

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate May 15, 2025

KELLY: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the eightieth day of the One Hundred Ninth Legislature, First Session. Our chaplain for today is Father Ben Holdren, St. Gregory the Great Seminary in Seward, Senator-- dist-- Senator Hughes' district. Please rise.

BEN HOLDREN: Let us pray. Father, we are grateful as we remember you, the source of all love and truth. We are grateful for all the blessings we have in our lives as we remember that all of them are your gift to us, your way of helping us to know how close you are, and how much we're loved. Father, in your infinite power, you don't need us. But in your infinite mercy and fatherhood, you choose to use our help, the help of your beloved children. Our help in making your love known is a great dignity you have bestowed upon us. Our help in protecting each human life you entrust to us our eternal reward. As these senators begin this legislative session, Father, we remember the joy that fills your heart as they turn to you. You love being with them. You love calling them yours. You are God. Our rock, our savior. Father, we invite you into all they do today, humbly asking that, as they serve alongside you, you would pour your Holy Spirit upon them. Your spirit of peace, of wisdom, knowledge, understanding, counsel. To see as you see. Allow them to receive deeply your light which shines brightly in any darkness. May they receive help in doing your holy will and taking first your kingdom, remembering your promise to provide all else. And we ask this in all things through Jesus Christ, your Son, our Lord. Amen.

KELLY: I recognize Senator Holdcroft 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: Recall-- I call to order the eightieth 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 do, Mr. President. On page 1493, on line 30, after "constitutional" and before "majority," insert "two-thirds." That's all I have at this time.

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Floor Debate May 15, 2025

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

CLERK: There are, Mr. President. Communication from the governor to the Speaker and members of the Legislature. With this letter, I'm returning LB319 without my signature and with my objections. Under federal law, the Personal Responsibility and Work Opportunity Reconciliation Act bans individuals with felony drug convictions from receiving Supplemental Nutrition Assistance Program benefits. Federal law also states-- allows states to modify or remove the ban by enacting legislation. Nebraska has mo-- a modified ban where individuals are eligible for SNAP provided they, one, have less than three felony convictions for the use or possession of a controlled substance and, two, have completed or are participating in a state-licensed or nationally accredited treatment program after the date of their conviction. Individuals with three or more such felony convictions, as well as those convicted to the sale or distribution of a controlled substance, are ineligible for SNAP benefits. Further, other members of a household may still be eligible for SNAP benefits even if an individual household member is deemed ineligible. LB319 would further expand SNAP eligibility to convicted drug dealers and remove the requirement of substance abuse treatment for individuals with one or two felony convictions for possession or use of a controlled substance. It also contains loopholes that could allow habitual offenders with three or more felony convictions to evade the requirement of substance abuse treatment. Individuals that distribute or sell illicit drugs should not be entitled to pa-- taxpayer-funded benefits. And illegal drug users should be required to complete treatment before they receive their third felony conviction. It is for these reasons that I have decided to veto LB319. Signed: sincerely, Jim Pillen, Governor. Additional items, Mr. President: new LR from Senator Bosn. That will be referred to the Executive Board. Additional LRs: LR208 from Senator Hardin, LB209 from Senator Hardin, and LB210 from Senator Hardin. All referred to the Executive Board. Motion to be printed: Senator Rountree to LB319, MO259. Agency reports electronically filed with the Legislature can be found on the Nebraska Legislature's website. And a report of registered lobbyists for May 14 will be found in today's Journal. That's all I have at this time.

KELLY: Thank you, Mr. Clerk. Senator Brandt, you're recognized for a message.

BRANDT: Thank you, Mr. Lieutenant Governor. I'd ask my colleagues to listen up. In Nebraska, we recently honored our World War II veterans that are living. Virtually every legion out there is named after a veteran that is no longer with us. In, in our case in Plymouth, it's

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Floor Debate May 15, 2025

Schopp, Ewing, Nispel. And I've got a LR here for Schopp. They recently found his body in the Philippines. And I'm gonna read this. Erwin H. Schopp of Plymouth, Nebraska was captured and died as a prisoner of war during World War II and has since been accounted for on January 24, 2025. And Schopp was a member of Headquarters Battery, 59th Coastal Artillery Regiment during the invasion of the Philippine Islands by the Japanese in December of '41. Schopp was among the thousands of United States and Filipino service members who were captured and interned at POW camps. Schopp died January 1, 1943, where he was believed to be held at the Cabanatuan POW camp and was buried in the local Cabanatuan Camp Cemetery in Common Grave 822. And the Legislature recognizes that the Defense, Defense POW/MIA Accounting Agency has never stopped looking for fallen military to respect the fallen and their families, friends, and communities. Now, therefore, be it resolved by the members of the Legisla-- of the 109th Legislature of Nebraska, First Session: the Legislature thanks Erwin H. Schopp for his service to the United States; and a copy of this resolution be sent to the family of Erwin H. Schopp. This is here. I'd like-- ask, ask everybody here to sign this. We will be having a ceremony in Plymouth, I believe, June 12. Thank you.

KELLY: Thank you, Senator Brandt. Mr. Clerk, first item on the agenda.

CLERK: Mr. President: General File, LB77A, introduced by Senator Bostar. It's a bill for an act relating to appropriations; appropriates funds to aid in the carrying out the provisions of LB77. Bill was read for the first time on May 14 of this year and placed directly on General File.

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

BOSTAR: Thank you, Mr. President. And good morning, colleagues. LB77A, as the name would suggest, is the appropriation bill for LB77. The bill moves money out of and into cash funds for the Department of Insurance. The, the ca-- the, the cost for implementation is \$500,000, which is then reimbursed directly. So there is no net impact to the state for this, for this legislation or this A bill. It's simply monetary flux, money going in and out that matches. With that, I would ask for your support for LB77A. Thank you.

KELLY: Thank you, Senator Bostar. Seeing no one else in the queue. You're recognized to close. And waive. Members, the question is the advancement of LB77A to E&R Initial. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

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Floor Debate May 15, 2025

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

KELLY: LB77A is advanced to E&R Initial. Mr. Clerk.

CLERK: Mr. President: LB644A, introduced by Senator Bostar, General File. It's a bill for an act relating to appropriations; appropriates funds to aid in the carrying out the provisions of LB644. Bill was read for the first time on May 14 of this year and placed directly on General File.

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

BOSTAR: Thank you, Mr. President. Good morning again, colleagues. LB644A is the appropriation bill for LB644. Most of the costs related to LB644 are absorbed and don't have an impact, although there is a small \$50,000 state impact to the bill. And-- which is I think relatively minor considering the implementation that's happening. With that, I would ask for your green vote on LB644A.

KELLY: Thank you, Senator Bostar. Seeing no one else in the queue-- Senator Conrad, you're recognized to speak.

CONRAD: Thank you, Mr. President. Good morning, colleagues. I want to again thank my friend, Senator Bostar, for his work to narrow and clarify the underlying legislation, LB644. I think we built a good record and made strides forward in terms of making the bill more workable. I still have general concerns with the expansive nature of the measure both in terms of providing a slew of expansive new powers and duties and authorities to the Attorney General's Office and in recognition of the fact that these similar measures that states are introducing-- termed baby FARA bills, recognizing their relationship to the federal Foreign Agents Registration Act-- has been a recent trend in the states in relation to some perhaps matters arising in regards to the federal legislation and as part of a concerted national effort. Many-- in many instances, components of this legislation are derived from ALEC model bills. They are put forward by lobbying groups like State Shield, which is engaged in Nebraska and has been supportive of these measures. A quick look at their website shows that the primary mission and focus of State Shield is to look at China, monkeypox, Bill Gates, and those related matters with any-- with very little information otherwise as to who is funding these efforts and why. It's unclear what their connection is to the state of Nebraska. It's unclear if any of the matters that they wish to address are unaddressed by existing criminal or civil laws, including within our accountability and disclosure process and structure. And one of the things that is I

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Floor Debate May 15, 2025

think perhaps unclear in relation to this measure as it relates to the federal statute, the federal statute does have better exemptions in regards to legitimate commercial activity. It has better, clearer exemptions for lawyers who are engaged in providing professional services to clients in terms of a variety of different legal and compliance and advocacy measures which are not clear in LB644. The federal option has a different approach for nonprofits that are also engaged in legal, appropriate activities to advance their educational or community or religious objectives. And it has more specific parameters in regards to exemptions for academic expression and freedom, including what happens at universities, think tanks, and other scholarly institutions. So I do again appreciate what Senator Bostar is trying to do here. I did just want to make sure to include those components in the record. Thank you, Mr. President.

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

BOSTAR: Thank you, Mr. President. This is the A bill for LB644. However, if we're going to talk about LB644, I had no coordination or conversations with a group called State Shield in putting the bill together. I don't know them. And there are differences in the registration act between what we're passing in Nebraska and what exists on the federal level, namely that on the federal level there are more exemptions, exemptions for lobbyists to represent foreign adversarial interests to influence the policy of this country. We are not doing that in our bill here because that would be wrong, as it is wrong that that exists on the federal level. With that, please vote green on LB644A.

KELLY: Thank you, Senator Bostar. Members, the question is the advancement of LB644A to E&R Initial. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 35 ayes, 1 nay on advancement of the bill, Mr. President.

KELLY: LB644A is advanced to E&R Initial. Mr. Clerk.

CLERK: Mr. President: General File, LB707A, introduced by Senator von Gillern. It's a bill for an act relating to appropriations; appropriates funds to aid in the carrying out the provisions, provisions of LB707; and declares an emergency. Bill was read for the first time on May 14 of this year and placed directly on General File.

KELLY: Senator von Gillern, you're recognized to open.

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Floor Debate May 15, 2025

VON GILLERN: Thank you, Mr. President. LB707A is the A bill to go along with the bill that I've been working on to correct some items regarding with the good life district. It's a \$1 A bill. It's a placeholder for future administrative expenses, and I would appreciate a green vote on that when it comes up. I do want to take a moment if I could have everyone's attention just for a brief personal share. This morning is a funeral for the dear friend who passed last week, Amy Schmid. Many of you in the room knew Amy and her husband, Jeff. Amy was an incredible person. We all say nice things about people after they pass. Everybody said nice things about Amy while she lived. She was a bright light, and she'll be incredibly missed. And we pray peace and comfort for her husband, Jeff; daughter, Abbie; and son, Bobby; and the three grandchildren that were born four days before she passed that she got to meet. So we're grateful for that. Everybody in this room misses events, whether it's funerals, birthdays, graduations. There was a baccalaureate ceremony that was missed last night by a member. There are those in the room that are going through cancer and heart treatment. I just want to take a moment to recognize the sacrifice of my colleagues, for all that they do for the state of Nebraska, and thank all of those who support us in all that we do in this important work. Thank you, Mr. President.

KELLY: Thank you. Senator von Gillern, you're recognized to close. And waive. Members, the question is the advancement of LB707A to E&R Initial. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

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

KELLY: LB707A is advanced to E&R Initial. Mr. Clerk.

CLERK: Mr. President: Select File, LB48A. Senator Ballard, I have nothing on the bill.

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

BALLARD: Mr. President, I move that LB48A be advanced to E&R for engrossing.

KELLY: Members, you've heard the motion. All those in favor say aye. Those opposed say nay. LB48A is advanced for E&R Engrossing. Mr. Clerk.

CLERK: Mr. President: Select File, LB513A. Senator, I have nothing on the bill.

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

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Floor Debate May 15, 2025

BALLARD: Mr. President, I move that LB513A be advanced to E&R for engrossing.

KELLY: Members, you've heard the motion. All those in favor say aye. Those opposed say nay. LB513A is advanced for E&R engrossment. Mr. Clerk. Mr. Clerk, we will move to Final Reading-- for an item. Mr. Clerk.

CLERK: Thank you, Mr. President. Amendments to be printed from Senator Raybould to LB170. And Senator Prokop, new LR: LR211. Senator Lippincott, new LR: LR212. Those will both be referred to the Executive Board. That's all I have at this time.

KELLY: Thank you, Mr. Clerk. And we will now move to Final Reading. Members should return to their seats in preparation for Final Reading. The first bill is LB261e. Mr. Clerk for a motion.

CLERK: Mr. President, Senator Machaela Cavanaugh would move to return the bill to a Select File for a specific amendment, that being AM1461.

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

M. CAVANAUGH: Thank you, Mr. President. Good morning, colleagues. Well, this is happening faster than I was anticipating, per usual. This is what happened last time. I'm not-- I, I have figured out how to get into my computer at least this time. But I would need to pull up what AM1461 is before I can tell you what I'm opening on, because I have several amendments filed on the budget. But while I am pulling up the amendment, let me just talk a little bit about, about this morning. I have a few amendments filed on LB261 and I have some filed on LB264. And I am not going to put those to a vote today because-- from a process standpoint. So our rules say that we have to pass a bud-- the budget by day 80, which is today. The-- our constitution says that we have to have a layover day between Select and Final. So if we were to move a bill back from Final today to Select for a specific amendment, then it would be moved forward from Select and have to have a layover day. So we would have to suspend the rules if we were to pa-- if we were to change anything on the budget today. We would have to suspend the rules to then take it up next week on Final again. And seeing as I don't want to have a precedent of suspending the rules like that, I am not going to try and push these changes today, though I wish that many of the things that I'm bringing forward would have been considered previously. That's where we're at. So this amendment that I have posted this morning, AM1461, is the amendment to take the Attorney General's

budget back to flat. The Attorney General's budget was one of the only budgets that-- agency budgets that got an increase across the board and has had an increase across the board year after year. And when we were-- when asked about all these different endeavors that the Office of the Attorney General has been engaging in over the last several years and how that was being paid for, their-- the answer was, at no extra cost. And I actually believe Senator Conrad has a letter pertaining to that, and I have a copy of it as well. I will just scoot down to get out of my desk here. Sorry. So the Attorney General-- well, that's SNAP. I'll come back to it. I'll get in the queue and I'll come back to it. Anyways. So the Attorney General's budget has been increasing. And most recently, the Attorney General's Office was suing over legislation that the Legislature passed, saying that it was unconstitutional. And I think that if the Attorney General has enough money in his budget to sue us over our jobs, then he probably-- and lose, mind you-- he probably needs to be reallocating his resources and making more judicious decisions about what leg-- legislation and legal action he is seeking. So that's why I don't think we need to give him more money. And the amount of money that we gave him, the increase could easily go to cover the costs of problem-solving courts, which seems like a much better use of our resources. So. I see this-- somebody is in the queue, so I'm going to leave this amendment up so that people can speak to it if they feel so inclined. And then when I get to my close, I will withdraw the amendment. And I'm going to find the letter because-- I found the SNAP letter but not the Attorney General letter. So I'm gonna find that letter. And I will be back in the queue to speak to that in a little bit. Thank you, Mr. President.

KELLY: Thank you, Senator Con-- Con-- Cavanaugh. Senator McKinney, you're recognized to speak.

McKINNEY: Thank you, Mr. President. First and foremost, I support the motion to return although Senator Machaela Cavanaugh is going to withdraw it. First, I want to say-- and send my condolences to the young girls who lost their lives in the Missouri River. They're having a funeral today. And I just wanted to mention their names and just mention, you know, them: Lah Tray Moo, Laiana Green, and Eh Cri Moo-- Cress Moo. They lost their lives in the river, and it took about a couple weeks for, you know, people to find them. And I just want to send my sympathy and condolences to those families and-- also, you know, went home-- well, we adjourned and then we got the news that Senator Rountree's bill was vetoed. And it's really frustrating because I feel like there's a lot of energy about holding people who are drug-- who, who are convicted of drug offenses accountable and being punitive and having this perception that they're going to abuse the system

because they either used drugs or sold drugs previously. And I just feel as though there's a lack of understanding about the situation. But also, if you feel as though, like, people who go to prison need to be held accountable and go through all these steps and things like that, you're not keeping the same energy for everybody that went to prison. Because outside of somebody being a individual who was convicted of a drug offense, there's other people who can access SNAP. You know, with this China bill that Senator Bostar has, somebody can be convicted of that and still receive SNAP. You know? Raising the penalties on people who assault, you know, people in pharmacies. They can still receive SNAP. You know, be consistent. You know, people who are convicted of, you know, crimes that involve drugs and things like that, a lot of them are drug addicts. They're, they're-- they, you know, are not distributing drugs. And if they-- even if they are, what does it say to somebody that we convict them for umpteen years, you know, barely give them programming while they're inside because the institution is overcrowded, let them out, give them a \$100 check, and say, go figure it out? We should be trying to eliminate every barrier for individuals that are returning home from prison. But that's not what happened yesterday. It's keeping a barrier up and then saying, figure it out, you know. And it's, it's just weird to me that we always say we want better public safety and those type of things. Public safety is making sure people's basic needs are being met, making sure people have food on the table, and those type of things. And that veto doesn't reflect a energy for public safety, in my opinion. You could tell me I'm wrong, but I just think that way, that public safety is making sure people have adequate housing, people have, you know, food on the table, people have transportation or access to jobs, and those type of things. But keeping a barrier up for whatever reason that was explained in that memo to us I just disagree with. You know, we have an overcrowded prison system. We have a horrible criminal justice system that-- you know, people want to be very punitive, but it, it doesn't work for the people you're trying to be punitive to or for the state of Nebraska. And, you know, I'll just leave you with a quote from Malcolm X because I think it is reflective of this situation: I have more respect for a man who lets me know where he stands even if he's wrong than one who comes up like an angel and is nothing but a devil. Thank you.

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

CONRAD: Thank you, Mr. President. Good morning, colleagues. I appreciate Senator Cavanaugh at least get an opp-- giving us an opportunity to add a quick point for the record since we won't have the ability to modify the budget at this late stage. So I just want to

reiterate what has become a well-established theme wherein our Attorney General is losing in the courts but winning in this Legislature. And it goes to show the political motives of his office that stand in contrast to the office's mission to seek justice on behalf of all Nebraskans. And one instance in regards to budgetary matters and appropriation-related issues, you might remember over the last biennial and through the special session state settlement funds that had been secured by Attorney General Hilgers and his predecessors primarily for consumer protection-related activities and litigation-- which were absolutely appropriate-- brought down millions of dollars in our name and with our resources to ensure that Nebraska consumers are protected. And rather than devoting those settlement funds to the activities of the office or consumer education or consumer protection, the Attorney General voluntarily lifted up a \$15 million sweep of those funds to help fill budgetary holes and then shortly thereafter has come to the Legislature and, at a time of significant structural budget deficit, is one of the few agencies that has seen a significant increase in general funds. Additionally, you can see the Attorney General's political activities in regards to the weaponization of his opinion, undercutting undeniable legislative authority in regards the Inspector General's offices-- which keep eyes and ears on our most troubled agencies and vulnerable Nebraskans-- and the Department of Corrections and Health and Human Services that remains unresolved. You see the Attorney General's losing position in regards to challenging this Legislature's bipartisan effort to restore voting rights to thousands of Nebraskans. You see the Attorney General's losing effort to challenge modest but meaningful criminal justice reform enacted by this Legislature with strong support thanks to the leadership of Senator McKinney and Senator Wayne in regards of LB50. You see loss after loss in regards to his attack on the precious right of citizen initiative in regards medical marijuana cases. You see the office not even able to meet a statute of limitations in regards to criminal prosecution for potential waste, fraud, and abuse of state funds regarding History Nebraska. Earlier-- well, last month, I asked the Attorney General's Office in the interest of government transparency and legislative oversight so that we could have clear information for the budget deliberations as to what the costs were in regards to these and other cases: *State ex rel. Brooks v. Evnen*, *State ex rel. Collar v. Evnen*, *Kuehn v. Evnen*, *Kuehn v. Pillen*, *State v. Todd*. And just yesterday, I received a response from the Attorney General's Office-- which I'm happy to share with anyone-- and rather than delineating costs as requested, I received a link to the State Treasurer's Office website that lists general information about their budget and the links to the Governor's Budget Division and Legislative Fiscal Office. He also provided a link to his testimony

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Floor Debate May 15, 2025

before the Appropriations Committee and little else. Thank you, Mr. President.

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

M. CAVANAUGH: Thank you, Mr. President. Thank you, Senator Conrad for, for sharing that with us about the, the letter and lack of information. I, I did feel like it was difficult to get any information about why such an increase was necessary in the AG's budget and-- and so therefore since there was no valid argument brought forward, in my mind, that it's-- made sense to bring forward a cut. And when we are making cuts to so many essential programs, I thought that not increasing the budget for the Attorney General when he-- his office has been going after frivolous lawsuits, including declaring that legislation we have passed is unconstitutional that was then deemed to be constitutional-- which we'll get to on the next bill about constitutional legislation and what that can look like. In July of 2023, myself and several of our colleagues sent a letter to the Attorney General asking what purpose it served for him joining one of the many national cases that he has joined over the years and what-- how did it serve the best interests of the people of Nebraska. And it, it really didn't, and that was basically the answer, is that it's just political. And so I don't think that we should be using taxpayer dollars to go after political endeavors in that way. So with that, I withdraw my amendment, Mr. President.

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

CLERK: Mr. President. Senator DeBoer, I have AM1377 with a note that you'd withdraw.

KELLY: So ordered.

CLERK: In that case, Mr. President, Senator Spivey would move to amend with AM1366.

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

SPIVEY: Thank you, Mr. President. And good morning, colleagues and Nebraskans. After my opening, I will be withdrawing this amendment for the reasons that Senator Machaela Cavanaugh discussed, just from a process standpoint and honoring the rules and precedent of the institution. But wanted to make sure that I had a moment on the record to bring up this amendment. And so, as I talked about earlier-- I guess last week now-- time seems to be running together-- the Appropriations

Committee made a couple decisions two weeks ago where there was a line item that said \$24 million without any context of potential lapsed funds from agencies. And so I asked for that detail from our Fiscal Office. They provided it. However, we were already starting to debate the budget. And so it took a moment to dig into what these were and ask questions. There were a lot of other things going on. And so what this amendment would have done is for key agencies that we know are impacted by cuts to the federal government and that we know are providing essential services, it would reappropriate any lapsed funding that was not already encumbered. Again, the \$24 million was an estimate. We have accounted for that in our budget, which I think is problematic in itself as a process. However, the amendment would have looked at Agency 25, DHHS, Program 514, which is a list of different aid programs and have grants that go out to a number of different types of agencies and organizations working in the public health space. There was also Agency 25, which is DHHS again, Program 571, which would be the Aging Services Department. Senator Meyer had a bill around meals on wheels and the work around supporting our aging population, specifically with access to essential services-- his bill was specifically around food-- and this would have reappropriated that money. We know that there are cuts at the federal level. So again, any unspent encumbered money, they are going to need, and it, in my opinion, should not go back to the General Fund to support and try to balance our deficit. We know that these are folks that are needing support, they are needing that social safety net, and that money should be reappropriated for them to be able to administer their program. And then lastly, Agency 46, which is Corrections, which would have been \$1 million. So the pages-- if folks are interested to follow along-- would be page 64, line 22; page 65, line 13; and page 88, line 17. Again, for Corrections, that was for vocational and life skills program aid. And so with the amount of folks that will be coming back home because of LB50 and folks needing a skill and training to be successful back into community, they are going to need that money. And so I wanted just time on the record to be able to talk about this again, as it seems like it-- folks are not worried that we accounted for money that may potentially not be there. That is not a practice I have ever seen in any other type of space, and so I was hoping that folks would take this more seriously around how we are balancing the budget, where are we getting these numbers, and how we account for it. This was brought up in Appropriations once it was presented. I brought it up on the floor immediately after and have talked about it for a number of weeks because, again, it is impacting programs and agencies, one, that are going to need funding as they are getting hits from the federal level and are providing important and intentional services to the betterment of our community. And so we are

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Floor Debate May 15, 2025

where we are with this budget. It will be interesting to see the implications of this budget not only now but for our future biennium. We're facing nearly a bil-- billion-dollar deficit. And I hope as we continue to work on our financial status and sustainability that folks are more open to discourse and challenging ourselves around our decisions and our approach to how we create a fiscally responsible and responsive budget to our constituents. Thank you, Mr. President. And with that, I withdraw my amendment.

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

CLERK: Mr. President, Senator Spivey would move to return the bill to Select File for a specific amendment, that being AM1423.

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

SPIVEY: Thank you, Mr. President. Again, for the record, I want to make sure that this is on the record to-- a, a conversation that I think we have had throughout this Legislature that doesn't get enough attention. And so this specific amendment would reappropriate funding from our new prison to other evidence-based practices that align with justice reform as well as to address our budget deficit. So in general, there's a macroconversation around our investment incarceration. And so since coming into the body, I have tried to bring my perspective of working in community, working alongside folks in reform positions around what does that look like for our state. I know that there have been other advocates in this body before I came in that have had lots of conversations about reform, about our investment. We have Senator Holdcroft's bill, LB215. Senator McKinney has done a lot of work. Again, a number of folks thinking about that. Senator Bosn and I have been talking about LB530 and bringing perspective. So again, this conversation from a macroperspective is really important because our investment into a carceral system changes the vibrancy and opportunity that we have here in Nebraska. I think it was a misstep to set this money aside for the new prison. And at that time, I was a board president of ACLU and worked alongside the staff there from a smart justice reform of trying to provide a different perspective and fight this investment because it's actually not an investment. Building a new prison is not feasible. It doesn't work. There was an article that was passed out earlier this week around South Dakota and the prison that they planned to build. They talked about us, Nebraska, as a, a close sibling state around the cost and why they pulled the plug. And it was double, if not triple, of what they thought. Director Jeffreys on the record has said that they don't have a clear estimate for what this will be and they will keep assessing inflation and other criteria that

can give them a better nailed-down cost. And so we know that this prison is going to cost not what we set aside-- it's going to be double, if not triple, the money, and that's not a good use of taxpayer dollars. It's not fiscally responsible. There are items that we could invest in, and that's what this amendment does, is reappropriate to some of the community-based aid and reentry programs that are needed that actually address the symptoms and core root issue of incarceration that allows for folks to have better recidivism rates so folks are not going back in-- excuse me-- that they're able to get the resources that they need to be successful, like affordable, quality, safe housing, wages that pay a living wage-- hopefully not just a minimum wage-- that-- to be able to address addiction or mental health issues, back to family integration and community integration, what needs to be there, addressing public education. There are, there are a number of social drivers of health that drive what we see around incarceration. And we have to go upstream. If we want to vision a Nebraska for everyone that actually has access and opportunity, then we have go upstream. We cannot be punitive and lock people in cages. And so this bill would have done just that. It would have put money back into the General Fund. It would have allowed for investment into those preventative, evidence-based measures and then would have provided money for deferred maintenance in NSP while population is reduced because of LB50-- and, again, the, the work that Director Jeffreys has said that he is doing around really focusing on reentry and getting people back into community. And so I am disappointed that the Appropriations Committee did not take this seriously. I have brought this up from day one as a consideration and provided documentation to my colleagues to review, asked for it to be on the agenda. It was not entertained. As things moved to the floor, many colleagues have brought up the implications of this decision as well as how it ripples into other tentacles of bills that are out there, the enhanced penalties and felonies that this body is pushing. And again, we are, we are making a misstep by heavily investing in punitive consequences that lead to further incarceration versus looking at the core root issue. Our prisons have become a place for mental health and addiction support. They were not built for that. We know that folks that are navigating incarceration, the core root issue and what has led them to being incarcerated is around mental health and addiction support. And so we need better in-community placements that allow for them to get the treatment and support that they need, again, to be able to be self-sufficient and successful. And so I will continue to have this conversation. I will continue to work with everyone in this body to give and share information, to provide solutions, as this is important for the state of Nebraska and where I

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate May 15, 2025

think we need to go envision for ourselves. Thank you, Mr. President.
And with that, I withdraw my amendment.

KELLY: So ordered. Mr. Clerk.

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

KELLY: Members, please check in. We are on Final Reading. Members, the first vote will be to dispense with the at-large reading. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 43 ayes, 1 nay to dispense with the reading, Mr. President.

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

CLERK: [Read title of LB261]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB261 pass with the emergency clause? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Clements, Clouse, DeKay, Dorn, Dover, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Ibach, Jacobson, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Riepe, Rountree, Sanders, Sorrentino, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: Senators Cavanaugh, Cavanaugh, Conrad, DeBoer, Dungan, Fredrickson, Hunt, Juarez, McKinney, Raybould, Spivey. Not voting: Senator Guereca. Vote is 37 ayes, 11 nays, 1 excused, not voting, Mr. President.

KELLY: LB261 passes with the emergency clause. The next bill is LB264 with the emergency clause. Mr. Clerk.

CLERK: Mr. President, first amend-- first motion: Senator Machaela Cavanaugh would move to return the bill to Select File for a specific amendment--

KELLY: Senator Machaela--

CLERK: --that being AM1468.

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

M. CAVANAUGH: Thank you, Mr. President. Colleagues, I need to see which one this is, so just bear with me for a moment. AM1468. Oh. Great. This

is the striking of the cash transfers from both the BELF Fund and the Environmental Trust Fund and then increasing the transfer out of the Cash Reserve to make up for the difference of those eliminations of transfers. I do not think that we should be taking more money from the Cash Reserve. But when I brought this forward initially, I wanted it to be seriously considered because it is viewed that those two cash transfers are unconstitutional for us to make. There was an article that I think Senator John Cavanaugh distributed earlier this week about the Environmental Trust Fund and a lawsuit when the Legislature attempted to make transfers out of it in 2020. And the Environmental Trust-- the, the individual who sued was successful and it was deemed unconstitutional. So the fact that we are attempting to do it again, I thought perhaps we should avoid incurring those legal fees, though we did just approve the Attorney General's increased budget, so I guess we can ask him to defend our unconstitutional budget. And then when the Building and Lands Education Fund-- or, Building and Education Land Funds-- I can't remember exactly what BELF stands for-- when they came and testified in opposition to us taking money from there, they told us that it was unconstitutional. And when asked what would happen if we did it anyways, they said that they felt that they would have a constitutional responsibility to sue us. So in an attempt to divert from having lawsuits on our budget, being unconstitutional, I came up with AM1468. However, as I said in the previous bill, passing anything on Final is going to result in suspending the rules. And I don't want to give any of you bad ideas about suspending the rules and being OK with it even though I would consider this to be an extreme case where we should collectively entertain that idea. But as I don't see anyone really caring that we're going to pass an unconstitutional budget, it probably wouldn't get 25 votes anyways even if I tried. So that's what this amendment is about. And pretty much that's it. I don't see anybody else in the queue. So I will-- I'd, I'd probably be withdrawing it in a moment, but. I guess one other thing to add overall about this budget is-- oh, I do-- OK. Somebody is in the queue, so I will leave it up until then. I do have some closing thoughts on the entire budget, so I-- for now, we'll leave it at, AM1468 is an opportunity to cut out the unconstitutional cash transfer sweeps and replace them with cash reserve funds. And that'd be a good idea, I think. But, you know. Bygones. Thank you, Mr. President.

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

DeBOER: Thank you, Mr. President. Colleagues, I'm standing up on this cash transfers bill in part on this amendment but in part on the whole bill because I feel like somebody needs to be the kid that says the

emperor has no clothes. I don't know if you've seen that or read that book or heard that story about the emperor who hires someone to-- some shyster, but he doesn't know it-- to make him the best clothing he's ever, ever had. And it's so lightweight you can't feel it when it's on and only those who are worthy can see it. And so everybody pretends that they can see it and they talk about how great it is because they don't want to be seen as unworthy. Until the emperor goes out in supposedly these new clothes and he goes on a parade and a young boy sees him and says, he's naked. And that's the, the way I feel about this budget right now, is that we're all putting it forward, these cash transfers-- and we have Senator Cavanaugh pointing out a very good example of something that is unconstitutional and that we're going to get sued over. You may recall that on either General or Select I brought up a cash sweep that was happening with Public Service Commission Broadband Bridge money that was built on this idea that there were \$5 million that they could sweep because they would be lapsed but only there was \$4 million. Now we fixed that one. In addition to that, you may recall that \$2.2 million was going to be swept automatically so that if we kept the language we had in, we were actually going to sweep \$7.2 million. Mistakes are made. No question. It's a very complicated document, our budget, including our cash sweeps. But I have no confidence that, since I have found myself a number of these errors or I hear them from my colleagues like Senator Cavanaugh about unconstitutional provisions, I have no confidence in this budget. I have no confidence in these cash sweeps. I know that we raised fees in order to use them for general funds. The emperor has no clothes. This budget is based on a series of sleight of hands with cash transfers where the, the money is maybe not there. And, colleagues, I have a lot of concerns about passing a budget that is supposedly balanced. But when you really dig down into it, that balance is based on really, really, really questionable pillars-- including cash transfers that just don't add up, that are sweeping it from cash funds which, first of all, are one-time use funds and, second of all, are there for a specific purpose. We don't just have cash funds sitting around for no reason. They support specific things that our state government does. And when we sweep funds out of those things, what happens to the functions which were being supported by those things? So I have grave concerns about this. You add that to the fact that we know some of these big projects that we're going forward with are gonna come in over budget. This budget is based on a number of sleight of hands. It is not actually balanced. We're just making it look like it's balanced today. We're going to have a number of deficit requests next year. I feel like Cassandra sometimes, prophesying, because I've said from this very podium that we're gonna get into trouble and have a hole

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate May 15, 2025

in our budget by 2025 or '26. And here we are. And I know it's all baked and we're gonna do it. And I know that Senator Cavanaugh is removing her amendment. She's going to withdraw it. But I guess we need to learn this lesson to do better next time.

KELLY: That's your time, Senator.

DeBOER: Thank you, Mr. President.

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

CONRAD: Thank you, Mr. President. Thank you, colleagues. I'll be brief, but just wanted to add a note for the record. And I appreciate that procedurally we wa-- have an opportunity to at least take a substantive vote on this measure. But I do just want to lift up the fact that in addition to a clear track record in regards to litigation in regards to misusing or misdirecting efforts from the Environmental Trust Fund that we have clear awareness of yet are disregarding in regards to this measure. I, I think it is important to note that for the record. Additionally, the same concerns were brought forward most recently during the last biennium and the special session. Those efforts were then appropriately addressed and turned back. Yet here we are again just a few months later discarding the clear legal issues that are in play to misdirection of Environmental Trust Fund resources, which do have a constitutional component as created by a vote of the people. Additionally, I just want to note that there are similar constraints in regards to perhaps the Board of Educational Lands and Funds transfers. This also is a separate constitutional entity. And while the funds are being moved from the current administration in support of Educational Lands and Funds activities and their disbursement to our schools on a per-pupil basis, this interest amounting to \$1 or \$2 million a year now will be re-- redirected to the Education Future Fund. The Education Future Fund was a bold and visionary move by Governor Pilleen, which I supported and commend him for listening to educational leaders across the state and across the spectrum for years asking that we create some sort of cushion to protect education funding during economic downturns. However, one thing that we do need to note is that our own Legislative Fiscal Office very recently has noted that without major changes to the Educational Future Fund, its fiscal sustainability is in question, and very quickly-- actually within the next couple of years. And it was just created in the last biennium. So this switch, if even permissible, will be a mere drop in the bucket to what it will take to ensure sustainability of this fund as intended. Thank you, Mr. President.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate May 15, 2025

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

DeBOER: Thank you, Mr. President. Colleagues, I wanted to get up again because I guess I didn't feel that I had said everything I wanted to say. In the story about the emperor not having any clothes, the most sort of fascinating part to me is that everyone around the emperor comments on how beautiful the clothes are even though they cannot see them. And with respect to the budget, I feel the same way because I know how many of you know this budget is built on fictions. I know how many of you know that we are not going to pass a balanced budget today, that these cash sweeps that we are doing are not sustainable, that there are, are unconstitutional provisions, that there are numbers that just don't add up. I know you know this. You've talked to me about this. And I do not know why-- other than not knowing what else we can do-- we're going to go forward like this. The emperor has no clothes. We all know it. We all know it. I guess the lesson is because most of the people in this Chamber have had less than three years of experience in this Chamber-- many of them have had lots and lots and lots of experience in public service or in business, but they have three years or less in here, which means they have time to go. They have more time ahead of them. The lesson I think is this: we can't do this again. We're gonna be back here with problems. Inevitably. It always happens with a budget. A budget is very complicated. But this time we know it. We know it's happening. We all know it. Thank you, Mr. President.

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

M. CAVANAUGH: Thank you, Mr. President. So this is the last of the main part of the budget, LB264. And once this passes and then sent to the governor and LB261 is sent to the governor, then we will just be bidding our time until we're back here to fix this catastrophe or fiscal fiasco. I spent a lot of time on this budget-- in committee, out of committee, talking with our wonderful fiscal analyst staff, pouring over the Celestial Blue Book. And it is-- it's not really a secret that I had wanted to be on Appropriations pretty much the entire time-- not pretty much. I had wanted to be in Appropriations the entire time I was here. There wasn't a spot my first few years available. And so now here I am in my last biennium on Appropriations. People keep asking me, how do you like it? And I, I, I really am fascinated by, by the budget and the work. I'm disappointed in the process because it hasn't been strategic. There haven't been priorities laid out in any manner other than the governor's budget and property tax relief. And so it's been frustrating in that way. And when I go through the budget and I see the

things that we aren't funding, the things that we're cutting-- aid to local public health departments and federally qualified health centers, federal behavioral health services, domestic violence housing-- we, we had to struggle-- we had actually change statute for a cash fund to get money for that. Massive sweeps of Health Care Cash Fund allocation. Noncode agencies being slashed, their budgets being slashed by the governor. Seeing the emails from Lee Will from the Governor's Office back in April telling agencies that they had to cut their budgets in anticipation of this, and all of it for property tax relief. And the entire time, those that have pushed forward this budget are silent. They're silent about the fact that this amendment is an attempt to undo unconstitutional cash sweeps. They're silent in committee about it. And they're silent on the floor. They're silent in debate. And they just vote green. And that's frustrating. It's truly to its core frustrating. And when I hear from people outside of this Chamber, when I hear from Nebraskans about how they are frustrated with the Legislature, all I can say is I share their frustration because I feel like I'm howling in the wind all of the time. And it's exhausting. And I am beyond emotionally and physically exhausted today. Yesterday was awful. The day before was awful. And today's not really looking up. And I'm reading over emails from people in response to what happened at the end of the day yesterday, and I feel crestfallen over that. And I know that's not enough for the people of Nebraska that are being harmed by the legislation that we're putting forward. And I'm sorry that that's not enough, but that's all I have left to give today. I don't even have enough to give to fight for-- against an unconstitutional budget. I'm just mostly sad about what this place has become and what it represents. And I'm sad that everybody's going to vote to enact an unconstitutional budget knowing full well that it's unconstitutional. So. I withdraw my amendment, Mr. President.

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

CLERK: Mr. President, I have a series of withdrawals: Senator DeBoer, I have AM1390; Senator Holdcroft, FA209; Senator John Cavanaugh, FA213; Senator Conrad, AM1399; Senator Machaela Cavanaugh, FA224; and Senator Raybould, AM1433. All with notes that you would withdraw.

KELLY: So ordered.

CLERK: In that case, Mr. President, Senator Machaela Cavanaugh would move to amend with-- would move to return to Select File for a specific amendment, that being FA223.

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

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate May 15, 2025

M. CAVANAUGH: Thank you, Mr. President. I'm going to have to pull up what this one is. FA223. OK. Strike Section 79. Oh, what is Section 79? Final Reading copy. This is fun. Fun, fun, fun. Section 79. That's very specific, so I'm sure it's a specific striking. I know that I did, I did move several amendments from Select to Final. And let's see here. The State Treasurer shall transfer \$100,000 from Tuition Recovery Cash Fund to Education Future Fund on or before the amounts directed-- oh. I don't think-- is this-- would Senator Spivey yield to a question?

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

SPIVEY: Yes, I will.

M. CAVANAUGH: Senator Spivey, do you know-- is this the one that's taking money from-- it's \$100,000 from the Tuition Recovery Cash Fund. That's not the teachers fund--

SPIVEY: That's not the teacher-- because they're taking \$1 million from the fund.

M. CAVANAUGH: OK. OK. Thank you. Thank you for yielding to that question. OK. I'm not sure what this one is, but I have more amendments coming. So-- oh. I'm wondering if I wrote down the wrong section because Section 78 is the teachers fund. So I'm just going to quickly check what my other motions are that are pending. FA225 is Section 56. And FA226-- OK. So I think that I just-- that was a mistake, that this was supposed to be striking Section 78. Great. So Section 78 is, the State Treasurer shall transfer \$1 million from the Certification Fund to the Education Future Fund on or before July 1, 2025 but before July 30-- or, on or after-- before next year-- OK-- as directed. Blah, blah, blah. So-- OK. What this is is a \$1 million sweep from a cash fund that is funded by teachers to pay for their certification. So we are taking money that teachers personally pay into a fund so that we can have property tax relief for Jim Pillen and members of this body. That's it. That's what we're doing. That's what this budget represents. Taking money from teachers-- from them-- money that they pay to maintain their certification so that they educate our children for very little compensation. We are taking their money for their certification to pay for property tax relief, to pay for a prison, to pay for a canal. Not to pay for SNAP benefits, not to pay for child care subsidies, not to pay for affordable housing, not to pay for problem-solving courts for veterans, but to pay for property tax relief for the governor and members of this body. We are taking money from teachers. God bless Nebraska. Thank you, Mr. President.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate May 15, 2025

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

SPIVEY: Thank you, Mr. President. I wanted to add a little bit more context to this. And appreciate Senator Machaela Cavanaugh putting this forward. I also have a amendment on this with-- that I will withdraw when it comes up. So how this came up and how we found out about this of this actual sweep and the implications was the initial due diligence I did with Agency 13, which is Education, around the potential appropriations lapse that was coming back into the budget. It was, like, close to, like, \$7 or \$8 million. And I was like, that's a lot of money. And we know that education is chronically underfunded. Let me check in with them about why they are not spending this money, what's going on. We, we-- I found out after talking with them that those line items were actually encumbered. They had contracts. And so again, the estimates that we had were not accurate that we accounted for. And then they brought this up. And I asked them about this cash fund sweep, and they had a real issue with this because, again, they are charging teachers fees. And they use those fees for certification. And I actually-- so this is gonna be for you all, I think, on Section 79 now. But they are charging these fees-- I think it's, like, \$45 to \$55. And they're used for different certifications for all of the teachers. And they intentionally had built up a little bit of a cushion so that they can reevaluate their fees in order to have more teacher retention and recruitment that the fees have been lowered. So it was an intentional strategy around how they can make their dollars go further for the cost of these while thinking about the state of education and being able to attract and retain quality teachers. And so, again, this is fees that are charged that we're using to fill a deficit. And I'm wondering if Senator Clements would yield to a question.

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

CLEMENTS: Yes.

SPIVEY: Thank you, Senator Clements. For this specific cash fund, the Certification Fund-- which is used for the teachers fees-- did you have a conversation with the commissioner or anyone from Agency 13 around the impact of this million dollars and their viewpoint that they did not want it swept because of the intentional use and projected use of this fund?

CLEMENTS: No, I had not heard a-- heard about that. I just saw that the revenues were more than the expenses and the fund balance was adequate to be sustainable.

SPIVEY: OK. Thank you for answering my question. I, I can appreciate that answer and I appreciate your honesty, Senator Clements, and have enjoyed working on Appropriations with you this year. And I also think that that is, like, the issue, that we are sweeping cash funds, as Senator DeBoer said, and it has implications. It is not sustainable when you talk to them because they intentionally built a balance to be able to lower fees to continue to do the work that they're doing to retract-- to attract and retain highly qualified folks for our kids to provide quality education. And so I don't think it's appropriate that fees are going to the General Fund to fill the deficit. If you'd-- if communication would have happened with Agency 13, they would have given the same information. But it didn't in that same way. And so because of my reaching out and trying to just better understand information that I feel like was not always readily available for me as a member making decisions of the Appropriations Committee, I reached out and, and had some quick conversations just to better understand. And so-- again, I think this is an example of the inherent opportunities within our process to be better and to better communicate with the people that are actually implementing these agencies. We're making decisions from a very finite, limited point of view and perspective. We don't understand the inner workings of the agencies. We don't have the experience outside of this body from doing it in our day jobs or, or going to visit and understand, and so I think that is absolutely an opportunity to do better-- but here we are now. And again, because of the implications of when this came up, we are-- we cannot really address the issue, which is unfortunate for the teachers, as well as how we talk about supporting teachers and education in our state. Thank you, Mr. President.

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

M. CAVANAUGH: Thank you, Mr. President. Thank you, Senator Spivey. There's a couple more amendments pending on cash fund sweeps, and so I just took that moment to, to check out what those are. Cash funds are not, are not-- as Senator Conrad said, they are not the Cash Reserve. Cash funds have been created for specific reasons. And there's a cash-- there's a cash fund report. You can access it on our Uninet. You can access it on the main legislative website. You can look and see what statute created the cash funds, how they are funded, and a general snapshot of the funding balance. And that's how you can see that this one particular Section 78 is the teachers' Certification Cash Fund. And if you care and if you're curious and if you're diligent and you're thorough, when you're proposed with a cash fund sweep, what you do is you go and you look at that stuff. And you look at the statue and then

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate May 15, 2025

you look up the statute. And then you look at-- and you see the statute when it was enacted. And there's multiple bills that were enacted. And then, you know what you can do? You can go on this little thing called a research journey and you can look at previous bills. And you can go and find the floor debate. And you can learn about why that was created if you so choose. If you so choose, you can know what you are doing. You can choose to not know what you are doing and you can choose to know what are doing. But there is not an excuse. There's not an excuse to take money from the teachers' Certification Cash Fund. Say you didn't know, that's because you chose not to know. When you go through the cash fund transfer budget, you'll see-- if you so choose to do-- you'll see modifications to language and statute to the cash funds because we had to modify language in this budget to take money from these cash funds. Some of them we didn't have to modify because we had previously done it in the last biennium. Authorizing ourselves to take money from cash funds. So you can't just say with all of these cash funds-- well, I mean, yes, they-- they're funded by fees from X, Y, and Z, but we can take the money. No, actually. We can't. We have to change the law so that we can the money. That's how we're making this happen. That's what we had to do on the domestic violence. We had to change the law so that we could take money from the Medicaid Excess Cash Fund to pay for it. That's what we have to do. So when these cash funds are sent up-- set up and these individuals who are paying money into them-- when the Historical Society Cash Fund was set up and people pay into that cash fund, it's their application fees for historical designation for their application to be processed. And their applications haven't been processed. And we are taking that money that they paid for a service that they have not received. That is in LB264. Taking money from the historical cash fund-- society's cash fund that they get paid for by application fees for applications for historical designations that have not been processed. And we're taking that money. And we're changing the law to take that money. We're legally stealing money because we've decided to make it legal. But we're still stealing the money. They still paid for a service that they're not receiving from the state. That's in LB264. And you are choosing to not acknowledge that. That's a problem. That's a huge problem. Thank you, Mr. President. I withdraw FA223.

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

CLERK: Mr. President. Senator Spivey, I have FA203 with a note that you would withdraw.

KELLY: It is withdrawn.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate May 15, 2025

CLERK: In that case, Mr. President, Senator Machaela Cavanaugh would move to amend with FA225.

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

M. CAVANAUGH: Thank you, Mr. President. FA225, it says it strikes Section 56. It is a carryover from Select File. So that's-- all of these are. So they're off by one. So it's actually to strike Section 55, which is the inland port authority. So some of these-- I think this might have been either Senator McKinney or Senator Spivey's amendments on Select File. And I just had things refiled from Select to Final when we didn't get to them in hopes that we could take them back up on Final and then, you know, the whole "we can't make this bill better on Final" happened. So I do see that Senator McKinney is in the queue, so I'm going to let him speak to this before I close on it. Thank you, Mr. President.

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

McKINNEY: Thank you, Mr. President. I rise in support of FA225. You know, we talk about transfers and we talk about sweeps of funds and I just think it is kind of counterproductive, to say the least, to sweep this fund and take these, take these resources from inland port authorities that, you know, are trying to assist in uplifting our state and putting communities across the state in better positions. I don't think in a time where we have a budget deficit, we're scraping for resources and trying to find ways to make sure the state doesn't go bankrupt that we take away resources from entities that are tasked with assisting in the development of communities and bringing jobs and those type of things. We shouldn't take that away, especially in these times. I think it's counterproductive. And, yes, we could come back and, I guess, you know put it back in the budget or whatever, but why should we? And the other funny thing about this is even if this budget bill passed, and-- which it will-- I'm almost sure that if entity one and two, one of the ports across the state-- maybe in Fremont-- Senator Jacobson said North Platte is OK. But Fremont could actually apply today, tomorrow and, and ask for these resources and-- guess what? It won't be there, so our budget would be unbalanced. And if you read the statutes, no one-- the-- there's no statutory, statutory authority that could stop them from making the request. So if today, after we adjourn the city of Fremont who has, I believe, an inland port authority, if they wanted to send in a request for the \$750,000, it has to be sent to them, which will make our budget unbalanced. We should think about these things before we do stuff. Just looking at funds and saying, oh,

it's money there, we should take it, has unintended consequences because I'm almost sure North Platte, I, I think they would, you know, love to have a extra \$750,000. I think, you know, Fremont probably would too. So if they just submit the application or the request, it has to be sent, according to the statutes. So this is my encouragement to this-- to the Fremont-- I don't know if they call themselves the Fremont Inland Port Authority or whatever. Send the request. Get your \$750,000. And tell the Legislature thank you. Thank you.

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

M. CAVANAUGH: Thank you, Mr. President. I think I have one more amendment after this. That's Intern Nebraska and the State Recreation Fund. So-- again, this one's the inland port authority. I don't have one for the vocational and life skills program within corrections, so I, I think I'll just mention that in closing here that we are taking money from that to pay for property tax relief. So not only are we not investing in rehabilitative services or, you know, behavioral health, mental health, public health, housing, jobs, food, we also are taking money out of the vu-- vocational pro-- program that helps people who are incarcerated have a sense of purpose and gives them a skill for reentry. So that's great. I don't know how we're gonna widen our tax base when we keep incarcerating people and then we don't even help them with reentry and jobs. But that's what I'm told by all of the brilliant business minds in this Chamber and in the lobby, is that we're just going to increase our tax base. Putting people into prison is not increasing our tax base. It's actually decreasing it because we don't pay them even minimum wage. And then we take half of that money anyways. And then they aren't paying for child, child care-- or-- sorry-- child support. They're not giving money back to their families that are still in the community. So their families then qualify for benefits that we then pay for. So we're really, we're really doing things very strategically. So FA225 takes money from the inland port authority. I think Senator McKinney said everything that needed to be said about that. So I will withdraw FA225.

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

CLERK: Mr. President, Senator Machaela Cavanaugh would move to amend with FA226.

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

M. CAVANAUGH: Thank you, Mr. President. I believe this is my last amendment that is pending, so we'll probably be getting to a vote soon. So if people are wandering around, I'd suggest wandering on back. You wouldn't want to miss out on voting for this masterpiece. So FA-- or-- yeah. FA22-- it's not up there yet, but-- whatever the FA is that we're on, it strikes Section 12, which is actually supposed to be Section 11, the Intern Nebraska Cash Fund to General Fund. So what this does is it takes-- it-- the State Treasurer shall transfer the remaining balance of the Intern Nebraska Cash Fund-- so all of it-- into the general funds. That's it. That's what that does. And then the State Recreation Fund, which is Section 16-- which is actually Section 15-- the State Treasurer shall transfer \$2.5 million from the State Recreation Road Fund to the State Park Cash Revolving Fund. And the reason we had to do that was that we didn't take as much money from the Environmental Trust Fund. So we had to find money other places, and this was where we found it, so. That's great. If you actually took the time to open up Final Reading LB264-- it's section by section. It's not complicated to read. It tells you what we're trash-- transferring money from. \$5 million from the Vehicle Title and Registration System Replacement and Maintenance Cash Fund to the General Fund. That's in addition to the \$12.5 million from DMV. And then, you know, yesterday we had that bill about increasing fees to a cash fund to the DMV. See a pattern here. Are we increasing fees for the DMV to put into their cash fund to take from their cash fund to fund property tax relief? Why, yes. Yes, we are. Let's see. What else is in here? \$15 million from the Economic Recovery Contingency Fund to the General Fund. I don't even know what that's about. That was probably for something. 4-- \$4.4 million-- oh. This one I did vote for in committee. \$4.4 million from the JEDI Fund-- sorry, Attorney General Hilgers, but I did-- to the General Fund. Attorney General Hilgers when he was Speaker worked really hard on these names. Jobs and Economic Development Initiative, JEDI. That's also-- Star Wars has a whole thing. The Intern Nebraska Fund. Economic Development Cash Fund to the General Fund, just the remaining balance. \$32.7 million from the Water Recreation Fund to General Fund. So we can take money-- now, these-- this is, this is interesting to me. We can take money from the Water Recreation Fund and the JEDI Fund to put into the General Fund, but we cannot take money from the Perkins Canal Fund. And the Water Recreation Fund is to fund projects that we were, like, actively engaging in, in doing in communities across the state. So, you know. I always vote for the A bills even when I don't like a bill because I believe in paying our debts. So sweeping cash funds that are already accounted for seems like a bad idea. \$4.5 million from the building-- the Site and Building Development Fund to the General Fund. \$800,000 from the Flexible Spending Fund. That's the-- we talked about

that yesterday. Medi-- flexible spending, medical. So that's the, the fund that Senator Armendariz and I had that talk about, which, thank you, because it is open enrollment. And learning the difference between SF-- FSA and HSA was very helpful. I appreciated that discussion. \$25.5 million from the Military Installation Development and Support Fund to the Site and Building Development Fund. Sure. What do they need it for? State Treasurer shall transfer the remaining balance of the Youth Outdoor Education Innovation Fund to the General Fund. So that's a project in Senator Jacobson's district that we're taking the money from that we had to work really hard to get to. I won't-- I-- I'll be clear, we were told-- and I'm, I'm really taking a leap of faith here-- that they didn't need as much money. I don't know if that's true or not. State-- \$2.5 million from State Recreation Road Fund to State Park Cash Revolving Fund. \$125,000 from the Resource Recovery Fund to General Fund. \$1 million from the flexible spending-- oh, another. OK. \$8.25 million from the State Insurance Fund to the General Fund. Don't know what that's-- where those funds come from, but that's interesting. State Treasurer shall transfer the remaining balance of the Customized Job Training Cash Fund to the General Fund. Who needs job training? \$2 million from the Department of Revenue Enforcement Fund. Who needs enforcement? I do like the, the Job Training Fund-- I'm going to go back to that for a second. Well, there's another one: \$2.5 million from the Nebraska Training and Support Cash Fund. So yesterday, we had this fun, little conversation about a extraordinarily hostile amendment put on Senator Quick's SNAP bill. And in the discourse about this work requirement bill, the initial underlying bill had a \$3 million fiscal note, but lo and behold, magically, DHHS no longer requires that. They can absorb it within their own operations. I'm not really sure how they can absorb it because we have cut their budget significantly, surgically, and painfully. That patient is bleeding out on the table. And we have just given them more duties with no resources. And we are taking money from job training cash funds. So I'm not really clear on how that's all gonna work, but-- devil in the details. Who cares about that? \$1.5 million from the Employment Security Special Contingent Fund. Who needs that, right? \$1, \$1 million from Workforce Development Program Cash Fund. Again, how are we growing our base? How are we growing our revenue base? Is it jobs? Is it people in jobs? Because we seem to be taking a lot from the resources that we over time have allocated to people and jobs. So-- but these one-time cash sweeps that are not sustainable at all are fine because Governor Jim "Pi-len" is getting his property tax relief. And that's all that matters. What's next? \$1 million from the Records Management Cash Fund. I made this point during special session, and I think it's probably worth making one more time-- or many more times-- if we looked at all of the cash

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate May 15, 2025

funds and we saw that there was all this money sitting in all these cash funds, the question should be, are we charging too much? Maybe we should reassess these fees. Maybe we should lower these fees. And then that's almost like a massive tax break for everyone. Or we could increase these fees and put them towards Governor Pay-- "Pi-len's" property tax relief. Maybe it's "Pay-lin." I don't know. I've heard it both ways. So. \$500,000 from the Department of Motor Vehicles Ignition Interlock Fund. So that fund, I learned about, is a fund that people who don't have the resources to pay for that interlock thing if they have a DUI that they need and they still need to get to a job and blah, blah, blah. So that's paid for by fees. And then those fees go to as-- like a grant program for people who need those resources to be able to get reinstated in their driver's license and drive and all that. But that, that only helps poor people, so we can take it. It's fine. I see I'm almost out of time, so I will just wait for my close. Thank you, Mr. President.

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

McKINNEY: Thank you, Mr. President. I just wanted to stand up and say that the transfers from the Economic Reco-- Contingency Fund, I think it's either \$20 or \$25 million. Guess where that was supposed to go. Wild guess. Just think about where \$20, \$25 million was supposed to go for economic recovery but this budget is taking it away. On top of taking the other transfers away. So in total, this Legislature is going to vote to take away probably close to \$40-plus million of economic recovery money from north and south Omaha. And I'll just leave you with that, but I just wanted to throw it out there. Thank you.

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

RAYBOULD: Thank you, Mr. President. Good morning, colleagues. I do have an amendment coming up that I, I wish to withdraw later on, but I did want a chance just to say a few words and to validate what my colleagues have been speaking on this morning. I do want to be sure I, I mind my manners and give a shout-out to the fiscal analysts. Their team, they are top-notch. I just think they've done a great job. The appropriations have done their work, but I, I stand before you once again with objections on several items that we have already discussed quite extensively, but I, I only wish for this budget that we would have actually given serious consideration based on some very worthwhile, soun-- fiscally sound suggestions. Of course, Senator McKinney has, has talked extensively about the jail. I believe that

there is savings to be made by doing value engineering in the construction of it and, and-- for a construction delay of two years. I will get into the Perkins Canal briefly because I know that's-- has to be a favorite topic. But also, you know, pausing the accelerated income tax rate reductions. These are all very credible fiscal solutions that we should have taken up and, and developed and have given careful consideration to. And I know we've talked about objections to many of the transfers. I strongly object going to our cash reserve funds for 100-- we're up to \$147 million right now. There should have been other alternatives that we should consider, which I will get to in a minute. I also object as my colleagues have to the multiple unprecedented fee increases from many of the agencies and many of the departments across the board that not only are going to be impacting the businesses that have to pay those fees that-- by the way, they pass those fees on to the customers that they serve or the service that they provide or material and-- of-- in their cost of material and goods, but mostly individuals are going to be bearing the brunt of this. And so in the past, we've said, well, this is similar to a cost and a tax shift. You know, I am deeply troubled by the very unorthodox method that we had to enact special language in the budget to give us the authority to go into programs and accounts that we have never had to go into and sweep those funds into our general funds. To me, that is a truly alarming presiden-- precedence. Again, you've-- I've given you a handout talking about the urgency of dealing with our 2.3-- \$2.6 billion, billion in annually growing financial assistance requests from communities all across our state of Nebraska for safe, clean drinking water. To me, that's fundamental. That-- we are obligated to provide that. Yet we're not even focusing the attention on it. I did notice that we did sweep more money into the State Revolving Fund that can-- will address that, but it's only a drop in the bucket compared to the 2.3-- \$2.6 billion in request that have been handed out. Lastly, there is an additional urgency. I gave you copies of the 2023 Planning Committee report from our state senators who are on that committee, were-- rightfully focused and said these are the critical issues facing Nebraska that we just keep ignoring and not addressing. Key issues facing Nebraska such as affordable housing, affordable child care, and-- bingo. They touched on water quality. It also sig-- singled out the health care crisis that is impacted by our poor water quality and contaminated wells. I gave you the handout of those illnesses that have become quite predominant in our state of Nebraska more than any other state, particularly when it comes to pediatric cancer rates in our entire United States. We have one of the highest rates. That should be alarming. That should be a wake-up call. And sadly, like so many families in Nebraska, like my own, we've been touched by cancer. So many families have. Non-Hodgkin's

lymphoma. My father had Parkin's disease-- Parkinson's disease. I'm lucky. I'm lucky. But when are we gonna pay attention to this? And lastly, we have-- my amendment talks about \$100 million from the Perkins Canal. Colleagues, if we are so enthusiastic and sold on the Perkins Canal, there's other financial methods that we have access to which allows us to go out for bond and debt financing for this. We don't ha-- we have other options, and it's not the Cash Reserve Fund. Thank you, Mr. President.

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

JUAREZ: Good morning, colleagues. And good morning to everyone online. I just wanted to take a few minutes to thank Mr. McKinney for all of the-- Senator McKinney for all of the times that he has stood up advocating for north and south Omaha and the funds that are being taken away from the funds that we were allocated. I hadn't gotten up before because he was doing a good job advocating for us and I thought, you know, I should take the time at least to thank him for doing that because, as a representative for south Omaha, obviously that's affecting my community. And I did want to go formally online to state my objection as he has. On a good note, I did want to share some news before our day ends-- and I don't get to share about my family-- today. But I wanted everyone to know that my grandson, who is graduating from UNL on Saturday was awarded the first-ever Outstanding Emerging Media Arts Senior Award. And he's in the Johnny Carson College. So I wanted to make that announcement of how proud I am. And his name is Isaiah Griffith [PHONETIC]. Thank you. I yield the rest of my time.

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

M. CAVANAUGH: Thank you, Mr. President. And this will likely be the last time I speak on this. I wanted to mention one more cash fund before making my final remarks. Section 29 of the Final Read of LB264 is a, is a-- taking money from the Engineers and Architects Regulation Fund to the General Fund. They came and testified in opposition to this. This is funded by fees that they, they pay to do their licensure. And also they, they use any re-- excess funds for grants to young architects. So we're taking \$400,000 from that. That fund, the teacher fund, these things are fees for licensures. I, I, I hope, I hope you all sue us. I do. I really hope that you sue the state of Nebraska for stealing money that you put into a fund for a specific purpose and we took out to give to ourselves and to the governor. And we had to change statute to do it. Because that's not our money. It's your money. We

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate May 15, 2025

also did that with the Corn Checkoff Board. It's not our money. We-- we're just the bank. We're just holding the money for you. And you were foolish enough to trust us. I hope everybody wises up and stops trusting us with their money. I did an interim study last year and I've been asked several times when talking about all these fees and sweeps, well, we should probably do an interim study on that. I'm like, we did. I did. With the Appropriations Committee. Last fall. I don't know the-- if they asked a single question during it. Looking at the, the cash funds, looking at the sweeps, trying to come up with a way to, to reassess these, talking to national groups. I did. Nobody cares. Maybe if a Republican does it. Maybe then they'll care. But then somebody would actually have to do it. I also am submitting an interim study to look at creating a ways and means committee because the way that we do our budget with Revenue and Appropriations is very disjoined and inefficient. So that's an interim study that I hope will actually accomplish something. But we'll see. Might result in good governance, I don't know. I'd like to just once again thank the fiscal analysts for all of their work, for answering questions, for digging into concerns, for helping draft amendments. All of the fiscal notes that are on all of your bills and all of the other committees, the Fiscal Office does that in addition to the budget. The Appropriations Committee is not the hardest working committee. The Appropriations staff is. They work constantly from the moment we start. So thank you to them. Thank you for the long hours that you've put in. Thank you for sitting through all of this with us. Thank you for your contributions to all of our legislation. Thank you. But the Appropriations Committee did not work hard this year. We failed the people of Nebraska with what you're voting on today. And this bill, LB264, is unconstitutional. And I hope we get sued. Thank you, Mr. President.

KELLY: Thank you, Senator Cavanaugh. Members, the question is the return to Select, FA226. All those in favor vote aye; all those opp--

CLERK: Mist-- Mr. President, it's my understanding Senator Machaela Cavanaugh would withdraw.

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

CLERK: Mr. President. Senator Raybould, I have AM1420 with a note that you'd withdraw.

KELLY: So ordered.

CLERK: In that case, Mr. President, Senator McKinney would move to return to Select File for a specific amendment, that being FA205.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate May 15, 2025

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

McKINNEY: Thank you. FA205 is similar to the other conversation about the cash transfers that are being taken away from the Economic Recovery Contingency Fund. And I know people don't care and I know we're not going to get to a vote or anything like that on that-- on this, but I just want to just-- and I think we will get to a vote. And I want to get to vote on purpose so I can see who is OK with taking money for economic recovery from my community, Senator Spivey's community, Senator Guereca's community, and Senator Juarez's community. I, I just find it appalling that we could protect every other investment that this state has decided to do except for the investments in probably some of the most, if not-- yeah, they are-- the most impoverished communities in this state. But people don't care. And that's my issue. And I'm not gonna go all day about it because the more I go, the more frustrated I probably will be. And I already know what the outcome of this is going to be. I just wanna make sure that we have it on the record that people are OK with taking resources for economic recovery from those communities. Thank you.

KELLY: Thank you, Senator McKinney. Seeing no one else in the queue. You're recognized to close. And waive closing. Members, the question is the adoption of FA205. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 10 ayes, 31 nays on the motion to return, Mr. President.

KELLY: It is not adopted. Mr. Clerk.

CLERK: Mr. President, Senator McKinney would move to return to Select File for a specific amendment, that being FA206.

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

McKINNEY: Thank you. And thank you for taking \$20 million, \$25 million from-- for economic recovery. I really appreciate it. Just great, great, great day for the state of Nebraska. This one deals with the inland ports and the conversation we had previously on-- I believe it was AM225, about taking \$750,000 from the inland ports, which-- I keep telling y'all, according to the statutes-- and unless I read it wrong-- and I don't think I read it wrong-- any-- no matter if this bill passes, if one of those ports decides to just apply, that \$750,000 is not there and it can't be stopped. But y'all don't want to listen to me, and I know y'all don't care, so we could take a vote on this too.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate May 15, 2025

I'm trying to save us from ourselves, but nobody seems to care about that anyway. Thank you.

KELLY: Thank you, Senator McKinney. Seeing no one else in the queue. You're recognized to close. And waive closing. Members, the que-- the question is FA205, the return to Select. LB206. Motion to return to Select File. All those in favor vote aye; all those opposed vote nay. There's been a request for a roll call vote.

CLERK: Senator Andersen voting no. Senator Arch voting no. Senator Armendariz voting no. Senator Ballard voting no. Senator Bosn voting no. Senator Bostar not voting. Senator Brandt voting no. Senator John Cavanaugh voting yes. Senator Machaela Cavanaugh voting yes. Senator Clements voting no. Senator Clouse voting no. Senator Conrad voting yes. Senator DeBoer. Senator DeKay voting no. Senator Dorn voting no. Senator Dover voting no. Senator Dungan voting yes. Senator Fredrickson voting yes. Senator Guereca voting yes. Senator Hallstrom. Senator Hansen voting no. Senator Hardin voting no. Senator Holdcroft voting no. Senator Hughes voting no. Senator Hunt voting yes. Senator Ibach voting no. Senator Jacobson voting no. Senator Juarez voting yes. Senator Kauth voting no. Senator Lippincott voting no. Senator Lonowski voting no. Senator McKeon voting no. Senator McKinney voting yes. Senator Meyer voting no. Senator Moser voting no. Senator Murman voting no. Senator Prokop not voting. Senator Quick not voting. Senator Raybould. Senator Raybould? I'm sorry. Not voting. Senator Riepe voting no. Senator Rountree voting yes. Senator Sanders voting no. Senator Sorrentino voting no. Senator Spivey voting yes. Senator Storer voting no. Senator Storm voting no. Senator Strommen voting no. Senator von Gillern voting no. Senator Wordekemper not voting. Senator Hallstrom voting no. Vote is 11 ayes, 32 nays on the motion to return, Mr. President.

KELLY: FA206 is not adopted. Mr. Clerk.

CLERK: Mr. President, Senator Conrad would move to return to Select File for a specific amendment, that being AM1400.

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

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

KELLY: So ordered. Mr. Clerk.

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

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate May 15, 2025

KELLY: Members, the first vote in Final Reading is to dispense with the at-large reading. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 44 ayes, 2 nays to dispense with the at-large reading.

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

CLERK: [Read title of LB264]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB264 pass with the emergency clause? All those in favor vote aye. All those opposed vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Clements, Clouse, DeKay, Dorn, Dover, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Ibach, Jacobson, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Riepe, Sanders, Sorrentino, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: Senators Cavanaugh, Cavanaugh, Conrad, Dungan, Fredrickson, Guereca, Hunt, Juarez, McKinney, Quick, Raybould, Rountree, Spivey. Not voting: Senator DeBoer. Vote is 35 ayes, 13 ayes, 1 excused, not voting, Mr. President.

KELLY: LB264 passes with the emergency clause. Mr. Speak-- Mr. Clerk, items for the record.

CLERK: Thank you, Mr. President. Communication from the governor. Engrossed LB7-- LB32, LB230e, LB230Ae, LB323, LB560, LB560e [SIC-- LB561e], LB640, LB667, and LB696 were received in my office on May 14, 2025 and signed on May 15, 2025. These bills were delivered to the Secretary of State on May 15, 2025. Signed: sincerely, Jim Pillen, Governor. New A bill: LB677A, introduced by Senator Hansen. It's a bill for an act relating to appropriations; appropriate funds to aid in the carrying out the provisions of LB677; declare an emergency. New LR: LR1213 [SIC-- LR213] from Senator McKinney; LR1214 [SIC-- LR214], Senator McKinney; Senator McKinney, LR1215 [SIC-- LR215]; Senator Machaela Cavanaugh, LR216, LR217; Senator Spivey, LR218; Senator Fredrickson, LR219, LR220, LR221; Urban Affairs Committee, LR222; Senator Brandt, LR223; Senator Dungan, LR224, LR225; Senator John Cavanaugh, LR226, LR227, LR228; Senator Clouse, LR229; Senator Lonowski, LR230; Senator Riepe, LR231, LR232; Senator Quick, LR233; Senator Storm, LR234; Senator Wordekemper, LR235 and LR236, LR237; Senator Holdcroft, LR238; Senator Spivey, LR239; Senator Spivey, LR240, LR241, LR242, LR243, LR244, LR245, LR246, LR247; Senator von Gillern,

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate May 15, 2025

LR248. All to be referred to the Executive Board. That's all I have at this time.

KELLY: Thank you, Mr. Clerk. Senator Dungan has some guests in the north balcony: ninth graders from Northeast High School. Please stand and be recognized by your Nebraska Legislature. Senator Fredrickson has some guests in the north balcony: fourth graders from Columbian Elementary in Omaha; they include his sister, Johanna Anderson, of Omaha; and his niece, Evelyn Anderson. Please stand and be recognized by the Nebraska Legislature. The next bill on Final Reading is LB260 with the emergency clause. Mr. Speaker-- Mr. Clerk. The first vote will be to dispense with the reading-- the at-large reading. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 43 ayes, 0 nays to dispense with the at-large reading.

KELLY: Please read the title.

CLERK: [Read title of LB260]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB260 pass with the emergency clause? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Clements, Clouse, DeBoer, DeKay, Dorn, Dover, Fredrickson, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Ibach, Jacobson, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: Senators Cavanaugh, Cavanaugh, Conrad, Dungan, Hunt, Juarez, McKinney. Not voting: Senator Guereca. Vote is 41 ayes, 7 nays, 1 excused, not voting, Mr. President.

KELLY: LB260 passes with the emergency clause. Senator Jacobson would like to recognize some guests in the north balcony. They are fifth and sixth graders from Thedford Elementary. Please stand and be recognized by the Nebraska Legislature. The next bill on Final Reading is LB262 with the emergency clause. Mister-- Mr. Clerk.

CLERK: [Read LB262 on Final Reading]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB262 pass with the emergency clause? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate May 15, 2025

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Clements, Clouse, DeBoer, DeKay, Dorn, Dover, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Ibach, Jacobson, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybould, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: Senators Cavanaugh, Cavanaugh, Conrad, Dungan, Fredrickson, Hunt, Juarez, McKinney, and Riepe. Vote is 40 ayes, 9 nays, Mr. President, on advancement of the bill.

KELLY: LB262 passes with the emergency clause. The next bill is LB263 with the emergency clause. The first vote is to dispense with the Final Reading. All of those in favor vote aye; all those opposed vote nay. Mr. Clerk, record.

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

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

CLERK: [Read title of LB263]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB263 pass with the emergency clause? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Clements, Clouse, DeBoer, DeKay, Dorn, Dover, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Ibach, Jacobson, Kauth, Lippincott, Lonowski, McKeon, Meyer, Moser, Murman, Prokop, Quick, Raybold, Riepe, Rountree, Sanders, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, Wordekemper. Voting no: Senators Cavanaugh, Cavanaugh, Conrad, Dungan, Hunt, Juarez, McKinney. Vote is 42 ayes, 7 nays, Mr. President.

KELLY: LB263 passes with the emergency clause. The next bill is LB534 with the emergency clause. Mr. Clerk.

CLERK: Mr. President, Senator Hunt would move to return the bill to Select File for a specific amendment, that being AM1480.

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

HUNT: Thank you, Mr. President. I'll withdraw this amendment.

KELLY: So ordered. Mr. Clerk.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate May 15, 2025

CLERK: Mr. President. Senator Hunt would move to return the bill to Select File for a specific amendment, that being AM1481.

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

HUNT: Thank you. I'll withdraw this amendment.

KELLY: So ordered.

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

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

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

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

CLERK: [Read title of LB534]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB534 pass with the emergency clause? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

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

KELLY: LB534 passes with the emergency clause. The next bill is LB69. 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: Voting aye: Senators Andersen, Arch, Armendariz, Ballard-- excuse me, Mr. President. 41 ayes, 0 nays to dispense with the at-large reading.

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

CLERK: [Read title of LB69]

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate May 15, 2025

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB69 pass? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, Cavanaugh, Cavanaugh, Clements, Clouse, Conrad, DeKay, Dorn, Dover, Dungan, Fredrickson, Guereca, Hallstrom, Hansen, Hardin, Holdcroft, Hughes, Hunt, Ibach, Jacobson, Jua-- Juarez, Kauth, Lonowski, McKinney, Meyer, Moser, Murman, Prokop, Quick, Raybould, Riepe, Rountree, Sorrentino, Spivey, Storer, Storm, Strommen, von Gillern, and Wordekemper. Voting no: Senators Lippincott, McKeon, and Sanders. Not voting: Senator DeBoer. Vote is 45 ayes, 3 nays, 1 excused, not voting.

KELLY: LB69 passes. The next bill is LB120.

CLERK: [Read LB120 on Final Reading]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB120 pass? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

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

KELLY: LB120 passes. The next bill is LB385. The first vote is to dispense with the at-large reading. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

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

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

CLERK: [Read title of LB385]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB385 pass? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate May 15, 2025

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, John Cavanaugh, Clements, Clouse, Conrad, 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 voting: Senators Machaela Cavanaugh and DeBoer. The vote is 47 ayes, 0 nays, 2 excused, not voting, Mr. President.

KELLY: LB385 passes. The next bill is LB470.

CLERK: [Read LB470 on Final Reading]

KELLY: All provisions of law relative to procedure having been complied with, the question is shall LB470 pass? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, John Cavanaugh, Clements, Clouse, Conrad, 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 voting: Senators Machaela Cavanaugh and DeBoer. Vo-- vote is 47 ayes, 0 nays, 2 excused, not voting.

KELLY: LB470 passes. The next bill is LB614.

CLERK: [Read LB614 on Final Reading]

KELLY: All provisions of law relative to procedure having been complied with, the question is, shall LB614 pass? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: Voting aye: Senators Andersen, Arch, Armendariz, Ballard, Bosn, Bostar, Brandt, John Cavanaugh, Clements, Clouse, Conrad, 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 voting: Senators Machaela Cavanaugh and DeBoer. Vote is 47 ayes, 0 nays, 2 excused, not voting, Mr. President.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate May 15, 2025

KELLY: LB614 passes. While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign LB261 with the emergency clause, LB264 with the emergency clause, LB260 with the emergency clause, LB262 with the emergency clause, LB263 with the emergency clause, LB534 with the emergency clause, LB69, LB120, LB385, LB470, and LB614. Mr. Clerk.

CLERK: Mr. President: Select File, LB371. Senator, I have nothing on the bill.

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

GUERECA: Mr. President, I move that LB371 be advanced to E&R for engrossing.

KELLY: Members, you've heard the motion. All those in favor say aye. Those opposed, nay. LB371 is advanced for E&R Engrossing. Mr. Clerk.

CLERK: Mr. President: Select File, LB490. First of all, Senator, 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 LB490 be adopted.

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

CLERK: Mr. President: Select File, LB-- excuse me, Mr. President. I have nothing further on the bill.

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

GUERECA: Mr. President, I move that LB490 be advanced to E&R for engrossing.

KELLY: Members, you have heard the motion. All those in favor say. Those opposed, nay. LB490 is advanced for E&R Engrossing. Mr. Clerk.

CLERK: Mr. President: Select File, LB422. I have nothing on the bill, Senator.

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

GUERECA: Mr. President, I move that LB422 be advanced to E&R for engrossing.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate May 15, 2025

KELLY: Members, you've heard the motion. All those in favor say aye. Those opposed, nay. LB422 is advanced for E&R Engrossing. Mr. Clerk.

CLERK: Mr. President: Select File, LB499. First of all, Senator, there are E&R amendments.

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

GUERECA: Mr. President, I move that the E&R amendments to LB499 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: I have nothing further on the bill, Mr. President.

KELLY: Senator Guereca for a motion.

GUERECA: Mr. President, I move that LB499 be advanced to E&R for engrossing.

KELLY: Members, you've heard the motion. All those in favor say aye. Those opposed, nay. LB499 is advanced for E&R Engrossing. Mr. Clerk.

CLERK: Mr. President: Select File, LB588. Senator, I have nothing on the bill.

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

GUERECA: Mr. President, I move that LB558 be advanced to E&R for engrossing.

KELLY: Members, you've heard the motion. All those in favor say aye. Those opposed, nay. LB558 is advanced to E&R Engrossing. Mr. Clerk.

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

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

ARCH: Thank you, Mr. President. Before senators leave for our three-day weekend, I want to give you a preview of next week. On Monday, we will debate on General File Senator Brandt's LB170 and his amendment, AM1318, which proposes a plan for additional property tax relief. After completing LB170, we'll take up Senator Rountree's motion to override the gubernatorial veto on LB319, his SNAP bill which the body passed on Final Reading yesterday. On Tuesday, we will debate on General File

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate May 15, 2025

Senator Hansen's LB777 [SIC-- LB677], the medical marijuana regulation bill. Additionally, I will be scheduling the second Judiciary Committee priority bill, LB150, which was reported to General File on Tuesday. Next week, we'll include some Select File and Final Reading, but I do not have that list ready to announce at this time. With the passage of Final Reading of the budget bills this morning, the governor has until midnight on Wednesday to return to us his line-item vetoes. If there are vetoes, the scheduling of any override motions will be dependent upon when those vetoes are received and the review of those vetoes by the Appropriations Committee as outlined in Rule 6, Section 14. With that, I would like to thank you for your work this week and wish you a restful weekend before we pick it up on Monday for our remaining session days. Thank you, Mr. President.

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

CLERK: Mr. President, your Committee on Education, chaired by Senator Murman, reports LB303 to General File with committee amendments. Amendments to be printed from Senator Hunt to LB532 and 5-- excuse me-- LB352-- LB532 and LB353. New LR: LR249 from Senator Machaela Cavanaugh; LR250 from Senator Andersen; LR251 from Senator Guereca. Those will all be referred to the Executive Board. LR252 from Senator Brandt. That will be laid over. LR253 from Senator Hardin; LR254 from Senator Clements; LR255 from Senator Andersen; LR256 from Senator Bostar; LR257 from Senator Bostar; LR258 from Senator Armendariz; LR259 from Senator Armendariz; LR260 from Senator Dover; LR261 from Senator Ibach. Finally, Mr. President, a priority motion: Senator John Cavanaugh would move to adjourn the body until Monday, May 19 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.