn't mean that this is going away. There will be a bill next year, there probably will be a bill the next 2, 3, 4 years. There will be more conversation, there will be more things in this line of [INAUDIBLE] discussion that will be brought forward. Thank you, and I will yield the rest of my time to Serren-- Senator Sorrentino. Thank you.

KELLY: Thank you, Senator Dorn. Senator Sorrentino, 3 minutes, 25 seconds.

SORRENTINO: Thank you, Mr. President. I rise in favor of LB89 and, and opposed to FA239. We just heard Senator Dungan talk about this bill being about discrimination. Discrimination is not a one-way street.

16th Street is a one-way street, just out in front of the Capitol. I am privileged to have been allowed to participate as an athlete all my life, and for the last 7 years as a coach for a women's collegiate cross country team. Most of these ladies have been training since grade school in order to earn trips to high schools and colleges and scholarships, and all the rewards to go with that. I, I can tell you, to a young lady, they don't believe it is a level playing field for them to have to compete against biological males. They practice every day with their teammates who are biological males. In some cases, we use our slower biological male runners to try to test the females and pick up their speed and make it more competitive. It is not a level playing field. I want those who do not support LB89 to sit in-- stand in front of my young ladies and tell them, too bad. Too bad, all your efforts are for naught. Too bad, you will lose your athletic scholarship to a stronger, faster male. Senator Guereca just said, oh, there's only one athlete out there that's competing. I don't care if there's one or one million; it's about fairness. Too bad, you will not have the opportunity to participate and win at the highest level because of a stronger biological male. Too bad, there will be no im-- name, image, and likeness money for you. Too bad, you will lose self-esteem to a stronger, biological male. I'm voting for this bill for the ladies up to my right, and all women, all wives, all daughters, daughter-in-laws, granddaughters. I am on your side. I urge you to vote no on FA239 and yes on LB89, because this is a matter of fairness. 51% of this world is females, and I am for you. Thank you.

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

MOSER: Good evening, colleagues. Thank you, Mr. President. My wife and I have three daughters, and they were all involved in sports to some degree. Some of them were state champions, some of them not. But, nonetheless, they all participated at a time when it wasn't-- it, it didn't happen that boys tried to play girls sports. And I think that boys should play against other boys in sports, and girls should play against other girls, and I think that's only fair to just be able to say, well, I want to play against the girls, and you're a biological male. I don't think that's fair to the girls, I don't think it's fair to the, to the team. I support LB89 even with Senator Riepe's amendment, I oppose FA239, and I would yield the remainder of my time to Senator Hallstrom.

KELLY: Thank you, Senator Moser. Senator Hallstrom, 3 minutes, 45 seconds.

HALLSTROM: Thank you, Senator Moser. Thank you, Mr. President and members. I rise in opposition to FA239 and in support of LB89. I think one of the interesting things that hasn't been commented on are the comments and opinions that we've gotten from people that are both supportive of and in opposition to LB89. And I don't take exception with anyone who is adamantly opposed to LB89 as it was originally introduced or in full support of LB89 as originally introduced. But what I can tell you is from the opinions and the letters that I've received, one thing is pretty clear: those who support LB89 have almost exclusively, if not exclusively, focused on the sports competition and the fairness aspect of LB89. Those that opposed, in contrast, have almost exclusively, if not exclusively, focused on the bathroom and the locker room provisions. And so, as a result, whether you support or oppose LB89, the amendment that was brought forth by Senator Riepe is addressing the very issue that almost if not all of the opponents, at least in contacting me, have focused on, and those are being removed from the bill with the Riepe amendment that we adopted, and the supporters who have focused exclusively on the sports competition and fairness aspect of the bill have that remaining. So we have kind of an unusual opportunity here to have crafted a bill that addresses the primary concerns of both those who support doing something in this area of the law and those who would prefer that nothing or not as much be done. And I would note, everyone's entitled to their own opinion, but not their own facts. The discussion on this bill by some of the opponents has been very similar to other bills in manufacturing facts and suggesting that the supporters are saying one thing or another, whether it's on minimum wage or whether it is on paid sick leave, that somehow the supporters are saying the voters didn't know what they were voting on. I didn't hear any supporters say that during the discussion of these bills, and in this case, Senator Dungan just said, you're afraid of these people, you don't like these people. None of the supporters have said anything of the like. The only time you ever hear those comments is from the opponents suggesting that the supporters are saying things that they have not said. I agree wholeheartedly with Senator Sorrentino with regard to my focus in this bill being on the sports competition aspect. Folks are talking about their daughters; I, too, had three daughters, two of them qualified for state in golf, and in track, sprints and the high jump. My third daughter, Morgan, who we just celebrated her, her heavenly birthday this week, was in her-- in the eyes of her dad, an extraordinary point guard, but I would in no way, shape, or form want any of my girls to be competing against biological males. I don't care, as Senator Sorrentino quoted, whether it's one or one million; it's about fairness in that respect, and I think and I hope for

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everyone that's watching and looking at this and saying, if we've removed the bathrooms and the locker rooms from the bill and left only the sports aspect, that perhaps--

KELLY: That's your time.

HALLSTROM: --we've done a good thing. Thank you, Mr. President.

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

DUNGAN: Thank you, Mr. President. I just wanted to make a couple of more points, and then I'll be yielding the remainder of my time to Senator Hunt. First of all, somebody on the mic today has said that they're afraid of these people. Senator Storm mentioned actual fear of transgender women, so I would disagree. Maybe we misheard that. But the other part is, you don't have to say things out loud to mean them. And I'm not trying to put words in people's mouths; I'm telling you that what I'm hearing from the community is they are understanding that the people who are supporting LB9-- LB89 are afraid of them, don't want them here, don't support them. And the other part of what I said was that sometimes, language is a dialogue, and regardless of your intent, the impact is oftentimes what is most important. And so whether or not your intention to any of the supporters of LB89 is to tell our friends in the trans community that you don't like them or you don't want them here, or that they need to go do something else, I would say to you that that's not what they're hearing. They're hearing that they are ostracized, they're hearing that they are lesser, and I think that is really sad that that's how they feel. And for all of the people in this room who are saying that's not what I mean, that's now how I intend this, please, please, please come with me the next time that I go and I meet with some of these families. Sit down next to some of these folks, sit down next to the kids, sit down next to their parents, and let them explain to you how their kids play sports, how sports are the one thing that matters to them, how nobody else in their school knows that their child is trans, and how this bill is going to completely upend their life. Talk about the trials and the hurdles that they've had to go through to get to a place of understanding within their family, and they've finally found themselves in a place where they're comfortable, only to have our laws upend every aspect of their life. All they want to do is be left alone, and so sometimes, colleagues, it's not the part you say out loud that I'm most worried about-- worried about; it's the part that you say quietly with your actions. With that, I would yield the remainder of my time to Senator Hunt.

KELLY: Senator Hunt, 3 minutes, 2 seconds.

HUNT: Thank you, Senator Dungan. You know, while all of you old timers are standing up bragging about your daughters, how about I brag about mine? You'll hear a really different story. I want to push back forcefully on the central assumptions that are baked into LB89. The idea that cisgender girls don't want to play with transgender girls-- it's simply not true. It's a projection, and you're putting words in kids' mouths and fear into their hearts that are coming from you and your discriminatory beliefs, not from anything that they're experiencing. Most young people don't carry the kind of hate in them that you do. Most kids want fairness, inclusion; they want the freedom to play with their friends without being politicized. It's adults in this room and in legislatures around the country who are forcing division in spaces where it never existed before. This was never a problem before. If you actually talk to students, to athletes on the ground like my kid and her friends, you'll hear a very different story from the one that's being told here. You'll hear about teammates who support each other; about friendship, respect, and trust from each other, and from the coaches, and from the support staff. You won't hear kids demanding new laws to kick their friends off their team. That demand is coming from somewhere else entirely. So I'm very proud of all your children, but what does it have to do with this bill? This bill is not responding to a groundswell of concern from real athletes. It's not. There are some you will find that are discriminatory, and they do want trans people out of sports. They, they came and testified in our hearings. Some of them were paid to get flown in here; expenses paid to come discriminate against Nebraska kids. But this is not a respond to real problems in Nebraska; it's responding to a culture war that politicians invented and continue to perpetuate, like Senator Kathleen Kauth, because it gets them attention. And it's hurting kids who just want to play with their friends. You do not hear this kind of hate from kids, from athletes. And there hasn't been a lot of talk about trans boys in boys sports, has there? Why aren't you all worried about that? Aren't those girls to you? Don't you want to protect them? Not a lot of talk about that. The adults in this room are forcing division in spaces where there was none before, and you need to get out of your little bubbles. Ah. The experiences that your kids have have nothing to do with this bill. Think about experiences of kids like mine and how I feel when I hear you share these things, knowing how much you hate kids like mine. Thank you, Mr. President.

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

MURMAN: Thank you, Mr. President. I want to start by thanking Senator Kauth for her work on this. This year and the last couple of years, she has brought bold legislation about protecting our kids. Despite the strong support of most Nebraskans, she has been the subject of constant attacks. Despite this, she's not only persisted in, in her fight to protect our kids, but done so by-- while, while maintaining a level of decorum and respect, even when it was often not returned. I mentioned the strong support of the public, so let's start with that. A Gallup poll in 2023 found that nearly 70% of U.S. adults say transgender athletes should be allowed to compete only on sports teams that correspond with the sex they were assigned at birth. So no one is saying they can't participate in sports, transgenders can't participate in sports, but they must participate in the sport that corresponds with their sex at birth. Not only that, but this number was 8% higher than when the same poll was conducted in 2021. So there's even stronger support now-- and it's building-- than back at that time. It's not surprising that the majority of more-- of Americans support this kind of measure because ultimate-- ultimately, it's all about important and basic goal, fairness. And the reality is that male and female bodies are just naturally different, which, of course, leads to different trends in athletic performance. But don't take my word for it; all you have to do is look at the Nebraska high school sports records. Let's use track and field, for example. The Nebraska girls 1,600-meter dash state record is 4 minutes and 49 seconds. That's a very impressive time, and this person is clearly an amazing athlete. But the boys 1,600-meter dash state record is 4:09, so that's 40 seconds faster than the girls record. So there's not even a competition between these times. The girls pole vault state record is 13 feet, 4 inches; the boys record is over 3 feet higher, at 16 feet 7. And I'm going to take this opportunity to brag about my daughter. That's the reason I brought up pole vaulting. When she graduated in 2021, she was number three all time in the state of Nebraska. The girl that she competed against in Nebraska was third in the nation at that time, so my daughter, even though she was third all time in the state, never did win the state track meet in Class B because, even though had the second highest time in state, she didn't even win her class because there was another girl that was third in the nation. She never complained a bit about this, but I think if that person would have been a transgender boy, she would have act-- had some complaints, a little bit about it anyway. She was recruited by virtually every college in the nation-- UL-- UCLA, USC, Penn State. Ultimately, she decided to come to Nebraska, and I'm really glad about that. I didn't think it was that big a deal to be recruited from those other colleges at that time, but looking back, I think that was a

really big deal. So, furthermore, you can scroll down the list of Nebraska state track and field events, and you'll find just-- not find a single event in which a girls event has a faster or higher record than the boys record. The-- these are just biological realities. But the opposition today seems to disagree with the facts that males and females have these natural biological differences. This is sad news for all the young women of the past who fought so hard to bring Title IX into existence. The generation of female athletes of the past fought so hard to have that-- those athletic opportunities our students are able to enjoy today. But the modern gender ideology that says gender is a myth, that biological males have a right to the spaces of young women-- this ideology takes hold, the natural result is biologic--

KELLY: That's your time, Senator.

MURMAN: Thank you.

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

IBACH: Thank you very much, Mr. President. I rise in support of LB89, and I thank my neighbor, Senator Riepe, for his amendment, and my friend Senator Kauth for her willingness to bring this again this year. I'm going to direct my comments a little bit more toward the women athletes at UNL that came and stepped forward in support this legislation. They came to a rally, they spoke in front of us down at the Cornhusker. They showed really, really incredible courage and, and composure with no guarantee that their actions or their-- by them stepping forward, they wouldn't be ridiculed or judged by other members of, of the team, other members of UNL. But they just were really, really brave in their presentations, and that really made this bill become even more relevant. I think that they are true testaments that the opposition really, really has, has the-- a focus on the, the wrong intentions with this bill. With our recent recognition by President Trump and his staff, I think we're actually one step closer to having a national effort and to level that playing field on the national level. And since we're talking about daughters, my daughter Emily was-- she was a 5'1", 112-pound point guard, and her dad always paid her to foul because she, she was actually too kind on the court. But once we started paying her \$5 for every foul, she stepped up to the plate, for sure. But she's another testament that, that girls sports are just that: they're girls sports. And when she led her team to the state tournament in 2010, those girls were real representatives of what it is to be on a team, and how, how we need to recognize the

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difference in genders. With that, I would just thank the governor for his cooperation, his participation with this bill. And again, I'd, I'd thank Senator Kauth and Senator Riepe. And with that, I will yield my time back. Thank you, Mr. President.

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

SANDERS: Thank you, Mr. President. Good evening, colleagues, and Nebraska. I stand in support of LB89, and I support Title IX. It continues to have a transformation-- transformative impact on society. The landmark law passed in 1972 ensures equality in federally funded educational programs, including sports. Before Title IX, women were often excluded from athletics, their opportunities limited by their gender. Title IX opened the door and provided women with a chance to compete, excel, and dream big. Since its passage, Title IX has given women the platform to achieve at the highest levels, from college athletics to the Olympics and professional leagues. By allowing biological men to compete in biological women's sports undermines Title IX and negates women's powerful and impactful achievements. I support women, Title IX, and LB89. Thank you, Mr. President. I yield the rest of my time to Senator Lonowski.

KELLY: Thank you, Senator Sanders. Senator Lonowski, you have 3 minutes, 35 seconds.

LONOWSKI: Thank you, Mr. President. And thank you, Senator Sanders. I've heard people throw out the word "political," this is all political. Three years ago, when I was a high school teacher, some of the LGBTQ kids used my lunchroom-- or, excuse me, my classroom for their lunchroom. They asked to go in there because they did not want to go in the cafeteria. I did not say, yes, I love you, or no, I can't stand you. I said, of course, you can, and many times, I ate with them. No one asked me if I was a Republican or a Democrat, and it didn't matter at that time. And I didn't tell them it's OK for them to do or feel or act any other way; I just gave them that space. If this is not political, why did President Barack Obama come out and say he was against, against the LGBTQ movement, but once he was running for President and was in the party for a while, his ways changed? Maybe he evolved, maybe his party told him he had to. Nowhere in the bill do I see the word love nor hate; nowhere in the bill do I see discrimination. I don't even see LGBTQ or trans. I see the line we want to protect young ladies in high school and college sports-- not even college, high school. There's an assumption that we don't know any of these people. There's the assumption that we hate them, and

that's not true. The idea was brought up that a new kid moves in and she goes to the track, and now she beats someone else in an event. Well, if she decided to become a he, I bet the school would change the way they feel about it. I want to read a little bit from some of the medical journals. Post-traumatic stress disorder is a recognized mental health disorder. It develops after a person has experienced or witnessed a traumatic event. It's often used for military members. I know people with PTSD. I do not go to them and make a big bang behind them. I do not go to them and say, hey, we need to, we need to embrace these bombs and booms around you, if that's what caused it. Seems kind of silly. Types of eating disorders include anorexia nervosa, bulimia nervosa, binge eating disorder, et cetera. I do not go up to a young lady who has bulimia and say, here, eat as much pizza as you can. That seems kind of silly. Gender dysphoria is also a disorder, and we need to help young people, and help them to get through things, not to, to deny it, not allow them to go into-- young men into women's sports or young women into men's sports. We need to support them for what it's worth. That's not political ideology, that's not love, that's not hate; that's taking care of our young people. We do not want to deny the truth. Thank you, Mr. President.

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

CLERK: Mr. President, Senator Machaela Cavanaugh would move to amend with FA240.

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

M. CAVANAUGH: Thank you, Mr. President. This is just an amendment to give me an opportunity to talk to the, the kids, the adults, and the families that are watching. I'll start how I normally finish: you matter, you're loved, you're worth fighting for, and I will never stop fighting for any of you. I'm sorry that we're here again today. I'm sorry that we're listening to the words spoken that we're listening to. I'm holding you all in my heart as tightly as I can. I had a really wonderful conversation just a little bit ago with my colleague, Senator Rountree, and we were talking about-- this has been a hard day for a lot of other reasons. Yesterday was a hard day. It's been a hard legislative session, and this job has taught me something: that I am capable of so much more resilience than I ever thought possible. And it's not a lesson that I wanted to learn, necessarily, but here we are. And I see so many faces that I've seen so many times before, and you all are so resilient as well. And your children are beautiful. Our children are beautiful, and they don't deserve to hear the things spoken about them today that their elected leaders are saying, and I'm

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sorry for that. I'd like to ask if Senator Rountree would yield to a question.

KELLY: Senator Rountree, 8 minutes, 13 seconds.

M. CAVANAUGH: No, it's yield--

KELLY: Will you yield to a question?

M. CAVANAUGH: Thank you.

ROUNTREE: Yes, I yield to a question.

M. CAVANAUGH: Senator Rountree, would you share some thoughts with us today?

ROUNTREE: Yes, Senator Cavanaugh, I will. I rise today also-- I just stand with all of our, our human beings. Just want to let you know we love you, we stand with you. And I go back again that every morning when we say the pledge, we just say "one Nation under God, indivisible, with liberty and justice for all." For all. I was moved some weeks ago when we had in the Omaha World-Herald this one message from Nebraska faith leaders to our state senators, and they said: For all of our children, please oppose LB89. As Nebraska religious leaders, we affirm the rights and dignity of transgender Nebraskans. All children deserve the same experience of joy, friendship, and confidence that sports teams can provide. All human beings deserve to be treated with respect, and given access just to basic decencies, with liberty and justice for all. As a substitute teacher over in the Bellevue Public School systems, children are children; they play together, they recess together, have time-- they're friends. And when we come with division or separation, it definitely damages those relationships. But I also just want to read a letter from one of my constituents in District 3. This is from Alicia Olson [PHONETIC], and she writes: Dear Senator Rountree, as a constituent of yours-- this is from a social worker and a member of the Nebraska chapter of the National Association of Social Workers, I write in strong opposition to LB89. This harmful bill violates the core principles of equal protection under the law, equal protection under the law, as outlined in the 14th Amendment of the U.S. Constitution. This bill specifically targets transgender Nebraskans, particularly students, and mandates discrimination against them in both educational and state agency settings. It undermines the fundamental rights of the transgender individuals to live free of discrimination, regardless of gender identity. This bill harms transgender Nebraskans by creating

unnecessary, unnecessary barriers to their education and participation in society. It also negatively impacts their mental and emotional health, contributing to anxiety, depression, and suicidal ideation. I urge you to prioritize the mental health and well-being of all Nebraskans, all Nebraskans. I heard earlier from one of my fellow senators talking about PTSD and, you know, other things. I appreciate all the discussion that's been had, but as a pastor, I stand with love. I stand with love because Jesus loved us all. I do have another letter from one pastor that he wrote, but I won't go through that one, but I will just kind of finish it. He said: As a Christian, I'm aware of the teachings of Christ. Jesus summarized every rule in the Bible to love God, and to love your neighbor as yourself. Anything that intentionally harms someone else is not a Christian act. "But the greatest of these is love," as we have in 1 Corinthians, in Chapter number 13. So I just wanted to get up and share that. And I, too, have daughters; they have been great in sports, however, but they were both academically inclined to have excelled in that area. But as I walk forward, I know that as we deal with many bills in this Unicameral and we talk about life, we know that God is the creator and giver of all life. And so I'm going to stand and support all life, our humankind. And as we are here in America, I'm going to support that we have the opportunity to stand with liberty and justice for all. And with that, Mr. President, I will yield back my time to Senator Cavanaugh. Thank you so much.

M. CAVANAUGH: Thank you. Thank you, Senator Rountree. I almost called you pastor, there. Thank, thank you for those words. It's very uplifting. And-- how much time do I have remaining?

KELLY: 3 minutes, 28 seconds.

M. CAVANAUGH: Thank you, Mr. President. I, I just want to do the best that I can to fill you all with love, because that's all I feel for you, is love. And I see you, and I love you, and I just-- this has been a very long journey that we've been on. Some of you, most of you have been on it longer than me, much longer than me. But I, I just-- I hope that you can tune out the noise and feel the love that so many of us have for you, and let that be the message you take away to give you the resilience that you need for tomorrow. Thank you, Mr. President. I yield the remainder of my time.

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

CLOUSE: Thank you, Mr. President. I rise in support of LB89 for several different reasons, and, and one of them is, a number of years ago-- well, it wasn't all that long ago-- the Kearney Public School system went through extensive debates, extensive discussion, and, and they took the position to establish a school policy. The problem is, other schools around the state did not do that. They've worked with the NSAA and they've tried to work through some things there, but at the end of the day, it was, it was a very challenging and difficult decision for them, but it was one that they reached because they felt it was important for the fairness in the sports competition area. And that was mentioned earlier, and I've always-- that's always been my focus, is the fairness in sports competition. You know, we can make reasonable accommodations, we can do some-- a lot of these other things that was initially in the bill. And I thank, and I thank Senator Riepe and Senator Kauth for working together to come up with an amendment that, that hopefully we can work with everyone on. But I'm also reminded that it wasn't all that long ago-- and Senator Ibach referenced this-- when we had several UNL athletes-- women athletes, ask us to stand with them and support them because of things that they were seeing going on at that level. And so when I think about that, I-- it's important that they would have this side, the, the real-world side that they're seeing. And they had asked us to stand with them, and that's basically what we're doing here, with the Stand with Women. This also doesn't impact coed or mixed sports; those are all still available. We're strictly talking about the girls competition or, or women's competition, and I think that's important that we keep that in mind. So with that, I will yield my time to Senator Kauth, if she would like it.

KELLY: Thank you, Senator Clouse. Senator Kauth, 3 minutes, 4 seconds.

KAUTH: Thank you, Mr. President, and thank you, Senator Kau-- Clouse. Sorry. So let's talk about some of these comments that we've been hearing. There's been a lot of misinformation, a lot of, again, the hyperbole and hysteria that accompanies this. Senator Guereca was talking about how this is going to make it administratively a nightmare. Every student who does sports does an athletic physical. They have to have a physical to be in sports. There is no ath-- there is no nightmare. And just them being on the team, when this law is passed, means everyone knows that they are on the correct team. So that was just nonsense. Senator Dungan, really disappointed in the-- I'm presuming it was mistakenly misleading people that this is discrimination based on gender. First of all, this is discrimination, but it is discrimination against women when you allow men to be in their sports or in their private spaces. Title IX was put in place for

a reason, and it says that sex discrimination is allowed in certain circumstances like sports, locker rooms, bathrooms, anywhere where privacy is expected. Senator Dungan is implying that Title IX actually alludes to gender identity, which is very different; that's how someone feels about their sex. That is not what we're talking about. A trans woman is a male, period. You cannot change your sex. The only people being discriminated against when we allow men to play on women's teams are the women. And Senator Dungan actually said this: we just got to shut up. And that's what women are being told. Your voice doesn't matter. We are going to elevate an individual who's dealing with a very terrible disorder. Gender dysphoria is rough, there is no denying that. But you do not help someone by infringing on the rights of another. That is not acceptable in any way, shape, or form, especially not under Title IX. Senator Dungan also was saying the impact of language-- language is what's important with this bill. Well, women are hearing you say that they are less important than someone dealing with gender dysphoria. That's what is being said when you try to elevate men who believe they're women. Now, Senator Hunt made the comment that this does go the other way. Yes, it does. It is nowhere near as common to have women who believe they are males trying to get into male sports teams. That doesn't happen. Why? Because they would lose. But in Virginia, three boys were in a locker room, and there was a girl who believed she's male in their locker room; the boys were uncomfortable, and they were talking about how they were uncomfortable. She recorded them and turned them in, and said they were discriminating against her. How is that fair? That is not acceptable. We absolutely cannot allow--

KELLY: That's time, Senator.

KAUTH: Thank you, Mr. President.

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

STORER: Thank you, Mr. President, and good evening. I've listened to a lot of the debate, and I have jotted down some ideas. And at the end of the day, I just-- I have to confess I am, I am amazed that we are standing here in 2025 having to explain why we're defending women's rights. Now, I'm a 1960s-ish model, which was the second wave of feminism, so I grew up in the midst of that, and I've had a lot of strong women in my life who I'm-- admire fiercely, who have overcome a lot of issues living in a man's world. I'm a ranch girl, for those of you who don't know it, and anybody out there who knows can-- know what I mean by that. You grow up in a men's world, and you just learn to be

a little tougher. But the fact that we're standing here in 2025 having to defend women's rights is really, really, really shocking to me. We heard the word "gaslighting" a lot, and I'm just going to read a little bit of this. When someone makes you feel like something is your fault, especially when it's not, it's important to recognize that this can be a form of manipulation or emotional abuse, potentially including gaslighting. It's crucial to challenge this negative narrative and prioritize your own sense of truth and well-being. I have sat here and I have listened to some of my colleagues tell whoever's listening how I supposedly feel, or any one of us that has not got to speak. Sit here and tell people that we hate someone. Well, I'm going to tell you the truth. I don't hate anyone. But if me defending the rights of women-- what you're telling me is that for me to be able to defend the rights of women means that I hate someone else. That's not true. For those listening, that's not true. That's not true to anybody here listening in person, that's not true to anybody listening here online. You don't have to pick one or the other. You can defend the rights of women and not hate transgender, and I don't hate anyone. But I won't stand and let somebody put words in my mouth or the mouths of those who support LB89, and I want it to go-- not go unsaid. I do stand in support of LB89 because I stand with women. And I won't be ashamed of that, and I don't think other people should be ashamed of standing up for who they are either. But it-- you don't have to pick. You don't have to hate somebody to love someone else. And when I listen to people who proclaim the truth of God's word indicate that that's the case, that's very disappointing to me, because that's not what Jesus has taught me. So I stand with women. And as I-- I guess just the other thought that I want to share as I've listened to this, is I just-- I'm visual thinker, and as I listen to a lot of this rhetoric about, you know, how we're-- it's like I see the faces of beautiful women disappearing, being erased; that they're supposed to step aside, be quiet, sit down, shut up for fear of being called out for hating, which is not true. So I stand in favor of LB89 because it is defending the rights of women, and I am proud to stand with people to defend the rights of women. And that is not in contrast or that is in opposition to hating anyone. I yield the rest of my time.

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

CLERK: Mr. President, Senator John Cavanaugh would move to bracket the bill until June 9.

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

J. CAVANAUGH: Thank you, Mr. President. Good evening, colleagues. I think we're about at the end here. I'm, I'm glad to be able to follow what Senator Storer just said, and I, and I do think there's some fundamental misunderstanding that-- and, folks, it does get-- these kind of conversations get heated. They are what people call a culture war issue. And it gets hot, right? And people maybe throw around words that they regret, and get a little, you know, hyperbolic. But I don't think anybody here hates anybody else. I think we all have disagreements, and I think that there are a lot of other things, and you all-- obviously, you know my love of the Maundy Thursday, right? Which is-- the commandment, of course, is love thy neighbor as thyself, and I take that to heart and I try to live my life that way. And I try to show love and respect for everybody. And I'm not perfect either, and I lose it, lose my cool sometimes. But I don't think that the problem here is hatred in people's hearts, and I don't think that it is discrimination, although I do think there is a misunderstanding of what the legal definition of discrimination means. I think this is an unwillingness to get to know people. So in my journey on this issue, I have been to town halls-- I appreciate Senator Riepe came to one that I was lucky enough to be invited to where I heard the stories of families. I've been to a town hall in Grand Island, I've been to one in Omaha, I've been to one in Lincoln, and I've heard the stories of these families, and they are just regular Nebraska families from all over the place. They're just trying to raise their kids. They're trying to make sure that their kids are treated with respect and love, and get a chance to be a kid. And I know, I hear you; I hear the people who are saying that other kids deserve a chance to be a kid too. Of course they do, and of course we all want that. We want all kids to feel safe and embraced, and to have that chance. And the problem on this bill and the other ones that we have had in my time here is that the folks who are advocating for it refuse to learn who the people are that we're talking about. I know that many of you refuse to go into the lobby and talk to the families when they come down here to visit with you. I know you refuse to go and see them in the community. I know that because they talk to me. And they are your constituents, and these kids are going to grow up to be adults in our community if we don't drive them off. And so I, I find this debate sad because I do think the people who advocate for this have good intentions in their heart, and they are missing the point. And that the thing you need to understand is that while you may think you're doing the right thing, it comes at a cost. The cost is the pain and suffering of these children, the pain and the suffering of these parents. So you can stand up and say all of the things you say, and some of them are hurtful, and some of them sound hateful, though you

maybe don't have hate in your heart. But they hurt people, and this bill has hurt people, and the bills we took up before have hurt people, and they continue to hurt people. Just the fact they're introduced hurts these children. And so those of us who have taken the time to get to know these kids and their parents, that's why we feel so strongly about this; that's why we stand up and talk about it. And so if people have hurt your feelings by saying that you are hateful and discriminatory, I'm sorry for that, but do not take that out on these children. So I was on the committee that heard this bill, and we sat through-- I think it was 10 hours of hearing, 10.5. We went from 1:30 to 11:55. And we had 140 people testify, 20 of whom were in favor of this bill. Many of those people were in favor of this bill from some professional organization that brought them in to testify in favor of it. 116 of the 136 people who testified testified opposed, and they were trans youth, trans adults, cis adults who have been misgendered, parents of trans youth, or just community members who came because they are afraid of what this will do to our community. So it's wildly disproportionate number of people who came, and I appreciate the members of the committee who sat there for all those hours, till 11:55. Kudos. That's impressive that you sat there. I'm sorry you didn't take more from it. I can tell you that it got to me a number of times. So there were 471 online comments in favor of the bill, 1,547 opposed. So, again, the in-person testimony was almost six times as many people opposed as in favor; the online comments were three times as many people opposed as were in favor. The community is not clamoring for this, and there are so many individual and specific things to refute about this bill. There is nothing about how this should be enforced or it will be enforced; it will lead to vigilantism. And the doctor's note, signed under the authority of a doctor, does-- we don't know what that means. All we know is that a doctor has to sign something saying that you're a boy or a girl. We don't know if the doctor truly believes that, or if they have to conduct a genital inspection to confirm that, in compliance with their ethics. We don't know. So this puts doctors in a bad position to make them be at odds with what their patients are telling them, self-reporting. There is-- there's so many other specific problems, but I did want to address the, the argument that this is not political. The idea-- this is a policy question, but the fact that it comes back repeatedly is political. People want to use this as a cudgel. They want to beat up on individuals who stand up for the rights of the marginalized, and they want to, they want to attack people for it. We just saw it this last week in the city of Omaha election where the mayor, in desperation, clear desperation, went to this well to attack the now-mayor-elect. And it didn't work,

obviously. But this is-- people want to use it for politics. The treasurer of the county, Douglas County, former police officer, nothing to do with this issue. And yet, it was the closing argument of a three-term mayor. So do not tell me that raising this is not political. But to Senator Jacobson, not to call one individual person out, but to Senator Jacobson to say that 80-some percent of people in polls support this. Senator Jacobson, just yesterday, you said we should not listen to the will of the people who have voted for something. You're talking about a poll, and I don't know what the basis of that poll is, scientific or otherwise. But this is very much a-- I support the people-- the will of the people when it supports what I want, and I'm going to ignore it when it doesn't support what I want. So I know how this vote's going to go, and I know a lot of folks around here were probably curious about why this debate went the way it did. And I will tell you, just brass tacks, everybody: Senator Riepe said he wasn't going to vote for this bill if his amendment didn't get on, so we facilitated getting the amendment on in an effort at harm reduction. So this bill is less harmful than the original LB89 was, but it still harms these kids. And so I'm going to be a "no" on cloture, I will continue to oppose these bills that-- though I, again, think some of you are coming from a good place, but you've got it all wrong. This hurts kids, and it is not accomplishing the goal that you want. So I would encourage your red vote on cloture. I'd take your green vote on bracket, I'd take your green on FA240, I'd take your green vote on FA239, and I'd take your red vote on LB89. But just the fact that folks have said this was coming up again and again, no matter what, means that people are not serious about this issue, they just want the issue to talk about. Thank you, Mr. President.

KELLY: Thank you, Senator Cavanaugh. Mr. Clerk, you have a motion on your desk.

CLERK: I do, Mr. President. Senator Kauth would move to invoke cloture pursuant to Rule 7, Section 10.

KELLY: Senator Kauth, for what purpose do you rise?

KAUTH: For cloture, call of the house, reverse roll call.

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

CLERK: 43 ayes, 0 nays to place the house under call.

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KELLY: The house is under call. Senators, please record your presence. All unexcused senators outside the Chamber, please return and record your presence. All unauthorized personnel, please leave the floor. The house is under call. All unexcused members are present. There's been a request for a roll call vote, reverse order. Mr. Clerk.

CLERK: Senator Wordekemper voting yes. Senator von Gillern voting yes. Senator Strommen voting yes. Senator Storm voting yes. Senator Storer voting yes. Senator Spivey voting no. Senator Sorrentino voting yes. Senator Sanders voting yes. Senator Rountree voting no. Senator Riepe voting yes. Senator Raybould voting no. Senator Quick not voting. Senator Prokop not voting. Senator Murman voting yes. Senator Moser voting yes. Senator Meyer voting yes. Senator McKinney voting no. Senator McKeon voting yes. Senator Lonowski voting yes. Senator Lippincott voting yes. Senator Kauth voting yes. Senator Juarez voting no. Senator Jacobson voting yes. Senator Ibach voting yes. Senator Hunt voting no. Senator Hughes voting yes. Senator Holdcroft voting yes. Senator Hardin voting yes. Senator Hansen voting yes. Senator Hallstrom voting yes. Senator Guereca voting no. Senator Fredrickson voting no. Senator Dungan voting no. Senator Dover voting yes. Senator Dorn voting yes. Senator DeKay voting yes. Senator DeBoer voting no. Senator Conrad voting no. Senator Clouse voting yes. Senator Clements voting yes. Senator Machaela Cavanaugh voting no. Senator John Cavanaugh voting no. Senator Brandt voting yes. Senator Bostar voting no. Senator Bosn voting yes. Senator Ballard voting yes. Senator Armendariz voting yes. Senator Arch voting yes. Senator Andersen voting yes. Vote is 33 ayes, 14 nays to invoke cloture, Mr. President.

KELLY: The motion to invoke cloture is adopted. The next vote is on the bracket motion. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 13 ayes, 33 nays to bracket the bill, Mr. President.

KELLY: The bracket motion is not adopted. The next vote is to adopt FA240. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 15 ayes, 33 nays on adoption of the amendment, Mr. President.

KELLY: FA240 is not adopted. The next vote is to adopt FA239. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 15 ayes, 33 nays, Mr. President, on adoption of the amendment.

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KELLY: FA239 is not adopted. The motion to advance was previously made. There's been a request for roll call vote. Mr. Clerk.

CLERK: Senator Andersen voting yes. Senator Arch voting yes. Senator Armendariz voting yes. Senator Ballard voting yes. Senator Bosn voting yes. Senator Bostar voting no. Senator Brandt voting yes. Senator John Cavanaugh voting no. Senator Machaela Cavanaugh voting no. Senator Clements voting yes. Senator Clouse voting yes. Senator Conrad voting no. Senator DeBoer voting no. Senator DeKay voting yes. Senator Dorn voting yes. Senator Dover voting yes. Senator Dungan voting no. Senator Fredrickson voting no. Senator Guereca voting no. Senator Hallstrom voting yes. Senator Hansen voting yes. Senator Hardin voting yes. Senator Holdcroft voting yes. Senator Hughes voting yes. Senator Hunt voting no. Senator Ibach voting yes. Senator Jacobson voting yes. Senator Juarez voting no. Senator Kauth voting yes. Senator Lippincott voting yes. Senator Lonowski voting yes. Senator McKeon voting yes. Senator McKinney voting no. Senator Meyer voting yes. Senator Moser voting yes. Senator Murman voting yes. Senator Prokop voting no. Senator Quick not voting. Senator Raybould voting no. Senator Riepe voting yes. Senator Rountree voting no. Senator Sanders-- Senator Sanders voting-- Senator Sanders voting yes. Senator Sorrentino voting yes. Senator Spivey voting no. Senator Storer voting yes. Senator Storm voting yes. Senator Strommen voting yes. Senator von Gillern voting yes. Senator Wordekemper voting yes. Vote is 33 ayes, 15 nays on advancement of the bill, Mr. President.

KELLY: LB89 is advanced to E&R Engrossing. I raise the call. Mr. Clerk.

CLERK: Thank you, Mr. President. Items for the record. Amendments to be printed from Senator John Cavanaugh to LB89, as well as Senator Murman to LB306. Bills read this morning on Final Reading were presented to the governor at 4:46 p.m. Your Committee on Enrollment and Review reports LB48A, LB215A, LB316A, LB513A, and LB530A to Select File. New LR, LR203 introduced by Senator Juarez; that will be referred to the Executive Board; LR204 from Senator Juarez, LR205 from Senator Strommen, and LR206 also from Senator Strommen, all referred to the Executive Board as well. Finally, Mr. President, a priority motion, Senator Holdcroft would move to adjourn the body until Thursday, May 15 at 9:00 a.m.

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